

RESOLUTION NO. 20-06

**A RESOLUTION OF THE BOARD OF DIRECTORS OF THE
FAIR OAKS WATER DISTRICT
CHANGING THE METHOD OF ELECTING DIRECTORS**

WHEREAS, the Fair Oaks Water District ("District") is an irrigation district formed pursuant to Water Code section 20500 et seq.; and

WHEREAS, the District is divided into five Divisions and has a Board of Directors comprised of five Directors; and

WHEREAS, Directors are currently elected by all voters in the District but each Director must reside within a different of each of the District's five Divisions; and

WHEREAS, Elections Code section 10650 authorizes the District to change the District's method of electing Directors by resolution where that change is undertaken in furtherance of the California Voting Rights Act of 2001 ("CVRA"), Elections Code section 14025 et seq.; and

WHEREAS, under the Elections Code section 14026(a), the District's current method of elections is defined as an "at-large" method of elections because Directors are currently required to reside within specific areas within the District's jurisdiction and are elected by voters of the District's entire jurisdiction; and

WHEREAS, Elections Code section 14027 provides that an at-large method of elections may not be imposed where it results in the dilution or abridgement of the rights of voters who are members of a protected class such that it impairs their ability to elect the candidates of their choice or influencing the outcome of elections; and

WHEREAS, the District has no evidence that its current method of elections is resulting in the disenfranchisement of members of any protected class but is seeking to proactively adopt the method of elections preferred under the CVRA to further its purposes; and

WHEREAS, the Board held presentations and public hearings regarding this transition from at-large to district-based elections at its meetings on October 14, 2019, October 24, 2019 and April 13, 2020, and solicited input on the proposed division maps at the public hearings on October 24, 2019 and April 13, 2020.

NOW, THEREFORE, the Board of Directors of the Fair Oaks Water District hereby finds, determines, declares, and resolves as follows:

1. The foregoing Recitals are true and correct, and incorporated herein.
2. While the District has no evidence that its current at-large method of electing Directors has resulted in the disenfranchisement of members of any protected class, the District wishes to act proactively to protect the rights of the residents within its jurisdiction by adopting the method of elections preferred under the CVRA and this change in the method of electing Directors to the District's Board of Directors to district-based elections is being undertaken in furtherance of the purposes of the CVRA.

3. Beginning with the general election on Tuesday, November 3, 2020, Directors shall be elected to the Board in district-based elections in which the elected Director must reside within the Division and must be elected only by voters residing within that Division.
4. On Tuesday, November 3, 2020 and at any subsequent election, the Directors for Divisions 4 and 5 shall be elected through district-based elections.
5. On Tuesday, November 8, 2022 and at any subsequent election, the Directors for Divisions 1, 2 and 3 shall be elected through district-based elections.
6. In the event that the office of Director for Divisions 1, 2 and 3 becomes vacant before November 8, 2022 and the Board chooses to fill the vacancy by election, any such election shall be district-based.
7. That the District's General Manager is authorized and directed to take any actions necessary to carry out the intentions of this Resolution.

I certify that the foregoing Resolution was adopted by the Board of Directors of the Fair Oaks Water District at a regular meeting held on the 27 day of April 2020, by the following vote:

AYES:

NOES:

ABSTAIN:

ABSENT:

Gary Page, President
Board of Directors

ATTEST:

Tom R. Gray, General Manager / Secretary