



AGENDA NO. 4a-4b.
MEETING DATE March 8, 2022

TITLE CONDUCT A PUBLIC HEARING AND APPROVE EBMUD REDISTRICTING PROPOSAL 1

| | | | | |
|---------------|--|---|--|--|
| TYPE | <input type="checkbox"/> Construction | <input type="checkbox"/> General Services | <input type="checkbox"/> Materials & Supplies | <input type="checkbox"/> Professional Services |
| | <input type="checkbox"/> CEQA | <input type="checkbox"/> Grants | <input type="checkbox"/> Water Supply Assessment | <input checked="" type="checkbox"/> OTHER |
| ACTION | <input checked="" type="checkbox"/> MOTION | <input type="checkbox"/> RESOLUTION | <input type="checkbox"/> ORDINANCE | |

RECOMMENDED ACTION

1. Conduct a public hearing, in accordance with California Elections Code section 22001, to receive public comment on Redistricting Proposal 1 (Proposal 1), as recommended by the Redistricting Ad Hoc Committee and accepted by the Board of Directors on January 11, 2022.
2. Approve Proposal 1 to establish the legal ward boundaries of the East Bay Municipal Utility District (EBMUD) as a result of the 2020 federal census.

SUMMARY

Section 11823 of the Municipal Utility District Act requires the Board to fix the boundaries of the wards for the purpose of electing Directors. California Elections Code section 22000 requires a special district to adjust its boundaries after each decennial census, and to use the census data to adjust ward boundaries so they are equal in population and comply with federal law. California Elections Code section 22001 requires the District to hold a public hearing to receive comment on the proposal to adjust EBMUD’s boundaries and a second hearing to receive comment and for the Board to consider approving the proposal. On February 8, 2022, the Board conducted a public hearing to receive comment on Proposal 1. On March 8, 2022, the Board will conduct a public hearing and consider approving Proposal 1 to establish the legal ward boundaries of the District as a result of the 2020 federal census.

DISCUSSION

On May 11, 2021, the Board appointed a Redistricting Ad Hoc Committee (Committee) to determine guidelines, criteria, and public outreach activities; review census information; and propose redistricting alternatives for Board consideration. On June 22, 2021 and August 24, 2021, the Committee reviewed draft guidelines and criteria, which the Board approved at its meeting on September 14, 2021. On September 28, 2021, the Committee established a target ward population deviation of three percent to develop redistricting plans. The 2020 census data indicates EBMUD’s total service area population is 1,477,418, and the target population for each ward is 211,060. The final census data indicates Ward 5 (cities of Alameda and San Lorenzo; West Oakland and Oakland Airport Area; and a portion of San

| | | |
|---|--------------------------------|--|
| Funds Available: NA | Budget Coding: NA | Contract Equity Forms? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No |
| Originating Department | Department Director or Manager | Approved |
| Office of the Secretary | Rischa S. Cole |  General Manager |
| Attachment(s): Redistricting Proposal 1 Map | | |

Conduct a Public Hearing and Approve EBMUD Redistricting Proposal 1

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Leandro) with a ward population of 217,878 is above the adopted deviation at 3.23 percent, and that Ward 7 (Castro Valley; portions of San Leandro and Hayward; communities of Cherryland and Fairview; and a portion of San Ramon) with a ward population of 207,016 has the second highest deviation at -1.92 percent. All other District wards remain within the target ward population deviation of three percent (+/- 6332 or between 204,728 and 217,392). The Committee reviewed three redistricting proposals on October 26, 2021 and November 23, 2021 and recommended forwarding Proposal 1, which adjusts the boundaries between Ward 5 and Ward 7, to the Board for review and consideration.

Proposal 1: move an area of San Lorenzo that is east of Highway 880 from Ward 5 to Ward 7. This area is south of San Lorenzo Creek between 880 and the Southern Pacific Railroad and has a population of 4,637. This proposal would decrease the Ward 5 population from 217,878 to 213,241 and increase the Ward 7 population from 207,016 to 211,653.

On January 11, 2022, the Board accepted the Committee's recommendation and presented Proposal 1 at a public hearing on February 8, 2022 for public comment. In accordance with California Elections Code section 22001, the Board will present Proposal 1 at a second public hearing on March 8, 2022 for public comment and after the public hearing, consider approving Proposal 1 to adjust and establish the legal ward boundaries for the District. If approved, staff will present the legal ward boundary description and ward map to the Board for consideration at its April 12, 2022 meeting. The legal ward boundary description and ward map will be provided to Alameda and Contra Costa counties for the November 2022 elections.

SUSTAINABILITY

Social

Adjusting the boundaries in Ward 5 and Ward 7 will bring both ward populations within three percent of the target ward population of 211,060 and make the populations of the District's wards near equal.

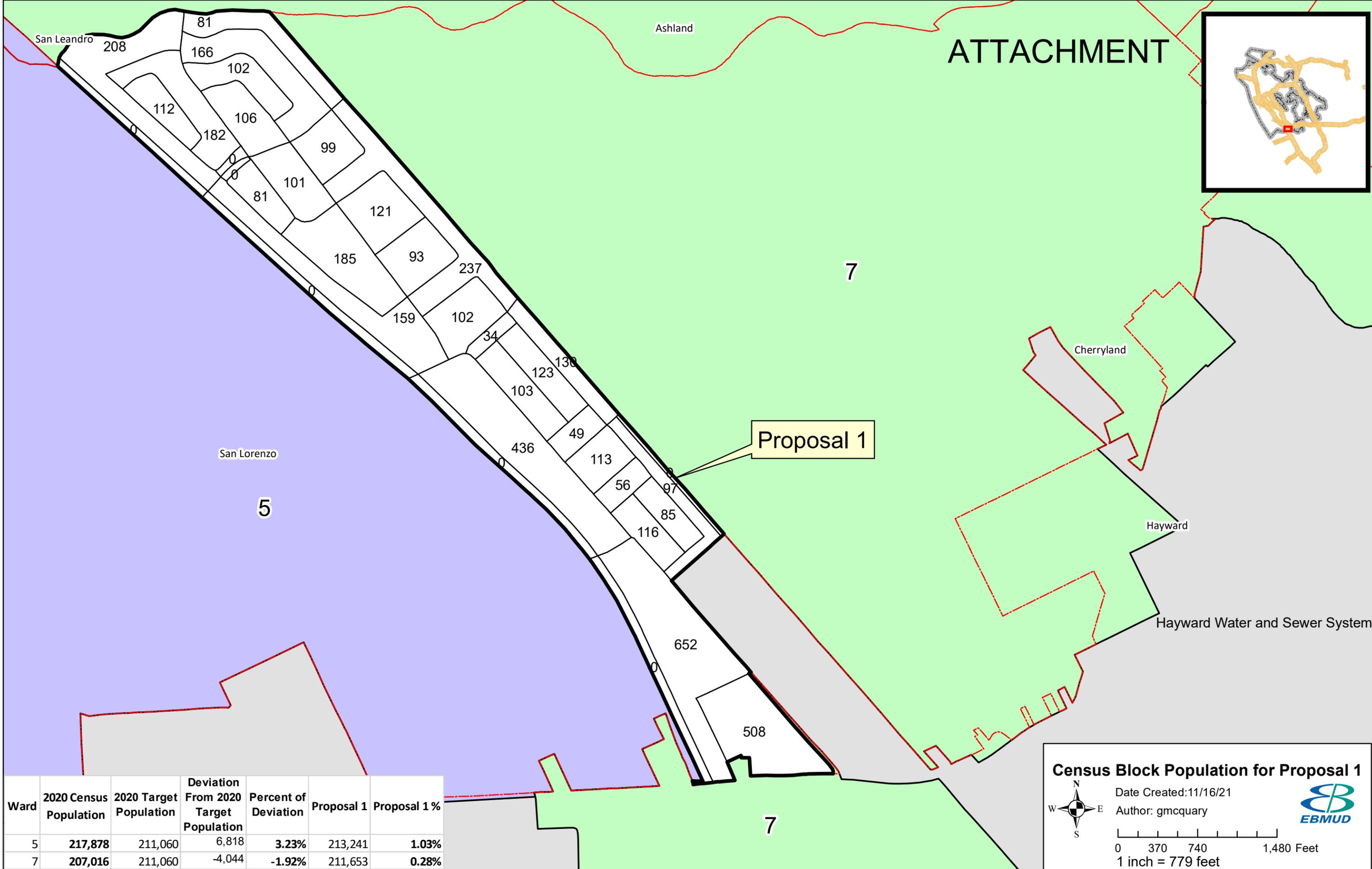
Notices regarding the February 8, 2022 public hearing were published in the *East Bay Times (Oakland Tribune and Contra Costa Times)* on January 28 and February 4. Notices regarding the March 8, 2022 public hearing were published in the same newspapers on February 18 and February 25. A letter announcing both public hearings was emailed to elected and appointed officials and organizations. Outreach to encourage public participation in EBMUD's redistricting efforts have included information in the *Customer Pipeline* newsletter and on the redistricting page on ebmud.com; ads in *El Mundo, Sing Tao, The Oakland Post*, and *Mo Magazine*; and social media posts on Nextdoor and Twitter.

ALTERNATIVES

Do not conduct a public hearing to receive comments on Redistricting Proposal 1. This alternative is not recommended because the public hearing is required pursuant to California Elections Code section 22001.

Do not approve Redistricting Proposal 1 to adjust EBMUD ward boundaries. This alternative is not recommended because EBMUD is required to adjust its boundaries using 2020 census data, so that boundaries are, as far as practical, equal in population. Redistricting Proposal 1 will adjust ward populations that are outside of the target ward population deviation of three percent.

ATTACHMENT



| Ward | 2020 Census Population | 2020 Target Population | Deviation From 2020 Target Population | Percent of Deviation | Proposal 1 | Proposal 1 % |
|------|------------------------|------------------------|---------------------------------------|----------------------|------------|--------------|
| 5 | 217,878 | 211,060 | 6,818 | 3.23% | 213,241 | 1.03% |
| 7 | 207,016 | 211,060 | -4,044 | -1.92% | 211,653 | 0.28% |

Census Block Population for Proposal 1

Date Created: 11/16/21
 Author: gmcquary

0 370 740 1,480 Feet
 1 inch = 779 feet

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