



**BOARD OF DIRECTORS
EAST BAY MUNICIPAL UTILITY DISTRICT**

375 - 11th Street, Oakland, CA 94607

Office of the Secretary: (510) 287-0440

Notice of Location Change

REDISTRICTING AD HOC COMMITTEE

Tuesday, June 22, 2021

9:00 a.m.

*****Virtual*****

In accordance with the Governor's Executive Order N-08-21, which suspends portions of the Brown Act, **this meeting will be conducted by webinar and teleconference only.** A physical location will not be provided for this meeting.

Dated: June 17, 2021

A handwritten signature in blue ink that reads "Rischa S. Cole".

Rischa S. Cole
Secretary of the District

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**AGENDA
Redistricting Ad Hoc Committee
Tuesday, June 22, 2021
9:00 a.m.
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Location

In accordance with the Governor’s Executive Order N-08-21, which suspends portions of the Brown Act, **this meeting will be conducted by webinar and teleconference only.** A physical location will not be provided for this meeting.

Committee Members John A. Coleman, Doug Linney, and Marguerite Young

***** Please see appendix for public participation instructions*****

ROLL CALL:

PUBLIC COMMENT: The Board of Directors is limited by State law to providing a brief response, asking questions for clarification, or referring a matter to staff when responding to items that are not listed on the agenda.

DISCUSSION:

1. Redistricting Ad Hoc Committee – Review Redistricting Guidelines (Cole)

ADJOURNMENT:

Disability Notice

If you require a disability-related modification or accommodation to participate in an EBMUD public meeting please call the Office of the Secretary (510) 287-0404. We will make reasonable arrangements to ensure accessibility. Some special equipment arrangements may require 48 hours advance notice.

Document Availability

Materials related to an item on this Agenda that have been submitted to the EBMUD Board of Directors within 72 hours prior to this meeting are available for public inspection in EBMUD’s Office of the Secretary at 375 11th Street, Oakland, California, during normal business hours, and can be viewed on our website at www.ebmud.com.



APPENDIX

Redistricting Ad Hoc Committee Meeting Tuesday, June 22, 2021 9:00 a.m.

EBMUD public Board meetings will be conducted via Zoom.
Board committee meetings are recorded, and live-streamed on the District's website.

Please visit this page beforehand to familiarize yourself with Zoom.
<https://support.zoom.us/hc/en-us/articles/201362193-Joining-a-Meeting>

Online

<https://ebmud.zoom.us/j/93185422462?pwd=NHFmVXlueEl2bytyT25ka3VFOExXZz09>

Webinar ID: 931 8542 2462

Passcode: 906719

By Phone

Telephone: 1 669 900 6833

Webinar ID: 931 8542 2462

Passcode: 906719

International numbers available: <https://ebmud.zoom.us/u/adqGpEivVI>

Providing public comment

The EBMUD Board of Directors is limited by State law to providing a brief response, asking questions for clarification, or referring a matter to staff when responding to items that are not listed on the agenda.

If you wish to provide public comment please:

- Use the raise hand feature in Zoom to indicate you wish to make a public comment
<https://support.zoom.us/hc/en-us/articles/205566129-Raising-your-hand-in-a-webinar>
 - If you participate by phone, press *9 to raise your hand
- When prompted by the Secretary, please state your name, affiliation if applicable, and topic
- The Secretary will call each speaker in the order received
- Comments on **non-agenda items** will be heard at the beginning of the meeting
- Comments on **agenda items** will be heard when the item is up for consideration
- Each speaker is allotted 3 minutes to speak; the Committee Chair has the discretion to amend this time based on the number of speakers
- The Secretary will inform each speaker when the allotted time has concluded

Submitting written comments or materials

- Email written comments or other materials for the Board of Directors to SecOffice@ebmud.com.
- Please indicate the meeting date and agenda item number or non-agenda item in the subject of the email. Contact information is optional.
- **Please email by 4 p.m. the day prior to the scheduled Committee meeting;** written comments and other materials submitted to the Board of Directors will be filed in the record.

To observe the Redistricting Ad Hoc Committee Meeting,
please visit: <https://www.ebmud.com/about-us/board-directors/board-meetings/>

EAST BAY MUNICIPAL UTILITY DISTRICT

DATE: June 17, 2021

MEMO TO: Board of Directors

THROUGH: Clifford C. Chan, General Manager *CCC*

FROM: Rischa S. Cole, Secretary of the District *RC*

SUBJECT: Redistricting Ad Hoc Committee – Review Redistricting Guidelines

SUMMARY

At its May 11, 2021 Regular meeting, the Board of Directors appointed a Redistricting Ad Hoc Committee comprised of President Doug Linney, Vice-President John A. Coleman, and Director Marguerite Young. The Committee will determine the redistricting guidelines and criteria and public outreach activities, as well as review and comment on potential changes to ward boundaries based on the latest census data. The Committee will discuss guidelines for the District's 2021-2022 redistricting efforts at its meeting on June 22, 2021.

DISCUSSION

Section 11823 of the Municipal Utility District Act requires the Board by resolution or ordinance to fix the boundaries of the wards for the purpose of electing directors. Election Code sections 22000 and 22001 provide that a special district, such as the District, must adjust boundaries after each decennial census, and use the census data to adjust boundaries of divisions or wards so they are equal in population and comply with federal law. Additionally, sections 22000 and 22001 provide that a governing body may consider (1) topography, (2) geography, (3) cohesiveness, continuity, integrity, and compactness of territory, and (4) community of interests in configuring the division or ward. These sections also require the governing body conduct at least one public hearing prior to the public hearing on whether to accept or reject the proposed boundaries. The Board will use the guidelines to meet these requirements.

NEXT STEPS

The Committee will review the redistricting guidelines and criteria used in 2011-2012 (Attachment 1) and consider including provisions from the FAIR MAPS Act (AB 849 – Bonta) (Attachment 2) in the District's 2021-2022 redistricting guidelines. The FAIR MAPS Act amended Election Code provisions applicable to cities and counties (sections 21507.1 and 21508), but did not amend sections 22000 and 22001, which apply to the District. While these amendments do not apply to special districts, they establish "best practices" regarding what redistricting should achieve and a meaningful public process that should be followed. The proposed guidelines will be presented for Board consideration at the July 13, 2021 meeting.

CCC:RSC

Attachments

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EBMUD 2011-2012 Redistricting Guidelines and Criteria

Redistricting Guidelines

- To achieve as precise equality of population among wards as possible.
- Board members residences will be maintained within their current wards.
- City boundaries will be followed as closely as possible.
- Ethnic communities will be kept whole as nearly as possible.
- County precincts will not be split.

Redistricting Criteria

- Schedule two public meetings in Oakland and one public meeting East of the Hills for public review and comment on alternative redistricting plans.
- Propose alternative redistricting plans to be made available to the public at least 14 days prior to the first full Board consideration with documentation to include total and eligible voting populations, ethnic composition and maps delineating District, city and county boundaries, when available.
- Documentation to be made available to the public 14 days prior to the scheduled vote on the final configuration.
- No substantive amendments to the alternative plans or the final plan during the 14-day review period prior to the final vote on the ultimate redistricting configuration.

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**Provisions of 2019 FAIR MAPS Act
(AB 849 – Bonta)**

Public Meetings

Elections Code section 21507.1

- Before adopting a final map, the board shall hold at least four public hearings at which the public is invited to provide input regarding the composition of one or more supervisorial districts.
- At least one public hearing shall be held before the board draws a draft map or maps of the proposed supervisorial district boundaries.
- At least two public hearings shall be held after the board has drawn a draft map or maps of the proposed supervisorial district boundaries.
- At least one public hearing or public workshop shall be held on a Saturday, on a Sunday, or after 6 p.m. on a weekday Monday through Friday.
- Public hearing buildings shall be accessible to persons with disabilities.
- If a public hearing is consolidated with a regular or special meeting of the board that includes other substantive agenda items, the public hearing shall begin at a fixed time regardless of its order on the agenda, except that the board may first conclude any item being discussed or acted upon, including any associated public comment, when that time occurs. The time of the public hearing shall be noticed to the public.
- Each draft map prepared by a member of the board or by employees of the county shall be accompanied by information on the total population, citizen voting age population, and racial and ethnic characteristics of the citizen voting age population of each proposed supervisorial district, to the extent the county has that data.
- A draft map shall be published on the internet for at least seven days before being adopted as a final map by the board provided that, if there are fewer than 179 days until the county's next regular election, the draft map may instead be published on the internet for at least three days.

Public Outreach/Website Postings

Elections Code section 21508

- Notwithstanding Section 54954.2 of the Government Code, the board shall publish the date, time, and location for any public hearing or workshop on the internet at least five days before the hearing or workshop. However, if there are fewer than 179 days until the county's next regular election, the board may publish the agenda on the internet for at least three days before the hearing or workshop.

- A draft map shall be published on the internet for at least seven days before being adopted as a final map by the board provided that, if there are fewer than 179 days until the county's next regular election, the draft map may instead be published on the internet for at least three days.
- Each draft map prepared by a member of the board or by employees of the county shall be accompanied by information on the total population, citizen voting age population, and racial and ethnic characteristics of the citizen voting age population of each proposed supervisorial district, to the extent the county has that data.
- The board shall take steps to encourage residents, including those in underrepresented communities and non-English speaking communities, to participate in the redistricting public review process. A good faith effort satisfies the requirements of this subdivision. These steps shall include the following:
 - Providing information to media organizations that provide county news coverage, including media organizations that serve language minority communities.
 - Providing information through good government, civil rights, civic engagement, or community groups or organizations that are active in the county, including those active in language minority communities, or that have requested to be notified concerning county redistricting.
- The board shall arrange for the live translation in an applicable language of a public hearing or workshop held pursuant to this chapter if a request for translation is made at least 72 hours before the hearing or workshop, unless less than five days' notice are provided for the hearing or workshop, in which case the request shall be made at least 48 hours before the hearing or workshop.
- The board shall allow the public to submit testimony or draft maps in writing and electronically.
- The county shall either record or prepare a written summary of each public comment and board deliberation made at every public hearing or workshop held pursuant to this article. The county shall make the recording or written summary available to the public within two weeks after the public hearing or workshop.
- The board shall establish and maintain for at least 10 years after the adoption of new supervisorial district boundaries, an internet web page dedicated to redistricting. The web page may be hosted on the county's existing internet website or another internet website maintained by the county. The web page shall include, or link to, all of the following information:
 - A general explanation of the redistricting process for the county, in English and applicable languages.
 - The procedures for a member of the public to testify during a public hearing or to submit written testimony directly to the board, in English and applicable languages.

- A calendar of all public hearing and workshop dates. A calendar listing that includes the time and location of the public hearing or workshop meets the notice required by subdivision (c) of Elections Code section 21508.
- The notice and agenda for each public hearing and workshop.
- The audio or audiovisual recording and adopted minutes of each public hearing.
- Each draft map considered by the board at a public hearing.
- The adopted final map of supervisorial district boundaries.
- For purposes of this section [governing counties], “applicable language” means any language in which ballots are required to be provided in the county pursuant to Section 203 of the federal Voting Rights Act of 1965 (52 U.S.C. Sec. 10503). [The Voting Rights Act provides: “the term “language minority group” means persons who are American Indian, Asian American, Alaskan Natives or of Spanish heritage.”]

[For cities, “applicable language” means any language spoken by a group of city residents with limited English proficiency who constitute 3% or more of the City’s total population over 4 years of age for whom language can be determined.]

**Bracketed items are comments from Office of General Counsel*