

RESOLUTION NO. 5025

RESOLUTION OF THE BOARD OF DIRECTORS OF THE FALLBROOK PUBLIC UTILITIES DISTRICT ADJUSTING BOUNDARIES OF DIRECTOR ELECTORAL DIVISIONS

WHEREAS, the Fallbrook Public Utility District (“FPUD”) is a Public Utility District formed in 1922, organized under the provisions of the Public Utility District Act (Public Utilities Code § 15500 et seq.), and elects members of its Board of Directors by subdistrict; and

WHEREAS, the U.S. Census Bureau is required by Article I, Section 2, of the U.S. Constitution to conduct an accurate count of the population every ten years; and

WHEREAS, California Elections Code Section 22000 et seq. requires that special districts subject to Section 22000 shall, “by resolution, after each federal decennial census, and using that census as a basis, adjust the boundaries of any divisions so that the divisions are, as far as practicable, equal in population and in compliance with Section 10301 of Title 52 of the United States Code, as amended, to the extent those provisions apply;” and

WHEREAS, the Elections Code requires that the Board adopt a resolution amending director subdistricts no later than April 17, 2022; and

WHEREAS, the Board held public hearings on December 13, 2021, March 28, 2022, and April 11, 2022, to receive public testimony relating to redistricting criteria and communities of interest, and directed staff and the District’s demographic consultant to prepare draft subdistrict plans for consideration. At the hearing on April 11, 2022, the Board selected Map Option ____ (now “the Preferred Map”), for adoption; and

WHEREAS, the subdistricts as drawn on the Preferred Map are balanced in terms of total population and voting age population. The subdistricts are well within the one-person/one-vote deviations permitted under federal and state voting rights laws; and

WHEREAS, the subdistricts as drawn on the Preferred Map reviewed and considered concentrations of minority voters. Divisions 2 and 3 are drawn as majority/minority Hispanic voting divisions; and

WHEREAS, at each of the public hearings on redistricting, the Board heard staff’s presentation and receive comments from the public relating to potential subdistrict plans; and

WHEREAS, all information in the staff reports, maps, presentations, Board discussion and public comments referenced above is hereby incorporated into this decision and serves as evidentiary basis for these recitals and the Board’s legislative decision.

NOW, THEREFORE, BE IT RESOLVED by the Board of Directors of the Fallbrook Public Utility District as follows:

SECTION 1: The forgoing recitals are true and correct and are incorporated herein.

SECTION 2: Pursuant to the provisions of California Elections Code Section 22000 et seq., the Board hereby adjusts, changes, and establishes the boundaries of the director subdistricts as set forth on the Preferred Map considered by the Board at its public hearing on April 11, 2022, and reflected in Exhibit A, and they shall constitute and are hereby established as the boundaries of the director subdistricts of the Fallbrook Public Utilities District for subsequent elections until further readjustment is required by law.

SECTION 3: Notwithstanding any other provision of this chapter, and pursuant to California Elections Code section 22000, subdivision (e) (1) and (2), each of the directors in office at the time this Resolution takes effect shall continue in office until the expiration of the full term to which he or she was elected and until his or her successor is qualified, and any vacancy in a term currently underway shall be filled based on the subdistricts in effect at the time the current directors were elected.

SECTION 4: All resolutions, or parts thereof in conflict with this resolution are hereby repealed.

SECTION 5: The General Manager is directed to take all necessary steps to give effect to this Resolution. If necessary to facilitate the implementation of this Resolution, the General Manager or his or her designee is authorized to make technical adjustments to the subdistrict boundaries that do not substantively affect the populations in the subdistricts. The General Manager shall consult with District General Counsel concerning any technical adjustments deemed necessary and shall advise the Board of any such adjustments required in the implementation of the subdistricts.

SECTION 6: This Resolution is adopted following two noticed public hearings as required by Elections Code section 22001 and shall take effect and be in full force immediately upon adoption.

PASSED AND ADOPTED by the Board of Directors of the Fallbrook Public Utility District at a special meeting of the Board held on the 11th day of April, 2022, by the following vote:

AYES:
NOES:
ABSTAIN:
ABSENT:

President, Board of Directors

ATTEST:

Secretary, Board of Directors

Exhibit A

Map of Division Boundaries

[FINAL MAP TO BE ADDED AFTER BOARD SELECTION]