

American River Flood Control District
Transitioning to a District Election System
Staff Report

Discussion:

The California Voting Rights Act of 2001 (CVRA) is intended to help local government agencies like ARFCD to implement the fundamental right of our democracy: the right to vote for one's elected representatives. In implementing the CVRA, as well as the federal Voting Rights Acts, the courts have found that district election systems that rely on "at large" voting (i.e., all of the residents within a public agency's boundaries vote for two or three trustees) are less likely than election systems that rely on district or division-based elections (e.g. elections for the City of Sacramento) to reflect the will of all of the electors. The reason is simple: when all of the seats on a district's governing board can be elected by 50%+1 of the voters, groups of voters that do not by themselves constitute a majority of all votes (e.g., different neighborhoods) can find themselves without representation on the governing board.

ARFCD currently employs an at-large system to elect its Board of Trustees. In an at-large system like the District's, candidates receive votes from all registered voters within the District's jurisdictional boundaries. Under a by-district election process, the District would be divided into smaller, geographic voting districts. Each Board candidate would be required to reside within the specific voting district that he or she seeks to represent, and only the registered voters within that same voting district could vote for that candidate.

Over the past few years, the Board of Trustees has focused many different efforts on being more transparent about what ARFCD does and how we serve the public. For instance, the website was recently redesigned, audio recordings of the Board meetings are being made available to the public, and the Trustees have shown renewed interest in (and attendance at) neighborhood association meetings. All of these are good initiatives and help foster good democratic governance.

The question for the Board of Trustees is whether it wishes to take another step along this path and begin the process of transitioning from at-large elections to elections by districts. Staff recommends that the Board of Trustees decide to move from the present at-large district election system to a by-district election system. Staff further recommends that the Board of Trustees direct staff to develop cost estimates and a timeline for this transition. Given the winter holidays, staff requests that a report back on this matter be scheduled for the February 2020 meeting of the Board of Trustees.

**AMERICAN RIVER FLOOD CONTROL DISTRICT
RESOLUTION NO. 2019-06**

Resolution of Intention to Convert to By-District Elections

WHEREAS, the Trustees of the District are currently elected in at-large elections, in which each Trustee is elected by all registered voters within the District; and

WHEREAS, Section 10650 of the California Elections Code authorizes the governing body of a special district to change by resolution to district-based elections without the need to put such a change to voters; and

WHEREAS, the Board of Trustees has determined that it is in the best interest of the District to move from its current at-large electoral system to a by-district election of Directors; and

WHEREAS, the currently ongoing 2020 Census will yield up-to-date data regarding the population and demographics needed to move to district-based elections; and

WHEREAS, the Board of Trustees seeks to use the most up to date data in moving to a district-based election system.

NOW THEREFORE BE IT RESOLVED that:

1. The District will immediately begin the effort to transition the District election system into an election system that elects Trustees by districts.
2. Staff are directed to begin the process of such transition and to use data from the 2020 Census to draw district boundaries.
3. Staff are also directed to report back to the Board of Trustees on the status of this effort in February 2020 and every month thereafter until the transition is completed.

PASSED AND ADOPTED this 13th day of December 2019

ATTEST:

President
Board of Trustees

Secretary
Board of Trustees