

MINUTES OF REGULAR MEETING – JUNE 4, 2018

The regular meeting of the Board of Directors of the Irvine Ranch Water District (IRWD) was called to order at 5:00 p.m. by President Reinhart on June 4, 2018 in the District office, 15600 Sand Canyon Avenue, Irvine, California.

Directors Present: Reinhart, Withers, Matheis, Swan, and LaMar.

Directors Absent: None.

Also Present: General Manager Cook, Executive Director of Finance and Administration Clary, Executive Director of Engineering and Water Quality Burton, Executive Director of Water Resources Weghorst, Director of Treasury and Risk Management Jacobson, Director of Water Operations Zepeda, Government Relations Officer Compton, Legal Counsel Collins, Legal Counsel DeMayo, Secretary Bonkowski, Assistant Secretary Swan, Principle Engineer Mori, Manager of Risk and Contracts Shinbashi, Principle Engineer Cortez, Mr. Andrew Pollard, and Ms. Deborah Diep.

WRITTEN COMMUNICATIONS: None.

ORAL COMMUNICATIONS: None.

PUBLIC HEARING - EVALUATING A CHANGE IN THE ELECTIONS PROCESS FOR THE IRVINE RANCH WATER DISTRICT BOARD OF DIRECTORS AND ESTABLISHING DIVISION BOUNDARIES

President Reinhart declared it to be the time and place for a hearing on evaluating a change in the elections process for the Irvine Ranch Water District Board of Directors and establishing division boundaries, and asked the Board Secretary to announce how the hearing was noticed.

Secretary Bonkowski announced that the hearing was noticed by publication in the Orange County Register on Sunday, May 20, 2018; by electronic posting on the IRWD website on June 4, 2018 through which the notice can be translated into approximately 20 languages; and by physical posting at IRWD's headquarters on June 4, 2018. She presented affidavits of posting and proof of publication to the Board.

On MOTION by Swan, seconded by Matheis, **THE AFFIDAVITS OF POSTING AND PROOF OF PUBLICATION AS PRESENTED BY THE BOARD SECRETARY WERE RECEIVED AND FILED.**

President Reinhart asked legal counsel to describe the nature of the proceedings, and to explain the purpose of the hearing.

Legal Counsel DeMayo described the nature of the proceedings, and explained the purpose of the hearing as being the opportunity to invite and solicit public comment on the proposed move to by-division elections, the composition of divisions and the sequence of elections prior to the drawing a draft map or maps of proposed division boundaries.

On MOTION by Swan, seconded by Matheis, and unanimously carried, THE PUBLIC HEARING WAS OPENED TO SOLICIT AND ACCEPT COMMENTS ON THE PROPOSED MOVE TO BY-DIVISION ELECTIONS AND THE COMPOSITION OF DIVISIONS PRIOR TO THE DRAWING OF A DRAFT MAP OR MAPS OF PROPOSED DIVISION BOUNDARIES.

President Reinhart asked that the Government Relations Officer provide a report to the Board regarding the District's evaluation of changing its election process, and on any written comments received.

Using a PowerPoint presentation, Government Relations Officer Compton said that in 2002, Governor Gray Davis signed the California Voting Rights Act (CVRA) into law. Ms. Compton said that the CVRA states that an at-large method of election may not be used to elect local governing boards if it "impairs the ability of a protected class to elect candidates of its choice or its ability to influence the outcome of an election" per Elections Code §14027. She said that as a result, many local governments have voluntarily moved to a by-division method of election because it is the only election method not vulnerable to a challenge under the CVRA. She said that the IRWD Board adopted a resolution of "Intent to Initiate the Process of Establishing Divisions and Elections by Divisions" on April 2, 2018. She said that as part of its evaluation process, the Board will hold two public hearings to invite and solicit public comment on the proposed move to by-division elections and the composition of divisions prior to the drawing of maps. Following consideration of the input provided, the Board will discuss the criteria to be used in evaluating proposed maps. She said that following the two public hearings, there will be an additional public comment period during which the public will be invited to submit additional comments and conceptual maps.

Ms. Compton said that submitted comments and conceptual maps may be considered and may help inform the drawing of any proposed maps. She said that IRWD will publish proposed maps at least seven days before holding at least two more public hearings to invite and solicit public comment on the proposed division maps. She said that the Board will hold an additional public hearing to consider adoption of a division map and to determine which divisions are up for election first.

Ms. Compton further said that no written comments were received.

Using a PowerPoint presentation, Consultant Deborah Diep highlighted how division boundaries are drawn. Ms. Diep said that when drawing division boundaries, primary consideration is given to the total population of IRWD's service area. She said that the primary goal is as nearly equal population in each division as is possible; the primary data used in drawing division boundaries is from the 2010 Decennial Census data. She said that additional data that may be considered will be the citizen voting age population data and that community characteristics may also be considered. She gave examples of a 2010 population chart of 337,151 being divided into five divisions equaling 67,430 per each division and described redistricting criteria. Ms. Diep used data from the 2010 Federal Decennial census and using a pie chart showed that the population consists of 50.8% non-Hispanic White; 31.1% non-Hispanic Asian, 1.5% non-Hispanic Black or African-American, and 4.7% all other non-Hispanic races/ethnicities. Using boundary maps, she charted the percent share of these block groups.

President Reinhart inquired whether there is any person present who would like to provide comments on the proposed move to by-division elections, the composition of divisions and the sequence of elections. There were none.

President Reinhart inquired whether there are any comments or questions from members of the Board of Directors. In response to Director Matheis' inquiry, Legal Counsel DeMayo said that a new census will come out in 2021 when the divisions will need to be revisited again. In response to Director Swan's comment, Legal Counsel DeMayo said that a minority in a division would only need to show that they can influence an election. On MOTION by Withers, seconded by Matheis and unanimously carried, THE FIRST PUBLIC HEARING WAS CLOSED AND A SECOND PUBLIC HEARING ON JUNE 18, 2018 AT 5 P.M. WILL BE HELD.

GENERAL MANAGER'S COMMENTS

General Manager Cook noted that his Op Ed piece on the proposed ocean desalination plant was published in the Orange County Register.

DIRECTORS REPORT

Director Withers reported on his attendance at an Orange County Forum Water Summit.

Director Matheis noted an article that Mr. Jim Irvine Swindon had gifted plein air artwork to UCI.

Director Swan reported his attendance at an Orange County Forum Water Summit.

Director LaMar said he will be attending an ACWA Board meeting on Friday, that they are continuing the search for an Executive Director and noted an upcoming move into a new building.

Director Reinhart reported his attendance at an Orange County Forum Water Summit.

ADJOURNMENT

President Reinhart adjourned the meeting at 5:45 p.m.

APPROVED and SIGNED this 11th day of June, 2018.

President, IRVINE RANCH WATER DISTRICT

Secretary IRVINE RANCH WATER DISTRICT

APPROVED AS TO FORM:
LEWIS BRISBOIS BISGAARD & SMITH, LLP

By: _____
District Counsel