

**WEST SIDE HEALTH CARE DISTRICT
RESOLUTION # 2023-02**

**INTENT TO INITIATE A TRANSITION FROM AT-LARGE TO DISTRICT-BASED
(BY-ZONE) BOARD ELECTIONS COMMENCING WITH THE 2024 BOARD
ELECTION**

WHEREAS, the West Side Health Care District (“District”) is a California health care district duly organized and existing pursuant to the laws of the State of California, particularly, Health and Safety Code section 32000, *et seq.*;

WHEREAS, the governing board (“Board”) of the District is currently composed of five (5) directors who are elected “at-large,” meaning that each director is elected by voters of the entire District;

WHEREAS, directors are elected in even-numbered years and serve staggered, four-year terms, such that the next election for two directors is scheduled for November 2024, with the remaining three directors scheduled for election in November 2026;

WHEREAS, under the California Voting Rights Act (“CVRA”), at-large elections are impermissible if they result in racially polarized voting. Racially polarized voting is defined as “voting in which there is a difference...in the choice of candidates or other electoral choices that are preferred by voters in a protected class, and in the choice of candidates and electoral choices that are preferred by voters in the rest of the electorate;”

WHEREAS, transitioning from at-large to district-based elections, where each director must reside within a designated zone boundary and is elected only by the voters in that zone, minimizes the potential for litigation against the District under the CVRA;

WHEREAS, the Board understands the importance of fair and accessible elections, greatly values the opinions and voices of all members of the District’s community, and desires to increase the ability of candidates to seek elected office;

WHEREAS, while the Board does not believe that its current form of elections violates the CVRA, it does believe that it is in the public’s best interest to begin the process to transition from at-large to district-based elections;

WHEREAS, the adoption of district-based elections will not affect the terms of any Board members serving or elected during this transition, each of whom will serve out his or her full term;

WHEREAS, the Board will hold a minimum of two public hearings to seek public input regarding the composition of the zones prior to developing proposed zone boundary maps;

WHEREAS, the Board, with assistance from a demographer, will hold a minimum of two additional public hearings to seek public input on the proposed zone maps developed and on the proposed sequence of elections;

WHEREAS, Health and Safety Code section 32100.1 authorizes the Board to divide the District into zones, and to change the method of election of the Board from at-large to district-based;

WHEREAS, the Board will hold an additional public hearing before adopting a district-based zone map; and


WHEREAS, the Board, cognizant of its need for fiscal responsibility, desires to implement this change in the manner of electing directors in a cost effective and efficient manner.

NOW, THEREFORE, the Board of Directors of the West Side Health Care District hereby resolves as follows:

1. The above recitals are true and correct.
2. This Resolution is passed and adopted pursuant to Elections Code section 10010, subdivision (e)(3)(A).
3. Zone boundary lines shall be developed based on the most updated federal decennial census data to provide for district-based elections commencing with the 2024 Board elections.
4. The District shall commence the process of transitioning to district-based elections, in full compliance with all appropriate procedures and policies provided in law, including but not limited to Health and Safety Code 32100.1 and Elections Code sections 10010, 10650; and 14025, *et seq.* It is estimated that zone boundary lines will be adopted by November 2023, unless unforeseen circumstances occur or unless otherwise directed by the Board.
5. Staff is directed to engage a demographer, legal counsel, and any other consultant deemed required to assist in the development of proposed zone boundaries.
6. The Executive Director/designee is hereby authorized and directed to take any other actions necessary to effectuate the purposes of this resolution.

APPROVED, ADOPTED, AND SIGNED, this 27th day of July 2023, with the following votes:

AYES:	<u>5</u>
NOES:	<u>0</u>
ABSENT:	<u>0</u>
ABSTAIN:	<u>0</u>


Eric Cooper, Board President

ATTEST:


Virginia Miller, Board Secretary/Treasurer