



Moraga-Orinda Fire District

TO: Board of Directors

FROM: Dave Winnacker, Fire Chief

DATE: February 16, 2022

SUBJECT: **Item 8.3 – Third Public Hearing on Redistricting Process; Review District Maps; Review the Criteria for Adopting New District Boundaries/Maps; Receive Input from the Public; Receive Direction from the Board of Directors; Adopt Resolution 22-07, a Resolution of the Board of Directors of the Moraga-Orinda Fire Protection District Adopting an Adjusted Election Division Map**

BACKGROUND

At the January 19th, 2022 regular board meeting a first public hearing was held to discuss redistricting. At this meeting the board requested additional information, to include maps showing census blocks with population. At the January 26th, 2022 special board meeting the board provided additional direction from which modified voting districts. The output of this direction is included as attachment A.

City of Orinda Resolution No. 44-96, adopted August 13, 1996, and Town of Moraga Resolution 32-96, adopted August 21, 1996, establish that the MOFD Board of Directors will be elected from districts, pursuant to Health and Safety Code section 13846, a provision of the Fire Protection District Law of 1987.

Once a district opts to elect directors from districts pursuant to Health and Safety Code section 13846, the district board must redraw its districts following the decennial census. (Health & Safety Code § 13847.) The decennial census took place 2020–2021.

The districts must be redrawn according to certain standards. The primary goal should be achieving population equality between districts. (See Health & Safety Code § 13846(e); see also *Reynolds v. Sims* (1964) 377 U.S. 533 [establishing the principle that votes must be weighted equally]; *Avery v. Midland County* (1968) 390 U.S. 474 [extending the one person, one vote principle to certain local government entities].) Additionally, the district board *may* consider the following factors: (1) topography, (2) geography, (3) cohesiveness, contiguity, integrity, and compactness of territory, and (4) community of interests of the divisions. (See Health & Safety Code § 13846(e).)

Senate Bill 594, signed into law September 27, 2021, altered the deadline for redistricting required by the Health and Safety Code. SB 594 established that, where “a district . . . has a regular election to elect members of its governing board on the same date as the 2022 statewide general election,” the district must “adopt adjusted division boundaries no later than April 17, 2022.” (Elec. Code § 22000.1.) Prior to this deadline, the board is required to hold at least two public hearings—one “on the proposal to adjust the boundaries of the division” and another “at which the governing body votes to approve or defeat” the redrawn district map. (*Id.* at § 22001.)

In consultation with District Counsel, staff engaged an experienced redistricting expert to draw the draft map provided at the January 19th, 2022 regular board meeting.

GUIDANCE PROVIDED

Staff provided the following guidance to the redistricting expert:

1. Preserve the current voting districts to the greatest degree possible. Specifically:
 - a. Two voting districts comprised exclusively of Orinda residents
 - b. Two voting districts comprised exclusively of Moraga residents*
 - c. One voting district split between Moraga and Orinda, with the addition of the residents of the community of Canyon
2. Balance the number of residents in each voting district in accordance with state law and the US Constitution.
3. Balance voter representation between communities of interest composed of districts 1/2 and 4/5.
4. Maintain census block integrity.

*Residents of Unincorporated Bollinger have historically been included in a Moraga voting district to maintain contiguity and communities of interest.

The following data was provided:

1. Data listing the census blocks in the current election districts from the Contra Costa County Assessor's office

Further, the redistricting expert accessed 2020 US Census Bureau data for current population density and distribution.

In order to maintain the redistricting expert's role as a "blind watchmaker", no additional information was provided prior to the January 19th, 2022 meeting.

At the January 19th, 2022 regular board meeting, directors raised questions regarding changes between district 3 and 4 along Ivy Drive and proposed changes between voting district 5 and 4 in the Orinda Woods HOA. In response, proposed changes were made to preserve the continuity of Orinda Woods as a community of interest. These changes are shown on the draft map included as Attachment A.

Directors also requested a map showing underlying census blocks with population. This information is included in Attachment A. At the January 27th, 2022 special board meeting additional direction was provided to better balance the population of voting district 3. The district's redistricting expert incorporated these changes in the updated map included as Attachment A.

POPULATION

The existing election districts have the following populations based on 2020 census data:

Division	Total Population	Over/Under	Deviation
1	7066	-312	-4.2%
2	6704	-674	-9.1%
3	8182	804	10.9%

4	7712	334	4.5%
5	7226	-152	-2.1%

The draft map has the following populations:

Division	Total Population	Over/Under	Deviation
1	7,480	102	1.4%
2	7,351	-27	-0.4%
3	7,356	-22	-0.3%
4	7,374	-4	-0.1%
5	7,329	-49	-0.7%

OPTIONS

The Board may choose to take public input during this hearing and adopt the draft map included as Attachment A.

The Board may also choose to take public input and provide additional direction to staff in order to modify the draft map. Should the Board wish to provide additional direction, this information will be provided to the redistricting expert and additional public hearing(s) scheduled.

Updated maps must be adopted no later than April 17, 2022.

RECOMMENDATION

- 1) Open the Public Hearing and Take Public Comment; 2) Discuss; 3) Deliberate; 4) Close Public Hearing; 5) Adopt draft map; 6) Adopt Resolution 22-07, a Resolution of the Board of Directors of the Moraga-Orinda Fire Protection District Adopting an Adjusted Election Division Map

ATTACHMENTS

[Attachment A- Draft Map with census blocks and population](#)

Attachment B – Resolution 22-07, a Resolution of the Board of Directors of the Moraga-Orinda Fire Protection District Adopting an Adjusted Election Division Map