

RESOLUTION NO. 02-19



**RESOLUTION OF THE BOARD OF DIRECTORS OF THE
GROSSMONT HEALTHCARE DISTRICT ESTABLISHING
AND IMPLEMENTING ZONE-BASED ELECTIONS
PURSUANT TO ELECTIONS CODE SECTION 10010(e)(3)(A)
AND HEALTH AND SAFETY CODE SECTION 32100.1**

WHEREAS, GROSSMONT HEALTHCARE DISTRICT (the “District”) is a California healthcare district duly organized and existing under the laws of the State of California, particularly the Local Health Care District Law constituting Division 23 of the Health and Safety Code of the State of California, and more particularly, Health and Safety Code sections 32000 et seq.; and

WHEREAS, the governing board is currently composed of five directors who are voted into office by an “at-large” election method, meaning one in which the voters of the entire jurisdiction elect the members to the governing body; and

WHEREAS, on October 19, 2018, the District approved Resolution No. 05-18 of the Board of Directors of Grossmont Healthcare District Outlining Intention to Transition from At-Large to District-Based Elections Pursuant to Elections Code 10010(e)(3)(A); and

WHEREAS, as reflected in Resolution No. 05-18, the Board of Directors wishes to effectuate this transition from at-large to zone-based elections in order to ensure the District maintains an election method that does not impair the ability of any protected class to elect candidates of its choice or its ability to influence the outcome of an election, as a result of the dilution or the abridgement of the rights of voters who are members of a protected class, as defined by Elections Code section 14026; and

WHEREAS, on December 3, 2018, at a special meeting held at the Grossmont Healthcare District Conference Center, 9001 Wakarusa Street, La Mesa, California, the Board of Directors held a public hearing in accordance with Elections Code section 10010(a)(1) at which the public was invited to provide input regarding the composition of the zones before any map or maps of proposed boundaries were drawn, and the Board of Directors considered and discussed the same; and

WHEREAS, on December 21, 2018, at a regular meeting held at the Grossmont Healthcare District Conference Center, 9001 Wakarusa Street, La Mesa, California, the Board held a public meeting at which the public was provided an additional opportunity to provide input before any map or maps of proposed boundaries were drawn; and

WHEREAS, on January 7, 2019, at a special meeting held at the Ronald Reagan Community Center, 195 E. Douglas Avenue, El Cajon, California, the Board of Directors held a second public hearing in accordance with Elections Code section 10010(a)(1) at which the public was invited to provide input regarding the composition of the zones before any map or

maps of proposed boundaries were drawn, and the Board of Directors considered and discussed the same; and

WHEREAS, on February 25, 2019, the District first published and made available for the public three versions of draft maps, which divided the District into five (5) single-member zones; and

WHEREAS, on March 4, 2019, at a regular meeting at the Grossmont Healthcare District Conference Center 9001 Wakarusa street, La Mesa, California, the Board of Directors held a public hearing at which the public was invited to provide input regarding the content of the draft maps, and the Board of Directors considered and discussed the same; and

WHEREAS, as a result of public input and Board discussion on the three maps at the public hearing, on March 4, 2019, the District's Board of Directors directed staff and the consultant to bring back for consideration, two maps which were considered at the hearing and also to bring back alternative maps for discussion and consideration at the next public hearing, all of which divided the District into five (5) single-member zones; and

WHEREAS, on March 26, 2019, the District published and made available for the public the five versions of draft maps referenced above; and

WHEREAS, on April 2, 2019, at a regular meeting of the Board of Directors held at the Grossmont Healthcare District Conference Center 9001 Wakarusa street, La Mesa, California, the Board of Directors held a second public hearing at which the public was invited to provide input regarding the content of the two maps considered at the March 4, 2019 public hearing and the new alternative maps and the proposed sequence of elections; and

WHEREAS, after the public hearing and public input at the regular meeting on April 2, 2019, the members of the Board of Directors were each permitted to present his or her views and plans in relation to the proposed zoning; and, also at that meeting, the Board of Directors selected one of the proposed draft maps previously published and made available for public comment for the new jurisdictional boundaries of the District, and determined a sequence of elections by assigning consecutive numbers to specific zones; and

WHEREAS, the purpose of this Resolution is to enact, pursuant to Health and Safety Code section 32100.1 and Elections Code section 10010, a resolution providing for the division of the District into five (5) zones as reflected in Exhibit "A" to this Resolution, and for the election of members of the Board of Directors by zone in the five, single-member zones reflected in Exhibit "A" to this Resolution, in furtherance of the California Voting Rights Act of 2001 and in the best interests of the District; and

WHEREAS, in establishing these zones, the Board of Directors intends to and does provide for representation in accordance with demographic, including population, and geographic factors of the entire area of the local hospital district in accordance with Health and Safety Code section 32100.1; and

WHEREAS, in determining the final sequence of the District elections, the District's Board of Directors gives special consideration to the purposes of the California Voting Rights Act of 2001, and it takes into account the preferences expressed by its members regarding the five proposed zones.

NOW, THEREFORE, this Board of Directors of Grossmont Healthcare District does hereby resolve:

Section 1. The foregoing recitals are true and correct.

Section 2. The Grossmont Healthcare District is hereby divided into five (5) consecutively numbered zones and the boundaries of the zones are more particularly described in Exhibit "A" attached hereto and incorporated by this reference. Exhibit "A" also shows the zone numbers assigned to each zone, from one (1) through five (5).

Section 3. At the November 2020 General Election, and every four years thereafter, three members of the District's Board of Directors shall be elected on a by-zone basis from the three, odd numbered, single-member zones (specifically, Zones 1, 3, and 5, as such zones may be amended). At the General Election in November 2022, and every four years thereafter, two members of the District Board of Directors shall be elected from the two, even numbered, single-member zones (specifically, Zones 2 and 4, as such zones may be amended).

Section 4. Upon implementation of this Resolution and beginning with the November 2020 General Election, the member of the Board of Directors elected to represent a District zone must be a resident of the zone from which he or she is elected for thirty (30) days preceding the date of the election and must be a registered voter in that zone, and any candidate for the Grossmont Healthcare Board of Directors must reside in, and be a registered voter in, the zone in which he or she seeks election at the time nomination papers are issued pursuant to Health and Safety Code section 32100.1 and Elections Code section 201.

Section 5. Termination of residency in a zone by a member of the Board of Directors shall create an immediate vacancy for that zone unless a substitute residence within the zone is established within thirty (30) days after the termination of residency.

Section 6. Any vacancy upon the Board shall be filled by appointment by a majority of the remaining members of the Board of Directors consistent with Health and Safety Code section 32100.1. The person appointed to fill the vacancy must reside within the zone left unrepresented on the Board of Directors. Any person appointed to fill the vacancy shall hold office for the duration of the unexpired term.

Section 7. Notwithstanding any other provision of this section, and consistent with the requirements of Government Code section 36512, the members of the Board of 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 elected or appointed, and sworn in. At the end of the term of each member of the Board of Directors, that Board

Director's successor shall be elected on a by-zone basis in the zones established in this Resolution.

Section 8. The Grossmont Healthcare Board of Director's Board Secretary or designee shall maintain a map of the District showing the current boundaries and zone numbers of each District Zone as may be established and amended from time to time by resolution of the Board of Directors.

Section 9. If necessary to facilitate the implementation of this Resolution, the Chief Executive Officer is authorized to make technical adjustments to the District boundaries that do not substantively affect the populations in the zones, the demographics in the zones, eligibility of candidates, the residence of elected officials within any zone, and that do not contradict the intent or terms of the California Voting Rights Act of 2001. The Chief Executive Officer shall consult with the Board Chair and the District's General Counsel concerning any technical adjustments deemed necessary and shall advise the Board of Directors of any such adjustments required in the implementation of the zones.

Section 10. To the extent the terms and provisions of this Resolution may be inconsistent or in conflict with the terms or conditions of any prior District resolution, motion, rule, regulation, or bylaw governing the same subject, the terms of this Resolution shall prevail with respect to the subject matter thereof.

Section 11. In interpreting this Resolution or resolving any ambiguity, this Resolution shall be interpreted in a manner that effectively accomplishes its stated purpose.

Section 12. This Resolution shall take effect immediately upon its adoption.


ADOPTED, PASSED, AND APPROVED this 2nd day of April, 2019, at a regular meeting of the Board of Directors of Grossmont Healthcare District, at which a quorum was present and acting throughout, by the following roll call vote:

AYES: Directors Ayres, Chadwick, Emerson, and Hall


NOES: Directors Lenac

ABSENT: _____

ABSTAIN: _____



Robert Ayres, Secretary
Board of Directors

ATTEST:


Randy Lenac, President Board of Directors

Exhibit A

Election Sequence (Current Incumbents)
2020: 1 (Hall), 3 (Emerson), 5 (Ayres)
2022: 2 (Lenac), 4 (Chadwick)

