

SAN JUAN COUNTY UTAH
RESOLUTION NO 2021-05

A RESOLUTION OF THE SAN JUAN COUNTY BOARD OF COMMISSIONERS DIRECTING THAT BILL COOPER BE HIRED TO ASSESS THE 2020 CENSUS DATA FOR SAN JUAN COUNTY AND, IF NEEDED, DRAW NEW ELECTION DISTRICT MAPS FOR THE COUNTY COMMISSION AND THE SCHOOL BOARD BASED ON THAT DATA.

WHEREAS: it is currently anticipated that data from the 2020 decennial census will be made available to the County by September 2021.

WHEREAS: San Juan County has a duty to assess the 2020 census data to determine whether the election districts for the County Commission and the School Board must be redrawn in conformity with "one person, one vote" and traditional districting principles.

WHEREAS: San Juan County is aware of the Judgment (Dkt. 448, January 11, 2018) and memorandum decisions issued by the United States District Court for Utah in Navajo Nation v. San Juan County, No. 2:12-CV-00039-RJS-DBP, as well as the decision of the United States Court of Appeals in Navajo Nation v. San Juan County, 929 F.3d 1270 (10th Cir. 2019), and the County Commission has a duty to take appropriate steps to avoid another round of litigation regarding election districts for the County Commission and School Board.

WHEREAS: Bill Cooper has extensive experience with San Juan County census data, analysis of that data and drawing Commission and School Board election district maps based on that data. Since 1986, Mr. Cooper has prepared proposed redistricting maps of approximately 700 jurisdictions for Section 2 litigation, Section 5 comment letters, and for use in other efforts to promote compliance with the Voting Rights Act of 1965. He has analyzed and prepared election plans in over 100 of these jurisdictions for two or more of the decennial censuses – either as part of concurrent legislative reapportionments or, retrospectively, in relation to litigation. A Summary of Redistricting work filed in 2015 in Navajo Nation v. San Juan County (Dkt. 172-2), which shows the extent of Mr. Cooper's experience even before his work in San Juan County, is attached as an exhibit to this Resolution.

WHEREAS: Mr. Cooper has expressed a willingness to assess the 2020 census data for San Juan County, advise the County Commission regarding whether the Commission and School Board election district maps will need to be redrawn based on that data and, if necessary, redraw those maps in conformity with "one person, one vote" and traditional districting principles.

WHEREAS: Mr. Cooper will charge \$125/hour for this work and estimates that it would take about 40 hours to complete this project, for an estimated total of \$5000 for the project.

WHEREAS: it is in the best interests of San Juan County to immediately retain the services of Mr. Cooper so that this project can be swiftly completed once the 2020 census data is released.

NOW, THEREFORE, BE IT RESOLVED THAT:

1. The County Administrator is directed to begin negotiating a contract between Mr. Bill Cooper and San Juan County for Mr. Cooper to assess the 2020 census data for San Juan County, advise the County Commission regarding whether the Commission and School Board election district maps will need to be redrawn based on that data and, if necessary, redraw those maps in conformity with "one person, one vote" and traditional districting principles. Mr. Cooper's duties, as stated in the contract, shall also include work on other election and voting procedures as determined to be necessary by the County Commission from time to time.
2. The County Attorney is directed to assist the County Administrator in developing an appropriate contract between Mr. Bill Cooper and San Juan County consistent with the intent of this resolution. The contract shall be presented to the Commission for its review, amendment and approval before it is executed by the parties to the contract.

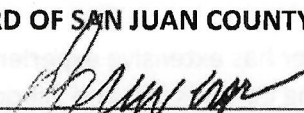
PASSED, ADOPTED AND APPROVED by the Board of San Juan County Commissioners this
18 day of May 2021.

Those voting aye: Willie Grayeyes, Kenneth Maryboy

Those voting nay: Bruce Adams

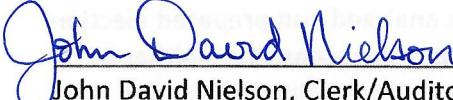
Those absent or abstaining:

BOARD OF SAN JUAN COUNTY COMMISSIONERS



Willie Grayeyes, Chair

ATTEST:



John David Nielson, Clerk/Auditor

- attesting to the vote only