

STAFF REPORT



DATE: June 5, 2019

TO: Board of Directors

FROM: Sigrid Asmundson, General Counsel

SUBJECT: PUBLIC HEARING #1 REGARDING THE COMPOSITION OF THE DISTRICT'S VOTING DISTRICTS PURSUANT TO THE CALIFORNIA VOTING RIGHTS ACT

RECOMMENDATION

The Board of Directors:

1. Reviews staff's presentation and a presentation by Demographer Paul Mitchell from Redistricting Partners
2. Opens the public hearing and accept input on the composition of voting districts
3. Closes the public hearing
4. Provides direction to staff on additional information needed for the next public hearing and discuss the criteria to be used to create one or more proposed voting district maps

No formal action is required. The next public hearing is set for June 19, 2019.

BACKGROUND/ANALYSIS

On February 20, 2019, the Board of Directors voted to transition from at-large to by-district elections, commencing with the November 2020 election.

Demographer

The District hired Redistricting Partners to serve as its demographer. Their fee is \$25,000, inclusive of travel and materials. To prepare voting district maps, Redistricting Partners will utilize 3 main datasets: (1) 2010 Census; (2) American Community Survey (ACS); and (3) California Voter File maintained by Political Data Inc. Based on these 3 datasets and GIS files from the county, Redistricting Partners will draw proposed voting districts and provide a breakdown of the District's population, including areas which have a high concentration of minority eligible voter populations.

Redistricting Partners' contract includes the drawing of 3 sets of voting district maps. Maps will be provided in a format necessary to be placed on the District's website or as otherwise needed to be available to the public. Once the final map has been approved, Redistricting Partners will work with the County Registrar of Voters to complete the process and make the voting districts available for the November, 2020 election.

Redistricting Partners is available to participate in any of the public hearings or, if desired, redistricting trainings for the general public. Redistricting Partners can also create a website for public engagement with the redistricting maps. This website would be an additional cost above the current fee.

Public Hearing Process

Pursuant to Elections Code Section 10010(a)(1), the District is required to hold 2 public hearings within a 30 day period. The District has scheduled the public hearings for June 5 and June 19. During these public hearings, the public is invited to provide input regarding the composition of the voting districts. While no noticing provisions are required, the District sent notice of these public hearings to the Galt City Clerk and Elk Grove City Clerk. Notice of the public hearings was also published in the Elk Grove Citizen and Galt Herald.

After these public hearings, the District's demographer will prepare voting district maps based on input and direction from the Board. Once the maps are drawn, the Board must publish and make available at least one draft map and, if Board members will be elected in the voting districts at different times to provide for staggered terms of office, the potential sequence of the elections.

To consider the maps, the Board must hold 2 additional public hearings over a period of no more than 45 days. During these public hearings, the public will be invited to provide input regarding the content of the draft map(s) and the proposed sequence of elections, if applicable. The final version of a draft map will be published at least seven days before consideration at the first public hearing. If a draft map is revised at or following either hearing, it shall be published and made available to the public for at least seven days before being adopted.

A final public hearing will be held for the adoption of a resolution establishing district-based elections and approving the final voting districts' map. The Board is the final decision-making body on adopting the voting district boundaries. In accordance with Elections Code Section 10650, the resolution must include a declaration that the change in the method of electing the Board members is made in furtherance of the purposes of the California Voting Rights Act.

Criteria for Creating Voting District Maps

The voting districts' map must comply with the following criteria:

- Each voting district must have "nearly equal" populations, known as the one person, one vote rule. Voting districts can have no more than a 17-23% variance in population.
- Race cannot be the "predominant" factor or criteria when drawing districts.
- The Federal Voting Rights Act prohibits district from diluting minority voting rights and encourages a majority-minority district if the minority group is sufficiently large and such a district can be drawn without race as a predominant factor.

The District may also consider the following factors in establishing boundaries of voting districts:

- Topography
- Geography
- Cohesiveness, contiguity, integrity, and compactness of territory
- Community of interests of the divisions

In defining districts, the Board may consider natural and artificial physical/visual boundaries such as major roads/corridors, freeways such as I-5 and I-99, creeks, railroad lines, or other barriers. Communities of interest may include County, school district or City of Elk Grove/Galt boundaries, District benefit zone (L&L District) boundaries, neighborhood boundaries, established homeowner associations (HOAs), retail/commercial districts, voting precincts, and public transit stops.

The County Registrar of Voters has asked to review the voting district boundaries before they are adopted. The County prefers for the voting districts to be as closely aligned as possible to other public agency voting district boundaries (such as the City of Elk Grove) to prevent voter confusion.

FINANCIAL ANALYSIS

There is no fiscal impact associated with this public hearing.

The fiscal impact of the districting process is estimated to be approximately \$45,000. This includes \$25,000 for Redistricting Partners to assist with drawing boundaries for the voting districts and approximately \$20,000 in staff and legal costs.

SUSTAINABILITY ANALYSIS

There is no sustainability impact with converting from at-large to by-district elections.

Should you have any questions, please contact me prior to the Board meeting.

Respectfully submitted,



Sigrid Asmundson
General Counsel