

STAFF REPORT

DATE: November 6, 2019
TO: Board of Directors
FROM: Sigrid Asmundson, District Counsel



SUBJECT: PUBLIC HEARING AND RESOLUTION APPROVING BY-DIVISION ELECTIONS, COMMENCING NOVEMBER 3, 2020

RECOMMENDATION

The Board of Directors:

1. Reviews the staff report and a presentation on the 4 draft maps by Demographer Redistricting Partners
2. Holds a public hearing to receive input on voting district maps and sequence of election for the voting districts
3. Adopts Resolution No. 2019-87, A Resolution of the Cosumnes Community Services District Establishing a By-Division Election Process Pursuant to California Elections Code Section 10010

BACKGROUND/ANALYSIS

Public Hearings and Creation of Voting Maps

To date, the District has held 5 public hearings. This is the 6th and final public hearing in the process.

Elections Code Section 10010(a) requires the District to hold at least 5 public hearings in order to convert from at-large to by-division elections. The District held the first 2 public hearings on June 5, 2019 and June 19, 2019 to provide input to the District's demographer, Redistricting Partners, on factors to consider within the District's boundaries when drawing the maps, such as cohesiveness/contiguity/integrity/compactness of territory, geography, topography and communities of interest.

The District held 3 additional public hearings on August 7, 2019, August 21, 2019 and October 2, 2019 to review and provide edits to the maps to Redistricting Partners. 8 maps were prepared and presented during these 3 public hearings.

Final Voting Map

At the October 2, 2019 Board meeting, the Board considered 8 maps prepared by Redistricting Partners and chose 4 maps (maps 2, 4, 5 and 7) for consideration on November 6, 2019. To simplify the maps online, these maps were renumbered as follows:

- Map A (formerly map 2, first introduced on August 7, 2019)
- Map B (formerly map 4, first introduced on August 21, 2019)
- Map C (formerly map 5, first introduced on August 21, 2019)
- Map D (formerly map 7, first introduced on October 2, 2019).

The Board can no longer amend the maps and must choose from one of the 4 options. Elections Code Section 10010 requires that the final map adopted by the Board must be published at least 7 days prior to the public hearing at which it is adopted. The 4 maps before the Board were all published on the District's website for the requisite time period.

Sequence of Elections

After it has chosen the final voting map, the Board must also decide which voting districts will be up for election in 2020 and 2022. On June 5, 2019, the Board directed that the odd numbered voting districts be up for election in 2020 for a 4-year term. The Board is not bound by this prior decision and can choose one of the following options:

1. Designate 3 voting districts to be up for election in 2020, with the remaining 2 voting districts up for election in 2022.
2. Designate all 5 voting districts to be up for election in 2020. If the Board chooses this option it must then designate which seats will hold office for 2 years and which will hold office for 4 years. This designation could be either of the following:
 - a. 2 seats for a 2-year term (2020-2022), 3 seats for a 4-year term (2020-2024)
 - b. 3 seats for a 2-year term (2020-2022), 2 seats for a 4-year term (2020-2024)

Resolution No. 2019-87

Adoption of Resolution No. 2019-87 is the final step in the public process of converting from at-large to by-division. The resolution will adopt the final voting map and sequence of elections. After its adoption, staff will work with the Sacramento County Registrar of Voters to implement the by-division process for the November 3, 2020 election.

FINANCIAL ANALYSIS

Converting from at-large to by-division elections will reduce the District's anticipated 2020 election costs from approximately \$96,000 to approximately \$21,000 per voting district (\$63,000 if 3 voting districts are up for election, \$42,000 if 2 voting districts are up for election).

If all five voting districts are up for election in 2020, election costs will increase to around \$105,000.

These estimates are based on the 2018 election and will fluctuate depending on the number of registered voters and other candidates/measures on the ballot.

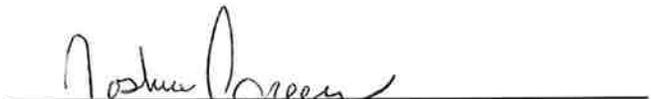
Should you have any questions, please contact me prior to the Board meeting.

Respectfully submitted,



Sigrid Asmundson
District Counsel

Staff Report recommendation authorized by:

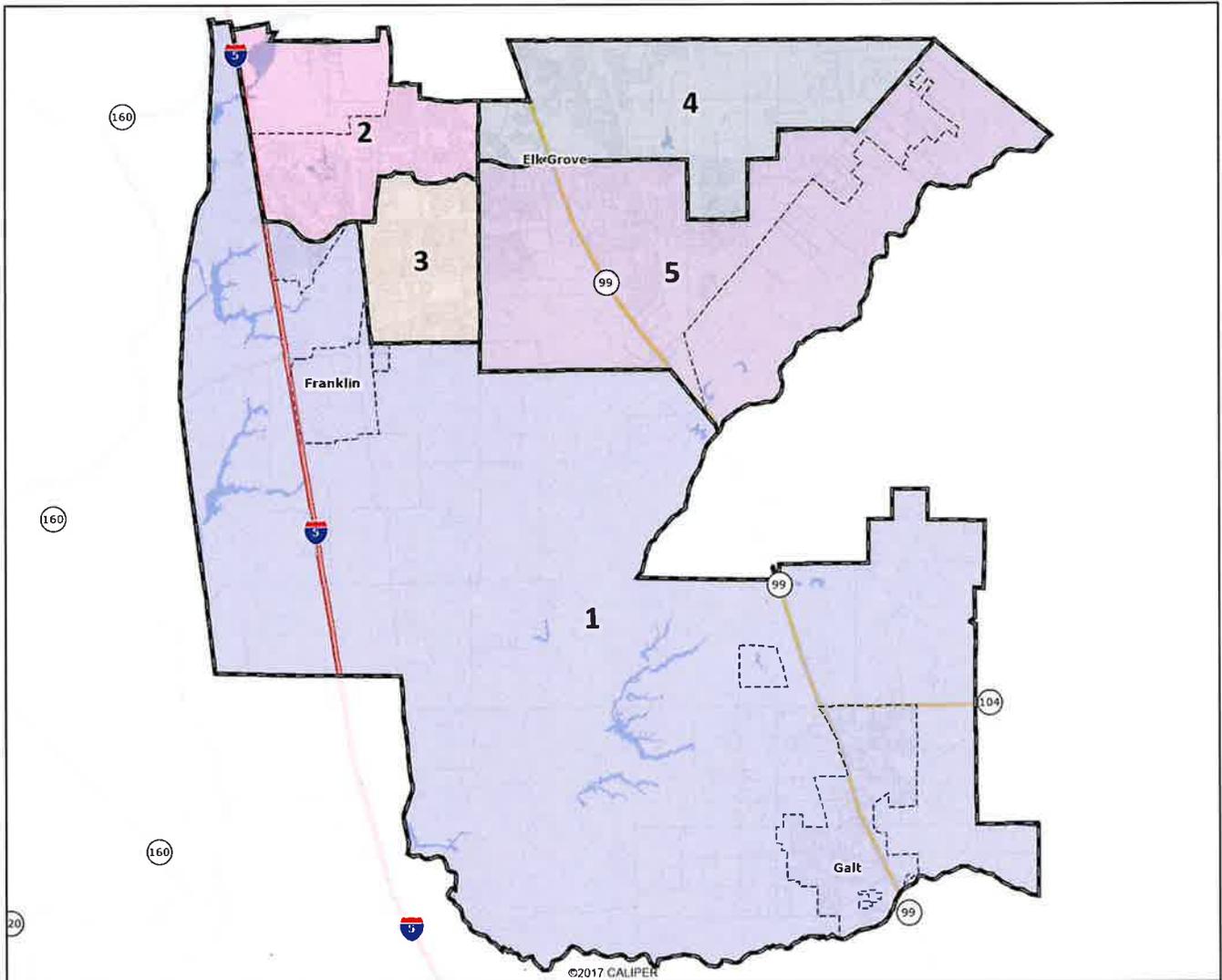


General Manager

Attachments:

- Maps A-D
- Resolution No. 2019-87 Establishing a By-Division Election Process Pursuant to California Elections Code Section 10010

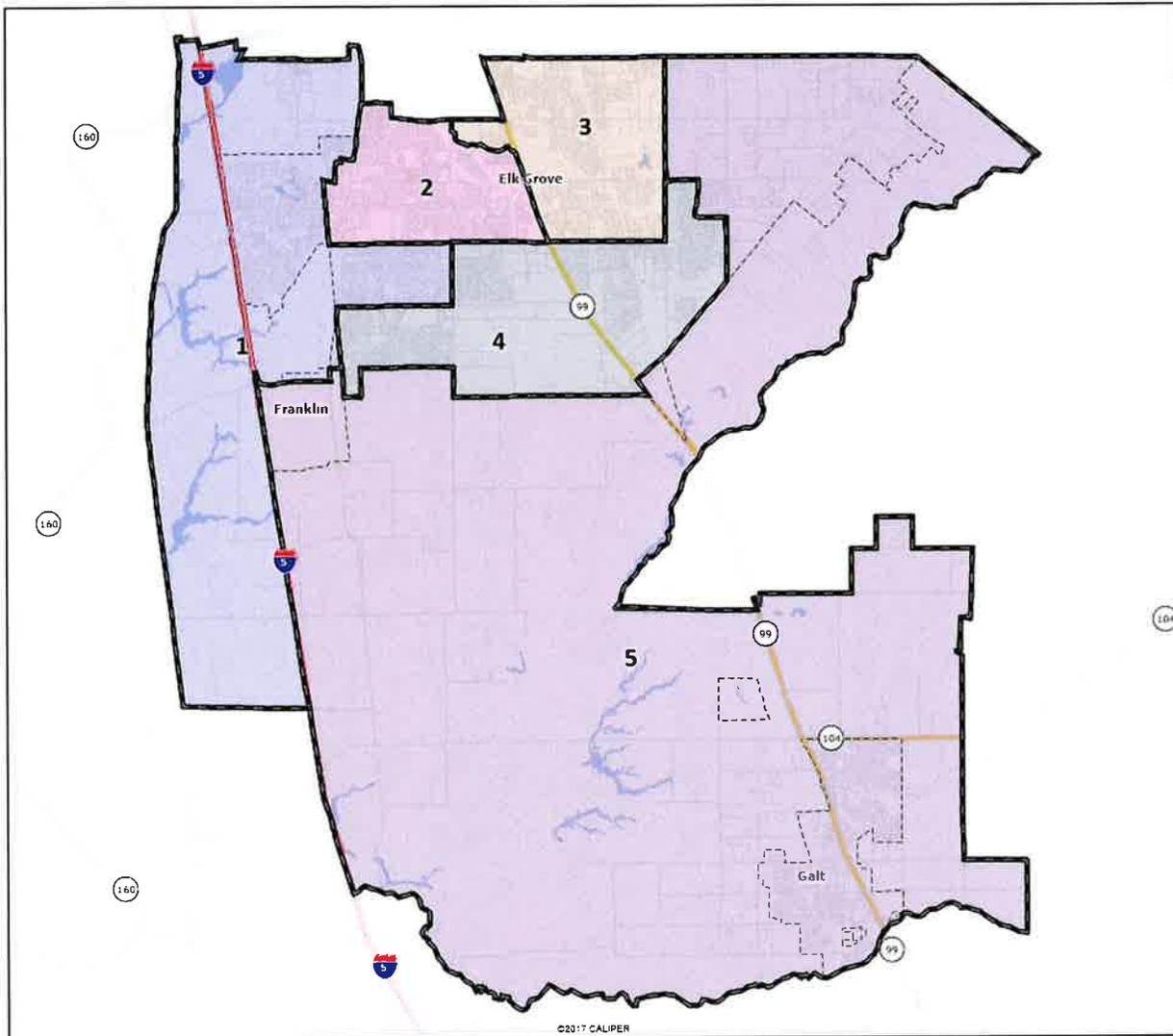
Cosumnes CSD Draft Plan A



Plan A

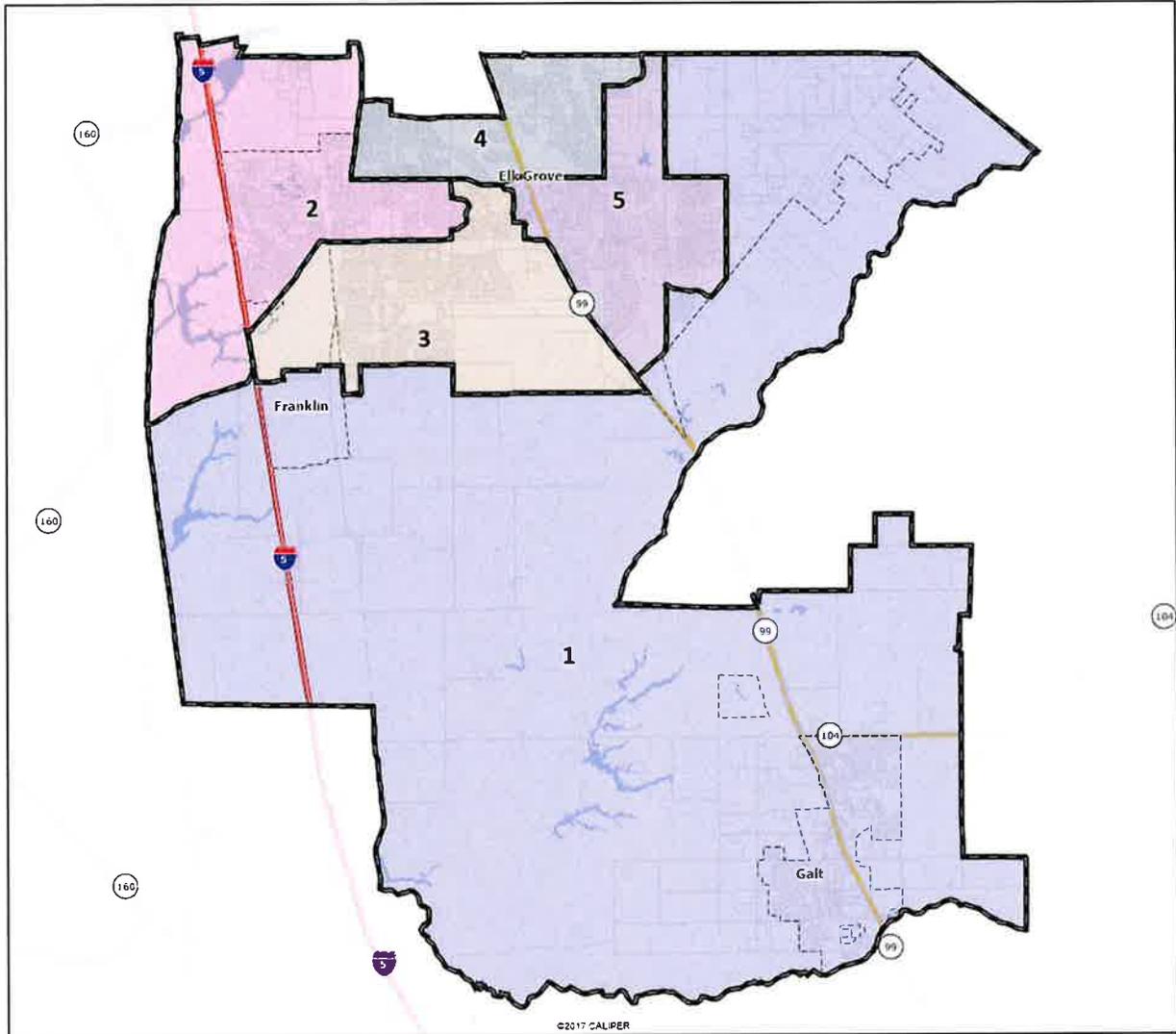
	2010 Census			Citizen Voting Age Population (CVAP)						
	Population	Deviation		Population	Latino		Asian		Black	
1	35,858	(793)	-2.2%	35,858	6,390	26%	2,369	10%	1,896	8%
2	36,718	67	0.2%	36,718	4,359	17%	6,207	24%	3,172	13%
3	35,751	(900)	-2.5%	35,751	3,415	14%	7,645	32%	2,930	12%
4	37,457	806	2.2%	37,457	3,769	15%	8,522	33%	3,112	12%
5	37,471	820	2.2%	37,471	4,246	15%	4,089	15%	1,694	6%

Cosumnes CSD Draft Plan B



	2010 Census				Citizen Voting Age Population (CVAP)					
	Population	Deviation		Population	Latino		Asian		Black	
1	37,071	420	1.1%	37,071	3,904	16%	8,074	33%	3,141	13%
2	36,682	31	0.1%	36,682	4,645	18%	4,814	19%	3,416	13%
3	36,281	(370)	-1.0%	36,281	3,469	14%	7,167	29%	1,997	8%
4	36,437	(214)	-0.6%	36,437	3,749	14%	6,675	25%	2,861	11%
5	36,791	140	0.4%	36,791	6,419	25%	2,098	8%	1,397	5%

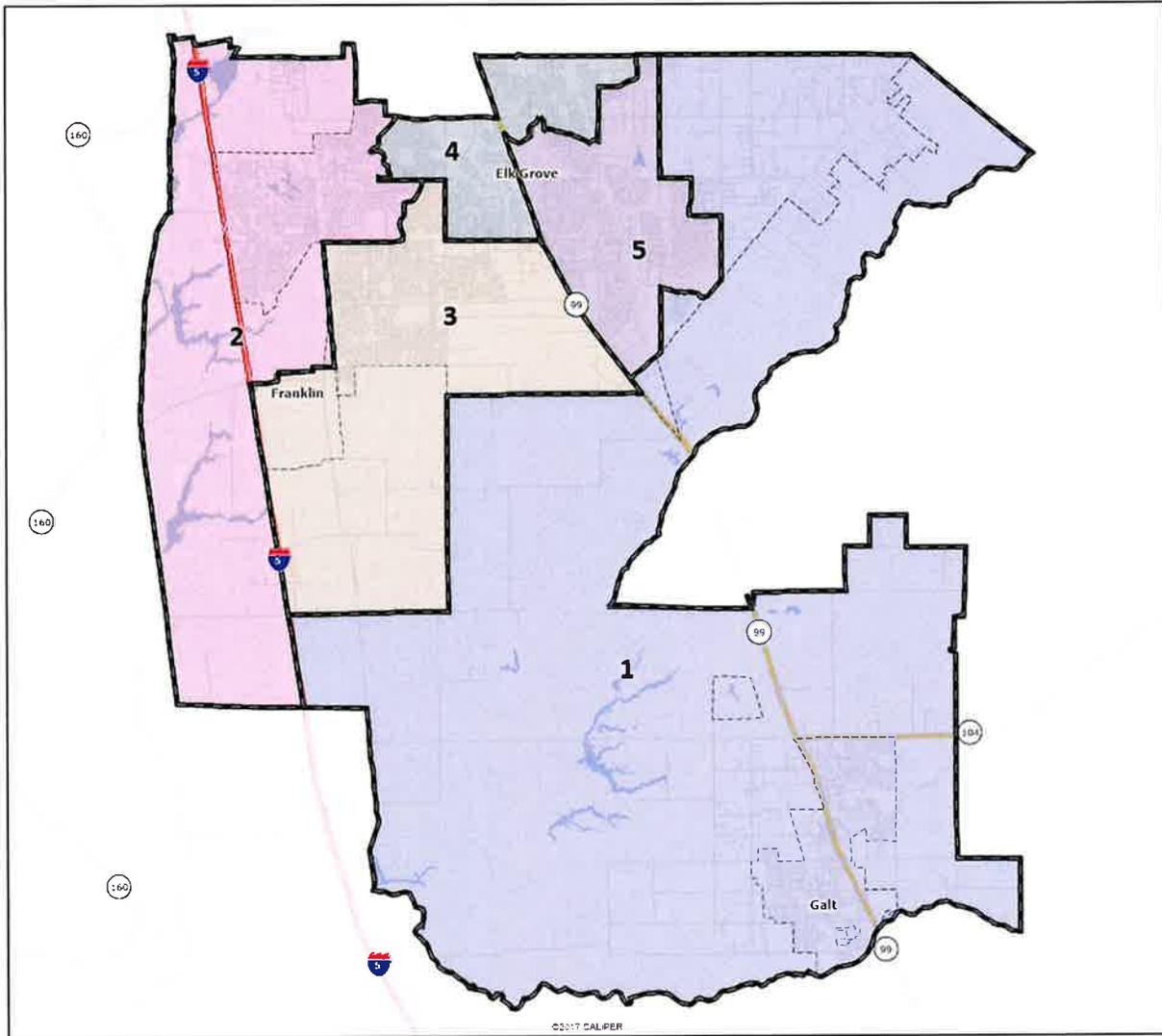
Cosumnes CSD Draft Plan C



Plan C

	2010 Census			Citizen Voting Age Population (CVAP)						
	Population	Deviation		Population	Latino		Asian		Black	
1	36,127	(524)	-1.4%	36,127	6,486	26%	2,308	9%	1,311	5%
2	36,122	(529)	-1.4%	36,122	4,087	17%	5,495	22%	2,810	11%
3	37,357	706	1.9%	37,357	3,651	14%	8,446	33%	3,538	14%
4	37,247	596	1.6%	37,247	4,338	17%	8,094	31%	3,489	14%
5	36,402	(249)	-0.7%	36,402	3,617	14%	4,489	17%	1,656	6%

Cosumnes CSD Draft Plan D



Plan D

	2010 Census			Citizen Voting Age Population (CVAP)						
	Population	Deviation		Population	Latino	Asian	Black			
1	37,474	823	2.2%	37,474	6,668	26%	2,467	9%	1,296	5%
2	36,680	29	0.1%	36,680	4,049	16%	6,135	25%	3,303	13%
3	36,100	(551)	-1.5%	36,100	3,609	14%	7,805	31%	3,376	14%
4	37,019	368	1.0%	37,019	4,484	18%	7,850	31%	3,276	13%
5	35,982	(669)	-1.8%	35,982	3,369	13%	4,575	18%	1,553	6%

RESOLUTION NO. 2019-87

RESOLUTION OF THE BOARD OF DIRECTORS OF THE COSUMNES COMMUNITY SERVICES DISTRICT ESTABLISHING A BY-DIVISION ELECTION PROCESS PURSUANT TO CALIFORNIA ELECTIONS CODE SECTION 10010

WHEREAS, the Board of Directors of the Cosumnes Community Services District (“District”) are currently elected through an at-large election process; and

WHEREAS, subdivision (a) of Election Code section 10650 authorizes a special district to, by resolution, require that the members of its governing body be elected using district-based elections without being required to submit the resolution to the voters for approval, in furtherance of the purposes of the California Voting Rights Act of 2001 (“CVRA”); and

WHEREAS, at its February 20, 2019 meeting, the District adopted Resolution No. 2019-10, a resolution of intent to establish a by-division voting process pursuant to Government Code Section 10010; and

WHEREAS, in accordance with Elections Code Section 10010, the District held 2 public hearings before any maps of voting districts were drawn, at which input from the public on the proposed composition of the voting districts was invited and heard; and

WHEREAS, 3 voting maps were prepared and published on the District’s website, and subsequent to such publication the District held 3 public hearings at which the public was again invited to provide input regarding the draft maps and potential sequence of elections, during which time 5 additional maps were prepared, published and presented to the District; and

WHEREAS, it is the position of the District Board of Directors that map _____, attached hereto as Exhibit A, will serve the best interests of the Cosumnes Community Services District and be consistent with the California Voting Rights Act and applicable law; and

WHEREAS, the purpose of this Resolution is to enact, pursuant to Government Code Section 10650, a resolution providing for the by-division election of the Directors of the Board of Directors of the Cosumnes Community Services District in 5 single-member districts; and

WHEREAS, all other legal prerequisites to the adoption of this Resolution have occurred.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF DIRECTORS OF THE COSUMNES COMMUNITY SERVICES DISTRICT AS FOLLOWS:

Section 1. Adoption of Recitals. The recitals set forth above are true and correct.

Section 2. By-Division Elections. The Board of Directors hereby provides that, commencing with the November 3, 2020 election, the Directors of the Cosumnes Community Services District shall be elected as follows:

- A. The Directors of the Cosumnes Community Services District shall be elected by-division in five (5) single-member districts. Each Director shall serve a term of four years.
- B. For the November, 2020 election, and for each election at the end of a four-year term thereafter, the Directors of the Cosumnes Community Services District from Districts _____, _____ and _____ shall be elected on a by-division basis as that term is defined in Government Code section 61025.
- C. For the November, 2022 election, and for each election at the end of a four-year term thereafter, the Directors of the Cosumnes Community Services District from Districts _____ and _____ shall be elected on a by-division basis as that term is defined in Government Code section 61025.
- D. Except as provided in subdivision (E) hereof, all candidates for the Cosumnes Community Services District Board of Directors and all appointed and elected Directors shall fully comply with applicable law. Termination of residency in a district by a Director shall create an immediate vacancy for that district unless a substitute residence within the district is established within thirty (30) days after the termination of residency.
- E. Notwithstanding any other provision of this Section 2, each of the 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 qualified. Vacancies in Director seats elected at-large may be filled from the Cosumnes Community Services District at-large. At the end of the term of a Director, that Director's successor shall be elected on a by-division basis in the districts established in subdivision (B) and (C) above and as subsequently reapportioned as provided by law. A vacancy in a Director seat elected by-division shall be filled by a person qualified to hold the office, consistent with applicable law.
- F. The Clerk of the Board shall maintain a map of the District showing the current boundaries and numbers of each voting district as they are established and may be amended from time to time by the District.

Section 3. California Voting Rights Act. Pursuant to Government Code Section 10650, it is declared that this change in the method of electing Directors of the Cosumnes Community Services District is being made in furtherance of the California Voting Rights Act of 2001 (Elections Code Sections 14025 *et seq.*).

Section 4. Severability. If any provision of this Resolution or the application thereof to any person or circumstance is held invalid, such invalidity shall not affect other provisions or applications of the Resolution which can be given effect without the invalid provision or application, and to this end the provisions of this Resolution are severable. The Board of Directors hereby declares that it would have adopted this Resolution irrespective of the invalidity of any particular portion thereof.

Section 5. Effective Date of Resolution. This Resolution shall take effect immediately upon its adoption.

Section 6. Certification. The Secretary is hereby directed to file a certified copy of this resolution with the Board of Supervisors and the County election official of the County of Sacramento.

PASSED, APPROVED AND ADOPTED this 6th day of November, 2019 by the following vote:

AYES:
NOES:
ABSENT:
ABSTAIN:

President of the Board of Directors

ATTEST:

Secretary of the Board of Directors