Midpeninsula Regional Open Space District

STUDY SESSION AGENDA ITEM 1

AGENDA ITEM

Study Session on District Ward Boundary Re-Alignment (Redistricting)

GENERAL MANAGER'S RECOMMENDATIONS

1. Receive a presentation on the redistricting process, including relevant rules and State of California guidelines.

2. Consider proposed redistricting criteria.

3. Receive a presentation on three potential redistricting scenarios that were developed based on the draft criteria and provide comments and suggestions.

SUMMARY

The District is required by California Elections Code Section 22000 and the federal Voting Rights Act to adjust its ward boundaries prior to the next biennial general election following each federal decennial census. The purpose of these statutes is to ensure that the wards, to the extent practical, are equal in population.

With the recent availability of the 2010 Census data, the District has calculated the population variance between wards at +/- 3.6 percent. The Election Code does not state what would be an acceptable variance percentage; however, the District's current variance exceeds the State of California's standard of +/- 2.5% and Santa Clara Valley Water District's standard of +/-3.5%. Staff is proposing to adjust the ward boundaries to mitigate this variance to better balance the population between wards and ensure compliance with the redistricting statutes.

During this process, staff developed proposed criteria to help guide current and future redistricting efforts. Staff will present these criteria for Board review and comment. In addition, staff developed three potential redistricting scenarios based on the draft criteria that will be presented to the Board. These scenarios will demonstrate how these criteria impact ward boundary scenarios. Development of these scenarios has established the ground work staff would need to quickly re-do scenarios should the Board desire to make any changes to the criteria.

DISCUSSION

Redistricting Criteria
In formulating criteria to guide the redistricting analysis, staff considered the principles established during the District's last redistricting, reviewed the criteria of the California Citizens Redistricting Commission, Santa Clara Valley Water District, East Bay Regional Park District, and local counties and municipalities, and confirmed adherence to all applicable laws. The following is a list of the recommended criteria and an explanation of how these criteria are incorporated into redistricting analyses. This list is not meant to represent any order of priority.

1) Comply with all applicable laws (Required)

   The District is required to comply with Chapter 8 of the Election Code (Special Districts 22000, Reapportionment of Special Districts after Federal Census). This statute states that:

   "Each district required by its authorizing act to adjust division boundaries pursuant to this section shall, by resolution, after each federal decennial census, and using that census as a basis, adjust the boundaries of any divisions so that the divisions are, as far as practicable, equal in population and in compliance with Section 1973 of Title 42 of the United States Code, as amended, to the extent those provisions are applicable. In adjusting the boundaries of the district, the board may give consideration to the following factors: (1) topography, (2) geography, (3) cohesiveness, contiguity, integrity and compactness of territory, and (4) community of interests of the district."

   As indicated in Elections Code Section 22000, the District must also comply with Section 2 of the Voting Rights Act (Section 1973 of Title 42 of the United States Code, as amended) which "prohibits electoral systems, including redistrictings, which dilute minority voting rights by denying minorities an equal opportunity to nominate and elect candidates of their choice."

2) Keep city representation intact and maintain cohesive neighborhoods and communities, where possible (Required)

   To the greatest extent possible, redistricting scenarios are drawn to respect local government boundaries, neighborhood association boundaries, and communities. Maintaining community cohesiveness is essential both in complying with the Election Code and preserving community voting strength. If communities are dissected, the voting strength of that area may be diluted.

   In order to comply with this criterion, the following data is analyzed:

   - *Aerial Imagery*
     Aerial imagery is used to analyze developed infrastructure and natural environmental features to help determine neighborhood boundaries. Aspects of a neighborhood such as tree canopy density, street patterns, roof types, density of land use, building types, property size, and location of buildings on properties are easily identified using aerial imagery. When determining potential ward boundary changes, analyzing visible

neighborhood features helps to determine the extent of established neighborhoods, ensuring that communities do not get dissected by proposed ward boundary changes.

- *City and County Boundaries*
  City and County boundaries can provide hard community, political, and land use barriers. These barriers, especially within the urban environment, are useful to follow when determining ward boundaries because they can provide steadfast barriers that are rarely altered.

- *Major Roads and Highways*
  Major roads and highways tend to bound and shape residential neighborhoods. Highways and freeways provide hard land use boundaries because they limit opportunities for connection between neighborhoods on either side of roadways. Major roads and highways can be reasonably used as ward boundaries when there is a lack of land use continuity on either side of the roadway.

- *Neighborhood Association Maps*
  Neighborhood association maps showing neighborhood boundaries are often available from local governments. These boundaries are often created based on input from neighborhood residents, community leaders, and public officials. Utilizing neighborhood association boundaries when determining potential new ward boundaries is beneficial because it ensures that an established neighborhood is kept intact, which strengthens the voting and public involvement voice of communities.

- *Environmental Features*
  Environmental features such as creeks and streams can be used to mark potential ward boundaries. An analysis of waterways in the urban regions of the Peninsula has revealed that waterways often form strong neighborhood and political boundaries.

  Other environmental features such as hills can help determine the extent of neighboring communities built in different geographic areas. Hilltop communities have different land use characteristics, street patterns, and densities compared with neighborhoods on flat ground. The physical change in an area's landscape determines the differences in land use patterns in the built environment, which leads to hard physical boundaries between communities built in different geographic areas.

3) <u>Equalize the population count in each Ward to +/- 2%. Equalizing population is required, but the +/- 2% variance value is not required (see below for rationale).</u>

The Election Code requires each ward within the District to have equal populations, as far as practicable, to respect the principle of one person-one vote so that each person has equal representation. Staff propose using a +/-2% target deviation to better equalize the population counts between District wards while maintaining and enhancing community cohesiveness. The ideal ward size is the population that each ward would have if the total population within the District was divided exactly equally among wards. The deviation refers to the percentage that a ward's population is allowed to vary above or below the population of the ideal ward. As the deviation is decreased, the potential to negatively impact neighborhood and community cohesiveness is increased due to the larger number of fine-grained adjustments needed to meet the lower deviation threshold.

Past District redistricting scenarios have used a deviation of +/-1%. Staff is recommending increasing this deviation to +/- 2%. This increase in deviation allows for scenarios that better comply with the Election Code requirements by allowing for improved neighborhood and community cohesiveness, while still remaining within the State's standard of population equalization.

4) Keep wards as similar to current configuration as possible. This criterion is not required by the Election Code (see rationale below).

Realigned districts should reassign the minimum number of residents to new wards to avoid confusion among voters. This is common redistricting practice.

5) Avoid altering ward boundaries in the Coastal Protection Area. This criterion is not required by the Election Code (see rationale below).

In 2004, the District underwent a significant public process to determine ward boundary locations in the coastal protection area. As a result, staff is not recommending any changes to ward boundaries within the coastal protection area.

6) Keep incumbents in their current ward. This criterion is not required by the Election Code (see rationale below).

Keeping incumbents in their current ward is common practice and helps avoid confusion among voters.

In summary, these criteria preserve community voting strength to the greatest extent possible, and are consistent with the Election Code requirement of population equalization.

Redistricting Analysis

Current District Population
Based upon the 2010 Census data, the population of Midpeninsula Regional Open Space District is 705,528 (see Table 1 below). This is an increase of 25,854, or 3.8%, from the 2004 population of 679,674, which was calculated using 2000 census data. The population in the District's existing seven wards range from a low of 97,097 in Ward 7 to a high of 104,194 in Ward 2, which represents a variance of 7.3%. Under the 2010 Census data, the ideal ward population is 100,790 and, assuming a target variance of +/- 2%, the revised wards would contain populations ranging from 98,774 to 102,806.

Table 1: District population in 2004 and 2010.

WARD	2004 POPULATION*	2010 POPULATION
1	~97,096	101,181
2	~97,096	104,194
3	~97,096	103,344
4	~97,096	100,616
5	~97,096	100,839

6	~97,096	98,257
7	~97,096	97,097
TOTAL	679,674	705,528

*Population based on 2000 Census Data

Potential Redistricting Scenarios
The proposed criteria, as described in this document, were used to develop three potential redistricting scenarios. All scenarios meet the applicable legal requirements and equalize population counts in each ward to +/- 2%. The scenarios range from minimal ward boundary changes and less neighborhood continuity to more complex boundary changes and greater neighborhood continuity. The scenarios can be summarized as follows and Table 2 below lists each scenario's pros and cons:
1. Scenario 1 contains the fewest changes in ward boundaries and people reassigned to new wards, but contain the least amount of neighborhood continuity.
2. Scenario 2 results in better neighborhood continuity than Scenario 1, but contains more boundary changes and people reassigned to new wards.
3. Scenario 3 reflects the greatest neighborhood continuity of the three scenarios, but also the most significant changes to the ward boundaries.

Table 2: Potential Redistricting Scenarios

Scenario	Pros	Cons
1	• Ward boundary changes are minor • Reassigns the fewest people (6,829) to new wards	• Current wards dissect certain neighborhoods and this scenario doesn't improve this issue • An additional housing tract is dissected as a result of boundary realignment
2	• This scenario addresses the issue of current wards dissecting certain neighborhoods • This scenario offers greater neighborhood continuity than Scenario 1	• Reassigns more people (15,932) to new wards • Increased ward boundary changes • An additional housing tract is dissected as a result of boundary realignment
3	• This scenario addresses the issue of current wards dissecting certain neighborhoods • This scenario offers the greatest neighborhood continuity • No additional housing tracts are dissected as a result of boundary realignment	• Reassigns the most people (18,946) to new wards • The largest ward boundary changes occur in this scenario

These three potential scenarios will be presented in more detail at the Board Study Session and will include detailed maps of every proposed boundary change and an explanation for each proposed change. The three scenarios were developed using the proposed criteria discussed in

this document to demonstrate how the criteria would apply to actual boundary modifications. Should the Board substantially modify the criteria within legally permissible parameters, staff would then return at a later date with revised scenarios, as appropriate.

FISCAL IMPACT

There is no fiscal impact associated with this presentation.

PUBLIC NOTICE

Public notice was provided as required by the Brown Act. No additional notice is required.

CEQA COMPLIANCE

This proposed action is not a project under the California Environmental Quality Act (CEQA) and no environmental review is required.

NEXT STEPS

After receiving feedback from the Board, staff will return to the Board with any modifications and a recommendation for board consideration.

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