# THE BOARD OF SUPERVISORS OF THE COUNTY OF STANISLAUS AGENDA ITEM 

DEPT: Chief Executive Office
CONSENT
CEO CONCURRENCE: YES

BOARD AGENDA: 2
AGENDA DATE: December 6, 2021

4/5 Vote Required: No

## SUBJECT:

Public Hearing to Accept an Update on the County's 2021 Redistricting Project, Receive Comments Regarding Draft Supervisorial District Map Alternatives 1 through 6 and Select a Proposed Alternative Map for Adoption By Ordinance

## STAFF RECOMMENDATION:

1. Receive an update on the County's 2021 Redistricting Project.
2. Open the public hearing to receive comments on the Draft Supervisorial District Map Alternatives 1-6.
3. Select one of the proposed alternative maps and direct County Counsel to prepare an ordinance amending the Supervisorial District Boundaries to conform to the selected alternative map, to meet the requirements of State and Federal Law, and to present that ordinance at the Board's December 13, 2021 special meeting for introduction and adoption.

## DISCUSSION:

## Introduction

Federal and State law require that after each Decennial Federal Census, the Board of Supervisors (Board) must determine, using the U.S. Census data as a basis, whether to adjust supervisorial district boundaries. The districts shall be as nearly equal in population as may be possible when all code requirements are applied. The County is required to analyze existing supervisorial districts and adjust the boundaries, using specific criteria, to obtain a balanced population.

## Timing Requirements

The County could not officially release draft maps until three weeks after the block-level redistricting database was made available to the public. Due to delays in the release of census information, the map-drafting process did not begin until the middle of October. The boundaries of the supervisorial districts could not be adopted by the Board earlier than August 1, 2021. The final map must be adopted 174 days before the June 7, 2022, Statewide Direct Primary Election, which is December 15, 2021.

## Legal Requirements

The Board must comply with the requirements of the U.S. and California Constitutions, the Federal Voting Rights Act (VRA), and the California Fair and Inclusive Redistricting for Municipal and Political Subdivisions (FAIR MAPS) Act. The maps must consider fair and proper representation of protected classes within each potential supervisorial district in the county equal population distribution, and the following:

1. To the extent practicable, districts must be geographically contiguous;
2. To the extent practicable, districts must maintain the geographic integrity of neighborhoods and communities of interest;
3. To the extent practicable, districts must minimize division of cities or census designated places;
4. Boundaries must be easily identifiable and, if possible, bound by natural/artificial barriers; and
5. To the extent practicable, districts must not favor or discriminate against any political party.

## Voting Rights Act - Section 2 Analysis

The FAIR MAPS Act mandates that supervisorial district boundaries comply with the Federal VRA of 1965 (U.S.C Sec. 10301 et seq.). To ensure compliance with the VRA, the County contracted with census and redistricting experts at Q2 Data and Research, LLC, as well election law experts at Olson Remcho. Also, the County consulted with Dr. Megan A. Gall, Ph.D., GISP, an expert in VRA compliance, research, and instruction.

County Counsel and attorneys from Olson Remcho (the "legal team") have identified a potential issue concerning the VRA. Section 2 of the VRA aims to ensure equal opportunity to participate in the political process. It does this by taking a "results-based" approach (i.e., analyzing past elections to determine whether a minority group has the ability to elect representatives of their choice). Case law derived from Section 2, primarily Thornburg v. Gingles (Thornburg v. Gingles, 478 U.S. 30 1986) lays out the relevant test. To bring an action for a VRA Section 2 violation, a minority group must be able to show that:
(1) They are geographically compact enough to comprise a majority in a district;
(2) They typically vote together for a shared candidate of choice; and
(3) They typically vote together for a shared candidate of choice and that demographic majority voters also vote together in a way that usually prevails over the minority candidate of choice.

The experts analyzed the census results and identified that Hispanics in Stanislaus County likely meet the above listed factors. Consequently, there is a risk that, as currently drawn, the district lines could result in Hispanic vote dilution.

After their analysis, the legal team has determined the appropriate way to remedy this situation is to increase the Hispanic citizen voting age population (CVAP) in a "majority minority district" to create a single district that has a sufficiently large number of Hispanic voters to elect candidates of choice. Currently, District 5 is a majority-plus Hispanic CVAP district with a Hispanic CVAP of $53.93 \%$. While it would be theoretically possible to draw two Hispanic CVAP majority districts of $50.1 \%$, those districts are
expected to underperform due to historically low voter turnout in the demographic and would not be a sufficient remedy. The best option is to compensate for low voter turnout and to create a single district that exceeds the current Hispanic CVAP of $53.93 \%$. Thus, the maps that are recommended create a single district that is above the Hispanic CVAP status quo.

## Process

## Map-Drawing Meetings

The Commission has met 12 times to review County Census data and maps, provide feedback and input on the data and maps, and recommend supervisorial district (map) alternatives in consultation with and assistance from the Steering Committee and Project Team.

|  | Meeting Type | Date | Time | Location |
| :---: | :---: | :---: | :---: | :---: |
| 1. | Map-Drawing Meeting | Monday, October 4, 2021 | $6: 00-7: 00$ p.m. | County Veteran's Center |
| 2. | Map-Drawing Meeting | Thursday, October 7, 2021 | $6: 00-7: 00$ p.m. | County Veteran's Center |
| 3. | Map-Drawing Meeting | Monday, October 18, 2021 | $6: 00-7: 30$ p.m. | County Veteran's Center |
| 4. | Map-Drawing Meeting | Thursday, October 21, 2021 | $6: 00-7: 00$ p.m. | County Veteran's Center |
| 5. | Map-Drawing Meeting | Thursday, October 28, 2021 | $6: 00-7: 00$ p.m. | County Veteran's Center |
| 6. | Map-Drawing Meeting | Thursday, November 4, 2021 | $6: 00-7: 30$ p.m. | County Veteran's Center |
| 7. | Map-Drawing Meeting | Tuesday, November 9, 2021 | $6: 00-7: 30$ p.m. | County Veteran's Center |
| 8. | Map-Drawing Meeting | Wednesday, November 10, 2021 | $6: 00-7: 30$ p.m. | County Veteran's Center |
| 9. | Map-Drawing Meeting | Monday, November 15, 2021 | $6: 00-8: 00$ p.m. | County Veteran's Center |
| 10. | Map-Drawing Meeting | Wednesday, November 17, 2021 | $6: 00-8: 00$ p.m. | County Veteran's Center |
| 11. | Map-Drawing Meeting | Monday, November 22, 2021 | $6: 00-9: 00$ p.m. | County Veteran's Center |
| 12. | Map-Drawing Meeting | Tuesday, November 23, 2021 | $6: 00-9: 00$ p.m. | County Veteran's Center |

As previously stated, the State of California released redistricting data in late September rather than as originally anticipated in late March. As Information Technology Central (ITC) staff completed their analysis of the available data, the relevant data and maps were provided to the Commission. The table below reflects when data was made available to the Commission:

|  | Meeting Date | Data Reviewed | Maps Reviewed | Recommended |
| :---: | :---: | :---: | :---: | :---: |
| 1. | October 4, 2021 | - General Discussion | -- | -- |
| 2. | October 7, 2021 | - Census Blocks <br> - Communities of Interest <br> - Districts with Population <br> - Districts with Cities <br> - Districts with Census Designated Places | -- | -- |
| 3. | October 18, 2021 | - Census Blocks <br> - Communities of Interest | -- | -- |
| 4. | October 21, 2021 | - Census Blocks <br> - Communities of Interest | -- | -- |
| 5. | October 28, 2021 | - Census Blocks <br> - Communities of Interest <br> - Districts with Population <br> - Districts with Race and Ethnicity | Draft Map 1 | -- |
| 6. | November 4, 2021 | - Districts with Population <br> - Districts with Race and Ethnicity <br> - Districts with Citizen Voting Age Population | Draft Map 1 | -- |


| 7. | November 9, 2021 | - Communities of Interest (New Submissions) <br> - Districts with Population <br> - Districts with Race and Ethnicity <br> - Districts with Citizen Voting Age Population | Draft Map 1 | Yes |
| :---: | :---: | :---: | :---: | :---: |
| 8. | $\begin{gathered} \text { November 10, } \\ 2021 \end{gathered}$ | - Districts with Population <br> - Districts with Race and Ethnicity <br> - Districts with Citizen Voting Age Population | Visualization 2 <br> Visualization 3 | -- |
| 9. | $\begin{gathered} \text { November 15, } \\ 2021 \end{gathered}$ | - Districts with Population <br> - Districts with Race and Ethnicity <br> - Districts with Citizen Voting Age Population | Visualization 3 | -- |
| 10. | $\begin{gathered} \text { November 17, } \\ 2021 \end{gathered}$ | - Districts with Population <br> - Districts with Race and Ethnicity <br> - Districts with Citizen Voting Age Population | Visualization 3 | -- |
| 11. | $\begin{gathered} \text { November 22, } \\ 2021 \end{gathered}$ | - Districts with Population <br> - Districts with Race and Ethnicity <br> - Districts with Citizen Voting Age Population | Draft Map 2 | Yes |
| 12. | $\begin{gathered} \text { November 23, } \\ 2021 \end{gathered}$ | - Districts with Population <br> - Districts with Race and Ethnicity <br> - Districts with Citizen Voting Age Population | Draft Map 3 | Yes |

## Map-Drawing Tutorial Sessions

To assist the Commission and general community members on how to use the County's online Redistricting mapping data and tool, the Project Team held five map-drawing tutorial sessions: three sessions specifically for Commission members and two sessions in the community for community members at large.

|  | Meeting Type | Date | Time | Location |
| :---: | :---: | :---: | :---: | :---: |
| 1. | Tutorial Session | Monday, November 8, 2021 | 10:00 a.m.-Noon | Human Relations Department |
| 2. | Tutorial Session | Tuesday, November 9, 2021 | $4: 00-6: 00$ p.m. | County Veteran's Center |
| 3. | Tutorial Session | Wednesday, November 17, 2021 | 10:00 a.m.-Noon | West Modesto Collaborative |
| 4. | Tutorial Session | Thursday, November 18, 2021 | 6:00-8:00 p.m. | Assyrian American Civic Club |
| 5. | Tutorial Session | Monday, November 22, 2021 | 10:00-11:00 a.m. | County CEO's Office |

## Public Hearings

The County will have held five public hearings after the December 13, 2021 hearing, (one public workshop in lieu of public hearing) to receive comments and input from the public on the proposed redistricting options submitted by the Commission, public, and others. The four public hearing dates and details are as follows:

|  | Meeting Type | Date | Time | Location |
| :---: | :---: | :---: | :---: | :---: |
| 1. | Draft Public Hearing | Monday, November 8, 2021 | $6: 00$ p.m. | Board Chambers |
| 2. | Draft Public Hearing | Tuesday, November 23, 2021 | 11:00 a.m. | Board Chambers |
| 3. | Draft Public Hearing | Monday, December 6, 2021 | 11:00 a.m. | Board Chambers |
| 4. | Adoption Public Hearing | Monday, December 13, 2021 | 11:00 a.m. | Board Chambers |

The County has published all the proposed alternative maps under consideration by the Board within the time frames and with the demographic information mandated by Elections Code section 21508. Throughout the redistricting process, the County has accepted public input and testimony in person and electronically through public workshops and public hearings.

At the Board's November 23, 2021 regular meeting, the Board held a public hearing and received a presentation on Alternative map proposals 1 and 2. After hearing that presentation and receiving public comment, the Board provided individual Board members the opportunity to work with staff to prepare proposals modifying either Alternative map to create a single district that has a CVAP above the status quo. Supervisors Mani Grewal and Channce Condit have each worked with staff and have submitted a map proposal for consideration; Alternatives 4 and 5 , respectively. Staff has published those modified draft maps as required and they are attached here for Board consideration.

## Proposed Maps

There are a total of six alternative maps proposed. The Commission reviewed a total of five draft maps. Of those five, three maps (Alternative draft maps 1-3) have been recommended by the Commission while two incomplete maps (described as "visualizations") were discussed, but not recommended by the Commission.

As indicated two additional maps were individually submitted by Supervisor Mani Grewal (Alternative draft map 4) and Supervisor Channce Condit (Alternative draft map 5). Finally, a citizen draft map submitted on Sunday, November 28, 2021 (Alternative draft map 6) is offered for consideration.

## Consideration of Draft Supervisorial District Map Alternatives

County Counsel has reviewed Alternative map proposals 1 through 6 for legal compliance. The legal team found Alternatives 1 and 2 insufficient in that they reduce existing Hispanic CVAP below the status quo present in District 5 and recommend the Board consider only Alternatives 3, 4, 5 and 6. These Alternative map proposals increase Hispanic CVAP above the status quo to create a stronger majority-minority district in what is now District 5. Each Alternative map proposal and the associated data tables on population, race and ethnicity, and CVAP are available in the attachments.

At the meeting, the Board will receive further public comment and information on the Alternative map proposals. After hearing the presentation and receiving public comment, staff recommends that the Board select one of the Alternative maps and direct County Counsel to prepare an ordinance amending the Supervisorial District Boundaries to conform to the selected alternative map, to meet the requirements of State and Federal Law, and to present that ordinance at the Board's December 13, 2021 special meeting for introduction and adoption. Under Government Code §25131, adoption of the ordinance may take place on the same day as introduction of the ordinance because by statute it can be passed only after notice and a public hearing.

## POLICY ISSUE:

In accordance with the requirements of the U.S. and State of California Constitutions, the Voting Rights Act, and Elections Code Sections 21500 et seq., the Board of Supervisors is required to use decennial U.S. Census data to adjust its supervisorial districts so that the districts are substantially equal in population and comply with additional criteria as outlined in the Elections Code.

## FISCAL IMPACT:

There is no additional fiscal impact associated with the staffing recommendations to hold a public hearing. The project budget for redistricting is $\$ 100,000$, as approved by the Board of Supervisors in the First Quarter 2020-2021 Financial Review. Sufficient appropriations exist in the legal budget to support this project.

## BOARD OF SUPERVISORS' PRIORITY:

This item is consistent with the Board Priority of Delivering Efficient Public Services, as this project will provide fair and effective representation for all residents of the County and ensure maximum public participation in the 2021 Supervisorial Redistricting process.

## STAFFING IMPACT:

Existing County staff will continue to manage and support the Redistricting Project.

## CONTACT PERSON:

Damian J. Martinez, Senior Management Consultant
(209) 353-6435

Thomas E. Boze, County Counsel

## ATTACHMENT(S):

1. Draft Supervisorial District Map Alternative 1
2. Map Alternative 1 Data Table
3. Draft Supervisorial District Map Alternative 2
4. Map Alternative 2 Data Table
5. Draft Supervisorial District Map Alternative 3
6. Map Alternative 3 Data Table
7. Draft Supervisorial District Map Alternative 4
8. Map Alternative 4 Data Table
9. Draft Supervisorial District Map Alternative 5
10. Map Alternative 5 Data Table
11. Draft Supervisorial District Map Alternative 6
12. Map Alternative 6 Data Table



District 2 - Alternative Map 1


District 3 - Alternative Map 1


District 4 - Alternative Map 1


## District 5 - Alternative Map 1



Supervisorial Alternative Map 1


554,730 Stanislaus County total population
110,946 Target Popuilaton for each Supervisorial District is the Total population (554,730) divided by the Total number of Supervisor Districts (5)

## STANISLAUS COUNTY SUPERVISORIAL DISTRICTS ALTERNATIVE 2

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○ UNINCORPORATED COMMUNITIES
ミここ Current Supervisorial Districts
［／］Changes from Current Boundaries Proposed Supervisorial Districts
$\square$ District 1
$\square$ District 2
$\square$ District 3
$\square$ District 4
$\square$ District 5


Information Technology Central Geographic Information Services 801 11th St．Modesto，CA 95354

## District 1 - Supervisorial Alternative Map 2




## District 3 - Supervisorial Alternative Map 2



## District 4 - Supervisorial Alternative Map 2



## District 5 - Supervisorial Alternative Map 2



Supervisorial Alternative Map 2

|  |  |  | $\begin{aligned} & \text { Census } 2020 \text { Popu } \\ & \hline \text { CRITERIA \#1 } \end{aligned}$ | n with Race/E | $y$ and Citize | ing Age Popul | 2019 (CV |  |  |  |  |  |  |  |  |  |  |
| :---: | :---: | :---: | :---: | :---: | :---: | :---: | :---: | :---: | :---: | :---: | :---: | :---: | :---: | :---: | :---: | :---: | :---: |
| Supervisorial | Population | Population Difference to Target Population | \% Deviation from Target Population | Hispanic | \% of Hispanic | NH White | \% of NH White | NH Asian | \% of NH Asian | NH Black or African American | \% of NH <br> Black or <br> African <br> American | NH Native Hawaiian \& Other Pacific Islander | \% of NH Native Hawaiian \& Other Pacific Islander | NH American Indian \& Alaska Native | \% NH American Indian \& Alaska Native | NH Other | \% of NH Other |
| District 1 | 110,439 | -507 | -0.46\% | 40,255 | 36.45\% | 53,675 | 48.60\% | 7,011 | 6.35\% | 2,557 | 2.32\% | 711 | 0.64\% | 477 | 0.43\% | 538 | 0.49\% |
| District 2 | 109,225 | -1,721 | -1.55\% | 45,514 | 41.67\% | 50,454 | 46.19\% | 5,767 | 5.28\% | 1,662 | 1.52\% | 331 | 0.30\% | 531 | 0.49\% | 544 | 0.50\% |
| District 3 | 107,365 | -3,581 | -3.23\% | 53,391 | 49.73\% | 35,438 | 33.01\% | 8,387 | 7.81\% | 3,577 | 3.33\% | 1,064 | 0.99\% | 515 | 0.48\% | 543 | 0.51\% |
| District 4 | 113,495 | 2,549 | 2.30\% | 52,102 | 45.91\% | 44,277 | 39.01\% | 5,927 | 5.22\% | 3,620 | 3.19\% | 891 | 0.79\% | 679 | 0.60\% | 707 | 0.62\% |
| District 5 | 114,206 | 3,260 | 2.94\% | 75,486 | 66.10\% | 24,774 | 21.69\% | 6,091 | 5.33\% | 3,124 | 2.74\% | 725 | 0.63\% | 442 | 0.39\% | 490 | 0.43\% |
| Total Pop | 554,730 |  |  | 266,748 | 48.09\% | 208,618 | 37.61\% | 33,183 | 5.98\% | 14,540 | 2.62\% | 3,722 | 0.67\% | 2,644 | 0.48\% | 2,822 | 0.51\% |



## STANISLAUS COUNTY

 SUPERVISORIAL DISTRICTS ALTERNATIVE 3INCORPORATED CITIES
0 UNINCORPORATED COMMUNITIES
ב. Current Supervisorial Districts
Z Changes from Current Boundaries


## District 1 - Supervisorial Alternative Map 3



District 2 - Supervisorial Alternative Map 3
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## District 3 - Supervisorial Alternative Map 3



## District 4 - Supervisorial Alternative Map 3




Supervisorial Alternative Map 3

|  |  |  | Census 2020 Popu CRITERIA \#1 | n with Race/E | and | ing Age Popul | $\text { n } 2019 \text { (CV) }$ |  |  |  |  |  |  |  |  |  |  |
| :---: | :---: | :---: | :---: | :---: | :---: | :---: | :---: | :---: | :---: | :---: | :---: | :---: | :---: | :---: | :---: | :---: | :---: |
| Supervisorial | Population | Population Difference to Target Population | \% Deviation from <br> Target Population | Hispanic | \% of Hispanic | NH White | \% of NH White | NH Asian | $\% \text { of NH }$ Asian | NH Black or African American | \% of NH <br> Black or <br> African <br> American | NH Native Hawaiian \& Other Pacific Islander | \% of NH Native Hawaiian \& Other Pacific Islander | NH American Indian \& Alaska Native | \% NH <br> American Indian \& Alaska Native | NH Other | \% of NH Other |
| District 1 | 110,439 | -507 | -0.46\% | 40,255 | 36.45\% | 53,675 | 48.60\% | 7,011 | 6.35\% | 2,557 | 2.32\% | 711 | 0.64\% | 477 | 0.43\% | 538 | 0.49\% |
| District 2 | 110,374 | -572 | -0.52\% | 46,115 | 41.78\% | 50,952 | 46.16\% | 5,776 | 5.23\% | 1,662 | 1.51\% | 331 | 0.30\% | 537 | 0.49\% | 550 | 0.50\% |
| District 3 | 107,174 | -3,772 | -3.40\% | 53,324 | 49.75\% | 35,315 | 32.95\% | 8,393 | 7.83\% | 3,581 | 3.34\% | 1,064 | 0.99\% | 510 | 0.48\% | 542 | 0.51\% |
| District 4 | 110,345 | -601 | -0.54\% | 49,366 | 44.74\% | 44,039 | 39.91\% | 5,846 | 5.30\% | 3,586 | 3.25\% | 878 | 0.80\% | 673 | 0.61\% | 692 | 0.63\% |
| District 5 | 116,398 | 5,452 | 4.91\% | 77,688 | 66.74\% | 24,637 | 21.17\% | 6,157 | 5.29\% | 3,154 | 2.71\% | 738 | 0.63\% | 447 | 0.38\% | 500 | 0.43\% |
| Total Pop | 554,730 |  |  | 266,748 | 48.09\% | 208,618 | 37.61\% | 33,183 | 5.98\% | 14,540 | 2.62\% | 3,722 | 0.67\% | 2,644 | 0.48\% | 2,822 | 0.51\% |




## District 1 - Supervisorial Alternative Map 4



## District 2 - Supervisorial Alternative Map 4

Alternative 4 District Boundary
XXI Changes to District 2 from Current District
Proposed Supervisorial Districts

## District 1

District 4

District 3

## District 3 - Supervisorial Alternative Map 4

District 4
Proposed Supervisorial Districts


## District 4 - Supervisorial Alternative Map 4



District 5 - Supervisorial Alternative Map 4


Supervisorial Alternative Map 4





# District 3 - Supervisorial Alternative Map 5 



## District 4 - Supervisorial Alternative Map 5




Supervisorial Alternative Map 5



## STANISLAUS COUNTY SUPERVISORIAL DISTRICTS ALTERNATIVE 6

$\star$ incorporated cities
O UNINCORPORATED COMMUNITIES
£こI Current Supervisorial Districts
$\square / \triangle$ Changes from Current Boundaries
Proposed Supervisorial Districts
Name


## District 1 - Supervisorial Alternative Map 6



## District 2 - Supervisorial Alternative Map 6



## District 3 - Supervisorial Alternative Map 6



## District 4 - Supervisorial Alternative Map 6



## District 5 - Supervisorial Alternative Map 6



Supervisorial Alternative Map 6



