

BOARD REPORT

TO: Board of Directors
FROM: Stephanie Smith
DATE: March 14, 2022
SUBJECT: Redistricting of Director Division Boundaries

Recommendation:

The Board receive a presentation regarding potential redistricting of director divisions, review draft maps, and adopt a Resolution entitled: RESOLUTION OF THE BOARD OF DIRECTORS OF THE SAN GORGONIO PASS WATER AGENCY ADJUSTING BOUNDARIES OF DIRECTOR ELECTORAL DIVISIONS.

Background:

Every ten years, agencies with by-district election systems must use new census data to review and, if needed, redraw electoral division lines to reflect how local populations have changed. This process, called redistricting, ensures all divisions comply with both the California and federal Voting Rights Acts. Requirements for redistricting are as follows:

- Revised electoral districts must be “substantially equal in population as required by U.S. Constitution.”
 - Balance must comply with U.S. and California constitutions, and the federal Voting Rights Act per United States Code Section 10301 of Title 52, as amended.
 - Population equality is based on total population of district residents, not customers, per the U.S. Census.
 - Incarcerated persons are only counted if the last known residence may be assigned to a city census block.
 - In adjusting the boundaries of the divisions, the board may give consideration to the following factors:
 - Topography.
 - Geography.
 - Cohesiveness, contiguity, integrity and compactness of territory.
 - Community of interests of the division.
 - This section does not apply to divisions in which only landowners vote for directors or whose directors are all elected at large or appointed.

- Boundaries shall not be drawn to favor or discriminate against a political party.
- Change in boundaries shall not affect the unexpired term of office of any elected board member.

Analysis of the Agency's current division boundaries, adjusted for the 2020 Census data, shows the divisions are no longer population-balanced.

Determining population balance is done by measuring the spread, or deviation, between the least populated division and the greatest populated division. Deviations of 10% or less are generally considered acceptable under U.S. Supreme Court rulings on the equal population standard under the U.S. Constitution.

The Agency's current division boundaries have been analyzed with the 2020 census data and indicate the divisions are no longer population balanced. The Agency's population is 107,120. The ideal division population is one-fifth of that number, or 21,424. Division 2 is overpopulated by 2,911 persons (13.59%) while Division 4 is significantly underpopulated by 3,786 (-17.67%). Combined, these Divisions create a total deviation of 31.26%. As such, division boundaries must be adjusted to achieve population balance with a deviation less than 10%.

Another consideration is the distribution of minority voters throughout the Agency, and whether there is a possibility of creating a majority/minority voting district as addressed in the federal Voting Rights Act. This analysis involves reviewing the ethnicity demographics from the census data, specifically citizens of voting age populations (CVAP). Upon review of the Agency's CVAP data, creation of a majority/minority voting district (a division in which an identified minority comprises the majority of voting age population) may be possible. While no division currently represents a majority/minority voting division, the minority population appears concentrated in certain areas of the jurisdiction, and drawing a majority/minority map has been attempted.

The Board heard a presentation on this matter at their January 24, 2022 meeting. Following the meeting, the Agency's redistricting consultant, Best Best & Krieger, prepared two draft maps for the Board's consideration at the first public hearing, held February 14, 2022. At the hearing, the Board requested the Agency's consultant to review potential options addressing minority representation. Subsequent to the hearing on February 14th, the consultant prepared two additional map options, which were presented at a public hearing held on February 28, 2022. Further Board discussion was held regarding the creation of a majority/minority voting district, compactness, and preserving communities of interest. Following the February 28th hearing, the Agency's consultant prepared a fifth map which attempts to address those concerns.

The maps are summarized below, with images and demographic analysis attached to this report. Further, an online tool may be accessed at the following link, with full search, zoom, and other geolocation services enabled. This online link provides the best viewing of the proposed maps.

https://www.google.com/maps/d/u/0/viewer?mid=1NP7J2cmrU-k02vc_fw8218nKLGddFtA&ll=33.92949246287724%2C-116.99826054846797&z=12

Previously Reviewed Maps

Map Option 1

Option 1 is population balanced, with a deviation of 4.11%. This accomplished by moving population from the currently overpopulated Division 5 into the underpopulated Division 4, and from the overpopulated Division 2 into Division 1. Division 3 remains largely intact. All divisions retain the core of their existing boundaries, and the shifts are fairly minimal along the borders. While most of the population moves either have no impact or accelerate the voting cycle for the residents, there is a small population of voters moving from Division 4 to 5 whose voting cycle will be deferred two years to 2024 (1,651). The proposed map preserves Division 2 as a majority/minority Hispanic voting district in terms of Voting Age Population (VAP) but not CVAP. a majority/minority voting district is defined as a majority of citizen voting age population representing a specific minority. A detailed demographic analysis is attached to this report.

Map Option 2

Option 2 is also population balanced, with a total deviation of 1.09%. This is accomplished by moving more significant populations throughout the Agency. The largest movement is from Division 4 to Division 5, resulting in a two-year deferment on the voting cycle for those residents. The proposed map preserves Division 1 as a majority/minority Hispanic voting district in terms of Voting Age Population (VAP) and CVAP. Division 2, however represents a majority/minority Hispanic voting division in terms of VAP but not CVAP. Option 2 moves a total of 745 persons from a 2022 voting cycle to a 2024 voting cycle, a delay of two years. A detailed demographic analysis is attached to this report.

Map Option 3

Option 3 is population balanced, with a slightly higher deviation at 6.93%. It was drawn in an attempt to increase the CVAP Hispanic voting representation in Districts 1 or 2. Using the suggested communities of interest provided by the Board, the consultant created a map that increased the Hispanic CVAP demographic percentage in Division 1 by lowering the total population slightly. The result of this exercise was the creation of Division 1 with 42.7% Hispanic CVAP, an increase of 2% over Option 1. Using the communities of interest suggested by the Board, it was not possible to create a majority/minority voting division representing 50%+1 Hispanic CVAP. Option 3 moves 1,890 persons from a 2022 voting cycle to a 2024 voting cycle, a delay of two years. The map is compact, and the districts are contiguous. A detailed demographic analysis is attached to this report.

Map Option 4

The Agency's consultant reviewed all possible configurations that might create a majority/minority division. Option 4 is population balanced with a deviation at 2.64%. The result of this exercise created a majority/minority Hispanic voting division in Division 2, with a total 50.6% Hispanic CVAP. District 2 is drawn significantly less compact than the other Divisions, and divides established communities of interest. The divisions are contiguous in their configuration. The movement of population to create Option 4 results in 5,511 persons moving from a 2022 voting cycle to a 2024 voting cycle, a delay of two years. A complete demographic analysis is attached to this report.

New Map

Map Option 5

Option 5 is population balanced with a total deviation of 6.21%. Like Option 4, it draws Division 2 as a majority/minority Hispanic voting division, with 50.1% of the population representing Hispanic citizens of voting age (CVAP). The map creates contiguous and compact divisions, however, like Option 4, with less compactness than other versions. It does achieve the objective of respecting certain communities of interest and the traditional redistricting principles of voter's choice and the core of existing divisions. The configuration defers a population of 4,796 from a 2022 voting cycle to a 2024 voting cycle and accelerates a population of 5,967 from a 2024 voting cycle to a 2022 voting cycle. A complete demographic analysis is attached to this report.

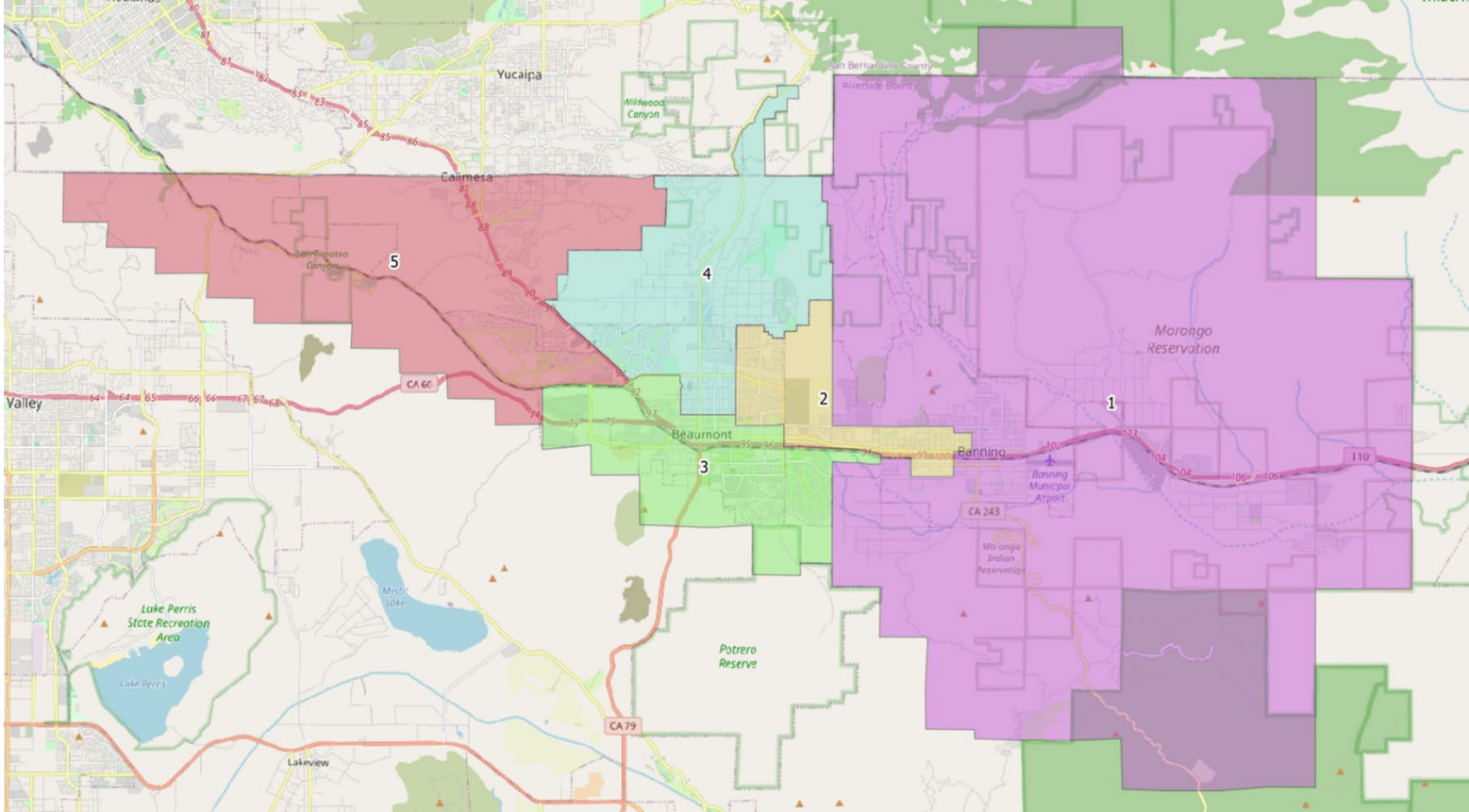
At today's public hearing, the Board may hear written and oral testimony from community members regarding the proposed revisions to the division boundaries. Following the hearing, the Board is asked to narrow their focus and select a preferred map, adopting the Resolution finalizing the final division boundaries. Alternatively, the Board may request revisions to the proposed maps for consideration at a future public hearing.

The deadline for the San Geronio Pass Water Agency to adopt revised division boundaries is April 17, 2022.

Attachment:

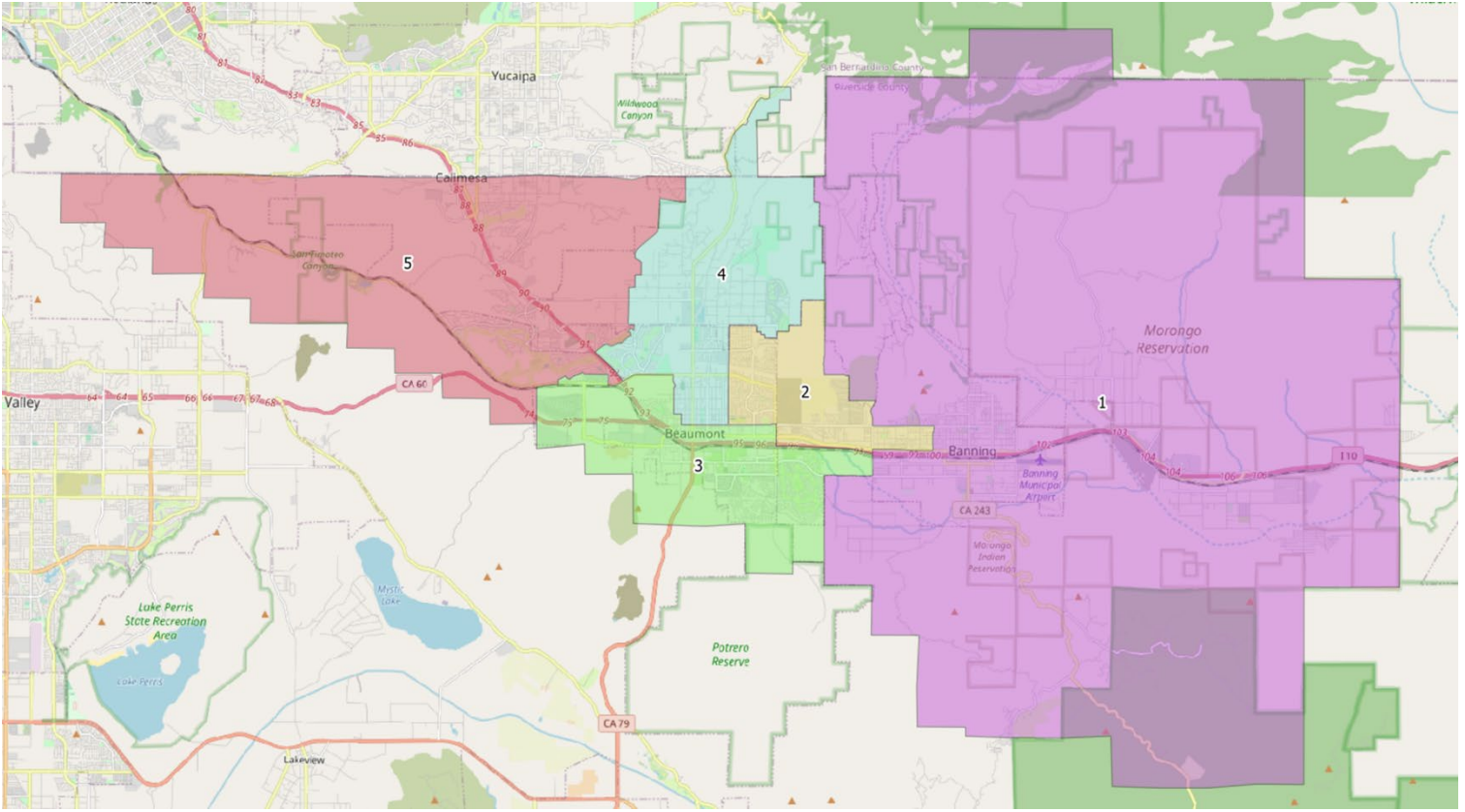
Map Options and Demographic Analysis
Resolution Approving Ginal Boundary Maps

Map Option 1 with Demographic Analysis



Division	Total Population	Raw Population	% Population	Latino	CVAP*19 Total	CVAP19 NL *White	CVAP19 NL Black	CVAP Hispanic	CVAP19 Not Hispanic	CVAP19 NL AIAN***	CVAP19 NL ASIAN	CVAP19 NL Hawaiian	CVAP19 NL Other
1	20,966	-458	-2.14%	10,765	13,798	4,989	1,326	5,626	8,171	1,167	520	11	41
2	21,847	423	1.97%	10,016	13,064	4,910	1,461	5,117	7,872	181	956	24	11
3	21,516	92	0.43%	7,909	14,635	8,266	1,029	4,269	10,355	1	767	20	25
4	21,746	322	1.50%	7,958	15,514	8,871	992	5,056	10,525	75	576	-	5
5	21,047	-377	-1.76%	7,048	12,799	7,090	443	3,918	8,884	195	909	-	40
Total	107,122												
Ideal	21,424	Deviation	4.11%										
*CVAP =	Citizen Voting Age Population												
**NL =	Non Latino												
***AIAN =	American Indian Alaskan Native												

Map Option 2 with Demographic Analysis



Division	Total Population	Raw Population	% Population	Latino	CVAP19 Total	CVAP19 NL White	CVAP19 NL Black	CVAP Hispanic	CVAP19 Not Hispanic	CVAP19 NL AIAN	CVAP19 NL ASIAN	CVAP19 NL Hawaiian	CVAP19 NL Other
1	21,436	12	0.05%	11,396	14,248	5,018	1,411	5,907	8,328	1,207	506	11	40
2	21,377	-47	-0.22%	9,385	12,614	4,881	1,376	4,836	7,715	141	971	24	12
3	21,389	-35	-0.17%	7,406	14,390	8,196	1,053	3,968	10,442	8	915	20	29
4	21,343	-81	-0.38%	8,557	15,156	8,199	951	5,390	9,805	76	525	-	5
5	21,577	153	0.71%	6,952	13,402	7,832	460	3,884	9,518	187	812	-	36
Total	107,122												
Ideal	21,424	Deviation	1.09%										
					Total VAP	Latino VAP	NL White Alone VAP	NL Black Alone VAP	NL AIAN Alone VAP	NL Asian Alone VAP	NL Hawaiian Alone VAP	NL Other Race Alone VAP	NL 2+ Races VAP
*CVAP =	Citizen Voting Age Population				15,994	7,942	4,565	1,409	655	812	15	79	518
**NL =	Non Latino				15,681	6,305	5,661	1,353	144	1,627	21	75	495
***AIAN =	American Indian Alaskan Native				17,289	5,113	9,074	1,238	112	1,235	29	95	393
					16,500	5,912	8,564	596	103	641	26	58	600
					16,312	4,656	8,806	853	89	1,167	31	83	628

RESOLUTION NO. 2022-07

RESOLUTION OF THE BOARD OF DIRECTORS OF THE SAN GORGONIO PASS WATER AGENCY ADJUSTING BOUNDARIES OF DIRECTOR ELECTORAL DIVISIONS

BE IT RESOLVED:

SECTION 1: The Board of Directors (Board) finds and determines:

- a. The U.S. Census Bureau (Bureau) is required by Article I, Section 2, of the U.S. Constitution to conduct an accurate count of the population every ten years;
- b. California Elections Code Section 22000 et seq. requires that “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 10301 of Title 52 of the United States Code, as amended, to the extent those provisions apply;”
- c. The Elections Code requires that the Board adopt a resolution amending director divisions no later than April 17, 2022;
- d. The Board held public hearings on February 14, 2022, February 28, 2022, and March 14, 2022, and an informational public meeting on January 24, 2022 to receive public testimony relating to redistricting criteria and communities of interest, and directed staff and the District’s demographic consultant to prepare draft division plans for consideration. At the hearing on March 14, 2022, the Board selected Map Option _____ (now “the Preferred Map”), for adoption;
- e. At each of the public hearings on redistricting, the Board heard staff’s presentation relating to “communities of interest,” which led the Board to reach the following determinations about communities of interest on the Preferred Map relevant to San Gorgonio Pass Water Agency voting divisions as required under federal and state law:
 - (1) *The divisions are geographically contiguous.* The divisions are arrayed in a simple and logical form without any islands and minimal intrusions from the area of one division into another;
 - (2) *To the extent practicable, the Preferred Map respects the geographic integrity of local neighborhoods and local communities of interest.* The map redraws division lines to better align with communities of interest and most other County municipalities.
 - (3) *The Preferred map respects the geographic integrity of cities and census designated places, with divisions in those cities and places minimized.* The Preferred Map also respects in large part the jurisdictional boundaries of the County’s other cities and special districts.

(4) *The divisions are easily identifiable and understandable by residents.* The divisions in the Preferred Map form a relatively simple pattern.

(5) *To the extent practicable, the divisions are geographically compact.* Their configurations for the most part are compact, simple shapes, with nearby populations included in the same divisions.

(6) *The divisions are balanced in terms of total population and voting age population.* The divisions are well within the one-person/one-vote deviations permitted under federal and state voting rights laws.

(7) *The divisions reviewed and considered concentrations of minority voters.* Although the above criteria could not be met within any election district with a minority-majority district (i.e., a voting district where one distinct minority population is the majority population), the election districts do represent where possible an aggregation in single districts of substantial minority population blocs to enhance the potency of that minority voting voice; or – District 2 is drawn as a majority-minority Hispanic voting district [depending on map selected].

k. All information in the staff reports, maps, presentations, Board debate and public testimony referenced above is hereby incorporated into this decision and serves as evidentiary basis for these findings and legislative decision.

SECTION 2: Pursuant to the provisions of the Fair Maps Act of 2019 as amended in 2020, codified at California Elections Code section 21500 to 21509, after giving consideration to those provisions and applicable decisions of the courts, the Board hereby adjusts, changes, and establishes the boundaries of the director divisions as set forth on the Preferred Map considered by the Board at its public hearing on February 28, 2022, and reflected in Exhibit A, and they shall constitute and are hereby established as the boundaries of the director divisions of the San Gorgonio Pass Water Agency for subsequent elections until further readjustment is required by law.

SECTION 3: Notwithstanding any other provision of this chapter, and pursuant to California Elections Code section 22000, subdivision (e) (1) and (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, and any vacancy in a term currently underway shall be filled based on the divisions in effect at the time the current directors were elected.

SECTION 4: All resolutions, or parts thereof in conflict with this resolution are hereby repealed.

SECTION 5: The General Manager is directed to take all necessary steps to give effect to this Resolution. If necessary to facilitate the implementation of this Resolution, the General Manager or his or her designee is authorized to make technical adjustments to the division boundaries that do not substantively affect the populations in the divisions, the eligibility of candidates, or the residence of elected officials within any division. The General Manager shall consult with District General Counsel concerning any technical adjustments deemed necessary and shall advise the Board of any such adjustments required in the implementation of the divisions.

SECTION 6: This Resolution is adopted following two noticed public hearings as required by Elections Code section 22001 and shall take effect and be in full force immediately upon adoption.

NOW, THEREFORE, be it resolved by the Board of Directors that the resolution is hereby approved and adopted by the Board of Directors.

ADOPTED AT A REGULAR MEETING OF THE SAN GORGONIO PASS WATER AGENCY HELD MARCH 14, 2022, by the following roll call vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

Larry Smith, President
San Gorgonio Pass Water Agency

ATTEST:

Lance Eckhart, Secretary
San Gorgonio Pass Water Agency

Exhibit A

Map of Division Boundaries

[To be updated after the final hearing]