

ORDINANCE NO. .
BOARD OF SUPERVISORS, COUNTY OF SAN MATEO,
STATE OF CALIFORNIA

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AN ORDINANCE REPEALING AND REPLACING
SECTIONS 2.02.020, 2.02.030, 2.02.040, 2.02.050, AND 2.02.060 OF CHAPTER 2.02,
OF TITLE 2 OF THE SAN MATEO COUNTY ORDINANCE CODE
ESTABLISHING THE BOUNDARIES OF SUPERVISORIAL DISTRICTS

WHEREAS, the Board of Supervisors established the County's current Supervisorial districts in November 2013; and

WHEREAS, the Board must ensure the Supervisorial districts remain substantially equal in population based on data from the 2020 federal decennial census ("Census"); and

WHEREAS, the Supervisorial district boundaries must comply with the United States Constitution, the California Constitution, and the Voting Rights Act of 1965, in addition to new state law requirements added since 2013 (see Assem. Bills 849, 1276 (2019-2020), (2020-2021)); and

WHEREAS, pursuant to state law, Supervisorial district boundaries cannot be adopted for the purpose of favoring or discriminating against a political party, and the Board must utilize the following ranked criteria:

- First, to the extent practicable, Supervisorial districts must be geographically contiguous;
- Second, to the extent practicable, the geographic integrity of any local neighborhood or local community of interest must be respected in a manner that minimizes its division;
- Third, to the extent practicable, the geographic integrity of a city or census designated place must be respected in a manner that minimizes its division;

- Fourth, district boundaries should be easily identifiable and understandable by residents; and
- Fifth, to the extent practicable, and where it does not conflict with the above criteria, districts must be drawn to encourage geographical compactness in a manner that nearly areas of population are not bypassed in favor of more distant populations; and

WHEREAS, the final Supervisorial district boundaries must be adopted 174 days before the June 7, 2022 Statewide Direct Primary Election, which is December 15, 2021; and

WHEREAS, pursuant to Elections Code Section 21500(e), the Supervisorial district boundaries are adopted upon the passage an ordinance (or resolution) specifying those boundaries; and

WHEREAS, pursuant to Elections Code Section 21507.1, before adopting the final Supervisorial district boundaries, a minimum of four (4) public hearings must be held, at least one of which must be held *before* draft maps are drawn and at least two of which must be held *after* draft maps are drawn, and the one public hearing required before draft maps are drawn may be conducted by an advisory commission established by the Board; and

WHEREAS, on January 26, 2021, the Board voted unanimously to form an advisory commission that would engage in public outreach and recommend draft Supervisorial district lines to the full Board; and

WHEREAS, starting in late August 2021 and extending through September 2021, the 15-member District Lines Advisory Commission (DLAC), comprised of commissioners interviewed and recommended for appointment by the League of Women Voters, held a series of seven (7) introductory and engagement public hearings, the purpose of which

was to introduce the redistricting process to the public and solicit testimony on communities of interest, district lines, and other public input on the process, and five (5) of those meetings were agendaized with a geographic focus on a single existing Supervisorial district and were coupled with geographically targeted outreach in that district in advance of the meeting; and

WHEREAS, in late September 2021, after significant delays, the State of California released the official adjusted Census-based dataset required to be used for local jurisdictions' redistricting processes; and

WHEREAS, the DLAC then held three meetings, on October 7, 21, and 28, 2021, during which the DLAC received public testimony on, and discussed, draft district maps based on the official State dataset; and

WHEREAS, on October 19, 2021, the Board held a public hearing at which it received public testimony on communities of interest, district lines, and other public input on the redistricting process; and

WHEREAS, to encourage public participation throughout this process, including those in underrepresented communities and non-English speaking communities, the County implemented a broad-based outreach campaign informed by learnings from Census- and pandemic-related community messaging efforts; and

WHEREAS, during its October 28, 2021 meeting, the DLAC voted on a number of proposed maps to recommend to the Board for its adoption, ultimately voting 8-7 to approve a joint motion to recommend two maps to the Board—the “Unity Map,” submitted by the Unity Map Coalition, with a minor adjustment to include all of the City of Millbrae within District 1, and the “Commissioner Espinoza Map,” submitted by DLAC member

Rudy Espinoza Murray—while a motion to take up the recommendation of each of those two recommended maps separately failed on a vote of 7-8, a motion to give priority to the “Unity Map” failed on a vote of 7-8, and a motion to recommend the “NDC Minimal Changes Map” also failed on a vote of 7-8, as did a motion to recommend the “Commissioner Olbert Map” on a vote of 6-9; and

WHEREAS, on November 9, 2021, the Board held another public hearing at which it received public testimony on communities of interest, draft maps, and other public input on the redistricting process; and

WHEREAS, on November 16, 2021, the Board held yet another public hearing at which it received public testimony on communities of interest, draft maps, and other public input on the redistricting process, and instructed staff to move forward with a modified version of the current map, now titled “Communities Together”, which achieves population balancing in a manner that complies with all federal and state legal requirements; and

WHEREAS, the Board finds that the Communities Together map best meets the ranked criteria established by state law, including, to the extent practicable, respecting the geographic integrity of any local neighborhood or local community of interest in a manner that minimizes its division by, among many other ways:

- Minimizing division of coastal community(/ies) of interest shared by those living in areas encompassed by portions of Pacifica and extending to the County’s southern border;
- In addition to minimizing division of the following cities to the extent practicable, minimizing division of community(/ies) of interest shared by those living in areas encompassed by portions of East Palo Alto, Belle Haven, North Fair Oaks, and Eastern Redwood City, and not combining them with very different communities with which they share limited ties;

- Minimizing division of community(/ies) of interest shared by those living in areas encompassed by the San Carlos hills through Emerald Lake Hills, including Palomar Park, Pulgas Ridge, and Devonshire Canyon;
- In addition to minimizing division of the following cities to the extent practicable, minimizing division of community(/ies) of interest shared by those living in areas encompassed by portions of San Bruno, South San Francisco, and Millbrae, and not combining them with very different communities with which they share limited ties;
- In addition to minimizing division of the following cities to the extent practicable, minimizing division of community(/ies) of interest shared by those living in areas encompassed by portions of Southwestern Daly City and Northwestern San Bruno;
- In addition to minimizing division of the following cities to the extent practicable, minimizing division of community(/ies) of interest shared by those living in areas encompassed by portions of Northeastern and Southeastern San Mateo, and not combining those Southeastern San Mateo communities with very different communities with which they share limited ties; and

WHEREAS, the County's Charter provides that the Supervisorial districts "shall be apportioned by ordinance pursuant to general law" and the current Supervisorial districts are set forth in Sections 2.02.020, 2.02.030, 2.02.040, 2.02.050, and 2.02.060 of Title 2 of the County's Ordinance Code; and

WHEREAS, the Board now desires to repeal and replace Sections 2.02.020, 2.02.030, 2.02.040, 2.02.050, and 2.02.060 of Title 2 of the County's Ordinance Code to reflect the Supervisorial districts as set forth in the "Communities Together" map.

NOW, THEREFORE, the Board of Supervisors of the County of San Mateo, State of California, **ORDAINS** as follows:

SECTION 1. The foregoing recitals constitute facts and findings of the Board of Supervisors and are hereby incorporated by this reference and made part of this Ordinance as though fully set forth herein.

SECTION 2. Section 2.02.020 of the San Mateo County Ordinance Code is

hereby repealed in its entirety and replaced with the following:

2.02.020 - First Supervisorial District.

The First Supervisorial District of the County of San Mateo, State of California, is hereby established and declared to be and contain all that territory of San Mateo County described as follows:

Beginning at the intersection of the County border, the Brisbane border, and the South San Francisco border; thence proceeding westerly along the border of South San Francisco to Junipero Serra Blvd; thence proceeding southerly along Junipero Serra to Avalon Dr; thence proceeding westerly along Avalon Dr to I-280; thence proceeding southerly along I-280 to the border of Millbrae; thence proceeding southerly along the border of Millbrae to I-280; thence proceeding southerly along I-280 to Highway 92; thence proceeding easterly along Highway 92 to Ralston Avenue and the City border of San Mateo; thence proceeding clockwise along the City border to the border (in the bay) of Foster City; thence proceeding clockwise along the Foster City border (in the bay) to the County border; thence counter-clockwise along the County border to the point of beginning; and depicted in a map that can be viewed in the County Offices.

SECTION 3. Section 2.02.030 of the San Mateo County Ordinance Code is

hereby repealed in its entirety and replaced with the following:

2.02.030 - Second Supervisorial District.

The Second Supervisorial District of the County of San Mateo, State of California, is hereby established and declared to be and contain all that territory of San Mateo County described as follows:

Beginning at the border of the County border, Redwood City and Foster City; thence proceeding clockwise along the border of Foster City to Belmont; thence clockwise along the border of Belmont to the border of San Carlos; thence proceeding counter-clockwise along the border of San Carlos to El Camino Real; thence proceeding northwesterly along El Camino Real to Ralston Avenue; thence proceeding westerly along Ralston to the city border of San Mateo; thence proceeding clockwise along the San Mateo City border to the border (in the bay) of Foster City; thence proceeding clockwise along the Foster City border (in the bay) to

the point of beginning; and depicted in a map that can be viewed in the County Offices.

SECTION 4. Section 2.02.040 of the San Mateo County Ordinance Code is hereby repealed in its entirety and replaced with the following:

2.02.040 - Third Supervisorial District.

The Third Supervisorial District of the County of San Mateo, State of California, is hereby established and declared to be and contain all that territory of San Mateo County described as follows:

Beginning in Menlo Park at the intersection of the County border and El Camino Real; thence proceeding northerly along El Camino Real to the border of Atherton; thence proceeding counter-clockwise along the border of Atherton to Alameda de las Pulgas and the City of Woodside border; thence proceeding counter-clockwise along the border of Woodside to the border of Redwood City; thence proceeding counter-clockwise along the border of Redwood City to the intersection of the borders of Redwood City, San Carlos, and Interstate 101; thence proceeding counter-clockwise along the border of San Carlos to El Camino Real; thence proceeding northwesterly along El Camino Real to Ralston Ave; thence proceeding westerly along Ralston Ave to Hwy 92; thence proceeding southwesterly along Hwy 92 to Interstate 280; thence proceeding northerly along I-280 to the border of Millbrae; thence proceeding northerly along the western border of Millbrae back to I-280; thence proceeding northerly along I-280 to the border of San Bruno; thence proceeding clockwise along the San Bruno City border to the Pacifica City border at the southern tip of Census Block 060816140002010; thence proceeding counter-clockwise along the Pacifica border to the Pacific Ocean and the County border; thence proceeding counter-clockwise along the County border to the point of beginning; and depicted in a map that can be viewed in the County Offices.

SECTION 5. Section 2.02.050 of the San Mateo County Ordinance Code is hereby repealed in its entirety and replaced with the following:

2.02.050 - Fourth Supervisorial District.

The Fourth Supervisorial District of the County of San Mateo, State of California, is hereby established and declared to be and contain all that territory of San Mateo County described as follows:

Beginning in Menlo Park at the intersection of the County border and El Camino Real; thence proceeding northerly along El Camino Real to the border of Menlo Park and Atherton; thence proceeding counter-clockwise along the border of Atherton to El Camino Real and Redwood City; thence proceeding counter-clockwise along the border of Atherton to Alameda de las Pulgas and the City of Woodside border; thence proceeding counter-clockwise along the border of Woodside to the border of Redwood City; thence proceeding counter-clockwise along the border of Redwood City to the Belmont City border; thence proceeding counter-clockwise along the Belmont City border to the intersection of the Belmont, Foster City and Redwood City borders; thence proceeding clockwise along the border of Redwood City to the County border; thence proceeding clockwise along the County border to the point of beginning; and depicted in a map that can be viewed in the County Offices.

SECTION 6. Section 2.02.060 of the San Mateo County Ordinance Code is hereby repealed in its entirety and replaced with the following:

2.02.060 - Fifth Supervisorial District.

The Fifth Supervisorial District of the County of San Mateo, State of California, is hereby established and declared to be and contain all that territory of San Mateo County described as follows:

Beginning at the intersection of the County's western border, the Pacific Ocean, and the northern border of Pacifica; thence proceeding easterly and southerly along the border of Pacifica past Sneath Rd to the border of San Bruno; thence proceeding counter-clockwise along the San Bruno border to Interstate 280; thence proceeding northerly along I-280 to Avalon Dr; thence proceeding easterly along Avalon Dr to Junipero Serra Blvd; thence proceeding northerly along Junipero Serra to the City border of South San Francisco; thence proceeding easterly along the border of South San Francisco to the County border; thence proceeding counter-clockwise along the County border to the point of beginning; and depicted in a map that can be viewed in the County Offices.

SECTION 7. Only when necessary to facilitate the implementation of this Ordinance, the County's Chief Elections Officer, or designee(s), is authorized to make technical adjustments to the Supervisorial district boundaries that do not substantively

contradict the intent of the Board action, including but not limited to populations of the Supervisorial districts, and as reflected by the Communities Together map presented to the Board and available for the next 10 years at smcdistrictlines.org, which is hereby incorporated by this reference. The County's Chief Elections Officer shall consult with the County Manager and County attorney concerning any technical adjustments deemed necessary and shall advise the Board of any such adjustments required in the implementation of the Supervisorial districts.

SECTION 8. In the event that, for any reason, this Ordinance is invalidated, suspended, or prevented from taking effect, the prior version of the Ordinance repealed herein shall provide the operative Supervisorial district lines to be used to conduct all Supervisorial elections until adoption of a replacement Ordinance as required by the County Charter.

SECTION 9. This Ordinance shall take effect immediately upon adoption pursuant to Elections Code Section 21500(e).

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