



COUNTY OF SAN MATEO
Inter-Departmental Correspondence
Board of Supervisors



DATE: October 16, 2013
BOARD MEETING DATE: October 22, 2013
SPECIAL NOTICE/HEARING: None
VOTE REQUIRED: Majority

TO: Honorable Board of Supervisors

FROM: Supervisor Adrienne Tissier, Chair of the District Lines Advisory Committee and Supervisor Warren Slocum, Vice Chair

SUBJECT: Supervisorial District Boundary Adjustments

RECOMMENDATION:

Introduction of an ordinance amending Sections 2.02.020, 2.02.030, 2.02.040, 2.02.050 and 2.02.060 of Chapter 2.02, Title 2 of the San Mateo County Ordinance Code establishing the boundaries of the Supervisorial Districts, and waiver of reading the ordinance in its entirety.

BACKGROUND:

California Elections Code § 21500 provides, in pertinent part: that following each decennial federal census . . . , the Board of Supervisors shall adjust the boundaries of any or all of the supervisorial districts of the county so that the districts shall be “as nearly equal in population as may be” and that in establishing the boundaries of the districts, the Board may give consideration to the following factors: (a) topography, (b) geography, (c) cohesiveness, contiguity, integrity, and compactness of territory, and (d) community of interests of the districts.

Section 25103 provides, in pertinent part: that **at any time between the decennial adjustments of district boundaries**, board may adjust the boundaries of the supervisorial districts...pursuant to Section 21500.

In November 2012 the voters decided to amend the County Charter to provide for elections by-district rather than at-large. Prior to the Charter Amendment, the voters of the entire County voted on each member of the Board of Supervisors (although each board member resided in one-of-five districts). After the Charter Amendment, only voters of a given district vote on the Board Member residing in their district.

This change did not require the County to revisit the County’s district lines and at the time of the election, changes to the district lines were not necessarily anticipated. However, in April 2013 the Board nevertheless voted to form an advisory committee to take public comment on the current district lines and consider whether to adjust them. It is of note that at the time of the November election there was a lawsuit pending. That lawsuit did not challenge the County’s existing district lines. That lawsuit challenged only

whether the then at-large system diluted minority voting strength. But no Court ever evaluated even that claim. The County entered into a written settlement of the lawsuit, which requires the Board to adopt district boundaries by no later than November 5th.

DISCUSSION:

In the memorandum for the October 8, 2013 Board Meeting we briefly described the District Lines Advisory Committee process. The transcripts, video, comments and all of the other materials related to that process are posted to a website found at: <http://www.smcdistrictcommittee.org>, including the seven maps described below. Those materials remain available for review by the entire Board and the public and should be considered part of the record before the Board in making its decision.

The Committee recommended that the Board consider adopting one of three maps, listed in the Committee's order of preference: Community Unity 4 ("CU"), Republican AA-Equity ("Equity") and Nakamura 1G, all of which divide the cities of San Mateo and South San Francisco between two different districts (the maps were named by each submitter). At the Board Meeting on October 8, 2013 the County's consultant Douglas Johnson of National Demographics presented the maps to the Board and this Board eliminated Nakamura 1G from active consideration. The "Equity" proponents submitted a newly revised version, asking the Board to consider that version as an alternative and the Board agreed. This Board also directed Douglas Johnson to modify "CU" and new version of "Equity" to reunite San Mateo and to explore a different division of South San Francisco and bring those maps and an additional previously drafted Consultant map back to the Board on October 22nd. Douglas Johnson's supplemental report to the Board is attached hereto and should be considered along with his original report.

On October 22nd, the Board of Supervisors has the option to vote introduce an ordinance implementing any map drawn to date, draw and adopt a completely new map, or leave the boundaries as they are. District boundaries are established by ordinance and any adjustment of the current district boundaries require introduction and adoption of an ordinance. If boundaries are changed, the San Mateo County Elections division will adjust voting precincts to reflect the boundary adjustments. Draft ordinances for each of the seven maps described in this and (in more detail in) Douglas Johnson's memoranda are attached hereto as Exhibits 1 (CU A), 2 (CU B), 3 (CU C), 4 (New Equity A), 5 (New Equity B), 6 (Precinct Cleanup A) and 7 (Precinct Cleanup B). County Counsel has reviewed and approved each of the proposed ordinances as to form. The Board might also consider directing that non-substantive changes that eliminate any remaining mail ballot precincts, to the extent possible, be made to any of these Ordinances before they are brought back for final adoption.

Approval of the ordinance will contribute to the Shared Vision 2025 outcome of a Collaborative Community by establishing the description of the supervisorial districts consistent with applicable statutes and public input.

FISCAL IMPACT:

None.

October 16, 2013

Introduction

This memo supplements NDC's previous memo with information regarding the plans requested by the Board at its October 8th meeting. All of the information regarding the process and criteria used in redistricting, along with information about previous maps, can be found in the previous memo.

Board Direction

At its October 8th meeting, the Board reviewed the over thirty plans previously drawn by members of the public and/or by NDC. It narrowed the "active" plan list down to three primary plans:

1. Community Unity
2. Equity
3. Precinct Cleanup

(Letters and numbers referencing various versions of the plans have been omitted for simplicity.) The Board then requested that NDC review whether the City of San Mateo could be united into one district, and whether Hillsborough could be moved back into its current District 1, in the Community Unity and Equity plans. The precinct cleanup plan already had this configuration. The Board further requested that versions of the Community Unity and Precinct Cleanup plans could be drawn showing a greater percentage of South San Francisco included in District 1, in exchange for putting the northwestern corner of San Bruno into District 5. The Equity plan already had this configuration.

Resulting Plans

Plan Name	San Mateo united and Hillsborough in D1	More of South SF in D1 and San Bruno split
Community Unity A	No	No
Community Unity B	Yes	Yes
Community Unity C	Yes	No
Equity A	No	Yes
Equity B	Yes	Yes
Precinct Cleanup A	Yes	No
Precinct Cleanup B	Yes	Yes

The "Equity A" plan is the plan as introduced by the public at the Board's October 8th meeting. It includes the adjustments to reduce the overall population deviation, and thus differs slightly from the version discussed in NDC's October 7th memo and shown by NDC at the October 8th meeting.

Population Deviation

The key demographic number in determining whether plans comply with the federal equal population requirement is each plan's overall population deviation. A plan's population deviation is calculated as the difference between the largest district and the smallest district in a given plan, measured using the population deviations of the largest and smallest districts. For example, in the current districts, the largest population in any district is 1.87% over the ideal target population (District 2). And the smallest district is 1.46% under the ideal target population (District 5). The difference between those two values, or 1.87% + 1.46%, is the plan's overall population deviation of 3.33%

Plan	Pop. Dev.
Current Districts	3.33%
Community Unity A	5.58%
Community Unity B	5.58%
Community Unity C	5.58%
Equity A	4.99%
Equity B	4.99%
Precinct Cleanup A	3.01%
Precinct Cleanup B	4.91%

As shown in the table above, Precinct Cleanup A at 3.01% and the current districts at 3.33% are the closest to balanced population. Precinct Cleanup B is next at 4.91%. The Community Unity plans have an overall plan deviation of 5.38%, while the Equity plans are at 4.99%. Previous court rulings determined that at a plan deviation of 10%, the burden of proof in any legal challenge would shift to the County to justify that deviation. There is no longer a “safe harbor” of acceptable deviation, as courts have been getting tighter and tighter on their allowable population deviations. At a minimum the courts demand that population deviations be justified as required to comply with one or more of the traditional redistricting principles described in NDC’s October 7th memo.

City Splits

The following tables summarizes the splits involved in each of the maps:

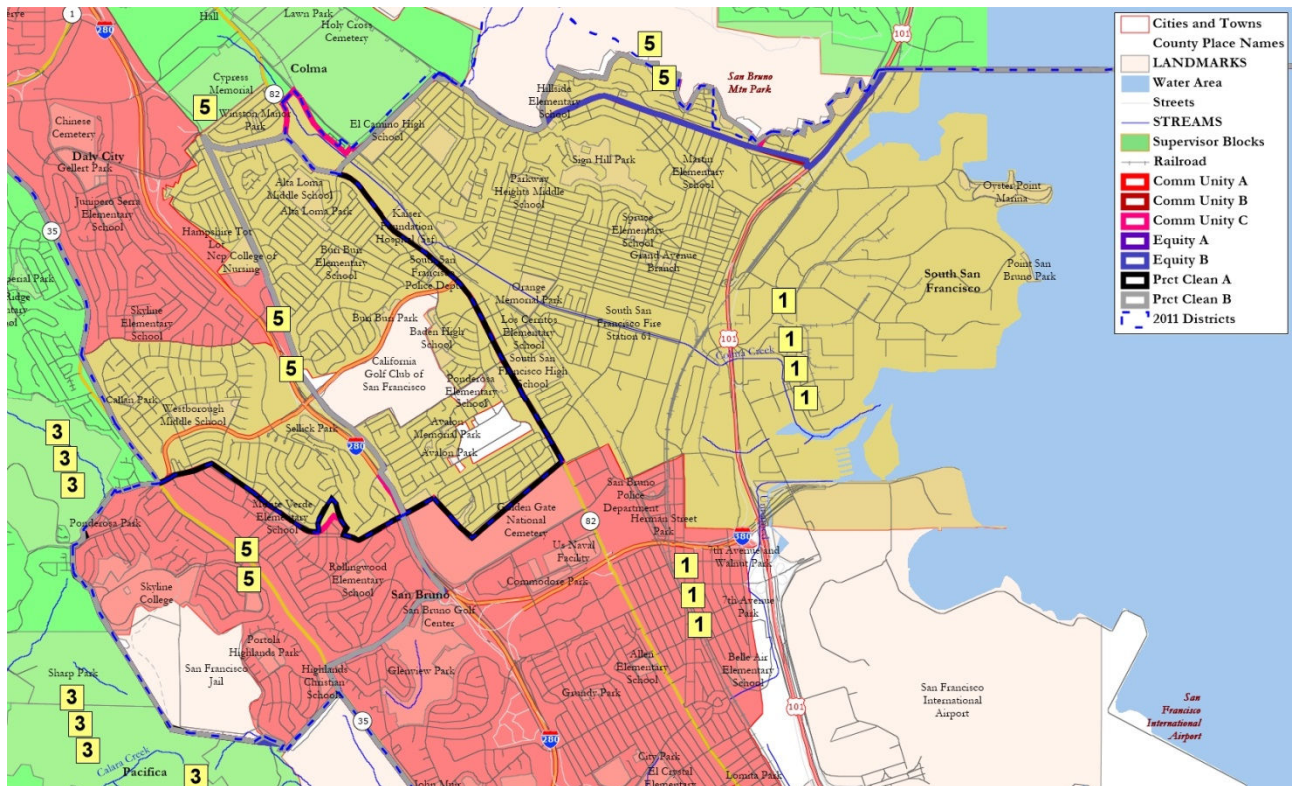
Plan	City Splits	List
Current Districts	3	Belmont, South SF, Redwood City
Community Unity A	3	Menlo Park, San Mateo, South SF
Community Unity B	4	Belmont, Menlo Park, San Bruno, South SF
Community Unity C	3	Belmont, Menlo Park, South SF
Equity A	6	Belmont, Menlo Park, San Bruno, San Carlos, San Mateo, South SF
Equity B	5	Belmont, Menlo Park, San Bruno, San Carlos, South SF
Precinct Cleanup A	3	Belmont, South SF, Redwood City
Precinct Cleanup B	4	Belmont, South SF, San Bruno, Redwood City

The specific splits of the cities are the following:

	Existing	Comm Unity A	Comm Unity B	Comm Unity C	Equity A	Equity B	Precinct Cleanup A	Precinct Cleanup B
Belmont	D2: 73.4% D3: 26.6%	United	D2: 79.1% D3: 20.9%	D2: 79.1% D3: 20.9%	D2: 76.1% D4: 23.9%	D2: 76.1% D4: 23.9%	D2: 73.4% D3: 26.6%	D2: 73.4% D3: 26.6%
Menlo Park	United	D3: 41.1% D4: 58.9%	D3: 41.1% D4: 58.9%	D3: 41.1% D4: 58.9%	D3: 74.9% D4: 25.1%	D3: 74.9% D4: 25.1%	United	United
Redwood City	D3: 16.1% D4: 83.9%	United	United	United	United	United	D3: 15.0% D4: 85.0%	D3: 15.0% D4: 85.0%
San Bruno	United	United	D1: 74.6% D5: 25.4%	United	D1: 74.6% D5: 25.4%	D1: 74.6% D5: 25.4%	United	D1: 74.6% D5: 25.4%
San Carlos	United	United	United	United	D3: 95.2% D4: 4.8%	D3: 95.2% D4: 4.8%	United	United
San Mateo	United	D1: 18.1% D2: 81.9%	United	United	D1: 17.3% D2: 82.7%	United	United	United
South SF	D1: 54.0% D5: 46.0%	D1: 53.6% D5: 46.4%	D1: 71.9% D5: 28.1%	D1: 53.6% D5: 46.4%	D1: 71.9% D5: 28.1%	D1: 71.9% D5: 28.1%	D1: 52.5% D5: 47.5%	D1: 74.5% D5: 25.5%

Specific Plan Differences

1. South San Francisco:



In the west, Community Unity B, Equity A, and Equity B divide South San Francisco along Junipero Serra down to I-280, then follow I-280 down to divide San Bruno along I-280 and Sneath Lane. In the north, they divide South San Francisco along Hillside Blvd, Sister Cities Blvd, and I-101. Precinct Cleanup B includes the same split in the west but does not split the city in the north.

Community Unity A, Community Unity C, and Precinct Cleanup A divide South San Francisco along El Camino Real in the west and do not divide the city in the north.

2. San Mateo/Hillsborough:



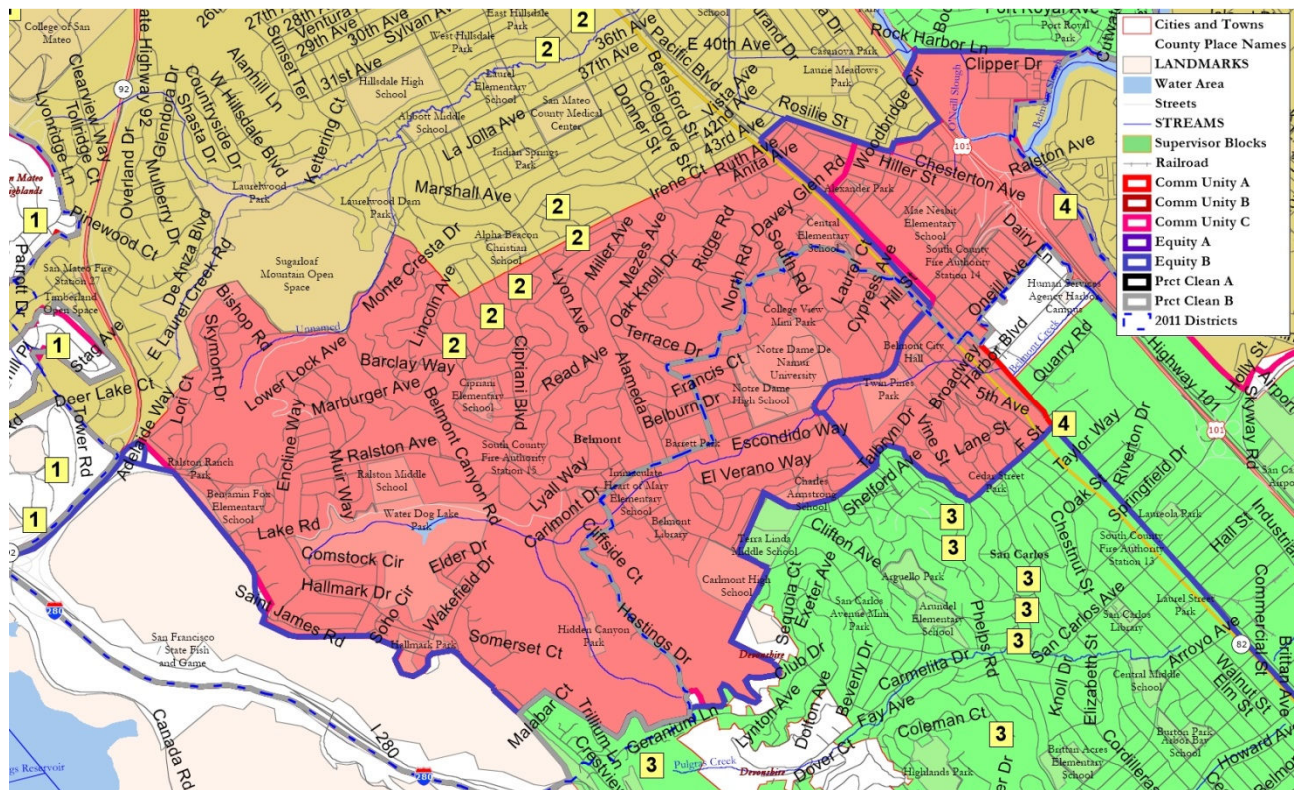
San Mateo is divided in Community Unit A and Equity A. San Mateo is united in all of the other plans.

Hillsborough, Burlingame Hills, and San Mateo Highlands are all united and kept in their current District 1 in both Precinct Cleanup A and B and in Equity B and Community Unit B and C.

San Mateo is divided and Hillsborough and San Mateo Highlands are moved to District 2 in plan Equity A.

San Mateo is divided while Hillsborough and Burlingame Hills are moved to District 2 in Community Unit A. And, also in Community Unit A, the San Mateo Highlands are in District 3.

3. Belmont:



Belmont is united in District 2 in Community Unit A. Equity A divides Belmont and San Carlos along Old Country Road.

The current districts map, Precinct Cleanup A and Precinct Cleanup B all divided Belmont. It has been said, but not confirmed, that this follows a current or former school attendance boundary.

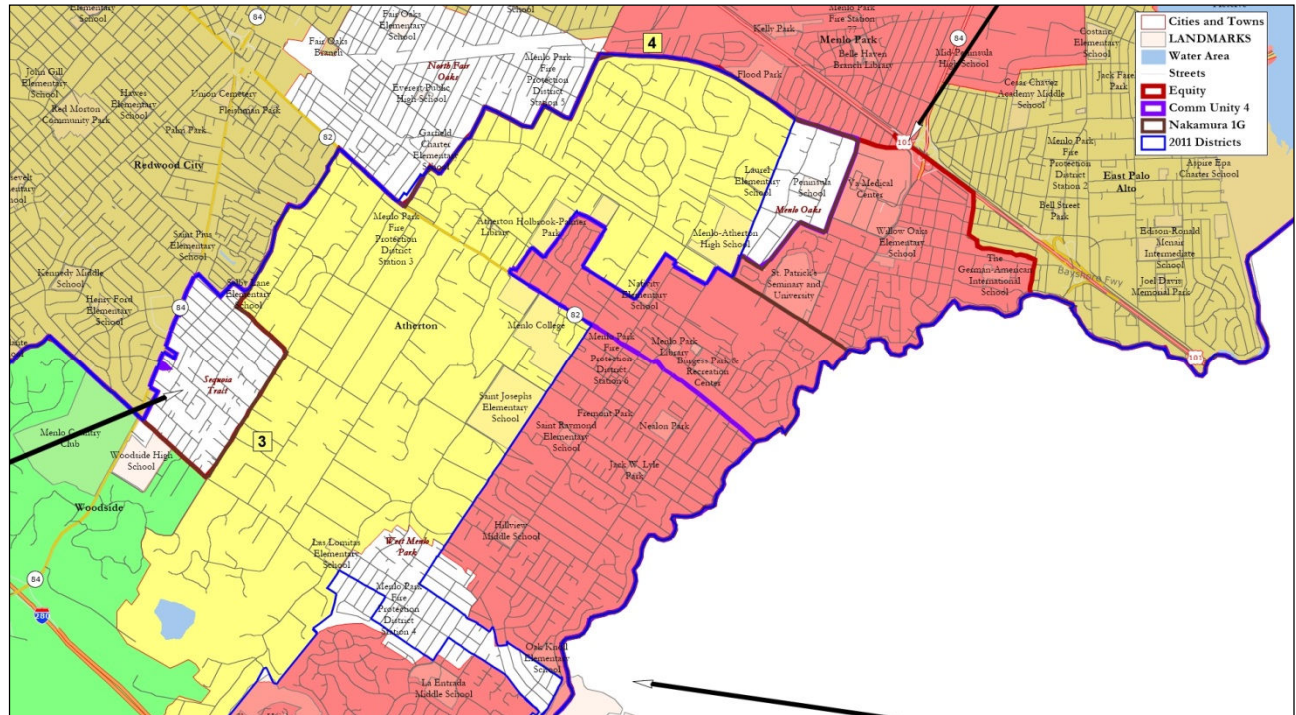
Community Unit B and Community Unit C divide eastern Belmont from western Belmont, with the border starting at Mountain View Ave in the north, then proceeding to Old Country Road, to Ralston, to a non-street Census border that starts at Ralston and Chula Vista Dr and proceeds southeast to Lyndhurst Court.

4. Menlo Park:

No new changes have been made in the Menlo Park area in any of these plans since the previous discussion. The following is repeated from the earlier memo to describe the differences in this area:

One often-mentioned community of interest request at the Committee hearings was to keep East Palo Alto, eastern Menlo Park, North Fair Oaks, and the bordering areas of Redwood City united in one district. All plans keep these areas united in District 4.

Where the plans differ is in what else goes into District 4 with those areas:



The unincorporated “Sequoia Tract” between Atherton and Redwood City is in District 3 in the Community Unity plans, in the existing districts, and in the Precinct Changes plans; but Sequoia Tract moves to District 4 in the Equity plans.

The unincorporated “Menlo Oaks” area between Atherton and Menlo Park is in District 4 in the existing districts and all active plans.

The City of Menlo Park is united in District 4 in the existing districts. The Community Unity and Equity plans divide the city, with the western portion in District 3 and the eastern portion in District 4. But the place to divide the City varies in each plan: Community Unity 4 divides along El Camino Real and Equity divides along Bay Road and the 101 Freeway.

To finish District 4, the existing districts and Precinct Cleanup plans have Redwood Shores in District 3. The Community Unity and Equity plans put Redwood Shores with the rest of Redwood City in District 4.