



County of San Mateo

Inter-Departmental Correspondence

Department: COUNTY MANAGER

File #: 21-890

Board Meeting Date: 11/16/2021

Special Notice / Hearing: 9:30 a.m.

Elec. Code, § 21507.1(d)

Vote Required: Majority

To: Honorable Board of Supervisors

From: Mike Callagy, County Manager
Justin W. Mates, Deputy County Manager

Subject: San Mateo County Supervisorial District Boundaries Following the 2020 Census

RECOMMENDATION:

Recommendation to:

- A) Receive report regarding draft supervisorial district maps; and
- B) Open a public hearing to receive testimony regarding consideration and potential adoption of San Mateo County Supervisorial district boundaries following the 2020 Census (Elections Code Section 21507.1); and
- C) Close the public hearing; and
- D) Potentially provide direction to staff regarding additional draft maps, modifications to recommended draft maps, and/or adopt map.

BACKGROUND:

Pursuant to federal and state law, the Board must ensure the County's Supervisorial districts remain substantially equal in population based on data from the 2020 federal census. To assist with this process, the Board appointed an advisory commission, comprised of 15 residents interviewed and recommended by the League of Women Voters, to engage in public outreach and recommend draft district lines to the full Board. From late August through October 2021, the District Lines Advisory Commission (DLAC) held ten public meetings during which they introduced the redistricting process to the public, solicited testimony on communities of interest and district lines, considered draft maps, and ultimately recommended two maps to the Board of Supervisors for its consideration.

To encourage public participation throughout this process, including by those in underrepresented and non-English speaking communities, the County has implemented a broad-based public information campaign that has included outreach through traditional and social media; targeted

advertisements in local ethnic and in-language media; dissemination of redistricting-related weekly messages to a network of 400+ community-based partners; focused flyering, canvassing, and direct mailing to tens of thousands of households in communities across the County considered “hard to count” under the Census framework; and in-person tabling and outreach events in every current district in the County.

All public testimony and input received during the redistricting process, whether in the form of live testimony, written comment sent to districtlines@smcgov.org <<mailto:districtlines@smcgov.org>> or via the redistricting webform, social media comment, or draft map, are posted on an ongoing basis on the County’s redistricting website, www.smcdistrictlines.org <<http://www.smcdistrictlines.org>>, for review by the Board and the public.

DISCUSSION:

During the November 9, 2021 meeting, your Board asked a committee consisting of Board President Canepa and Vice-President Horsley (Committee) to work with the County’s demographer, National Demographics Corporation (NDC), to examine the four draft maps submitted by the public before the final DLAC meeting but not reviewed by the DLAC that were presented at the Board meeting as well as analyze and propose changes to draft maps considered by the DLAC in light of testimony and direction at the Board meeting.

The Committee met and conducted the work requested by the Board. The Committee asked NDC to create a modified version of the current map, now titled “Communities Together”, which achieves population balancing in a manner designed to reflect communities of interest. The Committee also asked NDC to adjust the Unity Map to address Supervisor Pine’s request that San Bruno be returned to District 1. NDC designed two maps in response to Supervisor Pine’s request: Unity Adjustment 1, which moves all of San Bruno into District 1 and makes a number of other adjustments to balance population—that map, however, is not currently population balanced and would require additional adjustments; and Unity Adjustment 2, which divides San Bruno between Districts 5 and 1 in the same manner as the current Supervisorial district map and makes a number of other adjustments to balance population. NDC will present the resultant draft maps, copies of which are published with the Agenda, as well as the Unity Map and Espinoza Map, to the full Board on Tuesday, November 16, 2021.

The Board must decide on a final map no later than December 15, 2021. In doing so, the Board may consider the recommendations of the DLAC, an advisory body, consider other maps submitted by the public or the County’s demographer, and/or instruct the County’s demographer to create a new map or maps for the Board’s consideration.

The final map adopted by the Board must comply with the United States Constitution, the California Constitution, and the Voting Rights Act of 1965 (Elec. Code, § 21500(b)), plus new State law requirements added since the Board approved the current Supervisorial district lines in 2013 (see Assem. Bills 849, 1276 (2019-2020), (2020-2021)).

State law now provides that district boundaries cannot be adopted for the purpose of favoring or discriminating against a political party (Elec. Code, §§ 21500(d)), 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.

(Elec. Code, § 21500(c).)

To compare, when the Board adopted the current Supervisorial districts in 2013, the applicable law (Elections Code Section 21500) provided, in relevant part: “[i]n 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 [*italics added*].” Thus, what in 2013 had been discretionary, unranked criteria are now mandatory, specific, and ranked.

Finally, public input is integral to the redistricting process, and State law requires that public hearings are held to receive public testimony about the composition of the Supervisorial districts. Specifically, Elections Code Section 21507.1 requires four public hearings, at least one of which *must* be held *before* the Board draws a draft map or maps, at least two of which *must* be held *after* the Board draws a draft map or maps, and the fourth *may* be held *before or after* the draft map or maps are drawn. The hearings held by the DLAC can satisfy the one required meeting before a draft map or maps are drawn.

Thus, in addition to the public hearings held by the DLAC and the public hearings already held by the Board on October 19, 2021 and November 9, 2021, staff recommends that the Board conduct another public hearing on November 16, 2021 to gather additional public input about the composition of the Supervisorial districts following the 2020 Census.