




MONTARA WATER AND SANITARY DISTRICT AGENDA

For Meeting Of: **April 20, 2023**

TO: BOARD OF DIRECTORS

FROM: Clemens Heldmaier, General Manager 

**SUBJECT: Review and Possible Action Concerning
Transition from At-large to By-division Based
Elections**

This District is required to transition from an at-large to a by-division election system. This will be the first of a series of meetings, providing information about the districting process and its laws, descriptions of the data and mapping tools, and ways the community and elected officials can provide input on where community interests exist, and how they can contribute to the building of potential districts.

RECOMMENDATION:

This is for Board information only

Districting 101



April 20, 2023

Agenda

Things we will cover:

- The California Voting Rights Act (CVRA)
- What is Districting
- Traditional Districting/Redistricting Principles
- Public Hearing Schedule

What is the CVRA?

The California Voting Rights Act is a state law that prohibits the use of At Large Election Systems in local government if there is Racially Polarized Voting.

“At Large” is defined as anything other than a system in which an elected official lives in a district, and is only elected by members of that district.

“Racially Polarized Voting” is defined as differences in voting patterns which can be shown to be correlated to race, religion, national origin, or membership in any other protected class.

What is the CVRA?

The California Voting Rights Act takes the principles of the Federal Voting Rights Act and expands it regarding districted elections in two key ways:

While Federal law uses “majority minority” districts as a standard for vulnerability, the CVRA only requires “ability to influence.”

The CVRA requires that plaintiffs get full reimbursement for legal fees associated with any successful challenge.

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While Federal law uses “majority minority” districts as a standard for vulnerability, the CVRA only requires “ability to influence.”

The CVRA requires that plaintiffs get full reimbursement for legal fees associated with any successful challenge. ***These can be lessened or eliminated if the district follows a strict and prompt process for districting.***

What is Districting

Definition

Districting is the initial process of creating election district boundaries.

These boundaries determine:

- Eligibility to run for office – must live within boundaries to qualify for election.
- Who votes in the election – only voters within the zone vote for their board member.

What is Districting

Definition

Districting is the initial process of creating election district boundaries.

These boundaries do not determine:

- How the water district decides to govern. The district can still work to achieve goals that benefit the district as a whole rather than the interests of any single zone.
- How services or relationships between the district and the public are managed.

What is the Voting Rights Act?

The Voting Rights Act is federal Law that seeks to remedy racial disenfranchisement. It has two sections impacting redistricting:

Section 2 – Majority Minority Districts

Section 5 – Preclearance (inactive)

The California Voting Rights Act prohibits the use of At Large Election Systems in local government if there is Racially Polarized Voting.

What is the Voting Rights Act?

The Voting Rights Act Section 2 is enforced when a jurisdiction meets certain preconditions:

- 1) A minority group must be sufficiently large and geographically compact to comprise a majority of the district;
- 2) The minority group must be politically cohesive (it must demonstrate a pattern of voting for the same candidates, also known as “bloc voting”); and,
- 3) A majority of voters vote sufficiently as a bloc usually to defeat the minority group’s preferred candidate.

What is the Voting Rights Act?

Determining Section 2 obligation requires legal counsel and sometimes a racially polarized voting analysis.

- Does the minority population qualify under Section 2?
- Is the proposed zone a sufficient remedy – is it an “effective” majority minority district?
- Is there a claim for a coalition zone?
- *Without Section 2, a community of interest can still be supported but race cannot be a predominant factor in drawing lines.*

Required Redistricting Criteria

Ranked criteria that must be followed in city redistricting

There are a number of criteria that are required under the FAIR MAPS Act (ranked):

- Relatively equal size - people, not citizens
- Contiguous – districts should not hop/jump
- Maintain “*communities of interest*”
- Easily identifiable and understandable lines, following city, natural, and man-made boundaries
- Keep districts compact – appearance/function

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Communities of Interest

Bringing like people together for representation

Communities of interest are the building blocks of zones.

A community of interest includes ethnic and language minorities and other groups.

- Subjective
- Open-ended to be as inclusive as possible

Examples of Voting Rights Act Communities

- Latinos
- Asians
- African Americans

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While communities of interest may include race, it cannot be the *predominant factor* in drawing district boundaries.

Communities of Interest

Bringing like people together for representation

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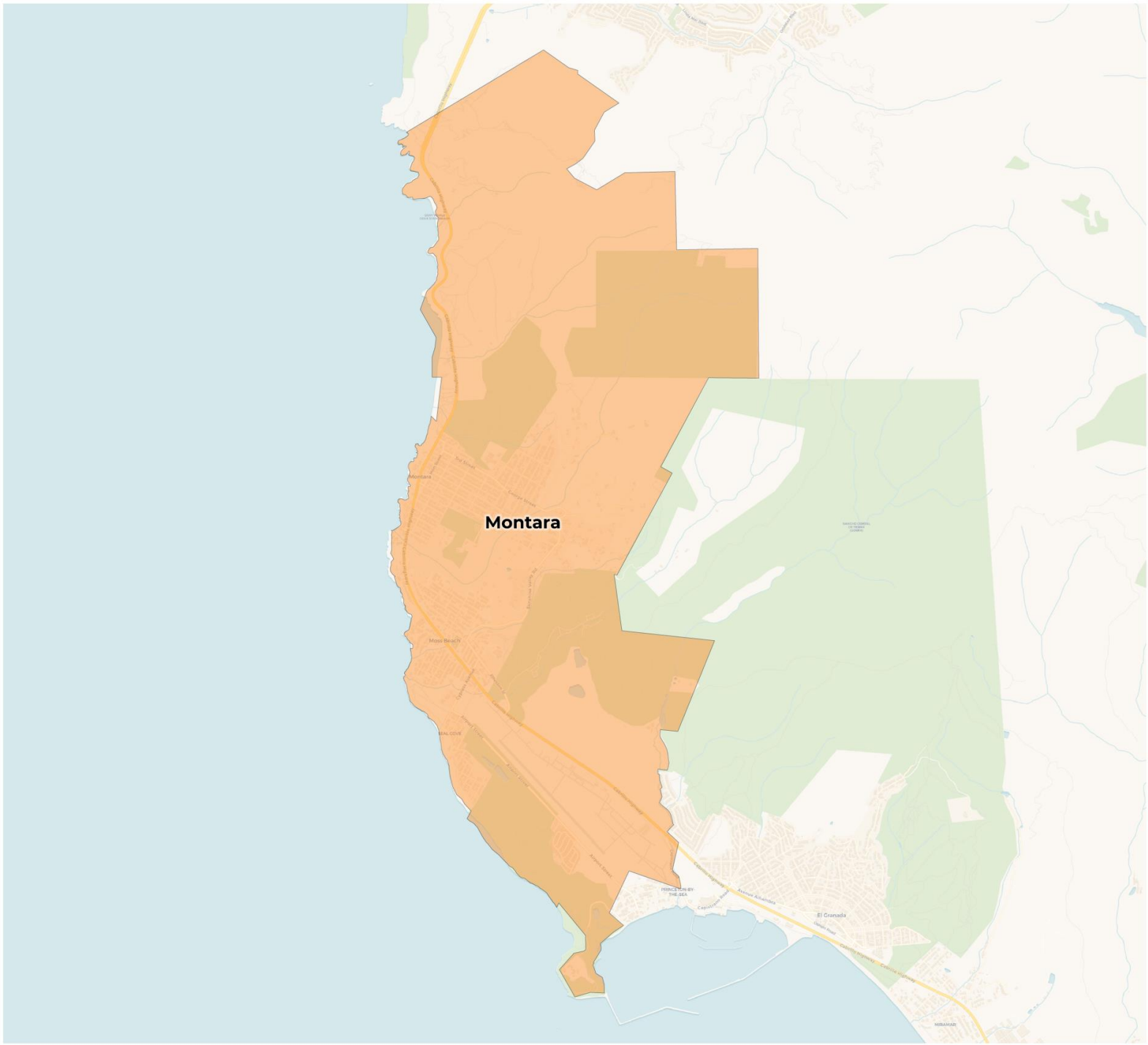
- Many more, including:
 - LGBTQ+ Communities
 - Senior Citizens or Students
 - Downtown / Urban
 - Rural or Agricultural
 - Homeowners or Renters

Communities of Interest

Bringing like people together for representation

What are you looking for in trying to judge the applicability of a Community of Interest to the districting process?

- Group with shared culture / characteristics
- Geographic Nature / Density / Ability to be mapped
- Relationship to Agency / Policies



2020 Census

	Montara
Population	5,574
Deviation	0
Deviation %	0.0%
Other	4,049
Other %	72.6%
Latino	1,194
Latino %	21.4%
Asian	282
Asian %	5.1%
Black	49
Black %	0.9%

Citizen Voting Age Population (CVAP)

	Montara
Total CVAP	4,331
Other CVAP	3,752
Other CVAP %	86.6%
Latino CVAP	466
Latino CVAP %	10.8%
Asian CVAP	94
Asian CVAP %	2.2%
Black CVAP	19
Black CVAP %	0.4%

Montara Water & Sanitary District

Timeline for Upcoming Meetings

April 20th	Introduction to the districting process
May 18 th	Community Outreach Meeting
June 1 st	Presentation of Draft Maps
July 20 th	Revised draft maps
August 17 th	Final map adoption



REDISTRICTING PARTNERS