



108061

DATE: November 2, 2021

TO: Board of Supervisors

FROM: Jeffrey V. Smith, County Executive
Miguel Marquez, Chief Operating Officer

SUBJECT: 2021 Advisory Redistricting Commission Recommendations

RECOMMENDED ACTION

Consider recommendations relating to draft redistricting plans for supervisorial district boundaries following the 2020 Census.

Possible action:

- a. Receive report from the 2021 Advisory Redistricting Commission.
- b. Open public hearing and receive testimony regarding draft redistricting plans.
- c. Close public hearing.
- d. Provide input and direction to Administration relating to draft redistricting plans and any proposed changes.
- e. Direct the Clerk of the Board to schedule a second public hearing on November 16, 2021, or December 7, 2021, at no earlier than 2:00 p.m., to consider any proposed changes to the draft redistricting plans.

FISCAL IMPLICATIONS

The recommended action has no fiscal implications on the County's General Fund.

REASONS FOR RECOMMENDATION

At the April 6, 2021 meeting (Item No. 22), the Board received a report regarding the 2021 Redistricting Process and provided input and direction to Administration and County Counsel to establish an advisory redistricting commission.

Following the decennial census, the County is required to establish supervisorial district boundaries consistent with federal and state law and Cal. Elec. Code § 21500(a). While the Board retains the responsibility for adopting the final map, the Board established the 2021 Advisory Redistricting Commission (Commission) on April 20, 2021 (Item No. 59) to hold

public hearings and mapping sessions, collect community input, and recommend to the Board updated placement of the district boundaries.

The final meeting of the 2021 Advisory Redistricting Commission will occur on Wednesday, October 27, 2021, to finalize a recommendation to the Board of Supervisors to be considered on Tuesday, November 2, 2021, at 6:00 pm during a special joint meeting of the Board of Supervisors and the 2021 Advisory Redistricting Commission.

Communities of Interest Testimony

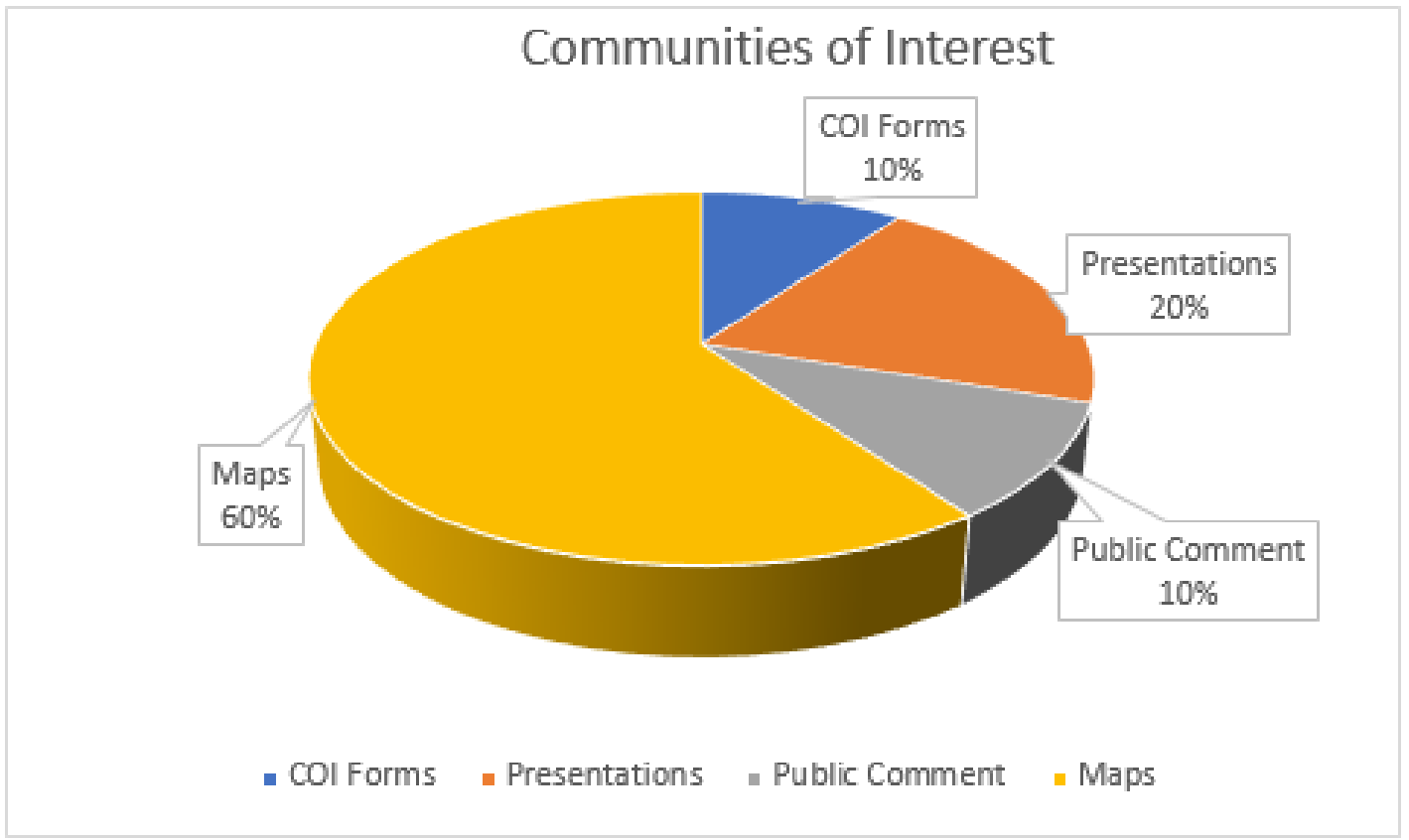
The 2021 Advisory Redistricting Commission has met twelve times from July through October to solicit public testimony on what neighborhoods or groups in the county define themselves as “communities of interest” and that could be kept together when new supervisorial district boundaries are drawn. Public testimony has been in the form of speakers during meetings, emails, Communities of Interest (COI) forms, COI maps, and proposed countywide maps. Communities of Interest are one of the factors to be considered in the redistricting process, along with cities, census-designated places, neighborhoods, and other criteria. The Elections Code Section 21500(c)(2) provides:

“(2) To the extent practicable, the geographic integrity of any local neighborhood or local community of interest shall be respected in a manner that minimizes its division. A “community of interest” is a population that shares common social or economic interests that should be included within a single supervisorial district for purposes of its effective and fair representation. Communities of interest do not include relationships with political parties, incumbents, or political candidates.”

To review the 190 Communities of Interest (COI) submissions, please visit www.sccgov.org/2021redistricting/COI. Types of Communities of Interest include:

- **COI Form:** describes your community and can be completed by anyone.
- **Maps:** can be completed by anyone and demonstrate a neighborhood, community, point of interest, or draft supervisorial map.
- **Presentation:** these were completed by Commissioners or COI representatives that arranged a group presentation with the redistricting team.
- **Public Comment:** emails submitted to the redistricting email address.

Below is a chart which summarizes the Community of Interest testimony received by the Commission through October 25, 2021, and overview information will be included in the supplemental report:



Draft Maps

For the first time in the 2021 redistricting cycle, the County must prioritize the traditional redistricting criteria pursuant to recently enacted Elections Code section 21500(c). The County of Santa Clara has contracted with expert consultants, Redistricting Partners, to assist with the 2021 redistricting process and to prepare draft maps based on Communities of Interest testimony submitted to the 2021 Advisory Redistricting Commission (Commission). The Commission has reviewed draft maps and community submissions to evaluate their ability to meet the following criteria as outlined in Elections Code section 21500(c) and (d):

- Which of the criteria are incorporated into the recommended draft map?
 - Substantially equal population of total residents for each district
 - Prioritized criteria (in order of priority)
 - § Contiguity
 - § Communities of Interest and neighborhoods
 - § Cities and Census designated places
 - § Easily Understandable
 - § Compactness
- What are the benefits of adopting the recommended draft map?
- Which communities of interest testimony were incorporated?

- What are the recommended boundaries between Supervisorial Districts?

The Commission began an iterative process to review draft maps prepared by the County’s consultant, Redistricting Partners, weekly. This phase of the process began on October 13, 2021, and maps were adjusted to factor in public testimony. Sixteen draft maps have been developed in Maptitude by Redistricting Partners for review by the Commission:

<i>Draft Maps Developed by Redistricting Partners</i>		
Draft Plan Name	Review Date	Status
Plan X	October 13, 2021	Adjustments requested
Plan Y	October 13, 2021	Adjustments requested
Plan Z	October 13, 2021	No action taken
Commissioner Draft Plan	October 20, 2021	No action taken
Plan X2	October 20, 2021	Adjustments requested
Plan X3	October 20, 2021	Moved for further consideration
Maptitude Unity Draft Plan	October 20, 2021	Adjustments requested
Plan Y2	October 23, 2021	Adjustments requested
Plan EEF	October 23, 2021	Adjustments requested
Plan X2a	October 23, 2021	No action taken
Plan Unity Table Map Plan	October 23, 2021	Adjustments requested
Plan Nguyen Map	October 27, 2021	To be finalized-moved to the Board of Supervisors
Plan Unity Map 10-23	October 27, 2021	To be finalized-moved to the Board of Supervisors
Plan Y2 Revised	October 27, 2021	To be reviewed
Plan Pham	October 27, 2021	To be reviewed
Plan Equal & Equitable 2.0 (EE 2.0)	October 27, 2021	To be reviewed

At the Saturday, October 23, 2021, Commission meeting, Item No. 5, Commissioners identified six maps for potential recommendation to the Board of Supervisors. The maps for consideration are listed below with the maker of the motion, seconder, vote total, and requested changes:

- **Nguyen and Unity Maps**: Approved 13-2 to move forward to the Board of Supervisors
 - Motion: Vice-Chairperson Staedler from District 2
 - Second: Commissioner Alvarado from District 1
 - Nguyen to be entered into Maptitude by Redistricting Partners to ensure Asian-Pacific Islander (API) majority-minority in District 3

§ Potential shift of Gramercy and Alexander Neighborhoods from District 3 to District 2

§ Potential shift of Warm Spring neighborhood from District 2 to District 3

- Unity Map to be adjusted in Maptitude by Redistricting Partners to ensure API majority-minority in District 3

- **Y2 and Pham Maps**: Approved 13-2 for further consideration
 - Motion: Commissioner Tom from District 5
 - Second: Commissioner Cooper from District 1
 - Y2 revised to remove San José from District 5
 - Pham map to be entered into Maptitude by Redistricting Partners
- **X3 Plan**: Approved 11-4 for further consideration
 - Motion: Commissioner McAllister from District 4
 - Second: Commissioner Velazquez from District 4
- **Equal & Equitable 2.0 (EE 2.0)**: Approved 8-7 for further consideration
 - Motion: Chairperson Smith from District 3
 - Second: Commissioner Pham from District 2
 - Enter EE 2.0 into Maptitude by Redistricting Partners

The changes outlined above have been incorporated by Redistricting Partners in the draft “*Map Analysis*” linked below, except for the shift of the Warm Springs Neighborhood from District 2 to District 3 in the *Nguyen map*, which was partially incorporated. The table below summarizes the maps and provides links. If there is a Communities of Interest number (COI#), the map originated from a community submission through DistrictR and was developed in the consultant’s software, Maptitude, for further evaluation. Maps without a COI# were originally developed by the consultant in response to public testimony and/or Commission discussion.

Maps Identified on 10/23 for Consideration on 10/27

COI #	Name	DistrictR #	DistrictR Link	Map Analysis	HTML Link*
155	Commissioner Nguyen's Map	69094	https://districtr.org/edit/69094?event=santa_clara_county	SCC Nguyen Map 69094 Static.pdf	Santa Clara County Commissioner Nguyen Map - Enlargeable
131	Unity Map 10-23	68785 **	https://districtr.org/plan/68785	SCC Unity Map 10-23 Static.pdf	Santa Clara County Unity Table Map Plan 10-23 - Enlargeable
N/A	Y2 Revised	N/A	N/A	SCC Draft Plan Y2 Revised Static.pdf	Santa Clara County Plan Y2 Revised - Enlargeable
130	Commissioner Pham's Map	68920	https://districtr.org/edit/68920?event=santa_clara_county	SCC Pham Plan 68920 Static.pdf	Santa Clara County Commissioner Pham Map - Enlargeable
N/A	X3	N/A	N/A	SCC Draft Plan X3 Static.pdf	Santa Clara County Plan X3 - Enlargeable
102	Equal & Equitable 2.0	66950	https://districtr.org/edit/66950?event=santa_clara_county	SCC EE 2.0 Static.pdf	Santa Clara County Equal and Equitable 2.0 Map - Enlargeable

*The HTML links are associated with the County's agenda portal and may not be accessible. HTML maps allow for zooming in to get a better understanding at a street level of where boundaries are proposed.

** Not created through the County's DistrictR site (https://districtr.org/event/Santa_Clara_County)

The Commission voted to move *Commissioner Nguyen's Map* and *Unity Map 10-23* to the Board of Supervisors, and after the October 27, 2021 Advisory Redistricting Commission meeting a supplemental report with copies of recommended maps will be attached to this report by Friday, October 29, 2021.

Next Steps

The Commission will remain in place until the Board adopts the new supervisorial district map and rules prohibiting ex parte communication will remain in effect until the Board adopts a new map. If members of the media reach out to Commissioners, they are requested to direct those inquires to the County's Office of Communications and Public Affairs at SCCPublicAffairs@ceo.sccgov.org.

A second public hearing on any proposed changes to the supervisorial boundaries will be held at the regular Board of Supervisors meeting on November 16, 2021, or December 7, 2021, based on direction from the Board of Supervisors. The Board of Supervisors must hold two public hearings before adoption of the final Supervisorial District Map and adopt the new boundaries by December 15, 2021. The November 2, 2021 Board meeting is the first hearing. The remaining scheduled Board meetings where maps may be discussed prior to the deadline are:

- November 16, 2021
- December 7, 2021
- December 14, 2021

Given the compact timeframe, the Administration recommends agendizing the second public hearing on Tuesday, November 16, 2021. This will provide time for staff to comply with the legal requirement to post the final map without changes for adoption at least three days prior to the Board taking action to adopt the final supervisorial district map.

The new Supervisorial District map will be incorporated into the Registrar of Voters' process for the June 2022 primary election. In the event a supervisor in office is drawn into a different Supervisorial District, they will remain eligible to complete their term in office. If they were to run for re-election, they would need to run for the district in which they reside to be eligible for office.

CHILD IMPACT

The recommended action will have no/neutral impact on children and youth.

SENIOR IMPACT

The recommended action will have no/neutral impact on seniors.

SUSTAINABILITY IMPLICATIONS

The recommended action will have no/neutral sustainability implications.

BACKGROUND

Every 10 years, following the release of data from the decennial Census, jurisdictions that elect members of their legislative body by districts must revise district boundary lines to

ensure the districts are consistent with federal, state, and local legal requirements. In April 2021, the Board of Supervisors established a framework for the 2021 Redistricting Process, which included the establishment of a fifteen-member 2021 Advisory Redistricting Commission.

At the April 6, 2021 (Item No. 22) Board of Supervisors meeting, the framework was established for the 2021 Redistricting Process. The framework aims to maintain flexibility to maximize opportunities for community engagement during a compressed timeline because of the significant delay in the release of the 2020 census data. This framework also included establishing a fifteen-member 2021 Advisory Redistricting Commission, with 3 commissioners from each supervisorial district.

The Board of Supervisors adopted Resolution BOS-2021-50 establishing the 2021 Advisory Redistricting Commission on April 20, 2021 (Item No. 59). The resolution directed Administration to establish an advisory redistricting commission composed of 15 members to hold public hearings, collect community input, and recommend to the Board updated supervisorial district boundaries. The resolution sets forth the criteria for membership on the Commission as well as the selection and appointment process for the members.

At the June 8, 2021 (Item No. 26), the Office of the County Counsel provided a report relating to the 2021 redistricting process and provide input and direction to the 2021 Advisory Redistricting Commission regarding redistricting criteria. At the request of Supervisor Simitian, the Board directed the 2021 Advisory Redistricting Commission to prepare proposed plans that are as close to equal in population as technologically possible while conforming to all other requirements of State law and the Resolution establishing the Commission.

Outreach

The County's redistricting team's efforts relating to the process include developing a list of community outreach partners, maintaining a website with redistricting information, targeted outreach to increase participation, convening special Saturday sessions, and promoting the use of submissions of Communities of Interest (COI) testimony through a form or the online mapping software to draw points of interest, communities or neighborhoods, or a draft Supervisorial District map. The list below summarizes outreach activity:

- Provided access to translation services in Chinese, English, Spanish, Taglog, and Vietnamese on each Commission meeting agenda
- Bi-Weekly posts to Facebook and Twitter for meeting notices, press releases, encouraging community of interest testimony and district boundary testimony.
- Five posts to Nextdoor including targeted District specific requests for Community of Interest testimony.
- Five videos, including testimonials from commissioners representing each supervisorial district, posted to social media and the website
 - one in Spanish and one in Vietnamese.

- Seven press releases and advisories with additional media advisories and press releases planned for the November 2 special joint meeting and December Board meeting.
- Two Opinion Editorials
 - Mercury News, and
 - San Jose Spotlight.
- Regular updates to the redistricting website.
- Graphics and flyers in multiple languages used for social media platforms, website, and community outreach.
- Developed Redistricting Toolkit for community partners and area agencies with information in Chinese, English, Spanish, Taglog, and Vietnamese
- Coordinated Media Inquiries and will continue to monitor for requests to maximize awareness of the process

Application and Appointment Process

The DocuSign applications were hosted on the County’s 2021 Redistricting website from April 29 through June 1, 2021. With assistance from the Office of Communications and Public Affairs, media releases were issued on May 6 and May 25, 2021. The Redistricting Team also received support from the Board Offices, county commissions, voting rights organizations, and the Silicon Valley Council of Nonprofits to promote the application through direct emails, newsletter articles, and social media posts. The Redistricting Team hosted two virtual informational sessions on May 26 and May 29, 2021, to provide an overview of the process and answer any questions regarding the application or selection process. As questions were asked throughout the application process, the Redistricting Team updated a Frequently Asked Questions page to the website to provide additional information. The County received 47 total applications, which all were deemed eligible for appointment.

The Commission reviewed countywide demographic data and applicants for Seat Nos. 11 through 15 with the following considerations utilizing self-disclosed demographic data for how this composition was reflected in the Commission:

- Gender: 7 Female, 8 Male
- Ethnicity/ Race
 - 4 Asian
 - 2 Black
 - 4 Hispanic
 - 1 non-Hispanic
 - 3 White
 - No Response: 1

- Political Party
 - 1 Decline to State
 - 13 Democrats
 - 1 “No Party Preference”
- Age
 - 18-24 years old: 1
 - 25-34 years old: 1
 - 35-44 years old: 4
 - 45-54 years old: 3
 - 55-64 years old: 3
 - 65 years old and older: 3
- Housing Status
 - 9 Own
 - 5 Rent
 - No Response: 1
- City of Residence
 - Campbell: 1
 - Gilroy: 1
 - Morgan Hill: 1
 - Mountain View: 2
 - Palo Alto: 1
 - City of Santa Clara: 1
 - San Jose: 1
 - Sunnyvale: 1
- Skill/ Occupation: varied

2021 Advisory Redistricting Commissioners

The first ten 2021 Advisory Redistricting Commissioners (Commissioners) were appointed by the Board of Supervisors on June 22, 2021 Board of Supervisors meeting agenda (Item Nos. 127 and 128) to Seat Nos. 1 through 10. These appointments were the results of the Board member selection process and the random drawing that occurred publicly on June 9, 2021. The next four Commissioners were appointed by the Commission on July 21, 2021 during the 2021 Advisory Commission meeting to Seat Nos. 11, 13, 14, and 15. The final Commissioner was appointed by the Commission to Seat No. 12 on September 22, 2021 by

the Commission. Below is a list of all Commissioners by seat number with information on their selection process and the supervisorial district in which they reside:

2021 Advisory Redistricting Commissioners

SEAT	COMMISSIONER	SELECTION PROCESS
1	Cynthia Cooper	Random Drawing for District 1
2	Bob Staedler (<i>Vice-Chairperson</i>)	Random Drawing for District 2
3	Mario Burnias	Random Drawing for District 3
4	Juan Pedro Velazquez	Random Drawing for District 4
5	Dana Tom	Random Drawing for District 5
6	Dolores Alvarado	Supervisor Appointment for District 1
7	Peter Pham	Supervisor Appointment for District 2
8	Nancy Smith (<i>Chairperson</i>)	Supervisor Appointment for District 3
9	Laura McAllister	Supervisor Appointment for District 4
10	Katie Zoglin	Supervisor Appointment for District 5
11	Maria Pineda	Commission Appointment for District 1
12	Zhaohui Hong	Commission Appointment for District 2
13	Edwin Tan	Commission Appointment for District 3
14	Daniel Nguyen	Commission Appointment for District 4
15	Raven Malone	Commission Appointment for District 5

Commissioner biographies are listed on the redistricting website:

<https://countyexec.sccgov.org/2021-redistricting-process/2021-advisory-redistricting-commissioners>.

Commission Meetings

Meetings of the 2021 Advisory Redistricting Commission occurred virtually every other Wednesday at 6:30 pm from July through September 8, 2021. Beginning September 29, 2021, through October meetings occurred weekly on Wednesdays at 6:30 pm. An additional Commission meeting was held on Saturday, October 23, 2021, to increase opportunities for the public to review and provide input on the draft maps. To provide the Commission with the information and resources necessary to evaluate communities of interest and draft maps required considerable training and commissioner time outside of meetings to review materials. Given the compact timeline, this also included reviewing materials up until the meeting time. Below is a summary of redistricting events and meeting topics.

Schedule of Redistricting Events and Meetings

Date	Time	Event
June 1, 2021	9:00 AM	Advisory Redistricting Commissioner Applications due
June 9, 2021	12:00 PM	Five Randomly Selection Commissioners Announced
June 22, 2021	9:30 AM	Board of Supervisors Formally Appoints first ten Commissioners
July 7, 2021	6:30 PM	Advisory Redistricting Commission Meeting (Commission) <i>Overview and Review Applicants</i>
July 21, 2021	6:30 PM	Commission Meeting (<i>Appointments and Training</i>)
August 4, 2021	6:30 PM	Commission Meeting (<i>Software Overview and Training</i>)
August 18, 2021	6:30 PM	Commission Meeting (<i>Communities of Interest and Legal Criteria Training. Established Targeted Outreach Strategy</i>)
September 1, 2021	6:30 PM	Commission Meeting (<i>Finalize Workplan, Schedule, and Outreach Materials. Reviewed Preliminary 2020 Census data</i>)
Sept. 22, 2021	6:30 PM	Commission Meeting (<i>District 4 Targeted Outreach for COI Presentations</i>)
Sept. 29, 2021	6:30 PM	Commission Meeting (<i>District 5 Targeted Outreach and Groups for COI Presentations</i>)
October 2, 2021	2:00 PM	Community Redistricting Forum (<i>virtual</i>)
October 6, 2021	6:30 PM	Commission Meeting (<i>District 2 Targeted Outreach and Groups for COI Presentations</i>)
October 13, 2021	6:30 PM	Commission Meeting (<i>District 3 and 1 Targeted Outreach and Groups for COI Presentations and Review First 3 Draft Maps</i>)
October 20, 2021	6:30 PM	Commission Meeting (<i>Review 4 New Draft Maps</i>)
October 23, 2021	2:00 PM	Commission Meeting (<i>Review 4 New Draft Maps</i>)
October 27, 2021	6:30 PM	Commission Meeting (<i>Review 5 New Draft Maps</i>)
November 2, 2021	6:00 PM	Public Hearing: Joint Meeting of the Board of Supervisors and the Commission

CONSEQUENCES OF NEGATIVE ACTION

The Board would not receive the report from the 2021 Advisory Redistricting Commission or consider recommendations relating to draft redistricting plans for supervisorial district boundaries following the 2020 Census, which must conclude with adoption of an updated map by December 15, 2021.

STEPS FOLLOWING APPROVAL

A second public hearing on any proposed changes to the supervisorial boundaries will be held at the regular Board of Supervisors meeting on November 16, 2021 or December 7, 2021 based on direction from the Board of Supervisors.