

Santa Cruz Port District
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TO: Port Commission
FROM: Holland MacLaurie, Port Director
DATE: March 14, 2023
SUBJECT: Public Hearing to Receive Public Input on the Port District's Transition to District-Based Elections for its Commissioners Pursuant to Elections Code §10010

Recommendation: *Conduct a Public Hearing to receive public testimony on the composition of districts for a district-based electoral system pursuant to Elections Code Section 10010; provide direction to the Port District's Demographer Consultant regarding the composition of districts for a district-based electoral system pursuant to Elections Code Section 10010; and take such additional, related, action that may be desirable.*

BACKGROUND

On August 10, 2021, the Port Commission adopted Resolution 21-03 declaring its intent to transition from at-large to district-based elections for its Port Commissioners commencing with the General Election in November 2024. Elections Code Section 10010 provides that the Port District conducts four public hearings to receive community feedback on the proposed composition of the five districts.

Since adoption of the Resolution of Intent, the Port District has been engaged in outreach efforts to inform the public about district elects and the process associated with their formation. A webpage (www.santacruzharbor.org/transition-to-district-based-elections/) was developed to provide information about district elections including opportunities for when and how the public can be engaged, the official notice of Public Hearings was translated (English/Spanish), and an article was placed in the Santa Cruz Harbor monthly newsletter.

On March 6, 2023, the Port District conducted the first of four public hearings. Community input regarding the composition of district boundaries is summarize in Attachment A.

ANALYSIS

An at-large election system allows voters of the entire Port District boundary elect all members of the Port Commission. The district-based election system will divide the District's boundary into five geographic sections. Voters within said section (district) will vote only for candidates residing within the same district. Voters will not be able to vote for candidates outside of their own district.

The first step in the transition process is to hold two public hearings to invite public input regarding the composition of the Port District's voting districts before any draft maps are drawn. After these two public hearings are complete, the Port Commission must hold at least two additional public hearings on the map(s) of the districts themselves. The maps must be publicly available for at least

seven days before the public hearing, and if a change is made to the map after the first public hearing, the revised map must be available at least seven days before the districts are adopted by ordinance.

The purpose of the first two public hearings is to inform the public about the districting process and to hear from the community on what factors should be taken into consideration while creating district boundaries. A community of interest is a neighborhood or group that would benefit from being in the same district because of shared interests, views, or characteristics. Possible community features include, without limitation:

- Natural neighborhood dividing lines such as major roads, highways, rivers, or hills;
- Areas around parks and other neighborhood landmarks;
- Shared demographic characteristics, such as:
 - Similar levels of income, education, or linguistic insolation;
 - Languages spoken at home; and
 - Single-family and multi-family housing unit areas.

Additionally, in creating the district boundaries, the Port District must ensure compliance with state and federally-mandated criteria.

NEXT STEPS:

At its Regular Public Meeting of April 25, 2023, the Port Commission will conduct a third Public Hearing to seek public input on the content of the draft district map(s) and sequence of elections. The Port Commission will be requested to select a preferred map and direct amendments as necessary.

At its Regular Public Meeting of May 23, 2023, the Port Commission will conduct a fourth Public Hearing to adopt a preferred district map and to introduce an ordinance to transition to a district-based electoral system.

Steps	Description
Two Initial Hearings (March 6, 2023, March 28, 2023)	Held prior to release of draft maps. Education and to solicit input on the composition of districts.
Release draft maps	Maps must be posted at least 7 days prior to 3rd hearing.
Two hearings on draft maps (April 25, 2023, May 23, 2023)	Two meetings to discuss and revise the draft maps and to discuss the election sequence. Map may be adopted May 23.
Map adoption (Possibly May 23, 2023)	Map may be adopted May 23. If needed, an additional meeting will be scheduled. Final map must be posted at least 7 days prior to adoption.

IMPACT ON PORT DISTRICT RESOURCES

There will be significant staff time needed to transition to a district-based electoral system due to the need to conduct multiple Public Hearings, in addition to the cost for a demographic consultant. The FY24 budget includes the costs associated with transitioning to by-district voting.

ATTACHMENTS: A. Community Input on Composition of District Boundaries
 B. National Demographics Corporation (NDC) "Introduction to Districting"

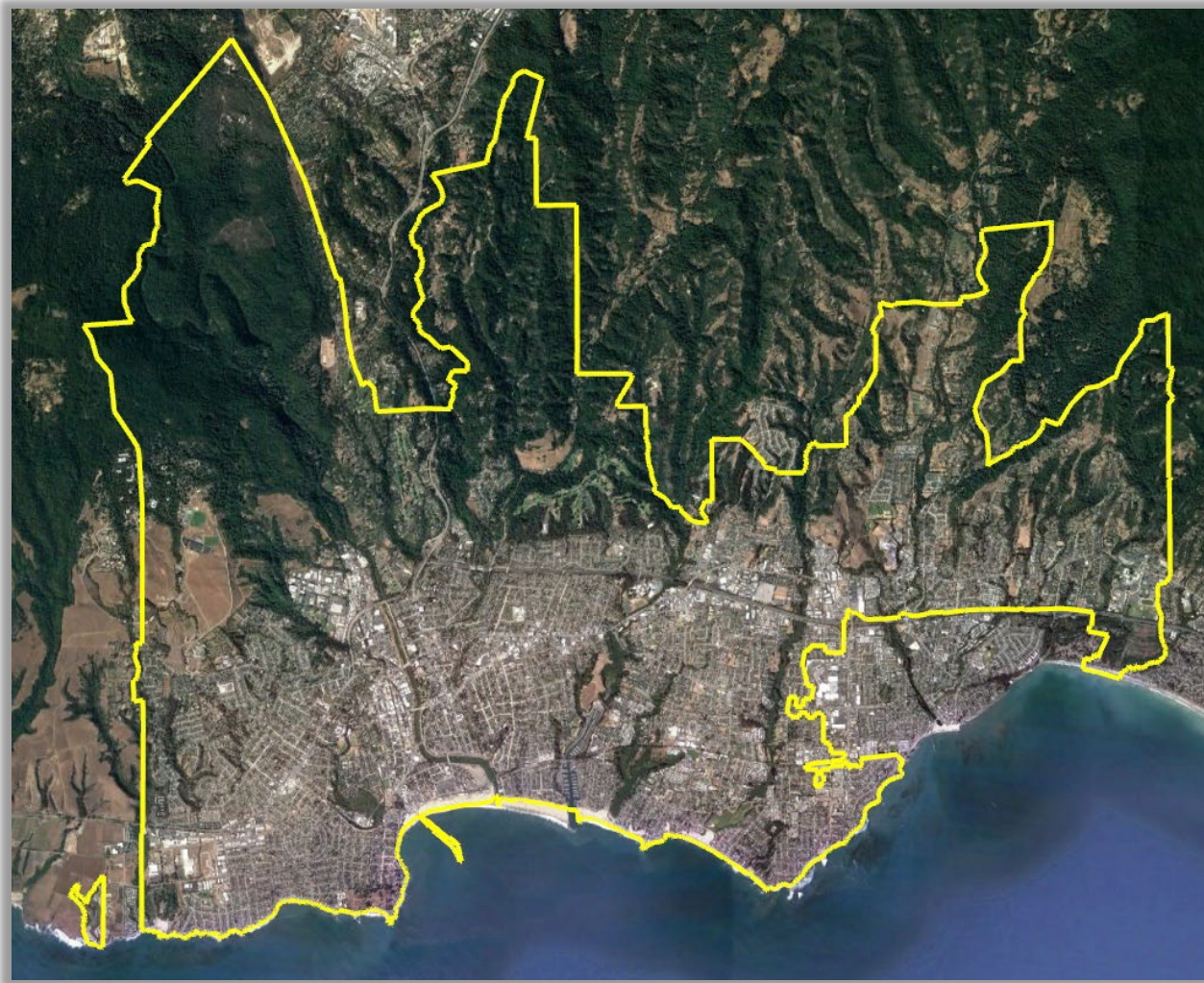
Santa Cruz Port District
COMMUNITY INPUT ON THE COMPOSITION OF DISTRICT BOUNDARIES

Public Hearing of March 6, 2023, 5:30 PM

Public Hearing to Receive Public Input on the Port District's Transition to District-Based Elections for its Commissioners Pursuant to Elections Code §10010.

The following community feedback was received at the public hearing:

- Support for shaping districts by watersheds.
- Support for neighborhoods surrounding the harbor to be considered a community of interest.



Santa Cruz Port District Introduction to Districting

March 6, 2023

ATTACHMENT B

Douglas Johnson
National Demographics Corporation

Election Systems

1. “At Large”
2. “From District” or “Residence” Districts
3. “By District”

The California Voting Rights Act was written to specifically encourage by-district elections.

California Voting Rights Act (CVRA)

- ❑ Under the Federal Voting Rights Act (passed in 1965), a jurisdiction must fail 4 factual tests before it is in violation of the law.
- ❑ The California VRA makes it significantly easier for plaintiffs to force jurisdictions into “by-district” election systems by arguably eliminating two of the US Supreme Court Gingles tests:
 - ~~❑ Can the protected class constitute the majority of a district?~~
 - ❑ Does the protected class vote as a bloc?
 - ❑ Do the voters who are not in the protected class vote in a bloc to defeat the preferred candidates of the protected class?
 - ~~❑ Do the “totality of circumstances” indicate race is a factor in elections?~~
- ❑ Liability is now arguably determined only by the presence of racially polarized voting

CVRA Impact

❑ Switched (or in the process of switching) as a result of CVRA:

- ❑ At least 275 school districts
- ❑ 36 Community College Districts
- ❑ 177 cities
- ❑ 1 County Board of Supervisors
- ❑ 53 water and other special districts.

❑ Cases So Far:

- ❑ Palmdale, Santa Clara and Santa Monica went to trial on the merits. Palmdale and Santa Clara lost. Santa Monica is awaiting a decision.
- ❑ Modesto and Palmdale each spent about \$1.8 million on their defense (in addition to the attorney fee awards in those cases).
- ❑ Santa Monica has spent an estimated \$7 million so far. Plaintiffs in Santa Monica requested \$22 million in legal fees after the original trial.

❑ Key settlements:

- ❑ Palmdale: \$4.7 million
 - ❑ Modesto: \$3 million
 - ❑ Highland: \$1.3 million
 - ❑ Anaheim: \$1.1 million
 - ❑ Whittier: \$1 million
 - ❑ Santa Barbara: \$600,000
 - ❑ Tulare Hospital: \$500,000
 - ❑ Camarillo: \$233,000
 - ❑ Compton Unified: \$200,000
 - ❑ Madera Unified: about \$170,000
 - ❑ Hanford Joint Union Schools: \$118,000
 - ❑ Merced City: \$42,000
- ❑ An estimated \$18 million in total settlements and court awards so far.

Districting Process

Step	Description
Two Initial Hearings March 6 & 28	Held prior to release of draft maps. Education and to solicit input on the composition of districts.
Release draft maps	Maps must be posted at least 7 days prior to 3 rd hearing.
Two hearings on draft maps April 25 & May 23	Two meetings to discuss and revise the draft maps and to discuss the election sequence. Map may be adopted May 23.
Map adoption Possibly May 23	Map may be adopted May 23. If needed, an additional meeting will be scheduled. Final map must be posted at least 7 days prior to adoption.

Redistricting Rules and Goals

Federal Laws

Equal Population
Federal Voting Rights Act
No Racial Gerrymandering



Traditional Redistricting Principles

Communities of interest
Compact
Contiguous
Visible (Natural & man-made) boundaries
Respect voters' choices / continuity in office
Planned future growth

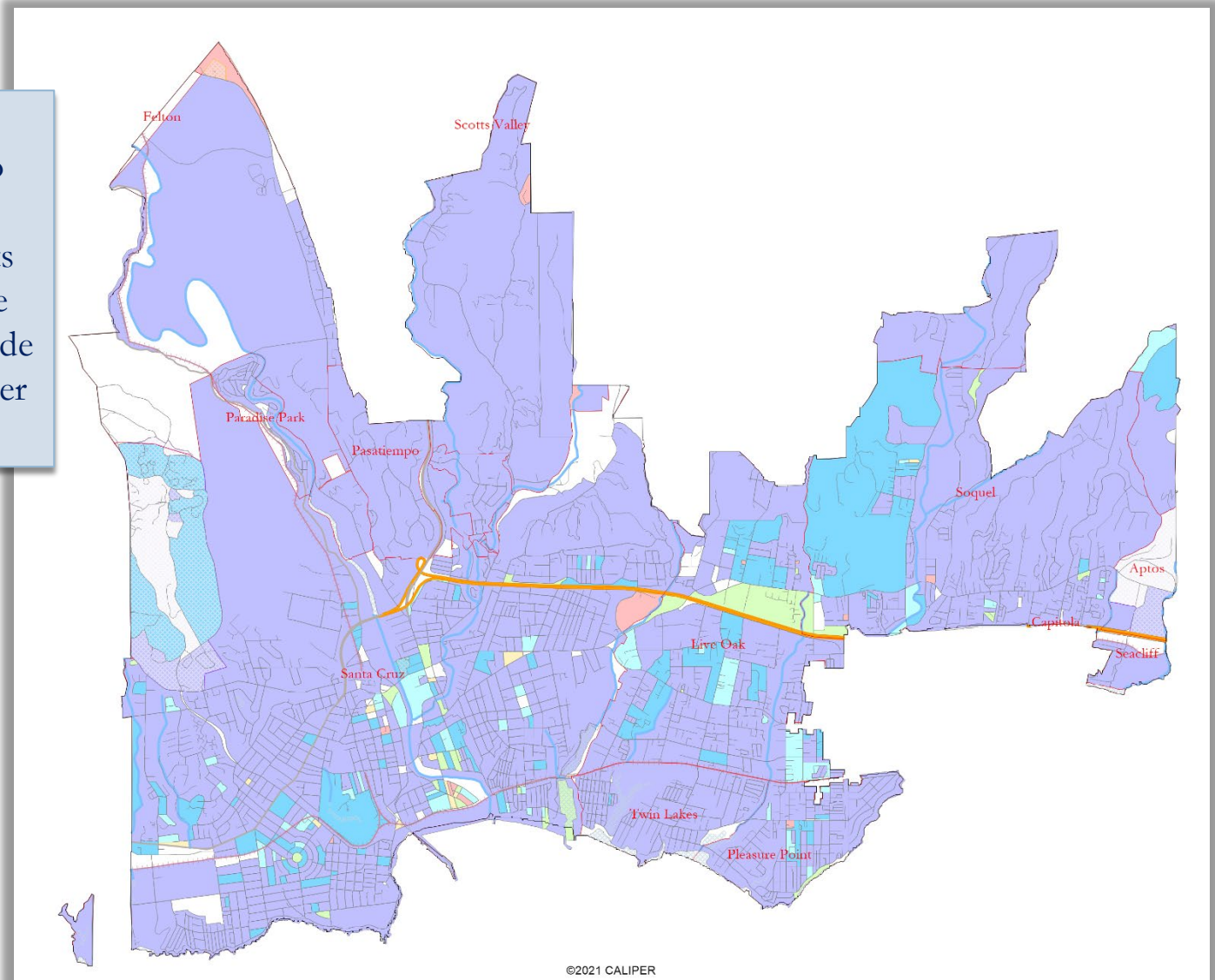
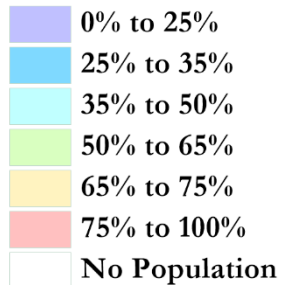
Demographic Summary of Existing Districts

Each of the five divisions must contain about 19,789 people.

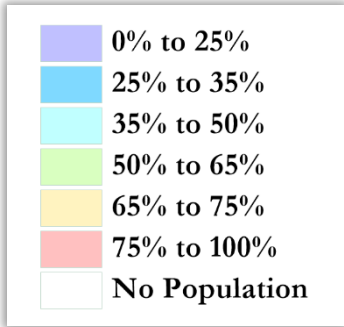
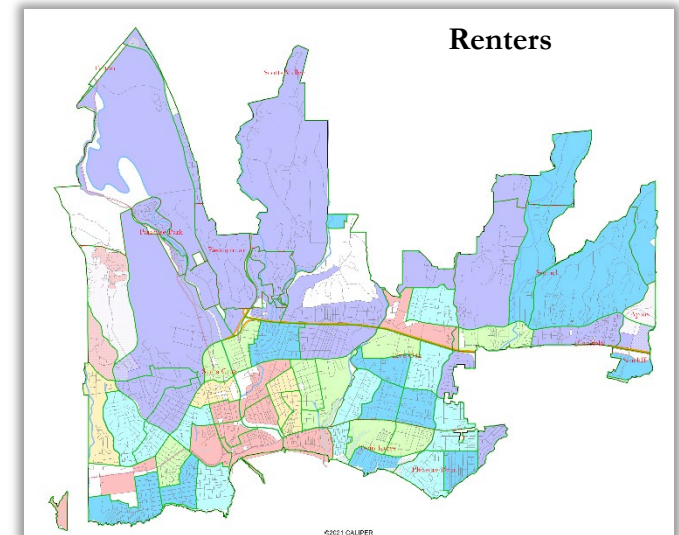
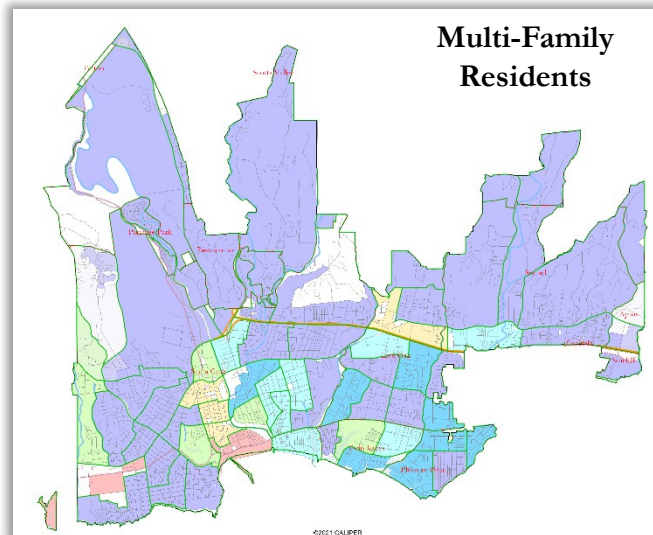
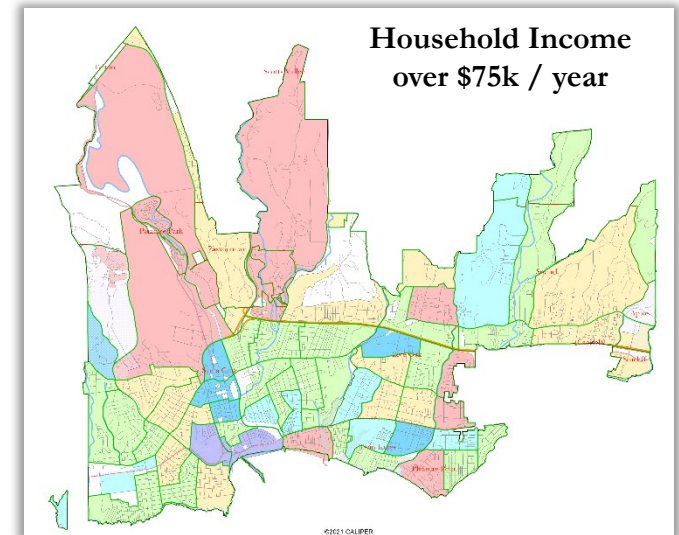
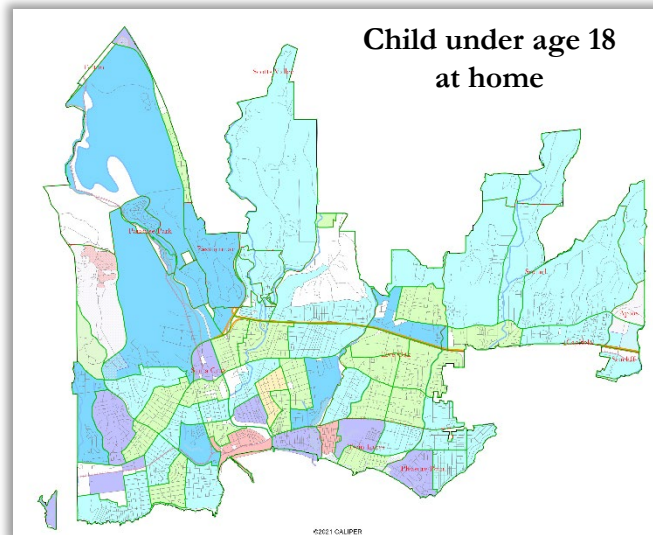
Category	Field	Total	Category	Field	Total
2020 Census	Total Population	98,945	Age	age0-19	21%
Total Pop.	Hispanic/Latino	24%		age20-60	57%
	NH White	62%		age60plus	21%
	NH Black	2%	Immigration	immigrants	13%
	NH Asian/Pac.Isl.	10%		naturalized	46%
	NH Native Amer.	2%	Language spoken at home	english	76%
Citizen Voting Age Pop	Total	79,719		spanish	15%
	Hisp	16%		asian-lang	4%
	NH White	73%		other lang	5%
	NH Black	2%	Language Fluency	Speaks Eng. "Less than Very Well"	6%
	Asian/Pac.Isl.	7%		Education (among those age 25+)	hs-grad
Native Amer.	1%	bachelor	27%		
Total	67,030	graduatedegree	22%		
Voter Registration (Nov 2020)	Latino est.	13%	Child in Household	child-under18	23%
	Spanish-Surnamed	12%	Pct of Pop. Age 16+	employed	61%
	Asian-Surnamed	3%		Household Income	income 0-25k
	Filipino-Surnamed	1%	income 25-50k		15%
	NH White est.	82%	income 50-75k		11%
	NH Black	2%	income 75-200k		41%
Total	57,385	income 200k-plus	17%		
Voter Turnout (Nov 2020)	Latino est.	12%	Housing Stats	single family	72%
	Spanish-Surnamed	11%		multi-family	28%
	Asian-Surnamed	3%		rented	46%
	Filipino-Surnamed	1%		owned	54%
	NH White est.	83%	Total population data from California's adjusted 2020 Census data. Citizen Voting Age Population, Age, Immigration, and other demographics from the 2016-2020 American Community Survey and Special Tabulation 5-year data. Turnout and Registration data from California Statewide Database. "Latino" figures calculated by NDC using Census Bureau's Latino undercount by surname estimate.		
	NH Black	1%			
Voter Turnout (Nov 2018)	Total	45,641			
	Latino est.	10%			
	Spanish-Surnamed	10%			
	Asian-Surnamed	3%			
	Filipino-Surnamed	1%			
NH White est.	84%				
NH Black est.	1%				

Latino CVAP

Modest geographic concentrations of Latino eligible voters are in the Lower Ocean/Beach Flats Neighborhood and in the apartments on the north side of Highway 1 around Sutter Hospital.



Other Socio-Economic Demographics



Communities of Interest

1st Question: What is your neighborhood or community of interest?

- ❑ Shared issue or characteristic
 - ❑ Shared social or economic interest
 - ❑ Impacted by governing board's policies
- ❑ Tell us “your community’s story”

2nd Question: What are its geographic boundaries?

Examples of physical features defining a neighborhood boundary:

- ❑ Natural neighborhood dividing lines, such as highway or major roads, rivers, canals and/or hills
- ❑ Areas around parks or schools
- ❑ Other neighborhood landmarks

In the absence of public testimony, planning records and other similar documents may provide definition.



Public Hearing & Discussion

What is your community of interest and what are its boundaries?

Would you prefer your community of interest be in one trustee area or that it have multiple representatives on the Board?