

MARIPOSA COUNTY REDSRICTING INFORMATION

By Colleen L. Rhodes

IT'S TIME FOR REDISTRICTING, BUT SCOTUS SAYS,

"NO PACKING & NO CRACKING!"

“‘Packing’ refers to the practice of filling a district with a supermajority of a given group or party. ‘Cracking’ involves the splitting of a group or party among several districts to deny that group or party a majority in any of those districts.”

-Vieth v. Jubelirer, 541 U.S. 267, 286 n.7 (2004)

REDISTRICTING -- MARIPOSA COUNTY

Why is this information being posted? Every 10 years, redistricting is done for most of the different political jurisdictions in America, including at the county level. Mariposa County's 5 supervisorial districts will be redrawn this year as a result of new population counts (the 2020 census) and new rules.

Why should you care? Everyone will be invited by the county to participate. Plus, proper redistricting gives every voter due influence. Improper redistricting may minimize voter influence, either accidentally or purposely.

Who is CL Rhodes who created this original post? I'm not a representative of the BOS or any county department. I'm a resident and voter like you who was asked by other voters like you to compile some relevant and helpful, detailed information. I am doing this as a public service without compensation or any kind of self-interest. I don't even see how redistricting of my supervisor district (District 2) will affect my life in any way. But my situation may be very different from yours. I want you to know your rights.

Where is the detailed information? Following this main post are 9 numbered “comments” provided by me to give you some background about the redistricting process. They are (1.) The Map; (2.) Community of Interest Forms; (3.) Deadline: 12/15/21; (4.) Census Data; (5.) Recent State Legislation; (6.) Redistricting Memo on 5/11/21 BOS Agenda; (7.) Option 2; (8.) Public Hearing Schedule; and (9.) Additional Background: Attorneys' Video & Powerpoint.

You are invited to reply to the comments if you have questions. If I can't answer, maybe someone else can.

1. THE MAP. Redistricting will set new boundaries for Supervisorial Districts. The new districts will be based on several factors that have been defined by the state legislature. They include not only population, but also communities of interest, and other factors. The following link is to

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the existing map of supervisor districts in our county: <https://www.mariposacounty.org/.../2011-Boundary-Map...>

2. COMMUNITY OF INTEREST FORMS. One of the ways that groups can make their voices heard is through Community of Interest surveys and forms.

Community of Interest surveys and forms will be distributed very soon by the Mariposa County Clerk of the Board.

Where would you like to obtain yours?

You can make a request by contacting René LaRoche, Clerk of the Board for the Mariposa County Board of Supervisors: rlaroch@mariposacounty.org

3. DEADLINE: 12/15/21. Redistricting of California counties' Supervisorial Districts must be completed and new boundaries decided upon and adopted by December 15, 2021.

4. CENSUS DATA: September 2021. The U.S. Census Bureau won't get the essential data to California until September 30, 2021. Additional data may be provided by California state agencies over the following month (October 2021).

5. RECENT STATE LEGISLATION. Redistricting in California has been significantly changed by legislation over the past few years. The most important laws include the following 4, only 2 of which have passed and been codified as of May 11, 2021.

Assembly Bill 849. Known as The Fair and Inclusive Redistricting for Municipalities and Political Subdivisions (FAIR MAPS) Act. Made substantial changes.

Assembly Bill 1276. Further amendments.

Senate Bill 594. Further amendments. May pass, but hasn't yet.

Senate Bill 443. May further amend parts of the process.

6. REDISTRICTING MEMO ON 5/11/21 BOS AGENDA. The redistricting issue was on the Mariposa Board of Supervisors' May 11, 2021 agenda, packet pages 461-471. Memorandum prepared and presented by Clerk of the Board René LaRoche. In her memo, René has done a good job laying out the next actions the BOS has to take. You may access the entire agenda at this link, but it is 671 pages long, so I have included the most relevant portions below in items 7 and

8. <https://l.facebook.com/l.php?u=http%3A%2F%2Fmariposacountyca.igm2.com%2Fcitizens%2FFileOpen.aspx%3FType%3D1%26ID%3D2902%26Inline%3DTrue%26fbclid%3DIwAR00YtIXp8iK>

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(if the link doesn't work, just go to the official BOS page and click on the agenda packet for the 5/11/21 BOS meeting).

7. OPTION 2. The BOS selected Option 2. (René's memo, packet page 466, BOS agenda of 5/11/21). Text of Option 2 follows in case you don't want to wade through the 671 pages of the Agenda Packet linked above.

- Option 2 – Board/County Staff

The Board Draws the Boundaries Without a Commission Utilizing County Staff (Costs: Noticing, Publishing & Transcripts, \$10,000; Staff Time)

Similar to the above option, the responsibility for new district maps would rest with the Board but the process would instead be guided by County staff. It is anticipated that the Clerk of the Board, Planning (especially GIS), and County Counsel will play the largest roles, but that input may also be required from the County Administrative Officer and the Public Works Departments.

County staff would be responsible for all public engagement, guiding the public hearings, analysis of public input, and the preparation of draft maps that utilize the mandated data, adhere to required parameters, and incorporate the appropriate public input. Because of the extended public engagement, it is anticipated that draft maps may change throughout the process, and staff would also be responsible for properly posting and noticing the process, as well as having all materials available on the County's website. The attached tentative Public Engagement plan notes proposed responsibilities and timelines that would guide staff in outreach efforts should this option be chosen.

Aside from staff time, costs for this option include the costs of public noticing and public outreach efforts in an amount expected to be \$10,000 or less.

8. PUBLIC HEARING SCHEDULE. The schedule that county staff has suggested for the BOS was given in detail on packet page 470 of the 5/11/21 agenda. It will be reviewed again at the 5/18/21 BOS meeting, but appears as a CONSENT AGENDA item. If you wish for it to be

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removed from the Consent Agenda, you must make that request on or before 5/18/21 and must make it to the BOS or Clerk of the Board:

REDISTRICTING PUBLIC HEARING SCHEDULE - PROPOSED

The following detail assumes that all Board actions identified during the May 11, 2021 meeting are approved on May 18, 2021:

Tuesday, June 8, 2021 at 2:00 PM – Public Hearing #1

Staff will review the existing district boundary map, present process, review state criteria for redistricting, solicit public input, etc. Map alternatives cannot be developed until after this Public Hearing.

Saturday, July 10, 2021 at 10:00 AM – Public Hearing #2

Staff will provide a brief review of the process, review criteria, report on any public input received since the last public hearing, and solicit public input and Board comments. (If the county-level census data has been released, draft maps will be presented first.)

Tuesday, September 14, 2021 at 2:00 PM – Public Hearing #3

Staff will provide a brief review of the process, review criteria, report on any public input received since the last public hearing, and solicit public input and Board comments. (If draft maps are available, they will be presented first.)

Monday, November 1, 2021 at 6:00 PM – Public Hearing #4

Staff will provide a brief review of the process, review criteria, report on any public input received since the last public hearing, present draft maps with overview of any changes since last hearing, solicit public input and Board comments.

Tuesday, November 2, 2021 at 2:00 PM – Public (Final) Hearing #5

Staff will provide a brief review of the process, review criteria, report on any public input received since the last public hearing, present draft maps with overview of any changes since last hearing, solicit public input and Board comments. Board will be asked to indicate their final choice.

****Three weeks reserved to allow processing of final map and writing of legal property description, if necessary.****

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Tuesday, November 23, 2021 – Waive the First Reading and Introduce the Ordinance approving the new redistricting maps.

****Final map must be available to the public at least 7 days in advance of adoption.****

Tuesday, December 7, 2021 – Waive the Second Reading and Adopt the Ordinance approving the new redistricting maps.

DEADLINE FOR COMPLETION: December 15, 2021

9. ADDITIONAL BACKGROUND: ATTORNEYS' VIDEO & POWERPOINT. The following links are to presentations made by attorneys who specialize in the redistricting process (these attorneys are with Nielsen Merksamer and National Demographics Corporation).

It is interesting to note that René LaRoche mentioned that National Demographics Corporation charges a minimum of \$40,000 to assist a small county with the redistricting process.

Fortunately, Planning Director Sarah Williams and Clerk of the Board René LaRoche indicated their willingness (even eagerness) and ability to do the work, thus sparing the county a \$40,000 consultants' fee (see, BOS adoption of Option 2, 5/11/21).

A 2 hour video is at the following link:

<https://www.youtube.com/watch?v=jB1OpmTEnAw>

The related PowerPoint is at the following link:

https://www.counties.org/sites/main/files/file-attachments/csac-rcrc_redistricting_part_1-technical-presentation_2021-03-05.pdf?fbclid=IwAR0JbyuGUf8N72DJlrKV4U_PEq-q5MsnnxTW3fcLHRWZMcrKSPGG0YqepXA