



COACHELLA VALLEY WATER DISTRICT  
AGENDA STAFF REPORT

Meeting Date: 3/8/2022

TO: Board of Directors

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**SUBJECT:**

Public Hearing regarding Redistricting of Coachella Valley Water District Division Boundaries as required by Election Code Section 22000 et seq.

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FOR:  Action

Public Hearing

Ordinance

Presentation/Recognition

Informational Report

**STAFF RECOMMENDATION:** *It is recommended that the Board of Directors:*

Receive a report from the District's redistricting consultant on the redistricting process and review draft District Election Division Boundaries; and 2) conduct a Public Hearing to receive testimony and comments regarding District Division Boundaries; and 3) adopt Resolution No. 2022-\*\* entitled, A Resolution of the Board of Directors of the Coachella Valley Water District Adjusting Director Electoral Divisions.

**SUMMARY:** *This request consists of:*

Every ten years, agencies with by-district election systems must use new census data to review and, if needed, redraw electoral division lines to reflect how local populations have changed. This process, called redistricting, ensures all divisions comply with both the California and federal Voting Rights Acts. Requirements for redistricting include:

- Revised electoral districts must be “substantially equal in population as required by U.S. Constitution.”
  - Balance must comply with US and California Constitutions and Federal Voting Rights Act (FVRA) Section 10301 of Title 52 of the United States Code, as amended.
  - Population equality is based on total population of District residents (not customers) per U.S. Census
  - Incarcerated persons only counted if last known residence may be assigned to a City census block
  - In adjusting the boundaries of the divisions, the board may give consideration to the following factors:
    - (1) topography,
    - (2) geography,
    - (3) cohesiveness, contiguity, integrity, and compactness of territory, and
    - (4) community of interests of the division.
    - This section does not apply to divisions in which only landowners vote for directors or whose directors are all elected at large or appointed.
- Boundaries shall not be drawn to favor or discriminate against a political party.
- Change of boundaries shall not affect the unexpired term of office of any elected Board member.



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Analysis of the district's current division boundaries, adjusted for the 2020 Census data, shows the divisions are no longer population-balanced. The district's population is 355,073. The ideal division population is one-fifth of that number, or 71,015.

Determining population balance is done by measuring the spread, or deviation, between the least populated division and the greatest populated division. Deviations of 10% or less are generally considered acceptable under U.S. Supreme Court rulings on the equal population standard under the U.S. Constitution.

The current population of Division 5 is under the ideal at -6.39% while Division 4 is considerably over the ideal at 13.26%. Combined, those deviations bring the district's current total deviation to a substantial 19.65%. As such, the division boundaries must be adjusted to achieve a population balance with less than a 10% deviation.

Another consideration is the distribution of minority voters throughout the District, and whether there is a possibility of creating a majority/minority voting district as addressed in the federal Voting Rights Act. This analysis involves reviewing the ethnicity demographics from the census data, specifically citizens of voting age populations (CVAP). Upon review of the district's CVAP data, creation of a majority/minority voting district (a division in which an identified minority comprises the majority of voting age population) is possible. Currently, Divisions 4 and 5 are majority/minority Hispanic voting districts.

The District's redistricting consultant prepared two potential maps for Board consideration, which meet all of the above criteria (Attachment). The proposed maps balance the District's population while preserving the core of the existing districts. They are compact, cohesive, recognize natural geological and topographical features, and balance the population objectively. These maps were presented at the first public hearing, held January 25, 2022. At the hearing, the Board requested information regarding the number of voters moving across voting divisions, and the impact that may have on voting cycles. The results of that analysis is included in the maps summaries below. Further, an online tool for viewing the maps, with full search and other geolocation services, may be found at the following link: [VIEW MAPS ONLINE](#)

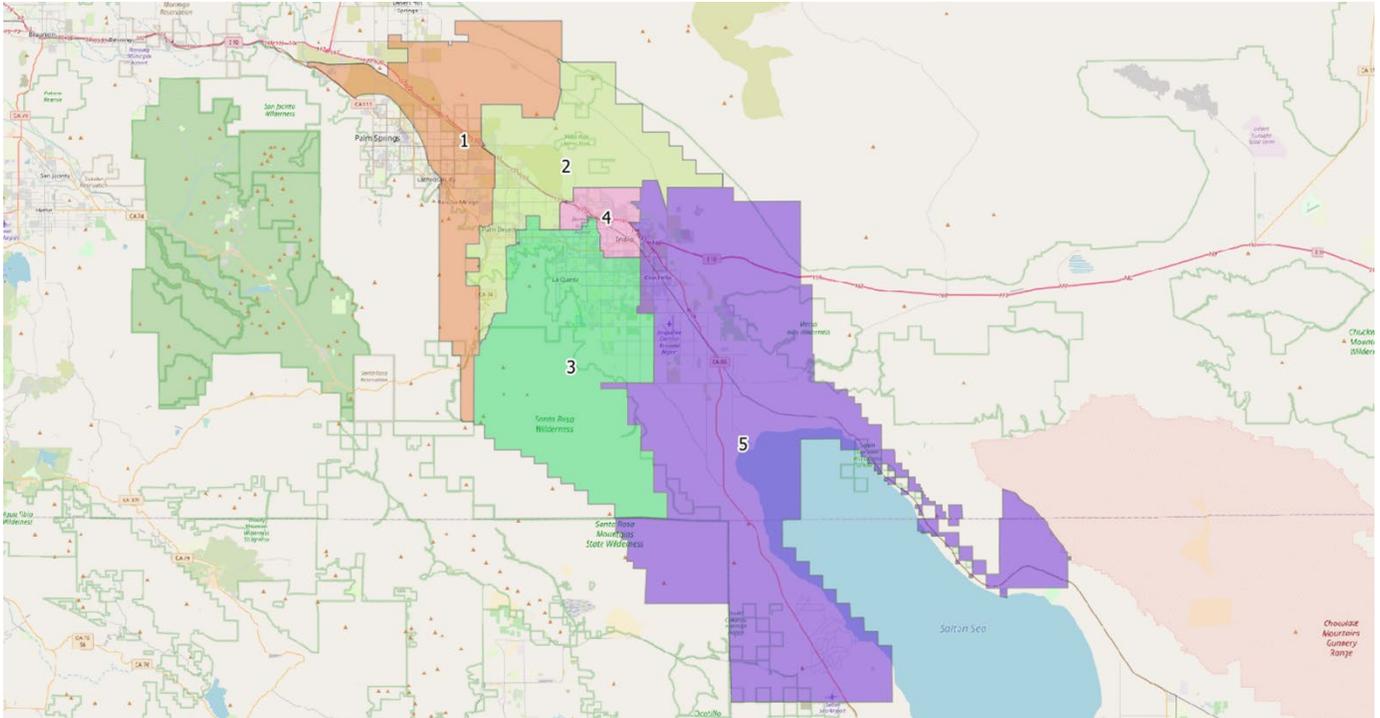


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## Map Option 1

While retaining the core of existing divisions, the total population deviation of the proposed division boundaries is 3.21%, compared to 19.65% for the current boundary map. It creates compact voting districts, particularly with respect to Divisions 2, 3 and 4. It also preserves existing majority/minority voting districts in Divisions 4 and 5, in compliance with the U.S. Constitution and the California Elections Code. A more detailed demographic breakdown is attached to this report.

## Map Option 1



Option 1 moves a total of 10,851 people between divisions, representing 3.05% of the District’s population. Of that number, 6,306 are accelerated from a 2024 voting cycle to a 2022 voting cycle. Conversely, 4,545, or 1.2% of the District’s population, are deferred two years, from their current voting cycle of 2022 to 2024. A complete analysis of the movement may be found in the table below.

new_districts	orig_districts	Population	Impact
1	1	68,380	None
1	2	2,528	Acceleration from 2024 to 2022
2	2	69,894	None
2	4	0	None
3	3	67,169	None
3	4	3,778	Acceleration from 2024 to 2022
4	4	72,175	None
4	3	0	None
5	5	66,604	None
5	4	4,545	Deferment from 2022 to 2024



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**Map Option 2**

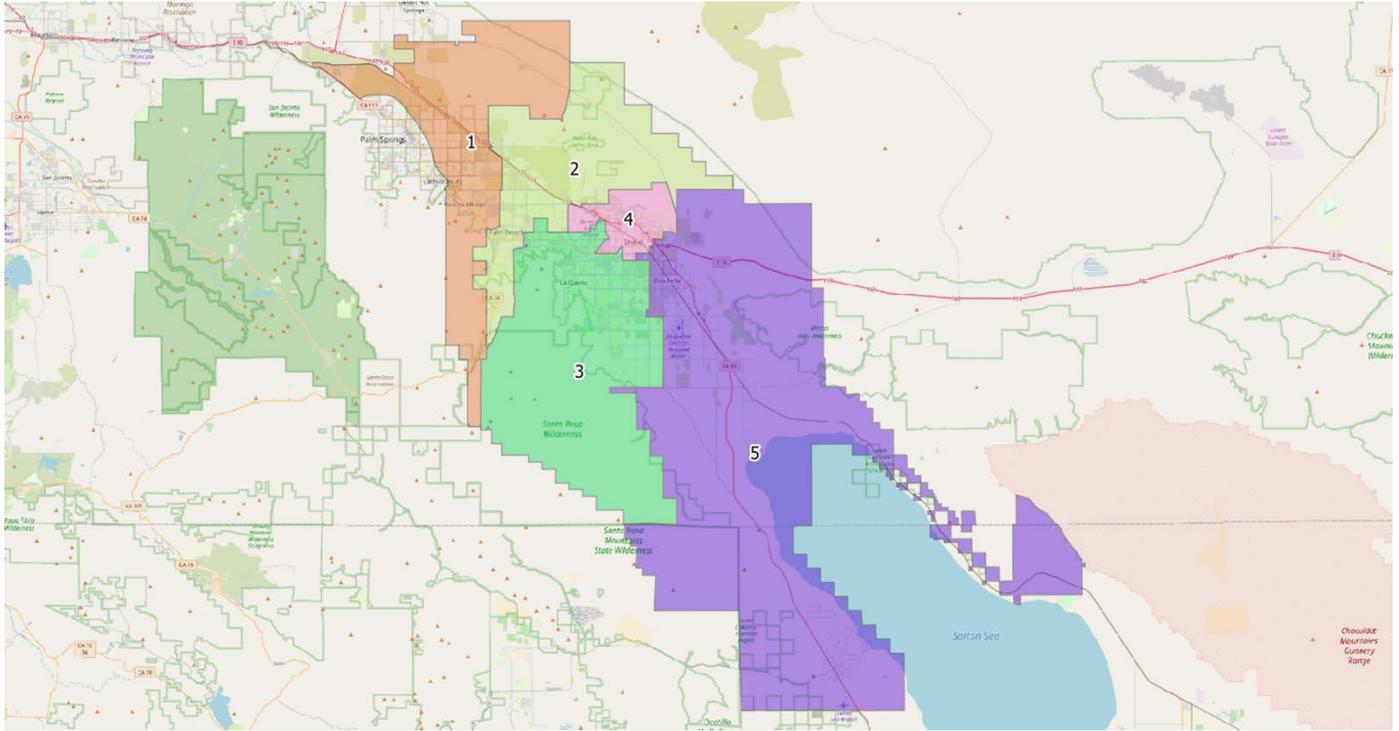
Map Option 2 is more closely aligned with the District's current division boundaries, and sought to balance the population with the least amount of voter shift and exhibits a population deviation of 3.45%. It creates slightly more compact voting districts with respect to Divisions 3 and 4, and retains the core of the existing divisions. Like Option 1, the proposed map also preserves existing majority/minority voting districts in Divisions 4 and 5, in compliance with the U.S. Constitution and the California Elections Code. A more detailed demographic breakdown is attached to this report.

Option 2 moves a total of 10,673 people between divisions, representing 3.00% of the District's population. Of that number, 5,260 are accelerated from a 2024 voting cycle to a 2022 voting cycle. Conversely, 4,756, or 1.33% of the District's population, are deferred two years, from their current voting cycle of 2022 to 2024. Six hundred and fifty-seven people move divisions with no change in their voting cycle. A complete analysis of the movement may be found in the table below.

<b>new_districts</b>	<b>orig_districts</b>	<b>Population</b>	<b>Impact</b>
1	1	68,380	None
1	2	2,528	Acceleration from 2024 to 2022
2	2	69,894	None
2	4	657	None
3	3	67,169	None
3	4	2,732	Acceleration from 2024 to 2022
4	4	72,353	None
4	3	0	None
4	5	0	None
5	5	66,604	None
5	4	4,756	Deferment from 2022 to 2024



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*Map Option 2*

Following this hearing, the District’s redistricting consultant will prepare revised map(s) if requested by the Board. Alternatively, the Board may select a preferred map and adopt a Resolution finalizing the redistricting process. Should additional public hearings be necessary to select a preferred map, they will be scheduled accordingly.

The current redistricting process for Coachella Valley Water District must be completed by April 17, 2022, in compliance with State law.

Therefore, staff requests the Board: 1) receive a report from the District’s redistricting consultant on the redistricting process and review draft District Election Division Boundaries; 2) conduct a Public Hearing to receive testimony and comments regarding District Division Boundaries; and 3) adopt Resolution No. 2022-\*\* entitled, A Resolution of the Board of Directors of the Coachella Valley Water District Adjusting Director Electoral Divisions

**FISCAL IMPACT:**

Funding for costs associated with redistricting is available within Fiscal Year 2021-2022 Administrative Operating Budget. As such, there will be no adverse impact to the budget.

**ENVIRONMENTAL REVIEW:**

No, this item is not a “project” as defined by CEQA; therefore, approval does not require any CEQA action.

Yes, see below.

N/A



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**LEGAL REVIEW:**  Yes – Reviewed by Counsel       No – Not Applicable

**FIRM:** Best Best Krieger

Prepared by: Sylvia Bermudez  
Clerk of the Board

Submitted by: Sylvia Bermudez  
Clerk of the Board



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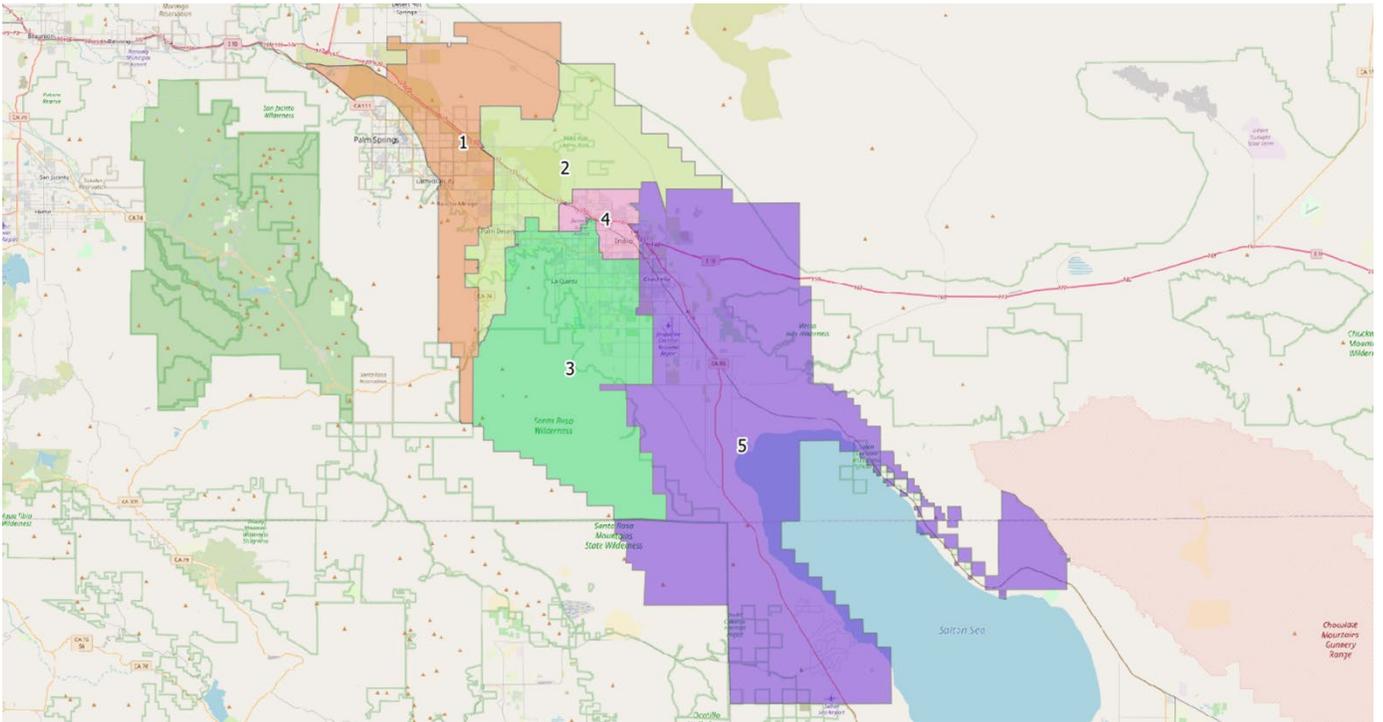
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ATTACHMENTS: proposed maps, draft resolution  
FILE: 0615., 0034.06  
PROJECT ID NO: N/A

# Attachment

## Proposed Maps and Demographic Analysis

### Map Option 1

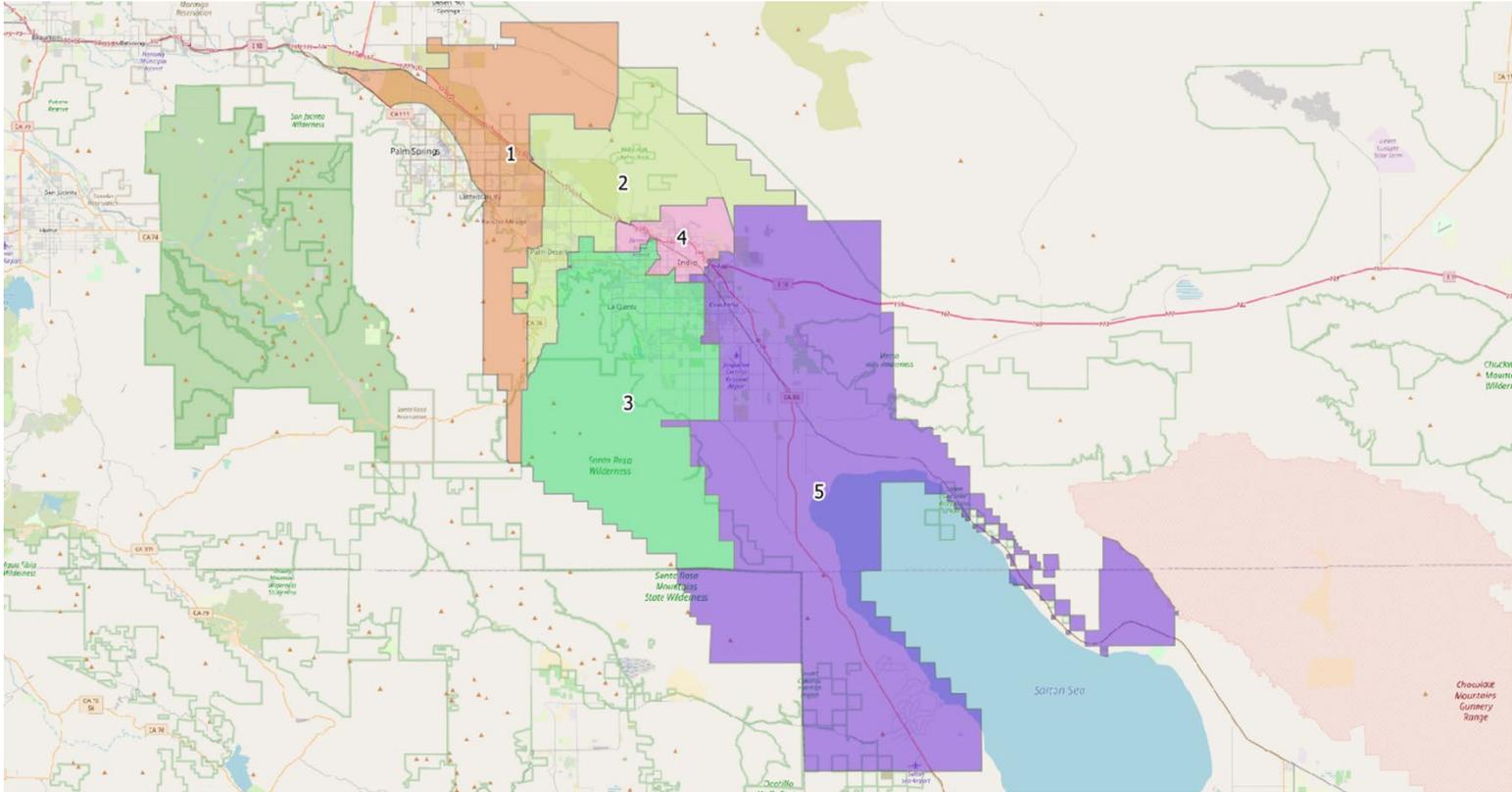


# Map Option 1

## Demographic Analysis with 2020 Census Data

Division	Total Population	% Population	CVAP*19 Total	CVAP19 NL** White	CVAP19 NL Black	CVAP Hispanic	CVAP19 Not Hispanic	CVAP19 NL AIAN***	CVAP19 NL ASIAN	CVAP19 NL Hawaiian	CVAP19 NL Other
1	70,908	-0.15%	49,416	29,192	1,318	15,269	34,164	407	2,512	70	156
2	69,894	-1.58%	55,316	40,467	1,524	10,701	44,490	48	1,582	38	91
3	70,947	-0.10%	55,228	31,833	1,311	20,007	35,258	115	1,334	17	125
4	72,175	1.63%	45,059	15,394	1,148	27,468	17,630	51	669	-	116
5	71,149	0.19%	31,662	4,183	392	26,596	5,076	88	229	8	45
Total	355,073										
Ideal	71,015										
Deviation	3.21%										
*CVAP=	Citizen Voting Age Population										
**NL =	Non-Latino										
***AIAN =	American Indian Alaskan Native										

# Map Option 2







**Coachella Valley Water District  
Board of Directors**

**Resolution No: 2022-09**

**RESOLUTION OF THE BOARD OF DIRECTORS OF THE COACHELLA  
VALLEY WATER DISTRICT ADJUSTING BOUNDARIES OF DIRECTOR  
ELECTORAL DIVISIONS**

**BE IT RESOLVED:**

**SECTION 1:** The Board of Directors (Board) finds and determines:

- a. The U.S. Census Bureau (Bureau) is required by Article I, Section 2, of the U.S. Constitution to conduct an accurate count of the population every ten years;
- b. California Elections Code Section 22000 et seq. requires that “after each federal decennial census, and using that census as a basis, adjust the boundaries of any divisions so that the divisions are, as far as practicable, equal in population and in compliance with Section 10301 of Title 52 of the United States Code, as amended, to the extent those provisions apply;”
- c. The Elections Code requires that the Board adopt a resolution amending director divisions no later than April 17, 2022;
- d. The Board held public hearings on January 25, 2022 and March 8, 2022, and an informational public meeting on November 9, 2021 to receive public testimony relating to redistricting criteria and communities of interest, and directed staff and the District’s demographic consultant to prepare draft division plans for consideration. At the hearing on March 8, 2022, the Board selected Map Option [REDACTED] (now “the Preferred Map”), for adoption;
- e. At each of the public hearings on redistricting, the Board heard staff’s presentation relating to “communities of interest,” which led the Board to reach the following determinations about communities of interest on the Preferred Map relevant to Coachella Valley Water District voting divisions as required under federal and state law:
  - (1) *The divisions are geographically contiguous.* The divisions are arrayed in a simple and logical form without any islands and minimal intrusions from the area of one division into another;
  - (2) *To the extent practicable, the Preferred Map respects the geographic integrity of local neighborhoods and local communities of interest.* The map redraws division lines to better align with communities of interest and most other County municipalities.

(3) *The Preferred map respects the geographic integrity of cities and census designated places, with divisions in those cities and places minimized.* The Preferred Map also respects in large part the jurisdictional boundaries of the County's other cities and special districts.

(4) *The divisions are easily identifiable and understandable by residents.* The divisions in the Preferred Map form a relatively simple pattern.

(5) *To the extent practicable, the divisions are geographically compact.* Their configurations for the most part are compact, simple shapes, with nearby populations included in the same divisions.

(6) *The divisions are balanced in terms of total population and voting age population.* The divisions are well within the one-person/one-vote deviations permitted under federal and state voting rights laws.

(7) *The divisions reviewed and considered concentrations of minority voters.* Divisions 4 and 5 are drawn as a majority-minority Hispanic voting district

k. All information in the staff reports, maps, presentations, Board debate and public testimony referenced above is hereby incorporated into this decision and serves as evidentiary basis for these findings and legislative decision.

**SECTION 2:** Pursuant to the provisions of the Fair Maps Act of 2019 as amended in 2020, codified at California Elections Code section 21500 to 21509, after giving consideration to those provisions and applicable decisions of the courts, the Board hereby adjusts, changes, and establishes the boundaries of the director divisions as set forth on the Preferred Map considered by the Board at its public hearing on March 8, 2022, and reflected in Exhibit A, and they shall constitute and are hereby established as the boundaries of the director divisions of the Coachella Valley Water District for subsequent elections until further readjustment is required by law.

**SECTION 3:** Notwithstanding any other provision of this chapter, and pursuant to California Elections Code section 22000, subdivision (e) (1) and (2), each of the directors in office at the time this Resolution takes effect shall continue in office until the expiration of the full term to which he or she was elected and until his or her successor is qualified, and any vacancy in a term currently underway shall be filled based on the divisions in effect at the time the current directors were elected.

**SECTION 4:** All resolutions, or parts thereof in conflict with this resolution are hereby repealed.

**SECTION 5:** The General Manager is directed to take all necessary steps to give effect to this Resolution. If necessary to facilitate the implementation of this Resolution, the General Manager or his or her designee is authorized to make technical adjustments to the division boundaries that do not substantively affect the populations in the divisions, the eligibility of candidates, or the residence of elected officials within any division. The General Manager shall consult with District General Counsel concerning any technical

adjustments deemed necessary and shall advise the Board of any such adjustments required in the implementation of the divisions.

**SECTION 6:** This Resolution is adopted following two noticed public hearings as required by Elections Code section 22001 and shall take effect and be in full force immediately upon adoption.

***NOW, THEREFORE,*** be it resolved by the Board of Directors that the resolution is hereby approved and adopted by the Board of Directors.

Exhibit A

Map of Division Boundaries

[To be updated after the final hearing]

***PASSED and ADOPTED*** by the Coachella Valley Water District Board of Directors during a regular meeting on this 8<sup>th</sup> day of March, 2022, by the following vote:

AYES:

NOES:

ABSENT:

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***CERTIFICATION***

I do hereby certify that the foregoing is a full, true, and correct copy of a resolution duly and regularly adopted at a meeting of the Board of Directors of the Coachella Valley Water District, held on this 8<sup>th</sup> day of March, 2022.

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Sylvia M. Bermudez, MMC  
Clerk of the Board  
Coachella Valley Water District