

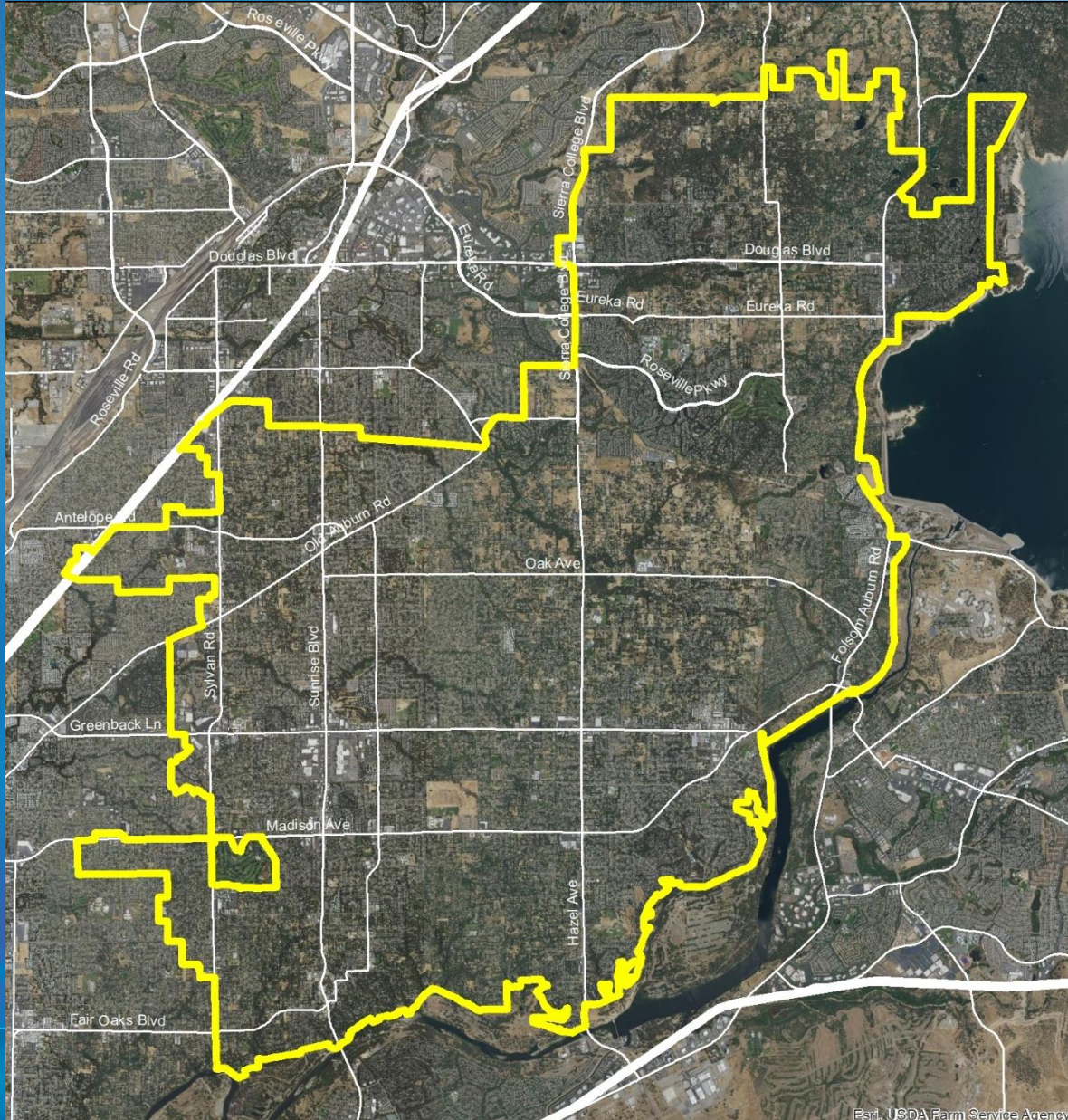


**San Juan Water District
Transition to Division-Based Elections
Public Hearing #2
August 5, 2020**

**Jennifer Buckman
General Counsel**



SJWD Service Area





Process to Date

- March 30 CVRA letter – potential legal challenge
- May 13 SJWD Board decision – use safe harbor process (180 days)
- Prior proceedings – June 10, July 8
- 1st Hearing – August 3
- Tonight's Hearing – 2nd of 2 initial hearings
 - Take input from public on factors
 - Input used to shape draft maps
 - Maps presented at subsequent hearings



Electoral Processes

- Existing (1954-2020) – “At-large” – voters throughout SJWD elect 5 Board members, on staggered terms
- New (2022 and beyond) – “By-division”
 - The SJWD service area will be divided into 5 voting divisions
 - Each division will elect one director
 - Only the voters in that division will be able to vote for the director that will represent the division



Mapping the Divisions

- To transition to division-based elections, SJWD will need to define the 5 voting divisions
- A map will be drawn showing the location of each division
- This is a public process and SJWD will be taking the input of the community as it develops and refines the maps, consistent with applicable the legal standards



Rules and Other Factors for Divisions

Legal Considerations in Drawing Electoral Divisions:

- Reasonably Equal Populations (average +/- 10%)
- Contiguous Divisions
- No Racial Gerrymandering
- Respect Communities of Interest
- Compact Divisions



Applying the Factors to Create Divisions

Paramount Legal Principles:

- Reasonably Equal Populations (average +/- 10%) – this criterion is imposed by federal law and must be respected
- Avoid Diluting Votes of Racial, Ethnic & Language Minority Voting Groups
 - Avoid “packing” – when a community could be 55% of 2 different divisions but are concentrated into a supermajority in 1 division
 - Avoid “cracking” – fragmenting concentrations of minority voters among multiple districts



Applying the Factors to Create Divisions

Paramount Legal Principles:

- Contiguity
 - No islands or donuts
 - Perimeter = one unbroken line
- Compactness – “reasonable” standard



Applying the Factors to Create Divisions

Other Legal Principles:

- Compactness – “reasonable” standard
- Respect for “Communities of Interest”



Applying the Factors to Create Divisions

- Communities of Interest
 - Most “enigmatic” of the traditional districting principles
 - The community group should have “actual shared interests.” *Miller*, 515 U.S. at 916.
 - "Residents of political units such as townships, cities, and counties often develop a community of interest, particularly when the subdivision plays an important role in the provision of governmental services." *Karcher*, 462 U.S. at 758 (Stevens, J., concurring)



Applying the Factors to Create Divisions

- Communities of Interest
 - Other political subdivisions, shared cultural or economic interests may also qualify
 - Should be kept intact if feasible, given application of other factors. *Bush v. Vera*, 517 U.S. at 977.
 - Often not possible to respect all political subdivision borders and also comply with “reasonably equal population”
 - Board determines what the relevant communities of interest are, after taking public input



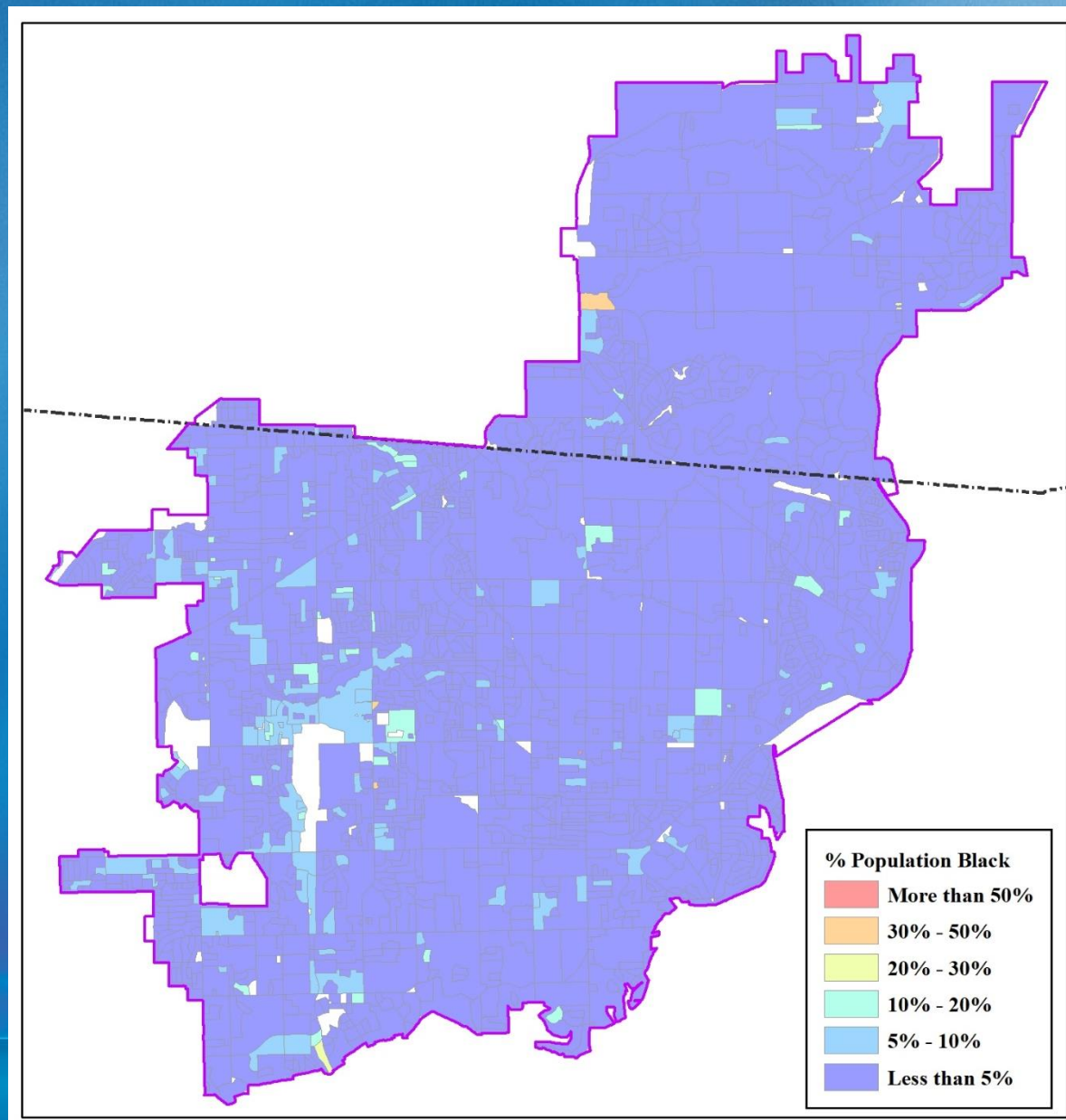
Demographic Summary

2010 Census Figures

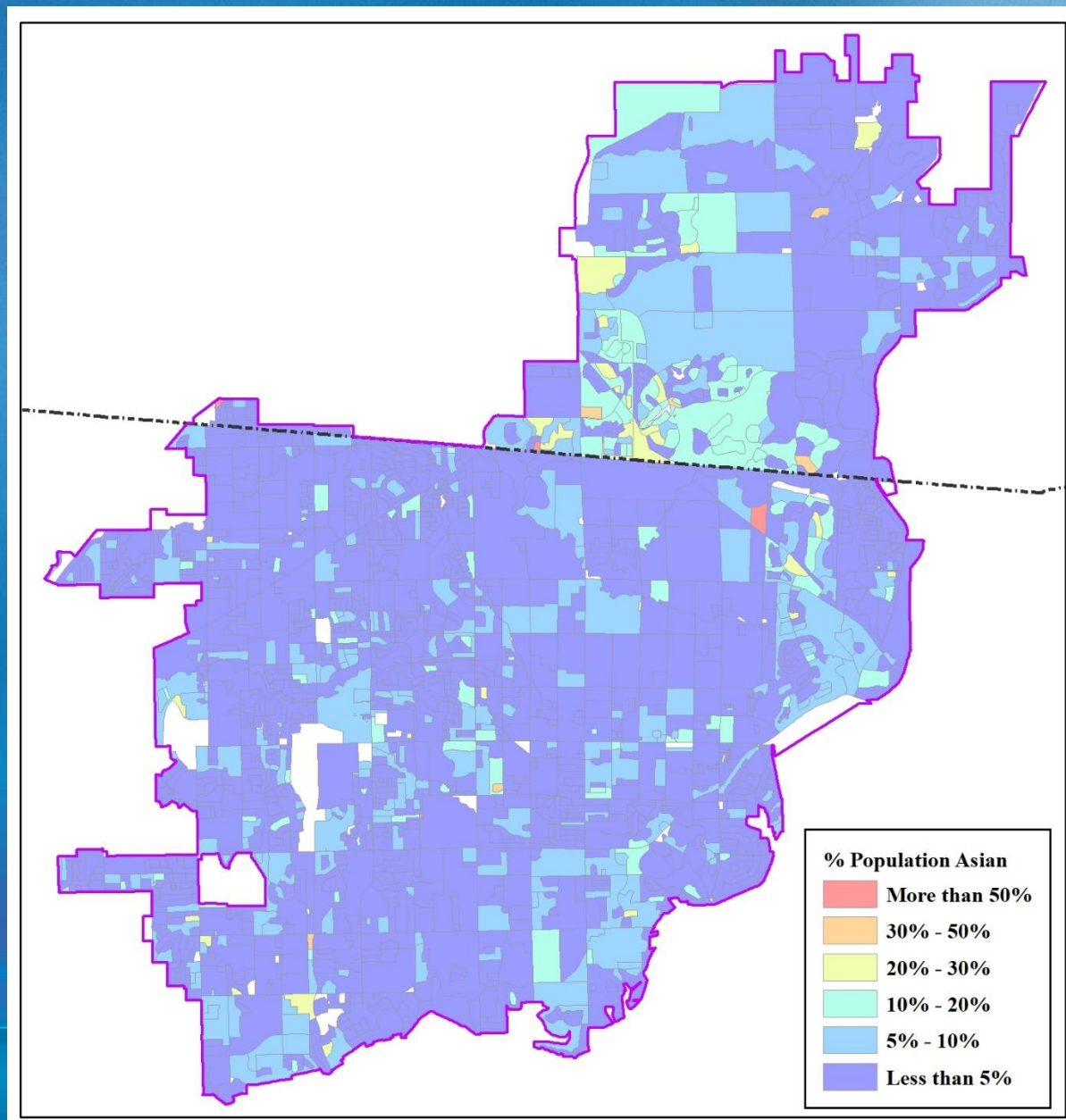
**Each Board
Member
District Would
Contain
Approximately
30,100
Residents,
+/- 10%**

Category	Total Population
African-American	3,021
Asian-American	5,801
Latino	17,770
White	117,316
Other	6,587
Total	150,499

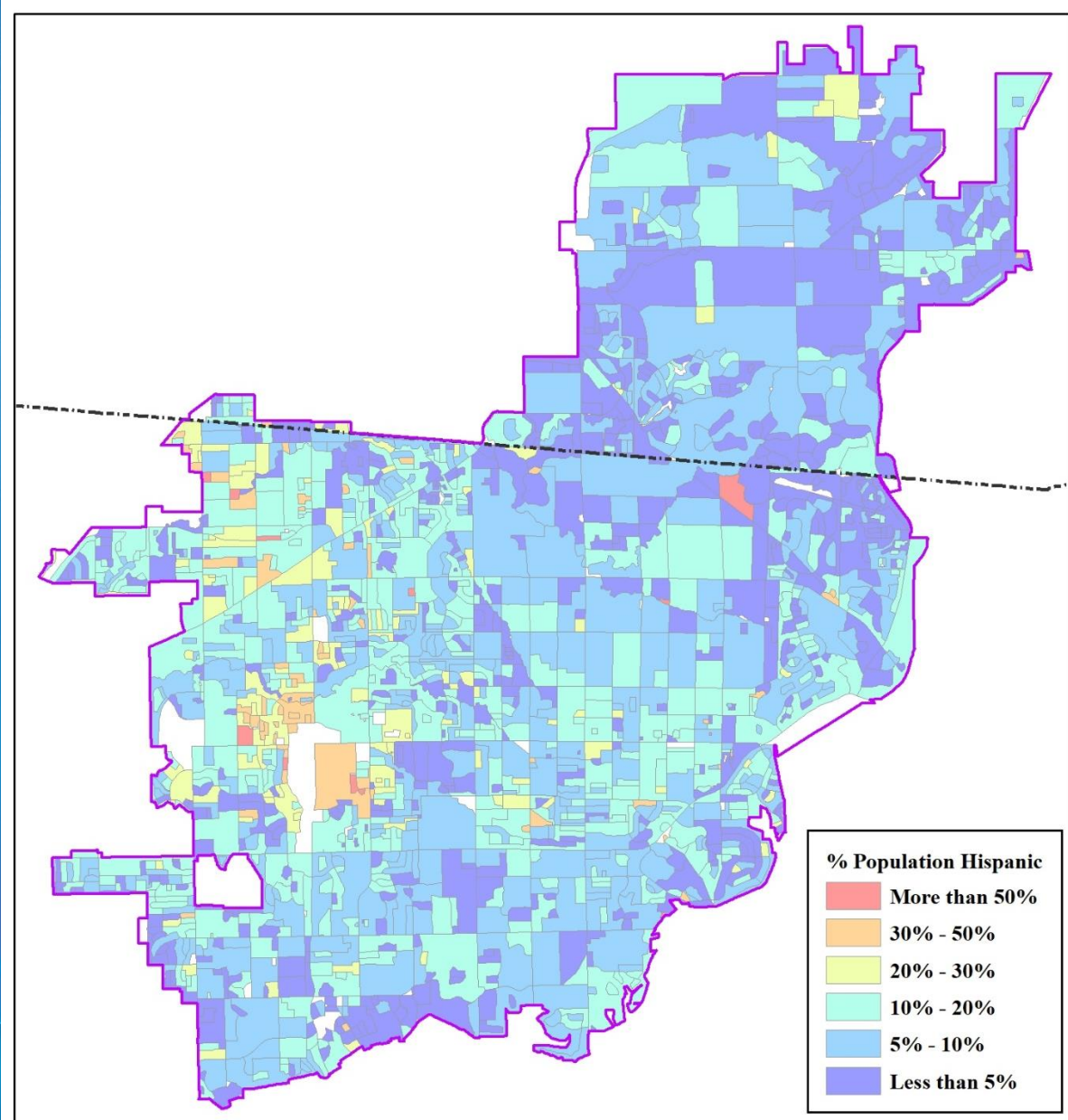
Concentrations of African-American Residents



Concentrations of Asian-American Residents



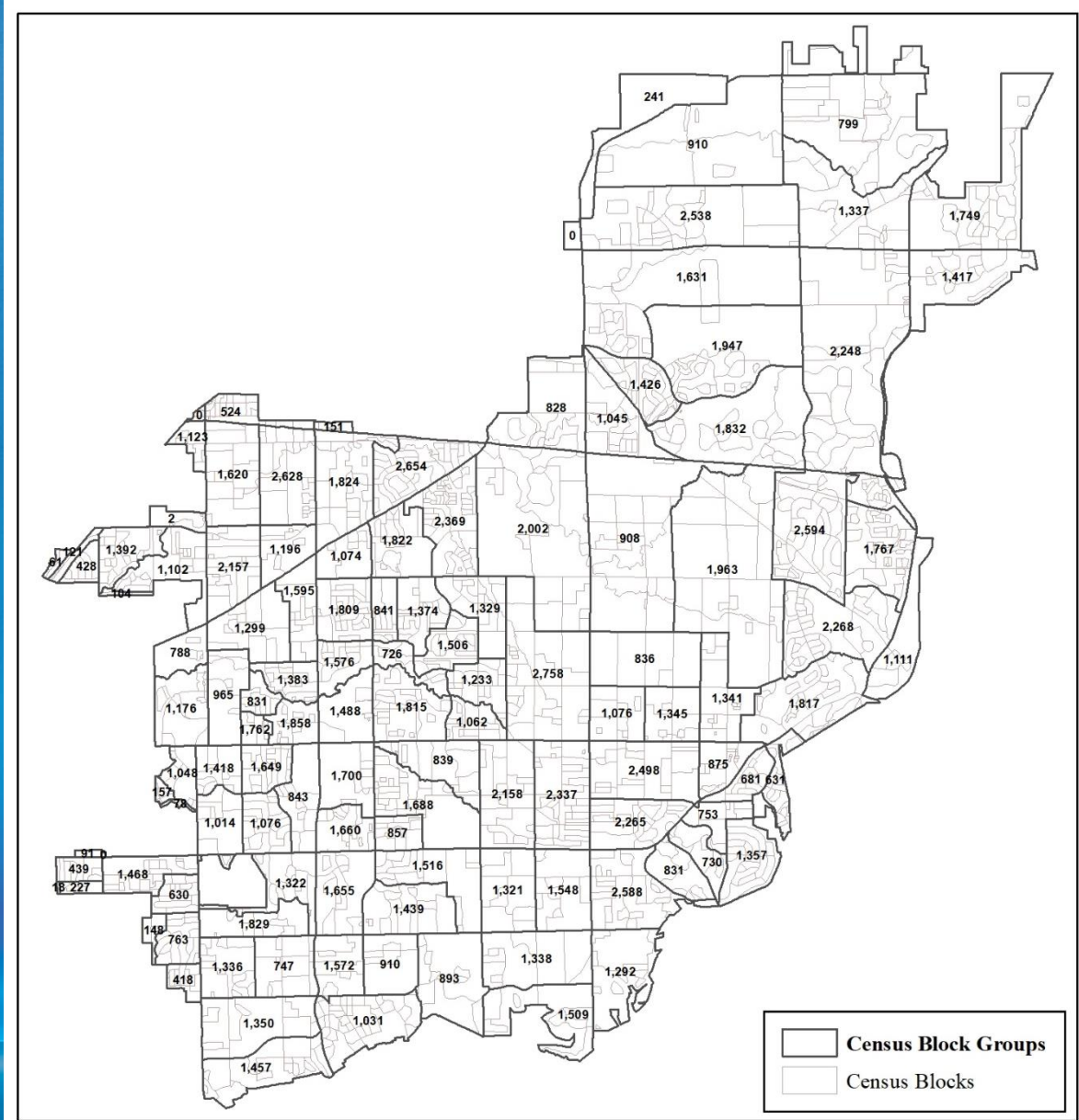
Concentrations of Latino Residents





Census Block Groups Population Numbers

Image is available
on sjwd.org





Next Steps

Step	Description
Informational Sessions June 10 & July 8	Public Outreach.
Two Initial Hearings August 3 & August 5	Held prior to release of draft maps. Opportunity for public to learn and provide input.
Release Draft Maps	Maps must be released by September 2.
Two Hearings on Draft Maps Sept. 9 & Oct. 14	Two meetings to discuss and revise draft maps.
Final Adoption of Map November 9	Second reading of ordinance and approval of map.
Update Map Based on 2020 Census Data	Make any revisions that might be necessary, based on new census data.
November 2022	Election for first three new division seats.
November 2024	Election of remaining two division seats.



More Information

Transitioning to Division-Based Elections Website:

<https://www.sjwd.org/transitioning-to-division-based-elections>

Comments:

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