



AGENDA REQUEST FORM
BOARD OF SUPERVISORS
COUNTY OF INYO

For Clerk's Use Only:
AGENDA NUMBER

- Consent Departmental Correspondence Action Public Hearing
 Scheduled Time for Closed Session Informational

FROM: Inyo County Planning Department/Administrator/Counsel/Clerk Recorder

FOR THE BOARD MEETING OF: May 10, 2011

SUBJECT: Supervisorial District Boundary Workshop

DEPARTMENTAL RECOMMENDATION: Conduct a workshop regarding the Supervisorial District boundaries and provide direction to staff.

SUMMARY DISCUSSION: Sections 21500 et seq. of the California Election Code (attached) establishes the requirements for updating Supervisorial District boundaries. Section 21500 states: "Following each decennial federal census, and using that census as a basis, the board shall adjust the boundaries of any or all of the supervisorial districts of the county so that the districts shall be as nearly equal in population as may be and shall comply with the applicable provisions of Section 1973 of Title 42 of the United States Code, as amended. In establishing the boundaries of the districts the board may give consideration to the following factors: (a) topography, (b) geography, (c) cohesiveness, contiguity, integrity, and compactness of territory, and (d) community of interests of the districts".

The primary objective is to create districts with as equal populations as possible. Each county is to have five supervisorial districts, equating to 20 percent of the total population of the County in each district. Section 21500 does not mandate 'districts shall be equal', only that the districts shall be as nearly equal in population 'as may be', leaving any population variance between the districts up to the counties. The California Supreme Court has found that the division of districts is presumptively equal and valid if no district has less than 17 percent of the total county population or more than 23 percent.

The 2010 Census data for California became available on March 8, 2011. Staff utilized this data and Geographic Information System software to evaluate the populations within Inyo County's supervisorial district boundaries. The following table shows the population and percentage of the total population per district.

Year 2010 Population and Percentage of Total Population per Supervisorial District:		
District	Population per District	Percent of Population per District
1	3,778	20%
2	4,177	23%
3	4,037	22%
4	3,172	17%
5	3,382	18%
Inyo County Total Population	18,546	100%

The 2010 population evaluation shows that, like year 2000, the percentages of population per district meet the appropriate criteria and are presumed to comply with the law. Therefore, staff recommends that the Supervisorial Districts maintain the current boundaries.

Per Section 21500.1 of the California Election Code, the Board shall hold at least one public hearing on any proposal to adjust the boundaries of a district, prior to a public hearing at which the board votes to

approve or defeat the proposal. During the year 2000 round of redistricting, no boundary changes were made. However, the board held a public hearing prior to the public hearing in which the board voted not to change the district boundaries; therefore, staff recommends that the board hold two public hearing in the future.

The Supervisorial District boundaries are to be adjusted by the Board by November 1 (refer to Election Code Section 21501). If the Board fails to do so, a Supervisorial Redistricting Commission composed of the District Attorney, the County Assessor, and the County Elections Official shall do so before December 31 (refer to Election Code Section 21501 and 21502). The State redistricting process is to be completed by August 15.

ALTERNATIVES: the following alternatives may be considered:

- Investigate alternative Supervisorial District boundaries. If the Board so elects, the Board could direct staff to do so and report back to the Board, do so itself, appoint a Board subcommittee, or appoint a commission to do so (refer to Election Code Section 21505). This process could be time-consuming and could require a substantial resource outlays, particularly so if consultant services and/or specialized software are utilized. The Clerk/Recorder could incur additional costs to update relevant records if redistricting is pursued.
- Do not hold at least one public hearing prior to a public hearing at which the board votes to approve or defeat the proposal.

OTHER AGENCY INVOLVEMENT: n/a

FINANCING: No direct impact. If the Board directs staff to proceed with an investigation of redistricting, substantial costs could be incurred.

<u>APPROVALS</u>	
COUNTY COUNSEL:	AGREEMENTS, CONTRACTS AND ORDINANCES AND CLOSED SESSION AND RELATED ITEMS (Must be reviewed and approved by county counsel prior to submission to the board clerk.) <i>R. Hill 4-28-11</i>
AUDITOR/CONTROLLER:	ACCOUNTING/FINANCE AND RELATED ITEMS (Must be reviewed and approved by the auditor-controller prior to submission to the board clerk.)
PERSONNEL DIRECTOR:	PERSONNEL AND RELATED ITEMS (Must be reviewed and approved by the director of personnel services prior to submission to the board clerk.)

DEPARTMENT HEAD SIGNATURE:
(Not to be signed until all approvals are received)

Joshua G. Smith

Date: 5-3-11

Attachment: Election Code Section 21500 et seq.

CALIFORNIA CODES
ELECTIONS CODE
SECTION 21500-21506

21500. Following each decennial federal census, and using that census as a basis, the board shall adjust the boundaries of any or all of the supervisorial districts of the county so that the districts shall be as nearly equal in population as may be and shall comply with the applicable provisions of Section 1973 of Title 42 of the United States Code, as amended. In establishing the boundaries of the districts the board may give consideration to the following factors: (a) topography, (b) geography, (c) cohesiveness, contiguity, integrity, and compactness of territory, and (d) community of interests of the districts.

21500.1. The board shall hold at least one public hearing on any proposal to adjust the boundaries of a district, prior to a public hearing at which the board votes to approve or defeat the proposal.

21501. The boundaries of the supervisorial districts shall be adjusted by the board before the first day of November of the year following the year in which each decennial federal census is taken. If the board fails to adjust the boundaries before the first day of November following the year in which the federal census is taken, a supervisorial redistricting commission shall do so before the 31st day of December of the same year. The adjustment of the district boundaries shall be immediately effective the same as if the act of the supervisorial redistricting commission were an ordinance of the board, subject, however, to the same provisions of referendum as apply to ordinances of the board.

21502. The supervisorial redistricting commission shall be composed of the district attorney, who shall be chairman, the county assessor, and the county elections official if he or she is elected by the qualified electors of the county, or, if not, the county superintendent of schools if he or she is elected by the qualified electors of the county, or, if not, the sheriff.

21503. At any time between the decennial adjustments of district boundaries, the board may cause a census of the county to be taken as provided in Section 26203 of the Government Code, and may adjust the boundaries of the supervisorial districts on the basis of that census, or on the basis of population estimates prepared by the State Department of Finance or the county planning department or planning commission, pursuant to Section 21500.

21504. Any person claiming that the estimates of population used in the redistricting pursuant to Section 21503 do not reflect the

current population within the district boundaries more accurately than the most recent census data, may commence an action in the superior court in declaratory relief to determine that fact. The action shall be brought within 30 days after the adoption of the redistricting ordinance.

21505. The board may appoint a committee composed of residents of the county to study the matter of changing the boundaries of the supervisorial districts. The committee shall make its report to the board of its findings on the need for change of boundaries, and the recommended changes, within six months after the final population figures determined in each federal decennial census have been released, but in any event not later than August 1st of the year following the year in which the census is taken. Recommendations of the committee are advisory only.

21506. The term of office of any supervisor who has been elected and whose term of office has not expired shall not be affected by any change in the boundaries of the district from which he or she was elected.

At the first election for county supervisors in each county following adjustment of the boundaries of supervisorial districts, a supervisor shall be elected for each district under the readjusted district plan that has the same district number as a district whose incumbent's term is due to expire.

A change in the boundaries of a supervisorial district shall not be made within 45 days before the first day for circulating nomination papers for an election of supervisors in the county or between the direct primary election and the general election.