

CITY OF PALM DESERT STAFF REPORT

MEETING DATE: January 11, 2024

PREPARED BY: Anthony J. Mejia, City Clerk

REQUEST: PALM DESERT REDISTRICTING 2023: PUBLIC HEARING #5 REGARDING REDISTRICTING OF CITY COUNCIL BOUNDARIES – CONSIDERATION OF ADOPTING A CITY COUNCIL ELECTION DISTRICT BOUNDARIES MAP AND ORDINANCE INTRODUCTION (TO COMMENCE AT 4:30 P.M. OR SOON THEREAFTER)

RECOMMENDATION:

1. Open the Public Hearing and receive public testimony.
2. Adopt “Map 109 Renumbered B” as the City Council election district boundaries map.
3. Introduce an Ordinance entitled, “AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF PALM DESERT, CALIFORNIA, AMENDING SECTION 2.38.040 OF THE PALM DESERT MUNICIPAL CODE RELATED TO BY-DISTRICT ELECTIONS, DEFINING DISTRICT BOUNDARIES, AND SCHEDULING ELECTIONS WITHIN THE DISTRICTS.”

BACKGROUND/ANALYSIS:

On June 22, 2023, the City Council unanimously directed staff to take the necessary steps to transition to five single-member districts prior to the November 2024 Election and to eliminate use of Ranked Choice Voting (RCV) in future elections. On August 24, 2023, the City Council adopted the Redistricting Public Education and Outreach Plan.

The City initiated a redistricting process to shift from the current two-district system to five single-member districts. The redistricting process will determine where the new City Council district lines will be drawn. The new districts will impact how voters elect City Council Members until the next redistricting process following the 2030 Census. The districts must be drawn using the 2020 census data and in compliance with the FAIR MAPS Act, which was adopted by the California legislature as Assembly Bill 849 and took effect January 1, 2020, and updated by Assembly Bill 764 that took effect January 1, 2024.

Under the amended Act, the City Council shall draw and adopt boundaries using the following criteria in the listed order of priority [Elections Code 21130(c)]:

1. Comply with the federal requirements of equal population and the Voting Rights Act.
2. Geographically contiguous.
3. Undivided neighborhoods and “communities of interest” (populations that share common social or economic interests should be kept together).
4. Easily identifiable boundaries.
5. Geographical compactness (do not bypass one group of people to get to a more distant group of people).
6. The districting body shall not adopt election district boundaries for the purpose of favoring or discriminating against an incumbent, political candidate, or political party.

Once the prioritized criteria are met, other traditional districting principles can be considered, such as:

1. Future population growth.
2. ~~Respect voters' choice/continuity in office~~ (Due to the passage of Assembly Bill 764, this criterion may no longer be considered).

District 1 was population adjusted following the 2020 Census and resulted in a majority/minority voting district, based on total population. Looking at citizen voting age population (which is data traditionally relied upon in voting rights context), District 1 is 45% Latinx/Hispanic. However, the total of all non-white aka minority groups (including Latinx/Hispanic, Black, and Asian-American) in District 1 reaches a 51% majority. Upon review of the City's voting age population data, preserving District 1 boundaries is possible while remaining in compliance with the other mapping requirements noted above and the terms of the settlement agreement. Therefore, it is recommended that the City Council keep District 1 in its current configuration.

Map 109, Demographer Submission

Map 109 was submitted by the City's demographer based on a written public comment. Analysis indicates that the map exhibits a population deviation of 8.59%. The City has posted all draft maps to the City's redistricting website: <https://redistrictpd.org/>, which includes an interactive review map tool which can be accessed by [clicking here](#).

Following the December 14, 2023, City Council Public Hearing, a representative of the Lakes Country Club reached out to inquire about adjusting the District 3 street alignment so that the boundaries follow Cook Street and El Dorado Drive rather than the interior streets of the Lakes Country Club. The Demographer was aware of the issue and intended to manually adjust the street alignment prior to adoption, which is now reflected in "Map 109 Renumbered B."

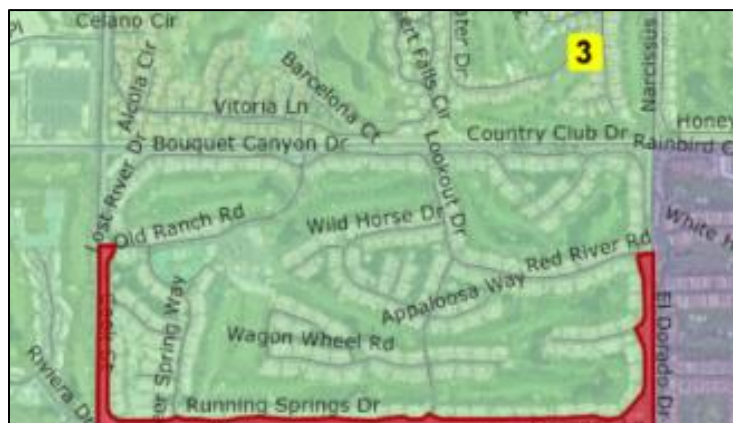


Figure 1 - Cook Street and El Dorado Street Alignment Cleanup

Furthermore, the representative of the Lakes Country Club pointed out that a portion of the golf course traverses from District 3 into District 4. In reviewing this issue, the census block is oddly shaped and combines an unpopulated portion of the Lakes golf course with 655 residents (outside of the Lakes Country Club). In consultation with the Demographer, this adjustment is not recommended as it would require splitting of the census block and the result would not align with major streets or easily identifiable boundaries. However, it is important to note that all residents of the Lakes Country Club are within the same voting district (District 3).

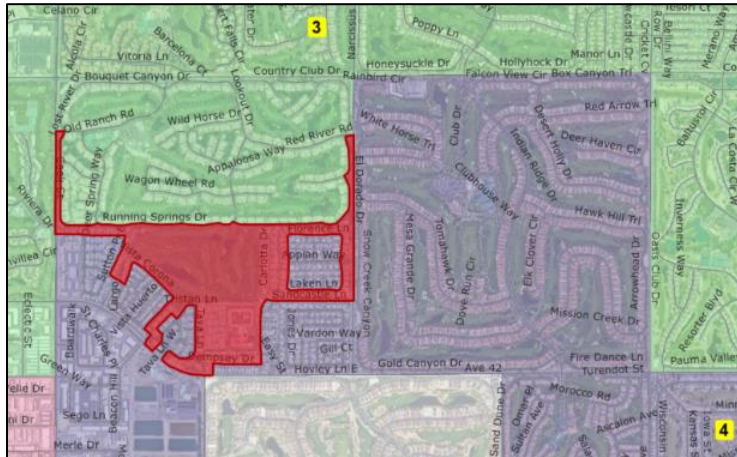


Figure 2 - Census block with unpopulated portion of Lakes CC Golf Courses and 655 residents (outside of Lakes CC)

Sequencing of Elections

When considering the sequencing of elections, the City Council must take into consideration public testimony related to the sequencing of elections and whether a particular area has a history of being under-represented and relatively low turnout and thus should be assigned a to the higher-turnout Presidential 2024 election cycle. Secondly, it is standard practice to match the district election years to the year of the resident officeholder. The sequencing of elections will not result in a shortened term for any officeholder.

As suggested in a public comment letter, prior to the December 14, 2023, Public Hearing, City staff renumbered Map 109 to ensure that Districts 1, 2, and 3 are up for election in November 2024 and Districts 4 and 5 in November 2026. The City Council expressed support for the sequence of elections and moved forward “Map 109 – Renumbered” for additional consideration and possible adoption.

Future Projected Growth

In June 2023, City staff provided a map depicting residential projects already approved or under construction north of Fred Waring Drive. As previously noted, the City may consider future population growth when selecting a final map provided that federal and state criteria have been met. The below chart summarizes the number of units and projected population growth in each of the districts as represented on the draft maps eligible for adoption.

	Map 102b/103b		Map 104		Map 105		Map 109	
	Units	Population	Units	Population	Units	Population	Units	Population
District 5	4,200	8,904	4,200	8,904	2,457	5,209	1,488	3,155
District 4	69	146	69	146	69	146	3,130	6,635
District 3	418	886	418	886	2,161	4,581	69	146

Note: The Merle Self-Help Lots A and B totaling 14 units/30 population was excluded from the above chart, as these properties are located in District 1. Population projections of 2.12 per unit are based on the total unit count multiplied by the average household size in Palm Desert per the US Census Bureau's data compiled under the 2021 American Community Survey 5-year estimates.

Public Participation

The public is encouraged to participate and provide input at the January 11, 2024, Public Hearing. The public may provide input during the public comment period of this meeting or by contacting the City Clerk's Office via email or phone:

City of Palm Desert
Attn: Anthony Mejia, City Clerk
73-510 Fred Waring Drive
Palm Desert, CA 92260
cityclerk@palmdesert.gov
(760) 346-0611

Community Workshop #1

On September 6, 2023, at 6 p.m., the City conducted a Redistricting Community Workshop at the Palm Desert City Hall, Administrative Conference Room, and via Zoom. City staff facilitated a brief presentation and a robust question-and-answer period. However, no attendees desired to offer public comment. The workshop video was posted to the redistricting website, under the schedule tab: <https://redistrictpd.org/>.

Public Hearings #1 and #2

On September 14 and 28, 2023, at 4:30 p.m., the City Council conducted pre-map Public Hearings with in-person and virtual access. City staff facilitated a brief presentation and responded to questions. Links to the meeting agendas, staff reports, meeting videos, presentations, and public comment are posted on the City's redistricting webpage, under the schedule tab: <https://redistrictpd.org/>.

Map Drawing Workshops

On October 4 and 16, 2023, at 5 p.m., via Zoom, the City facilitated a demonstration of the online map drawing tool and responded to questions. The workshop was recorded and posted to the City's YouTube channel and the City's redistricting webpage, under the schedule tab: <https://redistrictpd.org/>.

Public Hearings #3

On November 16, 2023, at 4:30 p.m., the City Council conducted a Public Hearings with in-person and virtual access. City staff facilitated a brief presentation and responded to questions. Links to the meeting agendas, staff reports, meeting videos, presentations, and public comments are posted on the City's redistricting webpage, under the schedule tab: <https://redistrictpd.org/>.

Following the meeting and at the community workshops, there were questions from residents regarding the City Council's authority to select a single focus map rather than staff's recommendation to select 2-3 focus maps. Based on experience, City staff recommended a process which allows the City Council to narrow down the number of map options until a final map is adopted. However, it is within the City Council prerogative to accept staff's recommendation or to select an alternative action. In this case, the City Council has the authority to select a single focus map, rather than the staff's recommended action of 2-3 focus maps.

Community Workshops #2 & #3

On November 29, 2023, at 6 p.m., the City conducted Redistricting Community Workshop #2 at the Palm Desert iHub attended by 15 people. On December 6, 2023, at 6 p.m., the City conducted Redistricting Community Workshop #3 at the City Hall, Administrative Conference Room, attended by 24 people. At both workshops, the City's demographer and City staff facilitated a brief presentation, question-and-answer period, and solicited community feedback.

In summary, at both workshops the public comments centered around the attendees' disappointment that the City Council did not select more than one focus map and requested that the City Council reconsider Map 102 as a focus map. It was further asserted that the City Council decision to select a single focus map was dependent upon the demographer's response that she could not find a solution in which Map 102 could be adjusted in a manner that did not split at least one HOA or gated community. As noted in a written public comment, after the November 16, 2023, Public Hearing, it was discovered by a member of the public that Map 102 could be population balanced and avoid splitting any HOA or gated communities by moving the Hidden Palms Community into District 3 and moving the properties on Country Club Drive between Portola Avenue, Cook Street, and Hovley Lane (Marriot properties and Silver Sands Raquet Club) into District 5. City staff informed the public that it cannot bring forward "Map 102c" without City Council direction as the deadline for new map submissions has passed and the City Council already took action to select Focus Map 109.

Furthermore, at both workshops, members of the public raised concerns and objected to Map 109, citing that it splits the following communities of interest in two districts:

- Residents north of Country Club Drive have shared issues related to development growth, traffic, wind, and blow sand.
- Students and taxpayers north of Frank Sinatra Drive are within the Palm Springs Unified School District (PSUSD). Further noting that the City's financial support of Desert Sands Unified School District does not benefit students attending PSUSD.
- Residents north of Country Club Drive are a younger demographic with shared interests.

Additionally, those opposing Map 109 expressed concern that the two northern districts extend too far south (as far south as Fred Waring Drive), and this dilutes northern residents' vote. They state that the northern and southern areas differ greatly, and historically more City funds are expended in the south; therefore, to ensure the northern area has fair representation on City Council, the northern area should not be placed in districts that also include southern areas.

During the workshops, straw polls were conducted to gauge attendees' sentiments as follows:

Workshop #2:

- 2 of the 15 attendees favored Map 109 because it was the only option that did not split the Hidden Palms Community.
- 14 of the 15 attendees opposed the City Council's decision to select one Focus Map.
- 14 of the 15 attendees supported a request to the City Council to include "Map 102c" as an additional focus map.

Workshop #3:

- 14 of the 24 attendees supported Map 109 as presented.
- 9 of the 24 attendees supported a request to the City Council to include "Map 102c" as an additional focus map.

In support of Map 109, one individual commented that Map 109 attempts to address future population growth in an effort to reduce the number of changes to the district boundaries following the 2030 Census; this may result in fewer voters being shifted from one district to another and potentially into a new election cycle. Another individual submitted a written comment indicating that Map 109 bridges the northern and mid-city areas, hopefully mitigating damage done by the fractionalizing of the City via redistricting; and that Map 109 does an adequate job of addressing future population growth to minimize disruptions after the 2030 Census.

The workshop #2 audio was posted to the redistricting website, under the schedule tab: <https://redistrictpd.org/>. Unfortunately, City staff inadvertently did not record Workshop #3 via Zoom.

Public Hearings #4

On December 14, 2023, at 4:30 p.m., the City Council conducted a Public Hearings with in-person and virtual access. City staff facilitated a brief presentation and responded to questions. Links to the meeting agendas, staff reports, meeting videos, presentations, and public comment are posted on the City's redistricting webpage, under the schedule tab: <https://redistrictpd.org/>.

During its discussion, the City Council reaffirmed its support for Map 109 Renumbered as the focus map. Comments made in support of Map 109 Renumbered include:

- 1) The map does not split neighborhoods (gated communities or HOAs),
- 2) District 3 keeps residents bordering the Mid Valley Channel together, as proximity to the channel (and flood-related issues) have an impact on quality of life,
- 3) District 3 keeps residents bordering the future commuter rail infrastructure together;
- 4) Map 109 is the best option to balance future population growth between two districts; and
- 5) District 5 places Portola Country Club and Palm Desert Greens Country Club in the same district, which is useful because these are unique mobile home communities in which residents own the real estate and the mobile home upon which it is placed. These two communities have similar and unique issues that lead to interfaces with the City such as permitting and remediation.

Next Steps

On January 25, 2024, the City Council will be requested to adopt an ordinance establishing five single member districts and to introduce an ordinance eliminating the use of Ranked Choice Voting in future municipal elections.

Legal Review

This report has been reviewed by William Priest and the City Attorney's Office.

FINANCIAL IMPACT:

There is no fiscal impact associated with this action.

ATTACHMENTS:

1. Map 109 Renumbered B
2. Draft Ordinance
3. Written Public Comment