

CITY OF PALM DESERT  
2023 ADOPTED CITY COUNCIL ELECTION DISTRICT BOUNDARIES  
REPORT PURSUANT TO ELECTION CODE 21130(f)

On January 25, 2024, the Palm Desert City Council unanimously adopted “Map 109 Renumbered B” as the official district boundaries for City Council. Elections for Districts 1, 2, and 3 will be held in November 2024, with Districts 4 and 5 following in December 2026 to complete the transition to five single-member districts.

As required by Election Code 21130(f), the following report explains the basis on which the districting body made its decisions in achieving compliance with the requirements and criteria described in Section 21130:

Election Code 21130(a) states:

(a) Following or concurrent with the decision to establish district-based elections for a legislative body, or following each federal decennial census for a legislative body that is already elected using district-based elections, the districting body shall, by ordinance or resolution, adopt boundaries for all of the election districts of the legislative body so that the election districts shall be substantially equal in population as required by the United States Constitution.

(1) Population equality shall be based on the total population of residents of the local jurisdiction as determined by the most recent federal decennial census for which the redistricting data described in Public Law 94-171 are available.

(2) Notwithstanding paragraph (1), an incarcerated person, as that term is used in Section 21003, shall not be counted towards a local jurisdiction’s population, except for an incarcerated person whose last known place of residence may be assigned to a census block in the local jurisdiction, if information about the last known place of residence for incarcerated persons is included in the computerized database for redistricting that is developed in accordance with subdivision (b) of Section 8253 of the Government Code, and that database is made publicly available.

On January 25, 2024, the City Council adopted its Ordinance No. 1406 adopting election district boundaries substantially equal in population balance as required by the United States Constitution and in accordance with Election Code 21330(a)(1) and (2). Under federal law, districts are presumed constitutional if the difference between the deviation from the ideal population of the largest and smallest districts is less than ten percent. In the City’s adopted map, District 4 is the largest district at 10,659 people and a deviation from the ideal population of +3.86 percent. District 1 is the smallest district at 9,777 people and a deviation from the ideal of -4.74 percent. The difference between those two percentages is 8.59 percent, safely below ten percent.

Election Code 21130(b) states:

(b) The districting body shall adopt election district boundaries that comply with the United States Constitution, the California Constitution, and the federal Voting Rights Act of 1965 (52 U.S.C. Sec. 10301 et seq.).

(1) Consistent with the districting body’s existing obligations under the federal Voting Rights Act, the districting body shall determine whether it is possible to create an

election district or districts in which a minority group is sufficiently large and geographically compact to constitute a majority in a single-member district, as set forth in *Thornburg v. Gingles*, 478 U.S. 30 (1986), and as interpreted in case law regarding enforcement of the federal Voting Rights Act with respect to redistricting. The districting body shall publish on its redistricting web page, at a minimum, the results of its analysis within seven days of completing the analysis or prior to adopting election district boundaries, whichever occurs first.

(2) If the districting body, consistent with its existing obligations under the federal Voting Rights Act, conducts an analysis to determine whether “racially polarized voting,” as defined in case law regarding enforcement of the federal Voting Rights Act, exists in the local jurisdiction, the districting body shall publish on its redistricting web page, at a minimum, a summary of its analysis and findings within seven days of completing the analysis or prior to adopting election district boundaries, whichever occurs first.

In accordance with Election Code 21330(b)(1) and consistent with the districting body’s existing obligations under the federal Voting Rights Act, the City Council has determined that it is not possible to create an election district or districts in which a minority group is sufficiently large and geographically compact to constitute a majority in a single-member district, as set forth in *Thornburg v. Gingles*, 478 U.S. 30 (1986), and as interpreted in case law regarding enforcement of the federal Voting Rights Act with respect to redistricting. In the City’s previous districting and redistricting processes, Council District 1 was drawn to elect, and succeeded in electing, a candidate anecdotally known to be preferred by protected class voters, even though no single protected class constitutes a majority of the Citizen Voting Age Population in the district. The current redistricting leaves Council District 1 in place unchanged. The result of this analysis was published on the City’s redistricting web page prior to adopting election district boundaries.

The City did not conduct a racially polarized voting analysis as described in Election Code 21130(c)(2).

Election Code 21130(c) through (e) states:

(c) The districting body shall adopt election district boundaries using the following criteria as set forth in the following order of priority:

(1) To the maximum extent practicable, election districts shall be geographically contiguous. Areas that meet only at the points of adjoining corners are not contiguous. Areas that are separated by water and not connected by a bridge, tunnel, or regular ferry service are not contiguous.

(2) To the maximum extent practicable, and where it does not conflict with the preceding criterion in this subdivision, the geographic integrity of any local neighborhood or local community of interest shall be respected in a manner that minimizes its division. A “community of interest” is a population that shares common social or economic interests that should be included within a single election district for purposes of its effective and fair representation. Characteristics of communities of interest may include, but are not limited to, shared public policy concerns such as education, public safety, public health, environment, housing, transportation, and access to social services. Characteristics of communities of interest may also include, but are not limited to, cultural districts, shared socioeconomic characteristics, similar voter registration rates and participation rates, and shared histories. Communities of

interest do not include relationships with political parties, incumbents, or political candidates.

(3) To the maximum extent practicable, and where it does not conflict with the preceding criteria in this subdivision, the geographic integrity of a city or census designated place shall be respected in a manner that minimizes its division. This paragraph does not apply to a city.

(4) To the maximum extent practicable, and where it does not conflict with the preceding criteria in this subdivision, election districts shall be bounded by natural and artificial barriers, by streets, or by the boundaries of the local jurisdiction. Election district boundaries should be easily identifiable and understandable by residents.

(5) To the maximum extent practicable, and where it does not conflict with the preceding criteria in this subdivision, election districts shall be drawn to encourage geographical compactness in a manner that nearby areas of population are not bypassed in favor of more distant populations.

(d) The districting body shall not adopt election district boundaries for the purpose of favoring or discriminating against an incumbent, political candidate, or political party.

(e) The districting body shall not adopt election district boundaries using any criterion that is prioritized over the criteria in subdivision (c) or that, expressly or as applied, conflicts with one of the requirements in subdivisions (a) to (d), inclusive, except as provided in subdivision (g).

The election district boundaries were adopted using the criteria as set forth in Election Code 21130(c)(1) through (5) in order of priority. The City Council did not adopt election district boundaries for the purpose of favoring or discriminating against an incumbent, political candidate, or political party. The City Council did not adopt election district boundaries using any criterion that is prioritized over the criteria in subdivision (c) or that, expressly or as applied, conflicts with one of the requirements in subdivisions (a) to (d), inclusive.

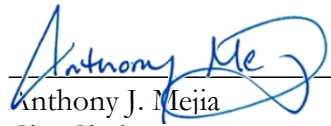
The basis on which the City Council made its decision were the requirements and criteria of Election Code 21130, including, in part, the following identified communities of interest:

1. The redrawn election district boundaries do not split neighborhoods (gated communities and HOAs).
2. District 2 is a highly compact district uniting the communities and neighborhoods in the southern region of the city and whose borders follow clear and major visible features (the freeway and the canal).
3. District 3 keeps residents bordering the Mid-Valley Channel together, as proximity to the channel (and flood-related issues) creates a number of shared geographic and policy concerns, including potential flooding and transportation impacts.
4. District 3 keeps residents bordering the future commuter rail infrastructure together.
5. District 5 places Portola Country Club and Desert Green 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.

6. The border of District 5 also follows clear visible boundaries: Gerald Ford Drive, Portola Avenue, and the boundary wall of the Portola Country Club mobile home community.
7. Map 109 balances future population growth between two districts, thus minimizing the potential population differences among the districts over time.
8. District 4 includes residents along Fred Waring Drive who share a community of interest due to traffic safety concerns, as Fred Waring Drive is a major commuter arterial. The high school is located in District 4, and there are traffic safety concerns as students walk or bicycle along Fred Waring Drive. The residents in the northeastern portion of District 4 have a shared transportation and public safety concern from the traffic impact of commuters cutting through their neighborhoods while trying to find alternative routes to slow traffic on Fred Waring.
9. District 4 residents bordering the oddly positioned territory of Indian Wells are a community of interest as they work together on issues such as traffic management and police, fire, planning and similar partnerships between Palm Desert and Indian Wells.

No identified neighborhoods, gated communities, or homeowner's associations are split into two or more districts. Portions of two school districts, Desert Sands Unified School District and Palm Springs Unified School District, overlap the city. The population of Desert Sands Unified School District requires it to be split into more than two districts. Proposals that would keep Palm Springs Unified School District in a single district were considered, but those proposals divided a number of the neighborhoods and communities of interest identified above. There were no other identified communities of interest that were split into two or more districts.

Submitted by:

  
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Anthony J. Mejia  
City Clerk

Approved by the Palm Desert City Council on \_\_\_\_\_, 2024.