TOWN OF WINDSOR
AGENDA REPORT

Town Council Meeting Date: March 16, 2022

To: Mayor and Town Council
From: Mark Linder, Interim Town Manager
Subject: Redistricting – Adoption of Ordinance Approving Proposed Council District Boundary Map

Recommendation to Council:
Hold second reading, by title only, and adopt an ordinance of the Town Council of the Town of Windsor, California amending Section 1-2-205 of Title I of the Windsor Municipal Code regarding by-district elections, adjusting the boundaries of Town Council Election Districts and confirming such revised Council District Boundaries, as reflected in the attached map.

Background/Discussion:
Every 10 years, cities with by-district election systems must use new census data to review and, if needed, redraw district lines to reflect how local populations have changed. Pursuant to Election Code section 21601, cities with by-district election systems are required to redraw their district boundary maps to ensure compliance with the California and Federal Voting Rights Acts. This redistricting process ensures all districts have a nearly equal population.

The Town Council held the first of four required public hearing on Monday, September 27, 2021. The second public hearing was held on Monday, October 25, 2021, and the third public hearing was held on January 24, 2022. On February 16, 2022, the Council opened and continued Public Hearing No. 4 to March 2, 2022. During the public hearings, a total of nine map options were reviewed and considered.

At the fourth public hearing on March 2nd, the Council selected Map Option 9, and introduced the Ordinance approving the final selection. Upon second reading, the Ordinance becomes effective immediately.

The recommended action to be taken by Town Council on March 16, 2022, to select the District Boundary Map designated as Map Option 9, complies with the legal criteria and order of priority established by California Elections Code Section 21621, as summarized below:

- Substantially equal population of residents in each district (10% or less of overall deviation) based on census data.
- Compliance with the Constitutions of the United States and California, and with the Federal Voting Rights Act ("FVRA"). These criteria are satisfied by developing districts that have substantially equal populations, are not designed with discriminatory intent, do not result in discriminatory effects, and are not designed with race as the predominant consideration.
- Geographically contiguous, to the extent practicable. A district is not contiguous if it includes areas that: (a) meet only at the point of adjoining corners, or (b) are separated by water and not connected by a bridge.

- Geographic integrity of any local neighborhood or local community of interest shall be respected in a manner that minimizes its division, to the extent practicable. A "community of interest" is a population that shares common social or economic interests that should be included within a single district for purposes of its effective and fair representation.
- Boundaries should be easily identifiable and understandable by residents. To the extent practicable, districts shall be bounded by natural and artificial barriers, by streets, or by the boundaries of the City.
- Districts shall be geographically compact in a manner that nearby areas of population are not bypassed in favor of more distant populations, to the extent practicable.

Additionally, as a point of emphasis, district boundaries must not be adopted for the purpose of favoring or discriminating against a political party.

Fiscal Impact:
There is no fiscal impact associated with the recommended action.

Environmental Review:
The recommended actions are exempt from the California Environmental Quality Act (Public Resources Code §§ 21000 et seq., "CEQA," and 14 Cal. Code Reg. §§ 15000 et seq., "CEQA Guidelines"). The actions do not constitute a project within the meaning of the CEQA Guidelines, Sections 15378 and 15061(b)(3), as they pertain to an organizational structure change that will not result in any direct or indirect physical change in the environment. Therefore, pursuant to CEQA Guidelines Section 15060(c)(2), CEQA analysis is not required.

Attachments:
1. Draft Maps and Demographic Analysis
2. Ordinance

Prepared by:
Stephanie Smith
Scott Smith
Special Counsel
Best, Best & Krieger LLP

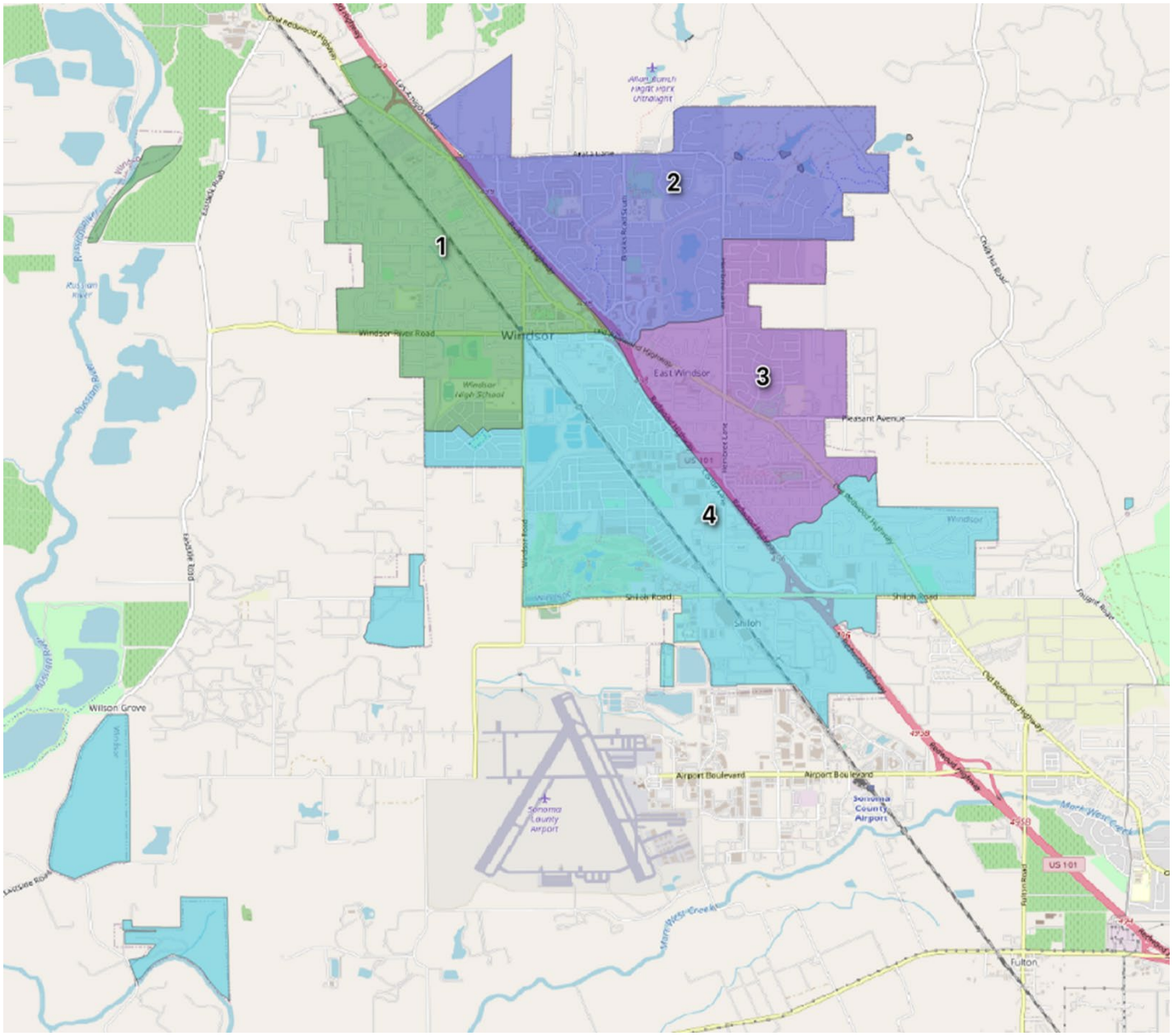
Reviewed by:
Irene Camacho-Werby
Town Clerk

Reviewed by:
Jose Sanchez
Town Attorney

Recommended by:
Mark Linder
Interim Town Manager

Proposed Map Options with Demographic Analysis for Town of Windsor

Map Option 1

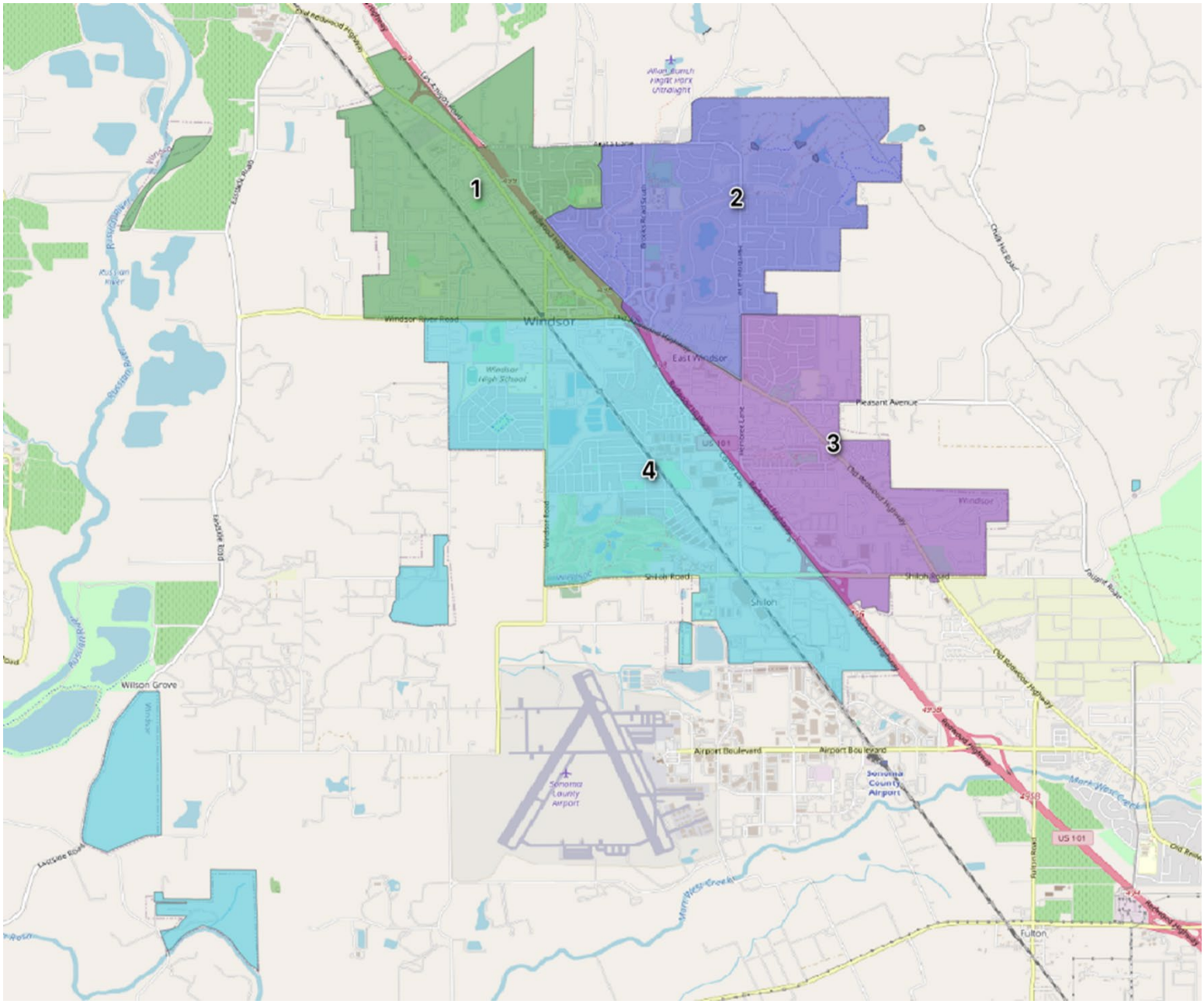


Map Option 1

Demographic Analysis

District	Total Population	Raw Deviation	% Deviation	Latino	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	6,590	-5	-0.07%	3,022	4,980	2,779	49	1,790	3,175	59	184	-	2
2	6,421	-174	-2.63%	1,590	4,605	3,450	62	829	3,788	48	79	-	78
3	6,739	145	2.19%	2,453	5,392	3,440	5	1,480	3,882	78	141	-	3
4	6,628	34	0.51%	1,843	4,151	3,019	56	701	3,467	56	205	56	13
Tot Pop	**26,378**			8,908	19,128	12,688	172	4,800	14,312	241	609	56	96
Ideal	**6,595**	**Deviation**	**4.82%**										
*CVAP =	Citizen Voting Age Population												
**NL =	Non-Latino												
***AIAN=	American Indian Alaskan Native												

Map Option 2

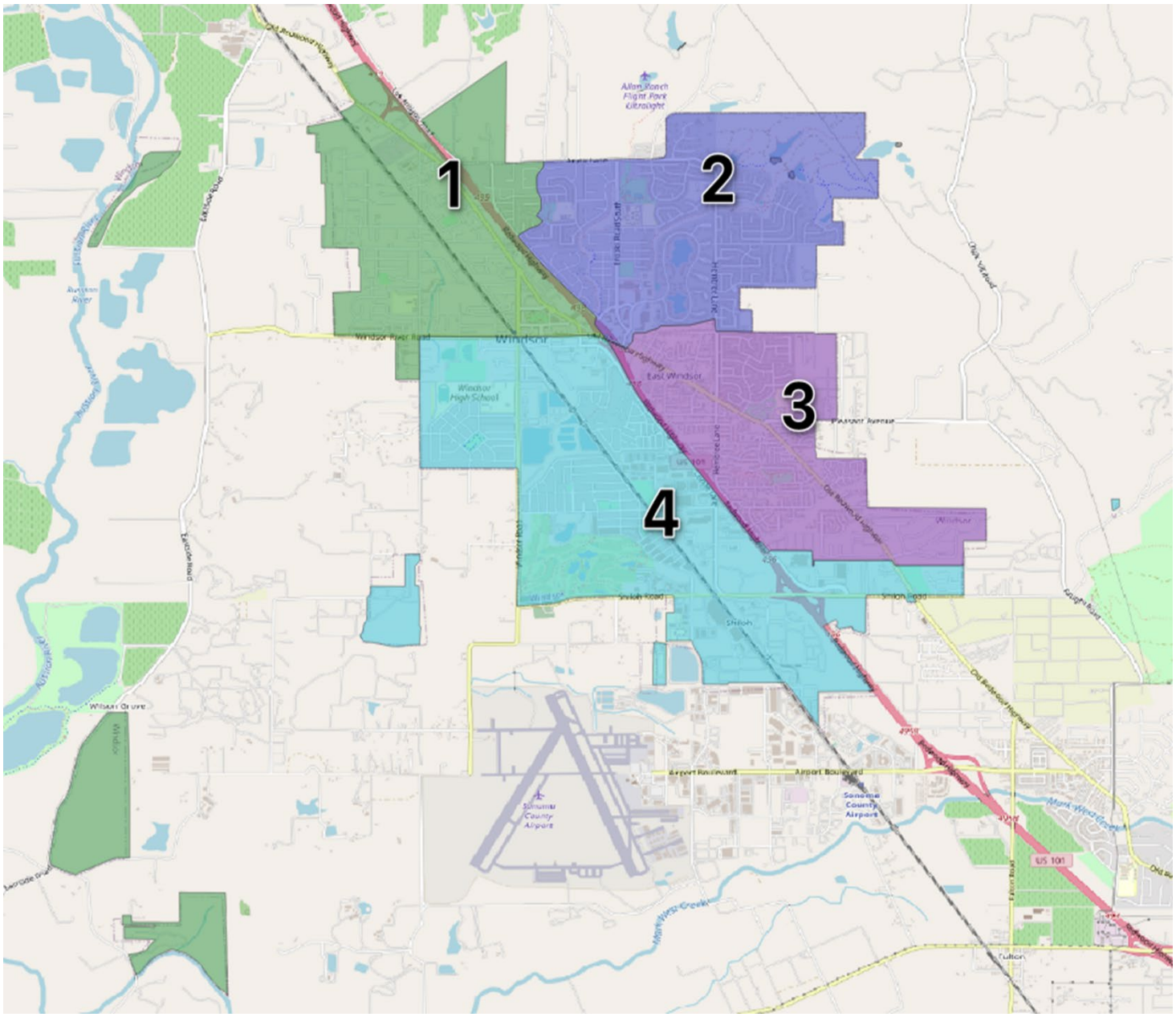

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Windsor
East Windsor
Windsor River Road
Windsor High School
Pleasant Avenue
Old Redwood Highway
Shiloh Road
Shiloh
Airport Boulevard
Sonoma County Airport
Wilson Grove
Fulton
US 101
Mark West Creek

Map Option 2

Demographic Analysis

District	nTotal Populatio	Raw Deviation	% Deviation	Latino	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	6,511	-84	-1.27%	3,008	4,962	2,768	37	1,825	3,135	57	155	-	22
2	6,835	241	3.65%	1,664	5,082	3,755	62	869	4,194	83	107	-	57
3	6,716	122	1.84%	2,372	4,983	3,351	5	1,250	3,731	27	99	56	2
4	6,316	-279	-4.22%	1,864	4,101	2,814	68	856	3,252	74	248	-	15
Tot Pop	26,378												
Ideal	6,595	**Deviation**	**7.87%**										
*CVAP =	Citizen Voting Age Population												
** NL =	Non-Latino												
***AIAN =	American Indian Alaskan Native												

Map Option 3

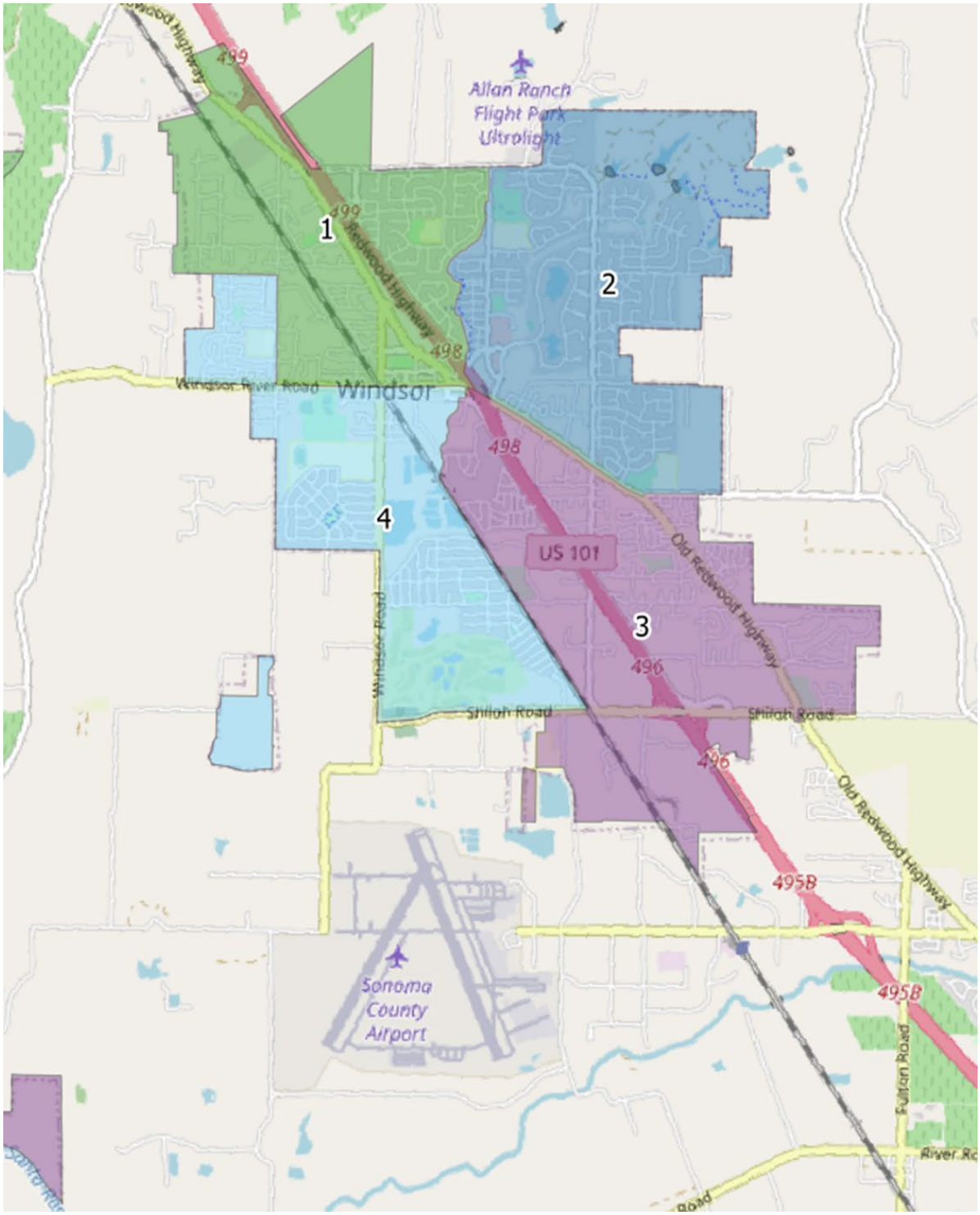

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Windsor
Windsor High School
East Windsor
Airport Boulevard
Sonoma County Airport
US 101

Map Option 3

Demographic Analysis

District	Total Population	Raw Deviation	% Deviation	Latino	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	6,368	-227	-3.43%	3,003	4,840	2,604	37	1,849	2,993	76	154	-	17
2	6,466	-129	-1.95%	1,380	4,760	3,705	62	682	4,082	47	103	-	61
3	6,980	386	5.85%	2,547	5,370	3,500	5	1,438	3,923	63	104	56	3
4	6,564	-31	-0.46%	1,978	4,158	2,879	68	831	3,314	55	248	-	15
Tot Pop	26,378												
Ideal	6,595	**Deviation**	**9.28%**										
*CVAP =	Citizen Voting Age Population												
**NL =	Non-Latino												
***AIAN =	Amerian Indian Alaskan Native												

Map Option 4

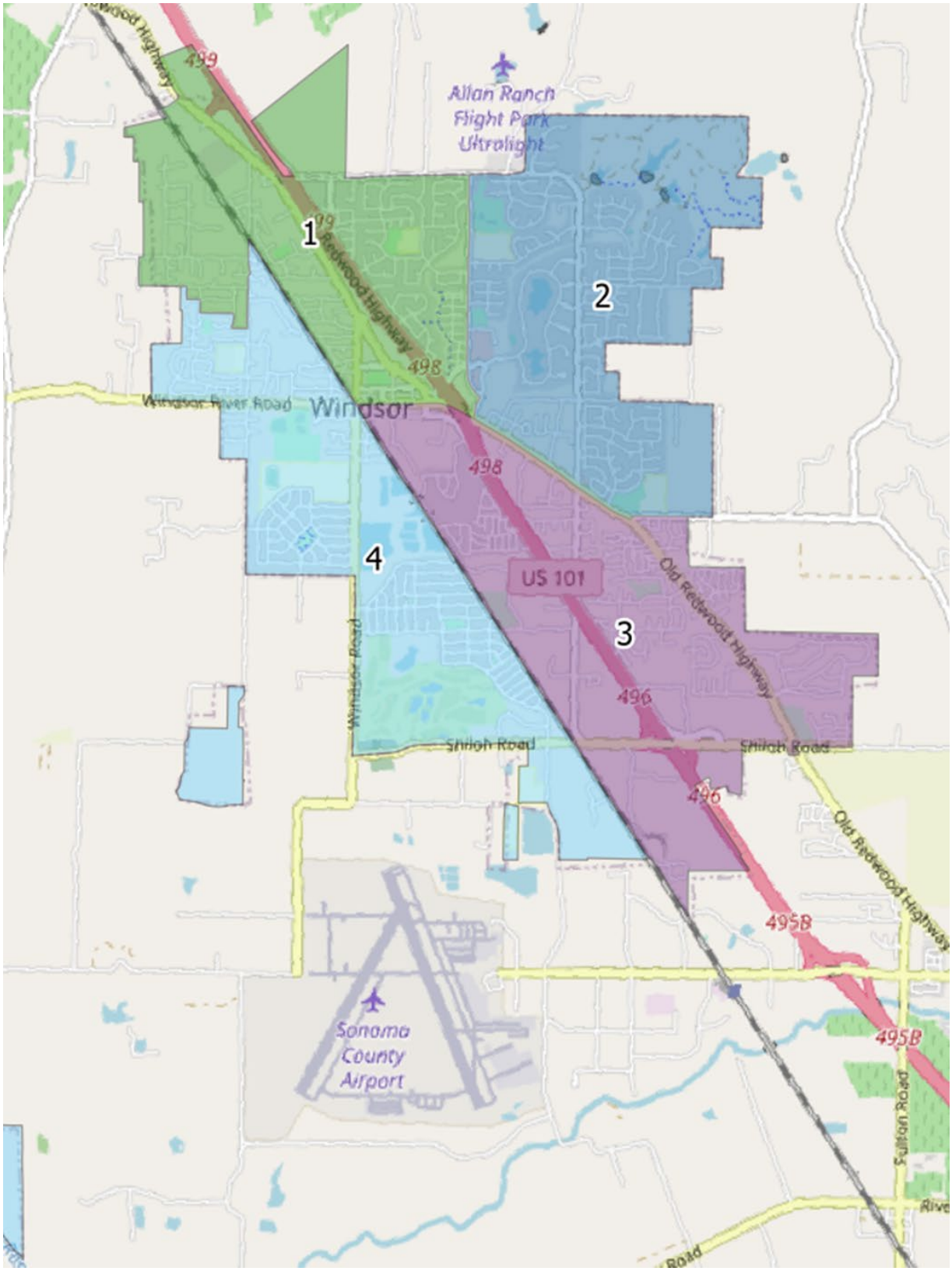

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Windsor
Windsor River Road
Shiloh Road
Shiloh Road
Windsor Road
US 101
Old Redwood Highway
Old Redwood Highway
Redwood Highway
Redwood Highway
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496
496
495B
495B
Allan Ranch
Flight Park
Ultralight
Sonoma
County
Airport
Fulton Road

Map Option 4

Demographic Analysis

District	Total Population	Raw Deviation	% Population	Latino	CVAP19 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	6,744	150	2.27%	2,831	4,967	2,898	30	1,731	3,245	43	59	-	50
2	6,715	121	1.83%	1,580	5,142	3,885	66	826	4,316	108	114	-	30
3	6,324	-271	-4.10%	2,257	4,632	3,097	8	1,158	3,476	38	90	56	1
4	6,595	1	0.01%	2,240	4,387	2,808	68	1,085	3,275	52	346	-	15
Total	26,378												
Ideal	6,595	Deviation	6.37%										

Map Option 5

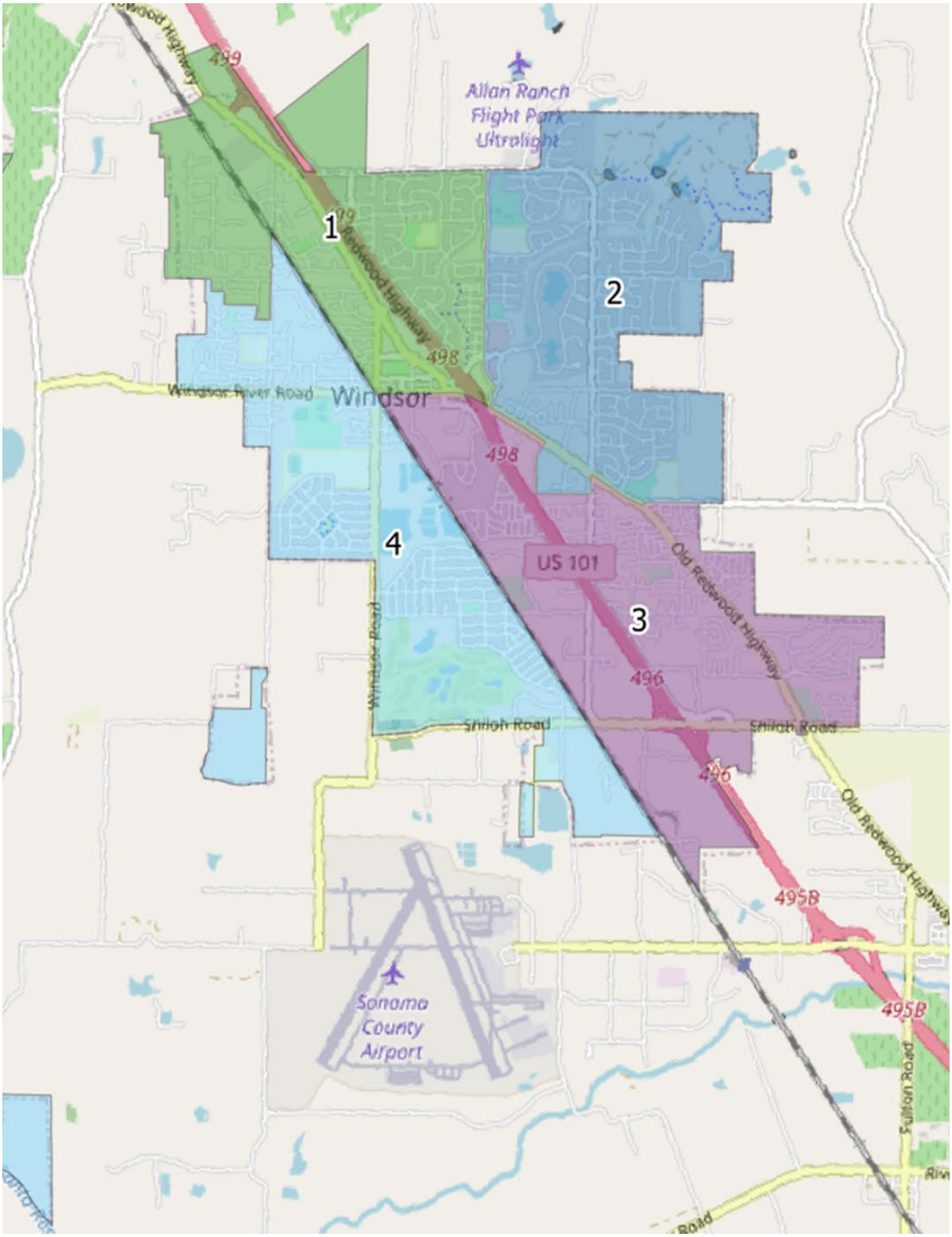

Allan Ranch
Flight Park
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Windsor River Road
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US 101
Old Redwood Highway
Windsor Road
Shiloh Road
496
495B
Sonoma
County
Airport
Fulton Road

Map Option 5

Demographic Analysis

District	Total Population	Raw Deviation	% Population	Latino	CVAP19 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	6,459	-136	-2.05%	2,541	4,399	2,765	30	1,245	3,130	45	65	-	60
2	6,254	-341	-5.16%	1,493	4,755	3,529	66	799	3,946	108	113	-	20
3	6,749	155	2.34%	2,388	4,959	3,311	11	1,220	3,735	57	120	56	2
4	6,916	322	4.88%	2,486	5,015	3,083	65	1,536	3,501	31	311	-	14
Total	26,378												
Ideal	6,595	Deviation	10.04%										

Map Option 6

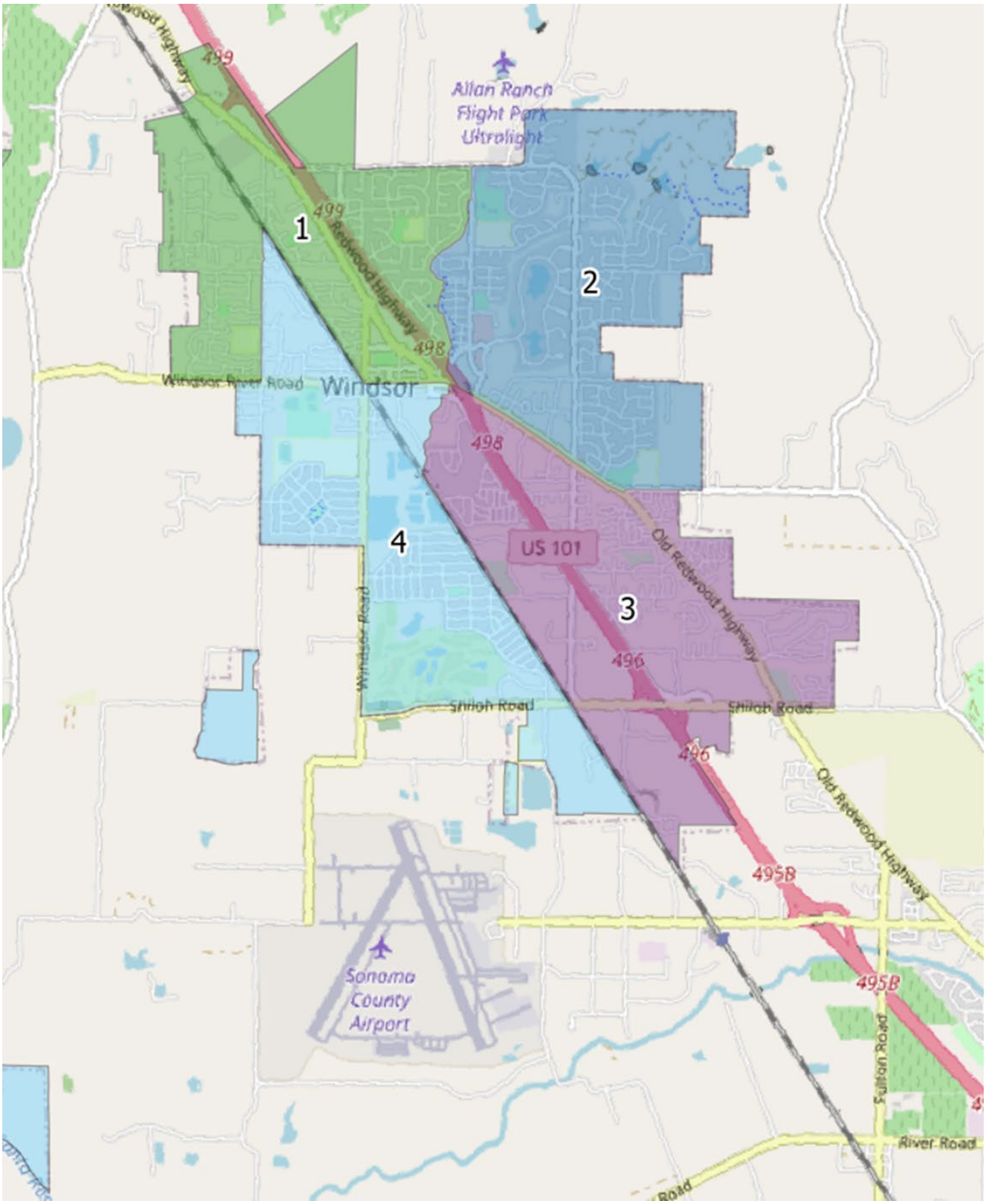

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Windsor
Windsor River Road
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US 101
Old Redwood Highway
Shiloh Road
Windsor Road
Sonoma
County
Airport
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495B

Map Option 6

Demographic Analysis

District	Total Population	Raw Deviation	% Population	Latino	CVAP19 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	6,459	-136	-2.05%	2,541	4,399	2,765	30	1,245	3,130	45	65	-	60
2	6,450	-145	-2.19%	1,582	4,917	3,624	66	869	4,035	108	113	-	20
3	6,553	-42	-0.63%	2,299	4,797	3,216	11	1,150	3,646	57	120	56	2
4	6,916	322	4.88%	2,486	5,015	3,083	65	1,536	3,501	31	311	-	14
Total	26,378				19,128	12,688	172	4,800	14,312	241	609	56	96
Ideal	6,595	Deviation	7.07%										

Map Option 7

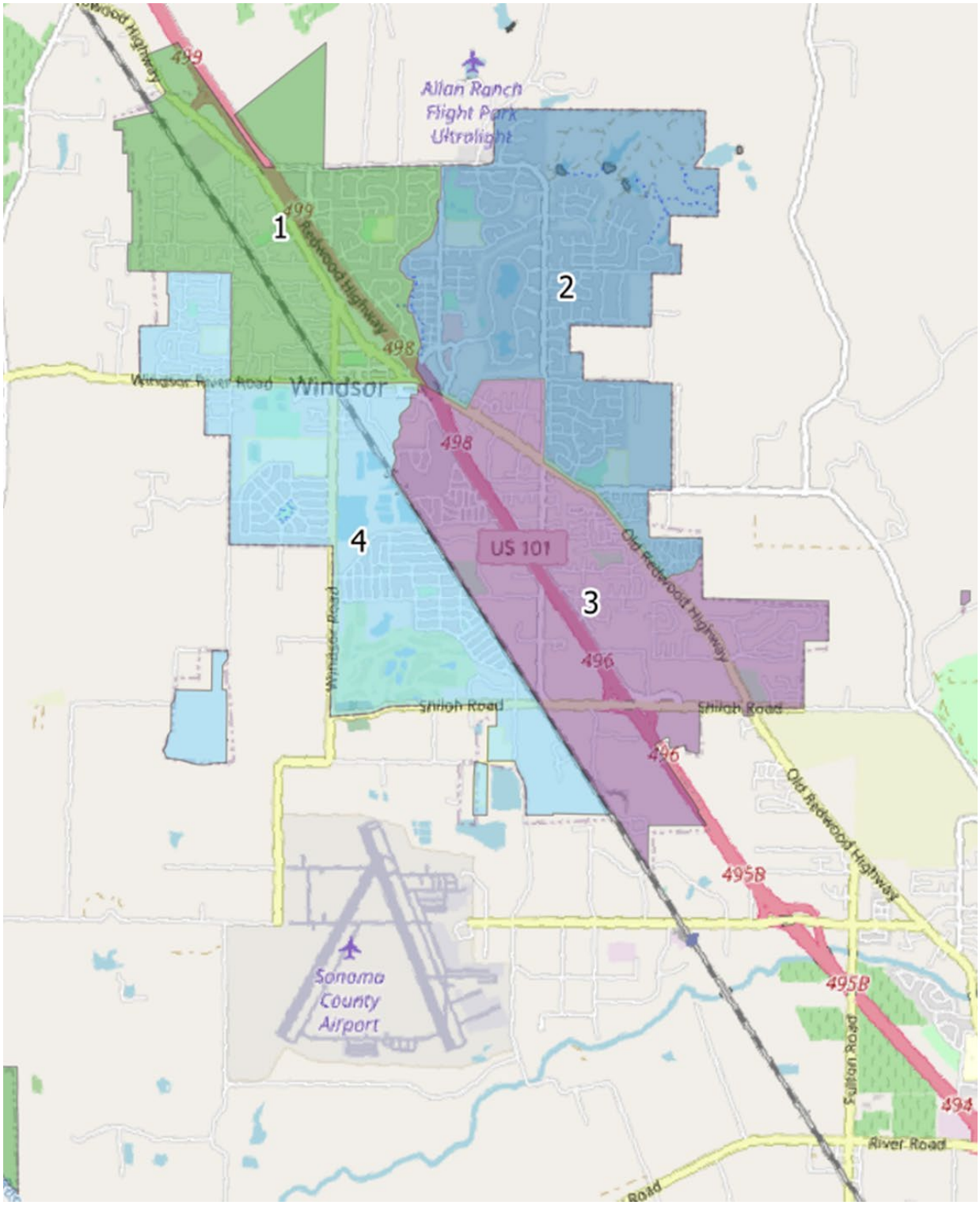

Allan Ranch
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Shiloh Road
Shiloh Road
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Old Redwood Highway
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Sonoma
County
Airport
495B
River Road
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Map Option 7

Demographic Analysis

District	Total Population	Raw Deviation	% Population	Latino	CVAP19 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	6,929	335	5.07%	2,801	4,753	2,909	37	1,396	3,345	57	176	-	50
2	6,715	121	1.83%	1,580	5,142	3,885	66	826	4,316	108	114	-	30
3	6,313	-282	-4.27%	2,251	4,626	3,095	8	1,158	3,471	38	90	56	1
4	6,421	-174	-2.63%	2,276	4,607	2,799	61	1,420	3,180	38	229	-	15
Total	26,378												
Ideal	6,595	Deviation	9.34%										

Map Option 8

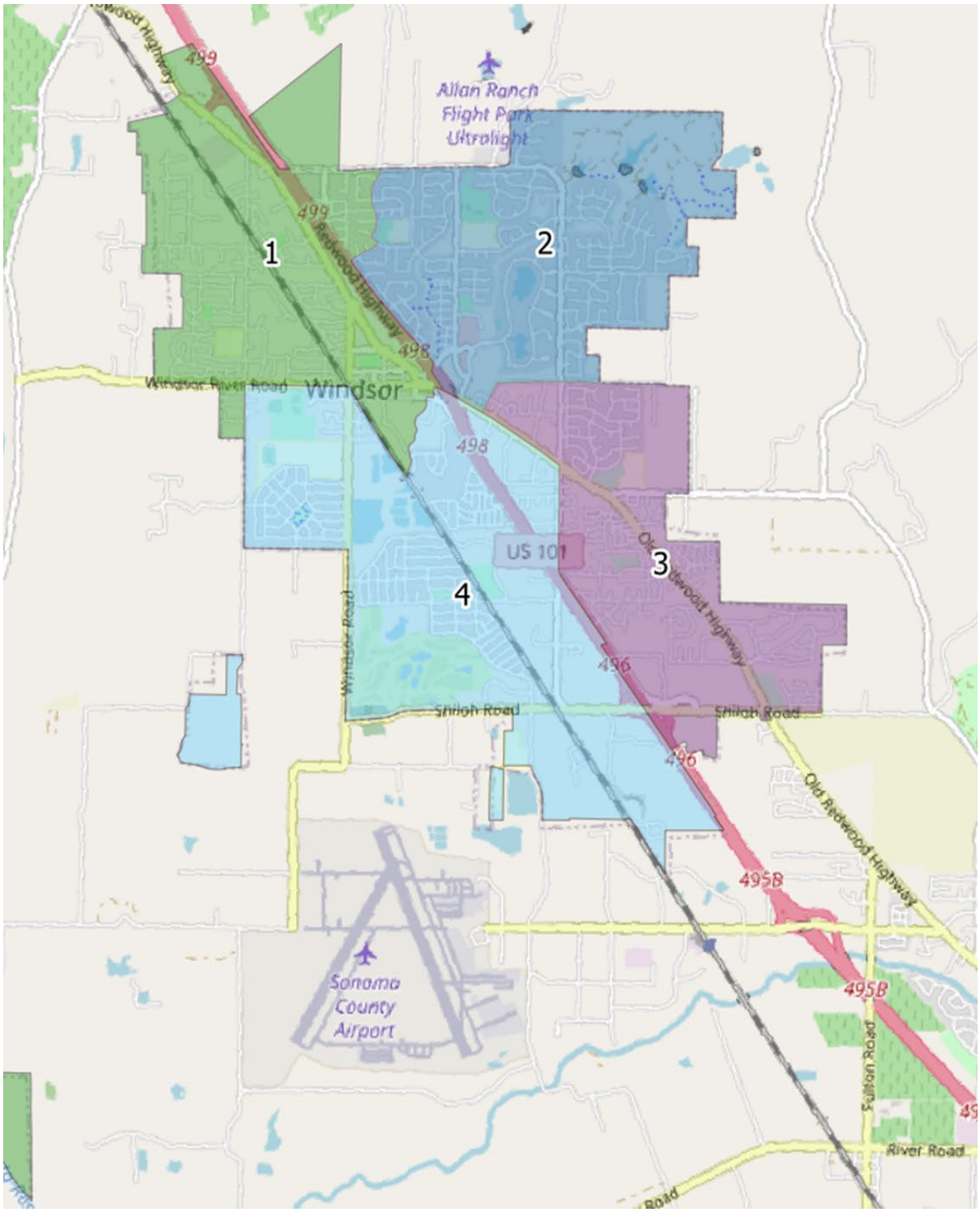

Allan Ranch
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Windsor River Road
US 101
Old Redwood Highway
Windsor Road
Shiloh Road
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495B
Sonoma
County
Airport
River Road
494

Map Option 8

Demographic Analysis

District	Total Population	Raw Deviation	% Population	Latino	CVAP19 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	6,754	160	2.42%	2,837	4,972	2,899	30	1,731	3,249	43	59	-	50
2	6,624	30	0.45%	1,395	4,949	3,932	66	672	4,311	72	128	-	30
3	6,404	-191	-2.89%	2,436	4,819	3,048	8	1,312	3,476	74	76	56	1
4	6,596	2	0.02%	2,240	4,388	2,809	68	1,085	3,276	52	346	-	15
Total	26,378												
Ideal	6,595	Deviation	5.31%										

Map Option 9

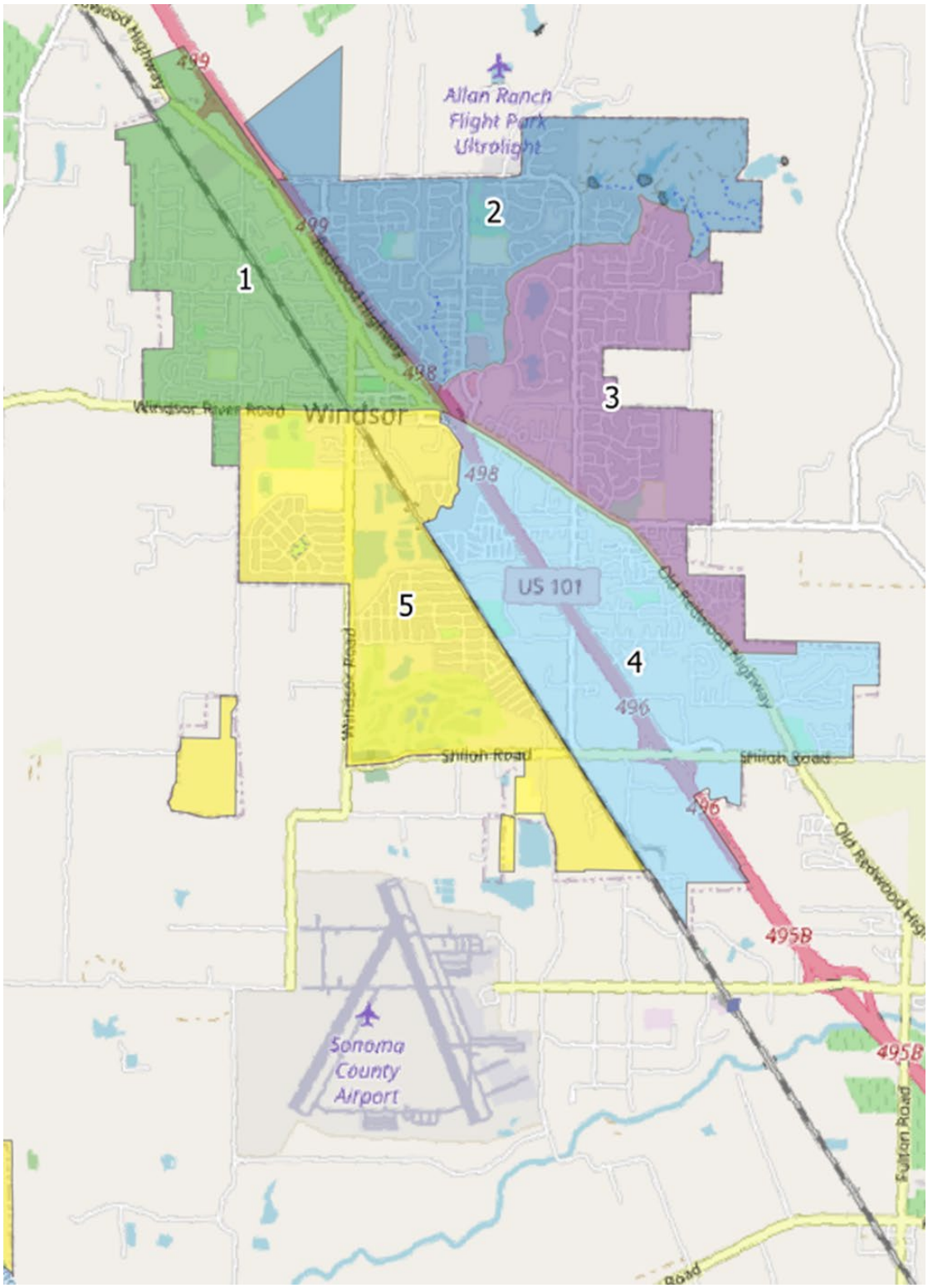

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Allan Ranch Flight Park Ultralight
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Windsor River Road
US 101
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Windsor Road
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Redwood Highway
Sonoma County Airport
Fulton Road
River Road
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Map Option 9

Demographic Analysis

District	Total Population	Raw Deviation	% Population	Latino	CVAP19 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	6,804	210	3.18%	3,140	5,173	2,820	40	1,911	3,257	95	184	-	18
2	6,608	14	0.20%	1,445	4,854	3,754	62	707	4,141	47	103	-	62
3	6,367	-228	-3.45%	2,155	4,788	3,291	5	1,047	3,720	62	94	56	1
4	6,599	5	0.07%	2,168	4,313	2,823	65	1,135	3,194	37	228	-	15
Total	26,378												
Ideal	6,595	Deviation	6.63%										

Five District Plan



Five District Plan

Demographic Analysis

District	Total Population	Raw Deviation	% Population	Latino	CVAP19 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	5,450	174	3.31%	2,610	4,296	2,362	37	1,603	2,689	59	140	-	-
2	5,082	-194	-3.67%	1,387	3,601	2,610	-	732	2,854	29	57	-	71
3	5,086	-190	-3.59%	1,273	3,861	2,836	66	672	3,200	96	112	56	9
4	5,452	176	3.34%	2,022	4,049	2,629	4	1,073	2,970	32	64	-	1
5	5,308	32	0.61%	1,616	3,321	2,251	65	720	2,599	25	236	-	15
Total	26,378												
Ideal	5,276	Deviation	7.01%										

ORDINANCE NO.

AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF WINDSOR, CALIFORNIA AMENDING SECTION 1-2-205 OF TITLE I OF THE WINDSOR MUNICIPAL CODE REGARDING BY-DISTRICT ELECTIONS, ADJUSTING THE BOUNDARIES OF TOWN COUNCIL ELECTION DISTRICTS AND CONFIRMING SUCH REVISED COUNCIL DISTRICT BOUNDARIES, AS REFLECTED IN THE ATTACHED MAP

WHEREAS, the United States Census Bureau is required by Article I, Section 2, of the United States Constitution to conduct an accurate count of the population every ten years; and

WHEREAS, California Elections Code Section 21601 requires that following each decennial federal census, and using that census as a basis, the Council shall, by ordinance or resolution, adjust the boundaries of any or all of the Town's Council election districts to be substantially equal in population as required by the United States Constitution, California Constitution, and the Federal Voting Rights Act. In establishing the boundaries of the districts the Council must give consideration to the following factors in the following priority: (a) contiguity of districts, (b) communities of interest, (c) easy identification of districts through use of natural or artificial boundaries and (d) district compactness; and

WHEREAS, California Elections Code Section 21602 requires that the Council adopt an ordinance establishing Council districts by April 17, 2022; and

WHEREAS, on September 27, 2021, the Census Bureau sent 2020 Census data to the State of California with an official population estimate of 26,378 residents for the Town of Windsor; and

WHEREAS, the Town Council of the Town of Windsor ("Town Council") held four public hearings on September 27, 2021, October 25, 2021, January 24, 2022, and March 2, 2022, where the Council received briefings from the Town's demographic consultant relating to the redistricting process and state and federal redistricting criteria, including the California Elections Code, the Federal Voting Rights Act and the United States Constitution, heard public testimony, and directed staff and the Town's demographic consultant to prepare draft Council district maps for consideration; and

WHEREAS, in addition, Town staff conducted public outreach by way of print and digital advertisements, which led to public hearings with public comment on redistricting criteria and communities of interest; and

WHEREAS, at the January 24, 2022 and March 2, 2022 public hearings, the Council received a presentation of several draft maps prepared by the Town's demographic consultant for compliance with applicable laws and standards and reviewed additional maps submitted by the public; and

WHEREAS, at the March 2, 2022, public hearing, the Town Council agreed on Map Option No. 9, designating it as the preferred map and directed that it be presented to the Council for adoption by Ordinance; and

WHEREAS, at each of the public hearings on redistricting, the Council heard testimony relating to "communities of interest," which led the Council to reach the following determinations about communities of interest on the preferred map, as required under federal and state law:

(1) The election districts are geographically contiguous. The districts are arrayed in a simple and logical form without any islands and with minimal intrusions from the area of one district into another;

(2) To the extent practicable, the preferred map respects the geographic integrity of local neighborhoods and local communities of interest. The Council heard testimony about what constitutes communities of interest in the public's view.

(3) The election districts are easily identifiable and understandable by residents. The districts in the preferred map form a relatively simple pattern.

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

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

(6) Although the above criteria could not be met within any election district with a minority-majority district (i.e., a voting district where one distinct minority population is the majority population), the election districts do represent where possible an aggregation in single districts of substantial minority population blocs to enhance the potency of that minority voting voice; and

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

NOW, THEREFORE, THE TOWN COUNCIL OF THE TOWN OF WINDSOR DOES ORDAIN AS FOLLOWS:

SECTION 1. This Ordinance is adopted following four noticed Town Council public hearings as required by California Elections Code section 21607.1.

SECTION 2. Section 1-2-205 (District-Based Electoral System Requirements) of Chapter 2 (Mayor and Town Council) of Title I (General Provisions) of the Windsor Municipal Code is hereby amended as provided in attached Exhibit A.

SECTION 3. Town Council elections shall continue to be conducted "by districts" in four districts as set forth in Exhibit A, with a Mayor separately elected at-large. The term "by district" shall mean election of members of the legislative body by voters of the district alone, as provided in Government Code § 34871(d).

SECTION 4. All ordinances and resolutions, or parts thereof in conflict with this Ordinance are hereby repealed.

SECTION 5. The Town Manager is directed to take all necessary steps to give effect to this Ordinance. If necessary, to facilitate the implementation of this Ordinance, the Town Manager or his or her designee is authorized to make technical adjustments to the election district boundaries that do not substantively affect the populations in the districts, the eligibility of candidates, or the residence of elected officials within any district. The Town Manager shall consult with the Town Attorney concerning any technical adjustments deemed necessary and shall advise the Town Council of any such adjustments required in the implementation of the districts.

SECTION 6. The Town Clerk is hereby directed to provide a certified copy of this Ordinance to the Sonoma County Registrar of Voters for use in subsequent Windsor Town Council Elections.

SECTION 7. Compliance with California Environmental Quality Act. This activity is exempt from environmental review under the California Environmental Quality Act ("CEQA") (Pub. Resources Code, § 21000 et seq.) pursuant to State CEQA Guidelines, (Cal. Code Regs., tit. 14, § 15000 et seq.) §§ 15061(b)(3), 15320, and 15378(b)(3). The redistricting process is an organizational and administrative activity of the Town, does not have the potential to result in either a direct or reasonably foreseeable indirect physical change in the environment, and is therefore not a project for purposes of CEQA. (State CEQA Guidelines, §§ 15061(b)(3); 15378(b)(5).) In the event the transition process does constitute a project, it is categorically exempt under the Class 20 (Changes in the Organization of Local Governments) categorical exemption. (State CEQA Guidelines, § 15320.) None of the exceptions to the exemptions found in State CEQA Guidelines, § 15300.2 apply.

SECTION 8. Severability. If any section, subsection, subdivision, sentence, or clause or phrase in this Ordinance or any part thereof is for any reason held to be unconstitutional, invalid or ineffective by any court of competent jurisdiction, such decision shall not affect the validity or effectiveness of the remaining portions of this Ordinance or any part thereof. The Town Council hereby declares that it would have adopted each section irrespective of the fact that any one or more subsections, subdivisions, sentences, clauses, or phrases are declared unconstitutional, invalid, or ineffective.

SECTION 9. Effective Date. This Ordinance shall become effective immediately upon its adoption.

SECTION 10. Publication. The Town Clerk shall certify to the adoption of this Ordinance and cause it, or a summary of it, to be published in a newspaper of general circulation printed and published within the Town of Windsor, pursuant to all legal requirements.

PASSED, APPROVED AND ADOPTED this 16th day of March 2022, by the following vote:

AYES:
NOES:
ABSTAIN:
ABSENT:

_____
SAM SALMON, MAYOR

ATTEST:

_____
IRENE WERBY-CAMACHO, TOWN CLERK

Attachment:

- **Exhibit A** - Amendment to Section 1-2-205

I, Irene Camacho-Werby, Town Clerk of the Town of Windsor, California, do hereby certify that the foregoing Ordinance was introduced at a regular meeting of the Town Council of the Town of Windsor held on the ____ day of _____, 2022, and was adopted at a regular meeting of the Town Council of the Town of Windsor on the ____ day of _____, 2022.

ATTEST: _____
Irene Camacho-Werby, Town Clerk

EXHIBIT A

Amendment to Section 1-2-205

Section 1-2-205 (District-Based Electoral System Requirements) of Chapter 2 (Mayor and Town Council) of Title I (General Provisions) of the Windsor Municipal Code is hereby amended as follows:

"§ 1-2-205 DISTRICT-BASED ELECTORAL SYSTEM REQUIREMENTS.

a. Members of the Town Council shall be elected on a district-based electoral system, as defined in Section 1-2-200, from the four (4) Town Council districts as illustrated in Figure 1-2-200(A).

[MAP TO BE PROVIDED HERE]