MARIPOSA COUNTY 2021 REDISTRICTING PROCEEDINGS
PUBLIC HEARING #5

[TRANSCRIPT – NOVEMBER 2, 2021, MARIPOSA COUNTY BOARD OF SUPERVISORS MEETING]

[AGENDA ITEM K.1 TITLED:
CONDUCT PUBLIC HEARING #5 to Review Existing District Boundaries; Review State
Redistricting Criteria; Receive and Consider Input Regarding Draft Map Proposals for County
Supervisorsial Districts; and Select a Final Map Version]

2:00:00 PM – PUBLIC HEARING OPENED

<BEGIN TRANSCRIPT>

MARBALL LONG:
Thank you, Deputy Clerk of the Board. I will reconvene this meeting of the Mariposa County Board of
Supervisors. Our next item is a public hearing, uh, to conduct public hearing number five to review
existing district boundaries, review state redistricting criteria, receive and consider input regarding draft
map proposals for the county supervisorsial districts, and then select a final map version. And I will open
the public hearing, start with a presentation from our illustrious Clerk of the Board.

RENÉ LaROCHE:
Thank you, Chair, René LaRoche, Clerk of the Board. As you noted, this is the fifth, and it is the final
public hearing, uh, to consider, uh, the maps and this redistricting process. Uh, this also the second of,
uh, public hearings to consider the draft maps, and both of those are legal marks that we need to meet.
Um, I, I guess I should ask the Board how much, how much detail are we going to want here? Do you
want me to a little bit? Okay, the Chair is shaking his head, and since I see the same people here who
were here last night, I'm going to do maybe a little higher level and it's, um, we'll go through it maybe a
little bit faster - at least my portion of it. This is the, uh, redistricting process. It is mandated and it's
heavily mandated for, uh, under the laws it's actually known as reapportionment, and what the
reapportionment is, is to reapportion the numbers of people so that each elected official is representing
about the same number of people.

And that hearkens back to the one voice one vote concept. That is guaranteed under the United States
constitution. And then layering on top of that, we have California laws, which mandate a certain process
that we must go through, in addition to certain criteria. So one of the questions last night, or one of the
observations, was that there seemed to be a conflict between this criteria of having to use the census
data, but also having to use the community of interests. Using the census data is strictly federal. That's
in the US constitution. The rest of that, like I say, it's layered on in the California, and that's not in every
state. So there are five states that use a community of interest, and there are seven other states that
they have it in their state, constitutions, excuse me, and then there are seven other states that have
laws for it.

So in total, we're only talking about 12 states that use the community of interest process. So, maybe
that helps clarify why there seem to have been some conflicts between them - because we're talking
about the differences between federal law, which requires a census, and then California, who, which is
layering on, um, I would say more of a consideration for the populace. So, um, as I noted, this is also
known as a reapportionment, or is known as reapportionment. We call it redistricting. It's required on both of those levels. Um, but it's important to remember that, especially with a county like Mariposa, where we have these large tracks of land that have few to no people on them, that the process is about the people it's not about the area. Uh, in fact, uh, if you look at the attachment, the 2020 us census blocks map, it shows that 44% of Mariposa County has no population.

And I bring that up repeatedly because that was a concern early on that people had. They were misidentifying the purpose as being dividing up the land when it's not that at all. It's, it's, reapportioning the numbers of people so that each elected representative is, uh, voicing concerns for about the same number of people. And I can give you a great example. If we had a city council with three people, and one of those city councilmen had one constituent and the others had a thousand constituents, that one constituent would have a one-third vote on that dais, and so that's why everything needs to be balanced, so that each of you has... are speaking for approximately the same number of people. We've been undergoing this process since May of this year 2021, and since that time, we've put a lot of time into, uh, public engagement.

We've had, um, ads with a newspaper we've done editorials, we've had public service announcements running on the radio. All of that was to try to garner in the community of interest, um, data that we were seeking to get some worksheets and some responses. Um, we finally closed that a couple of weeks ago. Uh, the, the census data was late this year. It's well-publicized, um, it did not come out until August. However, the data we have to use is in the state redistricting database, and that took another month beyond. So we didn't get the data that we needed until September. And then we had a mandatory waiting period of three weeks before we could publish any draft maps. And so our draft maps, uh, were not published until October 13th, which was one day later than we could have legally, but we wanted to make sure that it had all the formatting labels and, um, other identifying features on there so that people could look at that and understand what was being presented.

So, uh, we had four maps that we put out. Those four maps were considered last night. Um, Sarah is going to go a little later into what happened with those four maps, but for this, for this moment, I'm just going finish going over, um, this administrative portion of it, uh, the administrative back end of this process.

Um, again, I pointed out that the data comes entirely from the census. We can't use any other data than that. And the way the census data is released, it comes out in two basic shapes, census blocks, which are the smallest things. And then the census designated places, which are where the population clusters exist. And census designated places are usually, uh, usually contain multiple census blocks. So you have the larger unit, which is the CDP, the census designated blocks, or the census designated places. And then the smaller units, which are the census blocks. When we are remapping, or we are reapportioning, we have to use that and we have to pull, basically, a census block into a district. It can't be split because there is a population number that's attached to that census block, and it doesn't matter how large that block is or how small it is - and we have seen both in this map, uh, huge tracts and small tracts. That entire thing has to be contained within a district because that's where the population number is. So when the census data was released, um, staff... and it's noted as staff, identified as staff here, but this was Ben Ogren, our senior GIS specialist, and I can't give him high enough, uh, kudos or accolades because he's been living with this for quite a while. Um, and he's had to deal with me, which is not an easy task either. Um, but he immediately identified that we had three new CDPs. We had Mount Bullion, Yosemite West, and Crane Creek, which we normally know as Foresta.

Um, obviously if we have just put in some new census designated places, then something elsewhere had to be adjusted. And that in fact was the case, that the census blocks were changed in size and in shape. Um, I also want to point out, we had testimony last night from, uh, Paul Brickett, who noted for us that
in 2011, the, there were 1900 census blocks and this time there's 1100. So, um, obviously there had to be some great changes there. Um, so in considering the data, the first thing we had to try to figure out was where to start with this process. And Ben did a table and you have that attached, this is 2020 CDP Changed - Sorted by District that showed that the District One CDPs had lost the most population. That was followed by the District Four CDPs and then to a lesser degree, the District Five, while Districts Three and Two showed increases in population.

Um, and then another change that was immediately identified was that the Census Bureau had downsized District One CDP area pretty significantly. Again, the process is not about the area it's about the people, but all that did was help to identify District One is being the starting point of this process. And so from there, it was kind of a matter of looking at the data and then looking at our community of interest input that we did receive, which helped to identify a core area for Yosemite or for District One that went from El Portal to Yosemite and Wawona. And so that was basically the start of it all and then we just kind of started going from there. There is an in-depth analysis of how we came to that conclusion with the community of interests responses, and rather than go into all that, and we'll just say that, um, there was a pretty firm support for that, not as much for Fish Camp.

And so then the only other, uh, community of interest response that we received was on June 8th, at the public hearing, and that was verbal testimony of including the areas of Monte Vista and Vista Lago with Lushmeadows, and I think we've actually picked that up with this new draft modification. So as the Board is aware, last night, we had a pretty in-depth session. Uh, we basically sat here, we took the public testimony that we had received. We received quite a bit about Midpines of, uh, there was not moving Midpines and, uh, having it split between Districts Two and District Three. And so in a live session, the Board actually, um, played with the maps until we got something that seemed to be satisfying everyone. Since last night, we have three, we received three emails. One of them was from a Ponderosa Basin resident that, um, chose Option Three. Uh, we had a repeat, someone sent something that they, again, that they had sent yesterday. And, um, and then we had another, uh, on the Midpines issue, which clearly they hadn't gotten the word about the changes yet. So with that, I'm going to stop there and then leave the rest to Sarah. She's going to not only go over what we've already got in the staff report, but then also go over the changes that were, uh, modifications that were proposed last night. So thank you Chair.

MARSHALL LONG:
Thank you, René. Sarah?

SARAH WILLIAMS:
Thank you, Reneé. And good afternoon. The information that I'm going to review again with the Board and the public here relate to the boundary criteria that we had to follow when we were establishing the four options. And when the Board was working last night to identify a fifth option, these criteria are established by state law and they are in ranked order. So that means the criteria one, two, and three hold a greater weight than criteria six, seven, and eight. If there is a conflict as you're working through the maps and and juggling the boundaries, the higher priority must be given to the criteria that's higher up on the list. So the first criteria is that there shall be five districts. The second criteria is that each of these five districts must have substantially equal numbers of people in each district. Criteria Three, districts must be geographically contiguous. Four, districts must respect the geographic integrity of any local neighborhood or local communities of interest in a way that minimizes their division.

Five, districts must minimize the division of census designated places and a census designated place, or we'll refer to it today as a CDP. Those are areas of population concentration. We don't have any
incorporated cities and so that's the census Bureau's equivalent for us for a city. It's a town or a community. Criteria six, districts need to have easily identifiable boundaries. They could be natural boundaries or artificial boundaries, a street, a drainage. Those are established somewhat for us because we have to use these census blocks as our building blocks for the boundaries of the proposed options and the proposed districts. Seven, districts must be geographically compact, and that's a little difficult for us based on the size of our county and the fact that many of our census blocks are not populated at all. So we work again, that's, that's Seven, that's second to the last of importance relative to the criteria. And the final criteria is that supervisorial districts cannot be adopted for the purpose of favoring or discriminating against a political party or political, uh, supervisor. So I'm going, I'm going to turn, turn this over now to, to Ben. And he's going to give a summary of the process, but also talk a little bit about this option five that we developed, uh, based on the discussion, the public input that we heard last night.

MARSHALL LONG:

Thank you, Sarah. Ben? Please.

BEN OGREN:

Good afternoon, Board. Uh, I will go over a little bit about what I talked about last night and get into some details about how this process worked out, um, from the G.I.S. side. Um, and I apologize. I listened to myself last night and I've realized, I say “um” a lot. So my goal is to not say that as much today. Okay.

MARSHALL LONG:

Now you’re going to say okay.

*laughter*

BEN OGREN:

So this is a map we have put together. It will show all the different options. We can go click on and off. And this is just basic G.I.S. maps, uh, with the purple being current district boundaries, and these dotted lines are the CDPs that Sarah and René mentioned. We have, uh, the new Crane Creek, aka Foresta Yosemite West, and then also, uh, one for Mount Bullion. So to get to these options that look like the maps you all have picked up, we have, uh, the software where we load in the census blocks. And, you can see I've, I've had a lot of options throughout this process. But, this is option five that we got through last night. And the way we did that is when you zoom in, you can start to see these census blocks. And down below you see the table with the population numbers in this first column. The deviation. So, for the folks that weren't here last night, the population of Mariposa County, 17,094 divided by five is 3,419. So in a perfect world, each district would have 3,419 folks. We are allowed a maximum deviation of 6%, which is 205 people. And just to clarify, that deviation is the range from the lowest number to the highest number. So it's not, you'll see these deviations of 97, -5, -63, and so forth. It's the range between, in this case, -63 and 97, which is below 205. And then the same goes for their percentages. No percentage will ever be 6. Well, they could be, but it would fail the integrity test, which we looked at last night.

So, to add or subtract populations from these districts, what I do is I can... I'll just make an example of district three, moving into this census block. So if I click it, it'll turn, it'll turn purple. And, let me just, I think that was enough to not pass our integrity test. So then every time I make a change, I run this integrity test and hopefully, well, this one actually worked. If it didn't, we would see some red X's and we saw a lot of red X's last night. Um, but I'll, I'll, I'll fail it if I just do a couple things wrong. This will be an
island, and islands are not allowed. Geographic con- continuous is important. Well, um, I'm not getting the population, but you get the point. So this failed the connectivity test and you can click it and then it'll show you where you made the mistake. So I will just back out of this because we want this version.

Yesterday, we had a lot of discussion about changing this troubled polygon, this census block here, which is census block 1000, and it has a population of 126, and it should be part of the Midpines community of interest area. And in a couple of versions, it wasn't. And so we, we rectified that issue. And then, we realized that Bear Valley was a population center that would help District Two reach its 6% threshold. But instead we decided to make this little peninsula come down the Mount Bullion Ridge and doing so gained enough population for District Two, which has, has 300... 3,414. So it's only short 5 from a perfect world. So that that's probably the closest... well, District Four is only -1. So there, we have a pretty tight, uh, integrity with this layout. This is option five, we decided. And, Mount Bullion was also part of District Four, and that moved back to District Three where it currently is. So after that process, we checked our integrity and it all worked. And so we moved forward with this layout. Um, and then there was a comment earlier about this census block, which is north Lushmeadows, if you will. It wasn't included at the conclusion of our meeting last night, but I played around with it and it works by adding it into District Five without breaking any thresholds. So we sort of made an executive decision, but that makes sense. And there was pu- public feedback about that being included. So I think there's only 36 people in there. So it, it, um, it held our integrity together. So, that's the process of creating these versions or these options. And then I would can export, uh, reports and the actual G.I.S. layers. And that will, those are what we're looking at on this map where I can add more of our local layers.

And, I would just... for the folks who maybe weren't here last night, I'll just show you the, the darker shaded area you're looking at is all census blocks with zero population. So you can see the challenges with District One and Two reaching 3,419 people when the vast... a lot of the land is unpopulated. And so that is why they are huge in size, because they need to come out and get the numbers up. Uh, District Three has a few areas of no population and District Five, a few less. And then most of District Four has populated areas minus a couple exceptions.

The census designated places that you see here are, as René mentioned, full of census blocks. These are the yellow lines. The yellow numbers are the population. So for instance, Block 3012 has a population of 68. As you can see, they are a... block is not a very good name for these, they are like blobs, um, and they can come in any size or shape. They're independent of population size. Um, it's more to create a define-, a definable polygon. And as we learned last night, some of these may have existed in, uh, for a long time, perhaps when the area was even more rural. And that's why they aren't as appropriately mapped today. But unfortunately, there is... our hands are tied when it comes to this type of data. We are allowed to give input on the census designated places and that is why... and we did, and that is why they have changed in size and shape. Midpines being most notable. Coulterville also changed quite a bit, but now they more closely reflect our town planning areas. And so from a planning standpoint, it helps plan.

So our census blocks... so you'll see here is one that's zero population and they go up. I think the highest one is like 519. But the... clearly, you can see the census designated places are encapsulated by a group of census blocks. There's no bleed over from a census designated place to another. But on the same, on the other hand, uh, some, uh, census designated place only, um, is used for more of a guideline. You're not supposed to split them with a district boundary, but it doesn't mean that someone who doesn't live in a census designated place their numbers aren't as weighed as much. So this census block is counted the same way a census block within a census designated place is. The only consideration for the census designated places is mapping the district boundaries. And so, as you can see here, District Five comes below Highway 49, which would be a pretty logical break, but the census designated place maps it
below Highway 49 for a little bit here. And so District Five or, yeah, Dis- District Four, I'm sorry, the purple one, it goes below the highway and it follows the census designated place to the very southeast corner of it.

That’s pretty much the, uh, the process for mapping these options. We released four different options. A few more were created that didn't make the cut. Last night we walked away with a new one, which started from Option Two and we, we revised it and edited it and made, uh, what we’re calling Option Five. That concludes my presentation.

MARSHALL LONG:
Thank you, Ben. René? Did you want to add any more or are you, are you all right? Okay. Thank you. Anything else from staff?

SARAH WILLIAMS:
I would just note that the end of today's public hearing, we need your direction on... a firm direction on an option that we will take forward then and bring back a resolution and then ordinance documents.

MARSHALL LONG:
Thank you very much. I think you're going to get your recommendation today, so... But we're going to go ahead. Yes, Supervisor Smallcombe?

ROSEMARIE SMALLCOMBE:
Thank you. So, Ben looking at District Four and the CDP for... I’m sorry, is that Bootjack or is that Mariposa? Oh, it’s Bootjack. Bootjack CDP.

BEN OGREN:
Yeah. And this is Mariposa.

ROSEMARIE SMALLCOMBE:
Okay. And is, is the dotted line then the town planning areas slash CDP for Mariposa?

BEN OGREN:
Correct.

ROSEMARIE SMALLCOMBE:
Okay. And I guess Sarah, you might just, um, we were talking last night after the meeting about the relationship between the Midpines CDP and the Midpines community planning area and how that, how one might become the other.

SARAH WILLIAMS:
So, our General Plan establishes what are called planning study areas, and the General Plan identifies those for our communities or our, our areas of population. Again, concentration. Yosemite West isn't necessarily a community, but it's a planning study area and describes that were to be adopting plans for those areas. Those areas that have adopted plans already Mariposa, Fish Camp, Wawona, Cathey's Valley, Coulterville. The boundaries that you see on this map are the boundaries of the adapted town plan or community plan. For the others that are identified such as Midpines, it establishes that as a planning study area, we're still working on our adapted community plan. The boundary that's shown on
these maps is just the planning study area that was established in the 2006 General Plan. It's what the advisory committees look at initially, but the advisory committees can modify those boundaries. In Midpines, we've been working for a number of years on developing a community plan. Their proposed boundary is going to be larger than the boundary that's shown on this map. That's fine. It's also fine. If that boundary crosses over a district, supervisorial district line. It currently crosses over a supervisorial district line. It's likely it will, as a result of this reapportionment or redistricting process.

ROSEMARIE SMALLCOMBE:
And then for folks who weren't, who weren't out in the hallway last night, if, do you want to talk about after the Midpines plan has, community plan, has been, um, approved by the Board, then you go back and, um, make it all consistent.

SARAH WILLIAMS:
Yeah. So as Ben mentioned, we do have an opportunity to make comment to the census bureau about boundaries of CDPs or census designated places. That occurs well in advance of the census, because they have to establish some of their census blocks based on that. We will be- when the time comes around, again, it'll likely be, um, maybe 2028, later 2028, that we'll have an opportunity to provide comment and we will, again, recommend that the CDP boundaries coincide with the boundaries of our adopted plan areas.

ROSEMARIE SMALLCOMBE:
Great. Thank you. There was some concern about that as you know, last night. Thanks.

MARSHALL LONG:
Any other questions of clarification from the Board before I open for public comment? All right, I'll go ahead and open for public comment. Uh, this is the time you get to speak. If you would like, when you approach the podium, please, uh, state your name for the record. You'll need to turn on the microphone at the bottom right. It says “speak.” You're limited to five minutes and please address the Chair or the Board, uh, when you're making your comments. So I'm going to go ahead and open for public comment. Do we have any public comment in the Chambers today?

DAVID OPPENHEIM:
My name is David Oppenheim. I'm a resident of Midpines California. I'm one of the people in the bubble up there. I was here last night and I did not take the opportunity to thank you all for addressing our issues where we were. And I do want to thank you all for addressing that and coming to, hopefully, after you vote, coming to the conclusion that we came to last night, or almost came to last night. That's all. Thank you.

MARSHALL LONG:
Thank you. Thank you for your comments. Any other public comment in the Chambers? Okay, sir, come on up. It's on.

DENNIS WAHEED:
It's on?

MARSHALL LONG:
Yes.
DENNIS WAHEED:
Um, my name is Dennis Waheed, uh, Midpines, and I would just like to thank, uh, Supervisor Rosemary Smallcombe and, um, a good friend Miles, uh, Keith Williams, for their very quick response to my concerns and, um, county government can work. So thank you.

MARSHALL LONG:
Thank you. That you for your comments. Anyone else in the Chambers today? All right, then we'll go ahead and open for public comment. Do I have anyone on the phone today, Sarah? On the phone line? No one on the front line. Okay. Uh, last chance for public comment before we comeback for deliberations. Then I'll go ahead and close public comment. Um, bring it back to the Board.

Um, again, thank you all for this effort that you have all been involved in. Um, I'm certainly glad that we were able to come to the compromise that we did last night. Um, and I agree with adding the little bubble up there, uh, the north Lushmeadows, uh, so I support this map. Option five. Anyone else? Supervisor Sweeney?

TOM SWEENEY:
Thank you, Chair. Yeah, I think it's a, it's a good compromise. Um, it satisfies the concerns of the Midpines community. Um, I think that for District Two moving down into the, I guess the north side of Bear Valley and Mount Bullion is a bit of a stretch, but everything we do here is a, a compromise. So I'm in favor of it as well.

MARSHALL LONG:
Supervisor Menetrey?

MILES MENETREY:
Thank you, Chair. Um, just for reference on folks that might be listening, that little bubble or nipple up there in District Five is Vista Lago and Mara Vista, um, which did request being included in, in Lushmeadows.

Hey Ben, if you could, uh, indulge me, I didn't realize until you were messing around with your map there, that the dividing line between District Four and Five comes down Darragh Road, doesn't go all the way to the highway. It hits that, um, census designated box called Bootjack and, um, and I'm wondering if you can get down there to where I can see what roads wh- where, where that, where is the corner of that box? Does it... Up, up at the top corner. Yeah. Right there. We're coming down Darragh, and then it's just at some spot there. Just cuts across. Huh?

SARAH WILLIAMS:
That boundary is going to be parcel based for the Bootjack planning study area.

MILES MENETREY:
Okay.

SARAH WILLIAMS:
But it does look like it is close to Sherrod Road.

MILES MENETREY:
Okay.
SARAH WILLIAMS:
You can see that on the map. So the intersection of, uh Sherrod is in the Bootjack CDP and then the boundary would be just after that.

MILES MENETREY:
So that, that horizontal boundary line is consistent with parcel lines in that area.

SARAH WILLIAMS:
Pretty much.

MILES MENETREY:
*bang* Whoops. Okay.

SARAH WILLIAMS:
I, I could look...

MILES MENETREY:
No, that’s cool. I just, I just wanted to make sure that, uh, you know, we could identify it. And then if we could look at the, at the bottom of that Bootjack census designated place as it pops down off the highway, down across the highway, um-hm. It looks like it grabs the top end of Indian peak. Probably grabs Sebastopol and... not quite to Ashworth.

MARSHALL LONG:
According to this map, it goes to Ashworth. Yeah.

MILES MENETREY:
I don’t think so. Ashworth is just, there’s a little orange between the corner and Ashworth. Right?

SARAH WILLIAMS:
So your, your district would include Ashworth, but the boundary of that southerly boundary of the Bootjack planning area is, is going to...

MILES MENETREY:
Yeah. It cuts down in there and grabs Sebastopol and, uh...

SARAH WILLIAMS:
Um-hm.

MILES MENETREY:
...and then cuts across. Okay. And then those, that, you say those, those can’t be, uh... not that I want to... I’m just asking. We’ve messed with it enough last night, but we can’t, we can’t, we can’t make changes inside of that census designated place.

SARAH WILLIAMS:
The, the criteria isn’t hard and fast. It says districts must minimize the division of a census designated place. So it gives you a little bit of wiggle room.
MILES MENETREY:
Yeah. I just want to be able to answer the questions when, when it comes because, um, that's a change from the original line has, has been the highway. And I didn't realize that box when we were looking at this last night, I was so focused on Midpines and, and down to the river and the lake that, uh, I didn't realize that until Ben was just showing it today. So, I'm still good with this option. Um, because of all of the input, we got, it addressed those concerns. So I was just curious about that. We can, we can look at it offline.

BEN OGREN:
Yeah. If you want I could...

SARAH WILLIAMS:
Use your microphone.

BEN OGREN:
If, if you really wanted I could, uh, we could quickly just change this red into yellow and see what it does.

MILES MENETREY:
For fun, you mean?

BEN OGREN:
Yeah. It's super fun. Right? *laughs*

MILES MENETREY:
Let's have some fun. Show the other people how you're... see if we get green check marks all the way down our...

BEN OGREN:
All right. Let's just go like this. All right. Cross your fingers.

MILES MENETREY:
Boom. It says no.

BEN OGREN:
Issue settled.

MILES MENETREY:
Yeah. No, and I wasn't, I was, like I said, yeah, it just was, uh, I was curious. That's a change I didn't notice last night, but, uh, I'm still, I am, like I said, I'm good with it. I think we, we really fixed a lot of the concerns that folks that did weigh in had, and, uh, I'll sign off on Option Five. And thank you again, Ben, you, uh, I can imagine, uh, when you first sat down with this and probably just learning how to use that thing... of course, you're a smart guy, you probably... G.I.S. guy, you probably stepped right into it, but it, it really is a tool, um, where every click of the mouse changes the entire concept. So, um, my hats off to you for putting this thing together for us to consider. Thank you.

MARSHALL LONG:
Supervisor Forsythe?

WAYNE FORSYTHE:
Yeah. I want to say thank you to the staff, too, for all the work you've done. It, it, uh, it shows that you care and, uh, are trying to meet all the criteria that's sometimes near impossible to do. Um, compromise is the key word. Um, I think Option Five is obviously the, the choice of today and, uh, uh, I think we're here to represent all the folks and, uh, I think it's going to work. Thank you.

MARSHALL LONG:
Supervisor Smallcombe?

ROSEMARIE SMALLCOMBE:
Thank you, Chair. Um, so I have a couple of things. First one is, um, back to Midpines and, um, I have a couple of constituents that are across the river. Um, and it wa- it became a question when I was elected in 2014, um, because they essentially didn't ha- it was not clear, um, which district they were in until I think I worked with Keith and with, um, Sarah to determine that they are part of the, they are currently part of District One, and I would like to, um, include them now, as well. They're just on the other side of the river, um, up the grade a tiny bit. Um, and if you look at the US Census Blocks, Mariposa County, they are, um, there's nothing up above them. It's all, um, white. And in fact, they are not counted as people because I think they are actually on BLM land. So I would like to, *laughs* I would like to, um, include them in, um, in, um, Midpines. For what it's worth, they have a PO box in Midpines, their address... their zip code is Midpines, um, and they're, um, frequent, um, participants in, uh, conversations involving people in the Midpines community, so I would like to add those couple of people in, if that's possible.

BEN OGREN:
If I can just add, this purple line... and you're, you're referring to this census block here, which says zero population, and this purple line, if you can, if you can see it delineates the current District One boundary. So, today, that is part of District One. It would be an easy change for us to make, because it has zero population, despite the fact we know someone does live down there. Um, and it does make a little bit more sense to keep them part of the river corridor. Um, and there's no neighbors north west or east, basically for a long ways. There's a lot of zero. This dark area is zero population. So if, if the Board wants to do that, I could easily do that and it'd become part of Option Five. Um, so, and it wouldn't wreck all the work we've done. So that again, would be this, this block here, which has a population of zero. So if that's a change, we can all agree on, it's, uh, it's a couple of clicks away.

ROSEMARIE SMALLCOMBE:
Thank you. Appreciate that. Um, don't want to lose anybody in that process. Um, and then I guess my other question, um, we, we've done some moving around and I, I guess I, I tend to pay attention when I hear, um, comments about case law. And what I'm wondering about is, is there a practice with respect to documenting communities of interest? And if so, how do we go about doing that?

RENE LaROCHE:
So, community of interest, we gauged through the worksheets, and that would be what was the industry standard. However, with the Fair Map Acts, uh, changes that went into effect, I think it was 2018 and 2019, one of the criteria is that we have all of this on the website and it's maintained on the website for
10 years. So it is all up there now, and it already has a disclaimer for future webmasters to not remove it. Um, so we, that would be, if I’m understanding your question correctly, that is how we first obtained it, and then how we maintain it.

ROSEMARIE SMALLCOMBE:
So just to be clear, we factor in not only the work that Ben has done, but we also factor in the community input.

RENÉ LaROCHE:
Correct. We have transcriptions of each of the public hearings, as well. And then just, you have the spreadsheet that I was giving you that tracked the comments. There were the, the, the one verbal comment that we got from June is, was on there as well. So, um, the, the whole record is maintained as, as arduously, as we can, and as detailed as we can without knowing what’s going to be needed in the future, but we’ll also have the recordings, all the agenda packets, every bit of the process that we’ve put out for the public, and what we’ve used to consider things it’s all on there, including like we had the, the, uh, community of interest analysis, all of that is in there. It’s just how we arrived at these decisions.

ROSEMARIE SMALLCOMBE:
Okay. Great. Thanks. Just thinking about, um, County Counsel’s workload and trying to minimize it if we can, if we can avoid a suit. Okay. Thank you.

MARSHALL LONG:
Supervisor Small- Smallcombe. I had a question about this, this is, this is putting, uh, moving part of your district across the river, into where, what would have been District Two. That’s correct?

ROSEMARIE SMALLCOMBE:
Yep.

MARSHALL LONG:
Okay. So these folks that are living across the river, do they have a permanent structure...

ROSEMARIE SMALLCOMBE:
Yep.

MARSHALL LONG:
...a house, a house number?

ROSEMARIE SMALLCOMBE:
Yep.

MARSHALL LONG:
Okay.

ROSEMARIE SMALLCOMBE:
11204 Bull Creek Road.

MARSHALL LONG:
Yet, they were not, they were not included in the census?

ROSEMARIE SMALLCOMBE:
They’re not in the census. They don’t show up. I mean, that’s what Ben is... Yeah. The number says zero.

MARSHALL LONG:
And how do they access their property from across the, uh...

ROSEMARIE SMALLCOMBE:
They go across the bridge and then up the, the grade.

MILES MENETREY:
*off mic* They’re right on the railroad grade.

MARSHALL LONG:
They’re right on the railroad grade?

ROSEMARIE SMALLCOMBE:
Yep.

MARSHALL LONG:
Okay. Are they on incline road? Is that where they’re at?

ROSEMARIE SMALLCOMBE:
Nope. Bull Creek Road.

MARSHALL LONG:
Bull Creek road. Okay. All right. Thank you. I just wanted to clarify that.
Okay. So I think we have consensus, uh, with the changes that we have made. So we’re going with Option Five where the additional, uh, chic- I’m sorry? 5.1. Okay.

RENÉ LaROCHE:
And that was going to be my question with the Option Five as just modified.

MARSHALL LONG:
Yes.

RENÉ LaROCHE:
Okay.
Um, so that the Board knows what's going to happen, and Sarah kind of alluded to it already, that next week, you will have another item where you will actually formally approve this map and give direction to staff, to finish the process, to codify it, to start the, um, ordinance process. So the first reading of the ordinance will be scheduled for November 23rd. The second reading will be, and second reading and adoption will be on December 7th, which puts us a whole eight days ahead of the mandated deadline of December 15th. Um, but so you're aware there's still a couple of other items too, to coming to the Board. Um, but this is the major hurdle. *laughs* And I do want to thank you and thank the public. Uh, I was very pleased to see the number of people who were here last night, as, as hard as we have been working to try to, to get public input, uh, in advance. And of course it was very difficult without seeing anything. No one knew what we were talking about and what was a community of interest. Uh, it was a little frustrating to only have the 23 or 24 community of interest forms that we, we did receive after putting out like a thousand of them, something like that, plus all the digital versions. So I do want to thank the public who's been here, uh, very much what we needed and what we wanted, and that's part of the process. And I wanted to thank the Board for, um, hearing me drone on and on about this. I did tell you at the beginning, I wanted to make everyone sick of hearing about redistricting, and hopefully I've hit that threshold. So thank you, Board.

MARSHALL LONG:

Well, René, thank you, too, but it was necessary for the record, uh, because there is a requirement that the, all of this information be kept for the next 10 years and the website be kept up and updated for the next 10 years also. So, um, a lot of work, a lot of work, a lot of work for all of you and is so appreciated, but it's also a learning process. And, you know, I want to thank the folks from up there, uh, near Midpines that came in and really pushed hard in regard to, uh, your community being separated. Uh, thank you for getting that across to us, and we found a good compromise to, to deal with that. So, anyway, thank you, René.

RENÉ LaROCHE:

And, and just the clerk in me has to remind you that before adjourning the meeting that you need to close this public hearing.

MARSHALL LONG:

Absolutely...

RENÉ LaROCHE:

Thank you, sir.

MARSHALL LONG:

...I'll close the public hearing. I know. Thank you for taking care of me, keep me lying down. All right. So is there anything else in regard to this matter. Supervisor Menetrey?

MILES MENETREY:

Yeah, I'm sorry. I can't let it go. Hey Ben, can we go back to that, uh, bottom part of the Bootjack designated place? Um, and, and you clicked the entire box below the highway, and I'm wondering if there's two design- census places that kind of run into that pink. They're, they're on, well, you're looking at your screen so they must be on your right side. See how they're yellow and then the, okay, you your left side. Yeah. Is that pink tied into the yellow below it as a census designated place? It wouldn't be because it would be the same color, right?
BEN OGREN:
You are correct. I'll, look, show it on this map.

MILES MENETREY:
I guess what I'm asking is, is the, the color of District Four being designated by the Bootjack census line or the, it looks like that little area is part of the census block.

BEN OGREN:
Um, District Four is being delineated by the census designated place of Bootjack.

MILES MENETREY:
Okay. So, i-, so, and here's, here's where I'm going with this, that right in that area at the top of Indian Peak is Sebastopol, and there's a little teeny area of what are now my constituents in there. So if you wouldn't mind, I'm wondering, cause I'm only down 29, there's still a hundred head of deviation in this thing. Right?

BEN OGREN:
Um, whatever 97 plus 29 is.

MILES MENETREY:
Yeah. So, 126... 36... 26.

BEN OGREN:
126. Um...

MILES MENETREY:
I broke it.

BEN OGREN:
So, we can look at here. This map is showing that same area, but with the, um, populations numbered. I'm not sure if you can see from the desk. Um, so 17, 14, 11, 15, 36. Um, are ya-

MILES MENETREY:
It wouldn't need to go past, uh, Sebastopol.

BEN OGREN:
So if you, so you are talking about including a few of these into District Five. So, just to show what that would, might look like, if you wanted to include the Sebastopol area, you would almost have to include the area south of it.

MILES MENETREY:
Okay.

BEN OGREN:
Otherwise you'd make this little wh- whatever. So if I add all these, is that what you're referring to?
MILES MENETREY:
Yeah.

BEN OGREN:
Okay. Now if I run it, is, is there more, or is that about right?

MILES MENETREY:
Well, I don't know. Cause I can't really s-

BEN OGREN:
So, to the north...

MILES MENETREY:
Is that, is that curved line of the yellow one, purple, is that Sebastopol?

BEN OGREN:
Yeah. So do you have constituents on both sides?

MILES MENETREY:
Right. So, Sebastopol comes down, hits Indian peak?

BEN OGREN:
Correct.

MILES MENETREY:
Okay. And if you follow Indian Peak on the yellow side of Indian peak, is that another box there over to your...? Yeah. That.

BEN OGREN:
It is.

MILES MENETREY:
Okay. See what that does.

BEN OGREN:
I mean, and then the next logical one would actually be like this, but let's just see if we have broke it already. All right. And we want to try that other one?

MILES MENETREY:
Yeah.

BEN OGREN:
Because that would give you the south side of Sebastopol.

MILES MENETREY:
Yeah. Yeah. What is that?
BEN OGREN:
If I'm not saying it right, I'm sorry.

MILES MENETREY:
Too much.

BEN OGREN:
That's 214 is the range. So nine.

MILES MENETREY:
Nine over.

BEN OGREN:
And, I mean, if this is... that's, that's probably do-able the pick up. So you are... so, three... so, if there is another place where Five could donate something to District Three, which is minus 63, um...

MILES MENETREY:
You know, it's okay. It's all right. Let's, let's not get into all that again. Take the south side of Sebastopol back out and uh, we'll call it good.

BEN OGREN:
Um, put it back to Four you mean?

MILES MENETREY:
Yeah.

BEN OGREN:
The south and the north? I mean, all of...

MILES MENETREY:
No, just the, just the...

BEN OGREN:
Just like that.

MILES MENETREY:
I don't know. Can we do that?

BEN OGREN:
If you, if you did that, let's...

MILES MENETREY:
Okay.

BEN OGREN:
I think we did. I think that one did work. Correct. Um, so it's, it's this census block, which has, uh, 36 people in it.

**MILES MENETREY:**
Okay.

**BEN OGREN:**
I mean, so it, it works as it is shown now, as far as the number threshold criteria is concerned. Um, I guess we have crazier shapes than this, but uh, if that's, is that something that you want or... yeah?

**MILES MENETREY:**
Yeah.

**BEN OGREN:**
Do, do you... okay.

**MILES MENETREY:**
If, if my team's all right with it.
[unintelligible off mic]

**RENÉ LaROCHE:**
Supervisor, may I ask you a question though, just looking at the redistricting boundarin... boundary criteria. Um, do the people who live in this section that we've just adjusted, do they identify as being part of Bootjack? Because if so, then th-

**MILES MENETREY:**
Probably, they're in the town plan area.

**RENÉ LaROCHE:**
So, then they...

**MILES MENETREY:**
I don't know how it jumped down to the other side of the highway because, um, I didn't know, it was down there. That's curious to me.

**RENÉ LaROCHE:**
But then that would put them, you would be separating them from their community of interest, which would be Bootjack.

**MILES MENETREY:**
All right. Put it back. Just change it back. Thanks, Ben. I wish I would've seen it last night. We could've maybe played around a little.

**BEN OGREN:**
I did make a change down here when we were talking about the Bryceburg census block, are we all in agreement that that is okay to change?
MARSHALL LONG:
For two people?

BEN OGREN:
Well, it's zero people, but there's really two people. So if that's okay with every, I mean, can I just make that change?
[off mic chatter]

MARSHALL LONG:
If they, if they identify as part of the Midpines community, then we'll let them be part of the Midpines community.

MILES MENETREY:
And they do. I mean, he's the BLM ranger down on the river.

MARSHALL LONG:
Okay.
[off mic chatter]

MARSHALL LONG:
Okay. Very good. So we have consensus. Anything else staff needs from us? No, no motion. Nope. That's next week. So I will go ahead and close the public hearing. Thank you all for coming in today, folks. And I'm going to adjourn the meeting in memoriam of Joshua Lee Boyer and Brent Schroeder. Meeting's adjourned.

<END TRANSCRIPT>

- CERTIFICATION -

I hereby certify that this nineteen (19) page transcription is a full, true, and correct transcription of the original recording of the Redistricting Public Hearing held by the Mariposa County Board of Supervisors, at 5100 Bullion Street, Mariposa, California, at 2:00 PM on November 2, 2021.

DATE: November 5, 2021

CERTIFIED BY: TRACY GAUTHIER, Deputy Clerk of the Board II