

# SCOTT J. RAFFERTY

ATTORNEY AT LAW

1913 WHITECLIFF COURT  
WALNUT CREEK CA 94596

(202)-380-5525  
RAFFERTY@GMAIL.COM

July 29, 2024

Mr. Peter Rosen  
Board President  
Hayward Area Parks and Recreation District  
1099 E Street  
Hayward, CA 94541  
cc: Mr. James Wheeler, General Manager

Dear Mr. Rosen:

I want to thank the District for placing division elections on their home page this morning. It is often a challenge for special districts to engage the community, especially before maps are drawn. Hopefully, greater visibility will enable more dialogue with and among your constituents.

On behalf of Neighborhood Elections Now and the prospective plaintiff, I am submitting a draft map for discussion at next Monday's meeting. A primary purpose of this map is to increase the influence of Asian-American voters, who have not succeeded in electing many candidates of choice to any of the three local elected agencies that serve the Hayward area. The map includes a division in which 40.2 percent of eligible voters are Asian or Pacific Islanders, as compared to 27.1 percent in the district at-large. The Asian-American neighborhoods east of I-880 have not been well represented in local government; this combines them with the Tennyson-Alguire and Fairway Park east of Mission neighborhoods. These areas include most of the environmental disadvantaged communities with the HARD, as determined by SB 535. Socio-economic measures show that these communities are cohesive in other respects, which should enable Asian-American candidates to attract cross-over support.

After recent conversions to division elections, minority candidates have won election to nearby special districts (Dublin-San Ramon Services District and West County Wastewater) where they have built skills and recognition that has enabled them

successfully to run for their city council. This is one of the reasons that this particular division should align with the school trustee area and the likely councilmanic district. Because HARD is a greater population (and has fewer directors than the council has members), the boundaries cannot be entirely congruent. However, there is substantial overlap with Hayward USD’s proposed Asian-American trustee area, which we expect the county committee on school district organization to approve. We will seek a similar council district based east of I-880 with additional population in Tennyson. The overlap will enable the Asian-American community to organize around the promotion of candidates to multiple jurisdictions.

In California, the effects of single-member constituencies have been dramatic. A recent peer-reviewed study of 18 California cities that recently converted has shown substantial increases in Asian-American and Latino turnout from the very first election. In Contra Costa, where almost all large jurisdictions changed from at-large to districted elections over a short period, minority turnout increased dramatically. So did the success rate of minority candidates-of-choice, largely because many other voters supported more diverse representation in local government.

The remaining divisions are largely driven by socio-economic communities of interest, although they also create areas that are ethnically distinct. Att. 1.

Division	Influence group	At-large share	Division share
1	API	27.1%	40.2%
2	Black	11.6%	22.2%
4	White	29.8%	50.0%
5	Hispanic	27.4%	37.7%

Our proposal contrasts maps B and C in that it creates a division in the eastern portion of the district that combines areas north and south of I-580. This division was designed based on the socio-economic maps previously submitted to the District. Att. 3. It is distinguished by its topography and population density. On a number of variables that support and correlate with high political participation and influence, voters in Division 4 (“Hills”) enjoy substantial advantages over those who live elsewhere of the District.

	4-Hills	District-wide
no high school diploma	6%	11%
graduate degree	17%	9%
family income below twice poverty level	12%	21%
receive public assistance or SNAP	5%	11%
limited English adults	6%	11%
rent home	25%	43%
own home valued over \$1 million	28%	12%
adults who are not citizens	10%	18%

In contrast to the Hills, the McArthur Freeway corridor and Upper B Street include communities facing many economic challenges. See Att. 5. 64 percent rent their homes; 7 percent rent and have no vehicle, which limits their access to facilities outside their neighborhood. Seven percent have no computer access. The housing stock is aging and there is little new construction. 14 percent of families are below the poverty level, and 31 percent are below twice the poverty level. Despite its poverty, this area does not receive its share of public assistance or SNAP benefits – reflecting the limited capacity of its residents to obtain crucially needed help.<sup>1</sup> Division 2 does not have more non-citizen adults than the rest of the District (other than the Hills), but it does have a substantial Black population. Guaranteeing that this area has at least one elected official could increase the understanding and ability of these constituents to understand how local government can assist them. A dedicated voice would also enhance the Board’s ability to address the distinct needs of this area for its services and facilities.

The school district received substantial feedback that the unincorporated areas (Ashland, Cherryland, and Fairview) felt unrepresented on its Board. This does not appear to be an issue for HARD. The boundaries between Hayward, Castro Valley, and the other census designated places do not correspond to clear topographical barriers or economic distinctions. Subject to feedback from the community, we believe they deserve less significance than communities of interest defined by socio-economic needs.

Division 5 is based on San Lorenzo but extends east from the train tracks to the BART tracks to gain population from Cherryland and Ashland and south to Winton

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<sup>1</sup> This is only partially explained by the fact that two hospitals had 891 residents on census day.

Avenue, incorporating the Hayward Acres, Longwood, and Winton Grove neighborhoods. The proposed division has many of the same challenges as Division 2, with more children and even larger percentage of adults who lack a high-school diploma. There is more home ownership, but the housing stock is aging.

Division 3 includes the remaining neighborhoods of South Hayward, including Jackson Triangle, Mission Foothills, Mission-Garin, Whitman-Mocine, as well as the unpopulated campus of Cal State East Bay and a regional park outside the city limits. 24 percent of adults are not yet citizens, and most of them have limited English proficiency. 35 percent of eligible voters are Latino, which is only slightly less than Division 5.

We attempted to identify communities of interest based on the services and facilities that the District offers. We were unable to identify all of the special features provided at HARD's 81 parks and facilities. We identified four "destination facilities" that may very well have "communities of interest" that are not adjacent to the facility. These are the Shoreline Interpretive Center, the Japanese Garden, the all-abilities playground, and the golf course. We also mapped the swim and senior centers, which are more focused on the surrounding communities. Att. 2. We hope that this enables feedback on how the constituencies of these facilities view their relationship with the District, which could establish communities that should be considered in this process.

We also attach the demographic maps that we previously supplied and used to define the proposed boundaries. We have scored the Divisions according to some of the metrics collected by the U.S. Census Bureau in its American Community Survey.

Due to the limitations imposed by today's deadline, we have not had an opportunity to assess voter registration and turnout, which may indicate adjustments. High-turnout areas should generally be separated from low-turnout areas. The constitution requires equal population because all residents deserve your equal attention and concern, even if they are not yet 18 or not yet citizens, and even if cultural or educational barriers have deterred them from voting in the past. The district method of election ensures that their neighbors who do vote represent their interests. These data may require adjustments to ensure that areas with few voters have not been mixed with high-turnout areas that may have different needs and values.

These divisions improve representation for voters of all races because they socio-economically cohesive and distinct from each other. Members who are individually accountable to these constituencies will bring the Board more detailed understanding of the needs and aspirations of these communities. But this map also has exceptionally low population deviation. This enables adjustments to reflect community feedback. But all adjustments should promote the mandatory ranked criteria of the Fair Maps Act. Divisions that are nearly equal in population should be changed unless the modification promotes better representation of communities of interest, clearer boundaries, or at least greater compactness.<sup>2</sup>

My clients look forward to working with HARD to complete this process in a manner that will strengthen the Board and empower all the District's communities. When neighborhood candidates explain to voters why their vote matters, turnout will increase at all levels of the ballot, strengthening our democracy.

Sincerely,

A handwritten signature in black ink that reads "Scott Rafferty". The signature is written in a cursive, slightly slanted style.

Scott J. Rafferty

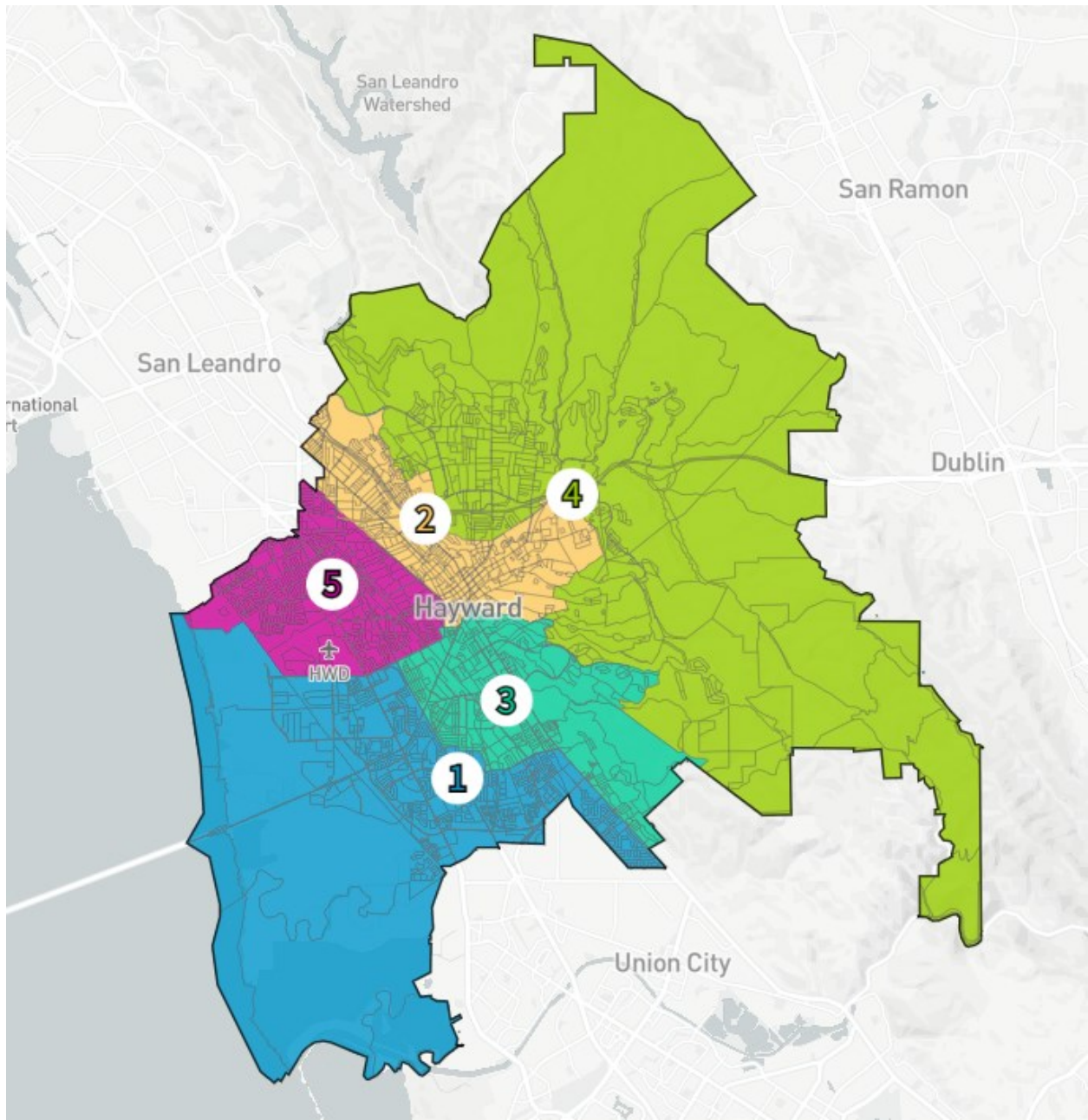
Attachments:

1. Proposed Division Map
2. Map of HARD facilities
3. Demographic maps
4. Enviroscan disadvantaged communities
5. Socio-economic metrics in proposed divisions

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<sup>2</sup> Contiguity is a higher value, but it is seldom at issue.

# 1. PROPOSED MAP

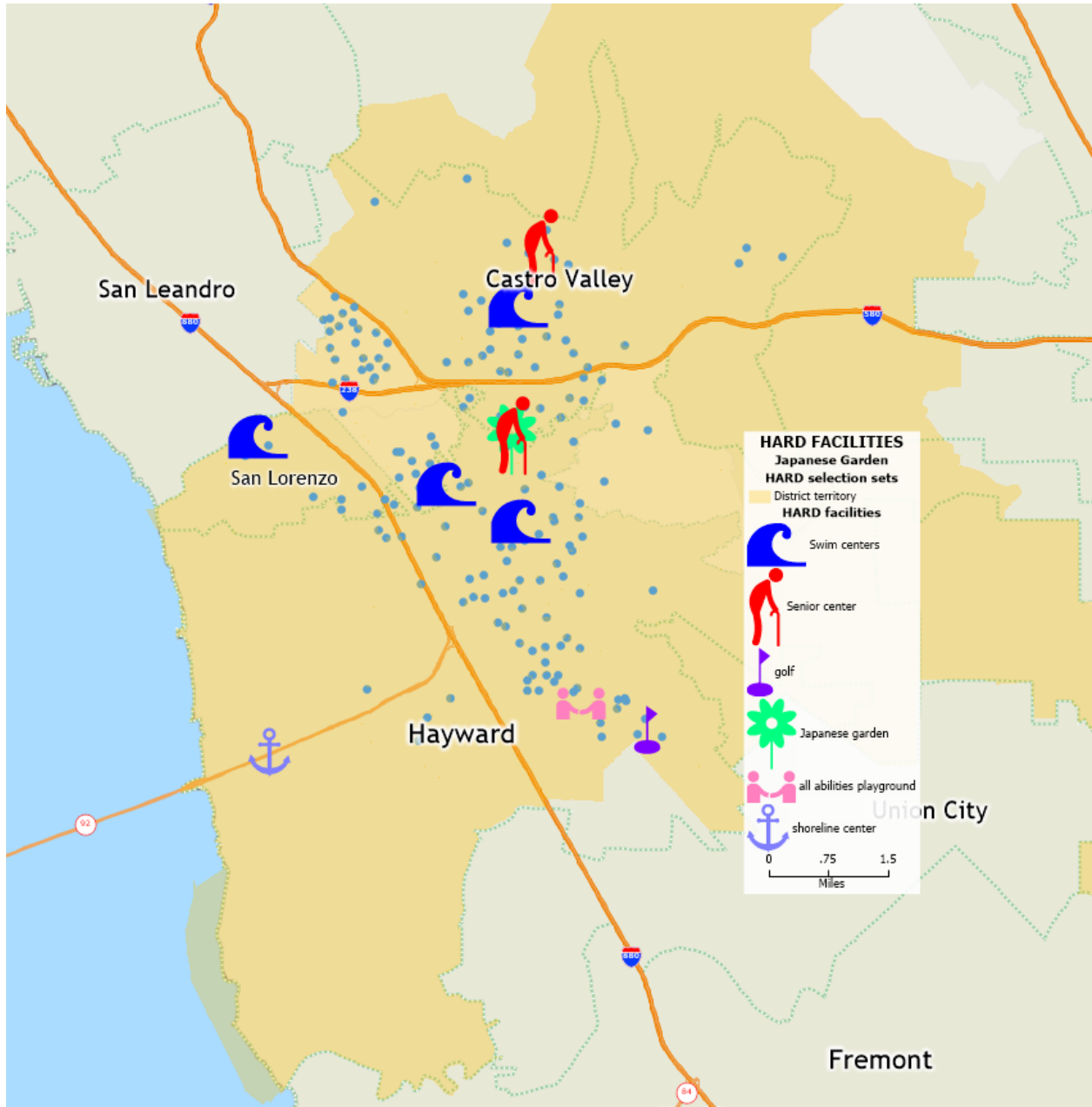


## RACIAL EVALUATION BY DISTRICT

	White	Black	Hispanic
<b>1</b>	17%	9%	29.3%
<b>2</b>	29.4%	22.2%	24.7%
<b>3</b>	23.3%	12.3%	34.9%
<b>4</b>	50%	7%	13%
<b>5</b>	26.2%	8%	37.7%
Overall	29.8%	11.6%	27.4%

	Asian	NH/PI	Native Am.
<b>1</b>	37.4%	2.8%	0.3%
<b>2</b>	18.5%	0.9%	0.4%
<b>3</b>	22.2%	2%	0.6%
<b>4</b>	25.1%	0.4%	0.5%
<b>5</b>	24.1%	1.3%	0.2%
Overall	25.6%	1.5%	0.4%

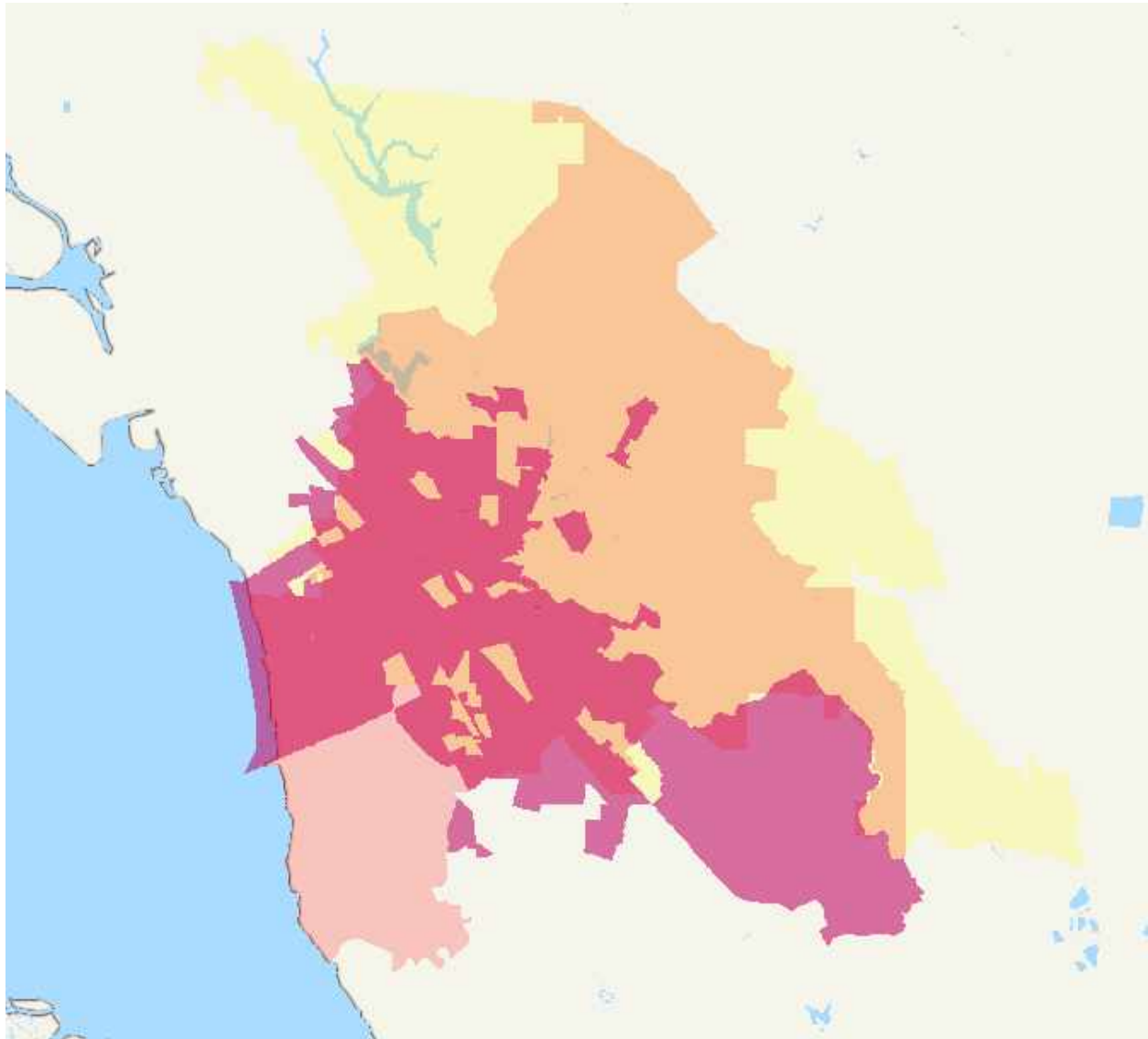
## 2. SELECTED HARD FACILITIES



Blue dots show population distribution

Note: some block groups overlap HARD boundaries. Yellow areas are not within the district.

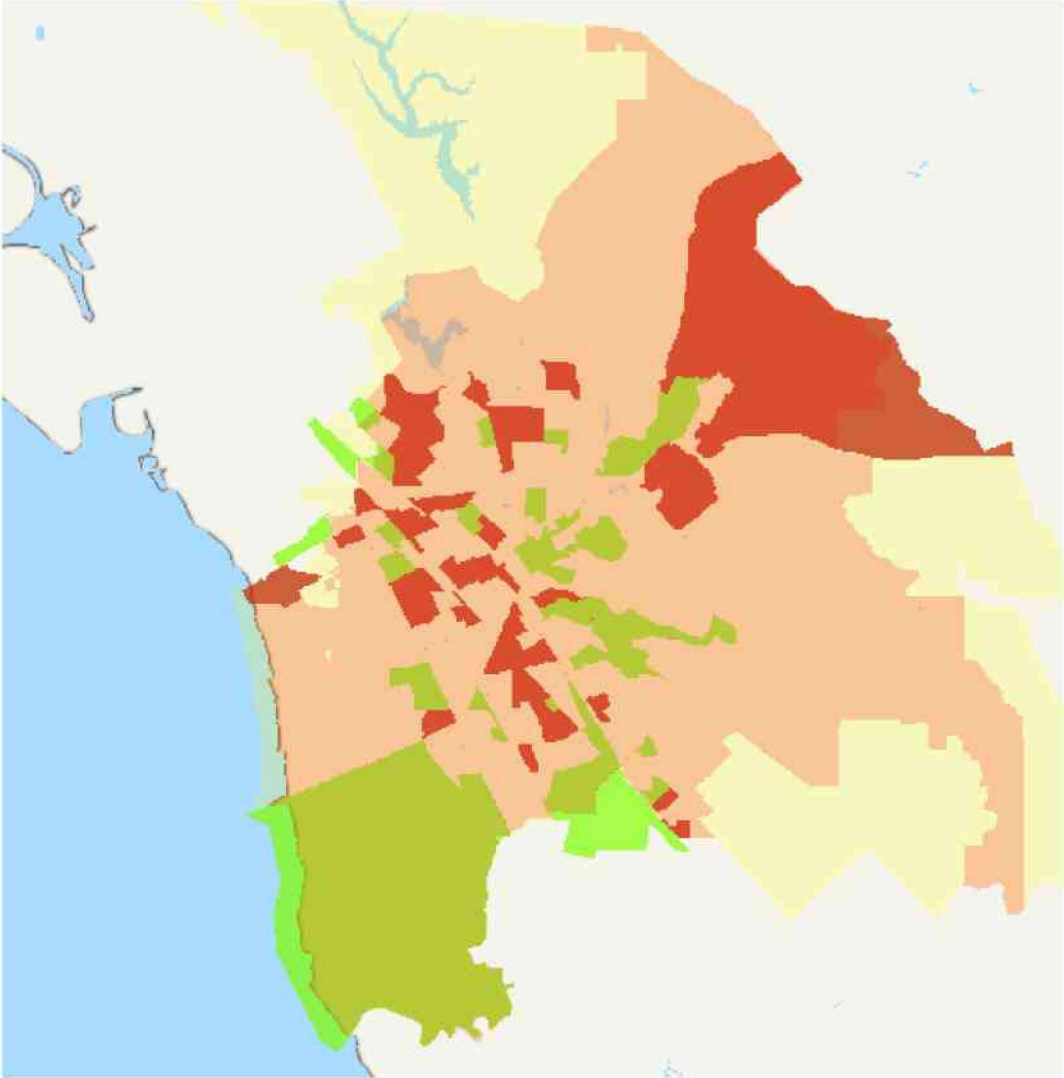
**MORE THAN 10% HAVE FAMILY INCOME LESS THAN TWICE POVERTY LEVEL**



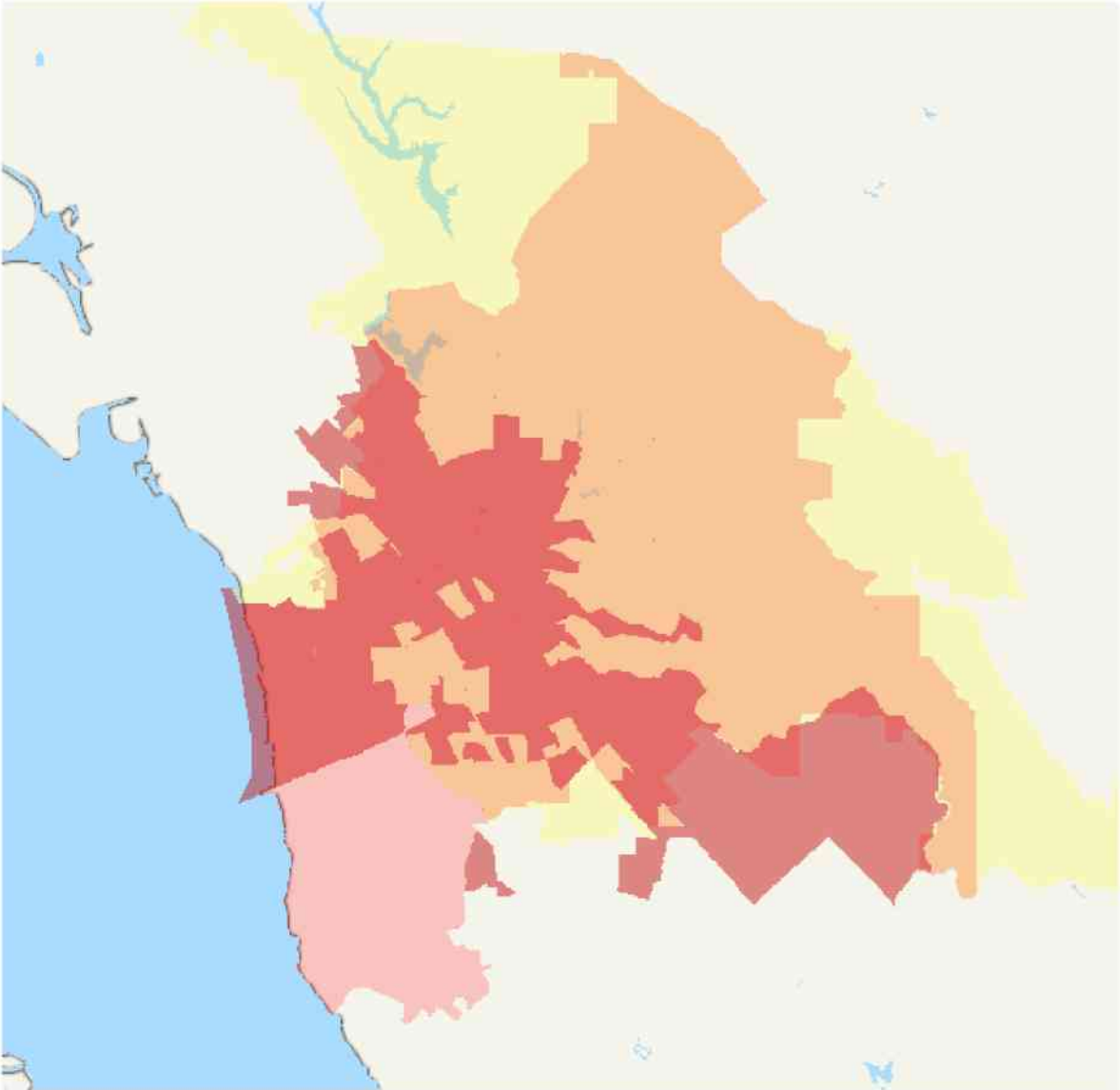
CHILDREN AS PERCENT OF POPULATION

RED – MORE THAN 25%

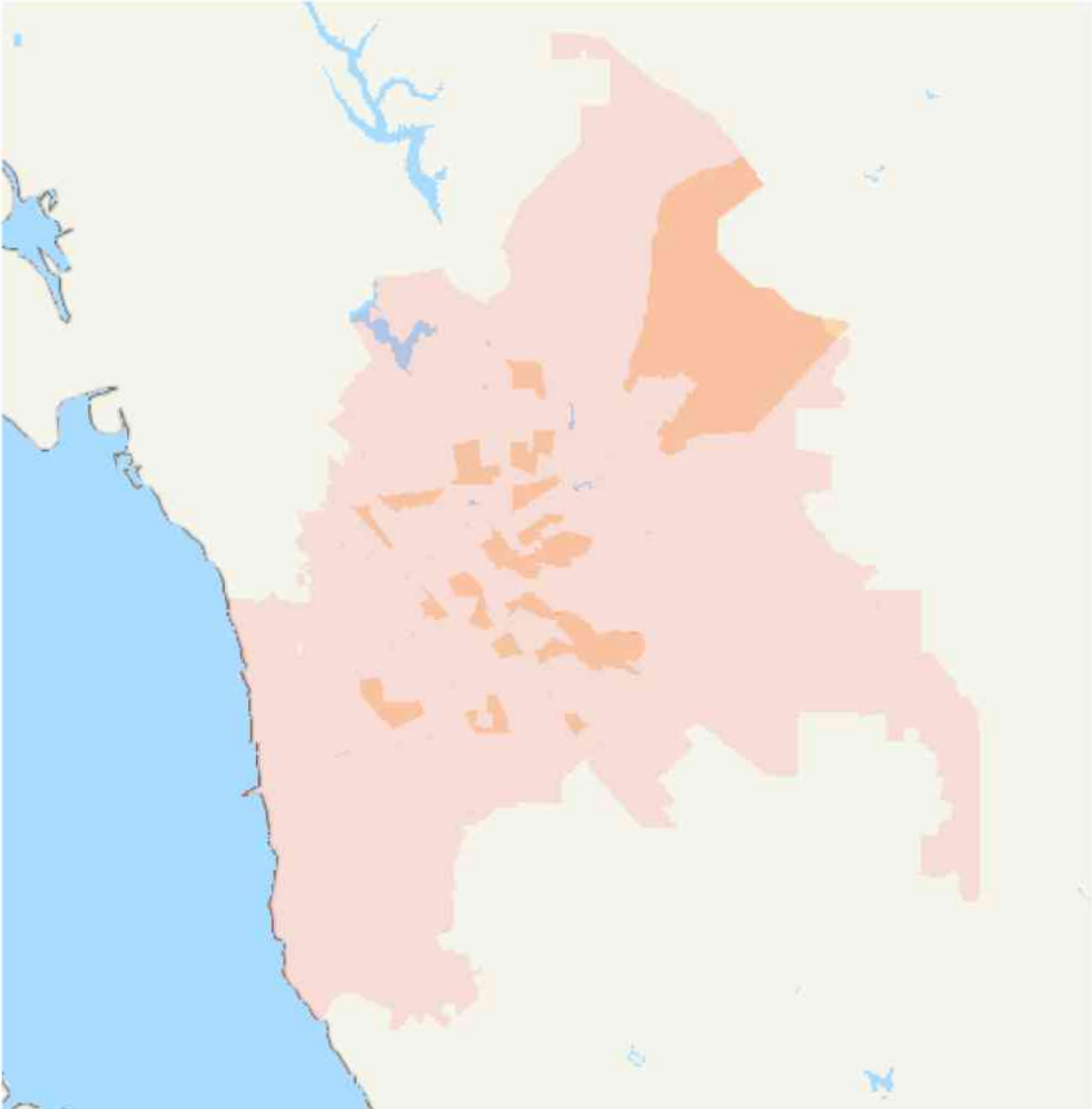
GREEN – LESS THAN 15%



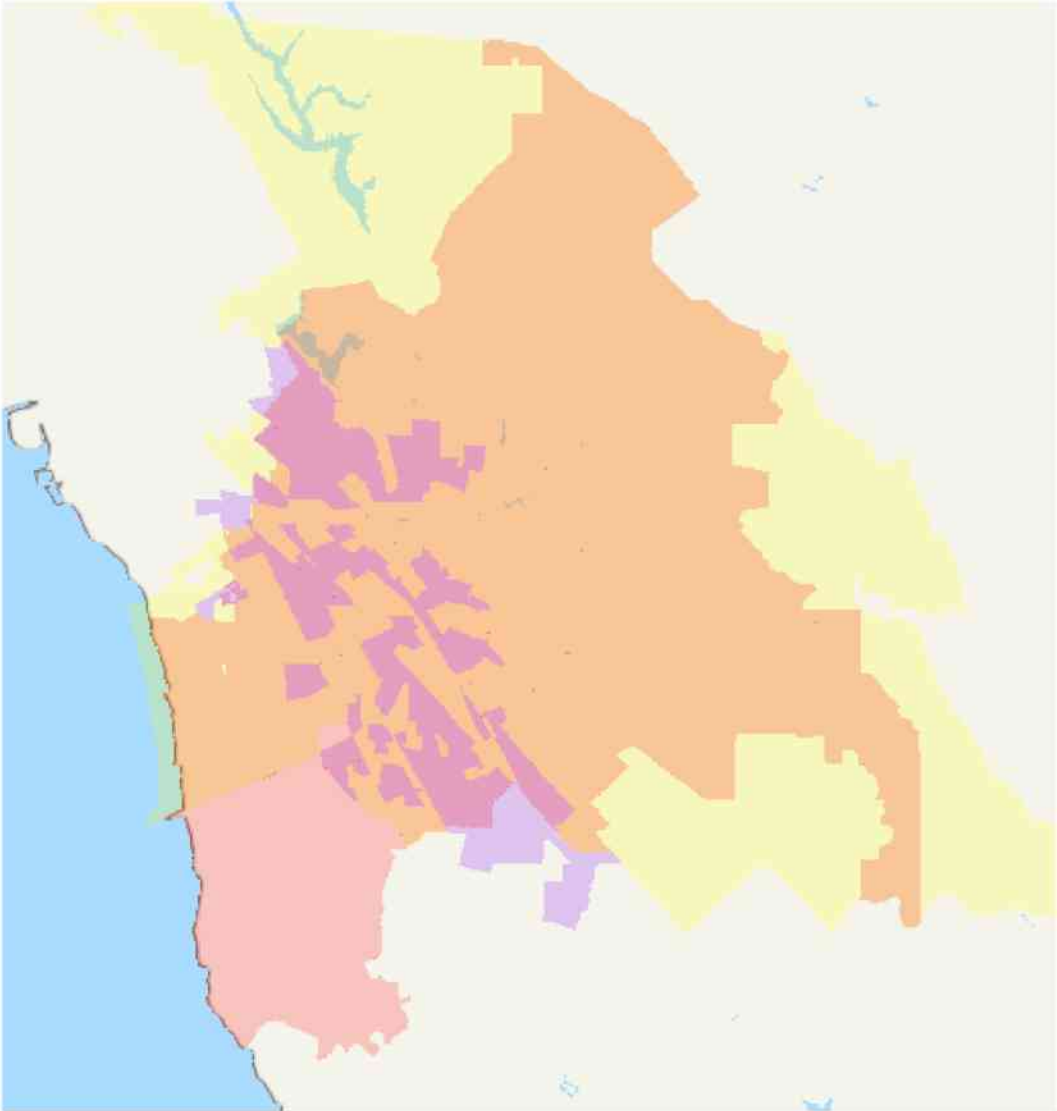
RENTERS OVER 25%



MORE THAN 15% HAD MOVED WITHIN THE PRIOR YEAR



LIMITED ENGLISH PROFICIENCY OVER 15%

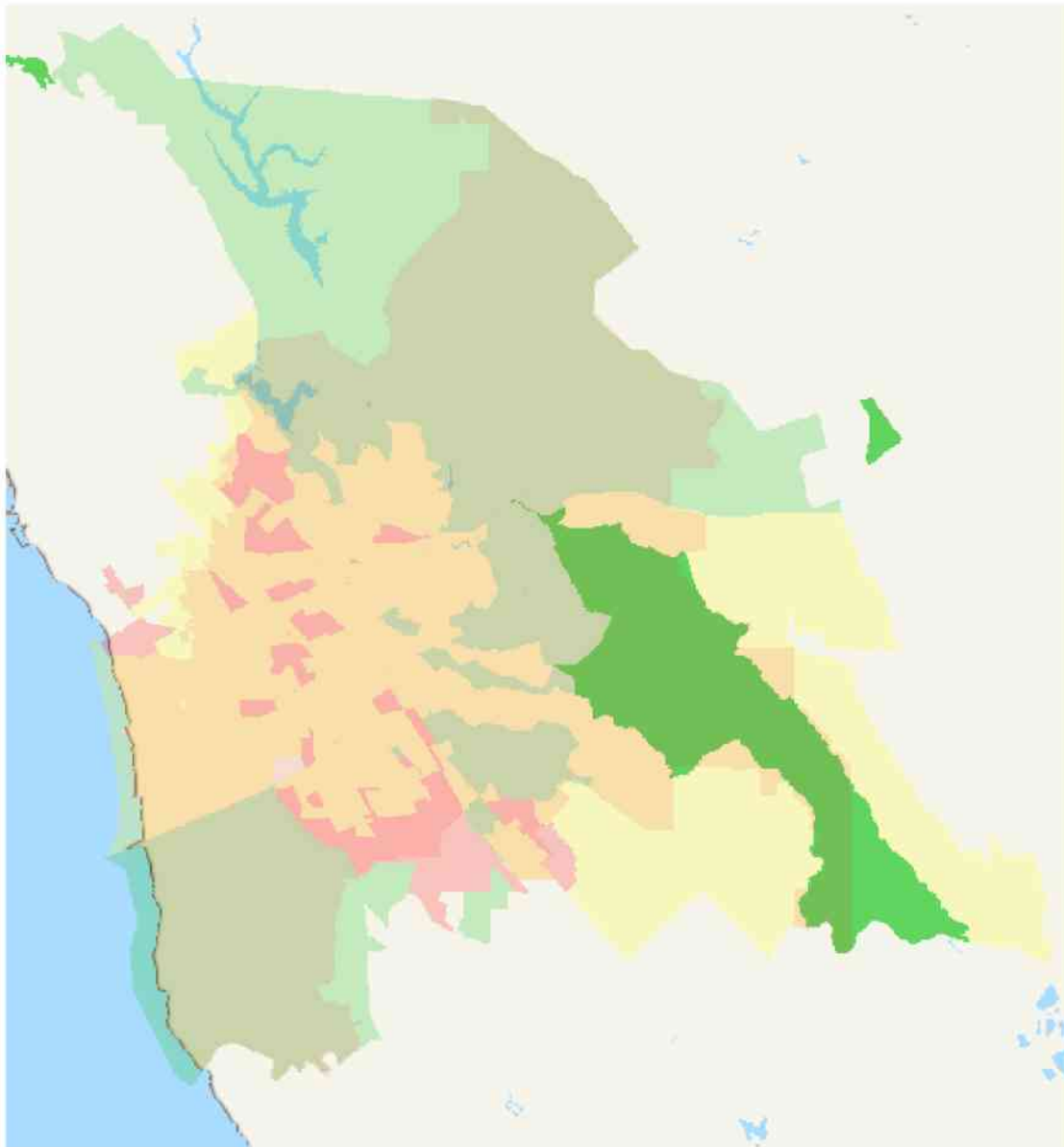


## HOUSING VALUES

Red - More than 10% Less than \$250k

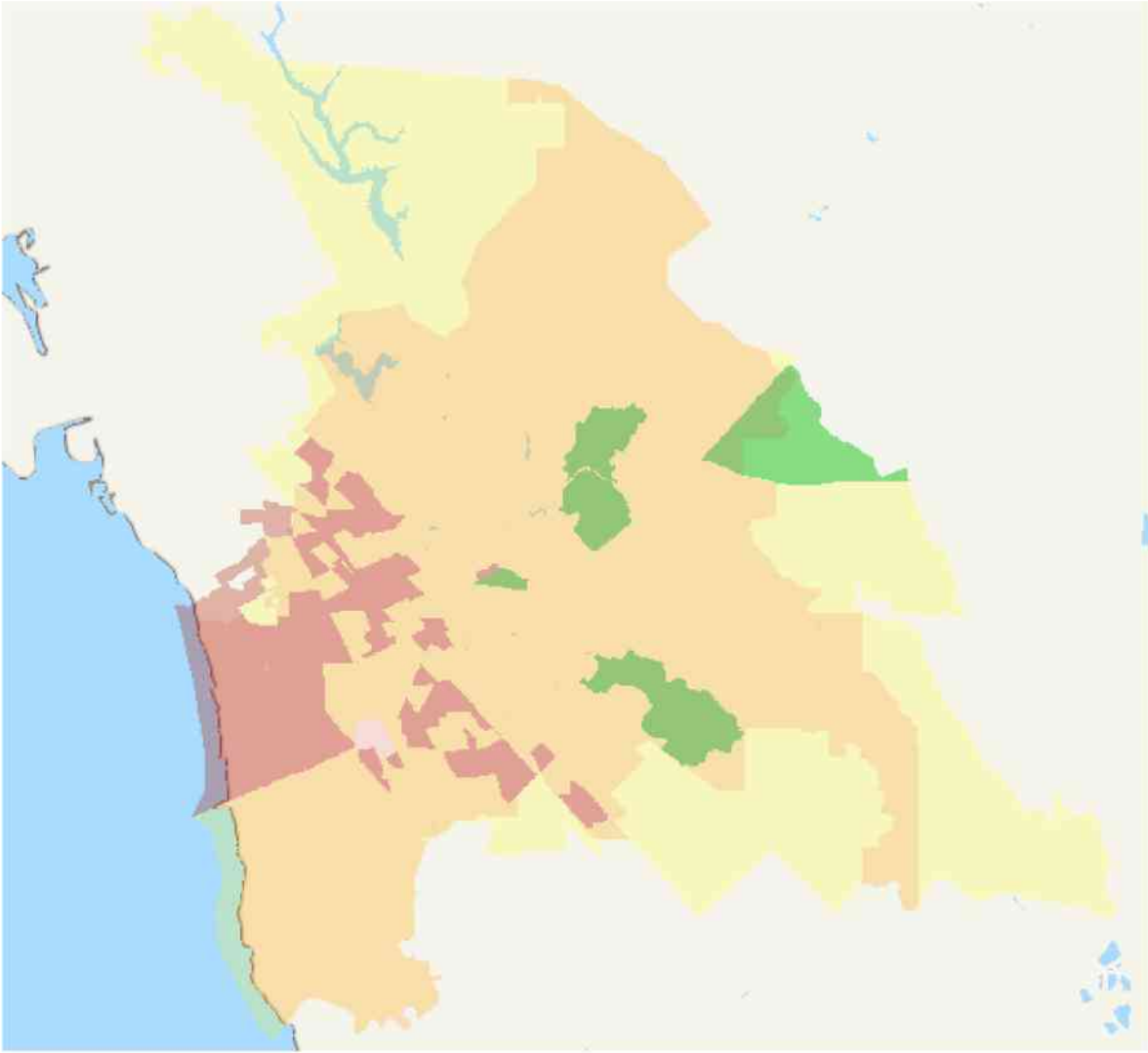
Light Green - More than 25% Over \$1M

Dark Green - More than 75% Over \$1M



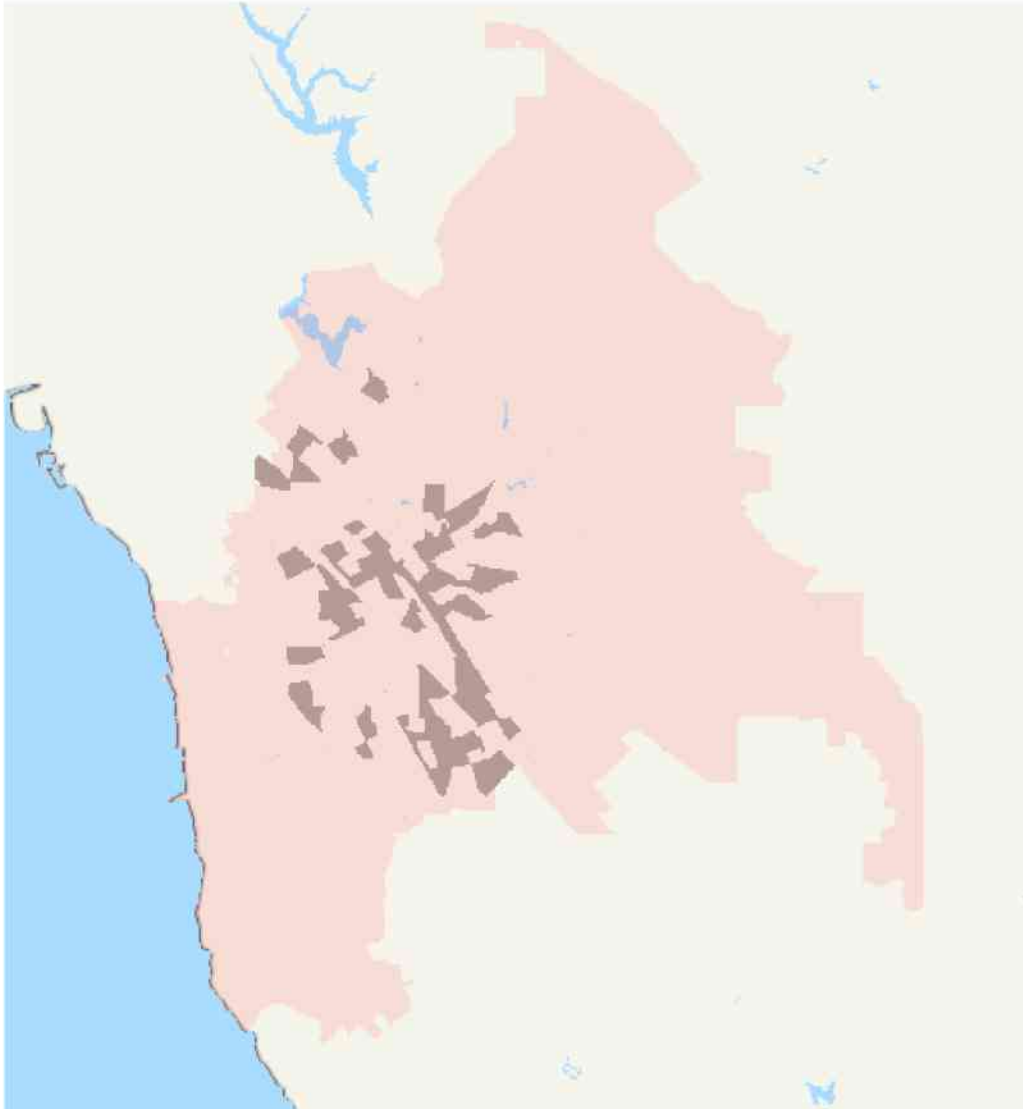
EDUCATIONAL ATTAINMENT

- MORE THAN 15% HAVE NO HIGH SCHOOL DEGREE
- MORE THAN 25% HAVE GRADUATE SCHOOL DEGREE

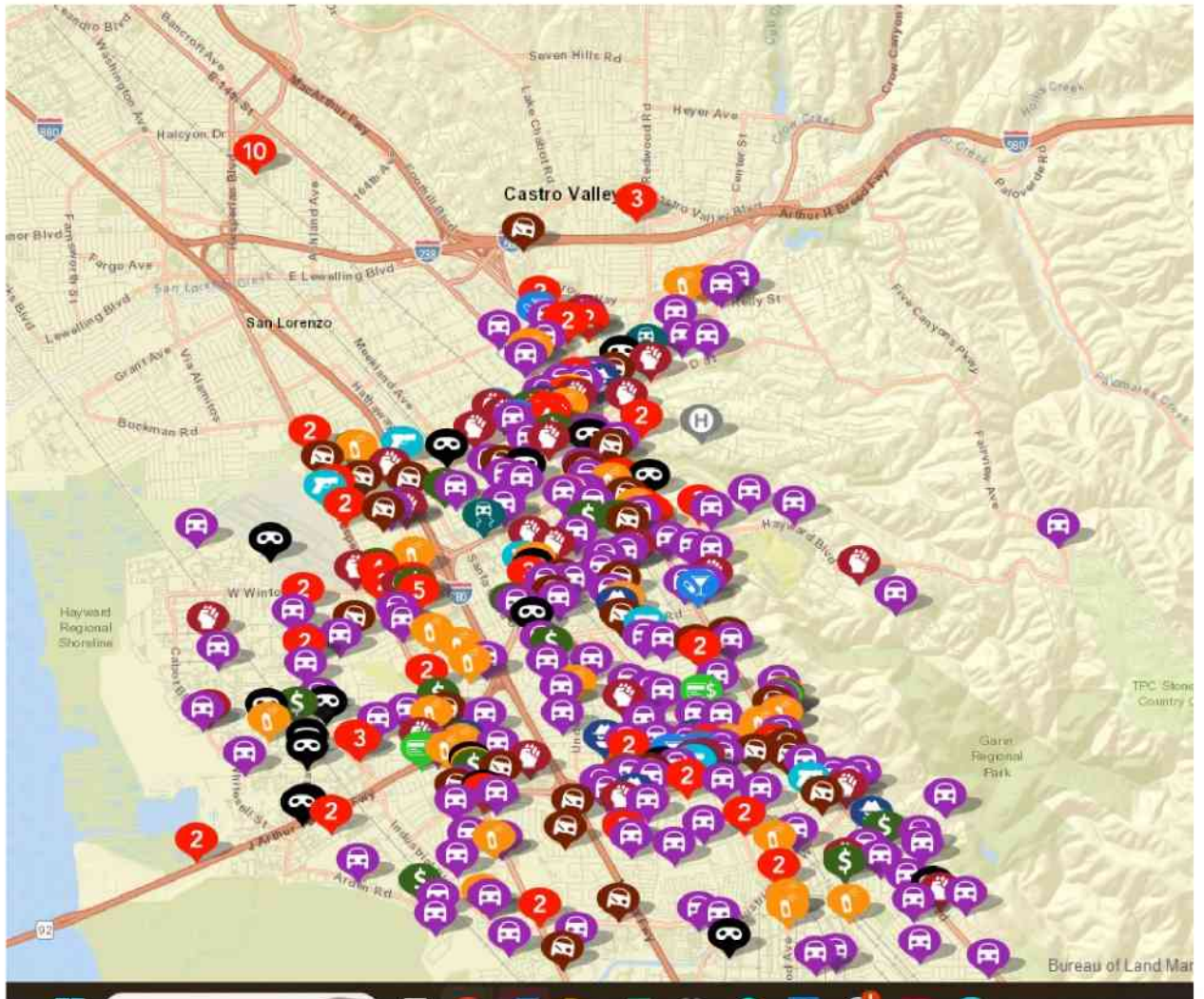


**NO VEHICLE AVAILABLE IN HOUSEHOLD**

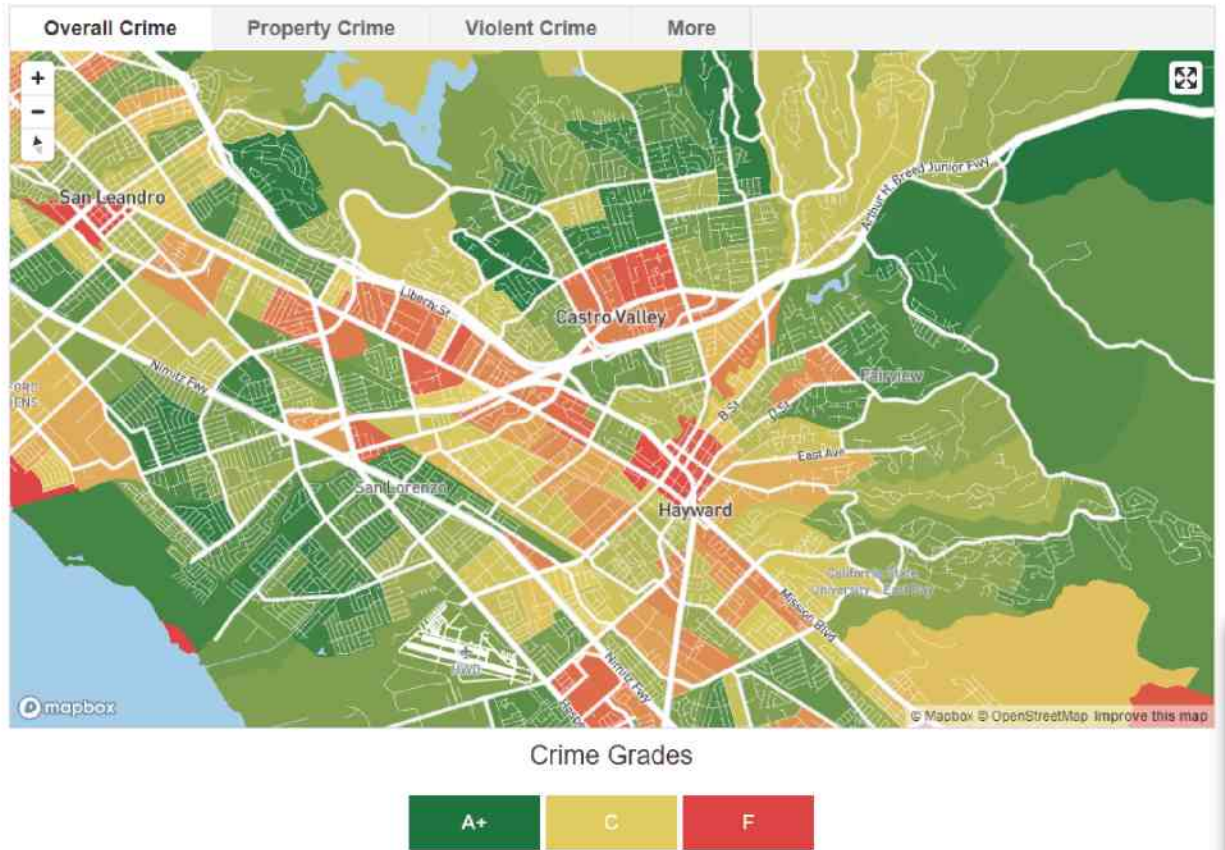
Grey – more than 30%



LEXIS CRIME MAP (past four weeks)

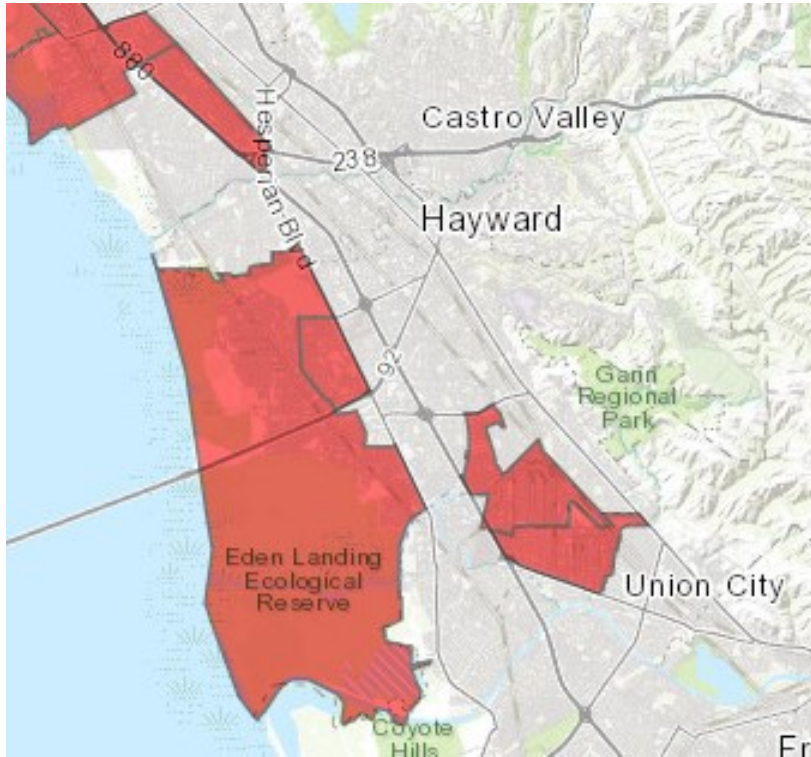


# CrimeGrade.org Assessment



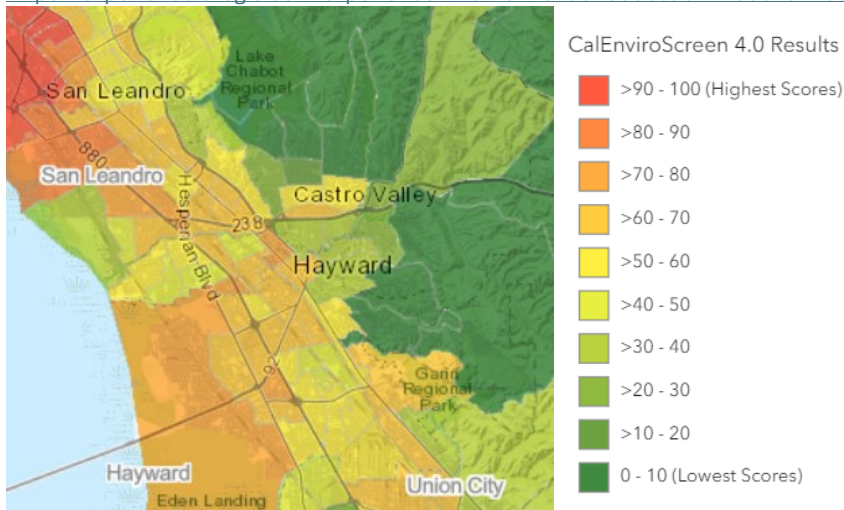
4. Disadvantaged Communities defined for SB 535 EnviroScan

<https://experience.arcgis.com/experience/1c21c53da8de48f1b946f3402fbae55c/page/SB-535-Disadvantaged-Communities/>



Additional EnviroScan 4.0 scoring detail

[https://experience.arcgis.com/experience/11d2f52282a54ceebcac7428e6184203/page/CalEnviroScreen-4\\_0/](https://experience.arcgis.com/experience/11d2f52282a54ceebcac7428e6184203/page/CalEnviroScreen-4_0/)



## 5. SOCIO-ECONOMIC EVALUATION OF PROPOSED DIVISIONS

DIVISION	Education		Income			Access	
	no high school	Graduate degree	below pov level	below 2x pov level	receive pub ass SNAP	no computer	limited English adults
1 Asian	12%	7%	7%	19%	12%	5%	12%
2 Challenged	11%	8%	14%	31%	12%	7%	13%
3 S Hayward	11%	7%	8%	23%	13%	5%	13%
4 Hills	6%	17%	6%	12%	5%	3%	6%
5 San Lorenzo	15%	5%	11%	23%	13%	6%	13%
District-wide	11%	9%	9%	21%	11%	5%	11%

DIVISION	Housing				Unable to vote			
	rent	rent AND no vehicle	own <\$250k	own >\$1m	built pre-1940	built post-2010	under 18 years old	noncitizen adults
1 Asian	30%	4%	17%	9%	5%	4%	19%	18%
2 Challenged	64%	7%	6%	4%	21%	1%	21%	21%
3 S Hayward	55%	4%	3%	6%	7%	2%	23%	24%
4 Hills	25%	1%	3%	28%	14%	3%	21%	10%
5 San Lorenzo	45%	4%	6%	3%	21%	5%	24%	19%
District-wide	43%	4%	7%	12%	14%	3%	21%	18%