



STAFF REPORT

Office of the City Manager

DATE: April 5, 2022

TO: Honorable Mayor and City Council

FROM: Dominic Lazzaretto, City Manager
By: Michael Bruckner, Deputy City Manager

SUBJECT: ORDINANCE NO. 2386 AMENDING SECTION 1704(B) TO CHAPTER 7, ARTICLE I OF THE ARCADIA MUNICIPAL CODE DEFINING CITY COUNCIL ELECTORAL DISTRICT BOUNDARIES, AND ADOPTING REVISED CITY COUNCIL ELECTORAL DISTRICT BOUNDARIES AS SET FORTH IN EXHIBIT "A"

Recommendation: Introduce

SUMMARY

As a result of the 2020 Census, the City of Arcadia is required to review new population data and to rebalance its City Council election districts. Per the Elections Code, the City Council is required to adopt a new district map by Ordinance following a series of public hearings. Per the Fair Maps Act, the City has completed the required number of public hearings.

At the March 15, 2022, City Council Meeting, the City Council requested that the City's Demographer, NDC, make a second revision to Map 115 to adjust District 1, 4, and 5 boundaries. Further, the City Council recommended that all five current maps under consideration, Maps 103, 114 (Revised), 115 (Revised), 116, and 118, be continued for further discussion at the March 18, 2022, Special Meeting of the City Council. At the March 18, 2022, the Council Member Beck introduced Map 115 (Version 4) for further City Council discussion. At the conclusion of the Special Meeting, the City Council directed the City Manager to continue this item to the April 5, 2022, City Council Meeting. All seven maps under consideration are listed in Attachment "A."

It is recommended that the City Council select a final map to be incorporated as Exhibit "A" to Ordinance No. 2386, and introduce Ordinance No. 2386 amending Section 1704(B) to Chapter 7, Article I of the Arcadia Municipal Code defining City Council electoral district boundaries and adopting City Council district boundaries as set forth in Exhibit "A." It will also be necessary at this point to adjourn the Regular Meeting to a date at least five days after the map is introduced to give second reading (adoption) of the Ordinance, which must take place by April 17, 2022. Therefore, the City Council should set a date between April 10 and April 17 to adopt the Ordinance.

BACKGROUND

City Council districts must be “substantially equal in population”. The districts are also required to comply with the United States Constitution, the California Constitution, the Federal Voting Rights Act of 1965, and the California Fair Maps Act. On June 15, 2021, the City entered into a contract with National Demographic Corporation (“NDC”) to provide Demographer Services for this effort.

Based on the 2020 Census and State of California adjustment factors, the City’s population is 56,780. As a result, each City Council district should ideally contain 11,356 people, with a legally acceptable deviation of less than 10% from the largest district by population to the smallest district by population (Harris v. Arizona Independent Redistricting Commission). The table below shows the current population and demographic factors by existing districts:

City of Arcadia - 2020 Census Data Total Population Statistics							
District	CA Adjusted Pop.	Deviation	% Deviation	% Hispanic Origin	% NH White	% NH Black	% NH Asian
1	11,330	-26	-0.23%	13.56%	18.60%	1.68%	64.95%
2	10,265	-1091	-9.61%	14.71%	25.20%	1.96%	56.43%
3	12,148	792	6.97%	17.05%	15.06%	2.86%	63.26%
4	11,890	534	4.70%	8.27%	14.10%	1.49%	74.52%
5	11,148	-208	-1.83%	11.98%	16.04%	1.15%	69.09%
		Total Deviation	16.58%				

The current City Council districts have a population deviation of 16.58% (the total percentage difference between the largest and smallest deviation 9.61% + 6.97%), no longer meeting the statutory requirements for adoption. Therefore, new district boundaries must be drawn.

Under the State’s Fair Maps Act, the City must hold at least four public hearings for the community to provide input regarding the composition of City Council electoral districts. The first public hearing was held on August 17, 2021. Under the Fair Maps Act, a Community Workshop can be held in-lieu of a public hearing, and the City conducted that workshop on November 10, 2021. The third public hearing was scheduled for February 1, 2022, but was continued to February 7, 2022, due to a lack of quorum. The fourth public hearing was held on March 1, 2022. The fifth public hearing was held on March 15, 2022. The City Council also held a Special Meeting on March 18, 2022, to further consider map options.

The Fair Maps Act also requires that the new district maps be adopted at least 205 days prior to the election. The next regularly scheduled municipal election is November 8, 2022, which requires the City to adopt a map no later than April 17, 2022. If the City Council is able to select a final map and introduce Ordinance No. 2386 (Attachment “B”)

at this meeting, final adoption can occur after five days at an Adjourned Regular City Council Meeting. All maps currently under consideration for adoption were posted on the City's website on Monday, March 28, 2022, at ArcadiaCA.gov/redistricting.

It should also be noted that if the City Council is unable to adopt a draft map by the April 17, 2022, deadline, per the Fair Maps Act, the City is required to immediately petition the Court for an order to adopt City Council district boundaries. If the City does not petition the Court within five days after the deadline, any resident of the City may file that petition and will be entitled to reasonable attorney's fees and costs from the City. The Court is also authorized to appoint a special master to assist with creating new draft maps, and they must conduct one or more public hearings before the Court can adopt City Council district boundaries in accordance with the appropriate statutory criteria. All costs for the special master would be the responsibility of the City. The City Council district boundaries adopted by the Court would become effective immediately in the same manner as if the Court's order were enacted by the City Council.

DISCUSSION

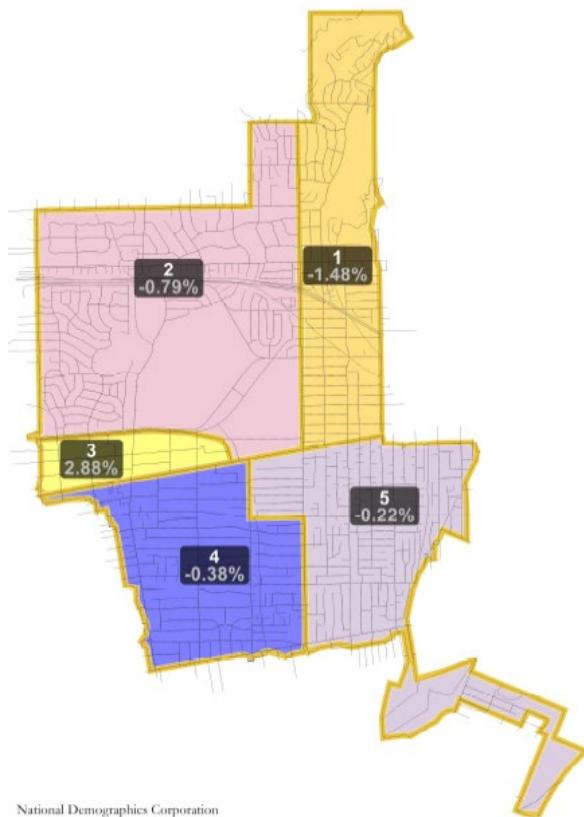
At the March 15, 2022, City Council Meeting, the City Council requested that the City's Demographer, NDC, revise Map 115 further to adjust District 1, 4, and 5 boundaries – this map is known as Map 115 (Revised Version 2). Further, the City Council recommended that all five current maps under consideration – Maps 103, 114 (Revised), 115 (Revised), 116, and 118 – be continued for further discussion to the March 18, 2022, Special Meeting of the City Council.

At the March 18, 2022, Special Meeting, the City Council discussed the six maps that were under consideration. NDC completed the second revision to Map 115 as requested by the City Council and noted that the changes requested creates a population deviation of 12.89%, which is above the 10% threshold for population balance. Therefore, NDC does not recommend that the City Council move forward with adopting Map 115 (Revised Version 2); however, Map 115 (Revised) does meet all of the statutory requirements for adoption.

Map 115 (Version 4)

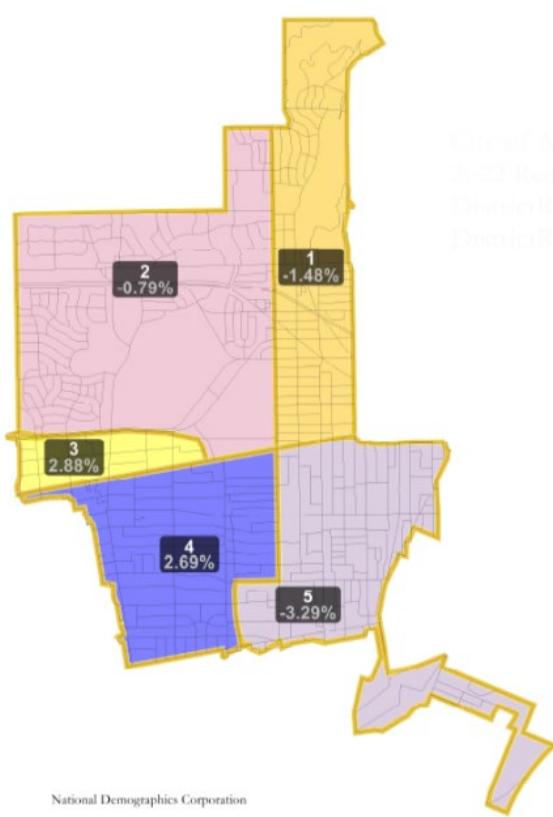
At the March 18, 2022, Special Meeting, Council Member Beck introduced Map 115 (Version 4) for further City Council discussion. This map keeps Districts 1, 2, and 3 unchanged from Map 115 (Revised); however, it shifts population between Districts 4 and 5. Notably, the census blocks east of El Monte Avenue, south of Duarte Road and north of Camino Real Avenue, have shifted from District 4 to District 5. The census blocks south of Longden Avenue, east of the Arcadia Wash, and north of Live Oak Avenue have shifted from District 4 to District 5. Map 115 (Version 4) has a population deviation of 6.17%, which is below the 10% maximum threshold and it meets all other criteria for adoption.

Map 115 (Revised)



National Demographics Corporation

Map 115 (V.4)



National Demographics Corporation

Based on the foregoing and the previous analyses and discussions throughout this process, it is recommended that the City Council choose a map from among the group of balanced maps that have been created: Map 103, 115 (Revised), 115 (Version 4), 116, or 118. Alternately, the City Council may provide direction on creating additional maps for consideration.

If the introduction of Ordinance No. 2386 is delayed beyond this meeting, the City Attorney may need to assist the City Council with the mechanics needed at this point to stay within the time limits for adoption. Virtually any date up to the Sunday, April 17, 2022, deadline is possible as long as the chosen map is on the City's website no later than April 9 and the Ordinance is introduced no later than April 12. Since there are less than 28 days before the April 17 deadline, Elections Code § 21628(d)(1) states that a final map need only be posted 3 days prior to introduction instead of the usual 7 days cited in previous staff reports. The table below summarizes the absolute final days to take action to meet the statutory deadline.

TABLE 1: KEY DEADLINES FOR MAP ADOPTION

REQUIRED ACTION	TIMING	FINAL POSSIBLE DATE
Posting Final Map on City Website	3 Days Before Introduction	Saturday, April 9, 2022
First Reading (Introduction) of Ordinance		Tuesday, April 12, 2022
Second Reading (Adoption) of Ordinance	5 Days After Introduction	Sunday, April 17, 2022

ENVIRONMENTAL ANALYSIS

The proposed actions do not constitute a project under the California Environmental Quality Act (“CEQA”), based on Section 15061(b)(3) of the CEQA Guidelines, as it can be seen with certainty that they will have no impact on the environment. Thus, these matters are exempt under CEQA.

FISCAL IMPACT

There is no impact to the General Fund to introduce Ordinance No. 2386. The cost of the entire redistricting process has been included in the FY 2021-22 operating budget and choosing different districts will have no direct impact on City costs. Failure to adopt new districts prior to the April 17, 2022, deadline may result in legal and court costs.

RECOMMENDATION

It is recommended that the City Council:

- 1) Select a final map to be incorporated as Exhibit “A” to Ordinance No. 2386;
- 2) Determine that this action is exempt under the California Environmental Quality Act (“CEQA”);
- 3) Introduce Ordinance No. 2386 amending Section 1704(B) to Chapter 7, Article I of the Arcadia Municipal Code defining City Council electoral district boundaries and adopting revised City Council district boundaries as set forth in Exhibit “A;” and
- 4) Set a date and time between April 10 and April 17 to give second reading (Adoption) of the Ordinance.

Attachments: “A” – Draft Maps
“B” – Ordinance No. 2386