



STAFF REPORT

Office of the City Manager

DATE: March 1, 2022

TO: Honorable Mayor and City Council

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

SUBJECT: PUBLIC HEARING TO RECEIVE INPUT FROM THE COMMUNITY AND TAKE POSSIBLE ACTION ON DRAFT MAPS REGARDING THE REDRAWING OF CITY COUNCIL ELECTION DISTRICT BOUNDARIES
Recommendation: Receive Public Input and Provide Direction on a Final Map

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 or, if appropriate, readopt the existing district map by Ordinance following a series of public hearings.

This public hearing is the fourth in a series of several public meetings to receive input from the Arcadia community regarding the redrawing of City Council district boundaries. At the February 7, 2022, Adjourned City Council Meeting, the City Council selected six maps for further consideration, which include public Maps 103, 110, and 111 and three maps submitted by Council Member Verlato (Maps 114-116). The City Council further established a deadline of February 22, 2022, for Council Members to submit up to two additional maps each. Mayor Pro Tem Cheng has submitted two maps (Maps 117 and 118) for City Council consideration. No additional submissions have been made. All eight maps have been posted on the City's redistricting page at ArcadiaCA.gov/redistricting.

The City's demographer has reviewed Council Member Maps 114-118 to determine whether they meet the standards and statutory requirements established by the relevant legal authorities for City Council adoption. The demographer has raised concerns regarding Maps 114 and 115 because they reduce the total number of Asian majority districts.

It is recommended that the City Council conduct a public hearing to review the draft maps and provide direction on a final map for introduction at a public hearing on March 15, 2022.

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 for the February 1, 2022, City Council Meeting. This hearing is the fourth public hearing and the final public hearing is tentatively scheduled for March 15, 2022. If necessary, additional hearings can be held prior to the April 17, 2022, deadline for adopting an ordinance.

The Fair Maps Act requires that the new district maps be adopted at least 174 days prior to the election. The next regularly scheduled municipal election is November 8, 2022, which requires the City to adopt maps no later than April 17, 2022. Assuming that there

are no further delays, the City will have sufficient time to complete the redistricting process.

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 can Court 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 a resolution or ordinance of the City Council.

DISCUSSION

At the February 7, 2022, Public Hearing, Council Member Verlato introduced three maps for consideration, which were referred to as Verlato Maps A-C. At the conclusion of the discussions, the City Council directed staff to bring back public Maps 103, 110, and 111 and to have the demographer analyze those submitted by Council Member Verlato (now labelled Maps 114-116). The City Council also established a deadline of February 22, 2022, for Council Members to submit up to two additional maps each for consideration if desired. Mayor Pro Tem Cheng has submitted two maps, Maps 117 and 118. No other maps have been submitted by Council Members.

The purpose of this public hearing is to receive public input on public Maps 103, 110, and 111 as well as the five Council-submitted Maps 114-118. At the conclusion of the discussions, the City Council should provide direction on a final map to be presented for adoption at a date selected by the City Council.

The City's demographer, NDC, has reviewed the eight draft maps currently under consideration and the analysis of each map was posted on the City's redistricting webpage at ArcadiaCA.gov/redistricting. An interactive view of all of the submitted maps can be found at <https://tinyurl.com/arcadiadraftmaps>. These maps are also attached under Attachment A.

According to NDC, Maps 114 and 115 reduce the majority Citizen Voting Age Population ("CVAP") of Asian-Americans from four districts to three districts. The City's current map and all other maps under consideration would have four majority CVAP Asian-American voting districts. Therefore, NDC suggests that Maps 114 and 115 may present certain challenges under Federal Voting Rights Act requirements. While Maps 114 and 115 increase the percentage of Hispanic CVAP in one district relative to any of the other options, they do not create a majority for that presumed common interest voting group.

It should be noted that a final draft map must be publicly available and posted on the City's website for at least seven days before it can be considered by the City Council for adoption at a public hearing. If a change is made to a map at this public hearing or any subsequent meeting, the revised map must be posted at least seven days before it is adopted by Ordinance.

At the conclusion of the public hearing, staff will be asking the City Council for input on which map(s) should be considered further and to set a date for the public hearing for final adoption. It is recommended that a single map be selected for consideration at a public hearing on March 15, 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.

PUBLIC NOTICE

The public hearing notice was published in the Arcadia Weekly newspaper on February 17, 2022.

FISCAL IMPACT

There is no impact to the General Fund as a result of this public hearing. 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 conduct a public hearing to review the draft maps, determine that this project is exempt under the California Environmental Quality Act ("CEQA"), and provide direction on a final map for introduction at a public hearing on March 15, 2022.

Attachments: "A" – Draft Maps 103, 110, 111, 114 (A), 115 (B), 116 (C), 117, & 118