



STAFF REPORT

Office of the City Manager

DATE: March 15, 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: Conduct a Public Hearing and 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.

This public hearing is the fifth in a series of several public meetings to receive input from the Arcadia community regarding the redrawing of City Council district boundaries. At the March 1, 2022, City Council Meeting, the City Council selected five maps for further consideration, which include Maps 103, 114, 115, 116, and 118 for City Council consideration. The City Council further directed the City's Demographer, NDC, to revise Maps 114 and 115 to be better aligned with Federal Voting Rights Act requirements. The City Council also directed staff to prepare an Ordinance for introduction to adopt a final map. All five maps currently under consideration were posted on the City's redistricting page at ArcadiaCA.gov/redistricting on Friday, March 4, 2022.

At the March 1, 2022, City Council meeting, the demographer raised concerns regarding Maps 114 and 115 because they reduce the total number of Asian-American majority districts from four districts to three districts. The City's demographer has reviewed and revised Maps 114 and 115 per City Council direction; however, the demographer does not recommend that the City adopt Map 114 as revised due to potential concerns regarding Asian-American voter dilution. Therefore, the City Council should choose between Maps 103, 115 (revised), 116, and 118. If additional modifications or any new

maps are desired, the City will have limited time prior to the April 17, 2022, deadline for adopting new boundaries and a Special Meeting may be required.

It is recommended that the City Council conduct a public hearing to review the draft maps and 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."

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. This hearing is the fifth public hearing. No additional public hearings are currently scheduled; however, additional hearings can be held as necessary prior to the April 17, 2022, deadline for adopting a final map by Ordinance.

The Fair Maps Act requires that the new district maps be adopted at least 205 days prior to the election. A previous version of this report erroneously referred to 174 days as the deadline; however, AB 1276 cities must adopt maps 205 days prior to any election that occurs after July 1, 2022. The next regularly scheduled municipal election is November 8, 2022, which requires the City to adopt a map 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 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 1, 2022, City Council Meeting, the City Council selected five maps for further consideration, which include Maps 103, 114, 115, 116, and 118 (Attachment "A"). The City Council further directed the City's Demographer, NDC, to revise Maps 114 and 115 to be better aligned with Federal Voting Rights Act requirements. The City Council also directed staff to prepare an Ordinance for introduction to adopt a final map.

As was discussed at the March 1, 2022, City Council Meeting, according to NDC, as originally submitted, 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 have four Asian-American majority CVAP voting districts. Therefore, NDC suggested 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.

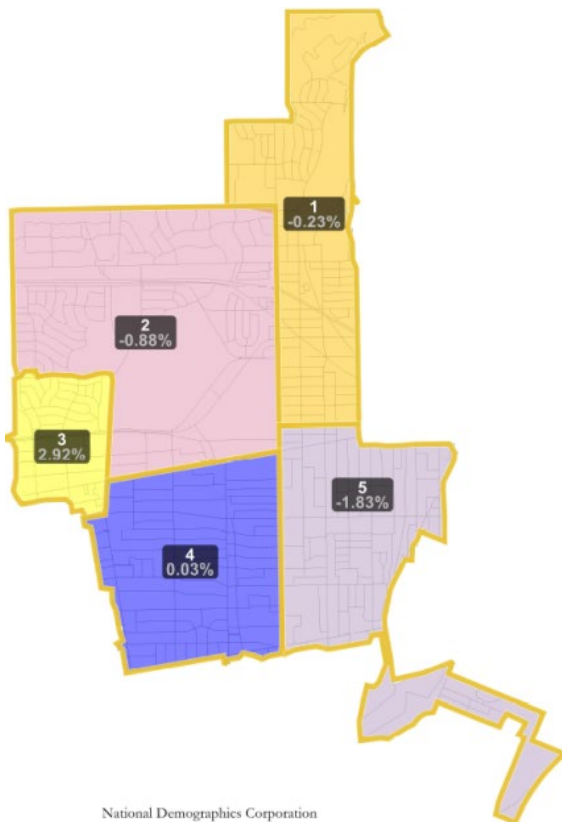
Per City Council's direction, the City's demographer, NDC, has revised Maps 114 and 115. Below is a summary of the demographer's changes to Maps 114 and 115.

Map 114 (Revised)

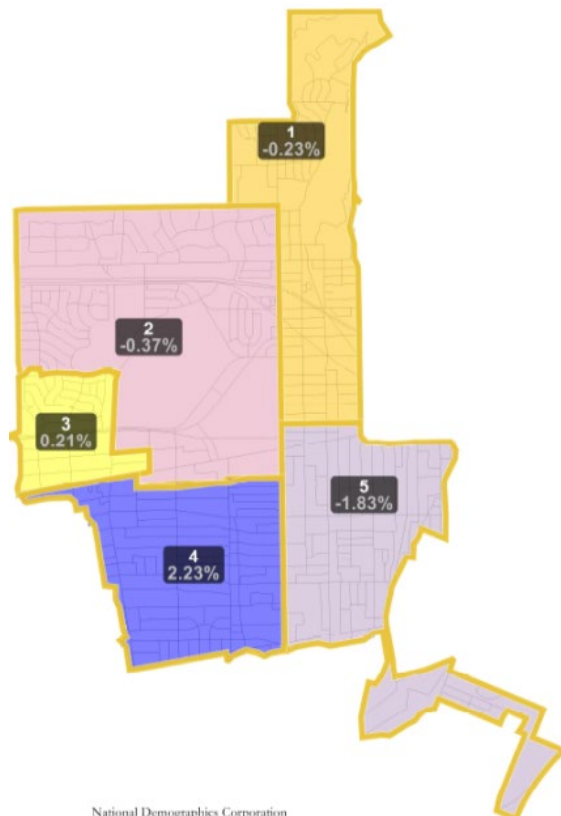
In order to create a fourth Asian-American majority CVAP district, the demographer moved some of the census blocks south of Duarte Rd. that were part of District 3 into District 4. District 2 was pushed further south past Duarte Rd. and District 3 further east along Duarte Rd. According to NDC, these adjustments were the only changes available to keep the map relatively consistent with the original plan while creating a fourth Asian-American majority CVAP district.

In revising the map, NDC was able to create an Asian-American majority CVAP in District 2 (51.98%) but not in District 3 (43.75%) where the current Asian-American majority CVAP exists. Because there is realistic alternative to create an Asian-American majority CVAP in District 3 without significantly altering district boundaries from the original map, NDC is recommending that the City Council not move forward with adopting Map 114 even as revised due to potential concerns of Asian-American voter dilution in District 3.

Map 114



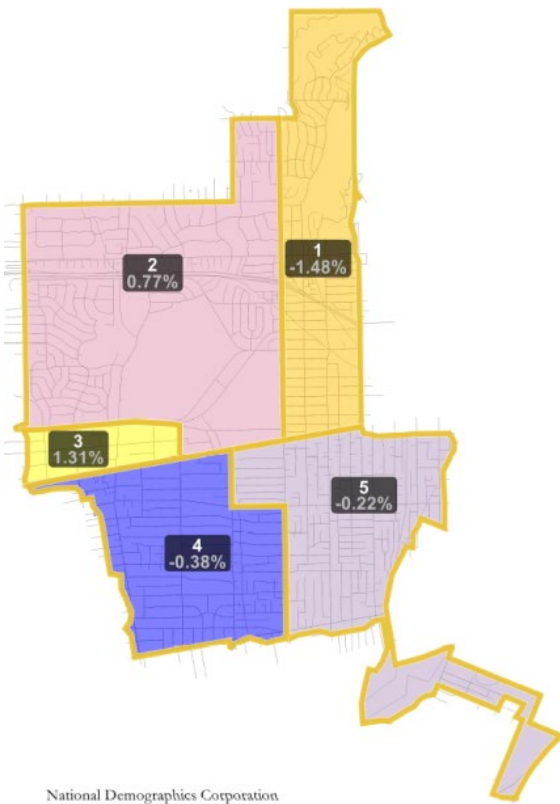
Map 114 (Revised)



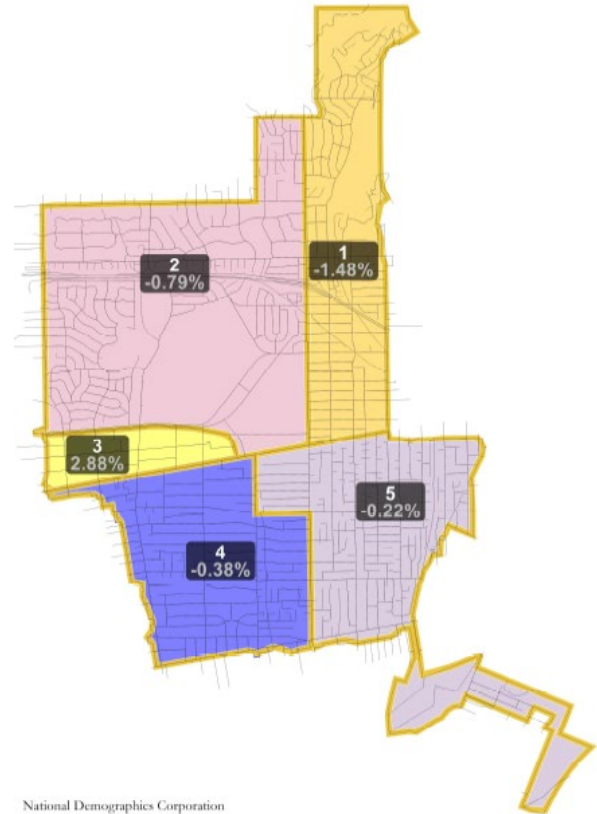
Map 115 (Revised)

In order to create a fourth Asian-American majority CVAP district in District 3, the demographer added two census blocks further east in District 3. By doing so, the Asian-American majority CVAP in District 3 was increased to 50.01%. NDC has not raised any concerns regarding this revised map.

Map 115



Map 115 (Revised)



The purpose of this public hearing is to receive public input on proposed voting districts and for the City Council to adopt a final map for incorporation as Exhibit "A" to Ordinance No. 2386 (Attachment "B"), which should be introduced at the conclusion of this hearing to remain within timeline targets for this effort.

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

introduced by Ordinance. All maps currently under consideration for adoption were posted on the City's website on Friday, March 4, 2022, and an ordinance setting district boundaries could be introduced at this meeting using any of the maps in Attachment "A."

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 beat 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. In this scenario, if 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. 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.

PUBLIC NOTICE

The public hearing notice was published in the Arcadia Weekly newspaper on March 7, 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:

- 1) Conduct a public hearing to review and receive public input on the draft maps;
- 2) Select a final map to be incorporated as Exhibit “A” to Ordinance No. 2386;
- 3) Determine that this action is exempt under the California Environmental Quality Act (“CEQA”); and
- 4) 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.”

Attachments: “A” – Draft Maps 103, 114 (Revised), 115 (Revised), 116, and 118.
“B” – Ordinance No. 2386