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Title: UPDATE ON CITY COUNCIL DISTRICT REVISION PROCESS RESULTING FROM THE 2020 DECENNIAL CENSUS (CITY COUNCIL)

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Report to Mayor and City Council

Tuesday, April 06, 2021

Discussion

SUBJECT:

UPDATE ON CITY COUNCIL DISTRICT REVISION PROCESS RESULTING FROM THE 2020 DECENNIAL CENSUS (CITY COUNCIL)

I. SUMMARY

On August 4, 2020, the City Council adopted Ordinance 20-008, establishing by-district voting for City Council seats in the City of Carson, at a noticed public hearing.

The 2020 City Council elections were held by district, with District 1 (Council Member Hilton) and District 3 (Council Member Hicks) up for reelection. Council Districts 2 (Mayor Pro Tem Dear) and 4 (now-Mayor Davis-Holmes) were designed to remain at-large districts until the current terms for those districts expire in 2022. However, with the election of Mayor Davis-Holmes to the Mayor’s seat, the District 4 seat is open, and the City Council has approved placing that seat on the ballot.

Under the terms of the lawsuit and Settlement Agreement with the Southwest Voters Registration Education Project (“SVREP”), which was the impetus for the City to consider district elections, any election conducted after 2020 must be a District election and not at-large in order to conform to the California Voting Rights Act of 2001 (CVRA). Therefore, the election will be held as a district-only election for District 4.

Concurrently, cities and other local governments that are divided into districts or divisions are required to review their current district boundaries and redistrict based on the new population figures from the U.S. Census. The City is now in the process of reviewing the adequacy of the adopted districts against the constitutional standards considering demographic and population changes in Carson shown in the 2020 United States Census and has issued an RFP for a demographer to conduct the update.

Ordinarily, preliminary Census data sufficient to undertake redistricting would be released in March of the year following the Census (last month) to allow the review and update to occur in the spring before any fall elections. However, the Biden Administration in February announced that the data would not be released until late September because of problems finalizing the Census this year, in part due to the pandemic and in part due to changes sought by the previous administration. New data will be unavailable to potentially redraw districts prior to the 2021 District 4 Special Election but will be complete before the 2022 Regular Council District Elections.

The process for reviewing and redrawing new district boundaries must still follow Section 10010 et. seq. of the California Elections Code, with two public hearings seeking input from the community on “communities of interest” conducted prior to any maps being posted for public review, and such maps being posted on the City’s website at least seven days before the City Council would consider them.

It is anticipated that the public hearings could be conducted in June 2021, well ahead of the receipt of the updated data from the Census, and the revised maps would be available for public review later in the fall.

II. RECOMMENDATION

DISCUSS and PROVIDE direction.

III. ALTERNATIVES

TAKE another action the Council deems appropriate.

IV. BACKGROUND

The California Constitution mandates that “to the extent possible, [districts] must preserve the geographic integrity of cities, counties, neighborhoods and communities of interest” and be contiguous. Further, the state constitution requires that Districts must also “encourage compactness.” The U.S. Supreme Court has ruled that “the Equal Protection Clause [of the United States Constitution] demands no less than substantially equal state legislative representation for all citizens, of all places as well as all races.” According to the website *All About Redistricting*, “it has become accepted that a [redistricting] plan will be constitutionally suspect if the largest and smallest districts [within a state or jurisdiction] are

more than 10 percent apart.

Cities and other local governments that are divided into districts or divisions are required to review their current district boundaries and redistrict based on the new population figures from the U.S. Census.

The City of Carson adopted an electoral district map for its four City Council members (Mayor elected at-large) in 2020, in time to be used in the 2020 City Council elections.

The City is now beginning to review the adequacy of the adopted districts against new data from the 2020 United States Census, though the data itself will not be available until September. The RFP for demographer services has been released and it is anticipated that the demographer would be under contract by early May. Public hearings could be conducted in June and the analysis of new data would be in September-October, followed by the publication and presentation of draft maps.

Review of Demographic Changes

Part of the review would be to examine the current redistricting database and analyze changes in total population and changes in Citizens of Voting Age Population (CVAP) in the protected classes (Black, Latino, Asian-American, and Asian/Pacific Islander) both city-wide and by district.

The consultant would determine if overall population growth or decline in any specific district has created “unbalanced” districts (i.e., the difference between the smallest district and the largest district is greater than 10%) and analyze if any of the demographic or population changes have resulted in any constitutionally suspect districts with either “packing” or “cracking” demographic groups among the currently adopted districts.

Development of Updated District Maps

The previous two demographers previously retained to draw district maps used datasets that divided the City into 61 population units (Compass Demographics) and 111 population units (NDC). The City Council asked if there could be even smaller population units, which would reduce the number of unnatural boundaries within neighborhoods when drawing district boundaries. The RFP urges the demographers to use the most granular dataset available to prepare at least three alternative maps that comply with the Federal Voting Rights Act and the California Voting Rights Act accommodating the population changes in the city for review and consideration.

Another important aspect of the review is analyzing existing districts and new proposed districts in terms of their preservation of communities of interest and recommend corrections to boundaries (while maintaining compliance with the demographic requirements) to improve contiguity, neighborhood cohesion, and communities of interest.

As with the preparation of the original maps, the demographer would participate in two

public hearings in June, and then create paper and PDF maps and Excel-based files of at least three updated district maps based on 2020 Census Bureau Data anticipated to be released by September 30, 2021. The demographer would then create a SHAPE file for the final approved map for use by the City Clerk, the City's GIS Department, and the County Registrar of Voters.

V. FISCAL IMPACT

The RFP for demographer services is still underway, so the cost of this contract is unknown at this time. Based on the original demographer contracts to create new districts, the contract is likely to be under \$25,000.

VI. EXHIBITS

None.

Prepared by: John S. Raymond, Assistant City Manager