



Legislation Details (With Text)

File #: 2019-783 **Version:** 1 **Name:**
Type: Special Order **Status:** Agenda Ready
File created: 8/13/2019 **In control:** City Council
On agenda: 8/17/2019 **Final action:**
Title: PUBLIC HEARING NO. 5 RELATED TO CHANGING FROM AN AT-LARGE TO A BY-DISTRICT SYSTEM FOR ELECTION OF CITY COUNCIL MEMBERS, PURSUANT TO THE CALIFORNIA VOTING RIGHTS ACT (CITY COUNCIL)

Sponsors:

Indexes:

Code sections:

Attachments: 1. Draft Map 1, 2. Draft Map 2, 3. Draft Map 3, 4. Submission Map 1, 5. Submission Map 2, 6. Submission Map 3, 7. Submission Map 4, 8. Submission Map 5, 9. Submission Map 6, 10. Exhibit 10 - List of Exhibits

Date	Ver.	Action By	Action	Result
8/17/2019	1	City Council		

Report to Mayor and City Council

Saturday, August 17, 2019

Special Orders of the Day

SUBJECT:

PUBLIC HEARING NO. 5 RELATED TO CHANGING FROM AN AT-LARGE TO A BY-DISTRICT SYSTEM FOR ELECTION OF CITY COUNCIL MEMBERS, PURSUANT TO THE CALIFORNIA VOTING RIGHTS ACT (CITY COUNCIL)

I. SUMMARY

Initial Preliminary Map Discussion

To move from at-large elections to by-district voting the City needs to establish the data necessary to complete the process that meets state and federal requirements for the transition to districts. The City's demographer, David Ely of Compass Demographics, prepared the preliminary Council district maps which were presented in a public hearing at the August 6 City Council meeting. Additionally, the City also received (by the August 6 meeting) four separate submissions from community members who used the Participation Toolkit posted on the City's website; those maps were also discussed at the public hearing. Since August 6 the City has received two additional submissions, which are included in the Exhibits.

The intent when making the presentation of the preliminary Council District maps was once

again to elicit input on issues the City Council and community feel need to be prioritized in setting district maps, including the cohesiveness of neighborhoods and communities, other physical and geographic boundaries, and other factors. Robust input on the preliminary district boundaries was impeded by technical problems with the presentation of the maps themselves, as they were not easily readable after being photocopied, and the same problem existed on the video projector screen.

These are the same maps as were provided on August 6, only in a more readable, color-saturated format. The four original citizen-submitted maps are also included, as well as two submitted since August 6. In order for the demographer to refine the Draft maps based on community and City Council direction, there needs to be discussion about specific issues that are reflected in the drafts. Such questions could be along the lines of, but not limited to, the following:

- Why does the demographer not continue District 1 all the way to Del Amo Boulevard, and instead incorporates part of that neighborhood into District 2?
- Does the 157 acre project and the adjacent residential neighborhoods to the south belong in District 1, or do they more naturally fit with District 4? What about Carson Street, especially west of Avalon: should any of Carson Street be in District 1?
- Questions about District 2 would probably flow from decisions made about District 1. Since all districts must have approximately the same population, if several thousand residents are moved from north of Del Amo in District 2 to District 1, then a similar number of residents would need to come into District 2 from one of the other adjacent districts, and a similar number would need to be removed from District 1.
- Other questions could be asked about the nature of Districts 3 and 4. First, does it make more sense for there to be a single district across the entire south end of the city, or are the southeast and southwest parts of the city different enough in their communities of interest that District 4 should be shaped north and south, along the Figueroa corridor? Or do the communities of interest tend to align east and west?
- Which district does the center of town - the Civic Center and City Hall, plus the intensive urban development along Carson Street and Avalon Boulevard, plus the South Bay Pavilion - belong in? Is it associated with the neighborhoods to the west along Carson Street, in District 4? Or does it all belong in District 2, to the east?

The demographer has considered the elements of the CVRA and the federal Voting Rights Act, and will consider any community input on communities of interest and other points as described above. The three draft maps are attached as Exhibit Nos. 1-3, while the six citizen submissions are Exhibits 4-9. Also, per the Council's request is a table (Exhibit 10) that links the Exhibit number to the Draft Map or Submission number for easy cross-reference.

Public Hearing Date Change

Public hearings for August 6, 2019, August 10, 2019 and September 17, 2019 were officially scheduled by the City Council during the June 18, 2019 City Council meeting. Today's meeting was rescheduled at the August 6 Council meeting from August 10 and today's public hearing was continued from August 6. The next and last scheduled public hearing is September 17, after which the Council can make a decision on one or more draft maps, or choose to go in a different direction.

II. RECOMMENDATION

TAKE the following actions:

1. OPEN the public hearing, **and**
2. TAKE public testimony **and**
3. CONTINUE the public hearing to September 17, 2019.

III. ALTERNATIVES

TAKE another action the City Council deems appropriate.

IV. BACKGROUND

Previous Public Hearings

The first noticed public hearing on district voting was held on May 21, 2019 and the second was held on June 13, 2019; the discussion during that meeting was continued to June 18, 2019, the third public meeting schedule prior to the drafting of preliminary Council district maps by the City's demographer.

The law requires a minimum of two public hearings during the initial process: the City held three. Today's hearing, the second held after the publication of preliminary maps, is required to encourage further discussion and community participation on the discussion of the preliminary maps themselves.

The initial public hearings were intended to solicit public input on what factors to consider when preparing the maps, and an opportunity for the residents to comment and ask questions. Residents were encouraged to weigh in on communities of interest, formal and informal boundaries between neighborhoods, and other factors that would contribute to the creation of cohesive, coherent City Council districts. Many Carson residents have expressed displeasure with the City considering districts but have not offered substantive input on the shape or boundaries of districts. Some residents have offered some commentary on boundary issues and on "communities of interest."

WHY IS CARSON CHANGING THE ELECTION PROCESS?

On May 22, 2018, the City received a letter from Shenkman and Hughes, PC of Malibu demanding that the City Council elections transition from the current "at-large" method to "by-district" in order to conform to the California Voting Rights Act (CVRA). Mr. Shenkman asserted that the City of Carson is in violation of the California Voting Rights Act of 2001

because “racially polarized voting” occurs in the city.

A by-district election process means voters within a designated Council electoral district elect one City Council member who must also reside in and be a registered voter of that district. The City of Carson currently elects City Council members through an at-large election process, which means that each voter elects all members of the City Council. The Mayor would continue to be elected at large.

WHO CREATES THE DISTRICT BOUNDARIES?

The by-district process is transparent, accessible and participatory to all residents of Carson. A professional demographer has been hired by the City to create proposed district boundaries. A public electronic “participation toolkit” has been made available on the City’s website for more than a month for the public to draw and submit maps. Residents are able to provide input on boundaries and suggest criteria for creating boundaries, beyond what is legally required. Preliminary maps created for discussion purposes have been posted as part of this staff report and will remain available for public view and comment. After this meeting, the City Council will hold at least one more additional public hearing on September 17 to receive additional input on the preliminary maps.

The City will continue to make this a public process. Members of the public were encouraged to submit input on the draft maps, or even produce their own draft maps generated using the toolkit described above and submit them to the City Clerk’s office prior to this meeting for inclusion in the discussion of draft maps for consideration. Working with the participation toolkit helps the user gain a deeper understanding of the technical process of balancing districts.

HOW ARE DISTRICT BOUNDARIES DETERMINED?

Many factors may be considered, but population equality is the most important. The districts should be as close to the same size by population as possible. Other factors include, in order of increasing granularity:

- Preserving “communities of interest”
- Districts should strive to be compact
- Districts must be contiguous
- Districts should have visible (natural and man-made) boundaries
- Districts should include respect for past voter selections
- Districts should plan for future population growth

WHAT ARE COMMUNITIES OF INTEREST?

A community of interest is a neighborhood or community that would benefit from being in the same district because of shared interest, view, or characteristics. Possible community features or boundary definitions include:

- School attendance areas
- Natural neighborhood dividing lines such as roads, hills, or highways
- Areas around parks and other landmarks
- City borders
- Shared demographic characteristics, such as:

- Similar levels of income, education or linguistic isolation;
- Ancestry (not race or ethnicity)
- Languages spoken at home
- Single-family and multi-family housing units

PROS AND CONS OF BY- DISTRICT ELECTIONS

PROS

- Each geographic area of the city is represented
- Viewpoints that might not be citywide can be represented
- Minority candidates (racial or political) have a better opportunity to be elected
- It will likely cost less to run for City Council since citywide campaigning is not required
- Each voter has a specific Council member to contact for assistance
- Voter's choice is simplified with less candidates to learn about

CONS

- Council members may represent only the interests of their districts, not the whole city
- Candidates may be elected with few votes
- Council members may have divergent views, may conflict with each other
- District lines have to be reviewed and possibly redrawn after each census and significant annexation
- Depending on staggered terms, not all voters may be voting each election, reducing overall turnout

SUMMARY OF THE THREE PRELIMINARY DISTRICT MAPS

Draft 1

District 1 extends from the northern boundary of the City to (east to west) a line drawn from just south of Anderson Park and generally westerly along Turmont Street, crossing Avalon Boulevard at the southern edge of Victoria Golf Course, then southeasterly along the 405 Freeway to 213th Street, then westerly to Main Street, north to Torrance Boulevard, then west to the City limits. Major features in the district are Cal State University, the Dignity Health Sports Park, Victoria Golf Course, the Porsche Experience, and the 157 Acre project.

District 2 is south of District 1 but entirely north of the 405 Freeway, which forms the southern and western boundary. The district extends to the eastern city limits. Major features in the district are the South Bay Pavilion and the Shell Terminal.

District 3 forms the entire southern tier of the City, following the 405 Freeway from the eastern city limits to Lucerne, then along 223rd Street to Dolores, then along 228th Street to the western city limits. District 3 has the Albertson's/Home Depot Shopping Center, the Marathon Oil and Phillips 66 refineries, and the Sanitation District facility.

District 4 forms the western edge of the city in its central area, from 228th Street to Torrance Boulevard, then following Main Street southbound to 213th Street, following 213th Street to the 405 Freeway, which forms its northeastern boundary. It is entirely south of the 405 Freeway and contains City Hall and the Civic Center, the Carson Street Master

Plan area, Carson High School, and Carson Town Center.

Draft 2

District 1 extends from the northern boundary of the City to University Avenue and then south generally along the Annalee Avenue alignment to Turmont Street and generally westerly along Turmont Street, turning south at Avalon Boulevard to Carson Street, then westerly along Carson Street, then north along Main Street to Torrance Boulevard, then westerly to the City limits. Major features in the district are Cal State University, the Dignity Health Sports Park, Victoria Golf Course, the Porsche Experience, and the 157 Acre project.

District 2 is south of District 1 but entirely north of the 405 Freeway, which forms its southern and western boundary. Its northern boundary is University Avenue and its western boundary is irregularly along the Annalee Avenue alignment to Dominguez Street, west to Chico Street and then south to the 405 Freeway, following the freeway to the eastern city limits. Major features in the district are the Shell Terminal.

District 3 is a southeastern district, with a community along Avalon that extends north of the 405 Freeway and includes the South Bay Pavilion and a small part of the residential neighborhood immediately north of it. This district is the southeastern portion of the City and is separate by District 4 by Main Street and Dolores Street up to 223rd Street, where the boundary turns east to Avalon Boulevard to Turmont Street and then south again to 405 Freeway to the eastern city limits. District 3 has City Hall and the Civic Center, the South Bay Pavilion, Albertson's/Home Depot Shopping Center, and the Marathon Oil and Phillips 66 refineries.

District 4 forms the western edge of the city in its central area, from Lomita Boulevard to Torrance Boulevard, then following Main Street southbound to 213th Street, following 213th Street to Avalon Boulevard to 223rd Street, then west to Dolores Street, then west on 234th Street to Main Street, then south again to Lomita Boulevard. It is entirely south of the 405 Freeway and contains some of the Carson Street Master Plan area, Carson High School, Carson Town Center and the Sanitation District facility.

Draft 3

District 1 extends from the northern boundary of the City to University Avenue and then south generally along the Annalee Avenue alignment to Turmont Street and generally westerly along Turmont Street, and along the southern edge of Victoria Golf Course to the 405 Freeway, then south to the eastern edge of the 157 acre project, then irregularly south and west to Carson Street, then west to the western the City limits. Major features in the district are Cal State University, the Dignity Health Sports Park, Victoria Golf Course, the Porsche Experience, and the 157 Acre project, some of the Carson Street Master Plan area, and Carson Town Center.

District 2 is south of District 1 but entirely north of the 405 Freeway, which forms its southern and western boundary. Its northern boundary is University Avenue and its western boundary is irregularly along the Annalee Avenue alignment to Dominguez Street, west to Chico Street and then south to the 405 Freeway, following the freeway to

the eastern city limits. Major features in the district are the Shell Terminal.

District 3 forms the entire southern tier of the City, following the 405 Freeway from the eastern city limits to Lucerne, then along 223rd Street to Dolores, then along 228th Street to the western city limits. District 3 has the Albertson's/Home Depot Shopping Center, the Marathon Oil and Phillips 66 refineries, and the Sanitation District facility.

District 4 forms the western edge of the city in its central area, from 228th Street to Carson Street, then east to Dolores Street and then irregularly north and east to the intersection of the 157 acre project and the 405 Freeway, then following the freeway northwesterly to Del Amo Boulevard, and continuing eastbound at the southern edge of the Victoria Golf Course, crossing Avalon Boulevard and continuing east along Turmont to Annalee, then irregularly south to Dominguez Street, west to Chico Street and south on Chico Street to the 405 Freeway, following the 405 Freeway southeast to Lucerne, then on Lucerne to 223rd Street. The District contains City Hall and the Civic Center, some of the Carson Street Master Plan area, Carson High School, and the South Bay Pavilion.

TYPES OF SPECIFIC MAP INPUT SOLICITED BY THE DEMOGRAPHER

A reminder that the Draft Maps prepared by the demographer are exactly that: drafts prepared for discussion purposes. The City Council should feel free to offer both general and specific comments and suggest changes to the district boundaries. The only proviso is that in the end the districts must be approximately the same size. The demographer and City Attorney's office will offer feedback on the maps' compliance with both the California Voting Rights Act and the federal Voting Rights Act.

Types of concerns/questions that the demographer is requesting would be, for example:

- To ask the demographer to explain why he does not continue District 1 all the way to Del Amo and instead incorporates part of that neighborhood into District 2.
- Does the 157 acre project and the adjacent residential neighborhoods to the south belong in District 1, or do they more naturally fit with District 4? What about Carson Street, especially west of Avalon: should it be in District 1?
- Questions about District 2 would probably flow from decisions made about District 1. Since all districts must have approximately the same population, if several thousand residents are moved from north of Del Amo in District 2 to District 1, then a similar number of residents would need to come from one of the other adjacent districts, and a similar number would need to be removed from District 1.
- Other questions could be asked about the nature of Districts 3 and 4. First, does it make more sense for there to be a single district across the entire south end of the city, or are the southeast and southwest parts of the city different enough in their communities of interest that District 4 should be shaped north and south, along the Figueroa corridor, or do the communities of interest tend to align

east and west?

- Which district does the center of town - the Civic Center and City Hall, plus the intensive urban development along Carson Street and Avalon Boulevard, plus the South Bay Pavilion - belong in? Is it associated with the neighborhoods to the west, in District 4? Or does it all belong in District 2, to the east?

PUBLIC HEARING PROCESS

Today's meeting was rescheduled at the August 6 Council meeting from August 10 and today's public hearing was continued from August 6. The next and last scheduled public hearing is September 17, after which the Council can make a decision on one or more draft maps, or choose to go in a different direction.

The three public hearings are being conducted after the maps are drawn; at the end of the review and comment process the maps will be finalized and an ordinance is introduced and adopted. It is also anticipated that a special election may be held in March 2020 for the voters to consider an amendment to the City Charter establishing by-district voting. If adopted by the City Council, the first by-district elections for the City Council would occur in November 2020, with two of the new districts up for election (say, Districts 1 and 3); the other two districts would be up in 2022.

V. FISCAL IMPACT

No specific financial impact from the holding of this public hearing.

VI. EXHIBITS

1. Draft Map No. 1 (pg. 9)
2. Draft Map No. 2 (pg. 10)
3. Draft Map No. 3 (pg. 11)
4. Submission Map No. 1 (pg. 12)
5. Submission Map No. 2 (pg. 13)
6. Submission Map No. 3 (pg. 14)
7. Submission Map No. 4 (pg. 15)
8. Submission Map No. 5 (pg. 16)
9. Submission Map No. 6 (pg. 17)
10. Index of Exhibits (pgs. 18-19)

Prepared by: John Raymond, Assistant City Manager