



## Legislation Details (With Text)

**File #:** 2019-911      **Version:** 1      **Name:**

**Type:** Special Order      **Status:** Agenda Ready

**File created:** 9/23/2019      **In control:** City Council

**On agenda:** 10/1/2019      **Final action:**

**Title:** CONTINUED PUBLIC HEARING (PUBLIC HEARING NO. 7) 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: CONSIDERATION OF DEMOGRAPHER'S RECOMMENDED MAPS, CONSIDERATION OF ADDITIONAL MAPS CREATED PURSUANT TO COUNCIL DIRECTION FROM SEPTEMBER 17, AND REVIEW OF POTENTIAL ELECTION SEQUENCING (CITY COUNCIL)

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. Draft1, 2. Draft2, 3. Draft3, 4. submission001\_color, 5. submission002\_color, 6. submission003\_color, 7. submission004\_color, 8. submission005\_color, 9. submission006\_color, 10. submission007\_color, 11. submission007B\_color, 12. submission008\_color, 13. Exhibit 13 - List of Exhibits for 10-1 meeting, 14. Demographer's Map 1T, 15. Mayor1\_color, 16. submission009\_color, 17. submission010\_color, 18. Ballot and Adoption Schedules

Date	Ver.	Action By	Action	Result
------	------	-----------	--------	--------

## Report to Mayor and City Council

Tuesday, October 01, 2019

Special Orders of the Day

### SUBJECT:

**CONTINUED PUBLIC HEARING (PUBLIC HEARING NO. 7) 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: CONSIDERATION OF DEMOGRAPHER'S RECOMMENDED MAPS, CONSIDERATION OF ADDITIONAL MAPS CREATED PURSUANT TO COUNCIL DIRECTION FROM SEPTEMBER 17, AND REVIEW OF POTENTIAL ELECTION SEQUENCING (CITY COUNCIL)**

### I. SUMMARY

This public hearing is a continuation of the September 17 public hearing, and the recommendation will be to continue the public hearing after discussion to October 15 to be able to consider additional maps created by the second demographer, NDC, and any additional maps created by the public using the enhanced Public Participation Kit created by NDC.

Tonight, the City Council may consider four additional maps created by the original demographer, Compass Demographics, based on input received by City Council on September 17 and subsequently: (1) a revision by the demographer of Draft 1 (Map 1T) that simplifies the district boundaries in a manner similar to that proposed by Mayor Robles, but creates a “balanced” district; (2) a map made from input received by Mayor Robles from the dais on September 17; and (3) two maps submitted to the demographer by Mayor Pro Tem Hicks after the September 17 meeting, referred to as Submission 009 and Submission 010.

In addition, this staff report memorializes the discussion initiated by Councilmember Dear when he asked what the latest possible date for adoption of the Council Districting Ordinance would still allow for District elections in November, 2020.

## **Background**

On May 22, 2018, the City received a letter from Shenkman and Hughes, PC, 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) of 2001. Shenkman asserts that the City of Carson is in violation of the CVRA because “racially polarized voting” occurs in the city.

While it is reported that Shenkman has sued the City on behalf of the Southwest Voters Rights Project, as of the date of the publication of this staff report the City has not received formal notice of the suit through the City Clerk’s office.

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.

A professional demographer, Compass Demographics, was hired by the City in May, 2019 to create proposed district boundaries. A public electronic “participation toolkit” was made available on the City’s website during the public hearing period for the public to draw and submit maps. Residents were able to provide input on boundaries and suggest criteria for creating boundaries. A total of eight (8) submissions were received from members of the public prior to the September 17 public hearing.

## **Initial Preliminary Map Discussion**

To move from at-large elections to by-district voting the City needed to establish the data necessary to complete the process that meets state and federal requirements for the transition to districts. The City’s demographer prepared the preliminary Council district maps, which were presented in a public hearing at the August 6 City Council meeting, a Special meeting on August 17, and a public hearing on September 17. Additionally, the City had also received (by the August 17 meeting) six separate submissions from community members who used the Participation Toolkit posted on the City’s web site; those maps were also discussed at the public hearing.

Between August 17 and September 17 the City received two additional submissions, which are included in the Exhibits. One submission, Submission 7, was considered “unbalanced” in that the proposer had moved a neighborhood out of one district without realigning the other districts to rebalance the population. The demographer produced Submission 7B, which captures the proposer’s recommended change but ends up with balanced districts. The final citizen’s map, Submission 8, was received on September 9.

Two more citizen’s maps were received after the September 17 public hearing, from Mayor Pro Tem Hicks. These were considered “submissions” like the citizens’ submissions and are shown as Submission 9 and Submission 10. However, these submissions will be discussed in the staff report.

The intent when making the two presentations of the preliminary Council District maps was to solicit input on issues the City Council and community felt needed to be prioritized in setting district maps, including the cohesiveness of neighborhoods and communities, other physical and geographic boundaries, and other factors. This was the sort of input that resulted in Submission 7, where the resident of a particular neighborhood pointed out the geographic and practical isolation from the remainder of her proposed district, and the natural relationship instead to the neighborhood to the south.

Until the September 17 public hearing, there was very little specific feedback for the demographer to refine the Draft maps based on community and City Council direction, so there was little information for the demographer to use to amend any of the existing draft maps or prepare new Draft Maps. However, Council feedback received by the demographer on September 17 resulted in a new map proposed by the Mayor, and revised draft of Draft Map No. 1 produced by the demographer (that simplifies the district boundaries in a manner similar to that proposed by Mayor Robles, but creates a “balanced” district), and two new maps submitted by Mayor Pro Tem Hicks. All four of these maps are discussed below.

Additionally, at the September 10 Special Meeting, the Council directed Staff to negotiate a contract with a second demographer, NDC. That contract has now been finalized but not in time for the demographer to produce maps for the October 1 meeting. Additional maps from NDC will be available for the October 15 public hearing. Meanwhile, additional maps have been produced by Compass Demographics as described above for discussion in this public hearing.

## **II. RECOMMENDATION**

TAKE the following actions:

1. OPEN the public hearing, *and*
2. TAKE public testimony *and*
3. CONTINUE the public hearing to October 15, 2019 for consideration of additional maps produced by NDC, and any other new citizens’ maps, and further discussion on Council District Election Sequencing Schedule based on these maps and the NDC maps as well.

I.

### **III. ALTERNATIVES**

TAKE another action the City Council deems appropriate.

### **IV. BACKGROUND**

Preliminary maps created by the original demographer for discussion purposes have been posted since the beginning of August. The Draft Maps prepared by the demographer were originally exactly that: drafts prepared for discussion purposes. The demographer has offered feedback on the public Submissions and their compliance with both the CVRA and the federal Voting Rights Act. In some cases, the demographer has advised that several of the public Submissions may have issues complying with the Federal Voting Rights Act.

#### **Recommended Maps for Consideration Including Election Sequencing**

Pursuant to Section 10010(a)(2) of the California Elections Code, all of the maps were posted on the City's website by Monday, September 24. With the exception of the new amended Draft Map 1, the demographer's Draft Maps have not changed since the meeting on August 17 and have remained on the City's web site since then. In addition, this report contains additional discussion about election sequencing, which is required to be discussed along with sequencing maps, prior to adoption of the Districting Ordinance. A draft ordinance will be included at a future City Council meeting for the Council to review, but it would need to be finalized after the selection of a map and the selection of an election sequencing plan before it could be introduced.

Compass Demographics considered the elements of the CVRA and the federal Voting Rights Act, and considered 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 nine (eight submissions plus amended No. 7B) citizen submissions are Exhibits 4-12. Also, per the Council's request is a table (Exhibit 13) that links the Exhibit number to the Draft Map or Submission number for easy cross reference. This table now includes the name of the person or organization which submitted the map. Exhibit 14 is the Demographer's Map 1T, Exhibit 15 is Mayor's Map 1, Exhibit 16 is Submission 009, Exhibit 17 is Submission 010, and Exhibit 18 is the PowerPoint presentation on election scheduling made at the September 17 meeting.

On September 10, 2019, the City Council discussed a number of matters related to the current process of establishing District voting in Carson, including the status of the draft maps and the demographer; the overall timetable for adoption of a Council District Ordinance; the effect of the City of Carson Charter on the adoption of a Council District Ordinance; and, a timetable for bringing the Charter Amendment to the voters in either March, 2020 or November, 2020.

#### **Schedule and Next Steps**

While the Council expressed interest in moving ahead on the district voting process, many members of the Council expressed a desire to not take an action that directly contravenes

the City Charter, at least without being in litigation or ordered by a court to do so. The Council also does not wish to invite litigation solely for the purpose of resolving that question. To that end, the City Council requested the following:

- o Timelines for both a March, 2020 election and November, 2020 election to amend the charter (the April 8, 2019 City Council Staff Report including an election schedule for March 3, 2020 and November 3, 2020 elections, included as Exhibit 14); and
- o Steps and timeline in general for Council to take Council action to go to district elections via passage of the Ordinance (the Ordinance timeline):
  1. The CVRA requires a minimum of two public hearings during the initial process prior to the drafting of preliminary Council district maps by the City's demographer: the City held three. The first three noticed public hearing on district voting were held on May 21, 2019, June 13, 2019, and June 18, 2019.
  2. The CVRA also requires a minimum of two public hearings during the initial process after draft maps have been published. The City held a public hearing on August 6, August 17, and September 17. The September 17 public hearing was the first of the scheduled public hearings after the publication of the preliminary maps to discuss election sequencing. The Demographer's "Draft" maps have now become the "Recommended" maps for the Council to consider, since there was very little specific feedback for the demographer to refine or amend the Draft maps based on community and City Council direction. There is now an additional Demographer's map for consideration, plus a map created from input by Mayor Robles, and two maps submitted by Mayor Pro Tem Hicks. The last three have not necessarily been "balanced" by the demographer and are shown as submitted.
  3. September 17 contained the first recommendations about election sequencing, which is required to be discussed along with election sequencing maps prior to adoption of the Districting Ordinance. After this meeting when election sequencing is discussed, one more public hearing, on October 1, 2019, will be required to further discuss election sequencing prior to the adoption of a Districting Ordinance.
  4. Therefore, two public hearings will have been conducted after the maps were drawn, and two (this meeting and October 1) will discuss District Election Sequencing relative to the draft maps; after these public hearings the Council may introduce an ordinance for first reading. Pursuant to the language in the law, out of an abundance of caution the City Attorney's Office recommends that the introduction of the Districting Ordinance be conducted as its own separately-noticed public hearing (which may be held on the same night as the final public hearing to discuss sequencing); plus, the second reading adopting the ordinance should also be conducted as a noticed public hearing. These could occur on October 1 and October 15, 2019.
  5. 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; the other two

districts would be up in 2022. The question was raised again on September 17: “when would the Council need to act on a districting ordinance in order to have it effective for the November 2020 elections.” The answer to that considered the filing in early August, but as important was the date candidates can pull papers for the election, since the ordinance would contain the election sequencing schedule which would inform the public as to which districts are up for election period. Since an ordinance requires 30 days to become effective, the most prudent date for adoption (second reading) would be the second Council meeting in May, 2020, with the introduction (first reading) prior to that. If the Council would want to wait until the end of the canvass period for a March 3 Charter Amendment, that date is March 24, so the month of April and the first meeting in May would be available for further consideration if the ordinance wasn’t considered prior to placing the Charter amendment on a March ballot.

6. Finally, it is possible that the City Council could choose to place the Charter Amendment on the November 3, 2020 ballot and not adopt the Districting Ordinance until after that election is certified; if that is the case, a new ordinance adoption schedule would need to be produced showing the first district elections in 2022, not 2020.

Additionally, the City Council approved putting the original demographer, Compass Demographics, on “on call” status, and authorized staff to engage NDC Demographers on a limited contract to produce original maps. As of the writing of this report, the contract with NDC Demographers has been signed but no additional maps have been produced yet. It is anticipated that new maps from NDC would be available on October 15. Also, their participation kit will be made available in the City’s website to solicit additional maps from the public. In the meantime, Compass Demographics produced a new map and process the three Council-submitted maps from the September 17 meeting.

It was discussed on September 17 that the placing of a Charter amendment on either ballot can proceed independently of the adoption of the Council Districting Ordinance, but to some degree not the other way around, i.e. for the Council to consider taking action on the Districting Ordinance without first bringing a Charter amendment to the voters would violate the City Charter. As to whether or not such an action would be endorsed by the courts either in or in anticipation of a CVRA lawsuit is not an appropriate discussion for this staff report.

### **Summary of the Four Maps Produced Since September 17**

Some feedback was received from City Council by the demographer on September 17 and afterward, which resulted in a new map proposed by the Mayor, a revised draft of Draft Map No. 1 produced by the demographer, and two new maps submitted by Mayor Pro Tem Hicks. All of these maps are discussed in this section. Because the districts need to be as close to the same size as possible, this section discusses the variance in size between districts, or whether a proposed map is “balanced.” “Balanced,” in this case, only refers to overall population numbers and does not include any information on ethnic or racial breakdown.

#### *Demographer’s Draft 1T (Demographer’s redraft)*

District 1 extends from the northern boundary of the City to (east to west) Turmont Street, crossing Avalon Boulevard at the southern edge of Victoria Golf Course and extending easterly to Wilmington Boulevard and the City border; from the point of Del Amo Boulevard and the 405 freeway, it extends southeasterly along the 405 Freeway to 213<sup>th</sup> 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. There is one incumbent Councilmember in this district (term expires 2020).

District 2 is south of District 1 but entirely north of the 405 Freeway, which forms the southern and western boundary. The district is south of Turmont Street, which extends to the eastern city limits. Major features in the district are the South Bay Pavilion and the Shell Terminal. There are two incumbent Councilmembers in this district (one term expires 2020, one term expires in 2022).

District 3 forms the entire southern tier of the City, following the 405 Freeway from the eastern city limits to Lucerne, then along 223<sup>rd</sup> Street to Main Street, then south to 228<sup>th</sup> Street, then along 228<sup>th</sup> Street to the western city limits. District 3 has the Albertson's/Home Depot Shopping Center, the Marathon Oil and Phillips 66 refineries, Carson High School, and the Sanitation District facility. There are no incumbents in this district.

District 4 forms the western edge of the city in its central area, from 228<sup>th</sup> Street to Torrance Boulevard, then following Main Street southbound to 213<sup>th</sup> Street, following 213<sup>th</sup> Street to the 405 Freeway, which forms its northeastern boundary to Lucrene Street, then south to 223<sup>rd</sup> Street, then westerly back to Main Street, then south to 228<sup>th</sup> Street. It is entirely south of the 405 Freeway and contains City Hall and the Civic Center, the Carson Street Master Plan area, and Carson Town Center. There is one incumbent Councilmember in this district (term expires 2022).

This district is close to being balanced (no district should be more than plus or minus from the mean population). District 2 is slightly smaller than allowed at -5.1%. The others are within the allowed variance.

#### *Mayor's Draft 1)*

District 1 extends from the northern boundary of the City to (east to west) Turmont Street, crossing Avalon Boulevard at the southern edge of Victoria Golf Course and extending easterly to Wilmington Boulevard and the City border and the point of Del Amo Boulevard and the 405 freeway on the west, it extends northwesterly along the 405 Freeway to the westerly city limits. Major features in the district are Cal State University, the Dignity Health Sports Park, and Victoria Golf Course. There is one incumbent Councilmember in this district (term expires 2020).

District 2 is south of District 1 but entirely north of the 405 Freeway, which forms the southern and western boundary. The district is south of Turmont Street, which extends to the eastern city limits. Major features in the district are the South Bay Pavilion and the Shell Terminal. There are two incumbent Councilmembers in this district (one term expires 2020, one term expires in 2022).

District 3 forms the entire southern tier of the City, following the 405 Freeway from the

eastern city limits to Lucerne, then along 223<sup>rd</sup> Street to the western city limits. District 3 has the Albertson's/Home Depot Shopping Center, the Marathon Oil and Phillips 66 refineries, Carson High School, and the Sanitation District facility. There are no incumbents in this district.

District 4 forms the western edge of the city in its central area, from 223<sup>rd</sup> Street to the 405 Freeway, which forms its northeastern boundary to Lucrene Street, then south to 223<sup>rd</sup> Street. It is entirely south of the 405 Freeway and contains City Hall and the Civic Center, the Carson Street Master Plan area, and Carson Town Center, the Porsche Experience, and the 157 Acre project. There is one incumbent Councilmember in this district (term expires 2022).

This district is not balanced. District 1 is -15.5% and District 3 is +21.0%, and District 2 is slightly below allowed at -5.1%.

*Submission 009 (from Mayor Pro Tem Hicks)*

District 1 forms the entire southern tier of the City, following 223<sup>rd</sup> Street from the eastern city limits to the western city limits. District 1 has the Albertson's/Home Depot Shopping Center, the Marathon Oil and Phillips 66 refineries, Carson High School, and the Sanitation District facility. There are no incumbents in this district.

District 2 is south of District 3 but almost entirely north of the 405 Freeway, which forms part of its southern and western boundary. Its northern boundary is Turmont Street, which it follows from the eastern border of the city to Central Avenue, then south to Del Amo Boulevard to Annalee Street, then south to Dominguez Street, then west to Chico Street, then south to 213<sup>th</sup> street, then west to the 405 Freeway, following the freeway to Lucerne Street, following Lucerne south to 223<sup>rd</sup> Street, then following 223<sup>rd</sup> Street east to the eastern city limits. Major features in the district are the Shell Terminal. There is one incumbent Councilmember in this district (term expires 2020).

District 3 extends from the northern boundary of the City to Turmont Street, then west to Central Avenue, then north to University Avenue, then west along University Avenue to Avalon Boulevard, then south to Martin Luther King Boulevard, then westerly to Main Street, then south on Main Street to the 405 Freeway, then northwesterly to the western city limits. Major features in the district are Cal State University and Dignity Health Sports Park. There is one incumbent Councilmember in this district (term expires 2020).

District 4 forms the western edge of the city in its central area, from 223<sup>rd</sup> Street north to the 405 Freeway, then southeasterly to Main Street, then north to Martin Luther King Boulevard, then east to Avalon Boulevard, then north to University Drive, then easterly to Central Avenue, then south to Del Amo Boulevard, then west to Annalee Avenue, then west on Dominguez Street, then south on Chico Street, then west on 213<sup>th</sup> Street to the 405 Freeway, then southeasterly along the freeway to Lucerne Street, then back to 223<sup>rd</sup> street, following 22<sup>rd</sup> Street west to the western city limits. It straddles the 405 Freeway and contains some of the Carson Street Master Plan area, City Hall and the Civic Center, the Porsche Experience Center, the 157 Acre Site, Victoria Golf Course and the South Bay Pavilion. There is one incumbent Councilmember in this district (term expires 2022).

This district is not balanced. District 1 is +20.3%, District 2 is -19.1%, District 3 is -32.1%



and District 4 is +30.9%.

*Submission 010 (from Mayor Pro Tem Hicks)*

District 1 forms a southeastern district, following 223<sup>rd</sup> Street from the eastern city limits to the western city limits to Wilmington Avenue, then north on Wilmington to Carson Street, then west on Carson Street to Martin Street, then north on Martin Street to 213<sup>th</sup> Street, then west on 213<sup>th</sup> Street to Chico Street, then north on Chico Street to Dominguez Street, then east on Dominguez Street to Annalee Avenue, then north on Annalee to Del Amo Boulevard, then east on Del Amo to Central Avenue to University Drive, then west on University to Avalon Boulevard, then south on Avalon to Sepulveda Boulevard, then west on Sepulveda to Main Street, then Main Street south to the southern city limits. District 1 has City Hall and the Civic Center areas, the South Bay Pavilion, and the the Marathon Oil and Phillips 66 refineries. There is one incumbent in this district (term expires 2022).

District 2 forms the western edge of the city in the southwestern sector, from Lomita Boulevard north to Del Amo Boulevard, then east on Del Amo to Avalon Boulevard, then south on Avalon to Sepulveda Boulevard, then west to Main Street, then south to the southern city limits. It straddles the 405 Freeway and contains most of the Carson Street Master Plan area, the 157 Acre Site, Albertson's/Home Depot Shopping Center, and the Sanitation District facility. There is one incumbent Councilmember in this district (term expires 2022).

District 3 is south of District 4 but almost entirely north of the 405 Freeway. Its northern boundary is University Drive, which it follows from the eastern border of the city to Central Avenue, then south to Del Amo Boulevard to Annalee Street, then south to Dominguez Street, then west to Chico Street, then south to 213<sup>th</sup> street, then easterly to Martin Street, then south to Carson Street, then east to Wilmington Avenue, then south to 223<sup>rd</sup> Street, then following 223<sup>rd</sup> Street east to the eastern city limits. Major features in the district are the Shell Terminal. There is one incumbent Councilmember in this district (term expires 2020).

District 4 extends from the northern boundary of the city to University Avenue, then west to Avalon Boulevard, then south to Del Amo Boulevard, then west along Del Amo to the western city limits. Major features in the district are Cal State University and Dignity Health Sports Park, Victoria Golf Course and the Porsche Experience Center. There is one incumbent Councilmember in this district (term expires 2020).

This district is not balanced. District 1 is slightly high at 5.6%, District 2 is 69.2%, District 3 is -32.7%, and District 4 is -42.1%.

## **Summary of the Three Original Demographer-Produced Maps**

*Demographer's 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 213<sup>th</sup> 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. There is one incumbent Councilmember in this district (term expires 2020).

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. There is two incumbent Councilmembers in this district (one term expires 2020, one term expires in 2022).

District 3 forms the entire southern tier of the City, following the 405 Freeway from the eastern city limits to Lucerne, then along 223<sup>rd</sup> Street to Dolores, then along 228<sup>th</sup> 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. There are no incumbents in this district.

District 4 forms the western edge of the city in its central area, from 228<sup>th</sup> Street to Torrance Boulevard, then following Main Street southbound to 213<sup>th</sup> Street, following 213<sup>th</sup> 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. There is one incumbent Councilmember in this district (term expires 2022).

#### *Demographer's 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. There is one incumbent Councilmember in this district (term expires 2020).

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. There is one incumbent Councilmember in this district (term expires 2020).

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 223<sup>rd</sup> 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. There is one incumbent Councilmember in this district (term expires 2022).

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 213<sup>th</sup> Street, following 213<sup>th</sup>

Street to Avalon Boulevard to 223<sup>rd</sup> Street, then west to Dolores Street, then west on 234<sup>th</sup> 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. There is one incumbent Councilmember in this district (term expires 2022).

### *Demographer's 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. There is one incumbent Councilmember in this district (term expires 2020).

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. There is one incumbent Councilmember in this district (term expires 2020).

District 3 forms the entire southern tier of the City, following the 405 Freeway from the eastern city limits to Lucerne, then along 223<sup>rd</sup> Street to Dolores, then along 228<sup>th</sup> 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. There are no incumbents in this district.

District 4 forms the western edge of the city in its central area, from 228<sup>th</sup> 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 223<sup>rd</sup> 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. There are two incumbent Councilmembers in this district (both terms expire 2022).

### **Election Sequencing Under a Districting Ordinance**

All current Councilmembers were elected in or prior to November 2018, to four-year terms prior to the any adoption of a District Map or sequencing plan and will still serve their original four-year terms.

None of the incumbents are automatically assigned as the representative of the district in which they live - they remain "at large" incumbents for the rest of their terms. If an

incumbent wants to run for reelection, they would then have to run in their district for the district seat when that seat is sequenced for an election. More details on how election sequencing occurs is in the section below:

#### A. Operation of Hypothetical Districting Ordinance

To illustrate implementation of a districting ordinance, the following discussion is based on a hypothetical ordinance whereby the City switches to a four district system with an at large elected Mayor, with the first election under the new districting ordinance to take place in 2020. Note that the City remains exposed to liability under the CVRA if the 2020 election remains an at-large election. However, an ordinance that changes the City's electoral system to districts by 2020 would be a strong affirmative defense to any such lawsuit. The argument would be the City acted as fast as it reasonably could in the context of the 2020 election is rapidly approaching as of the date of this report.

The districting ordinance in this hypothetical would establish four districts, of as equal in population to each other as possible. All of the Demographer's Drafts described in the previous section meet these criteria. Each district would then have a current Council seat assigned to the district. For example, seats 1, 2, 3 and 4 (with the Mayor as the 5th seat) would each be assigned to one of the four new districts. The hypothetical discussion does not factor in the Mayor's seat, which is up for re-election in 2020.

The new districting ordinance will apply when one of these council seats is up for regular reelection (i.e., because the four year term is to expire). Two council seats are up for election in 2020. Under the hypothetical districting ordinance, the entire electorate would not vote for Council in 2020. Instead, only voters in a district with one of the two seats up for election would vote. Each set of voters for each district would vote only for candidates registered to vote in their respective districts. To file nomination papers for a Council seat, the candidate would need to be registered to vote from the district assigned to the Council seat.

Upon the conclusion of the first election in 2020 under the new ordinance, the Council would then have two councilmembers elected from districts, and the position of Mayor would have been on the ballot for an at-large election. Meanwhile, the two "holdover" councilmembers elected at-large in 2018 would retain their seats until the second election in 2022 under the new system. When that second election occurs in 2022, then the remaining two council seats (elected in 2018) would be up for election through their respective districts in the same manner.

#### B. Two Current Councilmembers Assigned to Same District

When the four districts (from the hypothetical above) are drawn, there is the possibility that two (or more) incumbent councilmembers will end up being residents of the same district, which is assigned for election either in 2020 or 2022. However, if the councilmembers are on different cycles (one up in 2020, one up in 2022) only one of the incumbent councilmembers will have his/her seat assigned to that district. If that happens, then both the incumbents could run in 2020 - even though one of those councilmembers running in the 2020 election actually has a term that ends in 2022. This is because both incumbents qualify to run from that district because of residency in that district.

If the councilmember running with a current term that ends in 2022 wins a district seat in 2020, then there would be a vacancy in that councilmember's old at-large seat (which would the Councilmember would not have resided in). That now-vacant seat would be filled by appointment or special election, until it is filled under a subsequent district election in 2022. (Government Code §§ 36512(b), 34902(a).)

If that councilmember (whose term expires in 2022) does not win election from his/her newly assigned district in the 2020 elections, he/she would serve out the term for their "old" at-large seat until it expires in 2022. However, he/she would be ineligible to run for reelection for that old seat in 2022, when the new districting ordinance applies because the Councilmember (in this example) does not actually live in the district assigned to his/her current council seat. That councilmember would then need to wait two years to run for Council in 2024, when the seat assigned to the district he/she lives in then comes up for election. In the Demographer's Drafts, there are two districts among the three maps that contain more than one incumbent: Draft 1, District 2 contains two incumbents, one with a term ending in 2020 and one with a term ending in 2022. Draft 3, District 4 also contains two incumbents: both terms end in 2022.

### C. Recommendations on Election Sequencing

The recommended election sequencing would depend on the map selected by the City Council and whether the map creates "open" districts (with no incumbent), which would drive part of the recommendation. If the Council wants to consider additional maps, this discussion would need to continue to the next meeting or when maps are available.

The first step is to assign a Seat number to each Councilmember. For the purpose of these recommendations, the following seat numbers have been assigned:

- Seat 1      Councilmember Jawane Hilton
- Seat 2      Mayor Pro Tem Cedric Hicks
- Seat 3      Councilmember Lula Davis-Holmes
- Seat 4      Councilmember Jim Dear
- Seat 5      Mayor Albert Robles

Seat 5 is listed but is not a factor in the discussion of districts, as the Mayor's seat will remain at-large. The recommendations shown below include the district number and in parentheses, the Seat number of the incumbent and the date their term ends.

#### *Demographer's Draft 1 Map with Recommended Election Sequencing*

1. 2020 Election: District 1 (Seat 1, 2020) and District 2 (Seat 2, 2020) and (Seat 3, 2022 lives in the District but is currently elected at-large and assigned to District 3)
2. 2022 Election: District 3 (Seat 3, 2022 assigned to this district) and District 4 (Seat 4)

Electoral impacts: In the 2020 election, Seat 2 is up for reelection but Seat 3 remains at large until 2022, but is assigned to a district the Seat 3 incumbent does not live in. Both incumbents living in District 2 could run in 2020 because both incumbents qualify to run

from District 2 because of residency in that district.

If Seat 3, 2022 wins the district seat in 2020, then there would be a vacancy in District 3, the Seat 3 incumbent's old at-large seat (which the Councilmember would not have resided in). That now-vacant seat would be filled by appointment or special election, until it is filled under a subsequent district election in 2022.

If the Councilmember in Seat 3 (2022) does not run or win election in the 2020 District 2 elections, the Seat 3 incumbent would serve out the term for the "old" at-large seat until it expires in 2022. However, the Councilmember would be ineligible to run for reelection for District 3 in 2022, when the new districting ordinance applies, because the Councilmember would not actually live in District 3, assigned to the council Seat 3.

*Demographer's Draft 2 Map with Recommended Election Sequencing*

1. 2020 Election: District 1 (Seat 1, 2020) and District 2 (Seat 2, 2020)
2. 2022 Election: District 3 (Seat 3, 2022 assigned to this district) and District 4 (Seat 4)

Electoral impacts: In the 2020 election, both Seat 1 and Seat 2 are up for reelection. Seat 3 and Seat 4 remain at large until 2022. Each District has its own Councilmember, so the election sequencing can be staggered to conduct the elections in line with the expiration of the current terms.

*Demographer's Draft 3 Map with Recommended Election Sequencing*

1. 2020 Election: District 1 (Seat 1, 2020) and District 2 (Seat 2, 2020)
2. 2022 Election: District 3 (Seat 3, 2022 assigned to this district) and District 4 (Seat 4) and (Seat 3, 2022 lives in the District but is at-large)

Electoral impacts: In the 2020 election, Seat 1 and Seat 2 are up for reelection and District 1 and District 2 are recommended for that date. Seat 3 and Seat 4 remain at large until 2022, but both incumbents live in District 4 and would both need to run for the same position. This also creates an open seat in District 3, the Seat 3 Councilmember's old at-large seat.

**Analysis of Maps Submitted Since September 17**

Since three of the maps submitted since September 17 are significantly unbalanced, this report only shows potential election sequencing for the new map labeled Map 1T, produced by Compass Demographics based on input received from Council.

*Demographer's Map 1T with Recommended Election Sequencing*

1. 2020 Election: District 1 (Seat 1, 2020) and District 2 (Seat 2, 2020) and (Seat 3, 2022 lives in the District but is currently elected at-large and assigned to District 3)
2. 2022 Election: District 3 (Seat 3, 2022 assigned to this district) and District 4 (Seat 4)

Electoral impacts: In the 2020 election, Seat 2 is up for reelection but Seat 3 remains at large until 2022, but is assigned to a district the Seat 3 incumbent does not live in. Both incumbents living in District 2 could run in 2020 because both incumbents qualify to run from District 2 because of residency in that district.

If Seat 3, 2022 wins the district seat in 2020, then there would be a vacancy in District 3, the Seat 3 incumbent's old at-large seat (which the Councilmember would not have resided in). That now-vacant seat would be filled by appointment or special election, until it is filled under a subsequent district election in 2022.

If the Councilmember in Seat 3 (2022) does not run or win election in the 2020 District 2 elections, the Seat 3 incumbent would serve out the term for the "old" at-large seat until it expires in 2022. However, the Councilmember would be ineligible to run for reelection for District 3 in 2022, when the new districting ordinance applies, because the Councilmember would not actually live in District 3, assigned to the council Seat 3.

## **V. FISCAL IMPACT**

There is no fiscal impact at this point from consideration of district voting.

## **VI. EXHIBITS**

1. Demographer's Draft Map No. 1 (pg. 16)
2. Demographer's Draft Map No. 2 (pg. 17)
3. Demographer's Draft Map No. 3 (pg. 18)
4. Submission Map No. 1 (pg. 19)
5. Submission Map No. 2 (pg. 20)
6. Submission Map No. 3 (pg. 21)
7. Submission Map No. 4 (pg. 22)
8. Submission Map No. 5 (pg. 23)
9. Submission Map No. 6 (pg. 24)
10. Submission Map No. 7 (pg. 25)
11. Submission Map No. 7B (edited) (pg. 26)
12. Submission Map No. 8 (pg. 27)
13. Index of Exhibits (pgs. 28-30)
14. Demographer's Map1T (pg. 31)
15. Mayor's Map1 (pg. 32)
16. Submission Map No. 9 (pg. 33)
17. Submission Map No. 10 (pg. 34)
18. Ballot and Adoption Schedules (PowerPoint) (pgs. 35-45)

Prepared by: John S. Raymond, Assistant City Manager