



# AGENDA REPORT

## City Council

---

**MEETING DATE:** September 22, 2021

**PREPARED BY:** Shelley Wecker, Risk Analyst and Christopher Skinnell, Special Counsel

**DEPT. DIRECTOR:** Jace Schwarm

**DEPARTMENT:** Administrative Services

**CITY MANAGER:** Pamela Antil

---

**SUBJECT:**

First Public Hearing in the redistricting process to begin at 6:30 pm to solicit testimony regarding criteria to be used, especially communities of interest.

**RECOMMENDED ACTION:**

1. Open the public hearing.
2. Receive presentation from Demographer.
3. Invite members of the public to speak and provide input on the redistricting process.
4. Close the public hearing when there is no more input from the public.
5. Direct staff to forward all public comments to National Demographics Corporation, who is the City's demographic consultant and continue with the redistricting plan and schedule.
6. Set deadlines of January 5, 2022, for submission of maps by the public for consideration at the January 19, 2022 Council public hearing.

**FISCAL CONSIDERATIONS:**

There are no changes to the budget. The budget involving redistricting was discussed at the June 9, 2021 City Council meeting and is estimated to be around \$180,000 and is included in the fiscal year 2021-22 budget.

**BACKGROUND:**

On June 9, 2021, the City Council approved a proposed timeline to begin the 2021-2022 redistricting process. On August 16, 2021, the first virtual public workshop was held to educate the public regarding the process, criteria and timeline. The DistrictR online mapping tool was also introduced and demonstrated. Members of the community will be able to use this tool to draw and submit their own maps to be considered by Council. This hearing is the first of four such public hearings. The City established notice of all four Public Hearings required under Elections Code Section 21607.1 on June 9, 2021.

**ANALYSIS:**

The purpose of this meeting is to solicit testimony regarding criteria to be used for redistricting, in particular communities of interest. California Elections Code Section 21601 requires the City Council adopt district boundaries using the following mandated criteria, while maintaining a balance in population numbers, in the following order of priority:

- To the extent practicable, council districts shall be geographically contiguous.
- To the extent practicable, the geographic integrity of local neighborhoods or communities shall be respected in a manner that minimizes its division. A “community of interest” is a population that shares common social or economic interests that should be included within a single district for the purposes of its effective and fair presentation. Communities of interest do not include relationships with political parties, incumbents or political candidates.
- Districts must be easily identifiable boundaries that follow the natural or artificial barriers (rivers, streets, highways, rail lines, etc.).
- To the extent practicable, lines shall be drawn to encourage geographic compactness.
- In addition, boundaries shall not be drawn for purposes of favoring or discriminating against a political party.

The City must abide by mandatory federal criteria including:

- Equal population (based on total population of voting age residents as determined by the most recent Federal decennial census and adjusted by the state to reassign incarcerated persons to the last known place of residences)
- Federal Voting Rights Act
- No racial gerrymandering.

In addition to the mandatory criteria, there may be circumstances in which other factors *may* be considered, though only to the extent that they do not result in violation of the mandatory criteria. Examples of such factors are:

- Respect voters’ choices/continuity in office
- Future population growth, if applied systematically
- Preserving the core of existing districts
- Minimize voters shifted to different election years

The above are examples only and the public is encouraged to provide input on these factors. The Council will receive information from the public regarding the critical factors that are applicable to the review of the redistricting plan of the City.

The next public workshop will be held on October 16, 2021, from 10:00 am – 2:00 pm at the Encinitas Community Center. The public will be able to use the online mapping tool or paper mapping kits to draw their own proposed district boundaries. The DistrictR online mapping tool was also made available to the public on the City’s website on August 16, 2021.

The next Public Hearing #2 is scheduled for November 17, 2021, at 6:30 pm during the regular City Council meeting. The Demographer will provide an updated demographic analysis of existing districts with the final adjusted Census numbers. The Council will solicit testimony regarding criteria to be used for the redistricting review process, especially communities of interest; and will instruct the demographic consultant to prepare draft district plans.

Also attached to this report are copies of PowerPoint slides that will be used by the Special Counsel and Demographer in their presentation at this hearing.

### **ENVIRONMENTAL CONSIDERATIONS:**

The action being considered by the City Council is exempt from the California Environmental Quality Act (CEQA) because it is not a “project” under Section 15378(b)(5) of CEQA Guidelines.

The action involves an organizational or administrative activity of government that will not result in the direct or indirect physical change in the environment.

This item does not relate to the City's Climate Action Plan.

**ATTACHMENTS:**

**Attachment 1:** PowerPoint Presentation National Demographics Corporation

**Attachment 2:** August 16, 2021 PowerPoint Introduction to 2021 Redistricting Process & Criteria, Christopher Skinnell

**Attachment 3:** Public comments received through September 16, 2021