

ADVISORY COMMITTEE ON ELECTORAL DISTRICTS MINUTES WEDNESDAY, JULY 1, 2015

6:30 P.M.
Anaheim City Council Chambers

Committee Members Present: Hon. James Jackman, Ret.; Hon. Nancy Wieben Stock, Ret.; Hon. Stephen Sundvold, Ret.; Hon. Thomas Thrasher, Ret.; Hon. Edward Wallin, Ret.

Staff Present: City Clerk Linda Andal, Outside Counsel Ben De Mayo, Consultant Justin Levitt.

Chairman Wallin called the meeting to order at 6:41P.M. Chairman Wallin indicated that unless there was any objection or a member of the public wished to speak prior to presentations, he would open public comments after Justin Levitt, consultant, presented his draft map proposals, followed by those maps submitted by the public. Hearing no objection, Chairman Wallin moved to Item No. 1.

1. Discussion and presentation of draft City Council district boundaries, with possible direction to staff.

Consultant Justin Levitt thanked the public for submitting plans, 15 of which had been received as of that morning. For comparison, Mr. Levitt indicated that the city of San Diego only received nine plans, at this stage.

Mr. Levitt presented a Power Point presentation, reviewing the criteria for districting as well as input received at previous meetings. He reviewed the voter-approval of Measures L and M in which the electoral method of the City changed from at-large elections to single-member districts as well as an increase in the size of the Council from five members to seven members. Mr. Levitt discussed Federal requirements for districts including a Constitutional requirement that the districts contain equal total population, based on the most recent census (2010) with slight deviations allowed by the Supreme Court for communities of interest, neighborhoods, natural boundaries, etc. While Section 5 never applied to Anaheim, Section 2 of the Federal Voting Rights Act requires consideration of protected classes to ensure they have equal opportunity to elect candidates of their choice. Mr. Levitt explained that while race can be looked at and considered in drafting district boundaries, it cannot be the only criteria used. He then reviewed the California Elections Code and its additional considerations that could be used including topography, geography, contiguity, compactness/shape of district with recognizable boundaries, communities of interests with shared problems, visible boundaries, population growth, and the ability to retain elected representative if voters so choose.

Mr. Levitt then reviewed his three draft maps, indicating copies were available for the public at the meeting and at City facilities for individual review, consideration, and comments. He explained that each map, including those submitted by the public, included a map of the entire city, a more detailed map of the west/central area of the city, and a demographic spreadsheet showing breakdowns of data. He then provided comments on each of his three draft maps, as follows:

Draft Map 1: Draft No. 1 had a total population deviation of 4.34% with District No. 3 having a population 1,080 over and District No. 5 having 1,354 under the ideal equal population. Draft Map No. 1 follows major four roads (Euclid, Tustin, I-5/Ball, East) and is the most "vertical"

north-south plan. He explained Draft 1 created two majority-Latino districts by Citizen Voting Age Population (CVAP) with District No. 4 at 54% Latino CVAP and District No. 5 at 52% Latino CVAP. Additionally District No. 4 was majority-Latino by Spanish surname registration (2014 General Election).

Draft Map No. 2: Draft Map No. 2 offered an option that divided the Resort District, using Harbor Boulevard to keep the Convention Center and theme parks in one district and the remainder of the Resort with the Platinum Triangle in another district. This map had the smallest total population deviation at 1.86% and the most equal distribution of development projects/future growth across districts, particularly by adjusting the boundary of District No. 6. He added that this map also kept two districts entirely southwest of I-5, created two majority-Latino districts by CVAP (Districts Nos. 3 and 5), and used Lincoln Avenue as a major dividing line throughout the City.

Draft Map No. 3: Draft Map No. 3 provided an option to keep the central portion of Anaheim together by maintaining the Colony and its surrounding neighborhoods in District No. 4, as well as a district including areas adjacent to the city of Fullerton along the 91 Freeway corridor north of La Palma Avenue (District No. 3). He added that the draft also included a slight division of the Resort District, keeps two major industrial areas together along CA-57 in the eastern end of the City, and included at least one high school in each district. The total population deviation of Draft Map No. 3 was 3.84%, and included two majority-Latino districts by CVAP (District No. 3 at 52% and District No. 4 at 55%) and by Spanish surname.

In response to Committee direction from previous meetings, Mr. Levitt explained that Draft Map No. 2 included the clearest division of the Resort District while Draft Map No. 3 separated hotels north of Ball Road into other districts. He shared the challenge of creating three districts in South Anaheim - lower population numbers. He added that a division of East Anaheim would result in non-compact, finger-like districts as the Anaheim Hills area was nearly perfect equal population.

Mr. Levitt announced that these draft maps were three very different options for people to review, question, and revise over the next several months.

Mr. Levitt explained the review process, emphasizing the need for public input through general or specific comments on what is liked and/or not liked about each map, as well as suggestions for boundary changes/combinations. He reviewed the city website that hosted all consultant draft maps and maps submitted by the public, which includes specific demographics; a webviewer/GIS zoom, and search capabilities. Mr. Levitt explained that he contacted all submitters to confirm the details of their plans and then depicted them on maps and in the webviewer. Going forward, he suggested new map submittals be made by July 31st to provide adequate time to consider all proposals, by the August 19 Committee meeting. Chairman Wallin congratulated the citizenry for being active and involved and acknowledged the efforts of City staff in disseminating information about the process.

Mr. Levitt announced the next committee meeting on Wednesday, July 8th at 6:30pm at Ponderosa Family Resource Center followed by the Neighborhood Council Meetings to be held on July 15, 16, 22, and 23. He also announced that he would be available on July 16th and 23rd for individual/group appointments to review maps.

City Clerk Linda Andal introduced Senior Planner Susan Kim who reviewed the GIS mapping tool that could be used on all maps submitted, demonstrating how overlays could be used to show different areas of the City, compare neighborhoods, high school districts, and historic districts, etc.

PUBLIC COMMENTS:

(The Committee agreed to allow five minutes for map submitters, three minutes for general comments.)

Zeke Hernandez, LULAC, provided a history of LULAC and its statewide committees. He questioned how the committee viewed their charge and whether they would recommend one map or several maps to the City Council for their consideration, indicating that other legislative bodies have consistently made whole-sale changes to recommendations. He also addressed comments to future growth and encouraged the committee to understand and stay within their spectrum of responsibility.

Arturo Montez, LULAC, provided comments on the history of requesting district elections, litigation, and governance. He presented his view that the process was an opportunity to rebuild Anaheim from the bottom up as Anaheim is the second youngest city in the nation within 60-70% of the population below age 18. He indicated his submitted maps reflected neighborhoods and people first, followed by road and other considerations.

Judge Sundvold asked Mr. Montez where the age-based population numbers came from as they did not seem to match the CVAP numbers provided by the demographer, with Mr. Montez stating that many people were not included in the Census count.

Teresa Rodriguez (through a Spanish interpreter) spoke on behalf of her community, indicating that Draft Map No. 2 best represented her area (District No. 5) as it included the schools most residents attended, as well as the closest shopping areas. She stated that Draft Map No. 3 (District No. 3) was not a good representation as everything was too far away and not considered her neighborhood.

Claudio Gallegos presented his map indicating that it included two Section 2 seats, using main streets without unneeded gerrymandering, included the Colony seat and the North Anaheim seat, but recognizing that two such seats could be accomplished in four or five different ways. He referenced Jason Mills' map with one Section 2 seats (District No. 5) and two seats with Latino CVAP in upper 40%, which could allow them to have a great effect with their voting power, while also keeping the Colony intact.

Everardo Martinez (through a Spanish interpreter), resident, discussed problems in his neighborhood near S. Dakota St. including a lack of security, bad lighting, parking, recreational areas for children, and insufficient jobs. He expressed his belief that his neighborhood is similar to Guinida, Ponderosa, and Hermosa Village as they share the same problems, particularly in comparison to other neighborhoods, specifically west of Ninth Street where there are more homeowners and resources.

Ron Bengochea explained that his map was created geographically to reflect only neighborhoods and communities, recognizing it did not meeting demographic requirements. He emphasized the need for his Council representative to reflect his neighborhood's concerns.

Chairman Wallin encouraged Mr. Bengochea to work on the population deviations to make his map follow the law. Judge Jackman questioned the east/west orientation of the map, with Mr. Bengochea responding that he used main roadways to divide the districts, while keeping the map simple.

Leodegario Barcenas (through a Spanish interpreter) highlighted neighborhood issues around the Lincoln Avenue and Beach Boulevard area and requested the Committee consider schools during the districting process, as well as installing bike lanes in each district to help avoid tragedies.

Greg Diamond expressed his belief the Resort District should not be divided into more than one district. He discussed the Chuchua map explaining it was an "anti-gerrymandered" map where boundary lines followed main roads, had the lowest total population deviation of all the maps at 0.99%, and kept the Colony together with adjoining historical districts. District No. 2, he shared, incorporated Little Arabia and a large Asian population and utilized Anaheim Island as a natural barrier. He remarked that District No. 1 was only 11 residents off of perfect equal population. Mr. Diamond encouraged the committee to look at plans that included two or three majority-Latino CVAP districts as he believed having only one such district constituted "packing" and reduced voting power.

Mark Daniels, resident indicated his preference for Consultant Draft 1, recommended keeping the Colony together, and spoke in favor of two Latino districts.

Ross Romero, real estate professional, noted that none of the maps divided Anaheim Hills and expressed his view that the concept of keeping that community intact should be applied to all the traditional communities across Anaheim. He expressed his dislike of Draft No. 2 as being the biggest divider of communities. He supported Mr. Chuchua's map, indicating he would submit his own map.

Genoveva Garcia, resident, requested equality in each district to help provide great education and a better life for all families.

Dr. Patricia Adeleken expressed her philosophy that communities should be built around schools, encouraging a high school in each district. She explained that she was still refining her map to balance the population, indicating that she created three predominantly Hispanic areas in District Nos. 3, 4, and 5.

Bob Cerince, resident and non-profit board member, supported maps with at least three districts that provided an opportunity for representation that would reflect the population of Anaheim.

Chairman Wallin explained the percentage of voting age population was not the same as actual voters with Mr. Cerince agreeing that it was the job of advocates and the get-out-the-vote efforts to mobilize communities.

Arnulfo Miramontes (through a Spanish interpreter) expressed his desire to have districts that reflect communities and expressed his belief that none of the maps reflected the communities surrounding the Resort area, where tenants/renters were mixed with homeowners. He encouraged the Committee to uphold the integrity of the rental/tenant communities and to push the City Council to listen to their recommendations.

Benita Gagne commented that Draft Map No. 1 suited her idea of districting as District No. 1 encompassed her areas of shopping, eating, and spending. She indicated a preference for the Resort-area community of interest being kept contiguous with the shared issues of noise and traffic connecting the Resort and the Platinum Triangle.

Martin Lopez, resident, expressed displeasure with all three demographer draft maps as they did not address the Resort workers that live in the surrounding areas. He expressed his support for the Diamond/Chuchua map as it kept the integrity of the Resort and the workers in the surrounding areas.

Ricardo Toro, East Anaheim resident, suggested bullet point Power Point summaries be provided for each submitted map. He expressed his concern that the City Council would make the final decision and encouraged the committee to consider all opinions and present a recommendation that would satisfy the Council and convince them to accept the suggestions regardless of their political preferences.

City Clerk Linda Andal confirmed the consultant's Power Point presentation would be posted online under the Agendas tab.

Jose F. Moreno expressed excitement that voters confirmed the concerns brought in the lawsuit and moved to a more democratic system, thanked the committee for their service in this independent process, and thanked City staff and Mr. Levitt for making tools accessible for public participation. Mr. Moreno indicated he would not comment on any maps due to his participation in the lawsuit but requested the Committee review economic conditions of neighborhoods and not make assumptions about why people don't vote.

Judge Jackman remarked the key areas appeared to be the Colony and Disneyland and requested them be delineated as a feature on the map. Chairman Wallin complimented City Clerk Linda Andal on the efforts to get information out to communities for their input as Anaheim has had a much better map submittal rate than San Diego.

Al Salehi, Buena Park Library District, addressed comments to district elections bringing power back to the people and residents of Anaheim.

With no further comments offered, Chairman Wallin closed the public comment portion of the meeting.

2. Approve Committee meeting calendar.

Chairman Wallin announced the next meeting on Wednesday, July 8th at the Ponderosa Family Resource Center. City Clerk Linda Andal reviewed the proposed meeting calendar:

- Wednesday, July 8th at Ponderosa Family Resource Center;
- Wednesday, August 19th at City Hall Council Chambers;
- Wednesday, August 26th at Western High School;
- Tuesday, September 8th at Loara High School; and
- Monday, September 14th at City Hall Council Chambers.

She also announced the upcoming Neighborhood District Council meetings which she would attend with demographer, Justin Levitt.

Judge Stock moved to approve the ACED meeting calendar, seconded by Judge Jackman.
Approved vote: 5-0.

3. Approve meeting minutes of the June 4 and June 9, 2015 Advisory Committee on Electoral Districts.

Judge Jackman moved to approve the meeting minutes of the ACED June 4 and June 9, 2015 meetings, seconded by Judge Stock. Approved vote: 5-0.

4. Committee Comments / Staff comments

Chairman Wallin announced the next regular committee meeting scheduled for July 8, 2015 at 6:30 p.m., at the Ponderosa Family Resource Center, 2100 S. Haster St., Anaheim.

With no further business to conduct, Chairman Wallin adjourned the meeting at 8:41pm.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'Linda N. Andal', written over the typed name.

Linda N. Andal, CMC
City Clerk