

ADVISORY COMMITTEE ON ELECTORAL DISTRICTS MINUTES WEDNESDAY, JULY 8, 2015

6:30 P.M.

Ponderosa Family Resource Center

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 6:31 p.m. and the committee members and staff provided brief introductions. Without objection, the Committee agreed to hold public comments following the presentation of Item No. 1 by demographer, Justin Levitt.

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

Demographer, Justin Levitt presented a Power Point presentation that reviewed the history of the districting process, including voter approval of Measures L and M in the November 2014 election which increased the size of City Council and changed the electoral method for Council Members from at-large to single-member districts with the Mayor continuing to be elected citywide.

Mr. Levitt then reviewed Federal rules pertaining to districting including the U.S. Constitutional requirement that each district have equal total population. With a total population in Anaheim of approximately 336,000 people, each district would then have approximately 56,000 people. He also reviewed the Federal Voting Rights Act, in which Section 5 never applied in Orange County, but Section 2 ensured protected classes of voters had equal power to elect candidates of their choice. Mr. Levitt reported that although race is considered, the Supreme Court determined that race could not be the predominant criteria in drawing district lines. He added that the California Elections Code provided additional criteria for consideration of district lines including topography, geography, cohesiveness, contiguity, integrity, compactness of territory, and community of interests. Mr. Levitt expounded on the idea of communities of interests as those that experience shared problems such as traffic, pot holes, trash collection issues, street lighting, redevelopment, parks, police, and fire services. These items as well as following visible natural and man-made boundaries, compactness and contiguity, and population growth could be reasons for slight deviations in the population totals of each district.

Chairman Wallin announced the City must use the 2010 Census data, with Mr. Levitt confirming that the districts could have up to 10% deviation but noting that courts have overturned plans with lower deviations. Chairman Wallin also noted not taking political parties into account with Mr. Levitt confirming the process would look at the total numbers of people and voters, not partisanship.

Mr. Levitt reported that in addition to his three draft maps, 17 maps had been submitted by members of the public, indicating copies were available for the public at each meeting and at various City facilities for individual review, consideration, and comments.

Draft Map 1: Draft No. 1 had a total population deviation of 4.34% and followed four major roads (Euclid, Tustin, I-5/Ball, East), creating two districts west of Euclid; he added Map 1 was the most “vertical” north-south plan. This map 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). Mr. Levitt explained the CVAP numbers came from the Department of Justice’s American Community Survey, demonstrating those over the age of 18 with U.S. citizenship.

Chairman Wallin explained the district lines would be drawn prior to the 2016 election and everyone who was registered to vote, including new residents/citizens, would be eligible to vote in the district elections.

Draft Map No. 2: Draft Map No. 2 offered an option that divided some areas, including the Resort District into two districts and central Anaheim into three districts. This map has the smallest total population deviation at 1.86%, keeping two districts entirely southwest of I-5, and created two majority-Latino districts by CVAP (Districts Nos. 3 at 51% and 5 at 50%).

Draft Map No. 3: Draft Map No. 3 provided an option to keep the central/older portion of Anaheim together, District No. 4, as well as a district including northern areas adjacent to Fullerton along the 91 Freeway corridor north of La Palma Avenue (District No. 3). Draft Map No. 3 further kept 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 commission direction from previous meetings, Mr. Levitt explained that Draft Map No. 2 used Harbor Boulevard to divide the Resort District while Draft Map No. 3 separated some of the hotels north of Ball Road into other districts. He mentioned the difficulty involved in dividing East Anaheim and Anaheim Hills which would result in non-compact districts.

Mr. Levitt announced all the plans, consultant and public submittals, were available online (www.anaheim.net/districts) including a webview format, which allowed users to enter addresses and determine which district their location would be in. He emphasized the need for public input, indicating such comments could be submitted via public comments at the meetings, printed comment forms, sending a letter or email, submitting a comment online, or by using the public participation kit to develop a map.

In response to a question from Chairman Wallin, Mr. Levitt provided comparison information reporting San Diego with a population of 1.3 million, had 10 proposals submitted at this stage of the process and Glendale, AZ had 15 proposals, 11 of which were submitted by one individual.

Mr. Levitt requested the public submit plans by July 31, 2015 so he could contact the submitters to discuss the plan and ensure it reflected the intentions for the district lines prior to the August Committee meetings.

Public Comments (5 minutes for map submitters, all others 3 minutes).

Oscar Reyes, resident, expressed the need for a plan to be fair to all areas of Anaheim and respect key neighborhoods and communities of interests. He reviewed his submitted map proposal with two districts in west Anaheim, three districts in central Anaheim between Euclid and Tustin, and one eastern district in Anaheim Hills, keeping the deviation to .94%, while using major arterial/connector streets and spreading major landmarks amongst council members. He described each district and its primary features, indicating that District 3 had a majority-Latino CVAP at 51%.

Judge Thrasher requested Mr. Reyes submit his written comments and congratulated him on creating a good map. Judge Stock also noted it was a well-thought out presentation, district by district.

Art Montez, LULAC, reviewed the LULAC-submitted Map 1, indicating it did not look at political borders or school districts but looked at communities of interest and staying within a three mile radius. Mr. Montez stated the LULAC-submitted Map 2 included three districts at 50% Latino. He noted Anaheim was the second youngest city in nation with a majority population under the age of 18 and the difficulty that causes in meeting a threshold of voters within a district.

Mr. Levitt clarified that Anaheim was the second youngest city in Orange County, not the United States, as the top 10 are in Utah. He stated that Anaheim had 27% of its residents under the age of 18.

Zeke Hernandez, Santa Ana LULAC, questioned whether the demographer maps met all criteria and remained true to Section 2 of the Federal Voting Rights Act, noting that creating maps that looked pretty by following man-made boundaries may divide communities of interest that should remain together. In response to a question from Judge Jackman on what he found most troublesome on the demographer maps, Mr. Hernandez questioned why the demographer could not create a map with three majority-Latino districts as LULAC had in their Map 2. Judge Sundvold noted that the LULAC boundary lines meandered significantly, questioned certain boundary lines, and emphasized not using race as the primary criteria. Chairman Wallin opined that if three majority-Latino districts were created, the population may be spread too thin to elect anyone. Mr. Hernandez requested additional time during the meetings to review all public submittals, not just the demographer maps.

Larry Brown, resident, reviewed his map indicating he took a simpler approach by following natural boundaries, creating deviations as small as possible, keeping his home within the Colony as a whole. He concurred with the idea of dividing the Resort and Platinum Triangle areas, keeping West Anaheim on the southwest side of I-5 and the Convention Center/Disney area and noted there was no way to divide Anaheim Hills. He also expressed some support for Mr. Reyes' map and reasoning. Chairman Wallin expressed concern with District No. 4 being very long East-West and quite narrow. In response to a question from Judge Jackman, Mr. Brown indicated a desire to follow the original Colony boundaries, keeping it all together, rather than switching his address to a different district.

Mariana Rivera (through a Spanish interpreter) described her involvement in the community and thanked the committee for their service, encouraging them to see the needs of the community and draw district lines that would address those needs. In response to a question from Chairman Wallin, Ms. Rivera responded the major street in her neighborhood was Guinida Lane near Anaheim Boulevard and Ball Road.

Vic Real questioned if the geographical size of a district would have any impact on available funds with Mr. DeMayo responding that funding was not currently allocated by district and Council would make any decision regarding future policies. Mr. Real appreciated the presentations by Mr. Levitt.

Genoveva Garcia expressed a preference for Draft Map No. 1 as it included facilities that were a benefit to her community.

Mark Daniels, resident, agreed with District No. 1 (West Anaheim) as drawn on all maps. He noted the varying lines on the LULAC map and questioned its effectiveness in meeting the criteria, and expressed his thoughts that the Chuchua/Diamond map was quite impressive.

Benita Gagne shared her thoughts that there were two criteria that could be diametrically opposed to each other with the Section 2 requirement to allow ethnicities to have a chance to elect someone of their choosing and the ruling that race could not be the prominent criteria. Chairman Wallin clarified that equal population of districts is the primary mandate, with Ms. Gagne making additional comments related to communities of interests and CVAP.

Gail Eastman, former City Council member, thanked the committee for their service and communicated on behalf of her neighbors. She expressed that the Colony is an ethnically-diverse community of interest and should remain in the same district based on the revitalization of the historic downtown and the defined geographic boundaries of North, South, East, and West Streets. In response to a question from Judge Jackman, Mr. Levitt estimated the 2010 population of the Colony was approximately 30,000 people. Judge Stock questioned where boundaries should be changed to incorporate the additional 26,000 people that would need to be included with the Colony population and encouraged people to address that issue with their map submittals and comments. Ms. Eastman acknowledged that there could be more power to elect two Council members if the area was divided and noted she was providing the comments she had heard from her community, not necessarily her own opinion yet. The committee and Mr. Levitt then reviewed the placement of the Colony in the three demographer draft maps.

Ron Bengochea thanked Mr. Levitt for his technological assistance, commended Ms. Rivera for her participation, and emphasized that his map was geographic and focused on communities. Judge Sundvold encouraged Mr. Bengochea to submit another map that addressed the equal population criteria. Mr. Bengochea provided additional comments on voter turn-out, the City's general fund, working within communities to help themselves, and noted that Demographer Draft Map No. 2 and Mr. Reyes's map most closely aligned with his vision.

Alan Graner thanked the committee and Mr. Levitt for their service and questioned the rigidity of the boundary lines as there would be a new census taken in 2020. Chairman Wallin responded that the lines being drawn in this process would be in place for three elections (2016, 2018, and 2020) and would later be adjusted for the 2022 election based on the 2020 Census.

D.R. Heywood concurred with keeping the Colony District whole based on its identity as a community of interest and encouraged keeping the Resort area separate from the Platinum Triangle/Stadium/Honda Center area, from a political standpoint of not providing any one City Council member too much power or a heavier workload than others, indicating that Demographer Draft Map No. 3, with adjustments, could accommodate such divisions.

Arturo Ferraras, South District resident, expressed concerns in balancing the needs and concerns of the apartment residents and the homeowners, noting previous efforts to obtain facilities and benefits for the community. In response to a question from Judge Jackman, Mr. Ferraras expressed a preference for the Chuchua map and Mr. Reyes's map, which respected City divisions, in his view.

Jason Mills reviewed his map, noting the intent to ensure major landmarks in the City were spread among as many districts as possible, keeping neighborhoods, particularly the Colony, together, using major roads and boundary lines, and achieving a 3.4% deviation; Mr. Mills submitted his written remarks.

Irma Mendoza (through a Spanish interpreter) discussed poverty across Anaheim and indicated she would knock on doors to get good representatives in each district.

2. Committee Comments / Staff comments

Chairman Wallin reiterated the most important criterion is equality of population. He recommended the public work together to collaborate and limit the number of maps being considered in order to arrive at some consensus, prior to the next meeting on August 19th. He noted that the committee could not consider maps with large deviations as the total deviation needs to be less than 5%, the smaller the better. He further expressed problems with some submittals with oddly-shaped districts that may not keep communities together, as well as certain maps that may not get much consideration if there was no testimony to support and explain the purpose of the boundary lines. Chairman Wallin requested Mr. Levitt provide a fourth draft map that would keep the Colony together, to address dividing the Resort district into two districts, and to put the Tustin/La Palma area into more than one district due to potential future development in that area.

Judge Thrasher requested serious consideration of the Colony and Resort areas, noting the 56,000 population requirement. He requested map overlays to show different lines without flipping back and forth and encouraged the public to work together to narrow down the choices by focusing on maps they liked.

Judge Sundvold encouraged maps to keep the Colony together and noted the significant issue of keeping or dividing the Resort and Platinum Triangle areas. He requested input from the community on what maps they like, he requested the Tustin/La Palma development area boundary line for District No. 6/Anaheim Hills be reviewed, and expressed satisfaction of the increased attendance at each meeting.

Judge Stock appreciated seeing some maps gain some traction, noting the Diamond, Reyes, and Mills maps. She questioned the committee recommending multiple maps as part of their responsibilities and agreed with the request for technological overlays to compare the maps. One area she encouraged the community to consider was the consolidation or division of the political power of communities of interests and whether it would be better to have a chance at two seats or a guarantee of one seat.

Judge Jackman appreciated the excitement and interest of the community in this process, noting the importance of how communities were defined and encouraged people to meet and work with their neighbors to define their community in more expansive ways.

Judge Jackman requested a change of the September 14th meeting date due to a religious holiday with City Clerk Linda Andal responding a revised meeting calendar would be presented to the Committee at the next meeting, for approval.

Chairman Wallin announced the next committee meetings: Wednesday, August 19th at City Council Chambers and Wednesday, August 26th at Western High School.

With no further business to conduct, Chairman Wallin adjourned the meeting at 8:37pm.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'Linda Andal', written in a cursive style.

Linda N. Andal, CMC
City Clerk