

# ADVISORY COMMITTEE ON ELECTORAL DISTRICTS MINUTES TUESDAY, SEPTEMBER 8, 2015

6:30 P.M.  
Loara High School, Auditorium

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 6:44 p.m. Chairman Wallin announced the Committee's work was coming to a conclusion and by the end of the meeting, the Committee expected to select a district boundary map and direct staff to draft a report to be presented to the City Council. Such final report, he explained, would be discussed by the Committee at its next meeting on September 16, 2015 in the City Hall Council Chamber.

With no objections, the Committee agreed to hold public comments following brief presentations by Ben DeMayo, outside counsel, on the criteria in creating a district plan and by Justin Levitt, demographer, on potential boundaries and new information received since the Committee's previous meeting. Chairman Wallin encouraged public comments to address new information or concerns.

## **1. Discussion and presentation of draft City Council district boundary proposals, possible action to modify one or more proposals, and possible action to select a Committee –recommended plan(s) with direction to staff to prepare the Committee report for consideration and potential adoption at the September 16, 2015 meeting.**

Ben DeMayo explained various Federal and State laws as they pertained to the districting process, including having as close to equal total population in each district and giving minority groups the opportunity to elect candidates of their choice. Additional consideration could be given to manmade boundaries, natural boundaries, contiguity, compactness and communities of interests including their economic interests, development possibilities, and social factors. He explained it was important for the Committee to receive new information from the public that they could utilize to assist in identifying a plan that it wished to propose in their report to Council.

Justin Levitt reviewed the districting process, to date, indicating that approximately 30 plans had been submitted and considered over the months of this process. He announced that tonight the Committee would review the final three plans they had selected, Chuchua 4, Gagne 1, and Reyes 2, remarking that the names of the maps would change going forward. He informed the audience that the three maps were available for pick-up and all maps were also available to review online at [www.anaheim.net/districts](http://www.anaheim.net/districts).

Mr. Levitt explained that the Committee had directed staff to present various amendments/options to the maps. He emphasized that the changes made should not be considered final, as the Committee could accept or reject the revisions as part of the final map. Mr. Levitt reviewed a revision in the eastern portion of the City between Districts 5 and 6, explaining the revision was requested to keep the future development area surrounding the Tustin Avenue/La Palma Avenue intersection together in one district. He explained that the

newly-proposed alignment divided the Canyon business district nearly equally between Districts 5 and 6, kept the development area within one district, increased the compactness of District 5, and only affected 100-190 residents as the area was primarily industrial.

Mr. Levitt reviewed four options for the western portions of the City, all using Euclid Street as a dividing line between the western and central portions of the City and keeping two districts entirely to the west of Euclid Street. Three of the options were pulled from the three maps under consideration by the committee and the fourth option responded to previous testimony related to the Brookhurst Community Center. Mr. Levitt explained that each of the four options had balanced populations with Option 2 having the lowest deviation.

Options 1 and 2, he continued, were more compact in terms of shape and created districts that abutted the County island, while Options 3 and 4 created districts that surrounded the County island. Regarding demographics, each option was nearly identical with the two districts having pluralities of non-Hispanic Whites by Citizen Voting Age Population (CVAP) although Latinos comprised a larger share of the total population of each district. Mr. Levitt explained that any of the four options could be put into the final chosen map due to the use of Euclid Street as the boundary and requested Committee direction accordingly. Mr. Levitt concluded his presentation by reviewing the process to date, encouraging public comments, explaining future public hearings by the City Council, announcing the next committee meeting on Wednesday, September 16<sup>th</sup> at 6:30 p.m. at Anaheim City Hall, and thanking all those who supported and participated throughout the process. Chairman Wallin expressed his hope that the selected plan would be supported throughout the process as there were not a lot of differences remaining between the options.

### **Public Comments (3 minutes - all agenda items).**

Arturo Ferraras thanked the Committee for their efforts and for supporting the community. He supported Reyes Map 2. He stated the Ponderosa community withdrew their submitted map upon review of the representation and low deviation of Reyes Map 2, and expressed his belief that southern Anaheim belonged in District 4, due to the shared concerns of residents related to parking, landlords, rising rents, and surrounding the Disneyland area.

Rudy Gaona, District 2 resident of Reyes Map 2. Mr. Gaona supported Reyes Map 2 and expressed his displeasure with public comments offered at the previous committee meeting relating to allegations of a future lawsuit. In response to a question from Judge Stock related to the Brookhurst Community Center and the County Island, Mr. Gaona deferred to others as his comments were only reflective of his particular area.

Genoveva Garcia, District 3 resident of Reyes Map 2, spoke in support of Reyes Map 2 and urged the Committee's support, which would lead to better representation in future elections.

Martin Lopez, District 4 resident of Reyes Map 2, asked Reyes Map 2 supporters to stand with Chairman Wallin noting approximately 90% of those in attendance stood. Mr. Lopez explained a coalition of people and organizations came together to create and support a map that addressed the needs of the entire city within the legal requirements and made it easy for local workers and residents to see what Reyes Map 2 meant for their families. He referred to Reyes Map 2 as "The People's Map." Mr. Lopez encouraged the Committee to continue their involvement through the three City Council public hearings and approval.

Vivian Pham, Central Anaheim resident and former Citizens Advisory Committee chairperson, thanked the committee for their service and advocated for Reyes Map 2 (Map 3) which she believed created fair and equitable districts for diverse populations and limited landmark concentration by keeping the Honda Center/Platinum Triangle separate from the Disneyland/Resort area. Chairman Wallin questioned whether the Honda Center and Stadium were part of the Resort to which Mr. Levitt explained they were in the Platinum Triangle, separated from the Resort by the I-5. In response to Judge Thrasher, Ms. Pham stated she lived in District 3 of the Reyes Map 2, Central Anaheim /Downtown.

Oscar Reyes, District 5 resident of Reyes Map 2, encouraged the Committee to support his plan unchanged, with the exception of the demographer adjustment to the boundary between Districts 5 and 6. He believed his map addressed the desire of voters who approved Measures L and M. He explained he could not provide a second choice for the Western area as he already changed his original horizontally-oriented map upon discussions with community leaders to better address their needs. Additionally, Mr. Reyes stated District 2 wrapped around the County Island to include Magnolia High School and Little Arabia, while District 1 veered northeast to include working-class communities which could have a stronger voice if represented by a single council member. He believed the voice of the people had been loud and clear in support of his map and thanked the Committee for their time and service. To clarify for Chairman Wallin, Mr. Reyes said he had accepted Mr. Levitt's change from Tustin Avenue to Miller Street/Kraemer Boulevard for the boundary between Districts 5 and 6.

Ada Tamayo, District 3 resident of Reyes Map 2, supported Reyes Map 2 for keeping communities, particularly the Colony, together. She indicated this was a community map that was wanted by the community.

Deborah Phares, District 3 resident of Reyes Map 2, supported Reyes Map 2 while encouraging additional consideration be given to the youth of Anaheim who had been participating in the political process in great numbers since the 2012 election cycle. Chairman Wallin encouraged everyone to become active and vote to improve the entire country.

Judge Thrasher requested all speakers continue to announce which district they lived in.

Karen Ridley, Loara High School teacher, stated she lived along the border of Districts 2 and 3 of Reyes Map 2 and supported Reyes Map 2. She expressed her belief that it represented all communities of interests and kept elementary schools within the same districts rather than splitting them between districts, which helped tie neighborhoods stay together with a sense of cohesion, which she indicated would help future city council members.

Marisol Ramirez, District 2 resident of Reyes Map 2, expressed support for Reyes Map 2 and announced the Latino community wanted three represented districts which could be accomplished with the strong CVAP pluralities in Districts 4 and 5, along with the majority in District 3. She announced that unrepresented communities faced many issues that Reyes 2 would help by providing greater representation for troubled neighborhoods. She added her support was part of a broader coalition of supporters that included those who could not attend the meetings.

Mariana Rivera (through a Spanish interpreter), District 4 resident of Reyes Map 2, supported Reyes Map 2 as an opportunity for better representation, better conditions, and a better future; and hoped the Committee would make the best decision.

Jose Paolo Magcalas, District 2 resident of Reyes Map 2 and Loara High School teacher, thanked his students and their parents who voluntarily attended tonight's meeting for their civic engagement. He supported Reyes Map 2 for addressing how elementary schools keep communities together.

Ron Bengochea, District 4 resident of Reyes Map 2, supported Reyes Map 2 for separating the Resort and the Platinum Triangle and for keeping communities geographically close to each other with a low deviation. He noted the support for Reyes 2 from people of different districts and expressed his hope that the City Council would listen to the people and to the Committee.

Chairman Wallin responded to a question from the audience advising that the white-shaded area on the projected map was the County Island, which was not part of the City.

Mark Daniels, District 1 resident of Reyes Map 2, supported Anaheim as a whole and expressed concern if a council member only focused on their own district. He believed any of the three maps would be positive for Anaheim but expressed concerns with Districts 1 and 2 on Reyes 2. He suggested keeping Gagne 1 or Chuchua 4 for the west end and Reyes 2 for the remainder. He emphasized that people would still need to participate in order to obtain their desired representation. In response to Judge Thrasher, Mr. Daniels expressed a preference for either Gagne 1 or Chuchua 4.

Rida Hamida, District 5 resident of Reyes Map 2, thanked staff and the Committee for addressing her request related to the Brookhurst Community Center; however, withdrew her request based on follow-up conversation with area residents. She expressed her support for Reyes Map 2.

Greg Diamond, non-resident, requested to substitute a revised map for Chuchua 4 as that map initially included the Ponderosa suggestion for District 4, which has subsequently been withdrawn. In response to Judge Thrasher, Mr. Diamond stated he lived in Brea but worked for Brian Chuchua, a District 6 resident. Mr. Diamond indicated a preference for Gagne 1 relative to Districts 1 and 2 in the western portion; however, because the map had four Latino-minority districts, he felt such was disqualifying. He believed Reyes Map 2 could be improved by adjusting boundary lines to increase the plurality advantage figures. With concurrence from the Committee, Chairman Wallin agreed to provide Mr. Diamond additional time to complete his comments. Mr. Diamond reviewed several alternate maps, indicating a preference for Chuchua 9 as it was more compact. He asked the Committee to forward two maps to the City Council for consideration and expressed concern that a district may be a Latino-majority or plurality now, but not after future development. Chairman Wallin stated there was no way to predict how the population would be for the 2020 Census after which the district lines would need to be reviewed.

Brian Chuchua, resident of District 6 of Reyes Map 2, added to Mr. Diamond's comments stating that Lennar was planning to proceed with the construction of condominiums in the area of Ball Road and Orangewood Avenue, including a shopping complex.

Zeke Hernandez, Santa Ana resident, Santa Ana LULAC president, submitted an amendment to LULAC Map 1 and provided comments on the process and historical background of trying to elect Latino candidates across Orange County. Mr. Hernandez supported LULAC Map 1 with amendments as a better choice, but acknowledged the community support for Reyes Map 2. He expressed his belief that if the City Council did not accept the committee-recommended map, there should be a way for the community to challenge the City Council. Mr. DeMayo

confirmed for Chairman Wallin that all maps under consideration met the legal districting criteria. Mr. Hernandez indicated deviations up to 10% had been accepted by the courts, with Chairman Wallin noting that possible challenges could be brought. Mr. Hernandez appreciated the Committee addressing the needs of the community.

Patricia Adelekan, District 3 resident of Reyes Map 2, withdrew her map and supported Reyes Map 2 based on its presence, rationale, explanation, and serving as "The People's Map."

Art Montez stated he did not live in Anaheim but represented a school district in western Anaheim. He discussed standards, demographer, and the history of requesting district elections. He requested districts not be handicapped so that Latinos would have the opportunity to elect candidates of their choice. With concurrence from the Committee, Chairman Wallin agreed to provide Mr. Montez additional time to complete his comments. He noted the difficulties involved in creating maps but emphasized following statewide standards and making sure City Council understood the legal options.

Yuval Miller, OCCORD, stated Latinos wanted three seats in Anaheim. Based on his review of the other maps, he stated the third-most Latino district had a plurality-white population. He commented that Reyes Map 2 would provide an opportunity for Latinos to elect candidates in three districts adding that Districts 3 and 4 may already be Latino-majority by CVAP or would be soon. He commended Reyes 2 for its compactness, keeping communities of interest together, and bringing people together to create the map.

Cynthia Ward, District 3 resident of Reyes Map 2, thanked the Committee for donating their time to help bring government back to the people of Anaheim by dividing into districts where candidates could walk and not have a large mailing expense. Ms. Ward indicated she had previously opposed districts, but then supported Measures L & M and thanked the Committee for their thoughtful attention to the people of Anaheim and hoped that City Council would hear that as well. Chairman Wallin explained the final map was determined by the City Council but the Committee intended to submit one map and urge them to accept it. Ms. Ward could not offer support to one particular map but expressed concern for what she viewed as potentially manufactured support and outside interference in the process.

Benita Gagne, District 1 resident of Reyes Map 2, respected the groups that got together to work on Reyes 2. She believed the Committee should offer two maps to the City Council in order to make it harder for them to create their own option, noting the support for Reyes 2 by the majority of attendees at the last three meetings. She discussed the process as political in nature and her belief that big money would be highly active and focused in the next election. Judge Jackman remarked that he would select the best solution, focusing on its qualities not necessarily the one with the most people supporting it. Judge Sundvold asked if Ms. Gagne would support Reyes 2 if her option for Districts 1 and 2 were substituted in, with Ms. Gagne declining. In response to Judge Sundvold, Ms. Gagne expressed a preference for unifying the Platinum Triangle and Resort areas in one district due to the similar household income figures. Ms. Gagne then suggested submitting two maps to City Council, one with the Resort and Platinum Triangle together and one with them separated and let them make a final decision and be held accountable by the voters.

Jose Moreno, District 3 resident of Reyes Map 2, supported Reyes Map 2 because it was clean, pretty, and easy to get people to build confidence knowing their distinct boundaries. He expressed gratitude for the Committee's service and for setting a welcoming tone for the community which had heeded their call to bring their neighbors and participate in the process.

He discussed the working-class nature of Anaheim where 60% of household incomes were less than \$75,000/year, how districts would allow candidates to focus on getting to know their neighbors more than raising money, and that dividing economic landmarks would cause everyone to make an effort within their districts. Chairman Wallin noted the increase to six council members rather than four would also assist with that endeavor. Mr. Moreno agreed.

Jeanine Robbins, District 4 resident of Reyes Map 2, supported Reyes Map 2 as she viewed it important to keep the Disney area separate from the Platinum Triangle due to different resident issues. She felt it was important for Hispanics to have a chance to obtain three seats on the City Council so their issues could be represented. She encouraged the Committee to listen to the people and submit only Reyes Map 2 to the City Council.

With no further comments offered, Chairman Wallin closed the public comment portion of the meeting. Chairman Wallin opened the floor to comments by the Committee.

Judge Stock announced it had been her privilege to serve on this Committee and that this would be the Committee's opportunity to openly discuss the proposals. She stated she had originally been open to sending more than one map to the City Council, but now believed that sending only one map best fit the charge and duties of the Committee. She acknowledged LULAC, MALDEF, and ACLU for their leadership positions and for serving as a catalyst in community efforts, however, noting the community became engaged in the process, came together for a solution, and superseded the efforts of the organizations by essentially becoming their own leaders. Judge Stock noted that one of the original plaintiffs supported Reyes Map 2. She emphasized that an ideal map would retain well-defined communities of interest, abide by the principles of providing minority groups an opportunity to elect candidates of their choice, and keep a compact and contiguous geography so voters could understand where their districts are. She expressed concerns with the LULAC maps which seemed to create two majority-Latino districts at the expense of other factors by winding around with no particular reason.

In regards to the Latino-majority versus plurality approach, Judge Stock evaluated the nature of the issues and found the justification for strong-plurality districts to be compelling. In regard to the City Council, she noted that if the district lines were drawn correctly, plurality voters could be joined by other like-minded voters to elect a candidate that best addressed the issues within their districts. Judge Stock noted that with the 2% increase in Latino CVAP, a majority may already exist or was at least trending in that direction. In regards to specific maps, she spoke of her respect for the efforts of LULAC, however even with its modifications; she determined it was not the best option. She found merits in Gagne 1 and Chuchua 4 but believed splitting the County Island among districts did not address the needs of the community of interest and was convinced that the economic landmarks should be separated which was not accomplished in these two maps. Additionally she supported Reyes 2 for having a major park in each district and for addressing the newly mentioned element of conforming to elementary school boundaries to bring families together.

Judge Thrasher stated the most important aspect was that the Committee listened to the public. He noted the majority of speakers supported Reyes Map 2 regardless of where they lived in the City. He indicated he had listened to what people had to say and appreciated the efforts they put into creating the map and working together in their communities. He noted the importance of the elementary schools located within each district as well as the compactness of the districts and stated he believed Reyes 2 to be "The People's Map." Judge Thrasher recommended the Committee only submit Reyes Map 2 to the City Council.

Judge Jackman agreed with the comments made by both Judge Stock and Judge Thrasher. He noted the remarkable support for Reyes Map 2, stating that applause was not the best way to make a decision. He disagreed with earlier comments against LULAC and thanked that organization for being an important voice and supporting the Latino community for many years, encouraging groups to continue working together. He favored Reyes Map 2 for keeping the Platinum Triangle and the Disneyland/Resort areas separate.

Judge Sundvold concurred with previous comments and commended Judge Stock for her astutely focused summary on critical issues. He then moved to tentatively select Reyes Map 2, as amended, to move forward for further consideration and discussion as the possible recommendation of the Committee at next meeting and to direct staff to prepare a final report including this map for committee consideration, discussion, and possible approval at the September 18<sup>th</sup> meeting, seconded by Judge Stock.

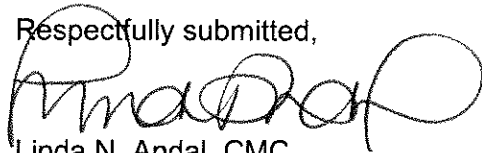
Chairman Wallin expressed his amazement at the level of citizen participation achieved in this process and his pride in all involved. He discussed the importance of having compact districts so a candidate could walk the district and meet the people which he felt was accomplished in Reyes Map 2. He believed the Latino-pluralities would be significant and very close to majorities in three districts in Reyes 2 and discussed how a community could elect a candidate even without a majority. He agreed with Judge Jackman's comment related to LULAC, crediting them for doing a lot of work for the Hispanic community. He believed Reyes 2 to be the first choice of the majority of speakers and the second choice of many others who may have preferred other maps. With no further discussion, Chairman Wallin called for the vote to tentatively select Reyes Map 2, as amended, to move forward for further consideration and discussion as the possible recommendation of the committee at next meeting and to direct staff to prepare a final report including this map for committee consideration, discussion, and possible approval at the September 18<sup>th</sup> meeting. Approved Vote: 5-0.

**2. Approve meeting minutes of the August 19, 2015 Advisory Committee on Electoral Districts.**

Judge Thrasher moved to approve the minutes of the August 19, 2015 meeting of the Advisory Committee on Electoral Districts, seconded by Judge Sundvold. Approved vote: 5-0.

With no further business to conduct, Chairman Wallin adjourned the meeting at 8:58 p.m.

Respectfully submitted,



Linda N. Andaf, CMC  
City Clerk