

ADVISORY COMMITTEE ON ELECTORAL DISTRICTS MINUTES WEDNESDAY, SEPTEMBER 16, 2015

6:30 P.M.

Anaheim City Council Chamber

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 6:34 p.m. He announced the Committee would follow their usual procedure of hearing staff presentation prior to public comments, unless there were any objections.

1. Consideration, discussion and possible action on the Committee's final report to the City Council, including the Committee's recommendation of a boundary plan for City Council districts.

Ben DeMayo, outside legal counsel, reported per Committee direction staff prepared a report that was posted with the agenda for Committee and public review that summarized the comprehensive public outreach process, provided a brief summary of each Committee meeting, and detailed the criteria selected and applied in order to select the recommended plan that the Committee had tentatively adopted. Mr. DeMayo explained the criteria used which included population equality with the tentatively selected map having only a 1.4% deviation from the largest to the smallest district (Largest district had 424 more than the ideal population; smallest district had 363 fewer than the ideal population), the Voting Rights Act, compactness and contiguity of districts, and the communities of interest as expressed by the community at previous meetings.

Public Comments (3 minutes - all agenda items).

Martin Lopez described the community's celebration stemmed from the Committee's unanimous selection of the map supported by the community. He thanked the Committee for their time and commitment to serve the residents of Anaheim, for having open minds, and for listening to the people. Mr. Lopez hoped the City Council would listen to the Committee's recommendation and urged the judges to remain in the process to ensure the voice of the community was not ignored. He supported Reyes Map 2 with two strong Latino-plurality districts. Chairman Wallin asked participants to refer to the selected map as the "Recommended Plan." Mr. Lopez expressed community support for the Recommended Plan and announced objection to any potential changes by the City Council that would lower the pluralities in these two districts.

Marisol Ramirez, representing various communities, faith-based, and ethnic organizations, presented a letter to the Committee expressing thanks for valuing the voice of the community and unanimously supporting the selected map and urged the Committee to stay involved with the rest of the process. She explained the community only wanted strong plurality districts and would disagree with any alterations by the City Council that would lower the 47% Latino CVAP plurality in District 4 and the 44% Latino CVAP plurality in District 5.

Chairman Wallin again urged the speakers to refer to the selected map as the "Recommended Plan," to not identify it with any one individual, yet congratulating and recognizing the efforts of that individual.

Art Montez thanked the Committee and staff for working with LULAC throughout this process and announced the State LULAC Board approved supporting the Recommended Plan. He emphasized that LULAC sought the best for the community and wanted at least 50% Latino majorities in districts but acknowledged that may occur once new Census data was released. He expressed hope that community organizations would continue with efforts in voter registration and citizenship and hoped that no additional litigation would be necessary in this process. He acknowledged the efforts of the community in creating and supporting the Recommended Plan, noting that it should be respected. Chairman Wallin recognized LULAC for its long-standing efforts for the Latino community.

Mark Daniels thanked the Committee for their hard work, acknowledged the historic nature of this process and change, and commended the community for their diligence and efforts. He suggested the City Council unanimously select the Recommended Plan.

Victoria de Gomez expressed pride in her Mexican heritage and urged the Committee to respect the map.

Rida Hamida called upon the audience to provide a standing ovation and expressed her appreciation to the Committee for their empathy, ability to be open, and listening to the voices of the people. Chairman Wallin acknowledged a sign in the audience and responded that voices had been heard because people participated. He encouraged additional participation by registering voters and getting people to the polls on Election Day.

Oscar Reyes credited the many Anaheim residents who provided their thoughts, input, and ideas that resulted in his submitted map, calling it the "People's Map." He thanked the Committee and staff for their service and for unanimously supporting the Recommended Plan and for listening to the community.

Victoria Michaels acknowledged the efforts of community groups to get people involved which resulted in more participation and better meeting attendance over time. She encouraged the community to continue with voter-registration efforts and voting, thanked the Committee and staff for their work during this process, and questioned the next steps in the process of City Council review and map selection. She concluded with brief comments in Spanish.

In response to Ms. Michaels's questions, Mr. DeMayo explained that only City Council has the discretion to form the districts pursuant to California state law so the Committee could only be advisory in nature. City Attorney Michael Houston continued that the same provision for City Council approval of districts existed in the City Charter and in the Settlement Agreement. He noted that all parties recognized the importance of the Committee to make a recommendation. Mr. Houston announced the City Council would receive the final report of this Committee at its meeting on October 6 during which time they could consider, review, and discuss the report as well as set dates for three required public hearings. He announced that the entire administrative file with all submitted maps would be transferred to the City Council along with the Recommended Plan. Chairman Wallin acknowledged the many municipal issues and considerations the City Council was busy with, of which the district process was one that they deferred to the Committee for advice. Mr. Houston confirmed the Recommended Plan would be

brought forward at City Council meetings at least four times and invited the Committee to attend any of the meetings.

Greg Diamond requested the Committee substitute Chuchua 6 or Chuchua 9 for Chuchua 4 as one of the final Committee-selected maps providing that those maps better reflected his intentions after the Ponderosa community withdrew their suggested district boundaries. He indicated he would support the Recommended Plan but preferred other options for his own submittal. He provided comments on the residency of incumbents and encouraged the Committee to include additional information in their report to include what they learned along with their recommendation and to state their opinion with more detail. In response to Chairman Wallin, Mr. Diamond requested Chuchua 9 be substituted *nunc pro tunc* for Chuchua 4. Mr. DeMayo explained that all submitted maps and comments were part of the record and previous actions by the Committee could not be undone with Chairman Wallin expressing that Mr. Chuchua's request at a public meeting was sufficient for the record.

2. Approve minutes of the August 26, 2015 Committee meeting.

Item No. 2 was taken out of order. Judge Sundvold moved to approve the minutes of the August 26, 2015 Committee meeting, seconded by Judge Thrasher. Approved Vote: 5-0.

1. Consideration, discussion and possible action on the Committee's final report to the City Council, including the Committee's recommendation of a boundary plan for City Council districts. (Continued)

Judge Stock stated she reviewed previous testimony by Loara High School teacher Karen Ridley that the Recommended Plan followed elementary school districts and further enhanced communities of interest and asked Ben DeMayo, outside legal counsel, to provide the Committee with an update. Mr. DeMayo explained he followed up with Ms. Ridley for specific testimony related to the mapping effect on elementary schools and communities of interest and added that copies of the language pertaining to their discussion was available outside Council Chambers for public access. Judge Stock moved to add additional language to Section 4: Districting Criteria, Subsection 9: Communities of Interest and read the language into the record as follows:

"One type of community of interest expressed by the public is to keep elementary school attendance boundaries wholly or substantially within a single City Council district. Speakers favored having the areas on both sides of the County island in the same District, District 2. One reason stated was that residents tend to form a community around their local elementary schools and the elementary schools in that area draw students from both sides of the County island. These are the Salk and Disney elementary schools in the Magnolia School District. Additionally, Juliette Low Elementary School lies within this corridor and creates this continuity with the schools along the Brookhurst Corridor.

For similar reasons, supporters of the Plan wanted to place the portions of the Centralia and Savanna Elementary School Districts that lie within Anaheim entirely within District 1. In District 4, the following attendance areas are kept entirely within the District boundaries: Stoddard, Palm Lane, Ponderosa, Olive Street, Orange Grove, and Roosevelt Elementary Schools.

The 5th district includes the area west of State College north of Santa Ana Avenue. This allowed for the people on Anna Drive, who are in the Sunkist Elementary School District area to be in the same council district as well as keep the Juarez and Guinn attendance areas in the same district."

Judge Sundvold seconded the motion to include additional language. Approved vote: 5-0.

Chairman Wallin moved and opened for discussion that the written report and recommended map be sent to City Council as the unanimous recommendation of the Committee, seconded by Judge Jackman. Approved vote: 5-0.

Chairman Wallin offered supporting comments about the City Council to the public, advising that even if the City Council disagreed with each other or certain members of the public, they are serving their City and working hard. He thanked his Committee colleagues and staff for their participation in the process. He expressed pride in the community for coming together, listening to each other, and being unified behind the Recommended Plan.

3. Authorize the City Clerk to finalize and execute Committee meeting minutes of September 8 and September 16, 2015.

Chairman Wallin moved to authorize the City Clerk to finalize and execute Committee meeting minutes of September 8 and September 16, 2015, seconded by Judge Stock. Approved vote: 5-0.

4. Amend Committee meeting calendar, as necessary.

Not required.

5. Committee Comments / Staff comments

Judge Jackman acknowledged the efforts of people who were willing to change their position after listening to others.

Judge Sundvold found the process rewarding and acknowledged the increase in attendance from the early meetings until the final meetings.

Judge Thrasher acknowledged the increase in attendance from 20-30 to over 100 over the past 10 meetings and noted the hard work of staff and the people of Anaheim.

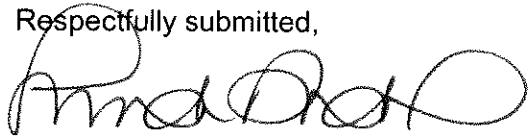
Judge Stock congratulated the community for affecting history and for establishing a strong foundation and paving the way for the children and youth of Anaheim.

Chairman Wallin announced the Recommended Plan would go forward to the City Council after which there would be an election in November 2016, the success of which would depend on how the community worked to recruit good candidates, register voters, and get them to polls.

City Clerk Linda Andal recognized Michael Houston for working behind the scenes on this process. Mr. Houston expressed staff's gratitude for the services and commitment by the Committee, as well as by the nine other judges who offered to serve.

With no further business to discuss, Chairman Wallin adjourned the meeting at 7:24 p.m.

Respectfully submitted,

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

Linda N. Andal, CMC
City Clerk