

**MEASURES L & M**  
**By Districts**  
**And**  
**Increasing Council Members from 4 to 6**

CITY COUNCIL  
WORKSHOP

January 6, 2015



# DISTRICTING WORKSHOP

## Overview

- Summary of Measures
- Summary of Settlement Agreement (Measure L)
- Identification of Committee and requirements
- Legal Concepts and Criteria for Boundaries
- City Council's Role
- Demographic Consultant
- Community Outreach Plan
- Proposed Timeline



# DISTRICTING WORKSHOP

## Measure L

- Voters approved by 68.8% at the November election.
- Requires Council Members elected in 2016 and thereafter to live in and be elected from a geographic district, only by voters of that district.
- Only one Council Member would be elected from each district.
- Mayor remains elected at large.
- Elections Code requires the City Council to set up districts by July 6, 2016.
- Does not cut short any Council member's current term of office, or require residency in a district during current term.



# DISTRICTING WORKSHOP

## Measure L – con't

- City Council has ultimate responsibility for approving the districts:
  - Districts must comply with state and federal law (discussed later).
  - Council may establish other permissible criteria for district shape (discussed later).
  - City Council must establish a transition plan to move from present "at large" system to "by district" system to account for election to newly created seats and identify seats up for election in 2016 and 2018.



# DISTRICTING WORKSHOP

## Measure M

- Voters approved by 54.2% at the November election.
- Increases the size of the City Council from four to six (plus the Mayor).
- Increase occurs at the November 2016 election:
  - Two existing Council seats that would already be on the ballot plus two newly created seats will be on the ballot, all four of which will be elected by district.
  - Following November 2016 election, one of the four elected will be randomly selected to serve a shorter 2-year term. The remaining three will serve 4 year terms.



# DISTRICTING WORKSHOP

## Settlement Agreement

### Effect of *Moreno* Settlement Agreement on District Process

- In early 2014, the City and plaintiffs entered a Settlement Agreement to resolve litigation challenging the City's at large electoral system.
- No court oversight of districting process.
- City Council retains discretion and authority to ultimately select district maps.



# DISTRICTING WORKSHOP

## Settlement Agreement

- Purpose of Committee: To assist in developing district boundaries to recommend for adoption by the Council.
- Settlement requires the City Council to appoint an advisory committee.
- Two committee options (discussed later):
  1. Panel of 3 retired OCSC judges registered to vote in Anaheim.
  2. Committee of up to nine (9) Anaheim voters.



# DISTRICTING WORKSHOP

## Committee Creation Process

### Committee Creation Process

- Staff will present a resolution to establish an advisory committee, identify districting criteria and address related matters.
- Preference: A panel of 3 retired OCSC judges registered to vote in Anaheim.
  - Outreach to Orange County Superior Court occurred, only 1 retired OCSC judge was identified by the Court.
  - City Attorney's Office is undertaking additional due diligence regarding other federal/state judges in Anaheim or vicinity.





# DISTRICTING WORKSHOP

## Committee Creation Process

Staff seeks input from Council regarding amendment of Settlement to include other types of judges and judges outside Anaheim (no certainty judges want to participate).



# DISTRICTING WORKSHOP

## Committee Creation Process

### Committee Creation Process, continued:

- If committee of judges is not possible due to either lack of interest or qualification, then the Council must create and appoint a committee of up to 9 Anaheim voters.
- Other criteria for Committee as required in the *Moreno* Settlement:
  - Broadly representative of the City, as determined in Council's sole discretion.
  - Not a Council member or Mayor.
  - Willing to declare they will not run for City Council district seat in 2016 or 2018.



# DISTRICTING WORKSHOP

## Federal Rules

### **US Constitution: Equal Population**

According to Elections Code Section 21620 “the districts shall be as nearly equal in population as may be according to the latest federal decennial census”.

- Total population: not voting age population, citizens, or voters.

### **Federal Law: The Federal Voting Rights Act**

Section 2 – Ensure equal power to elect candidates of choice.

No racial gerrymandering.



# DISTRICTING WORKSHOP

## Federal Rules – con't

### Shaw v. Reno, 509 U.S. 630 (1993):

The Supreme Court has held that race may be considered as evidence of a community of interest, but may not be the sole consideration absent highly unusual circumstances.



# DISTRICTING WORKSHOP

## State Rules – Criteria

### California Elections Code, Section 21620:

- Equal population
- In establishing the boundaries of the districts the Council may give consideration to the following factors:
  - (a) Topography,
  - (b) Geography,
  - (c) Cohesiveness, contiguity, integrity, and compactness of territory, and
  - (d) Community of interests of the districts



# DISTRICTING WORKSHOP

## Criteria – con't

### Reasons identified and approved by the US Supreme Court as justifiable reasons for small population deviations:

- Communities of interest
- Follow Visible (natural & man-made) boundaries (e.g. rivers, streets)
- Compactness and contiguity
- Population growth
- Providing voters the opportunity to retain their elected representatives, if they choose



# DISTRICTING WORKSHOP

## Role of the City Council

- State law and the City Charter require that the City Council establish district boundaries; responsibility may not be delegated to others; however, an Advisory Body may make recommendations.
- State law also requires three public hearings, at least two of which must be held by the Council, prior to adoption of district boundaries.
- State law authorizes the Council to establish criteria to be considered in determining district boundaries.
- The City Charter requires the Council to establish rules for transition to the increased number of Council seats and the new districts.



# DISTRICTING WORKSHOP

## Demographic Consultant

- Provide census data, including analysis and evaluation of population community
- Provide tools for public to create and comment on district maps and on communities of interest
- Provide online computerized districting programs for public access and review
- Attend community meetings, advisory meetings, council meetings
- Provide and present draft maps based on community input and committee direction for Council approval





# DISTRICTING WORKSHOP

## Proposed Community Outreach Plan

### Outreach Plan:

- Contract with a Demographic Consultant
- Partner with an Outreach Specialist, as necessary
- Hold Public Meetings (including community meetings):
  - With Council appointed Advisory Committee
  - With Demographer throughout the city
  - Interpreter services available at all meetings
  - Language translation of all agendas (English, Spanish, Vietnamese, Chinese and Korean)



# DISTRICTING WORKSHOP

## Proposed Community Outreach Plan

### Outreach Plan continued:

- Dedicated webpage: [www.anaheim.net/districts](http://www.anaheim.net/districts)
- Partner with various community groups, citywide
- Press Releases
  - E-Subscribers (citywide)
  - Media Outreach – OC Register and Anaheim Bulletin
- Public Service Announcement
  - YouTube and other city outlets



# DISTRICTING WORKSHOP

## Proposed Community Outreach Plan

### Outreach Plan continued:

- Strong Social Media Presence
  - Facebook, Twitter
- ACTV slides
- Publications:
  - Anaheim Magazine
  - Andy Anaheim
  - Utility Inserts
  - City Hall public counters, libraries and community centers



# DISTRICTING WORKSHOP

## Proposed Timeline

**Jan 2015** - Filed Charter Amendments w/ SOS



**Jan 2015** - Repeal Ordinance 6280



**Feb 2015** - Further due diligence; finalize process for committee structure

**Mar-Apr 2015** - Resolution for Council consideration and action, ID districting criteria, establish comm. structure and consider appointment to comm.



**May-Sept 2015** - Advisory Committee Meetings AND Community Outreach Meetings



**Oct-Dec 2015** - Council public hearings to consider and adopt district boundaries and transition plan



**July 6, 2016** – Last day, per EC, to file boundaries with the ROV for Nov. 2016 election

**\*\* Timeline allows Council time for continuances and/or to schedule additional meetings**



# DISTRICTING WORKSHOP

## Proposed Community Outreach Plan

# QUESTIONS

