



Town Council Agenda Report

Date: March 8, 2022

To: Honorable Mayor and Town Council

Subject: THIRD PUBLIC HEARING FOR REDISTRICTING

From: Douglas Robertson, Town Manager

Submitted by: Thomas Rice, Town Attorney
La Vonda M-Pearson, Director of Government Services

Budgeted Item: Yes No N/A

RECOMMENDED ACTION

- A. Receive a report from staff and the Town's redistricting consultant on the redistricting process and the draft maps; and
- B. Receive input from the public on the draft maps; and
- C. Provide direction to the Town's redistricting consultant relating to the drawing of new district maps.

BACKGROUND

In 2019, in response to a threat of litigation under the California Voting Rights Act and like many jurisdictions throughout the state, the Town transitioned from an at-large to a five member by-district election system. The Town did so after a lengthy public outreach process, which included holding five public hearings and a workshop. The Town is presently divided into five districts, which were based on the following factors:

- Geography
 - o Use major roadways as dividing lines
 - o Consider future growth areas
- Communities of Interest
 - o Attempt to keep distinct communities together
 - o Attempt to place some commercial property in every district
 - o Attempt to place some parks or open space in every district
 - o Attempt to split the North Apple Valley Industrial Specific Plan (NAVISP) so a single council member is not responsible for the entire area
- Cohesiveness, Contiguity, Integrity, and Compactness of Territory

- o Accept that it will be natural for their to be a wide variation in district size due to lack of density in various parts of Town
- o Do not prioritize trying to make districts the same size in area terms

In November 2020, the Town held its first by-district elections. Districts 1 and 2 were the subject of the election.

On January 11, 2022, the Town Attorney provided an update on the redistricting process. At that meeting, the Town Council requested the Town Attorney provide the Town Council with an opportunity to consider a transition to a “4+1” system with an at large Mayor. On January 24, 2022, the Town entered into a contract with National Demographics Corporation (NDC) to perform redistricting services, including the drawing of maps.

On February 8, 2022, the Town Council held its first redistricting hearing and received a presentation from NDC on the appropriate criteria for consideration. The Town Council discussed and deliberated on a proposed ordinance to transition to a “4+1” system with an at large Mayor. At the conclusion of the hearing, the Town Council chose to introduce two ordinances in order to facilitate further public input on the possible transition. One ordinance would leave the Town Council with five districts; the other would transition to a “4+1” system with an at large Mayor. Both ordinances would have permitted the Town Council to adopt new maps by resolution.

On February 22, 2022, the Town Council adopted Ordinance No. 549(A) transitioning the Town from a system with five single member council districts to a “4+1” system with an at large Mayor elected every two years.

Following the decision on February 22, the Town’s redistricting consultant prepared three draft maps dividing the Town into four districts. Those maps were posted by the Town on March 1.

DISCUSSION:

Redistricting

Every ten years, cities with by-district election systems must use new census data to review and, if needed, redraw district lines to reflect how local populations have changed. This process, called redistricting, ensures all districts have a nearly equal population. The redistricting process for the Town of Apple Valley must be completed by April 17, 2022.

The Town’s districts must now be redrawn using the 2020 census data and in compliance with the FAIR MAPS Act, which was adopted by the California legislature as AB 849 and took effect January 1, 2020. Under the Act, the Town Council shall draw and adopt boundaries using the following criteria in the listed order of priority (Elections Code 21621(c)):

1. Comply with the federal requirements of equal population and the Voting Rights Act;
2. Be geographically contiguous;
3. Undivided neighborhoods and “communities of interest” (socio-economic geographic areas that should be kept together);
4. Display easily identifiable boundaries;
5. Be compact (do not bypass one group of people to get to a more distant group of people); and

6. Shall not favor or discriminate against a political party.

Once the prioritized criteria are met, other traditional districting principles can be considered, such as:

1. Minimize the number of voters delayed from voting in 2022 to 2024;
2. Respect voters' choices/continuity in office; and
3. Future population growth.

By law, the Town must hold at least four public hearings that enable community members to provide input on the drawing of district maps:

- At least one hearing must occur before the agency draws draft maps;
- At least two hearings must happen after the drawing of draft maps (the fourth hearing can happen either before or after the drawing of draft maps); and
- Agency staff or consultants may hold a public workshop instead of one of the required public redistricting hearings.

To increase the accessibility of these hearings, the Town must take the following steps:

- At least one hearing must occur on a Saturday, Sunday, or after 6:00 p.m. on a weekday;
- If a redistricting hearing is consolidated with another local government meeting, the redistricting hearing must begin at a pre-designated time; and
- Local public redistricting hearings must be made accessible with people with disabilities.

Town Schedule

The Town has set the following schedule for the redistricting process:

February 8, 2022	First Public Hearing – Hearing begins at 7:30 p.m.
February 22, 2022	Second Public Hearing – Hearing begins at 7:30 p.m.
March 1, 2022	Draft Maps Released; Mapping Tool Released to Public
March 8, 2022	Third Public Hearing - Consideration and input on proposed draft maps
March 15, 2022	New Maps released - if any
March 22, 2022	Fourth Public Hearing; Selection of Map
April 12, 2022	Formal Adoption of Map by Resolution

This Hearing

The purpose of this public hearing is to solicit input from the public and the Town Council on the draft maps prepared by the Town's redistricting consultant, NDC. This is the first

of two required “post-map” public hearings. The Town Council can discuss the proposed maps submitted by the demographer and may recommend changes or may suggest which map or maps the Council would like to hear additional public comment on – for example, the Council may choose to eliminate one of the draft maps from consideration. If the Council suggests changes to one of the draft maps, the Town must publish the amended map at least 7 days prior to the next public hearing (by March 15, 2022 for a March 22, 2022 fourth public hearing). If changes to the map are requested by the Council, staff and the demographer will ensure proper publication/posting is done within the appropriate timeframe.

FISCAL IMPACT

The redistricting process should cost the Town approximately \$50,000 depending on the number of public meetings the consultant attends. However, the Town must incur this cost in order to comply with applicable law.

ATTACHMENTS

1. Current District Map
2. Draft Maps (and Demographic Data) Prepared by Town’s Consultant, NDC
 - a. Orange Map
 - b. Tan Map
 - c. Green Map