

CITY OF
ANTIOCH
CALIFORNIA

STAFF REPORT TO THE CITY COUNCIL

DATE: Regular Meeting of October 12, 2021
TO: Honorable Mayor and Members of the City Council
SUBMITTED BY: Thomas Lloyd Smith, City Attorney *TLS*
SUBJECT: Redistricting in Antioch: Criteria, Data, and the Process

RECOMMENDED ACTION

It is recommended that the City Council:

1. Receive the redistricting presentation and public comment and
2. Confirm the dates, times, and locations (virtual or in-person) of subsequent 2021-2022 public hearings for redistricting:
 - a. **Saturday, October 16, 2021 10:00 AM**
(Virtual Meeting)
 - b. **Tuesday, November 9, 2021**
(Special meeting prior to City Council meeting)
 - c. **Optional Additional Meeting** (e.g. Antioch Community Center)
 - d. **Tuesday, January 11, 2021**
(Regular City Council meeting. Introduction of Ordinance: First Reading)
 - e. **Tuesday, January 25, 2021**
(Regular City Council meeting. Second Reading: Adoption of Ordinance)

FISCAL IMPACT

None.

DISCUSSION

The purpose of this presentation is to provide information to the public on redistricting and to solicit input from the public regarding the drafting of district maps. An interactive discussion will be led by our demographer, Karin MacDonald of Q2 Data & Research LLC, who will make a comprehensive, informative presentation to give the City Council and members of the public a full understanding of the redistricting process. The presentation will distinguish between districting and redistricting, provide an overview of

the laws governing the redistricting process, explain criteria for redistricting, address redistricting timelines and public involvement.

Before adopting a final map of district boundaries, at least four hearings must be held for the public to provide input about the composition of City Council districts. These hearing requirements include at least: (1) one hearing before any maps are drawn, (2) two hearings after maps are drawn, and (3) one hearing or workshop to be held on a Saturday, Sunday, or after 6 p.m. on a weekday.

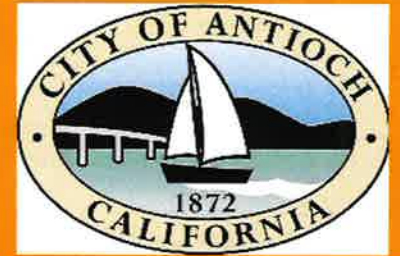
The City must also take steps to encourage residents, including those in underrepresented and non-English speaking communities, to participate in the redistricting public review process.

ATTACHMENTS

- A. Redistricting in Antioch: Criteria, Data, and The Process
- B. City Council Current Deviations by Council District

ATTACHMENT A

Redistricting in Antioch: Criteria, Data, and The Process



Karin Mac Donald
Q2 Data & Research, LLC
October 12, 2021

Today's Agenda

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- Introduction & Background
- What is Redistricting?
- Laws Governing Redistricting
- Criteria for Redistricting
- Process Timeline
- How to Get Involved

Introduction and Background

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- In 2018, the City of Antioch converted from at-large to by-district elections
- This move was prompted by action brought under the California Voting Rights Act (CVRA)
- Cities throughout California have transitioned from 'at-large' to 'by-district' elections due to the CVRA
- The City of Antioch now has 4 city council districts
- City Council members must live in their district to be eligible to represent it
- Voters in each district elect the council member for their district

Districting versus Redistricting

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- Districting is the process of creating districts where there were none before
- Redistricting is the process of adjusting the existing district boundaries
- Redistricting usually happens every 10 years after the release of the decennial Census
- Decennial Census data are used to equalize the populations of the districts
- Redistricting provides the opportunity to bring the existing districts into compliance with all redistricting criteria

Laws Governing Redistricting

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- U.S. Constitution
 - Population Equality
- Federal Law
 - Voting Rights Act
- California Elections Code
 - FAIR MAPS Act

FAIR MAPS Act - Overview

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- “Fair And Inclusive Redistricting for Municipalities And Political Subdivisions”
- Addresses local redistricting for Cities and Counties
- CA Elections Code Sections 21600 – 21609 address City Redistricting
- Became law in October 2019
- Creates a “state-mandated local program” and details the required processes for local redistricting

FAIR MAPS Act - Process

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The FAIR MAPS Act has strict timelines and requirements for the process

- There are a minimum of 4 hearings that must take place before adopting the new district boundaries:
 - At least 1 hearing must be held prior to creating a draft map
 - A workshop led by staff or consultant may be held in lieu of 1 pre-draft hearing
 - 2 hearings must be held after creating a draft map
- Draft map(s) must be posted for feedback
- There are specific timelines for posting Hearings, Agendas, and Drafts

FAIR MAPS Act - Components of Redistricting

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1. Website
2. Public Hearings
3. Draft plan development
4. Posting requirements
5. Public Access (including applicable language Translations and Interpretation)
6. Public Input (oral, written, or electronic)

FAIR MAPS Act - Public Input, Education, and Transparency

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Outreach and Education:

- Provide information to city media organizations, including media organizations that serve language minority communities.
- Provide information through good government, civil rights, civic engagement, community groups, or organizations that are active in the city

Meetings and Workshops:

- Start at a set-time if combined with a regular or special meeting
- Collect public input including on Communities of Interest
- Provide live interpretation for non-English language speakers for certain languages
- Meeting location accessible to people with disabilities

Project Website

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- Will remain live for 10 years
- Provides information about the date, time, and location for any public hearing or workshop five days before the hearing or workshop (or 3 days as we are closer to the final adoption date)
- Contains educational materials, handouts, presentations, videos or transcripts of hearings
- Will contain mapping files, supporting documentation and associated demographic reports
- Will include a district viewer where the Draft maps and any visualizations can be accessed
- Will host the Draft(s) and Final District Maps

Access Tools

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- The City will make a free, online mapping application available to the public
- The online mapping tool will allow members of the public to create digital input and draw maps
- Proposals developed with the online mapping tool can be submitted to the City for consideration
- The tool will allow users to view census geography and data for any area of interest within the City boundaries.

What are the mapping criteria?

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Criteria Ranked in Order of Priority (“to the extent practicable”)

1. Compliance with US and CA Constitution (equal population)
2. Compliance with Federal Voting Rights Act (FVRA addresses race and language minorities)
3. Contiguity
4. Respect for* local neighborhoods and Communities of Interest (COIs)
 - a. COIs may not include relationships with political parties, incumbents, or political candidates.
5. Boundaries should be easily identifiable and understandable by residents
6. Compactness: If it doesn't conflict with preceding criteria
7. Do not favor or discriminate against political parties

*Respect for means minimize divisions

Criterion 1: Equal Population

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- The US Constitution requires districts to have reasonably equal populations, e.g., “one person, one vote”
- 14th Amendment (Equal Protection)
 - Prohibits intentional discrimination because it is a violation of equal protection (the jurisdiction is treating residents differently because of race, and thus not according them equal protection under the law).
- 15th Amendment
 - Bans racial discrimination in voting

Ideal Population Per District

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To Compute the ideal population for each type of district:

$$\text{Total population} \div \# \text{ of districts} = \text{Ideal POP}$$

Antioch total Population from 2020 Census: 115,580

Ideal population for Antioch City Council Districts?

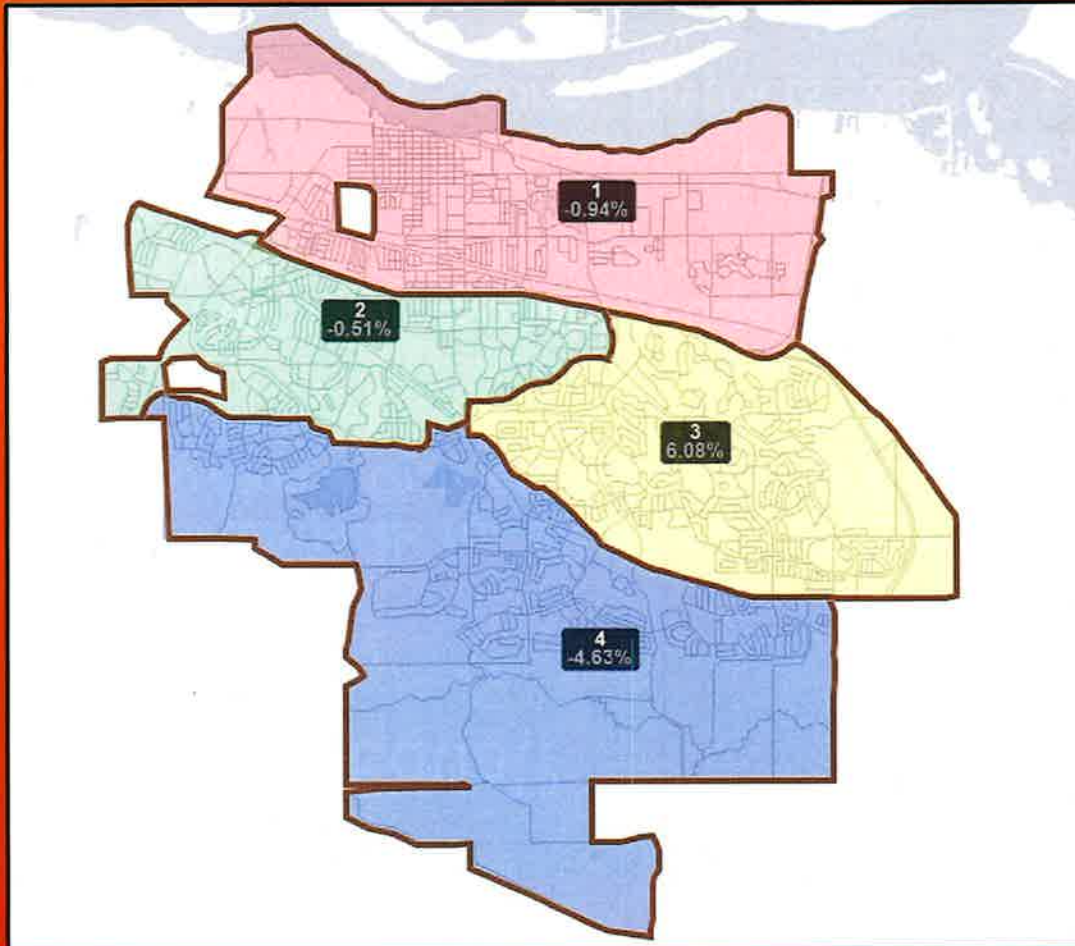
$$115,580 \div 4 = \sim 28,895 \text{ people per/district}$$

How Equal Is Equal?

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- **Different standards for different jurisdictions:**
 - Congressional Districts held to 'strict scrutiny'
 - Lower level districts have more flexibility
- **Districts must be reasonably equal**
 - Some deviation above and/or below the ideal population is allowed
 - Generally up to $\pm 5\%$ is used in FVRA compliance
 - For Antioch City Council Districts: 28,895 +/- 1,445 people

Current/Pre-Redistricting Deviations by City Council District



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District 1: -0.94%
District 2: -0.51%
District 3: +6.08%
District 4: -4.63%

Criterion 2: Federal Voting Rights Act (FVRA), Section 2

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- Prohibits the denial or abridgement of voting rights on the basis of *race or language minority status*. (42 USC § 1973)
 - FVRA defines “language minority” as Asian, Native American, Alaskan Native or Spanish heritage. Does not apply to other language groups.
- Prohibits practices that have the purpose or effect of discriminating on the basis of race or language minority status.
- Applies nationwide, to ALL jurisdictions that conduct elections.

FVRA and Redistricting: Vote Dilution

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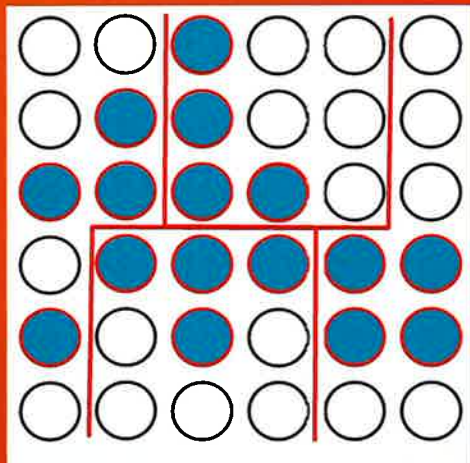
- Electoral systems can limit the “ability to elect a candidate of choice” by a protected class of voters in various ways:
 - Example: at-large election systems can make it impossible for even a large minority group to elect a candidate of choice, when the majority votes against them.
 - Example: single-member districts can be drawn in ways that minimize voters’ ability to elect a candidate of choice.
- Systems that limit ability to elect in this way are said to “dilute” minority voting strength.

FVRA Section 2: Methods of Vote Dilution

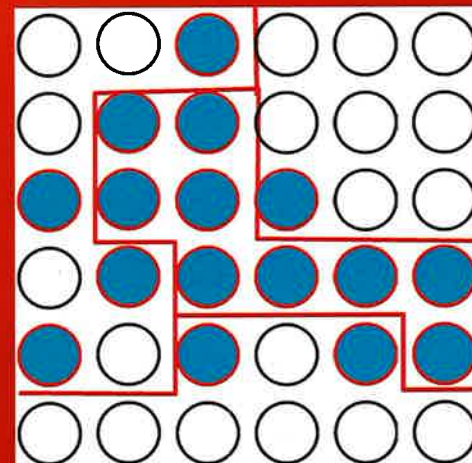
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- A redistricting plan can dilute minority voting strength through two main ways:
- “Cracking”
 - Dividing up a politically viable population concentration so it doesn’t constitute a majority in any district.
- “Packing”
 - Drawing high proportion minority population into one district when it could be politically viable in more than one district

FVRA Section 2: Methods of Vote Dilution



“Cracking”



“Packing”

Race and Redistricting

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- Supreme Court opinions have limited the role that race can play in redistricting
- Race cannot be the predominant criterion in line drawing
- Race should not subjugate “traditional (re)districting principles” (Compactness, Contiguity, Communities of Interest)
- District appearance has been important in some cases.

Criterion 3: Contiguity

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- Contiguity: A district in which all parts must be adjacent to another part

in other words...

- A district in which one may travel from any location to any other location without crossing the district boundary
- California law specifies that areas that meet only at the points of adjoining corners are not contiguous
- and that:
- Areas that are separated by water and not connected by a bridge, tunnel, or regular ferry service are not contiguous.

Criterion 4: Local Neighborhoods and Communities of Interest (COIs)

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Neighborhoods are specific to each jurisdiction

- They are sometimes defined by the jurisdiction and more frequently by the residents that live in a certain area.

“**Communities of Interest**” are generally described as a geographic area comprised of residents who share similar interests.

COIs are defined by those familiar with the community...

- Law does not limit the kinds of interests that may bind a community.
- It is up to those who live in or work with a community to identify and establish the interests that unite it.
- Interests need not be limited to current situation but can also include common goals.

Common Interest Examples:

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- **Economic interests:**
 - Current situation -- common employment or economic opportunities (or lack thereof).
 - Goals -- expanding opportunities, development, bringing in businesses, and jobs, etc.
- **Social interests:**
 - Current -- schools, culture, transportation, parks
 - Goals -- improving recreational opportunities or public safety, preserving historic resources, etc.
- **Neighborhoods are often thought of as Communities of Interest**

How to document your COI

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Please answer the following questions:

- What bonds your community?
 - Outline what defines the COI:
 - What is your mission or commonality?
 - Explain what is different outside of the boundaries of your Community of Interest
- Where is your community located in the City?
 - Create a map of the boundaries (use Google maps, GIS/mapping program, paper, etc.)
 - Write down the boundaries
 - Residents will also receive instructions on how to use the State's Community of Interest tool to map their COIs and submit them to the City.

Please submit COI Testimony by November 5, 2021, to be considered in the Draft Map(s).

Criterion 5: Easily Identifiable Districts

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Council district boundaries should be easily identifiable and understandable by residents.

- District lines should be straightforward
- Respect roads and natural features
- Lines need to make geographical sense

Criterion 6: Compactness

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Addresses the geography of the district

- To the extent practicable, and where it does not conflict with the preceding criteria in this subdivision, council districts shall be drawn to encourage geographical compactness

More Specifically, California's definition is:

- Don't bypass nearby areas of population in favor of more distant populations
- Regularly included compactness measures in GIS tools do not measure this criterion in accordance with CA law

Criterion 6: Compactness

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- Assumed to “guard against all types of gerrymandering” “drastic departures from compactness are a signal that something may be amiss”
 - Karcher v. Daggett, 462 U.S. 725 (1983)
- Most common complaints come from appearances:
 - Does a district look “funny”?
- “eyeball approach” “appearances do matter”
 - Shaw v. Reno, 509 U.S. 630 (1993)

Criterion 7: No Politics

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- The Council shall not adopt Council district boundaries for the purpose of favoring or discriminating against a political party
- Communities of Interest may not include relationships with political parties, incumbents or political candidates.

Timeline Overview

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- Hearing 1: October 12, 2021, 5:30pm
 - Kickoff and training for the public and Council
- Virtual Public Workshop: October 16, 2021, 10:00am
 - Training and public input session, collect Communities of Interest
- November 5, 2021: Deadline to Submit COIs to be considered in the draft map(s)
- Hearing 2: November 9, 2021, *time TBD*
 - Present visualizations, finalize draft map(s)
- By November 12, 2021: Draft Map(s) posted online for public comment

Timeline Overview

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- Hearing 3: December 14, 2021, *time TBD*
 - Feedback on draft map(s)
 - Live and in-person adjustments made on the draft(s)
- Hearing 4: January 11, 2022, *time TBD*
 - Finalize maps with live and in-person adjustments
 - Introduction of Ordinance: First Reading
- Hearing 5: January 25, 2022
 - Second Reading: Adoption of Ordinance

Why should you participate?

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- To make sure we know about your Community of Interest.
- To give your community a voice and make sure it has equal access to the political process.
- To encourage citizens to register, vote, and remain politically engaged.
- To help shape a redistricting plan that provides communities a meaningful opportunity to elect candidates who represent their interests on issues that are important to their lives.

How to Get Involved

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To participate in the process: testify, submit written testimony, send supporting information to the City

Please provide information about your Community of Interest, or other topics the City needs to know about as soon as possible.

- Submit information at a hearing, by mail, or drop off at:
- Via email: redistricting@antiochca.gov
- Via Phone: (925) 779-7000
- Get information online:
<https://www.antiochca.gov/redistricting2021>

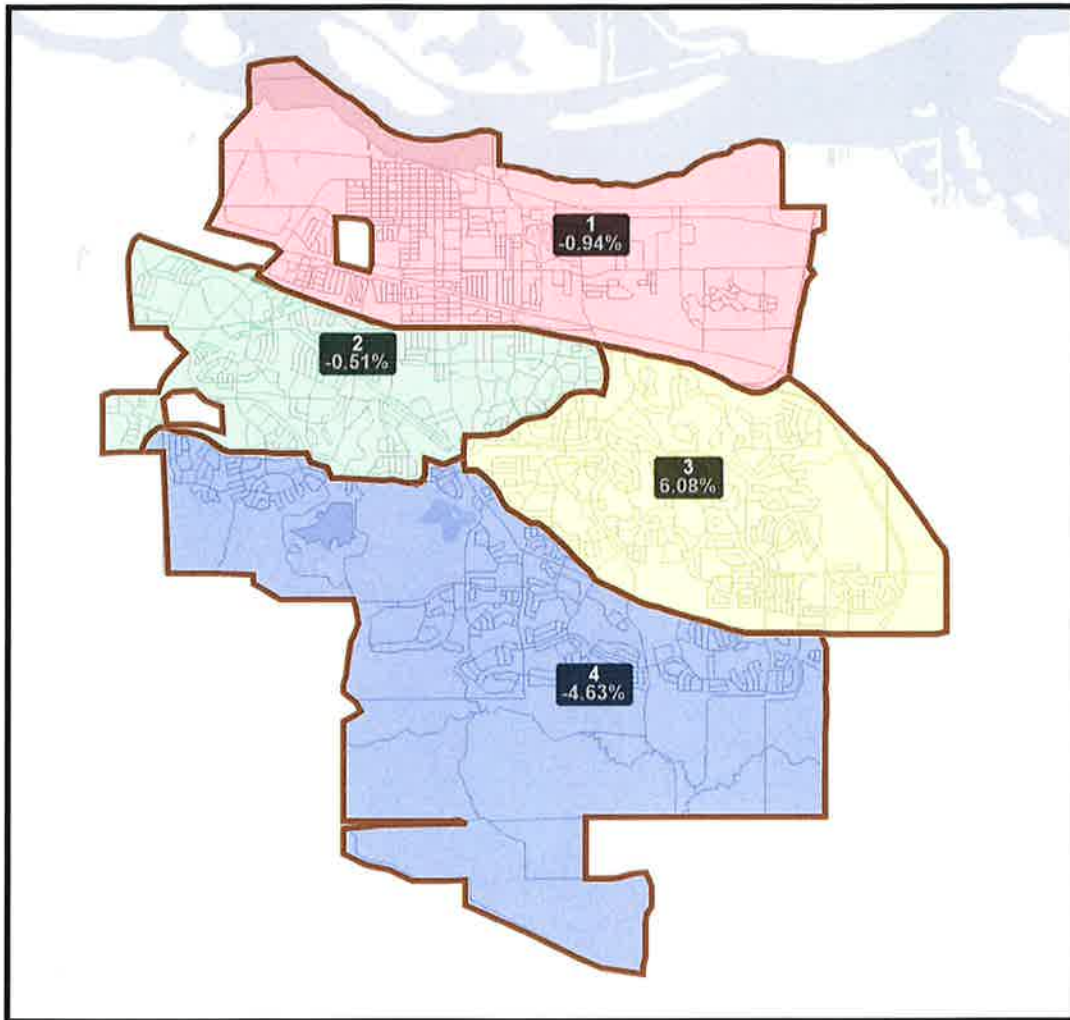
THANK YOU FOR PARTICIPATING!!!

Thank you!

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Questions?

**City of Antioch
Current/Pre-Redistricting Deviations by City Council District**



District	Deviation
1	-0.94%
2	-0.51%
3	+6.08%
4	-4.63%

Total Population for the City of Antioch for Redistricting: 115,580
Ideal Population per District: ~28,895

Data Source: Official Redistricting Data for the State of California;
statewidedatabase.org/redistricting2021; October 1, 2021