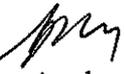


REPORT OF THE CHIEF LEGISLATIVE ANALYST

DATE: March 18, 2011

TO: Honorable Members of the Rules and Elections Committee

FROM: Gerry F. Miller 
Chief Legislative Analyst

Assignment No: 11-03-0236

SUBJECT: Redistricting Process

SUMMARY

Motion (Garcetti-Rosendahl, CF# 11-0187) directs the Chief Legislative Analyst (CLA) to report on the City redistricting process and to identify the next steps in that process. This report describes the Charter requirements related to redistricting, the appointment process, budget and staffing needs, and the role of Census data. This report also provides a proposed implementation calendar for 2011 and 2012 to initiate and complete redistricting in order to comply with Charter requirements.

RECOMMENDATIONS

That the City Council:

1. Request that each member of the City Council, the City Controller, the City Attorney, the Mayor, and each member of the Los Angeles Unified School District Board of Education make their redistricting commission appointments no later than Wednesday, August 17, 2011, and do so by submitting an appointment letter to the City Clerk;
2. Instruct the City Clerk and request the City Attorney to identify costs associated with redistricting and submit a funding needs analysis to the City Administrative Officer and CLA by July 31, 2011;
3. Instruct the City Clerk, Information Technology Agency, and Bureau of Engineering, and request all Council Offices, the City Attorney, City Controller, and Mayor, to designate a single point of contact concerning redistricting for their office and forward that information to the Chief Legislative Analyst by June 1, 2011;
4. Instruct the Chief Legislative Analyst to begin technical preparations for the redistricting commissions, including matters related to the preparation of office space, telecommunications systems, acquisition of computer hardware and software, and other issues to ensure that the commissions are able to begin operations quickly;

5. Instruct the Chief Legislative Analyst to forward all relevant reports and information related to redistricting to the Los Angeles Unified School District Board of Education;
6. Request the City Attorney to provide assistance in the preparation of personal services contracts for commission staff; and
7. Instruct the Chief Legislative Analyst to provide staff support to the commissions until each commission hires an executive director.

BACKGROUND

Charter Reform in 1999 established that City Council districts and Los Angeles Unified School District (LAUSD) board districts would be developed by independent commissions, which would then submit plans to the City Council for review and adoption. Attachment 2 provides the Charter language concerning City Council redistricting. Attachment 3 provides the Charter language concerning LAUSD Board redistricting.

These Charter provisions were first implemented in 2001. The two redistricting commissions were appointed by November 2001. They held numerous public hearings across the City and the LAUSD, both prior to and following the release of proposed district plans. They adopted final plans and submitted those plans to the City Council by March 2002. At that time, the City Council established an Ad Hoc Committee on Redistricting to consider both plans, a process that included an additional series of public hearings across the City and LAUSD. The Council adopted final plans by July 1, 2002, the Charter-mandated deadline.

Redistricting Process

The commissions are able to proceed as they see fit in putting together their proposed plans for the City Council and LAUSD Board districts. The Charter requires that the commissions conform with state and federal law and, where possible, keep neighborhoods and communities intact, use natural boundaries and streets, and be geographically compact. LAUSD Board boundaries are also required, where possible, to conform to high school attendance zones. Within these criteria, then, the commissions may then draft plans in any manner they choose.

The commissions will hold many public meetings, all in compliance with the Brown Act. Initial meetings will be focused on administrative matters such as hiring staff, establishing offices, reviewing the current district boundaries and available data, and setting goals and priorities.

In 2001, this initial phase was followed by a series of meetings to obtain input from the public. These hearings were intended to identify areas of concern, learn about communities of interest, and generally identify issues that would need to be addressed in their proposed plan. The commissions then spent time preparing and reviewing detailed plans, then selecting proposed plans for general consideration. These plans were then the subject of another series of public hearings to obtain specific public comments. The commissions then held a final series of meetings that culminated in the adoption of final plans that were submitted to the City Council for review.

In 2002, the Council created an Ad Hoc Committee on Redistricting to review the commission plans, but the Council may establish any process it chooses to review the proposed plans. The Ad Hoc Committee in 2002 chose to hold several additional hearings throughout the City and LAUSD on the final plans proposed by the Commissions. Several minor amendments were proposed during this period and the Ad Hoc Committee proposed final plans to the Council for consideration and adoption.

Once adopted, the Bureau of Engineering and the City Attorney prepare an ordinance with the technical language that implements those new district boundaries, including metes and bounds that describe those boundaries in exact detail. The City Clerk's Election Division will then use those boundaries to revise Voter Precincts for use in the 2013 Municipal elections.

Appointments

The Charter provides that each City Council member shall appoint one member to the City Council Redistricting Commission (Council Commission), with the exception of the Council President who shall appoint two members. The Mayor shall appoint three members, and the City Attorney and City Controller each shall appoint one member. In all, the Commission will be comprised of 21 members.

The LAUSD Redistricting Commission (LAUSD Commission) is comprised of 15 members. Each member of the Board of Education shall appoint one member. The President of the City Council and the Mayor shall each appoint four members. One commissioner appointment each by the Council President and Mayor must be a resident of the LAUSD but not a resident of the City. This is to ensure that other jurisdictions served by the LAUSD are represented on the LAUSD Commission.

The Charter specifically prohibits any City officer or employee from serving on a redistricting commission.

Budget

The commissions in 2001 operated on a budget total of approximately \$1 million. The Council Commission budget, at about \$600,000, was higher due to the larger number of commissioners participating in the process. Funds to cover the LAUSD Commission's budget of \$400,000 were provided equally by the City and the LAUSD.

One significant cost factor in 2001 concerned the provision of laptop computers with geographic information systems software designed for use in redistricting to all commissioners and to the offices of each of the City Council and Board members. This ensures that all active participants in the process have an ability to evaluate data and prepare plan alternatives. A similar cost for software should be anticipated in 2011.

In 2001, both commissions shared office space that was located in a local, private office building. Costs were incurred in leasing the space, installing telecommunications systems, and providing furnishings. In 2011, office space is available in a City facility that has

telecommunications systems and furniture available, reducing costs this year by several thousand dollars.

Staffing

The first responsibility of each Commission will be to hire an Executive Director to manage the commission's work efforts. The commissions and their directors will then hire staff necessary, within budgetary capacity, to conduct the public hearings and data analysis required to prepare a district boundary plan. The Charter clearly states that all positions with the commissions are exempt.

In 2001, each commission hired an Executive Director. The directors then hired administrative assistants; a specialist to process and analyze data and draw district boundaries; and public outreach specialists.

Staff from several City departments will be needed to support the commissions. The City Attorney serves as legal counsel to the commissions. They will need to provide advice concerning subjects such as redistricting law and the Brown Act. The Information Technology Agency will be required to provide systems support, the Planning Department will be required to provide demographic and other types of data, and the City Clerk will be required to provide support with administrative services, public notice requirements, and records retention.

Once Council adopts a new district boundary plan, the various City departments will need to review their program operations for potential impacts to service delivery. The Bureau of Engineering will be required to assist in the drafting of the metes and bounds to be included in the final ordinance describing the new boundaries. The City Clerk's Election Division will need to review voting precincts and make appropriate adjustments in advance of 2013 municipal elections.

The FY 2011-2012 will include a budget request to cover redistricting costs. Departments that anticipate expenses associated with redistricting should submit a funding needs analysis to the City Administrative Officer and the Chief Legislative Analyst by July 31, 2011, for consideration.

The LAUSD will need to identify staff to provide assistance to the LAUSD Commission.

Census Geography

The Census Bureau reports data by many different geographic areas, the largest being the geography of the nation and each state. But each state is divided into many smaller geographic areas, including political boundaries such as counties and cities and demographic boundaries such as tracts and blocks.

Census tracts and their subdivisions are the key building blocks that will be considered in the City's redistricting process. Census tracts are demographic units that do not typically cross the boundaries of cities or counties, allowing for the clear calculation of a jurisdiction's population.

Census tracts have approximately 4,000 people in them and their boundaries are drawn along actual features on the ground, such as roads, rivers, or mountain ridges.

Each census tract is comprised of census blocks and census block groups. Census blocks are the smallest geography for which data are reported. In the City, each city block is typically a census block as well. Census blocks are more intricate in mountainous areas. There can be many census blocks within a census tract. There are no population guidelines for the boundaries of census blocks.

Each census tract is also comprised of several census block groups. These geographies are a collection of census blocks with an estimated population of 1,600 people. This intermediate geography is important because the Census Bureau will not report data in census blocks with a very small population. Confidentiality requirements in federal law prevent the Census Bureau from reporting data that might disclose information about specific individuals. When several census blocks are joined together in a census block group, the larger population size allows the Census Bureau to report more data.

Census Data Trigger

The Charter states that the commissions “shall be appointed no later than the date by which the Census Bureau is to release decennial census data.” It directs that new commissions shall “begin the redistricting process at any time after the necessary data are obtained from the most recent Federal Census.” These statements, however, are not specific enough to designate a time when redistricting should start. The Census Bureau will release several data files throughout 2011, and the Charter is not specific as to which is the milestone for the initiation of redistricting.

The first full data release, the PL-94 file, was released on March 8, 2011. This is a summary file of ethnicity and household information, with very little detail. This file will provide data at the census tract and census block level.

The next major data release is the Summary File 1 (SF1) database. This is a broad and detailed data file that includes a wide range of information concerning ethnicity, households, housing, families, age, sex, and other significant socio-demographic factors. The SF1 files will be released in a state-by-state manner in Summer 2011. The California file is typically released last due to its size and complexity.

Finally, American Community Survey (ACS) data are released annually in November. This data file provides information that was formerly collected on the Census Bureau’s “Long Form.” It provides socio-demographic data well beyond that derived from the 2010 Census “Short Form.” The ACS is a continuous survey of the national population, providing rolling averages on a wide range of socio-demographic characteristics such as sex, age, place of birth, geographic mobility, employment, means of transportation, household type, education, income, and housing tenure. The next release of ACS data is anticipated in November 2011.

In 2001, it was determined that the data necessary for the City redistricting process are to be found in the Summary File 1 (SF1) database. The Courts have determined that redistricting plans

may not rely on race and ethnicity alone. As such, PL-94 would be an inappropriate database on which to establish the City redistricting process. The SF1 file is much more robust, with a wide range of data that are relevant in the redistricting process and more broadly descriptive of socio-demographic characteristics of the City's population.

Additional Data

Many City, County, and State databases will be needed to inform the redistricting process as well. Key among these are the Neighborhood Council boundaries, Planning Department Community Plans, LAPD and LAFD areas, and Empowerment Zone and Enterprise Zone boundaries. Service area boundaries and socio-demographic data available from the LAUSD will be needed as well.

Proposed Calendar

Based on the above information, the following calendar provides an outline of the critical dates related to redistricting over the next two years.

May 2011	CLA begins technical preparations related to redistricting, including the preparation of office space, preparation of IT services, selection of software providers, etc.
August 2011	Council, Controller, City Attorney, Mayor, and LAUSD Board send Commissioner appointment letters to the City Clerk
September 2011	Commissions begin meeting
March 1, 2012	Last day for commissions to submit their proposed plans to the City Council for consideration
March 1, 2012	Council begins consideration of commission plans
July 1, 2012	Last day for City Council to adopt redistricting plans for Council and LAUSD Board districts



John Wickham
Analyst

- Attachment 1 Motion (Garcetti-Rosendahl)
- Attachment 2 Charter Section 204
- Attachment 3 Charter Section 802

11-0187
Refer to CF 10-0352-52

RULES & ELECTIONS

MOTION

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In 2010, the United States Census Bureau completed its decennial census. The Census Bureau will be releasing the data it collected over the coming year. The City of Los Angeles uses this information to inform its redistricting process, and the redistricting process itself is started with the release of decennial census data.

In order to ensure that the Council is fully aware of the redistricting process, the Chief Legislative Analyst should report to the Rules and Elections Committee with information on the redistricting process, including what steps are involved with the process, how that process ties into the release of Census data, and any anticipated scheduling or budgeting requirements that the redistricting process entails.

I THEREFORE MOVE, that the Chief Legislative Analyst be instructed to report to the Rules and Elections Committee with an update the City's redistricting process in relation to release of the 2010 decennial Census data, and the next steps that will be taken in the City's redistricting process.

PRESENTED BY: Eric Garcetti
Eric Garcetti
Councilmember, 13th District

SECONDED BY: Ben Ray Leno

ORIGINAL

FEB 2 2011

EG

Official City of Los Angeles Charter (TM) and Administrative Code (TM)**CHARTER / VOLUME I GOVERNANCE / ARTICLE II OFFICERS OF THE CITY / GENERAL PROVISIONS RELATED TO OFFICERS / Sec. 204. Election of City Council Members; Redistricting.****Sec. 204. Election of City Council Members; Redistricting.**

(a) **Redistricting by Ordinance.** Commencing in 2002, the Council shall by ordinance redraw district lines to be used for all elections of Council members, including their recall, and for filling any vacancy in the office of member of the Council, after the effective date of the redistricting ordinance. Districts so formed shall each contain, as nearly as practicable, equal portions of the total population of the City as shown by the Federal Census immediately preceding the formation of districts.

(b) **Redistricting Commission.** There shall be a Redistricting Commission to advise the Council on drawing of Council district lines. The Commission members shall be appointed in the following manner: one by each Council member except that the Council President shall appoint two members, three by the Mayor, one by the City Attorney, and one by the Controller. No City officer or employee shall be eligible to serve on the Commission. The Redistricting Commission shall appoint a director and other personnel, consistent with budgetary approval, which positions shall be exempt from the civil service provisions of the Charter.

(c) **Redistricting Process.** The Redistricting Commission shall be appointed no later than the date by which the Census Bureau is to release decennial census data. A new Commission shall be appointed to advise the Council prior to each subsequent redistricting. The Commission shall begin the redistricting process at any time after the necessary data are obtained from the most recent Federal Census, but no later than January 1, 2002, and each subsequent tenth anniversary of that date. The Commission shall seek public input throughout the redistricting process. The Commission shall present its proposal for redistricting to the Council no later than a date prescribed by ordinance.

The Council shall adopt a redistricting ordinance no later than July 1, 2002, and each subsequent tenth anniversary of that date. Nothing in this section shall prohibit the Council from redistricting with greater frequency provided that districts so formed each contain, as nearly as practicable, equal portions of the total population of the City as shown by the Federal Census immediately preceding the formation of districts or based upon other population reports or estimates determined by the Council to be substantially reliable.

(d) **Criteria for Redistricting.** All districts shall be drawn in conformance with requirements of state and federal law and, to the extent feasible, shall keep neighborhoods and

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communities intact, utilize natural boundaries or street lines, and be geographically compact.

(e) **Effect of Redistricting on Incumbents.** No change in the boundary or location of any district by redistricting shall operate to abolish or terminate the term of office of any member of the Council prior to expiration of the term of office for which the member was elected.

(f) **Annexation or Consolidation.** Any territory annexed to or consolidated with the City shall, prior to or concurrently with completion of the proceedings therefor, be added to an adjacent district or districts by the Council by ordinance, which addition shall be effective upon completion of the annexation or consolidation proceedings notwithstanding any other provision of the Charter to the contrary.

(g) **Terms.** The terms of office for those members of the Council elected from odd-numbered districts shall commence during each fourth anniversary of the year 1997 and for the members elected from even-numbered districts shall commence during each fourth anniversary of the year 1999.

Official City of Los Angeles Charter (TM) and Administrative Code (TM)**CHARTER / VOLUME I GOVERNANCE / ARTICLE VIII BOARD OF EDUCATION /****Sec. 802. Redistricting.****Sec. 802. Redistricting.**

(a) **Redistricting by Ordinance.** Commencing in 2002, the Council shall by ordinance redistrict the Los Angeles Unified School District into seven districts designated in the ordinance by numbers from one to seven, inclusive. Those districts shall be used for all elections of members of the Board of Education, including their recall, and for filling any vacancy in the office of member of the Board of Education, after the effective date of the ordinance and until new districts are established.

(b) **Redistricting Commission.** There shall be a Redistricting Commission to advise the Council on drawing of Board district lines. The Commission members shall be appointed in the following manner: one by each member of the Board of Education, four by the Council President, and four by the Mayor. Notwithstanding the provision of Section 501(d), one of the Council President's appointees, and one of the Mayor's appointees, must reside within the Los Angeles Unified School District but outside the limits of the City. No officer or employee of the School District shall be eligible to serve on the Commission. The Redistricting Commission shall appoint a director and other personnel, consistent with budgetary approval, which positions shall be exempt from the civil service provisions of the Charter.

(c) **Redistricting Process.** The Redistricting Commission shall be appointed before the date by which the Census Bureau is to release the decennial census data. A new Commission shall be appointed to advise the Council prior to each subsequent redistricting. The Commission shall begin the redistricting process at any time after the necessary data are obtained from the most recent Federal Census, but no later than January 1, 2002 and each subsequent tenth anniversary of that date. The Commission shall seek public input throughout the redistricting process. The Commission shall present its proposal for redistricting to the Council no later than a date prescribed by ordinance.

The Council shall adopt a redistricting ordinance no later than July 1, 2002, and each subsequent tenth anniversary of that date. Nothing in this section shall prohibit the Council from redistricting with greater frequency provided that districts so formed each contain, as nearly as practicable, equal portions of the total population of the Los Angeles Unified School District as shown by the Federal Census immediately preceding the formation of districts or based upon other population reports or estimates as may be determined by the Council to be substantially reliable.

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(d) **Criteria for Redistricting.** All districts shall be drawn in conformance with the requirements of state and federal law and to the extent feasible shall keep neighborhoods and communities intact, utilize natural boundaries or street lines, be geographically compact, and conform to high school attendance zones.

(e) **Effect of Redistricting on Incumbents.** No change in the boundary or location of any district by redistricting shall operate to abolish or terminate the term of office of any member of the Board of Education prior to expiration of the term of office for which that member was elected.

(f) **Annexation or Consolidation.** Territory added to the Los Angeles Unified School District after the adoption of a districting ordinance shall be added to an adjacent and contiguous district or districts by the Council by ordinance.

(g) **Terms of Office.** Members of the Board of Education shall hold their office for a term of four years. The terms of office of those Board members elected from odd-numbered districts shall commence during each fourth anniversary of 1979, and for the members elected from even numbered districts shall commence during each fourth anniversary of 1981. No person may serve more than three terms of office as a member of the Board of Education. This limitation on the number of terms of office shall not apply to any unexpired term to which a person is elected or appointed if the remainder of the term is less than one-half of the full term of office. The limitation on the number of terms of office shall apply only to terms of office that begin on or after March 1, 2007.

SECTION HISTORY

Amended by: Subsec. (g), Charter Amendment L, approved March 6, 2007, effective April 4, 2007.