City Council Memorandum

TO: **HONORABLE MAYOR AND CITY COUNCIL** **DATE: MARCH 28, 2023**

FROM: **CITY CLERK** **WARDS: ALL**

SUBJECT: **PUBLIC HEARING - RESHAPE RIVERSIDE REDISTRICTING PROCESS**

ISSUE:

Conduct a Public Hearing to review and discuss a presentation from staff and the City's consulting demographer, Redistricting Partners, regarding the process and criteria for establishing new ward boundaries.

RECOMMENDATIONS:

That the City Council:

1. Conduct a Public Hearing on the Reshape Riverside Redistricting process and criteria for establishing new ward boundaries;

2. Consider Community of Interest Testimony submitted by community members; and

3. Consider Draft Map A Series (A4, A4.A, A4.B, A4.C and, A4.D) for final selection of establishing the new ward boundaries; and

4. Direct the City Attorney to prepare an ordinance establishing the Ward Boundaries Plan; or

5. Provide further direction as the City Council deems appropriate for implementing the City's Reshape Riverside Redistricting Plan.

BACKGROUND:

The City of Riverside initiated its Reshape Riverside Campaign in August 2022 pursuant to City Charter §402, requiring the City Council to review its ward boundaries every ten years and adjust the boundaries by ordinance to provide for a substantially equal number of residents in each ward. The resulting redistricting ordinance becomes effective thirty days after it is adopted, and the existing ward boundaries are to be used until the new redistricting ordinance is effectuated. Moreover, the substantive requirements outlined in the California Elections §21621, also known as the Fair Maps Act, are detailed in previous staff reports and presentations related to the Reshape Riverside Redistricting process.

The City Council met and conferred on the procedural requirements for the Redistricting process on October 12, 2021, November 16, 2021, and January 11, 2022. During the January meeting, the City Council appointed the Inclusiveness, Community Engagement, and Governmental Processes Committee (ICGC) to oversee and advise staff on the Redistricting process and approved the timeline for the City's Reshape Riverside Redistricting plan

The ICGC met and conferred on the procedural requirements for the Redistricting process and received reports on the outreach efforts, heard public testimony, received Communities of Interest (COI) testimonies, and reviewed ten (10) draft maps for their consideration on August 3, 2022, October 5, 2022, November 2, 2022, December 7, 2022, and January 4, 2023.

During the conclusion of the ICGC advisory session, the Committee referred six (6) Draft Maps (A3, B, C2, C3, D, and D3) to City Council for consideration.
On January 24, 2023, City Council held its first Public Hearing and considered draft maps referred by the ICGC, heard public testimony, and provided Redistricting Partners and staff with direction to advance COI Map D5 and slightly modify other draft maps for future consideration.

The following month, on February 21, 2023, City Council hosted a second Public Hearing, receiving a presentation on nine (9) draft maps (A3, B, C2, C3, C4, D, D3, D4, and D5). In addition, they accepted testimony for three (3) COI draft maps (BBRA A3 Modification, NBT Map ID 166815, and Map ID 168178).

After the public hearing, City Council directed staff and City Demographer, Redistricting Partners to advance Draft Map A3, introduce Draft Map A4 with slight modifications in the Northside Specific Plan area and the Magnolia Center area, and modify Draft Map D3 per the recommendations provided by the Council member in Ward 2.

City Council conducted a third Public Hearing on March 14, 2023, to receive testimony on three (3) draft maps (A3, A4, and D3 Modified). After discussion, City Council directed staff and City Demographer, Redistricting Partners, to draft maps derivative of A4 to include COI testimony, extending Ward 5 boundary lines out to La Sierra Avenue, and modifying the map so that the Presidential neighborhood tract in Mission Grove will remain whole.

DISCUSSION:

The draft maps presented for City Council consideration are as follows:

Draft Map A4 Northside Specific Plan/Hunter Industrial Park kept whole and Magnolia Center/Casa Blanca change (drafted by Redistricting Partners)

The Northside/Hunter Industrial Park modification captures COI testimony in the Draft Map D series. To balance the population, a slight modification was made in the Canyon Crest community.

The Magnolia Center/Casa Blanca change, which follows community input (BBRA A3 edits), adds more of the Magnolia Center with the Casa Blanca community, that now partially splits the Magnolia Center neighborhood. However, the modifications bring more of the Ramona Neighborhood together.

Draft Map A4 Total Deviation: 6.5%

- 19 neighborhoods kept together (slight Downtown split due to a usual census block)
- 8 neighborhoods split (some neighborhoods were split due to neighborhood lines and census blocks not lining up)

Draft Map A4.A – La Sierra South

At the request of the City Council, this map modifies Map A4 to incorporate the COI testimony requesting a portion of La Sierra South moved into Ward 5. In doing so, portions of Arlington and Ramona were split to balance the population.

Draft Map A4.A Total Deviation: 5.7%

- 17 neighborhoods kept together (slight Downtown split due to a usual census block)
- 10 neighborhoods split (some neighborhoods were split due to neighborhood lines and census blocks not lining up)

Draft Map A4.B – La Sierra South and Mission Grove/Presidential Tract

At the request of the City Council, this map modifies Map A4 by incorporating two communities of interest: 1) moving a portion of La Sierra South into Ward 5 and 2) moving a portion of Mission Grove into Ward 4 from Ward 2.

The first modification caused a split in Arlington between wards 6 and 5, and it moved more of Ramona into Ward 3 from Ward 5 to balance the population.

The second modification caused a split in Victoria to balance the population, and it caused a split in Hawarden Hills to balance the population.

Draft Map A4.B Total Deviation: 6.8%

- 15 neighborhoods kept together (slight Downtown split due to a usual census block)
- 12 neighborhoods split (some neighborhoods were split due to neighborhood lines and census blocks not lining up)

Draft Map A4.C - La Sierra South and Mission Grove/Presidential Tract version 2

At the request of the City Council, this map modifies Map A4 by incorporating two communities of interest: 1) moving a portion of La Sierra South into Ward 5 and 2) moving a portion of Mission Grove into Ward 2 from Ward 4.

The first modification caused a split in Arlington between wards 6 and 5, and it moved more of Ramona into Ward 3 from Ward 5 to balance the population.

The second modification caused a split in Victoria to balance the population.

Draft Map A4.C Total Deviation: 7%

- 16 neighborhoods kept together (slight Downtown split due to a usual census block)
- 11 neighborhoods split (some neighborhoods were split due to neighborhood lines and census blocks not lining up)

Draft Map A4.D - Mission Grove/Presidential Tract

At the request of the City Council, this map modifies Map A4 by incorporating a COI in Mission Grove into Ward 4, moving away from Ward 2.

The second modification caused a split in Victoria to balance the population, and it caused a split in Hawarden Hills to balance the population. This is the same modification as seen in Draft A4.B, but without including the modification between wards 6 and 5.

Draft Map A4.D Total Deviation: 8.1%

- 17 neighborhoods kept together (slight Downtown split due to a usual census block)
- 10 neighborhoods split (some neighborhoods were split due to neighborhood lines and census blocks not lining up)

Draft Map Ranked Criteria Matrix

RANKED CRITERIA	**A4** A3 with modifications	**A4a** A4 with modifications	**A4b** A4 with modifications	**A4c** A4 with modifications	**A4d** A4 with modifications
How many majority minority-wards are there?	4 (1, 5, 6, 7)	4 (1, 5, 6, 7)	4 (1, 5, 6, 7)	4 (1, 5, 6, 7)	4 (1, 5, 6, 7)
Latino CVAP majority-minority wards	Ward 1 - 54.8% Ward 5 - 52.4% Ward 6 - 58.3% Ward 7 - 54.5%	Ward 1 - 54.8% Ward 5 - 50.3% Ward 6 - 60.7% Ward 7 - 54.5%	Ward 1 - 54.8% Ward 5 - 50.3% Ward 6 - 60.7% Ward 7 - 54.5%	Ward 1 - 54.8% Ward 5 - 50.3% Ward 6 - 60.7% Ward 7 - 54.5%	Ward 1 - 54.8% Ward 5 - 52.4% Ward 6 - 58.3% Ward 7 - 54.5%
Are the wards relatively equal in population?	YES	YES	YES	YES	YES
Has a total deviation under 10%	6.5%	5.7%	6.8%	7.0%	8.1%
Are the wards geographically contiguous?	YES	YES	YES	YES	YES
Does the map minimize divisions of neighborhoods and communities of interest? *	YES	YES	DEBATABLE	YES	DEBATABLE
How many neighborhoods are maintained/split?	19M/8S	17M/12S	15M/12S	16M/11S	17M/10S
Are the lines easy to identify and understand? **	YES	YES	DEBATABLE due to Victoria split	YES	DEBATABLE due to Victoria split
Are the wards compact?***	YES	YES	YES	YES	YES

*The geographic integrity of any local neighborhood or local community of interest should be respected and included within a single ward for its effective and fair representation in a manner that minimizes its division.

**Council wards should be easily identifiable and understandable by residents.

***Council wards shall be drawn to encourage geographical compactness in a manner that nearby areas of population are not bypassed in favor of more distant populations.

****Please refer to the published draft map to identify the location of the numbered ward, as the numbers may not correspond with the current ward numbering sequence.

Redistricting Legal Analysis:

On January 24, 2023, Redistricting Partners recommended the City Council consider adopting maps with at least three majority-minority districts (wards), of at least 54-55% percent majority-minority districts (wards), to avoid a challenge of a violation of the Voting Rights Act.

Courts follow a two-part test to decide whether a proposed redistricting plan (map) violates the Voting Rights Act because it has the effect of discrimination. The first part of the test is commonly referred to as the "Gingles" factors because the factors were first announced in the Supreme Court case, Thornburg v. Gingles. To satisfy the Gingles factors, a plaintiff must prove that:

- The minority group in question is sufficiently large and geographically compact to constitute the majority of a district.

- Voters in the minority group tend to vote together for the same candidates (i.e., are politically cohesive).

- Voters in the majority group tend to vote cohesively against the candidate preferences of the minority group in question (also known as bloc voting).

If the three Gingles factors are satisfied, then the court would move to the second part of the test: whether under the "totality of circumstances," the challenged redistricting plan (or other voting law) denies members of the minority group an equal opportunity to participate in the political process and elect candidates of choice. In this analysis, courts consider, among other factors, the history of voting discrimination in the jurisdiction at issue, the record of discrimination in education, housing, employment, health, and other areas of life in the challenged jurisdiction, whether minority candidates have been elected in the challenged jurisdiction, the existence of racially polarized voting and racial appeals in elections in the challenged jurisdiction, and the responsiveness of elected officials to the needs and interests of the minority community. Suppose the court concludes that the three Gingles factors are present and that under the "totality of circumstances," the redistricting plan prevents minority voters from having an equal opportunity to elect their candidates of choice. In that case, the court could conclude that the redistricting plan has a discriminatory effect in violation of Section 2 of the Voting Rights Act.

In California, the citizen voting-age population, not just the population, plays a role in redistricting. The 9th Circuit (which includes California) requires citizen voting-age population to be used to determine whether a population constitutes at least 50% of a district, as required under the *Gingles* test's first prong. This means that California, which is in the 9th Circuit, requires the City to look at the citizen voting-age population.

STRATEGIC PLAN ALIGNMENT:

The City's Redistricting Plan contributes to the City Council's Envision 2025 Strategic Plan Priority and Goals:

Community Well-Being – Ensuring safe and inclusive neighborhoods where everyone can thrive with the following goal:

> Goal 2.4 Support programs and innovations that enhance community safety, encourage neighborhood engagement, and build public trust: and,

High Performing Government – Providing world-class public service that is efficient, accessible, and responsible to all, with the following goals:

> **Goal 5.2** - Utilize technology, data, and process improvement strategies to increase efficiencies, guide decision making, and ensure services are accessible and distributed equitably throughout all geographic areas of the City.

Goal 5.3 - Enhance communication and collaboration with community members to improve transparency, build public trust, and encourage shared decision-making.

The Redistricting process aligns with the Envision 2025 Cross-Cutting Threads as follows:

1. **Community Trust** – The establishment of a redistricting format and the outreach strategy that includes workshops in every ward to draft new ward boundaries are resident-led participation and public input, creating sound policy, inclusive of community engagement in the decision-making process.

2. **Equity** – Community members will utilize interactive tools. Some may participate in a redistricting commission to ensure that newly established ward boundaries comply with federal and state laws that encourage equity for all stakeholders.

3. **Fiscal Responsibility** – Riverside is a prudent steward of public funds and ensures responsible management of the City's financial resources while providing quality public services to all. The City Clerk's Office is committed to exploring services provided internally instead of consultants and looking for creative ways to reduce the redistricting program's fiscal impact and outreach efforts.

4. **Innovation** – Riverside's Redistricting Framework includes a marketing strategy that will consist of non-English languages, including American Sign Language. The redistricting website will host interactive tools promoting collaborative public partnerships with redrawing ward boundaries.

5. **Sustainability & Resiliency** – Riverside is committed to meeting the present needs without compromising the needs of the future and ensuring the City's capacity to persevere, adapt and grow during fluctuating times alike. Reviewing the ward boundaries every ten years is essential to maintain sustainable and resilient representation for a more sustainable future.

FISCAL IMPACT:

There is no fiscal impact associated with this report.

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Attachments:
1. Draft Map A4 including Overlay
2. Draft Map A4.A including Overlay
3. Draft Map A4.B including Overlay
4. Draft Map A4.C including Overlay
5. Draft Map A4.D including Overlay
6. Draft Map Ranked Criteria Matrix