

# Agenda Report

November 15, 2021

**TO:** Honorable Mayor and City Council

**FROM:** Vince Farhat, Redistricting Task Force Chair  
Rita Moreno, Redistricting Task Force Vice Chair

**SUBJECT:** **PUBLIC HEARING: SUBMITTAL OF REDISTRICTING TASK FORCE FINAL REPORT AND RECOMMENDED REDISTRICTING PLAN FOR CITY COUNCIL CONSIDERATION; RECEIVE PUBLIC INPUT AND TESTIMONY ON THE REDISTRICTING PLAN AND THE COMPOSITION OF ONE OR MORE COUNCIL DISTRICTS; AND CONCEPTUALLY APPROVE OR MODIFY THE RECOMMENDED REDISTRICTING PLAN**

## **RECOMMENDATION OF REDISTRICTING TASK FORCE:**

It is recommended that the City Council, as part of a public hearing process in compliance with California Elections Code Section 21627.1, take the following actions:

- (1) Find that the proposed action is exempt from the California Environmental Quality Act pursuant to State CEQA Guidelines, Section 15061(b)(3), the Common Sense Exemption that CEQA only applies to projects that have the potential to have a significant effect on the environment;
- (2) Receive and review the Redistricting Task Force's recommended redistricting plan ("Redistricting Plan"), map, and related demographic data sheet (Attachment A - "Recommended Redistricting Plan approved October 30, 2021 by the Redistricting Task Force");
- (3) Receive public comment on the Redistricting Plan, and any public input/testimony regarding the composition of one or more council districts;
- (4) Conceptually approve the Redistricting Plan as submitted; or provide direction on requested modifications to the plan for further consideration; and
- (5) Continue the public hearing to each subsequent meeting of the City Council until December 6, 2021, or such other date as the City Council may determine, at which time the City Council will be asked to close the public hearing and conduct first reading of "An Ordinance of the City of Pasadena Amending Chapter 1.20 ("Election Districts") of the Pasadena Municipal Code" codifying the Recommended Plan as submitted, or a modified Redistricting Plan as directed by the City Council.

## **EXECUTIVE SUMMARY:**

The City Council completed the appointment process for a 12-member Redistricting Task Force on May 3, 2021. The Task Force is comprised of members nominated by each Councilmember, with two nominations made by the Mayor, and three additional nominations put forward by the Mayor at the suggestion of City Councilmembers. The City Council designated Vince Farhat to serve as the Chair and Rita Moreno to serve as the Vice Chair. Attachment C contains the full roster of Task Force members. The Task Force held its first meeting on May 5, 2021, and completed its work on October 30, 2021, with a final vote of 11-1 to approve its recommended redistricting plan for City Council consideration. Attachment A provides the Task Force's recommended redistricting map and related demographics data sheet. Attachment D contains a full schedule of the redistricting process, including Workshops and Task Force meetings.

### **Community Engagement Prior to Release of Census Data**

The Task Force faced a compressed timeline resulting from delays and impacts caused by the COVID-19 pandemic. In addition, the final redistricting data was not available until late September 2021, resulting in an even more compressed timeline. The Task Force spent the summer engaging the community in an extensive public awareness and education campaign, with a particular focus on connecting with traditionally underrepresented communities. Staff hosted a series of eight community workshops; one in each of the seven Council Districts, and an all-Spanish language workshop held at Madison Elementary School. All told, 267 participants attended these workshops either in-person or online through Zoom. The Task Force Chair and Vice Chair, City Staff, and the redistricting consultant updated the City Council on July 19, 2021, giving Councilmembers an opportunity to provide input on other redistricting priorities that might be considered once all legal criteria are met. Attachment G contains the City's Final Outreach and Community Engagement Summary Report on the outreach efforts.

### **Census Data Release and Conceptual Plans Mapping Workshop**

On August 12, 2021, the United States Census Bureau released preliminary 2020 Census results. On August 19, 2021 and September 18, 2021, the Task Force received community of interest testimony and considered the preliminary Census data. The Task Force received extensive public comment regarding an apparent undercount in communities in Northwest Pasadena likely caused by pandemic-related issues and possible disincentives created by national political issues at the time. The redistricting consultant and City Attorney's Office presented information concerning legal requirements to use Census and redistricting data provided by the Census Bureau and State of California when adjusting City Council District boundaries to equalize population. On October 2, 2021, the Task Force conducted a mapping workshop where the redistricting consultant covered potential legally-complaint approaches to equalize population, an overview of mapping tools available on the City's website, and the process for submitting redistricting mapping alternatives by the public. The Task Force

then directed the consultant to prepare the following conceptual plans: (1) conceptual maps and corresponding demographic data sheets that minimized impacts to current Districts and communities of interest, utilizing legally permissible population variances; and (2) Downtown Neighborhood District mapping options. Task Force members also advised the consultant to include map versions that did, and did not, cross Colorado Boulevard.

### **Public Hearing and Task Force Deliberations**

On October 9, 2021, the Task Force opened the public hearing and received public testimony and correspondence, with review of the conceptual maps that were prepared based on the Task Force's prior direction. The public hearing was thereafter continued to the following dates: October 16, 2021; October 23, 2021; and October 30, 2021. All told, 135 people participated in the public hearing through Zoom, and the Task Force received approximately 75 written comments during the course of the public hearing.

In addition to considering minimal change map options, the Task Force explored various options for a new Downtown Neighborhood District. At the direction of the Task Force, the Chair appointed an Ad Hoc Committee to undertake a deeper review of the proposed maps. The Task Force considered a report from the Ad Hoc Committee and an additional Downtown option map, as well as extensive public testimony and written correspondence regarding the merits of Downtown options and potential negative impacts of Downtown options on established communities of interest in other parts of the City. The Task Force received 16 written comments during the public hearing that supported some version of a Downtown map and 56 written comments that supported the minimal change map approach.

On October 23, 2021, the Task Force narrowed its focus to the "Minimal Change Map with a 10% Deviation," citing the growing consensus with that approach, the limited number of residents and communities of interest that would be impacted by such an approach, and the benefits in addressing the apparent Census undercount of population in Northwest Pasadena. On October 30, 2021, after a report from the consultant and additional public comment and correspondence, the Task Force closed the public hearing and voted 11 to 1 to recommend to the City Council the Minimal Change Map with a 10% Deviation. The Task Force also unanimously recommended that the City Council begin the community discussion regarding anticipated population changes earlier and well in advance of the work of the next Redistricting Task Force.

### **Task Force's Recommended Plan**

The recommended plan balances the district populations using a counterclockwise rotation (District 6 gives up population to District 7, and District 7 gives up population to District 2). The main principles or objectives considered by the Task Force in developing the recommended plan are as follows:

- **One Person, One Vote:** Equal population standard established pursuant to the City Charter, the California Elections Code, and the equal protection requirement of the 14<sup>th</sup> amendment of the U.S. Constitution. The recommended map keeps the overall plan balance below the 10% threshold considered "presumptively constitutional."
- **Voting Rights Act Compliance:** The recommended plan does not result in the dilution or diminution of voting power of any demographic or ethnic population in the city.
- **Contiguity:** The recommended plan complies with the California Fair Maps Act requirement that all districts be contiguous.
- **Communities of Interest:** The recommended plan retains the prior district map's careful respect for communities of interest across the city. The Task Force received extensive public input on communities of interest across the city based upon social and demographic characteristics including age, ethnicity, homeownership, poverty levels, educational attainment, and income patterns; information on neighborhood association areas, and public input on communities and neighborhoods.
- **Compactness:** The recommended map is compact wherever possible without violating the higher-priority criteria as specified in state and federal law.
- **Continuity of Representation:** The recommended plan minimizes the number of people who would have their representation changed by the new boundaries.
- **Recognizable Boundaries:** The recommended plan maintains the major boundaries of the Arroyo Seco and most of Colorado Boulevard.
- **The tradition of all Districts connecting with Colorado Boulevard:** Given Colorado Boulevard's central location and importance to the overall city, all Pasadena Council districts have connected to Colorado Boulevard since the City's initial move to by-district elections. The recommended plan retains that connection, with one exception: District 2 joins District 4 in having population on both sides of Colorado Boulevard.

In its motion adopting the recommended plan for City Council consideration, the Task Force found that the plan meets all requirements of the City Charter, and state and federal statutes and constitutions.

### **REDISTRICTING TASK FORCE PROCESS:**

**Organizational Meetings/Hiring of Consultant.** The Task Force's initial meetings were organizational in nature, and included a briefing by the City Attorney's Office of the Brown Act and redistricting legal criteria, an overview of the proposed redistricting work plan and schedule, and the interviewing and hiring of a redistricting consultant firm to assist in the technical aspects of redistricting.

With regard to the consultant hiring, a Request for Proposals (RFP) for Professional Redistricting Consultant Services was circulated on March 25, 2021, and resulted in a total of three responses received by the City. At the May 5, 2021 Task Force meeting,

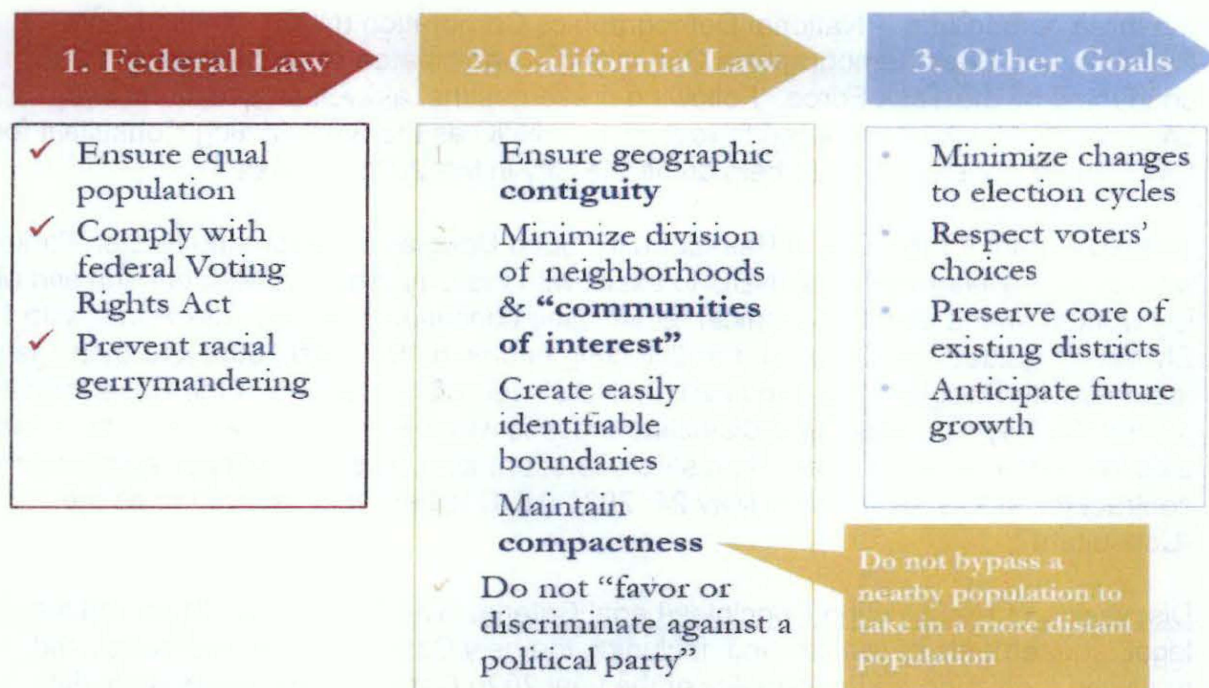


the three responders -- National Demographics Corporation (NDC), Redistricting Partners, and Bear Demographics Consulting -- participated in an interview process conducted by the Task Force. Following presentations, as well as questions and answers, the Task Force voted to recommend NDC as the Redistricting Consultant for City Council consideration to help guide the City in the 2021 process.

The NDC team for the City of Pasadena included Douglas Johnson and Kristen Parks, with David Ely later added by NDC to assist with the City project. Mr. Johnson and Mr. Ely worked as the leading technical redistricting consultants for the Task Force, with Mr. Ely having guided the City's prior redistricting efforts in 1990 and 2000, and then again together with Douglas Johnson in 2010. NDC's founders, working at the Rose Institute, guided the City's original 1982 districting process when Pasadena went from an at-large election format to single-member district representation. The City Council approved the contract for NDC's services on May 24, 2021 (NDC is hereafter referred to as the "Consultant").

Discussion of Redistricting Principles/Legal Criteria. The Task Force discussed the legal requirements of redistricting, including the new California FAIR Maps Act, and reviewed the timing and availability of the final 2020 Census and demographic data. This discussion was facilitated by the consultants and Assistant City Attorney Theresa Fuentes. Task Force discussions focused on principles to be followed in developing a redistricting plan and the process that would be used to afford the maximum opportunity for public participation. Attachment B provides the map of current Council districts and related demographic data sheet.

As part of the training, the Task Force discussed the following chart provided by the consultants, which illustrates the legal parameters when considering boundary adjustments to City Council districts in order of priority, as well as other possible areas of consideration:



Outreach, Education, and Community Engagement Prior to Release of Census Data. Due to delays and impacts caused by COVID-19, this year's redistricting process was unique and challenging as compared to prior efforts. Further compressing the Task Force's timeline was the fact that the final redistricting data, required for preparation of redistricting maps by the FAIR Maps Act, would not be available until late September 2021. Given the delay of the needed data, and in order to move the process forward and ensure the timely completion of the Task Force's work, the Task Force and City staff decided to conduct a series of community workshops with the goal to increase public awareness and education about the City's redistricting effort. The outreach campaign was created to encourage public participation, support consensus building efforts, bring redistricting information out to community members (especially those in disadvantaged areas in the City), and receive community of interest testimony from members of the public to help understand what areas in the City would most benefit from adjustments to Council District boundaries.

To support a broad and robust outreach campaign, City staff engaged an Outreach and Community Engagement consulting team (following an RFP process). The team consisted of two firms: Allegra Consulting, a Pasadena-based company with previous experience conducting outreach in the City; and Tripepi Smith Consulting, a firm familiar with redistricting and promoting successful outreach strategies to support community engagement. During its public meetings, the Task Force provided substantive input to City staff concerning the scope of work for the consulting team. The team met regularly with City staff and developed well-designed promotional materials and messaging.

As part of the outreach campaign, the team distributed information on redistricting through direct mailers, door-to-door flyer drops, email, social media, and multi-media, as well as worked with community partners, district liaisons, and non-profit organizations to connect with all areas of the City. Spanish language translation was provided for all outreach materials to ensure that those in underrepresented communities and non-English speaking communities were also able to participate in the redistricting public review process. At the recommendation of the Task Force, the consulting team and City staff also conducted a Spanish language community workshop to encourage participation by non-English speaking communities. A full report on the City's Outreach and Community Engagement effort is provided in a separate detailed report (Attachment G).

City staff developed a dedicated redistricting webpage (as required by the FAIR Maps Act), which serves as a repository for the work of the Task Force, provides a history of redistricting in Pasadena, information to receive notifications and access to meetings and workshops, and public space for reviewing correspondence, agenda reports, and presentations. The website is available in English and Spanish languages as required by the California Secretary of State's Office, as well as in Chinese for the growing non-English speakers in that community to encourage more participation and inclusiveness in the process. As required by the FAIR Maps Act, the webpage will remain available between redistricting efforts.

To make the process more accessible and increase resident awareness, a total of eight workshops were held from June 26, 2021 through August 7, 2021; one in each of the seven Council Districts, and as noted above, an all-Spanish language workshop held at Madison Elementary School, with Vice Chair Moreno and the Consultant leading the workshop. Workshops were presented in hybrid format, with the public invited to participate either at the in-person location in the Council District (socially distanced with mask wearing) or via a Zoom virtual meeting link. Each workshop consisted of welcoming remarks by Councilmembers and Task Force members, informational presentations by the Consultant, multiple opportunities for questions and answers, explanations regarding how to submit community of interest information, and demonstrations of the redistricting mapping technology available on the City's website. Spanish language translation was provided for each meeting, with Armenian language translation available for the first community workshop at the H&H Jivalagian Youth Center in Council District 2. All workshops were recorded and posted online to ensure that the information was readily available to anyone interested in the process.

Meeting Date	Hybrid Meeting Locations (all workshops allowed for either in-person or virtual Zoom Meeting participation)
June 26, 2021	H&H Jivalagian Youth Center – 2242 East Foothill Boulevard Council District 2



June 30, 2021	Rose Bowl Stadium – Locker Room 1001 Rose Bowl Drive Council District 1
July 8, 2021	Robinson Park Recreation Center – Multipurpose Room 1081 North Fair Oaks Avenue Council District 3
July 15, 2021	Pasadena City College, Foothill Campus – Jack Scott Community Room 3035 East Foothill Boulevard Council District 4
July 17, 2021	Caltech Institute of Technology – Beckman Auditorium 332 South Michigan Avenue Council District 7
July 20, 2021	Pasadena Conference Center – Ballroom A 300 East Green Street Council District 6
August 5, 2021	Villa Parke Community Center – Auditorium 363 East Villa Street Council District 5
August 7, 2021	Madison Elementary School – Auditorium 515 East Ashtabula Street All Spanish Language Workshop

On July 19, 2021, in addition to the community workshops listed above, the City Council received an update from the Task Force Chair and Vice Chair, Consultant, and City staff on the redistricting process. The update provided the Council with an opportunity to give further input to the Task Force on other redistricting priorities that might be considered once all legal criteria are met. As part of the presentation, City staff highlighted the compressed timeline, upcoming workshop and meeting schedule, identified ways for the public to participate, and explained the timing of preliminary and final redistricting data availability needed to prepare and consider redistricting plans and maps.

City staff, as well as the Chair, Vice Chair, Outreach Consultants, and members of the Task Force participated in a number of smaller community and City commission meetings providing education and outreach about the redistricting process and ways to participate. This included attending the ACT meeting on June 3, 2021, the Pasadena Neighborhood Network meeting on August 12, 2021, a community meeting on redistricting organized by residents and clergy in Northwest Pasadena on September 9, 2021, the Northwest Commission meeting on September 14, 2021, the NAACP monthly meeting on September 16, 2021, the Accessibility and Disability Commission meeting on September 28, 2021, Bungalow Heaven meeting on October 4, 2021, and the Civitas meeting on October 21, 2021.



Task Force Public Hearings, Preliminary and Final Redistricting Data Release. On August 19, 2021, the Task Force held a meeting and initial public hearing to receive community of interest testimony. Included on the hearing agenda was an item related to the US Census Bureau's release of the preliminary 2020 Census results that occurred on August 12, 2021, in legacy format. Following the public hearing, testimony, and review of submitted community of interest maps, the Consultant provided the Task Force and public with an introduction into the preliminary 2020 Census data estimates.

In response to Task Force questions and concerns raised regarding changes from the Consultant's previous estimated population counts when compared to the newly-released preliminary US Census population counts, the Consultant stated that additional time was needed to review and analyze the data. It was noted that there did appear to be a Census undercount in communities in Northwest Pasadena likely caused by pandemic related issues, as well as potential disincentives created by national political issues at the time.

Following the August 19 meeting, a number of Task Force members raised concerns regarding the need to better understand the census data, how to address any issues or problems with the data, and how to maintain momentum in spite of whatever data issues might exist given the compressed timeline and schedule. As a result of those concerns, the Chair and Vice Chair organized an additional (previously unscheduled) meeting on September 18, 2021. As part of the September 18 meeting, a public hearing was scheduled to allow for more community of interest testimony, as well as an agenda item on the preliminary Census data released by the US Census Bureau. Led by City staff and the Consultant, a presentation was made highlighting the FAIR Maps Act's requirement that the City utilize US Census data in redistricting. California Elections Code Section 21621(a) (1) states: "Population equality shall be based on the total population of residents of the city as determined by the most recent federal decennial census..." Therefore, the FAIR Map Act requires that US Census data – specifically, California-adjusted redistricting census data -- must be used when equalizing population among the seven districts.

On September 27, 2021, the Chair, Vice Chair, Consultant, and City staff returned to the City Council with an update on the redistricting process and census data, as well as providing information on the just released California-adjusted redistricting census data that became available on September 21, 2021. The presentation similarly addressed the requirement in the law to use census and redistricting data provided by the US Census Bureau and State of California when adjusting City Council District boundaries to equalize population.

Mapping Workshop on Preparation of Conceptual Plans. At the October 2, 2021 Task Force meeting, the Consultant conducted a mapping workshop to explain possible approaches to equalize population that would be legally compliant with federal and state law. Included in the workshop was an overview of the mapping tools available on the City's website, and an explanation on how the public could utilize such tools to provide

redistricting mapping alternatives for consideration by the Task Force during the public hearings and iterative process scheduled for the coming weeks. As part of the workshop portion of the Task Force's agenda item, the Consultant provided some rough sketches of possible redistricting approaches that included minimal changes (utilizing various levels of deviation) and, in response to public testimony and advocacy, downtown/central district options.

Following the workshop discussion and public comment, the Task Force directed the consultants to prepare conceptual maps and corresponding demographic data sheets for the upcoming public hearing of the Task Force that minimized impacts to current districts and communities of interest, utilizing legally permissible population variances: 10% deviation, 5% deviation and 1% deviation. The Task Force also directed the Consultant to prepare Downtown Neighborhood District mapping options consistent with what was illustrated as Options A and B in the mapping workshop. Lastly, the Consultant was advised that each of the maps could include versions that cross and do not cross Colorado Boulevard.

Opening of the Public Hearing and Ad Hoc Committee Formation. At the October 9, 2021 Task Force meeting, the public hearing was opened and included public testimony and correspondence, with the Consultant reviewing each of the conceptual maps (Attachment E) that were prepared based on the Task Force's prior direction. Task Force members asked questions of the Consultant and then listened to public comments. Following public comment, the Task Force provided direction to the Consultant in terms of additional information needed to evaluate the implications of the 10%, 5%, and 1% deviation minimal change maps, as well as the Option A and B Downtown/Central District maps.

During the deliberation portion of the discussion, various members of the Task Force noted the potentially disruptive ripple effect that a "Downtown District" option would have on established communities of interest throughout the City. It was suggested that consideration be given to making smaller adjustments to district boundaries to explore potentially consolidating the downtown area into three or two districts.

In response to concerns raised by members of the Task Force regarding the unknown impacts that each conceptual plan might have on Northwest Pasadena, the Chair appointed Vice Chair Moreno and Members Lim, McKenzie, and Yarbrough to serve on an Ad Hoc Committee, to work with the Consultant in conducting a deeper dive and review of the proposed maps, and to analyze the impacts each conceptual plan would have on Districts 1, 3, and 5, and to a lesser extent, on District 2. The Chair asked that the Ad Hoc Committee work to understand any potential rippling effects at a granular level of the proposed "Minimal Change" and "Downtown" option maps, and return to the Task Force with an update at its next meeting.

Continued Public Hearing and Ad Hoc Committee Report. At its October 16, 2021 meeting, the Task Force reopened the continued public hearing to receive a report back from the Ad Hoc Committee on their deep dive review of each conceptual map. The Ad Hoc Committee members noted their consensus to minimize changes to Districts 1, 3, and 5, and to a lesser extent, to District 2.

At least one Ad Hoc Committee member viewed the 10% deviation minimal change map as being the most attractive option given the minor adjustments required throughout the City, noting the need to minimize changes to already established communities of interest rather than achieving mathematically balanced districts. As noted in the report back to the Task Force, the Ad Hoc Committee raised concerns with the 5% and 1% deviation maps as proposed, seeing both alternatives as being much more disruptive and harmful to Northwest residents. Specifically, the Ad Hoc Committee's report pointed to shifts in population from District 6 to District 3 and District 2 to District 5 that would result in a greater non-Hispanic white and/or Asian population into these two districts; as well as the proposed change in moving population from District 3 to District 1 that would create a disconnection for that area of residents from the rest of District 1 due to the natural barriers created by the 210 Freeway and Washington Boulevard.

Regarding the Downtown/Central District Options A and B, the Ad Hoc Committee expressed strong concern with the impacts that these two approaches had on the affected Black and Latino communities in Districts 1, 2, 3, and 5. The Ad Hoc Committee opposed the splitting of these neighborhoods and communities of interest in what would be perceived as an unfair manner and further burdening the area north and east of the 210 freeway. As a result of the discussion that Northwest Pasadena should be spared from such disruption, the Consultant suggested and demonstrated a possible alternate approach that combined portions of the Minimal Change Map with a 10% Deviation with a version of the Downtown/Central District map. Seeing this as a possible way to lessen the impact on Northwest Pasadena, the Committee asked that the Downtown/Central District Option C map be presented (without endorsement) to the full Task Force to determine if there was interest in pursuing this as a viable 3<sup>rd</sup> option. This alternative potential construct for a Downtown District (known as Option C) would focus primarily on changes to boundaries in Districts 6 and 7.

Upon completion of the Ad Hoc Committee's report, the Consultant reviewed the Downtown/Central District Option C map (Attachment F) for the full Task Force. In addition to public comment testimony and written correspondence that the proposed Option C map would substantially and negatively harm long-established communities of interest in both Districts 6 and 7, Task Force members also expressed concerns regarding the substantial impacts this would have on neighborhoods and residents in the City. Having reviewed and considered three different potential options for Downtown/Central District maps (A, B and C), and after considering public comment testimony, written correspondence from the public, and the report and findings of the Task Force Ad Hoc Committee, a majority of Task Force members voiced their support

for the Minimal Change Map with a 10% Deviation citing the growing consensus with that approach, the limited number of residents and communities of interest that would be impacted by such an approach, the benefits this would have addressing the apparent US Census undercount of population in Districts 1, 2, 3, and 5, and compressed timeline and remaining time available to complete the process. Although two members did not support the Task Force focusing-in on the 10% Deviation map on the grounds that it was premature to focus on this map, the Task Force approved a motion on a vote of 9 in favor, 2 against, and 1 absent to narrow the focus to the 10% Deviation map and determine if the Task Force would support any adjustments to that map.

Consideration of Adjustments to the Minimal Change Map with a 10% Deviation. On October 23, 2021, the Task Force reopened the continued public hearing, received public comment testimony and correspondence in support of the 10% Deviation Map, as well as testimony and correspondence in support of the various alternatives to the Downtown/Central District approach, including advocacy for potentially making smaller adjustments to district boundaries that would consolidate the downtown area into three or two districts.

Following discussion, a motion was made to direct the Consultant to prepare modifications to the 10% Deviation Minimal Change Map that would adjust the Council District boundary lines for Districts 3, 5, and/or 7 in the Downtown/Playhouse area in such a way as to address the requested consolidation of Council representation into two Council Districts. The motion failed on a vote of 6 in favor and 6 against.

Regarding other potential changes to the 10% Deviation map, Task Force members discussed and deliberated as to whether it was possible to increase the population in Districts 1 and 5, to create a map with more equal population distribution among the districts, but with limited disruption to communities of interest in the area. Task Force members explored the following adjustments and scenarios that might achieve the desired modifications to the 10% Deviation map:

- Move the area in District 3 above Washington Boulevard into District 1;
- Move the area of Lake Avenue, Washington Boulevard, Mentor Avenue, and Bell Street into District 5;
- Explore other ways of depopulating District 3 by shifting population into District 1, such as including either of the two changes in the 5% and 1% deviation maps for the area around Sunset Reservoir;
- Increase population in District 1 by crossing Colorado Boulevard on the south and capturing population from multi-family residences in District 6;
- Shifting population into Districts 1 and 5 by adjusting district boundaries east in the area south of the 210 Freeway and north of Colorado Boulevard to take population from District 3 and District 2; and
- Shifting area from District 2 east of Lake Avenue, south of Walnut Street, north of Colorado Boulevard, and west of Mentor Avenue into District 5.



Following deliberations and discussion, a motion was made to direct the Consultant to consider smaller modifications to the Minimal Change Map with 10% Deviation, specifically to increase population in Districts 1 and 5 by about 400-600 people. The motion failed on a vote of 2 in favor and 10 in opposition.

With no other adjustments or changes proposed for the 10% Deviation Map, the Task Force continued the public hearing to the October 30, 2021 meeting to determine if consensus existed for the map as proposed.

Recommendation of the Minimal Change Map with a 10% Deviation. On October 30, 2021, as part of the continued public hearing, the Consultant provided a summation of the various plans considered by the Task Force, reviewed the Minimal Change Map with a 10% Deviation, and responded to questions. As with prior meetings, public comment testimony and correspondence was received, including those in support of the 10% Deviation Map, as well as testimony and correspondence in support of and against the various alternatives to the Downtown/Central District approach.

It was noted by one Task Force member that more discussion was needed to understand the increase of population in the Latino community in the City, and expressed concerns with the limitations of the mapping software that did not provide Citizen Voting Age Population (CVAP) data layers, only Voting Age Population (VAP) data layers, which was needed to analyze the emerging and increasing communities as part of the redistricting process. Without that information, the Task Force member was unable to determine whether the Minimal Change Map with 10% Deviation, as proposed, provided for the growth in the Latino population and, therefore, did not support the 10% Deviation plan. In response to data concerns, the Consultant stated that CVAP data was present in the data sheets for all conceptual plans, and that the VAP data layers in the DistrictR mapping application was statistically similar to the CVAP data.

Following discussion, a motion was made to close the public hearing and recommend the Minimal Change Map with a 10% Deviation to the City Council for consideration. Following the closing of the public hearing (approved on an 11-1 vote), the motion to recommend the map to the City Council was approved by a vote of 11 in favor and 1 in opposition.

As part of the final motion to authorize the Final Report, the Task Force directed that the report include a table or chart (Attachment H) providing metrics on: the number of residents that would change Council Districts, and therefore, change voting cycles (reorganized to show population that would experience delayed voting opportunities based on voting cycles); the degree of equalization of populations by conceptual plan; a tabulation of the number of recommendations received for each conceptual plan; and information on the number of low to moderate income housing units in each Council District.

The Task Force also included a recommendation to the City Council to hold community meetings for neighborhoods affected by changed Council Districts; and the City to publish and publicize the new Redistricting Map in the "Pasadena InFocus"; to develop additional educational tools on the redistricting process (identifying and articulating communities of interest), additional instructional material on how best to utilize the mapping software, and definitions of key terms to be utilized in future redistricting efforts. The motion was unanimously approved.

### **Proposed Downtown City Council District**

In considering the Downtown/Central District Options A, B, and C, the Task Force sought to address the testimony and advocacy by Downtown District supporters for consolidating the area into fewer districts. Options A and B sought to spread the impact of such an approach throughout the City, but would have resulted in a large number of residents having to change districts (approximately 29,000 for Option A, and almost 39,000 for Option B), which was not supported by the Task Force. When reviewed by the Ad Hoc Committee, both Option A and Option B were determined to be too impactful, especially for residents living in Northwest Pasadena.

As noted above, Option C was created to determine if support might exist for a Downtown approach that would have minimal impacts to Northwest. However, communities of interest in District 6 and District 7 spoke in opposition to Option C, which shifted the Madison Heights Neighborhood Association into District 6. The Task Force received testimony that stated that a redistricting plan meant to address community of interest issues for one area, should not be at the expense of many other more established communities of interest. In seeking to answer the Downtown District question, it became evident to members of the Task Force that the scale of the adjustments necessary to achieve a consolidation of Downtown Council representation would be very disruptive to implement. Moreover, given the late release of census data and the outreach and education needed to build consensus around such a plan, the current redistricting cycle was not well-suited to successfully achieve such a highly-impactful outcome prior to the December 15, 2021 deadline.

### **Rationale for 10% Deviation**

As noted above, questions and concerns were raised at the August 19, 2021 Task Force meeting about changes from the Consultant's estimated population counts when compared to the newly-released preliminary US Census population counts. There appeared to be a Census undercount in communities in Northwest Pasadena. In response, the Chair and Vice Chair convened a special meeting of the Task Force on September 18, 2021 to allow for more community of interest testimony on this point.

During deliberations, Task Force members sought guidance regarding potential options for mitigating the impacts of the Census undercount. As noted, the FAIR Map Act requires the City to utilize California-adjusted redistricting US Census data when

equalizing population among the seven districts. In this light, the Consultant introduced for discussion the concept of potentially using a 10% Deviation to mitigate for the apparent Census undercount in Northwest Pasadena communities. The City Attorney's Office advised that the City must make a good faith effort to draw equal-populous districts, but perfect equality is not required for local districts if deviation is justified by legitimate legal criteria. A deviation of up to 10% is presumptively valid if implemented for legitimate reasons and explained based on traditional redistricting criteria or other lawful justifications.

After much discussion and public testimony, the Task Force voted 11 to 1 to recommend the Minimal Change Map with a 10% Deviation to the City Council for consideration. The main rationale for the Task Force's recommendation to use a 10% Deviation is to address the apparent Census undercount of population in Districts 1, 2, 3, and 5.<sup>1</sup>

#### **October 23, 2021 Motion – Forecasting Major Potential Changes for Next Redistricting Cycle**

In light of the extremely compressed timeline created by COVID-19 and the late release of the 2020 US Census results and the final adjusted redistricting census data from the State of California that is required to be used for redistricting, the Task Force had a lengthy discussion about whether the use of a 10% deviation might complicate matters for the City in the next redistricting cycle in ten years. With that concern in mind, a motion was unanimously approved to include in this report the following official statement:

Noting the possibility of major changes in the City for the next redistricting cycle, including the acquisition and development of the 710 freeway stub, increased housing created by the Parsons project and new state laws, factoring in recent undercounts in populations in Northwest Pasadena, and the growing sentiment for consolidation of City Council representation in the Downtown/Central District area, it is strongly recommended that the City Council work to understand the significant impacts these factors will have on the next redistricting cycle, and begin the community discussion and understanding of these impacts earlier and ahead of the work of the next Redistricting Task Force.

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<sup>1</sup> It should be noted that one member of the public appears to raise the argument that a Hispanic-majority district should be created. Although minority electoral success is relevant under the VRA, federal case law specifically rejects proportional representation. The City has an obligation not to create majority-minority districts where the reason for doing so is predominantly based on race alone. Further, Districts 1, 3, and 5 have elected underrepresented minorities to Council quite successfully over about the last 20 years, thereby undercutting any argument that there is a racially discriminatory effect under the VRA in Pasadena.

**NEXT STEPS FOR THE CITY COUNCIL:**

**Process for Formal Adoption of Redistricting Plan – December 15, 2021 Deadline**

California Elections Code Section 21627.1(a) requires the City Council to hold at least 4 public hearings to allow public input on the composition of one or more of the council districts. As noted above, and in compliance with EC Section 21627.1(e) and (f), the Redistricting Task Force held eight (8) public workshops and six (6) noticed public hearings, with 2 of the 6 hearings occurring prior to the drawing of any conceptual maps. Of these public workshops and hearings, three (3) workshops and five (5) public hearings were held on Saturdays.

The City Council will hold three (3) public hearings on November 15, November 22, and December 6, 2021. The redistricting process culminates with City Council's first and second reading of the ordinance, on December 6 and December 13, 2021, respectively, that establishes the seven newly drawn City Council districts. Following the Council's actions, the City Clerk's Office will publish the ordinance in the Pasadena Journal, Pasadena Press, Pasadena Star News, La Opinion, and the Chinese LA Daily News; and codify the District boundaries in the Pasadena Municipal Code. Once adopted, the City Clerk's Office will work with the Los Angeles County Registrar-Recorder/County Clerk to implement boundary changes ahead of the June 7, 2022 Pasadena Primary Municipal Election.

Respectfully submitted,



Vince Farhat, Chair



Rita Moreno, Vice Chair

**Attachments:**

- Attachment A: Recommended Redistricting Plan and Data Sheet
- Attachment B: Current Council District Map with California Adjusted Census Data Sheet
- Attachment C: Redistricting Task Force Roster
- Attachment D: Redistricting Schedule
- Attachment E: Conceptual Plans with 10%, 5%, and 1% Deviation; and Downtown District Options A and B
- Attachment F: Ad Hoc Committee Report and Downtown District Option C
- Attachment G: City's Final Outreach and Community Engagement Summary Report
- Attachment H: Metrics Sheet, and Map and Data Table of Affordable Housing Units by District
- Attachment I: Task Force Minutes