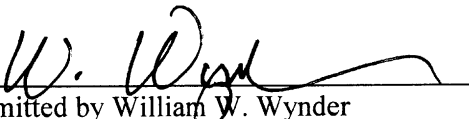


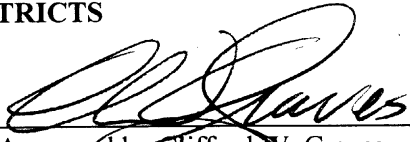


# City of Carson Report to Mayor and City Council

June 7, 2011  
New Business Consent

**SUBJECT: CONSIDERATION OF RESOLUTION NO. 11-075 URGING THE CALIFORNIA CITIZENS REDISTRICTING COMMISSION NOT TO "SPLIT" CARSON INTO TWO OR MORE STATE ASSEMBLY DISTRICTS**

  
Submitted by William W. Wynder  
City Attorney

  
Approved by Clifford W. Graves  
Interim City Manager

## **I. SUMMARY**

This item is on the agenda at the request of Councilmember Gipson with the concurrence of the Interim City Manager. Every 10 years, following the conclusion of the federal census, California must redraw the boundaries of its Congressional, State Senate, State Assembly, and State Board of Equalization districts to reflect the new population data.

Those lines will be drawn by the California Citizens Redistricting Commission. California voters authorized the creation of this Commission when they passed the Voters First Act, which appeared as Proposition 11 on the November 2008 general election ballot.

Under the Act, the Commission is charged with drawing the boundaries of California's Congressional, Senate, Assembly and Board of Equalization electoral districts.

The attached resolution urges the Commission not to "split" the community of Carson into more than one State Assembly District, thereby diluting the political influence of this community on important municipal and state-wide issues.

## **II. RECOMMENDATION**

WAIVE further reading and ADOPT Resolution No. 11-075, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CARSON, CALIFORNIA, URGING THE CALIFORNIA CITIZENS REDISTRICTING COMMISSION NOT TO 'SPLIT' CARSON INTO TWO OR MORE STATE ASSEMBLY DISTRICTS."

## **III. ALTERNATIVES**

Take NO ACTION on this recommendation.

## **IV. BACKGROUND**

Every 10 years, after the federal census, California must redraw the boundaries of its Congressional, State Senate, State Assembly, and State Board of Equalization districts to reflect the new population data. Those lines will be drawn by the

California Citizens Redistricting Commission. California voters authorized the creation of the Commission when they passed the Voters First Act, which appeared as Proposition 11 on the November 2008 general election ballot. Under the Act, the Commission is charged with drawing the boundaries of California's Congressional, Senate, Assembly, and Board of Equalization electoral districts.

The Commission has 14 members from varied ethnic backgrounds and geographic locations in the state and includes five "Democrats", five "Republicans", and four "Decline to State". Under state law, members of the Commission will be compensated at the rate of \$300 for each day a commissioner is engaged in Commission business. The law also allows for reimbursement for personal expenses incurred in connection with the duties required of commissioners.

State law provides that the Commission will serve for 10 years; however, most of the work that the commissioners will perform should be completed by the time they approve the maps of the new districts, which is required to be completed by August 15, 2011.

Reapportionment is the permanent process by which seats in the U. S. House of Representatives are redistributed among the 50 states according to each census. Redistricting is the process of drawing district lines which means changing the boundaries every 10 years following the census. One of the greatest powers that the people have is the right to elect their own representatives to conduct the business of their government.

How the district boundaries are configured can make the difference between empowering and maximizing the voters' voices or minimizing and muting those voices. The independent Commission is charged by state law to draw fair districts that reflect the best interests of the people not the incumbent political parties.

State law is very clear that no communication between legislators and Commissioners regarding redistricting issues can occur. Any comment from legislators must take place in a public Commission meeting—just like any other citizen.

The legal criteria the Commission must follow in determining district boundaries are set forth in state law, as follows:

- (1) Districts must be of equal population to comply with the U. S. Constitution.
- (2) Districts must comply with the Voting Rights Act to ensure that minorities have an equal opportunity to elect representatives of their choice.

- (3) Districts must be contiguous so that all parts of the district are connected to each other.
- (4) Districts must respect the boundaries of cities, counties, neighborhoods and communities of interest, and minimize their division, to the extent possible.
- (5) Districts should be geographically compact, that is, have a fairly regular shape.
- (6) Where practicable, each Senate District should be comprised of two complete and adjacent Assembly Districts, and Board of Equalization districts shall be composed of 10 complete and adjacent State Senate Districts.
- (7) Districts shall not be drawn to favor or discriminate against an incumbent, candidate, or political party.

Before the Federal Voting Rights Act was passed, the practice of many states was to require qualified African Americans to pass literacy tests in order to register to vote. Other states only allowed a person to register to vote if his or her grandfather was allowed to vote. The Voting Rights Act was passed in 1965 to outlaw these practices.

In the 1970s, Congress heard extensive testimony about how state and local governments drew district lines and manipulated election rules to prevent newly-registered African American voters from being able to elect candidates. Today, the Voting Rights Act protects all racial and language minorities, including African Americans, Asian Americans, Latinos, Native Americans and Pacific Islanders.

District boundaries are to be determined based on the existence of a “community of interest” of the voters assigned to each district. A community of interest is a contiguous population which shares common social and economic interests that should be included within a single district for purposes of its effective and fair representation.

Examples of such shared interests are those common to an urban area, a rural area, an industrial area, or an agricultural area, and those common to areas in which the people share similar living standards, use the same transportation facilities, have similar work opportunities, or have access to the same media of communication relevant to the election process. Communities of interest shall not include relationships with political parties, incumbents, or political candidates - *Section 2(d)(4) of Article XXI of the California Constitution.*

Historically, legislators drew the district boundaries in closed meetings, often favoring incumbents or their own party. This Commission is independent and charged by state law to include the voices of all Californians in the process. In addition to holding public hearings throughout the state, the Commission is soliciting citizen participation through its website [crc.ca.gov](http://crc.ca.gov) as well as new media such as Twitter and Facebook. Members of the Commission will also participate in speaking engagements and educational forums throughout the state.

It is the consensus of the City Council that the entire city of Carson represents a single "community of interest" within the meaning of state law, and that it would be legally, politically, socially, and economically appropriate that the city of Carson remain in a single Assembly District.

## V. FISCAL IMPACT

None.

## VI. EXHIBITS

1. Resolution No. 11-075. (pgs. 5-7)

Document1

Prepared by: William W. Wynder, City Attorney

TO:Rev010511

Reviewed by:

City Clerk	<u>City Treasurer</u>
<u>Administrative Services</u>	<u>Development Services</u>
<u>Economic Development Services</u>	<u>Public Services</u>

## Action taken by City Council

Date \_\_\_\_\_ Action \_\_\_\_\_

RESOLUTION NO. 11-075

A RESOLUTION OF THE CITY COUNCIL OF THE CITY  
OF CARSON, CALIFORNIA, URGING THE  
CALIFORNIA CITIZENS REDISTRICTING  
COMMISSION NOT TO 'SPLIT' CARSON INTO TWO  
OR MORE STATE ASSEMBLY DISTRICTS

WHEREAS, after each federal decennial census, California must redraw the boundaries of its Congressional, State Senate, State Assembly, and State Board of Equalization districts to reflect the new population data disclosed by the federal census; and

WHEREAS, those new redistricting lines will be drawn by the California Citizens Redistricting Commission; and

WHEREAS, California voters authorized the creation of this Commission when they passed the Voters First Act, which appeared as Proposition 11 on the November 2008 general election ballot. Under the Act, the Commission is charged with drawing the boundaries of California's Congressional, Senate, Assembly, and Board of Equalization electoral districts; and

WHEREAS, the commission has 14 members from varied ethnic backgrounds and geographic locations in the state and includes five Democrats, five Republicans, and four Decline to State; and

WHEREAS, reapportionment is the permanent process by which seats in the U. S. House of Representatives are redistributed among the 50 states according to each census. Redistricting is the process of drawing district lines which means changing the boundaries every 10 years following the federal census; and

WHEREAS, the legal criteria the Commission must follow in determining district boundaries are set forth in state law, as follows:

- (1) Districts must be of equal population to comply with the U. S. Constitution.
- (2) Districts must comply with the Voting Rights Act to ensure that minorities have an equal opportunity to elect representatives of their choice.
- (3) Districts must be contiguous so that all parts of the district are connected to each other.
- (4) Districts must respect the boundaries of cities, counties, neighborhoods and communities of interest, and minimize their division, to the extent possible.
- (5) Districts should be geographically compact, that is, have a fairly regular shape.

- (6) Where practicable each Senate District should be comprised of two complete and adjacent Assembly Districts, and Board of Equalization districts shall be composed of 10 complete and adjacent State Senate Districts.
- (7) Districts shall not be drawn to favor or discriminate against an incumbent, candidate, or political party; and

WHEREAS, district boundaries are to be determined based on the existence of a "community of interest" of the voters assigned to each district. A community of interest is defined in state law as a contiguous population which shares common social and economic interests that should be included within a single district for purposes of its effective and fair representation; and

WHEREAS, examples of such shared interests are those common to an urban area, a rural area, an industrial area, or an agricultural area, and those common to areas in which the people share similar living standards, use the same transportation facilities, have similar work opportunities, or have access to the same media of communication relevant to the election process. Communities of interest shall not include relationships with political parties, incumbents, or political candidates - *Section 2(d)(4) of Article XXI of the California Constitution*.

NOW, THEREFORE, BE IT RESOLVED that the City Council of the city of Carson, California, is of the collective consensus that the entire city of Carson represents a single "community of interest" within the meaning of state law, and that it would be legally, politically, socially, and economically appropriate that the city of Carson remain in a single State Assembly District. The City Council hereby directs staff to forward this resolution to each member of the California Citizens Redistricting Commission, and to urge each Commission member to adopt such a position in their redistricting deliberations.

**PASSED, APPROVED and ADOPTED** this \_\_\_\_\_ day of June, 2011.

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Mayor Jim Dear

ATTEST:

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City Clerk Helen S. Kawagoe, MMC

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- (6) Where practicable each Senate District should be comprised of two complete and adjacent Assembly Districts, and Board of Equalization districts shall be composed of 10 complete and adjacent State Senate Districts.
- (7) Districts shall not be drawn to favor or discriminate against an incumbent, candidate, or political party; and

WHEREAS, district boundaries are to be determined based on the existence of a "community of interest" of the voters assigned to each district. A community of interest is defined in state law as a contiguous population which shares common social and economic interests that should be included within a single district for purposes of its effective and fair representation; and

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