

NOTICE

**COMPTON CITY COUNCIL
REGULAR ADJOURNED MEETING
AGENDA
Thursday, September 27, 2012
7:00 PM**

HEARING(S)

**7:05 P.M. - PUBLIC HEARING - PROPOSED RE-ALIGNMENT OF ELECTORAL
DISTRICTS (Item #1)**

OPENING

ROLL CALL

INTRODUCTION OF SPECIAL GUESTS

PUBLIC COMMENTS ON AGENDA ITEMS AND NON-AGENDA MATTERS

CONSENT AGENDA

Consent items are routine and expected to be non-controversial. They will be acted upon by the Council at one time without discussion unless a Council Member requests an item be removed or discussed.

APPROVAL OF MINUTES

REPORTS OF OFFICERS AND COMMISSIONS

END CONSENT AGENDA

REGULAR AGENDA

REPORTS OF OFFICERS, BOARDS, COMMISSIONS AND COMMITTEES

CITY MANAGER'S REPORT

CITY ATTORNEY'S REPORTS

UNFINISHED BUSINESS

NEW BUSINESS

1. AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF COMPTON RE-ALIGNING THE BOUNDARIES OF THE CITY COUNCIL DISTRICTS, BASED ON THE 2010 CENSUS, FOR USE AT THE CITY'S APRIL 2013 PRIMARY ELECTION AND SUBSEQUENT ELECTIONS

APPROVAL OF WARRANTS

COUNCIL COMMENTS

ADJOURNMENT

NEXT REGULAR MEETING: Tuesday, October 02, 2012 @ 5:45 PM.

Visit our website at <http://www.comptoncity.org>

View Meetings Live at <mms://livemedia.comptoncity.org:8080>

RESOLUTION SIGN-OFF FORM

DEPARTMENT: City Attorney

RESOLUTION TITLE: AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF COMPTON RE-ALIGNING THE BOUNDARIES OF THE CITY COUNCIL DISTRICTS, BASED ON THE 2010 CENSUS, FOR USE AT THE CITY’S APRIL 2013 PRIMARY ELECTION AND SUBSEQUENT ELECTIONS

Ruth Rugley
DEPARTMENT MANAGER’S SIGNATURE

9/26/2012 3:25:23 PM
DATE

REVIEW / APPROVAL

Ruth Rugley
CITY ATTORNEY

9/26/2012 3:53:18 PM
DATE

Stephen Ajobiewe
CITY CONTROLLER

9/26/2012 3:51:55 PM
DATE

G. Harold Duffey
CITY MANAGER

9/26/2012 3:50:55 PM
DATE

Use when:	
Public Works:	When contracting for Engineering Services.
City Attorney:	When contracting for legal services; contracts that require City Attorney’s review.
Controller/Budget Officer:	Amending Budget; appropriating and/or transferring funds; adding and/or deleting positions; any resolution having account numbers.
Asst. City Manager/OAS:	All personnel actions.

September 27, 2012

TO: HONORABLE MAYOR AND COUNCILMEMBERS

FROM: CITY ATTORNEY'S OFFICE

SUBJECT: SELECTION OF A REDISTRICTING PLAN FOR ADOPTION; FIRST READING OF AN ORDINANCE RE-ALIGNING THE BOUNDARIES OF THE CITY COUNCIL DISTRICTS, BASED ON THE 2010 CENSUS, FOR USE AT THE CITY'S APRIL 2013 PRIMARY ELECTION AND SUBSEQUENT ELECTIONS

SUMMARY

Staff is requesting that the City Council: (1) receive public comment regarding draft city council district plans, which were presented to the Council and the public at the Council's September 11, 18 and 25 meetings; (2) select a plan for adoption; and (3) conduct a first reading of an ordinance adopting the Council's chosen plan.

BACKGROUND

The City of Compton ("City") has historically elected each member of its City Council in "from-district" elections, *i.e.*, elections in which candidates for the City Council (the "Council") must reside within a specific geographic subarea of the City called a "council district" but candidates are elected by all the voters of the City at large.

However, on June 5, 2012, the voters of the City of Compton approved Measure B, which amended the City Charter to provide that in all future elections members of the Council will be elected in "by-district" elections, *i.e.*, elections in which candidates for the Council must reside within the specific council district they seek to represent, and candidates are elected only by the voters of that district. Measure B provided that "Upon adoption of this amendment by the voters, the City Council shall adjust the boundaries of the council districts on or before October 1, 2012."

The Charter, state law, and federal law, require that every ten years, following the release of the decennial census, the City Council realign the boundaries of the council districts to equalize the population thereof. The lines must also comply with the requirements of the federal Voting Rights Act, 42 U.S.C. § 1971 *et seq.*

To comply with the requirements of the Charter, as amended by Measure B, the City retained an experienced demographer, National Demographics Corporation ("NDC"), based in Claremont, California, and experienced redistricting counsel, Nielsen Merksamer Parrinello Gross & Leoni ("Nielsen Merksamer"), to advise it on the process of re-aligning the existing council districts and to prepare draft councilmanic district maps.

#1.

On September 4, 2012, the Council and the public received a presentation from Nielsen Merksamer regarding the procedures governing the redistricting process, the constitutional and statutory requirements of population equality, compliance with the Voting Rights Act and the Fourteenth Amendment, and traditional legal and policy criteria governing redistricting, which are set forth in the Charter and state law, or which have been recognized by the courts. The Council and the public also received a presentation from NDC regarding the demographics of the City and of the existing city council districts.

Following the presentations of Nielsen Merksamer and NDC, the Council received public comment regarding the redistricting process, and then instructed NDC to prepare three draft council district plans in accordance with the traditional legal and policy criteria identified by Nielsen Merksamer. The Council also requested that the maps adhere as closely as possible to the traditional council district configurations, which have been divided by Willowbrook Avenue to the north and south, and by Compton Boulevard to the east and west.

On September 11, NDC presented three draft council district plans, designated Plans A, B and C, to the Council and to the public, which were initially posted on the City's website on September 6, and which were developed according to the criteria set forth above. The Council also received presentations regarding two plans submitted by members of the public, one of which was posted on the City's website on September 6 ("Plaintiff Illustrative Plan"), and one of which was received on the afternoon of September 11 ("Plaintiff Option 2A").

The Council held a duly-noticed public hearing at its September 11 meeting, to seek public comment with respect to all five draft plans.

A third plan was submitted by members of the public on September 17, 2012 ("Plaintiffs' Modified Plan A").

The Council held a second duly-noticed public hearing at a meeting of the Council on September 18, 2012, to seek further public comment with respect to all six plans. Following the September 18 public hearing, members of the Council requested that NDC present an additional option.

At a third duly-noticed public hearing on September 25, 2012, NDC presented a seventh plan in response to the Council's request ("Plan D"), after which, to give the public an opportunity to more fully review the newly-presented plan, the Council determined to hold a special meeting on September 27, 2012, to receive public input regarding the new plan.

STATEMENT OF THE ISSUE

Staff requests that the Council receive additional public comment regarding the seven plans, or any additional plans that may be presented by the public in advance of the meeting. Thereafter, Staff requests that the Council choose a draft redistricting plan to move forward with, for final adoption, and that it conduct a first reading of an ordinance to adopt the chosen plan. Staff anticipates bringing the ordinance back to the Council for a second reading and final adoption at the Council meeting on October 2.

FISCAL IMPACT

Except for the demographer's services, and limited administrative costs to implement the new boundary lines, there will be no fiscal impact.

RECOMMENDATION

That the Council (1) receive additional public comment regarding draft city council district plans, which were presented to the Council and the public at the Council's September 11, 18 and 25 meetings; (2) select a plan for adoption; and (3) conduct a first reading of an ordinance adopting the Council's chosen plan.

CRAIG CORNWELL, ESQ.
CITY ATTORNEY

APPROVED FOR FORWARDING
G. HAROLD DUFFEY
CITY MANAGER

ORDINANCE NO. _____

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF COMPTON
RE-ALIGNING THE BOUNDARIES OF THE CITY COUNCIL DISTRICTS,
BASED ON THE 2010 CENSUS, FOR USE AT THE CITY'S APRIL 2013
PRIMARY ELECTION AND SUBSEQUENT ELECTIONS**

WHEREAS, the City of Compton ("City") has historically elected each member of its City Council in "from-district" elections, *i.e.*, elections in which candidates for the City Council (the "Council") must reside within a specific geographic subarea of the City called a "council district" but candidates are elected by all the voters of the City at large; and

WHEREAS, section 502 of the Charter, section 21620 of the California Elections Code, and federal law require that every ten years, following the release of the decennial census, the City Council realign the boundaries of the council districts to equalize the population thereof; and

WHEREAS, on June 5, 2012, the voters of the City of Compton approved Measure B, which amended the City Charter to provide that in all future elections members of the Council will be elected in "by-district" elections, *i.e.*, elections in which candidates for the Council must reside within the specific council district they seek to represent, and candidates are elected only by the voters of that district; and

WHEREAS, Measure B provided that "Upon adoption of this amendment by the voters, the City Council shall adjust the boundaries of the council districts on or before October 1, 2012"; and

WHEREAS, to comply with the requirements of the Charter, as amended by Measure B, the City has retained an experienced demographer, National Demographics Corporation ("NDC"), based in Claremont, California, and experienced legal counsel to advise it on the process of re-aligning the existing council districts and to prepare draft councilmanic district maps; and

WHEREAS, on September 4, 2012, the Council and the public received presentations from the demographer and from the City's redistricting counsel regarding the procedures and legal and policy criteria governing redistricting, and the demographics of the City and of the existing city council districts; and

WHEREAS, following the presentations by the demographer and legal counsel on September 4, the Council solicited public input regarding appropriate criteria for the realignment of council district boundaries, after which the Council directed NDC to prepare multiple draft council district plans according to the following criteria:

- That the boundaries of the council districts shall be realigned so that the districts are substantially equal in population as defined by law.

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- That the boundaries of the council districts shall be realigned so that the districts do not result in a denial or abridgement of the right of any citizen to vote on account of race or color as provided in Section 2 of the federal Voting Rights Act.
- That the boundaries of the council districts shall not be gerrymandered in violation of the principles established by the United States Supreme Court in *Shaw v. Reno*, 509 U.S. 630 (1993), and its progeny.
- That the boundaries of the council districts shall observe communities of interest, especially the historic council districts to the extent possible, as well as established neighborhoods, communities within the City, community associations, land uses, and the like, insofar as practicable.
- That the boundaries of the council districts shall be compact, insofar as practicable.
- That the boundaries of the council districts shall be created to contain cohesive, contiguous territory, insofar as practicable, and avoid “zig-zagging” that can make them difficult to understand.
- That the boundaries of the council districts may observe topography and geography, such as the existence of man-made geographical features such as highways, railways, major thoroughfares, and canals, etc., as natural boundaries between council districts, insofar as practicable, and shall pay particular attention to the historic use of Compton Boulevard as the main east/west dividing line and of Willowbrook Avenue as the main north/south dividing line, especially insofar as Willowbrook Avenue is impassable at many points due to the Metro rail that runs along it.
- That the council districts shall be created using whole census blocks.
- That the boundaries of the council districts may avoid the “pairing” of incumbents in the same council district, insofar as this does not conflict with the constitutions and laws of the State of California and the United States.
- That the boundaries of the council districts shall comply with such other factors which become known during the redistricting process and are formally adopted by the City Council.

WHEREAS, on September 11, 2012, NDC presented three draft council district plans, designated Plans A, B and C and incorporated herein, to the Council and to the

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public, which were initially posted on the City's website on September 6, and which were developed according to the criteria set forth above; and

WHEREAS, on September 11 NDC also presented two plans submitted by members of the public, one of which was posted on the City's website on September 6 ("Plaintiff Illustrative Plan), and one of which was received on the afternoon of September 11 ("Plaintiff Option 2A"); and

WHEREAS, the Council held a duly-noticed public hearing at a meeting of the Council on September 11, 2012, to seek public comment with respect to all five draft plans; and

WHEREAS, a third plan was submitted by members of the public on September 17, 2012 ("Plaintiffs' Modified Plan A"); and

WHEREAS, the Council held a second duly-noticed public hearing at a meeting of the Council on September 18, 2012, to seek further public comment with respect to all six plans; and

WHEREAS, following the September 18 public hearing, members of the Council requested that NDC present an additional option; and

WHEREAS, at a third duly-noticed public hearing on September 25, 2012, NDC presented a seventh plan in response to the Council's request ("Plan D"); and

WHEREAS, to give the public an opportunity to more fully review the newly-presented plan, the Council determined to hold a special meeting on September 27, 2012, to receive public input regarding the new plan; and

WHEREAS, the Council has considered all public comments on the plans; and

WHEREAS, the populations in the proposed council districts of each of the seven plans are substantially equal, in conformance with legal requirements; and

WHEREAS, section 2 of the Voting Rights Act, 42 U.S.C. § 1973, prohibits the use of any voting qualification, or prerequisite to voting, or standard, practice, or procedure in a manner which results in a denial or abridgement of the right of any citizen of the United States to vote on account of race or color; and

WHEREAS, the Fourteenth Amendment prohibits redistricting plans in which the predominant criterion is race, and in which traditional redistricting criteria are subordinated to considerations of race; and

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WHEREAS, the Council expressly indicated its desire to maintain the cores of the historic council districts to the extent possible, and to retain the use of Compton Boulevard as the main east/west dividing line and of Willowbrook Avenue as the main north/south dividing line, to the extent possible; and

WHEREAS, the districts in Plan ____ are reasonably compact; and

WHEREAS, the Council received public testimony indicating that the districts in Plan ____ have boundaries that could be more easily understood by the voters; and

WHEREAS, Plan ____ is respectful of the historic cores and the use of Compton Boulevard and Willowbrook Avenue; and

WHEREAS, Plan ____ does not “pair” multiple incumbents in the same council district, consistent with the criteria identified by the Council; and

WHEREAS, Proposed Plan ____ gives consideration to topography, geography, cohesiveness, contiguity, integrity and compactness of territory and community of interests of the divisions, as well as to observing established communities insofar as practical; using census geography and geographical features for division boundaries insofar as practical, and striving for division shapes which are reasonably compact and contiguous; and

WHEREAS, the Council prefers the council district boundaries in proposed Plan ____ and desires no changes to proposed Plan ____ as presented to the Council at its regular meeting on September 25, 2012, and incorporated herein.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF COMPTON DOES HEREBY ORDAIN AS FOLLOWS;

Section 1. That the above recitals are true and correct.

Section 2. That the Council hereby adopts a revision to its current city council district boundaries and adopts Plan ____, attached hereto as Exhibit “A” and incorporated herein by this reference, for use at the City’s April 2013 primary election and subsequent elections until a further re-alignment is required, following the release of the 2020 Census.

Section 3. That the City Manager and/or his designee take all actions necessary to notify the Los Angeles County elections officials of the Council’s determination forthwith and provide whatever assistance may be required by the Elections Department to complete the process.

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Section 4. That because the new redistricting plan may contain technical anomalies caused by errors in the 2010 Census line files that do not substantively affect the populations in the council districts, the district boundaries, or the intent of this ordinance, which anomalies are not revealed until implementation begins, the City Manager and/or his designee is authorized to make technical emendations to the new redistricting plan that do not substantively affect the populations in the council districts, the district boundaries, or the intent of this ordinance, and shall advise the Council of any such emendations that are found to be required in plan implementation by the respective county elections officials.

Section 5. That the City Manager and/or his designee shall consult with legal counsel to resolve any legal issues necessary to give effect to this Ordinance.

Section 6. The City Council declares that, should any provision, section, paragraph, sentence or word of this Ordinance hereby adopted be rendered or declared invalid by any final court action in a court of competent jurisdiction, or by reason of any preemptive legislation, the remaining provisions, sections, paragraphs, sentences or words of this Ordinance hereby adopted shall remain in full force and effect.

Section 7. That a copy of this Ordinance shall be filed in the offices of the City Clerk and City Attorney.

Section 8. That this Ordinance shall take effect thirty (30) days after its adoption.

Section 9. That the Mayor shall sign and the City Clerk shall attest to the adoption of this Ordinance and shall cause the same to be published as required by law.

ADOPTED this 2nd day of October, 2012.

MAYOR OF THE CITY OF COMPTON

ATTEST:

CITY CLERK OF THE CITY OF COMPTON

STATE OF CALIFORNIA)
COUNTY OF LOS ANGELES) ss
CITY OF COMPTON)

#1.

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I, Alita Godwin, City Clerk of the City of Compton hereby certify that the foregoing Ordinance was adopted by the City Council of the City of Compton, signed by the Mayor and attested by the City Clerk at a regular meeting thereof held on the 2nd day of October, 2012.

That said Ordinance was adopted by the following vote, to wit:

AYES:	COUNCIL MEMBERS—
NOES:	COUNCIL MEMBERS—
ABSTAIN:	COUNCIL MEMBERS—
ABSENT:	COUNCIL MEMBERS—

CITY CLERK OF THE CITY OF COMPTON

ORDINANCE NO. _____

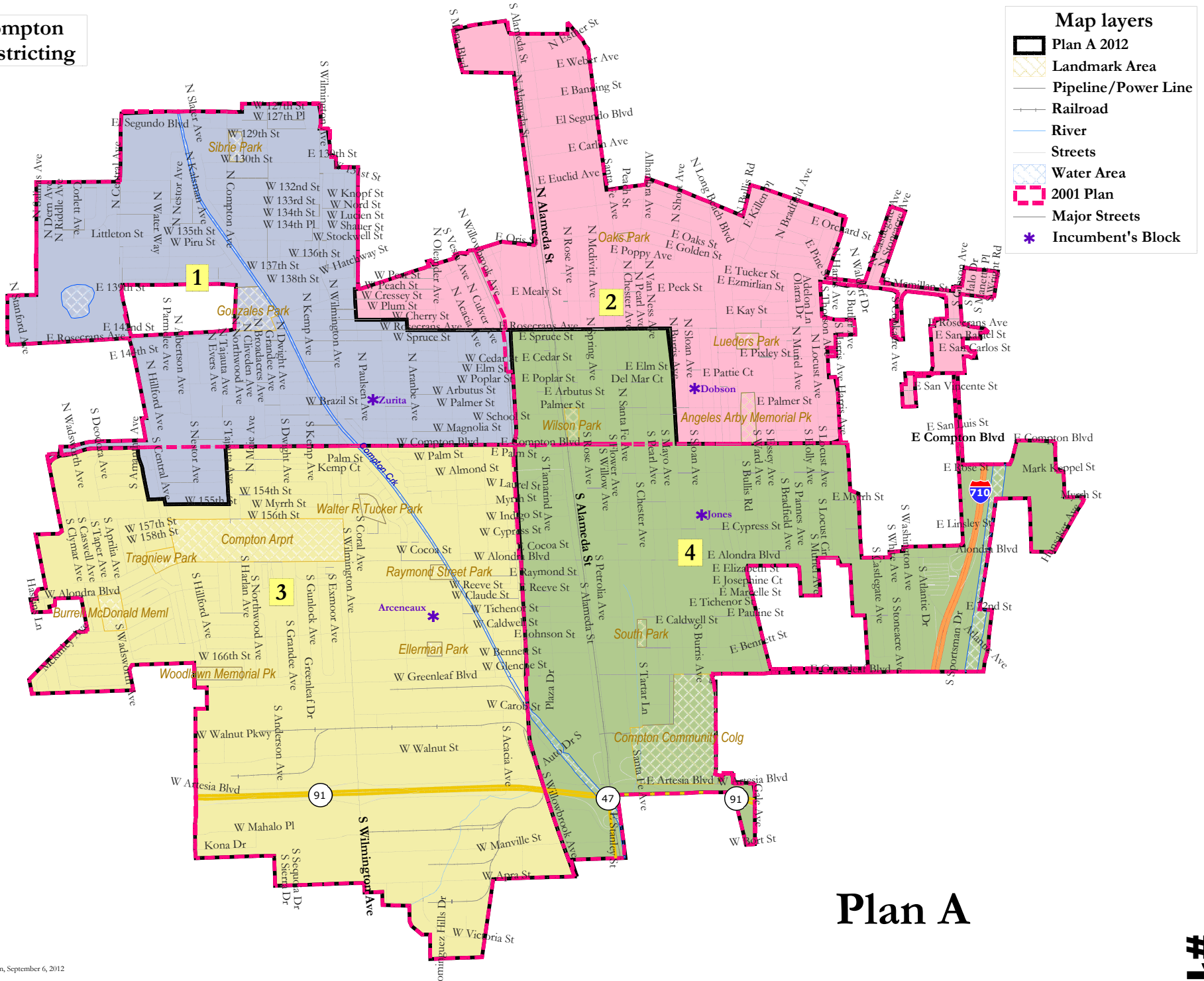
EXHIBIT "A"

MAP AND DEMOGRAPHICS OF PLAN #__

ADOPTED BY THE COMPTON CITY COUNCIL

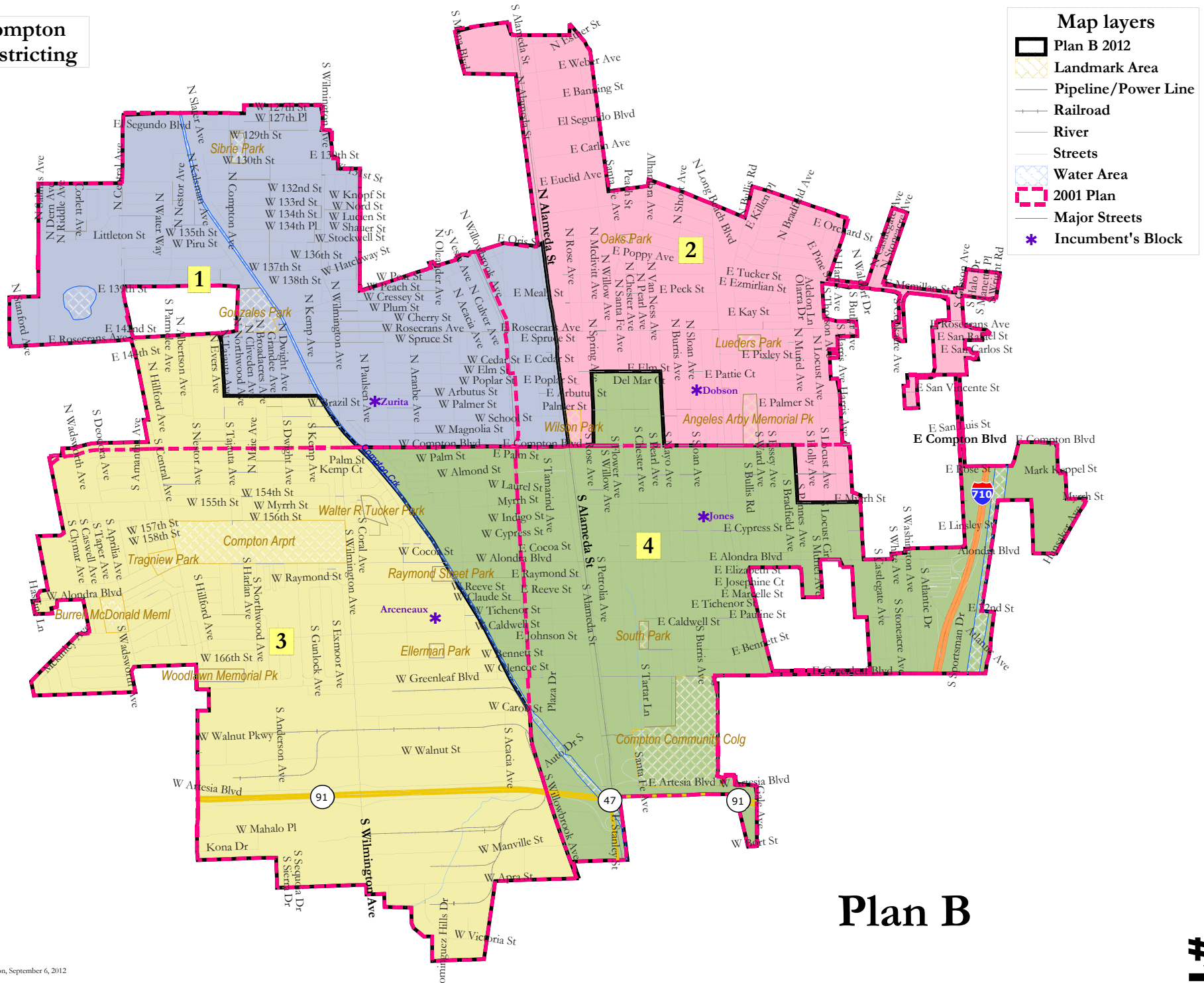
OCTOBER 2, 2012

City of Compton 2012 Redistricting

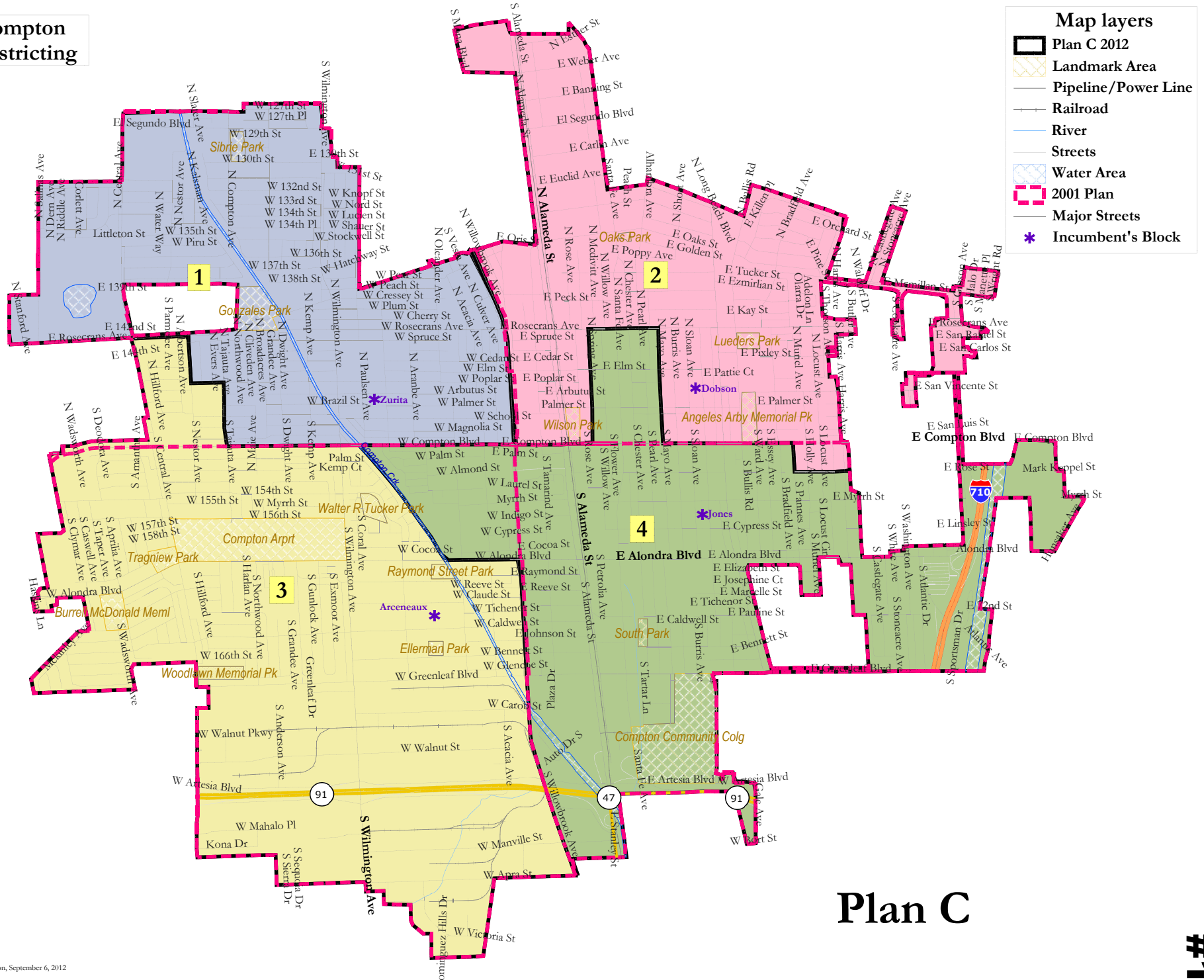


Plan A

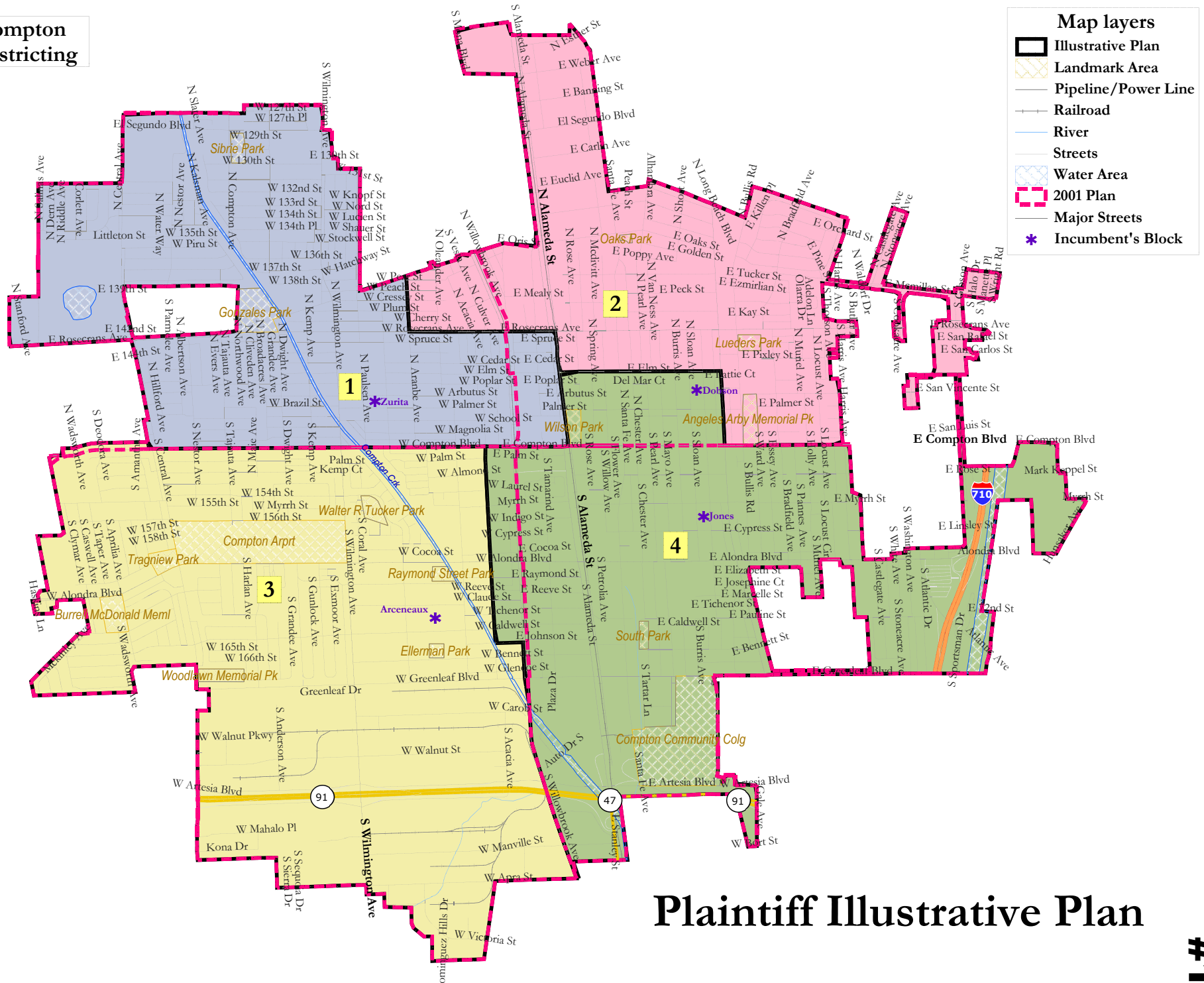
City of Compton 2012 Redistricting

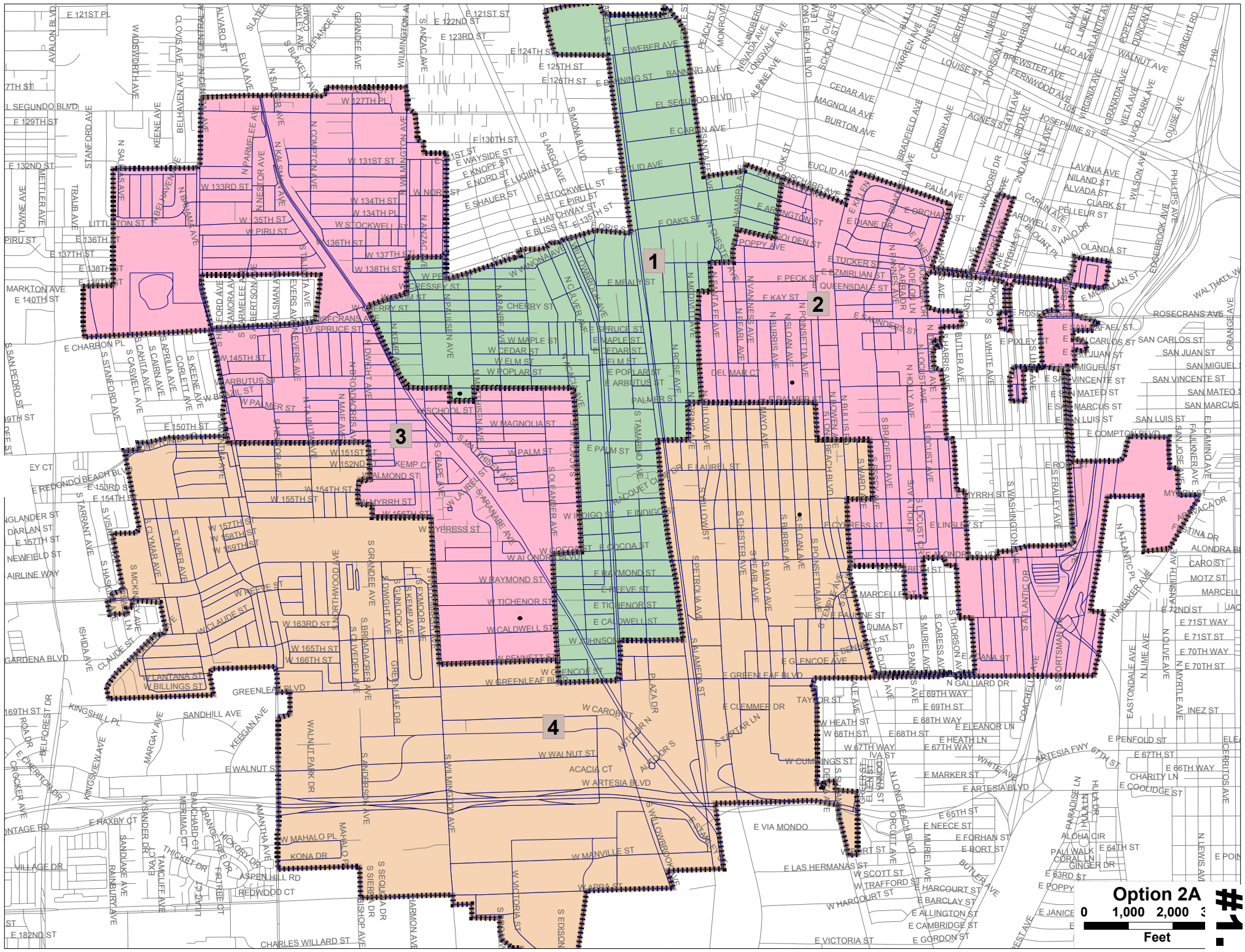


City of Compton 2012 Redistricting



**City of Compton
2012 Redistricting**



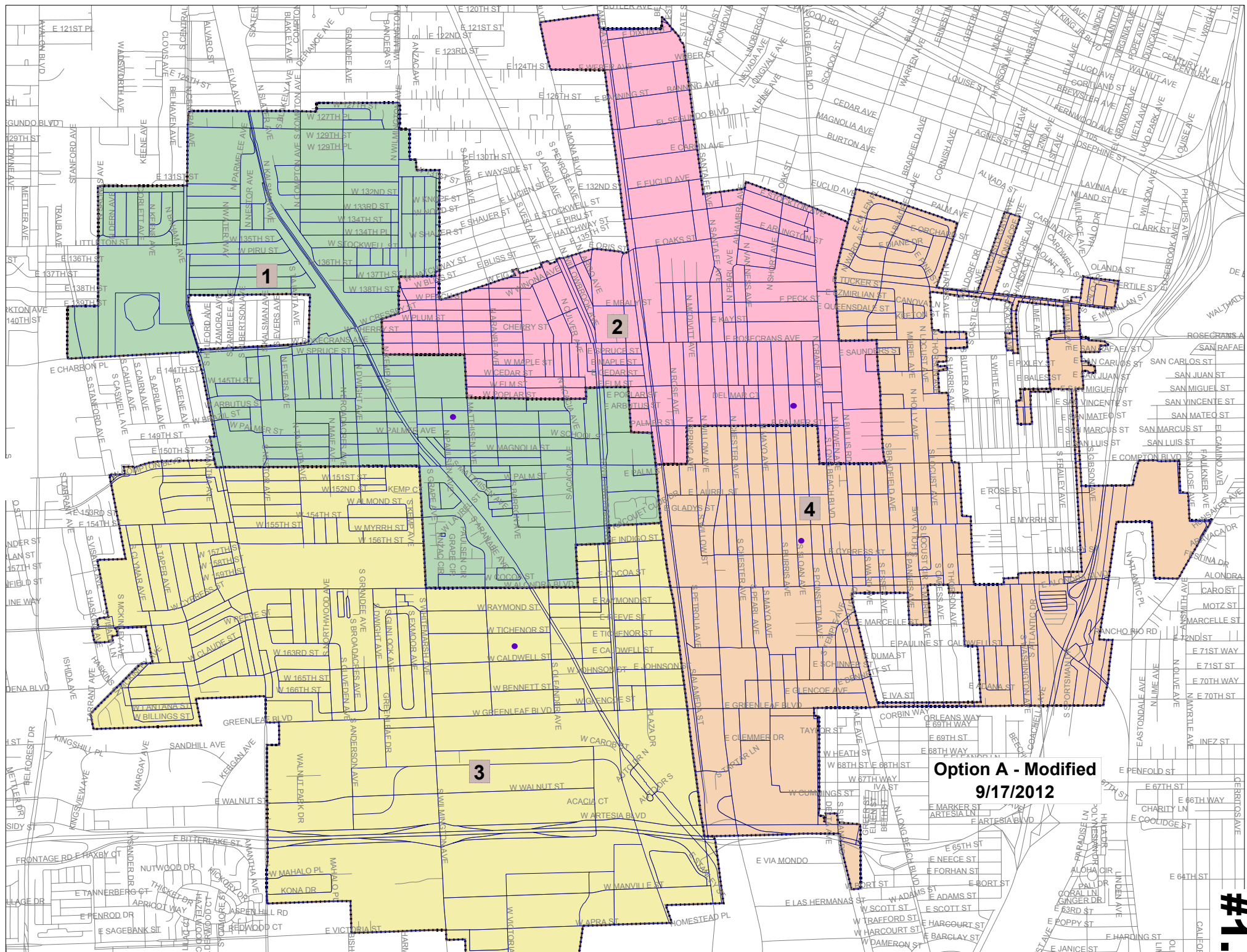


Option 2A

0 1,000 2,000 3,000

Feet





Option A - Modified
9/17/2012

**City of Compton
2012 Redistricting
Plan D**

