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# REDISTRICTING STEERING COMMITTEE MEETING

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## MINUTES OF MEETING

December 14, 2010  
2 p.m.

County Executive Office  
4080 Lemon Street, 4<sup>th</sup> Floor  
Conference Room C

### Members Present:

Michelle DeArmond	4 <sup>th</sup> District
John Field	2 <sup>nd</sup> District
Verne Lauritzen	3 <sup>rd</sup> District
Dave Stahovich	1 <sup>st</sup> District
Larry Ward	Assessor-Clerk Recorder (Chair)

### Members Absent:

Robin Hastings	5 <sup>th</sup> District
Jay Orr	Executive Office (Co-Chair)

### Staff and Guests Present:

Dean Deines	Executive Office
David Huff	County Counsel
George Johnson	TLMA
Damian Laning	TLMA
JiHong McDermott	TLMA
Tom Mullen II	TLMA
Donna Katchadoorian	Executive Office

**1. CALL TO ORDER:**

The Redistricting Steering Committee Meeting was called to order at 2:10 p.m. The roll call was conducted by Donna Katchadoorian.

**2. APPROVAL OF MINUTES OF NOVEMBER 9, 2010:**

**MOTION:** John Field moved to approve the November 9, 2010 minutes as stated.

**Seconded by:** Verne Lauritzen

**Motion approved unanimously**

**3. DEVELOP CRITERIA FOR BOUNDARY CHANGES:**

Chairman Larry Ward announced that David Huff would provide the committee with an overview of the Criteria to Guide the Redistricting.

David Huff outlined the legal criteria that the law requires under state and federal law. The Elections Code § 21500 states: "Following each federal decennial census, and using that census as a basis, the Board shall adjust the boundaries of any or all of the supervisorial districts of the county so that the districts shall be nearly equal in population."

David Huff explained another component the "One Person One Vote Rule." This is based on equal protection principles so that citizens regardless of which district they reside in their vote is equal in weight to any other citizen within that jurisdiction. The rule states that there cannot be a maximum deviation on population equality that is 10 percent or more. The federal Voting Rights Act interprets the specific breakdown between Section 2 and Section 5 of the Voting Rights Act. The Act was amended in 1982 to provide for a "results" test where a challenging plaintiff does not need to show a discriminatory motive or purpose in order to establish a violation.

David Huff pointed out when establishing the boundaries of the districts, the board may give consideration to topography, geography, cohesiveness, contiguity, integrity, compactness of territory, and communities of interest of each district. David discussed the Shaw v. Reno case. This case was a classic example of what not to do when establishing a district. Another example was the California Supreme Court case in Legislature v. Reinecke. It is important to try and keep cities intact when drawing the lines. Race may not be a predominant factor in defining a community of interest.

In addition, David Huff discussed the DeBaca v. County of San Diego which involved challenges with the Latinos, African-Americans and Asian-American citizens who banded together and brought a class action suit alleging that San Diego County's plan violated the protection rights as well as the Voting Rights Act. The plaintiffs failed to show that the three minority groups constituted one politically cohesive minority group and were unable to show that racially polarized voting existed on the part of the white

majority. In the Garza v. County of Los Angeles the plaintiffs were able to show that the plan was in violation of their Constitutional equal protection rights as well as the Voting Rights Act.

Verne Lauritzen suggested that the legal grounds criteria be kept as simple and basic to the legal process as possible.

Michelle DeArmond asked for clarification on the Elections Code, Board-appointed study committee.

David Huff explained that Elections Code § 21505 states that the Board of Supervisors may appoint an advisory committee composed of county residents and that the committee is required to present a report to the Board with its findings and recommendations within six months after the final census figures have been released. Typically the figures are released at the end of March or first of April, but no later than August 1. After the August 1 date, the committee has no ability to act.

David Huff further stated that the non-board appointed staff advisory committee is not created by the Board of Supervisors, but by the action of the Executive Office. The difference is the non-board appointed staff advisory committee has more latitude than the August 1 date. Both committees are subject to compliance with the Brown Act.

Tom Mullen summarized the mechanics of the census data breakdown. The data that is received from the U.S. Census Bureau is at the block level. This block is the smallest geographic unit used by the United States Census Bureau for tabulation of population data. If a block must be split, it is recommended that the split be shown in the latest draft version of any plans being considered. There are 288 racial and ethnic groups and three occupancy groups for a total of 291 total data components which will be coming from the U.S. Census in late March. The 2000 census will be used as a point of reference to identify the ethnic groups which have been tracked through the process.

Tom Mullen informed the committee that once the census data comes in a report will be generated which shows the 2000 data v. the 2010 data. The report will include actual discrepancies and the growth which has occurred. Another key element is identifying the total population over 18 years of age in each district.

Chairman Larry Ward announced receiving a recent request presented from the public. This information needs to be included and reviewed. The website should outline how the public can bring comments to the committee for consideration. There should also be a timeframe included on the website.

Tom Mullen confirmed that the software has been loaded into the system. Tom agreed to provide the committee with a presentation and an update on the software the first meeting in February.

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**MOTION:** Verne Lauritzen moved to accept the criteria as the legal guide to redistricting.

**Seconded by:** Michelle DeArmond

**Motion carried unanimously**

John Field suggested the committee not adopt the criteria until February.

Dave Stahovich agreed with John Field that the committee should not adopt the criteria at this meeting.

Verne Lauritzen withdrew his motion.

Dean Deines explained that the actual work will begin in March. Dean suggested that Tom provide a presentation of the new software in January and in February the committee can finalize the criteria.

**4. UPDATE ON THE REDISTRICTING WEBSITE:**

Tom Mullen presented the committee with a draft copy of the County Redistricting Committee website home page. The intent is to create a simple navigation, highlight the redistricting maps with the new information, share basic data, and to create a vehicle for the public to provide comment.

Michelle DeArmond questioned whether the links would include the election codes? Michelle suggested using a different color scheme for the web page.

Chairman Larry Ward suggested that the colors on the web page be changed and sent out as a draft to the committee for their comments and recommendations.

David Huff suggested including in the website a mailing address, an e-mail contact, and a phone number. The information received from the public would need to be logged into the system. All information would be kept on file as public record.

**5. OTHER BUSINESS:**

No other business was discussed at this time.

**6. PUBLIC COMMENT FOR ITEMS NOT LISTED ON THE AGENDA:**

No members of the public presented comments.

**7. ADJOURNMENT:**

The next regularly scheduled Redistricting Steering Committee Meeting is scheduled for Tuesday, January 11, 2011 at 2 p.m. In January if there are no items for discussion, the January meeting may be canceled until Tuesday, February 8, 2011 at 2 p.m.

With no further comments, Chairman Larry Ward adjourned the meeting at 3:25 p.m.