



CC Regular Meeting

AGENDA ITEM REPORT

- Meeting:** CC Regular Meeting - Jan 18 2022
- Title:** City Council Election District Public Hearing #5 – Regarding the Transition from At-Large to By-District Elections and Final Adoption of an Ordinance Adding a New Title 4 (Municipal Elections) to the Covina Municipal Code Providing for the Election of Five City Councilmembers by Districts, Establishing the Boundaries and Identification Number of Each District, and Establishing the Election Order of Each District, and Making a Determination of Exemption Pursuant to CEQA
- Presented By:** Chris Marcarello, City Manager
- Recommendation:** That the City Council:
1. Receive information about draft mapping proposals for district-based voting;
 2. Conduct the fifth of five public hearings to solicit public testimony regarding the draft maps;
 3. Adopt upon second reading the following ordinance:
An Ordinance of the City Council of the City of Covina, California, Adding a New Title 4 (Municipal Elections) to the Covina Municipal Code Providing for the Election of Five City Councilmembers by Districts, Establishing the Boundaries and Identification Number of Each District, and Establishing the Election Order of Each District, and Making a Determination of Exemption Pursuant to the California Environmental Quality Act

EXECUTIVE SUMMARY:

On October 21, 2021, the City Council adopted Resolution CC 2021-117 declaring the City of Covina’s intent to transition from an at-large Council Member election system to a district-based Council Member election system, outlining specific steps to be undertaken to facilitate the transition and estimating a time frame for action pursuant to Elections Code § 10010. Section 10010 requires a minimum of five public hearings in connection with the establishment of electoral districts. Pursuant to Elections Code Section 10010(a)(1), the first two public hearings (“pre-mapping hearings”) are for the purpose of receiving input from the public regarding the composition of districts for by-district elections of the City Council. The remaining hearings (“post-mapping hearings”) are for the consideration of mapping proposals. This hearing is the last of the three post-mapping public hearings.

BACKGROUND:

The City of Covina (“City”) currently elects its City Councilmembers through an “at-large” election system in which each Councilmember can reside anywhere in the City and is elected by the voters of the entire City to provide citywide representation.

On September 7, 2021, the City received a letter dated September 1, 2021, challenging the City’s current election method and asserting that the City’s at-large election system violates the California Voting Rights Act (“CVRA”) and demanding that the City change its at-large voting system to a district-based election system. A district-based election system is generally one in which a city is divided into separate districts, with each district’s voters electing a representative from that district, who must also be a resident of the district.

The process for transitioning from at-large voting to district-based voting is prescribed by Section 10010 of the Elections Code. It consists of five public hearings in total, and it must be completed within 90 days of the adoption of Resolution CC 2021-117. The schedule for the public hearings is as follows:

Public Hearings/Meetings	Date
Public Hearing #1 – Council Meeting (Completed)	Tuesday, November 2, 2021
Public Hearing #2 – Council Meeting (Completed)	Tuesday, November 16, 2021
Optional Community Informational Meeting (Completed) Location: Covina Evangelical Free Church Sanctuary, 1661 E. Cypress Street, Covina	November 30, 2021
Public Hearing #3 – Council Meeting (Completed)	Tuesday, December 21, 2021
Public Hearing #4 – Council Meeting (Completed) Introduction of Ordinance Establishing District Boundaries	Tuesday, January 4, 2022
Public Hearing #5 - Second Reading and Adoption of Ordinance Establishing District Boundaries	Tuesday, January 18, 2022 (Tonight's Meeting)

While not statutorily required, in an effort to provide information and engage the community on the districting process, the City held an informational meeting on November 30, 2021 at the Covina Evangelical Free Church.

DISCUSSION:

The purpose of this meeting is for the Council to receive a presentation from its consultants regarding the Council's preferred draft mapping proposal, after which, in accordance with the Elections Code, the Council is required to conduct a public hearing to solicit public testimony regarding the draft maps.

Following the presentation and public testimony, the Council should adopt an ordinance upon second reading that amends Title 4 of the Covina Municipal Code to establish a by-district election system for City Council Members.

Draft Maps

At its December 21, 2021 meeting, the Council reviewed thirty (30) draft maps submitted by members of the public and three (3) draft maps presented by the City's consultants, after which the Council provided direction to remove draft maps from further consideration that did not conform with Federal and State voting district establishment criteria.

At its January 4, 2022 meeting, the Council reviewed an additional five (5) draft maps submitted by members of the public as well as the maps previously submitted.

Federal/State District Formation Criteria

Certain legally required criteria apply to the creation of the districts and must be observed. These are:

- Each council district shall contain a nearly equal population as defined by federal and state law;
- A districting plan shall be drawn in a manner that complies with the Federal Voting Rights Act and the Equal Protection Clause; and
- Each council district shall not be drawn with race as the predominant factor in violation of the principles established by the United State Supreme Court in *Shaw v. Reno*, 509 U.S. 630 (1993).

Beyond that, state law requires that cities adhere to the following statutory criteria, ranked in order of priority:

(1) To the extent practicable, council districts shall be geographically contiguous. Areas that meet only at the points of adjoining corners are not contiguous. Areas that are separated by water and not connected by a bridge, tunnel, or regular ferry service are not contiguous.

(2) To the extent practicable, the geographic integrity of any local neighborhood or—as mentioned above—local community of interest shall be respected in a manner that minimizes its division.

(3) Council district boundaries should be easily identifiable and understandable by residents. To the extent practicable, council districts shall be bounded by natural and artificial barriers, by streets, or by the boundaries of the city.

(4) To the extent practicable, and where it does not conflict with the preceding criteria in this subdivision, council districts shall be drawn to encourage geographical compactness in a manner that nearby areas of population are not bypassed in favor of more distant populations.

As for the demographic makeup of the City, the recently released 2020 Census data, as adjusted by the California Statewide Database pursuant to state law, reflect the following pertinent characteristics:

City of Covina	Totals	%
Total Pop. (SWDB 2021)	51,444	
Hispanic Pop.	30,201	58.71%
NH White Pop.	10,075	19.58%
NH Black Pop. (DOJ)	1,977	3.84%
NH Indian Pop. (DOJ)	358	0.70%
NH Asian Pop. (DOJ)	7,997	15.55%
NH Hawaiian/Pacific Islander Pop. (DOJ)	116	0.23%
NH Other Pop. (DOJ)	412	0.80%
NH Other MR Pop. (DOJ)	308	0.60%
CVAP (SWDB 2021)	33,555	
Hispanic CVAP	17,704	52.76%
NH White CVAP	9,170	27.33%
NH Black CVAP	1,488	4.43%
NH Amer. Ind. CVAP	137	0.41%
NH Asian CVAP	4,617	13.76%

NH = Not of Hispanic Origin

MR = Multiracial

CVAP = Citizen Voting Age Population

SWDB = Statewide Database

DOJ = USDOJ/OMB's Aggregation

Council's Selected Map – Willdan Map 2

At its January 4, 2022 meeting, following the close of the public hearing and Council discussion, the Council waived full reading, read by title only, and introduced for first reading and ordinance to adopt district-based elections, approving Willdan Map 2 as the selected map, and adopting the election sequence proposed with that map. Willdan Map 2:

- Complies with federal and state equal population requirements, having a “total deviation” of 6.96%, which is within the 10% range that the Supreme Court has deemed constitutional.
- Establishes five (5) majority-Latino citizen voting age districts. The election sequence chosen places the two (2) districts with the highest Latino citizen voting age population percentages up for election in 2022.
- Establishes five contiguous council districts.
- Considers communities of interest including local geographic features, local historical elements, shared neighborhood elements (traffic, noise, transportation, unique jurisdictional features/boundaries, crime, social issues, the provision of utility services), and neighborhood amenities (neighborhood age/land use design/architectural style, parks, schools, shopping amenities), as follows:
 - District 1: a northwestern district consisting of neighborhoods oriented around the Azusa Avenue corridor, as well as Hollenbeck and Cypress Parks. Neighborhoods in this district experience shared concerns related to quality of life issues, such as graffiti abatement and connecting persons experiencing homelessness to service providers. Further, the district shares interests in the redevelopment of vacant commercial properties in the area to enhance quality of life characteristics. The district as constructed in Willdan Map 2 also largely corresponds to the Azusa

Light and Power District service area as far as it serves Covina. Depending on how one classifies them, between 1/3 and 2/3 of the public submissions had a similarly configured district in this area, such as Maps 104, 108, 112, 113, 114, 115, 117, 118, 123, 124, 125, 126, and 128.

- District 2: a northeastern district adjacent to the Arrow Highway Corridor, which is an area facing common issues relating to proposed development, traffic circulation/safety, the enhancement of public rights-of-way, pedestrian safety and transportation as reflected in San Gabriel Valley Council of Governments/SCAG visioning studies. Those issues are especially complicated by the fact that multiple agencies—Covina, Azusa, Glendora, and the County of Los Angeles—have jurisdiction over the corridor.^[1] Approximately 1/3 of the public map submissions had some variation of this northeastern district configuration, including Maps 104, 108, 113, 114, 117, 118, 119, 124, 125, 126, and 128.
 - District 3: a central district containing the historic core of Covina, including the Downtown Covina commercial area and surrounding neighborhoods that connect to the downtown due to community events and the mix of uses along Citrus Avenue and at Covina Park, the City's oldest; the Adams Park neighborhood; the Ruddock mansion and related orange groves; citrus packing houses from the City's early days as a citrus industry hub and other local historic homes and elements. Again, approximately 1/3 of the proposed public maps contained some version of a central district encompassing these elements, including Maps 104, 108, 119, 122, 124, 125, 128, 132, and 135.
 - District 4: a southeastern district consisting of neighborhoods adjacent to and unified around portions of Badillo Street. Neighborhoods in this district are predominantly residential tracts of similar age and composition that share concerns about quality of life issues, such as pedestrian safety, access to parks and open space, traffic safety/circulation and pedestrian safety. A number of public submissions contained similar districts, especially Maps 124, 125 and 128, with Maps 102 and 135 proposing districts with some similarities.
 - District 5: a southern district adjacent to the Interstate 10 Freeway, which shares common concerns relating to congestion, noise, air quality and traffic resulting from long-term construction projects on that Freeway. This district also encompasses the border that Covina shares with West Covina and shared common concerns relating to land use and transportation circulation, such as impacts associated with the Eastland Center, the conversion of the Faith Church site to an Amazon "Last Mile" distribution facility and traffic circulation along busy arterial roadways leading from the Interstate 10 Freeway. Further, the district shares interests related to development issues and quality of life issues, including traffic/pedestrian safety and connecting persons experiencing homelessness to service providers. Most of the public map submissions proposed some version of a district along the City's southern boundary, with Map 102, 104, 124, 125, and 128 containing versions that were fairly similar to the version contained in the Willdan Map 2.
- Uses readily easily identifiable and understandable boundaries for the districts, such as natural and artificial barriers like the Walnut Creek and Trail and the San Jose Hills; streets; and the boundaries of the city.
 - To the extent practicable, and subject to the foregoing considerations, encourages geographic compactness.

Contrary to statements by some members of the public, no political party data were used in the drawing of the map, and no consideration was given to the impacts of the map on any political party.

Next Steps

The City Council must conduct one final scheduled election district public hearing, on January 18, 2022, after which it could consider adopting the ordinance. Following adoption, the map would be transmitted to the County Recorder/Registrar/Clerk for use at the City's June 2022 election. The deadline for adoption of a map under Elections Code § 10010 is January 19, 2022.

[1] As one visioning study noted, "Areas with split control require greater effort; jurisdictions must coordinate, consider, and appease multiple resident populations, public agencies, planning commissions, and city councils (and the board of supervisors if applicable). Jurisdictions often decide to focus planning and investment efforts in other parts of the city/county where they retain sole land use, design, and regulatory control." SCAG, "Multi-Jurisdictional Planning in Corridors: A Recommendations Report for the Arrow Highway Corridor in the San Gabriel Valley," p. 13.

FISCAL IMPACT:

At its November 2, 2021 meeting, the City Council appropriated \$150 thousand for expenses related to the transition to a district-based election system.

CEQA (CALIFORNIA ENVIRONMENTAL QUALITY ACT):

The action being considered by the Council is exempt from the California Environmental Quality Act (CEQA) because it is not a “project” under Section 15378(b) of CEQA Guidelines. The action involves organizational or administrative activity of government that will not result in the direct or indirect physical change in the environment. Furthermore, the proposed action is also exempt from the requirements of CEQA pursuant to CEQA Guidelines Section 15061(b)(3) because it can be seen with certainty that this action will not have any potentially significant adverse impact on the environment.

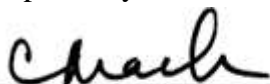
ATTACHMENTS:

[Attachment A - Ordinance 22-01 - 5 District Election](#)

[Attachment B - Willdan Map 2](#)

[Attachment C - Draft Maps](#)

Respectfully submitted,



Chris Marcarello
City Manager