TRANSITION TO DISTRICT-BASED ELECTIONS

Public Hearing #2

April 18, 2017

City of Fremont

Background

- On March 21, 2017 Council adopted a resolution of intention to transition from at-large to district-based elections compliant with CVRA

- Continuation of Public Hearings – pursuant to Elections Code 10010 (AB 350)

- First public hearing April 4, 2017 – received input from community and Council on criteria to consider when forming districts and number of districts to be formed

Fremont

Presentation Format

1. Legal Framework: Process, Election Sequencing relating to existing Council/expanded Council, and separately elected Mayor

2. Demographic criteria, sources, and new building block data; and

3. Receive public input and Council direction.

Meeting Objectives

1. Determine the number of Districts the demographer should create

2. Determine Election Sequencing; and

3. Identify a list of criteria to be given to the demographer to create draft maps for public review and input at future public meetings.

Fremont

Legal Framework

Process

- Elections Code § 10010
  - Notice, Public Hearings & Timing – 90 days to complete process

- Government Code § 34886
  - Action by Ordinance – No election is necessary to change to by-district elections

Legal Framework (cont'd)

Election Sequencing – City Council

- Government Code section 34878 permits the City Council to specify transitional provisions resulting in an election sequencing in the new districts.

  ➢ But there are rules:
     1. No term of office may be cut short.   (Gov. Code §34873.)
     2. For each draft plan, a proposed election sequence must be specified at the time the plan is published. (Elec. Code § 10010(a).)

Fremont

Legal Framework (cont'd)

Election Sequencing – City Council

    3. In determining the final sequence, the City Council must give special consideration to the purposes of the California Voting Rights Act.   (Elec. Code § 10010(b).)

    4.   The City Council shall take into account the preferences expressed by members of the districts. (Elec. Code § 10010(b).)

    5.   Term limits ordinance continues to apply.

CITY OF
Fremont

Legal Framework (cont'd)

Election Sequencing – Expanded City Council

- Government Code section 34906 as a model:

  "[T]he city council may, prior to the first day for circulating nomination papers for the general municipal election, designate one of the city council offices appearing on the general municipal ballot, other than the office of the mayor, to serve a two-year term."

- Four seats on the City Council would be on the ballot in 2018, one of which would be designated for a two year term. That seat would be on the ballot again in 2020.

Fremont

Legal Framework (cont'd)

Election Sequencing – Separately Elected Mayor

- The position of Mayor of the City of Fremont as a separately elected office was instituted in 1977.

- The proposal was placed on the ballot by voter-circulated initiative petition.

- Voter-circulated initiatives approved by the voters can only be changed by the voters at an election held for that purpose. (Elec. Code 9217.)

CITY OF
Fremont

Legal Framework (cont'd)

Election Sequencing – Separately Elected Mayor

- A separately elected mayor does not represent a district, but rather represents the entire City.

- Candidates may reside anywhere in the City.

- All the voters vote for Mayor.

- Term limit ordinance continues to apply.

City of Fremont

Lapkoff & Gobalet Demographic Research, Inc. report:

1. Criteria that must (by law) and may (by custom) be used when drawing election districts & data used when drawing plans

2. Building blocks ("pieces") for election district scenarios
   - Maps
   - Data

3. Request for additional feedback; next step is to start drafting scenarios
   - Criteria
   - Number of council districts

Fremont

Criteria to use when drawing election district plans

Legal requirements (per Ms. Leoni)

- Each council district shall contain a nearly equal population (total deviation from ideal district population should not exceed 10%);

- A districting plan shall be drawn in a manner that complies with the Federal Voting Rights Act; and

- Each council district shall not be drawn with race as the predominate factor in violation of the principles established by the United State Supreme Court in *Shaw v. Reno, 509 U.S. 630 (1993)*.

City of Fremont

Baseline Demographic data sources

- City's 2010 Census demographic data, by Census block:
  - **Total population (all ages)**
    - Official redistricting data (PL 94-171), with its race/ethnic categories
    - Estimated total populations of those with Asian Indian, Chinese, Filipino, and other Asian ancestries (Census 2010, SF 2 data)

  - **Voting Age Population (VAP – those aged 18+)**
    - Official redistricting data (PL 94-171), with its race/ethnic categories

- American Community Survey 2008-2012 estimated Citizen Voting Age Population (CVAP – citizens aged 18+)
  - For the official redistricting database (PL 94-171), with its race/ethnic categories
  - CVAP rates, by tract, applied to block VAPs

- California Statewide Database:
  - **Voter registration & voter turnout estimates November 2010**
    - Total and estimated Spanish Surname registered and actual voters

Fremont

Baseline Demographic Data for Districting - City of Fremont

Districting data for Fremont, CA (City as a whole)

Note: totals may appear to be incorrect because of rounding.

	Total	Aged 18+ (VAP)	Estimated CVAP 2008-12	Estimated Registered to vote 2010	Estimated actual voters 2010
Official districting race/ethnic groups:					
NH Asian	112,907	82,239	51,813		
NH White	56,766	47,918			
Hispanic Origin	31,698	21,839	15,718	11,972	6,394
NH Black	7,383	5,134	4,940		
NH Multiple Race	2,575	1,705			
NH Hawaiian	1,334	1,028			
NH Native American	947	708			
NH Other	479	302			
(all others - CVAP & voter estimates)			49,235	82,931	47,526
Total number or estimate	214,089	160,873	121,706	94,903	53,920
Asian groups (part of the NH Asian count above)					
Asian Indian ancestry (estimate)	40,343				
Chinese ancestry (estimate)	39,573				
Filipino ancestry (estimate)	14,621				
Other Asian ancestry (estimate)	18,370				

Target populations for election districts

	Four Council Districts	Six Council Districts
	1/4 of City's total population	1/6 of City's total population
Ideal district population	53,522	26,812
Maximum difference between most and least populous election districts (10% of the ideal district population)	5,352	2,681

Fremont C I T Y O F

Criteria to use when drawing election district plans

<u>Optional criteria</u>

In establishing the boundaries of the districts, the legislative body may consider the following factors:

a) Topography

b) Geography

c) Cohesiveness, contiguity, integrity, and compactness of territory

d) Community of interests of the districts

Optional, Fremont-specific criteria to use when drawing election district plans : *suggested during the April 4, 2017, Council meeting*

If possible, boundaries should be drawn that respect:

- The City's 28 neighborhoods (possible communities of interest)

- Fremont Unified School District's elementary and high school attendance areas (possible communities of interest)

- The City's 9 Business Districts (possible communities of interest)

- Census blocks (cannot be split when drawing election district boundaries)

- Alameda County voting precincts (all else being equal, follow their boundaries so that the Registrar of Voters will be able to implement the adopted districting plan more easily)

- Post-2010 housing & population growth

- Special areas like TODs

- Other criteria?

New building blocks ("pieces") to use when drawing scenarios:

- City subareas ("pieces") were drawn taking into account the optional, Fremont-specific criteria (previous slide).

- Boundaries of pieces follow highways, major roads, creeks, and railroads, when possible.

- Pieces can be combined to draft and modify election district scenarios.

- Pieces can be reconfigured to modify scenarios.

- After receiving guidance at the April 18th Council meeting, we will begin to prepare draft scenarios using the pieces.

CITY OF Fremont

Eight maps showing pieces and…
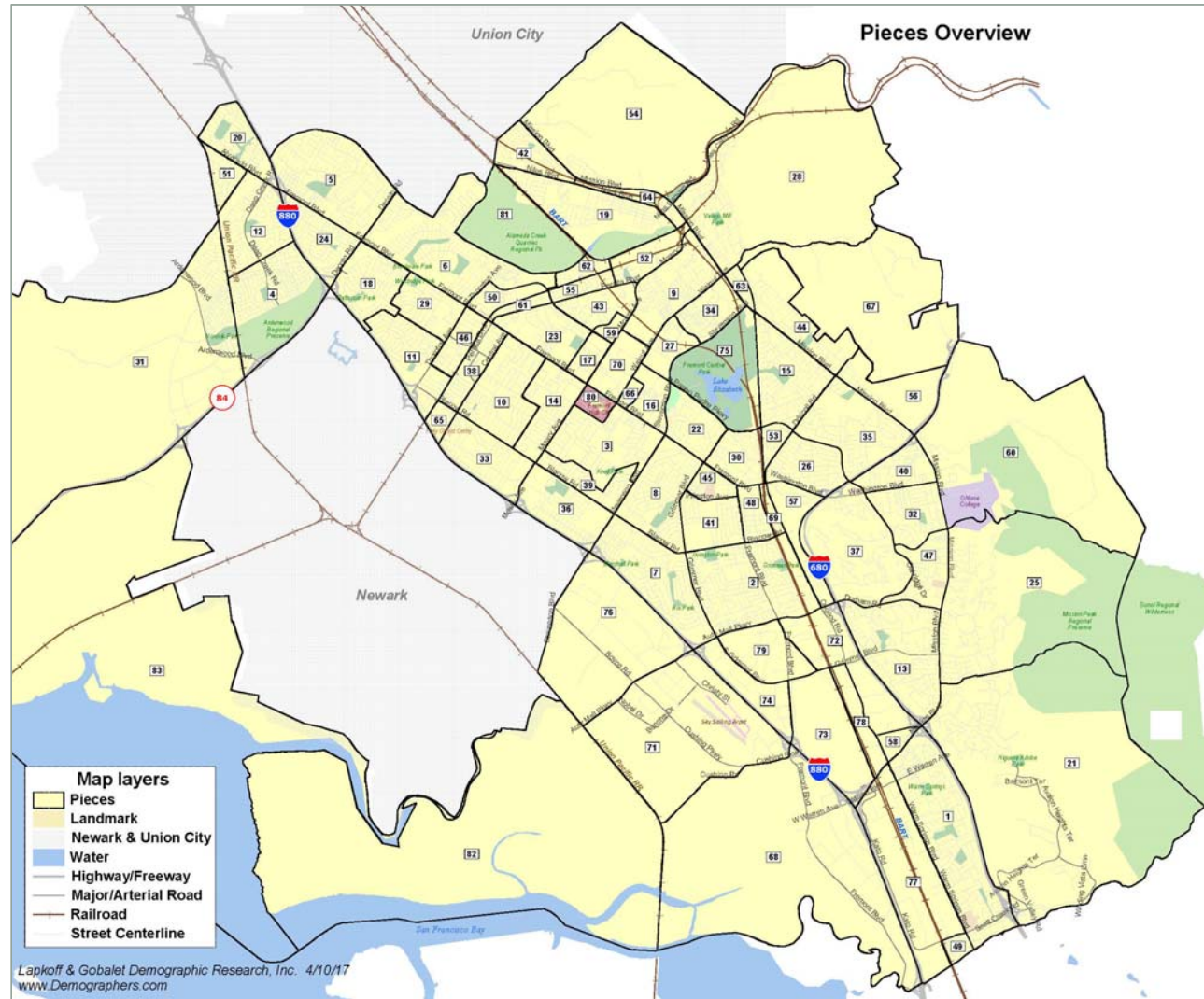
Criteria-related maps

1. Overview map
2. Neighborhoods
3. FUSD High School Attendance Areas (HSAAs)
4. FUSD Elementary School Attendance Areas (ESAAs)
5. Business Districts

Maps with additional information

6. The race/ethnic composition of each piece's total population
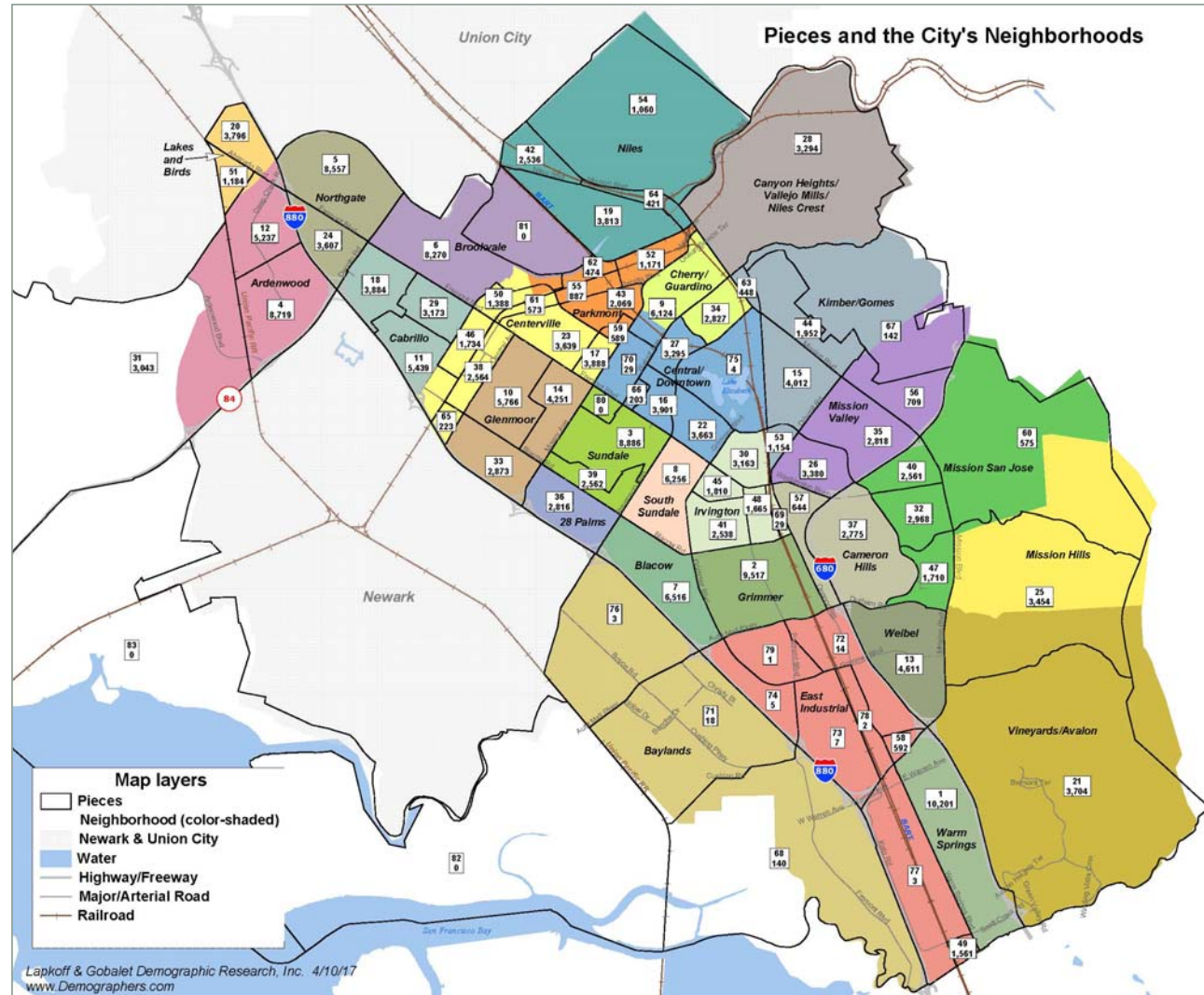7. Distribution of residential units
8. Transit Oriented Districts (TODs)

CITY OF
Fremont

Map 1:
Overview of numbered Pieces* that can be used as building blocks for Council Districts
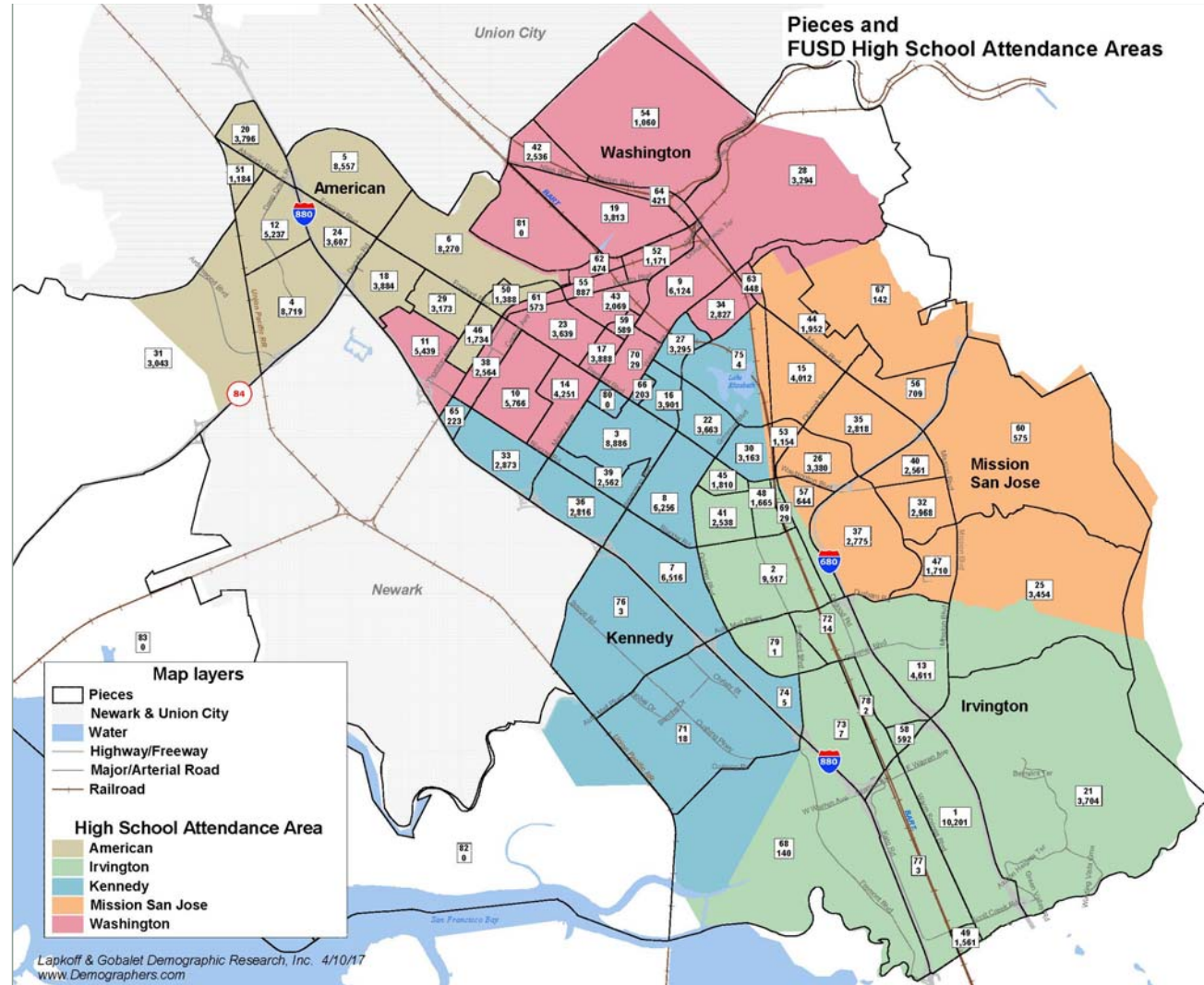
*numbers identify pieces

Map 2: Fremont's 28 Neighborhoods

Please note that the pieces are aggregations of Census blocks, and the Census GIS layers do not exactly match the City's GIS layers.
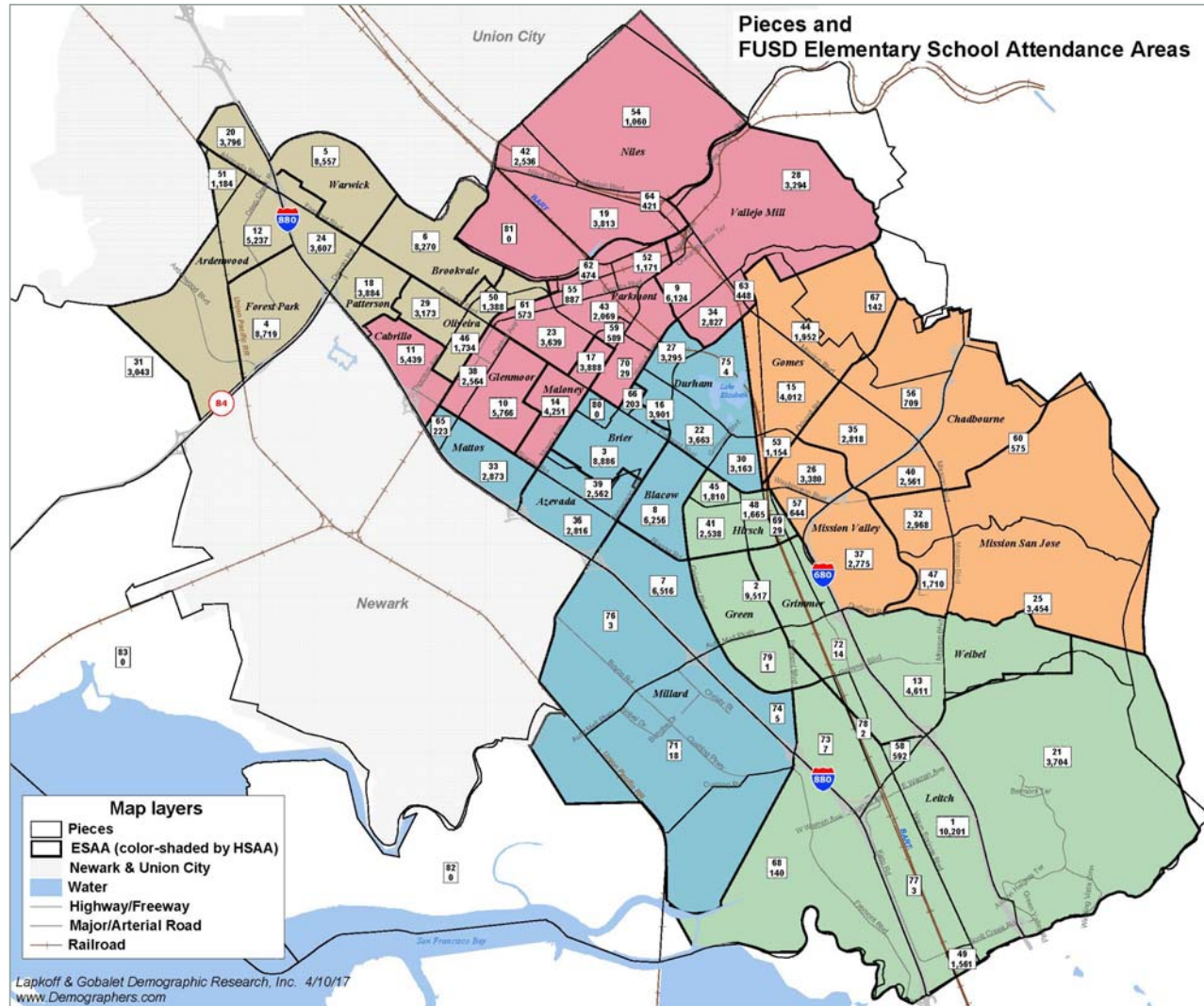
Map 3:
Fremont Unified SD HSAAs (high school attendance areas)

Please note that the pieces are aggregations of Census blocks, and the Census GIS layers do not exactly match the City's GIS layers.

Map 4: Fremont Unified SD ESAAs (elementary school attendance areas)

Please note that the pieces are aggregations of Census blocks, and the Census GIS layers do not exactly match the City's GIS layers.
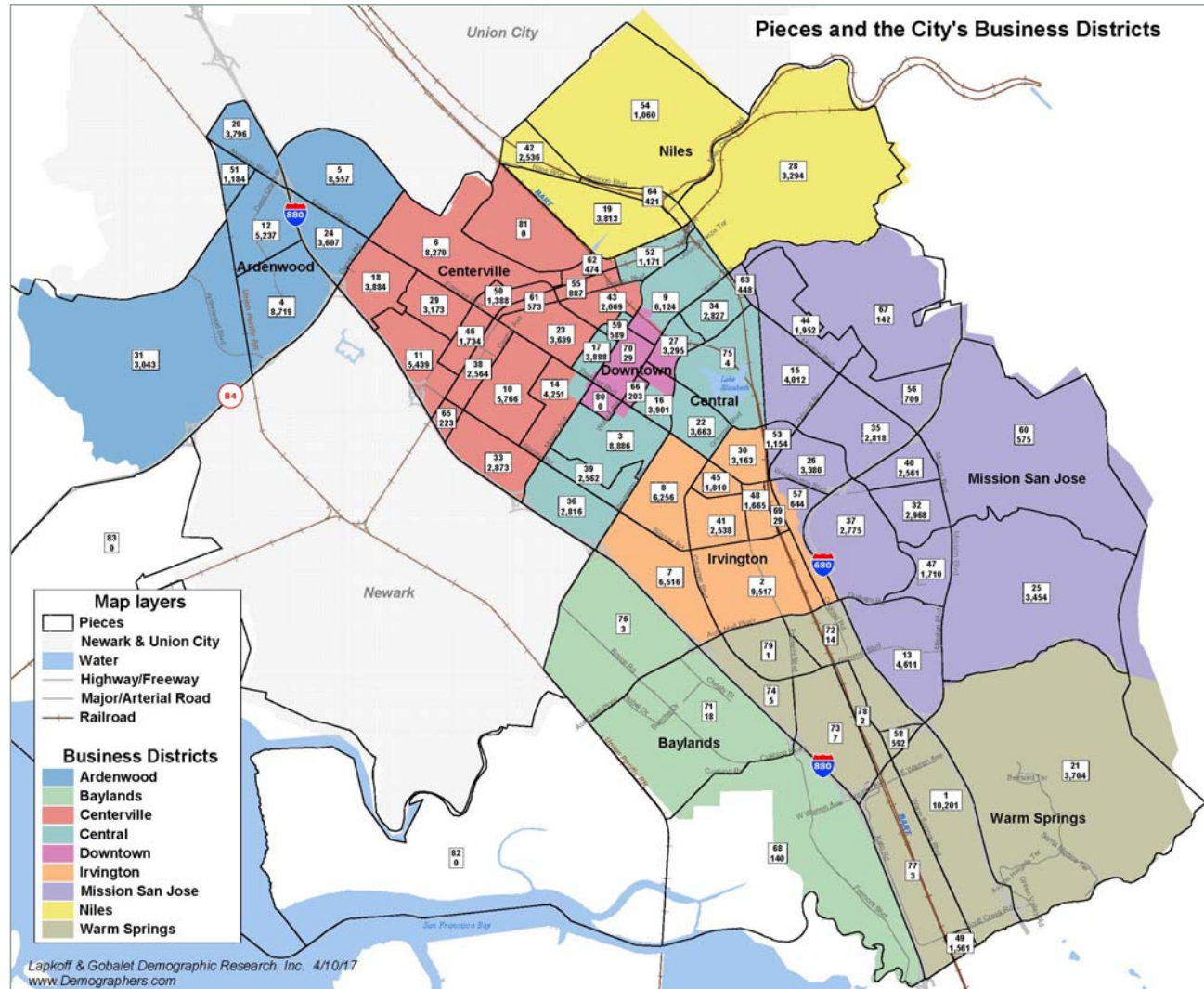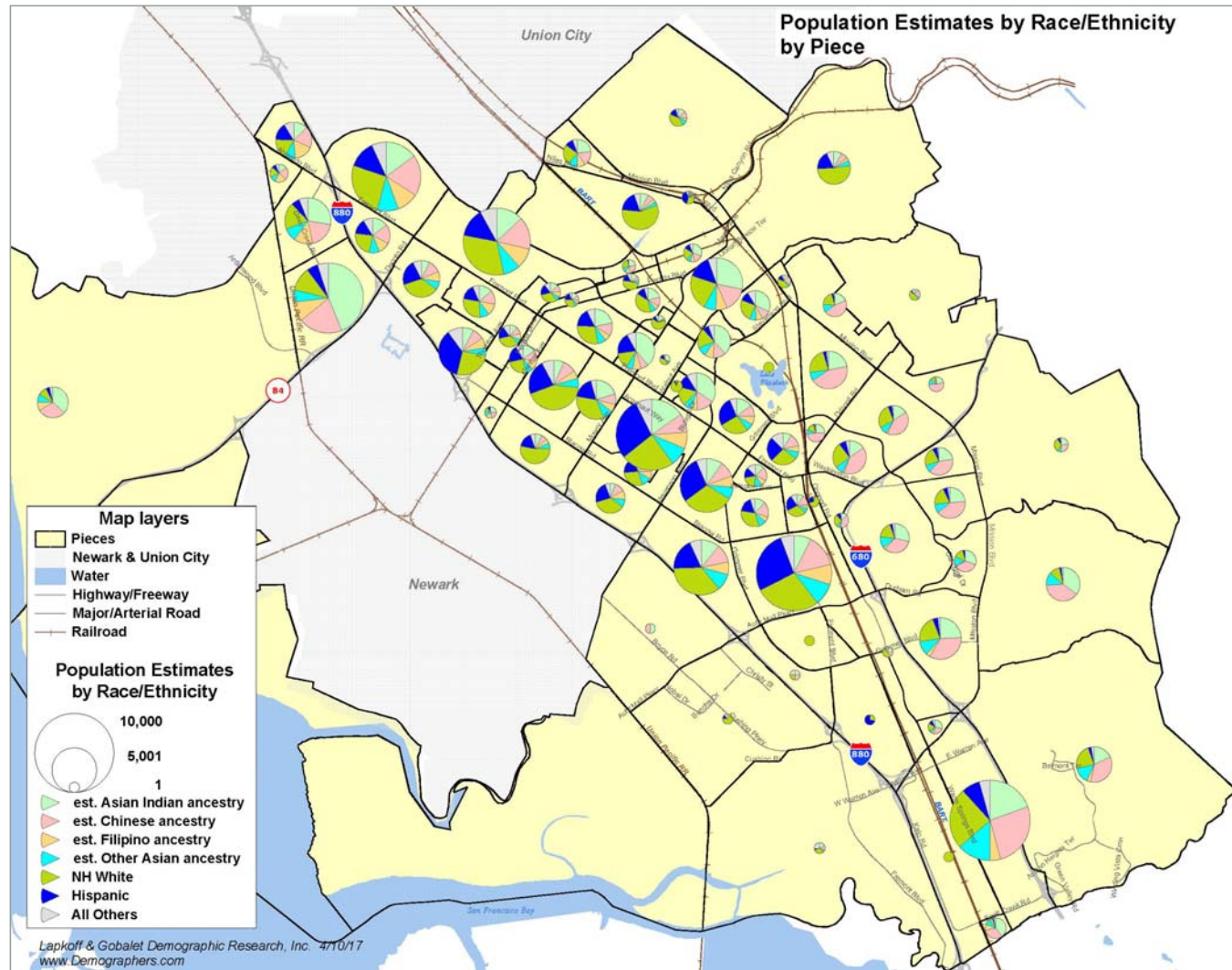
Map 5:
Fremont's
9 Business Districts

Please note that the pieces are aggregated Census blocks, and the Census GIS layers do not exactly match the City's GIS layers.

Pieces and the City's Business Districts

Lapkoff & Gobalet Demographic Research, Inc. 4/10/17
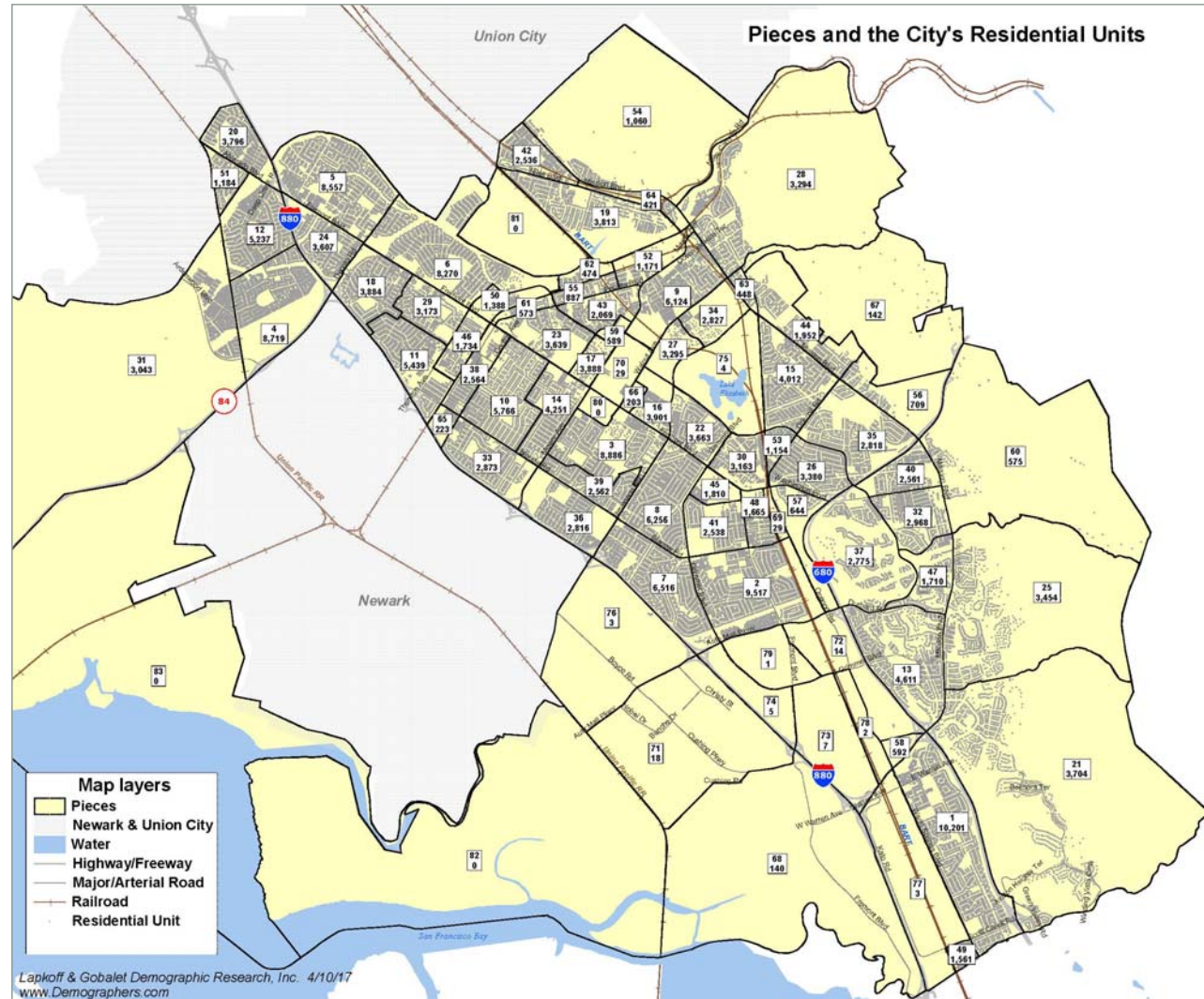www.Demographers.com

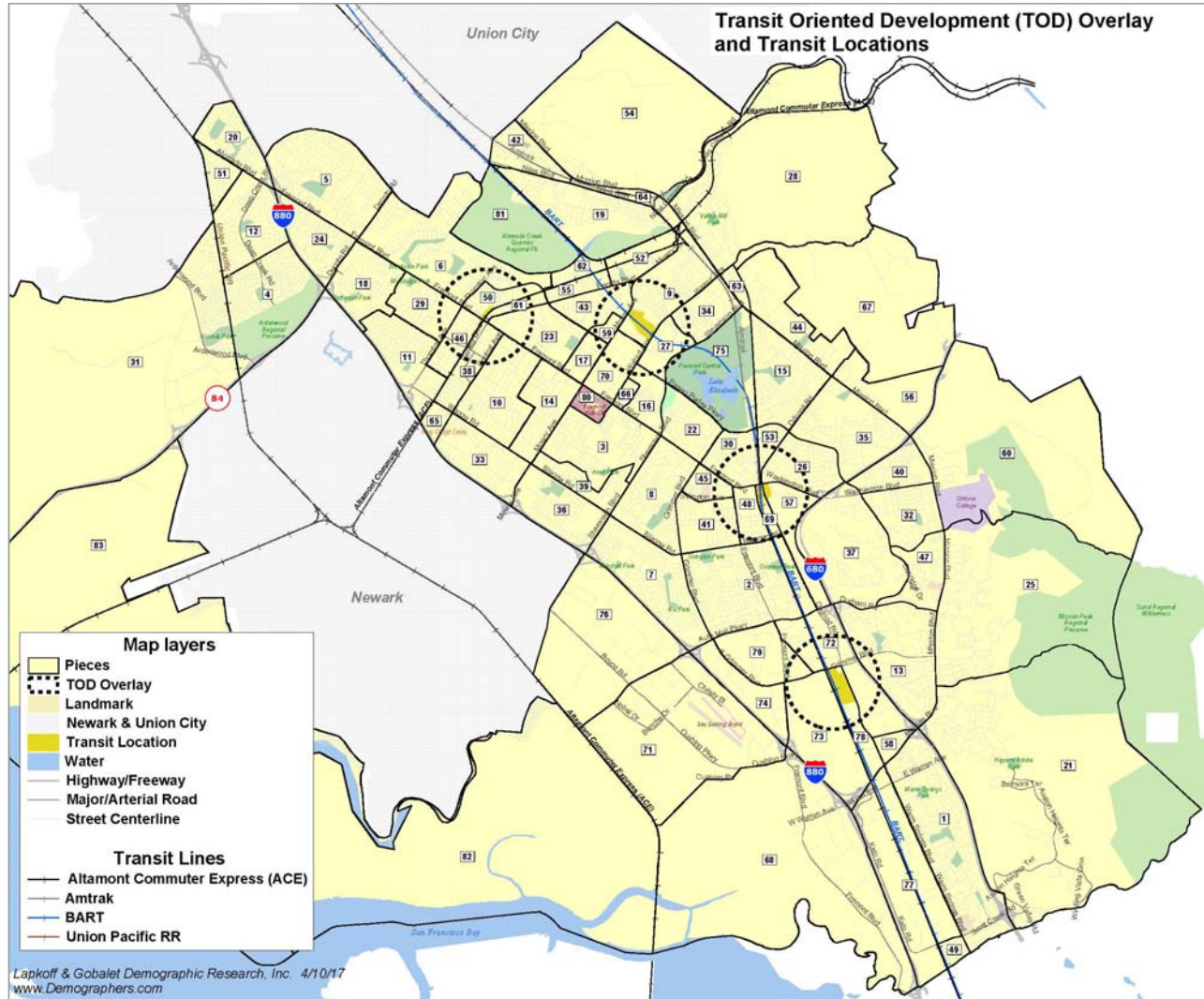# Map 6: Race/Ethnic Mix of Total Population in each Piece

Map 7:
Residential Units

Please note that the pieces
are aggregations of Census
blocks, and the Census GIS
layers do not exactly match
the City's GIS layers.

Pieces and the City's Residential Units

Map 8:
Transit Oriented Districts (TODs)

Please note that the pieces are aggregations of Census blocks, and the Census GIS layers do not exactly match the City's GIS layers.

Transit Oriented Development (TOD) Overlay and Transit Locations

Map layers
- Pieces
- TOD Overlay
- Landmark
- Newark & Union City
- Transit Location
- Water
- Highway/Freeway
- Major/Arterial Road
- Street Centerline

Transit Lines
- Altamont Commuter Express (ACE)
- Amtrak
- BART
- Union Pacific RR

Lapkoff & Gobalet Demographic Research, Inc. 4/10/17
www.Demographers.com

CITY OF Fremont

Pieces database (for use when designing or revising Council District scenarios)

Field in database	Description
Piece Number	piece number (assigned from largest total population to smallest)
Total population	Census 2010 total population (all ages)
Asian Indian ancestry	Census 2010 ancestry: Asian Indian (estimate)
Chinese ancestry	Census 2010 ancestry: Chinese (estimate)
Filipino ancestry	Census 2010 ancestry: Filipino (estimate)
Other Asian ancestry	Census 2010 ancestry: Other Asian ancestry (estimate)
non-Hispanic White	Census 2010 official redistricting data: non-Hispanic White (NH White), all ages
Hispanic Origin	Census 2010 official redistricting data: Hispanic, all ages
non-Hispanic Black	Census 2010 official redistricting data: non-Hispanic Black (NH Black), all ages
non-Hispanic Multiple Race	Census 2010 official redistricting data: non-Hispanic Multiple Race (NH Multiple Race), all ages
non-Hispanic Hawaiian	Census 2010 official redistricting data: non-Hispanic Hawaiian and other Pacific Islander (NH Hawaiian), all ages
non-Hispanic Native American	Census 2010 official redistricting data: non-Hispanic Native American and Alaska Native (NH Native American), all ages
non-HIspanic Other Race	Census 2010 official redistricting data: non-Hispanic Other Race (NH Other), all ages
Voting Age Population (VAP)	Census 2010 official redistricting data: total Voting Age Population (VAP, aged 18+)
NH Asian VAP	Census 2010 official redistricting data: NH Asian VAP
NH White VAP	Census 2010 official redistricting data: NH White VAP
Hispanic VAP	Census 2010 official redistricting data: Hispanic VAP
NH Black VAP	Census 2010 official redistricting data: NH Black VAP
NH Multiple Race VAP	Census 2010 official redistricting data: NH Multiple Race VAP
NH Hawaiian VAP	Census 2010 official redistricting data: NH Hawaiian VAP
NH Native American VAP	Census 2010 official redistricting data: NH Native American VAP
NH Other Race VAP	Census 2010 official redistricting data: NH Other VAP
2010 Registered to Vote	Registered to vote, November 2010
2010 Spanish Surname registered voters	estimated Spanish Surname registered voters, November 2010
2010 Actual Voters	Actual voters, November 2010
2010 Spanish Surname actual voters	estimated Spanish Surname actual voters, November 2010
est Total CVAP 0812	estimated total Citizen Voting Age Population, ACS 2008-2010 survey
est NH Asian CVAP 0812	estimated NH Asian Citizen Voting Age Population, ACS 2008-2010 survey
est Hispanic CVAP 0812	estimated Hispanic Citizen Voting Age Population, ACS 2008-2010 survey
est NH Black CVAP 0812	estimated NH Black Citizen Voting Age Population, ACS 2008-2010 survey
est NH Other CVAP 0812	estimated NH Other Citizen Voting Age Population, ACS 2008-2010 survey (includes NH Whites)

Excel database and maps posted at: https://fremont.gov/districtelections

Meeting Objectives

1. Determine the number of Districts the demographer should create

2. Determine Election Sequencing; and

3. Identify a list of criteria to be given to the demographer to create draft maps for public review and input at future public meetings.

Fremont

Public Hearings

- Public Hearing Schedule adopted:
  Five (5) meetings required per Elections Code Section 10010

  ✓Public Meeting #1: April 4, 2017

  - **Public Meeting #2: April 18, 2017**
    - ○ Public input on composition of the districts

  - Public Meeting #3: May 2, 2017
  - Public Meeting #4: May 16, 2017
    - ○ Public input on content of draft maps and proposed sequencing of elections

  - Public Meeting #5: June 6, 2017
    - ○ Council to consider Ordinance to establish district-based elections