

# **PUBLIC WORKSHOP**

**A Public Workshop  
To be held on Monday, October 4, 2021  
at the Bradbury Civic Center  
600 Winston Avenue, Bradbury, CA 91008**

**WORKSHOP 6:00 PM**

*The City is allowing Council Members, Staff and the public to participate in this meeting by means of a Zoom video or telephone call. You will be able to hear the entire proceedings and to speak during Public Comment, Public Hearing, and other authorized times. Members of the public must maintain silence and mute their microphones and telephones except during those times. The Zoom information is <https://us02web.zoom.us/j/88692817545>, One tap mobile +16699009128, 88692817545#, or dial (669) 900-9128 and enter code 886 9281 7545#.*

## **CALL TO ORDER**

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The City of Bradbury will gladly accommodate disabled persons wishing to communicate at a City Public Workshop. If you require special assistance to participate in this meeting, please call the City Manager's Office at (626) 358-3218 at least 24 hours prior to the Public Workshop.

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### **1. Summary of Redistricting Laws, Criteria, Process, and the 2020 Census, and Solicitation of Feedback on a Pre-Draft Map**

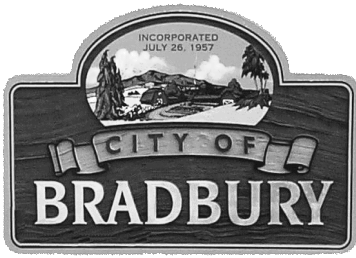
The City of Bradbury is holding a Public Workshop that will be led by Bear Demographics & Research regarding the City of Bradbury's redistricting process. This report and presentation will cover several federal, state, and local laws that governing the redistricting process. Those in attendance are encouraged to provide feedback on a pre-draft map.

### **2. Public Comment**

## **ADJOURNMENT**

*"I, Claudia Saldana, City Clerk, hereby certify that I caused this agenda to be posted at Bradbury City Hall, and on the City's website, on Tuesday, September 28, 2021, at 5:00 p.m."*

*Claudia Saldana*  
CITY CLERK - CITY OF BRADBURY



*Elizabeth Bruny, Mayor (District 5)*  
*Bruce Lathrop, Mayor Pro-Tem (District 4)*  
*Richard Hale, Council Member (District 1)*  
*Monte Lewis, Council Member (District 2)*  
*Richard Barakat, Council Member (District 3)*

## City of Bradbury Redistricting Workshop

TO: Members of the Public

FROM: Kevin Kearney, City Manager  
Andrew Westall, Bear Demographics & Research  
David Ely, Bear Demographics & Research

DATE: October 4, 2021

SUBJECT: **SUMMARY OF REDISTRICTING LAWS, CRITERIA, PROCESS,  
AND THE 2020 CENSUS, AND SOLICITATION OF FEEDBACK  
ON A PRE-DRAFT MAP**

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### **SUMMARY**

The City of Bradbury is holding a Public Workshop that will be led by Bear Demographics & Research regarding the City of Bradbury's redistricting process. This report and the presentation will cover several federal, state, and local laws that govern the redistricting process that include: the City of Bradbury Municipal Code, the U.S. Constitution, the Federal Voting Rights Act of 1965, the State of California Elections Code, the State of California Constitution, as well as case law.

Those in attendance are encouraged to provide feedback on a pre-draft map, and up-to-date information on the redistricting process can be found on the City's website here: [https://www.cityofbradbury.org/government/city\\_council/redistricting.php](https://www.cityofbradbury.org/government/city_council/redistricting.php)

### **BRADBURY MUNICIPAL CODE**

Chapter 1. – City Council Sec. 2.01.040. - Same—Elections by districts.

- (a) Pursuant to the provisions of Government Code § 34870 et seq., Councilmembers shall be elected by districts. There shall be five City Council districts. The boundaries of each Council district may be amended via ordinance or resolution, consistent with the requirements of Article 1 of Chapter 7 of Division 21 of the Elections Code (commencing at Elections Code § 21600).

FOR CITY COUNCIL AGENDA \_\_\_\_\_

AGENDA ITEM # \_\_\_\_\_

- (1) The boundaries of each district shall be as set forth in Exhibit A to the ordinance from which this section is derived, which exhibit is entitled "City of Bradbury Councilmanic District Boundaries Report 2011." Exhibit A is incorporated into this section by this reference.
  - (2) Any subsequent ordinance or resolution may adjust these Council district boundaries if all of the requirements of law at the time have been met, notwithstanding the general rule that actions taken via ordinance cannot be superseded by actions taken via resolution.
- (b) Beginning in 2018, the general municipal election will be held on the first Tuesday after the first Monday in June of each even-numbered year. The general municipal election will be consolidated with the statewide general election.

## **FEDERAL AND STATE LAWS**

Several important federal and state legal criteria govern the redistricting process:

**Equal Population Principle** – Councilmember districts must contain, as nearly as practicable, equal portions of the total population of the City of Bradbury. This principle is established in the State of California Elections Code, as well as in the United State Supreme Court's "One-Person, One-Vote" decisions. The City Council must make a good faith effort to draw districts with equal population.

Exact equality is not required for local districts if deviation is justified by legitimate state purposed. For local jurisdictions like the City of Bradbury, a deviation of less than 10 percent is presumptively valid. Deviations should be explained on traditional redistricting criteria as explained below. Deviations should also not see to disadvantage any particular group and show a good faith effort.

In order to measure population equality and deviation, start with the City's total population and divide by five to determine ideal equal population of the five Council Districts. Next, determine the percent deviation ideal of each district. And last, determine total percent deviation, that is the difference between the district with the greatest positive and negative percent deviations which should total less than 10 percent. Below is an example.

- Example of a City with a population of 1,000 and 5 Council Districts
- Total Percent Deviation = 9.0%

District	Total Population	Ideal Population	Percent Deviation
1	192	200	-4.0
2	210	200	+5.0
3	193	200	-3.5
4	200	200	0
5	205	200	+2.5

**Legal Authorities** – U.S. Constitution, Supreme Court Case law including *Reynolds v. Sims*, *Gaffney V. Cummings*, *Larios v. Cox*, and *Harris v. Arizona Independent Redistricting Commission*

**Traditional Redistricting Criteria** – Federal, state and city law have established several traditional redistricting criteria all of which shall be considered to the extent feasible when drawing district lines:

**Contiguity** – all parts of a district should connect.

**Compactness** – districts should be geographically compact. There are many ways to measure compactness, and the Council should be aware of appearance, shape, and border lines when creating districts

**Existing Boundaries** – districts should utilize boundaries such as geographic, street, and political boundaries and conform to high school attendance zones.

**Communities of Interest** – districts should preserve neighborhoods and communities of people sharing common interests. The concept of protecting communities of interest is to draw boundaries in a manner that preserves communities that share common interests and that should be included within a single district for purposes of their effective and fair representation. There are many types of common interests that may identify a community of interest. For example, communities may share common housing patterns: urban, rural or suburban. Communities may share a common culture or language. Communities may be defined by their neighborhood or by the location of cultural, religious or educational institutions. Communities may also be defined by the location of geographic boundaries or features, such as parks, lakes, mountains or freeways. Certain public services, like public schools, public transit, and public safety may also help define a community. The City will obtain public testimony and consider census data, City neighborhood and planning information, and other information to help identify Communities of Interest.

Legal Authorities – Case law, California Constitution Article XXI, Section 2; California Elections Code Section 21621

**U.S. Constitution’s Equal Protection Clause** – The United States Supreme Court has held that race cannot be used as the predominant factor in drawing district lines such that traditional redistricting criteria are subordinated to considerations of race. The 14<sup>th</sup> Amendment’s Equal Protection Clause does not, however, prohibit all consideration of race. The City may consider race as a factor along with traditional race-neutral redistricting criteria, and consideration of traditional criteria should not be subordinated to consideration of race and should be contemporaneous.

If there is evidence that the City used race as a predominant factor, whether through direct testimony and Council deliberations, or in circumstantial evidence (e.g. demographics, shape, changes, process, public record), then the Court will apply strict scrutiny to the redistricting plan, and the City must justify that the use of race is: 1) based or needed due to a compelling state interest; 2) the plan must be narrowly tailored to that interest; and 3) legal muster is a very high burden.

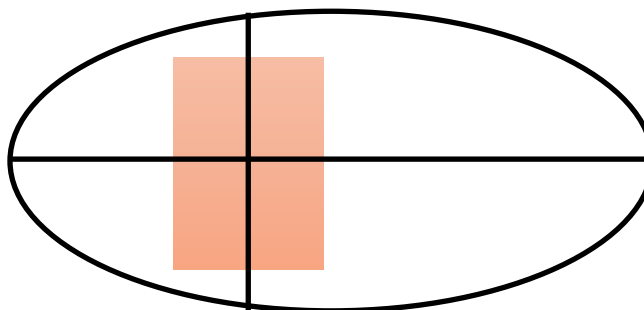
Legal Authorities – U.S. Constitution; Supreme Court case law including *Shaw v. Reno*, *Miller v. Johnson*, *Bush v. Vera*, *Cromartie I & II*, *Copper v. Harris*

**Voting Rights Act of 1965** – The Voting Rights Act prohibits voting practices which result in a denial or abridgement of the right to vote on account of race, color, or language minority status. Redistricting plans must be analyzed under the Voting Rights Act to ensure they do not deprive minority voters of an equal opportunity to elect representatives of their choice in violation of the Act.

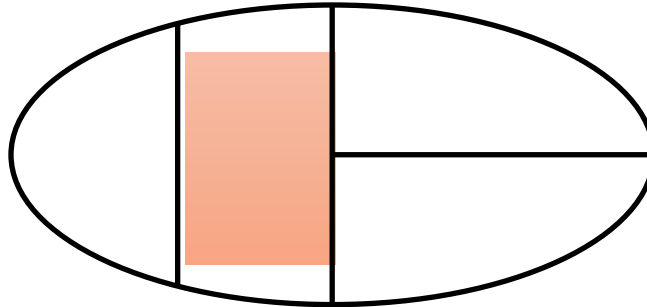
Section 2 of the Voting Rights Act prohibits any voting practice or procedure that “results in a denial or abridgement” of the right to vote based on race, color, or language minority status. The federal VRA applies to prohibit redistricting plans that result in “vote dilution” by depriving minority voters of an equal opportunity to elect a candidate of their choice (i.e., must not unlawfully minimize or cancel minority voting strength). Discriminatory effect is sufficient to show a violation of the federal VRA, and discriminatory intent is not required.

#### Examples of “Vote Dilution”

- **Fracturing** – dispersing minority voters into several different districts such that a bloc-voting majority can routinely outvote them.



- **Packing** – concentrating minority voters into a small number of districts and thereby minimizing their influence in other districts.



The U.S. Supreme Court has set three preconditions to Section 2 liability under the federal VRA, also referred to as the “Gingles” criteria – 1) the minority group must be sufficiently large and geographically compact to constitute a majority in a district; 2) the minority group must be politically cohesive; and 3) the majority votes sufficiently as a bloc to enable it usually to defeat the minority’s preferred candidate.

Legal Authorities – Section 2 of the Voting Rights Act; *Thornburg v. Gingles*

## **SUMMARY**

Listed below are the key principles to keep in mind throughout the process:

- Strive for Population Equality
  - Make a good faith effort to draw districts equal in population
  - Justify any deviations with use of traditional redistricting criteria
- Focus on Traditional Redistricting Criteria
  - Draw contiguous and compact districts
  - Respect boundaries, neighborhoods, and communities of interest
  - Obtain public testimony, neighborhood/community information, and make a good record
- Do not Use Race as the Predominant Factor
  - Focus on traditional race-neutral criteria
- Comply with the Voting Rights Act
  - Avoid fracturing or packing minority voters
- Establish and Follow a Good Process

## **SUMMARY OF REDISTRICTING TIMELINE AND PROCESS**

Every ten years, local governments use new census data to redraw their district lines to reflect how local populations have changed. Assembly Bill 849 (2019) , also known as the California FAIR MAPS Act, requires cities and counties to engage communities in the redistricting process by holding public hearings and/or workshops and doing public outreach. Based on this same law, the City of Bradbury must finish the 2021 redistricting process by December 15, 2021. Below is the established timeline:

### **Summary of Redistricting Law, Criteria, and Process**

#### **2020 Census Report**

**Pre-Draft Map Public Hearing**  
(Regularly Scheduled CC Meeting)

Tue. September 21, 2021 @ 7:10pm  
Bradbury Civic Center

#### **Public Workshop**

Mon. October 4, 2021 @ 6pm  
Bradbury Civic Center

### **Presentation and Adoption of Draft City Council Member**

#### **District Boundaries Map**

**Pre-Final Map Public Hearing**  
(Regularly Scheduled CC Meeting)

Tue. October 19, 2021 @ 7:10pm  
Bradbury Civic Center

### **Presentation and Adoption of Final City Council Member**

#### **District Boundaries Map (1<sup>st</sup> Reading)**

**Pre-Final Map Public Hearing**  
(Regularly Scheduled CC Meeting)

Tue. November 16, 2021 @ 7:10pm  
Bradbury Civic Center

### **Presentation and Adoption of Final City Council Member**

**District Boundaries Map (2<sup>nd</sup> Reading)**  
(Special CC Meeting)

Tue. December 7, 2021 @ 7:00pm  
Bradbury Civic Center

## **SUMMARY OF 2020 CENSUS DATA**

Below is a summary of the 2020 Census adjusted data and the 2015-2019 American Community Survey Citizen Voting Age Population Data.

<b>City of Bradbury</b>		
<b>2020 Census Population</b>	925	100.0%
<b>2010 Census Population</b>	1,048	
<b>2000 Census Population</b>	855	
<b>Ideal District Size</b>	185	
<b>2020 Census Voting Age Population (VAP)</b>	776	83.9%
<b>2019 ACS Citizen Voting Age Population (CVAP)</b>	557	71.8%
<b>White Pop</b>	337	36.4%
<b>White VAP</b>	292	37.6%
<b>White CVAP</b>	268	48.1%
<b>Asian Pop</b>	361	39.0%
<b>Asian VAP</b>	311	55.8%
<b>Asian CVAP</b>	166	29.8%
<b>Latino Pop</b>	185	20.0%
<b>Latino VAP</b>	136	17.5%
<b>Latino CVAP</b>	71	12.7%
<b>Black Pop</b>	22	2.4%
<b>Black VAP</b>	18	2.3%
<b>Black CVAP</b>	12	2.2%
<b>Other Pop</b>	20	2.3%
<b>Other VAP</b>	19	2.4%
<b>Other CVAP</b>	50	9.0%

Due to the small geographic size and population of the City of Bradbury, there will be a need to split at least one Census block in the southeast of the City which contains a population of 228, larger than the ideal size of a Council District and outside of any legal deviation. The current Council district lines established in 2012 utilized parcel data for Council district boundaries, and not Census block geography.