



AGENDA OF A SPECIAL MEETING
NATIONAL CITY COUNCIL
ONLINE ONLY MEETING
<https://www.nationalcityca.gov/webcast>
LIVE WEBCAST
COUNCIL CHAMBERS
CIVIC CENTER
1243 NATIONAL CITY BOULEVARD
NATIONAL CITY, CALIFORNIA
THURSDAY, FEBRUARY 3, 2022 – 6:00 PM

ALEJANDRA SOTELO-SOLIS
Mayor

MARCUS BUSH
Vice Mayor

RON MORRISON
Councilmember

MONA RIOS
Councilmember

JOSE RODRIGUEZ
Councilmember

1243 National City Blvd.
National City, CA 91950
619-336-4240

Meeting agendas and
minutes available on the
City's website at
WWW.NATIONALCITYCA.GOV

NOTICE: The health and well-being of National City residents, visitors, and employees during the COVID-19 outbreak remains our top priority. The City of National City is coordinating with the County of San Diego Health Human Services Agency, and other agencies to take measures to monitor and reduce the spread of the novel coronavirus (COVID-19). **The World Health Organization has declared the outbreak a global pandemic and local and state emergencies have been declared providing reprieve from certain public meeting laws such as the Brown Act.**

As a result, the City Council Meeting will occur only online to ensure the safety of City residents, employees and the communities we serve. A live webcast of the meeting may be viewed on the city's website at www.nationalcityca.gov. **For Public Comments see "PUBLIC COMMENTS" section below.**

ORDER OF BUSINESS: Public sessions of all Regular Meetings of the City Council / Community Development Commission - Housing Authority (hereafter referred to as Elected Body) begin at 6:00 p.m. on the first and third Tuesday of each month. Public Hearings begin at 6:00 p.m. unless otherwise noted. Closed Meetings begin in Open Session at 5:00 p.m. or such other time as noted, and after announcing closed session items, convenes into a Closed Meeting. If a workshop is scheduled, the subject and time of the workshop will appear on the agenda. The Mayor and Council members also sit as the Chairperson and Members of the Board of the Community Development Commission (CDC).

REPORTS: All open session agenda items and reports as well as all documents and writings distributed to the Elected Body less than 72 hours prior to the meeting, are available for review on the City's website at www.nationalcityca.gov. Regular Meetings of the Elected Body are webcast and archived on the City's website at www.nationalcityca.gov.

PUBLIC COMMENTS: There are multiple ways you can make sure your opinions are heard and considered by our City Council as outlined below:

Submit your public comment prior to the meeting: To submit a comment in writing, email PublicComment@nationalcityca.gov, provide the agenda item number and title of the item in the subject line of your email. Public comments or testimony is limited to up to three (3) minutes. If the comment is not related to a specific agenda item,

indicate General Public Comment in the subject line. All email comments received by 4:00 p.m. on the day of the meeting will be read into the record at the City Council meeting, emailed to the City Councilmembers, and retained as part of the official record. All comments will be available on the City website within 48 hours following the meeting.

Questions about public comment or City Council protocols? Please contact the City Clerk's Office at (619) 336-4228 or via email at Clerk@nationalcityca.gov.

WRITTEN AGENDA: With limited exceptions, the Elected Body may take action only upon items appearing on the written agenda. Items not appearing on the agenda must be brought back on a subsequent agenda unless they are of a demonstrated emergency or urgent nature, and the need to take action on such items arose after the agenda was posted.

Upon request, this agenda can be made available in appropriate alternative formats to persons with a disability in compliance with the Americans with Disabilities Act. Please contact the City Clerk's Office at (619) 336-4228 to request a disability-related modification or accommodation. Notification 24-hours prior to the meeting will enable the City to make reasonable arrangements to ensure accessibility to this meeting.

AVISO: La salud y el bienestar de los residentes, visitantes y empleados de National City durante el brote de COVID-19 sigue siendo nuestra máxima prioridad. El Ayuntamiento de la Ciudad de National City se está coordinando con la Agencia de Salud y Servicios Humanos del Condado de San Diego y otras agencias para tomar medidas con el fin de monitorear y reducir la propagación del nuevo coronavirus (COVID-19). La Organización Mundial de la Salud declaró el brote como una pandemia global y se han manifestado emergencias locales y estatales que resultan en la suspensión de ciertas leyes de reuniones públicas, tal como la Ley Brown.

Como resultado de ello, la junta del Concejo Municipal del Ayuntamiento se llevará a cabo solamente en línea para garantizar la seguridad de los residentes, empleados y comunidades locales que atendemos. Se podrá ver una transmisión en vivo de la junta en el sitio web del Ayuntamiento en www.nationalcityca.gov. **Para comentarios públicos, vea la sección "COMENTARIOS PÚBLICOS" más adelante.**

ORDEN DEL DÍA: Las sesiones públicas de todas las juntas ordinarias del Concejo Municipal/Comisión de Desarrollo Comunitario - Autoridad de Vivienda (en lo sucesivo denominado Órgano Electo) inician a las 6:00 p.m. el primer y tercer martes de cada mes. Las audiencias públicas inician a las 6:00 p.m., a menos que se indique lo contrario. Las juntas cerradas inician en sesión abierta a las 5:00 p.m. o en cualquier otro momento que se indique, y tras anunciar los temas de la sesión cerrada, la junta se realiza como sesión cerrada. Si se programa una reunión de discusión y análisis, el tema y la hora de la misma aparecerán en la agenda. La Alcaldesa y los Concejales se reúnen por igual que el Presidente y los integrantes del Consejo de la Comisión de Desarrollo Comunitario.

INFORMES: Todos los temas e informes de la agenda de la sesión abierta, así como todos los documentos y escritos entregados al Órgano Electo menos de 72 horas antes de la sesión, aparecerán en el sitio web del Ayuntamiento. Las juntas ordinarias del Órgano Electo se transmiten por Internet y se archivan en el sitio web del Ayuntamiento en www.nationalcityca.gov.

COMENTARIOS PÚBLICOS: Hay varias formas en las que puede asegurarse de que sus opiniones sean escuchadas y consideradas por nuestro Concejo Municipal como se describe a continuación:

Envíe su comentario público antes de la sesión: Para enviar un comentario por escrito, envíe un correo electrónico a PublicComment@nationalcityca.gov. Por favor, indique el número del tema del programa y el título del tema en la línea de asunto de su correo electrónico. Los comentarios o testimonios públicos están limitados a tres (3) minutos. Si el comentario no está relacionado con un tema específico del programa, indique Comentario público general en la línea de asunto. Todos los comentarios recibidos por correo electrónico antes de las 4:00 p.m. del día de la reunión serán leídos en el registro en la reunión del Concejo Municipal, enviados por correo electrónico a los Concejales de la Ciudad, y retenidos como parte del registro oficial. Todos los comentarios estará disponible en el sitio web de la ciudad dentro de las 48 horas posteriores a la reunión.

¿Preguntas sobre comentarios públicos o protocolos del Concejo Municipal? Comuníquese con la Oficina de la Secretaria del Ayuntamiento al teléfono (619) 336-4228, o por correo electrónico a Clerk@nationalcityca.gov.

AGENDA ESCRITA: Con contadas excepciones, el Órgano Electo puede tomar medidas únicamente sobre los temas que aparecen en la agenda escrita. Los temas que no aparezcan en la agenda deben aparecer en una agenda subsecuente, a menos que sean de emergencia o urgencia demostrada, y la necesidad de tomar medidas sobre esos temas haya surgido después de haber sido publicada la agenda.

Previa solicitud, esta agenda puede estar disponible en formatos alternativos apropiados para personas con discapacidades, en observancia de la Ley de Estadounidenses con Discapacidades. Llame al teléfono (619) 336-4228 de la Oficina del Secretario del Ayuntamiento para solicitar una modificación o adaptación de acceso relativa a la discapacidad. Notificar 24 horas antes de la sesión permitirá al Ayuntamiento hacer arreglos razonables para garantizar la accesibilidad a esta junta.

OPEN TO THE PUBLIC

OPEN SESSION

CALL TO ORDER

ROLL CALL

PUBLIC COMMENT: (Public Comment will be restricted to Agenda Items only)

PUBLIC HEARING: ORDINANCES AND RESOLUTIONS

1. Public Hearing – City Council Districting. (City Clerk)

ADJOURNMENT

Next Regular City Council Meeting: Tuesday, February 15, 2022, 6:00 p.m., City Council Chambers, Civic Center – National City, California.



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NOTICE IS HEREBY GIVEN, that the City Council of the City of National City will hold a Special Meeting on **Thursday, February 3, 2022, at 6:00 p.m.**, or as soon thereafter as the matter may be considered, in the Council Chambers at the Civic Center, 1243 National City Boulevard, National City, California, 91950. The business to be transacted at said meeting will be for the City Council to consider the following:

OPEN TO THE PUBLIC

OPEN SESSION

CALL TO ORDER

ROLL CALL

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**CITY OF NATIONAL CITY, CALIFORNIA
COUNCIL AGENDA STATEMENT**

MEETING DATE: February 3, 2022

AGENDA ITEM NO. 1

ITEM TITLE:

Public Hearing - City Council Districting (City Clerk)

PREPARED BY: Shelley Chapel, Deputy City Clerk

DEPARTMENT: City Clerk's Office

PHONE: 619-336-4228

APPROVED BY: Shelley Chapel

EXPLANATION:

December 21, 2021, the City Council adopted Resolution No. 2021-201, declaring its Intention to Transition from At-Large Elections for City Council to District-Based Elections for City Council pursuant to Elections Code Section 10010. Currently elected in "at-large" elections, in which the Mayor and each City Councilmember are elected by the registered voters of the entire City. District-Based would provide for a Councilmember to represent the voters in the district in which they reside and would be elected only by those voters within their district. The Mayor would remain at-large to represent the entire City.

The Statutory Process for moving to district-based elections requires at least four (4) public hearings. This will be the first required public hearing to consider moving to by-district elections. The City Council and public will receive a presentation by Matt Rexroad of Redistricting Insights, who has been hired by the City to assist with the demographic analysis. The presentation is an introduction to the districting process, the foundational legal principles involved, and the criteria used in developing district boundaries. All meetings will be held virtually and Public Comment will be received both written/verbal following the presentation.

The remaining meetings are as follows:

Saturday, February 5, 2022 at 10:00 a.m. to 12:00 p.m. (noon) – Community Workshop/Information Session

Tuesday, February 22, 2022 at 3:00 p.m. to 4:00 p.m. – Public Hearing #2 – Introduction of Maps

Saturday, March 5, 2022 at 9:30 a.m. to 10:30 a.m. – Public Hearing #3 – Additional Vetting of Potential Maps

Tuesday, March 15, 2022 at 4:00 p.m. to 5:00 p.m. – Public Hearing #4 – Adoption of District Map

FINANCIAL STATEMENT:

APPROVED: _____ **Finance**

ACCOUNT NO. |

APPROVED: _____ **MIS**

[This report does not reflect financial any changes to the budget at this time.]

ENVIRONMENTAL REVIEW:

[This action is not subject to review under the California Environmental Quality Act (CEQA) |

ORDINANCE: INTRODUCTION:

FINAL ADOPTION:

STAFF RECOMMENDATION:

Open, conduct, and close a public hearing to receive a report from staff on the districting process and the permissible criteria to be considered to draw district boundaries, and to receive public input on district boundaries.

BOARD / COMMISSION RECOMMENDATION:

[None.]

ATTACHMENTS:

Presentation



Redistricting
Insights

Prepared for *National City*

AT LARGE VS DISTRICT ELECTIONS

At large elections: all candidates run on the same ballot and voters choose two or three representatives each election (current National City system).

District elections: the jurisdiction is split into separate geographic sub-areas where voters chose a dedicated representative for their area (future National City system).

WHY DISTRICT ELECTIONS?

- **Geographic diversity:** in a district-based election system, it is impossible for all board members to be from the same neighborhood.
- **Minority representation:** district-based elections allow greater opportunities for minority groups to select their candidate of choice.
- **Lower barriers to entry:** fewer voters selecting each member means it costs less to run a campaign.
- **Closer to the people:** in a district-based election system, each board member represents fewer constituents, which makes access to your representative easier.

CALIFORNIA VOTING RIGHTS ACT

The California Voting Rights Act empowers community members to take legal action if an electoral system dilutes the power of minority voters.

Courts have established that when racially polarized voting occurs, at-large systems diminish the power of minority voters.

Racially polarized voting is when a racial minority group predominantly votes as a bloc for a preferred candidate of choice.

Racially polarized voting is common and not difficult to prove.

Thus, at-large election systems are a liability for jurisdictions.

WHAT IS REDISTRICTING?

Redistricting is at its core the act of equalizing population among districts.

Redistricting has changed significantly over the years as federal and state laws, norms, best practices, and public opinion has transformed.

In California/Municipal Law:

- Prop 11 and 20 (Statewide Redistricting)
- CA FAIRMAPS Act

REDISTRICTING/REAPPORTIONMENT

They are different things but people mistakenly conflate them

Reapportionment

Allocating the 435 Congressional seats among the states

**N.Y. loses single seat in Congress by just 89 people as
Census Bureau releases reapportionment figures**

April 26, 2021

Redistricting

Drawing district lines within the states, counties, cities, school districts

DEFINITIONS



REAPPORTIONMENT

Census Bureau for Congress
(30 seconds)

REDISTRICTING

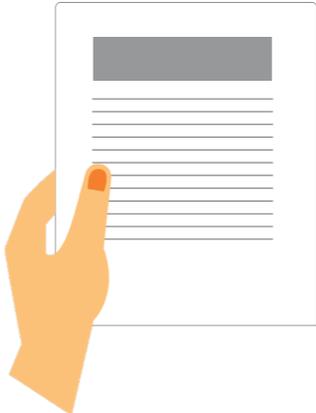
Done by states, cities, school boards

GERRYMANDER

PRINCIPLES OF DISTRICTING



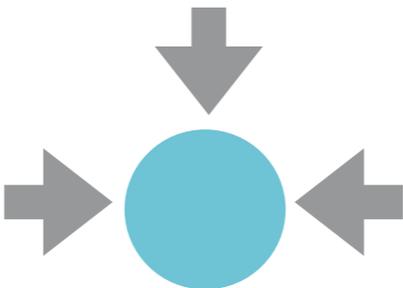
POPULATION EQUALITY



**FEDERAL VOTING RIGHTS ACT
SECTION 2**



COMMUNITIES OF INTEREST



COMPACTNESS



CONTIGUITY

POPULATION EQUALITY

For Congress it is 1 person for deviation

For State and local governments it is a deviation range of 10%

	Population	Deviation	% of Deviation
D1	21,000	1000	5%
D2	20,200	200	1%
D3	19,800	-200	-1%
D4	19,250	-750	-3.75%
D5	19,750	-250	-1.25%

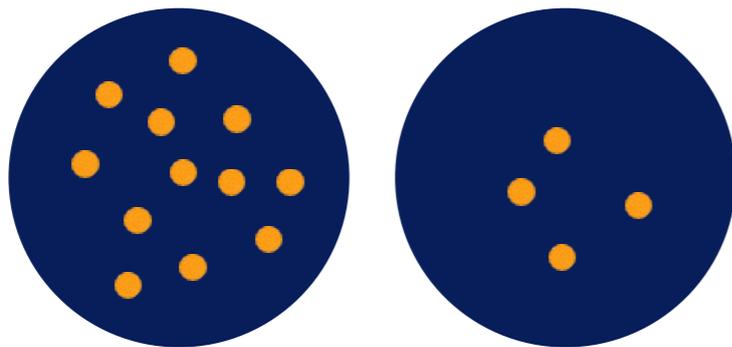
**These numbers are just an example and not reflective of the city's current population*

EQUAL POPULATION

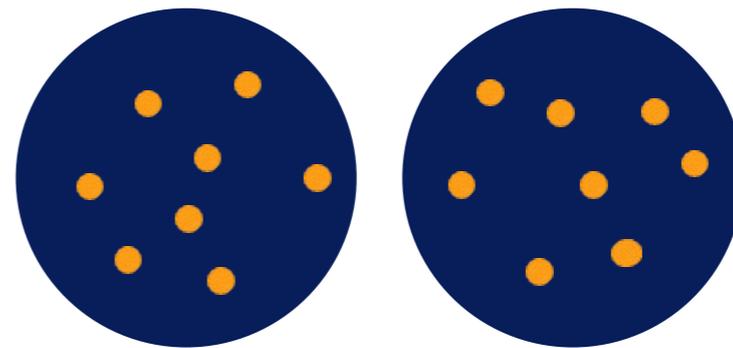
What is “equal” population has been a key subject in redistricting litigation.

- Population Equality is based on “People” not citizens or voters or other metrics.
- The metric used is called “deviation” which is a measure of how close a district is to equal size.

Not Equal Districts



Equal Districts

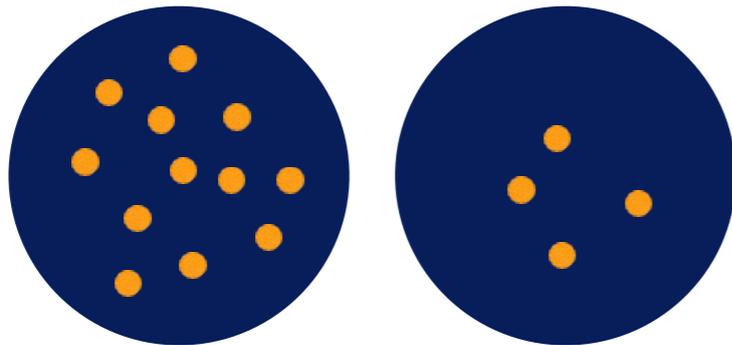


EQUAL POPULATION

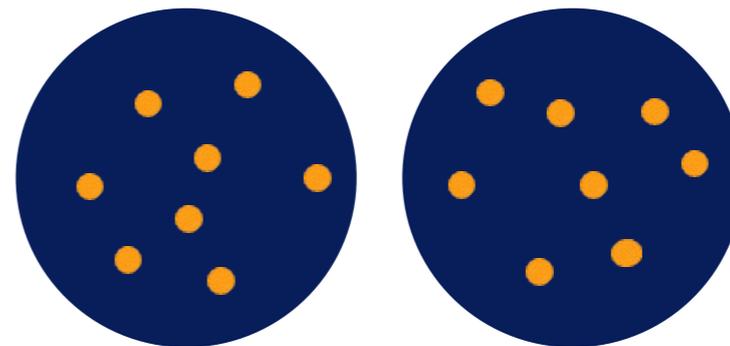
What is “equal” population has been a key subject in redistricting litigation.

- Equality is Required
- *Strict adherence to a numeric goal for equality beyond what is required is not necessarily better.*

Not Equal Districts



Equal Districts



FEDERAL VOTING RIGHTS ACT



**FEDERAL VOTING RIGHTS ACT
OF 1965**



MOBIL V. HOLDER (1980)



**CONGRESSIONAL RESPONSE TO
MOBIL V. HOLDER (1982)**



THORNBURG V. GINGLES (1985)

WHAT IS THE VOTING RIGHTS ACT?

The decision to invoke Section 2 is something that requires legal counsel.

Does the minority population qualify under Section 2?

Is the proposed district a sufficient remedy – is it an “effective” majority minority district?

Is there a claim for a coalition district?

Without Section 2, a community of interest can still be supported but race cannot be a predominant factor in drawing lines.

GINGLES FACTORS

“**Gingles factors**” are three preconditions that a minority group must meet to establish a violation of Section 2 of the Voting Rights Act. These preconditions are the following:

1. A minority group must be sufficiently large and geographically compact to comprise a majority of the district;
2. The minority group must be politically cohesive (it must demonstrate a pattern of voting for the same candidates, also known as “bloc voting”); and,
3. A majority of voters vote sufficiently as a bloc usually to defeat the minority group’s preferred candidate.

BUT THE GINGLES FACTORS HAVE LIMITS.....



SHAW V. RENO, [509 U.S. 630](#) (1993)

SIGNIFICANCE: Legislative and congressional districts will be struck down by courts for violating the Equal Protection Clause if they cannot be explained on grounds other than race. While not dispositive, “bizarrely shaped” districts are strongly indicative of racial intent.

MILLER V. JOHNSON, [515 U.S. 900](#) (1995)

SIGNIFICANCE: A district becomes an unconstitutional racial gerrymander if race was the “predominant” factor in the drawing of its lines

Source: NCSL

COMMUNITIES OF INTEREST

Redistricting plans are built with census data to put communities of interest together to form districts.

When members of the public come forward to testify about their communities it can be almost anything.

Items to consider:

- What is the community of interest that is being described through the testimony?
- What is the geographic area of that community of interest?
- What data can be utilized to help identify that community of interest?
- How does that community of interest relate to National City?

COMPACTNESS

Many measures based on geography are available but in California we tend to adhere to

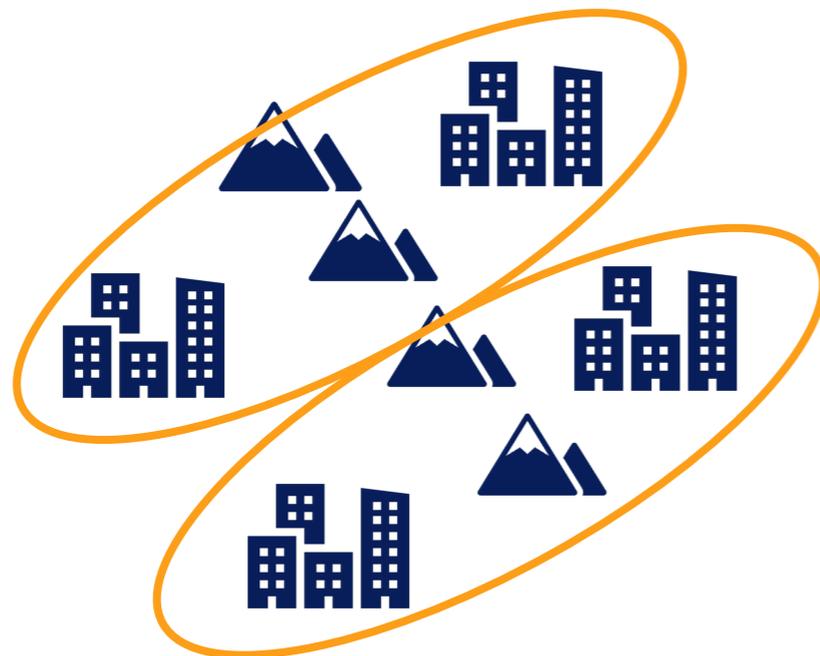
“shall be drawn to encourage geographical compactness in a manner that nearby areas of population are not bypassed in favor of more distant populations.”

CONTIGUITY

This is not an issue in most cities... unless they have islands.

State law does not allow point contiguity...it is advisable to seek functional contiguity where you can travel through the district to each point.

Point Contiguity



Functional Contiguity



WHAT IS REDISTRICTING?

Redistricting has changed significantly over the years as federal and state laws, norms, best practices, and public opinion has transformed.

In Public Opinion / Media:

- 97% of Voters agree that “local government should be required to have transparent / open redistricting.”
- Media and Community Based Organizations have become much more adept at covering redistricting.

ONLINE MAPPING

There are other mapping tools the public may use, but are not controlled by the commission or city staff.

- These tools are *perfectly appropriate* for the community to use as input.
- Data and maps from these programs can be imported to our tools and reviewed by the commission.



COMMUNITIES OF INTEREST

Bringing like people together for representation

What are you looking for in trying to judge the applicability of a Community of Interest to the redistricting process?



Group with shared culture / characteristics

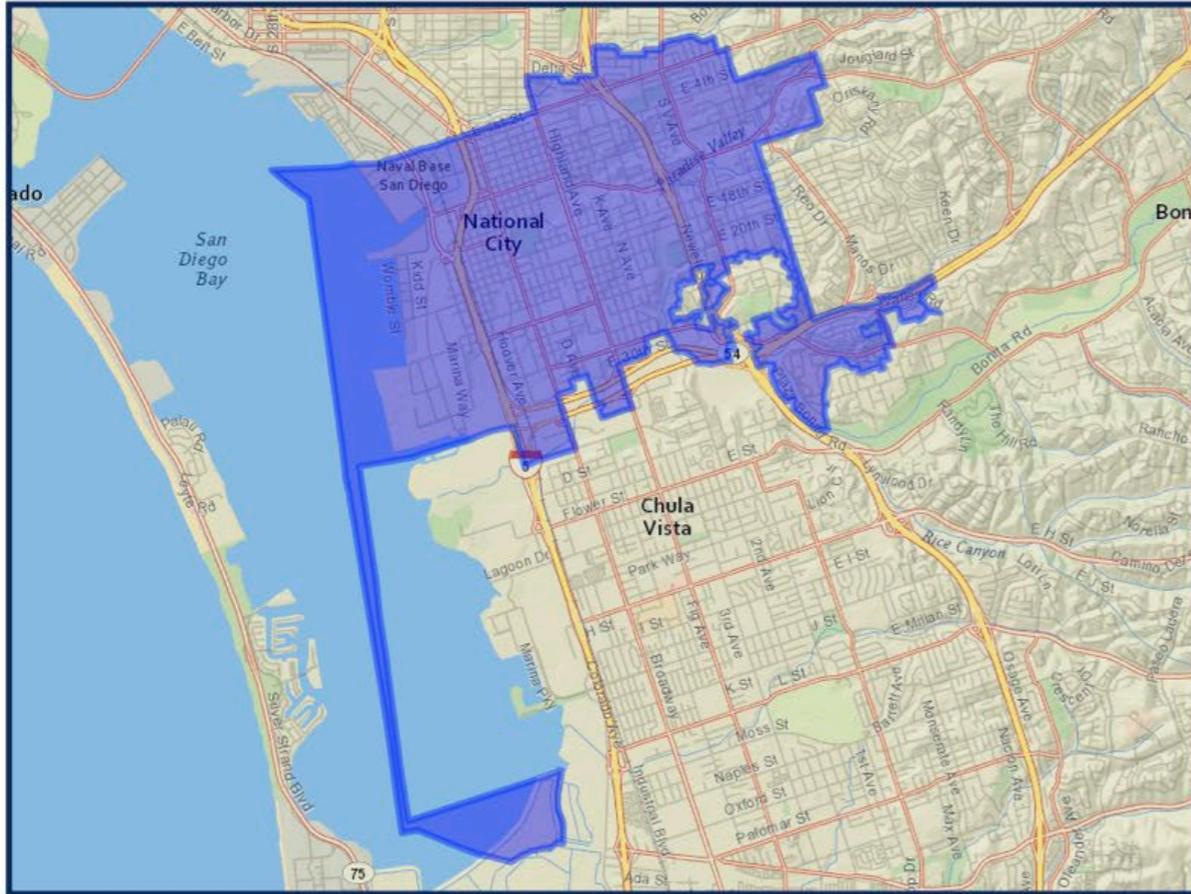


Geographic Nature / Density / Ability to be mapped



Relationship to Agency / Policies

NATIONAL CITY DEMOGRAPHIC ANALYSIS

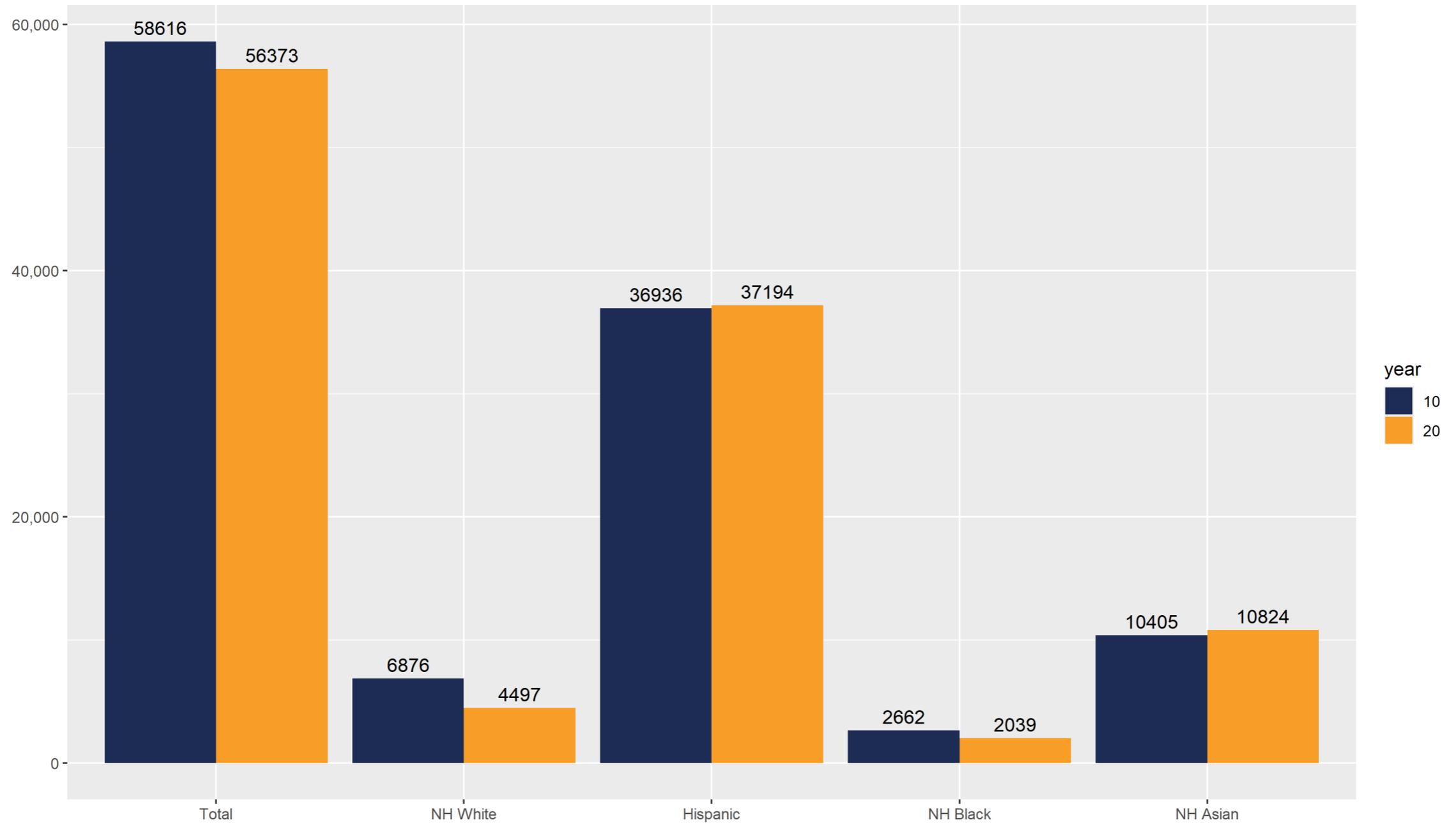


2020 Census Count*	
Total Population	56,373
White	4,497 7.98%
Black	2,039 3.62%
Asian	10,824 19.20%
Hispanic	37,194 65.98%

	Total	White	Black	Asian	Hispanic
2019 ACS CVAP*	37,744	16.82%	6.63%	17.52%	55.93%
2010 ACS CVAP	28,784	20.31%	6.69%	19.24%	51.24%
2010 Census	58,616	11.73%	4.54%	17.75%	63.01%

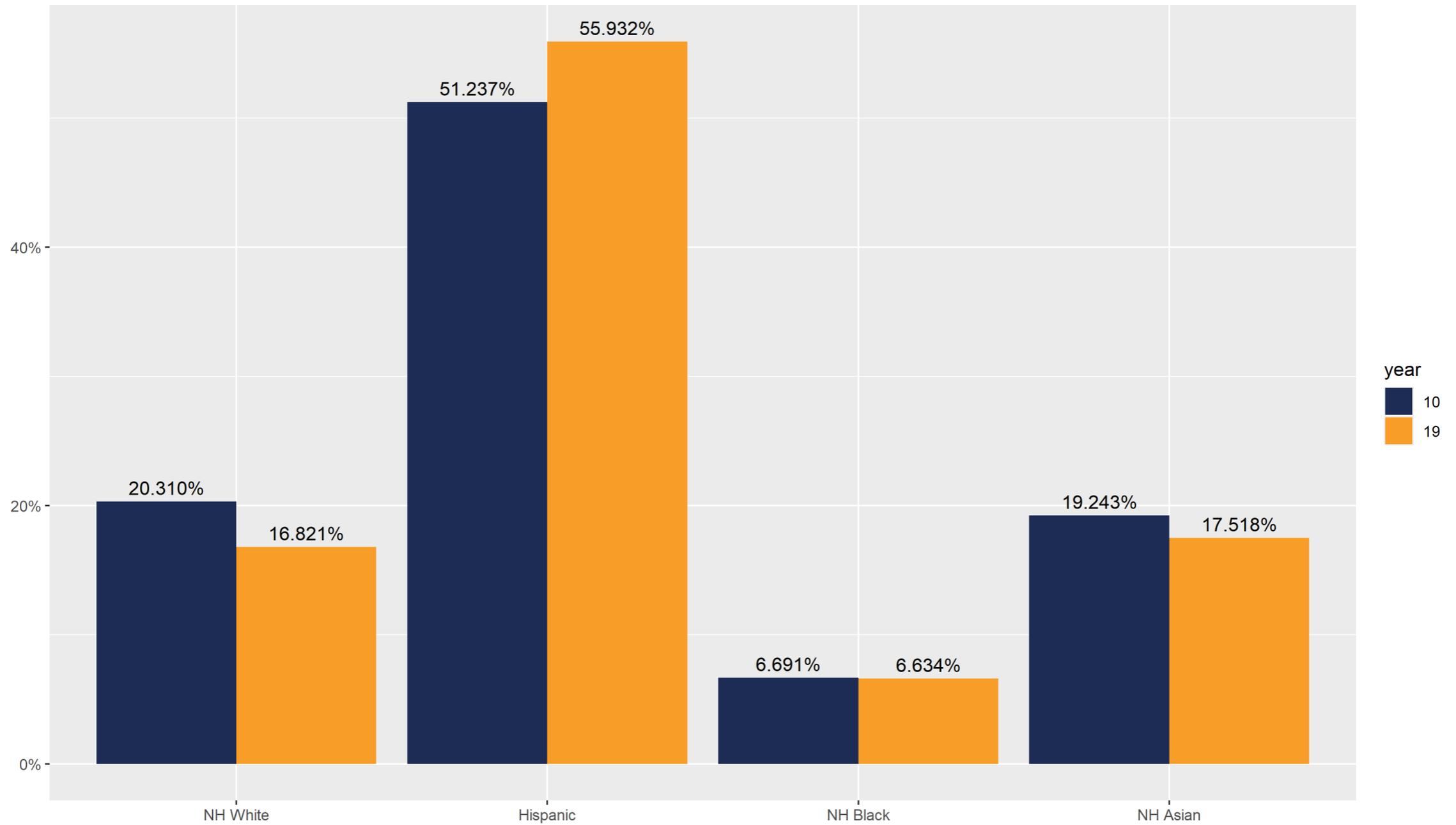
NATIONAL CITY DEMOGRAPHIC ANALYSIS

Population 2010-2019



NATIONAL CITY DEMOGRAPHIC ANALYSIS

CVAP 2010-2020



NEXT STEPS

Public Hearing #2

Community of Interest Input

Public Hearing #3

Draft Map Presentation/Feedback

Public Hearing #4

Final Map Adoption