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Economy & Efficiency Commission Presentation

Editorial Note: Although every effort has been made to insure the accuracy of the material in this presentation, the scope of the material covered and the discussions undertaken lends itself to the possibility of minor transcription misinterpretations.

**PRESENTATIONS BY
Mr. Martin Zimmerman
Deputy CEO, Chief Executive Office
Los Angeles County**

October 6, 2011

LA County 2011 Supervisorial Redistricting Overview

Chairman Barcelona greeted Mr. Martin Zimmerman, Deputy CEO for the Chief Executive Office and welcomed him while turning it over for Mr. Zimmerman to speak to the Economy and Efficiency Commission.

County Redistricting Process

Mr. Zimmerman stated that the County's redistricting process must comply with the U.S Constitution, Federal Statutes & Regulations, State Statutes, County Charter, and applicable Court decisions. He stated that "one person/one vote" is in the U.S. Constitution as the overriding objective of redistricting that is undertaken once every 10 years. He stated that when the census is conducted, it tells the government where people are living. He stated that wherever you have elected districts that are divided among smaller districts, then you have population changes and the objective to that is to achieve the "one person/one vote" goal so that everyone will have an equal voice. He stated that in the 10 years since the lines were drawn last in the County, the population has shifted. He stated that other things that are in the Federal Statutes are that race cannot be the predominant factor but maybe one of many considerations taken into account. Mr. Zimmerman stated that the Federal Voting Rights Act protects certain minority groups from having their voting power diluted. He stated that you cannot redistrict in a way that will prohibit any voting practices or procedures that would result in "denial or abridgement" of anyone's right to vote based on race, color or minority language status. He also stated that the Federal Voting Rights Act requires a showing that members of a protected class have less opportunity than other members of the electorate to elect representatives of their choice.

Los Angeles County Charter

Mr. Zimmerman stated that the Los Angeles County Charter includes provisions. He stated that the Charter provides for a Board of Supervisors consisting of 5 members, with one member in each supervisorial district. He stated that the Charter also requires a minimum of 4 votes of the Board of Supervisors to change

district boundaries. He stated that District boundaries cannot be changed so as to affect the incumbency in office of any supervisor.

California Election Code

Mr. Zimmerman stated that a lot of the California Election Code conforms to Federal requirements. He stated that the California Election Code decennial redistricting requires equalizing population. He stated that the Code must use the census data, and comply with the Voting Rights Act. Mr. Zimmerman stated that in establishing boundaries, the Board of Supervisors may consider traditional districting principles such as topography, geography, cohesiveness, contiguity, integrity, compactness of territory, and keeping communities of interest of the districts together. He also stated that a minimum of two public hearings are required before adopting a redistricting plan. He stated that it is not required but the code allows for the appointment of a boundary review committee to study changing the boundaries of the supervisorial districts. He also stated that the term in office of any supervisor who has been elected and whose term of office has not expired shall not be affected by any change in the boundaries of the district from which he or she was elected.

Boundary Review Committee (BRC)

Mr. Zimmerman stated that per California Elections Code, the Board appointed BRC to solicit public input and recommend a redistricting plan to the Board. He stated that BRC was comprised of two voting members and two alternates nominated by each Supervisor. He stated that there was a Public Access Plan adopted by the Board of Supervisors to ensure a wide participation and dissemination of redistricting information. He stated that the plan included a community redistricting website, community outreach program including public outreach meetings, process for public to develop/submit redistricting plans for BRC's consideration, and public review and access to redistricting plans submitted. He stated that the County had a very robust website that has all the information on the requirements of redistricting, on the Boundary Review Committee, meetings, minutes, agendas, and reams of demographic data that is relevant of use to the public looking at the redistricting process. He stated that the County also put redistricting software on the website that was developed by a company called ESRI. He stated that it allowed the public free of charge to develop and submit redistricting plans for BRC considerations. He stated that the software went live on April 15; and the deadline to submit redistricting plans was on June 10th. He stated that there were live training sessions provided, online training videos, and open houses were also provided.

Mr. Zimmerman stated that in terms of community outreach, there were a total of 10 community outreach meetings all over Los Angeles County. He stated that 15 Boundary Review Committee meetings were held, 19 Redistricting Plans were submitted using online software, and the plans were submitted by mainly individuals and three organizations. He stated that there were over 30,000 unique visitors to the website between March 11th and July 13th.

Mr. Zimmerman stated that 17 plans were considered valid for purposes of doing a full staff report, having a full public hearing in front of BRC, and offering the author to explain their plan to the committee. He stated that two were not offered this arrangement because one was rescinded by the author and the other reflected 16 districts and per County Charter there are only 5 Supervisorial Districts. He stated that at the conclusion of the 15 meetings that the BRC held, BRC requested consideration of two additional plans with minor amendments to Benchmark Plan A1, referred to as Amended A1, and the other was minor amendments to S1 (LACBOS African American Plan), referred to as Proposed Revised S1. He stated that following discussion, the BRC took the following actions: voted 6 to 4 to not recommend Proposed Revised S1, voted 6 to 4 to recommend Amended A1- now referred to as BRC Recommended A2 Plan. He stated that BRC recommended the A2 Plan and the first public meeting was scheduled on August 9, 2011. He stated that at the 1st Public Hearing on August 9, 2011, the Board took the following actions; they approved minor changes to the recommended A2 Plan, referred to as the A2 Amended Plan, which was continued to September 6, 2011. He stated that this allowed Board members to submit plans of their own for consideration. Mr. Zimmerman stated that at the continued public hearing on September 6, 2011, the Board of Supervisors considered the following three plans: A3 Amended (Supervisor Knabe), S2 (Supervisor

Ridley-Thomas) and T1 (Supervisor Molina), with hundreds of officials and residents testifying. He stated that three plans were moved for final consideration to the 2nd Public Hearing which was held on September 27, 2011. He stated that Plans T1, S2, and A3 Amended all failed to muster the required votes. He stated that Plan A3 Amended was reconsidered, slightly amended to correct minor boundary anomalies and approved on a vote of 4 to 1. He stated that the new lines are effective October 27, 2011.

Questions

Commissioner Padilla asked about the lawsuit in the Garza Case. Mr. Zimmerman replied that there are companion terms that were used throughout the process by people who indicated that the Voting Rights Act has an impact upon the process. He stated that many called it “packing and pracking”, he stated that this is what the County was accused of doing back in the 70’s and 80’s. He also stated that the County was accused of splitting up the Latino population so they could not have a single district where they had majority influence. He stated that it was said that the County was purposely drawing lines to split the Latino population up.

Commissioner Padilla asked Mr. Zimmerman if he knows what statute the lawsuit is based on. Mr. Zimmerman replied it was filed based on the Federal Voting Rights Act. Commissioner Fuhrman stated that it was discriminatory against protective class of voters by not enabling them when their numbers warranted electing a member to the Board. Mr. Zimmerman stated that the other term “packing” is what many people are indicating the County is doing now. He stated that they are saying the 1st District is over populated with Latinos to where you can split it up and form two districts with influence and they are not doing that.

Mr. Safier asked based on the process this year, what recommendations Mr. Zimmerman is going to leave for ten years from now. Mr. Zimmerman replied that he is probably bias because he was involved in the process throughout. He stated that he thinks it was an extraordinarily public outreach and great example of public participation. He stated that he doesn’t think you can find anyone who would say they weren’t heard, their objectives wasn’t considered, or they did not have adequate opportunity to participate. He stated that given that it boiled down to a very continuous issue of one’s interpretation of the Voting Rights Act and how to follow it with regards to the Hispanic community, it remained very civil. He stated that he feel it was a good process and that he can’t think of anything that the County should have done.

Chairman Barcelona asked Mr. Zimmerman how long these issues could hold up the process. Mr. Zimmerman replied that the lines have to go in place and then sometime around December or January you might see a lawsuit as to what a court could do. He stated it could be a temporary restraining order about implementing the lines, or postponing an election, all in all the courts have a lot of latitude and it is really uncertain to what they might do.

Mr. Safier commented that since one of the charges of the E&E Commission is Economy, from Mr. Zimmerman’s perspective whether there is a more cost effective way to run this based on his experience. Mr. Zimmerman replied that it’s definitely something to think about but the County was going through the process during the County’s budget crisis. Commissioner Fuhrman commented that the process does not cost much. Mr. Zimmerman concurred and stated that the County had its consultants but the Departments that assisted with the process did not get any funding. He stated that the Community outreach group meetings were not very costly either.

Chairman Barcelona expressed his appreciation to Mr. Martin Zimmerman and invited him to come back to speak to the EEC in the near future and the Commissioners applauded.

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