



**MONTEREY PENINSULA COMMUNITY COLLEGE DISTRICT
Citizens Redistricting Advisory Committee**

Wednesday, August 3, 2011, 5:30 p.m.
Sam Karas Room, Library & Technology Center
Monterey Peninsula College
980 Fremont Street
Monterey, CA 93940

Meeting Agenda

1. Call to Order

2. Public Comment

Members of the audience wishing to address the Citizens Redistricting Advisory Committee may do so during the public comment period. Under provisions of the Brown Act, the Committee is prohibited from discussing or taking action on oral requests that are not part of the agenda. Comments are limited to three minutes per person or as determined by the committee.

3. Introductions

4. Approval of July 13, 2011 Minutes

ACTION

5. Trustee Area Redistricting Changes and Plan Recommendation

ACTION

Dr. Jeanne Gobalet, Lapkoff and Gobalet Demographic Research, Inc. will review the proposed trustee area boundary changes with the committee for discussion and endorsement.

6. Next Steps

INFORMATION

- Recommended Redistricting Plan finalized by Dr. Gobalet
- August 23, 2011 – Initial Public Hearing and Presentation on the Recommended Trustee Area Redistricting Plan to Board of Trustees
- September 27, 2011 – Second Public Hearing and Adoption of the Trustee Area Redistricting Plan by Board of Trustees
- Preparation of Trustee Area Redistricting Plan preclearance submission for U.S. Dept. of Justice by Dr. Gobalet

7. Next Meeting (if necessary)

8. Adjournment

Public records provided to the Committee for the items listed on this agenda may be viewed online at the College's website (<http://www.mpc.edu/GoverningBoard/Pages/2010-Trustee-Areas-Redistricting.aspx>), at the Superintendent/President's office, Monterey Peninsula College, 980 Fremont Street, Monterey, California during normal business hours, or at the Committee meeting.

Posted: July 29, 2011



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Citizens Redistricting Advisory Committee**

Wednesday, July 13, 2011, 5:30 p.m.
Sam Karas Room, Library & Technology Center
Monterey Peninsula College
980 Fremont Street
Monterey, CA 93940

Meeting Minutes

MEMBERS PRESENT: Dan Albert, Trustee Area 3
Kathryn Badon, Trustee Area 1
Jean Grace, Trustee Area 5
Marilynn Gustafson, Trustee Area 4
Jay Hudson, Trustee Area 3
Donna Jett, Trustee Area 5
Karen Kadushin, Trustee Area 4
Mel Mason, Trustee Area 1
Dr. Thomas Moore, Trustee Area 2
Paula Pelot, Trustee Area 2

MEMBERS ABSENT: None

STAFF PRESENT: Dr. Douglas Garrison, Superintendent/President
Vicki Nakamura, Assistant to the President
Carla Robinson, Executive Assistant to the
Superintendent/President and Governing Board

OTHERS PRESENT: Fran Gaver, Facilitator
Dr. Jeanne Gobalet, Lapkoff & Gobalet Demographic Research,
Inc.

1. Call to Order

The meeting was called to order at 5:35 PM by Fran Gaver, Facilitator.

2. Public Comment

There were none.

3. Introductions

Ms. Gaver explained she was asked by Doug Garrison to lead the meeting and facilitate the committee's discussion. She then introduced Dr. Garrison, Superintendent/President of the College, and Dr. Jeanne Gobalet, the district's demographic consultant for the trustee area redistricting process.

Dr. Garrison introduced staff members, Vicki Nakamura, Assistant to the President, and Carla Robinson, Executive Assistant. He thanked the committee for their service and time.

Committee members then introduced themselves and cited the trustee area they represented.

4. Overview of the Redistricting Process

Background and Purpose

Dr. Garrison provided a broad overview of the process for the committee. He explained the California Education Code requires the evaluation of trustee areas after each U.S. Census for continued compliance with statutory requirements. If trustee area boundary adjustments are necessary, the changes need to be approved by the District's Governing Board and then submitted to the federal Dept. of Justice for preclearance.

Dr. Garrison noted the District's five trustee areas were developed in 2008, with the boundaries being based on 2000 Census data. Since then, election by trustee area has been implemented for only two of the trustee areas; trustees were elected from trustee areas 1 and 2 in the 2009 election. Trustee areas 3, 4, and 5 will be implemented in the upcoming November 2011 election using the existing boundaries. He clarified that boundary adjustments resulting from the redistricting process will not be implemented until the next election cycle, in 2013.

Committee's Role

Dr. Garrison explained Dr. Gobalet had been hired to analyze the District's trustee areas using 2010 Census data and assist the committee in understanding the legal requirements of redistricting and the demographic information. He described the committee's role in evaluating possible options for revising trustee area boundaries and then recommending a plan to the Governing Board. Dr. Garrison emphasized the Board of Trustees makes the final decision regarding changes to trustee areas.

Timeline

He then reviewed the redistricting process and timeline, beginning with the appointment process for the advisory committee. Ads were published to solicit applications which were provided to the trustees. Each trustee nominated 2 representatives that were presented to the Governing Board for appointment in June. Two meetings of the advisory committee have been scheduled for July 13 and August 3, with the hope that a recommendation can be presented to the Board for a first reading in August and action in September.

Public Outreach

Dr. Garrison concluded his overview with a description of the public outreach efforts regarding the trustee area redistricting process, including the use of local media to share information. A webpage has also been added to the Governing Board website specifically dedicated to the redistricting process with committee meeting information and documents posted for public review.

5. Committee Protocols

Brown Act Compliance

Being a subcommittee of the District's Governing Board, Dr. Garrison noted the committee's meetings are open to the public and subject to Brown Act requirements. Meeting agendas are posted and opportunity for public comment is provided on the agenda. He added that the meeting is being recorded to facilitate completion of the minutes.

Dr. Garrison stated the Brown Act also prohibits the committee from engaging in certain behaviors. He encouraged the committee to review the handout, *The ABC of Open Government Laws*. Dr. Garrison advised the committee to avoid discussing items not on the agenda to ensure the public's right to know. In addition, the committee or a subset of members should not confer outside of the meeting; all discussion needs to occur at the meeting. He added that serial decisionmaking, where one member contacts another member to discuss and reach agreement, should be avoided.

Dr. Garrison then turned the meeting over to Ms. Gaver, Attorney at Law, with the firm, Leach & Walker. He cited her experience as a member of the Carmel Unified School District Board of Trustees and the MPC Foundation Board of Directors. He thanked her for her willingness to serve the college in this role. Dr. Garrison closed his remarks by noting he, Ms. Nakamura, and Ms. Robinson were present to serve as resources to the committee, and would not be involved in the dialog.

Decisionmaking – Voting or by Consensus

Ms. Gaver addressed the method the committee should use to arrive at a decision. She stated her preference for the committee to use a consensus approach. However, if consensus is not achievable, the committee could then employ Robert's Rules of Order to vote on a proposal.

Ms. Grace commented that voting is helpful so the public knows where the representatives stand.

It was moved by Dr. Moore and seconded by Ms. Kadushin to adopt the consensus approach and if consensus cannot be reached, the committee would then change to taking a vote. Motion carried unanimously.

Mr. Hudson noted the committee consisted of 10 members. He asked what would happen if the vote was 5 vs. 5. Ms. Gaver suggested the committee vote by trustee areas to achieve a majority.

Ms. Kadushin asked if the committee would be able to agree on a recommendation at this meeting. Ms. Gaver responded that as no action was indicated on the meeting agenda, the committee would need to defer their recommendation until the August meeting to comply with the Brown Act.

Ms. Pelot asked about the possibility of a third meeting if further refinements were made at the August meeting. Ms. Gaver stated it was her firm hope for the committee to arrive at a recommendation at the August 3rd meeting. She advised seeing how the review proceeded at tonight's meeting.

6. Demographics of Redistricting Presentation

Dr. Gobalet explained redistricting involves the demographic evaluation of trustee areas to determine if there is almost equal population in each area. Almost equal population is measured by plan deviation. If boundary adjustments need to be made, the Voting Rights Act must be considered.

Dr. Gobalet reported major changes were unnecessary to bring the District's trustee area plan into compliance with the equal population requirement. To achieve a greater degree of population equality would require adjusting the boundary in just two trustee areas. She said there were two options and both were minimum change scenarios.

The current plan has a deviation of 15.8%. Dr. Gobalet stated trustee area 3 has the least population and trustee area 2 has the most. The deviation needs to be below 10%.

Dr. Gobalet explained that census blocks are used to put together the trustee area plans. While census block boundaries correspond with street center lines, precinct boundaries consider property lines so there may be conflicts between the two. Precinct boundaries cannot be redrawn so redistricting requires working with the Registrar of Voters to resolve any conflicts. As a result, the approved plan may not be an exact match with the trustee areas that are implemented later. Dr. Gobalet mentioned the Dept. of Justice understands this situation may occur.

She reported she had created a series of maps to help the committee understand communities of interest which are an important consideration in redistricting. Communities of interest may include racial or ethnic groups, similar income levels, age, or educational attainment. Dr. Gobalet observed the largest population group in the District is non-Hispanic White, followed by Hispanic, Asian, African-American, and multiracial groups. The only group not protected is non-Hispanic White.

The two minimal change scenarios consist of either moving the CSUMB campus population (2,688 people) from trustee area 2 to trustee area 3 or selecting a subset of trustee area 2 to move to Area 3. She made a special note that residents on the north side of Military Avenue need to be in the same precinct as those south of Military to ensure access to the polling place.

7. Discussion of Demographic Evaluation Report and Possible Approaches

Ms. Badon stated she and Mr. Mason had worked on the prior redistricting committee and were concerned that it was necessary to separate Seaside Highlands from Seaside when the trustee areas were originally developed. She noted heavy voting occurs in Seaside Highlands and it is a community of interest.

Mr. Mason commented when trustee area 1 was implemented in the 2009 election, there was a consensus in the community who should be the first trustee representing the area. He introduced Trustee Charles Brown to the committee. Mr. Mason said Mr. Brown ran for election unopposed. Ms. Badon added that residents of Seaside Highlands wanted to know why they were unable to vote in the trustee area 1 election.

Dr. Moore stated he and Ms. Pelot supported allowing Seaside Highlands to be moved to area 1 with Seaside. He suggested Dr. Gobalet analyze drawing the boundary for trustee area 1 at Coe Avenue. Dr. Moore also stated Marina wanted to retain all of CSUMB within area 2. He suggested the military housing area in Seaside Highlands be moved to trustee area 3.

Ms. Badon said a survey of CSUMB students showed most voted absentee since they were not residents of the area. She also noted the military housing area will be developed and become part of Seaside within 5 years.

Ms. Pelot agreed there would be many population changes 10 years from now, particularly in Marina. She stated many CSUMB students, faculty, and staff reside in her neighborhood. As the City of Marina wants to annex the CSUMB residential area, she advocated keeping CSUMB within area 2.

Ms. Grace observed that the current trustee areas are each coterminous with 2 other areas, providing for an exchange of ideas and thoughts. She opposed the proposal to move a wedge of population from area 2 to area 3 as this boundary pattern would be altered.

Dr. Gobalet used her online mapping software to show the effects of the suggested changes. Including Seaside Highlands within trustee area 1 would move 2,716 people from area 2 to area 1. The result is that area 1 becomes too large with a deviation of 9.3%, area 2 remains too large, and area 3 continues to be too small.

Dr. Moore suggested Dr. Gobalet move the Fort Ord golf course and military housing area north of the golf course into area 3.

Ms. Kadushin asked why Marina was interested in retaining CSUMB in area 2. She said if development goes as planned, there will too large of a population in area 2 and CSUMB will have to be moved to another trustee area.

Dr. Moore stated he was not optimistic that all of the proposed development on the former Fort Ord will occur. He said retaining CSUMB would change the demographic of central Marina and improve the connections between the City and the university. Ms. Pelot

reiterated the City is pursuing annexation of CSUMB. She said CSUMB's permanent residents have expressed a desire to be a part of Marina since they are affected by the City's policies.

Noting the large population in trustee area 5, Ms. Badon suggested moving part of area 5 to area 3. She stated there would be less impact on the communities of interest in area 5.

Mr. Albert noted the City of Monterey's trustee areas are divided as New Monterey is in area 4 while Monterey is in area 3. He commented it is not uncommon to divide up cities in redistricting. Separating communities in a city may be necessary to make the redistricting plan work.

Dr. Gobalet finished making the suggested changes to the online maps. She showed an aerial photo of the Seaside Highlands area to the committee and noted Peninsula Point Drive was a census boundary. North and east of Peninsula Point Drive would go to area 3 in the latest scenario, but the rest of Seaside Highlands would be included in area 1. The total plan deviation for this scenario is approximately 10%. Dr. Gobalet said that if all of Seaside Highlands was moved to area 1, the deviation may be higher. She commented the District could argue the boundary change was based on keeping a community of interest intact. If no one else objected, the Dept of Justice would probably accept.

Since trustee area 3 is too low in population, Ms. Badon asked about moving New Monterey to area 3. Ms. Kadushin suggested moving Carmel area 5 into trustee area 4 to compensate for moving New Monterey. Ms. Grace argued against removing urban areas from area 5. Mr. Hudson proposed moving the Jack's Peak area from area 5.

Dr. Gobalet responded to these suggestions by stating New Monterey has a population of 5,087 and Carmel, 3,722. Moving these communities would result in a larger population deviation.

Ms. Gustafson asked about the impact of moving the Jack's Peak population from area 5 to area 3. Dr. Gobalet said 3,600 people would be moved, making area 3 too large, with a deviation of 9.41%.

Dr. Gobalet was asked to move the Fort Ord golf course back to area 2. She said this change puts the deviation at 10.5%. Dr. Moore observed trustee area 3 is now too big, and areas 4 and 5 are too small.

Ms. Gaver asked Dr. Gobalet to repeat what the law says about equal population and districts not exceeding a 10% deviation. Ms. Badon mentioned the need to protect communities of interest since Monterey County is also subject to Section 5 of the Voting Rights Act. Dr. Gobalet replied that population equality is more important than the Voting Rights Act because the equal population principle derives from the U.S. Constitution while the Voting Rights Act is a statute. She said the Dept. of Justice is not so concerned about the percentage deviation. However, if the committee recommends a plan exceeding 10%

deviation to the Board of Trustees, such a plan exposes the College to a lawsuit regarding one person/one vote issues.

Ms. Kadushin requested Dr. Gobalet to summarize the changes made to the trustee areas. Dr. Gobalet said the existing Military Avenue boundary had been shifted, moving most of Seaside Highlands to trustee area 1 from area 2. The Fort Ord golf course is still in area 2. The Jacks Peak area had been moved from trustee area 5 to area 3. Mr. Hudson suggested moving less population away from area 5 to area 3 to assist with balancing the population differences. Mr. Albert concurred with Mr. Hudson. Ms. Grace reiterated that the urban areas of Carmel and Carmel Valley Village not be moved from area 5.

In response, Dr. Gobalet highlighted the Jack's Peak area in the online map. Taking a smaller area with a population of 1,421 reduces the deviation below 10%. Ms. Jett noted trustee area 5 is now at a deviation of -4.22% and is "out of whack." Dr. Gobalet said it made sense to move any population south of Highway 1 in area 5 to area 3. She suggested no further changes be made to enlarge area 5 to account for probable population growth in the next decade.

Ms. Gaver summarized the areas of agreement voiced by the committee. The committee supports Marina retaining CSUMB as part of trustee area 2 as well as moving part of Seaside Highlands from trustee area 2 to area 1 to go with Seaside. She advised the group to come to closure and have Dr. Gobalet develop three possible scenarios for the next meeting.

Dr. Gobalet stated she needed further direction for the scenarios. Moving the golf course to trustee area 1 will make it too large, with a population gain of 1,316.

Ms. Grace stated there should be agreement that the disparities in population are between areas 1, 2, and 3. She suggested areas 4 and 5 be set aside and the current boundaries maintained. The focus should be on areas 1, 2, and 3 and what can be changed.

Addressing the concern over population loss in the latest scenarios by the representatives of trustee area 5, Dr. Moore noted less population is not necessarily a bad thing. With a population of 24,559 and a deviation of -4.22%, trustee area 5 will be able to elect one trustee. He concluded the power per voter in trustee area 5 is higher in the latest scenario. Others echoed Dr. Moore's statement.

Ms. Jett countered that population parity has not been achieved and all areas should be closer to the ideal size of 25,500 people. She said current census data should be used and the committee's obligation is to ensure population equality between the trustee areas. Ms. Grace added her concern regarding the large negative percentage deviation in area 5.

Dr. Moore responded that the census tracts and voter precincts do not allow exact equality. The current maximum deviation is 8.7%. The latest changes to areas 5 and 3 improves the deviation to 5.23%. He supported the latest scenario.

Ms. Kadushin observed that trustee areas 4 and 5 have similar deviations in the latest scenario; however, these areas also have the highest numbers of registered voters. She stated she was comfortable with the changes made.

Dr. Gobalet commented it was acceptable to have a deviation close to 10%. She said it was not bad to have either a negative or positive deviation. Dr. Gobalet refined the boundary adjustment between areas 3 and 5 in the latest scenario and noted the deviation was now at -3.97% for area 5. In this third scenario, the major adjustments have occurred between areas 3 and 5 and areas 1 and 2, with area 4 being unaffected.

Mr. Albert suggested the committee be canvassed for feedback. The representatives from all five trustee areas expressed support for the third scenario.

8. Next Steps

Ms. Gaver requested that Dr. Gobalet provide revised maps for the third scenario just discussed, with the demographics listed. These items should be provided to the committee prior to the August 3 meeting to enable the members to adopt a recommendation to present to the Board of Trustees.

Ms. Grace asked that the maps also show the communities along the boundary lines. Dr. Moore requested “zoomed in” views around the Peninsula.

Dr. Garrison confirmed an action item to adopt a recommendation will be agendaized for the August 3 meeting.

Ms. Gaver thanked the committee for their work.

9. Next Meeting: Wednesday, August 3, 2011, 5:30 pm.

10. Adjournment

Ms. Gaver adjourned the meeting at 7:45 PM.

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