

W. J. O. A.

AGENDA COVER MEMORANDUM

Agenda Date: February 23, 2011

TO: Board of County Commissioners

DEPARTMENT: Department of Management Services

PRESENTED BY: Cheryl Betschart, County Clerk
Department of Management Services

AGENDA ITEM TITLE: DISCUSSION/PROCESS TO REVIEW POPULATION DENSITIES OF EACH COMMISSIONER DISTRICT AND MODIFY BOUNDARIES WHERE NECESSARY

I. **MOTION**

II. **AGENDA ITEM SUMMARY**

2010 U.S. Census information will soon be available to Lane County. The Board of County Commissioners (BCC) needs to decide how they will comply with review of commissioner district boundaries, which is required every 10 years?

III. **BACKGROUND/IMPLICATIONS OF ACTION**

A. **Board Action and Other History**

Lane County Home Rule Charter, Chapter III (3) (d) "In accordance with Federal, State, or County census figures, the boundaries of the five districts shall be drawn by the board of commissioners so as not to deny any person equal protection of the law. The board of commissioners shall, not less than every 10 years, initiate review of the population densities of each district and modify boundaries when necessary. No boundary creation, position designation or boundary change shall disqualify a commissioner from completing the term of office to which that commissioner was elected or appointed. (e) The board of commissioners shall adopt by ordinance the district boundaries as required by subsection (d) above. District boundaries shall be finally adopted at least six months prior to any election for which they are to be effective.

The BCC last adjusted commissioner districts in 2001. The BCC utilized a citizen task force for this task in 1991 and 2001. Lane Council of Governments assisted the task force throughout this process.

B. **Policy Issues**

C. Board Goals

To complete reapportionment within required timelines and in accordance with Lane County Charter.

D. Financial and/or Resource Considerations

Lane Council of Governments (LCOG) has estimated the cost of providing research and analysis of data for this task to be \$1,500 FY2010-2011 and \$3,500 FY 2011-2012, and an additional \$5,000 for redrawing precincts FY 2011/2012.

Staff Support will be provided as follows:

- County Administration
- County Counsel
- Elections

E. Analysis

In 1981, 1991, and 2001, the County hired LCOG to provide both the data and the analysis necessary to produce a variety of scenarios for boundary adjustments of commissioner districts. The Geographic Data System (GIS) was used to produce the scenarios after adjusting the census information over the existing Lane County Base. The scenarios produced provided the task force the options to determine the most appropriate recommendation to the BCC.

F. Alternatives/Options

1. To form a citizen task force with membership consisting of seven persons: one representative appointed by each commissioner and two at-large representatives, with the task of reapportioning the five commissioners' districts of Lane County and making recommendations to the Board of Commissioners by October 19, 2011.
2. To hire Lane Council of Governments for the task of reapportioning the five commissioners' districts of Lane County and make recommendations to the Board of Commissioners by October 19, 2011.

IV. RECOMMENDATION

1. That an intergovernmental agreement be signed with Lane Council of Governments (LCOG).
2. That LCOG begin work in July 2011.
3. That LCOG consider final legislative boundary changes in its recommendation.
4. That LCOG consider final City of Eugene Ward boundary changes in its recommendation.
5. That the proposal for data analysis from LCOG be reviewed by staff and recommendations be submitted to the BCC.
6. That LCOG complete its work with sufficient time allotted to present their recommendation to the Board and for the Board to adopt the final district boundaries no later than the date required by Lane County Charter.

V. TIMING/IMPLEMENTATION

The charter provision of Chapter III, Section 11(3)(e) sets the outside date for completion of the boundary adjustment effort. It must be concluded by November 12, 2011, which is six months prior to the May 15, 2012, Primary Election.

The beginning date of the effort is dependent on several factors:

- 2010 census data available to Lane Council of Governments is expected March/April 2011.
- Adjustment of the census geography to overlay local boundaries is expected to be completed by June/July 2011.
- Preparation of the 2010 population counts by existing political districts is expected to be completed July 2011.

The actual work to adjust political boundaries so that population is equitably distributed will need to commence late July 2011.

To minimize the establishment of split precincts, which can isolate small political subdivisions and the voters within, it is suggested that final adoption of the commissioner district boundaries be completed after the final legislative boundaries and City of Eugene Ward boundaries are adopted as timelines permit. Regardless of the status of other political boundary changes, the commissioner boundary changes must be adopted no later than November 12, 2011, unless there is a charter amendment to revise that date.

VI. FOLLOW-UP

As the Board may determine.

VII. ATTACHMENTS

Attachment A: 2011 Redistricting Time Line

Attachment B: Excerpt from Lane County Home Rule Charter

Attachment C: Criteria Task Force May Consider

ATTACHMENT A

2011 Redistricting Timeline	
Time Frame	Task
January - March, 2011	LCOG to obtain funding and finalize work scope.
March – June, 2011	LCOG to adjust 2010 Census Blocks to more accurate Lane County Base.
July 2011	LCOG to prepare and present 2010 population counts by existing political districts.
July – December, 2011	Work with respective councils and committees to adjust political boundaries so that population is equitably distributed.
September 1, 2011	Earliest date reapportionment enacted by Legislative Assembly can become operative.
September 8, 2011	1st day candidate can file for May 15, 2012 Primary Election
September 15, 2011	Earliest date reapportionment enacted by Secretary of State can become operative if Legislative Assembly fails to enact.
October 19, 2011	Submit final recommendations to the Board of Commissioners in order to accommodate Board Agenda Schedule
November 12, 2011	Final Commissioner District boundaries to be adopted at least six months prior to any election for which they are to be effective.
December 15, 2011	Latest date reapportionment by Secretary of State can become operative.
January 31, 2012	Deadline for county clerk to complete precinct boundary changes.
March 6, 2012	Last day candidate can file for May 15, 2012 Primary Election.

ATTACHMENT B - EXCERPT FROM LANE COUNTY HOME RULE CHARTER
Chapter III, Section 11, (3) (d) and (e)

(d) "In accordance with Federal, State, or County census figures, the boundaries of the five districts shall be drawn by the board of commissioners so as not to deny any person equal protection of the law. The board of commissioners shall, not less than every 10 years, initiate review of the population densities of each district and modify boundaries when necessary. No boundary creation, position designation or boundary change shall disqualify a commissioner from completing the term of office to which that commissioner was elected or appointed.

(e) The board of commissioners shall adopt by ordinance the district boundaries as required by subsection (d) above. District boundaries shall be finally adopted at least six months prior to any election for which they are to be effective.

ATTACHMENT C - CRITERIA CONSIDERATIONS

A number of criteria may be considered when reapportioning commissioner districts such as:

Equal population: Total 2010 census population within a 5% variation.

Geographic boundaries: Such as rivers, mountain crests, roads, etc.

Political boundaries: Such as state representative, cities, school, etc. Consider how city political boundaries that change as the result of annexations in the next 10 years will impact commissioner district boundaries. Such districts may conflict with population equality and compactness.

Existing district boundaries: Review existing commissioner districts' population densities and modify boundaries when necessary.

Incumbents: Determine that no designation shall disqualify a commissioner from completing the term of office to which a commissioner was elected.

Contiguity: Contiguous district boundaries.

Community of interest: To incorporate a community of interest into a district, it may be necessary to compromise other standards. School boundaries may be one method to incorporate community interest.

Transportation links: Roads, railroad tracks, etc. *Roads are not recommended when a small community is situated directly upon that transportation link. A hypothetical example would be Interstate 5 utilized as a boundary dividing the City of Cottage Grove and the South Lane School District.*

Language and ethnic minorities: Districts can be drawn to incorporate language, racial and ethnic minority groups, but such districts may run counter to compactness, population standards, or other communities of interest.

No favoritism to any person:

Additional considerations: Historically, commissioner districts have been drawn to be inclusive of city boundaries to minimize "split" precincts (for example, where a city precinct includes more than 1 commissioner district). An additional consideration would be the *urban growth area* to minimize the requirement of establishing "split" commissioner precincts when subsequent annexations occur within major cities such as the City of Eugene and the City of Springfield pending the next 10 year reapportionment.