



Legislation Text

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File #: 22-0976, Version: 1

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City of Alexandria, Virginia

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MEMORANDUM

**DATE:** MARCH 1, 2022

**TO:** THE HONORABLE MAYOR AND MEMBERS OF CITY COUNCIL

**FROM:** JAMES F. PARAION, CITY MANAGER /s/

**DOCKET TITLE:**

Public Hearing, Second Reading and Final Passage of an Ordinance to Amend and Reordain Section 2-2-10 (Establishment of Election Districts and Voting Places) Subsection (Z), All of Chapter 2 (Elections), Title 2 (General Government) of the Code of the City of Alexandria, Virginia, 1981, As Amended, to Amend and Reordain Section 12-1-4 (Election of School Board Members; Date and Manner of Election), All of Chapter 1 (School District and School Board), Title 12 (Education, Social Services And Welfare) of the Code of the City of Alexandria, Virginia, 1981, As Amended, and to Amend And Reordain "The Official Map of the City of Alexandria, Virginia, Designating Election Districts and Voting Places," Adopted by Section 2-2-13 (Map of Election Districts and Voting Places), All of Chapter 2 (Elections), Title 2 (General Government) of the Code of the City Of Alexandria, Virginia, 1981, As Amended. [ROLL-CALL VOTE]

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**ISSUE:** Consideration of an ordinance to:

- 1) Establish the F.T. Day School as a polling place in lieu of Hermitage and rename the Hermitage Precinct the F.T. Day School Precinct with no changes to the precinct boundaries; and
- 2) Implement School Board redistricting as recommended by the City of Alexandria's Redistricting Committee; and
- 3) Amend Section 12-1-4 of the Code of the City of Alexandria to reflect current precincts.

**RECOMMENDATION:** That City Council hold the public hearing and adopt the ordinance (Attachment 2) on second reading and final passage on March 12, 2022 to:

- 1) Establish the F.T. Day School as a polling place in lieu of the Hermitage senior living facility and rename the Hermitage Precinct the F.T. Day School Precinct,

- 2) Shift the AlexRenew Precinct from Election District A into Election District B, and
- 3) Amend the City Code to reflect the names of the current voting precincts.

**BACKGROUND:** On December 28, 2021, The Virginia Supreme Court finalized decennial redistricting based on the 2020 Census results. Because School Board members are elected in districts, the City is required to review board districts before the 2024 election to ensure, among other things, that they are “substantially” equal in population (*Evenwel v. Abbott*, 136 S. Ct. 1120 (2016)), *i.e.*, they must have population differences no greater than 10 percent, and ideally no greater than 5 percent. Additionally, in accordance with Virginia Code § 24.2-307, each precinct must be wholly contained within a single congressional district, Senate District, House of Delegates district.

The Redistricting Committee, which is composed of members from Alexandria City Public Schools, the City’s Race and Social Equity Officer, the City Manager’s Office, the Department of Planning and Zoning, Information Technology Services, the City Attorney’s Office, the Alexandria Electoral Board and the Office of Voter Registration and Elections, was created to review, analyze, and recommend options to City Council to comply with local, state, and federal laws following the results of the 2020 Census.

## **DISCUSSION:**

### **Precinct Polling Place Change**

On February 2, 2022, the Alexandria Electoral Board voted to recommend relocating the Hermitage polling place to F.T. Day School, at Ferdinand T. Day School on N. Beauregard Street, with no changes to the precinct boundaries. In making its recommendations to City Council, the Electoral Board was primarily concerned with ensuring that precincts conform to legal requirements, are a manageable size, have suitable voting facilities and those voting facilities are fully accessible. Due to COVID-19, the Hermitage Senior Living Facility has declined to serve as a polling place and voting for this precinct has temporarily been co-located at the John Adams School. Co-located precincts have administrative challenges and increase voter confusion. In addition, the Code of Virginia (§24.2-310) requires that “each polling place shall be located in a public building whenever practicable.” This ordinance codifies this change from Hermitage to F.T. Day School. F.T. Day School was selected as the name instead of Ferdinand T. Day to make the polling place name distinct from the school and the street names.

### **Precinct Changes for School Board Districts**

A review of the 2020 Census data indicates that City Council will need to adjust School Board Districts before the next School Board election to maintain compliance with voting rights laws. The current population of the three School Board Districts includes the following:

Current										
School District	White	Black	Hispanic	Asian	Hawaiian Pacific Islander	American Indian or Alaska Native	Other	Two or More Races	Total	Total with prisoner allocation
A	34,225	6,869	9,569	2,517	26	65	339	2,550	56,160	56,11
B	28,381	7,317	7,987	2,947	27	75	286	2,487	49,507	49,55
C	15,918	17,128	11,816	5,741	24	77	401	2,700	53,800	53,88

Recent Virginia law (§ 24.2-314) includes adjustments to reflect the reallocation of incarcerated persons to their place of residency at the time of incarceration for the purposes of redistricting and reapportionment for congressional, state Senate, House of Delegates, and local government election districts. The population reallocation is included in the totals used to determine district size but was not available with demographic

breakdown details. The allocation data for Alexandria represents less than one percent of each district.

Based on the total adjusted population data, District A has a population that is approximately 13 percent larger than the smallest district, District B. In order to provide “substantially equal” districts, the ideal district size is 53,115 residents, which is slightly smaller than District C at 53,886. This means that some residents in District A would need to change to another district to maintain substantially equal representation across the current three district composition.

While there can be a variety of ways to balance the districts, the AlexRenew precinct, with 3,819 residents, provides substantially equal representation with a minimal number of precinct changes. Moving AlexRenew District A to District B and would achieve representation across all three districts that is close to the ideal district size and maintains the composition. The following table reflects the three districts if the AlexRenew precinct moves to District B. Other options considered required more precinct changes to maintain “substantially equal” districts while maintaining the general demographic makeup of the districts.

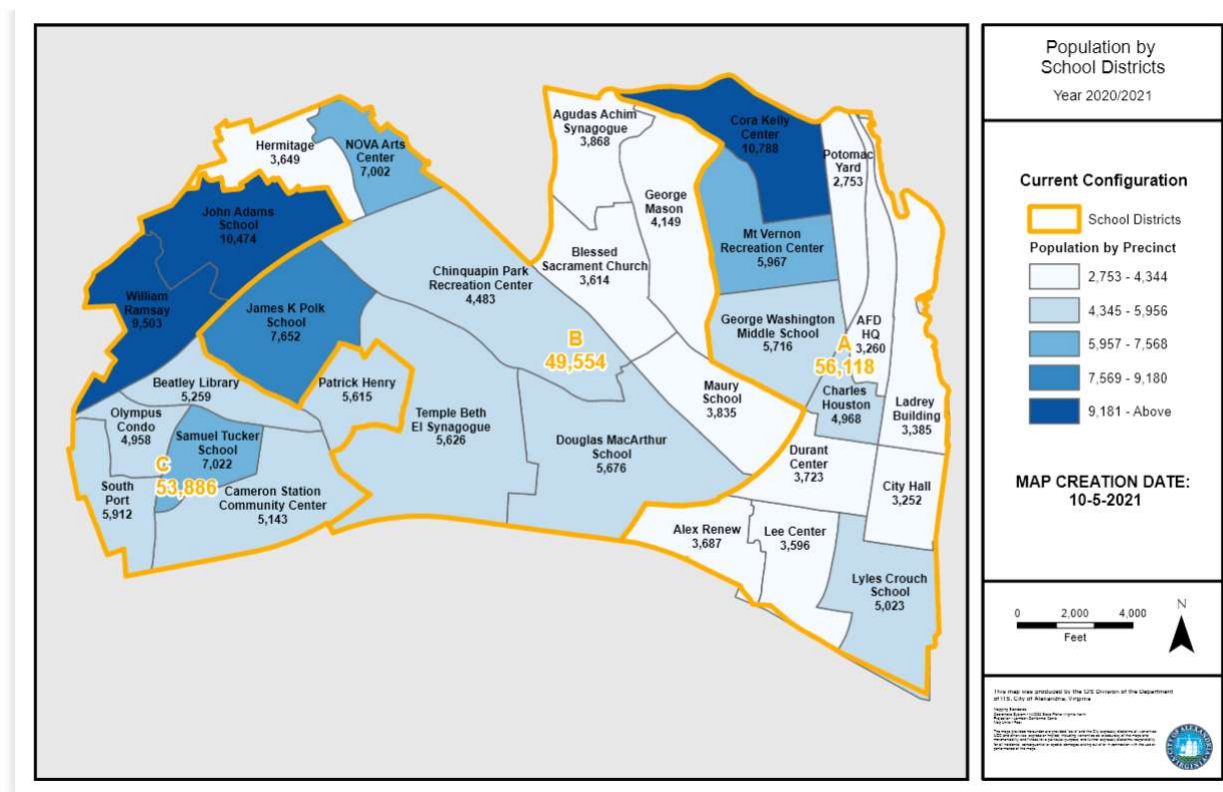
Proposed										
School District	White	Black	Hispanic	Asian	Hawaiian Pacific Islander	American Indian or Alaska Native	Other	Two or More Races	Total	Total with prisoner allocation
A	31,850	6,344	9,205	2,174	24	60	317	2,367	52,341	52,29
B	30,756	7,842	8,351	3,290	29	80	308	2,670	53,326	53,37
C	15,918	17,128	11,816	5,741	24	77	401	2,700	53,800	53,88

The following table shows the composition of Districts A and B before and after the proposed AlexRenew

change.

	White	Black	Hispanic	Asian	Hawaiian Pacific Islander	American Indian or Alaska Native	Other	Two or More Races
District A Current	61%	12%	17%	4%	>1%	>1%	1%	5%
District A After Alex Renew	61%	12%	18%	4%	>1%	>1%	1%	5%
District B Current	57%	15%	16%	6%	>1%	>1%	1%	5%
District B After Alex Renew	58%	15%	16%	6%	>1%	>1%	1%	5%
Alex Renew	62%	14%	10%	9%	>1%	>1%	1%	5%

The following map shows the current precinct make up for the three School Board Districts adjusted for prison allocations with the AlexRenew precinct highlighted in yellow that would move to District B:



On January 25, 2022, the City's Redistricting Committee recommended shifting the AlexRenew Precinct from Election District A into Election District B to maintain equal representation across the School Board Districts

In making its recommendation to Council, the Redistricting Committee was concerned with ensuring that the lines were not drawn to discriminate based upon race (14<sup>th</sup> Amendment to the Constitution, Voting Rights Act of 1965) and that they are compact and contiguous with clearly observable boundaries (Va. Constitution Article VII).

Before bringing the recommendations to move the AlexRenew precinct from District A to District B to Council, the Redistricting Committee solicited input from the public. Details of the proposal were posted on the City's website, and information was shared via press releases, and social media.

The Redistricting Committee received four comments regarding the process including a request for clearer information and whether other options were considered, comments regarding placing F.T Day into District C, general comments about the School Board Districts and support for the proposal. Since AlexRenew met the criteria with the least number of changes of precincts, the Committee elected the AlexRenew option.

### School Board Representation Authority

City Charter §15.10 sets the number of school board members at nine and gives the City Council the authority to establish the number and boundaries of School Board districts. It does not give the City Council the authority

to change the total number of members or the term of the members. Changes to the total number of members or the term would need to be made by the General Assembly to the City's charter if those changes are desired.

Currently, there are three districts with three members representing each district for a total of nine members each with a three-year term. City Council may consider different quantities of School Board Districts and different quantities of representatives for each district.

If City Council wished to consider changes to School Board Districts, the state law allows City Council to make changes up until sixty days before the election. However, in School Board election years, candidates may begin circulating petitions and filing paperwork after January 1<sup>st</sup> of that election year through early June. The next School Board election currently scheduled will be in November 2024. To reduce confusion for candidates who might be circulating petitions, Council may want to consider having these changes in place prior to January 1, 2024.

### **City Code Updates**

City Code 12-1-4 refers to precincts by name and has not been consistently modified as voting precincts have changed over the years. Today, Code 12-1-4 names precincts that no longer exist, have been renamed, or have been split into new precincts to account for population growth. This ordinance updates the City Code to reflect the current precinct names in the School Board Districts.

If City Council approves this ordinance, it will be implemented only after receiving a Certification of No Objection by the Office of the Attorney General as required by § 24.2-129 of the Code of Virginia. It is anticipated to take up to 60 days to receive the certification. Voters whose polling place are changing would be sent notifications prior to the June 21, 2022, Primary Election.

**FISCAL IMPACT:** Voters whose precincts have changed, would be sent a subsequent notification prior to the November General election. This mailing would cost approximately \$2,300 and can be accommodated within the budget of the Office of Voter Registration & Elections.

### **ATTACHMENTS:**

1. Proposed Ordinance Cover
2. Proposed Ordinance
3. Map of Proposed Voting Precinct Changes

### **STAFF:**

Laura B. Triggs, Deputy City Manager  
Joanna Anderson, City Attorney  
Angela Maniglia Turner, General Registrar  
Shawn Lassiter, Assistant City Attorney  
Alexis Quinn, Management Analyst  
Members of the City of Alexandria Redistricting Committee  
Members of the Alexandria Electoral Board  
Dr. Gregory Hutchings, Superintendent, ACPS  
Meagan Alderton, Chair, ACPS School Board