

## Staff Report

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**TO:** Mayor and City Council  
**THROUGH:** Steve Powers, City Manager  
**FROM:** Norman Wright, Community Development Director

**SUBJECT:**

Information on the City Council ward reapportionment process.

Ward(s): All Wards  
Councilor(s): All Councilors  
Neighborhood(s): All Neighborhoods  
Service Area(s): Good Governance

**SUMMARY:**

This report summarizes the state and city reapportionment process and unknown timelines due to the federal delay in the release of census data.

**ISSUE:**

Information Only.

**RECOMMENDATION:**

Information Only.

**FACTS AND FINDINGS:**

*Timeline*

Due to a delay in the release of the Public Law 94-171 Redistricting File from the 2020 Census, the timelines for reapportionment are currently unknown.

The ward reapportionment process normally begins after the state legislative district boundaries are updated. Following the completion of the state's redistricting, the Secretary of State would issue a

directive to counties, local governments, and special districts that elect representatives by districts with the required redistricting criteria, and once that has been issued, they will be able to begin work.

The Secretary of State's office has not yet provided any information about when a directive will be issued to cities and special districts regarding redistricting following the decennial census. It is unknown if the Secretary of State will allow local governments to begin reapportionment while the legislative boundaries are being adjusted, due to the delay in the release of census data.

The Secretary of State issued a statement on Friday, April 9, stating that her main objective is to prevent moving 2022 election dates and allow for adequate public input in the state redistricting process.

State law requires state legislative boundaries to be redrawn by July 1. Due to the delay of the release of the census data, that deadline was not met. The Oregon Supreme Court approved an extension of that deadline to September 27, 2021. The Census Bureau is expected to release an unformatted version of the redistricting file around the middle of August to enable states to begin their redistricting process as soon as possible.

The delay in the ward reapportionment may impact the May 2022 City Council primary, as candidates are able to file for the election starting mid-September when the new boundaries will not yet be determined. While there is a constitutional requirement for local governments to ensure that voting districts are apportioned, there is no statutory mandate for local governments. If the City has not completed reapportionment prior to filing period for City elective offices, the current ward boundaries will continue to be in effect.

### *Process*

From 1990-2010 the City has contracted with the Mid-Willamette Valley Council of Governments (MWVCOG) to perform ward reapportionment services. In general, these services include the assistance in census data analysis and creating ward boundary scenarios for consideration.

The MWVCOG has expressed interest in again working with the City on this and the FY 2021-22 Planning Division budget includes funds to cover this contract.

The process is expected to include the following steps:

- A. Information report to the City Council with population of wards, including demographic information, and a target population number, once the census data has been released;
- B. Interviews with councilors to discuss the process and receive input on reapportionment criteria;

- C. Outreach to the community through Neighborhood Associations, social media, etc.
- D. City Council work session to review draft ward boundary scenarios which could include up to three alternatives;
- E. City Council Public Hearing(s).

Due to the census delay and the upcoming City Council primary, the process may need to be compressed into a very short timeline.

### *Criteria for Reapportionment*

In the past, the following criteria, contained in the Oregon Revised Statute (ORS) 188.010, formed the basis for reapportioning the City Council ward boundaries:

- A. Each district, as nearly as practicable, shall:
  - Be contiguous;
  - Be of equal population;
  - Utilize existing geographic or political boundaries;
  - Be connected by transportation links.
- B. No district shall be drawn for the purpose of favoring any political party, incumbent legislator or other person.
- C. No district shall be drawn for the purpose of diluting the voting strength of any language or ethnic minority group.

In 2011 the City Council directed staff to consider maintenance of communities of common interest and adherence to neighborhood, urban renewal areas and current Council ward boundaries, where practical, when creating ward scenarios.

The current City Council boundaries were established in 2011 with the 2010 census data. The goal was to have approximately 19,329 persons per ward. The last reapportionment resulted in an average of 2.25% deviation from the target population per ward.

### **BACKGROUND:**

Every ten years, following the enumeration by the U.S. Census Bureau, the ward boundaries of the City of Salem are adjusted to equalize the population represented by each ward. This equalization of representation is known as reapportionment.

In December 1975, Congress passed Public Law (P.L.) 94-171 which requires that the federal Census Bureau make special preparation to provide redistricting data. The P.L. 94-171 data is used by each state to redraw legislative district boundaries and by local governments to redraw ward and/or election district boundaries. This equalization of representation or balancing between ward and/or election districts is known as reapportionment.

Lisa Anderson-Ogilvie, AICP  
Deputy Community Development Director/Planning

Administrator

Attachments:

1. None.