



Legislation Text

File #: 22-015, **Version:** 2

ACTION REQUESTED:

Communication from the City Manager and Corporation Counsel with a Request to Hold a POLICY SESSION on REDISTRICTING COUNCIL DISTRICTS.

BACKGROUND: An overview of the initial 2020 Census data was presented at the September 28, 2021 Council Meeting and again on October 12, 2021. Staff presented the criteria for redistricting to the City Council on December 14, 2021 with a schedule of future redistricting

At the October 12, 2021 meeting, Attorney Phil Lenzini presented an overview of the 1987 voting rights case that dictates the City's electoral structure today. The consent decree resulting from the 1987 case requires that the City be made up of 5 single-member districts, each represented by a single council member; 5 at-large districts represented by a single council member and a mayor elected at-large. Attorney Lenzini indicated that since the issuance of the consent decree it has been modified twice, once was by the election commission shortly after the decree was issued. Five years ago, the decree was clarified as to mid-term elections for council members who resigned their seats.

Prior changes to the consent decree were largely considered gap-filling terms that were not objected to by the plaintiff's or the court. Attorney Lenzini noted that if council were to consider amending the number of current districts, it would be a substantial change from the consent decree and may require the consent of the plaintiffs as well as an adjudication on the fairness of the proposal by the court. Attorney Lenzini cautioned that the length of time needed for a court process to approve any changes to the consent decrees' 5-district requirement would not be amenable to the current deadlines for redistricting. Attorney Lenzini did note that if the Council wanted to look at changing the 5-district requirement, it should do so far in advance of the next census.

As presented at the September 28, 2021 meeting, the 2010 Census calculated the City's population at 115,007. The 2020 Census calculated the City's population at 113,150. A population of 113,150 should be distributed relatively equal among the City's five council districts. Therefore, the target population for each district is 22,630.

Based on the new target population for each of the five Districts, the following changes are necessary to the existing council districts:

- The 1st District needs to expand by 3,938 people.
- The 2nd District needs to expand by 1,555 people.
- The 3rd District needs to expand by 1,113 people.
- The 4th District needs to contract by 1,329 people.
- The 5th District needs to contract by 5,568 people.

At the December 14, 2021 City Council Meeting, the Acting Corporation Counsel identified the legal requirements and criteria for redistricting the Council districts. The law requires that the districts of a city to be nearly equal in population, and as compact and contiguous as practicable. 65 ILCS 5/3.1-20-25(a)

(65 ILCS 5/3.1-20-25) (from Ch. 24, par. 3.1-20-25)

Sec. 3.1-20-25. Redistricting a city.

(a) In the formation of wards, the number of inhabitants of the city immediately preceding the division of the city into wards shall be as nearly equal in population, and the wards shall be of as compact and contiguous territory, as practicable. Wards shall be created in a manner so that, as far as practicable, no precinct shall be divided between 2 or more wards.

This statutory requirement codifies the “one person, one vote” principles of the Equal Protection Clause of the U.S. Constitution. While the law requires the districts to be as equal, compact and contiguous as practicable, it does not require mathematical certainty. The U.S. Supreme Court determined that a population deviation of greater than 10% creates a presumption of discrimination and therefore must be justified on a legitimate, non-discriminatory basis. *Gaffney v. Cummings*, 412 U.S. 735 (1973).

In summary, the criteria that council should consider when re-districting are as follows:

1. Nearly equal population
2. Compact
3. Contiguous
4. Respect for geographical boundaries, political subdivisions or communities with actual shared interests.
5. Preservation of incumbent districts

The attached maps provide three potential alternatives for Council to consider. These maps are not final, and staff fully expects that Council input will change the boundary lines.

Existing Districts - The first map shows the existing districts as adopted 10 years ago.

Version 1 - This map extends District 1 up the river valley to the southern border of Peoria Heights and moves slightly east into an eastern portion of the East Bluff. District 2 extends east into the East Bluff and northwest into the Wardcliffe neighborhood. District 3 encompasses the center of the city including portions of the East Bluff, Center Bluff, and the Lexington Center Neighborhood Association. District 4 covers northwest Peoria north of I-74, west of Sterling, north of Glen to University then to Willow Knolls. District 5 covers north Peoria with a southern border of Willow Knolls, University to Northmoor, and down the Rock Island Trail to Peoria Heights.

Version 2 - In this map, Districts 1, 2 and 3 cover the City in a north/south direction. District 1 encompasses the Southside, Warehouse District, a portion of Moss Bradley and the Uplands, and north into Sterling Oaks and Wardcliffe. District 2 covers the Central Business District, West Main and Bradley University, the Center Bluff north up to Northmoor Road. District 3 encompasses the southeastern portion of the City, including Averyville, the North Valley and the East Bluff. District 4 covers northwest Peoria from Richwoods to Sterling into Rolling Acres and back to Willow Knolls. District 5 covers north Peoria with a southern border of Willow Knolls including Willow Lake, Heads east to Knoxville and down the Rock Island Trail to Peoria Heights.

Version 3 - In this map, Districts 1, 2 and 3 cover the City in a more east/west direction. District 1 covers a portion of the West Bluff including Bradley University, the Southside, Central Business District, North Valley, and Averyville up to the Peoria Heights border. District 2 moves eastward from Sterling, taking in the West Bluff from University to the bluff along Glendale and the Rock Island Trail north to Harvard Avenue. Forrest Hill becomes the border between Districts 2 and 3. District 3 shares a western border of Sterling and War Memorial Drive. District 4 covers the west and northwest portions of the City with a boundary of Nebraska, Sterling, War Memorial Drive and includes the Northgate Subdivision. District 5 covers north Peoria with a southern border of Willow Knolls to Allen, south to Imperial, east to Teton and across to Giles Lane, south on Knoxville and down the Rock Island Trail to Peoria Heights.

FEBRUARY 1, 2022 UPDATE:

Staff took Council's direction and prepared 3 additional maps for the Council to consider. Council wanted staff to minimize neighborhood association splits and to utilize major thoroughfares wherever possible. The following three maps attempt to do that.

Version 2.1 - A modified version of Version 2, Districts 1, 2 and 3 cover the City in a north/south direction. District 1 encompasses the Southside, Warehouse District, Moss Bradley (excluding the Bradley University portion east of University), the Cottage District and the Uplands, and north into Sterling Oaks and Wardcliffe. District 2 covers the Central Business District, Bradley University, the Center Bluff north up to Northmoor Road. District 3 encompasses the southeastern portion of the City, including Averyville, the North Valley and the East Bluff. District 4 covers northwest Peoria from Richwoods to Sterling, Northwoods Mall, up War Memoria Drive to Allen Road, west along Northmoor to University, north to Willow Knolls and then west back to Route 6. District 5 covers north Peoria with a southern border of Willow Knolls, University, Northmoor, Knoxville and the Rock Island Trail to Peoria Heights.

Version 2.2 - In this map, the borders for Districts 3, 4, and 5 are the same as Version 2.2. Moss Bradley is split at University, and the Cottage District remain in District 2. The border between District 1 and 2 follows University from Main Street north to Gale and then returns to I-74.

Version 4 - In this map, District 1 continues covers the south side, Warehouse District, Central Business District, North Valley, Averyville, and the West Bluff south of Main Street, including Bradley University. District 2 has a southern border of Main Street, Sheridan, along the bluff to Knoxville, north to War Memorial Drive, west to Sheridan, north to Lake, west to University, south to War Memorial Drive, west to the interchange with I-74, south to I-174, west to Sterling, south on Sterling to Reservoir and then west to city border. District 3 encompasses the East bluff with a border than runs north on Knoxville, north to War Memorial Drive, west to Sheridan, north to Lake, west to University, south to War Memorial Drive, west to Allen Road, east to Northmoor, east to Knoxville and east to Glen, and then follows the Peoria Heights border. District 4 has a southern boundary of Reservoir east to Sterling, north to I-74, encompasses Northwoods Mall, north along War Memorial Drive, east on Allen, east on Northmoor to University, north to Pioneer Parkway and west to the City boundary. District 5 has a southern border of Pioneer Parkway, University, Northmoor, and Knoxville to Glen.

The following is the summary of neighborhood association splits by each map version:

Version 1

- a. Glen Oak-Flanagan H.A.

Version 2

- a. Woodbrook Manor N.A.
- b. Moss Bradley Residential Assoc.
- c. Downtown Living - Parking lots on southwestern border of association

Version 3

- a. Northgate H. A.
- b. East Northgate Park H.A.
- c. Idyllbrook H.A.
- d. Woodbrook Manor N.A.
- e. Willow Knolls Residential & Recreation Assoc.
- f. Averyville Improvement Assoc.
- g. Olde Towne Historic District
- h. Moss Bradley Residential Assoc.

Version 2.1

- a. Moss Bradley Residential Assoc. (includes a majority of Bradley University within D2; includes the Cottage District within D1)
- b. Downtown Living - Parking lots on southwestern border of association

Version 2.2

- a. Moss Bradley Residential Assoc. . (includes a majority of Bradley University with MacArthur Highway Hill and Bluff as the boundary between D1 & D2)
- b. Downtown Living - Parking lots on southwestern border of association

Version 4

- a. Glen Oak-Flanagan H.A. (this one can be resolved if we use the existing Council District Boundary between District 1 and District 3 versus using the Council directed Thoroughfare Criteria)

FINANCIAL IMPACT: N/A

NEIGHBORHOOD CONCERNS: N/A

IMPACT IF APPROVED: No approval is sought at this time.

IMPACT IF DENIED: No denial is sought at this time.

ALTERNATIVES: Staff fully anticipates that alternatives to the maps will be requested by the City Council.

EEO CERTIFICATION NUMBER: N/A

WHICH OF THE GOALS IDENTIFIED IN THE COUNCIL'S 2017 - 2032 STRATEGIC PLAN DOES THIS RECOMMENDATION ADVANCE?

- 1. Grow Peoria

WHICH CRITICAL SUCCESS FACTOR(S) FROM THE COMPREHENSIVE PLAN DOES THIS RECOMMENDATION IMPLEMENT?

- 1. Have an efficient government.

DEPARTMENT: City Manager's Office