

# City Council Districts

A city council district is a political subdivision encompassing multiple electoral precincts. Districts should be approximately equal in population and contiguous. Districts are a common feature in Massachusetts political organization, featured in at least 6 city charters in Massachusetts and many others nationwide.

As part of our deliberations, the Charter Commission elected by a 5 to 4 vote to put district residency requirements on 4 of the 12 city council seats in our proposed charter, such that they would no longer be elected in a “pool”. The pool is a proposed system in which 4 city councilors would be elected by the entire city, with voters able to choose between giving up to 4 or as few as 0 votes to candidates for the 4 seats in the pool.

## A. Advantages of “Districts” vs. “Pool”

### Advantages of district residency requirements

- **Head to head races** - Each of the 4 city councilors run for one seat, elected separately from the other 3. This allows residents to give an up or down vote to a councilor.
- **100% Geographic diversity** - All city councilors would live in one specific area of the city, with no part of the city represented by a larger proportion of councilors.
- **Majority rule** - Each race, when contested, would be won by a city councilor having received a majority of the votes cast in that district.

### Advantages of a “pool”

- **More potential candidates** - All 4 “pool” city councilors could come from anywhere in the city, potentially giving voters a larger number of candidates to choose from.
- **No head to head races** - Each of the 4 city councilors together for 4 seats. Some people have shared concerns regarding the difficulty of running against a neighbor in the head to head configuration.
- **No Geographic Limitation** - Two popular candidates could both be elected from the same geographic area.
- **Minority voices** - Because voters have the option of voting for just 1 person for the 4 seats, a tactic known as bullet voting, it is not uncommon for 1 or multiple city councilors to be elected by a minority of the voters in that election.

## B. Methods of district selection in charter

There are several potential ways to create districts in a city charter. Given the Commission’s vote to include district residency requirements at our last meeting, it is prudent to consider how we could implement such a system.

## **Options for including district selection in the charter include:**

- **Delegate to City Council or Election Commission** - The charter could delegate the duty to determine which electoral building blocks (precincts and wards) would be included in each of the districts.
- **Include permanent districts** - The charter could outline specific districts, which could not be changed other than by changing the charter.
- **Include transition districts** - The charter could delegate the duty to determine which electoral building blocks (precincts and wards) would be included in each of the districts, while also outlining the initial districts in the transition section.

## **C. Factors to consider for district selection method**

### **Who should play king Solomon?**

The charter commission must determine which body is the best situated to decide which electoral building blocks make up each district. They can choose to do it themselves or delegate that duty to the Election Commission or City Council.

### **What is the value of certainty?**

If the Charter Commission chooses to delegate the duty to determine districts, or chooses to only determine the initial districts, those decisions would leave varying degrees of uncertainty as to which parts of the community would be included in districts together. The Charter Commission will have to determine the value to voters of knowing how the districts will be set up before they are asked to vote on the Charter Commission's recommendation.

### **Should politics be a consideration?**

Districts can be drawn and redrawn to ensure that a candidate for re-election continues to reside in a district, or to exclude a potential challenger from a district. Certain bodies, such as the city council, may have stronger incentives to make political decisions in determining district makeup.

## **D. Districts in other communities**

The city councils of Boston, Worcester, Chelsea, Lawrence, Amesbury, and Methuen include districts. Many large cities nationwide, including New York, San Francisco, and Seattle, are also divided into districts. Burlington, VT is an example of a city with both districts and wards. Charters from these 9 cities are included at the conclusion of this memo. These charters include examples of all 3 district selection methods detailed above. Note that like with ward councilors, district councilors in almost all other cities are not elected at-large.

## **E. Charter Examples**

## **Worcester Provision**

Section 7-6 Districts.

(a) Number, Requirements - The board of election commissioners shall divide the city into five districts for the purpose of electing district councillors under Article 2 of this charter. Each such district shall be compact and shall contain, as nearly as may be, an equal number of inhabitants, shall be composed of contiguous existing precincts, and shall be drawn with a view toward preserving the integrity of existing neighborhoods.

(b) Revision of District Lines - The city clerk shall immediately provide notice to the board of election commissioners of the results of each state census and division of the city into wards and precincts as required under chapter fiftyfour of the General Laws. The board of election commissioners shall review the districts for conformance with the requirements of paragraph (a) and shall redraw said districts, if necessary, after public hearing, within sixty days of receiving notice from the city clerk. Revision of district lines and new wards and precincts shall take effect simultaneously.

## **Boston Provision**

### **CITY DISTRICTS**

SECTION 18. District Boundaries. [T]he respective district lines shall be the same for the city council and the school committee. Each such district shall be compact and shall contain, as nearly as may be, an equal number of inhabitants as determined by the most recent state decennial census, shall be composed of contiguous existing precincts, and shall be drawn with a view toward preserving the integrity of existing neighborhoods. [Acts of 1982, c. 605, s. 3] [The ordinance containing the definition and boundaries of the districts is found at CBC 2-9.2 and the text of that ordinance is included as Appendix F. A map of the districts is included as Appendix G.]

Said districts shall continue in force until redrawn by the city council as provided herein. The council shall redraw the districts for the purpose of city council and school committee representation as specified in this section on or before (a) ninety days from the date that the nineteen hundred and eightyfive state census, including census figures for the city of Boston, is properly certified by the state secretary; and (b) on or before August first, nineteen hundred and ninety-six and on or before said August first every subsequent tenth year. [Acts of 1986, c. 343, s. 1]

## **Chelsea Provision**

Sec. 7-4. - Districts.

The territory of the city shall be divided into districts so established as to consist of as nearly equal a number of inhabitants as it is possible in compact and contiguous territory; bounded insofar as possible by the center line of known streets or ways or by other well-defined limits.

## **Lawrence Provision**

8.4 Districts. The territory of the city shall be divided into six districts for the purpose of electing district councillors. Such districts shall be established so as to contain as nearly an equal number of inhabitants as is possible to achieve based on compact and contiguous territory, bounded insofar as possible by the center line of known streets or ways, the Merrimac River, or by other well-defined limits. Each district shall be divided into precincts as may be required by state statutes. The city council shall from time to time review such districts to assure their uniformity in number of inhabitants.

11.7 Time of Taking Effect. This charter shall become fully effective on the first secular day in January of 1986 except to the extent that another provision is made in the following schedule: (a) Temporary Districts. For the purpose of electing the first city council and school committee the following districts are hereby established: District A. District A shall consist of the following precincts, as they presently exist for the purpose of electing certain state officers: Ward 1, Precincts 1, 2, 3, 4, 5 and 6. District B. District B shall consist of the following precincts, as they presently exist for the purpose of electing certain state officers: Ward 2, Precincts 1, 2, 3, 4, and 5; Ward 3, Precincts 1, 2, 3, and 4. District C. District C shall consist of the following precincts as they presently exist for the purpose of electing certain state officers: Ward 4, Precincts 1, 2, 3, and 4; Ward 5, Precincts 1 and 6. District D. District D shall consist of the following precincts, as they presently exist for the purpose of electing certain state officers: Ward 5, Precincts 2, 3, 4, 5, 7, and 8. District E. District E shall consist of the following precincts, as they presently exist for the purpose of electing certain state officers: Ward 6, Precincts 7, 8, 9, and 10. District F. District F shall consist of the following precincts. as they presently exist for the purpose of electing certain state officers: Ward 6, Precincts 1, 2, 3, 4, 5, and 6. The above districts may, from time to time, be changed by the city council in accordance with the authority contained in Section 8.6 and by general law.

## **Amesbury Provision**

Section 7-4 Districts The territory of the city shall be divided into six districts so established as to consist of as nearly equal a number of inhabitants as it is possible in compact and contiguous territory; bounded insofar as possible by the center line known streets or ways or by other well-defined limits. Each district shall be composed of voting precincts established in accordance with the laws of the commonwealth.

## **Methuen Provision**

Section 7-4. Precincts and Districts.

The territory of Methuen shall be divided into twelve precincts, so established as to consist of as nearly equal a number of inhabitants as it is possible in compact and contiguous territory; bounded insofar as possible by the center line of known streets or ways or by other well defined

limits. The twelve precincts shall be separated into three districts. The Central District shall include Precincts 1, 2, 6 and 10; the East District shall include Precincts 3, 7, 9 and 12; and the West District shall include Precincts 4, 5, 8 and 11. (Increase in precincts from 9 to 12 approved by the Legislature June 10th, 1986 - Chapter 88 of the Acts and Resolves of 1986; see Resolution #1473). Section 7-5. Application of State Laws.

### **New York City Provision**

Section 51. Powers and duties of the commission; hearings; submissions and approval of plan.

a. Following each decennial census, the commission shall prepare a plan for dividing the city into districts for the election of council members. In preparing the plan, the commission shall be guided by the criteria set forth in section fifty-two.

b. The commission shall hold one or more public hearings not less than one month before it submits its plan to the city council, in accordance with subdivision c of this section. The commission shall make its plan available to the public for inspection and comment not less than one month before the first such public hearing.

c. The commission shall submit its plan to the city council not less than one year before the general election of the city council to be held in the year nineteen hundred ninety-three and every ten years thereafter.

d. The plan submitted in accordance with subdivision c of this section shall be deemed adopted unless within three weeks, the council by the vote of a majority of all of its members adopts a resolution objecting to such plan and returns the plan to the commission with such resolution and a statement of its objections, and with copies of the written objections of any individual members of the council who have submitted objections to the speaker prior to such date. Any objections from individual members submitted to the speaker by such date shall be transmitted to the districting commission whether or not the council objects to such districting plan.

e. Upon the receipt of any such resolution and objections, the commission shall prepare a revised plan and shall, no later than ten months before such general election of the city council, make such plan available to the council and the public for inspection and comment. The commission shall hold public hearings and seek public comment on such revised plan.

f. Following its consideration of the comments received pursuant to subdivision e of this section, the commission shall, no later than eight months before such general election of the council, prepare and submit a final plan for the redistricting of the council.

g. Notwithstanding the provisions of subdivision d or subdivision f of this section, no plan shall be deemed adopted in accordance with either of such subdivisions until the commission files, with the city clerk, a copy of such plan and a statement signed by at least nine members of the commission certifying that, within the constraint of paragraph a of subdivision one of section fifty-two, the criteria set forth in the other paragraphs of such subdivision have been applied in the order in which they are listed and that such criteria have been implemented, in such order, to the maximum extent practicable. Such certification shall also set forth the manner in which the commission implemented the requirements of paragraph b of subdivision one of section

fifty-two. Such plan shall be deemed adopted upon the commission's filing with the city clerk of such plan and such certification.

h. After the commission files its final plan with the city clerk pursuant to subdivision g of this section, the commission shall take all steps necessary to ensure that such plan is effectuated, including but not limited to submitting such plan for preclearance by the United States department of justice pursuant to the United States voting rights act of nineteen hundred sixty-five, as amended, and making such adjustments in its plan as may be necessary and appropriate to respond to a determination of a court or the United States department of justice.

#### Section 52. District plan; criteria.

1. In the preparation of its plan for dividing the city into districts for the election of council members, the commission shall apply the criteria set forth in the following paragraphs to the maximum extent practicable. The following paragraphs shall be applied and given priority in the order in which they are listed.

a. The difference in population between the least populous and the most populous districts shall not exceed ten percentum (10%) of the average population for all districts, according to figures available from the most recent decennial census. Any such differences in population must be justified by the other criteria set forth in this section.

b. Such districting plan shall be established in a manner that ensures the fair and effective representation of the racial and language minority groups in New York city which are protected by the United States voting rights act of nineteen hundred sixty-five, as amended.

c. District lines shall keep intact neighborhoods and communities with established ties of common interest and association, whether historical, racial, economic, ethnic, religious or other.

d. Each district shall be compact and shall be no more than twice as long as it is wide.

e. A district shall not cross borough or county boundaries.

f. Districts shall not be drawn for the purpose of separating geographic concentrations of voters enrolled in the same political party into two or more districts in order to diminish the effective representation of such voters.

g. The districting plan shall be established in a manner that minimizes the sum of the length of the boundaries of all of the districts included in the plan.

2. Each district shall be contiguous, and whenever a part of a district is separated from the rest of the district by a body of water, there shall be a connection by a bridge, a tunnel, a tramway or by regular ferry service.

3. If any district includes territory in two boroughs, then no other district may also include territory from the same two boroughs.

#### **San Fransisco Provision**

(b) The City and County shall be divided into 11 supervisorial districts as set forth in this section. Beginning with the general municipal election in 2000, and until new districts are established pursuant to this section, these districts shall be used for the election or recall of the members of the board of supervisors, and for filling any vacancy

in the office of member of the board of supervisors by appointment. Once new districts are established, those districts shall be used for the same purposes. No change in the boundary or location of any district shall operate to abolish or terminate the term of office of any member of the board of supervisors prior to the expiration of the term of office for which such member was elected or appointed.

**Editor's Note:** *Charter Section 13.100(c) originally contained boundaries and descriptions of the eleven supervisorial districts of the City and County of San Francisco. Charter Section 13.100(d) requires that once new district lines are drawn, those descriptions are to be removed and the new lines published in an appendix to this Charter. For the current district boundaries and descriptions, please see Appendix E of this Charter.*

### **Seattle Provision**

Subdivision B. DISTRICTS: The city council electoral districts are illustrated in the map appended to this charter amendment and made part hereof [3]. The city council electoral district are defined by tract, block, and block group numbers used by the U.S. Bureau of the Census for the 2010 Census, and by street descriptions as follows:

### **Burlington, VT Provision**

(a) City Districts Described. For the annual meeting of 2015 and all City elections thereafter, the City of Burlington is divided into four electoral districts, constituted as follows:

...

Wards Described. Each of the City of Burlington's four electoral districts set forth in subsection (a) of this section hereby comprises two wards, each of which is constituted as follows:

(1) East District - Ward 1 and Ward 8.

...

(2) Central District - Ward 2 and Ward 3.

... ..