

TOMPKINS COUNTY
INDEPENDENT REDISTRICTING COMMISSION
FINAL REPORT TO THE TOMPKINS COUNTY LEGISLATURE

May 24, 2022

One of the most essential functions of the federal government is the conduct of a national census every ten years as required by the Constitution. That census plays a key role in determining how many seats each state will have in the United States House of Representatives, and this data is a key factor in the distribution of public and private funds throughout the United States.

Since the 1960s, the Supreme Court of the United States has ruled that the apportionment of legislative seats in the Congress, state legislatures and local governments must be made in conformity with equal population as determined by the Census. In New York State, the criteria to be followed in local government redistricting are set forth in the Municipal Home Rule Law, and the provisions of that statute and related provisions of the Tompkins County Charter have governed the process in Tompkins County following the 2020 Census.

Appointment of the Independent Redistricting Commission

The Tompkins County Charter, § C-2.10 Reapportionment of the Tompkins County Legislature, sets forth the detailed procedure for the appointment of an Independent Redistricting Commission by the Tompkins County Legislature to prepare a reapportionment plan to recommend and present to the Legislature for approval. In furtherance of that responsibility, the Legislature in the fall of 2021 advertised for applicants to serve on the Commission. The Legislature's Government Operations Committee, reviewed applications submitted by the public and interviewed candidates for membership.

Based on the recommendation of the Government Operations Committee, on November 16, 2021, the County Legislature appointed the following members to the Independent Redistricting Commission to serve at the pleasure of the Legislature, effective immediately:

Henrik N. Dullea, Chair; Elliot (Poppy) Immel; Charles Nocera; Vivek Iyer; Margaret Hobbie; Carolyn Chang; Jan Vink; Marcia Lynch; and Jeffrey True

The Commission has been primarily assisted in its work by Greg Potter, Director of Information Technologies for Tompkins County, serving as Commission staff director, Svetla Borovska, GIS Analyst / Web Developer, and Brittni Griep, Deputy Clerk of the Legislature. The Commission also received staff support as required from William Troy, County Attorney, and Dominick Recckio, County Communications Director. Ruth Aslanis, the City of Ithaca Geographic Information Systems Administrator, provided vital staff coordination assistance with the City of Ithaca Redistricting Working Group.

Independent Commission Meetings

The Commission held its first meeting on December 14, 2021, and its members took their oaths of office administered by Maureen Reynolds, County Clerk. The County Attorney, William Troy, laid out essential information concerning its formation, charge, and applicable provisions of the Open Meetings Law, the Municipal Home Rule Law and the Tompkins County Code of Ethics. Mr. Troy also reviewed recent judicial decisions on redistricting. Commission Chair H. Dullea, stated that the Commission would be dedicated to fairness, transparency and public outreach; that its deliberations would be particularly sensitive to the concerns of communities of interest and municipal boundaries; and that it would studiously avoid any semblance of partisan political interest. In part to emphasize the bipartisan nature of its work, the Commission members unanimously voted to elect Jeffrey B. True as Vice Chair.

The Commission members agreed that they would work closely with the City of Ithaca Redistricting Working Group, through sharing data and holding joint meetings to solicit public input and reactions. They further agreed that the first meeting of the joint group would be on Tuesday, January 25, at which the public would be invited to provide input regarding legislative districts for the county and ward boundaries for the city.

The Commission has since met on a biweekly basis, starting on January 11 and essentially continuing through the date of this report. The minutes and recordings of its meetings have been made available on the [Tompkins County Redistricting website](#).

Statutory Guidelines for Redistricting

Chapter 516 of the Laws of 2021, passed by the Legislature and signed by the Governor, sets forth the key factors that are to be considered by local governments in the process of redistricting. They are listed below in order of priority:

1. **Equality in Population** – Districts shall be as nearly equal in population as is practicable. The difference in population between the most and least populous district

shall not exceed five percent of the mean population of all districts. Census blocks determined by the Census Bureau must be used and cannot be divided. The Tompkins County population in the 2020 Census was reported as 105,740, an increase of 4,176 or 4.11% over 2010. The average population for 14 legislative districts would be 7,553. Among the municipalities in the county, the largest percentage increase was in the Town of Ithaca at 12.15%; the largest decrease was in the Village of Groton, whose population declined by 9.23%.

Prior to this year's redistricting process, the difference in population between the most and least populous district could be up to ten percent of the mean population of all districts. As a result of last year's statutory change, the Municipal Home Rule Law now requires that the maximum deviation be no more than five percent. The average population in the proposed 16 legislative districts will be 6,609, with a total deviation from the largest population district to the smallest of 4.72%.

2. **Protection of Minority Voting Rights** – Districts shall not be drawn with the intent or result of denying or abridging the equal opportunity of racial or language minority groups to participate in the political process or to diminish their ability to elect representatives of their choice.
3. **Contiguous Territory** – Districts must be completely contiguous with no intervening districts.
4. **Compact** – Districts shall be as compact as possible. Significant differences in the density of individual districts in the City of Ithaca create districts that vary substantially in geographic size while representing equal populations.
5. **Fairness in the Political Arena** – Districts shall not be drawn to discourage competition or for the purpose of favoring or disfavoring incumbents or other particular candidates or political parties.
6. **Communities of Interest** – Existing neighborhoods, population groups and subdivisions shall be considered.
7. **Election Administration** – Districts shall be formed so as to promote the orderly and efficient administration of elections. For our purposes, this refers to being aware of issues associated with overlapping boundaries for city wards, town lines, village boundaries and county legislative districts.

Issues Identified at Public Input Sessions

Among the decisions made by the Independent Commission at its initial meeting was the determination to hold four public input sessions at the start of its deliberations. These public input sessions were designed to solicit recommendations from incumbent legislators, municipal officials and members of the public from the following four communities of interest:

towns, villages and districts on the west side of Cayuga Lake; districts within the City of Ithaca; the special concerns of student populations throughout the County; and districts, towns and villages on the south and east sides of the Lake. The Commission appreciates the comments and recommendations submitted by the public at these public input sessions. Additional comments have been submitted to the [Tompkins County Redistricting website](#) and have been considered in our work.

As indicated in the standards listed above, the creation of equal population districts was and has been our first priority. There are several factors that make this obligation more difficult this year than in the past. The action last year by the state legislature to reduce the maximum deviation in population among legislative districts from ten percent to five percent of the average population posed a significant challenge. We were, of course, required to use the census blocks provided by the United States Census Bureau in determining the size of proposed districts. The exceptionally large number of persons residing in individual census blocks associated with Cornell University constituted one such challenge. As an example, two such census blocks on Cornell's North Campus are together approximately the size of one-half of an entire proposed legislative district, and there are similar challenges on West Campus and in Collegetown.

Low voter turnout in certain areas of the City is an issue that was raised by several members of the public, but it is not a legally acceptable factor in redistricting. Student populations are clearly recognized in law as a community of interest, but for redistricting purposes they must be considered as individual residents regardless of their voting status. Voter turnout is, however, a legitimate factor for local boards of elections to employ in making decisions as to polling places.

Communities of interest most certainly include traditional neighborhoods, and the Commission has had extensive discussions concerning the recognition of such areas as the Villages of Cayuga Heights, Lansing, Groton, Dryden, Freeville and Trumansburg. Similarly, we have sought to utilize town lines as district boundaries whenever possible and to overlap proposed legislative districts within the City of Ithaca with the five-ward structure that has been proposed by the City of Ithaca Redistricting Working Group. Keeping intact the district that includes most of the Ithaca College student population and reducing the number of districts into which the Towns of Enfield and Ithaca are split were additional considerations.

We recognize that the recommended redistricting plan calls for the addition of two districts to the County Legislature's current complement of fourteen. We note that the County Charter calls for a Legislature with eleven to nineteen members. Our efforts to develop suitable maps for a Legislature with either the current membership of fourteen or an increase

to fifteen proved to be exceedingly difficult in light of both the changed populations in several municipalities and the reduced permissible deviation from ten to five percent between the highest- and lowest-population district. We are aware of the concern expressed by some current and former members of the County Legislature and members of the public that the continuation of a Legislature comprised of an even number of legislators is an invitation to stalemate. In this regard, we note that such an impasse has existed only once in the last decade, and though it was indeed difficult for the members involved it did not ultimately impose a great hardship on the public.

The Commission believes that the Proposed Redistricting Map, Scenario 16 V.3-E, satisfies all statutory requirements set forth in both state law and the Tompkins County Charter. In addition, it balances to the fullest possible extent the concerns brought to our attention through our public input sessions and subsequent meetings, where we received comments from members of the County Legislature, municipal officials, staff of the Tompkins County Board of Elections and members of the public.

Request for Public Comment on the Proposed Plan

On April 26, we authorized the release of a proposed redistricting plan via the media and the Tompkins County Redistricting website, and we sought the widest possible discussion among members of the County Legislature, municipal officials, neighborhood and civic organizations, and the general public. We invited the public either to register for the purpose of making comments at our next scheduled meeting on May 10 at 5:30 p.m., or to submit written comments via the [Tompkins County Redistricting website](#). To facilitate the work of the Commission, we asked the public whenever possible to relate their comments to the statutory criteria for redistricting spelled out in the accompanying Narrative.

Only one member of the public, a member of the Enfield Town Board, testified in person at the public meeting on May 10, and his comments were fully in support of the draft proposed plan. Three additional comments were received from the public via email, and their text was read into the Commission record by the chair. The Commission met again on May 24 to determine whatever modifications to the draft proposed map may be necessary or desirable in light of the public comments and to approve this Final Report for submission to the County Legislature.

Final Report

By unanimous vote on May 24, 2022, the Tompkins County Independent Redistricting Commission recommends that this Final Report, which includes the Proposed Redistricting

Map, Scenario 16 V.3-E and associated maps for each of the proposed legislative districts, be submitted to the Tompkins County Legislature for appropriate further action.

Henrik N. Dullea, Chair

Jeffrey True, Vice Chair

Carolyn Chang

Margaret Hobbie

Elliot Immel

Vivek Iyer

Marcia Lynch

Charles Nocera

Jan Vink