



Tompkins County Legislature

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To: Members, Tompkins County Legislature
From: Tompkins County Independent Redistricting Commission
Subject: Final Report
Date: February 22, 2012

Executive Summary

In response to the findings of the 2010 federal census and pursuant to the Resolution adopted in 2011 by the County Legislature, the Tompkins County Independent Redistricting Commission is pleased to recommend a new set of legislative district lines that comply with the equal population requirements for local legislative bodies.

After extensive discussion with current and former county legislators, other local officials and individual members of the public, the Commission has unanimously determined that a 14-member legislature best meets the needs of the people of Tompkins County for the decade ahead. We present for your consideration a proposed map that delineates our recommended boundaries for a 14-member legislature, Map 14 C v.3, which has been placed on the Commission's web site at www.tompkins-co.org/redistricting and also attached to this Final Report.

The Independent Redistricting Commission believes that the County Legislature should endorse this proposed plan for the following reasons:

- It complies with the judicially established constitutional standard that the deviation in population from the largest to the smallest district should not exceed ten per cent when measured against the average district population for the entire county.
- It presents 14 districts that are substantially compact and contiguous.
- It follows existing municipal boundaries to a greater extent than that currently in effect for the County Legislature.
- The Villages of Lansing and Cayuga Heights are held intact.
- The number of so-called sliver districts extending into the Town of Ithaca is significantly reduced.
- The districts within the City of Ithaca are cohesive and self-contained.
- Whenever possible within the constraints created by the boundaries of federal census blocks, neighborhoods and distinctive communities of interest are taken into account.
- The marginal additional workload for members of the County Legislature, if any, created by the proposed reduction in size from 15 to 14 members should not be unreasonable.
- Several other legislative bodies throughout New York State function effectively with an even number of members.



Introduction

The Independent Redistricting Commission appointed by the County Legislature has now held fifteen meetings since our first session on June 27, 2011. Our meetings have been announced in advance and have been open to the public. To encourage input from throughout the county, we have held public hearings in the Enfield Town Court, the Varna Community Center, and the Common Council Chamber of the City of Ithaca, as well as meetings in several Tompkins County facilities. We appreciate the many county officials, members of the County Legislature, supervisors, members of several town boards and the Common Council of the City of Ithaca, village trustees, and individual county residents who have attended our meetings and shared with us their views and recommendations. We have also received written comments from individuals who were unable to attend our meetings as well as from one county resident who appeared in person. All have been helpful to our work. Once we had identified an initial preferred scenario, we sought additional public comment through two public hearings, the first held at the Dryden Town Hall on January 31, 2012, and the second at the Tompkins County Public Library on February 9, 2012. Both hearings were well publicized in advance, and the Commission greatly appreciates the comments that it received at both sessions.

We particularly appreciate the professional and technical support provided by the county staff members who have been made available to the Commission. Greg Potter, the Director of Information Services, has served as our key technical support staff. He and his colleagues in the Office of Information Services, particularly Svetla Borovska, generated more than twenty-eight alternative scenarios for the Commission's consideration throughout the course of our work, always keeping in mind the criteria established for the Commission by the legal and policy standards set forth in the County Legislature's initial charge to the Commission. Karen Fuller, the Deputy Clerk of the Tompkins County Legislature, has provided the Commission with formidable administrative skill, making arrangements for our meetings, developing detailed minutes of our proceedings and working with other County offices to facilitate our work. We would also note our appreciation for the work of Marcia Lynch, the County Public Information Officer, who has issued detailed and timely notices and reports of our meetings and public hearings, thereby contributing greatly to the transparency of our work for the public.

Charge to the Commission

As we noted in our Interim Report, submitted to the County Legislature on November 21, 2011, our deliberations have been guided in large measure by the detailed "Charge to the Commission" contained in the April 5, 2011 Memorandum from the Legislature's Government Operations Committee. That document laid out several key factors to consider in developing our recommendations:

Minimization of population variance among districts;

Compactness of districts;

Practicable consistency with existing municipal boundaries and neighborhoods within Tompkins County;

Balance and reasonableness of representation for the diversity of citizens residing in all parts of the County.

In addition, the comments and recommendations received by the Commission have caused us to keep in mind a number of other considerations such as keeping intact, if possible the boundaries of villages contained within a county legislative district, minimizing the use of "sliver election districts," reducing potential expenses for the Board of Elections as a result of proposed boundaries, and sensitivity to the workload of county legislators as they perform their policy-making and oversight responsibilities.



The Commission wishes to emphasize that at no time in its deliberations has there been any reference to the possible implication of any of our alternative scenarios for either incumbent legislators or potential candidates for legislative office. Nor has there been any discussion of the potential political impact of changes in the number of legislative districts and their respective boundaries for any political party, municipality or group of residents.

The Legislature's charge to the Commission notes that the County Charter allows for a county legislature that may range in size from 11 to 19 members. Several individuals who appeared before the Commission suggested that the County Legislature could function effectively with a slightly smaller number of representatives, while others expressed concern that the existing workload of the current 15 members is such that any diminution of their membership could result in an undesirable burden on the legislators in a smaller body. Similarly, the Commission received comments on the question of whether an even-numbered legislature would be prone to legislative or organizational deadlock.

Commission Deliberations

With all of these factors in mind, the Commission requested its staff to prepare an array of alternative maps, with a membership of the county legislature ranging from 13 to 17 and a population deviation for each map not to exceed 10% when adding the deviation from the average for the smallest population district to that of the largest population district. (For example, from an equal population perspective an acceptable map would permit a deviation from the average of +7.0% for the largest district and -3.0% for the smallest.) All of the maps under consideration by the Commission have been posted on the Commission's web site, www.tompkins-co.org/redistricting and are available for public inspection. Each of these alternative configurations has been examined in detail, with some scenarios deemed more attractive than others when evaluated in light of the criteria that have been established.

At the Commission's meeting on November 1, we determined that four of the maps then before us should be given further detailed attention. These were maps 15-A-v.1, 14-A-v.1, 13-A-v.1 and 13-D-v.1. The Commission believed that these scenarios best met the criteria in relation to the area of the county outside the City of Ithaca. We initially focused our attention on a map that would preserve the current 15-member status of the Legislature. After extensive discussion an alternative to map 15 A v.1, map 15 A v.3, was determined by the Commission as the best fit for a scenario that retained the current number of legislators at 15 and made the least amount of change to the current legislative boundaries. However, that alternative continued to have a significant number of so-called sliver districts extending into the Town of Ithaca and did not keep the Village of Cayuga Heights intact.

For these and other reasons, the Commission decided at its November 16 meeting to drop the 15-district scenario from our list of preferred alternatives, recognizing that it could be restored later in our proceedings. The option of a 17-member legislature was carefully considered in view of its potential for five self-contained districts within the City of Ithaca, but it was dropped from further consideration due to the many difficulties it presented for drawing boundaries in the rest of the County. The remaining maps reduced the number of legislative districts to either 13 or 14, with all village lines intact and all districts within the City of Ithaca self-contained.

At our meeting on December 15, we were joined by the chair of the City of Ithaca Redistricting Committee, Thomas Frank, and the technical support staff for the City committee, Ruth Aslanis, the City's GIS Administrator. The City Committee, which is charged with making recommendations to the Ithaca Common Council concerning its size and boundaries, began its deliberations significantly later in the process than the County Independent Redistricting Commission. Mr. Frank reported that as of December 15, the City Committee had not reached any consensus on these matters, but he did share with the Commission several alternative 4-ward maps under consideration by the Committee. After further discussion, the Commission determined to eliminate the 13-member alternative from the list of preferences in light of difficulties it presented for districts outside the City. We decided to focus our attention on a 14-member scenario, with three alternative configurations of county legislative districts within the City of Ithaca, utilizing the draft maps that were at that point under review by the City of Ithaca Redistricting Committee.



In arriving at our recommendation that a 14-legislative-member redistricting plan most adequately meets all of the factors identified in both the Charge to the Commission and the statements we have received from members of the public, we recognize that some of the changes contained in this report may be difficult. We greatly respect the diligence and hard work provided the residents of Tompkins County by all members of the Legislature. Their collective record of constituent service, legislative oversight and policy direction has been frequently commended by professional organizations and their peers across New York State. Carrying out these responsibilities with one fewer member of the Legislature may be a challenge, but the Commission believes that it can be accomplished without undue disruption.

As for the matter of having an even-number of members in the County Legislature under our proposed plan, we do not believe that this configuration will result in endless tie votes precluding necessary action on matters of public policy. We note that an absolute majority of the membership is required to adopt any local law or resolution, and as a result eight votes will continue to be required for passage, as they are today. We have been informed that the Legislature has frequently been required to operate with less than its full complement of members as a result of absences due to illness, vacations and other factors, and this does not appear to have created major impediments for the proper discharge of the Legislature's duties. Staff to the commission explored this concern and found that there were a number of functioning even-numbered legislative bodies among the 57 counties in New York State.

Public Hearings on a Draft Plan

When the Commission next met on January 15, 2012, we were pleased to learn that the 14-member scenario reflected in the map under consideration at that time received strong support from the Commissioners of the Board of Elections. They reported their assessment that the boundary lines under consideration could be implemented without undue difficulty and that in many instances they provided improved situations for the voting public. The Commission had hoped to receive further input at this time from the City Redistricting Committee, but as it turned out that body did not meet throughout the month of January.

Without presuming to make final decisions concerning the legislative districts within the City of Ithaca in the absence of recommendations from the City Committee, but nonetheless mindful of the March 1 deadline for submission of a final report from the Commission to the County Legislature, the Commission determined to hold two public hearings on a draft proposal. The Commission's objective was to solicit public opinion from residents throughout the county on a single preferred alternative, believing that this approach would best afford the public an opportunity to focus on a specific recommendation. The map designated as 14 C v.1 was published on the Commission's web site and widely disseminated to the media as the focus of attention at the public hearings.

The first public hearing was held at the Dryden Town Hall on January 31 and the second took place at the Tompkins County Public Library on February 9. At both sessions the Commission received comments from county legislators, town supervisors and members of the public. Once again, conflicting viewpoints were voiced by some members of the County Legislature concerning the proposed reduction in size from 15 to 14 members. Some expressed concern about the implications of such a change on the workload of individual members, while others expressed the view that the proposed change would have little or no impact on the operations of the Legislature. The supervisors of the Towns of Ithaca, Dryden and Caroline all expressed support for the proposal.

Detailed suggestions concerning particular boundaries were raised by individual citizens and members of both the Commission and the City Committee, but these suggestions did not touch upon the proposed size of the County Legislature. One local resident suggested that a single, at-large member of the Legislature be elected county-wide in addition to the 14 members proposed under the Commission's preferred plan. The Commission agreed to review all comments made at the two public hearings at our next meeting on February 16, at which time we hoped to have further input from the City Redistricting Committee on the status of its work.



Reaching a Conclusion

The City Redistricting Committee met on February 8 and February 15, with the objective of narrowing the number of alternative maps under consideration for City wards. Without making any determination as to the relative desirability of a 5-ward versus a 4-ward recommendation, the City Committee narrowed its consideration of 4-ward alternatives in order to provide further input to the County Independent Redistricting Commission. At its meeting on February 15, the City Committee voted on three alternative 4-ward scenarios, listing them in order of preference as maps 4-6, 4-3 and 4-5. It was recognized by the City Committee that these 4-ward alternative maps could serve as the basis for four county legislative districts within the City and that all three options were balanced in terms of population for both City and County purposes. Those alternative ward scenarios were then discussed by the Commission at its meeting the following evening on February 16.

The first issue reviewed by the Commission at its February 16 meeting was the suggestion that the residents located on the western side of Coddington Road in the Town of Ithaca presently contained in the proposed District 12 be moved to District 11. It was noted that prior to the last redistricting in the aftermath of the 2000 census, the occupants of these properties voted on East Hill rather than at their current voting location at College Circle. One difficulty in making this change relates to the fact that a significant number of these residents are counted in a single census block comprised of more than 3,000 people, due to the fact that it contains a number of residential units at Ithaca College. The chair of the Commission reported that the County Attorney had strongly recommended against any deviation from census block boundaries in drawing legislative lines. In addition it was noted that the existing voting location for these residents at College Circle is substantially closer for these residents than would be the case if they were moved to District 11. After discussion it was decided to make no change in this boundary.

The Commission also reviewed the suggestions made at the public hearings to modify the proposed boundaries in the Fall Creek neighborhood within the City of Ithaca, specifically to allow the residents on both sides of Linn Street to continue to vote at the Fall Creek School and to extend the proposed legislative district to include two census blocks as far as East Court Street. The discussion at this point benefited from the input of the chair of the City Redistricting Committee, Thomas Frank, and two of its members, Nancy Schuler and Commission chair Dullea. The Commission reviewed the alternative City options that were under review by the City Committee, with specific attention to the suggested changes involving Linn Street, East Court Street and University Avenue. The discussion was most helpful to all members of the Commission.

The Commission then determined to recommend to the County Legislature as its preferred recommendation Map 14 C v.3, as amended with minor modifications. This 14-member alternative reflects the configuration of wards for the City of Ithaca as presently preferred by the members of the City Redistricting Committee. It responds to the fullest extent possible to the recommendations received by the Commission at its five public hearings, including the modifications suggested for Linn Street and East Court Street. It meets the population deviation standard of less than 10 per cent. It keeps intact the boundaries of the villages within the county, providing the opportunity for these villages to change the date of their elections to November and thereby encouraging greater voter participation and reducing election expenditures. It significantly reduces the number of sliver districts in the Town of Ithaca and creates legislative districts that have generally been recognized by the public as compact, contiguous and reflective of neighborhood and community interests. A copy of this map is attached as part of this Final Report.

The Commission has chosen to submit this proposal to the County Legislature without additional alternative options. We believe the public will be best served by focusing attention on the Commission's recommendation, with full recognition that additional information may come to the County Legislature's attention from the public later in this process and as the City Redistricting Committee continues its deliberations. The Commission's recommended plan reflects our best thinking at this point in time as we comply with our deadline for submission of March 1, 2012.



Recommendations for the Future

We should point out that there are a number of recommendations we would make for further consideration when the County Legislature next undertakes this process after the 2020 census:

Actions for the Next Round of Redistricting

1. Continue to appoint an independent, bipartisan commission to undertake the difficult responsibility of legislative redistricting.
2. Adopt a detailed charge to the commission which sets forth the principal constitutional, statutory and policy considerations for the commission's deliberations, along with a deadline for the submission of the commission's report.
3. Make available to the commission the important perspectives of the County Attorney and the Board of Elections.
4. Provide the commission with adequate professional, administrative and budgetary support to carry out its responsibilities.
5. Encourage the use of public hearings, web sites and media releases to underscore the importance of transparency in commission proceedings.

Actions for the Immediate Years Ahead

6. Continue to develop a collaborative approach including all municipalities in response to the future Local Update of Census Addresses (LUCA) Program to ensure accuracy of addresses in Tompkins County.
7. Work with appropriate census officials in the intervening years prior to the next federal census in 2020 to reduce the population size of several existing census blocks that currently make the challenge of redistricting significantly more difficult than necessary.
8. Request census officials to reduce the number of census blocks that now effectively split neighborhoods due to the use of the middle of a street as a census block boundary, recognizing that this will not be possible in all situations.

We conclude this Report by thanking the members of the County Legislature for their support throughout this process. The independence of this Commission has been scrupulously respected. At no time has any member of the County Legislature sought to intervene in the Commission's deliberations for partisan or personal advantage. We believe this record sets a standard that other local governments and state legislatures should emulate.

Thank you for your continuing attention to these matters.

Members of the Commission

Henrik N. Dullea, Chair, City of Ithaca
 Linda R. Duttweiler, Town of Ithaca
 John C. Gutenberger, Town of Lansing
 Michael R. Hattery, Town/Village of Dryden
 Margaret Hobbie, City of Ithaca
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