



# Albemarle County

## Legislation Text

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**File #:** 21-520, **Version:** 1

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**AGENDA DATE:** 12/1/2021

**TITLE:**  
2021 Redistricting

**SUBJECT/PROPOSAL/REQUEST:** Proposed Redistricting Schedule and Preliminary Redistricting Guidelines

**ITEM TYPE:** Consent Action Item

**STAFF CONTACT(S):** Richardson, Walker, Kamptner, Bessette, Herrick, Washburne, Emerick

**PRESENTER (S):** N/A

**LEGAL REVIEW:** Yes

**REVIEWED BY:** Jeffrey B. Richardson

**BACKGROUND:** Localities are required to redraw their magisterial districts every ten years, based on the prior year's Census data. However, two factors will prevent the completion of redistricting during calendar year 2021:

1. The delivery of Census results to localities was significantly delayed, largely as a result of the COVID-19 pandemic. Though final Census data is typically delivered no later than April 1 of the year following a Census, the County did not receive the most recent Census data until August 12, well after the April 1 standard.
2. More importantly, a 2020 amendment to *Virginia Code* § 24.2-307 now requires each precinct to be wholly contained within a single congressional district, state Senate district, House of Delegates district, and local governing body or school board district. Attachment A shows the four County precincts currently split between existing state Senate or House districts. Though state law now prohibits such "split precincts," the County cannot definitively avoid them going forward unless and until the new state and federal districts are determined. As the Board may be aware, the newly-formed Virginia Redistricting Commission was unable to agree on state or federal districts. That delay in federal and state redistricting in turn prevents local redistricting that definitively avoids split precincts.

**STRATEGIC PLAN:** Engaged Citizens - Successfully engage citizens so that local government reflects their values and aspirations.

**DISCUSSION:** The County's redistricting process will culminate in the Board's adoption of a redistricting ordinance. The redistricting ordinance will establish both (a) the boundaries of the County's magisterial districts and precincts and (b) the location of the polling places within each precinct. Before the redistricting ordinance can be adopted, staff recommends setting a schedule and guidelines to guide the process.

### Developing a redistricting schedule

Although Census data was not timely provided, it remains imperative to adopt a redistricting ordinance as soon as possible. In addition to the November 2022 general election, it is possible that primary elections could be scheduled sooner. The Attorney General certification process under Virginia Code § 24.2-129 requires at

least 60 days.

The proposed redistricting schedule (Attachment B) includes such tasks as:

- (1) the discussion and preliminary approval by the Board of guidelines for magisterial districts, precincts and polling places, discussed in the following paragraph;
- (2) a public meeting coordinated by County staff to obtain community input on redistricting issues, concerns and the preliminary guidelines;
- (3) the Board's consideration of the community comments;
- (4) the Board's approval of the final redistricting guidelines;
- (5) one or more Board work sessions on the proposed redistricting plan;
- (6) the Board's public hearing on the redistricting ordinance, likely to be scheduled in May 2022; and
- (7) the submittal of the 2021 redistricting ordinance to the Virginia Attorney General for certification.

#### Developing guidelines for magisterial districts, precincts and polling places

The proposed redistricting guidelines (Attachment C) provide direction and information as to how magisterial districts, precinct boundaries, and polling places will be identified and established. Some of these guidelines are requirements established by law, such as the requirements for geographical compactness and contiguity, the requirement that the population within each magisterial district be as equal as is practicable, and the requirement that precincts have no less than 100 and no more than 5,000 registered voters. Other guidelines reflect County-specific goals, such as having each magisterial district contain urban and rural areas.

The public will be invited to comment on the preliminary guidelines at a public meeting coordinated by County staff, most likely in January 2022. After public comments are received on the preliminary guidelines, the Board will have the opportunity to finalize the guidelines and direct staff to proceed with the redistricting plan in accordance with those guidelines.

**BUDGET IMPACT:** Redistricting is already incorporated into various offices' and departments' workplans. However, there will be costs associated with public notices provided for public meetings and the redistricting ordinance. If additional precincts and corresponding polling places must be established because of population increases, there will be additional staff and equipment costs associated with those new polling places during elections over the next decade.

#### **RECOMMENDATION:**

Staff recommends that the Board adopt the proposed redistricting schedule and direct staff to proceed under the preliminary redistricting guidelines. The guidelines will be reviewed again with the Board after staff has received and reviewed public comments on the guidelines.

#### **ATTACHMENTS:**

- A - Split Precinct Maps
- B - Proposed Redistricting Schedule
- C - Preliminary Redistricting Guidelines