

A Special meeting of the Upper Darby Township Re-Districting Committee was held on Tuesday evening, October 8<sup>th</sup>, 2014 in the Council Meeting Room #202 of the Municipal Building, 100 Garrett Road, Upper Darby, Pennsylvania for the purpose of discussing the re-Districting options in Upper Darby Township.

### **Re-Districting Committee**

Donald P. Bonnett, Thomas P. Wagner, Robert Goldberg, Joseph Salvucci, Dan Lutz

Mr. Bonnett: This is a meeting to look at the re-districting of precincts within Upper Darby Township. This is done every 10 years and is based on the most recent Census data which in this case is the 2010 Census data. Tonight's purpose is to enable the entire Council, the members that are here, to see this presentation. Although there were 3 Public Hearings, not every Council member had the opportunity to attend those meetings so tonight is an opportunity for the Committee to enlighten all of the Council members as well as the members of the community that are here tonight on the process and the conclusions that have been reached as a result of the study. Chairman Salvucci has done a great amount of the legwork setting up the data for consideration by members of the Committee. This is no small task. Joe is particularly expert at knowing how to work spreadsheets and manipulate data in terms of putting it in useful reporting presentation format particularly with charts and graphs and it has been rather easy for us to understand the data as a result of his efforts. So, once Mr. Salvucci finishes the presentation, I am going to ask Council to re-convene at the Council table. We will dismantle the presentation material and the Law & Government Committee Chairman, Councilman Wagner, will pick up the process at that point and pass along a recommendation to the entire Council. So with that I introduce Joseph Salvucci, Chairman of the Re-Districting Committee.

Mr. Salvucci: Thank you Don. It's a pleasure to be here. Before we get started, I would like to thank the Township Council for the opportunity to do this. It's about the 3<sup>rd</sup> time I've been involved with this and it's always nice to be able to serve. I want to thank the other members of the Committee as well; Mr. Lutz, Mr. Bonnett and Mr. Wagner but we're missing Mr. Goldberg who was unable to make it this evening. I do want to take one issue with something that Mr. Bonnett said. I want to correct the record and I know the Solicitor would want me to do this. We did not manipulate the data. We're displaying the data.

Laughter

Anyway, let me get started after that minor correction. We're going to very quickly go over the selection criteria that we used. We'll give you a summary at where the Committee came out. We'll talk about what I call the "qualified options", the ones that were screened in, the ones that meet the Charter criteria. The Charter requirements are very simple. The Districts must be formed in compact contiguous territories and once every 10 years when the Census data becomes available and after the State and Federal Legislative Districts are drawn up, the Township is required to look at this and insure that the Districts are within +/- 10% of the mean. So, we did that. The Federal criteria is not a requirement of the Charter but what we have to keep in mind,

is a one person-one vote doctrine and you need to have equal populations and you can say equal number of voters if at all possible. So, here's the stated goals; equal representation and this one to me is something that can be used to look between options, equally weighted votes. And, the states have the ----to define electoral Districts. So, this very busy chart, I'm going to show you a bar chart later that makes this a little easier to understand. Since our last meetings because it was brought up by a number of the speakers, I've added total registration data. So, we're going to look at both total population in the Districts and total registration. And, that looks like this. Here's the Census data by population. Now this looks like it varies quite a bit. This is the +10% line and this is the -10% line and I will draw your attention to where the Ordinance starts and that is at some 8,000 population. So, it kind of gets cut off a bit and makes the variability a lot more. This is the average over here. This is Districts 1, 2, 3, 4, 5, 6 and 7. That's what the population looks like according to the Census. When we look at the registration data we see something that is not quite the same. Here I started this chart at zero so it doesn't look as if it's variable but actually it's even a little more variable. So you see here there are 2 Districts that are just about at the -10%. One District is +10%. If you recall the last chart there was only one District that was outside of the Charter criteria and that was the 7<sup>th</sup> District. So that's total voter registration number by Districts. The requirement is to meet the Upper Darby Home Rule Charter and the ----- requires minimum disruption. We wanted to make sure that we retained every Council member within their same district and that we didn't gerrymander anyone out. We wanted to try to keep every Council member and if there were any changes within their District, they would hold on to at least 75% of their current constituents. The deviation of the population from the mean would not exceed +/- 10%. All Districts would have contiguous precincts and there is one exception and that obviously is Penn Pines where that is impossible. That's 2-1 currently. And all precincts boundaries want to maintain that because if you start moving precinct boundaries then you can run into problems with Congressional Districts, State Senate, so forth and so on, so you want to avoid that if you can. And, if it's approved by the Council and the Mayor and the Court of Common Pleas revises Districts, it could possibly take effect prior to the primary election of next year. So here are the plans that we want to talk about. There were 8 plans that were formalized. Two were described as not compliant with the selected criteria. One was thrown out because a Council person was taken out of that district and the other one, I believe, because you moved one precinct you created a non-contiguous precinct. The remaining plans the Committee felt that Option 5SR would best fit the Township needs. The rest of the plans, I include them because the Council is obviously free to do whatever they wish. They are not in any priority order. There was one other modification that was suggested. It was almost the same as the one plan that the Committee thought was the best one and Councilwoman Coles suggested that we eliminate a couple of precinct changes from the 6<sup>th</sup> and 7<sup>th</sup> so I ran through the numbers to show you just what that looks like. And this was the recommended plan and those are the changes. You can see that there are no changes to the precincts in the 1<sup>st</sup> and 2<sup>nd</sup>. You can see for yourself what is happening in the 3<sup>rd</sup>, 4<sup>th</sup>, 5<sup>th</sup>, 6<sup>th</sup> and 7<sup>th</sup> and the maximum population shifted out of any one of the Districts was 20%. And this is what it looks like before and after. The red is the average of all of the Districts. The yellow bar is what that District looked like prior to the change. The blue bar is what it looks like after the change. That's population. This is what it looks like in registration. Here the registration is the 6<sup>th</sup> and 7<sup>th</sup> is low to start with and it drops even more. You can see what happens in the balance

of the Districts. This was a very simple option that was suggested but I'm not sure how this one got there really. This is the one that some minimum changes to stay within +/- 10%. You can see there were only a few precinct changes in the 6<sup>th</sup> and 7<sup>th</sup>. This is what the pre and post looks like in population standpoint 1 through 7 and here's what the District registration looks like. OK, this is Option 6A. I believe this was suggested by Mr. Achtert and here are the changes in the precincts. The maximum population shift was 15%. This is the before and after District population and this is the before and after registration. And, here because precincts are moved out of the 6<sup>th</sup> and 7<sup>th</sup> they are staying well below the mean of +/- 10%. So, that is 6A. Now, there is 7B with some changes. The maximum shift here was 20%. This is the pre and post District population but when you get your hard copy the numbers are on the top. You can see for yourself what the final population looks like and here are the registration numbers pre and post and again the numbers of people who remain in that District after the changes are made. Option 8K had a relatively small change. Ms. Keffer submitted this one. This is a relatively modest change. It's a very simple move and this also meets the Charter criteria so this can be considered. You can see what happens to the population pre and post. The 7<sup>th</sup> which was out now is in and this is what happens to the registration. This is Option 9C. Those are the precinct changes throughout the various districts. The maximum population shift here is 13% and this is what the pre and post looks like. Again, you can read the numbers when you get your hard copy. This is what the registration looks like pre and post. And, this is the slight modification to the option that the Committee felt was the best for the Township. If you look at this, the changes in the 6<sup>th</sup> and 7<sup>th</sup> were eliminated except for one precinct in the 7<sup>th</sup> that gets taken out of the 7<sup>th</sup> because the population is high. Nothing was moved into the 6<sup>th</sup> and this is what the pre and post looks like there. You can see the 7<sup>th</sup> now is within the +/- 10% and this is what the registration looks like. OK, now some definitions are coming up. We should talk a little bit about how we use these. The only thing that is required that you actually have to meet is the +/- 10%. That's what the Charter requires. All these other numbers are just a way that once you look at qualified plans you can sort your way through them and you can look at qualified differences between them. We need to get a little bit of statistics in this. When you're looking at variability in a sample, what the Charter criteria requires, it just looks at the high and the low. It doesn't look at anything in between. But, if someone is looking at variability in an actual sample the typical measure that is used and there are a lot of caveats on this. It should be 7 districts is kind of on the light side to do statistics and you're making the assumption that the distribution proncimates a normal distribution and a few other things. But nevertheless you can still use some of the statistical numbers as a means of looking at variability and one thing that I've used before and sorted between different groups is it starts with a standard deviation, very common. You could look at a standard deviation of a sample and real simple one standard deviation in a random you should pick something like 66% of all the observations should fit within one standard deviation of the mean. When you get the 3 standard deviations I think the number jumps up to 99%, almost everything. But, since the standard deviation is a number if you want to compare it between different sets what people many times do is look at the standard deviation divided by the average or the mean. That's called a co-efficient of variability and that's what you have coming up and you can look at that. It doesn't tell you what to do. It just gives you something to look at. It gives you the index of what the variability looks like. The maximum population moved.....I got a question about this and just want to make sure that it's clear...that's the maximum

population moved out of any one district. So if you look at the total plan it's not the total number of people that were moved. That's the maximum number moved out of the district that had the most people moved out of it. There may be other districts that have a lesser number of people that moved out because there are quite a few precinct changes in these different plans. But, that's the maximum number moving and you remember that we said the number we wanted to meet was 25% because we said that every district Council person should hold on to 75% of their constituents. Somebody suggested this just to look at how disruptive you might want to look at the total number of district moves. And, I guess if you have 2 plans that are almost exactly the same, one moved 5 precincts and one moved 8, you might just say why don't we just move 5? It's a lot simpler. So, this is what that table looks like. What this says is that this is the description and in some cases this is what I put together, this is from Ms. Keffer, this is one submitted from Ms. Coles and this was a suggestion by Ms. Coles that modified an earlier one. This says they all will be -----population +/- 10%. This says they all have contiguous precincts and no Council person should be moved out of a district. This is a summary of maximum population moved. This is the number of precincts moved. This is that co-efficient of variation based on population before and this is the variability after. And, this is the registered voters before and this is the registered voters after. You can look at that and maybe consider these when making a selection. So, the next steps to me are for the Council Law and Government Committee to consider after some review to vote to put on a plan on the full Council Agenda for a future meeting as an introduction of an Ordinance. After that is introduced, the Council holds a Public Hearing and they then take appropriate action if they so desire. If the Ordinance is adopted, the Administration submits a certified copy of that Ordinance to the Delaware County Board of Elections who will distribute the information for the staff. If they deem it to be acceptable they will draft a preliminary audit to be filed with the Administrative Court of Common Pleas and if they're OK with it, then it -----the Township for the next coming election providing you meet all of the criteria. That's it so I'll turn it back to the Councilman.

Mr. Bonnett: At this time, we will continue with the report of the Law and Government & Rules and Procedures Committee, Mr. Wagner please.

Mr. Wagner: Thank you, Mr. President. It is my understanding that our Committee has now received the report of the Re-districting Committee recommending what they have termed Option 5SR and I would note that there is another option which is 5SRC which makes one change to the one that has been recommended by the Re-districting Committee and that simply eliminates the last 2 precinct changes. It was suggested by Councilwoman Coles during a public commentary part of these Re-Districting Committee meetings and if there is no objection from the only other member of the Law and Government & Rules and Procedures Committee who is here tonight and that would be Mr. Bierling because unfortunately Mr. Rankin is not here tonight, I am going to suggest that we refer Option 5SRC to Council to get on the Agenda of our next Council meeting. There, it will be formally moved to introduce 5SRC for action at a subsequent council meeting as soon as the Solicitor can draft the necessary Ordinance. I understand that may take some time. A Public Hearing would then be necessary for the

Ordinance as I understand it and that will have to be scheduled depending on when the Solicitor finishes that work. Mr. Bierling, is that all right with you?

Mr. Bierling: Yes.

Mr. Wagner: With that we are hereby referring that recommendation to full Council.

Mr. Bonnett: Very good.

Mr. Gwin: Can we ask a question?

Mr. Bonnett: Sure, under the Committee you can.

Mr. Wagner: By all means.

Mr. Gwin: When I looked at the recommendations that were presented I noticed that with 5SRC and 5SR, when you look at the voter registrations you will see that they drop below the 10% guidance line that was established by Council.

Mr. Bonnett: That 10% is for a Census, I believe.....

Mr. Gwin: Yes, but it's still 10% of the value that you're talking about and whether it's population or voter registration it's still 10%.

Mr. Bonnett: But the 10% only applies by rule to the Census data and population data. I believe through the various public meetings that we had that various people have asked to compare the total registration data as a factor to be considered. So it's my understanding about the rule on the 10%.

Mr. Wagner: My understanding is the same as yours. It was also my understanding as supported by Mr. Salvucci and his Committee's recommendation that this plan like several others satisfies the requirements of the Charter.

Mr. Gwin: I was concerned because maybe I was just reading what was here and I have difficulty reading the numbers that are on this but I look at 5SRC and I looked at the 3<sup>rd</sup> District and I see that it is significantly higher. It's up to the top. I don't know what the ----- is. I can't read the scale and the other one was even below that in terms of the voter registration. It just seems like it's a wider disparity and not meeting the one person one vote criteria.

Mr. Judge: The Charter requirements are based upon the Census information. Voter registration does not appear in the Census information.

Mr. Gwin: I understand that.

Mr. Judge: I'm just trying to explain that's the requirement that has to be met and I understand that Mr. Salvucci only introduced registration because several people asked that it be put onto the plans.

Mr. Gwin: I understood that but I still say that it has to be in compliance with the Federal guidelines of one person one vote and that is the over-riding thing. That's where you're probably going to have an issue. The point is that some of these districts may have to move population but then you look to get other districts moving into that district to give voter balance, registration. That can be done.

Mr. Salvucci: Am I wrong or is voter registration not supposed to be taken into consideration?

Mr. Wagner: No, you're not wrong.

Mr. Bierling: It wasn't supposed to be taken in. That's one thing that Mr. Salvucci put in here because he was asked by someone in the audience about the registration and he said "I can do that but that's not a basis for it." That's not supposed to be a basis. It's population.

Mr. Bonnett: That's correct.

Mr. Wagner: OK, well in any event all of this has to be discussed not only by Council at the appropriate time but there will be a Public Hearing on the Ordinance as I understand it. Is that correct Mr. Bonnett?

Mr. Bonnett: That is correct. It will be advertised, the Public Hearing will be established and only after those activities can Council officially vote upon it and it will be based on a majority vote of Council as to the option that is ultimately adopted and sent on to the County Board of Elections and subsequently the Courts to make a final ruling on whether or not the plan adopted by Council conforms to the requirements for adoption.

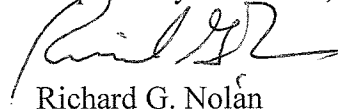
Mr. Wagner: So, the Law and Government & Rules and Procedures Committee has referred Option 5SRC to Council.

Mr. Bonnett: And, all comments are duly noted, obviously.

Mr. Wagner: With that, progress Sir.

Mr. Bonnett: Thank you. At this time this meeting is adjourned.

Respectfully submitted,



Richard G. Nolan  
Chief Municipal Clerk