



Committee: Directly to Council
Committee Review: N/A
Staff: Ludeen McCartney-Green, Legislative Attorney
Pamela Dunn, Senior Legislative Analyst
Jeffrey L. Zyontz, Council Senior Fellow
Purpose: Final action – vote expected
Keywords: Redistricting Map, Expedited Bill 41-21, Council District Boundaries

AGENDA ITEM #4A
December 7, 2021
Action

SUBJECT

Redistricting, Expedited Bill 41-21, Elections – Council Districts – Boundaries
Lead Sponsor: Council President at the Request of Redistricting Commission

EXPECTED ATTENDEES

N/A

COUNCIL DECISION POINTS & COMMITTEE RECOMMENDATION

Approve a revised map of redistricting that creates seven (7) Council districts following Federal, State, and County laws that govern redistricting.

DESCRIPTION/ISSUE

Expedited Bill 41-21 would:

- (1) revise the boundaries of Council districts; and
- (2) generally amend the law related to elections and redistricting.

SUMMARY OF KEY DISCUSSION POINTS

- As required by the Charter, the Council appointed the Redistricting Commission to make recommendations on new Council District boundaries before February 1, 2021. Despite significant delays in receiving 2021 census data, the Commission completed its work in a timely manner and delivered its report and plan (map) of redistricting to the Council on November 4.
- The Council held two public hearings on the plan, one on November 16 and another on November 18. On November 30, the Council held a worksession on the Commission's proposed map. Several proposed changes to the map were discussed.
- Attached is a revised Commission map that incorporates several of the proposed changes discussed on November 30, following guidance provided by the Council at that worksession.
- An interactive Geographic Information System (GIS) version of the revised map will be added to this report as soon as it is available and posted on the Council's webpage.

This report contains:

Staff Report
Expedited Bill 41-21
Legislative Request Report

Pages

1-10
©1-14
©15

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MEMORANDUM

December 2, 2021

TO: County Council

FROM: Ludeen McCartney-Green, Legislative Attorney
Pamela Dunn, Senior Legislative Analyst
Jeffrey L. Zyontz, Council Senior Fellow

SUBJECT: Action- Expedited Bill 41-21 Elections, Council Districts – Boundaries

PURPOSE: Revised Redistricting Map Based on Council Feedback

Bill 40-21, Elections – Council Districts - Boundaries, sponsored by the Council President at the Request of the Redistricting Commission, was introduced on November 9, 2021. Public hearings were held on November 16 and November 18, 2021. A Council worksession was held on November 30, 2021.

Bill 41-21 would:

- (1) revise the boundaries of Council districts; and
- (2) generally amend the law related to elections and redistricting.

Background

On November 30, the Council held a worksession on the redistricting map proposed by the Redistricting Commission. The staff report for the worksession included several evaluations of potential changes to the Commission’s map. At the worksession, staff explained each evaluation, highlighting the potential to shift the map to address each change, noting that all of the requested changes cannot be made and that each evaluation was done without considering other changes.

Refinements to the Commission’s Map

During the worksession on November 30, the Council provided the following guidance on possible map refinements:

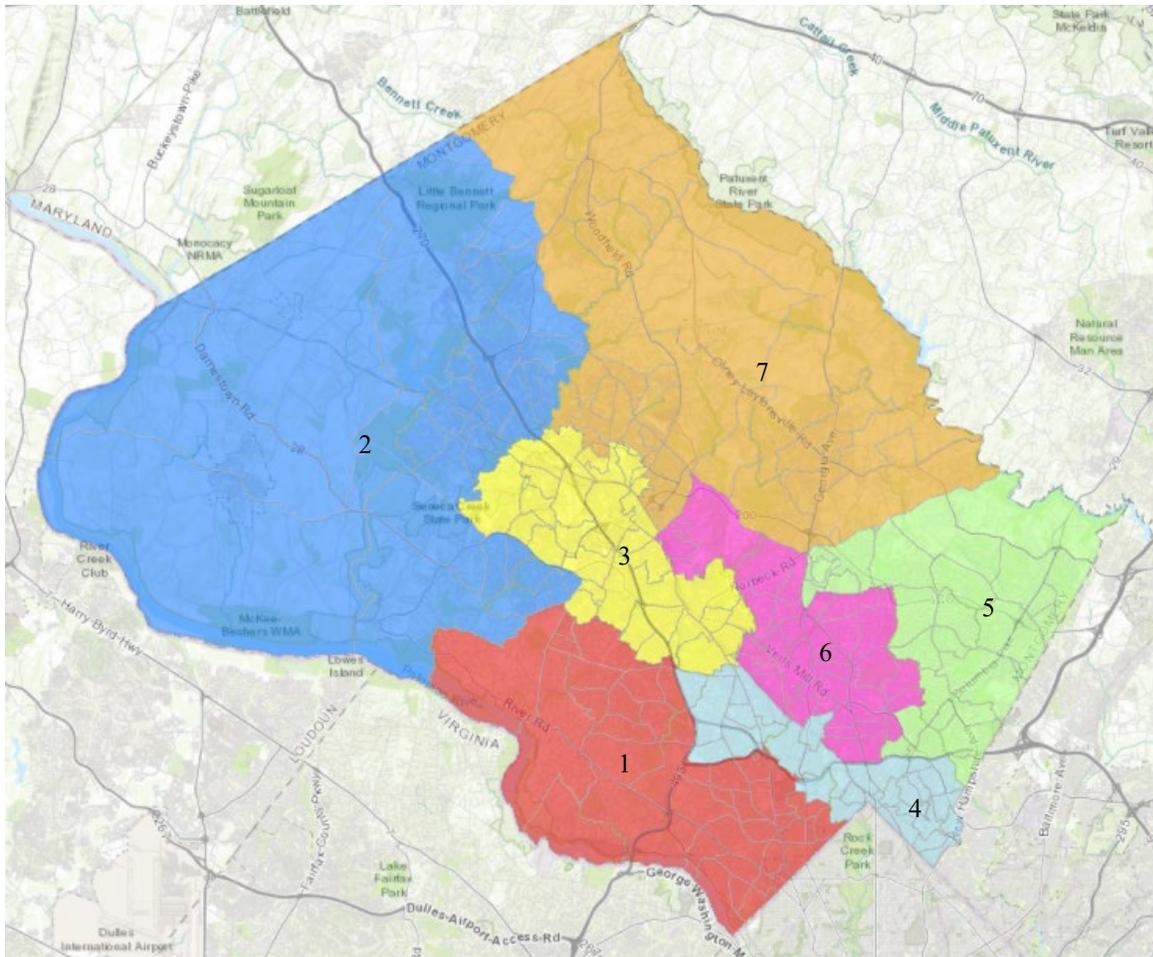
1. Prioritize a change that would keep the Kemp Mill community¹ together in District 6;

¹ Precincts 13-020 and 13-033 move from District 5 to District 6.

2. Try to accommodate other minor proposed changes designed to avoid splitting a neighborhood between two districts, such as the Northwest Park/Oakview neighborhood² and the Willows of Potomac/Traville Gardens neighborhood³;
3. Other changes supported by Councilmembers, also motivated by community identity concerns but involving larger areas, were changes in the Aurora Hills⁴ area, the Potomac/North Bethesda area just west of I-270⁵ and north of the Capital Beltway adjacent to the I-270 spur⁶, and the Four Corners⁷ area just outside the Capital Beltway.

As mentioned, all of the proposed changes cannot be made to the Commission map without significant Countywide revisions. At yesterday's worksession, the entire Council referenced the impossibility of making significant changes to the map in a timely manner.

The map below accommodates as many refinements as possible, following the guidance provided by the Council.

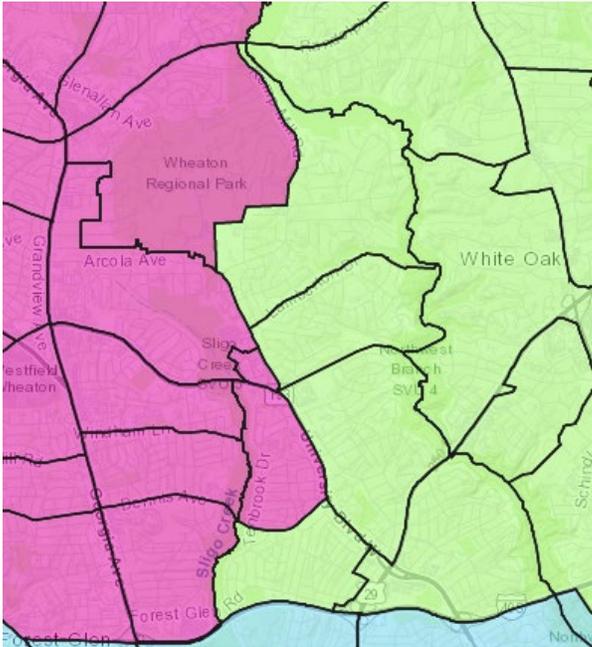


² Precinct 05-014 moves from District 4 to District 5.
³ Precinct 04-035 is placed in the same district as Precinct 04-024.
⁴ Precinct 02-006 moves from District 7 to District 2.
⁵ Precincts 04-032 and 10-011 move from District 4 and Precinct 04-011 moves from District 3 to District 1.
⁶ Precincts 07-020 and 07-025 move from District 4 to District 1.
⁷ Precincts 13-019 and 13-023 move from District 5 to District 4.

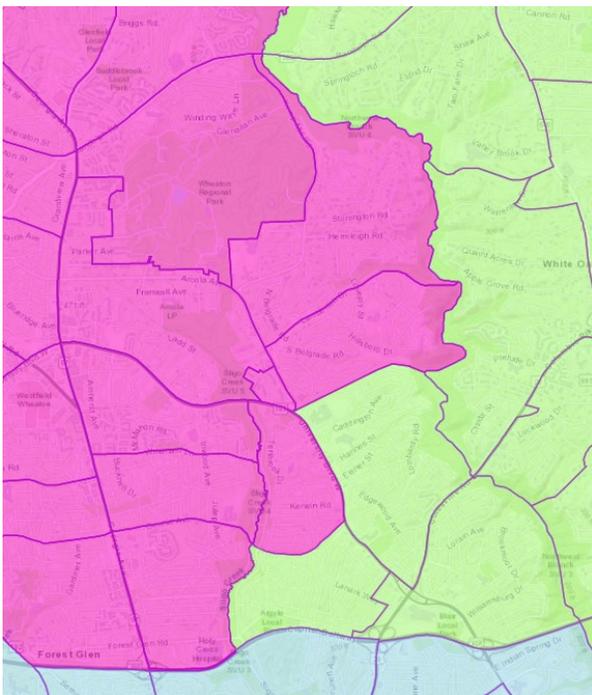
This map contains the following changes:

1. It places the Kemp Mill community in District 6 (pink). This involves moving Precincts 13-020 and 13-033 from District 5 (green) to District 6 (pink).

Commission Proposed Map

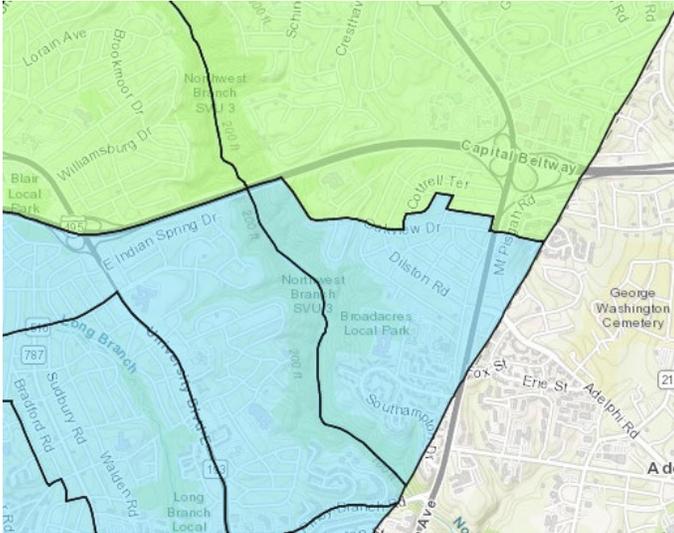


Revised Area for the Kemp Mill Community

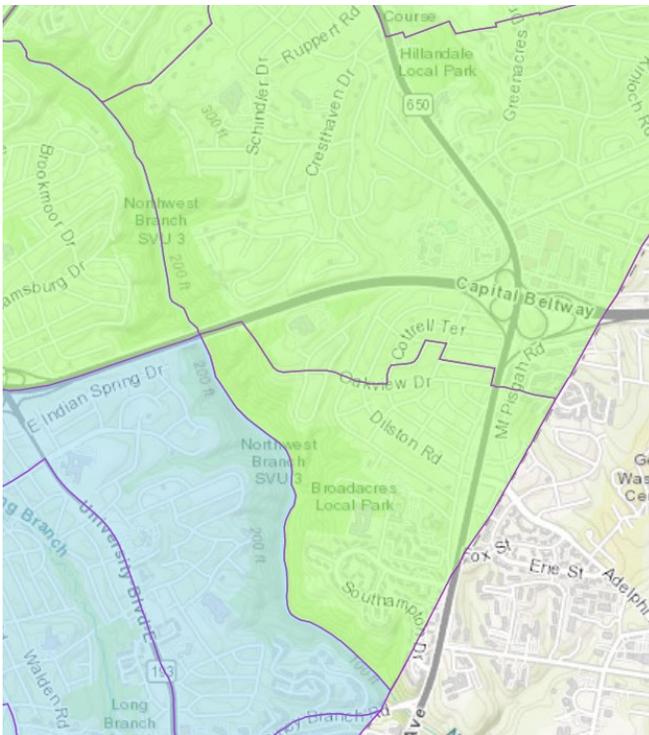


- It places the Northwest Park/Oakview neighborhood in District 5 (green) with the rest of the Hillandale community. This involves moving Precinct 05-014 from District 4 (light blue) to District 5 (green).

Commission Proposed Map



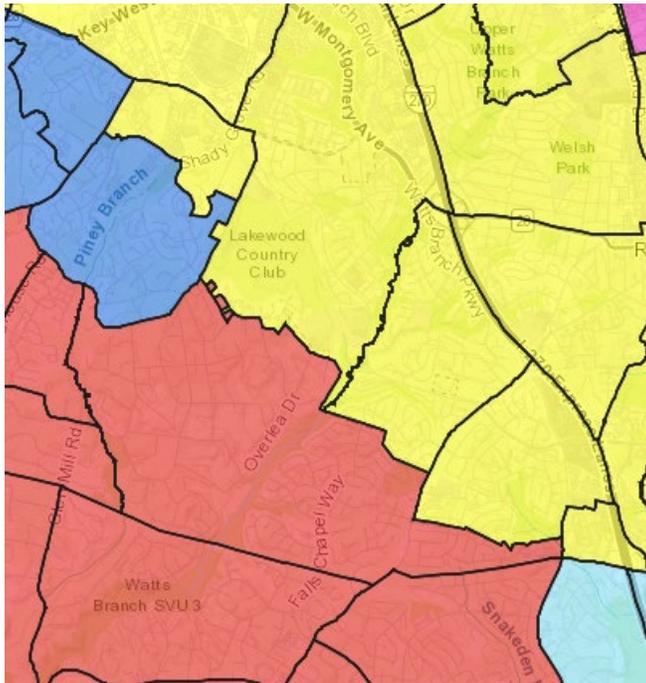
Revised Area for Northwest Park/Oakview Neighborhood and Hillandale



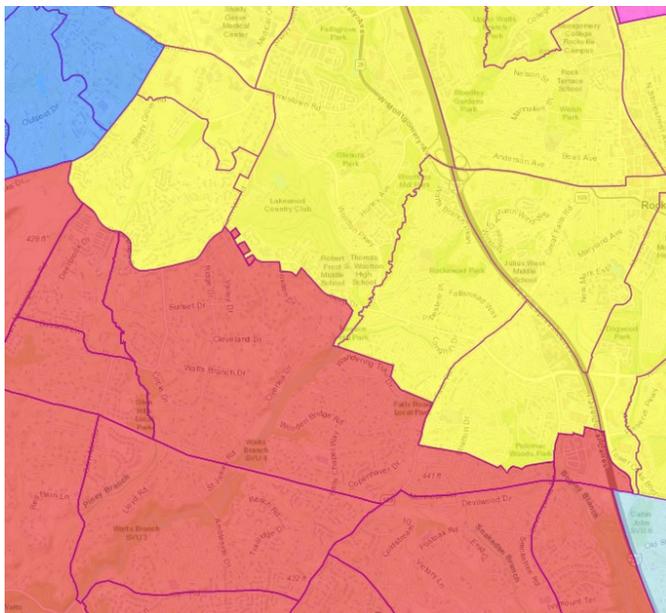
- It combines the Willows of Potomac/Traville Gardens neighborhood with the rest of this community. This involves placing Precinct 04-024 in the same district as Precinct 04-035,

in District 3 (yellow), **and** moving Precinct 04-011 (Park Potomac) from District 3 (yellow) to District 1 (red) - a change necessary to meet the 10% Voting Rights Act rule and one that supports keeping the Potomac community in a single district.

Commission Proposed Map

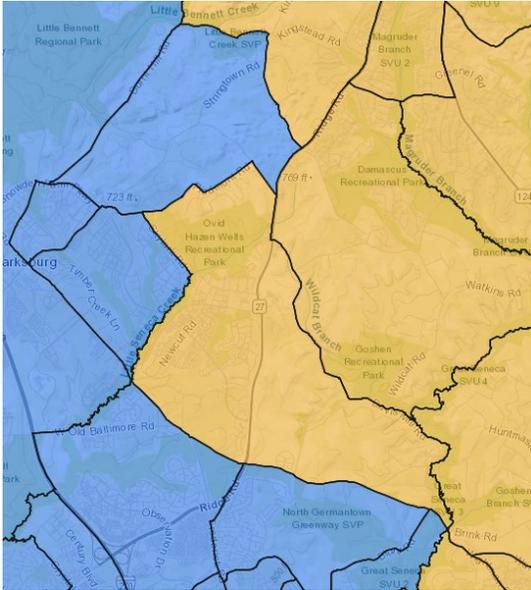


Revised Area for the Willows of Potomac/Traville Gardens and Park Potomac

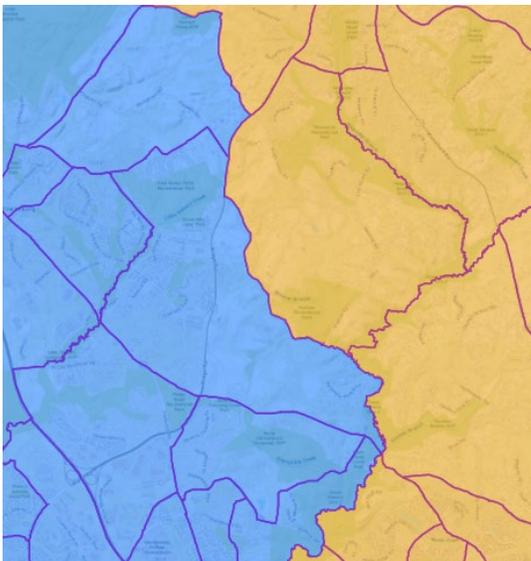


4. It places the Aurora Hills community in District 2 (dark blue). This involves moving Precinct 02-006 from District 7 (orange) to District 2 (dark blue). Note, in the change above Precinct 04-024 moved from District 2 (dark blue) to District 3 (yellow), freeing up space that allows for the placement of Aurora Hills in District 2 (dark blue). In other words, instead of moving the Willows/Traville neighborhood from District 3 (yellow) to the same district as Precinct 04-024, Precinct 04-024 has been moved to the same district as the Willows/Traville neighborhood.

Commission Proposed Map

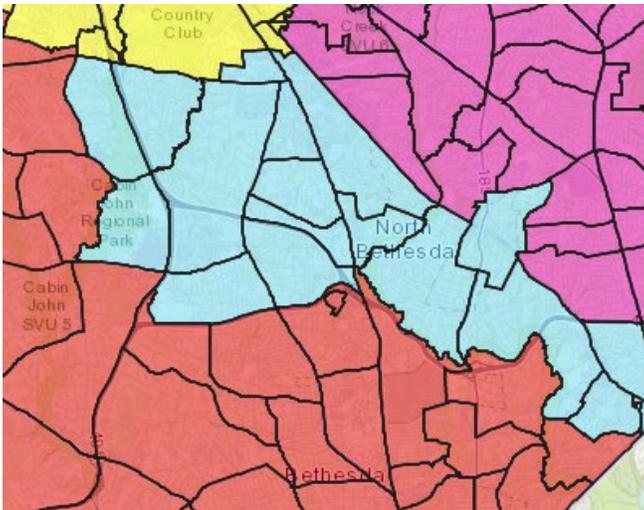


Revised Aurora Hill's area



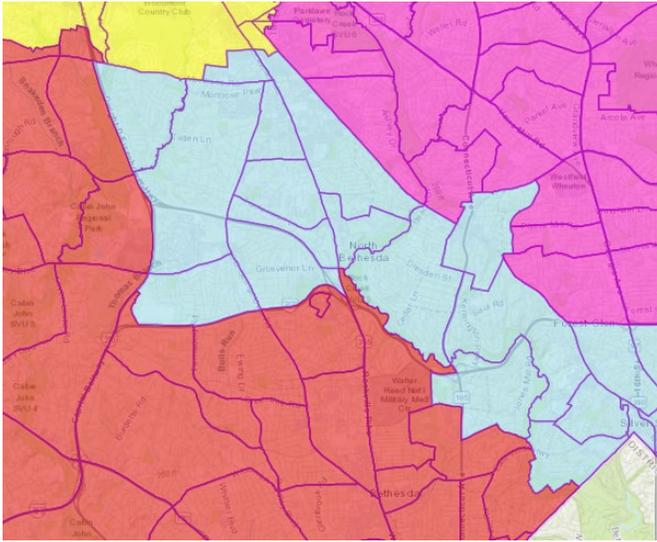
5. It places precincts in the Potomac/North Bethesda community just west of I-270 in District 1 (red). It involves moving Precincts 04-032 and 10-011 from District 4 (light blue) to District 1 (red) in order to keep the Potomac community in a single district⁸. **To accommodate this change, one or more precincts must be moved out of District 1 (red); otherwise, the variation in population between District 1 (red) – the most populated district as a result of this change, and the least populated district, District 5 (green) – made the least populated by the change for Kemp Mill, is greater than 10%, which violates the Voting Right Act rule.** One option might be to shift Precinct 06-002 from District 1 (red) to District 2 (dark blue); however, this change, while reducing the population in District 1, results in District 2 being the most populated and still results in a total deviation in excess of 10%. Another option is to move two precincts, Precincts 07-016 and 13-039, from District 1 (red) to District 4 (light blue). These precincts border District 4 (light blue) just north of the DC line. This change improves the compactness concern with respect to the “bow-tie” shape and would provide result in a Countywide deviation under 10%; however, it is a change that has not been discussed.

Commission Proposed Map



⁸ Moving Precinct 04-011 noted under #3 also supports keeping the Potomac community in one district.

Revised Area near I-270 and along the District 1 and District 4 boundary



Two proposed changes cannot be accommodated in this map. One is shifting the precincts north of the Beltway and below the I-270 spur from District 4 (light blue) to District 1 (red). These two precincts have a combined population of 7,236. In this case, shifting precincts of this size from District 4 (light blue) to District 1 (red) would require significantly more manipulation of the map - both to move population into District 4 (light blue), as its population is already reduced by the movement of Precincts 04-032 and 10-011 into District 1 (red) and to move population out of District 1 (red).⁹ Neither of these can be accomplished without impacting additional districts.

The other change that cannot be accommodated is moving the two precincts in Four Corners north of the Beltway from District 5 (green) into District 4 (light blue). These precincts have a combined population of 5,820. This shift, in combination with the change for the Kemp Mill community, would reduce the population of District 5 (light blue) to the lowest populated district and result in a total deviation across all districts greater than 10% (violating the Voting Rights Act).

Below is the population and demographic data for the map as explained above:

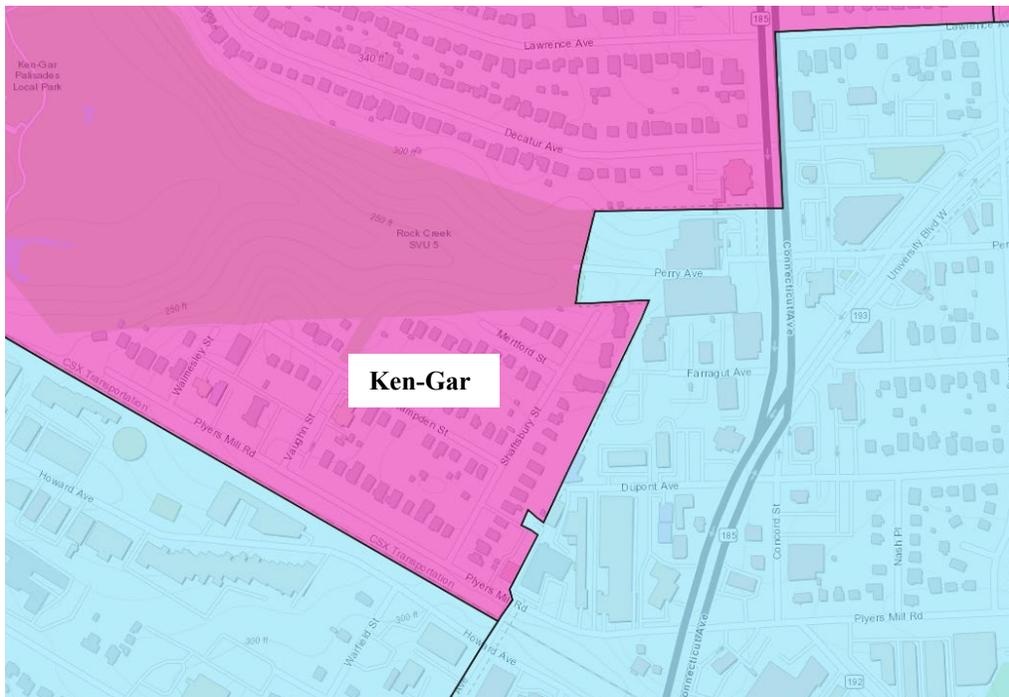
| District | Asian | Black | Hispanic | Other | White | Total |
|----------|-------|-------|----------|-------|-------|---------|
| 1 | 16.2 | 4.9 | 8.1 | 5.7 | 65.2 | 155,015 |
| 2 | 24.3 | 19.5 | 17.4 | 5.4 | 33.4 | 158,833 |
| 3 | 20.5 | 13.7 | 22.4 | 5.4 | 38.0 | 158,980 |
| 4 | 9.0 | 20.8 | 17.5 | 6.0 | 46.7 | 145,291 |
| 5 | 12.1 | 37.1 | 20.5 | 4.9 | 25.4 | 148,184 |
| 6 | 11.9 | 16.7 | 34.7 | 5.3 | 31.4 | 150,896 |
| 7 | 12.1 | 15.5 | 23.1 | 5.5 | 43.8 | 145,511 |

⁹ Moving Precincts 07-020 and 07-025 into District 1 from District 4 increases the District 1 population to over 162,000 while lowering the District 4 population to around 138,000- resulting in a total deviation across all districts of approximately 13.6% which violates the Voting Rights Act rule.

There are minor changes in the demographic make of the districts. The pluralities achieve in the Commission map are retained, with the Black plurality in District 5 (green) increasing a bit from 36.7% to 37.1%, and the Hispanic plurality in District 6 (pink) decreasing slightly from 35.6% to 34.7%.

Following the worksession, Councilmember Friedson brought to staff’s attention one additional change. The Mayor of the Town of Kensington sent a letter requesting, if only one adjustment to that area could be made, that the community of Ken-Gar be included in the same district as the Town of Kensington. According to the Mayor, this would correct an error in placing this community in a voting precinct where it is geographically isolated from the rest of the precinct. Below is an excerpt from the Mayor’s letter and a map depicting the area.

“If you do not intend to revisit the proposed Map, there is one revision that we consider a long overdue redistricting error. The Town of Kensington and the historically black community of Ken-Gar were separated into different precincts and therefore different County Council Districts. We urge you to correct this error. Ken-Gar is a small community nestled on our western border at Plyers Mill Road and Summit Avenue. With a natural woodland barrier on the north and the CSX railroad to the south, Ken-Gar has no adjoining neighbors besides Kensington.”



The population of Ken-Gar is only 369, which can easily be accommodated in District 4 (light blue) and will not have a material impact on the demographic make-up of District 4 (light blue) or District 6 (pink).

Because this change would split a precinct boundary, a new map will need to be created with this change, should the Council support it.

Charter Requirements

Council staff has reviewed the final changes to ensure the revised district boundary map by the County Council meets the standard by law¹⁰ as compact, contiguous, and substantially equal in population.

Next Steps: Roll call vote on whether to enact Expedited Bill 41-21, with amendments to the Redistricting Commission map of Council districts.

¹⁰ County Charter § 103.

Expedited Bill No. 41-21
Concerning: Elections – Council Districts
- Boundaries
Revised: Draft No. 2
Introduced: November 9, 2021
Expires: May 9, 2023
Enacted: _____
Executive: _____
Effective: _____
Sunset Date: None
Ch. _____, Laws of Mont. Co. _____

COUNTY COUNCIL FOR MONTGOMERY COUNTY, MARYLAND

Lead Sponsor: Council President at the Request of the Redistricting Commission

AN EXPEDITED ACT to:

- (1) revise the boundaries of Council districts; and
- (2) generally amend the law related to elections and redistricting.

By amending

Montgomery County Code
Chapter 16, Elections
Section 16-2

| | |
|------------------------------|--|
| Boldface | <i>Heading or defined term.</i> |
| <u>Underlining</u> | <i>Added to existing law by original bill.</i> |
| [Single boldface brackets] | <i>Deleted from existing law by original bill.</i> |
| <u>Double underlining</u> | <i>Added by amendment.</i> |
| [[Double boldface brackets]] | <i>Deleted from existing law or the bill by amendment.</i> |
| * * * | <i>Existing law unaffected by bill.</i> |

The County Council for Montgomery County, Maryland approves the following Act:

1 **Sec. 1. Section 16-2 is repealed and amended as follows:**

2 **16-2. Boundaries of Council districts.**

3 The boundaries of the [5] 7 Council districts required under Section 103 of the
4 County Charter are [as follows] shown on a Geographic Information Systems (GIS)
5 map located on the Council's website and identified as the 2021 Approved Council
6 District Map.

7 [*District 1*: The southern boundary of District 1 begins at the junction of the
8 boundary lines of Montgomery County, Maryland, the District of Columbia, and
9 Fairfax County, Virginia; then northwesterly, meandering along west bank of the
10 Potomac River, the boundary line of Montgomery County and Fairfax County; then
11 continuing northwesterly, meandering along the Potomac River, to the boundary line
12 of Montgomery County, Maryland and Loudoun County (Virginia); then continuing
13 northwesterly and northeasterly along the western boundary of the Potomac River
14 to its junction with the boundary of Montgomery County, Maryland and Frederick
15 County, Maryland; then northeasterly along the Frederick County boundary line to
16 its junction with the center line of Dickerson Road (MD Route 28); then
17 southeasterly and southwesterly along the center line of Dickerson Road (MD Route
18 28), continuing as Darnstown Road (MD Route 28); then continuing southeasterly
19 along the center line of Darnestown Road (MD Route 28) to its intersection with the
20 center line of Turkey Foot Road; then southeasterly along the center line of Turkey
21 Foot Road to its junction with the center line of Travilah Road; then easterly and
22 northeasterly along the center line of Travilah Road to its junction with center line
23 of Piney Meetinghouse Road; then southerly along the center line of Piney
24 Meetinghouse Road to its intersection with the Potomac Electric Power Company
25 right-of-way; then southeasterly along Potomac Electric Power Company right-of-
26 way to its intersection with the center line of Falls Road (MD Route 189); then

27 easterly to its junction with the center line of Montrose Road; then easterly along the
28 center line of Montrose Road and a straight line of prolongation to its junction with
29 the center line of Rockville Pike (MD Route 355); then northwesterly along the
30 center line of Rockville Pike (MD Route 355) to its intersection with the center line
31 of Halpine Road and a line of prolongation to the center line of the CSX Railroad
32 right-of-way; then southeast along the center line of the CSX Railroad right-of-way
33 to its intersection with the municipal boundary of the Town of Kensington; then
34 northeasterly and east along the Town of Kensington municipal boundary line to the
35 center line of Connecticut Avenue (MD Route 185); then north along the center line
36 of Connecticut Avenue (MD Route 185) to its junction with the center line of
37 Lawrence Avenue; then east along the center line of Lawrence Avenue to its junction
38 with the center line of University Boulevard West (MD Route 193); then
39 northeasterly along the center line of University Boulevard West (MD Route 193)
40 to its intersection with the center line of Drumm Avenue; then southwesterly along
41 the center line of Drumm Avenue and continuing south along a line of prolongation
42 to its junction with the center line of Meredith Avenue (at Oberon Street); then south
43 along the center line of Meredith Avenue to its intersection with the center line of
44 Edgewood Road; then westerly along the center line of Edgewood Road and a line
45 of prolongation to the center line of the CSX Railroad right-of-way; then continuing
46 southeasterly along the CSX Railroad right-of-way to its intersection with the center
47 line of Brookville Road; then southwesterly along the center line of Brookville Road
48 to its junction with the center line of Lyttonsville Place; then southeasterly along the
49 center line of Lyttonsville Place to its intersection with the center line of the
50 Georgetown Branch Trail; then southwesterly along the center line of the
51 Georgetown Branch Trail to its junction with Brookville Access Road; then
52 southwest along the center line of Brookville Access Road to its junction with the

53 center line of Grubb Road; then southeasterly along the center line of Grubb Road
 54 to its intersection with the center line of East West Highway (MD Route 410); then
 55 northeasterly, easterly and northeasterly along the center line of East West Highway
 56 (MD Route 410) to its junction with the center line of Rosemary Hills Drive; then
 57 southeasterly along a line of prolongation from the center line of Rosemary Hills
 58 Drive to its intersection with the boundary line of Montgomery County, Maryland
 59 and the District of Columbia; then southwesterly along the boundary line of
 60 Montgomery County to the junction of the boundary line of Montgomery County,
 61 Maryland, the District of Columbia and Fairfax County, Virginia, the point of
 62 beginning.]

63 **[District 2:** The southern boundary of District 2 begins at the junction of the
 64 center line of Lake Winds Way and the center line of Travilah Road; then westerly
 65 along the center line of Travilah Road to its junction with the center line of Turkey
 66 Foot Road; then northwesterly along the center line of Turkey Foot Road to its
 67 junction with the center line of Darnestown Road (MD Route 28); then
 68 southwesterly and northwesterly along the center line of Darnestown Road (MD
 69 Route 28), continuing northeasterly and northwesterly as Dickerson Road (MD
 70 Route 28) to the boundary line of Montgomery County, Maryland and Frederick
 71 County, Maryland; then northeasterly along Montgomery County, Maryland and
 72 Frederick County, Maryland boundary line to the point at Parrs Spring where the
 73 boundary lines of Montgomery County, Maryland, Frederick County, Maryland, and
 74 Howard County, Maryland converge; then southwesterly and southeasterly along the
 75 boundary line of Montgomery County, Maryland and Howard County, Maryland
 76 following the center line of the Patuxent River to its intersection with the center line
 77 of Mullinix Mill Road; then southwesterly along the center line of Mullinix Mill
 78 Road to its junction with the center line of Damascus Road (MD Route 108); then

79 southeasterly along the center line of Damascus Road (MD Route 108) to its junction
80 with the center line of Jarl Drive; then southwesterly along the center line of Jarl
81 Drive and a line of prolongation to its junction with the center line of Great Seneca
82 Creek; then meandering southeasterly and southwesterly along the center line of
83 Great Seneca Creek to its intersection with the center line of Woodfield Road (MD
84 Route 124); then southwesterly along the center line of Woodfield Road (MD Route
85 124) to its junction with the center line of the north end of Hadley Farms Drive; then
86 westerly, southerly and southeasterly along a line encompassing all of the streets
87 connected to Hadley Farms Drive to the junction of that line with the center line of
88 Cabin Branch Tributary at a point east and south of Boxberry Terrace; then
89 meandering southwesterly along the center line of Cabin Branch Tributary to its
90 intersection with the center line of Snouffer School Road; then southeasterly along
91 Snouffer School Road to its intersection with the center line of Flower Hill Way;
92 then southerly and southeasterly along the center line of Flower Hill Way to its
93 junction with the center line of Woodfield Road (MD Route 124); then southwesterly
94 along the center line of Woodfield Road (MD Route 124) to its intersection with the
95 center line of Emory Grove Road; then northwesterly along Emory Grove Road to
96 its intersection with the center line of Goshen Road; then south along the center line
97 of Goshen Road to its intersection with the center line of Odend'hal Avenue; then
98 west along the center line of Odend'hal Avenue to its intersection with the center
99 line of Lost Knife Road; then northwest along the center line of Lost Knife Road to
100 its junction with Montgomery Village Avenue (MD Route 124); then southwest
101 along Montgomery Village Avenue (MD Route 124) to the municipal boundary of
102 the City of Gaithersburg; then west, north, northwesterly along the City of
103 Gaithersburg municipal boundary line to its junction with the center line of Watkins
104 Mill Road; then northeast along the center line of Watkins Mill Road to its junction

105 with the municipal boundary line (north of Whetstone Run); then northwesterly,
106 southwesterly, west, and southwest along the municipal boundary line to its junction
107 with the center line of Old Game Preserve Road, immediately north of the Potomac
108 Electric Power Company right-of-way; then northwesterly along the center line of
109 Old Game Preserve Road to its junction with the center line of Arrowsmith Court;
110 then northwesterly along the center line of Arrowsmith Court to its junction with the
111 center line of Game Preserve Road; then southwesterly along the center line of Game
112 Preserve Road to its intersection with the center line of North Frederick Avenue (MD
113 Route 355); then northerly along the center line of North Frederick Avenue (MD
114 Route 355) to its intersection with the center line of Great Seneca Creek; then
115 meandering westerly and southerly along the center line of Great Seneca Creek to
116 its intersection with the center line of the Potomac Electric Power Company right-
117 of-way; then southeasterly along the center line of Potomac Electric Power
118 Company right-of-way to its intersection with the center line of Darnestown Road
119 (MD Route 28); then easterly along the center line of Darnestown Road (MD Route
120 28) to its intersection with the center line of Dufief Mill Road; then southwesterly
121 along the center line of Dufief Mill Road to its junction with the center line of Lake
122 Winds Way; then southerly along the center line of Lake Winds Way to its junction
123 with the center line of Travilah Road, the point of beginning.]

124 **[District 3:** The southwestern boundary of District 3 begins at the center line
125 of the Potomac Electric Power Company right-of-way and the center line of Piney
126 Meetinghouse Road; then northwesterly and northerly along the center line of Piney
127 Meetinghouse Road to its junction with the center line of Travilah Road; then
128 southwesterly along the center line of Travilah Road to its junction with the center
129 line of Lake Winds Way; then northwesterly along the center line of Lake Winds
130 Way to its junction with the center line of Dufief Mill Road; then northeasterly along

131 the center line of Dufief Mill Road to its junction with the center line of Darnestown
132 Road (MD Route 28); then northwesterly along the center line of Darnestown Road
133 (MD Route 28) to its junction with the center line of the Potomac Electric Power
134 Company right-of-way; then northwesterly along the center line of the Potomac
135 Electric Power Company right-of-way to its intersection with the center line of Great
136 Seneca Creek; then meandering northeasterly along the center line of Great Seneca
137 Creek to its intersection with the center line of Frederick Road (MD Route 355);
138 then southeasterly along the center line of Frederick Road (MD Route 355) to its
139 intersection with the center line of Game Preserve Road; then northeast along the
140 center line of Game Preserve Road to its junction with the center line of Arrowsmith
141 Court; then southeasterly along the center line of Arrowsmith Court to its junction
142 with the center line of Old Game Preserve Road; then southeasterly along the center
143 line of Old Game Preserve Road to its junction with the northwestern municipal
144 boundary line of the City of Gaithersburg immediately north of the Potomac Electric
145 Power Company right-of-way; then north, easterly, northeasterly, and southeasterly
146 along the municipal boundary line of the City of Gaithersburg to its intersection with
147 the center line of Watkins Mill Road; then southwesterly along the center line of
148 Watkins Mill Road to its junction with the municipal boundary (south of Whetstone
149 Run); then southeasterly and south along the municipal boundary line of the City of
150 Gaithersburg to its intersection with the center line of Montgomery Village Avenue
151 (MD Route 124); then northeasterly along the center line of Montgomery Village
152 Avenue (MD Route 124) to its junction with the center line of Lost Knife Road; then
153 southeasterly along the center line of Lost Knife Road to its junction with Odend'hal
154 Avenue; then east along the center line of Odend'hal Avenue to its junction with the
155 center line of Goshen Road; then north along the center line of Goshen Road to its
156 intersection with the center line of Emory Grove Road; then southeasterly along the

157 center line of Emory Grove Road to its intersection with the center line of Woodfield
158 Road (MD Route 124); then southwesterly along the center line of Woodfield Road
159 (MD Route 124) to its junction with the center line of Midcounty Highway; then
160 southeasterly along the center line of Midcounty Highway to its junction with the
161 center line of Shady Grove Road; then northeasterly along the center line of Shady
162 Grove Road to its junction with the center line of Muncaster Mill Road (MD Route
163 115); then southeasterly along the center line of Muncaster Mill Road (MD Route
164 115) to its junction with the center line of Norbeck Road (MD Route 28); then east
165 along the center line of Norbeck Road (MD Route 28) to its junction with a line of
166 prolongation to the northeastern boundary of Leisure World of Maryland; then
167 southeasterly, southwesterly and westerly along the Leisure World of Maryland
168 boundary line to its junction with the center line of Georgia Avenue (MD Route 97);
169 then southeasterly along the center line of Georgia Avenue (MD Route 97) to its
170 junction with the center line of Aspen Hill Road; then west and southwesterly along
171 the center line of Aspen Hill Road to its junction with Veirs Mill Road (MD Route
172 586); then northwest along the center line of Veirs Mill Road (MD Route 586) to its
173 intersection with the center line of Rock Creek; then southeasterly meandering along
174 the center line of Rock Creek to its junction with the southern boundary line of Rock
175 Creek Park; then west, north and west along the Rock Creek Park boundary line to
176 its junction with the southeast corner of the boundary line of Parklawn Memorial
177 Park Cemetery; then westerly and northerly along the Parklawn Memorial Park
178 Cemetery boundary to its junction with the center line of an unnamed creek; then
179 northwesterly meandering along the unnamed creek to a line of prolongation to the
180 center line of Fishers Lane; then west along the center line of Fishers Lane and a line
181 of prolongation to the center line of Halpine Road; then southwest along the center
182 line of Halpine Road to its intersection with the center line of Rockville Pike (MD

183 Route 355); then southeasterly along the center line of Rockville Pike (MD Route
 184 355) to its junction with a line of prolongation to the center line of Montrose Road;
 185 then westerly along the center line of Montrose Road to its junction with the center
 186 line of Falls Road (MD Route 189); then southwesterly along the center line of Falls
 187 Road (MD Route 189) to its junction with the center line of the Potomac Electric
 188 Power Company right-of-way; then northwesterly along the center line of the
 189 Potomac Electric Power Company right-of-way to the center line of Piney
 190 Meetinghouse Road, the point of beginning.]

191 **[District 4:** The southeastern boundary of District 4 begins at the junction of
 192 the center line of Ednor Road and the center line of the Patuxent River, the boundary
 193 line of Montgomery County, Maryland and Howard County, Maryland; then
 194 northwesterly meandering along the county boundary line to its intersection with the
 195 center line of Mullinix Mill Road; then southwesterly along the center line of
 196 Mullinix Mill Road to its junction with the center line of Damascus Road (MD Route
 197 108); then southeasterly along the center line of Damascus Road (MD Route 108) to
 198 its junction with the center line of Jarl Road; then southwesterly along the center line
 199 of Jarl Road to its junction with the center line of Great Seneca Creek; then east and
 200 southwesterly meandering along the center line of Great Seneca Creek to its
 201 intersection with the center line of Woodfield Road (MD Route 124); then
 202 southeasterly along the center line of Woodfield Road (MD Route 124) to its north
 203 junction with the center line of Hadley Farms Drive; then westerly, southerly and
 204 southeasterly along a line encompassing all streets connected to Hadley Farms Drive
 205 to a junction with the center line of Cabin Branch Tributary at a point south of
 206 Boxberry Terrace; then meandering southwesterly along the center line of the Cabin
 207 Branch Tributary to its intersection with the center line of Snouffer School Road;
 208 then southeasterly along the center line of Snouffer School Road to its intersection

209 with the center line of Flower Hill Way; then southwesterly and southeasterly along
210 the center line of Flower Hill Way to its intersection with the center line of
211 Woodfield Road (MD Route 124); then southwest along the center line of Woodfield
212 Road (MD Route 124) to its junction with the center line of Midcounty Highway;
213 then southeasterly along the center line of Midcounty Highway to its junction with
214 the center line of Shady Grove Road; then northeasterly along the center line of
215 Shady Grove Road to its junction with the center line of Muncaster Mill Road (MD
216 Route 115); then southeasterly along the center line of Muncaster Mill Road (MD
217 Route 115) to its intersection with the center line of Norbeck Road (MD Route 28);
218 then east along the center line of Norbeck Road (MD Route 28) to its junction with
219 a line of prolongation to the northeastern boundary of Leisure World of Maryland;
220 then southeasterly, southwesterly and westerly along the Leisure World of Maryland
221 corporate boundary line to its junction with the center line of Georgia Avenue (MD
222 Route 97); then southeasterly along the center line of Georgia Avenue (MD Route
223 97) to its junction with the center line of Aspen Hill Road; then west and
224 southwesterly along the center line of Aspen Hill Road to its junction with the center
225 line of Veirs Mill Road (MD Route 586); then northwest along the center line of
226 Veirs Mill Road (MD Route 586) to its intersection with the center line of Rock
227 Creek; then meandering southeasterly along the center line of Rock Creek to its
228 junction with the southern boundary line of Rock Creek Park; then west, north and
229 south along the Rock Creek Park boundary line to its junction with Parklawn
230 Memorial Park Cemetery continuing west along the Parklawn Memorial Park
231 Cemetery boundary line; then southwest, northwest and north along the Parklawn
232 Memorial Park Cemetery boundary line to its junction with the center line of an
233 unnamed creek; then meandering west along the center line of that unnamed creek
234 to the center line of Fishers Lane; then west along the center line of Fishers Lane

235 and a line of prolongation to the center line of the CSX Railroad right-of-way; then
236 continuing southeasterly along the center line of the CSX Railroad right-of-way to
237 its junction with the center line of Summit Avenue; then northeast along the center
238 line of Summit Avenue to its junction with the municipal boundary of the Town of
239 Kensington; then northeast and east along the municipal boundary line of the Town
240 of Kensington to its intersection with Connecticut Avenue (MD Route 185); then
241 north along the center line of Connecticut Avenue (MD Route 185) to its intersection
242 with the center line of Lawrence Avenue; then east along the center line of Lawrence
243 Avenue to its junction with the center line of University Boulevard West (MD Route
244 193); then northeasterly along the center line of University Boulevard West (MD
245 Route 193) to its junction with the center line of Drumm Avenue; then southwesterly
246 along the center line of Drumm Avenue and a line of prolongation to the center line
247 of Drumm Avenue to its intersection with the center line of Plyers Mill Road; then
248 east along the center line of Plyers Mill Road to its intersection with the center line
249 of Georgia Avenue (MD Route 97); then southeast along the center line of Georgia
250 Avenue (MD Route 97) to its intersection with the center line of Dennis Avenue;
251 then easterly along the center line of Dennis Avenue to the center line of Sligo Creek;
252 then northerly meandering along the center line of Sligo Creek to its junction with
253 the center line of University Boulevard West (MD Route 193); then southeasterly
254 along the center line of University Boulevard West (MD Route 193) to its junction
255 with a line of extended prolongation (at Arcola Avenue) following that line
256 northeasterly and southeasterly to its junction with the center line of Northwest
257 Branch; then northerly meandering along the center line of Northwest Branch to a
258 line of prolongation and its convergence with the center line of Springbrook Drive;
259 then southeasterly along the center line of Springbrook Drive to its junction with the
260 center line of Warrenton Drive; then northeasterly along the center line of Warrenton

261 Drive to its junction with New Hampshire Avenue (MD Route 650); then north along
262 the center line of New Hampshire Avenue (MD Route 650) to its junction with the
263 center line of Norwood Road; then northwesterly along the center line of Norwood
264 Road to its junction with the center line of Ednor Road; then northeasterly along the
265 center line of Ednor Road to its junction with the center line of the Patuxent River,
266 the boundary line of Montgomery County, Maryland and Howard County,
267 Maryland, the point of beginning.]

268 **[District 5:** The southwestern boundary of District 5 begins at the boundary
269 line of Montgomery County, Maryland and the District of Columbia (at Rosemary
270 Hills Drive); then continuing northwest along a line of prolongation to its junction
271 with the center line of East West Highway (MD Route 410); then west along the
272 center line of East West Highway (MD Route 410) to its intersection with the center
273 line of Grubb Road; then northwest along the center line of Grubb Road to its
274 junction with the center line of Brookville Access Road; then north along the center
275 line of Brookville Access Road to its junction with the center line of Georgetown
276 Branch Trail; then northeasterly along the center line of the Georgetown Branch
277 Trail to its intersection with the center line of Lyttonsville Place; then northwesterly
278 along the center line of Lyttonsville Place to its junction with the center line of
279 Brookville Road; then northeasterly along the center line of Brookville Road to its
280 intersection with the center line of the CSX Railroad right-of-way; then
281 northwesterly along the center line of the right-of-way of the CSX Railroad and a
282 line of prolongation east to the center line of Edgewood Road; then east along the
283 center line of Edgewood Road to its intersection with the center line of Meredith
284 Avenue; then north along the center line of Meredith Avenue and a line of
285 prolongation (at Oberon Street) to the center line of Drumm Avenue; then
286 northwesterly along the center line of Drumm Avenue to its intersection with the

287 center line of Plyers Mill Road; then east along the center line of Plyers Mill Road
288 to its intersection with the center line of Georgia Avenue (MD Route 97); then
289 southeasterly along the center line of Georgia Avenue (MD Route 97) to its
290 intersection with the center line of Dennis Avenue; then easterly along the center
291 line of Dennis Avenue to the center line of Sligo Creek; then northerly meandering
292 along the center line of Sligo Creek to its junction with the center line of University
293 Boulevard West (MD Route 193); then southeasterly along the center line of
294 University Boulevard West (MD Route 193) to its junction with a line of
295 prolongation (at Arcola Avenue); then northeasterly along the center line of that line
296 of prolongation extending northeasterly to its junction with the center line of
297 Northwest Branch; then northerly meandering along the center line of Northwest
298 Branch to a line of prolongation easterly to the center line of Springbrook Drive;
299 then easterly along the center line of Springbrook Drive to its junction with the center
300 line of Warrenton Drive; then northeasterly along the center line of Warrenton Drive
301 to its junction with the center line of New Hampshire Avenue (MD Route 650); then
302 north along the center line of New Hampshire Avenue (MD Route 650) to its
303 junction with the center line of Norwood Road; then northwesterly along the center
304 line of Norwood Road to its junction with the center line of Ednor Road; then
305 northeasterly along the center line of Ednor Road to its junction with the center line
306 of the Patuxent River, the boundary line of Montgomery County, Maryland and
307 Howard County, Maryland; then southeasterly meandering along the Patuxent River,
308 the county boundary line, to its junction with the boundary line of Montgomery
309 County, Maryland and Prince George's County, Maryland; then southwesterly along
310 the county boundary line, continuing as the county boundary to its junction with the
311 boundary line of Montgomery County, Maryland and the District of Columbia
312 (Eastern Avenue); then northwest and southwest along the county boundary line to

313 a point of prolongation from East West Highway (at Rosemary Hills Drive), the
314 point of beginning.]

315 **Sec. 2. Expedited Effective Date.**

316 The Council declares the district boundaries are for the purpose of regulating
317 Council election conducted after December 31, 2021. This Act takes effect on the date
318 on which it becomes law.

LEGISLATIVE REQUEST REPORT

Expedited Bill 41-21
Election – Council Districts – Boundaries

DESCRIPTION: Expedited Bill 41-21 would repeal and amend the council boundaries with the redistricting plan approved on October 20 by the 2021 Redistricting Commission and submitted to the Council for further consideration.

PROBLEM: If the Council decides to revise the approved the GIS map submitted by the Commission on Redistricting, it must do so by enacting legislation to amend the plan, otherwise, if no action is taken, by law, the Council will accept the plan as originally submitted.

OBJECTIVE: To allow the Council to make changes in the redistricting plan submitted by the Commission on Redistricting.

COORDINATION: Board of Elections

FISCAL IMPACT: Office of Management and Budget

**ECONOMIC
IMPACT:** Office of Legislative Oversight

**RACIAL EQUITY
AND SOCIAL
JUSTICE IMPACT:** Office of Legislative Oversight

EVALUATION: N/A

**EXPERIENCE
ELSEWHERE:** To be researched.

**SOURCES OF
INFORMATION:** Ludeen McCartney-Green, Legislative Attorney

**APPLICATION
WITHIN
MUNICIPALITIES:** Applies only to County Council districts.

PENALTIES: N/A



Committee: Directly to Council
Committee Review: N/A
Staff: Ludeen McCartney-Green, Legislative Attorney
Pamela Dunn, Senior Legislative Analyst
Jeffrey L. Zyontz, Council Senior Fellow
Purpose: Final action – vote expected
Keywords: Redistricting Map, Expedited Bill 41-21, Council District Boundaries

ADDENDUM
AGENDA ITEM #4A
December 7, 2021
Action

SUBJECT

Redistricting, Expedited Bill 41-21, Elections – Council Districts – Boundaries
Lead Sponsor: Council President at the Request of Redistricting Commission

EXPECTED ATTENDEES

N/A

COUNCIL DECISION POINTS & COMMITTEE RECOMMENDATION

N/A

DESCRIPTION/ISSUE

Expedited Bill 41-21 would:

- (1) revise the boundaries of Council districts; and
- (2) generally amend the law related to elections and redistricting

SUMMARY OF KEY DISCUSSION POINTS

- Evaluation of additional changes to the revised Commission map as shown in the December 2 staff report.
- An interactive Geographic Information System (GIS) version of the revised Commission map can be found here:

<https://gismontgomery.maps.arcgis.com/apps/webappviewer/index.html?id=09946d3be6e94343b74a2af99ee82b7e>

This report contains:

Addendum

Pages

1-4

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MEMORANDUM

ADDENDUM
December 6, 2021

TO: County Council

FROM: Pamela Dunn, Senior Legislative Analyst
Jeffrey L. Zyontz, Council Senior Fellow

SUBJECT: Revised Map for Redistricting – Derwood/Redland

Background

On Thursday, December 2, a staff report for agenda item #4A was posted. The report includes a revised map of redistricting. An interactive version of the proposed, revised map can be found here:

<https://gismontgomery.maps.arcgis.com/apps/webappviewer/index.html?id=09946d3be6e94343b74a2af99ee82b7e>

The report describes the proposed map as one that accommodates as many refinements as possible, following guidance provided by the Council at its November 30 worksession. However, in evaluating requested changes to the redistricting map, staff focused primarily on changes where an initial assessment indicated such an adjustment was possible. In doing this, staff neglected to reevaluate changes to district boundaries in the Derwood and Redland area.

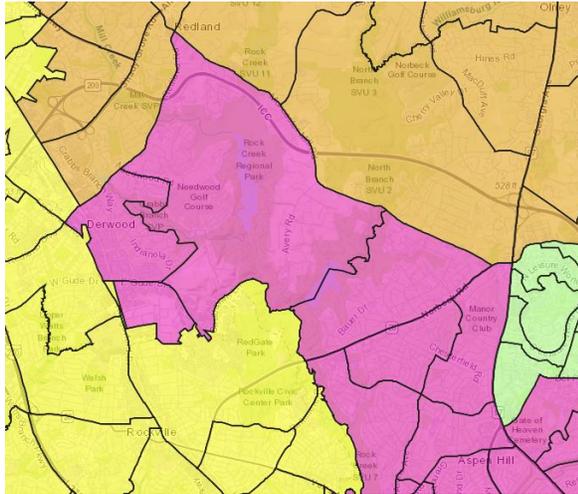
Further Refinements to the Commission’s Map

1. Derwood and Redland

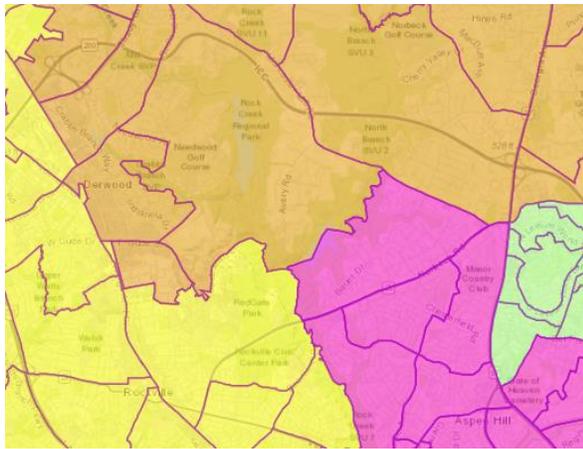
Several community members requested precincts in the Derwood area, Precincts 04-019 and 04-036 be moved from District 6 (pink) to District 7 (Orange). Staff’s initial evaluation of this area resulted in two observations. One, moving only Precincts 04-019 and 04-036, would create a horseshoe shape around a significant portion of Precinct 04-034, the Redland area (which would affect compactness), therefore if the Derwood area precincts are moved, the Redland area precinct should be moved as well. Two, without any other changes to the map, moving these three precincts from District 6 to District 7 violates the 10% Voting Rights Act rule.

Now, given other refinements to the map (primarily the changes for the Kemp Mill community and the Aurora Hills/Cedar Grove community which shift enough population into District 6 and enough population out of District 7), the Derwood and Redland communities can be placed in District 7. When Precincts 04-019, 04-034 and 4-036 are moved from District 6 to District 7, the total deviation across all districts is 9.04%, which is within the 10% rule.

Revised Redistricting Commission Map



Reevaluated, revised Area for Derwood and Redland

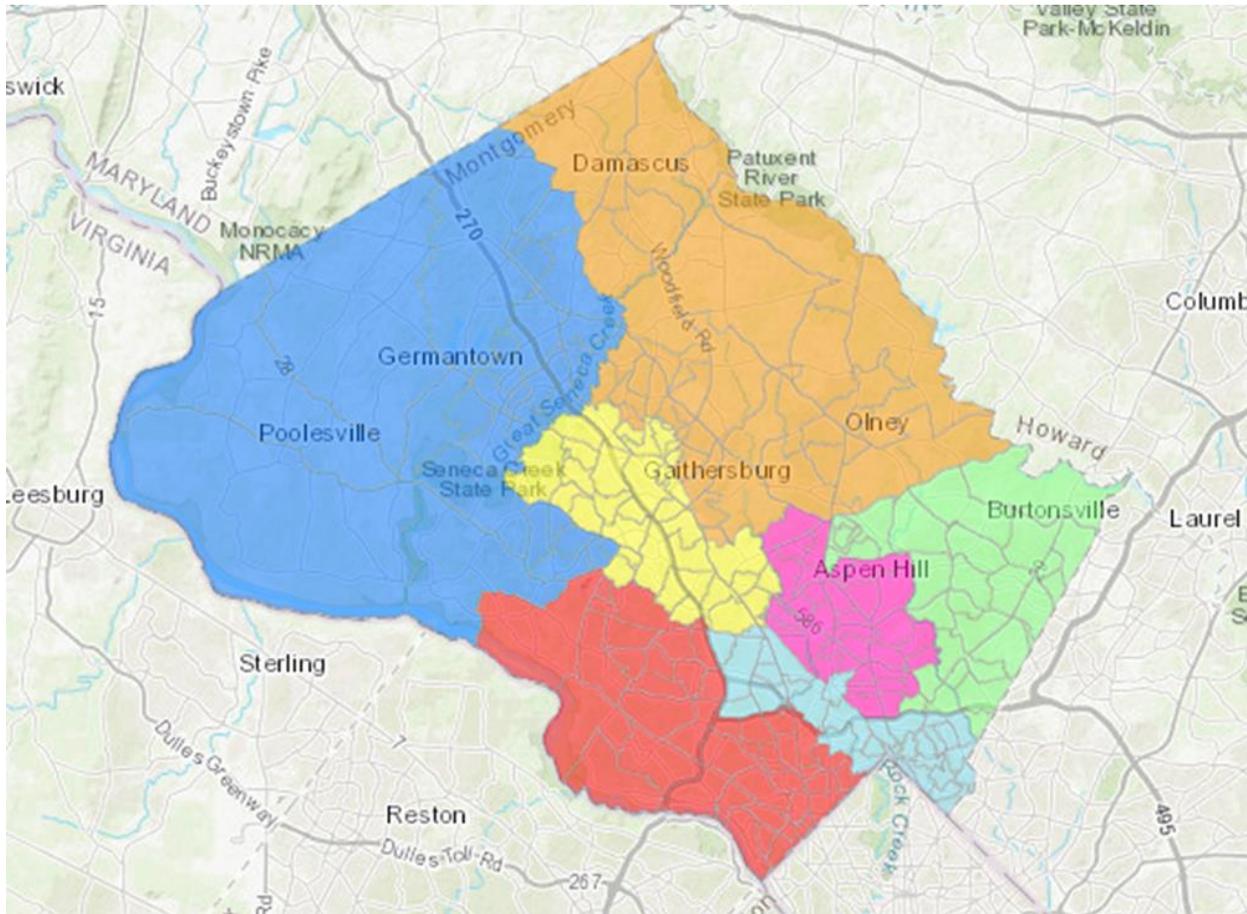


An additional benefit of this change is that it strengthens the Hispanic plurality in District 6. The staff report of December 2 noted that the movement of precincts from District 5 into District 6, to keep the Kemp Mill community together, resulted in a slight decrease in the percentage of Hispanic residents in District 6. However, the Hispanic plurality was maintained. The changes for Derwood and Redland result in an increase in the percentage of Hispanic residents in District 6 as compared to the revised map **and** restore the Hispanic plurality to the level proposed by the Redistricting Commission map.

Making this further refinement to move the Derwood and Redland communities from District 6 to District 7, in addition to the changes¹ noted in the staff report of December 2, results in the following Countywide map²:

¹ Changes numbered 1 through 5 in the staff report of December 2, 2021.

² The change to show the Ken-Gar community in District 4 does not yet appear on this map as it requires redrawing the voting precinct boundary line. A map depicting all changes, including Ken-Gar, will be available for the Council's review.



Below is the population and demographic data for the above map.

| District | Asian | Black | Hispanic | Other | White | Total |
|----------|-------|-------|----------|-------|-------|---------|
| 1 | 16.2 | 4.9 | 8.1 | 5.7 | 65.2 | 155,015 |
| 2 | 24.3 | 19.5 | 17.4 | 5.4 | 33.4 | 158,833 |
| 3 | 20.5 | 13.7 | 22.4 | 5.4 | 38.0 | 158,980 |
| 4 | 9.0 | 20.8 | 17.5 | 6.0 | 46.7 | 145,291 |
| 5 | 12.1 | 37.1 | 20.5 | 4.9 | 25.4 | 148,184 |
| 6 | 11.6 | 17.0 | 35.5 | 5.2 | 30.7 | 145,619 |
| 7 | 12.4 | 15.2 | 22.7 | 5.6 | 43.1 | 150,788 |

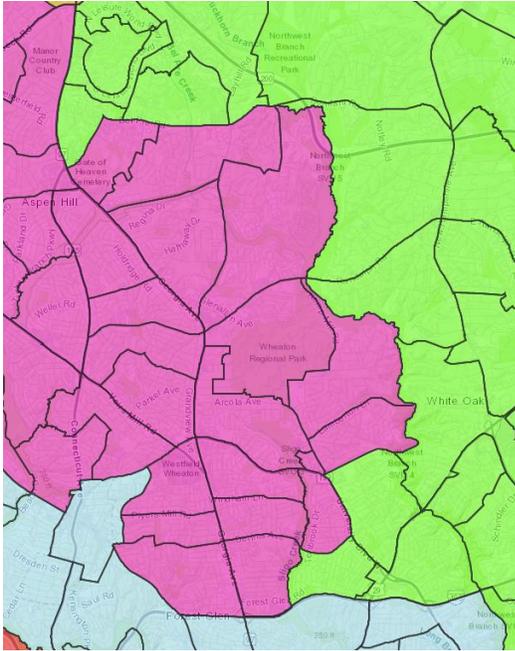
2. Four Corners

The staff report of December 2 stated that two changes could not be achieved in the revised map. One involved the Derwood/Redland community which, as described above, is possible with other proposed changes (more specifically it can be accommodated due to the changes for Kemp Mill and Aurora Hills). The other change involves the Four Corners community.

Reevaluating this change, a suggestion was made to move Precinct 13-055 and/or Precinct 13-056 from District 6 to District 5, increasing the population of District 5 such that the two

precincts north of the Beltway, Precincts 13-019 and 13-023, could be moved into District 4 from District 5. Below is a screen shot of the revised map in this area.

Revised Redistricting Commission Map



Looking at the suggested change, the first thing to note is that only one of the two precincts could be accommodated by such a move. Precincts 13-055 and 13-056 have more than 11,000 residents combined. Moving both precincts out of District 6 would cause too great a deviation in the population across all districts. For compactness-sake the more appropriate precinct to consider, if only one is moved, is Precinct 13-055. If this precinct moves from District 6 to District 5, in conjunction with the changes³ in the staff report of December 2, the total deviation across all districts becomes 8.94%, meeting the 10% rule.

While race was not a determining factor used in establishing district boundaries the resulting demographic make-up of the districts received widespread support. For the first time, two Council districts would have a non-White plurality. Under the Commission map and the revised Commission map, District 5 has a Black plurality and District 6 has a Hispanic plurality. As noted in the December 2 staff report, the adjustment for the Kemp Mill community decreased slightly the percentage Hispanic population in District 6, while still maintaining its plurality.

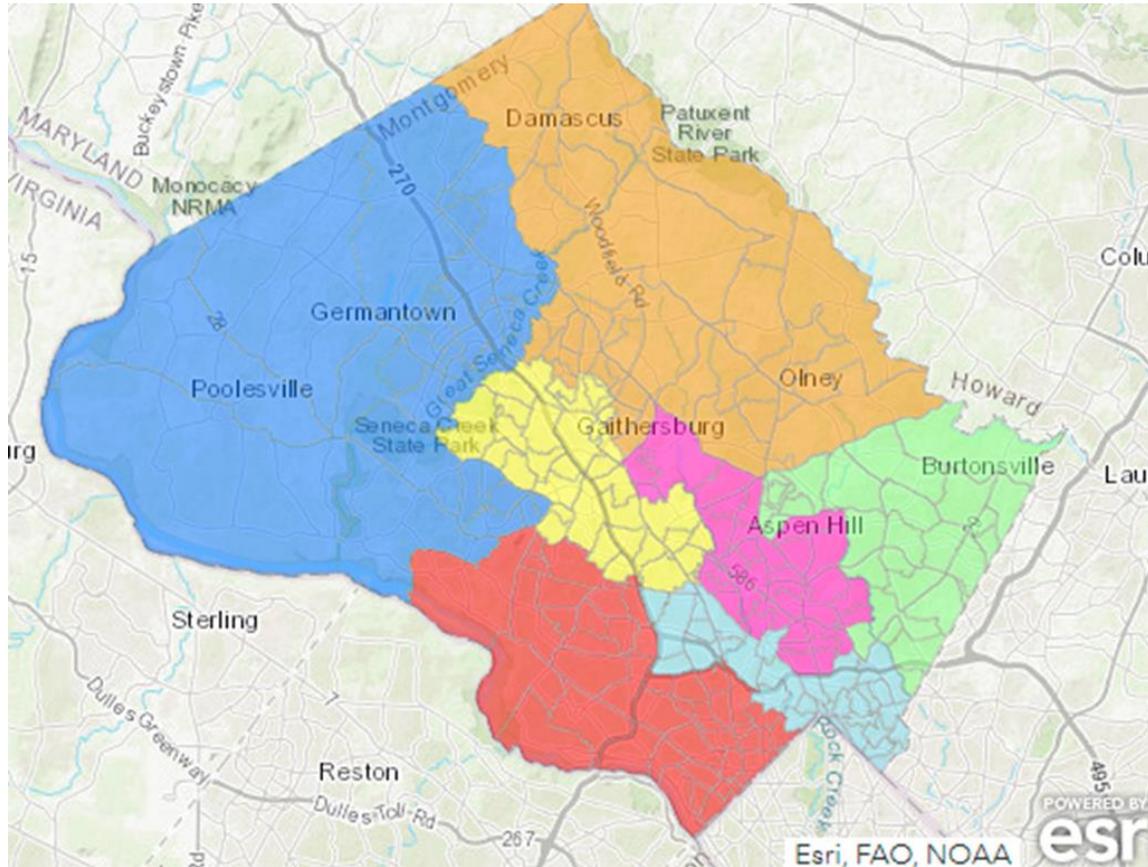
The change for Four Corners noted above results in a further decrease (in conjunction with the change for the Kemp Mill community) in the percentage Hispanic population of District 6. The Hispanic population retains a plurality (at 34.3%) but one that is closer to the percentage of the White population in District 6 (at 32.2%).

The second major observation related to the Four Corners request is that it cannot be made in conjunction with the request for the Derwood/Redland community. As with most adjustments to

³ Changes numbered 1 through 5 in the staff report of December 2, 2021.

the map, some combination of changes can be made but not all. The change for Four Corners can be made with the other changes suggested in the December 2 staff report. The changes for Derwood/Redland can be made with the other changes suggested in the December 2 staff report. But, if the changes for both are made, the total deviation across all districts exceeds 11%.

Making the further refinement for the Four Corners community, in addition to the changes noted in the staff report of December 2, results in the following Countywide map⁴:



Below is the population and demographic data for the above map.

| District | Asian | Black | Hispanic | Other | White | Total |
|----------|-------|-------|----------|-------|-------|---------|
| 1 | 16.2 | 4.9 | 8.1 | 5.7 | 65.2 | 155,015 |
| 2 | 24.3 | 19.5 | 17.4 | 5.4 | 33.4 | 158,833 |
| 3 | 20.5 | 13.7 | 22.4 | 5.4 | 38.0 | 158,980 |
| 4 | 8.9 | 20.3 | 17.3 | 6.0 | 47.5 | 151,888 |
| 5 | 12.2 | 38.2 | 21.7 | 4.9 | 23.0 | 146,709 |
| 6 | 12.1 | 16.1 | 34.3 | 5.3 | 32.2 | 145,774 |
| 7 | 12.1 | 15.5 | 23.0 | 5.6 | 43.8 | 145,511 |

⁴ The change to show the Ken-Gar community in District 4 does not yet appear on this map as it requires redrawing the voting precinct boundary line. A map depicting all changes, including Ken-Gar, will be available for the Council’s review.