



ORDER OF BUSINESS FOR MATTERS PRESENTED TO THE CITY CLERK PRIOR TO 10:00 A.M. ON MONDAY, MAY 15, 2023, FOR CONSIDERATION BY THE CITY COUNCIL AT A REGULAR MEETING IN THE CHRISTOPHER IANNELLA CHAMBER ON WEDNESDAY, MAY 17, 2023 AT 12:00 P.M.

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## **ROLL CALL**

## **APPROVAL OF THE MINUTES**

## **COMMUNICATIONS FROM HER HONOR, THE MAYOR:**

**0930** Message and ordinance amending City Council electoral districts.  
Filed in the Office of the City Clerk on May 15, 2023.

**0931** Message and order authorizing the City of Boston to accept and expend an in-kind donation of bike helmets valued at Two Thousand Three Hundred Dollars (\$2,300.00), donated by Breakstone, White & Gluck, located at 2 Center Plaza, #530, Boston, MA 02108. The purpose of the donation is to increase children's participation in outdoor activities in the City of Boston.

**0932** Message and order authorizing the City of Boston to accept and expend an in-kind donation of helmets, valued at Two Thousand Dollars (\$2,000.00), donated by Boston Children's Hospital, located at 300 Longwood Avenue, Boston, MA 02115. The donation provides helmets for the children of Boston to keep them safe as they learn to ride a bike at one of the ten locations around the City of Boston this summer.

## **PETITIONS, MEMORIALS AND REMONSTRANCES**

## **REPORTS OF PUBLIC OFFICERS AND OTHERS:**

**0933** Notice was received from the City Clerk in accordance with Chapter 6 of the Ordinances of 1979 re: action taken by the Mayor on papers acted upon by the City Council at its meeting of April 26, 2023.

**0934** Notice was received from the City Clerk in accordance with Chapter 6 of

the Ordinances of 1979 re: action taken by the Mayor on papers acted upon by the City Council at its meeting of May 3, 2023.

[0935](#) Communication was received from Councilor Liz Breadon submitting documents regarding redistricting litigation.

[0936](#) Communication was received from Councilor Liz Breadon submitting documents regarding minutes of the Committee on Redistricting and messages of disapproval.

[0937](#) Communication was received from Councilor Liz Breadon submitting documents regarding redistricting archival records.

[0938](#) Notice was received from the Mayor of the appointment of Donald Wright to the Public Facilities Commission.

[0939](#) Notice was received from the Mayor of the appointment of Maya Getter as a member of the Boston-AFSCME Council 93, AFL-CIO Housing Trust Fund.

[0940](#) Notice was received from the Mayor of the appointment of John Romano as a member of the Boston-AFSCME Council 93, AFL-CIO Housing Trust Fund.

#### **MATTERS RECENTLY HEARD-FOR POSSIBLE ACTION:**

[0928](#) Notice was received from Adam Cederbaum, Corporation Council, providing an update on the lawsuit that was filed against the Boston City Council in U.S. District Court for the District of Massachusetts - Case Number 1:22-cv-12048: Rasheed Walters, et al vs. Boston City Council, et al.

Dockets #0760 thru 0762, Orders for the FY24 Operating Budget, including annual appropriations for departmental operations, for the School Department, and for other post employment benefits.

Dockets #0763, 0765, 0766, Orders for Capital Fund transfer appropriations.

Dockets #0764, 0767, 0768, Orders for the Capital Budget, including loan orders and lease purchase agreements.

Dockets #0769 thru 0782, Orders authorizing limits for departmental revolving funds for FY24, including Law, Tourism, Arts and Culture, Environment, Boston Centers for Youth and Families, Schools and Parks, Parkman Fund, and PEG Access Fund.

## **MOTIONS, ORDERS AND RESOLUTIONS:**

- 0941** Councilor Lara offered the following: Ordinance Amending City Council Electoral Districts.
- 0942** Councilor Louijeune offered the following: Ordinance amending City Council electoral districts.
- 0943** Councilor Mejia offered the following: Order for a hearing to explore the specific needs of Latino and Caribbean residents in the City of Boston.
- 0944** Councilor Flynn offered the following: Order implementing an anti-bullying policy for the Boston City Council.
- 0945** Councilor Fernandes Anderson offered the following: Resolution Recognizing Malcolm X's Birthday, May 19th, as a Boston municipal holiday and honoring Malcolm X's legacy by establishing and including Malcolm X in Boston's Black Heritage Trail.

## **PERSONNEL ORDERS:**

- 0946** Councilor Flynn offered the following: Order for the appointment of temporary employee Cierra Thompson in City Council, effective June 3, 2023.
- 0947** Councilor Flynn offered the following: Order for the appointment of temporary employee Cora Funke in City Council, effective June 10, 2023.
- 0948** Councilor Flynn offered the following: Order for the appointment of temporary employees Ana Calderon, Charles Levin, Melissa Lo, Sophia Wang and Vanessa Woo in City Council, effective May 27, 2023.
- 0949** Councilor Flynn offered the following: Order for the appointment of temporary employees Ana Calderon, Charles Levin, Melissa Lo, Sophia Wang and Melissa Lo in City Council, effective June 3, 2023.

## **GREEN SHEETS:**

- 17/23** Legislative Calendar for May 17, 2023.

## **CONSENT AGENDA:**

- 0950** Councilor Breadon offered the following: Resolution in memory of Francis Kilgallen.
- 0951** Councilor Louijeune offered the following: Resolution recognizing May 18th as Haitian Flag Day.

**0952** Councilor Louijeune offered the following: Resolution recognizing ViHealthy Nutrition.

**0953** Councilor Louijeune offered the following: Resolution recognizing Will Lyman.

**0954** Councilor Louijeune offered the following: Resolution recognizing Joel Piton.

**0955** Councilor Louijeune offered the following: Resolution in memory of Rupert Saunders.

**0956** Councilor Lara offered the following: Recognizing V! Healthy Cafe.

**0957** Councilor Mejia offered the following: Resolution recognizing 12 people for their commitment to their family and community.

**0958** Councilor Arroyo offered the following: Resolution in memory of David Lopes





City of Boston, Massachusetts  
Office of the Mayor  
**MICHELLE WU**

May 12, 2023

## TO THE CITY COUNCIL

Dear Councilors:

On May 8, 2023, the United States District Court for the District of Massachusetts issued an opinion enjoining the City from using the recently approved City Council district map. To help ensure a swift and smooth resolution to redistricting, I hereby transmit for your consideration a Boston City Council District map that enhances opportunities for voters and their preferences to be reflected and represented on the City Council and prioritizes placing whole neighborhoods within individual districts. In drawing this proposed map, we have carefully reviewed and considered the decision in *Case No. 1:22-cv-12048: Rasheed Walters, et al vs. Boston City Council, et al.* and our City's legal obligations under the Voting Rights Act of 1965.

As Mayor, I believe that putting whole neighborhoods in single council districts encourages neighborhood organizing and civic engagement. With that goal in mind, our proposed map unifies neighborhoods across the City. The result is a City Council district map that unifies communities of interest within districts and attempts, as best as possible, to reflect how residents experience the City in their daily lives. We believe that better aligning our neighborhoods within district maps will strengthen the Council and the City that we serve.

I want to acknowledge the hard work from so many community organizations, neighborhood leaders, voting activists and advocates, who have worked hard to set the best possible course for our City's future. Your shared wisdom is reflected in the proposed map and I hope that everyone who reviews it sees your own community and input reflected. I know my colleagues on the City Council and I will welcome further feedback at their sessions in the coming days.

As we wrote to this Honorable Body earlier in the week, time is of the essence. The timelines reflected in the Home Rule Petition proposed on Wednesday, May 10, assume that a new map will be passed by the City Council on or before May 30, 2023. This date would permit the Elections Department to conduct a signature petition process, certify signatures, and print and mail ballots in time to conduct the September 12th Preliminary Election in an orderly fashion

that provides our community with a meaningful opportunity to participate in this important election.

This proposed map unifies neighborhoods within council districts and is one that I am prepared to sign. Whether this map or another amended by the Council, I urge your Honorable Body to take action on a redistricting map at the next Council meeting on Wednesday, May 17, in order for sufficient review and potential rejection or amendments before the May 30 deadline. The City's Law Department and our outside redistricting counsel will be available for consultation as you continue your deliberation and prepare for passage.

Sincerely,

A handwritten signature in black ink, appearing to read 'Michelle Wu', with a stylized flourish at the end.

Michelle Wu  
Mayor of Boston

# CITY OF BOSTON

## IN CITY COUNCIL

### AN ORDINANCE AMENDING CITY COUNCIL ELECTORAL DISTRICTS

*Be it ordained by the City Council of Boston, as follows:*

City of Boston Code, Ordinances, Chapter Two is hereby amended by striking Section 2-9.2, as amended by Chapter 9 of the Ordinances of 2022, and replacing it with the following new language:

The districts redrawn under the authority of Chapter 605 of the Acts of 1982 as amended by Chapter 343 of the Actions of 1986 are hereby redrawn, as follows:

*District One.* Consisting of precincts numbered one through fourteen of Ward One; precincts numbered one through eight of Ward Two; and precincts numbered one through four and eleven of Ward Three.

*District Two.* Consisting of precinct numbered fifteen in Ward One; precincts numbered six, eight, ten, and twelve through fifteen of Ward Three; precinct numbered one in Ward Five; precincts numbered one through twelve of Ward Six; precincts numbered one through nine of Ward Seven; and precinct numbered six in Ward Eight.

*District Three.* Consisting of precinct numbered ten in Ward Seven; precinct numbered five in Ward Eight; precincts numbered one through ten of Ward Thirteen; precincts numbered one through four and six through nine of Ward Fifteen; precincts numbered one through twelve of Ward Sixteen; and precinct numbered thirteen in Ward Seventeen.

*District Four.* Consisting of precincts numbered seven and eight of Ward Eleven; precincts numbered one through fourteen of Ward Fourteen; precinct numbered five in Ward Fifteen; precincts numbered one through twelve and fourteen of Ward Seventeen; precinct numbered one in Ward Eighteen; and precincts numbered seven and twelve of Ward Nineteen.

*District Five.* Consisting of precincts numbered two through twenty-three of Ward Eighteen; precincts numbered ten, eleven, and thirteen of Ward Nineteen; and precincts numbered one, two, four, eight, and nine of Ward Twenty.

*District Six.* Consisting of precinct numbered ten in Ward Four; precincts numbered one through nine of Ward Ten; precincts numbered six, nine, and ten of Ward Eleven;

precincts numbered one through six, eight, and nine of Ward Nineteen; and precincts numbered three, five through seven, and ten through twenty-one of Ward Twenty.

*District Seven.* Consisting of precincts numbered six through nine, eleven, and twelve of Ward Four; precincts numbered three and four of Ward Eight; precincts numbered three through seven of Ward Nine; precincts numbered one through five of Ward Eleven; and precincts numbered one through nine of Ward Twelve.

*District Eight.* Consisting of precincts numbered five, seven, nine, sixteen, and seventeen of Ward Three; precincts numbered one through five of Ward Four; precincts numbered two through fifteen of Ward Five; precincts numbered one and two of Ward Eight; precincts numbered one and two of Ward Nine; and precincts numbered one and two of Ward Twenty-One.

*District Nine.* Consisting of precincts numbered three through sixteen of Ward Twenty-One; and precincts numbered one through thirteen of Ward Twenty-Two.

**I HEREBY CERTIFY  
THE FORGOING, IF PASSED IN  
THE ABOVE FORM, WILL BE IN  
ACCORDANCE WITH LAW.**

BY

  
**ADAM CEDERBAUM  
CORPORATION COUNSEL**



City of Boston, Massachusetts

Office of the Mayor

**MICHELLE WU**

May 15, 2023

**TO THE CITY COUNCIL**

Dear Councilors:

I hereby transmit for your approval an Order authorizing the City of Boston to accept and expend an in-kind donation of helmets, valued at Two Thousand Three Hundred Dollars (\$2,300.00), donated by Breakstone, White & Gluck, located at 2 Center Plaza #530, Boston, MA 02108

The purpose of this sponsorship is to support Boston's Commitment to the Youth Project, a multi-year plan centered around increasing access for children to learn about swimming, riding bikes, sports, arts, and gardening. This donation provides helmets for the children of Boston to keep them safe as they learn to ride a bike at one of the ten locations around the City of Boston this summer.

I urge your Honorable Body to pass this order as expeditiously as possible, so that the City may receive the funds and expend them to advance the purposes of the project.

Sincerely,

Michelle Wu  
Mayor of Boston





City of Boston, Massachusetts

Office of the Mayor

**MICHELLE WU**

May 15, 2023

**TO THE CITY COUNCIL**

Dear Councilors:

I hereby transmit for your approval an Order authorizing the City of Boston to accept and expend an in-kind donation of helmets, valued at Two Thousand Dollars (\$2,000.00), donated by Boston Children's Hospital, located at 300 Longwood Ave Boston, MA. 02115

The purpose of this sponsorship is to support Boston's Commitment to the Youth Project, a multi-year plan centered around increasing access for children to learn about swimming, riding bikes, sports, arts, and gardening. This donation provides helmets for the children of Boston to keep them safe as they learn to ride a bike at one of the ten locations around the City of Boston this summer.

I urge your Honorable Body to pass this order as expeditiously as possible, so that the City may receive them and expend them for the purposes for which they were awarded.

Sincerely,

Michelle Wu  
Mayor of Boston

**CITY OF BOSTON**  
**IN CITY COUNCIL**

**AN ORDER AUTHORIZING THE CITY OF BOSTON TO ACCEPT AND EXPEND THE  
DONATION OF GOODS FROM BOSTON CHILDREN'S HOSPITAL AT TWO  
THOUSAND DOLLARS (\$2,000)**

**ORDERED:** That the City of Boston, acting by and through its Mayor's Office of Early Childhood, be, and hereby is, authorized, in accordance with Section 53A of Chapter 44 of the Massachusetts General Laws, to accept and expend a donation from Boston Children's Hospital in the form of helmets in an amount that shall not exceed Two Thousand (\$2,000.00) for the purpose of funding Boston's Commitment to the Youth Project.

**I HEREBY CERTIFY  
THE FORGOING, IF PASSED IN  
THE ABOVE FORM, WILL BE IN  
ACCORDANCE WITH LAW.**

BY

  
**ADAM CEDERBAUM**  
**CORPORATION COUNSEL**

TJB





Office of the City Clerk

ALEX GEOURNTAS  
City Clerk

May 9, 2023

To The City Council

Councilors:

In accordance with Chapter 6 of the Ordinances of 1979, I hereby notify you of the following actions taken by the Mayor with regard to the papers acted upon by the City Council at its meeting of, April 26, 2023, viz.

- 0809** Ordinance Amending the City of Boston Code, Ordinances, Section 2-9.2 in Regard to Council District Eight.

**Approved by the Mayor May 1, 2023**

- 0816** Message and order authorizing the City of Boston to accept and expend the amount of Forty-Five Thousand Dollars (\$45,000.00) in the form of a grant for the Galilean Fund at the Boston Foundation, awarded by the Charities Aid Foundation America to be administered by the Mayor's Office of Arts and Culture. The grant will fund the Fay Chandler Emerging Artists Awards.

**Approved by the Mayor May 1, 2023**

- 0831** Petition for a Special Law re: An Act to Make Certain Updated Changes in the Law Relative to the Historic Beacon Hill District.

**Approved by the Mayor May 1, 2023**

Respectfully,

Alex Geourntas  
City Clerk



Office of the City Clerk

ALEX GEOURNTAS  
City Clerk

May 9, 2023

To The City Council

Councilors:

In accordance with Chapter 6 of the Ordinances of 1979, I hereby notify you of the following actions taken by the Mayor with regard to the papers acted upon by the City Council at its meeting of, May 3, 2023, viz.

- 0607 Message and order authorizing the City of Boston to accept and expend the amount of Seventeen Million Five Hundred Thirty-Five Thousand Five Hundred Twenty-Five Dollars (\$17,535,525.00) in the form of a grant, for the Federal FY23 Community Development Block Grant (CDBG), awarded by the United States Department of Housing and Urban Development to be administered by the Mayor's Office of Housing. The grant will fund housing, economic development and social services programs. The award amount is estimated from prior years.

**Approved by the Mayor May 8, 2023**

- 0608 Message and order authorizing the City of Boston to accept and expend the amount of Six Million Two Hundred Thirty-Five Thousand Nine Hundred Seventy-Six Dollars (\$6,235,976.00) in the form of a grant, for the Federal FY23 Home Investment Partner grant awarded by the United States Department of Housing and Urban Development to be administered by the Mayor's Office of Housing. The grant will fund the production of new affordable rental and homeownership housing, and also provide operating support for community development corporations. The award amount is estimated from prior years.

**Approved by the Mayor May 8, 2023**

0609 Message and order authorizing the City of Boston to accept and expend the amount of Three Million Seven Hundred Thirty-Four Thousand Five Hundred Thirty-Three Dollars (\$3,734,533.00) in the form of a grant, for the Federal FY23 Housing for Persons with AIDS (HOPWA), awarded by the United States Department of Housing and Urban Development to be administered by the Mayor's Office of Housing. The grant will fund services for income-eligible individuals and families affected by AIDS. The award amount is estimated from prior years.

**Approved by the Mayor May 8, 2023**

0610 Message and order authorizing the City of Boston to accept and expend the amount of One Million Five Hundred Seventeen Thousand Nine Hundred Sixty-Six Dollars (\$1,517,966.00) in the form of a grant, for the Federal FY23 Emergency Solutions Grant, awarded by the United States Department of Housing and Urban Development to be administered by the Mayor's Office of Housing. The grant will fund the street outreach, emergency shelter, homelessness prevention, rapid re-housing assistance, and shelter services. The award amount is estimated from prior years.

**Approved by the Mayor May 8, 2023**

0784 Message and order authorizing the City of Boston to accept and expend the amount of Two Hundred Thousand Dollars (\$200,000.00) in the form of a grant for the Cultural Facilities Fund grant from the Massachusetts Cultural Council. The grant will support construction of the 1965 Freedom Plaza on the Boston Common, which will commemorate the leaders who worked for social and racial equity alongside Coretta Scott King and Dr. Rev. Martin Luther King Jr.

**Approved by the Mayor May 8, 2023**

0813 Message and order for your approval an Order that will authorize the Department of Innovation and Technology (DoIT) to enter into a contract with a term of, up to, seven years for data center hosting with colocation and fiber interconnection to provide uninterrupted functionality. Such a contract would support citywide services and operations.

**Approved by the Mayor May 8, 2023**

0865 Message and order authorizing the City of Boston to accept and expend the amount of Thirty-Six Thousand One Hundred Nineteen Dollars (\$36,119.00) in the form of a grant, from the Federal FY22 Paul Coverdell Forensic Science Improvement Formula Allocation, awarded by the United States Department of Justice, passed through the Massachusetts State Police/ Crime Laboratory, to be administered by the Police Department. The grant will fund training and continued education for forensic examiners, criminalist and laboratory personnel.

**Approved by the Mayor May 8, 2023**

0866 Message and order authorizing the City of Boston to accept and expend the in-kind donation of office furniture, equipment, and accessories, valued at Ten Thousand Dollars (\$10,000.00), a donation to the Veronica B. Smith Senior Center, Inc. located at 20 Chestnut Hill Avenue, Brighton, MA 02135. The purpose of this donation is to furnish the Veronica B. Smith Senior Center that provides services for older adults, including exercise and other recreational programs.

**Approved by the Mayor May 8, 2023**

Respectfully,

A handwritten signature in dark ink, appearing to read "Alex Geourntas", written in a cursive style.

Alex Geourntas  
City Clerk



## Boston City Council

LIZ BREADON

Councilor – District 9

May 12, 2023

The Honorable Alex Geourtas  
Office of the City Clerk  
One City Hall Square, Room 601  
Boston, MA 02201

**Re: Redistricting litigation**

Dear Clerk Geourtas:

As the Boston City Council is party to redistricting litigation, *Walters, et al. v. Boston City Council, et al.* (Case No. 1:22-cv-12048-PBS), I believe it is in the best interest of the Council and the public that the following items be entered into the record as the body continues its legislative duty to redraw electoral district boundaries under the authority of chapter 605 of the Acts of 1982. I will request that this communication be referred to the appropriate committee.

- Exhibit A.** Docket Report for Case no. 1:22-cv-12048-PBS, as of May 8, 2023 (pg. 2 of this communication; 17 pgs.);
- Exhibit B.** Doc. 21, filed Jan. 12, 2023: Plaintiffs' Motion for Preliminary Injunction (pg. 19 of this communication; 9 pgs.);
- Exhibit C.** Doc. 22, filed Jan. 13, 2023: Joint Motion to Establish Briefing Schedule and Expand Page Limit for Opposition to Preliminary Injunction (pg. 29 of this communication; 2 pgs.);
- Exhibit D.** Doc. 25, filed Jan. 17, 2023: Defendant Boston City Council's Opposition to Plaintiff's Motion for a Preliminary Injunction (pg. 32 of this communication; 26 pgs.);
- Exhibit E.** Exhibit D of Attachment 1 to Doc. 25, filed Jan. 17, 2023: "An Analysis of Voting Patterns by Race and an Assessment of Minority Voters' Opportunities to Elect Candidates in Recent Boston Municipal Elections" by Dr. Lisa Handley (pg. 59 of this communication; 19 pgs.);
- Exhibit F.** Doc. 30, filed Jan. 20, 2023: Rule 16 Joint Statement (pg. 79 of this communication; 4 pgs.);
- Exhibit G.** Doc. 48, filed Feb. 23, 2023: Defendant Boston City Council's Sur-Reply in Opposition to Plaintiffs' Motion for a Preliminary Injunction (pg. 84 of this communication; 9 pgs.);
- Exhibit H.** Doc. 62, filed Mar. 27, 2023: City Defendant's Supplemental Opposition to Plaintiffs' Motion for a Preliminary Injunction Following Plaintiffs' Second Amended Complaint (pg. 104 of this communication; 7 pgs.);
- Exhibit I.** Doc. 70, filed Apr. 21, 2023: Amended Joint Exhibit List (pg. 112 of this communication; 3 pgs.).

Respectfully submitted,

Liz Breadon  
Chair, Committee on Redistricting  
Boston City Councilor, District 9

# **EXHIBIT A**

**United States District Court  
District of Massachusetts (Boston)  
CIVIL DOCKET FOR CASE #: 1:22-cv-12048-PBS**

Walters et al v. Boston City Council et al  
Assigned to: Judge Patti B. Saris  
Case in other court: Suffolk Superior Court, 2284cv02490  
Cause: 28:1331 Federal Question: Other Civil Rights

Date Filed: 12/02/2022  
Jury Demand: None  
Nature of Suit: 441 Civil Rights: Voting  
Jurisdiction: Federal Question

**Plaintiff**

**Robert O'Shea**  
*Individually and as Chairman of the  
Ward 6 Democratic Committee*  
*TERMINATED: 03/01/2023*

represented by **Paul J. Gannon**  
Gannon & Hurley, P.C.  
P.O. Box E46  
470 West Broadway  
South Boston, MA 02127  
617-269-1993  
Fax: 617-269-7072  
Email: [pgannon@paulgannonlaw.com](mailto:pgannon@paulgannonlaw.com)  
**LEAD ATTORNEY**  
**ATTORNEY TO BE NOTICED**

**Frederick E. Dashiell**  
Dashiell and Associates, PC  
6 Codman Hill Avenue  
Boston, MA 02124  
617-288-6310  
Fax: 617-288-6400  
Email: [fred.dashiell@gmail.com](mailto:fred.dashiell@gmail.com)  
**ATTORNEY TO BE NOTICED**

**Glen Hannington**  
Law Offices of Glen Hannington  
10 Post Office Square  
Ste 8th Floor  
Boston, MA 02109  
617-725-2828  
Email: [glenhannington@aol.com](mailto:glenhannington@aol.com)  
**ATTORNEY TO BE NOTICED**

**Plaintiff**

**Rita Dixon**

represented by **Paul J. Gannon**  
(See above for address)  
**LEAD ATTORNEY**  
**ATTORNEY TO BE NOTICED**

**Frederick E. Dashiell**  
(See above for address)  
**ATTORNEY TO BE NOTICED**

**Glen Hannington**  
(See above for address)  
**ATTORNEY TO BE NOTICED**

**Plaintiff**

**Shirley Shillingford**

represented by **Paul J. Gannon**  
(See above for address)  
**LEAD ATTORNEY**  
**ATTORNEY TO BE NOTICED**

**Frederick E. Dashiell**  
(See above for address)  
**ATTORNEY TO BE NOTICED**

**Glen Hannington**  
(See above for address)  
*ATTORNEY TO BE NOTICED*

**Plaintiff**

**Maureen Feeney**

represented by **Paul J. Gannon**  
(See above for address)  
*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*

**Frederick E. Dashiell**  
(See above for address)  
*ATTORNEY TO BE NOTICED*

**Glen Hannington**  
(See above for address)  
*ATTORNEY TO BE NOTICED*

**Plaintiff**

**Phyllis Corbitt**

*Individually and as President of the  
Massachusetts Union of Public Housing  
Tenants*

represented by **Paul J. Gannon**  
(See above for address)  
*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*

**Frederick E. Dashiell**  
(See above for address)  
*ATTORNEY TO BE NOTICED*

**Glen Hannington**  
(See above for address)  
*ATTORNEY TO BE NOTICED*

**Plaintiff**

**The South Boston Citizens Association**

represented by **Paul J. Gannon**  
(See above for address)  
*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*

**Frederick E. Dashiell**  
(See above for address)  
*ATTORNEY TO BE NOTICED*

**Glen Hannington**  
(See above for address)  
*ATTORNEY TO BE NOTICED*

**Plaintiff**

**Martin F. McDonough**

*American Legion Post*

represented by **Paul J. Gannon**  
(See above for address)  
*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*

**Frederick E. Dashiell**  
(See above for address)  
*ATTORNEY TO BE NOTICED*

**Glen Hannington**  
(See above for address)  
*ATTORNEY TO BE NOTICED*

**Plaintiff**



**St. Vincent's Lower End Neighborhood Association**

represented by **Paul J. Gannon**  
(See above for address)  
*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*

**Frederick E. Dashiell**  
(See above for address)  
*ATTORNEY TO BE NOTICED*

**Glen Hannington**  
(See above for address)  
*ATTORNEY TO BE NOTICED*

**Plaintiff**

**Old Colony Tenant Association**

represented by **Paul J. Gannon**  
(See above for address)  
*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*

**Frederick E. Dashiell**  
(See above for address)  
*ATTORNEY TO BE NOTICED*

**Glen Hannington**  
(See above for address)  
*ATTORNEY TO BE NOTICED*

**Plaintiff**

**Rasheed Walters**

represented by **Glen Hannington**  
(See above for address)  
*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*

**Frederick E. Dashiell**  
(See above for address)  
*ATTORNEY TO BE NOTICED*

**Plaintiff**

**Gladys Bruno**

represented by **Glen Hannington**  
(See above for address)  
*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*

**Frederick E. Dashiell**  
(See above for address)  
*ATTORNEY TO BE NOTICED*

**Plaintiff**

**Zheng Huanhua**

represented by **Glen Hannington**  
(See above for address)  
*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*

**Frederick E. Dashiell**  
(See above for address)  
*ATTORNEY TO BE NOTICED*

**Plaintiff**

**Carmen Luisa Garcia Terrero**

represented by **Glen Hannington**  
(See above for address)  
*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*

**Frederick E. Dashiell**  
(See above for address)  
*ATTORNEY TO BE NOTICED*

**Plaintiff**

**Carmen Garcia–Rosario**

represented by **Glen Hannington**  
(See above for address)  
*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*

**Frederick E. Dashiell**  
(See above for address)  
*ATTORNEY TO BE NOTICED*

**Plaintiff**

**Kasper Eleanor**

represented by **Glen Hannington**  
(See above for address)  
*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*

**Frederick E. Dashiell**  
(See above for address)  
*ATTORNEY TO BE NOTICED*

V.

**Defendant**

**Boston City Council**

represented by **Samantha H Fuchs**  
City of Boston  
One City Hall Square  
Ste 615  
BOSTON  
Boston, MA 02201  
617–635–4477  
Fax: 617–635–3199  
Email: [samantha.fuchs@boston.gov](mailto:samantha.fuchs@boston.gov)  
*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*

**Christina S. Marshall**  
Anderson & Kreiger LLP  
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Boston, MA 02109  
617–621–6583  
Email: [cmarshall@andersonkreiger.com](mailto:cmarshall@andersonkreiger.com)  
*ATTORNEY TO BE NOTICED*

**Jennifer G. Miller**  
Hemenway & Barnes LLP  
75 State Street  
Ste 16th Floor  
Boston, MA 02109  
617–557–9746  
Email: [jmiller@hembar.com](mailto:jmiller@hembar.com)  
*ATTORNEY TO BE NOTICED*

**Lon F. Povich**  
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50 Milk Street  
21st Floor

Boston, MA 02109  
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**Defendant**

**Michelle Wu**  
*In her Official Capacity as Mayor of the  
City of Boston*

**Defendant**

**The City of Boston**

**Defendant**

**Eneida Tavares**  
*In her Official Capacity as Commissioner  
of the Boston Election Commission*

**Amicus**

**NAACP Boston Branch**

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**MassVote**

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**Amicus**

**Massachusetts Immigrant & Refugee  
Advocacy Coalition**

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**Amicus**

**Chinese Progressive Association**

represented by **Andrew C. Glass**  
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**Amicus**

**New England United for Justice**

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Email All Attorneys

Email All Attorneys and Additional Recipients

Date Filed	#	Docket Text
05/08/2023	<u>78</u>	Judge Patti B. Saris: MEMORANDUM AND ORDER entered.  Plaintiffs' Motion for Preliminary Injunction (Dkt. <u>21</u> ) is ALLOWED with respect to Count III (violation of the Fourteenth Amendment). The Court does not find a likelihood of success on the remaining counts. Defendants are enjoined from using the enacted map in municipal elections.  (Geraldino–Karasek, Clarilde) (Main Document 78 replaced on 5/8/2023 to correct docket entry ) (Geraldino–Karasek, Clarilde). (Entered: 05/08/2023)
04/26/2023	77	NOTICE is hereby given that an official transcript of a proceeding has been filed by the court reporter in the above–captioned matter. Counsel are referred to the Court's Transcript Redaction Policy, available on the court website at <a href="https://www.mad.uscourts.gov/caseinfo/transcripts.htm">https://www.mad.uscourts.gov/caseinfo/transcripts.htm</a> (McDonagh, Christina) (Entered: 04/26/2023)
04/26/2023	<u>76</u>	Transcript of Evidentiary Hearing – Day Six held on April 5, 2023, before Judge Patti B. Saris. The Transcript may be purchased through the Court Reporter, viewed at the public terminal, or viewed through PACER after it is released. Court Reporter Name and Contact Information: Lee Marzilli at leemarz@aol.com. Redaction Request due 5/17/2023. Redacted Transcript Deadline set for 5/30/2023. Release of Transcript Restriction set for 7/25/2023. (McDonagh, Christina) (Entered: 04/26/2023)
04/26/2023	<u>75</u>	Transcript of Evidentiary Hearing – Day Five held on April 4, 2023, before Judge Patti B. Saris. The Transcript may be purchased through the Court Reporter, viewed at the public terminal, or viewed through PACER after it is released. Court Reporter Name and Contact Information: Lee Marzilli at leemarz@aol.com. Redaction Request due 5/17/2023. Redacted Transcript Deadline set for 5/30/2023. Release of Transcript Restriction set for 7/25/2023. (McDonagh, Christina) (Entered: 04/26/2023)

04/26/2023	<u>74</u>	Transcript of Evidentiary Hearing – Day Four held on April 3, 2023, before Judge Patti B. Saris. The Transcript may be purchased through the Court Reporter, viewed at the public terminal, or viewed through PACER after it is released. Court Reporter Name and Contact Information: Lee Marzilli at leemarz@aol.com. Redaction Request due 5/17/2023. Redacted Transcript Deadline set for 5/30/2023. Release of Transcript Restriction set for 7/25/2023. (McDonagh, Christina) (Entered: 04/26/2023)
04/26/2023	<u>73</u>	Transcript of Evidentiary Hearing – Day Three held on March 30, 2023, before Judge Patti B. Saris. The Transcript may be purchased through the Court Reporter, viewed at the public terminal, or viewed through PACER after it is released. Court Reporter Name and Contact Information: Lee Marzilli at leemarz@aol.com. Redaction Request due 5/17/2023. Redacted Transcript Deadline set for 5/30/2023. Release of Transcript Restriction set for 7/25/2023. (McDonagh, Christina) (Entered: 04/26/2023)
04/26/2023	<u>72</u>	Transcript of Evidentiary Hearing – Day Two held on March 29, 2023, before Judge Patti B. Saris. The Transcript may be purchased through the Court Reporter, viewed at the public terminal, or viewed through PACER after it is released. Court Reporter Name and Contact Information: Lee Marzilli at leemarz@aol.com. Redaction Request due 5/17/2023. Redacted Transcript Deadline set for 5/30/2023. Release of Transcript Restriction set for 7/25/2023. (McDonagh, Christina) (Entered: 04/26/2023)
04/26/2023	<u>71</u>	Transcript of Evidentiary Hearing – Day One held on March 28, 2023, before Judge Patti B. Saris. The Transcript may be purchased through the Court Reporter, viewed at the public terminal, or viewed through PACER after it is released. Court Reporter Name and Contact Information: Lee Marzilli at leemarz@aol.com. Redaction Request due 5/17/2023. Redacted Transcript Deadline set for 5/30/2023. Release of Transcript Restriction set for 7/25/2023. (McDonagh, Christina) (Entered: 04/26/2023)
04/21/2023	<u>70</u>	<i>Amended Joint</i> Witness List by Boston City Council, Eneida Tavares, The City of Boston, Michelle Wu. (Marshall, Christina) (Entered: 04/21/2023)
04/06/2023	<u>68</u>	<i>Joint</i> Exhibit List by Boston City Council, Eneida Tavares, The City of Boston, Michelle Wu.. (Marshall, Christina) (Entered: 04/06/2023)
04/05/2023	79	Electronic Clerk's Notes for proceedings held before Judge Patti B. Saris:Closing arguments held.(Court Reporter: Lee Marzilli at leemarz@aol.com.) (Entered: 05/10/2023)
04/04/2023	67	Electronic Clerk's Notes for proceedings held before Judge Patti B. Saris:  Evidentiary Hearing held on 4/4/2023 (Tues) Day 6  Dr. Moon Duchin testimony resumes. Defense Rests. Closings to begin on Wed 4/5/2023 at 9:30 am – court adjourned  (Court Reporter: Lee Marzilli at leemarz@aol.com.) (Entered: 04/04/2023)
04/03/2023	66	Electronic Clerk's Notes for proceedings held before Judge Patti B. Saris:  Evidentiary Hearing held on 4/3/2023 MONDAY DAY 5  Plaintiff calls Congressman Stephen Lynch – sworn  Plaintiffs RESTS  DEFENSE CASE BEGINS  Defense calls Dr. Moon Duchin–sworn, court adjourned until Tuesday 4/4/2023 at 9:00 am  (Court Reporter: Lee Marzilli at leemarz@aol.com.) (Entered: 04/04/2023)
03/30/2023	65	Electronic Clerk's Notes for proceedings held before Judge Patti B. Saris:  Evidentiary Hearing held on 3/30/2023 Day 3

		Plaintiff calls Eleanor Kasper – sworn; Erin Murphy– Boston City Councilor, court adjourned until Monday 4/3/2023 at 9:00 am  (Court Reporter: Lee Marzilli at leemarz@aol.com.) (Molloy, Maryellen) (Entered: 03/30/2023)
03/29/2023	64	Electronic Clerk's Notes for proceedings held before Judge Patti B. Saris:  Evidentiary Hearing – Day 2 held on 3/29/2023 in person  Plaintiff calls witness #2 Rasheem Walters – sworn; #3 Maureen Feeney– sworn, court adjourned until Thursday 3/30/2023 at 9:30 am  (Court Reporter: Lee Marzilli at leemarz@aol.com.) (Molloy, Maryellen) (Entered: 03/29/2023)
03/28/2023	69	NOTICE OF MANUAL FILING : Exhibits 16 and 26 – Videos re Hearings and Expert Witness Testimony Prof. Moon Duchin (4/3/2023 ). (Geraldino–Karasek, Clarilde) (Entered: 04/14/2023)
03/28/2023	63	Electronic Clerk's Notes for proceedings held before Judge Patti B. Saris:  Evidentiary Hearing held on 3/28/2023  Openings and evidence begins  1st witness – Boston City Councilor Michael Flaherty – sworn  Evidentiary hearing continued until 3/29/2023 at 9:30 AM  (Atty Gannon, Hannington, Dashiell, Marshall, Miller, Povich) (Court Reporter: Lee Marzilli at leemarz@aol.com.) (Molloy, Maryellen) (Entered: 03/28/2023)
03/27/2023	<u>62</u>	Supplemental RESPONSE to Motion re <u>21</u> First MOTION for Preliminary Injunction <i>following Second Amended Complaint</i> filed by Boston City Council, Eneida Tavares, The City of Boston, Michelle Wu. (Attachments: # <u>1</u> Affidavit of Sabino Piemonte (Second), # <u>2</u> Affidavit of Michelle Goldberg (Second))(Marshall, Christina) (Entered: 03/27/2023)
03/14/2023	61	Judge Patti B. Saris: ELECTRONIC ORDER entered finding as moot <u>44</u> Motion for Clarification of Scheduling Conference filed by Boston City Council. (Geraldino–Karasek, Clarilde) (Entered: 03/14/2023)
03/14/2023	<u>60</u>	Judge Patti B. Saris: ENDORSED ORDER entered ALLOWED re <u>56</u> First Motion for Leave to File First Amended Complaint. (Geraldino–Karasek, Clarilde) (Entered: 03/14/2023)
03/13/2023	59	ELECTRONIC NOTICE Setting Hearing Motion <u>21</u> for Preliminary Injunction :  Motion Hearing RESET FROM 3/14/23 TO 3/28/2023 09:30 AM in Courtroom 19 (In person only) before Judge Patti B. Saris.  (Molloy, Maryellen) (Entered: 03/13/2023)
03/13/2023	58	ELECTRONIC NOTICE Canceling In Person hearing scheduled for Tuesday March 14, 2023 at 2:30 pm before Judge Saris  Notice of Rescheduling to follow  (Molloy, Maryellen) (Entered: 03/13/2023)
03/10/2023	<u>57</u>	JOINT LIST OF WITNESSES of counsel . (Hannington, Glen) Modified docket text on 3/13/2023 (Geraldino–Karasek, Clarilde). (Entered: 03/10/2023)
03/10/2023	<u>56</u>	First MOTION for Leave to File <i>First Amended Complaint</i> by Gladys Bruno, Phyllis Corbitt, Rita Dixon, Kasper Eleanor, Maureen Feeney, Carmen Luisa Garcia Terrero, Carmen Garcia–Rosario, Zheng Huanhua, Martin F. McDonough, Shirley



		Shillingford, St. Vincent's Lower End Neighborhood Association, The South Boston Citizens Association, Rasheed Walters.(Hannington, Glen) (Entered: 03/10/2023)
03/08/2023	55	<p>Electronic Clerk's Notes for proceedings held before Judge Patti B. Saris: Status Conference held on 3/8/2023 by Video</p> <p>Ordered:</p> <p>Motion hearing (in person) will go forward on Tues March 14, 2023 at 2:30 pm in Courtroom #19 – 7th Floor</p> <p>2nd hearing (in person) is scheduled for Monday March 27, 2023 at 10:00 am in Courtroom #19 – 7th Floor</p> <p>Plaintiff shall file a Motion for Leave to Amend the Complaint by 3/10/2023</p> <p>Parties shall confer and file an Amended Witness List which states the estimated amount of time for each witness. Witness list shall be filed by 3/10/2023</p> <p>(Atty present: Atty Gannon, Dashiell, Hannington, Miller, Povich, Love)</p> <p>(Court Reporter: Lee Marzilli at leemarz@aol.com.) (Molloy, Maryellen) (Entered: 03/08/2023)</p>
03/07/2023	54	<p>ELECTRONIC NOTICE of STATUS CONFERENCE.</p> <p>This hearing will be conducted by video conference. Counsel of record will receive a video conference invite at the email registered in CM/ECF. If you have technical or compatibility issues with the technology, please notify the courtroom deputy of the session as soon as possible.</p> <p>Access to the hearing will be made available to the media and public. In order to gain access to the hearing, you must sign up at the following address:  <a href="https://forms.mad.uscourts.gov/courtlist.html">https://forms.mad.uscourts.gov/courtlist.html</a>.</p> <p>For questions regarding access to hearings, you may refer to the general orders and public notices of the Court available on <a href="http://www.mad.uscourts.gov">www.mad.uscourts.gov</a> or contact <a href="mailto:media@mad.uscourts.gov">media@mad.uscourts.gov</a>.</p> <p><b>Status Conference set for 3/8/2023 11:00 AM BY VIDEO before Judge Patti B. Saris. (Entered: 03/07/2023)</b></p>
03/07/2023	<u>53</u>	<p><i>Plaintiffs'</i> Witness List by Gladys Bruno, Phyllis Corbitt, Rita Dixon, Kasper Eleanor, Maureen Feeney, Carmen Luisa Garcia Terrero, Carmen Garcia–Rosario, Zheng Huanhua, Martin F. McDonough, Old Colony Tenant Association, Shirley Shillingford, St. Vincent's Lower End Neighborhood Association, The South Boston Citizens Association, Rasheed Walters. (Hannington, Glen) (Entered: 03/07/2023)</p>
02/28/2023	52	<p>ELECTRONIC NOTICE AS TO HEARING ON <u>21</u> First MOTION for Preliminary Injunction :</p> <p>MOTION HEARING GOING FORWARD ON 3/14/2023 02:30 PM in Courtroom 19 (IN PERSON ONLY) before Judge Patti B. Saris.</p> <p>(Geraldino–Karasek, Clarilde) (Entered: 02/28/2023)</p>
02/28/2023	<u>51</u>	<p>Summons Issued as to Eneida Tavares, The City of Boston, Michelle Wu. <b>Counsel receiving this notice electronically should download this summons, complete one for each defendant and serve it in accordance with Fed.R.Civ.P. 4 and LR 4.1. Summons will be mailed to plaintiff(s) not receiving notice electronically for completion of service.</b> (Geraldino–Karasek, Clarilde) (Entered: 02/28/2023)</p>
02/27/2023	<u>50</u>	<p>AMENDED COMPLAINT against The Boston City Counsel, Michelle Wu , The City of Boston and Eneida Tavares s filed by Kasper Eleanor, The South Boston Citizens Association, Robert O'Shea, Carmen Garcia–Rosario, Phyllis Corbitt, Rasheed Walters, Carmen Luisa Garcia Terrero, Rita Dixon, Gladys Bruno, St. Vincent's Lower</p>

		<p>End Neighborhood Association, Martin F. McDonough, Shirley Shillingford, Zheng Huanhua, Old Colony Tenant Association, Maureen Feeney.(Hannington, Glen)</p> <p>(Main Document 50 replaced to disclose and attached exhibits on 2/27/2023: # <u>1</u> Exhibit A–S) (Geraldino–Karasek, Clarilde).</p> <p>(Entered: 02/27/2023)</p>
02/27/2023	<u>49</u>	<p>DOCKET ENTRY 49 CORRECTED BECAUSE INCORRECT PDF ATTACHED. PLEASE SEE DOCKET NO. <u>50</u> .</p> <p>AMENDED COMPLAINT FILED . .(Hannington, Glen) Modified docket text on 2/27/2023 (Geraldino–Karasek, Clarilde). (Entered: 02/27/2023)</p>
02/23/2023	<u>48</u>	<p>SUR–REPLY to Motion re <u>21</u> First MOTION for Preliminary Injunction filed by Boston City Council. (Attachments: # <u>1</u> Exhibit Affidavit of Moon Duchin)(Marshall, Christina) (Entered: 02/23/2023)</p>
02/23/2023	47	<p>Judge Patti B. Saris: ELECTRONIC ORDER entered ALLOWED re <u>46</u> Motion for Leave a Sur–Reply.</p> <p>Counsel using the Electronic Case Filing System should now file the document for which leave to file has been granted in accordance with the CM/ECF Administrative Procedures. Counsel must include – Leave to file granted on (date of order)– in the caption of the document. (Geraldino–Karasek, Clarilde) (Entered: 02/23/2023)</p>
02/21/2023	<u>46</u>	<p>Assented to MOTION for Leave to File <i>Sur–Reply</i> by Boston City Council. (Attachments: # <u>1</u> Proposed Sur–Reply and Affidavit)(Marshall, Christina) (Entered: 02/21/2023)</p>
02/21/2023	<u>45</u>	<p>First Opposition re <u>44</u> MOTION for Clarification re 37 Scheduling Conference, filed by Phyllis Corbitt, Rita Dixon, Maureen Feeney, Martin F. McDonough, Robert O'Shea, Old Colony Tenant Association, Shirley Shillingford, St. Vincent's Lower End Neighborhood Association, The South Boston Citizens Association. (Hannington, Glen) (Entered: 02/21/2023)</p>
02/17/2023	<u>44</u>	<p>MOTION for Clarification re 37 Scheduling Conference, by Boston City Council. (Attachments: # <u>1</u> Affidavit of Christina Marshall)(Marshall, Christina) (Entered: 02/17/2023)</p>
02/16/2023	<u>43</u>	<p>AMICUS BRIEF filed by Chinese Progressive Association, La Colaborativa, MassVote, Massachusetts Immigrant &amp; Refugee Advocacy Coalition, Massachusetts Voter Table, NAACP Boston Branch, New England United for Justice . (Glass, Andrew) (Entered: 02/16/2023)</p>
02/16/2023	<u>42</u>	<p>Judge Patti B. Saris: ENDORSED ORDER entered ALLOWED re <u>31</u> Motion for Leave to File Amicus Brief.</p> <p>Counsel using the Electronic Case Filing System should now file the document for which leave to file has been granted in accordance with the CM/ECF Administrative Procedures. Counsel must include – Leave to file granted on (date of order)– in the caption of the document. (Geraldino–Karasek, Clarilde) (Entered: 02/16/2023)</p>
01/27/2023	<u>41</u>	<p>First REPLY to Response to <u>21</u> First MOTION for Preliminary Injunction filed by Phyllis Corbitt, Rita Dixon, Maureen Feeney, Martin F. McDonough, Robert O'Shea, Old Colony Tenant Association, Shirley Shillingford, St. Vincent's Lower End Neighborhood Association, The South Boston Citizens Association. (Hannington, Glen) (Entered: 01/27/2023)</p>
01/25/2023	<u>40</u>	<p>NOTICE of Appearance by Oren M. Sellstrom on behalf of Chinese Progressive Association, La Colaborativa, MassVote, Massachusetts Immigrant &amp; Refugee Advocacy Coalition, Massachusetts Voter Table, NAACP Boston Branch, New England United for Justice (Sellstrom, Oren) (Entered: 01/25/2023)</p>
01/25/2023	39	<p>SET SCHEDULING ORDER DEADLINES AS TO <u>30</u> JOINT STATEMENT re scheduling conference – ADOPTED:</p>

		Fact Discovery to be completed by 9/8/2023; Dispositive Motions due by 12/8/2023; Opposition due by 1/5/2024; Reply due by 1/19/2024.  (Geraldino–Karasek, Clarilde) (Entered: 01/25/2023)
01/25/2023	38	Judge Patti B. Saris: ELECTRONIC ORDER entered granting <u>34</u> Motion for Leave to Appear Pro Hac Vice Added Rasheem Johnson.  <b>Attorneys admitted Pro Hac Vice must have an individual PACER account, not a shared firm account, to electronically file in the District of Massachusetts. To register for a PACER account, go the Pacer website at <a href="https://pacer.uscourts.gov/register-account">https://pacer.uscourts.gov/register-account</a>. You must put the docket number on your form when registering or it will be rejected.</b>  Pro Hac Vice Admission Request Instructions <a href="https://www.mad.uscourts.gov/caseinfo/nextgen-pro-hac-vice.htm">https://www.mad.uscourts.gov/caseinfo/nextgen-pro-hac-vice.htm</a> .  A Notice of Appearance must be entered on the docket by the newly admitted attorney.  (Geraldino–Karasek, Clarilde) (Entered: 01/25/2023)
01/25/2023	<u>36</u>	NOTICE of Appearance by Gregory N. Blase on behalf of Chinese Progressive Association, La Colaborativa, MassVote, Massachusetts Immigrant & Refugee Advocacy Coalition, Massachusetts Voter Table, NAACP Boston Branch, New England United for Justice (Blase, Gregory) (Entered: 01/25/2023)
01/25/2023	<u>35</u>	NOTICE of Appearance by Jacob M. Love on behalf of Chinese Progressive Association, La Colaborativa, MassVote, Massachusetts Immigrant & Refugee Advocacy Coalition, Massachusetts Voter Table, NAACP Boston Branch, New England United for Justice (Love, Jacob) (Entered: 01/25/2023)
01/24/2023	<u>34</u>	MOTION for Leave to Appear Pro Hac Vice for admission of Rasheem Johnson Filing fee: \$ 125, receipt number AMADC–9684254 by Chinese Progressive Association, La Colaborativa, MassVote, Massachusetts Immigrant & Refugee Advocacy Coalition, Massachusetts Voter Table, NAACP Boston Branch, New England United for Justice. (Attachments: # <u>1</u> Exhibit A — Certification of Rasheem Johnson ISO Mot. for Admission Pro Hac Vice)(Glass, Andrew) (Entered: 01/24/2023)
01/24/2023	<u>33</u>	CORPORATE DISCLOSURE STATEMENT by Chinese Progressive Association, La Colaborativa, MassVote, Massachusetts Immigrant & Refugee Advocacy Coalition, Massachusetts Voter Table, NAACP Boston Branch, New England United for Justice identifying Other Affiliate Community Labor United for New England United for Justice; Corporate Parent National Association for the Advancement of Colored People for NAACP Boston Branch.. (Glass, Andrew) (Entered: 01/24/2023)
01/24/2023	<u>32</u>	MEMORANDUM in Support re <u>31</u> MOTION for Leave to File <i>Amicus Brief</i> filed by Chinese Progressive Association, La Colaborativa, MassVote, Massachusetts Immigrant & Refugee Advocacy Coalition, Massachusetts Voter Table, NAACP Boston Branch, New England United for Justice. (Glass, Andrew) (Entered: 01/24/2023)
01/24/2023	<u>31</u>	MOTION for Leave to File <i>Amicus Brief</i> by NAACP Boston Branch, MassVote, Massachusetts Voter Table, La Colaborativa, Massachusetts Immigrant & Refugee Advocacy Coalition, Chinese Progressive Association, New England United for Justice. (Attachments: # <u>1</u> Exhibit A — proposed amicus brief)(Glass, Andrew) (Entered: 01/24/2023)
01/23/2023	37	Electronic Clerk's Notes for proceedings held before Judge Patti B. Saris: Scheduling Conference held on 1/23/2023 BY VIDEO  ORDERED: Joint Statement – Adopted, one added modification as follows:  1) Any Amendments must be filed by 2/27/2023  <b>Preliminary Injunction hearing will go forward as scheduled on 3/14/2023 at 2:30 PM as IN PERSON HEARING</b>

		(Court Reporter: Lee Marzilli at leemarz@aol.com.) (Entered: 01/25/2023)
01/20/2023	<u>30</u>	JOINT STATEMENT re scheduling conference filed by Boston City Council . (Marshall, Christina) Modified on 1/20/2023 to include filing party . (Geraldino-Karasek, Clarilde). (Entered: 01/20/2023)
01/20/2023	<u>29</u>	First CERTIFICATION pursuant to Local Rule 16.1 filed by Robert O'Shea . (Hannington, Glen) Modified on 1/20/2023 to include filing party . (Geraldino-Karasek, Clarilde). (Entered: 01/20/2023)
01/19/2023	28	Judge Patti B. Saris: ELECTRONIC ORDER entered ALLOWED re <u>22</u> Joint Motion to Establish Briefing Schedule and for Leave to File Excess Pages in Opposition to <u>21</u> Plaintiffs' Motion for Preliminary Injunction.  SET DEADLINES AS TO: Reply due by 1/27/2023.  (Geraldino-Karasek, Clarilde) (Entered: 01/19/2023)
01/19/2023	27	NOTICE re <u>10</u> SCHEDULING CONFERENCE SET FOR 1/23/2023 02:00 PM BY VIDEO before Judge Patti B. Saris.  The parties shall file a JOINT STATEMENT pursuant to Fed.R.Civ.P. 16(b) and 26(f) by 5:00PM today, January 19, 2023.  (Geraldino-Karasek, Clarilde) (Entered: 01/19/2023)
01/18/2023	26	ELECTRONIC NOTICE issued requesting courtesy copy for <u>25</u> Opposition to Motion.  Counsel who filed this document are requested to submit a courtesy copy of this document to the Clerk's Office by 1/25/2023. <b>These documents must be bounded clearly marked as a Courtesy Copy and reflect the document number assigned by CM/ECF and Exhibits must be tabbed.</b> (Geraldino-Karasek, Clarilde) (Entered: 01/18/2023)
01/17/2023	<u>25</u>	Opposition re <u>21</u> First MOTION for Preliminary Injunction filed by Boston City Council. (Attachments: # <u>1</u> Affidavit of Michelle Goldberg, # <u>2</u> Affidavit of Sabino Piemonte)(Marshall, Christina) (Entered: 01/17/2023)
01/17/2023	24	ELECTRONIC NOTICE SETTING HEARING ON <u>21</u> First MOTION for Preliminary Injunction :  MOTION HEARING SET FOR 3/14/2023 02:30 PM BY VIDEO before Judge Patti B. Saris.  This hearing will be conducted by video conference. Counsel of record will receive a video conference invite at the email registered in CM/ECF. If you have technical or compatibility issues with the technology, please notify the session's courtroom deputy as soon as possible.  Access to the hearing will be made available to the media and public. In order to gain access to the hearing, you must sign up at the following address: <a href="https://forms.mad.uscourts.gov/courtlist.html">https://forms.mad.uscourts.gov/courtlist.html</a> .  For questions regarding access to hearings, you may refer to the Court's general orders and public notices available on <a href="http://www.mad.uscourts.gov">www.mad.uscourts.gov</a> or contact <a href="mailto:media@mad.uscourts.gov">media@mad.uscourts.gov</a> .  (Geraldino-Karasek, Clarilde) (Entered: 01/17/2023)
01/13/2023	23	Judge Patti B. Saris: ELECTRONIC ORDER entered Allowed <u>19</u> Joint Motion for Extension of Time to January 13, 2023 to File Opposition to Preliminary Injunction Motion and Expand Page Limit (Geraldino-Karasek, Clarilde) (Entered: 01/13/2023)
01/13/2023	<u>22</u>	JOINT MOTION to Establish Briefing Schedule and for Leave to File Excess Pages in Opposition to <u>21</u> Plaintiffs' Motion for Preliminary Injunction< by Boston City Council.(Marshall, Christina) (Entered: 01/13/2023)

01/12/2023	<u>21</u>	First MOTION for Preliminary Injunction by Phyllis Corbitt, Rita Dixon, Maureen Feeney, Martin F. McDonough, Robert O'Shea, Old Colony Tenant Association, Shirley Shillingford, St. Vincent's Lower End Neighborhood Association, The South Boston Citizens Association.(Hannington, Glen) (Entered: 01/12/2023)
01/11/2023	<u>20</u>	NOTICE of Appearance by Frederick E. Dashiell on behalf of Robert O'Shea (Dashiell, Frederick) (Entered: 01/11/2023)
01/11/2023	<u>19</u>	Joint MOTION for Extension of Time to January 13, 2023 to File <i>Opposition to Preliminary Injunction Motion and Expand Page Limit</i> by Boston City Council.(Povich, Lon) (Entered: 01/11/2023)
01/09/2023	<u>18</u>	NOTICE of Withdrawal of Appearance by Michael P. Moore, Jr (Moore, Michael) (Entered: 01/09/2023)
12/29/2022	<u>17</u>	<b><u>ELECTRONIC NOTICE TO COUNSEL:</u></b> re <u>16</u> NOTICE of Appearance filed by Glen Hannington. Counsel filed a notice of appearance on behalf of Frederick E. Dashiell in violation of Court Rules and CM/ECF Administrative Procedures.  Frederick E. Dashiell is required to file his/her own appearance under his/her own CM/ECF NextGen account otherwise counsel will not appear on the case as counsel of record.  (Geraldino-Karasek, Clarilde) (Entered: 12/29/2022)
12/21/2022	<u>16</u>	NOTICE of Appearance by Glen Hannington on behalf of Phyllis Corbitt, Rita Dixon, Maureen Feeney, Martin F. McDonough, Robert O'Shea, Old Colony Tenant Association, Shirley Shillingford, St. Vincent's Lower End Neighborhood Association, The South Boston Citizens Association (Hannington, Glen) (Entered: 12/21/2022)
12/20/2022	<u>15</u>	STATE COURT Record. (Marshall, Christina) (Entered: 12/20/2022)
12/13/2022	<u>14</u>	NOTICE OF MOTIONS PENDING IN STATE COURT by Boston City Council (Fuchs, Samantha) Modified docket text on 12/14/2022 (Geraldino-Karasek, Clarilde). (Entered: 12/13/2022)
12/09/2022	<u>13</u>	Judge Patti B. Saris: ELECTRONIC ORDER entered ALLOWED re <u>12</u> Assented to Motion for Extension of Time to Respond to Complaint.  Boston City Council answer due by January 16, 2023. (Geraldino-Karasek, Clarilde) (Entered: 12/09/2022)
12/08/2022	<u>12</u>	Assented to MOTION for Extension of Time to January 16, 2023 to Respond to Complaint by Boston City Council.(Povich, Lon) (Entered: 12/08/2022)
12/07/2022	<u>11</u>	NOTICE of Appearance by Glen Hannington on behalf of Phyllis Corbitt, Rita Dixon, Maureen Feeney, Martin F. McDonough, Robert O'Shea, Old Colony Tenant Association, Shirley Shillingford, St. Vincent's Lower End Neighborhood Association, The South Boston Citizens Association (Hannington, Glen) (Entered: 12/07/2022)
12/07/2022	<u>10</u>	NOTICE OF SCHEDULING CONFERENCE BY VIDEO:  SCHEDULING CONFERENCE SET FOR 1/23/2023 02:00 PM BY VIDEO before Judge Patti B. Saris.  This hearing will be conducted by video conference. Counsel of record will receive a video conference invite at the email registered in CM/ECF. If you have technical or compatibility issues with the technology, please notify the session's courtroom deputy as soon as possible.  Access to the hearing will be made available to the media and public. In order to gain access to the hearing, you must sign up at the following address: <a href="https://forms.mad.uscourts.gov/courtlist.html">https://forms.mad.uscourts.gov/courtlist.html</a> .  For questions regarding access to hearings, you may refer to the Court's general orders and public notices available on <a href="http://www.mad.uscourts.gov">www.mad.uscourts.gov</a> or contact <a href="mailto:media@mad.uscourts.gov">media@mad.uscourts.gov</a> .

		(Geraldino–Karasek, Clarilde) (Entered: 12/07/2022)
12/07/2022	<u>9</u>	NOTICE of Appearance by Jennifer G. Miller on behalf of Boston City Council (Miller, Jennifer) (Entered: 12/07/2022)
12/07/2022	8	Filing fee/payment: \$ 402.00, receipt number 100001325 for <u>1</u> Notice of Removal (Barbosa, Nilsa) (Entered: 12/07/2022)
12/07/2022	<u>7</u>	NOTICE of Appearance by Michael P. Moore, Jr on behalf of Boston City Council (Moore, Michael) (Entered: 12/07/2022)
12/06/2022	<u>6</u>	NOTICE of Appearance by Lon F. Povich on behalf of Boston City Council (Povich, Lon) (Entered: 12/06/2022)
12/06/2022	<u>5</u>	NOTICE of Appearance by Christina S. Marshall on behalf of Boston City Council (Marshall, Christina) (Entered: 12/06/2022)
12/05/2022	4	Certified Copy of Notice of Removal Provided to Defense Counsel by Email (Currie, Haley) (Entered: 12/05/2022)
12/05/2022	3	ELECTRONIC NOTICE of Case Assignment. Judge Patti B. Saris assigned to case. If the trial Judge issues an Order of Reference of any matter in this case to a Magistrate Judge, the matter will be transmitted to Magistrate Judge Donald L. Cabell. (Finn, Mary) (Entered: 12/05/2022)
12/05/2022	2	<b><u>ELECTRONIC NOTICE TO COUNSEL:</u></b> The Category form filed with the Notice of Removal indicates there are pending motions that need this court's attention. Please re–file any pending motions from State Court into this District Court Record. (Currie, Haley) (Entered: 12/05/2022)
12/02/2022	<u>1</u>	NOTICE OF REMOVAL by Boston City Council ( Fee Status: Local Government) (Attachments: # <u>1</u> Exhibit Exhibit A, # <u>2</u> Exhibit Exhibit B, # <u>3</u> Civil Cover Sheet Civil Cover Sheet, # <u>4</u> Category Form Category Form)(Fuchs, Samantha) (Entered: 12/02/2022)

# **EXHIBIT B**

UNITED STATES DISTRICT COURT  
DISTRICT OF MASSACHUSETTS

ROBERT O'SHEA, CHAIRMAN OF THE WARD  
6 DEMOCRATIC COMMITTEE, ET AL.,

Plaintiffs,

v.

BOSTON CITY COUNCIL,

Defendant.

Civil Action No. 1:220cv012048-PBS

**PLAINTIFFS' MOTION FOR PRELIMINARY INJUNCTION**

Now Come the Plaintiffs and respectfully submit this memorandum of law in support of Plaintiffs' Application for Preliminary Injunction against the Defendant Boston City Council pursuant to Fed. R. Civ. P. 65(b).

**I. Facts**

This action relates to the Redistricting Plan (Docket #1275) that was approved by the Boston City Council on November 2, 2022. This Redistricting Plan was motivated by a desire to achieve "racial balancing" between various Districts in the City of Boston. Primarily, the goal was to make white-majority districts less white, and African-American majority districts less black.

In order to achieve the desired results, the City Council engaged in secretive and inaccessible meetings at which the citizens of the effected districts did not have sufficient access under the Open Meeting Law. Specifically, language access was not provided to many language minority residents. Also, the final Redistricting Plan was not provided to Councilors and the general public until less than 48 hours before the scheduled vote.



On November 2, 2022, the City Council voted 9-4 to approve the Redistricting Plan. A full recitation of the applicable facts is included in Plaintiffs' First Amended Complaint, filed herewith. Councilor Liz Breadon became the Chair of Redistricting on August, 29, 2022.

## **II. Argument**

To determine whether a preliminary injunction should issue, the Court is to follow the three-step analysis laid out by the Supreme Judicial Court in Packaging Industries Group v. Cheney, 380 Mass. 609 (1980). First, the Court "evaluates in combination the moving party's claim of injury and chance of success on the merits." Id. at 617. Next, if the Court finds that failure to issue the order would subject the movant to "a substantial risk of irreparable harm," then the Court must then balance such harm against the injury to the nonmovant if the order is granted together with the nonmovant's chance of succeeding on the merits. Id. Lastly, the Court must balance the risk of irreparable harm to the movant against the injury to the nonmovant if the injunction is granted or denied with their respective chances of succeeding on the merits. Id. When the balance between these risks, together with their respective chances of success on the merits, "cuts in favor of the moving party" then a preliminary injunction should issue. Id.

### **A. Likelihood of Success on the Merits**

#### **1. The Open Meeting Law**

The Open Meeting Law, G. L. c. 39, §§ 23A-23C, was enacted by the Legislature because "It is essential to a democratic form of government that the public have broad access to the decisions made by its elected officials and to the way in which the decisions are reached." Foudy v. Amherst-Pelham Regional Sch. Comm., 402 Mass. 179, 184 (1988). The Supreme Judicial Court held that "'the general provision[s] of ... the Open Meetings Law are to be broadly and liberally construed in order to effectuate the legislative purpose of openness.'" General Elec. Co. v. Department of Env'tl. Protection, 429 Mass. at 806 n.9, *quoting from* Cella, Administrative Law and Practice § 1186, at 592 n.16 (1986).

As described in the First Amended Complaint, and in Exhibit J thereto, the Boston City Council repeatedly violated the Open Meeting Law. Specifically, meetings on October 10, 2022, October 18, 2022, and October 19, 2022 were not properly noticed. "All meetings of a governmental body shall be open to the public." G. L. c. 39, § 23B, first par., as appearing in St. 1976, c. 397, § 6. "[N]otice of every meeting of any governmental body shall be filed with the clerk of the city ... in which the body acts, and the notice or a copy thereof shall, at least forty-eight hours ... prior to such meeting, be publicly posted in the office of such clerk or on the principal official bulletin board of such city." G. L. c. 39, § 23B, sixth par.

These meetings (and presumably other secret meetings) were not properly noticed and did not give the public an opportunity to engage in the deliberative and legislative process. Moreover, the City Council's failure to provide access to language minority residents (see Exhibits F through I attached to the First Amended Complaint) further limited public access to these governmental proceedings.

At least two Open Meeting Law complaints have been filed against the City Council in relation to these meetings (Exhibits J and K). Despite these complaints, the City Council proceeded to a vote on the Redistricting Plan on November 2, 2022. Alarming, the final proposed map (Docket #1275) was not provided to the other Councilors or to the public until less than 48 hours before the scheduled vote.

Throughout the process, the City Council has pushed to pass this unconstitutional and illegal Redistricting Plan without giving adequate notice of meetings, without providing meaningful access to language minority residents, and with secretive plans not revealed until the eleventh hour before the eventual vote.

For these reasons, the Plaintiffs respectfully request that this Honorable Court find that the City Council violated the Open Meeting Law.

## **2.The Voting Rights Act**

Section 2 of the Voting Rights Act of 1965, 52 U.S.C. § 10301, prohibits voting practices or procedures that discriminate on the basis of race, color, or membership in a language minority group. This prohibition applies nationwide to any voting qualification or prerequisite to voting or standard, practice, or procedure, including districting plans and methods of election for governmental bodies. Grove v. Emison, 507 U.S. 25, 39-40 (1993). Section 2 also prohibits adopting or maintaining voting practices for the purpose of disadvantaging citizens on account of race, color, or membership in a language minority group. Chisom v. Roemer, 501 U.S. 380, 394 n.21 (1991). “To prevail on a s. 2 claim, plaintiffs need not show discriminatory purpose; rather, they must first meet the three threshold Gingles conditions: (1) that they are a part of a minority group that is "sufficiently large and geographically compact to constitute a majority in a single-member district"; (2) that the plaintiff minority group is "politically cohesive"; and (3) that "the white majority votes sufficiently as a bloc to enable it - in the absence of special circumstances, such as the minority candidate running unopposed - usually to defeat the minority's preferred candidate." Meza v. Galvin, 332 F. Supp. 2d 52 (D. Mass. 2004), *quoting* Thorburg v. Gingles, 478 U.S. 30, 50-51 (1986).

There can be no doubt that District Four contains a minority group (African-Americans) that is sufficiently large and compact to constitute a majority in the District. The Redistricting Plan approved by the City Council effectively splits District Four, transferring African-American votes out of the district and receiving primarily white votes in return. This “cracking” of a historically African-American district will result in the dilution of the African-American vote in that District and critically endanger the opportunity to elect the minority’s preferred representative.

As described more fully in the First Amended Complaint, the stated goal of the City Council was “racial balancing” of districts. In attempting to racially balance Districts 2, 3, and 4, the City Council has diluted the power of the African-American vote in what is currently District 4. As stated

above, Plaintiffs need not show that the City Council intended to discriminate against African-American voters, only that a dilution of the minority majority vote will occur as result of the redistricting.

For these reasons, Plaintiffs respectfully request that this Honorable Court enter an order finding that the Redistricting Plan approved by the City Council violates Section 2 of the Voting Rights Act.

### **3.The Fourteenth Amendment**

The Fourteenth Amendment to the United States Constitution provides, in pertinent part that “No State shall make or enforce any law which shall abridge the privileges or immunities of citizens of the United States; nor shall any State deprive any person of life, liberty, or property, without due process of law; nor deny to any person within its jurisdiction the equal protection of the laws.”

The Equal Protection Clause prohibits a state, “without sufficient justification, from ‘separat[ing] its citizens into different voting districts on the basis of race.’” Bethune-Hill v. Va. State Bd. of Elections, 137 S. Ct. 788, 797 (2017) Race-based lines, therefore, are unconstitutional where (1) “race was the predominant factor motivating the legislature’s decision to place a significant number of voters within or without a particular district,” and (2) the district’s design cannot withstand strict scrutiny. Miller v. Johnson, 515 U.S. 900, 916 (1995). To pass strict scrutiny, the state must prove that its race-based redistricting scheme is “narrowly tailored” to meet a “compelling interest.” Bethune-Hill, 137 S. Ct. at 801. As discussed hereinabove, the primary (if not the only) goal of the City Council was to engage in “racial balancing” of various districts.

In order to show a violation of the Equal Protection Clause , Plaintiffs must show “either through circumstantial evidence of a district's shape and demographics or more direct evidence going to legislative purpose, that race was the predominant factor motivating the legislature's decision to place a significant number of voters within or without a particular district.” Miller, 515 U.S. at 916.

“To make this showing, a plaintiff must prove that the legislature subordinated traditional race-neutral districting principles, including but not limited to compactness, contiguity, and respect for political subdivisions or communities defined by actual shared interests, to racial considerations.” Id.

The City Council throughout the redistricting process has repeatedly claimed that the motivation for the Redistricting Map was “racial balancing”. The express intent of the City Council should be determinative of the fact that the Redistricting Map was based primarily (if not solely) on racial considerations. Other evidence supports this outcome as well. The Boston City Charter provides that during redistricting “Each such district shall be compact and shall contain, as nearly as may be, an equal number of inhabitants as determined by the most recent state decennial census, shall be composed of contiguous existing precincts, and shall be **drawn with a view toward preserving the integrity of existing neighborhoods.**” Boston City Charter § 18 (emphasis added). G.L. c. 43 § 131 contains identical language. Similarly, the memorandum provided to the City Council by Professor Wice at their request states that such preservation of neighborhoods is a required criteria of redistricting. Exhibit O to Amended Complaint. Specifically, Prof. Wice states that “Consideration must be given to drawing districts that respect the boundaries of Boston’s recognized neighborhoods.” Id.

As discussed hereinabove and more fully in the Amended Complaint, the Redistricting Plan eviscerates the neighborhoods in Districts 2, 3, and 4. Mattapan and Dorchester are each effectively split in two, and South Boston loses neighborhoods that have been historically connected to District 2 for many years. The failure of the City Council to protect any of these neighborhoods belies their intent to redistrict solely based on race, and to ignore any other criteria.

Also, as described eloquently in Congressman Lynch’s letter to the Court (Exhibit S to the Amended Complaint), the Redistricting Plan divides public housing developments, diluting the power

of public housing residents who share many things in common from pooling their power to elect their chosen representatives and to effect significant change.

Lastly, the City Council's reckless push for "racial balance" does not even achieve the goal it seeks. Boston is a very diverse city, with many Hispanics, Vietnamese, Haitians, Cape Verdeans, Chinese, and various other significant minority groups. However, the City Council's Redistricting Plan ignores the various minority groups, and instead focuses solely on a matter of white vs. non-white. In doing so, the City Council has also uprooted and divided neighborhood of minority residents who collectively will suffer a diminution of their collective voting power if spread across multiple districts.

It is easy to see why the Fourteenth Amendment prohibits redistricting based on race except in the most extreme circumstances. Although the City Council did need to shift some precincts to other districts in order to meet the population requirements of the City Charter, the proposed maps from Councilors Murphy, Flynn, Baker, and Flaherty all address the population shift without causing unnecessary damage to existing neighborhoods.

Because the City Council's Redistricting Plan is based primarily on race, the Plaintiffs respectfully request that this Honorable Court enter an order finding that the Redistricting Plan violates the Fourteenth Amendment.

### **B. Irreparable Harm**

Plaintiffs face imminent and irreparable harm if the preliminary injunction is not granted. As residents of the effected districts, the Plaintiffs are rightfully concerned about the Redistricting Plan and its effect on the integrity of existing communities, as well as the negative effect it will have on the political power and cohesiveness of its most vulnerable residents. The deprivation of Plaintiffs' constitutional rights constitutes irreparable harm. T & D Video, Inc. v. City of Revere, 423 Mass. 577, 582 (1996). Because Plaintiffs raise a substantial constitutional claim, no further showing of

irreparable harm is necessary. *Id.*; *see also, e.g., Coleman v. Bd. of Ed. of the City of Mt. Vernon*, 990 F. Supp. 221, 226 (S.D.N.Y. 1997) ("the deprivation or dilution of voting rights constitutes irreparable harm.").

### **C. Balance of Harms**

There is no harm to the City Council that could result from the issuance of a preliminary injunction at this time. According to the City of Boston Corporation Counsel, the only explicit statutory deadline set forth in the Boston City Charter is that City Council districts be redrawn by August 1, 2026. The City Council has plenty of time to get this right.

On the other hand, the harms to the voters of the effected districts are severe. And constitutional deprivation is severe, but the damage done to the right to vote, a core right of American citizens, is as significant a harm as one can endure. Plaintiffs ask only that the City Council engage the community in the Redistricting Process and follow the Required Criteria in the City Charter to preserve the integrity of neighborhoods. Plaintiffs also ask that the City Council pursue redistricting in a race-neutral manner, with careful thought given to the various communities affected by the redistricting process.

### **III. Conclusion**

For the foregoing reasons, Plaintiff respectfully requests this Court issue a preliminary injunction enjoining the Defendant Boston City Council from enacting the Redistricting Plan (Docket #1275) approved by the Boston City Council on November 2, 2022.

Respectfully submitted,  
The Plaintiffs,  
By their Attorneys,

/s/ Paul Gannon, Esq.  
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CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of this document was filed through the ECF System and will be served upon the attorney of record for each party registered to receive electronic service on this the 12th day of January 2023.

/s/ Glen Hannington  
Glen Hannington, Esquire



# **EXHIBIT C**

UNITED STATES DISTRICT COURT  
DISTRICT OF MASSACHUSETTS

_____	)	
ROBERT O'SHEA, CHAIRMAN OF THE	)	
WARD 6 DEMOCRATIC COMMITTEE, ET	)	
AL.,	)	
	)	
Plaintiffs,	)	
	)	Civil Action No. 1:22-cv-12048-PBS
v.	)	
BOSTON CITY COUNCIL,	)	
	)	
Defendant.	)	
_____	)	

**JOINT MOTION TO ESTABLISH BRIEFING SCHEDULE AND EXPAND PAGE  
LIMIT FOR OPPOSITION TO PRELIMINARY INJUNCTION**

This matter was removed from Suffolk Superior Court to this Court on December 2, 2022. At that time, a motion for preliminary injunction filed by the plaintiffs was pending, with a hearing tentatively scheduled for December 7, 2022 and no opposition yet filed by the defendant. The motion for preliminary injunction was re-filed in this Court on January 12, 2023 (ECF 21).

The parties have conferred and agree to the following briefing schedule for the preliminary injunction motion and the Defendants' responsive pleading to Plaintiffs' First Amended Complaint, and respectfully request that the Court grant their motion to establish this schedule:

- Defendant's Opposition to Preliminary Injunction Motion: January 17, 2023
- Plaintiffs' Reply: January 27, 2023
- Hearing on Preliminary Injunction Motion: As soon after January 27, 2023 as this Court's schedule will allow
- Defendants' Responsive Pleading to First Amended Complaint: Seven days after the Court rules on the preliminary injunction motion.

The Defendant Boston City Council further requests leave to file a 25-page opposition to the preliminary injunction motion. The plaintiffs have assented to this request.

Respectfully submitted,

PLAINTIFFS,

BOSTON CITY COUNCIL

By their attorneys,

By their attorneys,

/s/ Paul Gannon

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Dated: January 13, 2023

Certificate of Service

I hereby certify that a true and accurate copy of this document was filed through the Electronic Case Filing system, and will be served upon the attorney of record for each party registered to receive electronic service on this 13<sup>th</sup> day of January 2023.

/s/ Christina S. Marshall

Christina S. Marshall

# **EXHIBIT D**



Plaintiffs have established standing or irreparable harm; indeed, a number of them do not live in the districts they are challenging.

But even on the merits, Plaintiffs have not established any likelihood of success. They have asserted claims under section 2 of the Voting Rights Act of 1965, 52 U.S.C. § 10301 (“VRA”), the federal Equal Protection Clause, U.S. Const., amend. 14 (“Equal Protection”), and the Massachusetts Open Meeting Law, G.L. c. 30A, §§ 18-25 (“OML”). All are flawed. Judicial review of districting legislation “represents a serious intrusion on the most vital of local functions.” *Miller v. Johnson*, 515 U.S. 900, 915 (1995). In assessing the sufficiency of a challenge to a districting plan, courts “must be sensitive to the complex interplay of forces that enter a legislature’s redistricting calculus.” *Id.* at 915-16. And the good faith of the redistricting body—here, the Council—“must be presumed.” *Id.* at 915. In other words, the burden for plaintiffs challenging districting plans is high. The Plaintiffs in this case have not come close to meeting that burden. They fail even to allege the most basic elements of their claims, and certainly do not provide the Court with the record or statistical evidence necessary to support them.

Finally, Plaintiffs’ requested order here would harm, not promote, the public interest. An injunction based on a virtually nonexistent evidentiary showing would only lead to voter frustration and confusion, and would unnecessarily undermine the public’s trust and understanding of the redistricting process. Therefore, Plaintiffs’ request for preliminary relief should be denied.

### **FACTS**

This case concerns Boston’s 2022 Plan, a redistricting plan enacted in November 2022 following an informed and carefully prescribed legal process codified in the Boston City Charter

(“Charter”). St. 1982, c. 605, § 3, as amended by St. 1986, c. 343, § 1 (Charter § 18). When Boston’s 2020 Census revealed that Boston’s population had increased by 9.4% since the 2010 Census, the City Council commenced a redistricting process designed to be complete at least one year before the next municipal election in the City. Bos. City Council Meeting Minutes, Aug. 4, 2022; Report of Committee on Redistricting Chair Liz Breadon (“Breadon Report”) at 3, 8 (Nov. 2, 2022) (copies of which are attached as Ex. A and C to the Affidavit of Michelle Goldberg (“Goldberg Aff.”)). Because growth did not occur evenly across Boston—for example, population increases in South Boston reflected 10.6% of total growth while the growth in Longwood reflected 0.9% of total growth—Council Districts had to change. Breadon Report at 3. The Council began the process of developing new district maps in 2021, and in short order, dozens of maps were submitted for consideration. *Id.* at 20. All 270 precincts in Boston had to be distributed between its 9 voting districts, each of which were required to be within 5% of 75,072 voters. *Id.* at 14.

Throughout 2022, the Council and its Committee on Redistricting held no fewer than nineteen public meetings and hearings, heard and recorded hours of testimony from both experts and residents, met with advocacy groups, and formally considered five finalist redistricting plans, including the 2022 Plan, Docket #1275. Bos. City Council Meeting Minutes, Oct. 21, 2022 (Goldberg Aff., Ex. B); Breadon Report at 19-22. The Council received and considered input from legal and statistical experts analyzing the impact of the proposed plans. Breadon Report at 12-17. The Committee on Redistricting ultimately recommended approval of Docket #1275, a plan sponsored by Councilors Breadon and Ricardo Arroyo and referred to the Committee on October 19, 2022. *Id.* at 22. In its recommendation to the full Council, the Committee made five changes to Docket #1275 reflecting public feedback. *Id.* at 26.

The 2022 Plan resulted in a maximum deviation of 3.9% among precincts, reflects contiguous and compact districts and precincts, and in total “meets population requirements and measures the opportunity for voters to elect their candidates of choice, while balancing priorities to maintain the integrity of existing neighborhoods and communities of interest where possible.” Breadon Report at 1. The 2022 Plan paid particular and careful attention to the allocation of precincts between Districts 3 and 4, while addressing the significant population growth in District 2. *Id.* at 27.<sup>1</sup>

The Council approved the 2022 Plan, Docket #1275, on November 2, 2022. On November 7, 2022, Mayor Wu signed the 2022 Plan into law. Goldberg Aff., ¶ 5.

### **PROCEDURAL HISTORY**

On October 25, 2022, counsel for Plaintiffs filed an OML complaint with the Attorney General asserting that three meetings concerning the redistricting process were allegedly conducted illegally without notice. First Amended Complaint (“FAC”), Ex. J. One week later, on November 2, Plaintiff Robert O’Shea,<sup>2</sup> along with organizational Plaintiffs South Boston Citizens Association, Martin F. McDonough American Legion Post, St. Vincent’s Lower End Neighborhood Association, and Old Colony Tenant Association, filed a lawsuit in Suffolk Superior Court seeking an *ex parte* temporary restraining order or a preliminary injunction preventing the Council from voting on the 2022 Plan until after the Attorney General responded to the pending OML complaint. ECF 14 at 3-4. The Superior Court (Campo, J.) promptly denied the request for a temporary restraining order because Plaintiffs had “not demonstrated an

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<sup>1</sup> An interactive map of the current districts, with 2020 Census data, is available at <https://districtr.org/plan/146943>.

<sup>2</sup> Plaintiff O’Shea is registered to vote in District 3 under the 2022 Plan. Affidavit of Sabino Piemonte (“Piemonte Aff.”), ¶ 3.



irreparable risk of harm warranting” such relief. *Id.* at 19. The Court issued a short order of notice for a hearing on a preliminary injunction to take place on November 9, 2022. *Id.*

On November 7, Plaintiffs filed a motion to continue the preliminary injunction hearing to November 30, and to file an amended complaint. ECF 14 at 20-21. The Superior Court granted the motion. *Id.* at 22. On November 21, 2022, Plaintiffs filed their First Amended Complaint. ECF 1, Ex. 1. The FAC expanded the list of Plaintiffs to include four additional individuals: Rita Dixon, Shirley Shillingford, Maureen Feeney, and Phyllis Corbitt,<sup>3</sup> and expanded Plaintiffs’ claims to include alleged violations of the VRA and the Equal Protection Clause of the Fourteenth Amendment of the United States Constitution, and sought an order from the Superior Court (1) enjoining the Council from enacting the 2022 Plan; (2) finding that the 2022 Plan violates the VRA; and (3) finding that the 2022 Plan violates the Fourteenth Amendment. *See generally, id.* Plaintiffs did not add any defendants to their case, and to date have sought no relief against anyone but the Council. *See id.* Also on November 21, Plaintiffs filed their Supplemental Memorandum in support of their preliminary injunction request, seeking to enjoin the Council from enacting the 2022 Plan “approved by the Boston City Council on November 2, 2022.” ECF 14 at 117-125, Plaintiffs’ Supplemental Memorandum in Support of Application for Preliminary Injunction Pursuant to Mass. R. Civ. P. 65(b) (“Supp. Memo.”) at 9. On December 2, 2022, the Council removed the case to Federal court on the basis of federal question subject matter jurisdiction. ECF 1 (citing 28 U.S.C. § 1441(a)).

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<sup>3</sup> Under the 2022 Plan, Plaintiff Dixon is registered to vote in District 5; Plaintiff Shillingford is registered to vote in District 8; Plaintiff Feeney is registered to vote in District 4; and Plaintiff Corbitt is registered to vote in District 3. *Piemonte Aff.*, ¶ 3.

## **ARGUMENT**

Preliminary injunctive relief is “an extraordinary remedy never awarded as of right,” *Wash. Tr. Advisors, Inc. v. Arnold*, -- F. Supp. 3d --, 2022 WL 17630520, at \*4 (D. Mass. Dec. 13, 2022) (citing *Winter v. Nat. Res. Def. Council, Inc.*, 555 U.S. 7, 24 (2008)). A preliminary injunction may only issue if the plaintiff establishes “(1) a substantial likelihood of success on the merits, (2) a significant risk of irreparable harm if the injunction is withheld, (3) a favorable balance of hardships, and (4) a fit (or lack of friction) between the injunction and the public interest.” *NuVasive, Inc. v. Day*, 954 F.3d 439, 443 (1st Cir. 2020) (quotation omitted). The last two “factors ‘merge when the Government is the opposing party.’” *Mass. Fair Hous. Ctr. v. U.S. Dept. of Hous. & Urban Dev.*, 496 F. Supp. 3d 600, 611 (D. Mass. 2020) (quoting *Nken v. Holder*, 556 U.S. 418, 435 (2009)).

### **A. This Court Cannot Grant Plaintiffs the Relief they Request.**

Before even considering the standard components of a preliminary injunction motion, there is a more fundamental bar to the relief Plaintiffs seek: they chose the wrong defendant.

Plaintiffs ask the Court to “[i]ssue a preliminary injunction preventing the Defendant, the Boston City Council, from enacting the Redistricting Plan (Docket #1275) approved by the Boston City Council on November 2, 2022.” FAC ¶ 154; Supp. Mem. at 9. There are at least four insurmountable procedural and jurisdictional defects with this request.

First, the Council is not a municipal corporation with the power to sue and be sued: it “is not a legal entity subject to suit.” *Latino Political Action Comm., Inc. v. City of Bos.*, 581 F. Supp. 478, 484 (D. Mass. 1984) (citing *Zegouros v. City Council of Springfield*, 381 Mass. 424 (1980)). Nor is suing the Council the same as suing the City of Boston. *Id.*

Second, the Council and its members enjoy absolute immunity from suit for its legislative acts, including the passage of districting legislation. *Id.* at 481-84 (“[I]n adopting an ordinance implementing the allegedly unlawful revised district plan, the City Council members acted solely within the sphere of legitimate legislative activity,” and therefore were entitled to absolute legislative immunity from VRA and equal protection claims.); *Cushing v. Packard*, 30 F.4th 27, 42 (1st Cir. 2022) (“[A] legislative body may itself assert legislative immunity.”).

Third, the case is moot. There is no Council action to enjoin. A “case is moot if the requested relief would be . . . impracticable in light of the change in circumstances.” *In re Pub. Serv. Co. of N.H.*, 963 F.2d 469, 473 (1992). As Plaintiffs acknowledge, the Council approved the 2022 Plan months ago. FAC ¶ 154. Five days after the Council approved the 2022 Plan, Mayor Wu signed it into law, at which time the plan was “in force.” St. 1951, c. 376, § 1.17D (Charter § 17D). It is now an ordinance of the City of Boston. No further action by the Council will—or could—“enact” the 2022 Plan.

Fourth and finally, even if there were some ongoing legislative process, courts are loath to interfere with that process. *Assoc’d Gen. Contractors of Am. v. City of Columbus*, 172 F.3d 411, 415-16 (6th Cir. 1999) (collecting cases) (courts should not interfere with the legislative discretion of a municipal body).

**B. Plaintiffs Have No Likelihood of Success on the Merits of Any of Their Claims.**

Even if Plaintiffs could overcome these fundamental pleading errors, they would not be entitled to injunctive relief because they have failed to establish a likelihood of success on any of their various claims. Likelihood of success is “the ‘main bearing wall’ of the preliminary injunction framework.” *Wash. Tr. Advisors, Inc.*, 2022 WL 17630520, at \*4 (quoting *Corp.*

*Techs., Inc. v. Harnett*, 731 F.3d 6, 10 (1st Cir. 2013)). Without its support, Plaintiffs' VRA, Equal Protection, and OML claims must all fall.

1. Plaintiffs Have Failed to Establish a Vote Dilution Claim.

Plaintiffs have not established a VRA claim, which they have apparently premised on alleged voter dilution in District 4. *See* Supp. Memo. at 4-5. To begin with, the only named plaintiff who currently resides and votes in District 4 is Maureen Feeney, *Piemonte Aff.*, ¶ 3, who is not alleged to be a member of any group whose votes are purportedly being diluted in District 4. Plaintiffs have not established that any of the associational plaintiffs have members who reside and vote in District 4. They certainly have not established the race or ethnicity of any of the associations' members. The complaint states only that their members include "residents and registered voters of the City of Boston's South Boston section." FAC ¶ 6. South Boston is contained within Districts 2 and 3 under the 2022 Plan. *Supra* n.1. This is insufficient to establish standing on Plaintiffs' VRA claim. *U.S. v. Hays*, 515 U.S. 737, 744-45 (1995).

Moreover, while plaintiffs correctly and appropriately recite the three threshold conditions for a VRA claim, established in *Thornburg v. Gingles*, 478 U.S. 30 (1986), they do nothing to satisfy them. Under *Gingles*, Plaintiffs must establish: (1) that they are part of a minority group that is "sufficiently large and geographically compact to constitute a majority" in some reasonably configured legislative district; (2) that the plaintiff minority group is "politically cohesive"; and (3) "that the white majority votes sufficiently as a bloc to enable it . . . usually to defeat the minority's preferred candidate." *Gingles*, 478 U.S. at 50-51. Failure to satisfy any one of these conditions is fatal to a VRA claim. *Cooper v. Harris*, 581 U.S. 285, 306 (2017) ("unless *each* of the three *Gingles* prerequisites is established, 'there neither has been a wrong nor can be a remedy'" (emphasis in original, quoting *Grove v. Emison*, 507 U.S. 25, 41 (1993))).

Plaintiffs begin to address only the first condition, that Black voters make up a sufficiently large and compact group to establish a majority in District 4.<sup>4</sup> Supp. Mem. at 4. This is incontrovertible: Black voters have consistently made up a majority in District 4. *See* Dr. L. Handley, An Analysis of Voting Patterns by Race and an Assessment of Minority Voters’ Opportunities to Elect Candidates in Recent Boston Municipal Elections (Draft 2.0) at 18, Table 5 (“Handley Report”) (Goldberg Aff., Ex. D)<sup>5</sup>. Under the 2022 Plan, Black voters in District 4 make up 52.1% of the district’s voting age population, compared to a virtually identical 52.6% under the 2012 plan.<sup>6</sup> *Id.*

This established Black majority in District 4 is fatal to plaintiffs’ VRA claim. Assuming Black voters are cohesive—the second *Gingles* condition, which plaintiffs have also failed to establish, FAC ¶ 162—their candidate of choice to represent the district will almost assuredly win. That is borne out by the analysis of Dr. Handley. Handley Report at 9. In all the Council elections she reviewed in District 4, the candidate of choice for Black voters won. *Id.* The recompiled bellwether election results she analyzed for the proposed 2022 Plan indicated that the proposed District 4 would continue to provide Black voters with the opportunity to elect the candidate of their choice. *Id.* at 18. Plaintiffs have done nothing to demonstrate that this analysis was wrong.

For the same reason, plaintiffs cannot establish the third *Gingles* condition: that a white “majority” votes to defeat the Black voters’ candidate of choice. Under the 2022 Plan, white

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<sup>4</sup> Plaintiffs do not, however, establish that they are “part of” that group in District 4, as required by *Gingles*.

<sup>5</sup> Although a draft, this is the report that was available to Boston Mayor Michelle Wu, before she signed the ordinance establishing the 2022 Plan. Goldberg Aff., ¶ 6. Moreover, Dr. Handley provided similar testimony to the Council at a meeting on October 25, 2022. *Id.*, ¶ 6 & Ex. E.

<sup>6</sup> This modest decrease in Black voter population in District 4 is less sharp than the decrease in the Black population in Boston as a whole, which the 2020 Census estimated declined by 6.4%. Breadon Report at 4.

voters make up only 14.5% of District 4. They could not block a cohesive Black majority's candidate of choice even if they wanted to do so. They do not. The City's analyst found that white and Hispanic voters in District 4 often voted cohesively with the Black majority, Handley Report at 9, 12-13, and plaintiffs themselves plead that there is "no racial polarization of voting blocs" in District 4, FAC ¶ 162. Without racially polarized voting, there is no voter dilution claim. *Cooper*, 581 U.S. at 306; *Voinovich v. Quilter*, 507 U.S. 146, 158 (1993) (without "significant white bloc voting it cannot be said that the ability of minority voters to elect their chosen representatives is inferior to that of white voters" (quoting *Gingles*, 478 U.S. at 49 n.15)).

Plaintiffs' VRA claim appears to rely exclusively on the very slight dip in the Black voter population in District 4, and the very slight bump in white voter population. Supp. Mem. at 4-5. They proceed by assumption: any decrease in District 4's Black population will necessarily dilute the Black vote. But section 2 requires more than that. *Johnson v. DeGrandy*, 512 U.S. 997, 1017 (1994) ("Failure to maximize cannot be the measure of [Section 2]."). Plaintiffs have not demonstrated that this very minor demographic shift would make any difference in the Black majority's ability to elect the candidate of its choice in District 4, and their bare assumption otherwise flies in the face of Dr. Handley's finding that the slight demographic shift will make no electoral difference at all. Handley Report at 17. Accordingly, their VRA claim fails. *See, e.g., Cooper*, 581 U.S. at 305-06 (existence of effective crossover voting negated Section 2 liability); *Johnson*, 512 U.S. at 1017; *Latino Political Action Comm., Inc. v. City of Bos.*, 784 F.2d 409, 412 (1st Cir. 1986) (Breyer, J.) (rejecting claim that voter dilution is "minimization, cancellation or submergence of minority voting strength *below what might otherwise have been*") (emphasis in original); *Meza v. Galvin*, 322 F. Supp. 2d 52, 69 (D. Mass. 2004) (plaintiffs

failed to “demonstrate the level of ethnically-polarized . . . voting preferences needed for plaintiffs to satisfy the third *Gingles* precondition”).

2. Plaintiffs Have Failed to Establish an Equal Protection Claim.

Plaintiffs’ Equal Protection claim is similarly flawed. Once again, they fail to satisfy even basic, threshold requirements for the claim, including standing. Perhaps more critically, they also provide no record or statistical evidence to support their stark allegation that the Council’s primary goal in enacting the 2022 Plan was “to engage in ‘racial balancing’ of various districts.” Supp. Mem. at 6 (providing no attribution for this quote). Again, without evidence to support this remarkable claim—combined with their other, fundamental errors—Plaintiffs are not entitled to preliminary relief.

i. *Plaintiffs Lack Standing to Assert An Equal Protection Claim.*

As a preliminary matter, a racial gerrymandering claim under the Equal Protection Clause “applies to the boundaries of individual districts.” *Ala. Legislative Black Caucus v. Ala.*, 575 U.S. 254, 262 (2015) (citations omitted). It does not apply to an entire redistricting plan “as an undifferentiated ‘whole.’” *Id.* Instead, it is district-specific, because the harms underlying a racial gerrymandering claim are “personal.” *Id.* at 263. “They include being ‘personally . . . subjected to [a] racial classification.’” *Id.* (alteration in original) (quoting *Bush v. Vera*, 517 U.S. 952, 957 (1996)). Such personal harms “directly threaten a voter who lives in the *district* attacked. But they do not so keenly threaten a voter who lives elsewhere in the [city].” *Id.* (emphasis in original). Indeed, “the latter voter normally lacks standing to pursue a racial gerrymandering claim.” *Id.* (citing *U.S. v. Hays*, 515 U.S. 737, 744-45 (1995)); *see also Gill v. Whitford*, 138 S. Ct. 1916, 1929 (2018) (quoting *Hays*, 515 U.S. at 745) (“A plaintiff who complains of gerrymandering, but who does not live in a gerrymandered district ‘assert[s] only a generalized grievance against governmental conduct of which he or she does not approve.’”).

Here, Plaintiffs seem to be attacking the 2022 Plan as a whole. *See, e.g.*, FAC ¶ 171 (referring to alleged “racial balancing” across “various districts”). This is impermissible. *Ala. Legislative Black Caucus*, 575 U.S. at 262; *Hays*, 515 U.S. at 745. Moreover, at least two named Plaintiffs live in districts—Districts 5 and 8—that are not the focus of the Plaintiffs’ concerns. *See* Supp. Mem. at 6 (claiming that the 2022 Plan “eviscerates the neighborhoods in Districts 2, 3 and 4”); Piemonte Aff., ¶ 3. Thus, they plainly lack standing. Plaintiffs, of course, have the burden to establish standing. *See, e.g., Gill*, 138 S. Ct. at 1929. But their undifferentiated claims fall significantly short of that burden.

*ii. Plaintiffs’ Equal Protection Claim Lacks Evidentiary Support.*

If Plaintiffs have failed to establish even their standing to bring an equal protection claim, they certainly have not established the merits. Equal protection plaintiffs must prove “that race was the predominant factor motivating the legislature’s decision to place a significant number of voters within or without a particular district.” *See Miller*, 515 U.S. at 916. The Council’s decisions were driven by the requirements of federal law, including one person, one vote guarantees and the VRA, and the traditional, race-neutral considerations that typically inform the redistricting process. To argue otherwise, Plaintiffs string together a series of unsupported allegations concerning certain Councilors’ alleged statements of discriminatory intent, and a handful of precinct-level districting decisions Plaintiffs claim were improper and not the result of the usual push and pull of the districting process. Supp. Memo. at 4-7. This evidence does not demonstrate that the Council’s decision-making was predominately motivated by race.

*iii. Courts Approach Equal Protection Claims With “Extraordinary Caution.”*

In the complex decision-making required by redistricting—particularly given VRA demands—local legislatures will “almost always be aware of racial demographics.” *Miller*, 515



U.S. at 916. But from that awareness, “it does not follow that race predominates in the redistricting process.” *Id.* (citing *Shaw v. Reno*, 509 U.S. 630, 646 (1993)); see *Personnel Admin. of Mass. v. Feeney*, 442 U.S. 256, 279 (1979) (discriminatory purpose “implies more than intent as volition or intent as awareness of consequences,” it implies that the decision-maker “selected or reaffirmed a particular course of action at least in part ‘because of,’ not merely ‘in spite of’ its adverse effects”). Indeed, the “distinction between being aware of racial considerations and being motivated by them may be difficult to make.” *Miller*, 515 U.S. at 916. “This evidentiary difficulty, together with the sensitive nature of redistricting and the presumption of good faith that must be accorded legislative enactments, requires courts to exercise extraordinary caution in adjudicating claims that a [city] has drawn district lines on the basis of race.” *Id.*

This “extraordinary caution” results in a high burden for plaintiffs seeking to make a racial gerrymandering claim. Plaintiffs must show “either through circumstantial evidence of a district’s shape and demographics or more direct evidence going to legislative purpose, that race was the *predominant factor* motivating the legislature’s decision to place a *significant number* of voters within or without a *particular district*.” *Id.* (emphasis added). To make this showing, Plaintiffs must prove that the Council “subordinated traditional race-neutral districting principles, including but not limited to compactness, contiguity, respect for political subdivisions or communities defined by actual shared interests, to racial considerations.” *Id.*

Here, Plaintiffs have attempted to follow both paths in support of their Equal Protection claim. That is, they have argued both that the Council’s stated purpose in adopting the 2022 Plan was discriminatory and that the contours of the 2022 Plan provide circumstantial evidence of discriminatory intent. Supp. Mem. at 6-7. But Plaintiffs have not provided adequate proof to

show a likelihood of success on the merits. Instead, the facts—even at this preliminary stage—demonstrate that the Council appropriately considered race in District 4 and elsewhere to ensure VRA compliance, and that other, racially neutral and competing considerations were the Council’s primary motivators. Therefore, the Council’s decision-making was proper.

*iv. Plaintiffs Have No Direct Evidence of Discriminatory Intent.*

Throughout their papers, Plaintiffs repeatedly assert that the Council attempted to achieve “racial balancing” in the 2022 Plan. *See* FAC ¶¶ 164, 171; Supp. Mem. at 1, 6, 7. But they do not explain the basis for this statement. The closest they come is in the affidavit of Councilor Erin Murphy. *See* FAC, Ex. R. Councilor Murphy’s affidavit does not use the “racial balancing” language, but does assert that “the stated goal of the approved map is to make District 4 less black and District 3 less white.” *Id.* at ¶ 11. Councilor Murphy attributes this “goal” to Councilor Breadon’s “expressed fear that the majority black population of District 4 could invite accusations of ‘packing’ which is the term used to describe the practice of drawing district lines so that minority voters are compressed into a small number of districts when the could effectively control more.” *Id.* at ¶ 12; *see also id.* at ¶ 21 (asserting without elaboration that Councilor Arroyo “was quoted as saying that District 3 was ‘too white’”). Thus, according to Councilor Murphy, the 2022 Plan swapped “majority [B]lack districts in District 3 in order to make District 4 less black and District 3 less white.” *Id.* at ¶ 13.

But Councilor Murphy does not describe anything nefarious. Of course, the Council was concerned about race in District 4: it was an established and effective majority Black opportunity district. Therefore, the Council had to ensure that the new district lines avoided any claim of diluting the Black vote or otherwise violating the VRA. *League of United Latin Am. Citizens v. Perry*, 548 U.S. 399, 425 (2006) (districting body violates Section 2 if its districting plan provides “less opportunity” for racial minorities “to elect representatives of their choice”). Race

was a necessary part of the Council’s discussion. *See, e.g., Cooper*, 137 S. Ct. at 1464 (redistricting bodies have “breathing room” to adopt reasonable VRA compliance measures even if they may prove “in perfect hindsight, not to be necessary”) (citing *Bethune-Hill*, 137 S. Ct. at 802). Moreover, Councilors had to be free to voice their VRA-related concerns with their fellow Councilors, their experts, and the public. Otherwise, they would not have been effectively representing their constituents, nor would they have been afforded an opportunity to better understand the complicated legal and statistical underpinnings of redistricting. *See, e.g.,* Breadon Report at 25-26 (noting Council’s discussions with legal and statistical experts). Indeed, perhaps the best evidence that race was a necessary consideration in the Council’s redistricting debate is Plaintiffs’ own VRA claim. Given the demographics of District 4 and its history as an effective, majority Black opportunity district, a thorough understanding of any VRA-related impact of redistricting changes was necessary and prudent to forestall claims just like the one asserted by Plaintiffs. *See, e.g., Cooper*, 137 S. Ct. at 1464.<sup>7</sup>

v. *Plaintiffs Have No Circumstantial Evidence of Discriminatory Intent.*

Lacking direct evidence of discriminatory intent, Plaintiffs must provide the Court with circumstantial evidence that race was the Council’s predominant motivation in drawing specific districts in the 2022 Plan. *Miller*, 515 U.S. at 916. They have not.

Generally, an equal protection claim would include evidence of a district so odd-looking that race can be the only explanation for its contours. *See, e.g., Bethune-Hill*, 580 U.S. at 188 (district shape “may be persuasive circumstantial evidence that race for its own sake, and not

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<sup>7</sup> Even if Councilor Breadon’s concern about potential “packing” in District 4 was somehow inappropriate—which it assuredly was not in the context of the Council’s larger VRA discussion—comments by individual legislators do not infect the entire body. *See, e.g., U.S. v. O’Brien*, 391 U.S. 367, 384 (1968) (“[w]hat motivates one legislator to make a speech about a statute is not necessarily what motivates scores of others to enact it”); *cf. Brnovich v. Democratic Nat’l Comm.*, -- U.S. --, 141 S. Ct. 221 (2021) (rejecting “cat’s paw” theory of attributing racial animus of one legislator to entire legislative body). The same is true for Councilor Arroyo’s alleged comments.

other districting principles, was the legislature’s dominant and controlling rationale”). Not so here. The districts in the 2022 Plan are contiguous and compact, just as they should be when a local legislature follows traditional districting principles. *See, e.g.,* Breadon Report at 21, 25-26 (noting that all submitted plans were contiguous and compact). Plaintiffs do not claim otherwise, nor can they. The district boundaries in *all* the proposed plans—including those submitted by Councilors Murphy, Flynn, Baker, and Flaherty, which Plaintiffs apparently support—“are more alike than they are different.” Breadon Report at 25; Supp. Mem. at 7.

Instead, Plaintiffs point to a handful of precinct swaps in Districts 2, 3 and 4, claiming that those districting decisions “destroy” certain neighborhoods or communities of interest. Supp. Mem. at 6-7. However, the swapping of these precincts in the 2022 Plan did not significantly change the districts’ demographics. *See Bethune-Hill*, 580 U.S. at 192 (equal protection claim judged on “design of the district as a whole”); Handley Report at 17, 18, Table 5 (“[t]here is very little difference in the demographic composition of the districts”). The swaps resulted from the “complex interplay” of competing, neutral principles that districting bodies must weigh, and which courts are loath to disturb.<sup>8</sup> *Miller*, 515 U.S. at 916.

As in every redistricting exercise, the Council had to meet the federal requirement of one person, one vote. *See* FAC, Ex. O at 1 (listing population equality first among “required”

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<sup>8</sup> Plaintiffs also assert that certain alleged procedural shortcomings marred the redistricting process. Supp. Mem. at 3-4. But courts have been reluctant to ascribe a discriminatory purpose based only on alleged procedural irregularities, especially if those alleged irregularities appear to have affected all constituents, regardless of race. *See, e.g., Abbott*, 138 S. Ct. at 2328-29 (“brevity of the legislative process” does not “give rise to an inference of bad faith—and certainly not an inference that is strong enough to overcome the presumption of legislative good faith”); *Martinez v. Bush*, 234 F. Supp. 2d 1275, 1279 (S.D. Fla. 2002) (per curiam) (3-judge panel) (concluding that plaintiffs failed to “present sufficient evidence to show that defendants were motivated by discrimination against blacks or Hispanics in deciding what redistricting software or allocation method to use, where to hold public hearings, when to hold public hearings, what type of notice to provide, or whether to consider input from Florida citizens and Democratic legislators in drawing the redistricting plans”); *Black Political Task Force v. Galvin*, 300 F. Supp. 2d 291, 313 (2004) (“policy of not listening to community representatives in private, focused meetings appears to have been applied without regard to race”).

redistricting criteria); *Reynolds v. Sims*, 377 U.S. 533, 579 (1964) (requiring “substantial equality of population” among local districts). After the 2020 Census, the ideal population for each district was 75,071. FAC, Ex. O at 1. By that measure, District 2 was overpopulated by 13,482 residents (18% variance), while Districts 3 and 4 were underpopulated, by 6,510 residents (8.6%), and 3,260 residents (4.3%), respectively. Breadon Report at 8. Because the Council was constitutionally obligated to achieve equal populations within these three districts, some change from the status quo was inevitable.

And given that change was inevitable, it was the Council’s job to weigh the “complex interplay” of competing districting, political and other factors; something courts have not disturbed lightly. *Miller*, 515 U.S. at 916; *see* Breadon Report at 23-25 (noting various precinct shifts suggested by different Councilors). Plaintiffs claim that changes the Council settled on could only have been motivated by race. But that does not square with the existing evidence.

Plaintiffs first assert that race-based decision-making can be inferred from district changes to certain neighborhoods. They claim the 2022 Plan violates the Charter’s instruction that districts be “drawn with a view toward preserving the integrity of existing neighborhoods.” *See* Bos. Charter § 18; Supp. Mem. at 6-7. But the Council did consider neighborhoods as it drew the 2022 Plan, *see, e.g.*, Breadon Report at 24, and the Charter does not define “existing neighborhoods” or provide criteria for when a plan is “drawn with a view” to preserving them. Moreover, perfectly preserving traditional neighborhood boundary lines is *impossible*, given federal equal population requirements. *See, e.g.*, U.S. Const., art. VI, clause 2 (Supremacy Clause). Thus, some change to how precincts in South Boston, Dorchester and Mattapan are allocated among Districts 2, 3, and 4 is not evidence of race-based decision-making.

Plaintiffs’ next line of attack is based on alleged harm to communities of interest in Districts 2, 3 and 4. Supp. Mem. at 6-7. However, there is no federal, state or local requirement to preserve communities of interest, *id.*, or any clear way to even define one. Plaintiffs’ post-hoc “recitations” of such purported communities will not suffice. *Miller*, 515 U.S. 919. What is certain is that the Council’s weighing of various competing factors was always going to disappoint some neighborhoods and communities. For every self-identified community that successfully advocated for certain district boundaries in the 2020 Plan, another would inevitably fail to achieve their preference. Far from being evidence of racially motivated map drawing, the precinct-swapping cited by Plaintiffs simply exemplifies the kind of political push and pull so common in redistricting. See FAC ¶ 118 (asserting that 2022 Plan “dilutes a moderate vote”).

Factually, Plaintiffs focus their equal protection claim on two changes at the margins of District 3’s borders. First, they complain about the Council’s choice to move a public housing development, the Anne Lynch Homes at Old Colony, from District 2 to the edge of District 3. FAC, Ex. P ¶¶ 5-22. Specifically, Plaintiffs assert that moving the Anne Lynch Homes while leaving nearby public housing, the West Broadway Development, in District 2 dilutes residents’ political power. *Id.* Plaintiffs, however, do not explain how moving one housing development from the overpopulated District 2 to the adjoining, underpopulated District 3 evidences race-based redistricting; how this choice affects District 3 as a whole, as opposed to the few blocks containing the housing development, see *Bethune-Hill*, 580 U.S. at 191; or why, legally, the preferences of those few blocks should prevail over all other considerations. Indeed, Plaintiffs do not cite a single case with a similar legal premise. Supp. Mem. at 6-7.<sup>9</sup>

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<sup>9</sup> For example, Councilor Murphy submitted a proposed map (Docket #1215)—supported by Councilors Flynn and Baker—which removed precincts 7-5 and 7-6 from District 2 and placed them in District 3. FAC, Ex. D. Plaintiffs, supported by the affidavits of those three Councilors, now contend that this precinct move evidences the Council’s discriminatory intent. FAC, Ex. P at ¶¶ 7-26.

Plaintiffs' second area of focus is the border between Districts 3 and 4. FAC, Ex. Q ¶¶ 5-18. Specifically, Plaintiffs complain about the move of three precincts from District 3 to District 4. *Id.* These precincts make up what are colloquially known as the Cedar Grove and Neponset neighborhoods. *Id.* Plaintiffs, of course, made these same precincts the subject of their VRA claim, contending that movement of the majority white precincts at the southern edge of District 3 somehow diluted the vote of the majority Black population in District 4. Supp. Memo. at 4-5. Plaintiffs' VRA claim undermines their Equal Protection argument. Because the Equal Protection Clause "restricts consideration of race and the VRA demands consideration of race," courts have long assumed that "compliance with the VRA may justify the consideration of race in a way that would not otherwise be allowed." *Abbott*, 138 S. Ct. at 2315. Thus, the Council had to analyze the effect these three precincts would have on the established, effective majority Black voting population in District 4. The Council did that analysis and determined that the move made no difference whatsoever to the effectiveness of the District 4 opportunity district. Breadon Report at 17; Handley Report at 17. Plaintiffs cannot demand a race-based analysis of the precinct-swapping in Districts 3 and 4 in one section of their complaint, and condemn it in another. *See, e.g., Abbott*, 138 S. Ct. at 2315 ("At the same time that the Equal Protection Clause restricts the consideration of race in the districting process, compliance with the [VRA] pulls in the opposite direction: It often insists that districts be created precisely because of race."); *Ala. Legislative Black Caucus*, 575 U.S. at 278 ("The law cannot lay a trap for an unwary legislature, condemning its redistricting plan as either (1) unconstitutional racial gerrymandering should the legislature place a few too many minority voters in a district or (2) retrogressive . . . should the legislature place a few too few.").

Moreover, as stated above, the slight change in District 4's demographics as a result of the precinct swap makes *no difference* in its electoral effectiveness. *Supra* at 10-11; Handley Report at 17. The same is true in District 3. *See* Handley Report at 18, Table 5. Under the 2012 Plan, District 3 was 41.5% white, 18.2% Black, 14.1% Hispanic and 16.9% Asian. *Id.* Under the 2022 Plan, District 3 became 41.9% white, 17.4% Black, 14.4% Hispanic and 17.2% Asian. There is no significant difference between those numbers, *see* Handley Report at 17, and Plaintiffs have produced no evidence (nor could they) that they will make any electoral difference whatsoever. *See also Bethune-Hill*, 580 U.S. at 187 (equal protection plaintiff must show legislature “place[d] a *significant number* of voters within or without a particular district”) (emphasis added) (quoting *Miller*, 515 U.S. at 916). If the changes were marginal in both districts and make no difference in how the districts will vote, it is quite a leap to infer that racial considerations were the primary motivation behind these moderate changes—a leap too far to overturn the presumption of good faith accorded to districting bodies like the Council. *See Abbott*, 138 S. Ct. at 2324 (districting body's good faith “must be presumed”); *Miller*, 515 U.S. at 916 (same).

### 3. The Alleged OML Violations, Even if True, Would Not Support an Injunction.

In their most far-flung and indirect effort to set aside the duly approved redistricting ordinance, the Plaintiffs seek to leverage weak claims under the Massachusetts OML to support their request for a preliminary injunction. This is supported by neither the facts nor the law.

The OML requires that all deliberations among a quorum of members of a public body be held in public and that notice of such a meeting be posted at least 48 hours in advance. *See* G.L. c. 30A, §§ 18-25. A “deliberation” is “an oral or written communication,” and a quorum is a simply majority of the members of the public body. *Id.* at § 18. Here, the City Council is a 13-



member public body, FAC ¶ 7, and therefore meetings among at least 7 members at which deliberation occurs are subject to the OML.

Plaintiffs allege that meetings on October 10, 18, and 19, 2022 concerning the redistricting process were not properly noticed under the OML.<sup>10</sup> FAC ¶ 38. These claims are unsubstantiated and insufficiently pled. Moreover, even assuming the Council improperly noticed or conducted one of these meetings, such violations do not merit the “extraordinary” grant of a preliminary injunction in this case. The challenged meetings are addressed in turn.

**October 10, 2022:** Plaintiffs allege that seven unidentified Council members “met at the Bruce C. Bolling Municipal Building to discuss the topic of Legislative Redistricting in the City of Boston without giving notice.” FAC ¶ 21.<sup>11</sup> The event was organized by community organizations, and the councilors in attendance did not speak at the event except to introduce themselves to the audience. Goldberg Aff., Ex. F. There was no “deliberation” because the councilors did not communicate; no “meeting” because there was no deliberation; no need to notice the gathering; and no OML violation. *See* G.L. c. 30A, §§ 18, 20(b).

**October 18, 2022:** Plaintiffs allege that five unidentified Council members “were present at City Hall Plaza to meet and discuss the topic of Legislative Redistricting in the City of Boston without giving notice.” FAC ¶ 23. On that date, a press conference was scheduled by parties

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<sup>10</sup> Plaintiffs’ Supplemental Memo also obliquely asserts OML violations arising out of the City Council’s alleged failures (1) to publicize a copy of the final proposed map until less than 48 hours before the City Council’s November 2, 2022 vote and (2) to provide “access to language minority residents.” Supp. Mem. at 3. As to the first: the Attorney General has repeatedly held that “[t]he Open Meeting Law does not require that a public body attach supporting documents to a meeting notice nor that it publicly post a ‘meeting packet’ that contains such documents.” *E.g., Nancy Glowa, Esq.*, Op. No. OML 2022-19, 2022 WL 432043, at \*1 (Feb. 8, 2022). As to the second: providing interpretation services is a practice the Council seeks to deliver. Plaintiffs cite no authority making interpretation a requirement of the OML.

<sup>11</sup> Plaintiffs also allege that four unidentified members of the Boston City Council Redistricting Committee were present at this meeting. FAC ¶ 21. Aside from these alleged OML violations, Plaintiffs’ FAC contains no other allegations about the Redistricting Committee and seeks relief only against the Council as a whole. The Council’s arguments about the alleged OML violations are equally applicable to the Redistricting Committee, and thus this brief does not address the two groups of councilors separately.

other than the Council; at that press conference, four councilors participated in the presentation and two more were in attendance. Goldberg Aff., Ex. F. Even if the presentation could have arguably constituted a deliberation (a point on which Plaintiffs present no evidence), it would not have been a deliberation among a quorum of the Council. G.L. c. 30A, § 18.

**October 19, 2022:** Plaintiffs allege that seven unidentified Council members “met at the Condon School in South Boston, MA to discuss the topic of Legislative Redistricting in the City of Boston without giving notice.” FAC ¶ 24. The Council acknowledges that seven of its members attended a community event on that date, and discussed redistricting and some proposed maps filed with the Council. Goldberg Aff., Ex. F. The meeting was organized by Council President Edward Flynn and South Boston elected officials from other political bodies, *see* Goldberg Aff., ¶ 10 & Ex. L, and when organized, it was not expected that a quorum of Council members would attend. *Id.*, Ex. F. The lack of official notice for the meeting was inadvertent based on the expectation that a quorum would not be present, not intentional. Furthermore, the meeting was heavily advertised on social media by community organizations and residents. *Id.* Even if the discussion that took place on that date could be considered deliberation (which, again, is not proved by Plaintiffs’ pleadings), the violation must be viewed in the context of the Council’s adherence to and respect for the OML during the nearly eighteen months of deliberations over redistricting, including the multiple subsequent duly noticed meetings leading up to and including the final vote.

OML violations can be cured by “independent deliberative action” as a properly-noticed public meeting on the same subject matter. *Pearson v. Bd. of Selectmen of Longmeadow*, 49 Mass. App. Ct. 119, 125 (2000). Following the October 19 meeting, the Council held five publicly noticed meetings, hearings, and working sessions regarding legislative redistricting

before voting to adopt the 2022 Plan. Goldberg Aff., ¶¶ 8-9 & Exs. G-K. Meetings were held on October 20 (public testimony), October 21 (City Council Committee on Redistricting Working Session), October 24 (same), October 24 (City Council Committee on Redistricting Hearing), and October 25 (City Council Committee on Redistricting Working Session). *Id.* ¶ 8 & Exs. F, G-K. At each of these meetings, Council members discussed and debated legislative redistricting sufficient to constitute “independent deliberative action” on the subject matter that was challenged by Plaintiffs’ OML complaint. Finally, the Council as a whole deliberated and voted at duly noticed open meeting on November 2. *Id.*, ¶ 9. These six meetings cured any potential OML violation. *City of Revere v. Mass. Gaming Comm’n*, No. 14-CV-3253, 2019 WL 4017027 (Mass. Super. Ct. July 12, 2019) (any violations at certain meetings would have been cured where subsequent six-day-long public hearing explored every aspect of topics considered at contested meetings); *see also Benevolent & Protective Order of Elks, Lodge No. 65 v. City Council of Lawrence*, 403 Mass. 563, 566 (1988) (properly noticed public meetings “cured any violation which may have occurred when the president privately conversed about the project with other City Council members”); *Pearson*, 49 Mass. App. Ct. at 125 (violation cured by “independent deliberative action” taken at properly noticed public meeting).

Under these circumstances, Plaintiffs have not carried their burden of proving any OML violation, much less any that have not been substantially mitigated by “extensive public deliberation” before and after the alleged violation. *See City of Revere*, 2019 WL 4017027, at \*2, 5 (where public body was in “broad compliance” with OML and made final decision by six-day public hearing, “handful” of potential violations over multiple years did not provide grounds to overturn decision). Even a documented OML violation would not support a decision on the merits imposing the extraordinary remedy sought here by the Plaintiffs. The statutory remedies

for an OML violation which has not been cured by subsequent public deliberation, set forth in G.L. c. 30A, §§ 23(c) and (f), range from an order directing future compliance, attendance at OML training, to invalidation of agency action. It is within the “sound judicial discretion” of the Court as to what remedy to impose for an uncured violation, *Bartell v. Wellesley Hous. Auth.*, 28 Mass. App. Ct. 306, 310 (1990), but to award the most extreme remedy here “would be an abuse of discretion,” *City of Revere*, 2019 WL 4017027, at \*4. Plaintiffs will not succeed in showing that any meeting violated the OML, that any violation remained uncured, or that the remedy they seek is appropriate.

**C. None of the Named Plaintiffs Will Be Harmed by the Current Redistricting Plan.**

Plaintiffs’ “generalized grievances” are insufficient to establish irreparable harm.<sup>12</sup> *See Gill*, 138 S. Ct. at 1931 (no legal injury, and therefore no standing, for plaintiffs interested in “collective representation” and “overall composition and policymaking”). Plaintiffs claim that they will suffer irreparable harm absent a preliminary injunction because of their “concern[.]” about the 2022 Plan “and its effect on the integrity of existing communities, as well as the negative effect it will have on the political power and cohesiveness of its most vulnerable residents.” Supp. Mem. at 8. They then argue that a deprivation of their constitutional rights constitutes irreparable harm. But as established above, there is no constitutional violation in the 2022 Plan, much less any that is traceable to the Plaintiffs themselves. The Complaint does not allege that any individual (much less any Plaintiff, or any group of which a Plaintiff is a member) has suffered harm as a result of the 2022 Plan. *Gill*, 138 S. Ct. at 1931.

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<sup>12</sup> Stated a different way, though “[a]n abridgement or dilution of the right to vote constitutes irreparable harm,” *Montano v. Suffolk Cty. Legislature*, 268 F. Supp. 2d 243, 260 (E.D.N.Y. 2003), Plaintiffs have neither alleged nor proved that they, or anybody else’s, right to vote has been abridged or diluted through the 2022 Plan.

**D. An Injunction Will Significantly Harm the Public Interest.**

The injunction Plaintiffs seek would not actually accomplish anything: the 2022 Plan has been signed into law. The more extreme remedy, an injunction invalidating the 2022 Plan, would harm the public. First, preserving the status quo means reinstating the 2012 maps, which are manifestly malapportioned—resulting in demonstrable, unconstitutional vote dilution. The 26.6% variance between Districts 2 and 3 exceeds even the 23.6% variance this court concluded in 1983 not only violated one-person, one-vote, but was “greater than any variance previously tolerated anywhere in the country by the Supreme Court of the United States.” *Latino Political Action Comm., Inc. v. City of Bos.*, 568 F. Supp. 1012, 1019 (D. Mass. 1983), *stay denied*, 716 F.2d 68 (1983). Second, it would frustrate the public’s understanding of and reliance on lawful Council actions, and could confuse the public as to the role of the Council and the status of the challenged districts. *League of United Latin Am. Citizens v. Abbott*, -- F. Supp. 3d --, 2022 WL 1410729, at \*31 (W.D. Tex. May 4, 2022) (voting injunctions may cause “voter confusion and consequent incentive to remain away from the polls,” and “may unduly burden election officials, inflicting massive costs and risking mistakes or disenfranchisement”).

**CONCLUSION**

For the foregoing reasons, Plaintiffs’ motion for preliminary injunctive relief should be denied.

By its attorneys,

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Dated: January 17, 2023

Certificate of Service

I hereby certify that a true and accurate copy of this document was filed through the Electronic Case Filing system, and will be served upon the attorney of record for each party registered to receive electronic service on this 17th day of January 2023.

/s/ Christina S. Marshall

Christina S. Marshall

# **EXHIBIT E**

**An Analysis of Voting Patterns by Race and an Assessment of Minority Voters'  
Opportunities to Elect Candidates in Recent Boston Municipal Elections**

**Dr. Lisa Handley**

**DRAFT 2.0**

**I. Scope of Project**

I was retained by the City of Boston to conduct an analysis of voting patterns by race and Hispanic ethnicity. I was also asked to conduct a district-specific, functional analysis to determine which districts under the current city council plan (2012 City Council District Plan) provide minority voters with an opportunity to elect their candidates of choice to the Council.

**II. Professional Experience**

I have over thirty-five years of experience as a voting rights and redistricting expert. I have advised scores of jurisdictions and other clients on minority voting rights and redistricting related issues and have served as an expert in dozens of voting rights cases. My clients have included scores of state and local jurisdictions, independent redistricting commissions (Alaska, Arizona, Colorado, Michigan), the U.S. Department of Justice, national civil rights organizations (ACLU, Lawyers Committee for Civil Rights Under Law), and such international organizations as the United Nations.

I have been actively involved in researching, writing, and teaching on subjects relating to voting rights, including minority representation, electoral system design, and redistricting. I co-authored a book, *Minority Representation and the Quest for Voting Equality* (Cambridge University Press, 1992) and co-edited a volume, *Redistricting in Comparative Perspective* (Oxford University Press, 2008), on these subjects. In addition, my research on these topics has appeared in peer-reviewed journals such as *Journal of Politics*, *Legislative Studies Quarterly*, *American Politics Quarterly*, *Journal of Law and Politics*, and *Law and Policy*, as well as law reviews (e.g., *North Carolina Law Review*) and a number of edited books. I hold a Ph.D. in political science from The George Washington University.

I have been a principal of Frontier International Electoral Consulting since co-founding the company in 1998. Frontier IEC specializes in providing electoral assistance in transitional



democracies and post-conflict countries. In addition, I am a Visiting Research Academic at Oxford Brookes University in Oxford, United Kingdom.

### III. Introduction: The Voting Rights Act and Racially Polarized Voting

The Voting Rights Act of 1965 prohibits any voting standard, practice, or procedure – including redistricting plans – that result in the denial or dilution of minority voting strength. Section 2 of the Voting Rights Act was amended in 1982 to establish that intentional discrimination need not be proven (as the Supreme Court determined was required under the 15<sup>th</sup> Amendment to the Constitution). The U.S. Supreme Court first interpreted the amended Act in *Thornburg v. Gingles*,<sup>1</sup> a challenge to the 1982 North Carolina state legislative plans. In this case the U.S. Supreme Court held that plaintiffs must satisfy three preconditions to qualify for relief:

- The minority group must be sufficiently large and geographically compact to form a majority in a single-member district
- The minority group must be politically cohesive
- Whites must vote as a bloc to usually defeat the minority-preferred candidates

What do we mean when we say minority voters must be politically cohesive? And how do we know if White voters usually vote as a bloc to defeat the candidates preferred by minority voters? According to the Court, racially polarized voting is the “evidentiary linchpin” of a vote dilution claim. Voting is racially polarized if minorities and Whites consistently vote for different candidates.<sup>2</sup> If minorities consistently support the same candidates, they are said to be politically cohesive. If Whites are consistently *not* supporting these candidates, they are said to be bloc voting against the minority-preferred candidates.

The Voting Rights Act requires a state or local jurisdiction to create districts that provide minority voters with an opportunity to elect their candidates of choice if voting is racially polarized and the candidates preferred by minority voters usually lose. If districts that provide

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<sup>1</sup> 478 U.S. 30 (1986).

<sup>2</sup> More specifically, if minority voters and White voters considered separately would have elected different candidates in a given election contest, the contest is racially polarized. If this is the pattern across a number of election contests in the jurisdiction, then voting in the jurisdiction is racially polarized. If the candidates preferred by minority voters consistently lose, the polarization rises to the level of legally significant.

minority voters with the opportunity to elect their preferred candidates despite the presence of racially polarized voting already exist, these must be maintained as effective minority districts.

#### IV. Statistical Techniques for Analyzing Voting Patterns by Race

An analysis of voting patterns by race serves as the foundation of two of the three elements of the “results test” as outlined in *Gingles*: a racial bloc voting analysis is needed to determine whether the minority group is politically cohesive; and the analysis is required to determine if Whites are voting sufficiently as a bloc to usually defeat the candidates preferred by minority voters. The voting patterns of White and minority voters must be estimated using statistical techniques because direct information regarding the race of the voters is not, of course, available on the ballots cast.

To carry out an analysis of voting patterns by race, an aggregate level database must be constructed, usually employing election precincts as the units of observation. Information relating to the demographic composition and election results in these precincts is collected, merged and statistically analyzed to determine if there is a relationship between the racial composition of the precincts and support for specific candidates across the precincts.

Three standard statistical techniques have been developed over time to estimate vote choices by race: homogeneous precinct analysis, ecological regression, and ecological inference.<sup>3</sup> Two of these analytic procedures – homogeneous precinct analysis and ecological regression – were employed by the plaintiffs’ expert in *Gingles*, have the benefit of the Supreme Court’s approval in that case, and have been used in most subsequent voting rights cases. The third technique, ecological inference, was developed after the *Gingles* decision and was designed, in part, to address some of the disadvantages associated with ecological regression analysis. Ecological inference analysis has been introduced and accepted in numerous court proceedings. It is generally accepted by experts in the field as the most accurate methodology for producing estimates of voting patterns by race.

<sup>3</sup> For a detailed explanation of homogenous precinct analysis and ecological regression see Bernard Grofman, Lisa Handley and Richard Niemi, *Minority Representation and the Quest for Voting Equality* (Cambridge University Press, 1992). See Gary King, *A Solution to the Ecological Inference Problem* (Princeton University Press, 1997) for a more detailed explanation of ecological inference.

Homogeneous precinct (HP) analysis is the simplest technique. It involves comparing the percentage of votes received by each of the candidates in precincts that are racially or ethnically homogeneous. The general practice is to label a precinct as homogeneous if at least 90 percent of the voting age population is composed of a single race.<sup>4</sup> In fact, the homogeneous results reported are not estimates – they are the actual precinct results. However, most voters do not reside in homogeneous precincts and voters who reside in homogeneous precincts may not be representative of voters who live in more racially diverse precincts. For these reasons, I refer to these calculations as estimates.

The second statistical technique employed, ecological regression (ER), uses information from all precincts, not simply the homogeneous ones, to derive estimates of the voting behavior of minorities and Whites. If there is a strong linear relationship across precincts between the percentage of minorities and the percentage of votes cast for a given candidate, this relationship can be used to estimate the percentage of minority (and White) voters supporting the candidate.

The third technique, ecological inference (EI), was developed by Professor Gary King. This approach also uses information from all precincts but, unlike ecological regression, it does not rely on an assumption of linearity. Instead, it incorporates maximum likelihood statistics to produce estimates of voting patterns by race. In addition, it utilizes the method of bounds, which uses more of the available information from the precinct returns as well as providing more information about the voting behavior being estimated.<sup>5</sup> Unlike ecological regression, which can produce percentage estimates of less than 0 or more than 100 percent, ecological inference was designed to produce only estimates that fall within the possible limits.

EI as originally developed produced estimates in a situation with only two races or ethnic groups, for example, Black and White voters. When there are more than two groups of significant size, King's EI is run iteratively (that is, White versus non-White, Black versus non-Black, and Hispanic versus non-Hispanic). A more recently developed version of ecological inference, which

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<sup>4</sup> If turnout or registration by race is available, this is the information used to identify homogenous precincts.

<sup>5</sup> The following is an example of how the method of bounds works: if a given precinct has 100 voters, of whom 75 are Black and 25 are White, and the Black candidate received 80 votes, then at least 55 of the Black voters voted for the Black candidate and at most all 75 did. (The method of bounds is less useful for calculating estimates for White voters in this example as anywhere between none of the Whites and all of the Whites could have voted for the candidate.)

if often referred to as “EI RxC”, expands the analysis so that more than two racial/ethnic groups can be considered simultaneously.<sup>6</sup>

## V. Conducting a Racial Bloc Voting Analysis in Boston

**Protected Minority Groups** Minority groups that the U.S. Department of Justice and courts have recognized as protected under the Voting Rights Act are Black, Hispanic, Asian, American Indian, and Alaska Native voters. Boston has Black, Hispanic, and Asian populations sizeable enough to produce estimates of voting patterns by race/ethnicity in a number of city council district elections (although not in all of the districts). Table 1, prepared by the Boston Planning & Development Agency,<sup>7</sup> provides racial and Hispanic origin population for Boston according to the 2020 census, as well as the 2010 census.<sup>8</sup>

**Table 1: Boston Population by Race and Hispanic Ethnicity, 2010 and 2020**

Boston 2020 Census						
	2010		2020		2010 to 2020 Change	
	Count	Share	Count	Share	Count	Percent
Total Population	6,547,629		7,029,917		482,288	7.4%
Massachusetts	617,594	100.0%	675,647	100.0%	58,053	9.4%
Boston	290,312	47.0%	301,464	44.6%	11,152	3.8%
White Alone	138,073	22.4%	129,264	18.1%	-8,809	-6.4%
Black or African American Alone	107,917	17.5%	128,113	18.7%	20,196	18.9%
Hispanic or Latino	54,846	8.9%	75,588	11.2%	20,742	37.8%
Asian Alone	1,227	0.2%	989	0.1%	-238	-19.4%
American Indian and Alaska Native Alone	182	0.0%	261	0.0%	89	37.9%
Native Hawaiian and Other Pacific Islander Alone	10,078	1.6%	9,257	1.4%	-821	-8.1%
Some Other Race Alone	14,859	2.4%	32,721	4.8%	17,862	118.7%
Two or More Races						
Adult Population (age 18 and older)						
Massachusetts	5,128,706		5,663,723		535,017	10.4%
Boston	513,884	100.0%	573,536	100.0%	59,652	11.7%
White Alone	266,389	51.8%	276,031	48.1%	9,642	3.6%
Black or African American Alone	103,642	20.2%	102,289	17.8%	-1,353	-1.3%
Hispanic or Latino	76,708	14.9%	94,207	16.4%	17,499	22.8%
Asian Alone	47,733	9.3%	68,334	11.9%	20,601	43.2%
American Indian and Alaska Native Alone	952	0.2%	794	0.1%	-158	-16.6%
Native Hawaiian and Other Pacific Islander Alone	157	0.0%	226	0.0%	89	43.9%
Some Other Race Alone	7,563	1.5%	7,258	1.3%	-305	-4.0%
Two or More Races	10,740	2.1%	24,697	4.3%	13,957	130.0%

<sup>6</sup> The original form of EI was designed for 2x2 contingency tables (two racial groups, two candidates). EI RxC expands the analysis to a contingency table with an expanded number of rows (R) and columns (C).

<sup>7</sup> This table was taken from a publication of the Boston Planning & Development Agency, Research Division, entitled “2020 U.S. Census: Redistricting Data Release, August 2021,” page 5.

<sup>8</sup> The Black and Asian counts under-represent the actual number of Black and Asians in Boston because these counts do not include respondents who indicated they were Black or Asian and one or more other races.

The Asian population in Boston increased substantially (an increase of 37.8% since 2010) over the past decade and Asians now comprise 11.2% of the City's population. Hispanics are both the second fastest growing minority group (with a 16.9% increase since 2010) and the second largest minority group in size: Hispanics now comprise 18.7% of the population in Boston. The Black population, at 19.1% according to the 2020 census, is the largest minority group in the City.

**Database** To analyze voting patterns by race using aggregate level information, a database that combines election results with demographic information is required. In Boston, the smallest unit for which election results are reported is the election precinct. All preliminary and general election returns by precinct for recent municipal elections were obtained from the Boston Election Department. The demographic composition of these precincts, as derived from the 2020 PL94-171 census redistricting data, is reported by the Research Division of the Boston Planning & Development Agency, and can be found on their website.<sup>9</sup> Merging the two datasets was straightforward: both databases identified each precinct by a ward and precinct number that matched across the two sets of data.

**Elections Analyzed** The courts have been clear that the most probative contests to consider when determining if voting is racially polarized are recent contests for the office at issue (in this case, nonpartisan municipal elections, especially for city council) that include minority candidates.<sup>10</sup> I analyzed recent (2015 – 2021) Boston municipal preliminary and general election contests, most of which included minority candidates. The following is a list of the election contests examined:

Year	Office
2021	Mayoral preliminary election
	Mayoral general election
	City Council preliminary elections

<sup>9</sup> <https://data.boston.gov/dataset/census-data-for-2022-redistricting/resource/c8a034f8-24f9-4067-b31c-7569b42039e8>

<sup>10</sup> Courts consider election contests that include minority candidates more probative than contests that include only White candidates for determining if voting is racially polarized because it is not sufficient for minority voters to be able to elect their candidates of choice only if these candidates are White. On the other hand, it is important to recognize that not all minority candidates are the preferred candidates of minority voters.

Year	Office
2021	City Council general elections
2019	City Council preliminary elections City Council general elections
2017	Mayoral preliminary election Mayoral general election City Council preliminary elections City Council general elections
2015	City Council preliminary elections City Council general elections

The at-large city council elections have not been analyzed. Voters can cast up to four votes in these election contests (as there are four at-large seats to be filled), but they are not required to do so. In other words, voters can single shot vote if they feel very strongly about a specific candidate and do not want to risk spreading their votes across other, less attractive, candidates.<sup>11</sup> This presents complications for conducting a racial bloc voting analysis.

***Statistical Analysis of Boston Municipal Elections*** My analysis did not produce homogenous precinct estimates because there are very few homogenous precincts in Boston, even if the definition is lowered from 90% single race or Hispanic ethnicity – the standard definition – to 85% single race or ethnicity.<sup>12</sup> The EI estimates reported are EI RxC estimates, which are derived via the most appropriate statistical approach given the presence of more than two sizeable racial/ethnic groups. Although I have reported ER estimates, they serve only as a check on the EI estimates (because the statistical methods employed to produce the estimates are considerably different). The EI estimates are more accurate, and I have relied on these if the EI and ER

<sup>11</sup> For example, in 2021 there were 144,380 ballots cast. The total votes cast for all of the mayoral candidates was 143,515 so 99% of those who came to the polls voted for this office. If voters cast all four of their allotted votes for the at-large seats in this same election, the total votes cast for all of the candidates would be about 577,520 (144,380 X 4) but only 359,294 votes were cast for this contest (62% of all possible votes). To conduct a statistical analysis, we would have to make the assumption that White, Black, Hispanic, and Asian voters all cast approximately the same number of votes (about 2.5 votes per voter).

<sup>12</sup> There are a handful of homogenous White precincts but no homogenous Black, Hispanic or Asian precincts in Boston.

estimates pointed to different candidates as the preferred candidates for a particular group of voters.

If a specific racial or ethnic group was not large enough in a given district to produce reliable estimates using a given statistical technique, the contest was marked with “INS” for an insufficient number of voters.

## VI. Results of Racial Bloc Voting Analysis

The summary tables found in the *Appendices*, at the end of this report, provides the estimates of the percentage of White, Black, Hispanic and Asian voters who voted for each of the candidates in the municipal election contests analyzed. (*Appendix A* reports the estimates for 2021, *Appendix B* for 2019, *Appendix C* for 2017 and *Appendix D* for the 2015 elections.) A discussion of these results follows.

**District 1:** This district is currently represented by Gabriela Coletta., who was elected in a special election in 2022 to replace Lydia Edwards. The district is majority White in composition, but Hispanics make up close to 30% of the voting age population (VAP). Prior to the 2022 special election, the only recently contested elections for this district were in 2017. Three candidates competed in the 2017 preliminary election: Stephen Passacantilli (White), Lydia Edwards (Black) and Margaret Farmer (White). This contest was polarized, with a majority of White voters supporting Passacantilli and a majority of Hispanic voters supporting Lydia Edwards. A plurality of Asian voters supported Passacantilli. (There were an insufficient number of Black voters to produce estimates for this group.)

Passacantilli and Edwards proceeded to the general election, which was also polarized: a majority of White voters again supported Passacantilli, while a majority of Hispanic and Asian voters supported Edwards. Edwards won the election with 52.7% of the vote.

**District 2:** Edward Flynn currently represents this district and serves as the President of the City Council. The district is majority White in composition, with Asians making up the second largest group with 15.7% of the VAP. The only recently contested elections for this district were in 2017. The three candidates who competed in the preliminary election were Edward Flynn (White), Michael Kelley (White), and Corey Dinopoulos (White). This contest was polarized, with a majority of White voters supporting Flynn and Hispanic and Asian voters supporting Kelley. (There were an insufficient number of Black voters to produce estimates for this group.) The

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general election between Flynn and Kelley was not polarized: Hispanic and Asian voters, as well as White voters, supported Flynn, who won the election with 51.6% of the vote.

**District 3:** Frank Baker has represented this district since 2011. The district is majority minority in composition – with a Black VAP of 18.2%, a Hispanic VAP of 14.1%, and an Asian VAP of almost 17% (Whites comprise 41.5% of the VAP). Although there have been no recent preliminary elections, the general elections in 2021 and 2015 were contested. The 2021 general election was polarized: strong majorities of White and Asian voters supported Baker, as did a majority of Hispanic voters. A majority of Black voters, however, supported his challenger, Stephen McBride (White). Baker won with 62.9% of the vote.

The 2015 general election was not polarized: Baker was strongly supported by White, Black, Hispanic and Asian voters in his race against Donnie Palmer (Black). Baker won the election with slightly less than 85% of the vote.

**District 4:** This district is currently represented by Brian Worrell. The district is majority Black in composition (52.6% Black VAP), but Hispanics comprise slightly over 23% of the population. This seat was contested in 2021, 2019, and 2015. Nine candidates, all of whom were Black, competed in the preliminary election for this open seat in 2021. Worrell was the candidate of choice of a plurality of the Black voters. A plurality of Hispanic voters supported Evandro Carvalho; White voters supported Joel Richards and Carvalho. (There were an insufficient number of Asian voters to produce estimates for this group.) Worrell and Carvalho proceeded to the general election. The general election was not polarized: a majority of Black, White, and Hispanic voters supported Worrell, who won with 61.6% of the vote.

In 2019, the general election was contested, with incumbent Andrea Campbell (Black) facing a challenge from Jeff Durham (Black). This election was not polarized: Black, White and Hispanic voters all strongly supported Campbell, who won with 87.2% of the vote.

In 2015, incumbent Charles Yancey faced three challengers in the preliminary election: Andrea Campbell (Black), Terrance Williams (Black), and Jovan Lacet (Black). The contest was not polarized: a majority of Black, White and Hispanic voters all supported Campbell. Campbell and Yancey proceeded to the general election. This election was also not polarized, with all three groups supporting Campbell, who won with 61.3% of the vote.

**District 5:** Ricardo Arroyo currently represents this majority minority district. The district is 45.6% Black and 21.4% Hispanic in voting age population. This seat was contested in 2021,



2019, and 2015. In the 2021 general election, incumbent Arroyo (Hispanic) was challenged by John White (White). The contest was not polarized: Black, White and Hispanic voters all strongly supported Arroyo, who won with 75.7% of the vote.

Eight candidates competed in the 2019 preliminary election for this open seat. Voting was polarized: a plurality of Black voters supported Jean-Claude Sanon (Black), a plurality of Hispanic voters supported Arroyo, and a plurality of White voters supported Maria Esdale Farrell (White). Arroyo was the second choice of both Black and White voters. Arroyo and Farrell proceeded to the general election. The general election was not polarized: a clear majority of Black and Hispanic voters and a slight majority of White voters supported Arroyo, who won with 54.6% of the vote.

In 2015, incumbent Timothy McCarthy (White) faced a challenger in the general election: Jean-Claude Sanon (Black). White and Hispanic voters strongly supported McCarthy, but a majority of Black voters supported Sanon. McCarthy won with 64% of the vote.

**District 6:** Kendra Hicks Lara currently represents this district. The district is majority White in composition (62.8% White VAP), with a minority population that is 9.9% Black, 15.3% Hispanic, and 9.3% Asian in voting age population. There were no contested elections in 2015, 2017 or 2019 when the district was represented by Matt O'Malley (White). He declined to run again in 2021 and this open seat attracted three candidates in the preliminary election: Kendra Hicks (Afro Latina), Mary Tamer (White) and Winne Eke (Black). This contest was polarized: a majority of White voters supported Tamer; a majority of Black and Hispanic voters, and a plurality of Asian voters supported Hicks. Hicks and Tamer went on to face each other in the general election. This race was also polarized, with a majority of White voters supporting Tamer and a majority of Black, Hispanic and Asian voters supporting Hicks. Hicks won with 55.8% of the vote.

**District 7:** This district is currently represented by Tania Fernandes Anderson. The district is majority minority in composition – it is 33.7% Black, 22.6% Hispanic, and 10.8% Asian in voting age population (Whites comprise 27% of the voting age population). This was the only district seat contested in all four election years analyzed: 2021, 2019, 2017 and 2015. In the 2021 preliminary election, eight candidates competed in this polarized contest. Angelina Camacho (Black) was the candidate supported by a plurality of the White voters; a plurality of Black and Hispanic voters supported Tania Fernandes Anderson. But it was Anderson and Roy Owens Sr. (Black) who proceeded to the general election. The 2021 general election was not polarized: Black, White, Hispanic, and Asian voters all supported Anderson, who won with 73% of the vote.

The 2019 preliminary election included three candidates: incumbent Kim Janey (Black), Valerie Rust (Black), and Roy Owens Sr (Black). This contest was not polarized: a strong majority of White, Black, and Hispanic voters, and a plurality of Asian voters, supported Janey. Janey faced Owens in the general election in another contest that was not polarized: a strong majority of White, Black, Hispanic, and Asian voters supported Janey, who won with 74.5% of the vote.

District 7 was on open seat in 2017 and the preliminary election drew 13 candidates. Despite the large number of candidates, the contest was not polarized: a plurality of White, Black, Hispanic, and Asian voters supported Kim Janey (Black), who proceeded to the general election with the second candidate of choice of Black voters, Rufus Faulk (Black). The 2017 general election was polarized, with White, Hispanic and Asian voters supporting Janey, but a slight majority of Black voters casting their votes for Faulk. Janey won with 55.5% of the vote.

In 2015, incumbent Tito Jackson (Black) faced six challengers in the preliminary election. This contest was not polarized: a strong majority of White, Black, and Hispanic voters and a plurality of Asian voters supported Jackson, who obtained 66.4% of the vote. The general election was polarized, with Jackson receiving a strong majority of the White, Black, and Asian vote, but his opponent Charles Clemons Jr. (Black) supported by a slight majority of Hispanic voters. Jackson won with 66.6% of the vote.

**District 8:** This district is currently represented by Kenzie Bok. The district is majority White, with an Asian VAP of 22.1%. The seat was not contested in 2021, or in 2015. In the 2019 preliminary election, five candidates competed for this open seat. The contest was not polarized between White voters and Asian voters; both groups supported Kenzie Bok. However, a plurality of Hispanic voters supported Helene Vincent (White). In the general election, Bok was supported by a strong majority of all three groups. (There is an insufficient number of Black voters in this district to produce estimates for this group.)

There was no preliminary election in 2017, but the general election was contested. It was not polarized: a majority of White, Hispanic, and Asian voters supported incumbent Josh Zakim (White). He won with 67.1% of the vote.

**District 9:** Liz Breadon currently represents this district. The district is majority White, with an Asian VAP of slightly less than 21%. The 2021 preliminary and general elections were not polarized: White, Hispanic, and Asian voters supported Breadon (White) in both the preliminary

election, in which she received 71.7% of the vote, and the general election, in which she garnered 71.4% of the vote.

This was an open seat in 2019. Seven candidates competed in the preliminary election. The first choice of White and Hispanic voters (by only a small percentage as support was spread out across many of the candidates) was Craig Cashman (White), with Liz Breadon the second choice of both groups. The first choice of Asian voters was Breadon, by a very slight percentage point. The 2019 general election was not polarized: a majority of White, Hispanic, and Asian voters supported Breadon.

The preliminary and general elections in 2017 were not polarized. White, Hispanic and Asian voters supported incumbent Mark Ciommo (White). He won the preliminary election with 58.6% of the vote and the general election with 61.3% of the vote.

**2021 Mayoral Election:** Eight candidates competed in the 2021 preliminary election for mayor, although only five candidates received more than 5% of the vote. The candidate of choice of a plurality of White, Hispanic, and Asian voters was Michelle Wu (Asian). A majority of Black voters supported Kim Janey (Black). Michelle Wu faced the second choice of White voters, Annissa Essaibi George, in the general election. The general election was not polarized: all four groups of voters supported Wu and she won with 64% of the vote.

**2017 Mayoral Election:** Four candidates competed in the 2017 mayoral preliminary election, although one of the candidates received less than 1% of the vote, and a second less than 7% of the vote. White voters strongly supported incumbent Martin Walsh (White), as did a majority of Hispanic and Asian voters. Black voters divided their support between Walsh and Tito Jackson (Black), giving Walsh a slight edge. In the general election between Jackson and Walsh, a slight majority of Black voters supported Jackson, while a majority of White, Hispanic, and Asian voters cast their votes for Walsh. Walsh won with 65.4% of the vote.

**Overall Summary** Many recent city council district elections were uncontested: of the 36 possible general elections (9 districts over 4 election years), incumbents faced challengers in only 20. In other words, 44.4% of all recent district generals were uncontested. Only 14 of the 20 district general elections were preceded by a preliminary election. As a consequence, I analyzed 34 city council district elections. A total of 14 of these contests (41.2%) were polarized, but the percentage of polarized contests varied substantially across the districts. Table 2 provides a summary of the

results, indicating for each district and each election cycle whether there was a contested election, and if there was a contested election, whether it was racially polarized.

**Table 2: Summary of Racial Bloc Voting Results**

District	2021		2019		2017		2015		percent (number) polarized
	primary	general	primary	general	primary	general	primary	general	
1	no contest	no contest	no contest	no contest	<i>polarized</i>	<i>polarized</i>	no contest	no contest	100% (2)
2	no contest	no contest	no contest	no contest	<i>polarized</i>	<i>not polarized</i>	no contest	no contest	50% (2)
3	no contest	<i>polarized</i>	no contest	no contest	no contest	no contest	no contest	<i>not polarized</i>	50% (2)
4	<i>polarized</i>	<i>not polarized</i>	no contest	<i>not polarized</i>	no contest	no contest	<i>not polarized</i>	<i>not polarized</i>	20% (5)
5	no contest	<i>not polarized</i>	<i>polarized</i>	<i>not polarized</i>	no contest	no contest	no contest	<i>polarized</i>	50% (4)
6	<i>polarized</i>	<i>polarized</i>	no contest	no contest	no contest	no contest	no contest	no contest	100% (2)
7	<i>polarized</i>	<i>not polarized</i>	<i>not polarized</i>	<i>not polarized</i>	<i>not polarized</i>	<i>polarized</i>	<i>not polarized</i>	<i>polarized</i>	37.5% (8)
8	no contest	no contest	<i>polarized</i>	<i>not polarized</i>	no contest	<i>not polarized</i>	no contest	no contest	33.3% (3)
9	<i>not polarized</i>	<i>not polarized</i>	<i>polarized</i>	<i>not polarized</i>	<i>not polarized</i>	<i>not polarized</i>	no contest	no contest	16.7% (6)
mayor	<i>polarized</i>	<i>not polarized</i>	no contest	no contest	<i>not polarized</i>	<i>polarized</i>	no contest	no contest	50% (4)

There were six general elections that were racially polarized. In four of these six contests, the candidate preferred by Black or Hispanic voters lost. Of course, there were 14 general elections that were not polarized and the minority-preferred candidates – who were also the candidate of choice of White voters – won these contests.

In the two citywide mayoral contests that were polarized, it was Black and White voters who supported different candidates – Hispanic and Asian voters supported the same candidates as White voters. In the city council district elections, the number of contests polarized between Black and White voters and between Hispanic and White voters was comparable; there was much less polarization between Asian and White voters in these elections.

Finally, when voting was polarized, Black, Hispanic, and Asian voters were not necessarily cohesive in support of the same candidates. This is especially true in preliminary elections. As a consequence, caution should be exercised when combining Black, Hispanic, and Asian voters to create a “coalition” district.

## VII. Minority Opportunity Districts in the Current and Proposed Plans

In order to determine if a district provides minority voters with an opportunity to elect their candidates of choice, a district-specific, functional analysis is necessary. This assessment depends not only upon the demographic composition of the district but the voting patterns in the district and whether the candidates preferred by minority voters actually win in the district – this is what is meant by “functional.” When assessing a plan in which elections have already taken place, the results of previous elections can be examined to ascertain whether the candidates preferred by minority voters usually prevail. When proposed redistricting plans are being considered, and no elections have actually occurred within the boundaries of the proposed districts, an analysis of the likely electoral outcome based on previous elections that included minority-preferred candidates is necessary.

**Current Plan** Table 3 lists the demographic composition – as expressed as a percentage of the voting age population – of the current city council districts according to the 2020 census. The White, Black, and Asian percentages are for non-Hispanic Whites, Blacks, and Asians to avoid double counting any segment of the population.

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**Table 3: Demographic Composition of the Current Boston City Council Districts**

District	Percent White	Percent Black	Percent Hispanic	Percent Asian
1	57.3	3.7	29.5	6.5
2	69.8	4.8	7.7	15.7
3	41.5	18.2	14.1	16.9
4	10.6	52.6	23.1	5.7
5	26.7	45.6	21.4	2.5
6	62.8	9.9	15.3	9.3
7	27.0	33.7	22.6	10.8

District	Percent White	Percent Black	Percent Hispanic	Percent Asian
8	60.1	6.3	9.3	22.1
9	60.6	5.2	10.1	20.8

As indicated by Table 3, there are five districts that are majority White in voting age population: Districts 1, 2, 6, 8, and 9. District 4 is the only majority Black district, but Districts 5 and 7 have significant Black populations, as well as Hispanic populations greater than 20% in both instances.

As the analysis of particularly the preliminary elections demonstrates, Black, Hispanic, and Asian voters do not consistently agree on who the preferred candidate is in a given election. In the 2021 preliminary election in District 4, it was Black voters' support of Brian Worrell that propelled him into the general election; Hispanic voters supported other candidates. In the 2019 preliminary election in District 5, it was Hispanic support (and to a lesser degree, White support) that boosted Ricardo Arroyo into the general election – the plurality of Black voters supported another candidate.<sup>13</sup> In District 7, Blacks, Hispanics and Asians have usually supported the same candidates in recent elections, but not always. As discussed below, in the 2021 preliminary election for mayor, a contest in which Black voters supported different candidates than Hispanic and Asian voters, it was the Black-preferred candidate that carried this district.

***Recompiling Results in Bellwether Elections*** One approach to assessing the relative ability of districts to provide minority voters with the opportunity to elect their candidates of choice is to compare the district-level performance of minority-preferred candidates who have run jurisdiction-wide. This entails identifying bellwether elections – that is, elections in which minority voters and White voters support different candidates – and reconfiguring the results from these elections to ascertain how well the minority-preferred candidate did in each district. Reconfiguring bellwether election results in this manner is also a common, court-accepted

<sup>13</sup> In the general elections, a majority of the White, Black, and Hispanic voters all supported Worrell in 2021 and Arroyo in 2019. There were not a sufficient number of Asian voters in either district to estimate which candidates they supported in these elections.

approach to assessing whether proposed districts are likely to provide minority voters with an opportunity to elect their candidates of choice to office.

Using reconfigured or recompiled election results to assess current and proposed districts entails (1) identifying jurisdiction-wide “bellwether” elections based on an analysis of voting patterns by race, (2) disaggregating the election results for each of the candidates in the bellwether elections down from the level of the precinct to the census blocks within each of the precincts,<sup>14</sup> (3) designating which census blocks are assigned to each of the districts in the proposed plan, and (4) summing the disaggregated election results up to the level of the proposed districts to determine if the minority-preferred candidate would win. If the minority-preferred candidates consistently carry the district, this district provides or, in the case of a proposed district, is very likely to provide, minority voters with an opportunity to elect their candidates of choice.

A good bellwether election for the purposes of identifying districts that provide Black voters with an opportunity to elect their candidates of choice in recent Boston elections is the 2021 preliminary election for mayor. Black voters strongly supported Kim Janey, with Andrea Campbell their second choice. The candidate of choice of Hispanic and Asian voters was Michelle Wu. The first choice of White voters was also Wu, with Annissa Essaibi George the second choice of white voters. Election results for this contest have been disaggregated by Moon Duchin and MCCCCP and recompiled to reflect the current plan in Table 4.

***Recompiled Bellwether Election Results for Current Plan*** As Table 4 indicates, the candidate preferred by Black voters (Janey) easily carries Districts 4 and 7. This provides additional evidence – beyond the results of recent city council district elections – that these two districts provide Black voters with an opportunity to elect their candidates of choice. In District 5, Wu receives slightly more votes than Janey, but Janey comes in a very close second. Moreover, Hispanic voters favored Wu over Janey. If Black and Hispanic voters are cohesive, the candidates supported by these voters will easily carry this district. If they are not, it is harder to predict whose preferred candidate will prevail: Hispanic-preferred candidate Arroyo was successful in the 2019 primary, but he had White as well as Hispanic support.

<sup>14</sup> Although drawing in Boston is done at the precinct level rather than at the census block level as is the case in most jurisdictions, the precinct boundaries have changed since the 2015-2021 elections were conducted so this exercise in disaggregation and re-aggregation is still necessary.

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**Table 4: Recompiled Bellwether Election Results for the Current District**

Recompiled Election Results 2021 Mayoral Primary: Current Districts									
	Annissa Essaihi George	John Barros	Andrea Campbell	Kim Janey	Michelle Wu	Robert Cappucci	Jon Santiago	Richard Spagnuolo	Total Votes Cast in District
D1	3,237	246	1,657	1,143	3,969	293	20	139	10,704
	30.24%	2.30%	15.48%	10.68%	37.08%	2.74%	0.19%	1.30%	
D2	3,963	330	2,126	1,280	4,418	191	39	16	12,363
	32.06%	2.67%	17.20%	10.35%	35.74%	1.54%	0.32%	0.13%	
D3	4,861	733	2,052	1,678	2,760	109	43	30	12,266
	39.63%	5.98%	16.73%	13.68%	22.50%	0.89%	0.35%	0.24%	
D4	899	488	3,104	3,921	1,810	25	31	12	10,290
	8.74%	4.74%	30.17%	38.10%	17.59%	0.24%	0.30%	0.12%	
D5	2,960	271	2,930	4,767	4,834	110	43	18	15,933
	18.58%	1.70%	18.39%	29.92%	30.34%	0.69%	0.27%	0.11%	
D6	5,312	414	4,181	2,199	8,094	221	54	23	20,498
	25.91%	2.02%	20.40%	10.73%	39.49%	1.08%	0.26%	0.11%	
D7	657	574	2,205	4,013	2,752	31	73	16	10,321
	6.37%	5.56%	21.36%	38.88%	26.66%	0.30%	0.71%	0.16%	
D8	1,081	203	1,601	984	3,095	58	43	12	7,077
	15.27%	2.87%	22.62%	13.90%	43.73%	0.82%	0.61%	0.17%	
D9	1,266	173	1,364	958	4,200	144	20	20	8,145
	15.54%	2.12%	16.75%	11.76%	51.57%	1.77%	0.25%	0.25%	

**Proposed Plan (Docket 1275 as passed on November 2)** There is very little change in the demographic composition of the districts in the Proposed Plan compared to the Current Plan. Table 5 provides the White, Black, Hispanic and Asian VAP percentages for each of the districts in the Current and Proposed Plans and, in the final four columns, indicates the difference between these percentages. Focusing on the districts with significant minority populations, the Black VAP percentage decreases slightly in District 4 from 52.6% to 52.1% and increases slightly in District 7 from 33.7% to 34.3%. In District 5, the Black VAP percentage decreases from 45.6% to 44.6% but the Hispanic VAP percentage increases from 21.4 % to 22.3%. The biggest change in district demographics across all of the districts is the increase in the White VAP in District 4 from 10.6% to 14.5%, and the decrease in Hispanic and Asian VAPs in this district from 23.1% to 21.1% HVAP and 5.7% to 4.3% AVAP. These changes made no difference to the ability of these districts to elect their candidates of choice, as demonstrated by Table 6.



**Table 5: Comparison of Demographic Compositions of Districts in the Current and Proposed Plans**

District	Current Plan				Proposed Plan (Docket 1275, Nov 2, 2022)				Difference			
	Percent White	Percent Black	Percent Hispanic	Percent Asian	Percent White	Percent Black	Percent Hispanic	Percent Asian	White	Black	Hispanic	Asian
1	57.3	3.7	29.5	6.5	58.1	3.7	28.5	6.7	0.8	0.0	-1.0	0.2
2	69.8	4.8	7.7	15.7	68.5	4.8	7.6	17.2	-1.3	0.0	-0.2	1.5
3	41.5	18.2	14.1	16.9	41.9	17.4	14.4	17.2	0.4	-0.8	0.2	0.3
4	10.6	52.6	23.1	5.7	14.5	52.1	21.2	4.3	3.9	-0.4	-1.9	-1.4
5	26.7	45.6	21.4	2.5	26.8	44.6	22.3	2.7	0.1	-1.0	0.8	0.1
6	62.8	9.9	15.3	9.3	63.1	9.8	15.3	9.2	0.2	-0.1	-0.1	-0.1
7	27.0	33.7	22.6	10.8	26.5	34.3	22.8	10.3	-0.6	0.5	0.2	-0.5
8	60.1	6.3	9.3	22.1	60.5	6.3	9.3	21.6	0.4	0.0	0.0	-0.5
9	60.6	5.2	10.1	20.8	60.6	5.2	10.1	20.8	0.0	0.0	0.0	0.0

***Recompiled Bellwether Election Results for Proposed Plan*** An examination of Table 6 indicates that proposed Districts 4 and 7 will continue to provide Black voters with an opportunity to elect their candidate of choice. The percentage of votes garnered by Janey declines slightly in District 4 and increases more substantially in District 7 compared to the Current Plan, but Janey easily carries both districts. The result for District 5 in the Proposed Plan is comparable to the Current Plan: Wu receives slightly more votes than Janey. Overall, Black voters' candidate of choice, Janey, wins two districts and comes in a very close second place in a third district. This is precisely the same overall electoral outcome as under the Current Plan.

**Table 6: Recompiled Bellwether Election Results for the Proposed Districts**

Recompiled Election Results 2021 Mayoral Primary: Docket 1275 (Plan as Passed Nov 2, 2022)									
	Annisia Essaibi George	John Barros	Andrea Campbell	Kim Janey	Michelle Wu	Robert Cappucci	Jon Santiago	Richard Spagnuolo	Total Votes Cast in District
<b>D1</b>	3,447 29.16%	280 2.37%	1,881 15.92%	1,262 10.68%	4,478 37.89%	301 2.55%	27 0.23%	143 1.21%	11,819
<b>D2</b>	3,860 31.05%	318 2.56%	2,069 16.64%	1,498 12.05%	4,138 33.29%	169 1.36%	56 0.45%	18 0.14%	12,126
<b>D3</b>	3,737 32.47%	821 7.13%	2,172 18.87%	1,794 15.59%	3,097 26.91%	124 1.08%	44 0.38%	25 0.22%	11,814
<b>D4</b>	2,061 17.76%	501 4.32%	3,083 26.56%	4,108 35.39%	1,780 15.34%	33 0.28%	26 0.22%	15 0.13%	11,607
<b>D5</b>	2,931 18.44%	267 1.68%	3,000 18.88%	4,648 29.25%	4,877 30.69%	104 0.65%	47 0.30%	19 0.12%	15,893
<b>D6</b>	5,483 25.33%	433 2.00%	4,475 20.67%	2,320 10.72%	8,630 39.86%	232 1.07%	54 0.25%	23 0.11%	21,650
<b>D7</b>	435 5.42%	445 5.55%	1,668 20.79%	3,513 43.79%	1,875 23.37%	21 0.26%	55 0.69%	11 0.14%	8,023
<b>D8</b>	1,016 15.58%	194 2.98%	1,508 23.13%	842 12.91%	2,857 43.82%	54 0.83%	37 0.57%	12 0.18%	6,520
<b>D9</b>	1,266 15.54%	173 2.12%	1,364 16.75%	958 11.76%	4,200 51.57%	144 1.77%	20 0.25%	20 0.25%	8,145

### VIII. Conclusion

Voting is often racially polarized in Boston municipal elections, particularly in the preliminary elections. As a consequence, districts that provide minority voters with an opportunity to elect their candidates of choice should be maintained. However, because Black, Hispanic, and Asian voters do not necessarily support the same candidates, careful consideration should be given to redrawing these opportunity districts. In the current plan, Districts 4 and 7 provide Black voters with an opportunity to elect their preferred candidates. District 5 has been successful in electing a Hispanic-preferred candidate, albeit only because this candidate garnered some support from White voters and, to a lesser degree, Black voters. A district-specific, functional analysis of the Proposed Plan indicates that this plan will provide minority voters with the same opportunity to elect their preferred candidates to City Council as they currently have under the present plan.

# **EXHIBIT F**

UNITED STATES DISTRICT COURT  
DISTRICT OF MASSACHUSETTS

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ROBERT O'SHEA, CHAIRMAN OF THE  
WARD 6 DEMOCRATIC COMMITTEE, ET  
AL.,

Plaintiffs,

v.

BOSTON CITY COUNCIL,

Defendant.

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Civil Action No. 1:22-cv-12048-PBS

**RULE 16 JOINT STATEMENT**

Pursuant to Local Rule 16.1 and Federal Rules of Civil Procedure 16(b) and 26(f), undersigned counsel for Defendant the Boston City Council and Plaintiffs Robert O'Shea, Rita Dixon, Shirley Shillingford, Maureen Feeney, Phyllis Corbitt, the South Boston Citizens Association, Martin F. McDonough American Legion Post, St. Vincent's Lower End Neighborhood Association, and Old Colony Tenant Association (collectively, the "Parties"), hereby submit this Joint Statement concerning case schedule and discovery. Prior to submitting this Statement, the Parties conducted a Rule 26(f) conference on January 20, 2023. Pursuant to the Court's January 19, 2023 order, the Parties have agreed on the following proposed case scheduling and discovery plan:

1. **Hearing on Preliminary Injunction.** The parties request a hearing on the Plaintiffs' Motion for Preliminary Injunction be held as scheduled on March 14, 2023.
2. **Initial Disclosures.** Initial disclosures required by Fed. R. Civ. P. 26(a)(1) must be completed by June 1, 2023.
3. **Discovery Schedule.** The Parties' proposed schedule is as set forth:

a. **Fact Discovery.** All written discovery must be responded to, and all fact depositions completed by, September 8, 2023.

b. **Expert Discovery.**

i. Plaintiffs' experts must be designated, and the information contemplated by Fed. R. Civ. P. 26(a)(2), must be disclosed by September 22, 2023.

ii. Defendant's experts must be designated, and the information contemplated by Fed. R. Civ. P. 26(a)(2), must be disclosed by October 6, 2023.

iii. Plaintiffs' trial experts must be deposed by October 20, 2023.

iv. Defendant's trial experts must be deposed by November 10, 2023.

4. **Dispositive Motions.**

a. Dispositive motions, such as motions for summary judgment or partial summary judgment, and motions for judgment on the pleadings must be filed by December 8, 2023.

b. Oppositions must be filed by January 5, 2024.

c. Reply briefs shall be permitted and filed by January 19, 2024.

5. **Settlement Conference.** The Parties shall attend a settlement conference on a date set by the Court.

6. **Pretrial Conference.** The Parties shall attend a pretrial conference on a date to be set by the Court.

7. **Other Matters.**

- a. **Certification of Consultation.** The Parties shall individually file the certifications required by Local Rule 16.1(d)(3).
- b. **Alternative Dispute Resolution.** The Parties have considered the options for alternative dispute resolution programs set forth in Local Rule 16.4. Defendant does not have authority for alternative dispute resolution at this time, but will update the Court at the Pre-Trial hearing. The Plaintiffs believe that the alternative dispute resolution of a 30-day referral of the case to mediation to see if the parties could agree to change the Districting Plan to one of the other 6 choices, such as the Flaherty Map, could resolve the challenge to the current Redistricting Plan.

Respectfully submitted,

PLAINTIFFS,

BOSTON CITY COUNCIL

By their attorneys,

By its attorneys,

/s/ Paul Gannon

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January 20, 2023

Certificate of Service

I hereby certify that a true and accurate copy of this document was filed through the Electronic Case Filing system, and will be served upon the attorney of record for each party registered to receive electronic service on this 20th day of January 2023.

/s/ Christina S. Marshall  
Christina S. Marshall

# **EXHIBIT G**



UNITED STATES DISTRICT COURT  
DISTRICT OF MASSACHUSETTS

_____	)	
ROBERT O'SHEA, CHAIRMAN OF THE	)	
WARD 6 DEMOCRATIC COMMITTEE, et	)	
al.,	)	
	)	
Plaintiffs,	)	
v.	)	Civil Action No. 1:22-cv-12048-PBS
	)	
BOSTON CITY COUNCIL,	)	
	)	<b>Leave to File Granted on</b>
Defendants.	)	<b>February 23, 2023</b>
_____	)	

**DEFENDANT BOSTON CITY COUNCIL'S SUR-REPLY IN OPPOSITION TO  
PLAINTIFF'S MOTION FOR A PRELIMINARY INJUNCTION**

The Defendant, the Boston City Council (the "Council") submits this sur-reply in opposition to Plaintiffs' motion for preliminary injunction. Plaintiffs' Reply to Defendant's Opposition to Plaintiffs' Motion for Preliminary Injunction (Dkt. No. 41) ("Reply") presents new legal theories, cites new evidence, and requests a new form of relief. Accordingly, this Court should not consider the new arguments presented in the Reply. But even if it does, nothing in Plaintiffs' Reply establishes any violation of section 2 of the Voting Rights Act of 1965, 52 U.S.C. § 10301 ("VRA"), the federal Equal Protection Clause, U.S. Const., amend. 14 ("Equal Protection") or the Massachusetts Open Meeting Law, G.L. c. 30A, §§ 18-25 ("OML"), much less any violations sufficient to overturn the Council's careful redistricting process culminating in the 2022 Plan.

**A. Plaintiffs Acknowledge They Lack Standing and Named the Wrong Defendant.**

At the outset of the Reply, Plaintiffs acknowledge that they intend to remedy the standing and jurisdictional defects pointed out by the City Council with an amended pleading to be filed on

or before February 27, 2023.<sup>1</sup> These amendments are not, as Plaintiffs claim, “mere technicalities,” *see* Reply at 2, but in fact materially change the relief requested by the Plaintiffs. Regardless of the merits of Plaintiffs’ anticipated motion to amend their complaint or their allegations as amended a second time, the fact is that Plaintiffs’ pleadings remain substantively and procedurally insufficient at this stage in the case to merit the “extraordinary” relief of a preliminary injunction. *Wash. Tr. Advisors, Inc. v. Arnold*, -- F. Supp. 3d --, 2022 WL 17630520, at \*4 (D. Mass. Dec. 13, 2022).

In their Reply, Plaintiffs also seek new and different relief: they now assert that they have always argued that “the November 2022 redistricting ordinance was unlawfully and unconstitutionally put into place by the duly authorized Legislative and Executive Branches of the City of Boston.” Reply at 1.<sup>2</sup> And building off of this new theory of the case, Plaintiffs seek new relief, asking this Court to enjoin the *implementation*, not just the *enactment*, of the 2022 Plan. *Id.* at 8. Again, having failed to name any defendant other than the Council, Plaintiffs seek relief that cannot be granted. But even if their complaint were amended to name the proper defendant(s), Plaintiffs supply no reasonable alternative to the 2022 Plan. At the parties’ Rule 16 conference, Plaintiffs suggest that the City revert to the districting plan that was in place prior to November 2022. However, Plaintiffs have failed to refute the Council’s argument that the earlier plan was rendered manifestly unconstitutional by the significant change in distribution of Boston’s population as revealed by the 2020 census. *See* Opposition at 3, 25. This alone is reason enough to deny the requested injunction. *See Capability Grp., Inc. v. Am. Exp. Travel Related Servs. Co.*,

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<sup>1</sup> The City Council has addressed Plaintiffs’ incorrect belief that they may file this amendment as of right, despite having already amended their complaint once, in a separate filing. Motion for Clarification of Scheduling Order Deadlines (Dkt. No. 44). At the parties’ Rule 16 conference on January 16, 2023, the Court allowed Plaintiffs to file a motion to amend the complaint on February 27, not a second amended complaint.

<sup>2</sup> “[A] reply brief is not the proper place to raise new arguments . . . .” *Shea v. United States*, 976 F.3d 63, 80 n.12 (1st Cir. 2020) (quoting *United States v. Bradstreet*, 207 F.3d 76, 80 n.1 (1st Cir. 2000)).

706 F. Supp. 2d 146, 160 (D. Mass. 2010), *aff'd*, 658 F.3d 75 (1st Cir. 2011) (declining to issue requested preliminary injunction where plaintiff failed to “identify meaningful injunctive relief”).

**B. Plaintiffs’ Vote Dilution Claim Under the VRA Remains Hopelessly Flawed.**

Despite their efforts to save it, Plaintiffs’ VRA claim concerning alleged vote dilution in District 4 remains hopelessly flawed. In their Reply, they do not attempt to satisfy the requisite *Gingles* factors. Reply at 2-3. Most importantly, they do not attempt to claim that a white majority exists in District 4 and votes as a bloc in a manner that usually defeats a Black minority group’s preferred candidates. *Thornburg v. Gingles*, 478 U.S. 30 (1986). Of course, Plaintiffs cannot make that claim because Black voters continue to significantly outnumber white voters in District 4. See Dr. L. Handley, An Analysis of Voting Patterns by Race and an Assessment of Minority Voters’ Opportunities to Elect Candidates in Recent Boston Municipal Elections (Draft 2.0) (“Handley Report”) at 18, Table 5 (attached to the Affidavit of Michelle Goldberg at Exhibit D) (Under the City’s 2022 Plan, Black voters in District 4 make up 52.1% of the population, and white voters make up only 14.5%). Moreover, Black voters absolutely maintain their ability to elect the candidate of their choice under the 2022 Plan. Affidavit of Moon Duchin (“Duchin Aff.”) at ¶¶ 10-11, 15-17 (opining that minority group’s candidate of choice will continue to win “handily” in District 4).

Unable to make the traditional and requisite *Gingles* argument, Plaintiffs baldly state that “any reduction in the black vote in District 4 is catastrophic to the only black majority district in the City.” Reply at 2. But the Supreme Court roundly rejected that kind of argument in *Alabama Legislative Black Caucus v. Alabama*, 575 U.S. 254 (2015), albeit in the context of a claim under section 5 of the VRA. Nonetheless, the Court was quite clear: the VRA does not require a jurisdiction to “maintain a particular numerical minority percentage.” *Id.* at 275. Rather, it

requires a jurisdiction “to maintain a minority’s ability to elect a preferred candidate of choice.” *Id.* Here, Plaintiffs have not demonstrated—and given the demographics, cannot demonstrate—that the Black voting population in District 4 has experienced any real change in its ability to elect the candidate of its choice. *Id.* at 276 (VRA prohibits only “those diminutions of a minority group’s proportionate strength that strip the group within a district of its existing ability to elect its candidates of choice”). Indeed, the available evidence establishes that Black voters in District 4 have experienced *no* electoral change as a result of the City’s adoption of the 2022 Plan. Duchin Aff. at ¶¶ 10-11, 15-17. Therefore, Plaintiffs’ VRA claim must fail.

Perhaps aware of the weakness of their claim, Plaintiffs offer an additional and novel argument, claiming that an alleged violation of the OML can be transformed into a violation of the VRA because it affects “Section 2 protected language minority groups who are residents and voters in Boston.” Reply at 2. There are multiple problems with this claim. The City will focus on only two. First, Plaintiffs apparently intend—assuming that they are successful in amending their complaint—to assert their section 2 claim on behalf of Black voters in District 4. Reply at 2. But they have not established that Black voters in District 4 are a protected language minority group as defined by the VRA. *See* 28 C.F.R. § 55.1 (defining language minority group as including those of “American Indian, Asian American, Alaskan Natives or of Spanish heritage”). Second, and perhaps more importantly, Plaintiffs have asserted no basis whatsoever to support their novel legal theory that a state OML claim can somehow be converted into a federal voter dilution claim, which has very specific—and here, unmet—evidentiary requirements. Plaintiffs cannot bootstrap one unproven state claim to prop up an unproven federal claim.

**C. Plaintiffs’ New Litany of Quotations, Taken out of Context, Do Not Advance Their Equal Protection Claim Where the Challenged Districts Remain Largely Unchanged**

At this late stage of the process, Plaintiffs cite a string of Councilor statements they claim demonstrates a discriminatory purpose underlying the 2022 Plan. Reply at 5-6. But these statements, taken out of context and prior to the Council being further educated on the topic of redistricting law, do little to advance plaintiffs’ Equal Protection claim. *See, e.g., Miller v. Johnson*, 515 U.S. 900, 916 (1995) (local legislatures will “almost always be aware of racial demographics” in redistricting); *cf. Brnovich v. Democratic Nat’l Comm.*, -- U.S. --, 141 S. Ct. 221 (2021) (rejecting “cat’s paw” theory of attributing alleged racial animus of one legislator to entire legislative body). The proof, as they say, is in the pudding. Here, the Council ultimately adopted districts that changed just enough to satisfy equal population requirements, swapping only a handful of precincts in Districts 2, 3 and 4 and leaving the borders and demographics of those challenged districts largely unchanged. *See* Duchin Aff. at Figures 1 and 2; *see also* Handley Report at 17, 18, Table 5 (“[t]here is very little difference in the demographic composition of the districts”). Without substantial change in the existing map, it is virtually impossible for plaintiffs to demonstrate that “race was the *predominant factor* motivating the legislature’s decision to place a *significant number of voters* within or without a particular district.”<sup>3</sup> *Miller*, 515 U.S. at 916 (emphasis added).

In fact, the existing evidence is directly contrary. The City’s expert—Professor Moon Duchin of the Jonathan M. Tisch College of Civic Life at Tufts University—explains that the 2022 Plan demonstrated a “great degree of consideration” for traditional redistricting principles. Duchin

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<sup>3</sup> As just one example, plaintiffs cite a comment by Chair Braedon that Districts 3 was an “opportunity district” that should be “strengthened” by pushing the non-white population closer to 65% as a matter of “political aspiration.” Reply at 5. But that did not happen. The white population in District 3 barely budged, actually increasing slightly. It was 41.5% under the prior plan, and 41.9% under the 2022 Plan.

Aff. at ¶ 19. For example, the 2022 Plan reflected compactness (reasonable district shapes) and contiguity (connected district land area). *Id.* at ¶¶ 7, 19. But the overwhelming emphasis in the 2022 Plan was on core retention: that is, voters generally remained in the same districts under the new plan. *Id.* at ¶¶ 7, 19. As Professor Duchin points out, of 675,647 Boston residents, the vast majority—626,100 people—will have the same district assignment under the 2022 Plan. *Id.* at Figure 1. In District 3, for example—where several Plaintiffs reside and which is the focus of Plaintiffs’ claims—85.2% of the voting population will remain in the same district. *Id.* Indeed, Professor Duchin notes that the 2022 Plan reflects “a level of deference to prior district boundaries (i.e., extremely high core retention) that may be the highest I have seen in any redistricting plan in the country.” *Id.* at ¶ 19. Contrary to Plaintiffs’ claims that the 2022 Plan included “aggressive” and “catastrophic” changes that “destroyed” neighborhoods, therefore, the evidence is that the changes were minor and at the margins. That is insufficient to establish that race predominated the Council’s decision-making, particularly in light of “the sensitive nature of redistricting and the presumption of good faith that must be accorded legislative enactments.” *Miller*, 515 U.S. at 916.

Moreover, the Council was *required* under the VRA to consider race in drawing District 4 (as well as the necessary changes to neighboring Districts 3 and 5) because District 4 was already an effective district for Black voters. Thus, race was always going to be part of the Council’s redistricting conversation and the comments Plaintiffs cite simply reflect the Council’s good faith concerns about meeting their VRA obligations. For example, certain Councilors were concerned about improperly “packing” the Black voter population in District 4, in violation of the VRA. *See, e.g.,* Reply at 5 (Councilor Arroyo quoted as stating, “District 4, frankly, I think the Voting Rights Act is clear on this, cannot pack more people of color into it, it has to become a more white district”). Some Councilors also wondered if they could create additional “opportunity” districts,

in which cohesive minority groups could elect the candidates of their choice. *See, e.g.*, Reply at 5 (Chair Braedon quoted as stating, “we’re trying to strengthen the, actually, we’re trying to balance the racial minority, the total minority numbers between District 3 and District 4, to try to get a little more, increase the opportunity in District 3”). Because of VRA mandates, these conversations take place in every redistricting effort. *See, e.g., Abbott*, -- U.S. --, 138 S. Ct. at 2315 (“At the same time that the Equal Protection Clause restricts the consideration of race in the districting process, compliance with the [VRA] pulls in the opposite direction: It often insists that districts be created precisely because of race”). And Councilors must be free to voice their VRA-related concerns with their fellow Councilors, their experts, advocates and the general public. Moreover, as Professor Duchin points out, the comments Plaintiffs cite were made before she and the Council’s other experts had the opportunity to make presentations to the Council, explaining the requirements and limits of the VRA. Duchin Aff. at ¶¶ 21-22. In addition to being free to express their VRA concerns, local legislators must also be granted time and space to educate themselves on what can and cannot be done within the redistricting process.

Ultimately, the 2022 Plan speaks for itself. It made very few changes from the previous map. The district borders largely stayed the same. Duchin Aff. at Figures 1 and 2. The residents within those borders largely stayed the same. *Id.* at Figure 2. And the district demographics largely stayed the same. Handley Report at 18, Table 5. As a result, the electoral outcomes of the 2022 Plan are statistically likely to remain the same. Handley Report at 17, 18 and Tables 4 and 6. With so little change, it is hard to imagine that there would be opportunity for the kind of “aggressive” racial balancing plaintiffs have alleged, no matter what certain Councilors may have said during the districting process.

**D. Plaintiffs Still Have Not Established any OML Violation Sufficient to Support the Extraordinary Relief Sought.**

Next, Plaintiffs turn to their OML claims, again with two apparently new arguments. First, Plaintiffs pivot to focus on their allegation that the Council did not provide “language services to minority residents,” and thus it “effectively shut minority voters out of the process.” Reply at 3. But Plaintiffs have again failed to provide any authority for the claim that not providing interpretation services at Council meetings is a violation of the OML, even after this legal deficiency was noted in the Council’s Opposition. *See* Opposition at 21 n.10. That is because there is no legal authority for this claim: the OML does not require the provision of language services. *See generally* G.L. c. 30A, §§ 18-25.

Second, Plaintiffs appear to ask this Court to abstain from any determination under the OML, because that “issue . . . is best addressed by the State and local officials.” Reply at 4. Certainly, if the Plaintiffs would like to withdraw their OML claims in this case and proceed only on their VRA and Equal Protection claims, the City Council will not oppose that request. In any case, Plaintiffs have failed to establish any violation of the OML that was not cured, or any violation sufficient to support the extraordinary relief they request here, the nullification of the 2022 Plan. *City of Revere v. Mass. Gaming Comm’n*, No. 14-CV-3253, 2019 WL 4017027, at \*2, 5 (Mass. Super. Ct. 2019) (would be an “abuse of discretion” to invalidate agency action on the basis of even a “handful” of potential OML violations).



**E. Conclusion**

For the reasons set forth above and in the Council's Opposition, the Council respectfully requests that this Court deny Plaintiffs' motion for a preliminary injunction.

By its attorneys,

/s/ Lon F. Povich

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Dated: February 23, 2023

**CERTIFICATE OF SERVICE**

I hereby certify that a true and accurate copy of this document was filed through the Electronic Case Filing system, and will be served upon the attorney of record for each party registered to receive electronic service on this 23rd day of February 2023.

/s/ Christina S. Marshall  
Christina S. Marshall

UNITED STATES DISTRICT COURT  
DISTRICT OF MASSACHUSETTS

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ROBERT O'SHEA, CHAIRMAN OF THE  
WARD 6 DEMOCRATIC COMMITTEE, et )  
al., )

Plaintiffs, )

v. )

BOSTON CITY COUNCIL, )

Defendants. )

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Civil Action No. 1:22-cv-12048-PBS

**AFFIDAVIT OF MOON DUCHIN**

I, Moon Duchin, on oath hereby do depose and say as follows:

1. I am a Professor of Mathematics, and a Senior Fellow in the Jonathan M. Tisch College of Civic Life, at Tufts University. At Tisch College, I am the director and principal investigator of an interdisciplinary research group called the MGGG Redistricting Lab. My areas of research and teaching include the structure of census data, computational redistricting, and the mathematical study of elections. In 2019, I was awarded a major grant from the National Science Foundation to study *Network Science of Census Data*.

2. I am compensated at \$400/hour for my work in this case. I have previously written reports and provided testimony by deposition, at hearings, and at trial in redistricting cases in North Carolina, Pennsylvania, Wisconsin, Alabama, South Carolina, Texas, and Georgia.<sup>1</sup> All work in this report was completed by me and by research assistants working under my direct supervision.

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<sup>1</sup> *NC League of Conservation Voters, et al. v. Hall, et al.* No. 21-cvs-500085 (Wake Cty. Sup. Ct. 2021); *Carter v. Chapman*, No. 7 MM 2022, 2022 WL 702894 (Pa. Mar. 9, 2022); *Johnson v. Wis. Elections Comm'n*, No. 2021AP1450- OA, 2022 WL 621082 (Wis. Mar. 3, 2022); *Milligan, et al. v. Merrill, et al.*, Case No. 2:21-cv-01530-AMM and *Thomas, et al. v. Merrill, et al.*, Case No. 2:21-cv-01531-AMM (N.D. Ala. 2021); *S.C. NAACP et al. v. Alexander, et al.*, Case No. 3- 21-cv-03302-MBS-TJH-RMG (D.S.C. 2022) (three-judge ct.); *TX NAACP et al. v. Abbott*, Case No. 1:21-CV-00943-RP-JES-JVB.

3. I have been provided by counsel with the following documents and materials.

- **PI Memo** (Plaintiffs' Supplemental Memorandum in Support of Application for Preliminary Injunction), dated November 2, 2022
- **Amended Complaint**, dated November 21, 2022
- **Handley Report** (Lisa Handley Analysis, Exhibit D of City of Boston Goldberg Affidavit), dated January 13, 2023
- **City of Boston Opposition**, dated January 17, 2023
- **Plaintiffs' Reply** (Plaintiffs' Reply to the Defendant's Opposition to Plaintiffs' Motion for Preliminary Injunction), dated January 27, 2023
- Shapefiles showing the legally enacted districts from before and after the 2022 redistricting process (called the **Benchmark Plan** and the **2022 Enacted Plan**, or simply Enacted Plan, respectively)

4. I have also relied upon publicly available data from the U.S. Census Bureau, particularly the PL94-171 release known as the Redistricting Data, and referred to below as 2020 Census data.

### **Background Facts**

5. According to the 2020 Census data, the population of the City of Boston is 675,647. The City Council has 13 members, of whom 9 are elected from geographical districts.

6. In Fall 2022, the Council undertook its decennial redistricting. Besides the usual challenge of balancing population in districts that had grown malapportioned over time, a second challenge faced the Council: the city had just conducted an adjustment of its precincts for the first time in over 100 years. Since the districts are made of whole precincts, this also prevented districts from staying exactly as before.

7. In addition to equalizing population and using whole-precinct building blocks, the Council had to balance a number of other traditional districting principles, or "TDPs," including contiguity (connected land area) and compactness (reasonable shapes). Many consider core retention (preserving the district assignment of most voters) and related incumbency considerations to also merit inclusion among TDPs. Rounding these out are two TDPs that are more complicated to quantify: respect for "communities of interest and the safeguarding of

electoral opportunity for members of minority groups, as articulated in the Voting Rights Act of 1965 and in racial gerrymandering jurisprudence drawn from the 14th Amendment.

8. The complaint in this case claims in part that race predominated over these traditional principles: “This Redistricting Plan was motivated by a desire to achieve ‘racial balancing’ between various Districts in the City of Boston. Primarily, the goal was to make white-majority districts less white, and African-American majority districts less black” (PI Memo, p. 1). The complaint alleges that the pursuit of these priorities led to “aggressive redistricting of boundaries along racial lines” (Amended Complaint, p. 20). In addition to the constitutional claim, Plaintiffs contend for VRA purposes that “any reduction in the black vote in District 4 is catastrophic to the only black-majority district in the City, especially when viewed in historical context” (Plaintiffs’ Reply, p. 2).

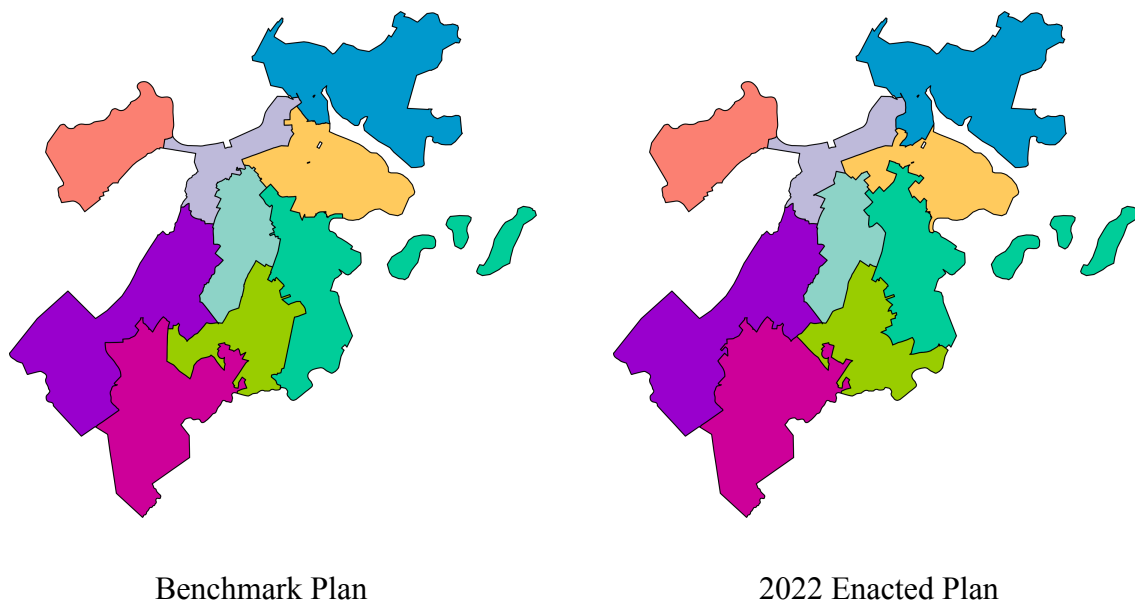


Figure 1: Of 675,647 Boston residents, the vast majority—626,100 people—will have the same geographical district assignment after redistricting that they did before. This is a remarkably high degree of *core retention*. In particular, 85.2% of the Bostonians who were assigned to District 3 before the redistricting are retained in the district.

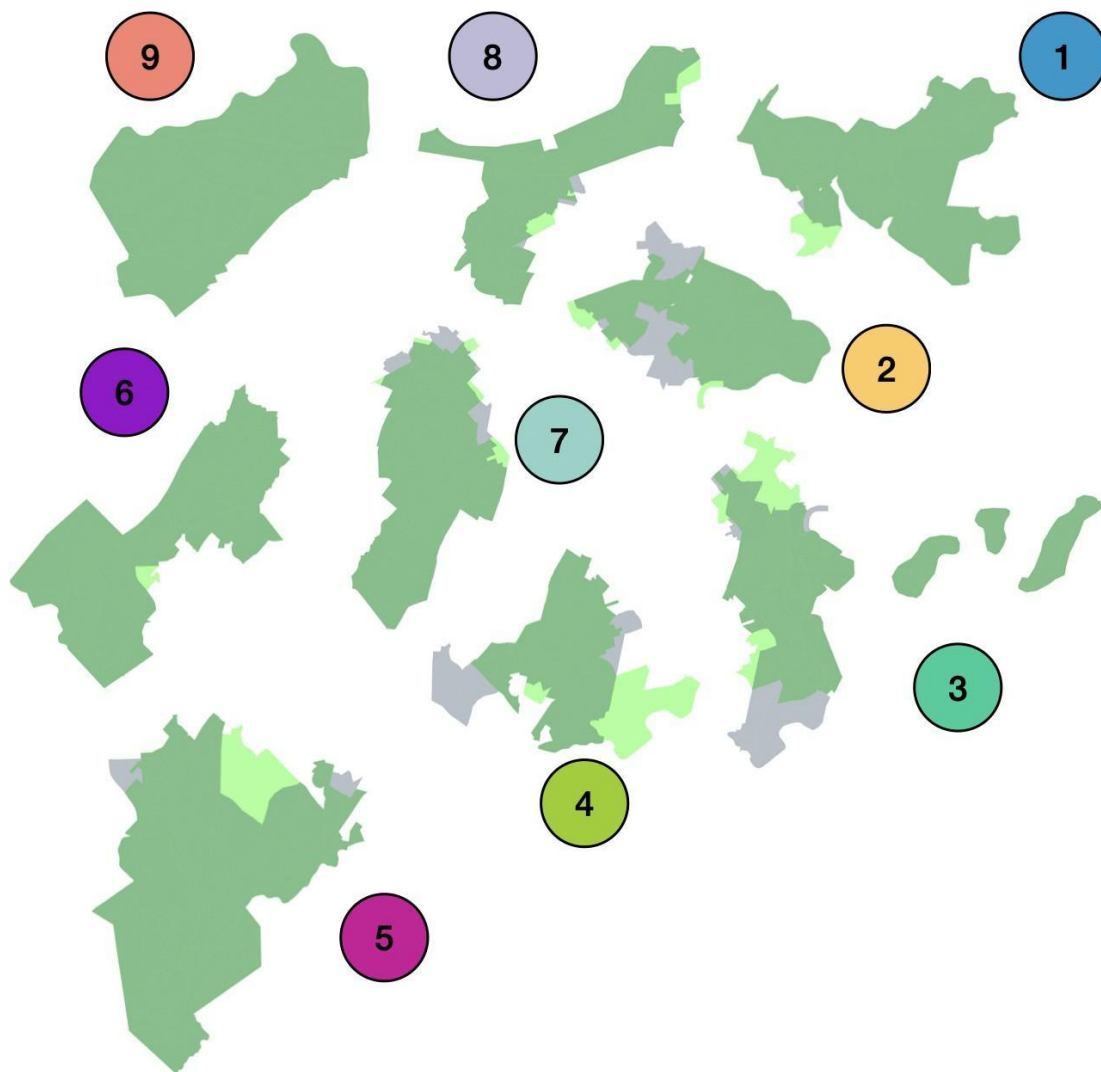


Figure 2: Before-and-after images are shown for each district. Pre-redistricting (“benchmark”) configurations are shown in gray and post-redistricting (“enacted”) configurations are shown in light green, so that the dark green regions represent the overlap. For instance, the figure suggests that District 2 had become overpopulated, and needed to shrink, while District 1 had become slightly underpopulated, and needed to grow. As this figure illustrates, the districts must fit together like a jigsaw puzzle, with changes to one district interacting with changes to neighboring districts.

### **Voting Rights Act Claim**

9. The Voting Rights Act claim is put forward on behalf of Black voters in District 4:

There can be no doubt that District Four contains a minority group (African-Americans) that is sufficiently large and compact to constitute a majority in the District. The Redistricting Plan

approved by the City Council effective splits District Four, transferring African-American votes out of the district and receiving primarily white votes in return. This “cracking” of a historically African-American district will result in the dilution of the African-American vote in that District and critically endanger the opportunity to elect the minority’s preferred representative. (PI Memo, pp. 4-5)

10. The mention of Black population being “sufficiently large and compact” to be a majority is a reference to Gingles 1, the first of the three so-called “Gingles factors” that are preconditions for advancing VRA litigation. The other two required showings, known as Gingles 2 and 3, call for demonstrations of racially polarized voting. The minority group must be shown through statistical inference techniques to have a cohesive preference for particular candidates (Gingles 2), while the majority must be shown to vote as a bloc in a manner that usually defeats these preferred candidates (Gingles 3). But far from establishing these conditions, the Amended Complaint makes it clear that plaintiffs deny that evidence of racially polarized voting exists at all.

There has been no racial polarization regarding voting in the City, as was confirmed by Professor Wice, as can be seen from Councilor Baker’s re-election in his 63% non- white district, in the election of Secretary Galvin in the African-American majority of District 4, and in various other elections throughout the City. (Amended Complaint, ¶ 121)

Under the existing plan before redistricting, District 3 had a long history of electing African-American officials, and District 4 had a long history of electing white officials. There was no racial polarization of voting blocs in either district that would require redistricting based on race. (¶¶ 161-162)

There is no evidence in the record of racial polarization of votes in the City of Boston or in the affected districts. (¶ 173)

The Districts most affected by the redistricting legislation each have long histories of race-neutral elections, with white candidates winning elections in majority minority districts and minority candidates winning in majority white districts and precincts. (¶ 175)

11. Since the 1980s, these Gingles factors have been a fundamental precondition for advancing VRA claims, because they provide an indicator that the challenged configuration of districts creates a harm to minority voters that can be remedied with alternative district lines. Once the preconditions are met, liability is established by conducting a fuller *performance analysis* of districts, considering whether they provide effective opportunity for the minority group to elect candidates of choice.

12. The Council received information relevant to district performance from two different experts: myself and Dr. Lisa Handley. I was brought in to address the City Council Working Session on October 21, 2022 in my capacity as a local professor with domain expertise. Dr. Handley, as a consultant working for the City of Boston, addressed the City Council Working Session on October 25, 2022, and later provided a written report on her findings. Dr. Handley and I each independently concluded that the proposed District 4 map would not undermine the ability of Black voters in District 4 to elect candidates of their choice.

13. We each drew these conclusions from recent elections in which standard inference methods identify clear candidates of choice for Black voters. I offered the examples of Ayanna Pressley in the At-Large City Council elections of 2015 and 2017 as well as Kim Janey and Andrea Campbell in the Mayoral Primary of 2021. Handley also cited Janey and Campbell in the Mayoral Primary of 2021 as candidates of choice and described that election as “a good bellwether” (Handley Report, Goldberg p. 63).

14. Once contests have been identified that are probative of the preferences of the minority group, the test of effective opportunity is to see whether these candidates would have won their contest in the districts under consideration. This is sometimes called a “reconstituted” or “recompiled” election analysis.

15. To study this, I used standard techniques in spatial statistics to transfer election results from 2015-2021 onto the new districts.<sup>2</sup> I find that the candidate of choice wins handily in all three identified elections, as shown in Table 3.

	At-Large Council 2015	At-Large Council 2017	Mayoral Primary 2021
Benchmark 4	Pressley 5312	Pressley 7072	Janey 4073
	Wu 3272	Wu 4997	Campbell 3212
	Flaherty 3042	Flaherty 4046	Wu 1855
Enacted 4	Pressley 5417	Pressley 7544	Janey 4108
	Flaherty 3452	Wu 5452	Campbell 3083
	Wu 3319	Flaherty 5025	Essaibi George 2061

Table 3: The minor changes to District 4 in the 2022 redistricting process leave the performance analysis substantively unchanged—there are commanding showings by Black voters’ candidates of choice each time.

16. Dr. Handley agrees:

***Recompiled Bellwether Election Results for Proposed Plan*** An examination of [a table of results] indicates that proposed Districts 4 and 7 will continue to provide Black voters with an opportunity to elect their candidate of choice. The percentage of votes garnered by Janey declines slightly in District 4 and increases more substantially in District 7 compared to the Current Plan, but Janey easily carries both districts. The result for District 5 in the Proposed Plan is comparable to the Current Plan: Wu receives slightly more votes than Janey. Overall, Black voters’ candidate of choice, Janey, wins two districts and comes in a very close second place in a third district. This is precisely the same overall electoral outcome as under the Current Plan.

17. In my view, this directly contradicts the plaintiffs’ claim that the new configuration of District 4 will “critically endanger the opportunity to elect the minority’s preferred representative.” (PI Memo, pp. 4-5)

18. In summary, as regards the Voting Rights Act challenge, the precondition showing

<sup>2</sup> In particular, I used the MAUP package developed in my Lab to disaggregate election results to 2020 census blocks proportional to voting age population in each block. See <http://github.com/mggg/maup>. Prorating from precincts to blocks can produce fractional vote totals, but I have reported the totals rounded to the nearest whole number.



racially polarized voting has not been met by plaintiffs (who in fact deny that polarization exists); and performance analysis independently offered by two experts shows that enacted District 4 is in any case highly effective at providing electoral opportunity for Black voters to elect candidates of choice.

### **Equal Protection Claim**

19. In the PI Memo, plaintiffs cite *Miller v. Johnson* (1995) to explain what must be demonstrated in a racial gerrymandering claim:

To make this showing, a plaintiff must prove that the legislature subordinated traditional race-neutral districting principles, including but not limited to compactness, contiguity, and respect for political subdivisions or communities defined by actual shared interests, to racial considerations. (PI Memo, p. 6)

In this instance, such a demonstration would be extremely difficult given the plan's great degree of consideration for traditional principles: not only respect for compactness and contiguity, but also a level of deference to prior district boundaries (i.e., extremely high core retention) that may be the highest I have seen in any redistricting plan in the country.

20. The plaintiffs write that “the Redistricting Plan **eviscerates** the neighborhoods in Districts 2, 3, and 4” (PI Memo p. 6-7, *emph. added*) and that “There is a **complete disruption** of District 3, by **removing the core** of its district from its historical home” (Amended Complaint ¶110, *emph. added*). These claims are completely inconsistent with the plan's core retention levels of 80.5%, 85.2%, and 88.0% in Districts 2, 3, and 4, respectively. Indeed, the district that lost the highest number of prior residents, District 2, had no choice but to slim down as it had become severely overpopulated due to population shifts since the last Census.

21. Finally, I will briefly address the comments attributed to individual City Councilors in the Plaintiffs' Reply, which are presented as evidence of racial predominance in decision-making. Plaintiffs cite thirteen informal remarks made in Working Sessions dated

September 30 to October 20, 2022.

22. Most of the comments are fairly vague but indicate that the Councilors had the impression that VRA compliance might require tuning of racial demographics. For instance, the most explicitly race-oriented of the comments cited by Plaintiffs is this one:

Councilor Breadon stated: “Both District 5 and District 3 are opportunity districts, and we need to ensure that they continue to be opportunity districts and strengthen them.” Councilor Baker responded: “And so opportunity being 60% of non-white?” Councilor Breadon responded: “60% of non-white or ideally pushing it up higher than that up to 65.” Council Baker queried: “Ideally, as a political aspiration?” Councilor Breadon responded: “Yes.” (at 1:09:07) (October 17, 2022, cited in Plaintiffs’ Reply, p. 5)

That is, at the time of this comment, the speaker appears to have believed that racial demographics are directly germane to an opportunity analysis. However, this comment precedes the presentations to the Council by myself and Dr. Handley, which emphasized that electoral history, not racial percentages, is at the heart of a performance analysis: I made this point myself on October 21; and Dr. Handley made entirely consonant remarks on October 25. Thus, any mistaken impression would have been corrected before final decisions were made. As an indication of that, note that District 3 was enacted with a non-White voting age population share of 58.1%—actually *reduced* from the benchmark level of 58.5%—which makes it clear that a target of 60-65% discussed briefly at the October 17 meeting was not ultimately influential in the choice of district lines.

23. In summary, the changes made from the benchmark to the enacted plan are nearly mathematically minimal, and the plan reflects a strong deference to traditional districting principles. The cited discussion of racial demographics by individual Councilors does not seem to be reflected in the final design of the plan.

Signed under the pains and penalties of perjury this 21st day of February, 2023.

A handwritten signature in black ink, appearing to read 'Moon Duchin', written over a horizontal line.

Moon Duchin

# **EXHIBIT H**

UNITED STATES DISTRICT COURT  
DISTRICT OF MASSACHUSETTS

<p>RASHEED WALTERS, et al.,</p> <p style="text-align: center;">Plaintiffs,</p> <p>v.</p> <p>THE CITY OF BOSTON, et al.,</p> <p style="text-align: center;">Defendants.</p>	<p>)</p> <p>)</p> <p>)</p> <p>)</p> <p>)</p> <p>)</p> <p>)</p> <p>)</p> <p>)</p>	<p>Civil Action No. 1:22-cv-12048-PBS</p>
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**CITY DEFENDANTS’ SUPPLEMENTAL OPPOSITION**  
**TO PLAINTIFFS’ MOTION FOR A PRELIMINARY INJUNCTION**  
**FOLLOWING PLAINTIFFS’ SECOND AMENDED COMPLAINT**

As authorized by the Court at the March 8, 2023 status conference, the Defendants (“City”) submit this supplemental opposition to address Plaintiffs’ Second Amended Complaint.

**I. Section 203 of the Voting Rights Act**

Plaintiffs’ single new legal theory is that the City’s redistricting process violated Section 203 of the Voting Rights Act, 52 U.S.C. § 10503. Second Amended Complaint (“SAC”) ¶¶ 36, 180. However, the Second Amended Complaint contains minimal specific allegations as to how the City allegedly violated Section 203, misconstrues the applicability of Section 203 to non-voting materials, and incorrectly states the languages to which the City is required to translate such voting materials. There is no merit to Plaintiffs’ new allegation and it should be disregarded by the Court.

Section 203 aims to remediate “high illiteracy and low voting participation” among citizens of language minorities. 52 U.S.C. § 10503(a). To achieve this goal, it requires “covered” state and local governments to provide “voting materials” in languages accessible to language minority groups whose “limited-English-proficient” members make up an appreciable portion of the voting-age citizens in those jurisdictions. *Id.* § 10503(b)(3).

Plaintiffs only allege one specific incident constituted a Section 203 violation: an alleged failure to provide Vietnamese translation services at an October 20, 2022 community meeting. SAC ¶ 36. The complaint also alleges that the “Redistricting Committee ignored the requests from community groups to hold additional meetings in Cantonese, Spanish, Vietnamese, and Haitian Creole,” *id.* ¶ 99; *see also id.* ¶¶ 92-93, and that translation was disrupted at other community meetings, *id.* ¶ 43 & ex. I. For the purposes of this memorandum, the City will assume Plaintiffs mean for these allegations also to support their Section 203 claim.

Plaintiffs are not entitled to preliminary injunctive relief under Section 203. First, community meetings concerning redistricting are not “voting materials” subject to Section 203. Second, Boston is “covered” under Section 203 only with respect to Spanish speakers, so allegations about other language minority groups are irrelevant. Third, Plaintiffs’ allegations about Spanish-speaking Bostonians neither state a claim nor warrant the relief sought.

A. Community Meetings Are Not “Voting Materials”

Plaintiffs’ Section 203 claim is based on a misreading of the statute. Section 203 requires covered jurisdictions to offer “voting materials” in multiple languages. 52 U.S.C. § 10503(b)(1). “Voting materials” means “registration or voting notices, forms, instructions, assistance, or other materials or information relating to the electoral process, including ballots.” *Id.* § 10503(b)(3)(A). It does not extend to community meetings on redistricting.

“Voting materials” must pertain to voter registration or the act of voting. *See Delgado v. Smith*, 861 F.2d 1489, 1493 (11th Cir. 1988); *Montero v. Mayer*, 861 F.2d 603, 609 (10th Cir. 1988) (quoting Implementation of the Provisions of the Voting Rights Act Regarding Language Minority Groups, 40 Fed. Reg. 46,080, 46080 (Oct. 1, 1975)) (noting Section 203 is designed “to make the total registration and voting process in the language of the applicable language minority group comparable to the registration and voting process in English”); 28 C.F.R. § 55.15.

Information on redistricting pertains to neither. The City has not been able to identify a case where a plaintiff argued otherwise, let alone a case in which districts were invalidated on the basis of a Section 203 violation. Even the Department of Justice's exhortation that Section 203's requirements "should be *broadly construed* to apply to *all stages* of the electoral process" refers only to "voter registration, the time, places and subject matters of elections, and the absentee voting process." 28 C.F.R. § 55.15 (emphasis added).

Section 203's protections simply do not extend to these community meetings; a conclusion which is fully consistent with Section 203's stated purpose of addressing "low voter participation" in language minority groups. 52 U.S.C. § 10503(a)(1); *see also Montero*, 861 F.2d at 609 (quoting 40 Fed. Reg. 46,080) (Section 203 designed to improve "registration and voting process in the [minority] language"). The Second Amended Complaint does not suggest, or even hint, that the alleged failures to provide additional meetings in four languages will depress voter turnout among minority language groups.

B. Section 203 Does Not Require Boston to Provide Voting Materials in Vietnamese, Cantonese, or Haitian Creole

Even assuming Section 203 applies to pre-redistricting meetings of the City Council, Plaintiffs have not alleged any actionable failure by the City to provide language translation services. Before Section 203 will require a given local government to provide voting materials in a given minority language, the language minority group must meet certain population thresholds within the jurisdiction. *Id.* § 10503(b), (c). The Census Bureau, exclusively, determines which language minority groups meet those thresholds in any particular jurisdiction. *Id.* § 10503(b)(4). Those determinations are "effective upon publication in the Federal Register and shall not be subject to review in any court." *Id.*

The Census Bureau published its latest determinations on December 8, 2021. Determinations Under Section 203, 60 Fed. Reg. 69,611, 69,611 (Dec. 8, 2021). Per those determinations, Boston is a covered political subdivision with respect to the Hispanic language minority group, and no others. *Id.* at 69,614. Thus, any allegations that the City violated Section 203 by failing to provide language access to other language minority groups—including speakers of Vietnamese, Cantonese, or Haitian Creole—fail as a matter of law.

C. Plaintiffs’ Spanish-Language Access Allegations Do Not Merit the Relief Sought

The City is obligated under Section 203 to provide voting materials in Spanish. Plaintiffs’ only allegations relating to Spanish language access do not allege the City failed to do so. They allege only that an organization named South Boston En Accion (“SBEA”) wrote to Councilor Breadon to express that “language access has not been a priority” at public meetings and that “[w]hen attempts were made to translate for residents, the interpretations were disrupted.” SAC ¶¶ 42-43 & Ex. I. As established above, public meetings about redistricting are not “voting materials.” Moreover, the letter does not complain that Spanish-speaking residents were deprived of an opportunity to weigh in on the redistricting process, let alone the opportunity to register or vote. *Id.* Ex. I. It only asks the City to ensure those residents have “the opportunity to learn about the impacts of redistricting.” *Id.* These allegations neither suggest any “denial of the right to vote” on the basis of membership in a minority language group, 52 U.S.C. § 10503(b), nor justify an injunction reinstating an indefensibly malapportioned map, *see* Opposition at 25.

## II. Additional Materials

Defendants take this opportunity to submit four additional pieces of information to assist the Court in its consideration of Plaintiffs’ preliminary injunction motion in advance of the evidentiary hearing on this matter.



First, attached as Exhibit A to the Second Affidavit of Sabino Piemonte (“Second Piemonte Affidavit”) is the City’s 2023 Municipal Election Calendar. As shown on the calendar, the last hour and day for making application and distribution of nomination papers for the November 7, 2023 municipal election is 5:00 p.m. on May 16, 2023. To the extent that the Court orders any injunctive relief, the Defendants respectfully request that any such order provide them with time to create new voting districts sufficiently in advance of this deadline such that there is an opportunity for any interested party to file their application before this deadline.

Second, Paragraph 4 of the Second Piemonte Affidavit provides the address and voting district(s) for each new individual plaintiff named in the Second Amended Complaint, both before and after the 2022 redistricting process. The Second Amended Complaint adds a voter who resides in District 4, Rasheed Walters.<sup>1</sup> Mr. Walters alleges “that the redistricting map violates his voting rights and the City Charter by gerrymandering District 4 so it is no longer a majority black seat,” and “that this forced gentrification of District 4 may result in the black voters of District 4 never being represented by an African American again.” Second Amended Complaint, ¶¶ 132-133. These allegations appear to be based, as with Plaintiffs’ earlier allegations, on the slight dip in Black voter population in District 4. But the allegations are directly contrary to the evidence: as already established, under the 2022 Plan, Black voters will continue to vastly outnumber white voters in District 4, making up 52.1% of the voting population (slightly down from 52.6% under the preceding plan), compared to white voters at 14.5%. And Black voters maintain the ability to “handily” elect the candidate of their choice under the 2022 Plan.

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<sup>1</sup> It also removes the Chairman of the Boston Ward 6 Democratic Committee in South Boston, Robert O’Shea, who resided in District 2 prior to the redistricting and in District 3 after the redistricting. Mr. O’Shea’s affidavit, on which the Plaintiffs’ Open Meeting Law claim is primarily based, remains as Exhibit J.

Third, attached as Exhibit A of the Second Affidavit of Michelle Laibson Goldberg (“Second Goldberg Affidavit”) is a chart of each of the City Council’s meetings on redistricting in 2021 and 2022, including the date of the meeting, the type of meeting, its subject, its location, and links to the public notice, minutes, video and transcripts, where available. This chart is intended to assist the Court in its review of Plaintiffs’ Open Meeting Law and Equal Protection claims. To the extent that the City relies on information contained within any individual link in its arguments to the Court or any additional briefing, it will submit full copies of such documents to the Court.

Fourth, attached as Exhibit B of the Second Goldberg Affidavit are the minutes of the meeting that occurred at the Condon School in South Boston on October 19, 2022. Plaintiffs’ Open Meeting Law claim is partially based on this meeting.

### **III. Conclusion**

For the reasons set forth above and in the City’s Opposition and Sur-Reply, the City respectfully requests that this Court deny Plaintiffs’ motion for a preliminary injunction.

THE CITY OF BOSTON, et al.,  
By their attorneys,

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Dated: March 27, 2023

**CERTIFICATE OF SERVICE**

I hereby certify that a true and accurate copy of this document was filed through the Electronic Case Filing system, and will be served upon the attorney of record for each party registered to receive electronic service on this 27<sup>th</sup> day of March 2023.

/s/ Christina S. Marshall  
Christina S. Marshall

# **EXHIBIT I**

UNITED STATES DISTRICT COURT  
DISTRICT OF MASSACHUSETTS

<p>RASHEED WALTERS, et al.,</p> <p style="text-align: center;">Plaintiffs,</p> <p>v.</p> <p>THE CITY OF BOSTON, et al.,</p> <p style="text-align: center;">Defendants.</p>	<p>)</p> <p>)</p> <p>)</p> <p>)</p> <p>)</p> <p>)</p> <p>)</p> <p>)</p> <p>)</p> <p>)</p>	<p>Civil Action No. 1:22-cv-12048-PBS</p>
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**AMENDED JOINT EXHIBIT LIST**

	NAME	DATE ADMITTED
1	Second Amended Complaint, Tabs A-S	March 28, 2023
2	City Council Minutes on Redistricting from 9/28/2021 – 11/02/2022	March 28, 2023
3	City Council Order for the Adoption of City Council Redistricting Principles, September 28, 2022	March 28, 2023
4	October 19, 2022 Letter from City of Boston Law Department to the Committee on Redistricting	March 28, 2023
5	Boston City Council Districts Maps <ul style="list-style-type: none"> <li>a. Boston City Council Districts Baseline with updated Precincts 2022, Docket #1089, September 20, 2022 and All Districts Summary Report</li> <li>b. City Council Redistricting – Docket #1275 Committee Report, November 2, 2022, and All Districts Summary Report</li> <li>c. City Council Redistricting – Docket #1351 Councilor Flaherty, November 2, 2022</li> <li>d. Boston City Council Districts, 2016 Revised Plan</li> </ul>	March 28, 2023
6	City Council Committee on Redistricting, Report of Committee Chair, November 2, 2022	March 28, 2023

7	Quotes from Boston City Council Working Sessions on September 30 and October 7, 17, and 20, 2022  a. Video snippets of quotes, Tabs 1A-4B (contained in Flash drive in Exhibit 16)	March 28, 2023
8	Curriculum Vitae of Dr. Moon Duchin	March 28, 2023
9	Affidavit of Moon Duchin, February 21, 2023	March 28, 2023
10	An Analysis of Voting Patterns by Race and an Assessment of Minority Voters' Opportunities to Elect Candidates in Recent Boston Municipal Elections, by Dr. Lisa Handley	March 28, 2023
11	Affidavit of Sabino Piemonte (January 13, 2023)	March 28, 2023
12	Affidavit of Michelle Goldberg (January 13, 2023), Tabs A-L	March 28, 2023
13	Second Affidavit of Sabino Piemonte (March 27, 2023)	March 28, 2023
14	Second Affidavit of Michelle Goldberg (March 27, 2023)	March 28, 2023
15	Quotes from Boston City Council Working Session on October 25, 2022, Tabs A-G  a. Video snippets of quotes (contained in Flash drive in Exhibit 16)	March 28, 2023
16	Flash drive: Videos of Boston City Council and Redistricting Committee Meetings on September 30 and October 7, 17, 20, 21, and 25, 2022, Tabs 1-7	March 28, 2023
17	Voter Turnout Percentage Chart	March 28, 2023
18	City Council Committee on Redistricting proposed plan submitted by Chair Councilor Breadon and Vice Chair Councilor Worrell (Docket #1216)	March 28, 2023
19	Ed Flynn Facebook Posts	March 28, 2023
20	Table: Population reassignment across districts (Dr. Moon Duchin)	March 28, 2023
21	Tables of City Councilors and Redistricting Committee	March 28, 2023
22	Dr. Moon Duchin submissions to Boston City Council	March 28, 2023

	<ul style="list-style-type: none"> <li>a. Best Practices for Local Redistricting, Moon Duchin, Tufts University, October 20, 2022</li> <li>b. Increasing electoral opportunity in Boston City Council, Moon Duchin and Chanel Richardson, MGGG Redistricting Lab, October 25, 2022</li> </ul>	
23	<p>Quotes from Boston City Council Working Session on October 21, 2022, Tabs A-H</p> <ul style="list-style-type: none"> <li>a. Video snippets of quotes (contained in Flash drive in Exhibit 16)</li> </ul>	March 28, 2023
24	Email correspondence of Redistricting Committee	March 28, 2023
25	City of Boston Election Department Ward and Precinct Voter Turnout 2019 & 2021	March 28, 2023
26	Flash drive: Screen recording of Dr. Moon Duchin testimony on April 3, 2023	March 28, 2023
27	Flash drive: Video of Boston City Council Meeting on November 2, 2022	March 28, 2023



## Boston City Council

LIZ BREADON

Councilor – District 9

May 12, 2023

The Honorable Alex Geourntas  
Office of the City Clerk  
One City Hall Square, Room 601  
Boston, MA 02201

**Re: Minutes of the Committee on Redistricting and messages of disapproval**

Dear Clerk Geourntas:

As the Boston City Council continues its legislative duty to redraw electoral district boundaries under the authority of chapter 605 of the Acts of 1982, while maintaining public trust and ensuring community engagement in the deliberative process, I believe it is in the best interest of the Council and the public that the following items be entered into the record. I am submitting compilations of minutes of the Committee on Redistricting from municipal years 2021-2022 and 2011-2012 along with Mayor Menino's two messages of disapproval. I will request that this communication be referred to the appropriate committee.

- Exhibit A.** 2021-2022 minutes of the Committee on Redistricting and relevant proceedings of the Boston City Council; Dated between September 28, 2021 and November 2, 2022 (pg. 2 of this communication; 62 pgs.);
- Exhibit B.** 2011-2012 minutes of the Committee on Census and Redistricting; Dated between May 10, 2011 and October 29, 2012 (pg. 65 of this communication; 38 pgs.);
- Exhibit C.** Message of Mayor Menino disapproving the City Council's passage of Docket no. 0985; Filed as Docket no. 1211; Dated September 6, 2012 (pg. 104 of this communication; 2 pgs.)
- Exhibit D.** Message of Mayor Menino disapproving the City Council's passage of Docket no. 0498; Filed as Docket no. 1329; Dated September 24, 2012 (pg. 107 of this communication; 1 pg.).

Respectfully submitted,

Liz Breadon

Chair, Committee on Redistricting  
Boston City Councilor, District 9



# **EXHIBIT A**



# BOSTON CITY COUNCIL

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## HEARING MINUTES

**COMMITTEE:** Census & Redistricting

**DATE:** September 28, 2021

**LOCATION:** Virtual via Zoom

**TIME:** 10:30AM (10:36PM – 12:10PM)

**SUBJECT:** *Docket #0860, order for a hearing to discuss the redistricting process in the City of Boston*

### MEMBERS PRESENT:

VOTING MEMBERS: Councilors Ricardo Arroyo (Chair), Ed Flynn, Liz Breadon, Michael Flaherty, Julia Mejia, Frank Baker, Kenzie Bok

NON VOTING MEMBERS: Councilors Lydia Edwards

### ISSUES DISCUSSED:

The Chair convened the hearing and read the docket into the record. The Chair deferred to councilors for opening remarks regarding the census and redistricting, noting also the interplay of the reprecincting process. Councilors highlighted possible inaccuracies of census counts and how that will impact the process, equitable representation, improving voter accessibility, respecting community input, and the general importance of the process.

Assistant Chief Thomas Morton of the Redistricting & Voting Rights Data Office of the United States Census Bureau testified before the Committee regarding census fundamentals and the 2020 redistricting data program. He explained that the census is mandated by the U.S. Constitution, with data used to determine representation in Congress, state congressional and legislative districts, certain federal funding and grant supports, and city districts and precincts. He stated that the goal of the census is to count every living person in the U.S., once, and in the right place. He reported that for the 2020 Census, 67% of households self-responded, mostly via the internet, and 32.9% of households were counted as part of non-response follow-up; in total 99.9% of households were counted. Mr. Morton shared a chart displaying the hierarchy of census geography, that begins at the smallest level with census blocks, and aggregates to higher levels of geography. The middle of the chart displays the census backbone of census blocks - block groups - census tracts - counties - states - divisions - regions - nation; off-spine geographies include things like voting districts and legislative districts. Mr. Morton reviewed the two types of data released by the Census Bureau for 2020: apportionment and redistricting. Apportionment data was released April 26, and covers total state population; redistricting data was released to the [data.census.gov](http://data.census.gov) website on September 16 (legacy format, August 12), and covers geography down to census block for resident population and additional data for various characteristics. Mr. Morton explained that the 2020 redistricting data program was operated under Public Law 94-171, the mission of which is to provide states an opportunity to identify the geographic areas for which they would like to receive tabulations in order to perform their legislative redistricting. He stated that the program is conducted in a non-partisan manner; at the beginning of the 2020 program cycle the Census Bureau reached out to the majority and minority legislative leadership in each state and requested that they designate a staff person to serve as the nonpartisan point of contact between the state and the Bureau. He noted that typically data is delivered to states no later than one year after census day, but 2020 experienced delays due to the pandemic. He recalled that the 2020 program had five phases: (1) block boundary suggestion project; (2) voting district project; (3) data delivery; (4) collection of post-2020



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census redistricting plans; and (5) evaluation of the 2020 redistricting data program. At the culmination of the 2020 program the Bureau will release a document summarizing the program evaluations and best practices learned. Mr. Morton explained that within phase 3, the Bureau delivers various products, including geographic support (to help states prepare for receipt of tabulations, including shapefiles, reference maps, block assignment files, name lookup tables, and block to block relationship files); and data tabulations (variables including race and housing occupancy status, and new to this year, group quarters population by group quarters type). Mr. Morton also reviewed the various formats and dates associated with 2020's data delivery. He clarified that the August and September deliveries were identical and are both considered to be official and fit for use. Mr. Morton stated that additional tools available on the Census Bureau's website include a demographic data map viewer, tableau visualizations, and data. Mr. Morton concluded with a few notes about the top down algorithm and disclosure avoidance methodology used.

Councilors expressed concerns about outstanding issues with the City's reprecincting plan, which would need to be resolved prior to the Council's redistricting and concerns about undercounting in certain neighborhoods and among certain populations; asked questions about the noise introduced at the block level; and discussed preliminary trends and predictions for redistricting based on the available data.

The Chair then presented a PowerPoint broadly overviewing the City Council's role in and timeline for the redistricting process. He explained that redistricting is the decennial process of redrawing district lines that determine elected representation, with the goal of reflecting population changes and racial diversity, based on the census. Boston's redistricting process and map drawing requirements are dictated by the City Charter; it clarifies that districts should contain as close to an equal number of inhabitants as possible, and also exempts the City from making new divisions of its territory into wards as required elsewhere in State law. He explained that, through the Committee on Census and Redistricting, the City Council will use 2020 census data to redraw City districts with equal populations, while attempting to preserve communities of interest, make compact and contiguous districts, respect natural boundaries, and avoid discriminatory maps. The Chair noted that districts are composed of precincts at the smallest unit level. The Chair explained that the Committee's redistricting process will involve the development of maps, community input and participation, the introduction of a redistricting ordinance, a City Council vote on the ordinance, and mayoral approval of the ordinance, culminating with new district maps that would impact the municipal elections of 2023. Noting the Election Commission's anticipated finalization of reprecincting in December 2021, the Chair stated that the Committee would likely begin hearings and working sessions in early 2022, to ensure the City is able to meet the deadline of October/November 2022. The Chair acknowledged the importance of transparency and accessibility throughout the process, noting that hearings and working sessions will be held virtually until further notice, the committee will hold several hearings dedicated to public testimony and make all necessary accommodations for language and communications access, and all Committee maps will be posted publicly for review and comment.

The Committee discussed polling location accessibility and engagement of undocumented populations. The Committee discussed the special importance of transparency through the redistricting process, recognizing that redistricting is often about tradeoffs, and can be geographically and demographically nuanced.

**DOCUMENTS PRESENTED:** Chair PowerPoint, Census Bureau PowerPoint



# BOSTON CITY COUNCIL

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**INFORMATION REQUESTED:** N/A

**NEXT MEETING:** TBD

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**Prepared By**  
**STAFF LIAISON:**

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Michelle A. Goldberg

**Reviewed and Approved By**  
**CHAIR:**

---

Ricardo Arroyo

**DATE:** October 8, 2021

NOTE: These minutes are to be considered draft unless signed by the Committee Chair and Liaison.



# BOSTON CITY COUNCIL

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## MEETING MINUTES

**COMMITTEE:** Redistricting

**DATE:** March 24, 2022

**LOCATION:** Virtual via Zoom

**TIME:** 6:30PM (6:34PM – 7:34PM)

**SUBJECT:** *A meeting to hear public testimony regarding redistricting from residents of District 3, District 7, and District 8*

## MEMBERS PRESENT:

VOTING MEMBERS: Councilors Ricardo Arroyo (Chair), Liz Breadon (Vice Chair)

NON VOTING MEMBERS: Councilors Kenzie Bok, Tania Fernandes Anderson, Frank Baker

## ISSUES DISCUSSED:

The Chair convened the meeting, explaining that it is meant to be an opportunity to hear public testimony from residents of District 3, District 7, and District 8 regarding their concerns and priorities for redistricting in the City. Other councilors provided opening remarks about the importance of the redistricting process and hopes to keep communities whole.

The Chair presented a PowerPoint overviewing basics of the Council's redistricting process. He explained that tonight's meeting would be the first of three district-centered public listening sessions on 2022 redistricting, tonight focusing on public testimony from Districts 3, 7, and 8; March 31 focusing on Districts 4, 5, and 6; and April 7 focusing on Districts 1, 2, and 9. He noted that while divided by district, members of the public are welcome to attend any session to testify for their district and/or submit testimony in writing. He explained that following these listening sessions, the Committee will begin holding hearings on redistricting this summer, which will include additional opportunities for public testimony. He explained that the new legislative district map that will come out of the Committee's process will go into effect in November of 2023.

The Chair explained that redistricting is the process of drawing lines of districts from which public officials are elected, and the Boston City Council is responsible for this process at the municipal level. Districts are redrawn according to 2020 Census data and remain in place for 10 years, until the next Census is conducted. The goal of redistricting is to reflect population changes and racial diversity. The Chair explained that districts are composed with precincts as the smallest unit, and using the 2020 Census data, the Committee will work to redraw districts with as equal as possible populations. The Chair shared a chart of population changes from 2010 to 2020, which can be found on the Census website.

Regarding the process, the Chair stated that the Committee will be hosting all its sessions virtually until further notice. He stated that all maps and materials the Committee works on will be posted online for review and comment by the public. He shared the URL for the Committee's Redistricting



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2022 website ([www.boston.gov/departments/city-council/2022-redistricting-boston](http://www.boston.gov/departments/city-council/2022-redistricting-boston)), which includes dates and times for future public listening sessions and other resources, and will be updated throughout the process and as future sessions are scheduled.

The floor was opened for public testimony. Testimony was heard regarding historical dilution of the LGBTQ+ vote and of packing of the Black vote into certain districts. It was noted that while the City Council is more representative today than ever before, it may still not be a true reflection of district or City population.

Respecting existing neighborhoods and communities of interest was stressed heavily. Testimony was heard about district lines in Dorchester, with considerations raised around holistic considerations for equitable representations in all Dorchester inclusive districts, respecting natural contours, and anticipating residential changes over the next ten years. It was noted that in analyzing data, reviewers should be cognizant of the aggregation into “Asian-American” of the long-standing Vietnamese working class community and other Asian residents newly moving into the area as it gentrifies. Establishment of a community commission was suggested as a way to engage the community in co-governance and independent analysis and proposal of new district lines. Testimony was also heard about district lines in Mission Hill, which can get confused between District 6 and 8.

The Chair recessed to allow additional time for individuals to sign up for testimony. The meeting was reconvened.

Councilor Baker shared his experience with the redistricting process ten years ago. He stated that his desire for the upcoming cycle would include keeping Ward 16 whole, maintaining all of the current precincts in District 3, and regaining 16-1 and 16-3 if possible. Councilor Baker expressed concern about undercounting in District 3, and about waiting to dig into maps until summer, noting that in 2012 the process was intense and contentious.

The Chair shared that the Committee would resume redistricting hearings in June following the budget season since there won't be much availability on the calendar. He stated that the Council's deadline for creating new districts is a year before the next election. It was noted that Elections is currently in the process of concluding a reprecincting process, which doesn't impact the census numbers, but does impact the building blocks the Council will use to draw districts.

Councilors offered closing remarks highlighting the night's testimony.

**DOCUMENTS PRESENTED:** Chair's Redistricting Overview PowerPoint

**INFORMATION REQUESTED:** N/A



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**NEXT MEETING:** March 31 at 6:30PM (Districts 4, 5, 6); April 7 at 6:30PM (Districts 1, 2, 9)

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Prepared By  
STAFF LIAISON:

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Michelle A. Goldberg

Reviewed and Approved By  
CHAIR:

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Ricardo Arroyo

**DATE:** March 24, 2022

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## MEETING MINUTES

**COMMITTEE: Redistricting**

**DATE: March 31, 2022**

**LOCATION: Virtual via Zoom**

**TIME: 6:30PM (6:35PM – 7:00PM)**

**SUBJECT: *A meeting to hear public testimony regarding redistricting from residents of District 4, District 5, and District 6***

### MEMBERS PRESENT:

VOTING MEMBERS: Councilors Ricardo Arroyo (Chair), Liz Breadon (Vice Chair), Brian Worrell, Michael Flaherty, Ruthzee Louijeune

NON VOTING MEMBERS: Councilors Kendra Lara, Tania Fernandes Anderson, Erin Murphy

### ISSUES DISCUSSED:

The Chair convened the meeting, explaining that it is meant to be an opportunity to hear public testimony from residents of District 4, District 5, and District 6 regarding their concerns and priorities for redistricting in the City. Other councilors provided opening remarks about the importance of the redistricting process and hopes to keep communities whole.

The Chair presented a PowerPoint overviewing basics of the Council's redistricting process. He explained that tonight's meeting would be the first of three district-centered public listening sessions on 2022 redistricting, tonight focusing on public testimony from Districts 3, 7, and 8; March 31 focusing on Districts 4, 5, and 6; and April 7 focusing on Districts 1, 2, and 9. He noted that while divided by district, members of the public are welcome to attend any session to testify for their district and/or submit testimony in writing. He explained that following these listening sessions, the Committee will begin holding hearings on redistricting this summer, which will include additional opportunities for public testimony. He explained that the new legislative district map that will come out of the Committee's process will go into effect in November of 2023.

The Chair explained that redistricting is the process of drawing lines of districts from which public officials are elected, and the Boston City Council is responsible for this process at the municipal level. Districts are redrawn according to 2020 Census data and remain in place for 10 years, until the next Census is conducted. The goal of redistricting is to reflect population changes and racial diversity. The Chair explained that districts are composed with precincts as the smallest unit, and using the 2020 Census data, the Committee will work to redraw districts with as equal as possible populations. The Chair shared a chart of population changes from 2010 to 2020, which can be found on the Census website.

Regarding the process, the Chair stated that the Committee will be hosting all its sessions virtually until further notice. He stated that all maps and materials the Committee works on will be posted online for review and comment by the public. He shared the URL for the Committee's Redistricting 2022 website ([www.boston.gov/departments/city-council/2022-redistricting-boston](http://www.boston.gov/departments/city-council/2022-redistricting-boston)), which includes





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dates and times for future public listening sessions and other resources, and will be updated throughout the process and as future sessions are scheduled.

The floor was opened for public testimony. Questions were received about the process and expectations for the data.

The Chair recessed to allow additional time for members of the public to sign up for testimony. The meeting reconvened before adjourning with no additional testimony.

**DOCUMENTS PRESENTED:** Chair's Redistricting Overview PowerPoint

**INFORMATION REQUESTED:** N/A

**NEXT MEETING:** April 7 at 6:30PM (Districts 1, 2, 9)

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**Prepared By**  
**STAFF LIAISON:**

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Michelle A. Goldberg

**Reviewed and Approved By**  
**CHAIR:**

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Ricardo Arroyo

**DATE:** March 31, 2022

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## MEETING MINUTES

### COMMITTEE: Redistricting

DATE: April 7, 2022

LOCATION: Virtual via Zoom

TIME: 6:30PM (6:36PM – 7:29PM)

SUBJECT: *A meeting to hear public testimony regarding redistricting from residents of District 1, District 2, and District 9*

### MEMBERS PRESENT:

VOTING MEMBERS: Councilors Ricardo Arroyo (Chair), Liz Breadon (Vice Chair), Ruthzee Louijeune, Julia Mejia

NON VOTING MEMBERS: Councilor Ed Flynn

### ISSUES DISCUSSED:

The Chair convened the meeting, explaining that it is meant to be an opportunity to hear public testimony from residents of District 1, District 2, and District 9 regarding their concerns and priorities for redistricting in the City. Other councilors provided opening remarks about the importance of the redistricting process and hopes to keep communities whole. Councilors remarked on the importance of civic engagement and language access through the process. The Chair introduced the Spanish, Mandarin, and Cantonese interpreters present for the meeting.

The Chair presented a PowerPoint overviewing basics of the Council's redistricting process. He explained that tonight's meeting would be the first of three district-centered public listening sessions on 2022 redistricting, tonight focusing on public testimony from Districts 3, 7, and 8; March 31 focusing on Districts 4, 5, and 6; and April 7 focusing on Districts 1, 2, and 9. He noted that while divided by district, members of the public are welcome to attend any session to testify for their district and/or submit testimony in writing. He explained that following these listening sessions, the Committee will begin holding hearings on redistricting this summer, which will include additional opportunities for public testimony. He explained that the new legislative district map that will come out of the Committee's process will go into effect in November of 2023.

The Chair explained that redistricting is the process of drawing lines of districts from which public officials are elected, and the Boston City Council is responsible for this process at the municipal level. Districts are redrawn according to 2020 Census data and remain in place for 10 years, until the next Census is conducted. The goal of redistricting is to reflect population changes and racial diversity. The Chair explained that districts are composed with precincts as the smallest unit, and using the 2020 Census data, the Committee will work to redraw districts with as equal as possible populations. The Chair shared a chart of population changes from 2010 to 2020, which can be found on the Census website.

Regarding the process, the Chair stated that the Committee will be hosting all its sessions virtually until further notice. He stated that all maps and materials the Committee works on will be posted



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online for review and comment by the public. He shared the URL for the Committee's Redistricting 2022 website ([www.boston.gov/departments/city-council/2022-redistricting-boston](http://www.boston.gov/departments/city-council/2022-redistricting-boston)), which includes dates and times for future public listening sessions and other resources, and will be updated throughout the process and as future sessions are scheduled.

The floor was opened for public testimony. Testimony was heard regarding the importance of outreach and public education on the process, and on making resources for data and maps accessible and easy to read. The creation of a community commission was suggested. Procedural recommendations included adding in person hearings and not concentrating the bulk of work during the summer when many people are away. Concerns were shared about undercounted data.

Testimony was heard about the history of underrepresentation of Asian Americans as well as the surging growth of the Asian American population in Boston. Keeping together core concentrations of Asian Americans and immigrant populations (3-8, 5-1), as well as other racially diverse neighborhoods (6-1, 8-1, 9-1) was stressed as important. It was shared that courts have recognized that race, cultural background, common language, and common countries of origin can be reasons to keep a community whole. Other considerations were raised about sea-level rise, district-wide climate solutions, and keeping shorelines together.

The Chair recessed to allow additional time for members of the public to sign up for testimony. The meeting reconvened before adjourning with no additional testimony.

**DOCUMENTS PRESENTED:** Chair's Redistricting Overview PowerPoint

**INFORMATION REQUESTED:** N/A

**NEXT MEETING:** June 2022

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Prepared By  
STAFF LIAISON:

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Michelle A. Goldberg

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Reviewed and Approved By  
CHAIR:

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Ricardo Arroyo

**DATE:** April 7, 2022

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## HEARING MINUTES

**COMMITTEE: Redistricting**

**DATE: August 4, 2022**

**LOCATION: Ianella Chamber, Fifth Floor, Boston City Hall**

**TIME: 10:58AM – 11:55AM**

**SUBJECT: Dockets #0881, Order for a hearing to discuss the results of the 2020 census and redistricting process for the City of Boston.**

### MEMBERS PRESENT:

VOTING MEMBERS: Councilors Ricardo Arroyo (Chair), Liz Breadon (Vice-Chair), Ruthzee Louijuene, Erin Murphy, Michael Flaherty, and Brian Worrell

NON VOTING MEMBERS: Councilors Ed Flynn, Frank Baker, Kenzie Bok, and Gabriela Coletta

### ISSUES DISCUSSED:

The Chair convened the hearing and stated that the purpose of the hearing was to discuss the results of the 2020 census and the redistricting process for the City of Boston. The Chair allowed Councilors to provide opening statements and then introduced the panelists which included Sabino Piemonte, Head Assistant Registrar of Registered Voters for the City of Boston's Election Department, and Eneida Tavares, Commissioner of the City of Boston Election Department.

The Chair presented a slideshow providing an overview of the redistricting process. The Chair stated that the Committee held three public listening sessions highlighting each Council district. On March 24, 2022, the Committee heard community input from Districts 3, 7, and 8; on March 31, 2022, the Committee heard community input from Districts 4, 5, and 6; and on April 7, 2022, the Committee heard from the community on Districts 1, 2, and 9.

The Chair stated that redistricting is the process of drawing lines of districts from which public officials are elected and that districts are redrawn according to 2020 Census data. Districts will remain in place for ten years and should reflect changes in population and demographics. Districts are redrawn with precincts as the smallest unit. He discussed what constitutes discriminatory maps which include unequal population, violating the Voting Rights Act, and "cracking" and "packing".

The Chair stated that the Committee will eventually introduce an ordinance for a new district map. The Council will vote on the new map as an ordinance, and the Mayor can sign or veto the ordinance. If vetoed, the Council will return to make changes to this map. The deadline for this new map is November 7, 2022.

Commissioner Tavares stated that the 2020 Census showed that there was a 9.4 percent increase in population over the past ten years resulting in a total population of 675,637. Due to this increase, City Council districts have to be above or below the 5 percent population deviation of 75,000 people. After receiving this new Census data, the City of Boston moved to create new precinct lines. In 2021, the Election Department completed a review of the City's precincts that were overpopulated and posed challenges in administering elections. The Election Department proposed changes to the precinct lines to the State Legislature for consideration during their redistricting process which were then approved. As a result, the City now has 20 new voting precincts for a total of 275 precincts.



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Commissioner Tavares discussed the 2020 Census data stating that any challenge to the validity of this data would have to be made to the Federal government and that the Election Department doesn't have any say in changing these numbers to better reflect undercounted communities.

Councilors discussed various issues including concern about residents in public housing, Boston's immigrant community, and student dormitories not responding to the census; access to demographic information for each district; ensuring that Councilors do not violate open meeting law when creating a map; the importance of keeping Mission Hill united into one district; using forecasted growth for the creation of new precincts; and creating a more defined and clearer boundary for District 4.

The Chair encouraged each Councilor to create a redistricting map by working with the Central Staff redistricting liaison who will utilize redistricting software to develop the map. These maps will then be presented to the Committee where they will be discussed.

**DOCUMENTS PRESENTED:** Chair Arroyo's Presentation

**INFORMATION REQUESTED:**

Councilor Michael Flaherty requested the following information:

A list of neighborhoods and precincts that responded the most and least to the 2020 Census count.

**NEXT MEETING:** N/A

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**Prepared By**  
**STAFF LIAISON:**

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Shane Pac

**Reviewed and Approved By**  
**CHAIR:**

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Ricardo Arroyo

**DATE:** October 13, 2022

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## WORKING SESSION MINUTES

**COMMITTEE:** Redistricting

**DATE:** September 16, 2022

**LOCATION:** Virtual via Zoom

**TIME:** 10:00AM (10:06AM – 11:09AM)

**SUBJECT:** *Docket #1098, order for the adoption of City Council redistricting principles*

### MEMBERS PRESENT:

VOTING MEMBERS: Councilors Liz Breadon (Chair), Brian Worrell (Vice Chair), Ricardo Arroyo, Michael Flaherty, Julia Mejia, Erin Murphy

NON-VOTING MEMBERS: Councilors Ed Flynn (President), Frank Baker, Kenzie Bok, Gabriela Coletta, Kendra Lara

### ISSUES DISCUSSED:

The Chair opened the working session with remarks and stated that the purpose of this session was to discuss the adoption of City Council redistricting principles. The Chair gave a presentation to provide an overview of the redistricting process to date, the Committee process and commitments moving forward, the Committee timeline, factors for consideration in redistricting, community engagement and outreach, and current resources available.

The Chair shared presentation slides and discussed background information. The Chair stated that the U.S. Census Bureau released the 2020 Census Redistricting Summary File Data (P.L. 94-171) in August and September 2021, and the Committee on Redistricting held a hearing on September 28, 2021. Due to COVID-19 pandemic-related delays impacting the release of census data, the Massachusetts Legislature enacted a special law to shift the order of state congressional and legislative redistricting to occur prior to local repredistricting. The Boston Board of Election Commissioners began to adjust select voting precinct boundaries. Precinct adjustments were adopted by the Election Commissioners on October 20, 2021, and further amended on April 6, 2022. The Committee on Redistricting held virtual public hearings by Council district on March 24, March 31, and April 7, 2022. The Committee then held a hearing on August 4, 2022. The present Committee Chair assumed the role on August 29, 2022.

The Chair discussed the anticipated Committee process and intended process commitments, including ensuring a fair and democratic process. Chair Breadon stated that she and Vice Chair Worrell recently met with representatives of the Drawing Democracy Coalition, consisting of community organizations, voting rights advocacy groups, researchers, and civil rights attorneys. She stated that the Coalition seeks to work with the Committee to ensure an equitable and transparent redistricting process with community voice, and has made requests which include: convening a community advisory group of leaders in communities of color and voting rights advocates; releasing a proposed map at least seven days before a public hearing to ensure adequate time for review; that the Committee, the Election Department, and the Boston Planning and Development Agency consolidate and publicize public data in a centralized location; that the Committee hold three public hearings on the Committee's proposed map, including outside of Downtown and on a weeknight or weekend with at least 7 days notice; translation of all materials, provide interpretation at hearings, and consider establishing a portal for public comment; and to conduct robust outreach to community organizations for input.

The Chair stated that the Committee seeks to facilitate a redistricting process that engages community voice, is transparent, and yields a final map that is fair, uplifts marginalized communities, and reflects the City that the Council represents. Chair Breadon stated that she and the Vice Chair are committed to leading a process



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grounded in shared principles which include convening a community advisory board for the Chair and Vice Chair to consult on redistricting principles and process; prioritizing robust citywide community engagement and accessible opportunities for participation, seeking the input of Communities of Interest (COI) currently or historically split among districts; to centralize data and resources used in an accessible place; to draw districts that ensure minority communities have fair opportunities to elect candidates of their choice, thoroughly reviewing scenarios to maintain, strengthen, or add majority-minority districts; to analyze proposed maps using multiple data sources for insight on impact: total population, Voting Age Population (VAP), Citizen Voting Age Population (CVAP); to consider precinct-level voter registration and turnout data; and to confer with demographers and use population data in order to look ahead over the next ten years to identify citywide and neighborhood trends, changes over time, present conditions, and produce future population and residential development projections.

The Chair discussed the Committee's anticipated redistricting timeline and stated that from September 19th through September 30th, the Committee anticipates holding working sessions, hearings, and meetings focused on identifying further information and tools that Councilors need prior to specific map proposals. Then, the Committee anticipates proposing an initial map between October 3rd and October 7th which incorporates community and Councilor input. From October 11th through October 25th, the Committee intends to review the map through hearings, working sessions, citywide publicity, and targeted community outreach and engagement. The Chair stated that she intends to recommend possible action on a redistricting plan at the regular Council meeting scheduled for Wednesday, October 26, 2022, with Wednesday, November 2, 2022 as a back-up date.

The Chair asked Councilors to discuss what further data, information, resources, or tools they feel are needed, and what factors to consider, in order to make informed decisions on redistricting. The Chair stated she will invite administration officials, subject matter experts, and community advocates to future meetings. So far, further information the Chair hopes to obtain include more detailed demographic analysis: historic population trends, change over time, shifts in majority-minority districts, future projections, and the residential development pipeline; to identify Communities of Interest split or on the edges of districts; obtain legal guidance on Voting Rights Act compliance and requirements, Boston's redistricting enabling legislation and deadline, how to assign the 16 adjusted precincts that cross current district boundaries, and the relation of existing and proposed districts to new congressional and state legislative districts, in order to avoid further splitting neighborhoods.

The Chair stated that it is the Committee's goal to engage constituents across the city to hear their thoughts and ideas on the changes they would like to see, as well as their feedback on proposed maps. Given the anticipated timeline, the Chair requested the assistance of all Councilors to commit to a large-scale, all-hands-on-deck outreach plan to educate, inform, and engage residents across the City. She stated that Councilors will receive a toolkit, created with the assistance of the office of Vice Chair Worrell, for all Councilors to help disseminate information on upcoming opportunities for the public to engage and testify in the redistricting process. The Chair's goal is to widely circulate scheduled dates for Committee events by next Tuesday, September 20.

Councilors asked questions and discussed various issues including the importance of uniting various neighborhoods such as Roslindale, Grove Hall, Mattapan, Fields Corner, Beacon Hill, and Mission Hill; the process of how Councilors can submit possible changes to districts; how the Committee will use working sessions to create and share possible maps; how the Committee will determine where precincts which are currently split among multiple Council districts will be moved to; the target population and deviation for each district; utilizing population forecasts for the City of Boston; the accuracy of the 2020 Census data; the



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neighborhoods where there has been the most growth; keeping Chinatown with neighboring South End precincts; and ensuring accessible voting locations within the new districts.

**DOCUMENTS PRESENTED:** Chair's presentation slide deck

**DOCUMENTS RECEIVED:** Letter from Councilor Ruthzee Louijuene

**INFORMATION REQUESTED:** N/A

**NEXT MEETING:** See the publicly posted notices.

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**Prepared By**  
**STAFF LIAISON:**

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Shane Pac

**Reviewed and Approved By**  
**CHAIR:**

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Liz Breadon

**DATE:** January 18, 2023

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## WORKING SESSION MINUTES

**COMMITTEE: Redistricting**

**DATE: September 20, 2022**

**LOCATION: Piemonte Room, Fifth Floor, Boston City Hall**

**TIME: 2:00PM (2:10PM – 3:46PM)**

**SUBJECT: Docket #1098, order for the adoption of City Council redistricting principles**

### MEMBERS PRESENT:

VOTING MEMBERS: Councilors Liz Breadon (Chair), Brian Worrell (Vice Chair), Michael Flaherty, Ruthzee Louijeune, Julia Mejia, Erin Murphy

NON VOTING MEMBERS: Councilors Ed Flynn (President), Frank Baker, Kenzie Bok, Gabriela Coletta, Tania Fernandes Anderson, Kendra Lara

### ISSUES DISCUSSED:

The Chair gave a brief opening statement, read the docket into the record, and explained that the focus of the working session is to review and discuss the sixteen redrawn precincts that now overlap a number of existing districts. The Chair explained that the Board of Elections Commissioners adjusted select voting precincts in 2021 in conjunction with the State congressional and legislative redistricting process. She explained that the Board completed the reprecincting process in April of 2022, increasing the total number of precincts in the City from 255 to 275. The Chair read the guidelines used by the Board of Election Commissioners, which states that wards with precincts containing more than 3,000 voters were considered for review, census block groups within each Ward were used to create precincts, and the aim was to keep population within a margin of  $\pm 10\%$  from 2,000 total voters. Adjustments were made to certain precincts in order to eliminate sub-precincts caused by state legislative redistricting. In addition, precinct boundaries were determined using linear features such as roadways, railroads, and/or easily identifiable features, and the use of projected residential growth was also taken into consideration. The Chair further explained that due to reprecincting causing 16 “split precincts” which cross into 2 or 3 current Council districts, each must be moved as a whole during 2022 City Council redistricting. The precincts are in Wards 3, 4, 8, and 9, and in current Districts 1, 2, 3, 7, and 8, with a total population of 50,226. The map will reflect the new borders of the districts according to the boundaries of the precincts on the edge of a district. The new districts will be effective for municipal elections from 2023-2031.

The Chair explained the goal of the working session is to reconcile split precincts by Councilor consensus, taking into consideration the input of Councilors whose districts contain split precincts. Further factors to weigh include projected population growth, housing development, polling locations in neighborhoods, communities of interest, reference points, and more. The Chair emphasized that the outcome of today’s working session is a preliminary conversation for the remainder of the redistricting process, and is not a final product of the map.

The Chair invited Councilors to share brief opening remarks. A slide deck of the wards and precincts was presented and reviewed. Questions and concerns were raised relative to the 2020 Census population count for the City of Boston. The Chair explained that the Council has to use the reported decennial census numbers regardless of the possibility of dispute. Councilor Baker presented an enlarged printed map of the existing districts so that the Councilors can have a better visual of the areas impacted.

The Chair reviewed each of the split precincts relative to the impacted current districts and asked Councilors for their input on whether to keep or move precincts out of a particular district, including consideration of the



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factors listed above, where applicable, in order to come to a consensus and begin the process toward drafting a map that makes the precincts whole and the district contiguous.

The Chair recognized Councilor Worrell for final closing remarks. Councilor Worrell reviewed Councilor suggestions, including tentatively assigning each split precinct to the following districts:

- |     |                     |               |
|-----|---------------------|---------------|
| 1.  | Ward 3, Precinct 6  | to District 1 |
| 2.  | Ward 3, Precinct 10 | to District 8 |
| 3.  | Ward 4, Precinct 2  | to District 2 |
| 4.  | Ward 4, Precinct 4  | to District 7 |
| 5.  | Ward 4, Precinct 6  | to District 8 |
| 6.  | Ward 4, Precinct 7  | to District 8 |
| 7.  | Ward 4, Precinct 8  | to District 7 |
| 8.  | Ward 4, Precinct 9  | to District 7 |
| 9.  | Ward 4, Precinct 10 | to District 8 |
| 10. | Ward 4, Precinct 12 | to District 8 |
| 11. | Ward 8, Precinct 1  | to District 3 |
| 12. | Ward 8, Precinct 2  | to District 3 |
| 13. | Ward 8, Precinct 4  | to District 7 |
| 14. | Ward 8, Precinct 5  | to District 7 |
| 15. | Ward 8, Precinct 6  | to District 3 |
| 16. | Ward 9, Precinct 1  | to District 7 |

Councilors further discussed the suggestions and remarked on demographics, communities of interest, population growth, and geographic reference points.

The Chair thanked attendees for their participation, requested each Councilor's assistance publicizing and disseminating information to residents, and reviewed the tentative schedule for the upcoming Committee events in order to meet an intended November 2 deadline for possible final Council action on this matter.

**DOCUMENTS PRESENTED:** Chair's presentation slide deck; Map of districts, and wards and precincts.

**DOCUMENTS RECEIVED:** Compilation of 2011-2012 Committee on Redistricting minutes;  
 Communications Toolkit Google Folder shared

**INFORMATION REQUESTED:** N/A

**NEXT MEETING:** See the publicly posted notices.

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**Prepared By**  
**STAFF LIAISON:**

CM

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Cora Montrond

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**Reviewed and Approved By**  
**CHAIR:**

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Liz Breadon

**DATE:** January 18, 2023

NOTE: These minutes are to be considered draft unless signed by the Committee Chair and Liaison.



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## WORKING SESSION MINUTES

**COMMITTEE:** Redistricting

**DATE:** September 23, 2022

**LOCATION:** Virtual via Zoom

**TIME:** 1:00PM (1:05PM – 2:00PM)

**SUBJECT:** *Docket #1098, order for the adoption of City Council redistricting principles*

### MEMBERS PRESENT:

VOTING MEMBERS: Councilors Liz Breadon (Chair), Brian Worrell (Vice Chair), Ricardo Arroyo, Michael Flaherty, Ruthzee Louijeune, Julia Mejia, Erin Murphy

NON-VOTING MEMBERS: Councilors Ed Flynn (President), Kenzie Bok, Tania Fernandes Anderson, Kendra Lara

### ISSUES DISCUSSED:

The Chair gave a brief opening statement, explaining that the Committee held a productive virtual working session on Friday, September 16, followed by a working session on September 20 where Councilors reviewed and discussed the 16 precincts split across multiple current districts, coming to consensus to reconcile the splits by assigning each to a single district. She emphasized that these “baseline” districts are a starting point for the discussion today and are open for further consideration at the next working session on Monday, September 26. She indicated that there will be a series of working sessions and meetings, including an off-site hearing, where members of the public and other interested parties are invited to provide input on redistricting. Given the short timeframe, the Chair requested the assistance of all Councilors to disseminate information on the redistricting process to residents across the city. She indicated that the Council can then take the feedback and incorporate it into an initial map, with the goal of filing an initial proposed map by October 3, 2022.

The Chair recognized Vice Chair Councilor Worrell for opening remarks. Councilor Worrell said that he is looking forward to discussing the population counts resulting from the “baseline” districts, toward creating an equitable map which increases the opportunities for minority voters to elect their candidates of choice.

In a slide presentation, the Chair reviewed demographic data of the 16 split precincts which were reconciled to a “baseline” map at the previous working session of September 20, 2022. She presented past redistricting plans dating back from 1983 to 2012, stating that the 2012 map reflects the district boundaries as currently in force. The Chair discussed population growth and shifts over time since 2010. Councilors then discussed the need to reconcile population in districts most needing to change, while taking into consideration projected population and anticipated housing unit growth, particularly in District 2 which represents significant population growth.

The Chair reviewed the change in population totals from the actual to the reconciled “baseline” district boundaries, reporting that District 1 increased by 1,066 people, an increase of +1.4% from the current district; District 2 decreased by 11,847 people, a -13.4% reduction in total population; District 3 increased by 1,077 people, a +1.6% increase; District 7 increased by 4,954 people, a +6.8% increase; and District 8 increased by 4,750 residents, or a +6.3% increase. The Chair reviewed the resulting population reallocation among District 1, District 2, District 7, and District 8, based on considerations of neighborhood cohesion and keeping District 2 contiguous.

Councilor Flynn highlighted the potential Asian population shift and its impact on the residents in Chinatown, the South End, and Bay Village. He emphasized that the Chinese community would like to remain unified in a



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district and have their voices heard. The Chair agreed that consideration of communities of interest is an important part in the process.

Councilor Flaherty expressed concern for residents in District 2 and District 3, asking about residents in the Cathedral and the Villa Victoria housing developments as well as the Vietnamese community in Fields Corner. He emphasized that the respective communities would like to be unified in their respective districts. The Chair responded that identifying these communities is part of the process, so that all Councilors can be aware to keep them in mind. Councilor Worrell announced that a Google Form was sent to Councilors to provide input on their communities of interest which should inform the ongoing redistricting process. He suggested that Councilors reach out to residents in their communities for feedback and to be mindful of the outreach and engagement process when filling out the form. The Chair reminded the Councilors to direct any legal questions to the Law Department before the map is drawn so that the Council can produce a legally defensible map. Councilor Worrell reiterated the importance of outreach and community engagement across all districts, and again asked all Councilors to help disseminate information to the public about the ongoing redistricting process. The Chair indicated that the next working session on Monday, September 26 will focus on discussing communities of interest identified by Councilors.

Councilor Mejia inquired about the timeline of the redistricting process moving forward. The Chair again reviewed the timeline and tentative target of having a draft map submitted by October 3rd. The Chair stated that all of the Committee's materials are posted on the City's website at <http://boston.gov/redistricting>. She requested that Councilors come prepared to discuss the community of interest issues within their respective districts at the next working session on Monday, September 26, 2022 at 2PM.

The Chair thanked everyone for their participation and briefly reviewed the Council's tentative schedule for the upcoming meetings, public hearings, and working sessions in order to meet an intended November 2 target date for possible final Council action on this matter.

**DOCUMENTS PRESENTED:** Chair's presentation slide deck

**DOCUMENTS RECEIVED:** Map of baseline districts; Baseline districts Esri Summary Report; Baseline districts demographic data by precinct; 2012 Opinion of Corporation Counsel on splitting precincts; Baseline districts interactive GIS web map; Committee input Google Form; Demographic data spreadsheet shared

**INFORMATION REQUESTED:** N/A

**NEXT MEETING:** See the publicly posted notices.

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Prepared By  
STAFF LIAISON:

CM

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Cora Montrond

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Reviewed and Approved By  
CHAIR:

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Liz Bready

**DATE:** January 18, 2023

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## WORKING SESSION MINUTES

**COMMITTEE:** Redistricting

**DATE:** September 26, 2022

**LOCATION:** *Piemonte Room, Fifth Floor, Boston City Hall*

**TIME:** 2:00PM (2:10PM – 3:19PM)

**SUBJECT:** *Docket #1098, order for the adoption of City Council redistricting principles*

### MEMBERS PRESENT

**VOTING MEMBERS:** Councilors Liz Breadon (Chair), Brian Worrell (Vice Chair), Ricardo Arroyo, Michael Flaherty, Ruthzee Louijeune, Julia Mejia, Erin Murphy

**NON-VOTING MEMBERS:** Councilors Ed Flynn (President), Frank Baker, Kenzie Bok, Tania Fernandes Anderson, Kendra Lara

### ISSUES DISCUSSED

The Chair read the docket into the record and reviewed recent hearings and working sessions, explaining that the working session would focus on communities of interest in each “baseline” district, now that reconciling split precincts lessened population deviation. Councilors stressed the importance of considering micro-communities within larger neighborhoods without over-concentrating macro-communities. It was suggested that the LGBTQ+ community be considered, with heavy presence in the South End, as well as Savin Hill and Melville Park in Dorchester. It was noted that the voting age population should be reported for each proposed district.

The Chair stated that the Committee would discuss each district and hear suggestions of each respective district councilor. Due to Councilor Coletta’s absence, the Chair moved to discuss District 2. The Chair addressed that in the last session, Councilors moved Ward 3, Precinct 6 from District 2 to District 1. Turning to Council President Ed Flynn of District 2, the Chair acknowledged the increased population within the precinct and questioned what they could do to keep communities of interest together, like the Asian community in Chinatown and their growing community in South Boston. Council President Flynn stated that other communities of interest include communities of color, residents in public housing, residents with disabilities, and LGBTQ+ residents.

Moving forward to District 3, the Chair turned the floor to Councilor Baker to discuss his communities of interest. Councilor Baker discussed uniting the Vietnamese community in his district by moving Ward 16, Precinct 1 to District 3, in order to encompass Little Saigon in a single district. Councilor Baker also discussed the transportation benefits of uniting Fields Corner to better coordinate planning of biking and walking routes.

The Chair turned to District 4, and Councilor Worrell discussed a desire to unite Ward 14, Precincts 5 and 14 in District 4, connecting more of Rosindale in the district through Ward 14, Precincts 6, 12, 13, and 14, along with Ward 18, Precincts 1 and 4, and Ward 17, Precinct 14. Councilors questioned the boundary lines of Mattapan. It was stated that Councilors considered Ward 14, Precincts 8 and 14, along with Ward 18, Precincts 1, 2, and 4, as Mattapan. It was suggested that District 4 absorb Ward 14, Precinct 5 and Ward 18, Precinct 2 to unify Mattapan, maintaining everything west of Blue Hill Avenue in District 5 and everything east in District 4. Councilor Worrell stated that the Committee should consider that District 4 is experiencing the most gentrification. Councilor Arroyo disagreed, stating that while he agreed District 4 is next to be gentrified, currently, 89% of the district population consists of residents of color. While acknowledging the demographics, Councilor Worrell stated that District 4 is experiencing the quickest rise in gentrification.



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The Chair moved to discuss District 5. Councilor Arroyo suggested that Ward 19, Precincts 7 and 12, and Ward 14, Precincts 8 and 14 stay where they are or move to District 5, and if moved to District 5, swap Ward 14, Precinct 5 and Ward 18, Precinct 2 out and into District 4 to make up for the population loss. Councilor Arroyo stated that the District 5 population would total 75,000, with a  $\pm 2.5\%$  deviation for all districts. One last change suggested was to move Ward 20, Precinct 21 out of District 6 into District 5, and swap it by moving Ward 20, Precinct 8 out of District 5 and into District 6. Councilor Worrell suggested unifying Ward 14, Precincts 5 and 14 along with Ward 18, Precinct 2 to unite the large Caribbean community amongst those precincts.

Councilor Lara discussed District 6, stating that, for the most part, the boundaries of communities of interest are already tightly defined. However, as Councilor Arroyo suggested, Councilor Lara agreed that moving Ward 20, Precinct 8 into District 6 would complete the neighborhood by encompassing all of the Holy Name Rotary.

The Chair moved to discuss District 7. Councilor Fernandes Anderson suggested unifying parts of the South End with the districts north or south. It was stated that the South End is split between Districts 2, 3, and 7, and Councilor Fernandes Anderson felt the neighborhood could be moved into District 3. Councilor Fernandes Anderson also raised the importance of preserving Roxbury, uniting Grove Hall, and retaining Franklin Park. Councilors noted state senate district boundaries to highlight how the South End and Roxbury are respectively unified. The Chair stated that the Committee could further reference state legislative district boundaries.

Finally, the Chair moved to District 8. Councilor Bok acknowledged difficulties in combining neighborhoods in District 8 due to high populations in neighborhoods wishing to be united. Councilor Bok stated that seniors in Ward 9, Precinct 7 and Ward 4, Precinct 9 wish to be united with Mission Hill in District 8. Further, moving Ward 4, Precinct 8 would unite the Fenway, as well. Lastly, Councilor Bok stated that while Ward 3, Precinct 10 could be in District 1, consensus of residents seems to favor keeping the West End and Beacon Hill whole.

The Chair reviewed the upcoming schedule, stating the Committee will hold a hearing in City Hall and will look into holding more in the community. Councilor Fernandes Anderson announced she is holding a listening session for District 7 on Saturday. With no other comments, the Chair gavelled and adjourned the meeting.

**DOCUMENTS PRESENTED:** N/A

**DOCUMENTS RECEIVED:** Demographic data Excel workbooks received from the BPDA in response to Section 17F Order passed by the Council on September 14, 2022 (Docket #1107), 2020 Census population data by current district, baseline district, and precinct

**INFORMATION REQUESTED:** N/A

**NEXT MEETING:** See the publicly posted notices.

Prepared By  
**STAFF LIAISON:**

Meghan Kavanagh

Reviewed and Approved By  
**CHAIR:**

Liz Breadon

**DATE:** January 18, 2023

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## WORKING SESSION MINUTES

**COMMITTEE:** Redistricting

**DATE:** September 27, 2022

**LOCATION:** *Piemonte Room, Fifth Floor, Boston City Hall*

**TIME:** 3:00 (3:12PM – 5:21PM)

**SUBJECT:** *Docket #1098, order for the adoption of City Council redistricting principles*

### MEMBERS PRESENT

VOTING MEMBERS: Councilors Liz Breadon (Chair), Brian Worrell (Vice Chair), Ricardo Arroyo, Michael Flaherty, Ruthzee Louijeune, Julia Mejia, Erin Murphy

NON-VOTING MEMBERS: Councilors Ed Flynn (President), Frank Baker, Kenzie Bok, Gabriela Coletta, Tania Fernandes Anderson

### ISSUES DISCUSSED

The Chair opened the working session describing the redistricting process thus far, including dates of recent working sessions and issues discussed. The Chair explained that this working session would focus on precincts identified as communities of interest, and discussion of potential precinct shifts. In reference to a chart handed out at the meeting, the Chair began discussing Ward 4, Precincts 4 and 5, along with Ward 9, Precinct 2.

Councilors raised issues with demographic percentages as reported on the handout and discussed whether there was an error or whether the numbers present the demographic data reported by the Census Bureau. It was stated that there are varying methods of collecting and reporting demographic data for persons identifying with two or more races, sometimes making data appear inconsistent. Councilor Arroyo pointed out that the percentage of Hispanic individuals in a particular precinct as reported on the handout appears lower than it should be, given the actual population count. Councilor Arroyo pointed out that the percentage of Asians is higher than Hispanics, despite the population totals presenting the opposite case. Council President Flynn noted there is a significant Asian population in public housing adjacent to Villa Victoria. The Chair recognized representatives of the BPDA in attendance, and it was determined that there was a clerical error in the handout as presented. Therefore, for demographic percentages, Councilors referred to the handout from the prior working session.

The Chair brought attention to Ward 8, Precinct 1 and Ward 9, Precinct 1, noting they are currently in District 2, and that the question is whether to move each into Districts 3 and 7, or if kept together, which district they should be in. Council President Flynn stated that they are both wonderful communities, and that if it were up to him, he'd love to keep both precincts in District 2. There was a general consensus among Councilors that regardless of where the precincts are moved, if at all, they should remain together. Councilor Baker stated that District 3 would no longer be geographically compact if it gained those precincts. Councilors discussed whether to move the South End into District 3. Councilor Baker expressed that he would not get rid of Dorchester to gain Downtown precincts when he represents a Dorchester-based district. Councilors contemplated shifting precincts along the boundary of District 2 into District 3, but tabled the discussion on the grounds of it splitting District 2.

The Committee moved to Ward 4, Precincts 4 and 5 and Ward 9, Precinct 2. Council President Flynn stated he certainly has an opinion, but would first defer to the District 7 Councilor currently representing those precincts. Councilor Fernandes Anderson stated the precincts should stay together and be moved to District 3, as suggested in the map she recently filed with Councilor Arroyo (Docket #1186). Councilors expressed dismay with consideration of a map which not all Councilors provided input on. Councilor Fernandes Anderson stated she was offering suggestions and that there had not been any backdoor processes. Councilors questioned whether



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multiple maps are in existence. Councilor Bok stated she would like more demographic data, because she thinks there is a significant connection between the Asian communities in Ward 8, Precinct 1 and Ward 9, Precinct 1.

Councilor Flaherty expressed the opinion that Councilors should focus on shifting boundaries where it is known that population growth is coming, such as in Districts 1, 2, and 3. Given the growing population in the northern areas of Boston, Councilor Flaherty stated that the southern districts need to absorb more precincts now, or else they are going to have to shift more drastically when redistricted again in ten years. Councilor Murphy offered a printed map as a visual aid presenting the population demographics, and suggested formally filing the proposal.

The Committee discussed the potential undercount in the 2020 Census and how that might impact redistricting. Councilors noted the time constraint the Council faces in redistricting, questioning the Chair on how to move forward, and asked for clarification of which members were on the Committee. It was clarified that the Committee on Redistricting is composed of Chair Councilor Breadon, Vice Chair Councilor Worrell, and Councilors Arroyo, Flaherty, Louijeune, Mejia, and Murphy as voting members. Councilors expressed a desire to reach consensus on a map that is right for the city as a whole, not just district-by-district. Councilors expressed that neighborhoods within districts should be kept as whole as possible. The Chair expressed that the Committee should focus on shifting precincts on the margins of existing districts to best keep them compact.

The Chair turned to Councilor Coletta of District 1, who stated that if she could advocate for any precinct to be in District 1, it would be Ward 3, Precinct 6. Further, Councilor Coletta expressed her opinion that Councilors who propose maps should be responsible for explaining their rationale for changes and population deviations.

Councilors then moved forward to discuss the unification of and identification of precincts comprising Grove Hall. Councilor Fernandes Anderson suggested moving Ward 13, Precincts 1 and 4, along with Ward 14, Precinct 1 to District 7, stating that residents have historically recognized Grove Hall as a part of Roxbury, and moving the stated precincts would unify Grove Hall. Councilor Worrell disagreed, stating that Grove Hall has always been Dorchester to him. Other councilors were split on the question and concurred with both Councilors Fernandes Anderson and Worrell. Councilor Worrell raised that District 4 is one of the few districts needing to gain population; therefore, in his opinion, Councilors should not consider moving precincts from the district. Councilor Worrell further stated that he resides in one of the precincts raised by Councilor Fernandes Anderson.

Moving forward to District 5, Councilor Arroyo expressed that he would prefer not to have any precincts removed from District 5 which unify Rosindale, such as Ward 14, Precinct 14. Rather, he would like for District 5 to gain some precincts to further unify Rosindale, such as Ward 14, Precinct 8, Ward 18, Precinct 7, and Ward 19, Precinct 12. Councilor Arroyo suggested moving Ward 14, Precinct 5 and Ward 18, Precinct 2 to District 4.

The Committee then discussed precincts in Districts 3 and 4 with populations predominantly identifying as Cape Verdean, which Councilors agreed consisted of Ward 15, Precincts 1 through 9 and that this community of interest should be maintained. Considering District 3, Councilor Baker stated he would like to maintain the existing district as whole as possible, with some additions, and further identified his residence, raising the relationships he has maintained with community residents. Councilor Bok asked the Chair whether the “baseline” districts would be presented on a printed map with demographic data by precinct. The BPDA representatives in attendance stated that maps would be prepared. Speaking to precincts on the boundaries of Districts 3 and 4, Councilor Worrell agreed with uniting Fields Corner through Ward 16, Precincts 1 and 3.





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Councilors discussed whether to move Ward 18, Precinct 7, from District 4 to District 5. Councilor Arroyo explained that Ward 18, Precinct 7 includes some of Rosindale and some of Mattapan, and that due to the American Legion Highway running through Ward 18, Precinct 7 and Ward 19, Precinct 12, both precincts should be discussed together. Councilors asked what precincts District 5 would then need to shed. Councilor Arroyo suggested moving Ward 14, Precinct 5 and Ward 18, Precinct 2 to District 4, noting the similar precinct demographics. Councilor Arroyo raised that such a shift would create a more cohesive transportation corridor.

The Committee decided that because they have yet to come to a consensus on many precincts, they would wait until after the public hearing on Thursday to make more decisions. The Chair moved to discuss redistricting principles. The Chair read the proposed redistricting principles presented in Docket #1098 and discussed conduct and public participation. The Chair stated that conduct had already been addressed throughout the meeting when Councilors were asked not to speak over colleagues and to respect one another during what can be an strenuous process. The Chair explained that the Committee hopes to hold as many meetings as possible to hear public testimony. The Chair further stated that the redistricting principles discuss requirements under the City Charter and Voting Rights Act, use of existing precincts, data needed for analysis of proposals, and the necessity of assessing population change from 2010 to 2020.

Councilors expressed that Committee working sessions should be held in the Iannella Chamber or live-streamed from the Piemonte Room. Council President Flynn expressed that working sessions outside of the Iannella Chamber are not live-streamed or recorded, so as to encourage candidness in Councilor discussions. It was further stated that due to technological limitations, live-streaming outside of the Iannella Chamber would make recording audio difficult. Each Councilor would need to be called on individually to speak into a microphone from across the room, rather than sitting together around a map on a table. The Chair expressed that given the time constraints, they are doing the best with what they can and making a good-faith effort. Finally, Councilors questioned how maps would be presented before the public and, when voting on maps filed, how many would be presented. The Chair stated that at the upcoming public hearing, the “baseline” map would be presented and the Committee progress thus far would be summarized. There was no consensus among Councilors on whether the Chair should present a single proposed map or whether there should be multiple proposals. The Chair expressed a preference for obtaining more public comment, then gaveled and adjourned the meeting.

**DOCUMENTS PRESENTED:** Council District Demographic Data

**DOCUMENTS RECEIVED:** Interactive GIS web map with state legislative and congressional district boundaries; Digital flier and graphics to publicize September 29, 2022 public hearing

**INFORMATION REQUESTED:** N/A

**NEXT MEETING:** See the publicly posted notices.

Prepared By  
STAFF LIAISON:

Meghan Kavanagh

Reviewed and Approved By  
CHAIR:

Liz Bredon

**DATE:** January 18, 2023

NOTE: These minutes are to be considered draft unless signed by the Committee Chair and Liaison.



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## HEARING MINUTES

**COMMITTEE:** Redistricting

**DATE:** September 29, 2022

**LOCATION:** *Iannella Chamber, Fifth Floor, Boston City Hall*

**TIME:** 3:00PM (3:14PM – 6:13PM)

**SUBJECT:** *Docket #1098, order for the adoption of City Council redistricting principles*

### MEMBERS PRESENT:

**VOTING MEMBERS:** Councilors Liz Breadon (Chair), Brian Worrell (Vice Chair), Ricardo Arroyo, Ruthzee Louijeune, Julia Mejia, Erin Murphy

**NON-VOTING MEMBERS:** Councilors Ed Flynn (President), Kenzie Bok, Gabriela Coletta, Tania Fernandes Anderson, Kendra Lara

### ISSUES DISCUSSED:

The Chair convened the hearing, read the dockets into the record, and explained that the purpose of the hearing was to receive public testimony on the redistricting process and redistricting principles. The Chair began by giving an overview of the redistricting process. She stated that the Council had asked the City of Boston and the Boston Planning and Development Agency to make available reports and data sets on the 2020 Census population data for the current Council districts. She stated that the City is working on the request and will make these resources available soon. She emphasized the importance of demographic data and consequences of an undercount. She noted that the Council previously submitted a request for the City to submit a challenge to the Census Bureau, which the Mayor has recently done. The Chair reviewed that following the census, under the leadership of Chair Arroyo, the Committee held three preliminary virtual public listening sessions in March and April of 2022 prior to the City Council budget review process, followed by a public hearing held on August 4th.

The Chair stated that the Boston Board of Election Commissioners adjusted select voting precincts in 2021 in conjunction with state congressional and legislative redistricting. She explained that the precincting process was completed in April of 2022, increasing the number of precincts in the city from 255 to 275. This process resulted in 16 split precincts, which crossed into up to three current Council districts. Councilors reviewed the adjusted precincts and tentatively assigned each to an adjacent district based on general consensus, such that all 275 precincts of the City are wholly within a single district. The reconciled districts became a baseline map for further consideration of potential precinct shifts through the redistricting process. This exercise of uniting the split precincts adjusted the population deviation across districts, such that District 2's deviation was +1,634 residents (+2.2%) above the average, District 3's deviation was -5,434 residents (-7.2%) below the average, and District 8's deviation was +4,688 residents (+6.2%) above the average. The Chair explained that this is the "baseline" map and population deviation from which the redistricting process is progressing at present, emphasizing that the Committee will continue to solicit resident input. After a brief statement from Councilor Worrell about information available on the Committee website, the Chair invited public testimony, noting that she would alternate between public comment and Councilor remarks.

Residents testifying generally expressed their sentiments as follows: that redistricting should not separate the South End from Chinatown in District 2; that each proposal should adhere to at least one of the Esri Redistricting software's eight measures of compactness to avoid sprawling districts, which can cause Councilors to be spread too thin to serve their constituents well. The Chair then recognized Councilor Fernandes Anderson, who spoke to the difficulties many residents experience in attending redistricting working sessions held



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in-person but not live-streamed. She requested that all future working sessions be held in the Chamber so that they can be televised for transparency. The Chair then turned the floor over for further public testimony.

Residents testifying generally expressed their sentiments as follows: that all future working sessions be live-streamed and the recordings accessible online; that Councilor Arroyo be reinstated as Committee Chair; that the “majority-minority” districts consisting of a majority of residents of color (Districts 3, 4, 5, and 7) be maintained; and the unification of neighborhoods split between current districts, such as Fields Corner, Upham’s Corner, and Mattapan. The Chair recognized Councilor Murphy, who stated the importance of transparency in redistricting and yielded the floor. Residents further testified that the redistricting process must continue to adhere to the requirements of the Voting Rights Act. The Chair then recognized Councilor Mejia, who emphasized that in the interest of transparency, all future working sessions and hearings should be live-streamed.

Further public testimony expressed that there should be sufficient Committee hearings such that all residents have the opportunity to sufficiently review and comment on the proposed district maps; that Councilor Arroyo be reinstated as the Committee Chair; and that the population balance between South Boston and the rest of District 2 be reevaluated. The Chair recognized Councilor Bok, who stated that her constituents are concerned about the splitting of Mission Hill and their desire for it to stay as whole as possible; West End residents would like to stay together; and that Beacon Hill would like to be reunited with the portion of a precinct that has long been outside of the district.

Residents providing further public testimony expressed that all redistricting must adhere to principles of the Voting Rights Act; that working sessions and hearings be translated in multiple languages; that Councilor Arroyo be reinstated as Chair; that the deadline to redraw Council districts be extended; that population variance between districts be balanced; that the Voting Rights Act be followed strictly such so that communities of color are fairly represented; that all districts should be altered equitably. Support was expressed for the proposal submitted by Councilors Arroyo and Fernandes Anderson, as well as for the predominantly Cape Verdean neighborhoods around Dudley Street to be unified in a district with Roxbury. The Chair recognized Councilor Lara, who emphasized that marginalized communities be represented in the redistricting process.

Residents testifying further expressed that the Vietnamese community be united, particularly that the Fields Corner neighborhood be united in one district, namely Ward 16, Precincts 1 and 3. The Chair recognized Councilor Louijeune, who emphasized that redistricting must adhere to the Voting Rights Act and that the Council not engage in any standard or practice which infringes on communities of color. She further stated that the redistricting process must not engage in “cracking” or “packing,” and refrain from the dilution of the voice and vote of any particular community.

A resident testified expressing concern with the result of the re-precincting process and its impact in Charlestown, dividing the Navy Yard from a precinct consisting of a Boston Housing Authority development. The Chair explained that the re-precincting process is not under the Council’s jurisdiction, but is the responsibility of the Boston Election Commission. The Chair recognized Councilor Flynn, who emphasized the need for transparency in redistricting.

Further testimony critiqued the lack of community outreach and multilingual communication, as well as the tight timeline of the redistricting process. Further critique was raised regarding the removal of Councilor Arroyo as Chair of the Committee. Requests were made for summaries of meetings to be disseminated; that future meetings be live-streamed; that proposed maps be made widely available to the public with their justification;



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and that all proposed district changes adhere to the Voting Rights Act. A resident expressed an opinion that it is within the power of the City Council to adjust district boundaries at any time, not solely on a decennial basis. A request was made for the South End to be unified in a single district. The Chair recognized Councilor Coletta, who stated that the Council should exceed requirements of the Voting Rights Act to work with communities and organizations advocating for more electoral power.

Testimony further critiqued insufficient public awareness of Committee events, and requested that additional communication with neighborhood associations be made to publicize the process, as well as notification by mail. A proposal was made to increase the number of districts to eleven. The Chair recognized Councilor Baker, who expressed support for adding an additional Council district. A resident further testified, emphasizing that it is critical that South Boston remain a part of District 2. The Chair then recognized Councilor Arroyo, who stated that he hopes to further present his proposal (Docket #1186) to the Committee and the public. Councilor Arroyo further stated that multiple hearings had been held regarding the redistricting process, including three community listening sessions in March and April 2022. The Chair then recognized Vice Chair Worrell, who thanked the public for their participation and stated that their issues and concerns, including increased community engagement, compliance with protections under the Voting Rights Act, inclusiveness and transparency, and drawing equitable maps were heard and taken under advisement of the Committee.

**DOCUMENTS PREPARED:** N/A

**DOCUMENTS RECEIVED:** Public Testimony

**INFORMATION REQUESTED:** N/A

**NEXT MEETING:** See the publicly posted notices.

**Prepared By**  
**STAFF LIAISON:**

*Anna Huang*  
 Anna Huang

**Reviewed and Approved By**  
**CHAIR:**

*Elizabeth Breadon*  
 Liz Breadon

**DATE:** January 18, 2023

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## WORKING SESSION MINUTES

**COMMITTEE:** Redistricting

**DATE:** September 30, 2022

**LOCATION:** Iannella Chamber, Fifth Floor, Boston City Hall

**TIME:** 10:00AM (10:18AM – 12:53PM)

**SUBJECT:** Docket #1098, order for the adoption of City Council redistricting principles

### MEMBERS PRESENT:

**VOTING MEMBERS:** Councilors Liz Breadon (Chair), Brian Worrell (Vice Chair), Ricardo Arroyo, Michael Flaherty, Julia Mejia, Erin Murphy

**NON-VOTING MEMBERS:** Councilors Ed Flynn (President), Frank Baker, Kenzie Bok, Tania Fernandes Anderson, Kendra Lara

### ISSUES DISCUSSED:

The Chair convened the working session and gave a review of previous deliberations on this topic in the past three working sessions. She stated that when the City was re-precincted, twenty new precincts were added, increasing the number of precincts from 255 to 275. To reconcile the 16 precincts split between existing Council districts, Councilors established a “baseline” map as a starting point by tentatively assigning each to a district.

The Chair stated that the Committee intends to solicit as much community input as possible before filing an initial map proposal. The Chair mentioned that the Committee held a well-attended public hearing on September 29 and has been reaching out to advocates as well as attending community meetings. She further stated that the consensus of the community input thus far is that it is necessary to increase community engagement and ensure a transparent and inclusive process. The Chair stated that there will be additional working sessions and hearings, and all will be open and accessible to the public. The Chair then asked Councilors to provide their comments on the process thus far and their impressions of the testimony received at the public hearing.

Questions and discussions were raised regarding clarification of the Open Meeting Law, and suggestions were made that the Council review open meeting requirements and the details of any potential violations alleged. It was emphasized that at the public hearing, the residents of the Chinese community stated their strong desire to maintain the Chinatown and South End residents together in their present district, and residents of Roxbury likewise testified that they did not want their neighborhood split amongst multiple districts. It was also noted that some South End residents wish for the neighborhood to be unified within a single district.

Questions and discussions were raised regarding the high rate of residential development in and around the Downtown neighborhood, resulting in population growth in District 2. It was also noted that the South Boston Waterfront has substantially grown in population. It was noted that these population increases have put pressure on the Council to redistrict such as to provide for equally populous districts.

Councilor Arroyo presented a proposed map co-sponsored with Councilor Fernandes Anderson (Docket #1186), which was referred to the Committee on September 28. He stated that the proposal was driven by population growth, particularly in the Downtown and South End neighborhoods. He further noted that this proposal unifies the South End, while expressing that any alternative would further split the neighborhood. He concluded that the population deviation per district is  $\pm 2.5\%$  from the ideal average and distributed copies of the proposed map.



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Questions and discussions were raised regarding neighborhoods presently split across existing Council districts and how state legislative district boundaries compare. It was further discussed that residents of the Chinatown community have stated their opposition to any proposal that would separate them from the South End.

Councilor Murphy presented a proposed map with most districts having a roughly  $\pm 2.0\%$  deviation from the ideal average population. She stated that this proposed map unites the Vietnamese community and Little Saigon within District 3. She shared accompanying demographic data for the proposed districts.

Questions and discussions were raised about the two proposals presently raised, including their advantages, disadvantages, and legal basis. Issues of how redistricting would affect the Cape Verdean and Black and brown communities, including the implications of uniting or separating particular communities, were discussed. Further discussion included racial and ethnic demographic data, racial diversity, and risks of “packing.” Councilors contemplated the necessity for certain districts to shed residents due to exceeding the allowable population. The necessity of strengthening “opportunity districts” and compliance with the Voting Rights Act were further discussed. The complexity of maintaining cohesive communities and increasing diversity, while complying with the Voting Rights Act, were discussed. The issue of “packing” and any associated legal liabilities were discussed. It was also raised that a substantial number of students residing in a district may skew the demographic and population totals, particularly the voting population. Issues of avoiding gerrymandering and the perception thereof were discussed. The complexity of adjusting district boundaries to equalize population, while considering racial composition without adversely impacting an adjacent district, were discussed. It was noted that drawing a map containing less than a  $\pm 3.0\%$  population deviation across the districts is an ideal goal, yet, the mandate of the Voting Rights Act relative to maintaining or enhancing the electoral strength of racial minorities must be upheld. It was stated that although it is desirable to keep communities together, that is secondary to fulfilling the law and the spirit of the Voting Rights Act. It was raised that the vast majority of potential changes likely need to occur in District 2 due to significant population growth.

The Chair noted that a scheduled Council staff training would commence in fifteen minutes, prompting the conclusion of the working session. The Chair stated that dates of future working sessions and hearings would be finalized shortly.


**DOCUMENTS PRESENTED:** Arroyo/Anderson proposal, Murphy proposal

**DOCUMENTS RECEIVED:** N/A

**INFORMATION REQUESTED:** N/A

**NEXT MEETING:** See the publicly posted notices.

**Prepared By**  
**STAFF LIAISON:**

  
 Anna Huang

**Reviewed and Approved By**  
**CHAIR:**



Liz Breadon

**DATE:** January 18, 2023

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## WORKING SESSION MINUTES

**COMMITTEE: Redistricting**

**DATE: October 7, 2022**

**LOCATION: Piemonte Room, Fifth Floor, Boston City Hall**

**TIME: 11:00AM (11:31AM – 2:00 PM)**

**SUBJECT: Dockets #1098, #1186, #1215, and #1216, order for the adoption of City Council redistricting principles, and ordinances amending City Council electoral districts**

### MEMBERS PRESENT:

**VOTING MEMBERS:** Councilors Liz Breadon (Chair), Brian Worrell (Vice Chair), Ricardo Arroyo, Michael Flaherty, Ruthzee Louijeune, Julia Mejia, Erin Murphy

**NON-VOTING MEMBERS:** Councilors Ed Flynn (President), Frank Baker, Kenzie Bok, Tania Fernandes Anderson

### ISSUES DISCUSSED:

The Chair convened the working session, stating that the purpose of the session was to discuss adoption of City Council redistricting principles, and expressed her intention to bring the docket before the Council for a vote on October 19, 2022. She stated that the Committee requested Corporation Counsel's opinion on redistricting requirements and protections under the Voting Rights Act, and will update on any information received.

Councilor Murphy discussed her proposal (Docket #1215), stating it preserves neighborhoods historically in each district, and that she used criteria ensuring fairness and equity, equal population, and compact and contiguous boundaries.. She stated her map unites various communities, including Fields Corner in Dorchester, Mattapan, and Catholic parishes in Dorchester. Councilor Murphy addressed concerns of potential “packing” of Black residents in District 4, stating that the district has historically had a larger Black population than other districts. She mentioned Ward 19, Precinct 7 could be moved to District 4 to increase the White population.

Councilor Arroyo and Fernandes Anderson discussed their proposed map (Docket #1186). Councilor Arroyo stated their goal of addressing population growth in District 2 and deficits in District 3, while attempting to maintain neighborhood boundaries. He stated that the map unifies Mattapan, Roslindale, the South End, LGBTQ+ communities, the Vietnamese community in Dorchester, and the Cape Verdean community in their respective districts, while attempting to maintain the demographics of present districts. He explained that the West End would be in District 1, areas around the Prudential Center would be in District 8, and that District 3 would stretch to Copley Square. Councilor Arroyo referenced similarities to state legislative district boundaries.

Chair Breadon discussed her proposed map filed with and Vice Chair Worrell (Docket #1216), which includes approximately 18 precinct reassignments compared to the “baseline” map, explaining that the map addresses excess population in District 2 while both uniting and retaining Ward 8, Precinct 1 and Ward 9, Precinct 1 in the district, as at present. The Chair stated that the most significant change is shifting eight precincts along the boundaries of Districts 3 and 4 on the basis of population balance, while contemplating the necessity of increasing opportunities for minority groups to elect their candidates of choice in District 3. She explained that the present boundaries of District 3 had a 62.3% minority population and 58.3% minority voting age population in 2010, and a minority population of 61.8% and minority voting age population of 58.5% in 2020. As proposed, District 3 would have 64.9% minority residents and 61.5% minority voting age population, strengthening District 3 as an existing “opportunity district.” The Chair reviewed precinct changes from the “baseline” map: moving Ward 3, Precinct 10 to District 1; moving Ward 2, Precinct 2 to District 8; Ward 8, Precinct 1 and Ward



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9, Precinct 1 returning to District 2; District 3 gaining Ward 7, Precinct 6, Ward 16, Precincts 1 and 3, and Ward 17, Precincts 2, 9, and 11; District 4 gaining Ward 14, Precincts 5 and 14, Ward 16, Precincts 8 and 11, and Ward 17, Precinct 13; Ward 19, Precinct 12 and Ward 20, Precinct 1 moving to District 5; and Ward 20, Precinct 8 moving to District 6. The Chair reviewed the demographic data of the current and proposed districts.

The Chair read from a document released by the U.S. Department of Justice titled “Guidance under Section 2 of the Voting Rights Act, 52 U.S.C. 10301, for Redistricting and Methods of Electing Government Bodies,” published September 1, 2021, highlighting the prohibition of electoral practices or procedures which minimize or cancel out the voting strength of members of racial or language minority groups in the voting population.

Councilors discussed issues including maintaining Chinatown and adjacent Asian communities within District 2, as well as South Boston. Discussion involved a call to reduce the total precinct changes across proposals, as well as regarding historic district boundaries and a desire to keep current districts intact. There was both support and opposition to the recognition or prioritization of Catholic parish boundaries. Displeasure was expressed in regard to major proposed changes in District 3, while a call was made to further diversify the racial and ethnic composition of the district. The necessity of future comprehensive re-precincting was raised, and it was reiterated that population projections would not be considered. Concern was raised regarding the proposed splitting of Adams Corner in Dorchester into two districts. Topics further discussed included analysis of voter turnout and trends, geographical and cultural cores of neighborhoods, and limitations of which adjacent districts could gain precincts from District 2. Limitations of increasing the population of District 4 without potential “packing” were raised. Consideration of District 3 gaining precincts from District 2 in South Boston garnered both support and opposition. Committee rules and decorum were discussed, as well as various advantages and disadvantages of proposed maps relative to demographic composition, particularly in Districts 3 and 4.

**DOCUMENTS PRESENTED:** Maps and Presentations of Arroyo and Fernandes Anderson Proposal (Docket #1186), Murphy Proposal (Docket #1215), and Breadon and Worrell Proposal (Docket #1216); U.S. Department of Justice Redistricting Guidance Under the Voting Rights Act.

**DOCUMENTS RECEIVED:** N/A

**INFORMATION REQUESTED:** Councilor Kendra Lara requested the following information:

- The legal definition of “political cohesiveness” according to the U.S.D.O.J under the Voting Rights Act.
- The voter turnout data for Ward 7, Precinct 6; Ward 16, Precincts 1 and 3; Ward 17, Precincts 2, 9, and 11, Ward 14, Precincts 5 and 14; Ward 16, Precincts 8 and 11; Ward 17, Precinct 13; Ward 19, Precinct 12; and Ward 20, Precinct 1.

**NEXT MEETING:** See the publicly posted notices.

Prepared By  
STAFF LIAISON:

Shane Pac

Reviewed and Approved By  
CHAIR:

Liz Breadon

**DATE:** January 18, 2023

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## MEETING MINUTES

**COMMITTEE:** Redistricting

**DATE:** October 11, 2022

**LOCATION:** *Iannella Chamber, Fifth Floor, Boston City Hall*

**TIME:** 5:00PM (5:12PM – 7:02PM)

**SUBJECT:** Public Testimony on Redistricting

### MEMBERS PRESENT:

VOTING MEMBERS: Councilors Liz Breadon (Chair), Brian Worrell (Vice Chair), Ricardo Arroyo, Michael Flaherty, Julia Mejia, Erin Murphy

NON-VOTING MEMBERS: Councilors Ed Flynn (President), Frank Baker, Kenzie Bok, Tania Fernandes Anderson, Kendra Lara

### ISSUES DISCUSSED:

The Chair convened the meeting and read an absence letter from Councilor Bok. The Chair again summarized the process and stated that redistricting materials are continuously being updated on the Committee website, including links to recordings of all past meetings. She further noted that, at the Committee's request, Attorney Jeffrey M. Wice, an Adjunct Professor and Senior Fellow at the New York School of Law, had delivered a memorandum outlining the basic principles of redistricting criteria. The memorandum was transmitted through Corporation Counsel, as the Law Department has retained Attorney Wice as outside counsel on redistricting. The Chair then read the letter attached to the memorandum into the record and recognized Attorney Wice, who appeared virtually, to offer remarks before the Committee.

Attorney Wice's letter states that his memorandum sets forth the basic principles of the criteria which the City Council should consider when redrawing district boundaries. The letter further states that the memorandum was written at the Chair's request, so the Committee would have a concise list of guideposts to be cognizant of during the redistricting process. The Chair stated that Attorney Wice is a recognized specialist in legislative redistricting and is the co-author and co-editor of the National Conference of State Legislatures' 2020 Redistricting Handbook. The Chair stated that her office would utilize Mr. Wice's expertise to help respond to additional inquiries from the Committee and from Councilors. The Chair stated that Councilors' questions for Attorney Wice would be collected through the Chair and submitted to him through Corporation Counsel. She further noted that she has submitted a set of questions to him, and the response is being prepared.

She then recognized Attorney Wice for his presentation. Attorney Wice stated that federal law and City Charter provisions guide the process of redrawing Council districts. The Boston City Charter includes enabling legislation establishing requirements and factors which may be considered when drawing electoral district boundaries [St. 1982, c. 605, § 3]. The legislation requires that districts be compact and shall contain, as nearly as possible, an equal number of inhabitants as determined by the most recent State Decennial Census [sic], shall be composed of contiguous existing precincts, and shall be drawn to preserve the integrity of existing neighborhoods. However, Massachusetts no longer conducts a state census, and redistricting must be based on population data from the last federal decennial census.

Attorney Wice further explained the several criteria for redistricting. The first is population equality, derived from U.S. Supreme Court precedent which established a maximum 10% deviation from the total population of the largest district to the smallest district. Thus, based on the 2020 Census, the ideal district size is 75,071 residents. This requirement allows for a ±5% deviation above or below the average of 75,071 residents per



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district. Any deviation from 75,071 residents outside of the range would need to be based on balancing the additional criteria covered. The overriding factor of population equality is “one person, one vote,” which emanates from the U.S. Constitution, requiring that districts be reasonably equal in population.

The second consideration falls under the 14th Amendment of the U.S. Constitution and the federal Voting Rights Act. The Voting Rights Act states that the process must consider the ability of minority voters to elect their candidates of choice when drawing electoral districts. The Voting Rights Act prohibits any voting qualification, practice, or procedure resulting in the denial or abridgment of any citizen’s right to vote based on race, color, or status as a member of a language minority group. The Voting Rights Act considers race, including Black, Hispanic, Asian, Native American, and Pacific Islander. In the Voting Rights Act, there is a prohibition of vote dilution dispersing, or “cracking,” minority voters among multiple districts, thereby creating ineffective voting blocs overly dispersed in such a way that does not effectively enable them to elect their preferred candidate.

In addition, there can be overly concentrated, or “packed,” districts creating excessive majorities of minority voters within a district, preventing them from electing additional candidates in neighboring districts. Therefore, it is important to avoid “packing” too many minority voters into few districts or “cracking” minority voters across several districts. The Voting Rights Act requires the creation of “effective minority districts,” where a single minority group comprises at least 50% of a district’s population, where the minority voters of different groups vote cohesively for the same candidates of choice, and if there is racially polarized voting such that the majority-White voters vote as a block to prevent minority voters from electing their candidates of choice.

Additionally, redistricting must be mindful of the U.S. Constitution’s 14th Amendment, which prevents racial gerrymandering. Racial gerrymandering is where districts are drawn predominantly on the basis of race without justification, which creates excessive populations of minority voters beyond what is needed to elect the minority communities’ preferred candidates. The City Council may comply with the 14th Amendment and the Voting Rights Act requirements by avoiding any discriminatory intent and discriminatory effect of minimizing or canceling the voting strength of members of a racial or language minority group. A particular racial voting analysis is utilized to demonstrate whether or not the minority vote is diluted, whether there is racially polarized voting, and whether race is being used in violation of the 14th Amendment to avoid racial gerrymandering.

Mr. Wice stated that it is essential to remember that districts must be evaluated based on local voting patterns and population data on a district-by-district basis. There are two federal requirements with respect to minority voting rights which include avoiding minority vote dilution in areas of very high racially polarized voting as required by the Voting Rights Act, and also to prevent excessive use of race without basis, where it is possible to end up with districts that “pack” too many minority voters into a district.

He stated that under the Boston City Charter the Council must analyze compactness, meaning that districts should have a minimum distance between all parts of a district subject to the other standards. Political scientists have developed several mathematical models to measure compactness, so it is possible to tell whether a plan is compact. It also allows comparing competing plans to see which method is most compact. The next criteria is that districts be contiguous, meaning that all parts of the district should be connected geographically at some point with the rest of the district. All districts must also contain contiguous election precincts. The final requirement is the consideration toward the preservation of neighborhoods. When creating districts, the boundaries of Boston’s recognized neighborhoods must be considered.



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Mr. Wice stated that there are other non-required criteria. The courts generally refer to these as the traditional redistricting criteria that are not required by federal, state, or local law, but may be considered. A “community of interest” includes neighborhoods with similar geographical areas and residents with common demographic interests, whether they be socioeconomic, religious, academic, business, medical, or other recognizable characteristics that people identify with. Communities of interest might not follow actual political subdivision boundaries. It's important to note that in balancing criteria, if the City Council chooses to consider communities of interest, Boston's Charter places consideration of recognized neighborhoods as a higher priority. Therefore, if the Council draws districts based on communities, it must prioritize consideration of established neighborhoods.

Another criteria often used is a ban on partisanship, which is not to favor or disfavor a political party, a candidate, or an incumbent. The last criterion often employed is to maintain the cores of existing districts using current boundaries as a determinant for helping make a change.

Questions and discussions were raised among Councilors regarding compactness, the preservation of core historic districts, the importance of adhering to the spirit of the Voting Rights Act, and continued public input in this process. The desire to keep the historic districts of Boston whole as much as possible was discussed.

The Chair opened the floor for public testimony periodically throughout the hearing. Members of the public advocated for various issues including that East Boston, Charlestown, and the North End remain in District 1; that the West End be united under one district; that the neighborhood of Fields Corner in Dorchester be unified in District 3 and that all of Dorchester Avenue be placed into one district; that Chinatown and the South End be kept together in one district; that parts of Roslindale not be moved from District 4 to District 5; and that the Cedar Grove neighborhood of Dorchester remain in District 3. Support for various proposed maps were expressed, such as for Docket #1275, and support for a number of precincts within Ward 16 remain in District 3, including those comprising the neighborhoods of Neponset, Pope's Hill, and Port Norfolk. Testimony was received calling for the process to be delayed. A representative of the NAACP Boston branch stated that the organization continues to refine a proposed map and would submit it to the Council shortly.

**DOCUMENTS PREPARED:** N/A

**DOCUMENTS RECEIVED:** Councilor Bok absence letter, Public Testimony, and Memo from Attorney Wice

**INFORMATION REQUESTED:** Answers of Corporation Counsel to questions submitted by the Chair

**NEXT MEETING:** See the publicly posted notices.

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Prepared By  
STAFF LIAISON:

Shane Pac

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Reviewed and Approved By  
CHAIR:

Liz Breardon

**DATE:** January 18, 2023

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## WORKING SESSION MINUTES

**COMMITTEE:** Redistricting

**DATE:** October 17, 2022

**LOCATION:** *Iannella Chamber, Fifth Floor, Boston City Hall*

**TIME:** 3:00PM (3:10 PM – 5:14 PM)

**SUBJECT:** *Docket #1098, order for the adoption of City Council redistricting principles*

### MEMBERS PRESENT:

VOTING MEMBERS: Councilors Liz Breadon (Chair), Brian Worrell (Vice Chair), Ricardo Arroyo, Michael Flaherty, Ruthzee Louijeune, Julia Mejia, Erin Murphy

NON-VOTING MEMBERS: Councilors Ed Flynn (President), Frank Baker, Kenzie Bok, Gabriela Coletta

### ISSUES DISCUSSED:

The Chair convened the working session and stated that it would be the final working session for the consideration of Docket #1098, order for the adoption of City Council redistricting principles. The Chair noted that she intends to report Docket #1098 out of the Committee and to a vote of the Council on October 19, 2022. She referred Councilors to printed copies of the docket and suggested that the Committee go through it to see if there are any final questions or concerns.

The Chair stated that Docket #1098 was referred to the Committee on August 31, 2022 and was sponsored by the Chair. She noted that the Committee held a virtual working session on September 16, 2022, a working session on September 20, 2022, a virtual working session on September 23, 2022, working sessions on September 26, 2022 and September 27, 2022, a public hearing on September 29, 2022, and working sessions on September 30, 2022 and October 7, 2022. She stated that the Committee held a meeting to receive public testimony on October 11, 2022. She noted that Docket #1098 was amended by a vote of the Council on September 28, 2022 and that following this working session, she intends to report it out of Committee for a vote on October 19, 2022. The Chair stated that she requested Central Staff to distribute several documents regarding redistricting in each Councilor's packets. She then asked if Councilors would like a brief ten-minute recess to study the packets or if Councilors were prepared to start the discussion immediately.

Councilors posed questions and discussed whether proposed maps and potential precinct adjustments would be discussed at the working session, or if it would solely be on the principles. The Chair stated that the discussion would begin on the principles in preparation of reporting the docket out of Committee. Councilors discussed whether enough future working sessions are scheduled to discuss further potential precinct changes prior to Council action.

The Open Meeting Law was mentioned and discussed. Councilors questioned whether support for a proposed map was discussed and solicited by Councilors outside of publicly-noticed meetings. The Chair noted that Councilors discussing potential precinct or boundary changes with their constituents is not a violation of the Open Meeting Law, given that a quorum of the body's members are not present and do not deliberate.

Councilors posed questions and discussed answers to questions and information that the City Law Department is working on for the Committee. The Chair stated that they are still gathering data and working on responses and that the information is expected to be delivered to the Council soon.

Councilors discussed precincts moving in and out of particular districts and the impact of splitting public housing developments across districts. Councilors opined that it was desirable to keep precinct movement to a



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minimum and that, if possible, public housing developments should not be divided into more than one district. Councilors supporting these opinions stated that many community leaders have also expressed their concerns about these possible district changes in their neighborhoods.

Councilors discussed the maps proposed filed by some Councilors which other Councilors had signed onto, and whether co-sponsorship of a docket implied support for the content thereof. It was expressed that signing onto another Councilor's proposal should not imply agreement with its content, but rather is solely an expression of support for the Councilor's efforts. There was further discussion of moving precincts, changing district boundaries, and splitting neighborhoods. Councilors questioned whether having several different and competing maps was the best way to approach the redistricting issue. It was opined that instead of having multiple maps in a state of discussion and negotiation, combining all the maps into one common proposed map might be more efficient by determining areas of agreement and then working on the areas of disagreement from a single map.

Councilors posed questions and discussed proposed changes to District 2, including the possibility of those changes dividing public housing developments and residents of color across multiple districts. The Chair pointed out that, from the total population on the present boundaries, District 2 needed to reallocate roughly 13,000 of its residents to adjacent districts, and although significant changes may be difficult and drastic, such changes are inevitable due to significant population growth.

Councilors discussed the optimal way to run future redistricting working sessions. Some Councilors opined that returning to holding working sessions in the Piemonte Room would allow for all proposed maps to be printed such that Councilors may work side-by-side to determine areas of agreement and differences. Other Councilors stated that keeping the sessions in the Iannella Chamber was preferable for public transparency and that displaying multiple maps could be accommodated with technology. A Councilor opined that working on redistricting maps in the Piemonte Room could have been more optimal and that working in the Chamber felt more like a hearing than a working session. The Chair stated that there would be another working session on October 21, 2022 and adjourned the working session.

**DOCUMENTS PREPARED:** Proposed maps with demographic information

**DOCUMENTS RECEIVED:** 2002 and 2011 Opinions of Redistricting Special Counsel; U.S. Department of Justice Redistricting Guidance Under the Voting Rights Act

**INFORMATION REQUESTED:** N/A

**NEXT MEETING:** See the publicly posted notices.

Prepared By  
STAFF LIAISON:

Shane Pac

Reviewed and Approved By  
CHAIR:

Liz Breadon

**DATE:** January 18, 2023

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## MEETING MINUTES

**COMMITTEE:** Redistricting

**DATE:** October 20, 2022

**LOCATION:** *Community Academy of Science and Health, 11 Charles St., Dorchester, MA 02122*

**TIME:** 5:00PM (5:11PM – 7:15PM)

**SUBJECT:** Public Testimony on Redistricting

### MEMBERS PRESENT:

VOTING MEMBERS: Councilors Liz Breadon (Chair), Brian Worrell (Vice Chair), Ricardo Arroyo, Michael Flaherty, Ruthzee Louijeune, Julia Mejia, Erin Murphy

NON-VOTING MEMBERS: Councilors Frank Baker, Kenzie Bok, Tania Fernandes Anderson

### ISSUES DISCUSSED:

The Chair convened the meeting and stated that the purpose of this meeting was to hear public testimony from residents regarding redistricting. She requested that speakers adhere to a two-minute time limit, stay on the topic of redistricting, and refer to any proposed map by its docket number. She stated that there would be further redistricting working sessions on October 21 and 25, 2022. The Chair then yielded the floor to public testimony.

Residents giving public testimony gave their opinions as follows: support for the proposed map endorsed by the NAACP - Docket #1275; support for proposed map Docket #1273; support for proposed map Docket #1275; acknowledgement that residents of color were undercounted in the 2020 federal decennial census; calls for District 4 to remain a majority Black district and to not lower the percentage of the Black population; that Ward 16 be kept united within one Council district; support for proposed maps in Dockets #1215 and #1273; that Ward 16, and Ward 17, Precinct 13 remain intact; that District 5 remain united; that Precincts 14-5 and 18-1 be added to District 5; support for proposed map Docket #1245; to keep the Vietnamese community united in District 3; that Precincts 17-13, 16-8, 16-9, 16-10, 16-11, and 16-12 remain in District 3. The Chair then turned the floor over to the Councilors for remarks.

Councilors commented that when initial Council district boundaries were drawn in 1983, District 4 was created as a historically Black-majority district, ensuring Black representation on the Council. It was cautioned that any proposed changes to the existing boundaries of District 4 may harmfully dilute Black voters' ability to elect the candidates of their choice.

The proposed map in Docket #1273 was discussed, and it was noted that this map keeps Precincts 8-1 and 9-1 together in the South End. Councilors noted that this map also unites Fields Corner and the Little Saigon Cultural District, brings Ward 16 entirely into District 3, and moves the Bay Village precinct from District 2 to District 8. Councilors also proposed extending the deadline for a final map to allow for more data collection and public comment.

Councilors then discussed the proposed map in Docket #1275, noting that it also combines Precincts 16-1 and 16-3 to unite Dorchester's Vietnamese community in District 3. It was stated that this proposed map makes minimal changes to the share of the Black population within District 4, while making the neighborhood of Roslindale more whole within a single Council district than any of the other proposed maps.



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Councilors spent some time explaining to attendees some of the overall requirements and goals of the redistricting process. The Voting Rights Act as well as concepts of contiguity, compactness, minimizing disruption to residents, and communities of interest were reviewed. The Chair then adjourned the meeting.

**DOCUMENTS PREPARED:** N/A

**DOCUMENTS RECEIVED:** N/A

**INFORMATION REQUESTED:** N/A

**NEXT MEETING:** See the publicly posted notices.

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**Prepared By**  
**STAFF LIAISON:**

*Anna Huang*  
 Anna Huang

**Reviewed and Approved By**  
**CHAIR:**

*Elizabeth Bredon*

Liz Bredon

**DATE:** January 18, 2023

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## WORKING SESSION MINUTES

**COMMITTEE:** Redistricting

**DATE:** October 21, 2022

**LOCATION:** Curley Room, Fifth Floor, Boston City Hall

**TIME:** 10:00AM (10:13AM – 1:10PM)

**SUBJECT:** *Dockets #1186, #1215, #1216, #1273, and #1275, ordinances amending City Council electoral districts*

### MEMBERS PRESENT:

**VOTING MEMBERS:** Councilors Liz Breadon (Chair), Brian Worrell (Vice Chair), Ricardo Arroyo, Michael Flaherty, Ruthzee Louijeune, Julia Mejia, Erin Murphy

**NON-VOTING MEMBERS:** Councilors Ed Flynn (President), Frank Baker, Kenzie Bok, Tania Fernandes Anderson, Kendra Lara

### ISSUES DISCUSSED:

The Chair convened the working session and stated that the topics of discussion would be Dockets #1186, #1215, #1216, #1273, and #1275, ordinances amending City Council electoral districts. She then read an absence letter from Councilor Coletta into the record. Councilor Coletta's letter expressed general support for the map proposed in Docket #1275 as it relates to the lines drawn for District 1, and that she is enthusiastic about the potential to add precincts 3-6 and 3-13 to District 1. Councilor Coletta further stated that she understands there are concerns being expressed regarding proposed boundaries pertaining to Districts 2, 3, and 4, and is hopeful that the Council can come to a resolution that keeps the public housing developments whole.

The Chair introduced Professor Moon Duchin, founder of the MGGG Redistricting Lab at Tufts University, which grew out of an informal collective called the Metric Geometry and Gerrymandering Group. Dr. Duchin is based at the Tisch College of Civic Life at Tufts University and her team includes experts in geometry, modeling, computation, graph algorithms, geography, policy, law, and civics. The Chair stated that Dr. Duchin would be making a presentation on the best practices for local redistricting and insights on several of the proposals presently referred to the Committee.

Dr. Duchin opened her presentation by expressing that redistricting priorities might differ from cycle to cycle depending on population demographics and electoral results specific to each individual district. She gave a brief introduction of her professional background and her extensive expertise in the field of redistricting. Dr. Duchin stated that her presentation would focus on single-member districts and plurality elections, although many local elective bodies, such as the Boston City Council, mix a combination of district and at-large members. Dr. Duchin further cautioned the importance of being aware of how various factors which may or may not be taken into consideration in the redistricting process could lead to "locked-in" and nonrepresentational outcomes, also known as gerrymandering.

Dr. Duchin displayed a graphic which illustrated how, taking into consideration the electoral results and population demographics of voters in particular precincts, it is possible to infer how district lines may have altered past electoral outcomes and representation. She discussed core traditional districting principles (TDPs) grounded in legal precedent, contrasted with contested districting principles. Core TDPs include equal population, compliance with the Voting Rights Act, equal protection, contiguity, compactness, recognition of jurisdictional boundaries, and "communities of interest" (COIs). Contested districting principles include partisan consideration, incumbency, and core retention of residents of prior districts. Dr. Duchin emphasized that while





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certain contested principles may be essential to consider, they generally cannot supersede TDPs. She discussed metrics, methods, and mathematical models which may be employed to analyze how well a given redistricting proposal complies with TDPs. Metrics for measuring TDPs include: population deviation, contiguity, statistical methods to measure compactness, and use of existing political boundaries such as precincts.

Dr. Duchin discussed analysis of the five proposals presently referred to the Committee, stating that all five proposals were more alike than they were different, and that each plan features contiguous districts and none pair incumbents into a single district. She further noted that all five proposals were similar in the metric measurements of population deviation, displacement of residents from prior districts, past electoral outcomes, and voter turnout. She discussed implications which race and ethnicity have on redistricting considerations, noting that consideration of race is particularly delicate and the case law is in flux. The current legal standard for redistricting is guided by the Voting Rights Act of 1965 (VRA), which requires districts that allow qualifying minorities an effective opportunity to elect their candidates of choice. However, the legal precedence does not strictly require majority-minority districts except as a demonstration in the early stages of litigation. Dr. Duchin explained that while the VRA is federal law, it applies equally to local and state redistricting. However, remedial maps must also meet the other traditional principles which cannot be sacrificed to achieve race-conscious objectives. She noted that 50 percent minority representation is not strictly necessary for districts considered electorally effective, and that overconcentration may dilute relative voting strength, referred to as “packing”. Dr. Duchin stated that depending on the particular district’s electoral history, a 30 to 40 percent Black voting age population may prove effective in a given district to allow Black voters the opportunity to elect their candidates of choice. She reviewed that effective districts for Latino and Asian voters often require districts with higher population concentrations. Dr. Duchin emphasized that relying on demographic targets alone may be a mistake, and that district-specific effectiveness analyses are much more granular, informative, and legally defensible.

Dr. Duchin then discussed analyses pursuant to requirements of the Voting Rights Act which are usually conducted for a single racial, ethnic, or language minority group. She stated that coalition claims, the combination of several minority groups for effectiveness analysis, have had success in some parts of the country. For example, the city of Lowell, Massachusetts recently came under a consent decree based on a coalition claim of Latino and Asian residents. Dr. Duchin stated that these claims hinge on showing cohesion for the minority groups in the particular geographic locality, and that the groups must usually share the same preferred candidates, especially in partisan primaries.

Dr. Duchin concluded her presentation by stating that while the Council has not formally procured her services for professional guidance in its presently ongoing redistricting process, she would be willing to make herself and her organization available for informal guidance and consultation. The Chair then recessed the working session.

The Chair reconvened the working session and proposed that Councilors review the proposed maps to determine where there is consensus and which precincts proposals are in contention. It was clarified that the City’s Law Department had engaged in a similar electoral analysis to that presented by Dr. Duchin, and that the Chair hopes to receive the Law Department’s findings to share with the Council.

Discussions turned toward whether the deadline to pass a final map should be extended. Councilors expressed varied opinions on the subject, with some suggesting that an extension would give time for more public input and others opining that it is essential to keep to the intended schedule. The Chair encouraged the Committee to continue its work as intended. She requested that discussion focus on analysis of proposed redistricting plans.



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The map proposed in Docket #1216, sponsored by Councilors Breadon and Worrell, was projected on the screen for review. The Chair suggested that the Council focus on proposed configurations for the boundaries of Districts 2, 3, and 4. Questions and discussions were raised regarding what Councilors viewed as the positives and negatives of the proposed map. Councilors opined that the positives of this map include precincts 9-1 and 8-1 being kept together, the West End and Beacon Hill respectively being kept intact, and precincts 16-1 and 16-3 being moved to District 3. It was noted that the demographic composition of District 4 may present a complex challenge toward meeting VRA requirements as it has a White population share which may be interpreted as too low. It was suggested that in order to balance the population demographics, the District's boundary could shift westward to Roslindale or eastward to Cedar Grove. Concerns were raised that this map split precincts 7-5 and 7-6, cutting through a neighborhood predominantly composed of residents of color.

Questions and discussions were raised regarding changes needing to be made in District 2. It was proposed that precincts 4-2 and 4-6 (generally the Hynes, Prudential, Copley, St. Botolph areas) be moved out of District 2. In Docket #1216, these precincts would be moved to District 8. Other precincts proposed to be moved out of District 2 included 3-10 (Bulfinch Triangle), 3-17 (Beacon Hill), 3-6 (adjacent to City Hall), 4-3 (including Tent City Apartments), 3-12 (Downtown), 4-1 (Appleton Street), 5-14 (near Benjamin Franklin Institute of Technology), 3-7 (near Union Park), 3-15 (near Herald Street), and 3-16 (Ink Block). Councilors also raised the issue of individual district Councilors who in the past have attained capital funding for projects located within their present district boundaries, some as the result of years of advocacy, potentially losing those projects if they were moved. Councilors also discussed neighborhoods sharing Councilors across multiple districts. It was noted that some neighborhoods share up to four Councilors. It was further observed that the South Boston neighborhood appears to be the only neighborhood which is not split amongst districts in such a way.

Discussion turned toward Precinct 3-12, encompassing a significantly large Chinese population in housing developments located downtown and that this precinct should be kept in a district with the rest of Chinatown. It was raised that District 4 could increase its share of White population by shifting its boundary toward Savin Hill, which is not currently suggested on current proposals. The Chair stated that the next working session would continue analyzing the remaining proposed maps and subsequently adjourned the working session.

**DOCUMENTS PREPARED:** N/A

**DOCUMENTS RECEIVED:** Councilor Coletta Absence Letter, Curriculum vitae of Dr. Moon Duchin; Dr. Moon Duchin's presentation slide deck; Response of Corporation Counsel to questions submitted by the Chair

**INFORMATION REQUESTED:** N/A

**NEXT MEETING:** See the publicly posted notices.

Prepared By  
STAFF LIAISON:

*Anna Huang*  
Anna Huang

Reviewed and Approved By  
CHAIR:

*Elizabeth Breadon*

Liz Breadon

**DATE:** January 18, 2023

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## WORKING SESSION MINUTES

**COMMITTEE: Redistricting**

**DATE: October 24, 2022**

**LOCATION: *Piemonte Room, Fifth Floor, Boston City Hall***

**TIME: 10:00AM (10:15AM – 2:33PM)**

**SUBJECT: *Dockets #1186, #1215, #1216, #1273, and #1275, ordinances amending City Council electoral districts***

### MEMBERS PRESENT:

VOTING MEMBERS: Councilors Liz Breadon (Chair), Brian Worrell (Vice Chair), Ricardo Arroyo, Michael Flaherty, Ruthzee Louijeune, Julia Mejia, Erin Murphy

NON-VOTING MEMBERS: Councilors Ed Flynn (President), Frank Baker, Kenzie Bok, Tania Fernandes Anderson

### ISSUES DISCUSSED:

The Chair convened the working session and stated that the working session would be on Dockets #1186, #1215, #1216, #1273, and #1275, ordinances amending the City Council electoral districts. She noted that Docket #1186 was sponsored by Councilors Arroyo and Fernandes Anderson, and was referred to the Committee on September 28, 2022. Docket #1215 was sponsored by Councilor Murphy and referred to the Committee on October 5, 2022. Docket #1216 was sponsored by Councilors Breadon and Worrell and referred to the Committee on October 5, 2022. Docket #1273 was sponsored by Councilor Baker and referred to the Committee on October 19, 2022. Docket #1275 was sponsored by Councilors Breadon and Arroyo and referred to the Committee on October 19, 2022.

The Chair stated that a meeting to receive public testimony was held on October 11, a working session on October 17, an off-site meeting to receive public testimony in Fields Corner in Dorchester on October 20, and a working session on October 21. Following the present working session, there is a public hearing in the Iannella Chamber, and a final working session is scheduled on October 25 in the Iannella Chamber. She reiterated that, as Committee Chair, she intends to submit a Committee Report at the October 26, 2022 Council meeting under the “Matters Recently Heard” portion of the agenda. The Chair informed Councilors of her intention to recommend passage in a new draft of one of the dockets presently before the Committee. She stated that working sessions are to discuss potential language which may appear in an amended draft presented in the Chair’s report.

The Chair read into the record feedback received in regard to Docket #1275: that moving Ward 6, Precinct 2 from District 2 to District 3 would split the West Broadway public housing development; moving both Ward 7, Precincts 5 and 6 from District 2 to District 3 would split the Anne Lynch Homes public housing development, which spans three precincts; and that the Neponset/Port Norfolk precincts of Ward 16, Precincts 9 and 10 not be split between Districts 3 and 4. The Chair stated that the Committee should explore alternatives to splitting the public housing developments, while recognizing limitations of moving other precincts from District 2 due to both adjacent Districts 1 and 8 nearing the maximum population. The Chair asked Councilors to consider further alternatives to moving precincts containing portions of public housing developments from their present districts. Councilor discussion raised questions regarding how precincts were identified to be moved out of District 2. It was noted that the majority of the public housing developments in District 2 contain significant populations of residents of color, and that it is critical to keep these communities together in District 2.



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Councilor Bok related how in previous years' iterations of the redistricting processes, questions and discussions were raised about whether the Dorchester neighborhood should be split as two northern-southern districts or two eastern-western sections, with the initial districts being established as eastern-western districts. She stated that how Districts 3 and 4 should most effectively be redistricted revolved around whether there are potential Voting Rights Act concerns regarding how Dorchester is currently divided between districts. Councilor Bok offered a presentation of her analysis which focused on Wards 13 through 17, stating that these five wards make up 128,528 of the total population of Boston, per the 2020 census. Although this total is less than the population necessary for two Council districts, and additional population for Districts 3 and 4 must be added from adjacent neighborhoods and districts, these five wards represent the core area at issue. Councilor Bok stated that what precincts to add to each respective district is contingent on how the core neighborhood of Dorchester is geographically divided, opining that analysis by whole wards simplifies the electoral analysis given the time constraint. She stated that the overall racial demographics are 77% non-White, 20% White, and 3% Other.

Councilor Bok then projected graphs which displayed the 2021 municipal election final results for Mayoral candidate performance in Districts 3 and 4, comprising the Dorchester neighborhood. She stated that the results demonstrate that the electoral results in Dorchester were split, such that if the race had been for a district office, Candidate Wu would have won District 4 and Candidate Essaibi George would have won District 3, despite Candidate Wu having won the most votes of both districts in aggregate by a sizable margin. Councilor Bok further stated that determining whether this skew frustrated the effective ability of minority residents to elect candidates of their choice must depend on whether voting is racially polarized in that area. She then displayed charts presenting data from the past municipal election which suggest that voting may be racially polarized in the area, and also presented similar data comparisons from the Councilor at large race, identifying Candidates Halbert and Murphy as examples, which suggest that the electoral results may appear to be racially polarized.

Councilor Bok then displayed additional charts which suggest that a map based on the proposal in Docket #1275 with some modifications, could serve to create two more efficient, effective districts aligned with the objectives of the Voting Rights Act. Changes to Docket #1275 proposed by Councilor Bok are as follows: 1.) Based on considerations of strengthening District 3 as an "opportunity district" and avoiding the division of South Boston public housing developments in District 2, return Ward 6, Precinct 3 and Ward 7, Precincts 5 and 6 to District 2, and, to further reduce population in District 2, return Ward 4, Precinct 5 to District 7 and move Ward 3, Precinct 15 to District 3; 2.) Since the redrawn District 4 may possibly become more tenuous of a majority-minority district in non-mayoral years in terms of voter turnout propensity, return Ward 16, Precinct 9 to District 3 and return Ward 17, Precincts 2 and 6 to District 4; 3.) Since District 3 needs additional population gained from precincts in adjacent districts, move Ward 13, Precinct 4 and Ward 17, Precinct 9 to District 3. Councilor Bok concluded her presentation by proposing that the opportunity to unite the Roslindale neighborhood should finally be realized by moving Ward 20, Precincts 1 and 8 to District 5 and Ward 19, Precinct 12 to District 6.

Discussion turned toward whether there has been sufficient community involvement and whether enough meetings have been held in neighborhoods. The Chair stated that the given timeline constrains the Committee and that much more material is available on the Committee website than in previous redistricting cycles. She encourages residents to watch recordings of the Committee's sessions and provide public testimony.

After discussion of the proposed maps, the Chair read into the record a statement regarding the demographic data reported by the Esri Redistricting software and the "Districtr" browser-based interactive tool for drawing electoral districts. Districtr's methodology for grouping multiple-race data is similar to that conventionally used by demographers, but different from that of the Esri Redistricting software, which follows guidance of the



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Department of Justice for civil rights monitoring and enforcement. The D.O.J. groups those reporting two races, such as one White and one non-White, as being members of the non-White race, such that a resident identifying as both White and Black would be counted as Black. Additionally, all residents of Hispanic or Latino origin, regardless of reported race, are grouped together. The Chair emphasized that due to these differences in methodology while drawing districts using the same 2020 Census population data, the statistical demographic data may vary depending on the platform used. As a result, the Committee's official analysis of demographic data for consideration of redistricting plans is to rely on Esri products using the Department of Justice criteria, and data presented on Districtr should be referred to only as rough estimates.

Discussions turned toward the public housing developments in South Boston. It was stated that the South Boston Neighborhood Association, in conjunction with other neighborhood organizations, submitted a joint letter asking that public housing developments in South Boston remain part of the present District 2. Councilor Flynn iterated that the developments remaining in District 2 was essential to maintaining diversity, and stated that the letter was signed by the Andrew Square Civic Association, the City Side Neighborhood Association, the City Point Neighborhood Association, the Fort Point Neighborhood Association, the Gate of Heaven Neighborhood Association, the West Broadway Neighborhood Association, and South Boston en Acción.

Discussion then turned to proposed changes to the present District 3. It was stated that three of the four proposed maps move a significant number of precincts within Dorchester, and that the proposal in Docket #1273 moves the least number of Dorchester precincts from District 3. It was opined that it was not necessary to move so many precincts out of District 3 to be compliant with the Voting Rights Act, and that such an opinion was a matter of debate and discussion. It was also noted that the Law Department was still compiling electoral redistricting data for the Council's consideration. Concern was expressed about whether there would be sufficient time to consider the data after it arrived due to the pending deadline and anticipated Council action.

Councilors inquired whether the Committee should solicit additional outside research and data analysis. The Chair explained that the Law Department had been engaged to support research and electoral analysis of racially polarized voting on behalf of the Committee, including procurement of nationally renown external experts on redistricting. She indicated that a public hearing would follow and subsequently adjourned the working session.

**DOCUMENTS PREPARED:** N/A

**DOCUMENTS RECEIVED:** Councilor Bok's presentation slide deck.

**INFORMATION REQUESTED:** N/A

**NEXT MEETING:** See the publicly posted notices.

Prepared By  
 STAFF LIAISON:

*Anna Huang*  
 Anna Huang

Reviewed and Approved By  
 CHAIR:

*Liz Breadon*

Liz Breadon

**DATE:** January 18, 2023

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## HEARING MINUTES COMMITTEE: Redistricting DATE: October 24, 2022

LOCATION: *Iannella Chamber, Fifth Floor, Boston City Hall*

TIME: 4:00PM (4:16PM – 5:36 PM)

SUBJECT: *Dockets #1186, #1215, #1216, #1273, and #1275,  
 ordinances amending City Council electoral districts*

### MEMBERS PRESENT:

VOTING MEMBERS: Councilors Liz Breadon (Chair), Brian Worrell (Vice Chair), Ricardo Arroyo, Michael Flaherty, Ruthzee Louijeune, Julia Mejia, Erin Murphy

NON-VOTING MEMBERS: Councilors Ed Flynn (President), Frank Baker, Kenzie Bok, Gabriela Coletta, Tania Fernandes Anderson

### ISSUES DISCUSSED:

The Chair convened the hearing and stated that the purpose of the hearing was to receive public testimony on Dockets #1186, #1215, #1216, #1273, and #1275, ordinances amending City Council electoral districts. The Chair made an opening statement providing general background information on the objective of redistricting and on the Committee's progress thus far. The Chair informed the public that the hearing is being recorded and live-streamed, and comments submitted to the Committee will be made a part of the record. The Chair stated that the Committee's remaining working session scheduled for the next day is for Councilors to discuss potential language which may appear in a new draft of an ordinance. The Chair reiterated that she intends to submit a Committee Report at the following regular meeting of the City Council scheduled on October 26, 2022, and will recommend for passage one of the proposed maps in a new draft.

The Chair read into the record a statement also made at the earlier working session regarding the demographic data reported by the Esri Redistricting software and the "Districtr" browser-based interactive tool for drawing electoral districts. Districtr's methodology for coding and grouping race and ethnicity demographic data is similar to that conventionally used by demographers, but different from that of the Esri Redistricting software, which follows guidance of the Department of Justice for civil rights monitoring and enforcement. The D.O.J. groups those reporting two races, such as one White and one non-White, as being members of the non-White race, such that a resident identifying as both White and Black would be counted as Black. Additionally, all residents of Hispanic or Latino origin, regardless of reported race, are grouped together. The Chair emphasized that due to these differences in methodology while drawing districts using the same 2020 Census population data, the statistical demographic data may vary depending on the platform used. As a result, the Committee's official analysis of demographic data for consideration of redistricting plans is to rely on Esri products using the Department of Justice criteria, and data presented on Districtr should be referred to only as rough estimates.

The Chair read into the record a memorandum addressed to Adam Cederbaum, Corporation Counsel for the City of Boston, prepared by Jeffrey M. Wice, Esq., Adjunct Professor/Senior Fellow of New York Law School, received on October 9, 2022, titled "Key Redistricting Principles for the Boston City Council". This memorandum outlines the criteria that the City Council should consider in the redrawing of Council districts. The memo stated that the required criteria includes that Council districts are required to be equally substantial in population; that the voting rights of minority voters must be respected when developing a new map; that districts should have a minimum distance between all parts of a district; that all parts of a district should be connected geographically at some point with the rest of the district; and that consideration must be given to drawing



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districts which respect the boundaries of Boston's recognized neighborhoods. Other non-required criteria which may be considered, but are not required by federal or local law, include uniting "Communities of Interest" which encompass geographical areas where residents have common demographic interests that can include socio-economic, religious, academic, business, medical, or other recognizable characteristics; a ban on partisanship, meaning that maps should not favor or disfavor political parties or candidates; and maintaining existing district boundaries as a determinant for making the least changes necessary.

City Councilors posed questions and discussed various issues including inquiries on why funding was not appropriated for the City Council to retain its own legal counsel to assist in the redistricting process. Councilors further the need to preserve neighborhoods in redistricting, expressing concern about the relocation of the Neponset neighborhood from District 3 to District 4. Additional discussion raised the need to unite the neighborhood of Codman Square within one district. A point was raised for the Committee to initiate individual precinct considerations based on the "baseline" map rather than the map presented in Docket #1275. A call was made for the Chair to postpone the stated intention of voting on a map at the upcoming Council meeting and to instead extend the redistricting process, while others called upon the Chair to move forward to a vote.

The Chair alternated between recognizing Councilors for remarks and opening the floor to receive public testimony throughout the hearing. Members of the public advocated for various issues, including uniting the West End neighborhood under one district, strengthening District 3 as an "Opportunity District," expressions of support and opposition for the map proposed in Docket #1275, and uniting the Chinatown neighborhood with neighboring South End precincts into one district. Comments also called for the West Broadway and Old Colony public housing developments to remain in the present boundaries of District 2. Support was expressed for the neighborhood of Charlestown to be moved from District 1 to District 8. The necessity was raised of establishing the role of an independent and impartial advisor in future redistricting processes. Further testimony called for the Chair to move forward with a vote on a proposed map at the upcoming Council meeting.

The Chair then offered closing remarks and adjourned the hearing.

**DOCUMENTS PREPARED:** N/A

**DOCUMENTS RECEIVED:** N/A

**INFORMATION REQUESTED:** N/A

**NEXT MEETING:** See the publicly posted notices.

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**Prepared By**  
**STAFF LIAISON:**

*Anna Huang*  
 Anna Huang

**Reviewed and Approved By**  
**CHAIR:**

*Liz Breadon*

Liz Breadon

**DATE:** January 18, 2023

NOTE: These minutes are to be considered draft unless signed by the Committee Chair and Liaison.





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## WORKING SESSION MINUTES

**COMMITTEE:** Redistricting

**DATE:** October 25, 2022

**LOCATION:** *Iannella Chamber, Fifth Floor, Boston City Hall*

**TIME:** 10:00AM (10:44AM – 5:44PM)

**SUBJECT:** *Dockets #1186, #1215, #1216, #1273, and #1275,  
 ordinances amending City Council electoral districts*

### MEMBERS PRESENT:

VOTING MEMBERS: Councilors Liz Breadon (Chair), Brian Worrell (Vice Chair), Ricardo Arroyo, Michael Flaherty, Ruthzee Louijeune, Julia Mejia, Erin Murphy

NON-VOTING MEMBERS: Councilors Ed Flynn (President), Frank Baker, Kenzie Bok, Tania Fernandes Anderson

### ISSUES DISCUSSED:

The Chair convened the working session and stated that the purpose of the working session was to discuss several dockets which are ordinances proposing the amendment of City Council electoral districts. The Chair provided an opening statement detailing the Committee's redistricting process thus far, listing dates and locations of fourteen prior meetings, working sessions, and public hearings from September 16, 2022 to present. The Chair then informed Councilors of her intention to offer a Committee Report at the regular meeting of the City Council scheduled for Wednesday, October 26, 2022 under the "Matters Recently Heard – For Possible Action" portion of the agenda. The Report of the Chair would recommend the Council take action on one of the dockets presently before the Committee, to be presented in a new draft at the discretion of the Chair. The Chair expressed that this final working session is for Councilors to review data analysis presented, as well as discuss potential language which may appear in a new draft presented by the Chair for recommended action.

The Chair then reiterated a note on demographic data coding methodology reported by the Esri Redistricting software and the "Districtr" browser-based interactive tool for drawing electoral districts, which were also read into the record at the preceding working session and public hearing of October 24, 2022. Districtr's methodology for coding and grouping race and ethnicity demographic data is similar to that conventionally used by demographers, but different from that of the Esri Redistricting software which follows guidance of the Department of Justice for civil rights monitoring and enforcement. The D.O.J. groups those reporting two races, such as one White and one non-White, as being members of the non-White race, such that a resident identifying as both White and Black would be counted as Black. Additionally, all residents of Hispanic or Latino origin, regardless of reported race, are grouped together. The Chair emphasized that due to these differences in methodology while drawing districts using the same 2020 Census population data, the statistical demographic data may vary depending on the platform used. As a result, the Committee's official analysis of demographic data for consideration of redistricting plans is to rely on Esri products using the Department of Justice criteria, and data presented on Districtr should be referred to only as rough estimates. Official demographic breakdowns for redistricting purposes should rely on the data presented through Esri Redistricting using D.O.J. criteria.

The Chair informed Councilors that prior to the start of the working session, the Committee received a memorandum prepared by Dr. Moon Duchin of the MGGG Redistricting Lab at Tisch College of Tufts University. Dr. Duchin previously presented before the Committee at the working session of October 21, 2022. The Chair stated that the memorandum has been electronically transmitted to all Councilors, and that it summarizes the findings of Dr. Duchin's statistical analyses of proposed plans. The Chair read into the record





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the Executive Summary of the memorandum, stating that the MGGG Redistricting Lab reviewed electoral data provided to them and identified three prior elections which clearly demonstrated candidates of choice supported by residents of color citywide. MGGG built an “effectiveness score” for districts by measuring the performance of those candidates in the district boundaries as presented. They found that all five proposed maps as filed score quite low for the effectiveness score, compared to other computer-drawn configurations to maximize effectiveness, noting that Docket #1273 is slightly less effective. The memorandum suggests there is not much variance across the proposed plans from the effectiveness point of view. The memorandum presented four alternatives as examples to configure selected districts while significantly increasing effectiveness. Dr. Duchin then stated in the memorandum that respect for incumbents somewhat reduces the prospects of increasing effectiveness. The Chair briefly reviewed the standard statistical test employed by Dr. Duchin for racially polarized voting, called ecological inference (EI), which is used to estimate the rates of cohesion at which different demographic groups support various candidates. The memorandum stated that based on a review of 2021 municipal election results, it is not clear to a high level of certainty whether there is cohesion among Black, Latino, and AAPI voters. Rather, there is more likely to be geographic cohesion within neighborhoods than is seen citywide, although citywide patterns for Latino and AAPI voters in particular are uncertain.

The Chair proceeded to introduce Attorney Jeffrey M. Wice, Adjunct Professor/Senior Fellow at New York Law School and a specialist in legislative redistricting, and Dr. Lisa Handley, a voting rights and redistricting expert, who joined the working session remotely. Attorney Wice provided an overview of several redistricting requirements pertaining to the United States Constitution, the federal Voting Rights Act, and the Boston City Charter, which were also summarized in a memorandum he submitted to the Committee through Corporation Counsel on October 9, 2022. Attorney Wice summarized statutorily required criteria of population equality, minority voting rights under the Voting Rights Act, compactness and contiguity, as well as consideration toward neighborhood boundaries as required by the City Charter. Attorney Wice also discussed other non-binding, non-required principles which may be considered but are not required by federal or local law, which include “communities of interest,” bans on partisanship, and maintaining existing district boundaries.

Attorney Wice turned to Dr. Handley, who provided a presentation focused on analyses of voting patterns for the purposes of drawing districts complying with the Voting Rights Act. Dr. Handley discussed Section 2 of the Voting Rights Act which prohibits any voting standard, practice or procedure, including a redistricting plan, that results in the denial or dilution of minority voting strength. All state and local jurisdictions are covered by Section 2 of the Voting Rights Act. Section 2 was amended in 1982 to make clear that intention to discriminate need not be demonstrated (as is the case with violations of the 15th Amendment of the U.S. Constitution); it is only relevant that the standard, practice, or procedure has the effect of denying or diluting minority voting strength. Dr. Handley stated that redistricting plans cannot “crack” or “pack” a geographically concentrated minority community across districts, or within a district, in a manner which dilutes their voting strength.

Dr. Handley then discussed the U.S. Supreme Court case *Thornburg v. Gingles*, which found that plaintiffs must satisfy three preconditions to qualify for relief under Section 2 of the Voting Rights Act. First, the minority group must be sufficiently large and geographically compact to form a majority in a single-member district. Second, the minority group must be politically cohesive. Third, White residents must vote as a bloc to usually defeat the minority-preferred candidates. Dr. Handley further explained that a racial bloc voting analysis is employed to ascertain whether minority voters are politically cohesive and if White voters bloc vote to usually defeat minority-preferred candidates.



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Dr. Handley stated that a database combining demographic information and election returns is required to conduct racial bloc voting (RBV) analysis. RBV would include precinct election returns, being the votes cast for each candidate competing in the election, and the demographic composition of precincts, being the voting age population by race and ethnicity. The analysis looks for patterns across precincts, using the patterns to estimate White, Black, Hispanic, and Asian voter support for each of the candidates competing in an election contest. Dr. Handley then reviewed two standard statistical techniques for estimating voting patterns for minority and White voters, ecological regression analysis (ER) and ecological inference analysis (EI). She noted that an additional technique of homogeneous precinct analysis would be difficult to employ in Boston given the lack of Black, Latino, or Asian homogeneous precincts. ER analysis is conducted by plotting points to ascertain the relationship between voter turnout and vote share of support for a given candidate in a given precinct. EI employs a tomographic plot of proportion demonstrating turnout and proportion of vote share of support, while demonstrating all possible combinations that could have produced a certain result. Dr. Handley stated that she employs both ER and EI together, with ER as a check on EI.

Dr. Handley analyzed Boston municipal elections from 2015 to 2021 for district councilor and mayoral races. She stated that racially polarized voting was found in Boston, but varies district by district. In a summary of her findings, Dr. Handley pointed out the limited municipal elections analyzed, with many recent elections remaining uncontested, particularly the fact that there were no challengers in over 44 percent of district general elections since 2015. Polarization was found between Boston's White and Black populations and the White and Hispanic populations, which were comparable, however less polarization was demonstrated between White and Asian populations. Further, in the six general elections in which voting is polarized, the candidate preferred by Black or Hispanic voters loses four contests. Dr. Handley stated that when voting is polarized, Black, Hispanic, and Asian minority voters are not necessarily cohesive, especially in preliminary rounds. In conclusion, Dr. Handley stated that because voting is often polarized, districts that offer minority voters an opportunity to elect their candidates of choice must be drawn. If such districts already exist, as in Boston, they must be maintained in a manner that continues to provide minority voters an opportunity to elect their preferred candidates. Dr. Handley added that caution should be exercised if combining Black, Hispanic, and Asian voters to create a "minority" district, because these three groups of voters are not always cohesive in their voting patterns. As such, the courts have found that a district-specific, functional analysis is required to determine if a proposed district will provide minority voters with the ability to elect their candidates of choice.

Councilors offered several questions to Attorney Wice and Dr. Handley. Asked whether any present districts, particularly District 4, pose a potential Voting Rights Act violation, Attorney Wice stated he is not aware of a current violation, but that analysis for legally significant polarized voting is required. However, given that the current district boundaries must change, legal analysis must be conducted on the proposed districts. Dr. Handley added that District 4, as currently configured, provides Black voters an opportunity to elect a candidate of choice and that the district should be drawn to continue allowing that opportunity, otherwise it would cause a violation.

Attorney Wice reviewed the terms "cracking" and "packing" as they relate to racial and ethnic demographics of neighborhoods under the Voting Rights Act. He emphasized that the key issue is to not dilute minority voting strength and not to excessively pack minority voting strength. Upon further questioning regarding the "splitting" of a predominantly White neighborhood, Attorney Wice responded that "You would split a 'White neighborhood' to avoid a Voting Rights Act or 14th Amendment violation, otherwise you can keep a 'White neighborhood' together ... If you are keeping a 'White community' or 'White neighborhood' intact, and by doing so, a neighboring district or a part of that district would violate the Voting Rights Act because it dilutes minority voting strength or excessively packs minority voters unnecessarily, then you would have a problem."



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Dr. Handley responded to a prior question regarding racial identities of individual candidates while conducting a racial polarization analysis, stating that the race of the candidate does not matter when analyzing voting patterns. Upon further questioning, Dr. Handley clarified that a minority-preferred candidate is a candidate supported by minority voters as statistically evidenced by electoral returns, without consideration of factors such as the candidate's demographics, policy positions, campaign tactics, or fundraising capacity. She discussed elections that are helpful for analysis, such as partisan primaries for statewide races compared to nonpartisan municipal preliminary and general elections. In response to a question regarding "opportunity districts," Dr. Handley stated that an opportunity district is a district which provides minority voters an opportunity to elect their candidate of choice, and that there is no target percentage threshold to attain. Rather, the threshold to ascertain opportunity for minority voters to elect their candidate of choice must be determined through a district-specific functional analysis using the district's demographic data and historic electoral results.

Councilors requested that Attorney Wice and Dr. Handley analyze all five proposed district maps to identify potential legal violations. Attorney Wice stated they will not be able to analyze all five proposed maps, but will analyze a single map if received as soon as possible. The Chair stated that the Committee will submit one map for Attorney Wice and Dr. Handley to review. Attorney Wice provided that, to his knowledge, there are no instances of non-contiguous or non-compact districts in the five present proposals. The only issues are possible Voting Rights Act violations through "cracking" or "packing," which is why district-specific functional analyses are required. The Chair reiterated that, at her discretion as Chair of the Committee on Redistricting, she intends to solicit discussion at the working session on precinct-level modifications for a new draft of Docket #1275, which she will submit to Attorney Wice and Dr. Handley for analysis that afternoon, as well as the recommendation she will make in the Committee Report presented to the full Council the following day.

Discussion shifted toward specific precinct-level changes which were proposed to Docket #1275 as originally filed. Various precinct changes discussed include the following:

- Moving precincts 17-2 and 17-6 from the proposed District 3 back to their present location in District 4, moving precinct 16-9 from the proposed District 4 back to its present location in District 3, maintaining precincts 16-8, 16-9, 16-11, and 16-12 in their present location in District 3; discussion pertained to the issue of separating precinct 16-9 from precincts 16-8, 16-11, and 16-12, which would split the Adams Corner neighborhood of Dorchester; concern was expressed that if all of those precincts were moved back to District 3, there could be increased potential for a violation of "packing" in District 4;
- Moving precinct 3-15 from District 2 to District 3, in order to return precinct 6-3 from the proposed District 3 back to its present location in District 2; this would prevent splitting the West Broadway (D Street) public housing development between two Council districts, as the development spans from precinct 6-3 across the adjacent precinct 6-2;
- Moving precincts 16-8, 16-9, 16-11, 16-12, and 17-13 from the proposed District 4 back to their present location in District 3, moving precincts 16-1, 16-3, and 17-6, from the proposed District 3 back to their present location in District 4, and moving precinct 19-7 from District 6 to District 4; concern was raised regarding the resulting demographic composition of the several districts;
- Moving precincts 17-2 and 17-6 from the proposed District 3 back to their present location in District 4, moving precincts 6-3, 7-5, and 7-6 from the proposed District 3 back to their present location in District



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2, moving precinct 3-15 from District 2 to District 3, moving precinct 4-5 from District 2 back to its present location in District 7, and moving precinct 6-10 from District 2 to District 3; concern was raised regarding the removal of precinct 4-5 from the proposed District 2, as it would separate the precinct's sizable Asian population from the community of interest in adjacent precincts; concern was raised regarding the resulting demographic composition from returning precincts 7-5 and 7-6 to District 2, while moving precinct 6-10 to District 3;

- Moving precincts 3-16, 7-1, 7-2, and 7-3 from District 2 to District 3, and returning precincts 6-3, 7-5, and 7-6 from the proposed District 3 back to their present location in District 2; concern was raised regarding the geographic location of the South Boston neighborhood which this change would impact;
- Moving precincts 3-15, 8-1, and 9-1 from District 2 to District 3, moving precincts 6-1, 6-3, 7-5, and 7-6 from the proposed District 3 back to their present location in District 2, moving precincts 16-3, 17-2, and 17-6 from the proposed District 3 back to their present location in District 4, and moving precincts 16-8, 16-9, 16-11, and 16-12 from the proposed District 4 back to their present location in District 3; concern was raised regarding population deviation and demographic composition of the several districts;

The Chair called a recess at 1:36 PM and reconvened the working session at 4:10 PM. The Chair distributed draft documents for discussion purposes which reflected two versions of hypothetical precinct changes to the map presented in Docket #1275 as filed, based on precinct changes posed earlier in the working session. The Chair also distributed a visual reference of the South Boston public housing developments to demonstrate their location across district and precinct boundaries. The precinct changes in the two versions were as follows:

- Version 1: Moving precincts 3-15 and 6-10 from District 2 to District 3, moving precincts 6-3, 7-5, and 7-6 from the proposed District 3 back to their present location in District 2, moving precincts 17-2 and 17-6 from the proposed District 3 back to their present location in District 4, moving precinct 16-9 from the proposed District 4 back to District 3, and moving precinct 4-5 from District 2 back to its present location in District 7;
- Version 2: Moving precinct 6-3 from the proposed District 3 back to its present location in District 2, moving precincts 17-2 and 17-6 from the proposed District 3 back to their present location in District 4, moving precinct 16-9 from the proposed District 4 back to its present location in District 3, and moving precinct 4-5 from District 2 back to its present location in District 7;

The Chair reiterated her intention to proceed to offer a Committee Report recommending passage of a docket in a new draft at the regular meeting of the City Council scheduled for the next day. Some Councilors expressed concern about taking final action on a docket, desiring more working sessions for further deliberation and a public hearings held in precincts moving between districts.

A third version was raised through discussion, reflecting changes suggested earlier in the working session which would move precincts 3-16, 7-1, 7-2, and 7-3 from District 2 to District 3, and return precincts 6-3, 7-5, and 7-6 from the proposed District 3 back to their present location in District 2. In response to this third version posed, Concern was again raised regarding the geographic location of the South Boston precincts which this change pertains to. Councilors noted that the additional precinct changes were substantive, yet were not previously proposed in one of the five proposed maps publicly noticed for discussion at the several public hearings held throughout the redistricting process. Further concerns were raised regarding public housing developments



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spanning several precincts which were proposed to be split between Council districts. A point was raised regarding the intended deadline for Council action on passing a redistricting plan, and whether or not there is in fact a legal deadline to complete the redistricting process by.

A question was raised regarding the Chair's decision to present two versions to advance for discussion, rather than all proposals made during the course of the working session. Other Councilors stated that it was the prerogative and discretion of the Chair to present any version of a map for collaborative deliberation during the working session, if at all.

Discussion turned toward the two proposed amendments to Docket #1275 presented by the Chair. A concern was raised that the unnatural "T" shape of District 3 created in Version 1 may draw claims of gerrymandering. A further amendment to Version 1 was presented, by returning precinct 6-10 back to its present location in District 2, moving precinct 15-2 from District 4 to District 3, and moving either precinct 4-3 or precinct 5-13 from District 2 to District 8. Another suggestion was made to return precinct 7-5 back to its present location in District 2 and maintain moving precinct 7-6 from District 2 to District 3, as proposed in Docket #1275.

Certain Councilors expressed concern about alleged Open Meeting Law violations which may have occurred at community meetings regarding the redistricting process which were not meetings of the Boston City Council but were attended by members of the body. The Chair indicated that deliberation amongst Councilors did not occur.

The Chair stated she would take the several proposed precinct adjustments offered during the working session under advisement, reiterating an intention to offer a report recommending passage of a docket in a new draft during the Council meeting the next day. The Chair offered closing remarks and adjourned the working session.

**DOCUMENTS PRESENTED:** Duchin and Richardson Memorandum; Dr. Handley's presentation slide deck; Versions of Docket #1275 with Demographic Report; Map of South Boston public housing developments.

**DOCUMENTS RECEIVED:** N/A

**INFORMATION REQUESTED:** N/A

**NEXT MEETING:** N/A

Prepared By  
**STAFF LIAISON:**

*Anna Huang*  
 Anna Huang

Reviewed and Approved By  
**CHAIR:**

*Liz Breadon*

Liz Breadon

**DATE:** January 18, 2023

NOTE: These minutes are to be considered draft unless signed by the Committee Chair and Liaison.



**October 26, 2022**

A regular meeting of the City Council of the City of Boston was held in the Christopher A. Iannella Chamber, City Hall on Wednesday, October 26, 2022 at 12:17 P.M.

President Flynn in the Chair. All Councilors Present.

Bishop Raymond G. Hall delivered the invocation and the meeting was opened with the pledge of allegiance to the flag.

President Flynn moved to adopt the minutes from the October 19, 2022 meeting.  
Motion prevailed.

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**1320** Message and order authorizing the City of Boston to accept and expend the amount of One Hundred Six Thousand Dollars (\$106,000.00) in the form of a grant, for the FY22 Community Mitigation, awarded by the Massachusetts Gaming Commission to be administered by the Police Department. The grant will fund investigations that are coordinated between the BPD Human Trafficking Unit and other law enforcement entities, along with traffic safety patrols and accident reconstruction.  
The rules were suspended; the order was passed.

**1321** Message and order authorizing the City of Boston to accept and expend the amount of Fifty Nine Thousand Dollars Four Hundred Five Dollars and Thirty Cents (\$59,405.30) in the form of a grant, for the COPS FY22 Law Enforcement Mental Health and Wellness Act Program, awarded by the United States Department of Justice to be administered by the Police Department. The grant will fund peer support services for Boston Police Department sworn and civilian personnel, particularly civilians working in 911 Operations and Forensics.  
The rules were suspended; the order was passed.

**1322** Notice was received from the Mayor of the reappointment of Beyazmin Jimenez, as a Member of the Boston Fair Housing Committee for a term expiring July 1, 2024.  
Placed on file.

**1323** Notice was received from the Mayor of the appointment of Bianca Tosado, as a Member of the Residency Compliance Commission for a term expiring January 3, 2026.  
Placed on file.

On motion of Councilor Flynn, the first Late File was taken out of order.

**1341** **Councilor Flynn offered the following:** Order that the Law Department for the City of Boston address the Open Meeting Law complaint and respond accordingly on behalf of the Boston City Council.  
Councilor Breadon in the Chair.  
Placed on file.

Councilor Breadon, on behalf of the Committee on Redistricting submitted the following:

**1186** An Ordinance Amending City Council Electoral Districts.  
Remains in the Committee on Redistricting.

[1215](#) An Ordinance Amending City Council Electoral Districts.  
Remains in the Committee on Redistricting.

[1216](#) An Ordinance Amending City Council Electoral Districts.  
Remains in the Committee on Redistricting.

[1273](#) An Ordinance Amending City Council Electoral Districts.  
Remains in the Committee on Redistricting.

[1275](#) An Ordinance Amending City Council Electoral Districts.  
Remains in the Committee on Redistricting.

Councilor Bok, on behalf of the Committee on City Services and Innovation Technology submitted the following:

[1244](#) On the message and order, referred on October 19, 2022 Docket #1244, to reduce the FY23 appropriation for the Reserves for Collective Bargaining by Thirty One Million, Seventy Two Thousand, Twenty Nine Dollars (\$31,072,029.00) to provide funding for the Boston Public Schools for the FY23 cost contained within the collective bargaining agreements between the Boston School Committee and the Boston Teachers Union (BTU), Local 66, AFT Massachusetts, the Committee submitted a report recommending the order ought to pass.  
The report was accepted; the order was passed.

[1245](#) On the message and order, referred on October 19, 2022 Docket #1245, for the Boston Public Schools for FY23 in the amount of Thirty Seven Million Six Hundred Seventy Four Thousand Three Hundred Thirty Seven Dollars (\$37,674,337.00) to cover the FY23 cost items contained within the collective bargaining agreements between the Boston School Committee and the Boston Teachers Union (BTU), Local 66, AFT- Massachusetts. The terms of the contracts are September 1, 2021 through August 31, 2024. The major provisions of the contracts include base wage increases of 2.5% in September 2022, September 2023, as well as other cost items including inclusion reform implementation, the Committee submitted a report recommending the order ought to pass.  
The report was accepted; the order was passed.

On motion of Councilor Flynn, Docket No.1340 was taken out of order.

[1340](#) **Councilor Fernandes Anderson offered the following:** Resolution recognizing the Civic Leaders of District 7.  
The rules were suspended. The resolution was adopted.

[1324](#) **Councilor Baker, Arroyo, Bok, Breadon, Coletta, Fernandes Anderson, Flaherty, Flynn, Louijeune, Murphy and Worrell offered the following:** Petition for a Special Law RE: An Act Directing the City of Boston Police Department to Waive the Maximum Age Requirement for Police Officers for Wan Pierre-Louis.  
Referred to the Committee on Government Operations.

[1325](#) WITHDRAWN

[1326](#) **Councilor Coletta, Arroyo, Bok, Breadon, Fernandes Anderson, Flaherty, Flynn, Lara, Louijeune, Mejia, Murphy and Worrell offered the following:** Order for a Hearing on the Review of the Zoning Board of Appeal Executive Order.  
Referred to the Committee on Planning, Development & Transportation.



**1327 Councilor Lara, Coletta, Arroyo, Bok, Breadon, Fernandes Anderson, Flynn, Louijeune, Mejia and Worrell offered the following:** Order for a Hearing Assessing the Need for a Text Amendment for the Boston Zoning Code Relative to Special Protection Zones.  
Referred to the Committee on Housing and Community Development.

**1328 Councilor Bok, Louijeune, Flynn, Arroyo, Baker, Breadon, Coletta, Fernandes Anderson, Flaherty, Lara, Mejia, Murphy and Worrell offered the following:** Order for a Hearing to discuss trash containerization in Boston.  
On motion of Councilor Bok, Rule 12 was invoked to include Councilors Louijeune and Flynn as co-sponsors.  
Referred to the Committee on City Services and Innovation Technology.

**1329 Councilor Lara, Arroyo, Baker, Bok, Breadon, Coletta, Fernandes Anderson, Flaherty, Flynn, Louijeune, Mejia, Murphy and Worrell offered the following:** Resolution recognizing November as Youth and Young Adult Homelessness Awareness Month.  
On motion of Councilor Lara, the rules were suspended; the resolution was adopted.

The Chair stated that in absence of objection, one late filed matter would be added to the Agenda.  
No objection being heard, the following matter was added:

**1342 Councilor Fernandes Anderson, Arroyo, Bok, Breadon, Coletta, Flaherty, Flynn, Lara, Louijeune, Mejia and Worrell offered the following:** Resolution Calling for Mahsa Amini's Birthday, September 22nd, as the Day of "Women, Life, Freedom".  
On motion of Councilor Fernandes Anderson the rules were suspended; the resolution was adopted.

**/26/22** Legislative Calendar for October 26, 2022.

The Chair moved adoption of a Consent Agenda containing the following matters.

**1330 Councilor Baker offered the following:** Resolution recognizing the 27th Annual Boston Turkish Arts and Culture Festival.

**1331 Councilor Louijeune offered the following:** Resolution in recognition of Psi Omega Chapter of Alpha Kappa Alpha, Sorority, Inc.

**1332 Councilor Louijeune offered the following:** Resolution in recognition of Carmelle Bonhometre.

**1333 Councilor Flynn and Flaherty offered the following:** Resolution recognizing October 16th as El Grito de Yara Heritage Day.

**1334 Councilor Flynn offered the following:** Resolution recognizing the 41st Anniversary of Polish American Heritage Month.

**1335 Councilor Flynn, Louijeune, Baker, Murphy and Coletta offered the following:** Resolution recognizing eleven recipients of the Pilar de la Hispanidad 2022 Award.

**1336 Councilor Lara offered the following:** Resolution in recognizing Darra Slagle.

**1337 Councilor Lara offered the following:** Resolution Honoring Nathan Louis Johnson.

**1338 Councilor Fernandes Anderson offered the following:** Resolution in memory of Edna Greene Willis Murrell.



**1339 Councilor Fernandes Anderson offered the following:** Resolution  
recognizing Sekondi-Takoradi, Ghana.

The matters contained within the Consent Agenda were severally adopted.

Adjourned at 2:02 p.m. on motion of President Flynn, in memory of Christine E. Chris Ward, Sheila Butler, Kenny Gregorio and Michael Brussar to meet again on Wednesday, November 2, 2022 at 12:00 p.m.

Attested:

Alex Geourntas  
City Clerk



**November 02, 2022**

A regular meeting of the City Council of the City of Boston was held in the Christopher A. Iannella Chamber, City Hall on Wednesday, November 2, 2022 at 12:17 P.M.

President Flynn in the Chair. All Councilors Present.

Reverend Mariama White-Hammond and Reverend Gloria White Hammond, delivered the invocation and the meeting was opened with the pledge of allegiance to the flag.

President Flynn moved to adopt the minutes from the October 26, 2022 meeting.  
Motion prevailed.

- 
- 1343** Message and order authorizing the City of Boston to accept and expend the amount of One Million Four Hundred Three Thousand Eight Hundred Fifty Six Dollars (\$1,403,856.00) in the form of a grant, for the State FY23 Council on the Aging formula allocation, awarded by the MA Executive Office of Elder Affairs to be administered by the Age Strong Commission. The grant will fund services for 116,988 older adults in the City of Boston at \$12 per person, according to 2020 Census data from UMass Boston Donahue Institute.  
Referred to the Committee on Strong Women, Families, and Communities.
- 1344** Message and order authorizing the City of Boston for an appropriation in the amount of One Million Five Hundred Fifteen Thousand Dollars (\$1,515,000.00) for the purpose of paying cost of a feasibility study and schematic design work associated with roof, boiler and window and door replacement projects at the following schools: the Jeremiah E. Burke High School, English High School, the Dr. William Henderson Upper School, the Dennis C. Haley Elementary School and the Curley K-8 School.  
Referred to the Committee on Ways and Means.
- 1345** Message and order authorizing the City of Boston to accept and expend a grant in an amount not to exceed Four Hundred Thousand Dollars (\$400,000.00) from the Commonwealth of Massachusetts Executive Office of Environmental Affairs (EOEEA), Division of Conservation Services' Parkland Acquisitions and Renovations for Communities (PARC) Program. This grant is awarded to the City of Boston through the Parks and Recreation Department for renovations to O'Day Playground located in the South End Neighborhood.  
Referred to the Committee on Environmental Justice, Resiliency, and Parks.
- 1346** Message and order authorizing the City of Boston Public Works Department ("PWD") to accept and expend the amount of Fifty Thousand Dollars (\$50,000.00) from the Boston Planning and Development Agency ("BPDA"), pursuant to the 267 Old Colony cooperation agreement by and between the BPDA and PWD.  
The rules were suspended; the order was passed.

[1347](#) Communication was received from the City Clerk of the filing by the Boston Residency Compliance Commission regarding the Annual Report (January thru December 2020).  
Placed on file.

[1348](#) Communication was received from the City Clerk of the filing by the Boston Residency Compliance Commission regarding the Annual Report (January thru December 2021).  
Placed on file.

[1349](#) Notice was received from the Mayor of the appointment of Rachel Skerritt, as a Member of the Boston School Committee Nominating Panel, for a term expiring October 28, 2024.  
Placed on file.

[1350](#) Notice was received from the City Clerk in accordance with Chapter 6 of the Ordinances of 1979 re: action taken by the Mayor on papers acted upon by the City Council at its meeting of October 19, 2022  
Placed on file.

[0241](#) Order for a hearing regarding a supplemental sidewalk clearance program during snowstorms in Boston.

Remains in the Committee on City Services and Innovation Technology.

On motion of Councilor Flynn, Dockets #1352, #1353, #1355, #1356, #1357 were taken out of order.

[1352](#) **Councilor Flaherty, Arroyo, Bok, Coletta, Fernandes Anderson, Lara, Louijeune, Mejia, Murphy, Worrell and Flynn offered the following:** Order for a hearing regarding diversion services for trash at large Boston venues.

Referred to the Committee on City Services and Innovation Technology.

[1353](#) **Councilor Worrell, Arroyo, Baker, Bok, Breadon, Coletta, Fernandes Anderson, Flaherty, Flynn, Lara, Louijeune, Mejia and Murphy offered the following:** Order for a hearing to address gun violence.  
Referred to the Committee on Public Safety & Criminal Justice.

[1355](#) Councilor Flynn for Councilor Bok offered the following: Order for the appointment of temporary employees Anthony Baez and Jacob Werner in City Council.  
Passed under suspension of the rules.

[1356](#) Councilor Flynn offered the following: Order for the appointment of temporary employee Ethan Vara in City Council.  
Passed under suspension of the rules.

[1357](#) Councilor Flynn for Councilor Fernandes Anderson offered the following: Order for the appointment of temporary employee James Lambert III in City Council.  
Passed under suspension of the rules.

The Chair stated that in absence of objection, three late filed matters would be added to the Agenda. No objection being heard, the following matters were added:

[1386](#) **Councilor Fernandes Anderson, Bok, Coletta, Flaherty, Flynn, Lara and Mejia offered the following:** Order relative to the adoption of classification in the City of Boston in Fiscal Year 2023.  
Referred to the Committee on Ways and Means.

[1387](#) Communication was received from Mayor Wu Recommendations regarding Surveillance Oversight & Information Sharing.  
Placed on file.

- 1388** Communication from Councilor Flynn to address the Open Meeting Law complaint and respond accordingly on behalf of the Boston City Council. Placed on file.
- 1210** Councilor Fernandes Anderson called Docket #1210, message and order for an appropriation order in the amount of Thirty Million Three Hundred Thousand Dollars (\$30,300,000.00) to cover the cost designing, constructing, equipping and furnishing a new building for the Josiah Quincy Upper School, from the Assignment Sheet.  
Hearing no objection, the matter was before the body.  
On motion of Councilor Fernandes Anderson, the order was read a second time and again passed; yeas 12; nays 0; not present 1 (Worrell).
- 1264** Councilor Baker called Docket #1264, Communication was received from the City Clerk transmitting a communication from the Boston Landmarks Commission for City Council action on the designation of the Petition #266.19, The Tileston House, Dorchester, MA., from the Committee on Planning, Development and Transportation.  
Hearing no objection, the matter was before the body.  
On motion of Councilor Baker, the order was passed.
- 1351** **Councilor Flaherty, Baker, Flynn and Murphy offered the following:**  
An ordinance amending City Council Electoral Districts.  
Councilor Flaherty moved to substitute language to Docket #1351.  
Motion prevailed.  
Referred to the Committee on Redistricting.
- 1354** **Councilor Murphy, Baker, Flaherty and Flynn offered the following:**  
Order for the adoption of City Council Redistricting Protocols.  
On motion of Councilor Murphy, the order did not pass; yeas 4 (Baker, Flaherty, Flynn and Murphy) nays 9.

Councilor Breadon, on behalf of the Committee on Redistricting submitted the following:

**1275** The Committee on Redistricting, to which was referred on October 19, 2022, Docket #1275, An Ordinance Amending City Council Electoral Districts, the Committee submitted a report recommending the order ought to pass in a new draft.

Councilor Breadon moved to substitute Docket #1275 in a new draft.

Motion prevailed

Recess

Councilor Bok offered an amendment

On motion of Councilor Bok, amendment did not pass; yeas 3, (Bok, Coletta and Flynn), nays 10.

Councilor Flaherty moved that Docket #1351 be substitute for Docket #1275.

On motion of Councilor Flaherty, the amendment to substitute Docket #1351 for Docket #1275 did not pass; yeas 4, (Baker, Flaherty, Flynn and Murphy) nays 9.

Councilor Arroyo in the Chair.

Councilor Flynn offered three amendments.

On motion of Councilor Flynn, first amendment did not pass; yeas 3, (Flaherty, Flynn and Murphy) nays 10.

On motion of Councilor Flynn, second amendment did not pass; yeas 4, (Baker, Flaherty, Flynn and Murphy) nays 9.

On motion of Councilor Flynn, third amendment did not pass; yeas 4 (Baker, Flaherty, Flynn and Murphy) nays 9.

On motion of Councilor Breadon; the report was accepted; the ordinance was passed in a new draft; yeas 9, nays: 4, (Baker, Flaherty, Flynn and Murphy).

President Flynn in the Chair.

Recess

The report was accepted; the ordinance was passed in a new draft.

President Flynn in the Chair

**1242** Councilor Louijeune called Docket #1242, message disapproving an ordinance amending City of Boston Code, Ordinances V, Section 5-5.10 regarding Salary Categories for Certain Offices, and City of Boston Code, Ordinances, Chapter II, Section 2-8.1, Salary of City Councilors, and Section 2-7.11, Salary of the Mayor, (Docket #0920), passed by the City Council October 5, 2022, from the Assignment List.

Hearing no objection, the matter was before the body.

A roll call vote was taken to override the Mayor's veto.

The ordinance was passed notwithstanding the Disapproval of the Mayor, yeas 9, nays 4, (Baker, Flaherty, Flynn and Murphy).

**1243** Councilor Louijeune called Docket #1243, message and order for your approval an Order amending City of Boston Code, Ordinances V, Section 5-5.10 regarding Salary Categories for Certain Offices, and City of Boston Code, Ordinances, Chapter II, Section 2-8.1, Salary of City Councilors, and Section 2-7.11, Salary of the Mayor, from the Assignment List

Hearing no objection, the matter was before the body.

Councilor Louijeune offered an amendment.

Motion prevailed roll call yeas 9; nays 4; (Baker, Flaherty, Flynn and Murphy).

The ordinance as amended was passed; yeas 9, nays 4 (Baker, Flaherty, Flynn and Murphy).

- 1358** Councilor Flaherty offered the following: Resolution recognizing John Linehan.
- 1359** Councilor Louijeune offered the following: Resolution recognizing Pasteur Bob Deschamps.
- 1360** Councilor Louijeune offered the following: Resolution recognizing Greg Larson.
- 1361** Councilor Flaherty offered the following: Resolution recognizing Candace Morales.
- 1362** Councilor Flaherty offered the following: Resolution recognizing Winston Lloyd.
- 1363** Councilor Flaherty offered the following: Resolution in memory of Isabel Domeniconi.
- 1364** Councilor Flaherty offered the following: Resolution in memory of Darryl Alphonso Rowell.
- 1365** Councilor Flaherty offered the following: Resolution in memory of Frank L. Skelton.
- 1366** Councilor Flaherty offered the following: Resolution recognizing Maria Theodore.
- 1367** Councilor Flaherty offered the following: Resolution recognizing Lauren Shurtleff.
- 1368** Councilor Flaherty offered the following: Resolution recognizing George Papadopoulos.
- 1369** Councilor Flaherty offered the following: Resolution recognizing Kenny Gregorio Jr.
- 1370** Councilor Flaherty offered the following: Resolution recognizing Willie E. Hicks Sr.
- 1371** Councilor Flaherty offered the following: Resolution recognizing Stratos Efthymiou.
- 1372** Councilor Flaherty offered the following: Resolution recognizing Bonnie McGilpin.
- 1373** Councilor Flaherty offered the following: Resolution recognizing Heather Campisano.
- 1374** Councilor Flaherty offered the following: Resolution recognizing Nicholas Muldowney.
- 1375** Councilor Arroyo offered the following: Resolution recognizing The Switch Co-Op in Hyde Park.
- 1376** Councilor Arroyo offered the following: Resolution recognizing Leah Arteaga.
- 1377** Councilor Worrell offered the following: Resolution recognizing The Codman Academy Charter Public School.
- 1378** Councilor Murphy offered the following: Resolution recognizing Boston Collegiate Charter School.

- 1379 Councilor Murphy offered the following:** Resolution recognizing Jeff Hampton.
- 1380 Councilor Murphy offered the following:** Resolution recognizing Dennis McLaughlin.
- 1381 Councilor Murphy offered the following:** Resolution recognizing Coleman Nee.
- 1382 Councilor Murphy offered the following:** Resolution recognizing Jerry York.
- 1383 Councilor Murphy offered the following:** Resolution recognizing Mary Swanton.
- 1384 Councilor Murphy offered the following:** Resolution recognizing Jon Cronin.
- 1385 Councilor Flynn offered the following:** Resolution recognizing November 6-12 as Childhood Cancer Awareness Week.

The matters contained within the Consent Agenda were severally adopted.

Adjourned at 6:02 p.m. on motion of President Flynn, in memory of Elizabeth Ann Cornell to meet again on Wednesday, November 9, 2022 at 12:00 p.m.

Attested:

Alex Geourtas  
City Clerk

# **EXHIBIT B**





# BOSTON CITY COUNCIL

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## MINUTES

**EVENT:** *Committee on Census & Redistricting- Hearing*

**MEETING DATE:** *May 10, 2011*

**MEETING LOCATION:** *Council Chamber, Boston City Hall, 5<sup>th</sup> Floor*

**MEETING TIME:** *Start: 4:00 PM (Actual Start: 4:14 PM, End: 6:35 PM)*

**SUBJECT:** *Docket #0511, An Order for a Hearing Regarding the Results of the 2010 Census and Redistricting in the City of Boston*

### MEMBERS PRESENT:

Committee: Chair, Councilor Bill Linehan; Councilor Maureen Feeney; Councilor Ayanna Pressley;  
Councilor Charles Yancey  
Council: Councilor Tito Jackson; Councilor Matt O'Malley; Councilor Michael Ross

### ISSUES DISCUSSED:

- Discussed the BRA's presentation of City Council Districts, including a general discussion about the results of the 2010 Census and the racial and ethnic distribution in wards.
- Discussed the BRA's efforts in creating a web-based tool to draw different shapes onto the map of the City of Boston to extract Census information. This project should be available at some time during the summer.
- Discussed the creation of the City Council Districts by Referendum in 1981.
- Discussed whether, under the law, the City is required to reprecinct as part of the redistricting process and how the two may interplay.
- Discussed the need to re-ward as part of the need to reprecinct.
- Discussed the disparity in the costs of running elections at different locations throughout the city.
- Received public testimony which discussed whether redistricting and reprecincting can be addressed independent of one another, the issue of fair representation especially in communities of color.

### DECISIONS/NEXT STEPS/VOTES:

- It was requested by the public that when maps are redrawn for the redistricting of the City, that they be posted and made available to the public for at least 3 weeks so that the public can offer input.

NOTE: These minutes are to be considered draft unless signed by the Committee Chair and Liaison.



# BOSTON CITY COUNCIL

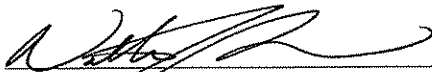
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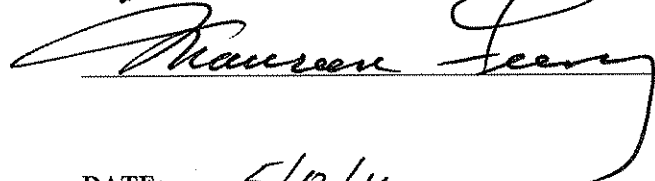
## DOCUMENT LIST:

- Powerpoint Presentation "2010 Census, Council Districts, Wards and Precincts" from the BRA
- Letter from Sullivan and McDermott, Attorney's at Law dated May 10, 2011
- Boston Election Department – 2010 Federal Census Figures (spreadsheet)
- Testimony in Support of an Order for Reprecincting in the City of Boston – Common Cause

Prepared By  
STAFF LIAISON:

  
Narhan Pham

Reviewed By  
CHAIR:

  
  
DATE: 5/12/11

NOTE: These minutes are to be considered draft unless signed by the Committee Chair and Liaison.



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## HEARING MINUTES

**COMMITTEE:** Census & Redistricting

**DATE:** Thursday, September 8, 2011

**LOCATION:** Suffolk Law School, 120 Tremont Street, Boston

**TIME:** 6:00PM(start 6:19PM, end 6:46 PM)

**SUBJECT:** 0511 Order for a Hearing Regarding the Results of the 2010 Census and Redistricting the City of Boston

### MEMBERS PRESENT:

Committee: Chair Bill Linehan, Councillor Maureen E. Feeney

Councillors: None

### ISSUES DISCUSSED:

The Chair discussed the 2010 Census and its impact on the City Council districts and the process of redistricting. The Chair reviewed the results of the 2010 Census that determined the total population for the City of Boston to be 617,594. In discussing the process of redistricting, the Chair explained that based upon the total population figure, divided by nine council districts, each district is required to contain 68, 621 per district within + or - 5%. The Chair explained that the districts must meet the following requirements: the districts are equal within + or - 5%; the districts are contiguous; and the smallest breakdown is a precinct. The Chair also addressed certain criteria to be considered in defining districts and specifically referred to communities of interest, minority representation and maintaining the integrity of the neighborhoods. The Chair explained the hearing process, gathering of public testimony, voting procedures and the effective date.

There was no public comment.

### DECISIONS/NEXT STEPS/VOTES:

The chair announced the locations and dates of the next four hearings and adjourned the hearing.


### DOCUMENT LIST:

Boston City Council District Demographic Profile 2010 Census handout

Prepared By  
STAFF LIAISON:

  
Christine O'Donnell

Reviewed and Approved By  
CHAIR:

  
DATE: 9/9/11

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## HEARING MINUTES

COMMITTEE: Census & Redistricting

DATE: Tuesday, September 20, 2011

LOCATION: George Wright Golf Course, 420 West Street, Boston

TIME: 6:00PM( start 6:04PM, end 7:01PM)

SUBJECT: 0511 Order for a Hearing Regarding the Results of the 2010 Census and Redistricting the City of Boston

### MEMBERS PRESENT:

Committee: Chair Bill Linehan

Councillors: Matt O'Malley, Rob Consalvo, Council President Stephen J. Murphy

### ISSUES DISCUSSED:

The Chair discussed the 2010 Census, its impact on the City Council districts and the process of redistricting. The Chair explained the population growth in the City of Boston and the population disparity that exists in some council districts; therefore, creating a need to redraw council districts. By referring to a map, the Chair discussed current district lines and reviewed the population shift. The Chair emphasized the importance of gathering information from residents and opened up the hearing to questions and testimony. The Chair stated that the following requirements must be met when redrawing the council districts: the districts are equal within + or - 5%; the districts must be contiguous; and the smallest breakdown is a precinct. In addition to the requirements, the Chair addressed certain factors that will be taken into consideration, including physical neighborhood boundaries, perceived neighborhood boundaries, and communities of interest. The common themes with the public testimony focused on maintaining the demographics of the neighborhood and communities with shared interests.

### DECISIONS/NEXT STEPS/VOTES:

The Chair announced the locations of the next hearings and adjourned the hearing.

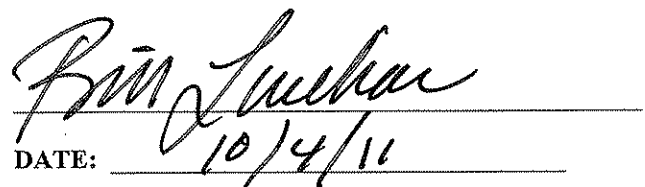
### DOCUMENT LIST:

Boston City Council District Demographic Profile 2010 Census Handout

Prepared By  
STAFF LIAISON:

  
Christine O'Donnell

Reviewed and Approved By  
CHAIR:

  
DATE: 10/4/11

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## HEARING MINUTES

**COMMITTEE:** Census & Redistricting

**DATE:** Thursday, October 13, 2011

**LOCATION:** Franklin Park Golf Course, 1 Circuit Drive, Boston

**TIME:** 6:00PM( start 6:23PM, end 7:50PM)

**SUBJECT:** 0511 Order for a Hearing Regarding the Results of the 2010 Census and Redistricting the City of Boston

### MEMBERS PRESENT:

Committee: Chair Bill Linehan, Councillor Charles Yancey

Councillors: Tito Jackson, Matt O'Malley

### ISSUES DISCUSSED:

The Chair discussed the 2010 Census, its impact on the City Council districts and the process of redistricting. The Chair explained the population growth in the City of Boston and the population disparity that exists in some council districts; therefore, creating a need to redraw council districts. By referring to a map, the Chair discussed current district lines and reviewed the population shift. The Chair emphasized the importance of gathering information from residents and opened up the hearing to questions and testimony. The Chair stated that the following requirements must be met when redrawing the council districts: the districts are equal within + or - 5%; the districts must be contiguous; and the smallest breakdown is a precinct. In addition to the requirements, the Chair addressed certain factors that will be taken into consideration, including physical neighborhood boundaries, perceived neighborhood boundaries, and communities of interest. The common themes with the public testimony focused on maintaining the demographics of the neighborhood and communities with shared interests. The public testimony also suggested having more hearings in the neighborhoods.


### DECISIONS/NEXT STEPS/VOTES:

The Chair announced the locations of the next hearings and adjourned the hearing.


### DOCUMENT LIST:

Boston City Council District Demographic Profile 2010 Census Handout

Prepared By  
STAFF LIAISON:

  
Christine O'Donnell

Reviewed and Approved By  
CHAIR:

  
DATE: 10/17/11

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## HEARING MINUTES

**COMMITTEE:** Census & Redistricting

**DATE:** Tuesday, October 18, 2011

**LOCATION:** Reggie Lewis Center, 1350 Tremont Street, Boston

**TIME:** 6:00PM( start 6:10PM, end 7:41PM)

**SUBJECT:** 0511 Order for a Hearing Regarding the Results of the 2010 Census and Redistricting the City of Boston

### MEMBERS PRESENT:

Committee: Chair Bill Linehan, Councilor Charles Yancey

Councillors: Matt O'Malley, Tito Jackson, Michael Ross

### ISSUES DISCUSSED:

The Chair discussed the 2010 Census, its impact on the City Council districts and the process of redistricting. The Chair explained the population growth in the City of Boston and the population disparity that exists in some council districts; therefore, creating a need to redraw council districts. By referring to a map, the Chair discussed current district lines and reviewed the population shift. The Chair emphasized the importance of gathering information from residents and opened up the hearing to questions and testimony. The Chair stated that the following requirements must be met when redrawing the council districts: the districts are equal within + or - 5%; the districts must be contiguous; and the smallest breakdown is a precinct. In addition to the requirements, the Chair addressed certain factors that will be taken into consideration, including physical neighborhood boundaries, perceived neighborhood boundaries, and communities of interest. The common themes with the public testimony focused on maintaining the demographics of the neighborhood and communities with shared interests. The public testimony also suggested having more hearings in the neighborhoods.

### DECISIONS/NEXT STEPS/VOTES:

The Chair announced the locations of the next hearing, delineated a timeframe for the redistricting process and adjourned the hearing.

### DOCUMENT LIST:

Boston City Council District Demographic Profile 2010 Census Handout

Redistricting process handout

Written Testimony

Prepared By  
STAFF LIAISON:

  
Christine O'Donnell

Reviewed and Approved By  
CHAIR:

  
DATE: 10/19/11

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## HEARING MINUTES

**COMMITTEE:** Census & Redistricting

**DATE:** Wednesday, October 26, 2011

**LOCATION:** New England Carpenter's Hall, 750 Dorchester Avenue, Boston

**TIME:** 6:00PM (start 6:13PM, end 7:27PM)

**SUBJECT:** 0511 Order for a Hearing Regarding the Results of the 2010 Census and Redistricting the City of Boston

### MEMBERS PRESENT:

Committee: Chair Bill Linehan

Councillors: Maureen Feeney

### ISSUES DISCUSSED:

The Chair discussed the 2010 Census, its impact on the City Council districts and the process of redistricting. The Chair explained the population growth in the City of Boston and the population disparity that exists in some council districts. By referring to a map, the Chair discussed current district lines and reviewed the population shift. Based upon the Census data, the Chair explained that each district must equal an approximate number of 68,621 inhabitants. The Chair stated that the following requirements must be met when redrawing the council districts: the districts are equal within + or - 5%; the districts must be contiguous; and the smallest breakdown is a precinct. In addition to the requirements, the Chair addressed certain factors that will be taken into consideration, including physical neighborhood boundaries, perceived neighborhood boundaries, and communities of interest. The Chair emphasized the importance of gathering information from residents and opened up the hearing to questions and testimony. The common themes with the public testimony focused on maintaining the demographics of the neighborhood and communities with shared interests and equal representation.

### DECISIONS/NEXT STEPS/VOTES:

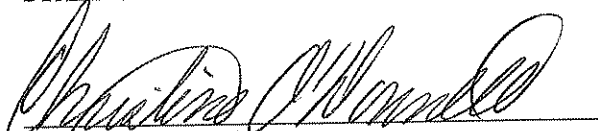
The Chair announced the following: final hearing will be scheduled in the neighborhoods in November; committee meetings will take place; proposed map will be presented in a public hearing followed by a comment period; proposed map will be available on-line and in libraries and community centers. The Chair adjourned the hearing.

### DOCUMENT LIST:


Boston City Council District Demographic Profile 2010 Census Handout

Redistricting process handout

Prepared By  
STAFF LIAISON:

  
Christine O'Donnell

Reviewed and Approved By  
CHAIR:

  
DATE: 10/31/11

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## MEETING MINUTES

**COMMITTEE:** Census & Redistricting

**DATE:** Monday, October 31, 2011

**LOCATION:** Curley Room, Boston City Hall, Fifth Floor

**TIME:** 9:30AM (start 9:41AM, end 10:43AM)

**SUBJECT:** Council District Configuration

### MEMBERS PRESENT:

Committee: Chair Bill Linehan

Councilors: Matt O'Malley, Maureen Feeney, Charles Yancey

### ISSUES DISCUSSED:

The Chair discussed the previous public hearings in the neighborhoods and reviewed the criteria that the public felt was important for the City Council to consider when redistricting. The Chair explained that the public identified the following issues as relevant: maintaining the demographics of the neighborhood; communities with shared interests; keeping wards together; equal representation and incumbency. The councilors discussed district configuration, population growth and the process of drawing a map. Emphasis was placed on population shift with regard to district configuration. The Chair delineated the next steps and adjourned the hearing.

### DECISIONS/NEXT STEPS/VOTES:

Schedule a final public hearing in the neighborhoods

Committee meetings/working sessions with City Councilors

Public Hearing in City Hall to present a proposed map

Comment period

Map presented to Council for vote

### DOCUMENT LIST:


Boston City Council District Demographic Profile 2010 Census Handout

Redistricting process handout

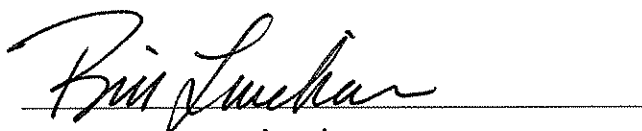
City of Boston Race Distribution by Neighborhood prepared by BRA Research Division

City Council District Map with Precincts

Prepared By  
STAFF LIAISON:

  
Christine O'Donnell

Reviewed and Approved By  
CHAIR:

  
DATE: 11/2/11

NOTE: These minutes are to be considered draft unless signed by the Committee Chair and Liaison.





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## HEARING MINUTES

**COMMITTEE:** Census & Redistricting

**DATE:** Thursday, November 10, 2011

**LOCATION:** Mattapan Branch Library, 1350 Blue Hill Avenue, Boston

**TIME:** 6:00PM (start 6:05PM, end 7:47PM)

**SUBJECT:** 0511 Order for a Hearing Regarding the Results of the 2010 Census and Redistricting the City of Boston

### MEMBERS PRESENT:

Committee: Chair Bill Linehan, Councilor Charles Yancey

Councilors: Rob Consalvo, Matt O'Malley

### ISSUES DISCUSSED:

The Chair discussed the 2010 Census, its impact on the City Council districts and the process of redistricting. The Chair explained the population growth in the City of Boston and the population disparity that exists in some council districts. By referring to a map, the Chair discussed current district lines and reviewed the population shift. Based upon the Census data, the Chair explained that each district must equal an approximate number of 68,621 inhabitants. The Chair stated that the following requirements must be met when redrawing the council districts: the districts are equal within + or - 5%; the districts must be contiguous; and the smallest breakdown is a precinct. In addition to the requirements, the Chair addressed certain factors that will be taken into consideration, including physical neighborhood boundaries, perceived neighborhood boundaries and communities of interest. The Chair emphasized the importance of gathering information from residents and opened up the hearing to questions and testimony. The public testimony identified the following issues as relevant when redrawing district lines: keeping neighborhoods together where possible; communities with shared interests and equal representation.

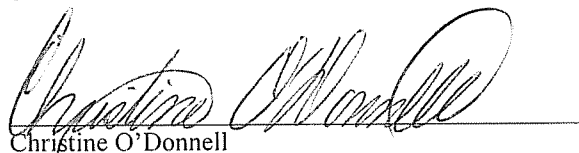
### DECISIONS/NEXT STEPS/VOTES:

The Chair announced the following: committee meetings will take place; proposed map will be presented in a public hearing followed by a comment period; proposed map will be available on-line and in libraries and community centers. The Chair adjourned the hearing.

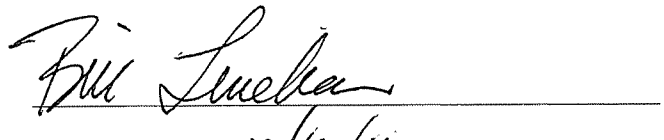
### DOCUMENT LIST:

Boston City Council District Demographic Profile 2010 Census Handout  
Redistricting process handout

Prepared By  
STAFF LIAISON:

  
Christine O'Donnell

Reviewed and Approved By  
CHAIR:

  
DATE: 11/10/11

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## MEETING MINUTES

**COMMITTEE:** Census & Redistricting

**DATE:** Wednesday, November 16, 2011

**LOCATION:** Curley Room, Boston City Hall, Fifth Floor

**TIME:** 10:00AM (start 10:25AM, end 11:13AM)

**SUBJECT:** Council District Configuration

### MEMBERS PRESENT:

Committee: Chair Bill Linehan, Councilor Mark Ciommo, Councilor Charles Yancey  
Councilors: Tito Jackson, Michael Ross, Matt O'Malley, Rob Consalvo

### ISSUES DISCUSSED:

The Chair explained that the Committee held six public hearings in the neighborhoods in order to gather information from residents concerning issues of importance to the community regarding district configuration and to explain the redistricting process. The Chair presented maps for review and discussion. The maps presented included a map of the current council districts, a map with 2010 Census population data by precinct and a computer generated map consisting of the redistricting requirements based upon population. A proposed plan that moves district boundaries north from four southern districts and eliminates 4500 from district one was also discussed. Also, the Chair reviewed the requirements that must be followed when redrawing the council districts: the districts are equal within + or - 5%; the districts must be contiguous and the smallest breakdown is a precinct. In addition to the requirements, the Chair reviewed the following criteria that the public identified as relevant for consideration when redrawing district lines: communities of interest; neighborhood boundaries; proportional representation for people of color; keeping wards together where possible and incumbency. The councilors discussed neighborhood designations and requested neighborhood information from the 2002 redistricting process.

Options regarding the availability of redistricting programs were discussed so that the councilors would be able to develop their own proposals to present at public meetings and hearings. Emphasis was placed on the requirement that the councilors cannot share or discuss any proposed plan with each other, unless disclosed at a meeting or hearing that is publicly noticed. The available options that were discussed were each councilor obtaining their own redistricting software subscription, desktop GIS with the redistricting add on, Redistricting Online tool, or having one facilitator who would maintain paper plans submitted by each councilor. If a councilor chooses to utilize the online redistricting tool, the councilor would be required to save their plan locally and not share any proposed plan with other councilors.

### DECISIONS/NEXT STEPS/VOTES:

The Chair announced that the Census and Redistricting Committee will hold a committee meeting on Monday, November 28, 2011 to discuss council district configuration, map submissions and proposals concerning council district boundaries. The Chair indicated that once a proposed redistricting plan is filed and presented in a public hearing at a later date, a public comment period will follow and the proposed plan will be available on-line and in libraries and community centers.



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## DOCUMENT LIST:

Current City Council District Map

2010 Census Precinct Population Map

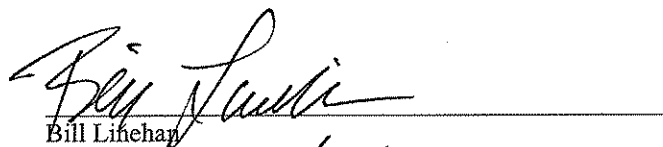
Computer generated map of council districts with requirements and population prepared by BRA

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Prepared By  
STAFF LIAISON:

  
Christine O'Donnell

Reviewed and Approved By  
CHAIR:

  
Bill Linehan

DATE: 11/18/11

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## MEETING MINUTES

**COMMITTEE:** Census & Redistricting

**DATE:** Monday, November 28, 2011

**LOCATION:** Curley Room, Boston City Hall, Fifth Floor

**TIME:** 10:00AM (start 10:13AM, end 11:35AM)

**SUBJECT:** Council District Configuration

### MEMBERS PRESENT:

Committee: Chair Bill Linehan; Councilors Mark Ciommo, Charles Yancey, Felix Arroyo, John Connolly  
Councilors: Matt O'Malley, Michael Ross, Rob Consalvo, Tito Jackson

### ISSUES DISCUSSED:

The Chair explained that the Committee held six public hearings in the neighborhoods in order to gather information from residents concerning issues of importance to the community regarding district configuration and to explain the redistricting process. The Chair reviewed the requirements that must be followed when redrawing the council districts: the districts are equal within + or - 5%; the districts must be contiguous and the smallest breakdown is a precinct. In addition to the requirements, the Chair reviewed the following criteria that the public identified as relevant for consideration when redrawing district lines: communities of interest; neighborhood boundaries; proportional representation for people of color; keeping wards together where possible, incumbency and the creation of a fifth non-white majority district.

The councilors discussed their priorities in redrawing the current district lines. The councilors placed emphasis on keeping neighborhoods in tact and communities whole. In particular, the councilors referred to keeping Chinatown, West Roxbury, Roslindale, Jamaica Plain and Mattapan whole. Councilor Ross stated that Mission Hill remain part of District 8. Also, Councilor Yancey requested that the creation of a fifth non-white majority district be considered.

The Chair reviewed the map he presented at the committee meeting on November 16, 2011 and explained his proposed changes. Councilors O'Malley and Councilor Ross proposed maps individually and discussed the changes in their proposals.

### DECISIONS/NEXT STEPS/VOTES:

The Chair announced that the Census and Redistricting Committee will hold committee meetings on the following dates: December 5, 2011; December 12, 2011 and December 19, 2011 to discuss council district configuration, map submissions and proposals concerning council district boundaries. The Chair indicated that once a proposed redistricting plan is filed and presented in a public hearing at a later date, a public comment period will follow and the proposed plan will be available on-line and in libraries and community centers.

### DOCUMENT LIST:

Map proposed by Councilor Linehan  
Map proposed by Councilor O'Malley  
Map proposed by Councilor Ross  
2010 City of Boston Census Data spreadsheet




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Prepared By  
STAFF LIAISON:

  
Christine O'Donnell

Reviewed and Approved By  
CHAIR:

  
Bill Linehan

DATE: 12/5/11

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## MEETING MINUTES

**COMMITTEE:** Census & Redistricting

**DATE:** Monday, December 5, 2011

**LOCATION:** Curley Room, Boston City Hall, Fifth Floor

**TIME:** 10:00AM (start 10:04AM, end 10:55AM)

**SUBJECT:** Council District Configuration

### MEMBERS PRESENT:

Committee: Chair Bill Linehan; Councilors Salvatore LaMattina, John Connolly, Mark Ciommo, Felix Arroyo  
Councilors: Matt O'Malley, Michael Ross, Rob Consalvo, Tito Jackson, Stephen Murphy

### ISSUES DISCUSSED:

The Chair reviewed the process going forward and explained that the Census and Redistricting Committee members may ask to take votes in order to develop a consensus. The Chair explained that the Committee held six public hearings in the neighborhoods in order to gather information from residents concerning issues of importance to the community regarding district configuration and to explain the redistricting process. The Chair reviewed the requirements that must be followed when redrawing the council districts: the districts are equal within + or - 5%; the districts must be contiguous and the smallest breakdown is a precinct. In addition to the requirements, the Chair reviewed the following criteria that the public identified as relevant for consideration when redrawing district lines: communities of interest; neighborhood boundaries; proportional representation for people of color; keeping wards together where possible, incumbency and the creation of a fifth non-white majority district.

The Chair reviewed the maps that have been presented and discussed at the public hearings and meetings. The Chair reviewed the computer generated map that only considered the three requirements without taking into account communities of interest, neighborhood boundaries and other criteria. The Chair also reviewed maps of the current council precincts with population information and explained the impact of the population growth and shift on city council districts. The councilors discussed the criteria of communities of interest and the Chair emphasized that it will be an objective of the Committee to keep as many communities of interest together where possible. The particular communities of interest that were discussed include Chinatown, the South End, Mission Hill, Jamaica Plain, West Roxbury, Roslindale, and Mattapan. The Chair also emphasized the criteria of proportional representation for people of color. The creation of a fifth majority non-white district was also discussed.

Councilor Ross submitted a revised plan from the plan he submitted at the meeting on November 28, 2011. The revised plan submitted by Councilor Ross would return ward three, precinct five to district 2 and would remove ward 10, precinct 8 from district 8 to district 6. Under this plan, district 2 would have a population of 71,316 and district 8 would have a population of 69,831.

### DECISIONS/NEXT STEPS/VOTES:

The Chair announced that the objective of the Committee will be to create a map of consensus and could present such map to the Committee for a vote to move map forward for public comment. The Chair indicated that once a



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proposed redistricting plan is filed and presented in a public hearing, a public comment period will follow and the proposed plan will be available on-line and in libraries and community centers.

## DOCUMENT LIST:

Computer generated map  
Map of current precincts with population  
Map proposed by Councilor Ross  
2010 City of Boston Census Data spreadsheet  
Written testimony

Prepared By  
STAFF LIAISON:

  
Christine O'Donnell

Reviewed and Approved By  
CHAIR:

  
Bill Lynch

DATE: 12/6/11

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## MEETING MINUTES

**COMMITTEE:** Census & Redistricting

**DATE:** Friday, December 9, 2011

**LOCATION:** Iannella, Boston City Hall, Fifth Floor

**TIME:** 1:15PM (start 1:27PM, end 3:23PM)

**SUBJECT:** Docket #1591, an Ordinance Amending City Council Electoral Districts

### MEMBERS PRESENT:

Committee: Chair Bill Linehan; Councilors Charles Yancey, Salvatore LaMattina, Felix Arroyo, John Connolly, Ayanna Pressley

Councilors: Matt O'Malley, Michael Ross, Rob Consalvo, Tito Jackson, Stephen Murphy

### ISSUES DISCUSSED:

The Chair explained that the Committee conducted an open and transparent process and held six public hearings in the neighborhoods where the redistricting process was explained and testimony was heard by residents in order to gather information concerning issues of importance to the community regarding district configuration. The Chair reviewed the population growth and shift in the City of Boston as well as the requirements that must be followed when redrawing the council districts. The requirements that must be met when redrawing city council districts are the districts are equal within + or - 5%; the districts must be contiguous and the smallest breakdown is a precinct. In addition to the requirements, the Chair reviewed the following criteria that the public identified as relevant for consideration: communities of interest; neighborhood boundaries; proportional representation for people of color; keeping wards together where possible and incumbency.

The Chair reviewed Docket #1591 and identified the changes by district. The Chair explained that District One, District Two, District Seven and District Eight needed to lose population while District Three, District Four and District Six needed to gain population. The Chair explained that District Five is in compliance with the population requirements and could remain the same, but would lose Ward Eighteen, precinct twenty-one to District Four and would gain Ward Twenty, precinct three from District Six. District Nine would remain the same under Docket #1591.

The councilors emphasized the importance of keeping neighborhoods whole and suggested that changes should be made to the proposal to accomplish this objective. In particular, the councilors referred to keeping West Roxbury, Mission Hill, Roxbury and Mattapan whole where possible. Councilor Yancey also expressed his support for the creation of a fifth majority non-white district. Councilors also suggested slowing the process down in order to allow for more community input and waiting until the District Three councilor is seated. The Chair addressed the issue of slowing the process down and stated that the process has not been rushed, but rather, a deliberate movement to keep the redistricting process moving forward.

The Chair opened up the hearing for public comment. The public testimony focused on keeping neighborhoods together. In particular, the testimony specifically referred to keeping the neighborhoods of Chinatown, West Roxbury and Mission Hill united. In addition, public comment also suggested keeping Chinatown whole and separate from South Boston. Public comment also requested having additional hearings in the neighborhoods to acquire community input and delaying any vote until 2012.





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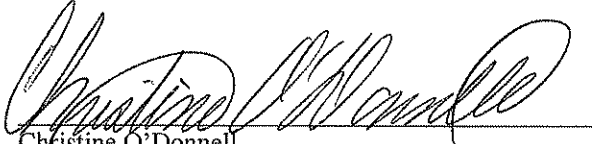
**DECISIONS/NEXT STEPS/VOTES:** The Chair announced the previously noticed remaining scheduled Committee meetings on December 12, 2011 and December 19, 2011 that are open to the public. The Chair indicated that the Committee will continue to move forward with the process.

**DOCUMENT LIST:**


Docket #1591 (ordinance and map)

Written testimony

**Prepared By**  
**STAFF LIAISON:**

  
Christine O'Donnell

**Reviewed and Approved By**  
**CHAIR:**

  
Bill Linehan

**DATE:** 12/14/11

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## MEETING MINUTES

**COMMITTEE:** Census & Redistricting

**DATE:** Monday, December 12, 2011

**LOCATION:** Curley Room, Boston City Hall, Fifth Floor

**TIME:** 10:00AM (start 10:05AM, end 11:23AM)

**SUBJECT:** Council District Configuration

### MEMBERS PRESENT:

Committee: Chair Bill Linehan; Councilors John Connolly, Mark Ciommo, Charles Yancey, Salvatore LaMattina, Felix Arroyo, Ayanna Pressley  
Councilors: Matt O'Malley, Tito Jackson, Michael Ross

### ISSUES DISCUSSED:

The Chair addressed the issue of slowing down the process that was discussed at the public hearing on December 9, 2011. The Chair reiterated that the redistricting process has been open and transparent. Also, the Chair emphasized that the Committee will continue to move the process forward and work to develop a consensus. The Chair reviewed the requirements that must be followed when redrawing the council districts: the districts are equal within + or - 5%; the districts must be contiguous and the smallest breakdown is a precinct. In addition to the requirements, the Chair reviewed the following criteria that the public identified as relevant for consideration when redrawing district lines: communities of interest; neighborhood boundaries; proportional representation for people of color; keeping wards together where possible, incumbency and the creation of a fifth non-white majority district.

The Chair reviewed **Docket #1591, an ordinance amending City Council electoral districts**. The Chair also explained that the text of the ordinance and the map would be available online and hard copies would be distributed in district locations determined by the district councilors. Councilor O'Malley offered amendments to Docket #1591 and reviewed such amendments. The changes to #1591 proposed by Councilor O'Malley include moving Ward Eighteen, precinct twenty-one to District Five from District Four; moving Ward Twenty, precinct three from District Five back to District Six; moving Ward Ten, precinct four from District Six to District Eight; moving Ward Seven, precinct eight to District Three; moving Ward Eleven, precinct five from District Six to District Seven. Councilor Jackson emphasized the importance of representation of minority voters and Councilor Yancey suggested consideration of a fifth non-white majority district. The councilors discussed the amendments proposed by Councilor O'Malley, and the population growth /shift in the City of Boston recognizing the need that four districts need to lose population while three districts need to gain population. The councilors discussed priorities when redrawing district lines placing an emphasis on keeping neighborhoods intact while also recognizing the importance of communities of interest and maintaining or increasing proportional representation of minorities.

### DECISIONS/NEXT STEPS/VOTES:

The Chair announced that the Committee will meet on Monday, December 19 at 11:00AM to continue the discussion of and any proposed changes to Docket #1591.



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## DOCUMENT LIST:

Docket #1591 - Ordinance and Map


Map proposed by Councilor O'Malley (amendments to #1591)

Written testimony

Prepared By  
STAFF LIAISON:

  
Christine O'Donnell

Reviewed and Approved By  
CHAIR:

  
Bill Linehan

DATE: 12/15/2011

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## WORKING SESSION MINUTES

**COMMITTEE:** Census & Redistricting

**DATE:** Monday, February 13, 2012

**LOCATION:** Curley Room, Boston City Hall, Fifth Floor

**TIME:** 11:00AM (start 11:10AM, end 12:04PM)

**SUBJECT:** *Docket #0130, an Ordinance Amending City Council Electoral Districts*

### MEMBERS PRESENT:

Committee: Chair Bill Linehan; Councilors Felix Arroyo, Frank Baker, Charles Yancey, Salvatore LaMattina  
Councilors: Matt O'Malley, Rob Consalvo, Tito Jackson, Michael Ross

### ISSUES DISCUSSED:

The Chair began the meeting with opening remarks explaining that the ordinance was placed on the table at the end of 2011. The matter was called from the table on February 1, 2012 and re-assigned to the Census and Redistricting Committee in order to allow the Committee to resume public meetings and hearings regarding Council district configuration, proposed maps and amendments. The Chair announced the appointment of Councilor Frank Baker as Vice Chair to the Committee.

Central staff created a map with five majority non-white districts based solely upon residents and not taking into account neighborhoods or other factors such as voting age per the request of the Committee. The statistics and demographics of the five majority non-white districts map were reviewed and discussed by the Committee. Under the five majority non-white districts map, District Six would become a majority people of color district and District Five would remain a majority people of color district. The Councilors discussed this map and its implications. Councilor Consalvo expressed his objections to this map because it would dilute the non-white majority vote and would split the Roslindale neighborhood in half. Councilor O'Malley agreed that the five majority non-white districts map would weaken the non-white majority power and would also weaken the current four majority-minority districts. All of the councilors emphasized that keeping neighborhoods together where possible is a priority. The Chair noted that the map consisting of five majority non-white districts would sacrifice other priorities including keeping neighborhoods together. Councilor Consalvo commented that the strengthening of the current four majority-minority districts should be a priority and referred to written testimony submitted by the Jamaica Plain Neighborhood Council. Councilor Ross inquired about the possibility of creating ten Council districts because of the population growth and shift. Creating a tenth Council district would require a change in the Boston City Charter by the home rule petition process.

The councilors discussed district configuration and proposed amendments to Docket #0130. Councilor Ross reviewed amendments he proposed to Docket #0130 including placing Ward Four, precinct three back into District Seven. Councilor Jackson stated that Ward Eight, precinct six should be part of District Seven. Councilor Yancey commented that Docket #0130 and the proposed amendments would continue to split the neighborhood of Mattapan. Councilor O'Malley indicated his support for the amendments proposed by Councilor Ross because the amendments strengthen the four majority-minority districts, keep neighborhoods intact and address the population growth in districts. Councilor O'Malley proposed amending Docket #0130 by placing Ward Eight, precinct six back into District Seven and the councilors concurred. Councilor Yancey requested research on the legality of splitting a precinct. The Chair requested that Councilors submit changes for the next working session.



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## DECISIONS/NEXT STEPS/VOTES:

The Chair announced the next working session scheduled for Monday, February 27, 2012 at 11:00 AM. The Committee will continue to discuss Docket #0130 and any proposed amendments and priorities in order to develop a consensus regarding district configuration.

## DOCUMENT LIST:

Five Majority Non-White Districts Map  
Amended map proposed by Councilor Ross  
Written testimony

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Prepared by  
COMMITTEE LIAISON:

Christine O'Donnell

Reviewed by  
CHAIR:

Bill Linehan

DATE: 2/15/2012

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## WORKING SESSION MINUTES

COMMITTEE: Census & Redistricting

DATE: Monday, February 27, 2012

LOCATION: Curley Room, Boston City Hall, Fifth Floor

TIME: 11:00AM (start 11:10AM, end 12:04PM)

SUBJECT: *Docket #0130, an Ordinance Amending City Council Electoral Districts*

### MEMBERS PRESENT:

Committee: Chair Bill Linehan; Councilors Frank Baker, Charles Yancey, Salvatore LaMattina, Ayanna Pressley  
Councilors: Matt O'Malley, Tito Jackson

### ISSUES DISCUSSED:

Four maps were presented and discussed by the Councilors. Councilor Jackson presented a proposed map that included placing Ward Eight, precinct six and Ward Eight, precinct two into District Seven; placing Ward Four, precinct two into District Two and Ward Three, precinct six into District Two. Councilor Jackson reviewed the demographics and population statistics of his proposal. Also, Councilor Jackson emphasized that his proposed map strengthens and maintains the four majority-minority districts and keeps neighborhoods whole. Councilor Yancey presented a map that would create six majority-minority districts by attempting to link communities of color together. Under his proposal, District One would be a new district of color, Chinatown would become part of District One and Charlestown would become part of District Eight. Councilor Yancey stated that Districts One, Three, Four, Five, Six and Seven would be majority-minority districts under his map. Councilors O'Malley, LaMattina and Baker stated that they could not support Councilor Yancey's proposed map because it splits the neighborhoods of West Roxbury, Hyde Park, Jamaica Plain and Mission Hill. Councilor Linehan presented and reviewed two maps. Councilor Linehan's first proposal would reunite most of the South End in District Two and would come close to creating a fifth majority-minority district. Also, Ward Two would be removed from District One and become part of District Eight; Ward Three, precincts six and eight would become part of District One. Ward Ten, precinct eight would become part of District Six under Councilor Linehan's first proposal in order to address the need for an increase in population in District Six. Councilor Linehan reviewed the statistics of an additional proposal that extends the borders of Districts Three, Four and Six to the north to meet population requirements. Councilor Yancey emphasized the importance of having five districts of color to reflect the demographics of the City.

### DECISIONS/NEXT STEPS/VOTES:

The Chair announced that another working session will be scheduled. The Committee will continue to discuss Docket #0130 and any proposed amendments and priorities in order to develop a consensus regarding district configuration.

### DOCUMENT LIST:

Map proposed by Councilor Jackson

Map proposed by Councilor Yancey with six majority-minority districts

Two Maps proposed by Councilor Linehan

Written testimony from Ward 15 Democratic Committee



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Prepared by  
COMMITTEE LIAISON:

Christine O'Donnell

Reviewed by  
CHAIR:

Bill Linehan

DATE: 3/5/12

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## WORKING SESSION MINUTES

COMMITTEE: Census & Redistricting

DATE: Tuesday, March 13, 2012

LOCATION: Curley Room, Boston City Hall, Fifth Floor

TIME: 11:00AM (start 11:09AM, end 11:50AM)

SUBJECT: *Docket #0130, an Ordinance Amending City Council Electoral Districts*

### MEMBERS PRESENT:

Committee: Chair Bill Linehan; Councilors Charles Yancey, Felix Arroyo, Frank Baker, Salvatore LaMattina  
Councilors: Matt O'Malley, Mark Ciommo, Michael Ross

### ISSUES DISCUSSED:

The Chair reviewed the process and emphasized the importance of moving forward with the objective of building a consensus and creating a map that meets the requirements of the law. Councilor Yancey raised the issue of splitting a precinct. The Committee explained that a Congressional District, Ward Five, precinct eleven, was split because the population requirement under the federal regulations is based on the individual and does not allow for any deviation. The Committee discussed the process of splitting a precinct for a council district and the issues that may arise including whether state legislation is required and whether the legal authority exists. Councilor Yancey requested a ruling from the Secretary of State's office. The Committee also discussed the feasibility of splitting precincts if allowed, in particular Ward Three, precinct four, in order to address population requirements as well as priorities.

The Chair identified the maps discussed by the Committee. The Chair asked the Councilors to review the maps and consider priorities discussed at the meetings including keeping neighborhoods intact, whether a neighborhood with a larger population should receive priority, representation, and incumbency. The Chair requested that all District Councilors review the maps and draw the best map for the district the councilor represents.

### DECISIONS/NEXT STEPS/VOTES:

The Chair announced that the Committee will hold a working session on March 26, 2012 at 11:00AM. District Councilors may propose maps regarding the configuration of the district they represent.

### DOCUMENT LIST:

Petition signed by residents to keep Ward Twenty, precinct three in District Six and to keep neighborhoods whole where possible.

Prepared by  
COMMITTEE LIAISON:

Christine O'Donnell

Reviewed by  
CHAIR,

Bill Linehan

DATE: 3/21/2012

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## WORKING SESSION MINUTES

**COMMITTEE:** Census & Redistricting

**DATE:** Monday, March 26, 2012

**LOCATION:** Curley Room, Boston City Hall, Fifth Floor

**TIME:** 11:00AM (start 11:11AM, end 12:04PM)

**SUBJECT:** *Docket #0130, an Ordinance Amending City Council Electoral Districts*

### MEMBERS PRESENT:

Committee: Chair Bill Linehan; Councilors Salvatore LaMattina, Felix Arroyo, Charles Yancey  
Councilors: Matt O'Malley, Rob Consalvo, Tito Jackson, Michael Ross, Mark Ciommo

### ISSUES DISCUSSED:

The Chair began the working session by explaining the assignment given to each District Councilor. At the last working session, the Chair requested that each District Councilor draw a map of the district the Councilor represents based upon the requirements and the priorities discussed at hearings. The Councilors reviewed the plans for the districts they represent. Councilor Ross reviewed his proposal for District Eight which would include his current district minus Ward Ten, precinct eight. Councilor Consalvo explained that District Five should stay the same because it is a strong majority non-white district with 66% of its population consisting of people of color. Councilor Jackson reviewed the proposal for his district that would include adding Ward Eight, precinct two. Councilor Jackson explained that the map he proposed for his district would meet the population requirements as well as keep neighborhoods whole. Councilor O'Malley explained that District Six should include the current district configuration plus Ward Ten, precinct eight in order to meet the population requirements while addressing the priorities of keeping neighborhoods whole. Councilor Linehan reviewed the proposal for his district that would move Ward Seven, precinct nine to District Three and would move Ward Four, precinct two to District Seven. Councilor LaMattina offered two proposed maps for District One. The first proposed map would remove Ward Three, precinct six while the second proposal would merge East Boston, Downtown and Chinatown to create a fifth majority nonwhite district. The Councilors discussed the precincts that were identified in several plans or that were not identified in any proposed plan by individual Councilors. Specifically, the Councilors referred to Ward Four, precinct two and Ward Eight, precinct two. Councilor Jackson stated that adding Ward Eight, precinct two to District Seven would make sense because it has common interests with District Seven. Councilor Linehan referred to a plan offered by Councilor Baker that would add Ward Seven, precinct eight to District Three. Councilor Yancey reviewed his proposal that would add Ward Eighteen, precincts three, five, six and twenty-one to District Four.

The Councilors discussed the issue of splitting precincts, particularly precinct six in Ward Three. In order to split a precinct, the City Council would need to proceed by the Home Rule Petition process and the splitting of any precinct for council districts would only apply for municipal elections. The splitting of a precinct for municipal elections could lead to additional administration costs. The Councilors discussed the feasibility of possibly splitting a precinct.

### DECISIONS/NEXT STEPS/VOTES:

The Chair announced that the Committee will schedule a meeting to discuss whether to split precincts, specifically Ward Three, precinct six and Ward Five, precinct two.



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## DOCUMENT LIST:

Two redistricting composite maps

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Prepared by  
COMMITTEE LIAISON:

Christine O'Donnell

Reviewed by  
CHAIR

Bill Linehan

DATE: 3/28/2012

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## MEETING MINUTES

COMMITTEE: Census & Redistricting

DATE: Monday, April 2, 2012

LOCATION: Curley Room, Boston City Hall, Fifth Floor

TIME: 9:00AM (start 9:15AM, end 9:47AM)

SUBJECT: *Process for Dividing Precincts for City Council Districts and the Impact on Election Administration*

### MEMBERS PRESENT:

Committee: Chair Bill Linehan; Councilor Felix Arroyo  
Councilors: Michael Ross, Tito Jackson

### ISSUES DISCUSSED:

The Committee met to discuss the process for dividing precincts for Council districts and the impact on election administration. The Committee specifically addressed the potential splitting of Ward Three, precinct six with the division at Bowdoin Street. The Committee examined the possibility of splitting precincts, the options available and the process for splitting precincts. A representative from the Law Department for the City of Boston referred to Section 18 of the Boston City Charter that provides that Council districts must be composed of contiguous existing precincts. Because of this language in the Boston City Charter requiring that council districts be composed of contiguous existing precincts and the fact that it is impractical to redraw precinct lines without redrawing ward lines, splitting a precinct would require a home rule petition. The Committee also discussed the process for creating sub-precincts. The Board of Election Commissioners ("Board") for the City of Boston has the sole authority and discretion to redraw precinct lines and create sub-precincts when it is necessary for the proper conduct of elections. If the Board created sub-precincts, such sub-precincts would only apply to municipal elections potentially causing confusion issues for voters. According to the Election Department, sub-precincts would lead to increased costs for elections and problems with voting databases. The Committee discussed the contiguous precincts with Ward Three, precinct six for the potential of creating sub-precincts. The precincts discussed included the following: precincts numbered three and four of Ward Five and Ward Three, precinct five.

### DECISIONS/NEXT STEPS/VOTES:

The Chair requested information from the Election Department and Law Department regarding the process for splitting precincts and creating sub-precincts and announced that the Committee will schedule a meeting once the information is received.

Prepared by  
COMMITTEE LIAISON:

Christine O'Donnell

Reviewed by  
CHAIR

Bill Linehan

DATE: 4/17/2012

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## MEETING MINUTES

COMMITTEE: Census & Redistricting

DATE: Tuesday, April 17, 2012

LOCATION: Piemonte Room, Boston City Hall, Fifth Floor

TIME: 1:00PM (start 1:10PM, end 2:05PM)

SUBJECT: *Docket #0130 and Docket #0498, ordinances amending City Council Electoral Districts; Process for Dividing Precincts for City Council Districts and the Impact on Election Administration*

### MEMBERS PRESENT:

Voting Members: Chair Bill Linehan; Councilor Charles Yancey

Non-Voting Members: Councilors Matt O'Malley, Tito Jackson, Stephen J. Murphy, Michael Ross

### ISSUES DISCUSSED:

The Committee met to discuss the process for dividing precincts for Council districts, its impact on election administration and ordinances regarding configuration of City Council Districts. The Chair reviewed the legal opinion of the Law Department for the City of Boston requested by the Chair of the Committee pursuant to Section 5-8.1 of the City of Boston Municipal Code. The legal opinion addressed the creation of sub-precincts for City Council redistricting purposes, the legality of splitting precincts and the process by which the City could create sub-precincts. The Committee discussed the findings in the legal opinion that the Board of Election Commissioners ("Board") has the sole authority to divide precincts without touching ward lines if the Board determines that such division is necessary for the proper conduct of primaries and elections. If the Board voted to sub-divide a precinct, the City Council could redraw district lines using the newly created precincts in compliance with Section 18 of the City Charter; however, the newly created precincts would be in effect only for municipal elections. The Committee specifically discussed the potential splitting of Ward Three, precinct six with the division at Bowdoin Street and the additional costs to the Election Department. The Chair discussed amendments to Docket #0130 that would place Ward Three, precinct six in District Eight and Ward Nineteen, precinct twelve in District Five. Councilor O'Malley expressed concerns of the move of Ward Nineteen, precinct twelve to District Five because it would split neighborhoods. Councilors Jackson and O'Malley reviewed Docket #0498 and explained that this proposal keeps neighborhoods together where possible while maintaining four strong majority-minority districts of voting age population.

### DECISIONS/NEXT STEPS/VOTES:

The Committee will request information from the Election Department regarding a financial breakdown of the additional costs the Department would incur by the creation of sub-precincts, the additional costs associated with the creation of a sub-precinct in Ward three, precinct six and the status of the precinct split for the state representative district in Ward five, precinct two and its impact on the operation of municipal elections.

### DOCUMENT LIST:

Legal Opinion, City of Boston Law Department

Map with amendments to Docket #0130

Docket #0498 Map

Prepared by

COMMITTEE LIAISON:

Christine O'Donnell

Reviewed by

CHAIR

Bill Linehan

DATE: 4/30/2012

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## MEETING MINUTES

**COMMITTEE:** *Census & Redistricting*

**DATE:** *Wednesday, May 16, 2012*

**LOCATION:** *Curley Room*

**TIME:** *10:00AM (10:10AM-11:31AM)*

**SUBJECT:** *Docket #0656 – City Council Redistricting*

### VOTING MEMBERS PRESENT:

Committee: Linehan, Arroyo, Pressley, Yancey

### NON VOTING MEMBERS PRESENT:

Councillors: O'Malley, Jackson, Murphy, Baker, Ross

### ISSUES DISCUSSED:

Councillor Linehan outlined the components of his latest submission, explaining that the changes made from earlier submissions are reflections of the discussions and public comment received. He explained that Ward Three Precinct Six (3:6) can only impact Districts 2 and 8. It had never been in District 2 but had been in District 8 in 1983. He stated that due to the population changes, the southern districts needed to move north, and his plan does that. The precincts that change are 4:2 to District 8 and 8:2 to District 7, 8:6 to District 3, 13:2, 17:12 and 17:14 to District 4. Councillors expressed concern on keeping neighborhoods together where possible and not making new splits in neighborhoods or communities of interest. There was discussion on changes to District 2 and District 7 regarding 4:2. Councillor Yancey presented his option for redistricting, including creating a new majority non white voting age district in District 1 by removing Charlestown and the North End from District 1 and placing it in District 8, with District 1 including East Boston and Chinatown. The plan would split Jamaica Plain, Allston, Roxbury, would unify Mattapan, keep Lower Mills together and the plan would have a smaller deviation from the mean than the other plans. Councillor Ross would no longer live in the district he currently represents. There was a discussion around how the changes from 2002 to proposals went back to some district representation in 1983. Some councillors stated the "best map" splits fewer neighborhoods. Discussion followed on what issues are included in particular precincts at issue. Councillors expressed concern to get to a decision.

Councillor Linehan stated that the Committee and Councillors would work together to put forward a consensus map for further discussion and public comment before any vote would be taken.

### DECISIONS/NEXT STEPS/VOTES:

Decisions – N/A

Next Steps – further public meetings and hearing to be determined.

Votes taken – none.

### DOCUMENT LIST:

Documents prepared – map of Docket 0656

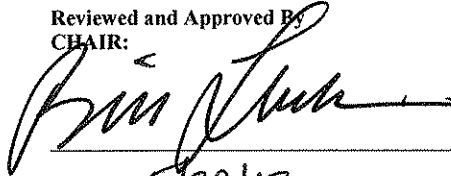
Documents received - map of Councillor Yancey's proposed districts

Next meeting – if applicable

Prepared By  
STAFF LIAISON:



Reviewed and Approved By  
CHAIR:



DATE:

5/22/12

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## MEETING MINUTES

COMMITTEE: Census & Redistricting

DATE: Tuesday, June 12, 2012

LOCATION: Curley Room, Boston City Hall, Fifth Floor

TIME: 3:00PM (start 3:15PM, end 4:10PM)

SUBJECT: *Dockets #0498, #0656, #0757, #0758, ordinances amending City Council Electoral Districts*

### MEMBERS PRESENT:

Voting Members: Chair Bill Linehan; Councilors Charles Yancey, Felix Arroyo, Ayanna Pressley, Frank Baker, Salvatore LaMattina

Non-Voting Members: Councilors Matt O'Malley, Stephen J. Murphy, Michael Ross

### ISSUES DISCUSSED:

The Chair explained the purpose of the meeting to review the four dockets with the objective of holding a public hearing on a single map. Councilor O'Malley reviewed Docket #0498 explaining that this proposal keeps neighborhoods whole and maintains four strong majority-minority districts. Councilor Yancey reviewed Docket #0757. Councilor Yancey explained that under this proposal Charlestown would be added to District Eight; Chinatown would be moved to District One; Mission Hill would be split between District Six and District Seven; Ward Twenty-One, precinct three would be added to District Eight; Ward Eighteen, precincts three and twenty-one would move from District Five to District Four; and Ward Seven, precincts eight, nine and ten would become part of District Three. Councilor Yancey explained that docket #0757 would create five majority-minority districts. Council President Stephen J. Murphy reviewed Docket #0758 and the population changes in the City. Council President Murphy explained that docket #0758 reunites the neighborhoods of Mission Hill, Mattapan and Lower Mills. Councilor O'Malley stated that Docket #0758 would severely split neighborhoods, including the neighborhood of Jamaica Plain. Councilor Linehan reviewed Docket #0656.

The Councilors discussed amending certain plans. Councilor O'Malley discussed amendments to Docket #0498; in particular, Councilor O'Malley proposed removing Ward Four, precinct three from District Two to District Seven, adding Ward Eight, precinct six to District Three from District Seven and adding Ward Thirteen, precinct two to District Four from District Seven. Councilor Linehan also suggested moving Ward Seven, precinct seven to District Three and placing Ward Seven, precinct eight and Ward Eight, precinct six in District Two. The Committee discussed procedural processes regarding amendments.

DECISIONS/NEXT STEPS/VOTES: N/A

DOCUMENT LIST: Written testimony; map proposals

Prepared by  
COMMITTEE LIAISON:

Christine O'Donnell

Reviewed by  
CHAIR

Bill Linehan

DATE: 6/20/2012

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## HEARING MINUTES

**EVENT:** *Committee on Census and Redistricting*

**MEETING DATE:** *July 18, 2012*

**MEETING LOCATION:** *Boston City Hall, 5<sup>th</sup> Floor, Iannella Chamber*

**MEETING TIME:** *3:00PM (start 3:09PM, end 4:53PM)*

**SUBJECT:** *Docket #0985, an ordinance amending City Council Districts*

### MEMBERS PRESENT:

Voting Members: Bill Linehan, Chair; Councilors Charles Yancey, Ayanna Pressley, Felix Arroyo, Salvatore LaMattina

Non-voting Members: Councilors Rob Consalvo, Tito Jackson, Matt O'Malley, Michael Ross

### ISSUES DISCUSSED:

The Chair convened the hearing and provided a review of the redistricting process. The Chair explained that the Committee held a total of nine public hearings since May of 2011, including six public hearings held in the neighborhoods of the City of Boston. The Committee also held meetings and working sessions where priorities and map proposals were discussed by the members. The Chair addressed the requirements of redistricting stating that the law mandates that the Council districts be equal in population and must be contiguous. The Chair stated that the City of Boston experienced a 5% growth in population with the growth occurring in the northern portion of the City. The Chair explained that the four districts in the north must lose population while three southern districts must gain population. The Chair also discussed issues identified by residents as priorities for consideration by the members. The Chair explained that the priorities included keeping neighborhoods whole, keeping communities of interest together and the Voting Rights Act.

The Chair reviewed **Docket #0985** explaining that the map reflects population requirements and the priorities of maintaining neighborhoods and communities of interest where possible. The Chair emphasized that **Docket #0985** is a fair representation of the requirements and priorities. Further, the Chair reiterated that every part of the City is impacted. The Chair explained that **Docket #0985** moves the borders and population from the northern districts of the City to the southern districts. In particular, the Chair explained the following changes: District One would lose approximately 5,000 residents by moving Ward Three, precinct six to District Two; District Two would lose precincts seven, eight and nine of Ward Seven to District Three and Ward Nine, precinct one and Ward Four, precinct three to District Seven; Ward Thirteen, precinct four would move to District Four from District Seven; Ward Ten, precinct eight would move to District Six; precincts twelve and fourteen of Ward Seventeen would move from District Three to District Four; and, Ward Seven, precinct ten and Ward Thirteen, precinct five would move from District Seven to District Three.

Councilors expressed support for the docket because it addresses population requirements, keeps neighborhoods whole where possible and is a combination of other proposals. Concerns that were raised included exploring the possibility of having an additional majority-minority district unifying more neighborhoods. Public comment included testimony from advocacy groups addressing concerns of changing demographics in the City. Public testimony discussed ensuring equal representation for all residents, increased opportunities for historically underrepresented groups, unpacking District Four and keeping Ward nine, precinct one together with Chinatown as a shared community of interest.



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## DECISIONS/NEXT STEPS/VOTES:

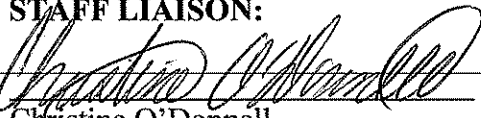
There will be a public comment period until July, 27, 2012. The Committee will schedule a Committee meeting.

## DOCUMENT LIST:

Docket #0985; written testimony

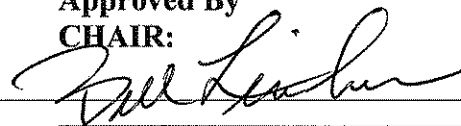
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Prepared By  
STAFF LIAISON:



Christine O'Donnell

Approved By  
CHAIR:



Bill Linehan

DATE: 7/19/2012

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## MEETING MINUTES

**COMMITTEE:** Census & Redistricting

**DATE:** Friday, September 28, 2012

**LOCATION:** Iannella Chamber, Boston City Hall, Fifth Floor

**TIME:** 11:00AM (start 11:15AM, end 2:03PM)

**SUBJECT:** to receive additional information on issues impacting redistricting, a discussion of redistricting options and next steps in the process.

### MEMBERS PRESENT:

Voting Members: Chair Bill Linehan; Councilors Frank Baker, Charles Yancey, Felix Arroyo, Ayanna Pressley

Non-Voting Members: Councilors Matt O'Malley, Tito Jackson, Rob Consalvo, Stephen J. Murphy, Michael Ross, Mark Ciommo

### ISSUES DISCUSSED:

The chair convened the meeting and explained that the Committee will discuss redistricting options and legal components of redistricting. Corporation Counsel and outside counsel for the city, Attorney Perlmutter, discussed legal requirements and issues concerning redistricting including the federal Voting Rights Act and packing/cracking. Attorney Perlmutter explained that "packing" is an overconcentration of a protected group in one district and that "packing" differs from jurisdiction to jurisdiction. Attorney Perlmutter explained that an overconcentration of a protected group in one district does not on its own constitute a violation of the Voting Rights Act. Attorney Perlmutter explained that the court will look at the totality of the circumstances in deciding whether a redistricting plan meets legal requirements or is in violation of the Voting Rights Act. In determining whether a plan violates the Voting Rights Act, a court will employ a three-prong test, known as the Gingles test. Under Gingles, in order to show a violation of the Voting Rights Act a group needs to show the following: the group is large enough to constitute a majority; if a group constitutes a majority in a political district, such group must show cohesiveness; and, showing of racial bloc voting where the protected group is denied the opportunity to participate equally in the political process. Councilors asked questions about the definition of "cracking"; specifically, if cracking existed in the two vetoed maps. Attorney Perlmutter explained that "cracking" exists when a protected group constitutes a majority of the voting age population ("VAP") in a district and that protected group is fragmented into another district in a proposed plan. Attorney Perlmutter stated that "cracking" did not exist in the two vetoed maps and that lawful versus unlawful cracking is determined under the totality of the circumstances test. Attorney Perlmutter explained that the Voting Rights Act does not provide a right to elect a minority candidate, but requires an equal opportunity for protected classes to elect a candidate of their choice. The committee also discussed the appropriate population numbers to use when drawing districts. Legal counsel stated that when looking at the one person, one vote requirement under the Voting Rights Act, the total population number is used; and, when looking at Section Two of the Voting Rights Act requirement, VAP is used.

Public testimony included comments from advocacy groups, with the Coalition of Color presenting two map proposals. Comments included the need to have strong majority-minority districts and creating equal opportunity for historically underrepresented groups to elect the candidate of their choice.

**DECISIONS/NEXT STEPS/VOTES:** The Committee will continue to examine options and draw a map that meets legal requirements.



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**DOCUMENT LIST:** Written testimony; map proposals

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Prepared by  
**COMMITTEE LIAISON:**

Christine O'Donnell

Reviewed by  
**CHAIR**

Bill Linehan

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## WORKING SESSION MINUTES COMMITTEE: Census & Redistricting

DATE: Thursday, October 11, 2012

LOCATION: Curley Room, Boston City Hall, Fifth Floor

TIME: 10:00AM (start 10:15AM, end 12:00PM)

**SUBJECT:** Docket #1342, an ordinance amending City Council Districts (Councilor Yancey)  
Docket #1343, an ordinance amending City Council Districts (Councilors Consalvo, Baker, O'Malley)

### MEMBERS PRESENT:

Voting Members: Chair Bill Linehan; Councilors Salvatore LaMattina, Frank Baker, Charles Yancey, Felix Arroyo, Ayanna Pressley

Non-Voting Members: Councilors Matt O'Malley, Tito Jackson, Rob Consalvo, Stephen J. Murphy, Michael Ross, Mark Ciommo

### ISSUES DISCUSSED:

Councilor Consalvo reviewed Docket #1343 explaining that the proposal increases opportunities for minorities with regard to Voting Age Population ("VAP") and maintains neighborhood contiguity while taking into account legal requirements for redistricting. Councilor Consalvo explained that Docket #1343 addresses the "packing" issue in District Four by increasing the Black VAP in District Five and further strengthening District Five as a majority-minority district. Councilor Consalvo explained that this proposal unpacks District Four, maintains neighborhood cohesiveness, and complies with the federal Voting Rights Act by providing opportunity, equity, and access to protected groups in the election process.

The Committee discussed legal requirements of the Voting Rights Act with Corporation Counsel and Attorney Perlmutter, outside counsel for the City of Boston. The Committee asked about protected classes and grouping the protected classes together for redistricting purposes. Attorney Perlmutter explained that the Supreme Court appears reluctant to group protected classes together for purposes of the Voting Rights Act because in order to aggregate groups one would need to show that such groups are cohesive and vote in a cohesive manner.

Councilor Yancey reviewed Docket #1342 explaining that this proposal creates five majority-minority districts. Councilor Yancey explained that his map has a population variance of 3.6% and strengthens majority-minority districts.

**DECISIONS/NEXT STEPS/VOTES:** The Committee will continue to examine options and draw a map that meets legal requirements.

**DOCUMENT LIST:** Map proposals

Prepared by  
COMMITTEE LIAISON:

Christine O'Donnell

Reviewed by  
CHAIR

Bill Linehan

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## MEETING MINUTES

**COMMITTEE:** Census & Redistricting

**DATE:** Tuesday, October 16, 2012

**LOCATION:** Curley Room, Boston City Hall, Fifth Floor

**TIME:** 11:00AM (start 11:17AM, end 12:48PM)

**SUBJECT:** To receive information on issues impacting redistricting, a discussion of redistricting options and next steps in the process.

### MEMBERS PRESENT:

Voting Members: Chair Bill Linehan; Councilors Salvatore LaMattina, Frank Baker, Charles Yancey, Ayanna Pressley

Non-Voting Members: Councilors Matt O'Malley, Tito Jackson, Rob Consalvo, Stephen J. Murphy, Michael Ross

### ISSUES DISCUSSED:

The Chair convened the meeting, reviewed the redistricting process, and outlined the next steps explaining that the goals in redrawing districts are to decrease the black Voting Age Population ("VAP") in District Four and to increase opportunity in District Five. Councilor Yancey reviewed two maps. Docket #1342 would create five districts of color and another proposal that would have a 4.9% population variance among the districts. The councilors reviewed Councilor Yancey's proposals and discussed that the two proposals would further divide the city's neighborhoods. Councilors discussed Docket #1343 and reviewed the demographics of the proposed districts with the current districts. Councilors discussed various options to maps including moving all of Mattapan into District Five and moving District Four to the West to include Ward Nineteen, precincts seven and twelve.

The councilors discussed the legal requirements. Councilor Yancey inquired as to whether the issue of packing/cracking is unlawful. The city's outside counsel on redistricting, Attorney Perlmutter, explained that in determining whether packing/cracking is unlawful, a court will employ the totality of the circumstances test. Attorney Perlmutter further explained that overconcentration of a protected group in one district is a concern. The councilors discussed the Voting Rights Act and the issue of single race versus all people of color. Attorney Perlmutter explained that the Supreme Court has not directly addressed the issue of putting people of color all together because in order to do so, one would need to show cohesiveness under the Voting Rights Act.

**DECISIONS/NEXT STEPS/VOTES:** The Committee will continue to examine options and draw a map that meets legal requirements.

**DOCUMENT LIST:** Map proposals

Prepared by  
**COMMITTEE LIAISON:**

Christine O'Donnell

Reviewed by  
**CHAIR:**

Bill Linehan

**NOTE:** These minutes are to be considered draft unless signed by the Committee Chair and Liaison.



# BOSTON CITY COUNCIL

www.cityofboston.gov/citycouncil  
city.council@cityofboston.gov

One City Hall Square ♦ 5<sup>th</sup> Floor ♦ Boston, MA 02201 ♦ Phone: (617) 635-3040 ♦ Fax: (617) 635-4203

## MEETING MINUTES

**COMMITTEE:** Census & Redistricting

**DATE:** Tuesday, October 23, 2012

**LOCATION:** Curley Room, Boston City Hall, Fifth Floor

**TIME:** 10:00AM (start 10:15AM, end 11:41AM)

**SUBJECT:** Docket #1343 as amended, an ordinance amending City Council electoral districts.

### MEMBERS PRESENT:

Voting Members: Chair Bill Linehan; Councilors Salvatore LaMattina, Frank Baker, Charles Yancey, John Connolly, Felix Arroyo, Ayanna Pressley

Non-Voting Members: Councilors Matt O'Malley, Tito Jackson, Rob Consalvo, Stephen J. Murphy, Michael Ross

### ISSUES DISCUSSED:

The Councilors discussed Docket #1343 and proposed amendments to the docket including moving Ward Seven, precinct seven and Ward Four, precinct two to District Two and Ward Four, precinct seven to District Eight. Councilor Baker reviewed other amendments to the docket as follows:

- District Two: removes Ward Eight, precinct two to District Three; adds Ward Seven, precinct seven from District Three;
- District Three: removes Ward Sixteen, precinct one; Ward Thirteen, precinct five, and Ward Eight, precinct five to District Four; removes Ward Seven, precinct seven to District Two; adds Ward Eight, precinct two from District Two; adds Ward Seventeen, precincts eleven and thirteen from District Four;
- District Four: removes Ward Seventeen precincts eleven and thirteen to District Three; adds Ward Eight, precinct five; Ward Thirteen, precinct five; and Ward Sixteen, precinct one from District Three.

Councilor Yancey discussed his plan that would create five majority-minority districts. Councilors reviewed the demographics of Docket #1343 as well as the demographics with various amendments. Councilors discussed moving precincts and potential legal challenges.

**DECISIONS/NEXT STEPS/VOTES:** The Committee will continue to examine options and draw a map that meets legal requirements.

**DOCUMENT LIST:** Docket #1343

Prepared by  
**COMMITTEE LIAISON:**

Christine O'Donnell

Reviewed by  
**CHAIR:**

Bill Linehan

**NOTE:** These minutes are to be considered draft unless signed by the Committee Chair and Liaison.



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## WORKING SESSION MINUTES

COMMITTEE: Census & Redistricting

DATE: Monday, October 29, 2012

LOCATION: Curley Room, Boston City Hall, Fifth Floor

TIME: 10:30AM (start 10:50AM, end 2:00PM)

**SUBJECT:** Docket #1343 as amended, an ordinance amending City Council electoral districts.

### MEMBERS PRESENT:

Voting Members: Chair Bill Linehan; Councilors Salvatore LaMattina, Frank Baker, Charles Yancey, John Connolly, Felix Arroyo, Ayanna Pressley

Non-Voting Members: Councilors Matt O'Malley, Tito Jackson, Rob Consalvo, Stephen J. Murphy, Michael Ross

### ISSUES DISCUSSED:

The Councilors discussed Docket #1343 and proposed amendments to the docket. Councilor Baker reviewed amendments to the docket as follows:

- District Two: removes Ward Eight, precinct two to District Three; adds Ward Seven, precinct seven from District Three;
- District Three: removes Ward Sixteen, precinct one; Ward Thirteen, precinct five, and Ward Eight, precinct five to District Four; removes Ward Seven, precinct seven to District Two; adds Ward Eight, precinct two from District Two; adds Ward Seventeen, precincts eleven and thirteen from District Four;
- District Four: removes Ward Seventeen precincts eleven and thirteen to District Three; adds Ward Eight, precinct five; Ward Thirteen, precinct five; and Ward Sixteen, precinct one from District Three.

Councilors discussed additional amendments and reviewed the demographics including placing Ward Thirteen, precinct five back into District Three. Councilors specifically discussed keeping Ward Nineteen, precinct seven in District Six.

**DECISIONS/NEXT STEPS/VOTES:** The Committee will consider the options and vote on a proposal at its meeting held on October 31, 2012.

**DOCUMENT LIST:** Docket #1343; Petition from Jamaica Plain residents

Prepared by  
COMMITTEE LIAISON:

Christine O'Donnell

Reviewed by  
CHAIR:

Bill Linehan

NOTE: These minutes are to be considered draft unless signed by the Committee Chair and Liaison.

# **EXHIBIT C**



CITY OF BOSTON • MASSACHUSETTS

OFFICE OF THE MAYOR  
THOMAS M. MENINO

September 6, 2012

TO THE CITY COUNCIL

Dear Councilors,

I thank you for the work you have devoted to the redistricting effort. All of you have given much to the process: perspective, deliberation, debate, and ultimately your vote. I appreciate that you addressed these challenging issues, led by your Chair and your President.

I am returning, with disapproval, your ordinance even though I recognize your efforts. My central objection is my concern that the plan concentrates our many citizens of color into too few districts, and in doing so may limit their equal opportunity to elect candidates of their choice.

Below and attached, I reference a number of suggestions in the spirit of cooperation and hastening the presentation of a plan that I can sign:

1. Avoid the over-concentration of protected groups in any district;
2. Provide reasonable opportunities for voters of protected groups to achieve proportionality in representation on the City Council;
3. Use a group's voting age population (or citizen voting age population where available) within a district as a percent of the total voting age population in that district as a basis of your evaluation of potential voter strength;

As you continue in this work, my administration is ready to assist. I recognize that the difficulty of more change isn't just political: people in your current districts don't just vote for you, they count on you. Nonetheless, I am optimistic that working with the constituencies and communities affected, you can arrive at a better plan sufficiently in advance of the November deadline. I will make available whatever tools, technical expertise, and personnel that might be helpful in your efforts.

Sincerely,

Thomas M. Menino  
Mayor, City of Boston



## ATTACHMENT

### **Over-concentration**


The concentration of black voting age population and non-white voting age population in District 4 is of particular concern. Under the map passed, almost 70% of the district's voting age population is Black and almost 95% is Non-White. In a city where diversity is found broadly, I ask that you endeavor to avoid over-concentration of minority voters.

### **Proportionality**

Voters from protected groups should have the opportunity to elect their candidates of choice in numbers that are proportional to their voting strength in the city, where reasonably possible. Almost 50% of the city's voting age population is Non-White. Though the task is not to guarantee the election of minority representatives, a plan should reasonably provide equal opportunities for protected groups to elect their candidates of choice.

### **Voting Age Population/Voting Strength**

Voting Age Population (VAP) or, if available, Citizen Voting Age Population (CVAP) are the most accepted data on which to base a redistricting plan. The VAP in Boston according to the 2010 census is 513,884. In evaluating potential voter strength in any new plan, a group's VAP (or CVAP) within a district as a percent of the total VAP (or CVAP) in that district should be reviewed.

APPROVED  
LAW DEPARTMENT  
BY   
WILLIAM F. SINNOTT  
CORPORATION COUNSEL

# **EXHIBIT D**



CITY OF BOSTON • MASSACHUSETTS

OFFICE OF THE MAYOR  
THOMAS M. MENINO

September 24, 2012

TO THE CITY COUNCIL

Dear Councilors,

I am returning, with disapproval, your ordinance. I reiterate here the concerns I expressed in my letter dated September 6, 2012 disapproving your prior redistricting plan.

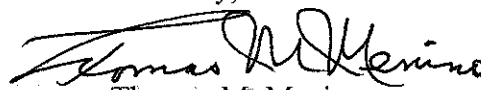
A redistricting plan that I can sign will:

1. Avoid the over-concentration of protected groups in any district;
2. Provide reasonable opportunities for voters of protected groups to achieve proportionality in representation on the City Council; and
3. Use a group's voting age population (or citizen voting age population where available) within a district as a percent of the total voting age population in that district as a basis of your evaluation of potential voter strength.

My concern about the last plan was that it concentrated "our many citizens of color into too few districts, and in doing so may limit their equal opportunity to elect candidates of their choice." This over-concentration was especially true in District 4, and the second map you passed shares the very same problem there and almost the very same figures.

Under both maps passed, almost 70% of the District 4's voting age population is Black and almost 95% is Non-White. In a city where diversity is found broadly, I had asked that you endeavor to avoid over-concentration of minority voters, and I make that same request again.

Sincerely,

  
Thomas M. Menino  
Mayor, City of Boston

APPROVED  
LAW DEPARTMENT

BY

  
WILLIAM F. BENNETT  
CORPORATION COUNSEL

BOSTON CITY HALL • ONE CITY HALL PLAZA • BOSTON • MASSACHUSETTS 02201 • 617/635-4000



## Boston City Council

LIZ BREADON

Councilor – District 9

May 12, 2023

The Honorable Alex Geourntas  
Office of the City Clerk  
One City Hall Square, Room 601  
Boston, MA 02201

**Re: Redistricting archival records**

Dear Clerk Geourntas:

As the Boston City Council continues its legislative duty to redraw electoral district boundaries under the authority of chapter 605 of the Acts of 1982 and contemplates historic precedent, I believe it is in the best interest of the Council and the public that the following items be entered into the record. The assistance of the City Archives staff has been greatly appreciated. I will request that this communication be referred to the appropriate committee.

- Exhibit A.** Chapter 605 of the Acts of 1982; An Act Relative to the Election of the City Council and School Committee in the City of Boston (pg. 2 of this communication; 2 pgs.);
- Exhibit B.** Chapter 343 of the Acts of 1986; Amending chapter 605 of the Acts of 1982 (pg. 5 of this communication; 2 pgs.);
- Exhibit C.** Report of the Special Committee on Electoral Districts on Docket no. 0991; Dated August 10, 1983 (pg. 8 of this communication; 6 pgs.);
- Exhibit D.** Chapter 25 of the Ordinances of 1983; Docket no. 0991 (pg. 15 of this communication; 9 pgs.);
- Exhibit E.** Chapter 357 of the Acts of 1983; An Act Providing An Emergency Election Procedure for the City of Boston in the Municipal Year 1983 (pg. 25 of this communication; 3 pgs.);
- Exhibit F.** Order for a Petition for a Special Law re: Emergency Election Procedure for the City of Boston in the Municipal Year 1983; Docket no. 0990 (pg. 29 of this communication; 10 pgs.);
- Exhibit G.** Order that the Special Committee on Electoral Districts be re-organized; Docket no. 0971, passed July 27, 1983 (pg. 40 of this communication; 2 pgs.);
- Exhibit H.** Order authorizing the City Council to hire private counsel to represent the body in the case of *Latino Political Action, Inc. v. City of Boston, et al.*; Docket no. 0959; Passed July 27, 1983 (pg. 43 of this communication; 2 pgs.);
- Exhibit I.** Report of the Special Committee on Electoral Districts; Dated February 23, 1982 (pg. 46 of this communication; 8 pgs.);
- Exhibit J.** Chapter 6 of the Ordinances of 1982; Docket no. 0339 (pg. 55 of this communication; 4 pgs.)

Respectfully submitted,

Liz Breadon

Chair, Committee on Redistricting  
Boston City Councilor, District 9

# **EXHIBIT A**

ACTS, 1982. - Chap. 605.

Chap. 605. AN ACT RELATIVE TO THE ELECTION OF THE  
CITY COUNCIL AND SCHOOL COMMITTEE IN THE  
CITY OF BOSTON.

Be it enacted, etc., as follows:

SECTION 1. Notwithstanding the provisions of sections one hundred and twenty-eight to one hundred and thirty-four, inclusive, of chapter forty-three of the General Laws, there shall be in the city of Boston, a city council to consist of nine members elected from equally populous districts and four members elected at-large.

SECTION 2. Notwithstanding the provisions of sections one hundred and twenty-eight to one hundred and thirty-four, inclusive, of chapter forty-three of the General Laws, there shall be in the city of Boston, a school committee to consist of nine members elected from equally populous districts and four members elected at-large.

SECTION 3. Notwithstanding the provisions of sections one hundred and twenty-eight to one hundred and thirty-four, inclusive, of chapter forty-three of the General Laws, the city council shall, on or before March ninth; nineteen hundred and eighty-two, adopt an ordinance after public hearing providing for the division of the city into nine districts; the respective district lines shall be the same for the city council and the school committee. Each such district shall be compact and shall contain, as nearly as may be, an equal number of inhabitants as determined by the most recent state decennial census, shall be composed of contiguous existing precincts, and shall be drawn with a view toward preserving the integrity of existing neighborhoods.

Said districts shall continue in force until redrawn by the city council as provided for herein. The council shall redraw the districts for the purpose of city council and school committee representation as specified in this section on or before August first, nineteen hundred and eighty-six and on or before that date every subsequent tenth year.

In the year nineteen hundred and eighty-five, and in each subsequent year, the city of Boston shall not be required to make a new division of its territory into wards as required by section one of chapter fifty-four of the General Laws.

The city council shall adopt an ordinance providing for signature requirements for nomination papers for candidates for city council or school committee but in no event shall these require-

ACTS, 1982. - Chap. 606.

ments exceed two per cent of the vote cast in the preceding mayoral election in the respective district.

SECTION 4. Notwithstanding the provisions of sections one hundred and twenty-eight to one hundred and thirty-four, inclusive, of chapter forty-three of the General Laws, if by March tenth, nineteen hundred and eighty-two, the city council shall fail to make a division of the city into districts as required by section three of this act, the mayor shall propose a plan of districts in the required number to the local election district review commission, which shall approve the same with or without amendments as it deems appropriate and necessary to meet constitutional requirements, after a public hearing.

SECTION 5. Notwithstanding the provisions of sections one hundred and twenty-eight to one hundred and thirty-four, inclusive, of chapter forty-three of the General Laws, the municipal year and date of municipal election for city council and school committee shall be governed by sections fourteen and eighteen of chapter four hundred and fifty-two of the acts of nineteen hundred and forty-eight.

SECTION 6. Every city councillor and school committee member who is elected to represent an individual district shall have been an inhabitant of a place within the district for which he is chosen for at least one year immediately preceding his election, and he shall cease to represent such district when he shall cease to be an inhabitant thereof.

SECTION 7. This act shall take effect upon its passage.

Approved December 29, 1982.

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Chap. 606. AN ACT PROVIDING FOR THE ACQUISITION OF  
A CERTAIN PORTION OF TENNEY ESTATE,  
SO-CALLED, IN THE TOWN OF METHUEN BY THE  
DEPARTMENT OF ENVIRONMENTAL MANAGEMENT.

Whereas, The deferred operation of this act would tend to defeat its purpose, which is to immediately acquire a certain portion of Tenney Estate, so-called, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public convenience. \_\_\_\_\_

Be it enacted, etc., as follows:

# **EXHIBIT B**



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ACTS, 1986. – Chaps. 341, 342, 343.

**Chapter 341. AN ACT AUTHORIZING THE TREASURER OF THE TOWN OF SHREWSBURY TO TRANSFER CERTAIN FUNDS TO THE PENSION RESERVE FUND.**

Be it enacted, etc., as follows:

**SECTION 1.** The treasurer of the town of Shrewsbury is hereby authorized to transfer, to the pension reserve fund of the Shrewsbury retirement system, the funds appropriated under article thirty-nine of the warrant of the annual town meeting held on May twenty-first, nineteen hundred and eighty-four, including all interest earned thereon.

**SECTION 2.** This act shall take effect upon its passage.

Approved July 23, 1986.

---

**Chapter 342. AN ACT AUTHORIZING THE TOWN OF HULL TO REFUND CERTAIN INDEBTEDNESS.**

Be it enacted, etc., as follows:

**SECTION 1.** The treasurer of the town of Hull with the approval of the board of selectmen is hereby authorized to issue bonds and notes of the town in the total principal amount of seven hundred and eighty-five thousand, one hundred and seven dollars and seventy-four cents and accrued interest, payable in not more than ten years from the date of issue for the purpose of refunding the note of the town issued under the provisions of chapter four hundred and eighty-two of the acts of nineteen hundred and seventy-eight which is payable on October twenty-seventh, nineteen hundred and eighty-eight. The indebtedness incurred under the provisions of this act shall be deemed to be outside of the debt limit as defined in section ten of chapter forty-four of the General Laws; provided, however, all other provisions of said chapter forty-four shall be applicable.

**SECTION 2.** This act shall take effect upon its passage.

Approved July 23, 1986.

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**Chapter 343. AN ACT RELATIVE TO THE ELECTION OF THE CITY COUNCIL AND SCHOOL COMMITTEE IN THE CITY OF BOSTON.**

**SECTION 1.** Section 3 of chapter 605 of the acts of 1982 is hereby amended by striking out the second paragraph and inserting in place thereof the following paragraph:–

Said districts shall continue in force until redrawn by the city council as provided for herein. The council shall redraw the districts for the purpose of city council and school committee representation as specified in this section on or before (a) ninety days from the date that the

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**ACTS, 1986. – Chaps. 344, 345.**

nineteen hundred and eighty-five state census, including census figures for the city of Boston, is properly certified by the state secretary; and (b) on or before August first, nineteen hundred and ninety-six and on or before said August first every subsequent tenth year.

**SECTION 2.** This act shall take effect upon its passage.

Approved July 23, 1986.

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**Chapter 344. AN ACT PROHIBITING SMOKING IN JURY ROOMS.**

Be it enacted, etc., as follows:

Chapter 234 of the General Laws is hereby amended by inserting after section 34B the following section:–

Section 34C. (1) As used in this section, "smoking" shall mean the lighting of any cigar, cigarette, pipe or tobacco product or having possession of any lighted cigar, cigarette, pipe or other tobacco product.

(2) No person shall smoke in any room used for any meetings or deliberations of a jury, except as otherwise provided in paragraph (3).

(3) Smoking may be permitted in such rooms if a majority of the members of such jury have given their consent to such smoking.

Approved July 23, 1986.

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**Chapter 345. AN ACT FURTHER REGULATING CAMPAIGN CONTRIBUTIONS.**

Be it enacted, etc., as follows:

**SECTION 1.** The first paragraph of section 2 of chapter 55 of the General Laws, as appearing in the 1984 Official Edition, is hereby amended by striking out clauses (1) and (2) and inserting in place thereof the following two clauses:–

(1) the full name and residential address of each person who has made a contribution, in an amount or value in excess of fifty dollars in a reporting period, and such information for each contribution of less than or equal to the sum of fifty dollars, if the aggregate of all contributions received from such contributor within said reporting period is in excess of fifty dollars, and the amount or value and date of the contribution; provided, however, that any contributions resulting from any purchases from a candidate or a person acting on his behalf, whether through the device of tickets, advertisements, or otherwise, for any fund-raising activities, including testimonials, held on behalf of said candidate, regardless of the purpose of said activity, shall not be included with the accounts of those contributions described herein, but shall be included with those accounts of contributions in clauses (2) and (4);

(2) for those contributions resulting from such purchases as

# **EXHIBIT C**

REPORT OF THE SPECIAL COMMITTEE  
ON ELECTORAL DISTRICTS

August 10, 1983

On July 26, 1983, the United States District Court for the District of Massachusetts held the 1982 Boston District Plan unconstitutional as in violation of the "one person, one vote" standard required by the 14th Amendment to the United States Constitution. The Court ruled that the City should have used the 1980 Federal census in drawing the new District lines, not the 1975 Massachusetts census, and that the maximum District population variation of over 20% resulted in a Plan which was per se invalid. The Court, therefore, enjoined the City "from conducting any election under, enforcing or giving any effect to the new Plan for district representation as it currently exists."

While the Mayor, City Council and Attorney General of the Commonwealth unsuccessfully sought a stay of this order, this Committee has proceeded in the period since July 27, 1983, as instructed by the Council, to explore and consider an alternative district plan which would comply with the Court's "one person, one vote" order. In view of the timing of the City elections, September 27th and November 8th, and the many concerns voiced that the Court's July 26th order had thrown the elections and the election process into chaos, the Committee has considered swift action a necessity. The Committee has, however, been

equally concerned that all citizens wishing to be heard have that opportunity. The Committee has, in its deliberations, utilized the 1980 Federal Census data from Boston, as required by the Court, and as converted from census blocks and tracts to wards and precincts by the Boston Redevelopment Authority. We have also consulted at length with Special Counsel with respect to the many problems and legal ramifications arising from the redistricting process.

On August 4, 1983, a public hearing was held which lasted approximately five hours. Testimony was given by dozens of individuals for themselves and many groups. All councillors were in attendance. On August 10, 1983, at the initiation of the Committee, several Plaintiffs in the Federal Court action and their counsel met with the Committee at length to give their views on a new plan and the principles which ought to guide the Committee and Council in their deliberations. Again all councillors were in attendance. At this August 10th meeting we also heard from two minority district Council candidates, speaking on behalf of themselves and others, who expressed their deeply held conviction that the Council should make as few changes as possible in the Plan as originally drawn and enacted. These candidates stressed their belief that, based upon extensive informal polling in the Black Community, their sentiments were widely shared among those residents.

Much of the testimony at the August 4, 1983 public hearing mirrored the testimony given to the Council at the original

1982 hearings on the Plan. The Committee, therefore, adopts the material portions of its earlier report dated February 23, 1982, with respect to this testimony. The Committee stresses its continuing efforts to comply in its deliberations with Massachusetts General Laws c. 43 § 131,\* especially the preservation of the integrity of existing Boston neighborhoods, and to retain the two minority districts established by the 1982 Plan.

The Committee has also been influenced by the eloquent concerns voiced by many citizens and candidates that as little change as possible be made to the district lines which have been in existence for eighteen months and around which all district council and school committee candidates have focused their campaigns. In our view, fundamental fairness requires no less than full consideration of this fact.

We understand and appreciate that it is legally permissible for the Council to consider the aspirations of the Black and Hispanic communities of this City for access to electoral office. We have done so. Some court decisions have been drawn to our attention which suggest that in other contexts, cities may be obliged to insure that at least 65% of the population in any so-called "minority district" be composed of residents of the Black or Hispanic communities. Testimony before the

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\*The statute specifically recites that newly drawn districts "shall be compact and shall contain, as nearly as may be, an equal number of inhabitants, shall be composed of contiguous existing precincts, and shall be drawn with a view toward preserving the integrity of existing neighborhoods."

Committee from Plaintiffs stressed their view that "minority districts" should range from 65% to 85% minority. To make the election of minority candidates from such districts substantially certain, the Committee has taken into account, among other things, the fact that no census accurately measures voter turnout and that minority voter turnout has, in Boston, historically lagged behind the turnout in many white areas. Further, no one has suggested to the Committee any way in which the City could in fact create a third secure "minority district". We note in this respect, that while Black residents are heavily concentrated in the central portion of the City, the emerging Hispanic community is located in a number of "pockets" throughout the City.

With these considerations in mind, we have again established, as in our previous Plan, two districts, District 4 and District 7, in which a minority population constitutes a majority of the residents. In District <sup>7</sup>4 that population is 80.4% of the total inhabitants and in District <sup>4</sup>7 it is ~~86.6%~~ <sup>87.8%</sup>. By way of comparison, our analysis indicates that under the Plaintiffs' Plan submitted to us today, the minority population of these two districts is 86.5% and 84.1% respectively. In our view, however, certain other aspects of Plaintiffs' proposed Plan do unacceptable violence to the statutory scheme. Specifically, the Plan divides South Boston, combines one part of South Boston with the downtown neighborhoods of Beacon Hill and Back Bay, divides

the South End, divides Chinatown, divides Beacon Hill, and effects a three-way division of the Meeting House neighborhood. In addition, our analysis indicates that the maximum deviation between the least and most populous districts under Plaintiffs' Plan is approximately  $8\frac{1}{2}\%$ , whereas the maximum deviation under the Plan we have recommended ~~barely exceeds 5%.~~ *is about  $5\frac{1}{2}\%$ .*

It is our view that had we adopted a Plan with a deviation of more than 8%, we could be found not to have made the good faith and honest effort which we are obliged to undertake to create districts of equal population, "as nearly as may be".

Given the enormous complexity of drawing an acceptable district Plan, we reiterate the feeling previously expressed to the Council in the Report of the Special Committee on Electoral Districts of February 24, 1982, that any final Plan necessarily involves compromise amongst diverse views, interests and constituencies in the City. In light of this reality, it is the Committee's recommendation that its recommended Plan, with a maximum population deviation of just over 5%, be adopted because it is more consistent with the mandate of Massachusetts General Laws c. 43, § 131, than any alternative Plan of which we are aware. We believe, in the total circumstances of the Boston election process, that this Plan offers the best opportunity to receive the support of all our citizens.

The time has come to put litigation and the threat of litigation over this issue behind us and to work, in the spirit of the referendum vote of 1981, for the effective operation of a City Council and School Committee elected under a new Districting Plan.



Respectfully submitted,

Terence McDermott  
Chairman of the Special Committee  
on Electoral Districts  
of the Boston City Council

DATED: \_\_\_\_\_

# **EXHIBIT D**

0991

ORDINANCE

Establishing Districts for  
Choosing Certain City Councillors  
and School Committee Members

Ordinances of 1983 - Chapter 25



# CITY OF BOSTON

IN THE YEAR NINETEEN HUNDRED AND EIGHTY-THREE

## AN ORDINANCE

ESTABLISHING DISTRICTS FOR CHOOSING CERTAIN CITY  
COUNCILLORS AND SCHOOL COMMITTEE MEMBERS

Be it ordained by the City Council of Boston, in accordance with the provisions of Massachusetts General Laws Chapter 43B, Section 13, and any other applicable law, as follows:

1. SECTION 1. Notwithstanding any ordinance, general or
2. special law to the contrary, for the purposes of choosing those
3. city councillors and members of the school committee who are to
4. be Elected from equally populous districts, the city is hereby
5. divided, conformably with the constitution, into the following
6. nine districts:
7. District One - consisting of precincts numbered one
8. through fourteen of Ward One, precincts numbered one through
9. seven of Ward Two, and precincts numbered one through five of
10. Ward Three.
11. District Two - Consisting of precincts numbered seven
12. and eight of Ward Three, precincts numbered one through four of
13. Ward Four, the precinct numbered one of Ward Five, precincts
14. numbered one through nine of Ward Six, precincts numbered one
15. through nine of Ward Seven, precincts numbered one and two of
16. Ward Eight, and precincts numbered one and two of Ward Nine.
17. District Three - Consisting of precincts numbered three,
18. and six through ten of Ward Thirteen, precincts numbered one
19. through nine of Ward Fifteen, precincts numbered one through
20. twelve of Ward Sixteen, and precincts numbered four, nine, and
- eleven through fourteen of Ward Seventeen.

## AN ORDINANCE

1. District Four - Consisting of precincts numbered one  
2. through fourteen of Ward Fourteen, precincts numbered one  
3. through three, five through eight, and ten of Ward Seventeen,  
4. and precincts numbered one through five, and twenty-one of Ward  
5. Eighteen.

6. District Five - Consisting of precincts numbered six  
7. through twenty, twenty-two and twenty-three of Ward Eighteen,  
8. precincts numbered seven, ten through thirteen of Ward  
9. Nineteen, and precincts numbered one, two, four, eight and nine  
10. of Ward Twenty.

11. District Six - Consisting of precincts numbered six  
12. through nine of Ward Ten, precincts numbered six through ten of  
13. Ward Eleven, precincts numbered one through six, and eight and  
14. nine of Ward Nineteen, and precincts numbered three, five, six,  
15. seven, and ten through twenty of Ward Twenty.

16. District Seven - Consisting of precinct numbered eight  
17. and nine of Ward Four, precinct ten of Ward Seven, precincts  
18. numbered three through seven of Ward Eight, precincts numbered  
19. three through five of Ward Nine, precincts numbered one through  
20. five of Ward Eleven, precincts numbered one through nine of

AN ORDINANCE

1. Ward Twelve, precincts numbered one, two, four, and five of  
2. Ward Thirteen,

3. District Eight - Consisting of the precinct numbered six  
4. of Ward Three, precincts numbered five through seven and ten of  
5. Ward Four, precincts numbered two through ten of Ward Five,  
6. precincts numbered one through five of Ward Ten, and precinct  
7. numbered one and two of Ward Twenty-one.

8. District Nine - Consisting of precincts numbered three  
9. through sixteen of Ward Twenty-one, and precincts numbered one  
10. through thirteen of Ward Twenty-two.

11. SECTION 2. Chapter 6 of the Ordinances of 1982 be and hereby is repealed.

12. SECTION 3. This ordinance shall take effect upon its passage, and the  
13. provisions of C.B.C. Ord. 2, S.752. to the contrary notwithstanding,  
14. this ordinance shall be published by action of the City Council in passing  
15. the same.

16.

17.

18.

19.

20.

In City Council AUG 10 1983  
Passed YEAS - NINE.

[Signature] City Clerk  
Approved AUG 11 1983  
Kevin H. White Mayor

ORDINANCE

0991

Establishing Districts for  
Choosing Certain City Councillors  
and School Committee Members

IN CITY COUNCIL  
REFERRED TO COMMITTEE ON

W H O L E

AUG 4 1983

BOSTON, MASS.

RECEIVED  
CITY CLERK'S OFFICE  
AUG 3 10 40 AM '83

CITY OF BOSTON,  
IN CITY COUNCIL.

*Special*  
ON THE WITHIN ORDER THE  
*Electoral Districts*  
COMMITTEE ON  
RESPECTFULLY REPORT THAT THE SAME  
OUGHT TO PASS *in the following new draft*  
FOR THE COMMITTEE.  
*Thomas P. McE...*  
Chairman,

ACCEPTED,

City Clerk



# CITY OF BOSTON

IN THE YEAR NINETEEN HUNDRED AND EIGHTY-THREE

## AN ORDINANCE

Establishing Districts for choosing certain City Councillors  
and School Committee Members

Be it ordained by the City Council of Boston, in accordance with the provisions of Massachusetts General Laws Chapter 43B, Section 13, and any other applicable law, as follows:

1. Section One. For the purpose of choosing those City Councillors
2. and members of the School Committee who are to be elected from
3. equally populous districts, the city is hereby divided, conform-
4. ably to the Constitution, into the following nine districts:-
- 5.
- 6.
- 7.
- 8.
- 9.
- 10.
- 11.
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- 16.
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- 20.

BOSTON MASS

AUG 3 10 44 AM '83

CITY CLERK DEPT  
RECEIVED





# CITY OF BOSTON

IN THE YEAR NINETEEN HUNDRED AND

## AN ORDINANCE

ESTABLISHING DISTRICTS FOR CHOOSING CERTAIN CITY

COUNCILLORS AND SCHOOL COMMITTEE MEMBERS

Be it ordained by the City Council of Boston, in accordance with the provisions of Massachusetts General Laws Chapter 43B, Section 13, and any other applicable law, as follows:

1. SECTION 1. Notwithstanding any ordinance, general or  
2. special law to the contrary, for the purposes of choosing those  
3. city councillors and members of the school committee who are to  
4. be Elected from equally populous districts, the city is hereby  
5. divided, conformably with the constitution, into the following  
6. nine districts:

7. District One - consisting of precincts numbered one  
8. through fourteen of Ward One, precincts numbered one through  
9. seven of Ward Two, and precincts numbered one through five of  
10. Ward Three.

11. District Two - Consisting of precincts numbered seven  
12. and eight of Ward Three, precincts numbered one through four of  
13. Ward Four, the precinct numbered one of Ward Five, precincts  
14. numbered one through nine of Ward Six, precincts numbered one  
15. through nine of Ward Seven, precincts numbered one and two of  
16. Ward Eight, and precincts numbered one and two of Ward Nine.

17. District Three - Consisting of precincts numbered three,  
18. and six through ten of Ward Thirteen, precincts numbered one  
19. through nine of Ward Fifteen, precincts numbered one through  
20. twelve of Ward Sixteen, and precincts numbered four, nine, and  
eleven through fourteen of Ward Seventeen.

## AN ORDINANCE

1. District Four - Consisting of precincts numbered one  
2. through fourteen of Ward Fourteen, precincts numbered one  
3. through three, five through eight, and ten of Ward Seventeen,  
4. and precincts numbered one through five, and twenty-one of Ward  
5. Eighteen.

6. District Five - Consisting of precincts numbered six  
7. ~~through nine, eleven~~ through twenty, twenty-two and  
8. twenty-three of Ward Eighteen, precincts numbered seven, ten  
9. through thirteen of Ward Nineteen, and precincts numbered one,  
10. two, four, eight and nine of Ward Twenty.

11. District Six - Consisting of precincts numbered six  
12. through nine of Ward Ten, precincts numbered six through ten of  
13. Ward Eleven, precincts numbered one through six, and eight and  
14. nine of Ward Nineteen, and precincts numbered three, five, six,  
15. seven, and ten through twenty of Ward Twenty.

16. District Seven - Consisting of precinct numbered eight  
17. and nine of Ward Four, precinct ten of Ward Seven, precincts  
18. numbered three through seven of Ward Eight, precincts numbered  
19. three through five of Ward Nine, precincts numbered one through  
20. five of Ward Eleven, precincts numbered one through nine of

## AN ORDINANCE

1. Ward Twelve, precincts numbered one, two, four, and five of  
2. Ward Thirteen,

3. District Eight - Consisting of the precinct numbered six  
4. of Ward Three, precincts numbered five through seven and ten of  
5. Ward Four, precincts numbered two through ten of Ward Five,  
6. precincts numbered one through five of Ward Ten, and precinct  
7. numbered one and two of Ward Twenty-one.

8. District Nine - Consisting of precincts numbered three  
9. through sixteen of Ward Twenty-one, and precincts numbered one  
10. through thirteen of Ward Twenty-two.

11. SECTION 2 This ordinance shall take effect upon its passage.  
12.  
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# **EXHIBIT E**

**ACTS, 1983. - Chap. 357.**

submitted to the voters.

SECTION 8. This act shall be submitted for acceptance to the voters of the town of Pembroke at the next annual town election or a special town election, whichever occurs first, in the form of the following question which shall be placed on the official ballot at such election. "Shall an act passed by the general court in the year nineteen hundred and eighty-three, entitled 'An Act providing for the recall of elected officials in the town of Pembroke', be accepted?" If a majority of the votes cast in answer to said question is in the affirmative, this act shall take effect, but not otherwise.

Approved August 17, 1983.

---

**Chap. 357. AN ACT PROVIDING AN EMERGENCY ELECTION  
PROCEDURE FOR THE CITY OF BOSTON TO BE  
UTILIZED IN THE MUNICIPAL YEAR 1983 ONLY.**

Be it enacted, etc., as follows:

SECTION 1. Notwithstanding any general or special law to the contrary, there shall be a municipal election in the city of Boston for the office of mayor, a city council consisting of nine persons elected from districts and four at-large, a school committee consisting of nine members elected from districts and four at-large, which shall be held on November fifteenth, nineteen hundred and eighty-three.

SECTION 2. The city council shall adopt an ordinance after public hearing providing for the division of the city into districts. Each such district shall be compact and shall contain, as nearly as may be, an equal number of inhabitants as determined by the most recent census, shall be composed of contiguous existing precincts, and shall be drawn with a view toward preserving the integrity of existing neighborhoods. If, within thirty days of the effective date of this act the city council shall fail to make a division of the city into districts as required herein, the mayor shall propose a plan of districts in the required number to the local election district review commission, which shall approve the same with or without amendments as it deems necessary to meet constitutional requirements, after a public hearing.

SECTION 3. A preliminary election shall be held on October eleventh, nineteen hundred and eighty-three. Every person

ACTS, 1983. - Chap. 357.

seeking to be a candidate for the office of city councillor or member of the school committee from a district, shall be deemed qualified and may be a candidate, if a voter in such district, and if such person shall submit valid nomination papers, as hereinafter provided.

SECTION 4. Only persons who have filed nomination petitions for the office of mayor with the election commission before five o'clock in the afternoon of July twelfth, nineteen hundred and eighty-three and certified by the election commission and not successfully objected to by August ninth, nineteen hundred and eighty-three shall be deemed a candidate for said office. All persons who have filed nomination petitions for the office of city council at-large and school committee at-large with the election commission before five o'clock in the afternoon of July twelfth, nineteen hundred and eighty-three and certified by the election commission and not successfully objected to by August ninth, nineteen hundred and eighty-three shall be deemed a candidate for said office. All persons who have filed nomination petitions for the offices of district city council or district school committee member may resubmit nomination petitions previously filed for certification in the district in which they reside or submit new nomination papers as provided herein and in accordance with law. In the case of resubmitted nomination petitions, only the valid signatures of the persons residing in the district constituted hereunder and for which the candidate seeks election shall be deemed valid for the purposes hereof. Further, any person seeking the office of city council or school committee, regardless of at-large or district office, may become a candidate for said office by complying with the provisions herein. Any person certified as a candidate for city councillor or school committee member at-large, or by district, who shall submit or resubmit nomination petitions for a different at-large or district office shall be deemed to have withdrawn his candidacy for the office previously certified, no person being eligible to be a candidate for more than one office.

Notwithstanding the provisions of section fifty-seven B of chapter four hundred and fifty-two of the acts of nineteen hundred and forty-eight, no candidate or authorized committee named in the nomination petition of a candidate for mayor, city council at-large, school committee at-large, district city council or district school committee shall be allowed to file a certificate of substitution for the preliminary election of nineteen hundred and eighty-three or the regular municipal election of nineteen hundred and eighty-three.

SECTION 5. On the first business day after the effective date

**ACTS, 1983. - Chap. 358.**

hereof, the election commission shall distribute nomination petitions in such form as it shall provide, which shall not have preprinted candidate information as specified in section fifty-five A of chapter four hundred and fifty-two of the acts of nineteen hundred and forty-eight and which shall not provide for a committee for substitution, no such substitutions being permitted in this municipal year. No person shall be required to sign any affidavit or certificate of candidacy prior to filing such petitions. Every paper filed pursuant to this section shall be filed with the election commission not later than the tenth day following the first day of distribution of papers hereunder, and each such shall be certified by the said commission within five days of filing, Sundays being excluded. Each paper certified shall immediately be open to inspection of the public and challenges to the same shall be entertained for three business days following certification and no longer. All challenges or objections relating to papers or candidates shall be settled after a hearing, with notice of not less than twenty-four hours to the candidate involved and shall be settled by vote of the city ballot law commission occurring not later than twenty-four hours following such hearing.

SECTION 6. Except as herein provided, the supreme judicial court shall have original jurisdiction with regard to any litigation arising hereunder.

SECTION 7. In the event of any conflict between the provisions of this act and the provisions of any other general or special law, the provisions of this act shall govern.

SECTION 8. This act shall take effect upon its passage.

Approved August 18, 1983.

---

**Chap. 358. AN ACT AUTHORIZING JOHN J. MONTEIRO TO TAKE A CIVIL SERVICE EXAMINATION FOR POLICE OFFICER NOTWITHSTANDING THE MAXIMUM AGE REQUIREMENTS.**

Whereas, The deferred operation of this act would tend to defeat its purpose, which is to immediately authorize John J. Monteiro to take a civil service examination for police officer, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public safety. \_\_\_\_\_

# **EXHIBIT F**



Order for a petition for a special law re: An Act Providing An Emergency Election Procedure for the City of Boston to be Utilized in the Municipal Year 1983 Only

IN CITY COUNCIL

REFERRED TO COMMITTEE ON

WHOLE

AUG 4 1983

CITY OF BOSTON

IN CITY COUNCIL

~~DEC 20, 1983~~

ON THE WITHIN

Whole

THE COMMITTEE ON  
RESPECTFULLY RECOMMENDS PLACING SAME  
ON FILE.

FOR THE COMMITTEE

ACCEPTED

CITY CLERK

RECEIVED  
CITY CLERK'S OFFICE  
AUG 3 4 53 PM '83  
BOSTON, MASS.

In City Council PLACED ON FILE

~~DEC 21 1983~~

*John O. Campbell*

CITY CLERK

*Councilor Dannela*

## CITY OF BOSTON IN CITY COUNCIL

AN ACT PROVIDING AN EMERGENCY ELECTION PROCEDURE FOR THE CITY OF BOSTON TO BE UTILIZED IN THE MUNICIPAL YEAR 1983 ONLY

ORDERED:- That a petition to the General Court, accompanied by a bill for a special law relating to the City of Boston to be filed with an attested copy of this order be, and hereby is, approved under Clause (1) of Section eight of Article two, as amended, of the Amendments to the Constitution of the Commonwealth of Massachusetts, to the end that legislation be adopted providing precisely as follows, except for clerical or editorial changes of form only:—

1. SECTION ONE. The Purpose of this act is to provide an effective means of
2. holding valid municipal election of a Mayor, several City Councillors and
3. several School Committee Members for the City of Boston in the year 1983
4. in light of the recent decision of the United States District Court for the
5. District of Massachusetts affecting districts heretofore established by ordinance
6. of the City Council, and to this end, this legislation shall be liberally construed
7. so as to give effect to this purpose. The following sections shall apply to the
8. election of municipal officers in the year 1983 to serve for the municipal years
9. 1984 and 1985, except, that districts established hereunder may remain in
10. effect for future elections, until such time as the City Council shall by ordinance
11. provide for other districts. This act shall be taken to supercede any general
12. or special law of the Commonwealth, including provisions of the City Charter, so-
13. called, so as to give effect to the purpose hereof.
14. SECTION TWO. The City of Boston shall, by ordinance, establish nine districts
15. for the election of certain members of the City Council and the School Committee,
16. such ordinance to be enacted either before or after the effective date hereof,
17. and enacted comfortably to the law regarding establishing districts for such
18. purposes, save that for the purpose of determining population of each such,
19. the Federal Census of 1980 shall be employed, absent evidence of gross error
20. therein. In making such division, the City Council shall attempt to disrupt the

## HOME RULE PETITION

1. election process of the city to the minimum extent consistent with establishing
2. districts with constitutionally valid considerations.
3. SECTION THREE. Registration of voters and preparation of voting lists and all other
4. matters incidental to the holding of a municipal election, except the validity of absentee
5. ballots returned, shall be determined as if the Preliminary Election were held on
6. September 27, 1983 and the Election, November 8, 1983. Said Preliminary Election
7. shall be held on October 4, 1983 and said Election shall be held on November 8, 1983.
8. Every person who would have been a candidate for Mayor, for City Councillor-At-
9. Large, and for School Committee Member-At-Large, shall be a candidate for election
10. at said preliminary and election as if this act had not been passed. Every person
11. desirous of being a candidate for the office of City Councillor or Member of the School
12. Committee from a district, shall be deemed qualified and shall be a candidate, if a voter
13. in such district, and if he or she shall submit nomination papers validly, as hereinafter
14. provided.
15. SECTION FOUR. On the first business day after the establishment of districts as
16. above provided, the Election Commission shall distribute nomination petitions in such
17. forms as it shall provide, which shall not have preprinted candidates names, address,
18. etc.,
- 19.
- 20.

## HOME RULE PETITION

1. and which shall not provide for a committee for substitution, no such substitutions
2. being permitted in this municipal year. No person shall be required to sign any
3. affidavit or certificate of candidacy prior to filing such petitions. Any person desirous
4. of nomination may, but shall not be required to, re-assert any petition filed with respect
5. to a district heretofore established, provided however, that only the valid signatures of
6. persons residing in the District constituted hereunder and for which the candidate seeks
7. election shall be deemed valid for the purposes hereof. Every paper filed pursuant to
8. this section shall be filed with the Election Commission not later than the tenth day
9. following the first day of distribution of papers hereunder, and each such shall be
10. certified by the said commission within five days of filing, Sundays excluded. Each
11. paper certified shall immediately be open to inspection of the public and challenges to
12. the same shall be entertained for three business days following certification and no
13. longer. All challenges or objections relating to papers or candidates shall be settled
14. afterhearing, with notice of not less than twenty four hours to the candidate involved,
15. and shall be settled by vote of the city Ballot Law Commission occurring not later than
16. twenty-four hours following such hearing.
17. SECTION FIVE. Except as herein provided, the Supreme Judicial Court for Suffolk
18. County shall have original jurisdiction with regard to any litigation arising hereunder.
19. SECTION SIX. This act shall take effect upon passage.
- 20.



# CITY OF BOSTON

## IN CITY COUNCIL

AN ACT PROVIDING AN EMERGENCY ELECTION PROCEDURE FOR THE CITY OF BOSTON TO BE UTILIZED IN THE MUNICIPAL YEAR 1983 ONLY

ORDERED: That a petition to the General Court, accompanied by a bill for a special law relating to the City of Boston to be read with an attached copy of this order be, and hereby is approved under Chapter (f) of Section eight of Article two, as amended of the Amendments to the Constitution of the Commonwealth of Massachusetts, in the said that legislation be adopted providing emergency as follows, except for changes or editorial changes of form only:—

SECTION ONE. The City of Boston shall be divided into five districts, each of which shall be a geographical area, and each of which shall be a compact and shall be contiguous to the City of Boston. The City Council shall adopt an ordinance after public hearing providing for the division of the City into five districts. Each such district shall be compact and shall contain, as nearly as may be, an equal number of inhabitants as determined by the most recent census, shall be composed of contiguous territory, and shall be known with a name. The City Council shall fail to make a division of the City into districts as required herein, the Mayor shall propose a plan of districts in the required number to the local election district review commission, which shall approve the same with or without amendments as it deems necessary to meet constitutional requirements and general or special law to the contrary. There shall be a municipal election for the office of Mayor, City Council consisting of nine (9) members elected from districts and four (4) at-large, which shall be held on November 15, 1983.

0990

# CITY OF BOSTON

## IN CITY COUNCIL

AN ACT PROVIDING AN EMERGENCY ELECTION PROCEDURE FOR THE  
CITY OF BOSTON TO BE UTILIZED IN THE MUNICIPAL YEAR 1983 ONLY

ORDERED:- That a petition to the General Court, accompanied by a bill for a special law relating to the City of Boston to be filed with an attested copy of this order be, and hereby is, approved under Clause (1) of Section eight of Article two, as amended, of the Amendments to the Constitution of the Commonwealth of Massachusetts, to the end that legislation be adopted providing precisely as follows, except for clerical or editorial changes of form only:—

1. SECTION ONE. In the City of Boston for the year 1983 only,
2. notwithstanding any general or special law to the contrary,
3. there shall be a municipal election for the office of Mayor,
4. City Council consisting of nine (9) members elected from
5. districts and four (4) at-large, a School Committee consisting
6. on nine (9) members elected from districts and four (4)
7. at-large, which shall be held on November 15, 1983.
8. SECTION TWO. The City Council shall adopt an ordinance after
9. public hearing providing for the division of the City into
10. districts. Each such district shall be compact and shall
11. contain, as nearly as may be, an equal number of inhabitants as
12. determined by the most recent census, shall be composed of
13. contiguous existing precincts, and shall be drawn with a view
14. toward preserving the integrity of existing neighborhoods. If,
15. within thirty days of the effective date of this Act the City
16. Council shall fail to make a division of the City into districts
17. as required herein, the Mayor shall propose a plan of districts
18. in the required number to the local election district review
19. commission, which shall approve the same with or without
20. amendments as it deems necessary to meet constitutional

## HOME RULE PETITION

1. requirements, after a public hearing.

2. SECTION THREE. The Preliminary Election shall be held on  
3. October 11, 1983 and said regular Municipal Election shall be  
4. held on November 15, 1983. Every person seeking to be a  
5. candidate for the office of City Councillor or Member of the  
6. School Committee from a district, shall be deemed qualified and  
7. may be a candidate, if a voter in such district, and if he or  
8. she shall submit nomination papers validly, as hereinafter  
9. provided.

10. SECTION FOUR. Only persons who have filed nomination petitions  
11. for the office of Mayor with the Election Commission before 5  
12. o'clock in the afternoon of July 12, 1983 and certified by the  
13. Election Commission and not successfully objected to by August  
14. 9, 1983 shall be deemed a candidate for said office. All  
15. persons who have filed nomination petitions for the office of  
16. City Council At-Large and School Committee At-Large with the  
17. Election Commission before 5 o'clock in the afternoon of July  
18. 12, 1983 and certified by the Election Commission and not  
19. successfully objected to by August 9, 1983 shall be deemed a  
20. candidate for said office. All persons who have filed

## HOME RULE PETITION

1. nomination petitions for the offices of district City Council or  
2. district School Committee member may resubmit nomination  
3. petitions previously filed for certification in the district in  
4. which they reside or submit new nomination papers as provided  
5. herein and in accordance with law. In the case of resubmitted  
6. nomination petitions, only the valid signatures of the persons  
7. residing in the district constituted hereunder and for which the  
8. candidate seeks election shall be deemed valid for the purposes  
9. hereof. Further, any person seeking the office of City Council  
10. or School Committee, regardless of At-Large or District office,  
11. may become a candidate for said office by complying with the  
12. provisions herein. Any person certified as a candidate for City  
13. Councillor or School Committee Member At Large, or by district,  
14. who shall submit or resubmit nomination petitions for a  
15. different At Large or District office shall be deemed to have  
16. withdrawn his or her candidacy for the office previously  
17. certified, no person being eligible to be a candidate for more  
18. than one office.

19. SECTION FIVE. On the first business day after the effective  
20. date hereof, the Election Commission shall distribute nomination



## HOME RULE PETITION

1. petitions in such form as it shall provide, which shall not have
2. preprinted candidate information as specified in c. 376 of the
3. Acts of 1951 S 55A, and which shall not provide for a committee
4. for substitution, no such substitutions being permitted in this
5. municipal year. No person shall be required to sign any
6. affidavit or certificate of candidacy prior to filing such
7. petitions. Every paper filed pursuant to this section shall be
8. filed with the Election Commission not later than the tenth day
9. following the first day of distribution of papers hereunder, and
10. each such shall be certified by the said commission within five
11. days of filing, Sundays excluded. Each paper certified shall
12. immediately be open to inspection of the public and challenges
13. to the same shall be entertained for three business days
14. following certification and no longer. All challenges or
15. objections relating to papers or candidates shall be settled
16. afterhearing, with notice of not less than twenty four hours to
17. the candidate involved and shall be settled by vote of the city
18. Ballot Law Commission occurring not later than twenty-four hours
19. following such hearing.
20. SECTION SIX. Except as herein provided, the Supreme Judicial

HOME RULE PETITION

1. Court for Suffolk County shall have original jurisdiction under  
2. Massachusetts Law with regard to any litigation arising  
3. hereunder.

4. SECTION SEVEN. In the event of any conflict between the  
5. provisions of this Act and the provisions of any other General  
6. or Special Law, the provisions of this Act shall govern.

7. SECTION EIGHT. This Act shall take effect upon passage.  
8.  
9.  
10.

AUG 8 1983

11. In City Council  
12. Passed

Yeas - six, Nays - two.

13. *[Signature]* City Clerk  
14. Approved AUG 9 1983

15. *[Signature]* Mayor  
16.  
17.  
18.  
19.  
20.

# **EXHIBIT G**

0971

OBITUARY NOTICE

SPECULATION FIBER

FROM CANTON

1871

**CITY OF BOSTON  
IN CITY COUNCIL**

Order of Councillor Bruce C. Bolling:

July 27, 1983

Ordered that the Special Committee on Electoral Districts be re-organized and members appointed by the President of the City Council. There shall be five members of this committee.

**In City Council      PASSED**

JUL 27 1983

 **CITY CLERK**

The Chair appointed Coun. McDermott, Chairman; Couns. Flynn, Langone, Hennigan and Bolling.

# **EXHIBIT H**

0959



# Boston

## City Council

Joseph M. Tierney  
President

Bruce C. Bolling  
Raymond L. Flynn  
Maura A. Hennigan  
Christopher A. Iannella  
Frederick C. Langone  
Michael J. McCormack  
Terence P. McDermott  
Albert L. O'Neil

July 27, 1983

### COUNCILLOR JOSEPH M. TIERNEY

ORDERED: That the City Council be and hereby is authorized to hire private counsel to represent said body in the case of Latino Political Action Council Inc. VS. City of Boston et al.

In City Council

PASSED

JUL 27 1983

 CITY CLERK





# **EXHIBIT I**

# CITY OF BOSTON

## IN CITY COUNCIL

### REPORT OF THE SPECIAL COMMITTEE ON ELECTORAL DISTRICTS

February 23, 1982

The Special Committee on Electoral Districts, appointed January 8, 1982, having considered proposals for designation, by ordinance, of new districts for election of City Council and School Committee members, respectfully submits a report recommending passage of the accompanying ordinance.

In accordance with the decision of the voters of Boston made last November, the Special Committee on Electoral Districts has formulated its plan for dividing the city into nine districts. The Committee has taken into consideration all the various plans and proposals presented to it during the public hearings held over a ten day period, January 23rd - February 1st. The overriding concerns of those who testified before the Committee were the preservation of neighborhood integrity and the establishment of two minority districts. These priorities guided the Committee in its deliberations. The district lines drawn by the Committee do not divide neighborhoods, and do form two, and possibly three, districts from which a person of color will, in all likelihood, be elected.

To assist in its deliberations, the Committee enlisted the resources of the Law Department and the Boston Redevelopment Authority. Discussions with the Corporation Counsel and his staff centered on several problems with the districting process in general and the enabling legislation which brought it about.

## CITY OF BOSTON

### IN CITY COUNCIL

REPORT OF THE SPECIAL COMMITTEE ON ELECTORAL DISTRICTS

page 2.

The dearth of case law in this area left the Committee with little in the way of precedents by which to be guided. For instance, the enabling legislation calls for each district to "contain, as nearly as may be, an equal number of inhabitants." Obviously, the phrase, "as nearly as may be," provides some leeway in composing the districts by population; but exactly how much leeway is in doubt. On advice of the Corporation Counsel, and in keeping with the guidelines adopted by the previous committee, a total variance of eleven percent from the norm was decided upon as the basis for conforming to the equal population clause.

The population problem did not end there. The enabling legislation, passed in 1977, does not cite a specific census to be used in determining district population. At the time of the passage of this legislation, the obvious choice would have been the 1975 state census. Since that time there has been a federal census with some radically different figures. The more recent census would appear to be the logical choice. However, the 1980 federal census is currently being challenged in the courts. The Corporation Counsel favored neither census, but felt that the Committee should decide on one and use its figures for determining district population.

The Committee decided to use the 1975 state census because those figures were used by the previous committee, because the various individuals and groups appearing before the Commit-

## CITY OF BOSTON

### IN CITY COUNCIL

REPORT OF THE SPECIAL COMMITTEE ON ELECTORAL DISTRICTS page 3.

tee used the 1975 figures in formulating their plans, and because the figures from 1975 are not being challenged in court. Additionally, the enabling legislation does make mention of "the most recent state decennial census" in defining the word "city."

Another problem posed by the enabling legislation, in light of the differing census figures, is in the determination of the number of at large members to be elected to the City Council and School Committee. The ballot question called for "one member elected at large for every one hundred and twenty thousand residents of the city in excess of one hundred and fifty thousand." The 1975 population of Boston would require four at large members. The federal figures from 1980 would reduce that number to three.

Realizing the problems inherent in a legislative body with an even number of members, and to remove the election process from further population fluctuations, the Committee submitted a home rule petition amending the enabling legislation by calling for "nine members, elected from equally populous districts and four members elected at large." The petition was passed unanimously by the City Council and sent to the State Legislature where it is pending.

After conducting public hearings at which more than one hundred people testified, the dozens of maps and written proposals were reviewed by the Committee. It was obvious that

## CITY OF BOSTON

### IN CITY COUNCIL

REPORT OF THE SPECIAL COMMITTEE ON ELECTORAL DISTRICTS

page 4.

any plan formulated by the Committee would require some degree of compromise from all involved in the districting process.

The plan proposed by the Committee is a compromise solution to an enormously complex problem. The plan conforms to the legislation in that all districts are equally populous, composed of contiguous existing precincts, and as compact as they can be as drawn "with a view toward preserving the integrity of existing neighborhoods." The population of each district falls between 68,303 and 74,070, a total variation of 8.1%. The Committee believes that this variance is within reason.

Neighborhood integrity has been mentioned earlier in this report, and in the Committee's preliminary report, as one of two major concerns in shaping the districts. Many of those who appeared before the Committee representing smaller neighborhoods expressed a desire to be linked with particular neighborhoods in the same district. Some did not. The overriding concern of all was that their neighborhoods remain intact in any district of which they would become a part. There are areas of disagreement as to the boundaries of some neighborhoods, often among the people who live there. It is the consensus of the Committee that all neighborhoods remain intact in the districts proposed.

The other major concern voiced to the Committee was the establishment of two minority districts. The Committee's plan addresses this concern with District 4 and District 7. The composition and voting pattern of District 8 make it another

# CITY OF BOSTON

## IN CITY COUNCIL

REPORT OF THE SPECIAL COMMITTEE ON ELECTORAL DISTRICTS      page 5.

possible minority district.

The Hispanic Community voiced its preference for a Latino District. The population of this group is sufficient to make it a considerable voting block. Unfortunately, the Spanish speaking population is so spread out geographically as to make concentrating them in one district virtually impossible. The Committee's plan does keep a good deal of the Hispanic population together in District 7.

Below are listed the nine electoral districts the Committee is recommending and its reasons for doing so.

### DISTRICT 1    Charlestown, North End, East Boston

These three areas form the northernmost section of the city. Both East Boston and Charlestown are separated from the body of the city. All three areas share similar concerns including waterfront development and gentrification. There was some support for placing Charlestown in a district with other smaller neighborhoods. However, the geography of the area and the population figures make its inclusion in an East Boston, Charlestown, North End configuration the logical choice.

### DISTRICT 2    South End, South Boston, Chinatown

The coupling of South Boston and the South End may be considered incongruous, but it accomplishes two goals that few other proposals have. The South End and the Chinese community remain whole. While South Boston has the edge in population,

# CITY OF BOSTON

## IN CITY COUNCIL

REPORT OF THE SPECIAL COMMITTEE ON ELECTORAL DISTRICTS page 6.

the South End is sufficiently large to ensure that a representative from either section will have to be accountable to the people of the South End.

DISTRICT 3 Columbia Point, Savin Hill, Meeting House Hill, Fields Corner, Neponset, Cedar Grove, Lower Mills

This district, one of two in Dorchester, combines neighborhoods that share similar problems and concerns, including being in a Dorchester district.

DISTRICT 4 Franklin Field, Codman Square, Mattapan

The other Dorchester district, this area is one of two minority districts. Because Dorchester is home for half of Boston's black population, logic dictates that one of the Dorchester seats be a minority seat. District 4 is clearly that. There was some sentiment for a north-south division of Dorchester. Dividing Dorchester in this way would result in a northern district with a black majority, but not enough of a majority to ensure minority representation. It is the consensus of the Committee that such a division would be unfair and illegal.

DISTRICT 5 Roslindale, Hyde Park

DISTRICT 6 Jamaica Plain, West Roxbury

On nearly every map presented to the Committee, Roslindale, Hyde Park, West Roxbury and Jamaica Plain were combined, in

## CITY OF BOSTON

### IN CITY COUNCIL

REPORT OF THE SPECIAL COMMITTEE ON ELECTORAL DISTRICTS page 7.

various ways, to form two districts. There were several proposals linking West Roxbury and Hyde Park in one district, and Jamaica Plain and Roslindale in another. The consensus of the Committee is that West Roxbury has traditional ties and a commonality of interests with Jamaica Plain and that the same holds true for Hyde Park and Roslindale. While Hyde Park and West Roxbury have a majority of the population in their respective districts, it is only a slight edge and will make candidates from either section of either district accountable to the people of the other section. Jamaica Plain and Roslindale were especially concerned that their neighborhood remain intact. This plan addresses that concern.

#### DISTRICT 7 Roxbury

The second minority district keeps Roxbury intact and provides a much needed voice for this traditionally underrepresented section of the city.

#### DISTRICT 8 Beacon Hill, Back Bay, Fenway, Mission Hill

This district links several smaller, traditionally underrepresented neighborhoods in a way that provides access and accountability to all of them. The district is heavily populated by tenants and will produce candidates sensitive to



CITY OF BOSTON  
IN CITY COUNCIL

REPORT OF THE SPECIAL COMMITTEE ON ELECTORAL DISTRICTS    page 8.

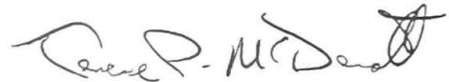
the needs of this group. In addition, the political history and voting pattern of these neighborhoods make it a potential third minority seat.

DISTRICT 9    Allston, Brighton

The geography and population of Allston and Brighton make up a district that virtually draws itself.

It is the consensus of The Special Committee on Electoral Districts that the ordinance accompanying this report which describes each district by wards and precincts contained within, be passed.

Respectfully submitted,

A handwritten signature in dark ink, appearing to read "Terence P. McDermott", with a stylized flourish at the end.

Terence P. McDermott  
Chairman

# **EXHIBIT J**

0339

ORDINANCE

Establishing Districts For  
Choosing Certain City Councillors  
and School Committee Members

Ordinances of 1982 - Chapter 6



# CITY OF BOSTON

IN THE YEAR NINETEEN HUNDRED AND EIGHTY-TWO

## AN ORDINANCE

### ESTABLISHING DISTRICTS FOR CHOOSING CERTAIN CITY COUNCILLORS AND SCHOOL COMMITTEE MEMBERS

Be it ordained by the City Council of Boston, as follows:

SECTION 1. For the purposes of choosing those city councillors and members of the school committee who are to be elected from equally populous districts, the City is hereby divided, conformably with the constitution, into the following nine districts: -

District One - Consisting of precincts numbered one through fourteen of Ward One, precincts numbered one through seven of Ward Two, and precincts numbered one through five of Ward Three.

District Two - Consisting of precincts numbered seven and eight of Ward Three, precincts numbered one through five of Ward Four, the precinct numbered one of Ward Five, precincts numbered one through nine of Ward Six, precincts numbered one through nine of Ward Seven, precincts numbered one and two of Ward Eight, and precincts numbered one and two of Ward Nine.

District Three - Consisting of precincts numbered three, and six through ten of Ward Thirteen, precincts numbered three through nine of Ward Fifteen, precincts numbered one through twelve of Ward Sixteen, and precincts numbered four, nine, and eleven through fourteen of Ward Seventeen.

District Four - Consisting of precincts numbered two through fourteen of Ward Fourteen, precincts numbered one through three, five through eight, and ten of Ward Seventeen, and precincts numbered one through four, and twenty-one of Ward Eighteen.

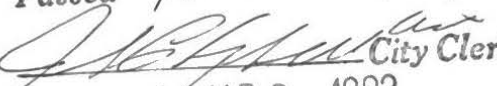
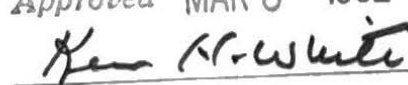
District Five - Consisting of precincts numbered five through twenty, and twenty-two of Ward Eighteen, precincts numbered seven, and ten through thirteen of Ward Nineteen, and precincts numbered one, two, four, eight and nine of Ward Twenty.

District Six - Consisting of precincts numbered six, eight and nine of Ward Ten, precincts numbered six through ten of Ward Eleven, the precinct numbered twenty-three of Ward Eighteen, precincts numbered one through six, and eight and nine of Ward Nineteen, and precincts numbered three, five, six, seven, and ten through twenty of Ward Twenty.

District Seven - Consisting of precinct numbered ten of Ward Seven, precincts numbered three through seven of Ward Eight, precincts numbered three through five of Ward Nine, the precinct numbered seven of Ward Ten, } precincts numbered one through five of Ward Eleven, precincts numbered one through nine of Ward Twelve, precincts numbered one, two, four, and five of Ward Thirteen, the precinct numbered one of Ward Fourteen, and precincts numbered one and two of Ward Fifteen.

District Eight - Consisting of the precinct numbered six of Ward Three, precincts numbered six through ten of Ward Four, precincts numbered two through ten of Ward Five, precincts numbered one through five of Ward Ten, and the precinct numbered one of Ward Twenty-One.

District Nine - Consisting of precincts numbered two through sixteen of Ward Twenty-One, and precincts numbered one through thirteen of Ward Twenty-Two.

In City Council FEB 24 1982  
Passed 10-7-Seven, n2ys-Two.  
 City Clerk  
Approved MAR 8 1982  
 Mayor



*City of Boston, Massachusetts*  
*Office of the Mayor*  
**Michelle Wu**

May 11, 2023

The Honorable Alex Geourntas  
Office of the City Clerk  
1 City Hall Plaza  
Room 601  
Boston, MA 02201

Dear Mr. Clerk:

Pursuant to the authority vested in me by Section 1 of Chapter 642 of the Acts of 1966, I hereby appoint Donald Wright of 72 Bowdoin Street, Dorchester, MA 02124 to the Public Facilities Commission, effective immediately. Mr. Wright will serve for a term expiring on January 5, 2026.

Thank you for your attention to this matter.

Sincerely,

  
Michelle Wu  
Mayor of Boston



*City of Boston, Massachusetts*  
*Office of the Mayor*  
**Michelle Wu**

**May 2, 2023**

AFSCME COUNCIL 93  
AFL-CIO Housing Trust Fund  
8 Beacon Street, 8th Floor  
Boston, MA 02108

Re: Trustee Appointment

Per the Agreement and Declaration of Trust for the City of Boston-AFSCME Council 93, AFL-CIO Housing Trust Fund, Article III, Section 3.1, and to fill a vacancy, I hereby appoint the following Employer/Management Trustee:

**Maya Getter of 3305 Washington Street, Unit 202, Boston, MA 02130.**

This Member will serve a term expiring on January 10, 2025, provided that members may continue to serve until a successor is appointed.

Thank you for your attention to this matter.

Sincerely,

Michelle Wu  
Mayor of Boston





City of Boston, Massachusetts  
Office of the Mayor  
**Michelle Wu**

**May 2, 2023**

AFSCME COUNCIL 93  
AFL-CIO Housing Trust Fund  
8 Beacon Street, 8th Floor  
Boston, MA 02108

Re: Trustee Appointment

Per the Agreement and Declaration of Trust for the City of Boston-AFSCME Council 93, AFL-CIO Housing Trust Fund, Article III, Section 3.1, and to fill a vacancy, I hereby appoint the following Employer/Management Trustee:

**John Romano of 22 Thacher Street, Apartment 2, Boston, MA 02113.**

This Member will serve a term expiring on January 10, 2025, provided that members may continue to serve until a successor is appointed.

Thank you for your attention to this matter.

Sincerely,

A handwritten signature in black ink, appearing to be "Michelle Wu", with a horizontal line extending to the right.

Michelle Wu  
Mayor of Boston



## **CITY OF BOSTON IN CITY COUNCIL**

**IN THE YEAR TWO THOUSAND TWENTY-THREE**

### **AN ORDINANCE AMENDING CITY COUNCIL ELECTORAL DISTRICTS**

*Be it ordained by the City Council of Boston as follows:*

#### SECTION 1.

City of Boston Code, Ordinances, Chapter Two is hereby amended by striking Section 2-9.2, as amended by Chapter 6 of the Ordinances of 2012, and inserting in its place the following: –

The districts redrawn under authority of Chapter 605 of the Acts of 1982, as amended by Chapter 343 of the Acts of 1986, are hereby redrawn by dividing the two-hundred and seventy-five voting precincts of the City for the purpose of electing City Councillors to represent the following nine districts: –

*District One.* A total of twenty-eight precincts, consisting of precincts numbered one through fourteen of Ward One; precincts numbered one through eight of Ward Two; and precincts numbered one through four, six, and eleven of Ward Three.

*District Two.* A total of twenty-nine precincts, consisting of precincts numbered eight, twelve, thirteen and fourteen of Ward Three; precincts numbered two, three, five, and six of Ward Four; precincts numbered one and thirteen of Ward Five; precincts numbered one through twelve of Ward Six; precincts numbered one through seven of Ward Seven.

*District Three.* A total of thirty-seven precincts, consisting of precinct numbered fifteen of Ward One; precincts numbered seven, fifteen and sixteen of Ward three; precincts numbered one of Ward Four; precincts numbered fourteen of Ward Five; precincts numbered eight through ten of Ward Seven; precincts numbered one, two, and six of Ward Eight; precinct numbered one of Ward Nine; precincts numbered three and five through ten of Ward Thirteen; precincts numbered three, four, six, eight, and nine of Ward Fifteen; precincts numbered one through twelve of Ward Sixteen.

*District Four.* A total of thirty-two precincts, consisting of precincts numbered one through thirteen of Ward Fourteen; precincts numbered one, two, five and seven of Ward Fifteen; precincts numbered one through fourteen of Ward Seventeen; and precinct numbered one of Ward Eighteen.

*District Five.* A total of thirty precincts, consisting of precinct numbered fourteen of Ward Fourteen; precincts numbered two through twenty-three of Ward Eighteen; precincts numbered ten through thirteen of Ward Nineteen; and precincts numbered two, four, and nine of Ward Twenty.

*District Six.* A total of thirty-six precincts, consisting of precincts numbered six through nine of Ward Ten; precincts numbered four through ten of Ward Eleven; precincts numbered one through nine of Ward Nineteen; and precincts numbered one, three, five through eight, and ten through twenty-one of Ward Twenty.

*District Seven.* A total of twenty-eight precincts, consisting of precincts numbered four, eight, nine, and eleven of Ward Four; precincts numbered three through five of Ward Eight; precincts numbered two through seven of Ward Nine; precincts numbered one through three of Ward Eleven; precincts numbered one through nine of Ward Twelve; and precincts numbered one, two, and four of Ward Thirteen.

*District Eight.* A total of twenty-six precincts, consisting of precincts numbered five, nine, ten, and seventeen of Ward Three; precincts numbered seven, ten, and twelve of Ward Four; precincts numbered two through twelve and fifteen of Ward Five; precincts numbered one through five of Ward Ten; and precincts numbered one and two of Ward Twenty-One.

*District Nine.* A total of twenty-seven precincts, consisting of precincts numbered three through sixteen of Ward Twenty-One; and, precincts numbered one through thirteen of Ward Twenty-Two.

## SECTION 2.

Chapter 4 of the Ordinances of 1993, Chapter 7 of the Ordinances of 2002, and Chapter 6 of the Ordinances of 2012 are hereby severally repealed.

## SECTION 3.

The districts drawn under this ordinance shall take effect on the first Monday in January following the next regular municipal election to be held in the municipal year 2023 and shall continue in force until redrawn by the City Council.

Filed on: May 15, 2023

OFFERED BY COUNCILOR RUTHZEE LOUIJEUNE



**CITY OF BOSTON**  

---

**IN THE YEAR TWO THOUSAND TWENTY THREE**  

---

**AN ORDINANCE AMENDING  
CITY COUNCIL ELECTORAL DISTRICTS**

**SECTION 1.**

City of Boston Code, Ordinances, Chapter Two is hereby amended by striking Section 2-9.2, as amended by Chapter 6 of the Ordinances of 2012, and inserting in its place the following: –

The districts redrawn under authority of Chapter 605 of the Acts of 1982, as amended by Chapter 343 of the Acts of 1986, are hereby redrawn by dividing the two-hundred and seventy-five voting precincts of the City for the purpose of electing City Councilors to represent the following nine districts: –

*District One:* consisting of precincts numbered one through fourteen of Ward One; precincts one through eight of Ward Two; and precincts numbered one through four, six, eleven and thirteen of Ward Three.

*District Two:* consisting of precincts numbered seven, eight, twelve, fourteen through sixteen of Ward Three; precincts one through three, and six of Ward Four; precincts one, thirteen and fourteen of Ward Five; precincts one through twelve of Ward Six; precincts one through six of Ward Seven

*District Three:* consisting of precinct numbered fifteen of Ward One; precincts seven through ten of Ward Seven; precincts one, two, and eight of Ward Eight; precinct one of Ward Nine; precincts three and five through ten of Ward Thirteen; precincts one, three, four, and six through nine of Ward Fifteen; precincts one through twelve of Ward Sixteen

*District Four:* consisting of precincts numbered one through fourteen of Ward Fourteen; precincts two and five of Ward Fifteen; precincts one through fourteen of Ward Seventeen; precincts one and two of Ward Eighteen;

*District Five:* consisting of precincts numbered three through twenty three of Ward Eighteen; precincts ten through thirteen of Ward Nineteen; precincts two, four, eight and nine of Ward Twenty;

*District Six:* consisting of precincts numbered six through nine of Ward Ten; precincts four through ten of Ward Eleven; precincts one through nine of Ward Nineteen; one, three, five through seven, and ten through twenty one of Ward Twenty

*District Seven:* consisting of precincts numbered four, five, eight, nine, and eleven of Ward Four; precincts three through five of Ward Eight; precincts two through seven of Ward Nine; precincts one through three of Ward Eleven; precincts one through nine of Ward Twelve; precincts one, two, and four of Ward Thirteen;

*District Eight:* consisting of precincts numbered five, nine, ten and seventeen of Ward Three; precincts seven, ten, and twelve of Ward Four; precincts two through twelve of Ward Five; precincts one through five of Ward Ten; precincts one and two of Ward Twenty One

*District Nine:* consisting of precincts numbered three through sixteen of Ward Twenty One; and precincts one through thirteen of Twenty Two

## SECTION 2.

Chapter 4 of the Ordinances of 1993, Chapter 7 of the Ordinances of 2002, and Chapter 6 of the Ordinances of 2012 are hereby severally repealed.

## SECTION 3.

The districts drawn under this ordinance shall take effect on the first Monday in January following the next regular municipal election to be held in the municipal year 2023 and shall continue in force until redrawn by the City Council.

Filed in Council: May 17th, 2023



## CITY OF BOSTON IN CITY COUNCIL

### ORDER FOR A HEARING TO EXPLORE THE SPECIFIC NEEDS OF LATINO AND CARIBBEAN RESIDENTS IN THE CITY OF BOSTON

**WHEREAS,** The Latino and Caribbean communities are an integral part of the City of Boston, comprising a significant portion of the population, 18.8% and 8.55 respectively, and contribute greatly to the city's economic, cultural, and social fabric; *and*

**WHEREAS,** Boston's Latinos are concentrated in lower-paying occupational sectors, such as services and production jobs. Not only do these jobs pay low they often don't offer many benefits; *and*

**WHEREAS,** Boston's older Latino population is experiencing significant health and economic needs and facing barriers to accessing benefits and social services. They have high risk of disability, chronic disease, and co-morbidities, *and*

**WHEREAS,** Only 15.7% of Caribbean immigrants and 18% of Latinos have attained a Bachelor's or higher, highlighting the need for increased access to higher education and job training programs to improve economic opportunities for these communities; *and*

**WHEREAS,** Latinos have the lowest homeownership rate in Boston, with only 16% owning homes compared to one third of Whites and half of Blacks, while Caribbean immigrants are more likely to rent their homes than the overall population, with 68% of Caribbeans renting in the metro area. Latino and Afro-Latino households are denied mortgages at significantly higher rates than White households. The highest rate of home loan denials is experienced by Afro-Latinos. Evictions in Boston are coming back up by nearly 75% from last year, and Latino have the highest rates of eviction in Boston area; *and*

**WHEREAS,** Approximately 23% of all Caribbean immigrants in Boston live in poverty, and Caribbean immigrants have higher rates of poverty than the rest of the population. Similarly, the median per capita income in 2015 for Latino residents was \$17,787; *and*

**WHEREAS,** Latino people in Massachusetts were more likely to report having utilized mental health services than White and Black people. Research has shown that Latino adolescents who are more recent immigrants, who have less parent and teacher support, who have different gender-role behavior expectations than their parents, and experience bullying or exclusion have greater likelihood of developing depression and/or anxiety. Parents of Latino children were nearly three times as likely to ever having been told their children had depression compared to the parents of non-Latino children; *and*

**WHEREAS,** Latino youth are at risk for joining gangs because of school-related problems, negative labeling, and school and neighborhood safety concerns. Latino youth are more likely to be incarcerated than white youth; *and*

**WHEREAS,** Latinx LGBTQ youth experience bullying and harassment at greater rates than other youth, with multi-racial Latinex youth (read: Afro-Latino) experiencing this at the highest rates: 34% of Latinx LGBTQ youth in MA experience bullying, 35% of Latinx youth in MA skipped school because they felt unsafe, 22% have been threatened or injured with a weapon at school, 62% have seriously considered suicide, and 37% have made a suicide attempt; *and*

**WHEREAS,** There is a need for a dedicated office within city government to address the needs and concerns of Latino and Caribbean communities in Boston to ensure their voices are heard and their interests are represented. Greater Boston Latino Network's research has documented that the representation of Latino/as in government's executive positions and boards and commissions is well below the representation of Latino population of the state and there continues to be significant under-representation; *and*

**WHEREAS,** Other cities, such as Washington, D.C., have established similar offices to support their Latino and Caribbean communities, and have seen positive outcomes in terms of increased civic engagement, improved access to city services, and strengthened community partnerships; ***NOW THEREFORE BE IT***

**ORDERED:** That the appropriate Committee of the Boston City Council hold a hearing to discuss the possibility of creating an Office of Latino and Caribbean Affairs in the City of Boston. Representatives from the Mayor's Office of Equity and Inclusion, the Mayor's Office of Immigrant Advancement, and Language and Communication Access as well as other relevant and interested parties shall be invited to attend.

Filed in Council: May 17, 2023



## CITY OF BOSTON IN CITY COUNCIL

### ORDER IMPLEMENTING AN ANTI-BULLYING POLICY FOR BOSTON CITY COUNCIL

- WHEREAS,** Having a professional and welcoming work environment is critical to the functioning of the Boston City Council, and everyone in the City Council should be treated with respect and dignity; *and*
- WHEREAS,** Workplace bullying is never acceptable, and any complaints of bullying are taken seriously and documented; *and*
- WHEREAS,** Currently, City Councilors, employees, volunteers, and interns need to sign a policy acknowledgement of the “Boston City Council Policy on Discrimination, Sexual & Other Forms of Harassment and Retaliation”, but there is currently no City Council policy on workplace bullying; *and*
- WHEREAS,** Having a policy on workplace bullying will clearly communicate to all City Council employees that bullying is not tolerated, as well as set expectations of workplace conduct, and outline complaint mechanisms if there is an instance of bullying; ***NOW, THEREFORE BE IT***
- ORDERED:** That the Boston City Council adopt an Anti-Bullying Policy as follows.

Filed on: May 17, 2023



# BOSTON CITY COUNCIL



[www.boston.gov/citycouncil](http://www.boston.gov/citycouncil)  
[city.council@boston.gov](mailto:city.council@boston.gov)

One City Hall Square ♦ 5th Floor ♦ Boston, MA 02201 ♦ Phone: (617) 635-3040 ♦ Fax: (617) 635-4203

## BOSTON CITY COUNCIL POLICY ON WORKPLACE BULLYING

### Introduction

The Boston City Council ("the Council") is committed to providing a welcoming, safe and inclusive environment for all employees and visitors. The policies set forth are meant to create an equitable, safe, and healthy work environment, where employees are treated with dignity and respect.

Employees are encouraged to bring forward complaints of inappropriate, offensive, and intimidating actions. The policies hold Councilors and senior staff accountable to expeditiously report instances of potential policy violations. Complaints will be addressed in a timely and sensitive manner and measures will be taken to correct policy violations and stop future occurrences.

### Policy Statement

The purpose of this policy is to communicate to all employees that the City Council will not in any instance tolerate bullying behavior. Employees found in violation of this policy will be disciplined, up to and including termination.

Employees are expected to conduct themselves in a professional manner when interacting with colleagues and members of the public.

All complaints of bullying will be taken seriously and treated with sensitivity and respect. To the degree possible, confidentiality will be maintained for complaints. The Council will not tolerate any form of retaliation against a person making a complaint or for cooperating in the investigative procedure of such a complaint.

This policy applies to all persons employed by the Boston City Council, including Councilors, staff, volunteers, and interns, collectively referred to as "employees" herein.

### Definition of Bullying Behavior

Boston City Council defines bullying as intentional, persistent, malicious, unwelcome, severe, or pervasive conduct that harms, intimidates, offends, degrades, or humiliates an employee, whether verbal (including written or electronic) or physical, at the place of work or in the course of employment. Workplace bullying is behavior that a reasonable person would find to be hostile or offensive.

## *Examples*

The following are some examples of conduct that may constitute bullying:

- **Verbal Bullying.** Slandering, ridiculing or maligning a person; name-calling; use of derogatory remarks, insults and epithets; using a person as the butt of jokes; abusive and offensive remarks.
- **Physical Bullying.** Pushing, shoving, kicking, poking, tripping, assault or threat of physical assault; damage to a person's work area or property.
- **Gesture Bullying.** Nonverbal gestures that can convey threatening messages.
- **Exclusion.** Socially or physically excluding a person in work-related activities.

Bullying is prohibited whether it takes place in or outside of Boston City Hall, including at social events, off-site meetings, or through email, social media and other electronic means.

In addition, the following examples may constitute or contribute to evidence of bullying in the workplace:

- Persistent singling out of one person.
- Shouting or raising one's voice at an individual in public or in private.
- Using obscene or intimidating gestures.
- Not allowing the person to speak or express himself or herself (i.e., ignoring or interrupting).
- Personal insults and use of offensive nicknames.
- Public humiliation in any form.
- Constant criticism on matters unrelated or minimally related to the person's job performance or description.
- Public reprimands.
- Repeatedly accusing someone of errors that cannot be documented.
- Deliberately interfering with mail and other communications.
- Spreading rumors and gossip regarding individuals.
- Encouraging others to disregard a supervisor's instructions.
- Manipulating the ability of someone to do his or her work (e.g., overloading, underloading, withholding information, setting deadlines that cannot be met, giving deliberately ambiguous instructions).
- Assigning menial tasks not in keeping with the normal responsibilities of the job.
- Taking credit for another person's ideas.
- Refusing reasonable requests for leave in the absence of work-related reasons not to grant leave.
- Deliberately excluding an individual or isolating him or her from work-related activities, such as meetings.
- Making threats about job security without foundation.
- Unwanted physical contact, physical abuse or threats of abuse to an individual or an individual's property (defacing or marking up property).

Bullying conduct does not include:

- A single incident of unreasonable behavior.
- Disciplinary action taken in accordance with applicable law, regulation or policy.
- Routine coaching and counseling, including feedback about and correction of work performance or conduct.
- Exercising management's prerogative to appoint, promote, transfer, or reassign an employee, to direct or assign work, and to determine and redetermine the methods and means by which an agency's functions will be carried out.
- Individual differences in styles of personal expression which may lead to conflict, provided that the expression is not meant to intimidate.
- Having differences of opinion on work-related concerns.

## **Notification**

Individuals who feel they have experienced bullying should report this to their supervisor before the conduct becomes severe or pervasive. All employees are strongly encouraged to report any bullying conduct they experience or witness as soon as possible.

Employees may notify a Councilor, Chief of Staff, Central Staff Director, or supervisor regarding any incident whether it is intended or not, that is unwelcome, and has the effect of creating a work environment that is hostile, offensive, intimidating or humiliating to an employee, regardless of the alleged's intentions.

In the event that a complaint cannot be brought to the attention of those listed in the paragraph above, because they themselves are at fault for the incident or unavailable, employees may directly notify the City of Boston Human Resources Department.

## **Complaints Procedures**

Once a Councilor, Chief of Staff, Staff Director, or supervisor is notified of an incident, it must be reported to the Office of Human Resources, at which point the City of Boston will promptly begin an investigative procedure. The results of such investigations will be shared with the managing Councilor, if the offender is a staffer; or the City Council President, if the offender is a City Councilor; in order to determine corrective action.

Any employee of the Council who is found after an investigation to have violated this policy will be subject to disciplinary action **up to and including termination.**

## ***Outside Complaints Mechanism***

A person who has been subject to sexual harassment, harassment, discrimination, retaliation or other inappropriate conduct can also make a complaint outside of the City of Boston. At any time, Council employees may file a complaint through State or Federal agencies or courts empowered to enforce anti-harassment, anti-discrimination, and anti-retaliation laws.

## **STATE**

Massachusetts Commission Against Discrimination (MCAD)  
One Ashburton Place  
Boston, MA 02108  
617-994-6000  
*within 300 days from date of violation*

## **FEDERAL**

United States Equal Employment Opportunity Commission (EEOC)  
JFK Federal Building, Room 601  
475 Government Center  
Boston, MA 02203  
617-565-3200  
*within 300 days from date of violation*

## **Implementation**

It is the responsibility of the Staff Director and each Chief of Staff to ensure that all employees, staff, volunteers, and interns who report to them are aware of this policy.

Each Council office will ensure that a copy of this policy is provided to all of its employees, staff, volunteers, and interns on or before an employee's start date of hire, and will retain a signed record of acknowledgment that all staff members have read and understand the policy. The Staff Director will ensure the same for all Central Staff employees

and volunteers. The annual distribution of office conduct policies shall include this anti-bullying policy moving forward.

New Staff information sessions hosted by Central Staff shall include information on this policy.

**BOSTON CITY COUNCIL POLICY ON WORKPLACE BULLYING**

**ACKNOWLEDGEMENT OF RECEIPT**

I acknowledge receiving a copy of the Boston City Council's **Policy on Workplace Bullying**.

---

Employee Name (please print)

---

Employee Signature

---

Date

*\*\*To be placed in employee's personnel file.*

OFFERED BY COUNCILOR TANIA FERNANDES ANDERSON



## CITY OF BOSTON IN CITY COUNCIL

### RESOLUTION RECOGNIZING MALCOLM X'S BIRTHDAY, MAY 19TH, AS A BOSTON MUNICIPAL HOLIDAY AND HONORING MALCOLM X'S LEGACY BY ESTABLISHING AND INCLUDING MALCOLM X IN BOSTON'S BLACK HERITAGE TRAIL.

- WHEREAS,** Malcolm X, born Malcolm Little, was the fourth of eight children, to Louis Little, a homemaker, and Earl Little, a preacher and active member of Marcus Garvey's Universal Negro Improvement Association, on May 19th, 1925 in Omaha, Nebraska; *and*
- WHEREAS,** Malcolm X and his family were the targets of a substantial amount of white supremacist violence during his youth; it is likely that his father was murdered due to his role in Garvey's Universal Negro Improvement Association, leaving his mother a widow; *and*
- WHEREAS,** Malcolm X continued to experience trauma after his mother was committed to a mental health asylum under unclear circumstances in 1939, from which his siblings and he were separated and dispersed to various foster homes or to live with extended family members; *and*
- WHEREAS,** In the early 1940s, as a teenager, Malcolm X moved to Boston at the behest of his older sister Ella Collins, and lived for several years in the neighborhood of Roxbury at 72 Dale St, across from what is now recognized as Malcolm X Park; *and*
- WHEREAS,** During the early and mid-1940s, Malcolm X resided in Boston, spending a significant amount of time around the area of Massachusetts Avenue and Columbus Avenue, which is now known as Jazz Square, where he worked in historically esteemed establishments such as Boston's Savoy Ballroom, and attending shows at the Hi Hat Lounge, where he met and formed a friendship with Billie Holiday; *and*
- WHEREAS,** In 1946, Malcolm X was arrested on charges of burglary and sentenced to a grossly disproportionate term in Charleston State Prison, though the two white women involved in the same escapades received significantly lesser sentences, he would remain in prison until 1952; *and*

**WHEREAS,** While incarcerated, Malcolm X recovered from addiction, dedicated himself to self-improvement, educated himself by reading voraciously, and joined the Nation of Islam, all prior to his release from prison in 1952; *and*

**WHEREAS,** Following his release from Charlestown State Prison, Malcolm X became a Minister for the Nation of Islam (NOI), a fierce human rights advocate, and a prominent leader in the Civil Rights movement who fought for the rights of Black people in the United States and around the world, influencing the work of various Civil Rights and Black Nationalist organizations during the 1950s and 1960s; *and*

**WHEREAS,** In 1964, Malcolm X parted ways with the Nation of Islam over ideological and personal differences that arose between the organization and him, and independently founded the Muslim Mosque, Inc., an Islamic movement and organization devoted to engaging in both spiritual and political practices; *and*

**WHEREAS,** Additionally, in 1964, Malcolm X made his first pilgrimage to Mecca and returned for a second trip to several African and Arab nations, at which time he received a new name, El-Hajj Malik El-Shabazz, and met with several African leaders, including Kwame Nkrumah, and Ahmed Ben Bella; *and*

**WHEREAS,** In 1964, El-Hajj Malik El-Shabazz (Malcolm X) also founded the Organization of Afro-American Unity, a secular political organization, inspired by the Organization of African Unity, and instituted to fight for the liberation and self-determination of all Black people in the United States; *and*

**WHEREAS,** El-Hajj Malik El-Shabazz (Malcolm X) was assassinated on February 21st, 1965, at 39 years old while speaking at an Organization of Afro-American Unity event at the Audubon Ballroom in New York City;

**WHEREAS,** The New York Police Department demonstrated inaction in their investigation, despite evidence such as surveillance footage collected, which recorded the perpetration of heinous acts, including the firebombing of Malcolm X's home precisely one week before his murder; *and*

**WHEREAS,** Malcolm X left us with many speeches and written works collected within classic texts such as “Malcolm X Speaks”, “The Evolution of a Revolutionary”, and the “The Autobiography of Malcolm X”, which have become pioneering pieces of the historical literature of the Civil Rights, Black Nationalist, Human Rights, and Black Power Movements in the United States; *and*

**WHEREAS,** El-Hajj Malik El-Shabazz’s (Malcolm X) unique teachings and activism strategies retain their impact in the fight for racial justice across the globe, contributing to Black liberation and inspiring countless individuals and advocacy groups, from the Black Panther Party to the noteworthy Black Lives Matter movement; *and*

**WHEREAS,** Many other American cities have recognized Malcolm X's birthday as a holiday, incorporating his unprecedented accomplishments within their educational curriculums, and continue to bring together thousands of community leaders, artists, and vendors to gather in the celebration of unity and Malcolm X's contributions to the African-American community; *and*

**WHEREAS,** Had Malcolm X's life not been taken from us so soon by the forces of racial oppression, our nation would have further benefited from his relentless fight for justice. There will never be another liberator and warrior like Malcolm X - Our nation needs to atone for the harm that was inflicted upon African-Americans and their freedom fighters; *and*

**WHEREAS,** Recognizing Malcolm X's birthday would give the City of Boston the opportunity to commemorate his legacy and contributions, and preserve our history, culture, and identity. Boston's African American community deserves intentional reconciliatory action; ***NOW, THEREFORE BE IT***

**RESOLVED:** That the Boston City Council hereby acknowledges Malcolm X's legacy by recognizing May 19th, El-Hajj Malik El-Shabazz's (Malcolm X) birthday as a municipal holiday; ***AND BE IT FURTHER***

**RESOLVED:** That the City of Boston designate and develop a site on Malcolm X Boulevard, to commission the creation of a Malcolm X Statue as an addition to the Black Heritage Trail; ***AND BE IT FURTHER***

**RESOLVED:** That the City of Boston enhance existing plaques, renovate, and register Malcolm X - Ella Little Collins House (72 Dale Street, Roxbury) in Boston's Black Heritage Trail; ***AND BE IT FURTHER***

**RESOLVED:** That the Boston City Council support and engage with community processes to discuss extending Malcolm X Blvd. to rename Dudley Street in Roxbury Malcolm X Boulevard.

Filed on: May 17, 2023



**BOSTON CITY COUNCIL**  
**CITY COUNCIL**

May 11, 2023

Councilor Flynn

**ORDERED:** That effective Saturday, June 3, 2023 the following named person be, and hereby is, appointed to the position set against their name until Thursday, August 31, 2023.

BiWeekly Payroll

Cierra Thompson	Legislative Assistant(Seasonal)	\$1,575.00	full time
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**BOSTON CITY COUNCIL**  
**CITY COUNCIL**

May 11, 2023

Councilor Flynn

**ORDERED:** That effective Saturday, June 10, 2023 the following named person be, and hereby is, appointed to the position set against their name until Thursday, August 31, 2023.

BiWeekly Payroll

Cora Funke	Legislative Assistant(Seasonal)	\$1,575.00	full time
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**BOSTON CITY COUNCIL**  
**CITY COUNCIL**

May 15, 2023

Councilor Flynn

**ORDERED:** That effective Saturday, May 27, 2023 the following named person be, and hereby is, appointed to the position set against their name until Friday, June 2, 2023.

BiWeekly Payroll

Ana E. Calderon	Secretary	\$3,422.72	full time
Charles Levin	Secretary	\$3,903.49	full time
Melissa Lo	Secretary	\$4,826.93	full time
Sophia Wang	Secretary	\$3,653.49	full time
Vanessa Woo	Administrative Asst.	\$3,538.11	full time

**BOSTON CITY COUNCIL**  
**CITY COUNCIL**

May 15, 2023

Councilor Flynn

**ORDERED:** That effective Saturday, June 3, 2023 the following named person be, and hereby is, appointed to the position set against their name until Friday, June 16, 2023.

BiWeekly Payroll

Ana E. Calderon	Secretary	\$2,307.70	full time
Charles Levin	Secretary	\$3,269.24	full time
Melissa Lo	Secretary	\$1,653.86	full time
Sophia Wang	Secretary	\$2,769.24	full time
Vanessa Woo	Administrative Asst.	\$2,538.48	full time



# Boston City Council

## Legislative Calendar for the May 17, 2023 Session

### Sixty Day Orders

The following ordinances, appropriations and/or orders recommended by the Mayor for passage by the City Council become effective after the date specified unless previously acted upon<sup>1</sup>

**<sup>1</sup>Section 17E of Chapter 452 of the Acts of 1948 (as amended):**

*The mayor from time to time may make to the city council in the form of an ordinance or loan order filed with the city clerk such recommendations as he may deem to be for the welfare of the city. The City Council shall consider each ordinance or loan order so presented and shall either adopt or reject the same within sixty days after the date when it is filed as aforesaid. If such ordinance or loan order is not rejected within sixty days, it shall be in force as if adopted by the city council unless previously withdrawn by the mayor.*

**In effect after June 14, 2023,** Message and order for your approval of the ordinance hat all members of Building Remissions Reduction and Disclosure Review Board (BERDO) as defined under Section(s) of the City of Boston Code, Ordinances, Chapter VII, section 7-2.2 shall be deemed as special municipal employees for the purposes of Chapter 268A of the General Law. (Docket #0812)

**In effect after June 14, 2023, in accordance with Section 15 of Chapter 190 of the Acts of 1982, as amended.** Orders for the FY24 Operating Budget, including annual appropriations for departmental operations, annual appropriation for the School Department, and appropriation for other post-employment benefits (OPEB). (Dockets #0760-0762).

**In effect after June 9, 2023, in accordance with Section 15 of Chapter 190 of the Acts of 1982, as amended.** Orders for appropriations from the Capital Grant Fund. (Dockets #0763 #0765 #0766)

**In effect after June 9, 2023, in accordance with Section 1.17E of Chapter 376 of the Acts of 1951, as amended.** Orders for the FY24 Capital Budget, including loan orders and lease-purchase agreements. (Dockets #0764, 0767-0768)

**In effect after June 2, 2023,** Message and order for your approval an Ordinance Governing Construction and Demolition Operations in the City of Boston.(Docket #0710)





## Unanswered Section 17F Orders<sup>2</sup>

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**4/12/2023-** Order requesting certain information under Section 17F re: Moakley Bridge light poles and infrastructure. (Docket #0793)

**5/10/2023-** Order requesting certain information under Section 17F re: BPS Student Enrollment. (Docket #0915)

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### **2 - Section 17F of Chapter 452 of the Acts of 1948 (as amended):**

*The city council may at any time request from the mayor specific information on any municipal matter within its jurisdiction, and may request his presence to answer written questions relating thereto at a meeting to be held not earlier than one week from the date of the receipt of said questions, in which case the mayor shall personally, or through a head of a department or a member of a board, attend such meeting and publicly answer all such questions. The person so attending shall not be obliged to answer questions relating to any other matter.*



## *Home Rule Petitions Not Responded to by the Mayor<sup>3</sup>*

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### *<sup>3</sup>Section 22 of Chapter 190 of the Acts of 1982:*

*Every order of the city council approving a petition to the general court pursuant to Clause (1) of Section 8 of Article 2 of the amendments to the Constitution of the Commonwealth shall be presented to the mayor who shall forthwith consider the same, and, within fifteen days of presentation, either approve it, or file with the city council a statement in detail of his reasons for not approving the same, including any objection based on form, on content, or both; provided, that no such order shall be deemed approved or in force unless the mayor affixes his signature thereto.*

## *Matters in Committee*

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The following matters were previously filed with the City Council and have been referred to a committee. Matters in committee can be brought back before the City Council pursuant to City Council Rule 24. The following *definitions* describe different types of matters in committee:

- Ordinances:*** Local laws enacted by the Boston City Council and the Mayor that become part of the City Code of Ordinances.
- Loan Orders:*** Authorization for the City of Boston to incur debt and expend money for projects, purchases, or other obligations.
- Orders:*** Directives that authorize action. Orders are legally binding but are not part of the City Code of Ordinances.
- Home Rule Petitions:*** Requests for special acts that concern a particular municipality. Home Rule Petitions require approval of the Boston City Council and Mayor, as well as passage by the state legislature.
- Order for a Hearing:*** A formal request sponsored by a councilor that a committee of the Boston City Council conduct a hearing about a particular matter, issue, or policy that impacts the City of Boston. An Order for a Hearing is not a law and is not voted on by the City Council. The only action concerning an Order for a Hearing that can be taken at a City Council meeting is the administrative action of placing it on file.
- Legislative Resolution:*** A recommendation concerning policy issues that may urge action on particular matters. Legislative resolutions have no legal effect. Legislative resolutions represent a particular position or statement by a Councilor, Councilors, or the City Council as a whole.

## 2023 MATTERS IN COMMITTEE

Committee	Docket #	Sponsor	Co-Sponsor(s)	Docket Description	Date Referred	Hearing(s)	Notes
<b>Arts, Culture &amp; Special Events</b>	0335	Worrell	Flynn, Louijeune	Order for a hearing to bring the 2026 NBA All-Star Weekend to Boston.	2 /1 /2023		
<b>Arts, Culture &amp; Special Events</b>	0334	Lara		Order for a hearing regarding winter placemaking and Boston as a 'Winter City'.	2 /1 /2023	3/21/23	3/22/23 Remains in Committee
<b>Arts, Culture &amp; Special Events</b>	0675	Mayor		Message and order authorizing the City of Boston to accept and expend the amount of Four Million Six Hundred One Thousand Five Hundred Eighty-Nine Dollars (\$4,601,589.00) in the form of a grant for the Government Center Garage/Hub on Causeway Arts and Placemaking Fund, awarded by the Boston Planning Development Agency to be administered by the Mayor's Office of Arts and Culture. The grant will fund public art and placemaking, including seed funding for City Hall Plaza programming.	3 /29/2023		
<b>Arts, Culture, &amp; Special Events</b>	0260	Coletta	Breadon, Fernandes	Order for a hearing to address the loss of rehearsal spaces for musicians in the City of Boston.	1 /25/2023	3/7/23	3/8/23 remains in committee
<b>Boston's COVID-19 Recovery</b>	0159	Bok	Breadon, Worrell	Order for a hearing regarding a review of COVID-19 recovery funds.	1 /11/2023	3/6/23	3/8/23 remains in committee
<b>Boston's COVID-19 Recovery</b>	0162	Bok	Worrell, Coletta	Order for a hearing regarding enhancing Boston's COVID recovery via competitive federal grants provided by the B.I.L. and I.R.A.	1 /11/2023	4/14/23	
<b>City Services &amp; Innovation Technology</b>	0144	Flynn	Breadon	Order for a hearing to discuss pest control in the City of Boston.	1 /11/2023	4/11/23	4/12/23 Remains in Committee
<b>City Services &amp; Innovation Technology</b>	0145	Flynn	Flaherty	Order for a hearing to discuss the safety of light poles, bridges, and other public infrastructure in the City of Boston.	1 /11/2023	4/4/23	4/5/23 Remains in Committee

Committee	Docket #	Sponsor	Co-Sponsor(s)	Docket Description	Date Referred	Hearing(s)	Notes
City Services & Innovation Technology	0146	Coletta	Flynn	Order for a hearing regarding the coordination of construction and utility permits.	1 /11/2023	4/19/23	
City Services & Innovation Technology	0154	Louijeune	Flaherty, Breadon	Order for a hearing on fire and emergency disaster relief services in the City of Boston.	1 /11/2023	4/3/23	4/5/23 Remains in Committee
City Services & Innovation Technology	0160	Bok	Worrell	Order for a hearing regarding the supplemental sidewalk clearance program during snowstorms in Boston.	1 /11/2023		
City Services & Innovation Technology	0258	Fernandes Anderson	Arroyo, Worrell	Order for a hearing to explore a digital marketplace pilot program.	1 /25/2023		
City Services & Innovation Technology	0259	Fernandes Anderson		Order for a hearing to discuss renaming the Roxbury branch of the Boston Public Library to the Nubian Library.	1 /25/2023	4/19/23	
City Services & Innovation Technology	0340	Lara		Order for a hearing to discuss the rise in public consumer energy costs.	2 /1 /2023		3/28/23 Hearing (canceled) 3/29/23 remains in committee
City Services & Innovation Technology	0378	Fernandes Anderson	Flaherty, Flynn	Order for a hearing to increase the pay for Municipal Officers.	2 /8 /2023		
City Services & Innovation Technology	0416	Bok	Breadon, Lara	Order for a hearing to discuss city services in regard to composting and the need of composting capacity in new construction and large buildings in Boston.	2 /15/2023		
City Services & Innovation Technology	0417	Bok	Flynn, Mejia	Order for a hearing to discuss digital equity and municipal broadband in relation to affordable housing in the City of Boston.	2 /15/2023	3/31/23	
City Services & Innovation Technology	0629	Worrell	Louijeune, Coletta	Order for a hearing regarding providing technical assistance to civic associations.	3 /22/2023		

Committee	Docket #	Sponsor	Co-Sponsor(s)	Docket Description	Date Referred	Hearing(s)	Notes
City Services & Innovation Technology	0724	Coletta	Flaherty	Order for a hearing to discuss the digitization and tracking of parking regulations.	4 /5 /2023		
City Services & Innovation Technology	0725	Mejia		Order for a hearing on contract and payroll implementation for unions in Boston Public Schools.	4 /5 /2023		
City Services & Innovation Technology	0832	Flynn	Coletta	Order for a hearing to discuss the creation of an Office of Pest Control in the City of Boston.	4 /26/2023		
City Services & Innovation Technology	0894	Mayor		Message and order for your approval an Order to reduce the FY23 appropriation for the Reserve for Collective Bargaining by Two Hundred Six Thousand Six Dollars (\$206,006.00) to provide funding for the Boston Public Schools for the FY23 increases contained within the collective bargaining agreements between the Boston Public Schools and the Boston School AFSCME Lunch Monitors.	5 /10/2023		
City Services & Innovation Technology	0895	Mayor		Message and order for a supplemental appropriation Order for the Boston Public Schools Department for FY23 in the amount of Two Hundred Six Thousand Six Dollars (\$206,006.00) to cover the FY23 cost items contained within the collective bargaining agreement between the Boston Public Schools and the Boston School Lunch Monitors. The terms of the contracts are September 1, 2020 through August 31, 2023. The major provisions of the contract include base wage increases of 2%, in December 2020 and 2.5% to be given in September of 2021 and September of 2022. Filed in the Office of the City Clerk on May 8, 2023.	5 /10/2023		
City Services & Innovation Technology	0896	Mayor		Message and order for your approval an Order to reduce the FY23 appropriation for the Reserve for Collective Bargaining by Sixty Eight Thousand Seven Hundred Sixty-Nine Dollars (\$68,769.00) to provide funding for the Boston Public Schools for the FY23 increases contained within the collective bargaining agreements between the Boston Public Schools and the Boston School Police Superior Officers Federation.	5 /10/2023		

Committee	Docket #	Sponsor	Co-Sponsor(s)	Docket Description	Date Referred	Hearing(s)	Notes
City Services & Innovation Technology	0897	Mayor		Message and order for a supplemental appropriation Order for the Boston Public Schools Department for FY23 in the amount of Sixty Eight Thousand Seven Hundred Sixty-Nine Dollars (\$68,769.00) to cover the FY23 cost items contained within the collective bargaining agreements between the Boston Public Schools and the Boston School Police Superior Officers Federation. The terms of the contracts are September 1, 2020 through August 31, 2024. The major provisions of the contracts include base wage increases of 2%, 2.5%, 2.5%, to be given in October of each fiscal year of the contract term. Filed in the Office of the City Clerk on May 8, 2023.	5 /10/2023		
City Services & Innovation Technologt	0443	Bok	Louijeune, Flaherty	Order for hearing to discuss trash contracts and procedures in Boston.	2 /15/2023	4/11/23	4/12/23 Remains in Committee
City Services & Innovative Technology	0519	Mejia	Fernandes Anderson	Order for a hearing addressing data privacy, security, and control at City of Boston agencies.	3 /8 /2023		
Civil Rights & Immigrant Advancement	0155	Louijeune		Order for a hearing to discuss an increase in racist incidents in Boston and the Human Rights Commission's role in tracking, reporting, and addressing discrimination and civil rights violations.	1 /11/2023		
Civil Rights & Immigrant Advancement	0158	Louijeune	Fernandes Anderson	Order for a hearing on the needs and services for migrant populations.	1 /11/2023		
Civil Rights & Immigrant Advancement	0164	Louijeune	Fernandes Anderson, Bok	Order for a hearing on discrimination in lending and appraisals.	1 /11/2023	3/23/23	
Civil Rights & Immigrant Advancement	0168	Louijeune	Worrell, Fernandes	Order for a hearing on the civil rights and liberties of returning citizens and re-entry into their Boston communities.	1 /11/2023		
Civil Rights & Immigrant Advancement	0928	Mayor		Notice was received from Adam Cederbaum, Corporation Counsel, providing an update on the lawsuit that was filed against the Boston City Council in U.S. District Court for the District of Massachusetts - Case Number 1:22-cv-12048: Rasheed Walters, et al vs. Boston City Council, et al.	5 /10/2023	5/15/23, 5/16/23	

Committee	Docket #	Sponsor	Co-Sponsor(s)	Docket Description	Date Referred	Hearing(s)	Notes
<b>Community Preservation Act</b>	0783	Mayor		Message and order approving an appropriation of One Million Two Hundred Sixty-Nine Thousand One Hundred Seventeen Dollars (\$1,269,117.00) for the administrative and operating expenses of the City of Boston Community Preservation Committee ("CPC") for the Fiscal Year 2024 and a further appropriation order in the amount of Thirty-Seven Million Two Hundred Fourteen Thousand Five Hundred Fourteen Dollars (\$37,214,514.00) from the Community Preservation ("the Fund") estimated annual revenues for Fiscal Year 2024, to be appropriated and reserved for future appropriation. Filed in the Office of the City Clerk on April 10, 2023.	4 /12/2023		
<b>Education</b>	0142	Worrell		Order for a hearing regarding a cradle-to-career educational data tracking system.	1 /11/2023		
<b>Education</b>	0147	Coletta	Lara, Louijeune	Order for a hearing to establish a climate change and environmental justice curriculum in Boston Public Schools.	1 /11/2023	3/14/23	3/15/23 remains in committee
<b>Education</b>	0163	Mejia	Worrell	Order for a hearing addressing sexual harassment in Boston Public Schools.	1 /11/2023		
<b>Education</b>	0167	Mejia		Order for hearing on government transparency and accountability towards COVID safety in Boston Public Schools.	1 /11/2023	2/14/23	2/15/23 Remains in Committee
<b>Education</b>	0173	Mejia	Lara	Order for a hearing on "Green New Deal for BPS" plans, specifically the plan to merge six schools into three and split each of them onto two campuses.	1 /11/2023		
<b>Education</b>	0244	Mejia		Order for a hearing on establishing a mental health curriculum in Boston Public Schools.	1 /25/2023	3/21/23	3/22/23 Remains in Committee
<b>Education</b>	0245	Mejia	Lara, Arroyo	Order for a hearing examining the implementation and outcomes of restorative justice practices in the Boston Public Schools	1 /25/2023	2/16/23	

Committee	Docket #	Sponsor	Co-Sponsor(s)	Docket Description	Date Referred	Hearing(s)	Notes
Education	0247	Lara	Mejia	Order for a hearing to discuss the Academic Performance and Social-Emotional Well-Being of LGBTQ+ Students in Boston Public Schools.	1 /25/2023	3/16/23	
Education	0254	Fernandes Anderson	Mejia, Louijeune	Order for a hearing to discuss how the Boston Public Schools can more effectively support the needs of its Muslim students.	1 /25/2023		
Education	0255	Fernandes Anderson	Mejia, Louijeune	Order for a hearing to discuss how Boston Public Schools are addressing the needs of the parents of English language learner students.	1 /25/2023		
Education	0380	Louijeune	Fernandes Anderson	Order for a hearing to address the mental health needs of our students with a focus on guidance counselors.	2 /8 /2023		
Education	0457	Arroyo	Fernandes Anderson	Order for a hearing to discuss Boston Public Schools' lack of religious and dietary requirements for Jewish, Muslim and plant based students.	3 /1 /2023		
Education	0722	Lara	Mejia	Order for a hearing to review the Good Food Purchasing Program for Boston Public Schools.	4 /5 /2023		
Environmental Justice, Resiliency & Parks	0149	Coletta	Bok, Breadon	Order for a hearing regarding a tree mitigation fund for the City of Boston.	1 /11/2023		3/10/23 Hearing (canceled)
Environmental Justice, Resiliency & Parks	0250	Lara	Arroyo, Fernandes	Order for a hearing on Installing Adjustable Height Basketball Hoops in the City of Boston Parks.	1 /25/2023		3/23/23 Revised to WS
Environmental Justice, Resiliency & Parks	0251	Lara	Bok, Coletta	Order for a hearing to Discuss Establishing A Walking City Trail Connecting Urban Green Spaces Across Boston Neighborhoods.	1 /25/2023	3/2/23	
Environmental Justice, Resiliency & Parks	0679	Worrell		Order for a hearing to create indoor playgrounds in the City of Boston.	3 /29/2023		



Committee	Docket #	Sponsor	Co-Sponsor(s)	Docket Description	Date Referred	Hearing(s)	Notes
Environmental Justice, Resiliency & Parks	0791	Lara	Arroyo	Order for a hearing regarding the Potential Usage of City-Owned Land For Off Leash-Dog Parks.	4 /12/2023		
Environmental Justice, Resiliency & Parks	0817	Mayor		Message and order for the confirmation of the appointment of Kendra Lara, as a member of the Building Emissions Reduction and Disclosure (BERDO) Review Board for a term expiring April 24, 2026.	4 /26/2023		
Environmental Justice, Resiliency & Parks	0822	Mayor		Message and order for the confirmation of the appointment of Matt O'Malley, as a member of the Building Emissions Reduction and Disclosure (BERDO) Review Board for a term expiring April 24, 2026.	4 /26/2023		
Government Accountability, Transparency, &	0165	Mejia	Fernandes Anderson	Order for a hearing on government transparency and accountability towards service provision and spending on ELL students.	1 /11/2023		
Government Accountability, Transparency, &	0169	Mejia		Order for a hearing on government accountability, transparency, and accessibility of decision-making protocols in city government.	1 /11/2023		
Government Accountability, Transparency, &	0170	Mejia	Coletta, Louijeune	Order for a hearing on government accountability and transparency around the Clougherty Pool closure in Charlestown.	1 /11/2023		
Government Accountability, Transparency, &	0241	Mejia	Lara	Order for a hearing regarding the Boston Public Schools Transportation system.	1 /25/2023		
Government Accountability, Transparency, &	0242	Mejia	Lara, Fernandes Anderson	Order for a hearing on an audit for Boston Public School's Special Education services and return on investment.	1 /25/2023		
Government Accountability, Transparency, &	0243	Mejia	Arroyo	Order for a hearing on government transparency and accountability towards surveillance equipment.	1 /25/2023		
Government Accountability, Transparency, &	0253	Mejia	Fernandes Anderson	Order for a hearing to audit the City of Boston's procurement processes, procedures and progress.	1 /25/2023	3/27/23	2/23/23 Hearing Postponed 3/29/23 remains in committee

Committee	Docket #	Sponsor	Co-Sponsor(s)	Docket Description	Date Referred	Hearing(s)	Notes
<b>Government Accountability, Transparency, &amp;</b>	0341	Murphy		Order for a hearing to discuss the payroll concerns of many of our Boston Public School teachers who are owed back pay.	2 /1 /2023		3/24/23 Hearing (canceled)
<b>Government Accountability, Transparency, &amp;</b>	0520	Mejia		Order for a hearing to audit how the Boston Police Department responds to Latino Spanish-speaking residents in the City of Boston.	3 /8 /2023		
<b>Government Accountabiliy, Transparency, &amp;</b>	0238	Mejia	Flynn, Arroyo	Order for a hearing on accountability and acessibility of language access services in the City of Boston.	1 /25/2023		
<b>Government Operations</b>	0100	Mayor		Message and order for your approval an Ordinance establishing the Office of Participatory Budgeting, amending the City of Boston Code V, with the insertion of a new Section 5-1.11.	12/14/2022	1/30/23	2022-1520, 2/7/23 working session, 2/8/23 Not Passed
<b>Government Operations</b>	0135	Arroyo	Mejia	A Petition for a Special Law re: An Act Relative to Reorganization of the Boston School Committee.	1 /11/2023		1/24/23 working session, 1/25/23 Remains in Committee, 2/6/2023 working session, 2/8/23 Remains in Committee
<b>Government Operations</b>	0136	Arroyo		An Ordinance Creating a Municipal Identification Card in the City of Boston	1 /11/2023		4/3/23 hearing (canceled)
<b>Government Operations</b>	0137	Arroyo	Breadon, Lara	An Ordinance Esablishing Protections for the City of Boston Tree Canopy.	1 /11/2023	3/13/23	4/20/23 working session,3/15/23 Remains in Committee
<b>Government Operations</b>	0138	Louijeune	Arroyo, Bok	An Ordinance regulation and enforcement of keeping honey bees.	1 /11/2023	3/20/23	3/22/23 Remains in Committee
<b>Government Operations</b>	0139	Louijeune	Bok, Arroyo	Text amendment to the Boston zoning code with respect to honey bees.	1 /11/2023	3/20/23	3/22/23 Remains in Committee
<b>Government Operations</b>	0237	Fernandes Anderson		Ordinance and Amendment to the Boston Municipal Code in Regard to Measuring Racial Equity in Affordable Housing.	1 /25/2023		

Committee	Docket #	Sponsor	Co-Sponsor(s)	Docket Description	Date Referred	Hearing(s)	Notes
Government Operations	0319	Mayor		Notice was received from the Mayor of the appointment of Vivian Leonard as a member of the Municipal Lobbying Compliance Commission.	1 /25/2023	3/9/23	3/15/23 placed on file
Government Operations	0320	Mayor		Notice was received from the Mayor of the re-appointment of Sammy Nabulsi as a member of the Municipal Lobbying Compliance Commission.	1 /25/2023	3/9/23	3/15/23 placed on file
Government Operations	0321	Mayor		Notice was received from the Mayor of the re-appointment of Vivien Li as a member of the Municipal Lobbying Compliance Commission.	1 /25/2023	3/9/23	3/15/23 placed on file
Government Operations	0410	Breadon	Louijeune, Bok	Petition for a Special Law re: An Act increasing the maximum amount of fines which may be imposed for violations of ordinances and authorizing the City of Boston to place municipal charge liens on certain properties in the City of Boston for nonpayment of any local charges, fees or fines.	2 /15/2023		
Government Operations	0452	Breadon	Louijeune	Ordinance providing remote access to meetings of municipal public bodies.	3 /1 /2023	3/30/23	
Government Operations	0454	Arroyo	Coletta	Ordinance formally creating the Office of Food Justice and establishing a food recovery program in the City of Boston.	3 /1 /2023	4/28/23	
Government Operations	0455	Flynn	Worrell	Ordinance amending the City of Boston code relating to the study and report on the trafficking of illegal firearms.	3 /1 /2023		
Government Operations	0625	Breadon	Louijeune, Bok	Ordinance establishing a "Schofflaw Property Owner List".	3 /22/2023		
Government Operations	0626	Breadon		Ordinance amending City of Boston Code, Ordinances, Section 16-1.9G, to prohibit the sale of guinea pigs in pet shops.	3 /22/2023		
Government Operations	0710	Mayor		Message and order for your approval an Ordinance Governing Construction and Demolition Operations in the City of Boston.	4 /5 /2023		5/9/23 Hearing (canceled)

Committee	Docket #	Sponsor	Co-Sponsor(s)	Docket Description	Date Referred	Hearing(s)	Notes
Government Operations	0812	Mayor		Message and order for your approval of the ordinance that all members of Building Remissions Reduction and Disclosure Review Board (BERDO) as defined under Section(s) of the City of Boston Code, Ordinances, Chapter VII, section 7-2.2 shall be deemed as special municipal employees for the purposes of Chapter 268A of the General Laws. Filed in the Office of the City Clerk on April 24, 2023.	4 /26/2023		
Government Operations	0929	Mayor		Message and order for your approval, a home rule petition for A Special Law RE: "An Act Relative to District City Council Elections in the City of Boston."	5 /10/2023		
Housing & Community Development	0157	Louijeune	Bok, Fernandes Anderson	Order for a hearing regarding the state of anti-displacement as to Boston's Acquisition Opportunity Program.	1 /11/2023	2/9/23	
Housing & Community Development	0161	Bok		Order for a hearing regarding increasing public housing in the City of Boston.	1 /11/2023		
Housing & Community Development	0240	Mejia	Lara, Worrell	Order for a hearing on workforce development housing for City of Boston employees.	1 /25/2023		
Housing & Community Development	0249	Lara	Fernandes Anderson	Oder for a hearing to discuss the Impact Of Inequitable Housing Code Enforcement of Boston's Proactive Rental Inspection Program.	1 /25/2023	3/14/23	3/15/23 remains in committee
Housing & Community Development	0337	Worrell	Fernandes Anderson	Order for a hearing regarding efforts to increase housing affordability for long-term residents.	2 /1 /2023		
Housing & Community Development	0412	Lara		Order for a hearing to create a Renters' Bill of Rights for the City of Boston.	2 /15/2023	3/30/23	
Housing & Community Development	0456	Fernandes Anderson	Louijeune, Lara	Order for a hearing to restrict up-front rental costs for tenants.	3 /1 /2023		

Committee	Docket #	Sponsor	Co-Sponsor(s)	Docket Description	Date Referred	Hearing(s)	Notes
Labor, Workforce, & Economic Development	0153	Louijeune	Worrell, Fernandes	Order or a hearing regarding biannual review of the Boston Employment Commission and Boston Residents Jobs Policy.	1 /11/2023	4/7/23	
Labor, Workforce, & Economic Development	0628	Worrell	Mejia	Order for a hearing to explore workforce development via scholarships for BPS students to increase access to all forms of higher education.	3 /22/2023		
Labor, Workforce, & Economic Development	0338	Worrell	Fernandes Anderson	Order for a hearing regarding equity in city contracts.	2 /1 /2023		
PILOT Agreements, Institutional & Intergovernmental	0256	Fernandes Anderson	Louijeune, Mejia	Order for a hearing to discuss ways of creating a partnership between colleges and high schools to create jobs and academic support for children.	1 /25/2023		
PILOT Agreements, Institutional & Intergovernmental	0414	Breadon	Bok, Louijeune	Order for a hearing regarding targeted coordination of community benefits in the payment in lieu of taxes (PILOT) program.	2 /15/2023	4/21/23	
Planning, Development & Transportation	0101	Mayor		Message and order authorizing the City of Boston to accept and expend a grant from the Planning and Development Agency in the amount not to exceed Two Million Five Hundred Sixty-Two Thousand, Two Hundred Ninety-Seven Dollars (\$2,562,297.00) for the costs related to transportation improvement projects.	8 /10/2022		2022-0930
Planning, Development & Transportation	0102	Mayor		Message and order authorizing the City of Boston to accept and expend the amount of Seven Million Five Hundred One Thousand Two Hundred Dollars (\$7,501,200.00) in the form of a grant for the Federal Highway Administration Grant from the Massachusetts Department of Transportation, Highway Division, to be administered by the Boston Transportation Department and the Boston Public Works Department. The grant will fund a portion of the design cost for the Sullivan Square/Rutherford Avenue project.	9 /28/2022		2022-1166
Planning, Development & Transportation	0104	Mayor		Message and order for the confirmation of the appointment of Alaa Mukahhal as a member of the Zoning Board of Appeal for a term expiring May 1, 2024.	9 /28/2022		2022-1174

Committee	Docket #	Sponsor	Co-Sponsor(s)	Docket Description	Date Referred	Hearing(s)	Notes
Planning, Development & Transportation	0105	Mayor		Message and order for the confirmation of the appointment of Theodora Massouh as an alternate member of the Zoning Board of Appeal for a term expiring May 1, 2024.	9 /28/2022		2022-1175
Planning, Development & Transportation	0150	Coletta		Order for a hearing regarding a comprehensive, district-wide planning process for Boston's waterfront.	1 /11/2023		
Planning, Development & Transportation	0342	Lara	Baker	Order for a hearing to discuss the recovery and revitalization of the taxi industry.	2 /1 /2023	4/11/23	4/12/23 Remains in Committee
Planning, Development & Transportation	0343	Fernandes Anderson	Lara	Order for a hearing regarding calling for a moratorium on all development on all city owned land in district seven prior to the request for proposal process.	2 /1 /2023	4/18/23	
Planning, Development & Transportation	0379	Fernandes Anderson	Mejia, Louijeune	Order for a hearing calling for District Increment Financing (DIF) to be Utilized in District Seven.	2 /8 /2023	3/16/23	
Planning, Development & Transportation	0413	Baker		Order for a hearing to discuss District Improvement Financing (DIF) from Kosciuszko Circle through Morrissey Boulevard Corridor.	2 /15/2023	3/16/23	
Planning, Development & Transportation	0864	Mayor		Message and order for your approval of the receipt of a Preservation Restriction on the Hayden Building, 681-683 Washington Street, Boston, Massachusetts, 02111-1611.	5 /3 /2023		
Public Health, Homelessness, & Recovery	0148	Coletta	Louijeune, Arroyo	Order for a hearing regarding contraception and menstrual product vending machines in the City of Boston.	1 /11/2023	4/4/23	4/5/23 Remains in Committee
Public Health, Homelessness, & Recovery	0156	Louijeune	Mejia, Coletta	Order for a hearing to discuss regulation of limited service pregnancy centers and crisis pregnancy centers in the City of Boston.	1 /11/2023		4/13/23 Hearing (canceled)
Public Health, Homelessness, & Recovery	0248	Lara	Arroyo	Order for a hearing to discuss the Disproportionate Criminalization of the LGBTQ+ Community and Their Health And Well-Being While Incarcerated.	1 /25/2023		

Committee	Docket #	Sponsor	Co-Sponsor(s)	Docket Description	Date Referred	Hearing(s)	Notes
<b>Public Health, Homelessness, &amp; Recovery</b>	0257	Fernandes Anderson		Order for a hearing to discuss the need for a health center in Nubian Square.	1 /25/2023	5/12/23	
<b>Public Health, Homelessness, &amp; Recovery</b>	0585	Mejia	Fernandes Anderson	Order for a hearing to create more transparency into reporting and accessibility into addressing the drug overdose crises in the City of Boston.	3 /15/2023		
<b>Public Safety &amp; Criminal Justice</b>	0151	Coletta	Louijeune, Bok	Order for a hearing to address contaminated beverages in clubs and bars.	1 /11/2023		3/7/23 WS Canceled, Rescheduled for 2/28/23 WS, 3/1/23 Remains in Committee
<b>Public Safety &amp; Criminal Justice</b>	0140	Murphy		Order for a hearing on efforts to proactively combat summer violence in the City of Boston.	1 /11/2023	4/6/23	
<b>Public Safety &amp; Criminal Justice</b>	0143	Worrell	Fernandes Anderson,	Order for a hearing to address gun violence	1 /11/2023		
<b>Public Safety &amp; Criminal Justice</b>	0166	Murphy	Flaherty	Order for a hearing to ensure that the Boston Police and Schools Safety officers work together to ensure a safe environment for all our students and staff in the Boston Public Schools.	1 /11/2023	5/12/23	2/7/23 Hearing Canceled, 2/8/23 Remains in Committee, 3/30/23 Hearing Canceled, 5/5/23 Hearing Canceled
<b>Public Safety &amp; Criminal Justice</b>	0252	Flaherty	Murphy	Order for a hearing regarding public safety measure recommendations for Boston Public Schools and Boston Police.	1 /25/2023	5/12/23	3/30/23 Hearing Canceled, 5/5/23 Hearing Canceled
<b>Public Safety &amp; Criminal Justice</b>	0458	Worrell	Anderson, Murphy	Order for a hearing to Assess Expanded Hospital & Community-Centric Violence Prevention and Intervention.	3 /1 /2023		
<b>Redistricting</b>	0792	Murphy		Order for a hearing to address possible violations of the Redistricting Committee.	4 /12/2023		
<b>Rules &amp; Administration</b>	0339	Flynn		Order for a meeting to review he Boston City Council rules.	2 /1 /2023		

Committee	Docket #	Sponsor	Co-Sponsor(s)	Docket Description	Date Referred	Hearing(s)	Notes
<b>Rules &amp; Administration</b>	0405	Fernandes Anderson		Order for an Ordinance to increase the Allocated Budget for City Council Staff.	2 /8 /2023		4/10 23 WS, 4/12/23 Remains in Committee
<b>Small Business &amp; Professional Licensure</b>	0141	Worrell	Mejia	Order for a hearing regarding barriers to small businesses.	1 /11/2023		
<b>Small Business &amp; Professional Licensure</b>	0171	Mejia		Order for a hearing diversifying cannabis business models.	1 /11/2023	4/20/23	
<b>Small Business &amp; Professional Licensure</b>	0239	Mejia	Arroyo	Order for a hearing on expanding access for minority business enterprises into high volume commercial centers.	1 /25/2023		
<b>Small Business &amp; Professional Licensure</b>	0263	Fernandes Anderson	Worrell	Resolution to request Walgreens to postpone all closures of Boston locations.	1 /25/2023		
<b>Small Business &amp; Professional Licensure</b>	0459	Arroyo		Order for a hearing to discuss challenges Latino owned businesses and entrepreneurs face when accessing government and corporate contracts.	3 /1 /2023		
<b>Small Business &amp; Professional Licensure</b>	0630	Arroyo		Order for a hearing to discuss the ban of miniature alcohol bottles (NIPS) in the City of Boston.	3 /22/2023	4/3/23	4/5/23 Remains in Committee
<b>Strong Women, Families &amp; Communities</b>	0122	Mayor		Message and order authorizing the City of Boston to accept and expend the amount of One Hundred Fifty Thousand Dollars (\$150,000.00) in the form of a grant, for the Age Strong Universal Fund, awarded by the Donor Group to be administered by the Age Strong Commission. The grant will fund senior center programs and services for older adults in Boston through small contributions from various donors in the amount not to exceed One Hundred Fifty Thousand Dollars (\$150,000.00).	1 /11/2023		
<b>Strong Women, Families &amp; Communities</b>	0246	Lara	Flaherty, Louijeune	Order for a hearing to assess the need for a Senior Center in the neighborhood of West Roxbury.	1 /25/2023	2/2/23	



Committee	Docket #	Sponsor	Co-Sponsor(s)	Docket Description	Date Referred	Hearing(s)	Notes
<b>Strong Women, Families &amp; Communities</b>	0377	Flynn	Lara	Order for a hearing to discuss increasing access to swimming lessons and awareness of water safety.	2 /8 /2023		
<b>Strong Women, Families &amp; Communities</b>	0415	Murphy	Baker	Order for a hearing for the possible closing of several Boston public schools and BCYF community centers this summer.	2 /15/2023	3/7/23	3/8/23 remains in committee
<b>Strong Women, Families &amp; Communities</b>	0575	Mayor		Message and order authorizing the City of Boston to accept and expend the amount of Three Hundred Forty Thousand Dollars (\$340,000.00) in the form of a grant, for the Strengthening Child Care Programs, awarded by the Boston Planning & Development Agency to be administered by the Office of Early Childhood. The grant will fund sub-grants to strengthen child care programs based on the needs of providers.	3 /15/2023		
<b>Strong Women, Families &amp; Communities</b>	0790	Mejia		Order for a hearing to discuss youth outreach and engagement in Boston Public Libraries.	4 /12/2023		
<b>Strong Women, Families &amp; Communities</b>	0814	Mayor		Message and order authorizing the City of Boston to accept and expend the amount of Four Hundred Thirty Thousand Four Hundred Nineteen Dollars (\$430,419.00) in the form of a grant for the Federal FY23 Senior Companion Program, awarded by the Corporation for National and Community Service to be administered by the Age Strong Commission. The grant will fund reimbursement for travel and meals, plus stipends, for volunteers who provide companionship to homebound and frail seniors.	4 /26/2023		
<b>Strong Women, Families &amp; Communities</b>	0815	Mayor		Message and order authorizing the City of Boston to accept and expend the amount of One Hundred Thirty-Seven Thousand Seven Hundred Fifty-Three Dollars (\$137,753.00) in the form of a grant, for the FY23 Retired Senior Volunteer Program, awarded by the Corporation for National and Community Service to be administered by the Age Strong Commission. The grant will fund reimbursement for meals and travel, for senior community service volunteers.	4 /26/2023		

Committee	Docket #	Sponsor	Co-Sponsor(s)	Docket Description	Date Referred	Hearing(s)	Notes
<b>Strong Women, Families &amp; Communities</b>	0893	Mayor		Message and order authorizing the City of Boston to accept and expend the amount of One Million Five Hundred Twenty-Five Thousand Three Hundred Eighty Dollars and Seventy-Seven Cents (\$1,525,380.77) in the form of a grant, for the Federal FY23 Nutrition Services Incentive Program, awarded by the United States Department of Health and Human Services, passed through the MA Executive Office of Elder Affairs, to be administered by the Age Strong Commission. The grant will fund the Age Strong Commissions's nutrition program that delivers meals to homes of older adults and congregate sites in the City of Boston.	5 /10/2023		
<b>Strong Women, Families, &amp; Communities</b>	0261	Murphy		Order for a hearing to discuss the results of last year's youth summer jobs programs and the social emotional benefits of summer employment.	1 /25/2023	3/27/23	3/29/23 remains in committee
<b>Ways &amp; Means</b>	0152	Louijeune	Fernandes Anderson, Bok	Order for a hearing to explore municipal bonds and other fiscal options to increase affordable housing and community investments.	1 /11/2023		
<b>Ways &amp; Means</b>	0322	Fernandes Anderson	Louijeune	Order for a hearing regarding the City Budget.	1 /25/2023	3/28/23, 4/10/23	4/10/23-WS (10 am-revised), 4/10/23 WS (2pm-canceled), 4/13/23-WS (canceled), 3/29/23 remains in committee, 4/12/23 Remains in Committee
<b>Ways &amp; Means</b>	0760	Mayor		Message and order for Annual Appropriation and Tax Order for FY2024. Filed in the Office of the City Clerk on April 10,2023.	4 /12/2023	See Budget Schedule	4/26/23 Remains in Committee, 5/3/23 Remains in Committee, 5/10/23 Remains in Committee
<b>Ways &amp; Means</b>	0761	Mayor		Message and order for Annual Appropriation for the School Department for FY2024. Filed in the Office of the City Clerk on April 10, 2023.	4 /12/2023	See Budget Schedule	4/26/23 Remains in Committee, 5/3/23 Remains in Committee, 5/10/23 Remains in Committee

Committee	Docket #	Sponsor	Co-Sponsor(s)	Docket Description	Date Referred	Hearing(s)	Notes
Ways & Means	0762	Mayor		Message and order approving an appropriation of Forty Million Dollars (\$40,000,000.00) to the Other Post-Employment Benefits (OPEB) Liability Trust Fund established under Section 20 of Massachusetts General Law Chapter 32B. Filed in the Office of the City Clerk on April 10, 2023.	4 /12/2023	See Budget Schedule	4/26/23 Remains in Committee, 5/3/23 Remains in Committee, 5/10/23 Remains in Committee
Ways & Means	0763	Mayor		Message and order approving an appropriation of One Million Eight Hundred Thousand Dollars (\$1,800,000.00) from the City's Capital Grant Fund to address the impact of transportation network services on municipal roads, bridges, and other transportation infrastructure or any other public purpose substantially related to the operation of transportation network services in the city. Such funds will be transferred and credited to the Capital Grant Fund from revenue received from the Commonwealth Transportation Infrastructure Enhancement Trust Fund. Filed in the Office of the City Clerk on April 10, 2023.	4 /12/2023	See Budget Schedule	4/26/23 Remains in Committee, 5/3/23 Remains in Committee, 5/10/23 Remains in Committee
Ways & Means	0764	Mayor		Message and order for your approval an order authorizing the City of Boston to enter into one or more leases, lease-purchase or installment sales agreements in Fiscal Year 2024 in an amount not to exceed Thirty Nine Million Dollars (\$39,000,000.00). These funds are to be used by various City departments for the acquisition of equipment in furtherance of their respective governmental functions. The list of equipment includes: computer equipment (hardware and software), motor vehicles and trailers, ambulances, firefighting equipment, office equipment, telecommunications equipment, photocopying equipment, medical equipment, school and educational equipment, school buses, parking meters, street lighting installation, traffic signal equipment and equipmet functionally related to and components of the foregoing. Filed in the Office of the City Clerk on April 10, 2023.	4 /12/2023	See Budget Schedule	4/26/23 Remains in Committee, 5/3/23 Remains in Committee, 5/10/23 Remains in Committee
Ways & Means	0765	Mayor		Message and order approving an appropriation of Twenty-Nine Million Four Hundred Five Thousand Dollars (\$29,405,000.00) from the City's Capital Grant Fund in order to provide funding for various transportation and public realm improvements. The funds shall be credited to the Capital Grant Fund from the Parking Meter Fund.	4 /12/2023	See Budget Schedule	4/26/23 Remains in Committee, 5/3/23 Remains in Committee, 5/10/23 Remains in Committee

Committee	Docket #	Sponsor	Co-Sponsor(s)	Docket Description	Date Referred	Hearing(s)	Notes
Ways & Means	0766	Mayor		Message and order authorizing an appropriation order in the amount of Twenty Seven Million Five Hundred Thousand Dollars (\$27,500,000.00) from Surplus Property Disposition Fund, credited to the Capital Fund for planning, design, and construction, for projects, the Animal Shelter, Old State House, BHA decarbonization, and Harrison Avenue BWSC Operations. Filed in the Office of the City Clerk on April 10, 2023.	4 /12/2023	See Budget Schedule	4/26/23 Remains in Committee, 5/3/23 Remains in Committee, 5/10/23 Remains in Committee
Ways & Means	0767	Mayor		Message and order for your approval an appropriation order in the amount of Six Hundred Fifty-Seven Million One Hundred Ten Thousand Dollars (\$657,110,000.00) for various capital improvement purposes for city departments including the Boston Center for Youth and Families, Department of Innovation and Technology, the Environment, Fire, Parks and Recreation, Police, Property Management, Public Works, and Transportation departments, Mayor's Office of Housing, Mayor's Office of Arts and Culture, Boston Public Library, Boston Housing Authority, Boston Planning and Development Agency, and the Boston Public Health Commission. Filed in the Office of the City Clerk on April 10, 2023.	4 /12/2023	See Budget Schedule	4/26/23 Remains in Committee, 5/3/23 Remains in Committee, 5/10/23 Remains in Committee
Ways & Means	0768	Mayor		Message and order authorizing an appropriation order in the amount of Three Hundred Twenty-Eight Million One Hundred Sixty Thousand Dollars ((\$328,160,000.00) for various capital improvement purposes for the Boston Public Schools. Filed in the Office of the City Clerk on April 10, 2023.	4 /12/2023	See Budget Schedule	4/26/23 Remains in Committee, 5/3/23 Remains in Committee, 5/10/23 Remains in Committee
Ways & Means	0769	Mayor		Message and order authorizing a limit for the Law Department revolving fund for Fiscal Year 2024 to purchase goods and services for repairs to city property. This revolving fund shall be funded by receipts from recoveries for damages to city property caused by third parties. The Law Department will be the only unit authorized to expend from the fund and such expenditures shall be capped at Three Hundred Thousand Dollars (\$300,000.00).	4 /12/2023	See Budget Schedule	4/26/23 Remains in Committee, 5/3/23 Remains in Committee, 5/10/23 Remains in Committee

Committee	Docket #	Sponsor	Co-Sponsor(s)	Docket Description	Date Referred	Hearing(s)	Notes
Ways & Means	0770	Mayor		Message and order authorizing a limit for the Mayor's Office of Tourism revolving fund for Fiscal Year 2024 to purchase goods and services to support events and programming on and around City Hall Plaza to advance tourism and promote participation in public celebrations, civic and cultural events. This revolving fund shall be funded by receipts from payments for the use of City Hall Plaza pursuant to City of Boston Code, Ordinance, 11-7.14. The Mayor's Office of Tourism will be the only unit authorized to expend from the fund and such expenditures shall be capped at One Hundred Fifty Thousand (\$150,000.00).	4 /12/2023	See Budget Schedule	4/26/23 Remains in Committee, 5/3/23 Remains in Committee, 5/10/23 Remains in Committee
Ways & Means	0771	Mayor		Message and order authorizing a limit for the Mayor's Office of Arts and Culture revolving fund for Fiscal Year 2024 to purchase goods and services to support the operation of the Strand Theatre. This revolving fund shall be funded by receipts from rental fees for the use of the Strand Theatre. The Mayor's Office of Arts and Culture will be the only unit authorized to expend from the fund and such expenditures shall be capped at Three Hundred Thousand Dollars (\$300,000.00).	4 /12/2023	See Budget Schedule	4/26/23 Remains in Committee, 5/3/23 Remains in Committee, 5/10/23 Remains in Committee
Ways & Means	0772	Mayor		Message and order authorizing a limit for the Mayor's Office of Arts and Culture revolving fund for Fiscal Year 2024 to purchase goods and services to support public art to enhance the public realm throughout the City of Boston. This revolving fund shall be funded by receipts from easements within the public way granted by the Public Improvement Commission. The Mayor's Office of Arts and Culture will be the only unit authorized to expend from the fund and such expenditures shall be capped at Eight Hundred Thousand Dollars (\$800,000.00).	4 /12/2023	See Budget Schedule	4/26/23 Remains in Committee, 5/3/23 Remains in Committee, 5/10/23 Remains in Committee

Committee	Docket #	Sponsor	Co-Sponsor(s)	Docket Description	Date Referred	Hearing(s)	Notes
Ways & Means	0773	Mayor		Message and order authorizing a limit for the Distributed Energy Resource Revolving Fund for Fiscal Year 2024 to facilitate the purchase of offsets of greenhouse gas emissions which shall be associated with a portion of the electricity consumed by the City annually; and to operate, maintain, monitor and expand the City's existing solar arrays and Boston Public Schools' combined heat and power facilities. This revolving fund shall be credited with any and all receipts from the sale of renewable and alternative energy certificates and demand response program revenues produced by combined heat and power units located at Boston Public Schools sites and solar renewable energy certificates produced by the City's photovoltaic arrays. Receipts and resulting expenditures from this fund shall not exceed One Hundred Fifty Thousand Dollars (\$150,000.00).	4 /12/2023	See Budget Schedule	4/26/23 Remains in Committee, 5/3/23 Remains in Committee, 5/10/23 Remains in Committee
Ways & Means	0774	Mayor		Message and order authorizing a limit for the Environment Conservation Commission revolving fund for the Fiscal Year 2024 for the purpose of securing outside consultants including engineers, wetlands scientist, wildlife biologists or other experts in order to aid in the review of proposed projects to the Commission, per the city's ordinance protecting local wetland and promoting climate change adaptation. The revolving fund shall be funded by receipts from fees imposed by the Commission for the purpose of securing outside consultants. The Environment Department will be the only department authorized to expend from the fund and such expenditures shall be capped at Fifty Thousand Dollars (\$50,000.00).	4 /12/2023	See Budget Schedule	4/26/23 Remains in Committee, 5/3/23 Remains in Committee, 5/10/23 Remains in Committee
Ways & Means	0775	Mayor		Message and order authorizing a limit for the Boston Centers for Youth and Families (BCYF) revolving fund for Fiscal Year 2024 to pay salaries and benefits of employees and to purchase supplies and equipment necessary to operate the City Hall Child Care. This revolving fund shall be credited with any and all receipts from tuition paid by parents or guardians for children enrolled at the center. Receipts and resulting expenditures from this fund shall not exceed Nine Hundred Thousand Dollars (\$900,000.00).	4 /12/2023	See Budget Schedule	4/26/23 Remains in Committee, 5/3/23 Remains in Committee, 5/10/23 Remains in Committee

Committee	Docket #	Sponsor	Co-Sponsor(s)	Docket Description	Date Referred	Hearing(s)	Notes
Ways & Means	0776	Mayor		Message and order authorizing a limit for the Boston Public Schools revolving fund for Fiscal Year 2024 to repair and purchase Boston Public Schools computer technology, including computers, mobile devices, and instructional software. This revolving fund shall be credited with any and all receipts from equipment sales and repair fees for Boston Public School technology. Receipts and resulting expenditures from this fund shall not exceed One Million Seven Hundred Fifty Thousand Dollars (\$1,750,000.00).	4 /12/2023	See Budget Schedule	4/26/23 Remains in Committee, 5/3/23 Remains in Committee, 5/10/23 Remains in Committee
Ways & Means	0777	Mayor		Message and order authorizing a limit for the Boston Public Schools revolving fund for Fiscal Year 2024 to support the maintenance and repair for BPS facilities, including custodial and utility costs for extended building time, floor refinishing, landscaping and building repairs. Receipts from Lease, Permit for Use and Parking Fees for BPS facilities will be deposited in the fund. BPS will be the only unit authorized to expend from the fund and such expenditures shall not exceed Two Million Two Hundred Thousand Dollars (\$2,200,000.00).	4 /12/2023	See Budget Schedule	4/26/23 Remains in Committee, 5/3/23 Remains in Committee, 5/10/23 Remains in Committee
Ways & Means	0778	Mayor		Message and order authorizing a limit for the Boston Public Schools revolving fund for the Fiscal Year 2024 for Boston Public School Transportation cost, including bus and public transportation costs. This revolving fund shall be credited with revenue received by Boston Public School Department for the provision of transportation to groups and entities for field trips and activities other than transportation to and from school. Receipts and resulting expenditures from this fund shall not exceed One Hundred Thousand Dollars (\$100,000.00).	4 /12/2023	See Budget Schedule	4/26/23 Remains in Committee, 5/3/23 Remains in Committee, 5/10/23 Remains in Committee
Ways & Means	0779	Mayor		Message and order authorizing a limit for the Boston Police Department revolving fund for Fiscal Year 2024 to pay salaries and benefits of employees and to purchase supplies and equipment necessary to operate the Police Department Fitness Center. Revenue for this fund is derived from monthly membership fees. Receipts and resulting expenditures from this fund shall not exceed One Hundred Twenty Five Thousand Dollars (\$125,000.00).	4 /12/2023	See Budget Schedule	4/26/23 Remains in Committee, 5/3/23 Remains in Committee, 5/10/23 Remains in Committee

Committee	Docket #	Sponsor	Co-Sponsor(s)	Docket Description	Date Referred	Hearing(s)	Notes
Ways & Means	0780	Mayor		Message and order authorizing a limit for the Boston Police Department revolving fund for Fiscal Year 2024 to support the Canine Unit's training program for officers and police dogs from non-City of Boston law enforcement agencies. The Special Operating Division will charge tuition and other fees to outside law enforcement agencies for the Canine Unit. The tuition and other fees by outside agencies will be used to purchase training equipment, certify instructors, update facilities and provide funds for other training needs not otherwise budgeted. The Special Operations Division will be the only unit authorized to expend from the fund and such expenditures shall be capped at One Hundred Twenty Five Thousand Dollars (\$125,000.00).	4 /12/2023	See Budget Schedule	4/26/23 Remains in Committee, 5/3/23 Remains in Committee, 5/10/23 Remains in Committee
Ways & Means	0781	Mayor		Message and order authorizing the appropriation of One Million Two Hundred Thousand Dollars (\$1,200,000.00) from the income of the George Francis Parkman Fund. The funds are to be expended under the direction of the Commissioner of Parks and Recreation for the maintenance and improvement of Boston Common and Parks in existence since January 12, 1887.	4 /12/2023	See Budget Schedule	4/26/23 Remains in Committee, 5/3/23 Remains in Committee, 5/10/23 Remains in Committee
Ways & Means	0782	Mayor		Message and order approving an appropriation of Four Million Five Hundred Thousand Dollars (\$4,500,000.00) from the 21st Century Fund, also known as the Public Educational, or Governmental (PEG) Access and Cable Related Fund. Pursuant to Section 53F 3/4 of Chapter 44 of the General Laws, the funds may be used to support PEG access services, to monitor compliance with the cable franchise agreement, and for preparation of renewal of the franchise license. Filed in the Office of the City Clerk on April 10, 2023.	4 /12/2023	See Budget Schedule	4/26/23 Remains in Committee, 5/3/23 Remains in Committee, 5/10/23 Remains in Committee



# City of Boston

## IN CITY COUNCIL



### IN TRIBUTE

THE BOSTON CITY COUNCIL EXTENDS ITS  
DEEPEST SYMPATHY TO YOU AND YOUR  
FAMILY IN THE PASSING OF YOUR LOVED ONE

***Francis Kilgallen***

IN WHOSE MEMORY ALL MEMBERS STOOD  
IN TRIBUTE AND REVERENCE AS  
THE COUNCIL ADJOURNED ITS MEETING OF

***Wednesday, May 10<sup>th</sup>, 2023***

SINCERELY,

*Edward M. Flynn*

CITY COUNCIL PRESIDENT

Attest

*Alex Santos*  
City Clerk

Presented By

*Elizabeth Bresdon*



OFFERED BY COUNCILOR RUTHZEE LOUIJEUNE



## CITY OF BOSTON IN CITY COUNCIL

### RESOLUTION RECOGNIZING MAY 18 AS HAITIAN FLAG DAY

**WHEREAS,** The Haitian Flag, adopted on May 18, 1803, symbolizes the pride, resilience, and spirit of the Haitian people in their fight for freedom and independence; *and*

**WHEREAS,** Haitian Flag Day has been celebrated annually on May 18th by Haitians and people of Haitian descent worldwide to honor their heritage, promote unity, and commemorate the sacrifices made by their ancestors; *and*

**WHEREAS,** By officially designating May 18th as Haitian Flag Day, we affirm our commitment to fostering cultural diversity, promoting inclusivity, and strengthening the bonds of friendship between our communities; ***NOW, THEREFORE BE IT,***

**RESOLVED:** That the City of Boston hereby recognize May 18th as Haitian Flag Day and encourages all residents to observe and participate in the celebrations and activities organized to commemorate this significant occasion; ***AND BE IT FURTHER,***

**RESOLVED:** That the Property Management Department, on behalf of the City Council, raise the flag of Haiti on the third flagpole on City Hall Plaza, in place of the City of Boston flag, on May 18th, 2023

# City of Boston

IN

## CITY COUNCIL



### Official Resolution

Presented by

**Councilor At-Large Ruthzee Louiseune**

**Be it Resolved, that the Boston City Council  
extends its Congratulations to**

### **ViHealthy Nutrition**

**In Recognition of:**

**Hydn and Rossemary and the grand opening of their new café which will bring  
positivity, healthy food choices, and a community space for all to feel welcomed  
and loved.**

**and Be it further Resolved that the Boston City Council extends its best wishes for continued  
success; that this Resolution be duly signed by the President of the City Council and attested  
to and a copy thereof transmitted by the Clerk of the City of Boston.**

By: \_\_\_\_\_  
President of the City Council

Attest: \_\_\_\_\_  
Clerk of the City of Boston

Offered by: \_\_\_\_\_

Date: \_\_\_\_\_

# City of Boston

IN

## CITY COUNCIL



### Official Resolution

Presented by

**Councilor At-Large Ruthzee Louiseune**

Be it Resolved, that the Boston City Council  
extends its Congratulations to

**Will Lyman**

In Recognition of:

**Your 75<sup>th</sup> birthday, we celebrate you and your vast contributions to theatre, vocal performance, and the Commonwealth as a whole.**

**and Be it further Resolved that the Boston City Council extends its best wishes for continued success; that this Resolution be duly signed by the President of the City Council and attested to and a copy thereof transmitted by the Clerk of the City of Boston.**

By: \_\_\_\_\_  
President of the City Council

Attest: \_\_\_\_\_  
Clerk of the City of Boston

Offered by: \_\_\_\_\_

Date: \_\_\_\_\_

# City of Boston

IN

## CITY COUNCIL



### Official Resolution

Presented by

**Councilor At-Large Ruthzee Louijeune**

Be it Resolved, that the Boston City Council  
extends its Congratulations to

**Pastor Joel Piton**

In Recognition of:

**Your outstanding Spiritual Leadership and unwavering  
Commitment to the "Mount of Olives" church.**

**Thank you for your service to the Haitian Community in the City of Boston.**  
and Be it further Resolved that the Boston City Council extends its best wishes for continued  
success; that this Resolution be duly signed by the President of the City Council and attested  
to and a copy thereof transmitted by the Clerk of the City of Boston.

By: Edward M. Flynn  
President of the City Council

Attest: \_\_\_\_\_  
Clerk of the City of Boston

Offered by: \_\_\_\_\_

Date: \_\_\_\_\_

# City of Boston

IN

## CITY COUNCIL



### In Tribute

Presented by

**Councilor At-Large Ruthzee Louijeune**

The Boston City Council Extends Its Deepest Sympathy To You and Your Family in the  
Passing of Your Loved One

## Rupert Saunders

In Whose Memory All Members Stood In Tribute and Reverence as The Council  
Adjourned its Meeting Of

## May 10, 2023

Sincerely

By: \_\_\_\_\_  
President of the City Council

Attest: \_\_\_\_\_  
Clerk of the City of Boston

Offered by:  \_\_\_\_\_

Date:  May 10, 2023



# City of Boston

IN

## CITY COUNCIL



### Official Resolution

of Councilors Kendra Lara, Ricardo Arroyo, Julia Mejia

Be it Resolved, that the Boston City Council  
extends its appreciation to:

### V!Healthy Café

In Recognition of: Successfully opening a new, innovative, and  
necessary small business, focused on bringing healthy and sustainable  
food choices to our community.

and Be it further Resolved that the Boston City Council extends its best  
wishes for continued success; that this Resolution be duly signed by the  
President of the City Council and attested to and a copy thereof  
transmitted by the Clerk of the City of Boston.

By: \_\_\_\_\_  
President of the City Council

Attest: \_\_\_\_\_  
Clerk of the City of Boston

Offered by: Kendra Lara Ra Julia Mejia

Date: \_\_\_\_\_

Resolution recognizing 12 people for their commitment to their family and community.

Aretha Mauge

Shaunea Taveres

Arielys Morales

Arielle Romain

Lenanette Johnson

Erica Fernandez

Irian Francisco

Nerelly Tejeda

La Wanda Lee Wiggins

Vanessa Rivera

Paulina Barros

Nikia Shell



# City of Boston

IN

## CITY COUNCIL

### Official Resolution

OFFERED BY BOSTON CITY COUNCILOR

**JULIA MEJIA**

Be it Resolved, that the Boston City Council  
extends its Congratulations to:

**Aretha Mauge**

In Recognition of:

**Your commitment to your family and community. You are truly a  
courageous leader and a wonderful mentor.**

and Be it further resolved that the Boston City Council  
extends its best wishes for continued success; that this  
Resolution be duly signed by the President of the City  
Council and attested to and copy thereof transmitted by  
the Clerk of the City of Boston.



By: Edward M. Flynn  
President of the City Council

Attest: Ally Guntar  
Clerk of the City of Boston

Offered by: Julia Mejia

Date: May 13, 2023

# City of Boston IN CITY COUNCIL



## IN TRIBUTE

THE BOSTON CITY COUNCIL EXTENDS ITS  
DEEPEST SYMPATHY TO YOU AND YOUR  
FAMILY IN THE PASSING OF YOUR LOVED ONE

# David Lopes

IN WHOSE MEMORY ALL MEMBERS STOOD  
IN TRIBUTE AND REVERENCE AS  
THE COUNCIL ADJOURNED ITS MEETING OF  
**Wednesday, May 17th, 2023**



SINCERELY,

\_\_\_\_\_  
CITY COUNCIL PRESIDENT

Attest

*Ally Santos*  
\_\_\_\_\_  
City Clerk

Presented By

*ra*  
\_\_\_\_\_

BOSTON CITY COUNCILOR RICARDO ARROYO