



**CITY OF NEW YORK
2012-2013
DISTRICTING COMMISSION**

TO: NYC Districting Commission Members
FROM: Carl Hum, Executive Director
RE: February Revised District Plan
DATE: February 4, 2013

This document provides staff comments related to the New York City Districting Commission’s revised district plan, which has not yet been adopted by the Commission. The revised plan will be discussed at the Commission’s February 6, 2012 public meeting. This document is not intended to provide a comprehensive discussion of all of the factors considered by the Commission.

CRITERIA USED IN REDISTRICTING

In New York City, three fundamental sources of law govern redistricting: the U.S. Constitution’s Fourteenth Amendment, the federal Voting Rights Act of 1965, and the New York City Charter (hereinafter referred to as the “Charter”). As explained below, the Districting Commission carefully and faithfully adhered to the criteria set forth in each of these sources of law throughout the districting process.

A. U.S. Constitution’s Fourteenth Amendment

The Fourteenth Amendment’s “Equal Protection” clause guarantees that the law is to be applied in an equal fashion to all persons within a jurisdiction. It established the “one person, one vote” standard, which requires that districts be of generally equal population. *See Gray v. Sanders*, 372 U.S. 368, 381 (1963).

In comparison to congressional redistricting, the Constitution allows a greater deviation in state and local redistricting. “[A]s a general matter, . . . an apportionment plan with a maximum population deviation under 10% falls within [a] category of minor deviations” insufficient to “make out a prima facie case of invidious discrimination under the Fourteenth Amendment.” *Brown v. Thompson*, 462 U.S. 835, 842 (1983), quoting *Gaffney v. Cummings*, 412 U.S. 735, 745 (1973).

According to the U.S. Census, New York City’s population was 8,175,133 in 2010. Chapter 57 of the 2010 Laws of New York also requires the Districting Commission to account for the

reapportionment of New York State’s prisoner population, which totaled 21,082 in 2010. Divided among the 51 New York City Council Districts, the ideal district population is 160,710 after adjusting for the prisoner population.

The Districting Commission, in balancing Charter districting criteria and federal constitutional and Voting Rights Act requirements, is able to successfully maintain the population size of all districts within the 10% of overall population deviation allowed under the Charter. NYC Charter § 52(1)(a).

B. Voting Rights Act of 1965 – (Sections 2 and 5)

a. Section 2

The next fundamental source of law that governs redistricting is the federal Voting Rights Act of 1965, and in particular, Sections 2 and 5 of the Act. 42 U.S.C. § 1973, *et seq.* Section 2 of the Act applies to all jurisdictions in the United States, and prohibits, among other things, redistricting that discriminates on the basis of race, color, or membership in a language minority group. *See* 42 U.S.C. § 1973a. In general, Section 2 prohibits “minority vote dilution,” which is the minimization or cancelling out of minority voting strength in favor of that of non-minorities.

With the legal framework of Section 2 of the Voting Rights Act in mind, the Commission evaluated areas of New York City where a geographically compact concentration of a minority group could form a majority in a district, determined whether Section 2 required such a district, and drew or maintained such districts where applicable. As a result, the revised plan has a total of 35 Council districts in which protected racial and language minority groups represent an overall majority of the total population in the district. By comparison, the 2003 districting plan had a total of 30 such districts.

b. Section 5

Section 5 of the Voting Rights Act, which applies to certain jurisdictions identified within the Act, shifts the burden to state and local governments to demonstrate that changes in voting procedures (such as redistricting plans) are non-discriminatory. *See* 42 U.S.C. § 1973c. In New York City, there are three covered jurisdictions — New York County, Bronx County, and Kings County. With regard to redistricting plans, Section 5 focuses on whether council districts “protect the ability” of minority citizens to “elect their preferred candidates of choice.”¹

The test for whether that ability is protected under a particular redistricting plan relies on two prongs—whether the plan has a “discriminatory purpose” or a “discriminatory effect.” The “discriminatory effect” prong is a test for “retrogression,” that is, whether there would be a worsening of the position of minority voters when compared to the districts as they are currently drawn. The “discriminatory purpose” prong considers whether the plan was intentionally drawn to discriminate against minority voters.

¹ Note that minority voters’ “candidates of choice” can include candidates of any race or ethnicity—the term is not limited to candidates of the same race or ethnicity as that of the minority group within a district.

In light of Section 5, the Districting Commission drew districts, pursuant to the Charter-mandated criteria, that protect minority voting strength and which do not diminish the ability of minority voters in the City to elect their preferred candidates. The Commission was successful in doing so—the revised plan not only maintains the same number of districts, 19, that provide minority voters with the ability to elect candidates of choice, but also offers an additional “opportunity to elect” district, District 46 in Brooklyn. Dr. Lisa Handley, a nationally-recognized expert on redistricting and voting rights (who has advised, among others, the United States Department of Justice on such matters) was retained by the Districting Commission to help ensure compliance with these requirements, and Dr. Handley has opined that the revised plan fully complies with Section 5 of the Voting Rights Act.

c. New York City Charter

The final fundamental source of law for the redistricting process is Section 52 of the New York City Charter. Section 52 sets forth a number of criteria that the Districting Commission is to apply “to the maximum extent practicable,” and in the priority of the order that they are listed, when drawing the new lines. As explained below, the Commission has carefully and faithfully adhered to the Charter criteria throughout the line-drawing process.

i. Population Size

The first factor is that the difference in population between the least populous district and the most populous district be no more than 10% of the average district size. NYC Charter § 52(1)(a). Under this criterion, the most populous district should contain no greater than 16,071 more residents than the least populous district for this redistricting cycle.² As mentioned above, the Districting Commission is able to successfully maintain the population size of each district within this range. The most populous district, District 3 in New York County, has a population of 168,556, and the least populous district, District 23 in Queens County, has a population of 152,767.

ii. Fair and Effective Representation of Racial and Voting Minority Groups

The second factor is that the plan should ensure “the fair and effective representation of racial and minority groups in New York City which are protected by the United States voting rights act.” NYC Charter § 52(1)(b). This factor essentially requires compliance with the Voting Rights Act, as it is described above. As set forth above, the Districting Commission’s revised plan complies with Sections 2 and 5 of the Voting Rights Act.

iii. Keeping Neighborhoods and Communities of Interest Intact

The third factor in the Charter is that district lines “keep intact neighborhoods and communities with established ties of common interest and association, whether historical, racial, economic, ethnic, religious or other.” NYC Charter § 52(1)(c). The Commission considered a wealth of

² As set forth above, the ideal district population, based on the 2010 Census data (adjusted to account for prisoner population), is 160,710.

information related to neighborhoods and “communities of interest” in New York City, including, but not limited to, past district boundaries, New York City Department of City Planning data, information from community and voting rights advocates, and the expertise of individual Commissioners. This information was supplemented with the testimony and commentary of thousands of individuals who provided oral and written submissions informing the Commission about neighborhoods and communities of interest throughout the five counties. Additionally, Dr. John Mollenkopf, Director of the Center of Urban Research and expert on New York City neighborhoods, provided a detailed presentation to the Commission about neighborhoods and communities of interest in New York City as part of the Commission’s multi-faceted training series for Commission members.

The Commission took these various sources of information into account, and the revised plan minimizes the division of neighborhoods and communities of interest to the maximum extent practicable. In accomplishing the goal of minimizing fragmentation, the Commission used a district-by-district approach and attempted to employ methods that would minimize the division of neighborhoods and local communities of interest. When other higher-priority districting criteria could not be satisfied while keeping neighborhoods and communities of interest intact, the Commission chose the configuration that best balanced the conflicting interests.

iv. Additional Charter Criteria

The remaining factors, in decreasing order of priority, include: (a) that districts should be compact (no more than twice as long as they are wide); (b) that districts should not cross borough lines; (c) that districts should not be drawn for the purpose of separating geographic concentrations of voters enrolled in the same political party; and (d) that districts should have standard “shapes” and that the plan as a whole should contain districts that are as compact as possible. NYC Charter § 52(1)(d)-(g). These criteria may be subordinated to the other, higher-priority Charter criteria.

Finally, there are two additional mandatory requirements in Section 52 of the Charter. First, districts must be contiguous, meaning that different parts of the same district must be connected in some way—whether by land, bridge, tunnel, tramway or regular ferry service. NYC Charter § 52(2). Second, if compliance with the Charter’s districting criteria results in a plan where districts must cross borough lines to satisfy higher-priority Charter criteria, the Charter mandates that no more than one district may span a particular pair of boroughs. NYC Charter § 52(3).

The Commission applied these remaining Charter criteria to the maximum extent practicable. In accordance with NYC Charter § 52, all districts are reasonably compact and all are contiguous. Additionally, the Commission examined election data in an effort to ensure that districts do not separate geographic concentrations of voters enrolled in the same political party. The revised plan includes three pre-existing inter-borough districts, Districts 8, 22 and 34, which were drawn to ensure compliance with either the “one person, one vote” requirement or the Charter contiguity requirement. District 8 spans the Bronx and Manhattan, District 22 spans Queens and the Bronx, and District 34 spans Brooklyn and Queens.

DETAILS ABOUT THE DISTRICTS

Set forth below is a discussion of each of the proposed New York City Council districts, beginning with an overview of New York City, each of the five boroughs, and including a summary of the major issues and factors affecting the composition of each district.

A. New York City Overview

The 2010 Census showed that New York City experienced significant demographical changes in the last decade. The City's population increased by 167,000 people, or 2%, to 8,175,133. Although there was an overall increase in population, there were significant population shifts between neighborhoods. Notwithstanding that there are allegations of an undercount of New York City's population by the Census Bureau, the New York City Charter requires that the district plan be drawn with figures from the most recent United States Census. NYC Charter § 52(a).

The racial and ethnic makeup of New York City residents also shifted. Across New York City, non-Hispanic White population decreased by 3%, however, this same population increased in Brooklyn and Manhattan by 4.5% and 8.2% respectively. The Black³ population also decreased by 5% citywide, while traditional strongholds of Black population in Brooklyn and Manhattan lost population at a rate greater than the citywide rate. By contrast, the Hispanic population increased by 8%. Most notably, the Asian population exceeded one million for the first time, increasing by about 32%.

B. County Overview

a. New York County Overview

Manhattan's population increased by approximately 3% to 1,585,873 residents. While there was significant growth in downtown Manhattan, notably Districts 1 and 2, that growth was offset by population losses in Districts 7 and 10. Overall, the borough experienced an 8% increase in the non-Hispanic White population. The Asian population increased by 24%. Hispanic population declined slightly at 3%. Significantly, Manhattan had the largest proportion of Black population decline in the City at almost 13%, primarily in northern Manhattan and Central Harlem.

b. Bronx County Overview

The Bronx's population increased by approximately 4% to 1,385,108 residents. Approximately 53% of the Bronx population is Hispanic, reflecting a 15% growth rate in the last decade. The non-Hispanic White population decreased by 22%. The Black population remained stable and the Asian population increased by 23%. Overall, Hispanics are replacing the non-Hispanic

³ In the 2010 Census, "Black or African American" referred to a person having origins in any of the Black racial groups of Africa. The Black racial category includes people who marked the "Black, African Am., or Negro" checkbox on the Census form. It also includes Census respondents who reported entries such as African American; Sub-Saharan African entries, such as Kenyan and Nigerian; and Afro-Caribbean entries, such as Haitian and Jamaican.

White population in the northern, northwestern, and eastern portions of the borough. The population increase was most notable in Districts 16 and 17 in the South Bronx. Despite public requests that the Commission draw 9 fully-contained districts in the Bronx, the borough's population cannot sustain 9 districts. Based on the ideal population size of 160,710 residents per district, the population of Bronx County would support 8.6 ideally-sized districts while the population of New York County would support 9.9 ideally-sized council districts. Drawing 9 Bronx districts is theoretically possible only if nearly all of the Bronx districts are drawn at their lowest allowable population deviation. However, under such a scenario, the Commission would still need to account for the necessity of the Queens-Bronx district due to the configuration of Rikers Island (which is in Bronx County but is only accessible through Queens County), as well as the significant "ripple effects" of requiring either extreme under-population or over-population of districts in other boroughs, which could potentially affect the voting power of other New York City residents. In balancing the districting criteria, the Commission's revised plan has approximately 9.5 districts within New York County and 8.5 districts within Bronx County.

c. Queens County Overview

Queens County's population remained stable over the past decade, growing by a mere 0.1%. Nonetheless, the borough continues to be the most diverse borough in the city. Non-Hispanic Whites and Hispanics each account for about 28% of the borough's population, followed by Asians at 23% and Blacks at 18%. The Census data show a 16% decline in non-Hispanic White population and a 31% increase in Asian population. Given the borough's slow growth rate, as compared to the City's overall growth, many districts in the revised plan are less than ideally-sized.

d. Kings County Overview

Brooklyn is the most populous borough in the city and grew at a rate of 1.6% to 2,504,700 residents. Black population in the borough declined by approximately 6%. The non-Hispanic White population grew by approximately 5%, while the Hispanic population remained about the same, and the Asian population grew 41%. East New York and Sunset Park in particular gained residents, whereas the Flatbush and East Flatbush neighborhoods lost significant population.

e. Richmond County Overview

Staten Island's population grew the fastest of any borough, at 5.6%. With an additional 25,000 new residents, the borough's population increased to 468,730 residents. This growth allows Staten Island to have three fully-contained Council districts in the revised plan. Virtually every neighborhood on Staten Island increased in population, with Charleston-Richmond Valley and Tottenville experiencing the largest gains. Staten Island is the only borough where the Hispanic and Black populations both increased, by 51% and 12% respectively, most heavily in District 49. There was also a 40% increase in Asian population in Staten Island, though the borough's Asian population is still under 50,000.

C. Council District Overview

a. NEW YORK COUNTY

i. District 1

Council District	Total Population	Total Voting Age Population	Population Deviation⁴
1	168,491	146,003	4.84%

District 1 encompasses Chinatown, Battery Park City, Tribeca, SoHo, the Financial District, Governor’s Island, and Greenwich Village. The district’s population grew at 13% during the last decade. District 1 retains much of its former shape and is altered at its northern border. In order to keep communities of interest united, the Gouverneur Gardens, a Mitchell-Lama development, was kept intact in District 1.

Although District 1 was not plurality Asian in composition in the 2003 plan, Asian voters were successful in electing their preferred candidate to the City Council in the 2009 primary. Testimony from the Asian American Community Coalition on Redistricting and Democracy (“ACCORD”) and other groups indicated a desire to join Lower East Side and Chinatown together in one district to unite socio-economic interests. However, this testimony was counterbalanced by the views expressed by Asian Americans for Equality and the Chinatown Partnership, which expressed that such a configuration could threaten the chances of a minority candidate being elected and urged the Commission to keep the district as currently drawn. In accordance with advice provided by the Commission’s legal counsel and the Commission’s expert analyst Dr. Handley, the boundaries of District 1 were not significantly altered. The reconfigured District 1 will provide fair and effective representation for racial and voting minority groups within the district and complies with the Voting Rights Act.

ii. District 2

Council District	Total Population	Total Voting Age Population	Population Deviation
2	168,334	151,832	4.74%

District 2 includes the Lower East Side, East Village, Gramercy Park, Kips Bay, and Murray Hill. The district’s population increased by approximately 5% during the last decade. In accordance with the Charter, several blocks that constitute a community of interest with District 2 between Pitt Street and Norfolk Street, between East Houston and Stanton Street, are added to the district. For the same reason, the Vladeck Houses, a New York City Housing Authority (“NYCHA”) development, which had previously been divided between District 1 and 2, is fully united in District 2. District 2’s boundaries are largely unchanged, and are mainly influenced by the configuration of District 1, which retained its potential as an “opportunity to elect” district.

⁴ Population deviation refers to the percent deviation from the ideal district population size.

iii. District 3

Council District	Total Population	Total Voting Age Population	Population Deviation
3	168,556	154,915	4.88%

District 3 is comprised of the lower west side neighborhoods of West Village, West SoHo, Chelsea, and Hell’s Kitchen. Since District 3 was almost 8% above the ideal population size, portions of Murray Hill, the Fashion District, and Midtown are joined in District 4. Consistent with an alternative plan submitted by the good-government organization Common Cause, the district’s eastern border is Broadway.

iv. District 4

Council District	Total Population	Total Voting Age Population	Population Deviation
4	168,456	148,713	4.82%

District 4 includes Stuyvesant Town, Peter Cooper Village, Murray Hill, Central Park South, and the Upper East Side. The primary factor influencing District 4’s configuration is the need to adjust population size to balance the district’s loss of population and District 3’s relative growth. As a result of this imbalance, District 4 acquires portions of Murray Hill, the Fashion District, and Midtown from District 3. The addition of population on the northern boundary allows District 8 to extend further into the Bronx, which is necessary to achieve more proportionate Council representation for Bronx residents, consistent with the “one person, one vote” Constitutional standard and the New York City Charter.

v. District 5

Council District	Total Population	Total Voting Age Population	Population Deviation
5	168,413	147,385	4.79%

District 5 consists of Sutton Place, the Upper East Side, Yorkville, and Roosevelt Island. The district expands at its northern boundary up to East 97th and 98th Street, acquiring population from Districts 4 and 8. As mentioned above, these changes allow District 8 to extend further into the Bronx to achieve Council representation for Bronx residents consistent with legal requirements.

vi. District 6

Council District	Total Population	Total Voting Age Population	Population Deviation
6	168,441	143,703	4.81%

District 6 is composed of northern Clinton, the Upper West Side, and Central Park. The changes in District 6 are made to adhere to the Charter’s mandate to keep neighborhoods and communities of interest intact. The expansion on the northern border, from 96th Street to 109th Street between Broadway and the Hudson River, allows Manhattan Valley to be contained in District 7. Two concerns voiced at the public hearings were the communities of interest that exist between the Harborview Terrace and Amsterdam Houses, two NYCHA developments, and a residential building at 10 West End Avenue and the Riverside Center. The revised plan addresses both concerns by including all three housing complexes within District 6.

In addition, in order to remedy the pre-existing conflict with the Charter’s “length-times-width” compactness criterion in District 8 that was raised in public testimony, Central Park was moved from District 8 into District 6, creating a compact district that complies with that criterion. Because of the extremely low population of Central Park, this change could be made without offending any of the higher-priority Charter principles.

vii. District 7

Council District	Total Population	Total Voting Age Population	Population Deviation
7	168,453	139,642	4.82%

District 7 consists of Morningside Heights, Manhattanville, Hamilton Heights, and a small portion of Washington Heights. District 7’s configuration is largely a result of the drastic loss of population in District 10 and the need to ensure equal representation under the Constitution and Charter. The Commission heard public testimony about the community of interest between West and Upper Harlem, and as a result these areas were united in subsequent versions of the plan. An additional community of interest that the Commission united was that of the Grant Houses, a NYCHA housing development, and Morningside Heights. Lastly, Manhattan Valley, which was split into three districts under the 2003 boundaries, is united in District 7, consistent with a request that was the subject of much public testimony and comment. With the exception of minor modifications, District 7’s boundaries largely mirror those proposed by Common Cause’s alternative Manhattan plan and encompasses the entirety of Community Board 9.

viii. District 8

Council District	Total Population	Total Voting Age Population	Population Deviation
8	168,460	124,348	4.82%

District 8 includes East Harlem and Randall’s Island in Manhattan, and Mott Haven, Concourse, and Highbridge in the Bronx. Major Charter-related factors influencing the composition of District 8 included the need to provide proportional Council representation to both Manhattan and Bronx residents, to maintain neighborhoods and communities of interest, and to preserve cultural landmarks.

District 8 changes significantly due to extreme population growth in Bronx County. Under the 2003 lines, District 8 is an inter-borough district primarily composed of Manhattan’s East Harlem and a small portion of Mott Haven in the Bronx. To ensure that Bronx residents have proportional Council representation, as discussed in the Bronx overview above, District 8 in the revised plan expands within the Bronx by acquiring area from what was District 17 under the 2003 lines.

The Commission’s proposed District 8 is also drawn to accommodate many of the community’s concerns raised during the Commission’s public hearings. In response to public testimony, La Marqueta, El Museo del Barrio, and Mount Sinai Hospital, identified by the public as important institutions and cultural landmarks, are kept within District 8. Randall’s Island also remains in District 8, as envisioned by the Common Cause alternative plan and the South Bronx Common Sense Plan submission, and as echoed by many who testified during the Commission’s January Bronx hearing. This change was made in response to overwhelming public testimony after Randall’s Island had been placed in a Queens district in an earlier draft plan. That preliminary plan also extended District 8 north to the Cross Bronx Expressway. In order to make the district more compact, as requested by the public and consistent with Charter criteria, the Bronx segment contracted south, to encompass the neighborhood of Concourse.

Another challenge confronting the configuration of District 8 is the decline of Hispanic population over the past ten years. Dr. Handley’s analysis indicates that the Department of Justice would likely consider District 8 to be a protected Voting Rights Act district under the benchmark (i.e., the 2003) plan. The 2010 Census showed that District 8’s Hispanic voting age population percentage had dropped to 47% in the benchmark plan. The changes made by the Commission to District 8 preserve District 8 as an “ability to elect” district, as the boundaries under the revised plan contain a Hispanic voting age population of 63.1%. According to Dr. Handley’s analysis, the proposed new District 8 will perform as an “ability to elect” district in compliance with the federal Voting Rights Act. Although this district as configured under the 2003 lines did not elect the candidate of choice of Hispanic voters in the 2009 City Council primary, it is expected that Hispanic voters will be able to elect their preferred candidate in the new District 8, according to Dr. Handley’s expert analysis.

ix. District 9

Council District	Total Population	Total Voting Age Population	Population Deviation
9	160,288	125,310	-0.26%

District 9 includes Central Harlem and parts of East Harlem. Although the district experienced a 6.1% increase in population, the Black population declined by almost 13%. In order to keep neighborhoods and communities of interest together, portions of Morningside Heights and Manhattan Valley were removed from District 9 (allowing Manhattan Valley to be contained wholly within District 7) and portions of Harlem above 140th Street were added to this Central Harlem district. The shape of District 9 fairly comports with an alternative plan known as the “Unity Map,” which was the product of several groups: LatinoJustice PRLDEF, Asian American Legal Defense and Education Fund (AALDEF), Center for Law and Social Justice (CLSJ), National Institute for Latino Policy (NILP), and La Fuente.

x. District 10

Council District	Total Population	Total Voting Age Population	Population Deviation
10	166,731	133,657	3.75%

District 10 consists of Washington Heights, Hudson Heights, Fort George, and Inwood. During the last decade, District 10 lost 9% of its population, leaving the district substantially underpopulated with 136,647 residents, almost 15% below the ideal population size. Therefore, the primary concern with District 10 is ensuring that the population size complies with the Constitution and Charter. The district was expanded west to include the entirety of northern Manhattan, some of which was previously part of District 7. This change also complies with the Charter’s criteria of uniting neighborhoods, as the majority of Washington Heights and Inwood fall within the district’s boundaries. The district’s configuration is similar to the Unity Map alternative plan.

b. BRONX COUNTY

xi. District 11

Council District	Total Population	Total Voting Age Population	Population Deviation
11	153,044	119,695	-4.77%

District 11 encompasses the neighborhoods of Kingsbridge, Fieldston, Riverdale, North Riverdale, Jerome Park, Norwood, Van Cortlandt Village, Spuyten Duyvil, and a part of Woodlawn. Due to outsized population growth in District 12, and the ability of District 11 to acquire additional population, a portion of the Bronx Park East area was added to District 11 to achieve the proper population deviations for both districts.

xii. District 12

Council District	Total Population	Total Voting Age Population	Population Deviation
12	166,555	125,961	3.64%

District 12 consists of Co-op City, Baychester, Eastchester, Edenwald, Laconia, Olinville, Williamsbridge, and a part of Wakefield. Under the 2003 lines, the district grew by almost 7% and was approximately 11,000 residents over the ideal population size. Consistent with the “one person, one vote” Constitutional standard and the New York City Charter, the district’s population was adjusted to bring it within the proper population deviation.

xiii. District 13

Council District	Total Population	Total Voting Age Population	Population Deviation
13	156,276	123,116	-2.76%

District 13 is comprised of the neighborhoods of Schuylerville, Pelham Gardens, Bronxwood, Bronxdale, Country Club, City Island, Throggs Neck, and Morris Park. The district’s boundaries remain largely the same. Minor changes were made to the western boundary to decrease the population deviation and allow the Parkside NYCHA development to be unified in District 15 as requested in the public testimony. In response to public testimony, the revised plan keeps the Van Nest neighborhood in Districts 13 and 15 instead of dividing the area into three Council districts as proposed in a previous, preliminary plan. Additionally, the revised plan creates a new boundary in the area where Districts 12, 13, and 15 meet, allowing the districts to be more compact.

xiv. District 14

Council District	Total Population	Total Voting Age Population	Population Deviation
14	165,009	118,526	2.68%

District 14 includes Morris Heights, University Heights, and Fordham Manor. Under the 2003 lines, District 14 lost population and the 2010 Census showed the district was underpopulated from the ideal and needed to pick up population. In response to public testimony about parishioners being districted separately from their church, a community of interest was united by including Jerome Avenue and Grand Concourse, up to 198th Street, into the district, in addition to moving the district’s eastern border to largely follow the Grand Concourse. Consistent with the “one person, one vote” Constitutional standard and the New York City Charter, these changes increased the district’s population to an acceptable level, while adhering to the Charter districting criteria.

xv. District 15

Council District	Total Population	Total Voting Age Population	Population Deviation
15	168,524	119,696	4.86%

District 15 covers Crotona, Belmont, Fordham Heights, Tremont, Van Nest, and a portion of Bronxwood. With a population of 167,995, the district was 5% above the ideal population size under the 2003 lines. In response to public testimony and the Charter criterion to keep communities of interest intact, the Parkside Houses were united into District 15. The revised plan keeps the Van Nest neighborhood in Districts 13 and 15 instead of dividing the area into three Council districts as proposed in the Preliminary Draft Plan. This shift also brings the New York Botanical Gardens into the district and unites the Botanical Gardens and Bronx Zoo in one district. The district’s western border now follows the natural boundary of Grand Concourse.

xvi. District 16

Council District	Total Population	Total Voting Age Population	Population Deviation
16	163,322	113,600	1.63%

District 16 consists of Highbridge, East Morrisania, Claremont, and Concourse Village. Due to rapid growth in the last decade, the district was significantly overpopulated, with a population deviation of 10.7% above the ideal population size. In compliance with the Constitution and Charter mandate to ensure proportionate representation, District 16 shed population by relinquishing a portion of Morris Heights on its northern boundary. To keep neighborhoods and communities of interest intact, the Commission responded to public testimony by including Concourse Village, Highbridge, and Yankee Stadium in the district.

xvii. District 17

Council District	Total Population	Total Voting Age Population	Population Deviation
17	156,701	109,593	-2.49%

District 17 includes Hunts Point, Longwood, Port Morris, Woodstock, Foxhurst, and Claremont Village. Similar to District 16, District 17 experienced tremendous growth. The population deviation of approximately 13% over the ideal population size was rectified to ensure compliance with the Constitution and Charter mandate of equal population. District 17 is reconfigured by concentrating the district towards its eastern portion and shedding area on the western and southern boundaries. The shape of District 17 is largely the result of the contours of District 8 and District 16, both of which are preserved as “ability to elect” districts under the Voting Rights Act.

xviii. District 18

Council District	Total Population	Total Voting Age Population	Population Deviation
18	165,654	121,722	3.08%

District 18 consists of Castle Hill, Clason Point, Parkchester, Park Versailles, Unionport, and Soundview. Under the 2003 lines, the district is approximately 6% above the ideal population size. To reduce population, portions of the neighborhoods of Soundview and Park Versailles are removed from the northwest portion of the district.

c. QUEENS COUNTY

xix. District 19

Council District	Total Population	Total Voting Age Population	Population Deviation
19	156,332	127,331	-2.72%

District 19, located in northeast Queens, includes Auburndale, Bayside, Bay Terrace, Broadway-Flushing, Clearview, College Point, Douglaston, Little Neck, North Flushing, and Whitestone. The district lost population in the last decade and the boundaries were adjusted to bring the population closer to the ideal population size. With the natural boundary of the Long Island Sound to the north, the district expanded southward. In considering the district's boundaries, the Commission reviewed many pieces of testimony about neighborhoods and communities of interest. In fulfilling the Charter's mandate and in accordance with public testimony, the revised plan unifies the Broadway-Flushing area. For similar reasons, the revised plan places the low-density North Flushing area, as defined by Union Street going along 33rd Avenue, into District 19. The new plan also unites the neighborhood of Auburndale in the district. District 19's boundaries largely conform to the alternative plan proposed by Queens Civic Congress.

Many community advocates expressed a desire for Bayside Hills and Oakland Gardens to be united with the greater Bayside community in District 19 throughout the public hearings. However, this was not possible while still maintaining compliance with the Constitutional and Charter mandated population proportionality requirements. Maintaining the 48th Avenue boundary also keeps the communities of Bayside Hills and Oakland Gardens together, while maintaining District 19 as a competitive district.

xx. District 20

Council District	Total Population	Total Voting Age Population	Population Deviation
20	158,613	132,218	-1.30%

District 20 includes East Flushing, Flushing, Kissena Park, Murray Hill, and Queensboro Hill. Given District 20's natural boundaries of the Van Wyck Expressway to the west and the Long

Island Expressway to the south, the boundaries of District 20 are intricately tied to those of District 19. In accordance with the Charter, the revised plan conforms to public testimony and unites the Mitchell-Linden Co-ops, a community of interest, in District 20.

xxi. District 21

Council District	Total Population	Total Voting Age Population	Population Deviation
21	161,147	121,914	0.27%

District 21 is comprised of Corona, East Elmhurst, North Corona, and LaGuardia Airport. The district experienced a decade of growth, making it the most populous district in Queens with a population of 172,973. In adhering to the Charter to the maximum extent practicable, the district’s boundaries are adjusted while keeping neighborhoods and communities of interest intact and ensuring that the district is contiguous. Under the revised plan, the district sheds portions of Elmhurst and East Elmhurst and brings in the additional areas of Corona and LaGuardia Airport. The lines also unite the majority of Corona in the district with the boundaries defined as Junction Boulevard to the west, Long Island Expressway to the south, and Flushing Meadow Park to the east. LeFrak City, which was in District 24 under the Preliminary Draft Plan, is moved into District 21, as it shares a community of interest with the larger Corona area, according to public testimony. The neighborhood of Elmhurst is also largely united in District 25.

xxii. District 22

Council District	Total Population	Total Voting Age Population	Population Deviation
22	159,059	135,360	-1.03%

District 22 consists of Astoria, Ditmars-Steinway, and Riker’s Island. The district is an inter-borough district as it spans northwest Queens and Riker’s Island, which is part of the Bronx. Due to significant population loss in the last decade, District 22 was underpopulated by almost 9% below the ideal population size under the benchmark (2003) plan. Because District 22 borders the East River, the district moves east into the current District 21 to acquire portions of East Elmhurst along 31st Avenue. In response to public testimony, the Queensview Houses are fully united in the district.

xxiii. District 23

Council District	Total Population	Total Voting Age Population	Population Deviation
23	152,767	123,084	-4.94%

District 23 covers Hollis, Queens Village, Little Neck, Bayside Hills, Bellerose, Floral Park, Glen Oaks, Hollis Hills, Fresh Meadows, and Oakland Gardens. Under the 2003 lines, the district was 9,000 people below the ideal population size. To increase the population within the

district according to Constitutional and Charter equal population requirements, the district's boundaries expand slightly to include Bayside Hills, which shares a community of interest with Oakland Gardens, a neighborhood already in District 23. While many advocates wanted both of these communities to be included in District 19, this was not possible while still maintaining compliance with the Constitutional and Charter mandated population proportionality requirements.

xxiv. District 24

Council District	Total Population	Total Voting Age Population	Population Deviation
24	154,559	122,144	-3.83%

District 24 includes Briarwood, Utopia, Hillcrest, Jamaica Estates, Jamaica Hills, and Kew Gardens Hills. Although the district gained population, the population remained within an acceptable range of deviation as required by the Constitution and Charter. In response to public testimony about the division in the Preliminary Draft Plan of Briarwood and Jamaica Hills, which together form a community of interest, the revised plan reunites these neighborhoods into District 24. The unification also has the desired effect of moving LeFrak City into District 21, allowing it to be joined with its community of interest.

xxv. District 25

Council District	Total Population	Total Voting Age Population	Population Deviation
25	166,070	133,741	3.34%

District 25 consists of Jackson Heights and Elmhurst. Although the district gained population, the population remained within an acceptable range of deviation as required by the Constitution and Charter. The new plan is largely a result of the Charter's mandate to keep intact neighborhoods and communities of interest and create a more compact district. The December 4th plan responded to the testimony of advocates and residents opposed to the division of Elmhurst in the Preliminary Draft Plan. As a result, Elmhurst and Jackson Heights are joined in District 25, largely following neighborhood boundaries proposed by AALDEF—Junction Boulevard, the Long Island Expressway, and the Brooklyn-Queens Expressway. Additionally, in response to public testimony, the Brulene Cooperatives, a community of interest, is fully contained in District 25.

xxvi. District 26

Council District	Total Population	Total Voting Age Population	Population Deviation
26	154,411	126,647	-3.92%

District 26 covers Astoria, Sunnyside, Woodside, and Long Island City. Although the district gained population, the population remained within the range of deviation required by the

Constitution and Charter. The changes in the district were made to unify neighborhoods by bringing more of Woodside into the district while ceding areas of Maspeth to District 30, allowing that neighborhood to be wholly contained within District 30.

xxvii. District 27

Council District	Total Population	Total Voting Age Population	Population Deviation
27	156,286	120,448	-2.75%

District 27 is comprised of St. Albans, Hollis, Cambria Heights, Jamaica, Addisleigh Park, Rochdale, and Queens Village. Under the 2003 lines, District 27 is approximately 3% below the ideal population size. The revised plan complies with the Constitution and Charter and expands the boundaries to capture more population while also balancing the need to keep neighborhoods intact. In the Preliminary Draft Plan, a section of Cambria Heights was shifted into District 31. However, in response to public testimony, the boundary is restored to 121st Avenue and now also includes areas across from 121st Avenue to fully unite Cambria Heights within one district. The revised plan extends the southern border along Springfield Boulevard towards the Belt Parkway to include a portion of Rochdale into the district.

xxviii. District 28

Council District	Total Population	Total Voting Age Population	Population Deviation
28	168,443	126,798	4.81%

District 28 consists of Richmond Hill, South Ozone Park, South Jamaica, Rochdale Village, and John F. Kennedy Airport. Because the 2003 lines left the district almost 13,000 residents short of its ideal population, District 28 needed to expand and acquire additional population. As a result, the northern and western boundaries were shifted to encompass more of Richmond Hill and South Richmond Hill. This expansion also addressed the public testimony from the South Asian and Indo-Caribbean communities, which called for the unification of the Richmond Hill and South Ozone Park neighborhoods. Under the 2003 lines, this area was divided between four Council districts. The revised plan relies heavily on the boundaries proposed by the organizations Taking Our Seat and AALDEF in moving the western border of District 28 toward Woodhaven Boulevard to 100th Street in Richmond Hill. In doing so, the revised plan adheres to the Charter’s mandate to provide fair and effective representation of racial and minority groups and to unite neighborhoods and communities of interest to the maximum extent practicable. The following landmarks of importance to the South Asian community are also included within District 28’s boundaries: Jama Masjid Mosque, Richmond Hill High School, Thirumuti Temple, and the United Hindu Cultural Council Senior Center.

xxix. District 29

Council District	Total Population	Total Voting Age Population	Population Deviation
29	154,989	128,736	-3.56%

District 29 includes Rego Park, Forest Hills, and Kew Gardens. Similar to District 28, District 29 was almost 8% short of meeting the ideal population size. In order to pick up population and rectify the population deviation, the district expands its northeastern border to the Grand Central Parkway to consolidate all of Forest Hills in District 19. The boundary shift also keeps Park City Co-ops, a community of interest, intact in District 29.

xxx. District 30

Council District	Total Population	Total Voting Age Population	Population Deviation
30	154,681	122,088	-3.75%

District 30 is comprised of the neighborhoods of Middle Village, Maspeth, Ridgewood, and Glendale. The district, which is within acceptable population deviation range, is adjusted to keep neighborhoods intact. Specifically, in response to public testimony, the revised plan is able to bring the entirety of Maspeth, as defined by Newtown Creek, the Brooklyn Queens Expressway and Queens Boulevard, into District 30.

xxxi. District 31

Council District	Total Population	Total Voting Age Population	Population Deviation
31	157,032	115,084	-2.29%

District 31 covers Laurelton, Rosedale, Springfield Gardens, and Far Rockaway. Although District 31 was only 25 residents above the ideal population size, the district boundaries were changed to accommodate the expansion of District 28, which was 8% under the ideal population size.

xxxii. District 32

Council District	Total Population	Total Voting Age Population	Population Deviation
32	155,955	121,173	-2.96%

District 32 consists of Belle Harbor, Breezy Point, Broad Channel, Hamilton Beach, Howard Beach, Lindenwood, Neponsit, Ozone Park, Rockaway Park, and Woodhaven. The district's northern and eastern borders change due to "ripple effects" from uniting communities of interest

in District 28 and to ensure that District 30 is within the acceptable range of population deviation. In response to public testimony, Dayton Towers are brought back into the district.

d. KINGS COUNTY

xxxiii. District 33

Council District	Total Population	Total Voting Age Population	Population Deviation
33	161,372	119,618	0.41%

District 33 includes the neighborhoods of Greenpoint, Williamsburg, Boerum Hill, Brooklyn Heights, DUMBO, and Vinegar Hill. Under the 2003 lines, the district is above the ideal population size at 170,965 residents. In compliance with the Charter’s mandate to minimize population deviation and keep neighborhoods intact, the district’s southern boundary shifts and withdraws from Park Slope, allowing that neighborhood to be unified within District 39. Flatbush Avenue continues to serve as a natural boundary between Districts 33, 35, and 39. District 33 also gains territory south of its pre-existing Flushing Avenue boundary in order to bring in a Hasidic Jewish community that shares commonality of interests with other communities in District 33. This addition to District 33 also helps maintain Districts 35 and 36 as effective “ability to elect” districts in compliance with the Voting Rights Act. Finally, in the Preliminary Draft Plan, the Broadway Triangle area was shifted to District 34. In response to public testimony about zoning and other implications of this change, the revised plan reunites this area with its community of interest in District 33.

xxxiv. District 34

Council District	Total Population	Total Voting Age Population	Population Deviation
34	155,276	123,505	-3.38%

District 34, an inter-borough district, covers Williamsburg and Bushwick in Brooklyn and Ridgewood in Queens. The district remains almost identical to the current district.

xxxv. District 35

Council District	Total Population	Total Voting Age Population	Population Deviation
35	152,804	123,216	-4.92%

District 35 is comprised of Clinton Hill, Fort Greene, Crown Heights, Prospect Heights, and Bedford-Stuyvesant. Under the 2003 lines, the district is 5% under the ideal population size. As the district is likely to be considered a protected district under the Voting Rights Act, the area south of Flushing Avenue is placed in neighboring District 33 to unite a community of interest and to preserve District 35’s status as an “ability to elect” district. In a previous plan, the border

between Districts 35 and 40 was at Lincoln Road; however, this border is restored to Empire Boulevard in response to public testimony.

xxxvi. District 36

Council District	Total Population	Total Voting Age Population	Population Deviation
36	152,846	116,404	-4.89%

District 36 covers Bedford-Stuyvesant and Crown Heights. It is one of several Central Brooklyn districts that experienced a significant loss in population in the past decade. The 2003 boundaries leave the district over 10,000 residents short of the ideal population size. The district shifts westward to gain population in accordance with the Constitution and Charter mandate to equalize population.

xxxvii. District 37

Council District	Total Population	Total Voting Age Population	Population Deviation
37	152,880	110,642	-4.87%

District 37 includes East New York, Bushwick, Cypress Hills, City Line, Ocean Hill-Brownsville, and Wyckoff Heights. No major alterations are made to the district’s boundaries. The Commission heard testimony about the South Asian community of interest that exists between City Line and Ozone Park, a neighborhood in District 32. However, the desire to unite these two areas cannot be accommodated since the Charter only allows one inter-borough district. Changing the inter-borough district from District 34 would necessitate significant and disruptive changes to many other districts.

xxxviii. District 38

Council District	Total Population	Total Voting Age Population	Population Deviation
38	168,310	128,337	4.73%

District 38 consists of Greenwood, Red Hook, and Sunset Park. The district, which was within an acceptable range of population deviation, was changed to keep neighborhoods intact. Specifically, at the northern boundary, the district sheds a portion of Gowanus, allowing the neighborhood to be united in District 39. The Commission heard considerable testimony in favor of the boundaries that includes both sides of 8th Avenue within the district, and the revised plan reflects that request.

xxxix. District 39

Council District	Total Population	Total Voting Age Population	Population Deviation
39	162,456	126,535	1.09%

District 39 contains Carroll Gardens, Gowanus, Park Slope, Windsor Terrace, Kensington, Prospect Park, and part of Borough Park. The district, which was within an acceptable range of population deviation, is configured to keep neighborhoods intact. Specifically, the revised plan unifies the neighborhoods of Park Slope, Carroll Gardens, and Gowanus. The new lines allow District 39 to retain the same general shape.

xl. District 40

Council District	Total Population	Total Voting Age Population	Population Deviation
40	152,861	117,871	-4.88%

District 40 covers Ditmas Park, East Flatbush, Flatbush, Lefferts Gardens, and Prospect Park South. Over the last decade, the Black population in Central Brooklyn declined significantly. Under the 2003 lines, the district is 13,000 residents short of reaching the ideal population size. In order to comply with the Constitution and Charter equal population requirements, the revised plan expands the district on its southwestern border to add a portion of Kensington. Due to public testimony about a community of interest, the boundary between Districts 35 and 40 is restored to Empire Boulevard between the Preliminary Draft Plan and the revised plan.

xli. District 41

Council District	Total Population	Total Voting Age Population	Population Deviation
41	152,964	112,229	-4.82%

District 41 encompasses part of Bedford-Stuyvesant, Ocean Hill-Brownsville, East Flatbush and Crown Heights. The revised lines largely maintain District 41's shape.

xlii. District 42

Council District	Total Population	Total Voting Age Population	Population Deviation
42	152,776	111,160	-4.94%

District 42 is comprised of East New York and Brownsville. Under the 2003 lines, District 42 is approximately 5,500 residents over the ideal population size. The district's configuration is a result of the Commission's decision to unite neighborhoods and communities of interest in District 46, specifically Bay View Towers and Canarsie. Additionally, District 42 expands into

East New York so that areas from its Central Brooklyn border can be shifted to adjacent districts that are below ideal population size.

xliii. District 43

Council District	Total Population	Total Voting Age Population	Population Deviation
43	168,392	135,595	4.78%

District 43 covers Bay Ridge, Bath Beach, Bensonhurst, and Dyker Heights. Due to a 5% growth rate in Staten Island and the borough’s ability to contain three districts within its borders, there is no longer a need for an inter-borough district shared between Brooklyn and Staten Island. As a result, District 43 regains portions of Bath Beach and Dyker Heights. The district also extends southeastwardly along the coastline to fully unite parkland and recreational lanes along Shore Road, starting at Owl’s Head Park and ending at Calvert Vaux Park.

xliv. District 44

Council District	Total Population	Total Voting Age Population	Population Deviation
44	157,613	105,811	-1.93%

District 44 consists of Borough Park, Midwood, and Mapleton. The district, which was within an acceptable range of population deviation, is changed to keep neighborhoods and communities of interest intact. In response to public testimony from groups and individuals including the Sephardic Community Federation and Congregation Beth Torah, the revised plan unites the Sephardic Jewish community—the areas of East 19th Street to Coney Island Avenue, from Avenue I to M—in District 44.

xliv. District 45

Council District	Total Population	Total Voting Age Population	Population Deviation
45	153,543	116,518	-4.46%

District 45, in Central Brooklyn, includes Flatbush, East Flatbush, Flatlands, and Midwood. Under the 2003 lines, the district is the least populous district in Brooklyn and deviated 12%, approximately 20,000 residents underpopulated, from the ideal population size. In compliance with the Constitution and Charter, the district’s population is increased by expanding the boundary on the southern border into Midwood. Additionally, Victorian Flatbush, a neighborhood which is enclosed by Foster Avenue and Coney Island Avenue, is added to District 45 in response to public testimony.

xlvi. District 46

Council District	Total Population	Total Voting Age Population	Population Deviation
46	167,505	129,190	4.23%

District 46 includes Bergen Beach, Gerritsen Beach, Canarsie, Flatlands, Marine Park, and Mill Basin. In compliance with the Charter criterion of keeping neighborhoods intact, Canarsie is now united and included within the district. Additionally, Bay View Houses, which was previously in District 42, is moved in District 46 after the Commission heard testimony indicating that the 2003 lines divided the community of interest that is shared between that development and the neighborhood of Canarsie.

The revised plan lines remain the same as those in the Commission’s December 4th plan, which was heavily influenced by the Unity Group’s alternative plan that creates a new “opportunity to elect” district for minority voters. According to Dr. Handley’s analysis, these changes appear to provide Black residents in this district with an opportunity to elect their candidate of choice to the Council for the first time.

xlvi. District 47

Council District	Total Population	Total Voting Age Population	Population Deviation
47	168,410	131,841	4.79%

District 47 encompasses Gravesend, Coney Island, Sea Gate, and Bensonhurst. The district, which was within an acceptable range of population deviation, is changed to keep neighborhoods and communities of interest intact. Specifically, the revised plan attempts to respond to the concerns of AALDEF and the ACCORD to unite the communities of interest in Bensonhurst, Gravesend, and Bath Beach. The revised plan is informed by the testimony of and the alternative plan submitted by OCA-NY.

xlvi. District 48

Council District	Total Population	Total Voting Age Population	Population Deviation
48	167,579	136,012	4.27%

District 48 is comprised of Manhattan Beach, Brighton Beach, Sheepshead Bay, and Midwood. The district is shaped by the Charter’s criterion to keep communities of interest intact and is influenced by the need to maintain District 45 as an “ability to elect” district under the Voting Rights Act and the creation of District 46 as a potential “opportunity-to-elect” district. The revised plan unites the Russian-American community in Brighton Beach, Manhattan Beach, and the housing complexes west of Coney Island Avenue. The northern boundary retracts to relinquish a portion of Midwood so that District 45 could gain population to be within the

allowable deviation and expands eastward to acquire more of Sheepshead Bay. In response to public testimony from the Orthodox Jewish community requesting to be in District 48, the revised plan now includes Avenues L to M, from East 19th to 27th Street, in the district.

e. RICHMOND COUNTY

xlix. District 49

Council District	Total Population	Total Voting Age Population	Population Deviation
49	159,569	118,080	-0.71%

District 49, in northern Staten Island, contains Clifton, Elm Park, Mariners Harbor, New Brighton, Port Richmond, St. George, Stapleton, West Brighton, and Tompkinsville. Under the 2003 lines, the district is 10,000 residents over the ideal population size. In compliance with the Charter’s equal population requirements, the district’s southern boundary is shifted, allowing Castleton Corners and Westerleigh to be united in District 50. The southern border of District 49 largely follows the natural boundary of the Staten Island Expressway.

i. District 50

Council District	Total Population	Total Voting Age Population	Population Deviation
50	155,454	122,381	-3.27%

District 50 includes the neighborhoods of Arrochar, Bulls Head, Concord, Dongan Hill, Emerson Hill, Fort Wadsworth, Midland Beach, New Dorp, Prall's Island, South Beach, Todt Hill, Travis, and Westerleigh. As mentioned previously, due to a 5% growth rate on Staten Island, the revised plan is able to unite neighborhoods and communities of interest by eliminating the inter-borough district shared between Brooklyn and Staten Island. District 50 is now fully contained within Staten Island. Additionally, the neighborhoods of Oakwood and Westerleigh are united in the district.

ii. District 51

Council District	Total Population	Total Voting Age Population	Population Deviation
51	153,553	118,913	-4.45%

District 51 consists of Annadale, Arden Heights, Charleston, Eltingville, Great Kills, Prince’s Bay, Rossville, Tottenville, and Woodrow. The boundaries of District 51 remain the same aside from a shift in the northern boundary that allows the neighborhood of Oakwood to be united in District 50.