



CITY COUNCIL AGENDA REPORT

MEETING DATE: July 5, 2016

ITEM NUMBER: PH-2

SUBJECT: DISTRICT ELECTIONS MAPPING PROCESS – VOTING DISTRICTS FORMATION

DATE: JUNE 21, 2016

FROM: CHIEF EXECUTIVE OFFICE/CITY CLERK DIVISION

PRESENTATION BY: RICHARD L. FRANCIS, ASSISTANT CEO
BRENDA GREEN, CITY CLERK
YOLANDA SUMMERHILL, DEPUTY CITY ATTORNEY

FOR FURTHER INFORMATION CONTACT: BRENDA GREEN, CITY CLERK, 714-754-5225

SUMMARY

Review of the first and second rounds of community input meetings on the City Council voting district election mapping process and second public hearing to review community input, and discussion of proposed district maps.

RECOMMENDATION

Staff recommends that the City Council:

1. Receive presentation and recommendations regarding voting district maps; and
2. Open public hearing, receive public input, and close public hearing; and
3. Discuss voting district formation maps and provide direction to Staff on a map preference; and
4. Schedule the third and final public hearing for July 12, 2016 for City Council to select a map to include on the November 8, 2016 ballot, asking voters to decide whether to approve voting district elections as defined by the selected map.

BACKGROUND

On December 21, 2015, the City received a letter from Attorney Kevin Shenkman alleging that the City's at-large election system is illegal due to the presence of racially polarized voting (RPV), which impairs the ability of minority citizens to elect the candidate of their choice to the City Council.

The California Voting Rights Act (CVRA) authorizes lawsuits challenging at-large elections that are applied in a manner that impairs a minority group's "ability to elect" its chosen candidates, or "ability to influence" the outcome of an election (Cal. Elec. Code § 14027). A violation of the CVRA does not require proof of discriminatory intent. Rather, a violation of the CVRA is established if it is shown that RPV occurs in elections

for members of the governing body or in elections incorporating other electoral choices by the voters of the political subdivision (Cal. Elec. Code § 14028(a)). In determining whether there is a violation, one thing the court can consider is the extent to which “candidates who are a member of a protected class and who are preferred by voters of the protected class, as determined by an analysis of voting behavior, have [or have not] been elected to the governing body” subject to the CVRA challenge (Cal. Elec. Code § 14028(b)).

In April 2016, the City reported that it had agreed to enter into a settlement agreement and will put forth a ballot measure for voter consideration in November 2016. The ballot measure will seek voter approval of the City Council district map selected by the City Council during a public hearing process.

The City entered an agreement with David Ely of Compass Demographics to direct the process of creating districts. The City also entered into an agreement with Arellano Associates as the Community Outreach Consultant to facilitate the Voting Districts Formation – Community Participation Plan.

COMMUNITY OUTREACH

The community involvement process began with “Meet the Expert” meetings, where interested individuals and small groups had an opportunity to meet with the City’s demographic expert Dave Ely of Compass Demographics and review sample maps, provide input and develop their own voting district maps, if they chose to do so.

Subsequently, the City hosted four community meetings throughout the City, to solicit community input regarding potential voting district boundaries:

- June 2, 2016 – 7:00 p.m. – 9:00 p.m. at Neighborhood Community Center
- June 4, 2016 – 10:00 a.m. – 12:00 p.m. at Halecrest Park
- June 15, 2016 – 7:00 p.m. – 9:00 p.m. at St. Joachim Church
- June 18, 2016 – 10:00 a.m. – 12:00 p.m. at Balearic Community Center.

Arellano Associates has summarized the outcomes from the first and second rounds of community outreach meetings in more detail in Attachment 1.

The City established a dedicated webpage containing all notices and information on the district elections mapping process with information in English, Spanish, and Vietnamese. The City also established an email address specific to voting district formation communications.

Additionally, City staff provided information to the public on the district mapping process through the City’s social media accounts, press releases and public service announcements to English, Spanish and Vietnamese media outlets, posting notices in the City’s regular posting locations, listings on the City’s events calendar, and direct handouts to local community groups.

Staff arranged to have Spanish and Vietnamese interpreters present at every community meeting and each City Council Public Hearing. Interpreters were available for individual “Meet the Expert” meetings on request.

The outreach team developed promotional and informational materials to elicit public input, frequently asked questions (FAQs) document, guiding principles, fact sheet, Census population map, instructions on how to submit a districting map and other materials to inform the community and request input.

MAP SELECTION

Per the terms of the settlement agreement, City Council will select a map to include on the November 8, 2016 ballot measure asking voters to decide whether to approve voting district elections as defined by the selected map.

NEXT STEPS

The third and final public hearing will be scheduled for July 12, 2016 for selection of the map for consideration on the November 8, 2016 ballot, and the necessary documents to call the November 8, 2016 election and to place the measure on the ballot.

FISCAL REVIEW

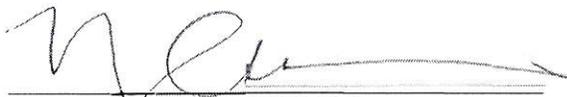
Use of Compass Demographics for consulting services in connection with the development of district maps will cost the City \$20,000. Use of Arrellano Associates as the Community Outreach Consultant will cost the City \$49,000. Costs for translations and interpreters is approximately \$10,000. The cost to place the initiative on the November 2016 ballot is estimated at \$10,000 and is included in the Fiscal Year 2016-17 budget, Elections Consulting.

LEGAL REVIEW

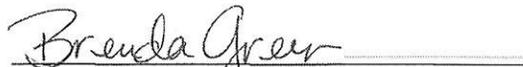
The City Attorney' soffice has reviewed this report for legal content and approved it as to form.

CONCLUSION

Staff recommends that the City Council (1) hold a public hearing regarding City Council voting district formation and (2) provide direction on the preference of a map.



YOLANDA SUMMERHILL
Deputy City Attorney



BRENDA GREEN
City Clerk



RICHARD L. FRANCIS
Assistant CEO

ATTACHMENTS: 1. Arellano Associates Reports
2. Proposed District Maps.