

Legislation Details (With Text)

File #: 2017-368 **Version:** 1 **Name:**

Type: Staff Report **Status:** Public Hearing

File created: 9/6/2017 **In control:** City Council

On agenda: 9/13/2017 **Final action:**

Title: Ordinance Establishing Council Election Districts

Sponsors: City Manager, Charles McClendon

Indexes:

Code sections:

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| Date | Ver. | Action By | Action | Result |
|-----------|------|--------------|----------|--------|
| 9/13/2017 | 1 | City Council | approved | Pass |

City Council

MEETING DATE: 9/13/2017

TITLE:
Ordinance Establishing Council Election Districts

FROM:
Charlie McClendon, City Manager

RECOMMENDATION:
Staff recommends the City Council hold a public hearing and receive comments from the public; introduce and provide first reading to an ordinance establishing City Council Election Districts.

BACKGROUND:
The City Council was elected under an at-large election system, whereby Council Members are elected by voters of the entire City. On March 8, 2017, the Council adopted a Resolution of Intent to

Change Election Systems. Moving to by-district elections would require a Council Member (and all candidates for that position) to reside within a designated district boundary, and each Council Member would be elected only by voters of their respective districts. On April 12, 2017 Council held the first public hearing to receive comments regarding the composition of potential Council election districts prior to draft maps being developed. Information was also made available regarding the on-line mapping feature, which allowed anyone to try their hand at developing district maps. A second public hearing was held on April 26, 2017. Additionally, residents had the opportunity to provide further input on the topic of districts at four "City Hall Comes to You" meetings held on May 11, 2017 at the Sunshine Café, on June 7, 2017 at Cardenas Market, on July 18, 2017 in the study session room at City Hall and on August 10, 2017 at the Cathedral City Library. In addition to the on-line mapping tool, people from the community could also submit suggested maps on paper forms. Maps prepared by residents, either on-line or on paper forms, were due by June 9, 2017 and a total of 35 maps were submitted. The demographic consultant contracted by the City to assist with the districting process, National Demographics Corporation (NDC) also prepared three draft map options. All maps prepared, either by residents or by NDC were posted on the City website on June 12, 2017. A public hearing was held on June 26, 2017 during which time members of the public were invited to provide comments to the Council. At that time, Council discussed the need to select a group of maps to be finalists for further consideration, but the consensus was to wait until the public had yet another opportunity to provide input to the Council. The next public hearing was held on July 26, 2017. After receiving input from the community at that public hearing, Council reduced the field of maps under consideration to seven. The seven "semi-finalist" maps are attached. The next public hearing was held on August 9, 2017. After receiving input from the community at that public hearing, Council reduced the field of maps to three finalists. Another public hearing was held on August 23, 2017 at which time the Council selected a final preferred map and an alternate to the final map, which was suggested by Mayor Henry.

DISCUSSION:

On March 8, 2017, the Council adopted Resolution 2017-07, adopting line drawing criteria for creating Council district boundaries. The adopted resolution states the following:

Specification of Criteria to Guide the Establishment of Electoral Districts

- The boundaries of the electoral districts shall be established so that the electoral districts are equal in population as defined by law.
- The boundaries of the electoral districts shall not be gerrymandered in violation of the principles established by the United States Supreme Court in *Shaw v. Reno*, 509 U.S. 630 (1993), and its progeny.
- The boundaries of the electoral districts shall be established so that the electoral districts do not result in a denial or abridgement of the right of any citizen to vote on account of race or color as provided in Section 2 of the federal Voting Rights Act.
- The boundaries of the electoral districts shall observe communities of interest as identified in public comment or identified by the city council, including, but not limited to rural or urban populations; social interests; agricultural, industrial or service industry interests; residential and commercial areas,

the location of city facilities and historical sites, and the like, insofar as practicable.

-The boundaries of the electoral districts shall be compact, insofar as practicable.

-The boundaries of the electoral districts shall be created to contain cohesive, contiguous territory, insofar as practicable.

-The boundaries of the electoral districts may observe topography and geography, such as the existence of mountains, flat land, forest lands, man-made geographical features such as highways, major roadways and canals, etc., as natural divisions between districts, insofar as practicable.

-Unless otherwise required by law, the electoral districts shall be created using whole census blocks, insofar as practicable.

-The boundaries of the electoral districts may avoid the "pairing" of incumbents in the same electoral district, insofar as this does not conflict with the constitution and laws of the State of California and the United States.

-The boundaries of the electoral districts shall comply with such other factors which become known during the districting process and are formally adopted by the City Council.

The City held two (2) public hearings prior to the release of draft maps of Council election districts. Council has held additional public hearings to solicit public input regarding the content of the draft maps and the proposed sequence of elections. Then an additional public hearing will be held prior to the approval of an ordinance implementing a Council election district map. The schedule for all future public hearings is outlined in a resolution adopted by Council on May 10, 2017 and is attached.

The public hearings already held on April 12, 2017 and April 26, 2017 fulfill the requirement of California Elections Code Section 10010 that states:

"(1) Before drawing a draft map or maps of the proposed boundaries of the districts, the political subdivision shall hold at least two public hearings over a period of no more than thirty days, at which the public is invited to provide input regarding the composition of the districts."

Based on comments received from the public at the August 9 public hearing and the August 10 City Hall at Your Corner meeting, Mayor Henry and MPT Pettis requested that staff ask the NDC consultants to prepare a modification of the Purple map. The resulting changes to the map are attached as Purple2 map and Purple2 demographics. This is the map selected as the preferred alternative during the August 23 public hearing and discussion. During the discussion on August 23 Mayor Henry suggested a slight modification to the Purple2 map, which would place portions of the downtown area in District 2 with the remainder of downtown remaining in District 1. This revision was mapped by NDC and was posted and advertised for consideration as Purple2B.

Tonight's public hearing will afford people another opportunity to comment on the proposed maps, including the selected Purple2 and Purple2B alternatives. The Council will also discuss the maps and will include in the motion introducing the ordinance the final selection of either the Purple2 or the

Purple2B map.

Notices of the June 26 public hearing, the July 26 public hearing, the August 9 public hearing, the August 23 public hearing and tonight's meeting were published in both English and Spanish in the Desert Sun and notice was posted in all the official posting locations and on the City website and notice was distributed through the City's social media pages.

In conjunction with the first reading of the ordinance adopting the final map and election schedule, the public will have opportunity to comment on the proposed map at tonight's regular Council meeting. Public comment will also be heard at second reading of the ordinance scheduled for the Council meeting on September 27, 2017.

FISCAL IMPACT:

None associated with the public hearing. Council approved a contract award to National Demographics Corporation (NDC) on January 11, 2017 along with a budget amendment of \$25,000 to fund the contract.

ATTACHMENTS:

Resolutions adopted on March 8, 2017 and May 10, 2017 (2)

Plan List

Draft maps prepared by NDC (3)

Maps prepared by the community and determined by NDC to meet legal criteria.

Draft maps prepared by the community and determined not to meet the legal criteria.

Emails received from the community regarding districts

Seven maps selected by Council as "semi-finalists"

Three maps selected by Council as finalists

Purple2 map and demographics

Purple2B map and demographics