



City Council Agenda Item

City Council Meeting Date: October 3, 2017

TO: Honorable Mayor and Council Members

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SUBJECT: First Public Hearing Regarding Transition to District-Based Elections and Further City Council Direction for Remaining Public Hearings, as Deemed Appropriate

Recommendation:

Staff recommends the City Council:

1. Review this staff report and the staff presentation;
2. Open a public hearing for the purpose of receiving public testimony regarding the composition of districts for City Council elections in the City of Lompoc (City), as required by Elections Code section 10010;
3. Provide comment as deemed appropriate and schedule the remaining four public hearings required by Elections Code section 10010; or
4. Provide other direction.

Background:

On September 5, 2017, the City Council adopted Resolution No. 6134(17), outlining its intention to transition from at-large to district-based elections, specific steps it will undertake to facilitate the transition and an estimated timeframe for doing so. On September 19, 2017, the City Council scheduled October 3, 2017, for the first of the five public hearings required by the State law governing this transition.

This is the first of two public hearings the City must hold prior to drawing or considering any draft district maps. The second public hearing must be held within 30 days after this first public hearing. It is not until the third public hearing the City Council may consider draft district maps, as well as the sequence of elections in which district-based elections will be implemented.

Discussion

The following information is provided to the City Council and the public as a precursor of what will take place at the second public hearing. No action regarding that information is needed at this time.

At the close of the second public hearing, the City Council will be asked to discuss the below criteria and which may apply to district-based elections in the City.

Possible Criteria for Composition of Districts

Possible criteria for consideration of district boundaries include:

- Equal in population,
- Topography and geography,
- Compact district boundaries,
- Contiguous district boundaries,
- Existing natural and man-made boundaries,
- Planned future growth in the City,
- Communities of interest in the City.

Potential communities of interest can be: school attendance areas, neighborhood dividing lines in the City, and common legislative or election concerns.

Any district boundaries eventually adopted by the City Council must also comply with Federal law, including the Federal Voting Rights Act.

Considerations Regarding Timing

If the City Council chooses to transition to district-based elections for the November 2018 general election, then the City also must consider which districts will be contested in 2018 and which districts will be contested in 2020. Elections Code subdivision 10010(b) states “[i]n determining the final sequence of the district elections conducted in the political subdivision in which members of the governing body will be elected at different times to provide for staggered terms of office, the governing body shall give special consideration to the purposes of the California Voting Rights Act of 2001 . . . , and it shall take into account the preferences expressed by members of the districts.”

Remaining Public Hearings Required

Like this first public hearing, the second public hearing will not involve the drawing or consideration of any draft district maps. The purpose of the second public hearing is also to receive input from the public and discuss the composition of the districts and district boundaries. The City Council will need to hold a second public hearing within 30 days after this first public hearing.

October 3, 2017

First Public Hearing Regarding Transition to District-Based Elections

Page 3 of 3

At the third public hearing, the City Council may consider draft district election maps and the proposed sequence of elections. A fourth public hearing, where the City Council considers additional draft district election maps or any maps that were modified after the third public hearing as well as introduce the ordinance transitioning to district-based elections, must be held no later than 45 days later. All draft district maps must be available to the public seven days prior to consideration at a public hearing. Finally, the City Council will need to hold a fifth public hearing to adopt the ordinance transitioning the City from at-large to district-based elections. As with most ordinances, the ordinance transitioning to district-based elections would become effective 30 days after adoption.

Public Engagement

The City's demographic consultant, National Demographics, Inc. (NDC), will be designing a website where the public can view information related to the City's transition to district-based elections. That website will have a link to the City's website and include information for how members of the public can submit their own draft district maps for the City Council to consider. NDC will also post, on the website for public review, all draft district maps, which will not be drawn until after the second public hearing.

Fiscal Impact:

The City Council previously authorized the City Attorney's Office to enter into an agreement with NDC for consulting services related to the transition to district-based elections, and the drawing of district maps, including the consultant's attendance at future public hearings.

Conclusion:

Given four more public hearings are required to complete the process required to transition to district-based elections, staff recommends the City Council schedule those remaining public hearings. Those may be held at regularly-scheduled meetings of the City Council, or the City Council may schedule special meetings devoted to the issue of transitioning to district-based elections. Doug Johnson, NDC president, has indicated his availability to attend the remaining public hearings if scheduled on regular City Council meeting dates. Staff believes it would be very helpful if Mr. Johnson attends the remaining public hearings.

Respectfully submitted,

Joseph W. Pannone, City Attorney

Nick Yeager, Special Deputy City Attorney