



City Council Staff Report

DATE: December 19, 2018

AGENDA ITEM NO: Public Hearing
Agenda Item 4-A.

TO: The Honorable Mayor and City Council
FROM: Vincent D. Chang, City Clerk
SUBJECT: Public Hearing to Receive Input from the Community Regarding the Creation of a City Council District-Based Electoral System Pursuant to Elections Code §10010

RECOMMENDATION:

It is recommended that the City Council consider:

- (1) Receiving a report regarding the districting process and permissible criteria to be considered to create district boundaries;
- (2) Conduct a Public Hearing to receive public testimony on the composition of districts for a district-based electoral system pursuant to Elections Code Section 10010;
- (3) Provide direction to the City's demographer regarding the composition of districts for a district-based electoral system pursuant to Elections Code Section 10010; and
- (4) Take such additional, related, action that may be desirable.

EXECUTIVE SUMMARY:

On November 7, 2018, the City Council adopted Resolution No. 12043 declaring its intent to transition from at-large to district-based elections for City Council commencing with the General Municipal Election in March 2020. Elections Code Section 10010 requires that the City conduct four public hearings to receive community input on district boundaries and maps for the formation of City Council districts.

Since November 7th, the City engaged in outreach efforts to inform the public about district elections and the process associated with their formation. A webpage (www.MontereyPark.ca.gov/DistrictElections) was uploaded to provide information about district elections, including opportunities for when and how the public can be engaged (translations available). The official notice of Public Hearings has been translated and published in the Monterey Park Press (English), La Opinión (Spanish), World Journal (Chinese), and Saigon Times (Vietnamese).

In addition, an article was placed in the Monterey Park Cascade which was mailed to every residence in the city, and a press release in multiple languages was also sent out by email to local media and subscribers.

On December 5, 2018, the City Council conducted the first of four Public Hearings. Community input regarding the composition of district boundaries is summarized in Attachment 1.

BACKGROUND

The first step in the transition process is to hold two public hearings to invite public input regarding the composition of the City's voting districts before any draft maps are drawn. After these two public hearings are complete, the City Council must hold at least two additional public hearings on the map(s) of the districts themselves. The maps must be publicly available for at least seven days before the public hearing and if a change is made to the map after the first public hearing, the revised map must be available at least seven days before the districts are adopted by ordinance.

The purpose of the first two public hearings is to inform the public about the districting process and to hear from the community on what factors should be taken into consideration while creating district boundaries. The public is requested to provide input regarding communities of interest and other local factors that should be considered while drafting district maps. A *community of interest* is a neighborhood or group that would benefit from being in the same district because of shared interests, views, or characteristics. Possible community features include without limitation:

- A. School attendance areas;
- B. Natural dividing lines such as major roads, hills, or highways;
- C. Areas around parks and other neighborhood landmarks;
- D. Common issues, neighborhood activities, or legislative/election concerns; and
- E. Shared demographic characteristics, such as:
 - (1) Similar levels of income, education, or linguistic insolation;
 - (2) Languages spoken at home; and
 - (3) Single-family and multi-family housing unit areas.

In creating the district boundaries, the City must ensure compliance with the following state and federally-mandated criteria:

Legal Requirements:

- Each council district must contain a nearly equal population ; and
- Each council district must be drawn in a manner that complies with the Federal Voting Rights Act. No council district may be drawn with race as the predominate factor in violation of the principles established by the United States Supreme Court in *Shaw v. Reno*, 509 U.S. 630 (1993), and its progeny.

In addition to the legal criteria, the City Council may adopt optional criteria to be used in the development of the districts.

Traditional Districting Principles:

- Each council district must consist of contiguous territory in as compact a form as possible.
- Each council district must respect communities of interest, such as school- and park-connected neighborhoods, rural or urban populations, city planning areas, social interests, agricultural, industrial or service industry interests, or other locally-recognized definitions of communities and neighborhoods, insofar as practicable.
- Each council district border must follow visible natural and man-made geographical and topographical features follow visible natural and man-made features, including mountains, flat land, forest lands, highways, canals, etc., insofar as practicable.
- Each council district must respect the previous choices of voters by avoiding the creation of head-to-head contests between council members previously elected by the voters, insofar as this does not conflict with Federal or State Law.

Next Steps

At the February 20, 2019 City Council Meeting, the City Council will conduct a 3rd Public Hearing to seek public input on the content of the draft district map(s) and sequence of elections. The City Council will be requested to select a preferred map and direct amendments as necessary.

At the March 6, 2019 City Council Meeting, the City Council will conduct a 4th Public Hearing to adopt a preferred district map and to introduce an ordinance to transition to a district-based electoral system. The ordinance would take effect 30 days after its adoption and will govern the 2020 general municipal elections.

FISCAL IMPACT:

At the March 7, 2018 City Council meeting, the Council allocated \$50,000 for costs associated with district voting. The related costs are as follows:

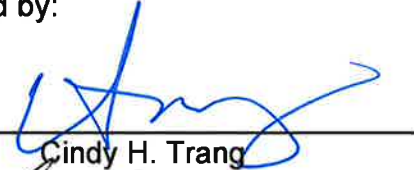
NDC – Basic District Project Elements	\$21,500
NDC – In-person presentation (5 meetings)	\$10,000
NDC – Public Participation Kits	\$ 4,000
NDC – Database of demographic	\$ 2,000
Legal notices publication	\$ 5,000
Translations	<u>\$ 2,000</u>
Total	\$44,500

Respectfully submitted


for Vincent D. Chang
City Clerk


Ron Bow
City Manager

Prepared by:


Cindy H. Trang
Deputy City Clerk

Prepared by:


Karl H. Berger
Assistant City Attorney

Attachments:

1. December 5, 2018 City Council Meeting – Summary of Public Comments
2. Registered Voters and Voters Turnout Map
3. Demographic Map

ATTACHMENT 1
December 5, 2018 City Council Meeting
Summary of Public Comments

City Council Meeting of December 5, 2018

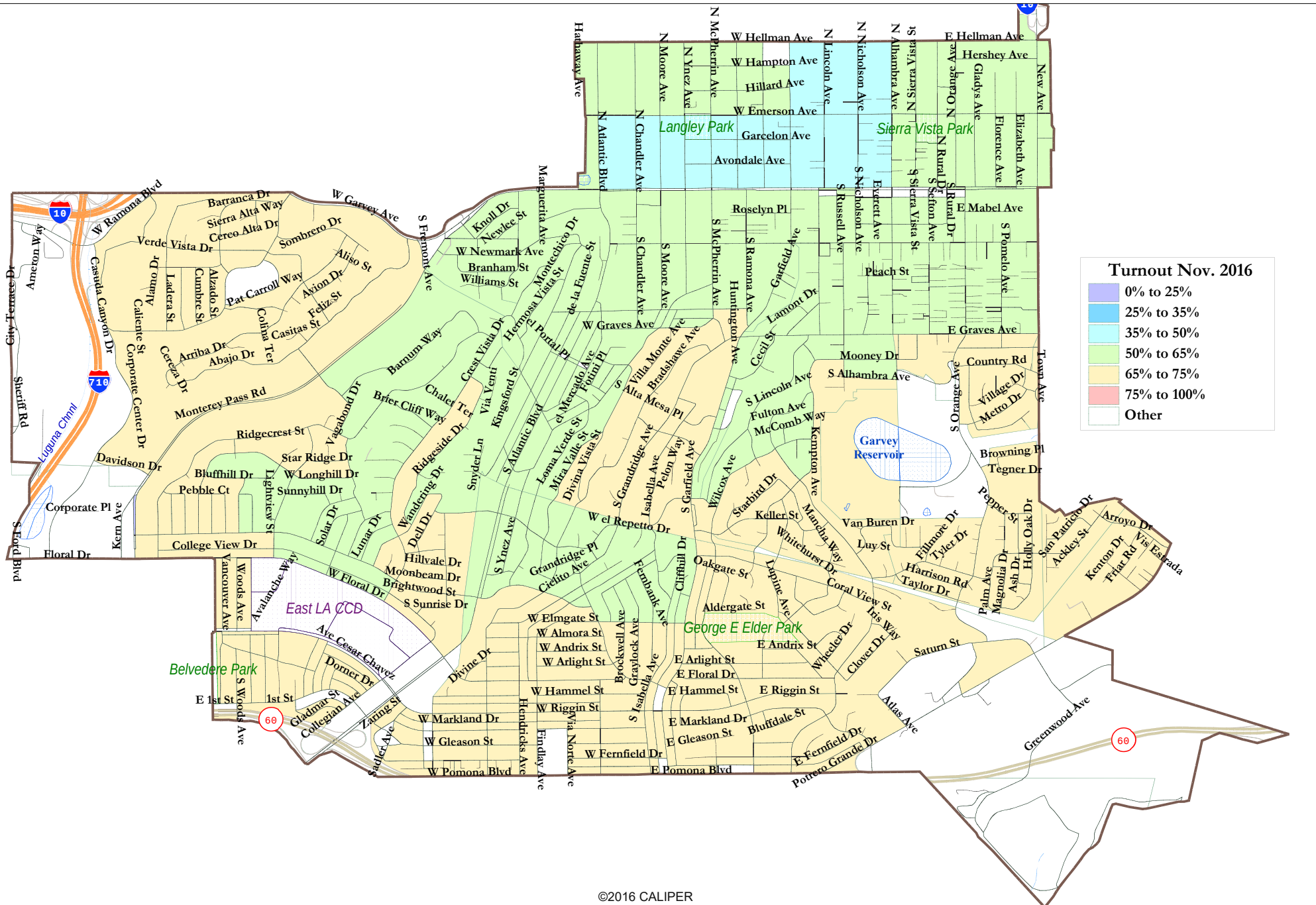
Community Input of Criteria for District Elections

City Clerk Chang read into the records a written communication with a proposed map received from Cindy Yee.

- Nancy Acuri – a registered voter, stated she was unhappy with the California Voters Rights Act due to her exclusion, since she is of European heritage. She recommended a 5 district city with a rotating Mayor, overturning the city's term limits for elected officials, using precincts to make the districts, dividing the city up by zip codes, area codes, school districts and congressional district. She also commented that she does not want to see America divided by race, religion, sexual preferences, wealth, education, and political benefits.
- Theresa Amador – spoke about how the city of Pasadena divided their districts based on monetary benefits of Colorado Boulevard. She mentioned the business districts along Garvey Avenue, Atlantic Boulevard, Garfield Avenue, and the Marketplace Development for Council to consider. She also asked Council to consider having an elected Mayor and 4 Council Districts or 5 Council Districts and to place this matter on the ballot in 2020. She raised the issue of what may happen if there are no candidates running in a particular district.
- Jason Dhing – spoke about population grouping in terms of total populations, registered voters and those who voted in the November 2016 election. He stated that he agreed with the prior speakers and using elementary school as the basis for council districts.
- David Barron – voiced his opinion on how the City Council is not "serious" about the council district issue. He requested that the consultant conduct a workshop on how to use the district maps to draw lines and provide that information on the city's website and cable channel. He also asked Council to consider cultural interest as well as representation for African-American and Native American residents. He informed the Council that he will be drawing lines based on a 7 council district.
- Teki Fromdatower – received proposed map via email dated Dec. 6, 2018, will be processed and made available for consideration at the third public hearing.

ATTACHMENT 2

Registered Voters and Voters Turnout Map



ATTACHMENT 3
Demographic Map

