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**Title:** PUBLIC HEARING NO. 4 RELATED TO CHANGING FROM AN AT-LARGE TO A BY-DISTRICT SYSTEM FOR ELECTION OF CITY COUNCIL MEMBERS, PURSUANT TO THE CALIFORNIA VOTING RIGHTS ACT (CITY COUNCIL)

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Date	Ver.	Action By	Action	Result
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**Report to Mayor and City Council**

Tuesday, August 06, 2019

Special Orders of the Day

**SUBJECT:**

**PUBLIC HEARING NO. 4 RELATED TO CHANGING FROM AN AT-LARGE TO A BY-DISTRICT SYSTEM FOR ELECTION OF CITY COUNCIL MEMBERS, PURSUANT TO THE CALIFORNIA VOTING RIGHTS ACT (CITY COUNCIL)**

**I. SUMMARY**

**Preliminary Map Discussion**

To move from at-large elections to by-district voting the City needs to establish both the data necessary to complete the process as well as a timetable for meeting state and federal requirements for the transition. The City’s demographer, David Ely of Compass Demographics, will lead tonight’s presentation of the preliminary Council district maps. Preliminary maps will be presented this evening by the demographer, who considered the elements of the CVRA and any community input on communities of interest and other points. The three draft maps are attached as Exhibit Nos. 1-3. The City also received four separate submissions from community members who used the Participation Toolkit posted on the City’s website, and those maps are attached as Exhibit No. 4-7. All documents pertaining to districting are available on the city website.

## **Public Hearing Date Change**

Public hearings for August 6, 2019, August 10, 2019 and September 17, 2019 were officially scheduled by the City Council during the June 18, 2019 City Council meeting. Tonight will be the fourth public hearing on district voting and all have been noticed in the newspaper.

Since the official scheduling of future public hearing dates by the City Council, it has been determined that there is a significant scheduling conflict with the August 10 public hearing date. Another important city event is occurring on the same day, and therefore staff recommends the Council take the action to **change the August 10 date to August 17 at 9:30a.m, and for notification purposes, staff recommends that tonight's hearing be continued to August 17, 2019.**

## **II. RECOMMENDATION**

TAKE the following actions:

1. OPEN the public hearing, **and**
2. CHANGE the August 10, 2019 public hearing date to August 17, 2019, **and**
3. REVIEW AND CONSIDER preliminary Council district maps prepared by the demographer, and further DISCUSS the process of moving towards a voting by-district system **and**
4. TAKE public testimony **and**
5. CONTINUE the public hearing to August 17, 2019.

## **III. ALTERNATIVES**

TAKE another action the City Council deems appropriate.

## **IV. BACKGROUND**

### **Previous Public Hearings**

The first noticed public hearing on district voting was held on May 21, 2019 and the second was held on June 13, 2019; the discussion during that meeting was continued to June 18, 2019, the third public meeting schedule prior to the drafting of preliminary Council district maps by the City's demographer.

The law requires a minimum of two public hearings during the initial process: the City held three. Tonight's hearing, the first held after the publication of preliminary maps, is required to encourage further discussion and community participation on the discussion of the preliminary maps themselves.

The initial public hearings were intended to solicit public input on what factors to consider when preparing the maps, and an opportunity for the residents to comment and ask questions. Residents were encouraged to weigh in on communities of interest, formal and informal boundaries between neighborhoods, and other factors that would contribute to the

creation of cohesive, coherent City Council districts.

#### WHY IS CARSON CHANGING THE ELECTION PROCESS?

On May 22, 2018, the City received a letter from Shenkman and Hughes, PC of Malibu demanding that the City Council elections transition from the current “at-large” method to “by-district” in order to conform to the California Voting Rights Act (CVRA). Mr. Shenkman asserted that the City of Carson is in violation of the California Voting Rights Act of 2001 because “racially polarized voting” occurs in the city.

A by-district election process means voters within a designated Council electoral district elect one City Council member who must also reside in and be a registered voter of that district. The City of Carson currently elects City Council members through an at-large election process, which means that each voter elects all members of the City Council. The Mayor would continue to be elected at large.

#### WHO CREATES THE DISTRICT BOUNDARIES?

The by-district process is transparent, accessible and participatory to all residents of Carson. A professional demographer has been hired by the City to create proposed district boundaries. A public electronic “participation toolkit” has been made available on the City’s website for more than a month for the public to draw and submit maps. Residents are able to provide input on boundaries and suggest criteria for creating boundaries, beyond what is legally required. Preliminary maps created for discussion purposes have been posted as part of this staff report and will remain available for public view and comment. Four were received by the initial cut-off date of July 29. The City will hold a minimum of two additional public hearings to receive input on the preliminary maps, August 17 (Saturday) and September 17.

The City will continue to make this a public process. Members of the public are encouraged to submit input on the draft maps, or even produce their own draft maps generated using the toolkit described above and submit them to the City Clerk’s office prior to August 20, 2019 for inclusion in the discussion of draft maps for consideration. Working with the participation toolkit helps the user gain a deeper understanding of the technical process of balancing districts.

#### HOW ARE DISTRICT BOUNDARIES DETERMINED?

Many factors may be considered, but population equality is the most important. The districts should be as close to the same size by population as possible. Other factors include:

- Preserving “communities of interest”
- Districts should strive to be compact
- Districts must be contiguous
- Districts should have visible (natural and man-made) boundaries
- Districts should include respect for past voter selections
- Districts should plan for future population growth

#### WHAT ARE COMMUNITIES OF INTEREST?

A community of interest is a neighborhood or community that would benefit from being in

the same district because of shared interest, view, or characteristics. Possible community features or boundary definitions include:

- School attendance areas
- Natural neighborhood dividing lines such as roads, hills, or highways
- Areas around parks and other landmarks
- City borders
- Shared demographic characteristics, such as:
  - Similar levels of income, education or linguistic isolation;
  - Ancestry (not race or ethnicity)
  - Languages spoken at home
  - Single-family and multi-family housing units

### PROS AND CONS OF BY- DISTRICT ELECTIONS

#### PROS

- Each geographic area of the city is represented
- Viewpoints that might not be citywide can be represented
- Minority candidates (racial or political) have a better opportunity to be elected
- It will likely cost less to run for City Council since citywide campaigning is not required
- Each voter has a specific Council member to contact for assistance
- Voter's choice is simplified with less candidates to learn about

#### CONS

- Council members may represent only the interests of their districts, not the whole city
- Candidates may be elected with few votes
- Council members may have divergent views, may conflict with each other
- District lines have to be reviewed and possibly redrawn after each census and significant annexation
- Depending on staggered terms, not all voters may be voting each election, reducing overall turnout

Attached is the original proposed schedule of events related to changing from at-large elections to by-district voting elections. These two public hearings are being conducted after the maps are drawn; at the end of the review and comment process the maps will be finalized and an ordinance is introduced and adopted. It is also anticipated that a special election may be held in March 2020 for the voters to consider an amendment to the City Charter establishing by-district voting. If adopted by the City Council, the first by-district elections for the City Council would occur in November 2020, with two of the new districts up for election (say, Districts 1 and 3); the other two districts would be up in 2022.

## **V. FISCAL IMPACT**

No specific financial impact from the holding of this public hearing.

## **VI. EXHIBITS**

1. Draft Map No. 1. (pgs. 5)
2. Draft Map No. 2. (pgs. 6)
3. Draft Map No. 3. (pgs. 7)
4. Submission Map No. 1. (pgs. 8)
5. Submission Map No. 2. (pgs. 9)
6. Submission Map No. 3. (pgs. 10)
7. Submission Map No. 4. (pgs. 11)

Prepared by: Lisa Berglund, Assistant to the City Manager