



AGENDA REPORT TO CITY COUNCIL

MEETING DATE: July 28, 2015

TO: The Mayor and City Council

TITLE: PUBLIC HEARING - RESOLUTION ESTABLISHING CRITERIA FOR SINGLE-MEMBER VOTING DISTRICTS AND LAUNCH OF DISTRICTING WEBSITE AND PUBLIC PARTICIPATION KITS

RECOMMENDED ACTION: 1) Adopt a resolution establishing criteria for single-member voting districts; and 2) Approve a budget allocation from the General Fund in the amount of \$20,000 for two direct mailings and public participation materials.

PURPOSE: To begin the City's council district boundary drawing process with these steps:

- a) Receive the initial presentation from Douglas Johnson of National Demographic Corporation regarding the process for developing options for City Council voting districts;
- b) Hold a public hearing on the proposed criteria and districting process;
- c) Adopt criteria for establishing voting districts; and
- d) Announce the website availability, project schedule, and release of public participation kits.

DISCUSSION: The City Council previously took action to establish a single-member district election system to comply with the California Voting Rights Act. Beginning with the November 2016 election, Buena Park voters will elect members of the City Council from individual districts instead of by citywide vote. In November 2018, voters will directly elect an at-large Mayor.

Criteria

The City must now develop four City Council districts prior to the 2016 City Council election that comply with the applicable legal criteria. The legal criteria include:

- Each council district shall contain a nearly equal population as required by law; and
- Each council district shall be drawn in a manner that complies with the Federal Voting Rights Act; and
- No council district shall 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. The optional criteria adopted can vary by community: some direct that specific criteria be used in addition to the legal criteria, while others use only the legal criteria. The following is a list of "traditional redistricting" criteria that have been used in other communities:

- Each council district shall consist of contiguous territory in as compact a form as possible.
- Each council district shall respect communities of interest as much as possible.
- Each council district border shall follow visible natural and man-made geographical and topographical features as much as possible.
- Each council district shall attempt to avoid head-to-head contests between incumbent Council members insofar as this does not conflict with federal or state law.
- Council districts known to be areas of higher-than-average population growth in the two to five years following this boundary line adjustment may be under populated within the population deviation amounts allowed by law.

The City Council may choose to include some, all, or none of these additional criteria or may choose to come up with different criteria that the City Council believes are appropriate. In addition, members of the community may suggest criteria that the Council may want to consider.

Next Steps

Once the City Council has established the criteria, NDC will use the legally and selected optional criteria to develop at least three district options for the public and the City Council to consider. There will be several community forums where the district options will be discussed. The City Council has chosen to include the distribution of paper participation kits so that members of the public have the tools to suggest district options for consideration. There will be public forums and public hearings prior to the adoption of the districts.

Schedule

The City Council's goal is to adopt the district boundaries by December 8, 2015, to ensure ample time for the citizens and any potential City Council candidates to understand the districts prior to the election cycle in 2016. The current timeline is as follows:

July 28	Introduction; Public Hearing; Council direction on criteria
Aug. 3, 4 and 5	Community Forums & distribution of participation kits
Sept. 1	Deadline for submission of first-round plan proposals from the public
Mid-September	Consultant's Draft Plans and Report of Public Plans released
September 22	Council hearing on Consultant's & Public Plans
Sept. 28, 29 and Oct. 5	Community Forums
Oct. 27	Council holds public hearing & selects Council's preferred plan
Dec. 8	Council final adoption of plan
Nov. 2016	Council election using two new districts (only two Council Member seats are available in 2016)
Nov. 2018	Council election using the remaining two new districts and the first at-large Mayor

BUDGET IMPACT: It is requested the City Council appropriate \$20,000 from the General Fund to the General Municipal Elections Account #11-6240-115115 for public participation materials

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and for two direct mailings to all households. For FY 2014-2015, there is a surplus in the General Municipal Elections Account of \$44,750 due to a cost savings from the May 19, 2015, special election. This surplus amount could be carried over to FY 2015-2016 to be used for this purpose.

Prepared by: Shalice Tilton, City Clerk
Approved by: Jim Vanderpool, City Manager

Presented by: Shalice Tilton, City Clerk

ATTACHMENT:
1) Resolution