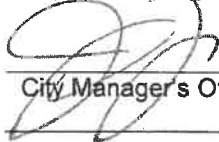




CITY COUNCIL AGENDA

MEETING DATE: SEPTEMBER 15, 2015
TO: CITY COUNCIL/CITY MANAGER
FROM: KIMBERLY HALL BARLOW, ASSISTANT CITY ATTORNEY
SUBJECT: PLAN FOR COMMUNITY PARTICIPATION IN CREATION OF DISTRICT BOUNDARIES FOR DISTRICT ELECTIONS

Approved for Agenda:



City Manager's Office

SUMMARY

A proposed community participation plan in connection with formation of proposed district boundaries for a districting ballot measure to present to the voters of the City of Fullerton.

RECOMMENDATION

It is recommended the City Council:

1. Hold a public hearing regarding City Council voting district formation and a community participation plan for gathering public input on district boundaries;
2. Approve a community participation plan; and
3. Direct staff to implement the plan.

BACKGROUND

The City of Fullerton was sued late last year for allegedly violating the California Voting Rights Act by holding at-large elections which allegedly dilute the voting power of minority voters and/or prevent them from electing the candidate(s) of their choice. The City previously entered into a settlement agreement to settle the litigation by putting a ballot measure before the voters in November 2016 to establish a district-based election system.

On August 18, 2015, the City Council approved an agreement with Compass Demographics to direct the process of creating districts. In consultation with Mr. Ely, staff has designed a community participation plan to gather public input on voting district boundaries.

FISCAL IMPACT

Costs for the plans are estimated at \$50,000. Specific costs for implementation of the community participation plan will be developed by the City Clerk and presented to the City Council for approval following the City Council's consideration of the proposed plan. Costs will include required advertising, translation services, staff costs for meetings, and other advertising costs.

DISCUSSION

Compass Demographics and City staff have worked together to plan how best to gather community input on voting districts. As a result, the following community participation plan is recommended (Attachment A).

Meet with the Expert

Public input will begin with a series of meetings for interested stakeholders with demographics mapping expert Dave Ely from Compass Demographics. Mr. Ely will hold "office hours" at City Hall. He typically uses sample maps as a starting point to give an idea of how equal population districts might be distributed. The sample maps are not proposals for district boundaries but are rather illustrative of several ways that legal districts could be drawn. Mr. Ely will project the sample maps on a screen so stakeholders can watch him redraw boundary lines as they request, while he works with them and advises them how to achieve legal results and equal population districts as close as possible to their interests. The City's population from the 2010 Census is 135,161. A Fullerton map with United States 2010 Census population figures by Census block groups will be available to facilitate stakeholder efforts to craft equal population districts.

Mr. Ely develops data tables to accompany each sample map to convey demographic information on any iteration of districts. The data tables contain raw population numbers along with other information expressed in percentages, including voting age population by ethnicity; Spanish and Asian surname registered voters; and Spanish and Asian surname voter turnout.

- Times for meetings with the expert will be advertised and anyone may participate. The City will proactively invite key stakeholders who have previously shown an interest in the issue such as the ACLU, Asian Americans for Justice, City Council members, and other local elected officials such as school board members. Stakeholders may meet with Mr. Ely individually or with a small group of their choosing; room capacity and effective map drawing interaction will likely limit the maximum group size to approximately six individuals. The City Clerk's office will make reservations for appointments. The dates for the meetings are September 23rd to 26th and October 1st – 3rd. The initial meeting times are 10:30 a.m. to 6:00 p.m.

Additional meeting times will be arranged if the demand for appointments exceeds the available time frame of the initial schedule. A second round of office meetings may be scheduled later in the districting process to gather additional public input once map proposals have been developed.

Community Meetings Round 1

Following the small meetings with key stakeholders, public input will continue with a **first** round of open community meetings in the fall. The meetings will begin with an educational presentation to inform the public about voting districts and the process for initial formation of district boundaries, followed by small group interaction with sample maps led by outreach workers to elicit participants' ideas about communities of interest and where district boundaries should be drawn.

Four meetings, one in each quadrant of the City, with identical agendas and presentations will be held within a short time frame in different geographic areas of the community and at different times to accommodate community members who are interested in voting district formation. The schedule anticipates that further rounds of community meetings will not be held until after the first of the year.

A second round of community meetings will be held after the first of the year, two meetings in each quadrant of the City, and additional community meetings may also be scheduled.

Public Hearings

State law requires at least three public hearings for any voting district formation process. The City must hold at least two public hearings on a proposal to establish voting district boundaries prior to a public hearing at which the City Council votes on the proposed boundaries which would be included in a ballot measure. The City, therefore, will hold additional public hearings during the outreach process:

- Consideration of the district formation process
- Report on community meetings Round 1
- Presentation of proposed voting districts – not yet scheduled
- Adoption of proposed voting districts – not yet scheduled

It is anticipated that multiple proposed district maps will be developed through “meetings with the expert” and the first round of public meetings for presentation at the second public hearing. Additional City Council meetings and/or public hearings may be held prior to the City Council adoption of proposed voting districts.

Outreach Materials

The City will develop brief instructions for those interested in drawing their own districts to elicit input that will be most helpful in determining district boundaries. The five main points will be:

- **Neighborhoods or Communities.** Outline and identify areas that you believe function as neighborhoods or communities that should be kept together in a single district.
- **Connections.** Identify neighborhoods or communities that you believe share common interests and should be combined within a district.
- **Barriers.** Identify physical features such as streets, utilities or other elements that you believe would act as natural barriers between districts.
- **Divisions.** Identify communities that you believe are dissimilar and should be put into separate districts.
- **Points of interest.** Identify significant locations or points of interest that are of particular interest or concern to individual communities and explain their significance.

Staff will be developing outreach materials for use on the City website and other avenues of communication, such as a fact sheet, PowerPoint information presentation, frequently asked questions (FAQs) document, press releases, and other materials will be used to educate the community and request their input.

Communications about districting will be released in English, Spanish, Korean, Chinese and Vietnamese. The City's bilingual voting telephone number will be advertised on outreach materials.

Once the City Council approves the community participation plan, the City will begin media releases, e-blasts, and other contacts to disseminate the information and invite participation. Staff and consultants will develop a contact list to invite people to register for further information about the district formation process. Announcements about the plan will also be made to organizations, such as:

- City eNewsletter registrations
- Community organizations and clubs directory
- Social service agencies
- Boards and commissions
- Neighborhood Watch
- Chamber of Commerce
- Downtown Business Association
- School districts and colleges
- Homeowners associations
- Foundations

Information will be posted at major public buildings, and on electronic medium, such as the City's website, City's social media platforms, and the municipal access television channel. If billing cycle timing permits, utility bill notices may also be employed. The new outreach materials will be placed on the City website.

Attachment: A – Community Participation Plan