

BUSINESS OF THE COUNCIL OF THE CITY OF HALF MOON BAY

AGENDA REPORT

For the meeting of: **May 15, 2018**

TO: Honorable Mayor and City Council
VIA: David Boesch, Interim City Manager
FROM: Jessica Blair, City Clerk
TITLE: **PUBLIC HEARING TO RECEIVE INPUT FROM THE COMMUNITY REGARDING THE CREATION OF A DISTRICT-BASED ELECTION SYSTEM**

RECOMMENDATION:

Staff recommends the Council: 1) Receive a report from staff on the districting process and permissible criteria to be considered to create district boundaries; 2) conduct a public hearing to receive public input on district boundaries; and 3) approve the revised timeline for transition.

FISCAL IMPACT:

There is no fiscal impact associated with this public hearing. However, transitioning to district elections will require the City to retain the services of a demographer. The cost of such services will be roughly \$45,000 and approval of an agreement for the demographer is on the same agenda as this item. Should the City Council ultimately adopt an ordinance to transition to a district-based electoral system, the plaintiff may seek reimbursement for its attorney's fees and costs up to \$30,000; however, will not be exposed to additional legal fees in defense of a lawsuit brought under the California Voting Rights Act.

STRATEGIC ELEMENT:

This recommendation supports the Inclusive Governance Element of the Strategic Plan.

BACKGROUND:

On April 17, 2018, the City Council adopted Resolution No. 2018-34 declaring its intention to transition from at-large to district-based elections for the City Council commencing with the General Municipal Election in November 2020. Elections Code Section 10010 provides that before any map or maps of the boundaries for the proposed districts are drawn, the City must conduct two (2) Public Hearings over a period of no more than thirty (30) days, at which time the public is invited to provide input regarding the composition of said districts.

Since adoption of the Resolution of Intention, the City has been engaged in outreach efforts to inform the public about district elections and the process associated with formation. The City's districting webpage, www.drawhmb.com, will be live by May 15. Additionally, public

participation kits will be available at City Hall starting on May 15. Prior to June 1, the online mapping tool will be available to the public as well. The Public Hearing Notice for this hearing was published in English and Spanish in the Half Moon Bay Review. As with all Council meetings, an interpreter will be available for these public hearings.

DISCUSSION:

The purpose of this public hearing 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 City Council may give consideration to the following factors when establishing districts (which are not exclusive):

1. Topography;
2. Geography;
3. Cohesiveness, contiguity, integrity, and compactness of territory; and
4. Communities of interest.

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, but are not limited to:

- 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.

Ultimately, the City Council may choose to include some, all, or none of these criteria, or may choose to come up with unique criteria that the City Council believes is applicable to Half Moon Bay. However, the City must ensure compliance with the following state and federally-mandated criteria:

- Each district shall contain a nearly equal population.
- Each district shall be drawn in a manner that complies with the Federal Voting Rights Act.
- Each district shall not be drawn with race as the predominate factor in violation of the principles established by the U.S. Supreme Court in *Shaw v. Reno*, 509 U.S. 630 (1993), and its progeny.

Next Steps

At the June 5, 2018 City Council Meeting, the City Council will conduct Public Hearing #2 to seek public input and provide direction on criteria to be considered while drafting district maps.

At the June 19, 2018 City Council Meeting, the City Council will conduct Public Hearing #3 to seek public input on the content of draft district map(s) and sequence of elections.

On July 17, 2018, the City Council will conduct Public Hearing #4 and will be requested to select a preferred map and direct amendments as necessary.

On August 21, 2018, a public hearing will be held to adopt a preferred district map and to introduce an ordinance to transition to a district-based electoral system.

Second reading and adoption of the ordinance is scheduled to occur on September 4, 2018, and the City Clerk and demographer will then work with the County Elections Division to have the district maps integrated into the countywide voting system. The first district election for Half Moon Bay will be held in November 2020.

Public Correspondence

The Council has received correspondence regarding establishing an Independent Districting Commission, which would alter the proposed timeline. To date, staff has not received direction from the Council regarding a districting commission but is happy to bring back information if the Council desires.

ATTACHMENTS:

1. Revised Timeline of Transition
2. Elections Code Sections 23000-23003