

**CITY OF SANTA PAULA
MEMORANDUM**

To: Honorable Mayor and Members of the City Council

From: Jonathan Royas, Management Analyst

Subject: PUBLIC HEARING TO RECEIVE INPUT FROM THE COMMUNITY REGARDING
THE CREATION OF A DISTRICT-BASED ELECTION SYSTEM

Date: August 3, 2022

Agenda Item: 10.A

RECOMMENDATION:

Staff recommends the City Council:

1. Receive an initial presentation from Daniel Phillips of National Demographic Corporation regarding the process for developing options for City Council voting districts, to be implemented in November, 2024, and provide direction regarding any optional criteria the City Council may want to consider in the development of voting district options; and
2. Conduct a public hearing to receive public input on district boundaries.

BACKGROUND:

On February 22, 2022, the City received a letter from attorney Jason Dominguez on behalf of “a large segment of the population and on behalf of Laura Espinosa” demanding an end to the at-large Council election system. In response to that letter, on April 6, 2022 the City Council discussed its options and unanimously adopted Resolution 7393, indicating its intent to change the election system from at-large to by-district elections. Given the litigation risk and associated financial impact on the City, the City Council asked to enter into a settlement agreement with Mr. Dominguez and directed staff to move the districting process forward. The criteria to comply with all legal requirements to establish council district boundaries is spelled out in California law and in the Council’s adopted Resolution 7393. To date, the settlement agreement has yet to be signed by Mr. Dominguez.

On May 4, 2002, Council provided staff direction to work with the City’s existing public relations firm and to utilize our contract with BB&K law firm to select a qualified demographer.

Through that process, National Demographics Corporation (NDC), was selected. Daniel Phillips, PhD, from NDC will provide Council with an initial presentation regarding the process for developing options for City Council voting districts to be implemented in November, 2024, and will seek direction from Council and the public regarding any optional criteria you may want to consider in the development of voting district options.

ANALYSIS:

As required by Elections Code Section 10010, the City will hold at least two (2) public hearings and a community workshop prior to the release of draft maps of Council election districts, followed by a community workshop and two additional Council hearings to solicit public input regarding the content of the draft maps and the proposed sequence of elections. Then an additional public hearing will be held prior to the approval of an ordinance implementing a Council election district map.

Today's hearing partially fulfills the requirement of California Elections Code Section 10010 that states:

“(1) Before drawing a draft map or maps of the proposed boundaries of the districts, the political subdivision shall hold at least two public hearings over a period of no more than thirty days, at which the public is invited to provide input regarding the composition of the districts.”

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. Additionally, this hearing will also be the public launch of the City's online redistricting tool, provided by our districting consultant NDC. The online tool is available as a link from the City website or can be accessed directly at www.drawsantapaula.org.

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:

- School attendance areas;
- Natural dividing lines such as major roads, waterways, train tracks, hills, or highways;
- Areas around parks and other neighborhood landmarks;
- Common issues, neighborhood activities, or legislative/election concerns; and
- Shared demographic characteristics, such as:
 - Similar levels of income, education, or linguistic insolation;
 - Languages spoken at home; and
 - Single-family and multi-family housing unit areas.

Additionally, the City must ensure compliance with the following state and federally-mandated criteria:

Federal

- 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 predominant 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.

State

- Each district shall be contiguous.
- Each district should avoid dividing neighborhoods and communities of interest.
- Each district should be bordered by easily identifiable boundaries such as major roads or rivers.
- Each district should be compact.
- Districts shall not be drawn to favor or disfavor a political party.

It should also be noted that in addition to the legal criteria, City Council may choose to adopt optional criteria to be used in the development of the districts. Optional criteria varies by community; some direct that specific criteria be used in addition to the legal criteria, others use only the legal criteria. Examples of NDC-provided optional criteria that have been used in other communities are as follows:

- The boundaries of the districts may consider avoiding pairing two or more incumbents in a single district, insofar as this does not conflict with the constitution and laws of the State of California and the United States.
- To maintain a longer-term population balance, districts known to be areas of higher-than-average population growth following redistricting may be under-populated within the population deviation amounts allowed by law.
- The boundaries of the districts may comply with such other factors which become known during the redistricting process and are formally adopted by the City Council.

The City Council may choose to include some, all or none of these criteria, or may choose to come up with unique criteria that Council believes is applicable to Santa Paula. In addition, members of the community may suggest criteria that the Council may want to consider.

Once the City Council has established the criteria, NDC will use the legal and 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 are discussed in addition to public forums and public hearings prior to the adoption of the districts. The preliminary schedule that NDC has proposed to maintain this timeline is as follows:

| Date* | Location & Documents |
|------------------------------|--|
| August 3, 2022 at 6:30pm | First Public Hearing City Hall, 970 E Ventura Street, Santa Paula, CA 93060 |
| August 17, 2022 at 6:30pm | Second Public Hearing City Hall, 970 E Ventura Street, Santa Paula, CA 93060 |
| September 14, 2022 at 6:00pm | Community Workshop Santa Paula Cultural Arts Building @ The Santa Paula Community Center 530 W Main Street, Santa Paula, CA 93060 |
| January 6, 2023 by 11:59pm | Deadline for the public to submit maps for consideration at the January 18, 2023 public hearing |

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| January 11, 2023 by 5:00pm | Draft maps to be posted to the website |
| January 18, 2023 at 6:30pm | Third Public Hearing to review draft maps City Hall, 970 E Ventura Street, Santa Paula, CA 93060 |
| January 21, 2023 at 10:00am | Community Workshop Santa Paula Youth Center, Las Piedras Park 431 N 13th St, Santa Paula, CA 93060 |
| February 1, 2023 at 6:30pm | Final deadline for the public to submit maps for consideration |
| February 15, 2023 at 6:30pm | Fourth Public Hearing to adopt a map City Hall, 970 E Ventura Street, Santa Paula, CA 93060 |
| March 1, 2023 at 6:30pm | City Council Meeting (Second Reading of Ordinance) City Hall, 970 E Ventura Street, Santa Paula, CA 93060 |
| April 2023 | Deadline to adopt a map |

*Subject to change

STRATEGIC PLAN:

This matter was not included in, nor anticipated by, the Council's Strategic Plan.

FISCAL IMPACTS:

In addition to the required payment of \$34,000 to Mr. Dominguez should the settlement agreement be executed and which would be payable within 30 days of map adoption, the City will spend approximately \$70,000 - \$80,000 on the two consulting firms assisting the City in this highly specialized districting process. On May 4, the Council set aside \$50,000 for anticipated expenses. An additional budget adjustment may become necessary at mid-year.

OPTIONS:

1. City Council could choose to delay this matter past the fall election cycle to minimize confusion and avoid workshops in the coming months. Doing so, however, could result in new demands from Mr. Dominguez as such a delay would be inconsistent with the Council's adopted Resolution on April 6.

ATTACHMENTS:

[Exhibit A - Santa Paula Districting Public Hearing Presentation](#)