

CITY OF SAN MATEO
City Council Regular Meeting
July 19, 2021
7:00 PM



COUNCIL MEMBERS
Eric Rodriguez, Mayor
Rick Bonilla, Deputy Mayor
Joe Goethals
Amourence Lee
Diane Papan

AGENDA ITEM

18. Transition to Elections By-District – Updated Schedule

Adopt a Resolution to approve an updated schedule to transition to district-based elections and authorize staff to make adjustments, as needed, to the schedule.



CITY OF SAN MATEO

City Hall
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San Mateo CA 94403
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Agenda Report

Agenda Number: 18

Section Name: {{section.name}}

File ID: {{item.tracking_number}}

TO: City Council
FROM: Drew Corbett, City Manager
PREPARED BY: City Clerk's Office
MEETING DATE: July 19, 2021
SUBJECT: Transition to Elections By-District – Updated Schedule

RECOMMENDATION:

Adopt a Resolution to approve an updated schedule to transition to district-based elections and authorize staff to make adjustments, as needed, to the schedule.

BACKGROUND:

On May 24, 2021, the City received a certified letter from attorney Scott Rafferty asserting that the City's current at-large election system may violate the California Voting Rights Act and stating the City should voluntarily move to a district-based election system for electing City Council members. On June 21, 2021, the City Council adopted Resolution No. 69 (2021), stating the City's intention to transition from at-large to by-district elections. Appended to that Resolution was an exhibit outlining two tentative timelines for the required public hearing schedule. The first schedule showed the estimated timing for transitioning to by-district elections within 90 days from adopting the resolution of intention per Elections Code Section 10010. This initial 90-day period ends on September 20, 2021. The second timeline incorporated a 90-day extension, if an agreement could be reached with Mr. Rafferty, and as authorized by Elections Code Section 10010.

This is a seminal change to how voters elect their City Council members and the City has stated publicly its commitment to a robust public outreach and its interest in using the latest 2020 US Census data.

90-Day Timing Scenario

Under the 90-day timing scenario, the City would have to complete the entire process of holding five public hearings to receive input from communities of interest, solicit map drawing from the public, and have a discussion regarding election sequencing all completed by September 20, 2021. This timeline would significantly limit the City's ability to engage the community, particularly hard-to-reach underrepresented community members, through additional outreach opportunities.

Furthermore, under this scenario, the City would not be able to use the latest 2020 US Census data, which is scheduled to be released in late September 2021, just days after the September 20, 2021 deadline. The City would then need to immediately begin a redistricting process, thereby having to conduct a second series of public hearings and outreach to adjust the district maps to align with the 2020 Census data in time for elections in November 2022. This would result in significant additional financial expenses and would likely be confusing to the public.

Preferred Extended Timing Scenario

Instead, the City sought to use a 90-day extension in order to use updated 2020 Census data and engage in a significantly more robust public outreach campaign. The City would conduct one set of public hearings (five in all), host at least three additional community workshops, attend numerous pop-up events, and hold significant outreach meetings with service

organizations and neighborhoods to ensure we are receiving input from all of the community's stakeholders. This allows the City to draw maps once, using the most current census data. The process culminates with the adoption of an ordinance outlining the election sequencing and the official district map to be used for the next decade.

The City has negotiated at length with Mr. Rafferty for a 90-day extension agreement to complete the transition to district-based elections. However, these negotiations have been unsuccessful. Nevertheless, the City is proposing using the second extended timing scenario, with a hearing schedule that would complete the process by November 15, 2021 through the adoption of an ordinance transitioning to district elections. This allows approximately two more months of robust public outreach through multiple avenues of public input and use of the most current Census data to draw district maps that best reflect the community of San Mateo. This schedule would also not require a full 90-day extension.

It is recommended that the City adopt the proposed resolution that includes Exhibit A, which outlines the public hearing schedule with proposed additional public outreach opportunities to be undertaken and authorizes staff to make adjustments to the schedule as needed.

BUDGET IMPACT:

There is no additional budget impact from this administrative action.

ENVIRONMENTAL DETERMINATION:

This approval of public hearing and community outreach schedule is not a project subject to CEQA, because it is an organizational or administrative activity that will not result in direct or indirect physical changes in the environment. (CEQA Guidelines Section 15378(b)(5).)

NOTICE PROVIDED

All meeting noticing requirements were met.

ATTACHMENTS

Att 1 - Proposed Resolution with Exhibit A – District Schedule

STAFF CONTACT

Patrice Olds, City Clerk
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(650) 522-7042

CITY OF SAN MATEO
RESOLUTION NO. ____ (2021)

**APPROVAL OF UPDATED PROPOSED TIMEFRAME TO TRANSITION FROM AT-LARGE TO BY-DISTRICT ELECTIONS
UNDER ELECTIONS CODE SECTION 10010 AND TENTATIVE PUBLIC OUTREACH SCHEDULE**

WHEREAS, on June 21, 2021, in response to a letter from attorney Scott Raffety regarding City compliance with the California Voting Rights Act, the Council adopted Resolution No. 69 (2021) declaring an intent to transition from at-large to by-district council member elections under Elections Code Section 10010. The Resolution included a tentative calendar with two different timing scenarios; and

WHEREAS, Elections Code Section 10010 provides for an initial 90 days from the adoption of a resolution of intent to accomplish the public process to move from at-large elections to by-district elections, and allows for an extension of an additional 90 days in order to provide additional time to conduct public outreach, encourage public participation, and receive public input; and

WHEREAS, 2020 U.S. Census data is scheduled to be released in late September 2021, and the City would be required to use this data to draw its district maps. However, the initial 90-day timeframe ends before the release of up-to-date Census data; and

WHEREAS, having to immediately redraw district boundaries using 2020 Census data following the completion of the transition to district elections would be duplicative, confusing and costly; and

WHEREAS, the City desires to use additional time to conduct a more comprehensive public process that also incorporates 2020 U.S. Census data in a single process that will utilize five public hearings along with robust public outreach to garner significant input from the community; and

WHEREAS, the City fully intends to complete the transition under the CVRA within the extended timeline, and establish district boundaries no later than six months before its next Regular Election on November 8, 2022, consistent with Elections Code Section 10010(e)(3)(c)(i); and

WHEREAS, the City's proposed timeline, attached to this resolution as Exhibit A and incorporated by reference, outlines a process in which an ordinance transitioning the City to by-district elections and approving a district map would be adopted by November 15, 2021.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF SAN MATEO, CALIFORNIA, HEREBY RESOLVES that:

1. Exhibit A to this resolution entitled City of San Mateo Districting Proposed Timelines and Public Outreach Schedule is hereby approved.

City of San Mateo
Districting Proposed Timelines and Public Outreach Schedule

Activity	Proposed Schedule
Received Demand Letter	5/24/2021
Adopted a Resolution of Intention	6/21/2021
Pop-up Music in the Park	7/29/21 & 8/5/21
Direct Mailing to all addresses in the City with outreach schedule	wk of 8/1
City Services Academy - City Manager presentation	8/18/2021
Community Meeting #1 - Saturday (two: one at library & one at King Center in Spanish)	8/21/2021
Hold Public Hearing #1 to gather input from communities of interest (no draft maps drawn until these are complete) No more than 30 days apart between Hearing #1 and #2	8/23/21 @ 6pm
Hold Public Hearing #2 to gather input from communities of interest (no draft maps drawn until these are complete) No more than 30 days apart between Hearing #1 and #2	9/13/21 @ 6pm
Pop-up Movies in the Park (Every Friday in September)	9/3, 9/10, 9/17 & 9/24
Pop-up Bayfront Clean-up	9/18/21 8 am-1pm
Community Meeting #2 - Saturday (one at library)	9/25/2021
Hold Public Hearing #3 to gather public input on draft maps and election sequencing (Public Hearing #3 and #4 can be no more than 45 days apart).	9/30/21 @ 6pm
Census Data Release	9/30/2021
Insert in the Recology Bill	10/1/2021
Deadline for all initial draft maps posted on website at least 7 days prior to next round of public hearings	10/7/2021
Hold Public Hearing #4 to gather public input on revised draft maps (prison population adjusted final data) and election sequencing (Public Hearing #3 and #4 can be no more than 45 days apart).	10/14/21 @ 6pm
Community Meeting #3 - Saturday (two: one at library & one at location to be determined)	10/16/2021
Deadline for all initial draft maps posted on website at least 7 days prior to next round of public hearings	10/28/2021
Hold Public Hearing #5 and introduction of ordinance (up/down vote - no map changes) - Regular Council Meeting	11/1/2021 @ 7:30 pm
Adopt Ordinance (Regular Meeting - Consent Calendar) per Elections Code Section 15, Sunday deadline moves to next business day	11/15/2021
Six Months before next regular election the ordinance must be adopted	5/2/2022
County Elections requires a map showing the boundaries of the district and which districts are to be elected for the general municipal election	5/12/2022
First District Election	11/8/2022

Legend for color coding

Not color coded are Public Hearing dates and deadlines

Pop Up at Community Events	8
Community Meetings with Presentations in Person Total	3 to 6
Possibility of up to four Rotating presence at COSM Farmers Market on Saturday 9-1 - (TBD eight opportunities)	8/14 - 11/6