



CITY OF SAN MATEO

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Agenda Report

Agenda Number: 1

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: August 23, 2021
SUBJECT: Transition to District-Based Elections for Councilmembers – Public Hearing #1

RECOMMENDATION:

Receive a presentation from staff and the City's consulting demographer regarding the process and criteria for establishing Council district boundaries for by district elections, and hold the first of two public hearings to receive public input regarding the boundaries and composition of districts before maps of proposed district boundaries are drawn.

BACKGROUND:

On May 24, 2021, the City received a demand letter alleging the City of San Mateo's current at-large election system violates the California Voting Rights Act (CVRA). On June 21, 2021, the City Council adopted Resolution No. 69 (2021) declaring its intent to transition from at-large elections to by-district elections of Council Members. The resolution also outlined specific steps to facilitate the transition and provides a schedule for the process to create the City's first district elections map. Currently, voters across the City vote for all five council members. A "by-district" election is one in which the City is divided into separate districts, each with one City Council member who resides in the district and is chosen by the voters in that particular district. The first by-district Council election would occur during the November 8, 2022 general municipal election.

On July 19, 2021, the City Council approved Resolution No. 76 (2021), which updated the schedule to provide more opportunities for community input and to use the latest 2020 U.S. Census data. Two changes were subsequently made to the timing of the community workshops to better align with the public hearing schedule and ensure they did not conflict with other events. Attachment 1 contains the updated schedule.

In addition, City Charter Section 2.01(a) provides for the election of Council Members at large. Following the adoption of an ordinance completing the transition to elections by district, a clean-up ballot measure would be submitted to the voters to reflect this transition, possibly at the June 2022 Statewide primary election.

Public Hearing Process

Pursuant to Elections Code Section 10010, the City is required to hold at least five public hearings on the transition process. Public hearings #1 and #2 must be held over a period of no more than 30 days before any map or maps of the boundaries for the proposed voting districts are drawn. At these public hearings, the community is invited to provide input on communities of interest and the composition of districts, including the number of districts to be considered. Two subsequent public hearings will be held once draft maps are drawn.

At this first hearing, the City will present information on the possible composition of districts and the City's demographer, Paul Mitchell of Redistricting Partners, will provide a presentation on the process and the legal parameters that must be considered when preparing district boundaries and opportunities for the public to engage in the process. The City Council

will then receive public comments. At the end of the second public hearing, scheduled for 6 p.m. on September 13, 2021, the City Council will provide direction to City staff and the City's demographer regarding the criteria to be used, consistent with the required legal parameters, to create one or more proposed district maps. The Council will also be asked to provide direction on the number of districts to be considered, as explained below.

The City's demographer will then create one or more draft maps taking into account public input and the updated preliminary U.S. 2020 Census data. During this period, the City will also accept draft maps submitted by the public. The Council will then host public hearing #3 on September 30 and public hearing #4 on October 14, 2021. The maps drafted by the City's demographer will be published for public comment at least one week before each of these two public hearings and will account for finalized 2020 Census data when that is made available. After taking public comment, staff will ask Council to provide further direction to finalize a map.

During public hearings #3 and #4, staff will ask the Council to provide direction on sequencing of future elections. The sequencing of elections refers to when each district will host its first by-district election (November 2022 or November 2024) so as to stagger when Council seats are up for election. Final direction on election sequencing will be sought in public hearing #4. The City Council is the final decision-making body on adopting district boundaries and the plan will be incorporated into a recommended ordinance that will be presented to the City Council for consideration during public hearing #5 on November 1, 2021 at 7:30 p.m.

The following is a summary of the public hearing schedule:

Type of Meeting	Purpose	Date	Time
Public Hearing #1 <i>(Special Meeting)</i>	Input from Communities of Interest (no map drawing)	8/23/21	6:00 pm
Public Hearing #2 <i>(Special Meeting)</i>	Input from Communities of Interest (no map drawing) and direction given on district composition	9/13/21	6:00 pm
Public Hearing #3 <i>(Special Meeting)</i>	Review and feedback of proposed draft maps and election sequencing	9/30/21	6:00 pm
Public Hearing #4 <i>(Special Meeting)</i>	Review and final direction on revised draft map and election sequencing	10/14/21	6:00 pm
Public Hearing #5 <i>(Regular Meeting)</i>	Introduction of ordinance (no map changes)	11/1/21	7:30 pm
Consent Calendar <i>(Regular Meeting)</i>	Adoption of ordinance	11/15/21	7:00 pm

District Formation Criteria

In creating the district boundaries, the City must ensure compliance with the following state and federally mandated criteria:

- 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 the Constitutions of the United States and California (e.g., race cannot be the predominant factor).

In addition, under Elections Code Section 21621(c), certain criteria must be used to establish the boundaries of the Council districts including the following, in order of priority:

- Geographic contiguity
- To the extent practicable, maintaining neighborhoods and local Communities of Interest.
 - Communities of Interest include people with common social or economic interests (such as cultural or historical bonds etc.).
 - Communities of Interest do not include relationships with political parties, incumbents, or political candidates.

- Boundaries that are easily identifiable and understandable to residents (e.g., geographical and topographical features such as rivers and creeks, or other physical barriers such as railroads or major streets)
- Geographic compactness is encouraged.

Composition and Number of Districts Discussion

Pursuant to Government Code Section 34871, the City Council may adopt an ordinance that determines how by-district elections are to be implemented. Such an ordinance is not required to be submitted to the voters (Govt. §34886). This statute provides for the following options:

- By-districts in five, seven, or nine districts.
- By-districts in four, six, or eight districts, with an elective mayor that could serve either a 2-year or 4-year term pursuant to Government Code Section 34900.

The City Council is asked to receive public input and begin discussion on the preferences for composition of by district elections for San Mateo, with final direction sought in public hearing #2 on September 13, 2021.

Community Outreach

In addition to the formal public hearing process, the City is implementing a robust multi-lingual community engagement initiative branded “Represent San Mateo.” This includes an additional five community workshops, including two held in Spanish; pop-up outreach at community events; and engaging community-based organizations such as neighborhood associations, faith organizations, nonprofits and others. The City is also providing multiple ways for the public to submit feedback through in-person and online formats such as interactive map drawing and fillable Communities of Interest forms. Materials are being provided in English, Spanish and simplified Chinese, the three predominant languages spoken in San Mateo. Included as Attachment 2 and Attachment 3 are samples of flyers and Communities of Interest forms.

Thus far, the City has sent a trilingual mailer to all residential households, is consistently sharing information through all of its digital platforms, is using voter registration data to send email notifications, and is posting flyers and posters at key locations throughout the City. The City is also working with local groups to distribute materials including during the Police Activities League’s annual backpack giveaway, through the Parks and Recreation’s and Self Help for the Elderly’s senior meal distributions, and through neighborhood and advocacy organizations. The City has also made over 100 direct contacts to community groups such as school districts and PTAs, neighborhood and homeowners associations, churches, nonprofits, business associations, and active members of the community. Robust outreach will continue throughout this process.

Information about this process and opportunities for the public to provide feedback is available at www.cityofsanmateo.org/DistrictElections.

BUDGET IMPACT:

At its June 21, 2021 meeting the City Council appropriated \$150,000 to underwrite costs associated with moving to District elections.

ENVIRONMENTAL DETERMINATION:

This informational public hearing 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 Schedule

Att 2 – Outreach flyers

Att 3 – Communities of Interest Form

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