



CITY OF SAN MATEO

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Agenda Report

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TO: City Council

FROM: Drew Corbett, City Manager

PREPARED BY: City Clerk's Office
City Attorney's Office
City Manager's Office

MEETING DATE: September 13, 2021

SUBJECT:
Transition to District-Based Elections for Councilmembers – Public Hearing #2

RECOMMENDATION:

Receive a second presentation from staff and the City's consulting demographer regarding the process and criteria for establishing Council district boundaries for by-district elections, hold the second of two public hearings to receive public input regarding the boundaries and composition of districts, and provide direction on the number of districts and method for Mayor selection.

BACKGROUND:

The City Council held the first required public hearing for the transition to by-district elections on Monday, August 23, 2021. At that meeting, the Council received a presentation from staff and its demographer Paul Mitchell of Redistricting Partners. The presentation covered the public input process, as well as the rules and considerations the City must pay attention to when drawing district maps. Council also began a discussion about the number of districts and method for Mayor selection. During this second hearing, Council will be asked to give direction on the composition of districts, which is discussed below, and the criteria that could be considered as the demographer prepares draft maps.

The purpose of these first two public hearings 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 community may also provide input through a variety of methods including the online Communities of Interest (COI) form, paper COI forms, a printable COI map, and via the City's online mapping tool called DistrictR that was launched on August 30, 2021. Submittals may be sent via the online platforms, email, regular mail or in public testimony at these public hearings. COI forms received as of September 8, 2021 are included with this agenda report as Attachments 1-4. The public will be encouraged to continue participating through remote and in-person opportunities.

Following this hearing, the map drawing phase of the process will begin. This involves the public submitting district maps and the City's demographer using 2020 Census data, Council direction, and public input to draw draft maps for consideration at Public Hearing #3 on September 30 and Public Hearing #4 on October 14. A fifth public hearing to consider introducing an ordinance approving the final district map is scheduled for November 1, 2021. Background information, specifics of the public hearing schedule, and the legal requirements may be found on the City's website at www.cityofsanmateo.org/districtelections.

Criteria for Drafting District Boundaries

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, maintain neighborhoods and local Communities of Interest.
 - Communities of Interest is a neighborhood or group that would benefit from being in the same district because of shared interests, views, or characteristics.
 - Examples include people with common social or economic interests (such as cultural or historical bonds etc.), common issues, neighborhood activities, or legislative/election concerns.
 - 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.

Council may provide direction on additional criteria that could be considered; however, the professional demographer advises that following these well-established legal parameters results in a more streamlined process with less chance of conflicting criteria.

Composition and Number of Districts Discussion

Some other issues the Council considered at the first public hearing included a preliminary discussion regarding number of districts and whether a rotational Mayor versus a directly elected at-large Mayor model would work best for the City of San Mateo. 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. Code §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.

City Charter Considerations

While Council may adopt the ordinance establishing by-district elections, any change to the City’s charter will require voter approval. Depending on Council’s direction there will be varying degrees of charter changes and timing considerations with moving from an at-large to a by-districts election model. The different potential processes are outlined below.

Five Seats by-District with Rotating Mayor: Charter Amendment **Not** Required Prior to Implementation. As discussed at the first public hearing, the City Charter currently calls for five at-large council members and a rotating mayor. While a change to a by-district election system would differ from the Charter, compliance with the CVRA is required by State law and applies to charter cities. An amendment to the Charter could be submitted to the voters at a later date as a clean up measure.

Increase in Number of Council Seats or Directly-Elected Mayor: Charter Amendment **Is** Required Prior to Implementation. An increase in the number of seats and/or a change to a directly-elected mayor would require a Charter amendment at a future election before either system (or a combination thereof) could be implemented. This is because the CVRA does not mandate that local governments choose either election system.

Form of Government

Below are definitions of governance models that may be helpful for the public as Council deliberates.

City Council/City Manager Form of Government: The City of San Mateo follows a council-manager form of government per Charter Article II and III, which defines the Council's role, Mayor's role and the City Manager's role. A Council-manager form of governance means the City Council is responsible for establishing policy, legislative functions such as passing local ordinances and resolutions, approving the budget and appropriations, and developing an overall vision for the community. The legislative body appoints a professional manager to run the City, oversee the administrative operations, implement its policies, and advise it. The manager position is similar to that of corporate chief executive officer (CEO), providing professional management of the organization for the board of directors. The position of "mayor" present in this type of legislative body is a largely ceremonial title.

A council-manager form of government can be the governance model used under either an at-large or by-district election system with either a directly elected or a rotational mayor.

A strong mayor system changes the city's governance structure in that a mayor in a mayor-council method of municipal government is given a large degree of control and responsibility over the administration of the organization. A strong mayor is directly elected by the voters. Moving to a strong mayor system would significantly change the way the City is run and likely require more significant changes to the City charter.

BUDGET IMPACT:

At its June 21, 2021 meeting the City Council appropriated \$150,000 to underwrite costs associated with moving to by-district elections. An estimated cost for placing a ballot measure on the June 2022 election is from \$4.26 to \$5.11 per registered voter or from \$251,100 to \$301,300.

ENVIRONMENTAL DETERMINATION:

This 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 – Public Comment
- Att 2 – Community of Interest On-line submittals
- Att 3 – Community of Interest Hardcopy forms
- Att 4 – Community of Interest Maps

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