



Supplemental Council Agenda Report

To: Mayor Farrer and the Honorable Members of the City Council

Prepared by: Christi Hogin, City Attorney

Date prepared: February 4, 2020 Meeting date: February 10, 2020

Subject: Public Hearing Regarding Composition of Districts for Potential By-District Elections

RECOMMENDED ACTION: 1) Conduct the first Public Hearing to review the districting process for City Council elections and receive public input regarding the composition of potential City Council districts; and 2) Adopt the proposed schedule set forth below or provide further direction to staff.

PURPOSE: The purpose of this hearing is to hold the first of four required public hearings to receive input from the community concerning transitioning to by-district elections and set a schedule for future hearings.

FISCAL IMPACT: On January 27, 2020, funding in the amount of \$127,500 was included throughout various departments in the Adopted Budget for Fiscal Year 2019-2020 to fund costs attributable to district-based elections, including to retain a demographer and complete the process of community outreach, developing criteria and maps, and election sequencing.

BACKGROUND:

On January 13, 2020, the City Council adopted Resolution No. 20-02 directing the retention of a demographer and directing a schedule be brought back to take actions and schedule public hearings related to district-based elections in accordance with Elections Code § 10010, and declaring its intention to place a binding initiative on the ballot for the 2020 General Municipal Election as to whether to transition to district-based elections. This action was taken in response to the October 25, 2019, letter sent by Milton C. Grimes of the Law Offices of Milton C. Grimes to the City that claimed the City's at-large system of voting dilutes the ability of Latinos to elect candidates of their choice or to otherwise influence the outcome of the City's elections. Mr. Grimes had to send this

letter before he can file a lawsuit claiming the City has violated the California Voting Rights Act.

ANALYSIS:

Pursuant to Elections Code § 10010, the City must hold at least four public hearings in connection with the establishment of electoral districts. The City is required to hold at least two public hearings over a period of no more than 30 days before any map or maps of the boundaries for the proposed voting districts are drawn. These first two hearings are for the purpose of developing the criteria that will be used for drawing the maps. At these first two public hearings, the community is invited to provide input regarding the composition of the districts.

The map drawing process begins after these initial two public hearings. The City Council will then define the criteria used to create one or more proposed district maps and present the draft map or maps for public comment and review in two subsequent public hearings. The proposed maps will be provided at least seven days prior to each of these public hearings. The final third and fourth public hearings must be held within 45 days of each other.

During the third and fourth public hearings, the Council will also need to determine the “sequencing” of the elections. This means that the Council will need to decide which districts will first have elections.

Staff is proposing the following schedule, which complies with Elections Code § 10010:

Date	Meeting Type	Public Hearing No.	Description
February 24, 2020	Regular Meeting - Public Hearing	2	Further public input on baseline and census geography, race/ethnicity density, and zoning and general plan information
March 5, 2020	N/A	N/A	Publishing of proposed map(s)
March 12, 2020	Special Meeting - Public Hearing	3	Discussion of proposed district map(s) and sequence of elections
March 19, 2020	N/A	N/A	Publishing of amended map(s)
March 26, 2020	Special Meeting - Public Hearing	4	Public input and possible revisions to proposed district map(s)
April 13, 2020	Regular Meeting - Public Hearing	5	Adoption of district map and ballot initiative

All hearings will be held in the City Hall – Council Chambers, 23825 Stuart Ranch Road, Malibu, CA 90265.

To increase public awareness of the transition to district elections, the City will use a variety of public communication channels to engage members of the community. Districting information will continue to be featured on the City’s website at the following web address: www.malibucity.org/971/District-Elections. In addition, the City’s website will be populated with information about how the public can participate and also provide answers to frequently asked district questions.

The next public hearing to receive and consider input from the public concerning the composition of voting districts is scheduled for February 24, 2020. The public is also encouraged to provide input via email to cityclerk@malibucity.org. Input may also be dropped off at the City Clerk’s Department or mailed to the City Clerk at the following address:

City of Malibu
Attn: City Clerk
23825 Stuart Ranch Road
Malibu, CA 90265

ENVIRONMENTAL REVIEW: The California Environmental Quality Act (“CEQA”) does not apply to activities that will not result in a direct or reasonably foreseeable indirect physical change in the environment or is otherwise not considered a project as defined by CEQA (Section 21605) and CEQA Guidelines §§ 15060(c)(3) and 15378. Conducting public hearings for public input regarding transitioning to by-district elections and setting a schedule for future hearings meets the above criteria and is not subject to CEQA.

ATTACHMENTS: None.



Council Agenda Report

To: Mayor Farrer and the Honorable Members of the City Council

Prepared by: Christi Hogin, City Attorney

Date prepared: January 30, 2020 Meeting date: February 10, 2020

Subject: Public Hearing Regarding Composition of Districts for Potential By-District Elections

RECOMMENDED ACTION: 1) Conduct the Public Hearing; and 2) Provide direction to staff.

DISCUSSION: This report will be distributed under separate cover.

ATTACHMENT: None.