



**MARCH 11, 2019  
SPECIAL MEETING AGENDA  
CITY COUNCIL CHAMBERS, 150 CITY PARK WAY**

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Pursuant to Section 54956 of the California Government Code,  
a special meeting of the City Council is hereby called for:  
**March 11, 2019 at 7:00 PM** or as soon thereafter as possible.

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**CALL TO ORDER & ROLL CALL**

**PLEDGE OF ALLEGIANCE**

**PUBLIC COMMENTS**

At this time the public is permitted to address the City Council on items that are not on the agenda. Persons addressing the City Council are required to limit their remarks to five (5) minutes unless an extension of time is granted by the Mayor subject to approval of the City Council. Please file your name with the City Clerk on the form provided on the counter at the back of the Chambers. Speakers desiring answers to questions should direct them to the City Council and the City Council may direct them to the appropriate staff member.

**A. PUBLIC HEARING**

- A.1. Receive input from the community regarding boundaries and composition of districts for City Council Member district-based elections pursuant to Elections Code section 10010; and Council Member direction to the demographer on desired criteria to be used for drawing district maps. (Damien Brower/Gustavo "Gus" Vina/Margaret Wimberly)

**ADJOURN CITY COUNCIL**

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**NOTICE**

In compliance with the Americans with Disabilities Act, the Council Chambers are wheelchair accessible and disabled parking is available in the parking lot. If you are a person with a disability and you need disability-related modifications or accommodations to participate in this meeting, please contact the City Clerk's Office at (925) 516-5440 or fax (925) 516-5441. Notification 48 hours prior to the meeting will enable the City to make reasonable arrangements to ensure accessibility to this meeting. {28 CFR 35.102-35, 104 ADA Title II}

**POSTING STATEMENT**

On March 7, 2019, a true and correct copy of this notice was posted on the City Hall Bulletin Board, outside City Hall, 150 City Park Way, Brentwood, CA 94513 and at our website [www.brentwoodca.gov](http://www.brentwoodca.gov)

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## CITY COUNCIL AGENDA ITEM NO. 1

**Meeting Date:** March 11, 2019

**Subject/Title:** Receive input from the community regarding boundaries and composition of districts for City Council Member district-based elections pursuant to Elections Code section 10010; and Council Member direction to the demographer on desired criteria to be used for drawing district maps.

**Prepared by:** Margaret Wimberly, City Clerk

**Submitted by:** Damien Brower, City Attorney  
Gustavo "Gus" Vina, City Manager

### RECOMMENDATION

That the City Council hold the second of two public hearings to receive input from the community regarding boundaries and composition of districts for City Council Member district-based elections pursuant to Elections Code section 10010 before drawing district maps; and provide direction to the demographer on desired criteria to be used for drawing district maps.

### CITY COUNCIL STRATEGIC INITIATIVE

Not Applicable.

### PREVIOUS ACTION

On January 22, 2019, the City Council adopted Resolution 2019-12 declaring its intent to transition from at-large to district-based City Council member elections, outlining specific steps to be taken to facilitate the transition, estimating a time frame for action, and establishing the number of City Council districts.

On February 11, 2019, the City Council held the first of four public hearings to receive input from the community regarding boundaries and composition of districts for City Council Member district-based elections pursuant to Elections Code section 10010.

### BACKGROUND

Pursuant to Elections Code section 10010, following the City Council's adoption of a resolution of intention to transition from at-large to district-based elections, the City is required to hold at least two public hearings before any boundary map or maps for the proposed voting districts are drawn. Before developing draft district boundaries, the City Council is to receive comments from residents and interested community groups at the two public hearings to understand the community's view regarding district boundaries and composition.

On February 11, 2019, the City Council held the first of these public hearings and received a presentation from the demographer which provided an overview of the districting process.

At the end of tonight's public hearing, the City Council will determine which criteria will be used to create one or more proposed district maps. The City's demographer will then create one or more draft maps, which will be published for public comment and review at two subsequent public hearings (scheduled for April 3 and May 1, 2019).

The City Council will receive public input both about the district boundaries and sequencing of the district elections at those two subsequent hearings and provide further direction to finalize the map and sequence of elections. The plan will then be incorporated into an ordinance that will be presented to the City Council for a final vote at a duly noticed public meeting.

The City Council is the final decision-making body on adopting district boundaries. To ensure that the City falls within the “safe harbor provision” of the California Voting Rights Act, which would limit the City’s potential liability to prospective plaintiffs to no more than \$30,000, adoption of the ordinance must occur no later than July 21, 2019.

### **District Formation Criteria**

The legally required criteria that apply to the creation of the council districts are as follows:

- Each council district shall contain nearly equal population, with any deviations justified by other traditional redistricting criteria.
- A districting plan shall be drawn in a manner that complies with the state and federal Constitutions, the Federal Voting Rights Act, and state law.
- Consistent with the principles of Equal Protection recognized by the United States Supreme Court in *Shaw v. Reno* (1993) 509 U.S. 630, council districts shall not be drawn with race as the predominant factor.
- Each council district shall be contiguous, meaning that there are no islands or parts of a district that are not attached to the whole.

The City Council may, but is not required to, consider other criteria when creating districts. Additional criteria that have been used in other communities to define districts include:

- Compactness of districts, including their shape and appearance.
- Identifying changes to the housing stock, including areas of population growth since 2010, provided, however, that districts will have to contain nearly equal population based on the 2010 Census data.
- To the extent feasible:
  - Keeping communities of interest, such as neighborhoods, school district boundaries, etc., undivided by a district boundary.
  - Respecting visible natural and man-made geographical and topographical features when drawing district boundaries.
  - Including public facilities in each district.
  - Including commercial interests in each district.
  - Following existing voting precinct boundaries.

The additional criteria may or may not be applicable or appropriate in Brentwood. The community is encouraged to provide input on some or all of these additional criteria options, and may also provide input on other criteria not mentioned above.

The City Council will be informed by the public input. The Council must balance criteria, and may choose to include some, all, or no additional criteria. They may also choose to develop additional alternative criteria that they believe are applicable to the City when selecting a district plan.

### **Next Steps**

The next public hearing to receive input from the public and members of the City Council on the draft maps produced by the demographer is scheduled for Wednesday, April 3, 2019.

A detailed schedule setting forth the prior proposed meeting and public hearing dates:

<b>City Council Meeting Number</b>	<b>Topic</b>	<b>Date</b>
1.	Public Hearing without maps to provide input on criteria to be used for drawing districts	Complete
2	Public hearing without maps to provide input on criteria to be used for drawing districts  Council to provide direction to demographer on desired criteria to be used for drawing maps	March 11, 2019
3	Public hearing with draft maps produced by the demographer for consideration and feedback by the public and Council	April 3, 2019
4	Public hearing with revised map(s) produced by the demographer for consideration; selection of one of the draft maps to be introduced as the final map to be included in the ordinance to establish districts; and public input and consideration of sequencing of district elections	May 1, 2019
5	Public meeting to introduce an ordinance establishing the district election process	June 25, 2019
6	Public meeting to adopt the introduced ordinance	July 9, 2019

**FISCAL IMPACT**

There will be significant staff time needed to transition to district-based elections and to administer the process, including the need for at least four (4) public hearings. The City will also incur the costs for a demographer, and special legal counsel. Staff anticipates these costs being approximately \$150,000 and will be funded through the General Fund. Additionally, the City may be liable to reimburse the prospective plaintiffs for their documented attorney's fees and costs up to a combined total of \$30,000. Costs expected to be incurred in the current fiscal year are included in the amended FY 2018/19 Operating Budget. Any anticipated FY 2019/20 costs will be included in the mid-term budget report presented to City Council in June 2019.