



MEMORANDUM

TO: City Council

FROM: Jessica Matson, Legislative & Information Services Director/City Clerk
Timothy J. Carmel, City Attorney

SUBJECT: Public Hearing on the Establishment of a District-Based Election System and Introduction of an Ordinance Establishing By-District Elections for Four Council Members, Defining District Boundaries, and Scheduling the Order of Elections for Each District

SUMMARY: Introduction of an Ordinance Adding Chapter 2.21 to Title 2 of the Arroyo Grande Municipal Code (AGMC)

DATE: March 22, 2022

SUMMARY OF ACTION:

Public Hearing to introduce an ordinance establishing by-district elections for four Council members, defining district boundaries, and scheduling an election sequence.

IMPACT ON FINANCIAL AND PERSONNEL RESOURCES:

There is no financial impact for conducting the public hearing and receiving input. However, transitioning to district elections required the City to retain the services of a demographer. The cost of such services are projected to be approximately \$24,000 and have been budgeted in the FY 2021-2023 Biennial Budget.

RECOMMENDATION:

1) Conduct a public hearing to receive public input on the final map selection and election sequence; and 2) Introduce an Ordinance adding Chapter 2.21 to Title 2 of the Arroyo Grande Municipal Code establishing by-district elections for four Council members, defining district boundaries, and scheduling the order of elections for each district.

BACKGROUND:

On October 2, 2019, the City received a Notice of Violation ("NOV") of the California Voting Rights Act ("CVRA") and accompanying documentation from attorney Robert Goodman on behalf of his client, Maria Minicucci, alleging that the City's use of an at-large election system created racially polarized voting in violation of the CVRA. On October 22, 2019, the City Council adopted a Resolution declaring its intent to transition from at-large to

Item 9.a.

City Council

Public Hearing on the Establishment of a District-Based Election System and Introduction of an Ordinance Establishing By-District Elections for Four Council Members, Defining District Boundaries, and Scheduling the Order of Elections for Each District

March 22, 2022

Page 2

district-based elections by November 8, 2022, and authorized a settlement agreement with Ms. Minicucci.

Pursuant to Elections Code Section 10010, the City conducted its first two public hearings on July 27, 2021, and August 10, 2021, prior to drafting maps of proposed districts. At the July 27th hearing, the City's demographer, National Demographics Corporation (NDC) provided a general overview of the districting process and Council received initial public input on communities of interest and approved the timeline for developing and approving a Council district map. At the August 10th hearing, NDC and staff provided further information on the districting process and outreach initiatives. Council received further input from the public on a list of neighborhoods and communities of interest to consider in the district map-drawing process. NDC's staff led two public workshops conducted in the Fall of 2021 to assist in the map drawing process and has evaluated each of the maps submitted for compliance with applicable laws. All maps collected from the public by the February 8, 2022 deadline were posted on the City's website on February 15, 2022.

A third public hearing was held on February 22, 2022, to review draft maps submitted by the public and NDC. At that hearing, Council heard an update from staff and a presentation from NDC regarding the map-drawing process, public map submissions, and the legal requirements for developing a district-based election system. After Council discussion, Plan 902, as originally submitted, was selected for further consideration at the next public hearing. Council also selected Plans 202, 902, and 903 for further consideration with requested modifications. In total, Council requested four (4) maps for consideration at the next public hearing. These four maps were posted on the City's website on March 1, 2022, at www.arroyogrande.org/districtelections. Council also discussed a proposed election sequence, as required by the Election Code. The Council concurred that the public be provided time to review final map selections and discuss the election sequence further at the next public hearing.

On March 8, 2022, the City Council held the fourth of four required public hearings prior to adopting a Council district map to begin transitioning to district-based elections. Council discussed the four maps selected for further consideration at the previous public hearing, including the modifications requested on three of the maps. Council also discussed district numbering and election sequencing. Council concurred that the proposed numbering of districts was clear and should remain the same.

Council Selection of a Final Map and Election Sequence

Following discussion and hearing public input, a majority of the Council selected Plan 202 Mod (Attachment 2) and an election sequence as follows:

Item 9.a.

City Council

Public Hearing on the Establishment of a District-Based Election System and Introduction of an Ordinance Establishing By-District Elections for Four Council Members, Defining District Boundaries, and Scheduling the Order of Elections for Each District

March 22, 2022

Page 3

- District 1 and District 4 up for election this November 2022; and
- Districts 2 and 3 up for election in 2024.

Sequencing of the elections by district will not impact the ability of seated Council members to serve out the remainder of their existing terms of office.

Plan 202 was originally submitted by the public and modified by NDC to move the area between West Branch Street, Vernon Street, splitting Census Block 060790118001014, Miller Way, Le Point Street, splitting Census Block 060790118001000, Crown Terrace, Crown Hill Street, and East Branch Street from proposed District 1 to proposed District 2. Making these modifications resulted in a plan that was population balanced and reflected Council direction.

Public Outreach

Since the March 8th public hearing, staff has published information regarding the final map selection and election sequence on the City's districting webpage, updated the spotlight on the City's website homepage, and sent out a press release and social media posts regarding next steps.

ANALYSIS OF ISSUES:

This hearing is the fifth public hearing to receive input from the public on the final map selection and election sequencing and to introduce an ordinance establishing by-district elections for four Council members, defining district boundaries, and scheduling an election sequence.

The proposed ordinance, shown in Attachment 1, reflects the Council's direction on March 8, 2022 and adds Chapter 2.21, "Elections" to Title 2, Administration and Personnel, to the AGMC.

Following this hearing and introduction of the ordinance, staff will bring the proposed ordinance to the City Council for adoption on April 12, 2022. In order to meet the deadlines established by the County Clerk-Recorder, a map must be adopted by April 17, 2022, and forwarded to the County Clerk-Recorder by April 22, 2022.

Below is the current Districting Timeline showing the remaining public meetings. Strikeouts reflect items that have been completed.

Item 9.a.

City Council

Public Hearing on the Establishment of a District-Based Election System and Introduction of an Ordinance Establishing By-District Elections for Four Council Members, Defining District Boundaries, and Scheduling the Order of Elections for Each District

March 22, 2022

Page 4

Date	Time	Location	Meeting Type
July 27, 2021	6:00 PM	Council Chambers / Virtual	Public Hearing 1 Held prior to release of draft maps. Receive input on composition of districts.
August 10, 2021	6:00 PM	Council Chambers / Virtual	Public Hearing 2 Held prior to release of draft maps. Receive input on composition of districts.
Census Data Release August 16, 2021			Census Bureau releases official 2020 Census population data.
September 18, 2021	10:00 AM – 12:00 PM	Virtual	Public Workshop 1
California Data Release Early October 2021			California Statewide Database releases California’s official ‘prisoner-adjusted’ 2020 population data.
October 28, 2021	6:00 – 8:00 PM	Virtual	Public Workshop 2
February 8, 2022 5:00 PM			Draft Map Submissions Due
February 15, 2022			Release Draft Maps (7 days prior to Public Hearing 3)
February 22, 2022	6:00 PM	Virtual	Public Hearing 3 Discuss and revise the draft maps and discuss election sequence.
March 8, 2022	6:00 PM	Council Chamber & Virtual	Public Hearing 4 Discuss draft maps and election sequence. Final map selection.
March 22, 2022	6:00 PM	Council Chamber & Virtual	Public Hearing 5 Introduce ordinance.
April 12, 2022	6:00 PM	Council Chamber & Virtual	Map adopted by ordinance Adoption deadline: April 17, 2022

Input from the Public

Public input received following the March 8th Public Hearing is provided in Attachment 7 and includes one email received on March 14, 2022. The email addresses Districts 3 and 4’s access to the Grand Avenue corridor.

City Council

Public Hearing on the Establishment of a District-Based Election System and Introduction of an Ordinance Establishing By-District Elections for Four Council Members, Defining District Boundaries, and Scheduling the Order of Elections for Each District

March 22, 2022

Page 5

ALTERNATIVES:

The following alternatives are provided for the Council's consideration:

1. 1) Conduct a public hearing to receive public input on the final map selection and election sequence; and 2) Introduce an Ordinance adding Chapter 2.21 to Title 2 of the Arroyo Grande Municipal Code establishing by-district elections for four Council members, defining district boundaries, and scheduling the order of elections for each district.
2. Provide other direction to staff.

ADVANTAGES:

Approving the recommendation will allow for public input regarding the final map selection and election sequence and allow the ordinance to move forward for adoption at the April 12, 2022 regular meeting in order to meet the map adoption deadline of April 17, 2022.

DISADVANTAGES:

No disadvantages have been identified.

ENVIRONMENTAL REVIEW:

No environmental review is required for this item.

PUBLIC NOTIFICATION AND COMMENTS:

The Public Hearing Notice and Agenda was posted at City Hall and on the City's website in accordance with Government Code Section 54954.2. Additionally, the Public Hearing Notice was published in the Tribune.

Attachments:

1. Proposed Ordinance
2. Plan 202 Mod
3. [March 8, 2022 Staff Report](#)
4. [February 22, 2022 Staff Report](#)
5. [August 10, 2021 Staff Report](#)
6. [July 27, 2021 Staff Report](#)
7. Correspondence