



Agenda Item Staff Report

To: Honorable Mayor and Members of the City Council
For the Meeting of October 26, 2021

From: Chris Constantin, City Manager
Jeff Malawy, City Attorney

Subject: **Public Hearing to Receive Input from the Community Regarding Draft District Maps and Election Sequencing for a District Based Election System for City Council**

SUMMARY

Tonight, is the fourth public hearing to consider a transition from at-large City Council elections to a district-based election system. The City's consultant, National Demographics Corporation, has prepared initial draft maps based on 2020 Census data, for the public to review and provide input tonight. The public can create and submit additional draft maps on the City's website (sandimasdistricts.org) for City Council consideration. **The deadline for the public to submit maps is November 1, 2021.**

RECOMMENDATION

Staff recommends the City Council: 1) receive a presentation from the City's demographic consultant, National Demographics Corporation, regarding draft district maps and election sequencing; and 2) conduct a public hearing to receive public input on the draft maps and election sequencing.

BACKGROUND

The members of the San Dimas City Council are currently elected at-large. In an at-large election system, every voter in the City votes for each member of the City Council, regardless of where the voter or the candidate resides.

On August 25, 2020, the City Council approved a settlement agreement with attorney Kevin I. Shenkman, who had alleged the City's at-large system of electing City Councilmembers violates the California Voting Rights Act because it allegedly abridges the rights of Latino voters. Under the settlement agreement, Mr. Shenkman waives all of his claims against the City, provided the City adopts an ordinance transitioning to district elections in time for the next City Council election.

Under a district-based system of elections, the City would be divided into geographic districts, and City Council candidates may only run for the seat representing the district in which they reside, and voters may only vote for the candidates from their district. The City currently has a directly elected Mayor, elected at-large. The Mayor can continue to be elected at-large even under a district-based election system for the other city councilmembers.

If the City Council chooses to transition to district elections, it would need to select a map and introduce the ordinance by November 17, 2021 at the latest and adopt that map and ordinance by November 23, 2021 at the latest,¹ in order to hold district elections in the June 2022 City Council election. The settlement allows the City to choose its own district boundaries, rather than risk a court doing so, and avoids the potential of paying millions of dollars in attorney fees to Mr. Shenkman (as other cities have been ordered to pay).

DISCUSSION

A draft map must be publicly available and posted on the City's website (sandimasdistricts.org) for at least seven days before it can be considered by City Council at a public hearing. If a change is made to a map at the public hearing, the revised map must be posted at least seven days before it is adopted by ordinance.

For consideration at tonight's hearing, the City's consultant National Demographics Corporation has prepared draft district maps for consideration based on the recently released 2020 Census data.² They have been posted on the City's website for the required seven days, at sandimasdistricts.org

Sequence of Elections

Along with adopting a map, the City Council will also need to decide the sequence of elections. The Council will need to choose which two districts will be up for election in June 2022, 2026, 2030, etc., and which two districts will be up for election in 2024, 2028, 2032, etc.

Councilmembers Bertone and Vienna's current terms expire in June 2022. The two districts Council selects to be up for election in June 2022 will replace Councilmember Bertone and Vienna's seats after the June 2022 election. Councilmember Vienna and Bertone may run in June 2022 if they reside in one of those districts.

Councilmembers Ebner and Weber's current terms expire in March 2024. The two districts Council selects to be up for election in March 2024 will replace Councilmember Ebner and Weber's seats after the 2024 election. Councilmember Ebner and Weber may run in 2024 if they reside in one of those districts.

¹ The actual deadline set by LA County is December 9, 2021. However, an ordinance must be adopted at a regular meeting. The last regular San Dimas City Council meeting prior to December 9 is November 23, 2021. The ordinance must be introduced by November 17 because an ordinance cannot be adopted within five days of its introduction.

² A public hearing notice for tonight's hearing was published in a newspaper of general circulation on Sept. 27, 2021

If Councilmember Ebner or Weber reside in a district up for election in June 2022, they may run in that election. If they are not elected, they remain in their current seat to continue their current term that expires in March 2024. If either is elected in the June 2022 election, their current seat on Council will become vacant and the Council may appoint someone or call a special election to fill the vacancy until that seat's term expires in March 2024.

Tonight, the City Council should receive public input on the draft maps and election sequence, and discuss and provide any comments to staff on the maps, in preparation for the next public hearing.

NEXT STEPS

Mapping tools will be available to the public at sandimasdistricts.org, to allow the public to draw and submit proposed district maps for consideration by the City Council. **The deadline for the public to submit maps is November 1, 2021.**

A second public workshop for a how-to overview of the map drawing process is scheduled to be held on October 26, 2021 at 5 pm in the Senior Center Multi-Purpose Room.

A fifth City Council public hearing is scheduled for November 9, 2021. The public must submit maps by November 1 in order to be considered at the November 9 public hearing.

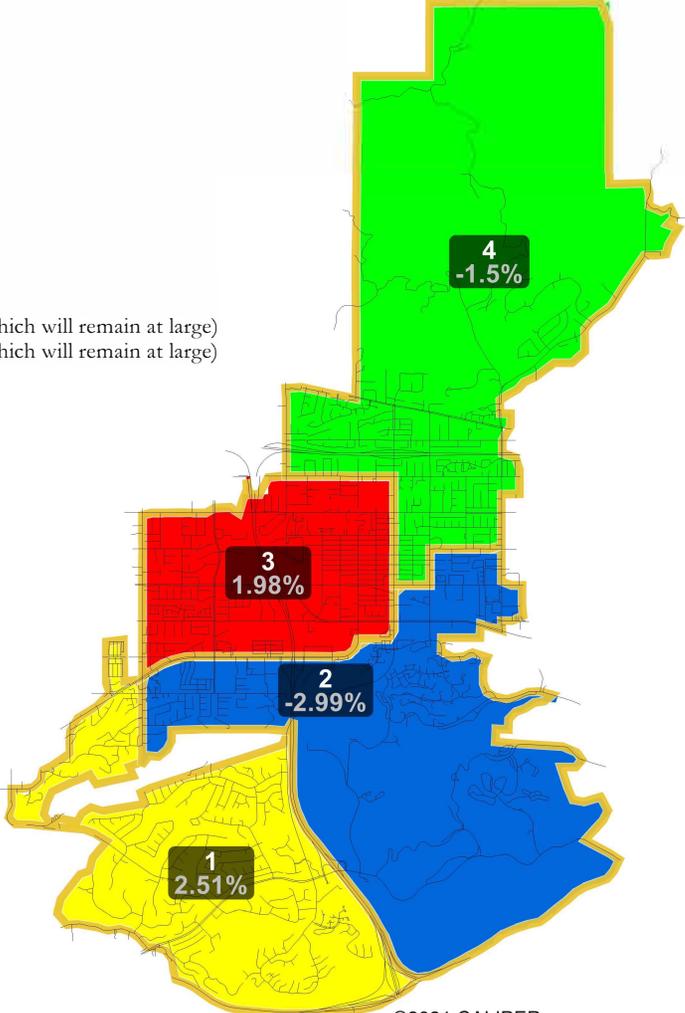
The City Council may introduce an ordinance adopting a map and election sequence on November 9 and adopt that ordinance on November 23. Staff will then submit the ordinance and map to the County by the December 9, 2021 deadline.

Respectfully submitted,

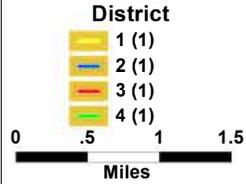


Jeff Malawy
City Attorney

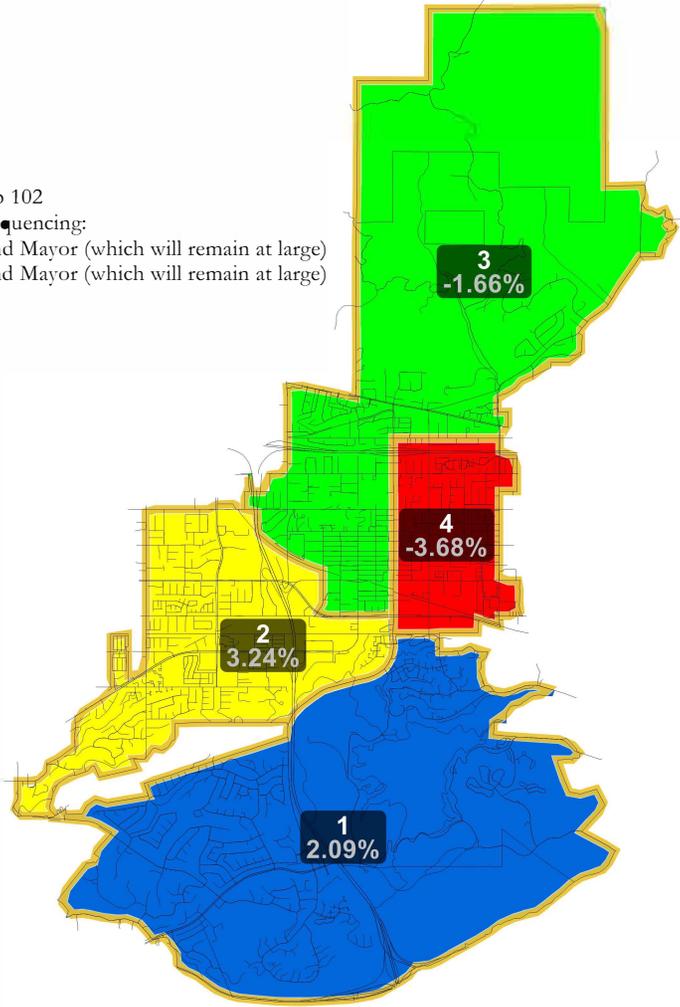
San Dimas Draft Map 101
Proposed Election Sequencing:
2022: Districts 2, 4 and Mayor (which will remain at large)
2024: Districts 1, 3 and Mayor (which will remain at large)



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San Dimas Draft Map 102
Proposed Election Sequencing:
2022: Districts 2, 4 and Mayor (which will remain at large)
2024: Districts 1, 3 and Mayor (which will remain at large)



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