

RESOLUTION NO. 18-02-20-04

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF DANA POINT, CALIFORNIA, EXPRESSING THE CITY COUNCIL'S INTENTION, PURSUANT TO ELECTIONS CODE SECTION 10010(e)(3)(A), TO CONSIDER INITIATING PROCEDURES FOR ESTABLISHING AND IMPLEMENTING BY-DISTRICT ELECTIONS FOR CITY COUNCIL MEMBERS

WHEREAS, the City of Dana Point, California ("City") is a general law city, duly organized under the constitution and laws of the State of California; and

WHEREAS, the members of the Dana Point City Council are currently elected in at-large elections, in which each City Council member is elected by all registered voters of the entire City; and

WHEREAS, Section 34886 of the Government Code authorizes any city to change to a by-district system or by-district system with an elective mayor without the need to put such a change to voters; and

WHEREAS, the City Council has determined that it is in the best interest of the City to move from its current at-large electoral system to a by-district election for members of the City Council, in response to the provisions of the California Voting Rights Act; and

WHEREAS, the City intends to make this transition from an at-large system to a by-district system in accordance with the procedural rules outlined in Government Code Section 34886 and Elections Code 10010; and

WHEREAS, the City received a letter threatening action under the California Voting Rights Act on February 2, 2018 less than forty-five (45) days before the date of this Resolution; and

WHEREAS, the City will begin by working with an experienced demographer to assist the City in establishing maps for a by-district electoral system; and

WHEREAS, before drawing a draft map of the proposed boundaries of the districts, the City will hold at least two (2) public hearings over no more than thirty (30) days, at which time the public is invited to provide input regarding the composition of the districts; and

WHEREAS, the City will then publish and make available for release at least one (1) draft map of the new electoral districts, including the potential sequence of elections shown; and

WHEREAS, once the draft map(s) have been publicized for at least seven (7) days, the City will hold at least two (2) additional public hearings, over no more than forty-five (45) days,

at which time the public is invited to provide input regarding the content of the draft map and the proposed sequence of elections prior to the public hearing at which the City Council adopts a map; and

WHEREAS, if a draft map is revised at or following a public hearing, the revised map will be published and made available to the public at least seven (7) days before the City chooses to adopt it; and

WHEREAS, in determining the final sequence of staggered district elections, the City Council will give special consideration to the purposes of the CVRA, and will take in to account the preferences expressed by the members of the districts; and

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Dana Point, California, as follows:

1. The above recitals are true and correct and are incorporated herein by this reference.
2. The City Council hereby resolves, pursuant to Elections Code section 10010, to consider adopting a by-district election system by ordinance as authorized by California Government Code section 34886, for use in the City's General Municipal Election for City Council Members.
3. The City Council further resolves to retain a qualified demographer, hold at least five (5) public hearings and publish at least one (1) draft map and staggering sequence, pursuant to the proposed tentative hearing schedule attached hereto as Exhibit "1".
4. The city's redistricting/demographic consulting firm, acting under the supervision of the City Attorney, is hereby authorized to direct and formulate one or more electoral district scenarios for review by the public and City Council at two or more public hearings if necessary, in accordance with the city's proposed tentative timeline.
5. Working with the demographic consulting firm, staff is directed to publicize relevant maps, information, notices, agendas and other materials regarding by-district elections and to establish means of communication to answer questions from the public.

6. All public hearings shall be noticed on the City's website, and in addition, as follows: posting on the city's website at least ten (10) calendar days in advance of the hearing and publication at least ten (10) days in advance of the hearing in the newspaper adjudicated to provide notice within the City.
7. The City Manager and City Attorney are authorized to take any and all other necessary actions to give effect to this Resolution.
8. This Resolution shall become effective immediately upon its adoption.

PASSED, APPROVED AND ADOPTED at a Regular Meeting of the City Council of the City of Dana Point on the 20th day of February, 2018, by the following vote:



RICHARD A. VICZOREK, MAYOR

ATTEST:



KATHY M. WARD, CITY CLERK

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STATE OF CALIFORNIA)
COUNTY OF ORANGE) ss.
CITY OF DANA POINT)

I, Kathy Ward, City Clerk of the City of Dana Point, do hereby certify that the foregoing Resolution No. 18-02-20-04 was duly adopted and passed at a regular meeting of the City Council on the 20th day of February 2018, by the following roll-call vote, to wit:

AYES: Council Members Lewis, Tomlinson, Wyatt, Mayor Pro Tem Muller, and Mayor Viczorek

NOES: None

ABSENT: None



KATHY WARD, CITY CLERK

EXHIBIT 1
TENTATIVE TIMELINE

PROPOSED DATE	CITY ACTION	NOTES
02/20/18	Public Meeting: Adopt Resolution of Intent to Convert to District Voting	<ul style="list-style-type: none"> • Demand letter sent: 02/02/18 • Must adopt resolution within 45 days (03/19/18) • If adopted, City gets additional 90 days of legal immunity (05/21/18)
03/06/18	Public Hearing #1: First of two public hearings before maps drawn	<ul style="list-style-type: none"> • PH 1 and PH 2 must be held within 30 days of each other • Notice for all PH must be published and posted 10 days prior
03/20/18	Hold Public Hearing #2: Second of two public hearings before maps drawn	
03/23/18	Release Draft Map(s): Post on City website	<ul style="list-style-type: none"> • This must occur 7 days prior to public hearing
04/03/18	Public Hearing #3: First of two public hearings after maps drawn	<ul style="list-style-type: none"> • PH 3 and PH4 must occur within 45 days of each other
04/06/18	Release Revised/Amended/New Draft Map(s): Post on City website	

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04/17/18	Public Hearing #4: Second of two public hearings after maps drawn	
05/01/18	Public Hearing #5: Final public hearing; introduce ordinance establishing districts	
05/15/18	Public Meeting: Second reading of ordinance establishing districts	<ul style="list-style-type: none">• Effective Date: 06/15/18