

Honorable Mayor and Members
of the Marina City Council

City Council Meeting
of September 21, 2021

**CITY COUNCIL CONSIDER ADOPTING RESOLUTION NO. 2021-,
OPENING A PUBLIC HEARING, RECEIVING A PRESENTATION
REGARDING THE 2021-2022 CITY COUNCIL REDISTRICTING PROCESS
AND TO RECEIVE PUBLIC INPUT ON DISTRICT BOUNDARIES AND
COMMUNITIES OF INTEREST AND A REPORT ON THE
REDISTRICTING PROCESS AND PERMISSIBLE CRITERIA TO BE
CONSIDERED TO REDRAW CITY COUNCIL ELECTION DISTRICT
BOUNDARIES**

REQUEST:

It is requested that the City Council consider:

1. City Council consider adopting Resolution No. 2021-, opening a public hearing, receiving a presentation regarding the 2021-2022 City Council redistricting process and to receive public input on district boundaries and Communities of Interest and a report on the redistricting process and permissible criteria to be considered to redraw City Council election district boundaries

BACKGROUND:

On September 4, 2019, the City Council adopted a resolution declaring its intent to initiate proceedings to transition the City from at-large to district-based Council Member elections pursuant to Elections Code Section 10010 and Government Code Section 34886 (RES-2017-13). The City Council subsequently held four required public hearings and two outreach events to solicit feedback and review City Council district maps submitted by the public.

On December 3, 2019, the City Council adopted Map 109c for the newly created City Council District boundaries (“**EXHIBIT A**”). Prior to 2019, the City of Marina used an at-large election system, which means that the electors for the entire City chose each of the four Council Members, and a directly elected Mayor. After the transition to the district-based election system, the city was geographically divided into four separate districts, each represented by one Council Member who was chosen by the electors residing in that particular district. The Mayor continued to be directly elected at large.

Following each decennial federal census, and using that census as a basis, the City must adopt boundaries for Council Districts of the City that are substantially equal in population. Existing law requires the Census Bureau to deliver redistricting counts to the State by April 1, 2021. However, due to the pandemic, the state-level data release will be September 20, 2021.

While waiting for the Census data, local agencies can begin the process of public engagement to maximize use of the time available for public engagement in the redistricting process. The deadline for cities with November elections to adopt the final District Map will be April 17, 2022 (205 days before the election). If this deadline is passed, the County Superior Court will adopt the district boundaries for the city, with the city required to pay all costs.

On May 18, 2021, the City Council approved Agreements with National Demographics Corporation, Inc. for Professional Demographer Services and Tripepi Smith for Professional Public Outreach Services to assist the City in facilitating City Council District Map revisions based on the 2020 Census.

On July 6, 2021, the City Council held the first of its four required public hearings in the redistricting process.

ANALYSIS:

The redistricting process is currently provided for in the FAIR MAPS Act (adopted as AB849, revised by AB1276). Under the FAIR MAPS Act, the City is required to hold at least four public hearings during regular or special meetings before adopting a final map. The public must be allowed to provide input regarding the composition of the Districts during the public hearings. The public hearings meetings must be provided as follows at a minimum.

- At least one public hearing held before the Council draws draft map(s).
- At least two public hearings after the Council has drawn draft map(s).
 - At least one public hearing or public workshop must be held on a Saturday, on a Sunday, *or* after 6 p.m. on a weekday Monday- Friday.
 - The public hearings must be noticed and begin at a fixed time regardless of order on the agenda.

Hearing and Workshop Schedule

In accordance with the FAIR MAPS Act, staff is proposing to hold two initial public hearings to inform the public about the districting process and to hear from the community on what factors should be taken into consideration when revising the current City Council district boundaries. The final two public hearings will be conducted to review and discuss draft maps of proposed districts that have been submitted.

The proposed schedule to complete the hearings is listed below. There will also be two public workshops held on the evening of Friday November 19th and Saturday morning November 20th. Additional workshops may be scheduled if determined as beneficial/necessary to ensure successful public engagement is accomplished.

- ~~July 6, 2021 @ 6:30 p.m. – Public Hearing #1~~
- September 21, 2021 @ 8 p.m. – Public Hearing #2
- November 19th at 6 p.m. – Public Workshop #1
- November 20th at 10 a.m. – Public Workshop #2
- January 4, 2022 @ 8 p.m. – Public Hearing #3
- February 15, 2022 @ 8 p.m. – Public Hearing #4

Public Outreach

In addition to the public hearing or public workshop requirements, the FAIR MAPS Act also provides public outreach requirements. Specifically, the City must make good faith efforts to:

- Take steps to encourage residents, including those in underrepresented communities and non-English speaking communities, to participate in the redistricting public review process. Good faith efforts that satisfy this requirement include:
 - Providing information to media organizations that provide city news coverage, including media organizations that serve language minority communities.

- Providing information through good government, civil rights, civic engagement, or community groups or organizations that are active in the city, including those active in language minority communities, or that have requested to be notified.
- Provide live translation of a public hearing or workshop in an applicable language if requested at least 72 hours in advance. Applicable language refers to “any language that is spoken by a group of City residents with limited English proficiency who constitute 3 percent or more of the City’s total population over four years of age for whom language can be determined.

The City and consultant team of NDC and Tripepi Smith kicked off the redistricting process the week of June 7th with the website www.mapmarina.org going live and outreach coordination initiated. The email redistrictingmarina@cityofmarina.org was also set up to begin receiving communications from the public in one central location.

Outreach to date has included:

- One Facebook post a week on the City of Marina page, Marina Recreation Centers page, and Police Department page. Additionally, staff has purchased “boosts” to the posts to reach a wider audience of Marina residents.
- One Nextdoor post a week on the City of Marina Agency Nextdoor page. This page reaches all Marina neighborhoods.
- One press release in English and Spanish released on the City Newsflash. The press release was also sent to people who have signed up for the “Districting Notify Me” option. Additionally, the press release has been disseminated to all local media outlets.
- A Public Hearing notice for Hearing No. 2 published in the Monterey Weekly.
- Direct emails and phone messages to approximately 65 civic organizations located in Marina that were identified and engaged in the Census update.
- Coordinated with the Monterey Peninsula Unified School District to send redistricting information to all parents of school age children in the City of Marina.
- Direct mailer to all approximate 11,000 residential addresses in the City.

The FAIR MAPS Act requires the Secretary of State to determine the applicable languages for each city. An “applicable language” means any language that is spoken by a group of city residents with limited English proficiency who constitute 3 percent or more of the city’s total population over four years of age for whom language can be determined. The Secretary of State has determined, using this metric, that English and Spanish are the applicable languages in the City of Marina and written materials prepared need to be in both English and Spanish. In addition to the required language translations, the City Council has opted to include additional language translations in Vietnamese and Korean.

Redistricting Rules and Goals

Redistricting is governed by certain laws, criteria and traditional principles. Federal laws require:

- Each council district shall contain a nearly equal population
- Each council district shall be drawn in a manner that complies with the Federal Voting Rights Act. No council district shall be drawn with race as the predominate factor in violation of the principles established by the United States Supreme Court in *Shaw v. Reno*, 509 U.S. 630 (1993), and its progeny.

In addition to the federal law, the FAIR MAPS Act enacted on January 1, 2020, requires the following criteria be used to the extent practicable when revising districts:

- Each council district shall be a geographically contiguous territory.
- Each council district shall contain undivided neighborhoods and “communities of interest.” Communities of interest may include school- and park-connected neighborhoods, city planning areas, social interests, agricultural, industrial or service industry interests, or other locally recognized definitions of communities and neighborhoods.
- Each council district border shall be easily identifiable and follow visible natural and man-made geographical and topographical features that follow visible natural and man-made features, including mountains, flat land, forest lands, highways, canals, etc.
- Each council district shall be as compact as possible. Districts cannot bypass one group of people to get to a more distant group.

It is prohibited to favor or discriminate against a political party.

Some traditional redistricting principles that may be considered when revising districts include:

- Minimizing shifting voters to different election years.
- Future population growth.
- Respecting voter choices from previous elections.
- Preserving the core of existing districts.

Public Participation and Map Revisions

During the initial public hearing the public is requested to provide input regarding communities of interest and other local factors that should be considered while drafting district maps. A *community of interest* is a neighborhood or group that should be in the same district because of shared social or economic interests, or other common characteristics. Possible community features include, but are not limited to:

- A. School attendance areas;
- B. Natural dividing lines such as major roads, hills, or highways;
- C. Areas around parks and other neighborhood landmarks;
- D. Common issues, neighborhood activities,; and
- E. Shared demographic characteristics, such as:
 - (1) Similar levels of income, education, or linguistic insolation;
 - (2) Languages spoken at home; and
 - (3) Single-family and multi-family housing unit areas.

The above list of additional factors provides examples only. Communities of interest do not include relationships with political parties, incumbents or political candidates. The public is encouraged to provide input on some or all of these factors, and to suggest other criteria not mentioned above.

FISCAL IMPACT:

There is no fiscal impact as a result of the recommended action.

CONCLUSION:

It is recommended that the City Council hold a public hearing to receive a presentation on the redistricting process and receive input from the community

Respectfully submitted,

Matt Mogensen
Assistant City Manager
City of Marina

REVIEWED/CONCUR:

Layne P. Long
City Manager
City of Marina

RESOLUTION NO. 2021-

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MARINA OPENING A PUBLIC HEARING, RECEIVING A PRESENTATION REGARDING THE 2021-2022 CITY COUNCIL REDISTRICTING PROCESS AND TO RECEIVE PUBLIC INPUT ON DISTRICT BOUNDARIES AND COMMUNITIES OF INTEREST AND A REPORT ON THE REDISTRICTING PROCESS AND PERMISSIBLE CRITERIA TO BE CONSIDERED TO REDRAW CITY COUNCIL ELECTION DISTRICT BOUNDARIES

WHEREAS, on September 4, 2019, the City Council adopted a resolution declaring its intent to initiate proceedings to transition the City from at-large to district-based Council Member elections pursuant to Elections Code Section 10010 and Government Code Section 34886 (RES-2017-13); and,

WHEREAS, on December 3, 2019, the City Council adopted Map 109c for the newly created City Council District boundaries; and

WHEREAS, the transition to the district-based election system, the city was geographically divided into four separate districts, each represented by one Council Member who was chosen by the electors residing in that particular district; and

WHEREAS, the office of the Mayor is still be elected at large; and

WHEREAS, following each decennial federal census, and using that census as a basis, the City must adopt boundaries for Council Districts of the City that are substantially equal in population; and,

WHEREAS, the deadline for cities with November elections to adopt the final District Map will be April 17, 2022 (205 days before the election); and

WHEREAS, the City Council held the first of four (4) mandated public hearings to adopt district maps on July 6, 2021; and

WHEREAS, the City has provided public notice of this second public hearing to adopt district maps; and

WHEREAS, the purpose of this public hearing is to inform the public about the districting process and to hear from the community on what factors should be taken into consideration while creating district boundaries to; and

NOW, THEREFORE, BE IT RESOLVED, that the City Council of the City of Marina does hereby

1. Open a public hearing, receiving a presentation regarding the 2021-2022 City Council redistricting process and to receive public input on district boundaries and Communities of Interest and a report on the redistricting process and permissible criteria to be considered to redraw City Council election district boundaries; and

Resolution No. 2021-
Page Two

PASSED AND ADOPTED by the City Council of the City of Marina at a regular meeting duly held on the 21st day of September 2021, by the following vote:

AYES, COUNCIL MEMBERS:

NOES, COUNCIL MEMBERS:

ABSENT, COUNCIL MEMBERS:

ABSTAIN, COUNCIL MEMBERS:

ATTEST:

Bruce C. Delgado, Mayor

Anita Sharp, Deputy City Clerk