

TO THE MEMBERS OF THE CITY COUNCIL FOR THE CITY OF STANTON AND TO THE CITY CLERK:

NOTICE IS HEREBY GIVEN that a Special Meeting of the City Council for the City of Stanton is hereby called by the Mayor, to be held on September 29, 2017, commencing at 3:00 p.m. at 7800 Katella Avenue, Stanton, CA 90680.

The Agenda for the Special Meeting is attached to this Notice and Call.

Dated: September 26, 2017

s/ Patricia A. Vazquez, City Clerk

IN COMPLIANCE WITH THE AMERICANS WITH DISABILITIES ACT, IF YOU NEED SPECIAL ASSISTANCE TO PARTICIPATE IN THIS MEETING, PLEASE CONTACT THE OFFICE OF THE CITY CLERK AT (714) 890-4245. NOTIFICATION BY 48 HOURS PRIOR TO THE MEETING WILL ENABLE THE CITY TO MAKE REASONABLE ARRANGEMENTS TO ENSURE ACCESSIBILITY TO THIS MEETING.



**AGENDA
CITY COUNCIL SPECIAL MEETING
7800 KATELLA AVENUE, STANTON, CA 90680
FRIDAY, SEPTEMBER 29, 2017 - 3:00 P.M.**

In compliance with the Americans With Disabilities Act, if you need special assistance to participate in this meeting, please contact the Office of the City Clerk at (714) 890-4245. Notification 48 hours prior to the meeting will enable the City to make reasonable arrangements to assure accessibility to this meeting.

The City Council agenda and supporting documentation is made available for public review and inspection during normal business hours in the Office of the City Clerk, 7800 Katella Avenue, Stanton California 90680 immediately following distribution of the agenda packet to a majority of the City Council. Packet delivery typically takes place on Thursday afternoons prior to the regularly scheduled meeting on Tuesday. The agenda packet is also available for review and inspection on the city's website at www.ci.stanton.ca.us, at the public counter at City Hall in the public access binder, and at the Stanton Library (information desk) 7850 Katella Avenue, Stanton, California 90680.

- 1. CLOSED SESSION** **None.**

- 2. CALL TO ORDER**

- 3. PLEDGE OF ALLEGIANCE**

- 4. ROLL CALL** Council Member Donahue
 Council Member Ethans
 Council Member Ramirez
 Mayor Pro Tem Shawver
 Mayor Warren

SPECIAL ORDERS OF THE DAY

5. NEW BUSINESS

5A. TRANSITION TO DISTRICT BASED CITY COUNCIL ELECTIONS – FIRST PUBLIC HEARING

The City Council adopted a Resolution of Intention on July 11, 2017, initiating the process to transition to district-based elections. Subsequently, the City entered into a contract with National Demographics Corporation (“NDC”) to provide demography and district map preparation services. Tonight’s Public Hearing represents the first of two required Public Hearings to be held prior to the preparation of draft district maps. In addition, staff will have the opportunity via the City’s website to provide information on the districting process to the community and invite public input. Draft district maps created by NDC as well as submitted by members of the public will be presented to the Council and community during subsequent Public Hearings.

Each of the required steps is outlined in a proposed transition schedule presented for Council’s approval. To begin the process of creating district boundaries, staff is recommending the Council determine the number of proposed districts and whether or not the office of Mayor is directly elected by the voters. To further aid in developing draft district boundaries, the proposed Resolution presents specific criteria in compliance with state and federal law.

RECOMMENDED ACTION:

1. City Council find that this item is not subject to California Environmental Quality Act (“CEQA”) pursuant to Sections 15378(b)(5)(Organizational or administrative activities of governments that will not result in direct or indirect physical changes in the environment); and
2. Conduct the first of five (5) required public hearings related to the creation of geographic districts and the drawing of district boundaries; and
3. Approve the proposed schedule for transitioning to district-based elections, as required by the Resolution of Intention; and
4. Exercise City Council discretion in determining the number of proposed districts and/or whether the office of Mayor shall be directly elected; and
5. Adopt Resolution No. 2017-34 entitled:

“A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF STANTON ESTABLISHING CRITERIA FOR SINGLE-MEMBER VOTING DISTRICTS FOR THE ELECTION OF COUNCIL MEMBERS”.

6. ADJOURNMENT

I hereby certify under penalty of perjury under the laws of the State of California, the foregoing agenda was posted at the Post Office, Stanton Community Services Center and City Hall, not less than 24 hours prior to the meeting. Dated this 26th day of September, 2017.

s/ Patricia A. Vazquez, City Clerk

CITY OF STANTON

REPORT TO THE CITY COUNCIL

TO: Honorable Mayor and Members of the City Council

DATE: September 29, 2017

SUBJECT: TRANSITION TO DISTRICT BASED CITY COUNCIL ELECTIONS – FIRST PUBLIC HEARING

REPORT IN BRIEF:

The City Council adopted a Resolution of Intention on July 11, 2017, initiating the process to transition to district-based elections. Subsequently, the City entered into a contract with National Demographics Corporation (“NDC”) to provide demography and district map preparation services. Tonight’s Public Hearing represents the first of two required Public Hearings to be held prior to the preparation of draft district maps. In addition, staff will have the opportunity via the City’s website to provide information on the districting process to the community and invite public input. Draft district maps created by NDC as well as submitted by members of the public will be presented to the Council and community during subsequent Public Hearings.

Each of the required steps is outlined in a proposed transition schedule presented for Council’s approval. To begin the process of creating district boundaries, staff is recommending the Council determine the number of proposed districts and whether or not the office of Mayor is directly elected by the voters. To further aid in developing draft district boundaries, the proposed Resolution presents specific criteria in compliance with state and federal law.

RECOMMENDED ACTION:

1. City Council find that this item is not subject to California Environmental Quality Act (“CEQA”) pursuant to Sections 15378(b)(5)(Organizational or administrative activities of governments that will not result in direct or indirect physical changes in the environment); and
2. Conduct the first of five (5) required public hearings related to the creation of geographic districts and the drawing of district boundaries; and
3. Approve the proposed schedule for transitioning to district-based elections, as required by the Resolution of Intention; and
4. Exercise City Council discretion in determining the number of proposed districts and/or whether the office of Mayor shall be directly elected; and

5. Adopt Resolution No. 2017-34 entitled:

“A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF STANTON ESTABLISHING CRITERIA FOR SINGLE-MEMBER VOTING DISTRICTS FOR THE ELECTION OF COUNCIL MEMBERS”.

BACKGROUND:

The City of Stanton currently utilizes an “at-large” election system in which electors from the entire City choose each of the five (5) Council Members. In a “by-district”, or district-based election system, the City is divided into separate geographic districts, each with one Council Member who resides in the district and is chosen by the electors in that district.

At its meeting of July 11, 2017, the City Council adopted a Resolution of Intention (Attachment 1) to transition to district-based elections and authorized the City Manager to engage the services of a demographer to assist with these efforts. While the Resolution of Intention references five Council Members (i.e., five Districts with Mayor selected annually from among the Council Members), the Council is free to determine the ultimate configuration of the City Council at this time. On September 26 2017, the City Manager executed an agreement with National Demographic Corporation (“NDC”) to provide mapping and demographic services related to district-based elections.

ANALYSIS/JUSTIFICATION:

Over the last several years, cities, school districts, and community college districts throughout the State of California have been changing from at-large to district-based elections to comply with the California Voting Rights Act of 2001 (Elections Code §14025 et seq.). The California Voting Rights Act (“CVRA”), in conjunction with Government Code §34886, set forth the transition process, which includes: two public hearings; the drawing of draft maps; two additional public hearings; and finally, adoption of an ordinance selecting a district map and establishing the sequencing process by which staggered election districts will be implemented.

Discussion of the sequencing process, where the Council determines which geographic districts will be elected in 2018 and which districts will be elected in 2020, can occur during any stage of the Public Hearing process. Ultimately, the final sequence of district elections is reflected in the adopted Ordinance. If approved, a district-based election system would be phased in over two election cycles starting in November 2018, with full implementation in 2020. Each district would elect one Council Member to a four-year term.

Prior to drawing draft district boundaries, the Council will conduct two public hearings to receive input from the community. Following the first two public hearings, NDC will create multiple districting scenarios and present those, along with the legally viable maps submitted by the public, for public input and Council consideration at the 3rd Public Hearing. Based on comments received at the 3rd hearing, NDC will revise the proposed maps and present for final consideration during the 4th Public Hearing. Following Council selection of the desired district boundary map, staff will present an Ordinance for introduction at the 5th Public Hearing, establishing the districts and determining the sequence of district elections. Upon second reading, the Ordinance will be effective in time for the November 2018 general municipal election.

The proposed schedule for the transition is as follows:

Table 1 – Proposed Election Transition Schedule

1 st Public Hearing	Friday, September 29 th 3:00 p.m.	Introduce the Council and Community to the process; explain map drawing, engagement tools, etc. Hear public input on districting issue as a whole and adopt Resolution establishing district criteria.
2 nd Public Hearing	Wednesday, October 11 th 3:00 p.m.	Further opportunity for public to comment on districting as a whole.
3 rd Public Hearing	Monday, October 23 rd 6:00 p.m.	First consideration of draft maps. Draft maps available for public review.
4 th & 5 th Public Hearing Combined / one meeting	Tuesday, November 14 th 6:30 p.m.	Second consideration of draft maps narrowed down from maps proposed at Public Hearing #3. Introduction of Ordinance approving proposed districts, the final map, and sequencing of districts and/or directly elected Mayor if applicable (i.e., which districts are up for election in 2018 and 2020).
2 nd Reading Approval of Ordinance	Tuesday, November 28 th 6:30 p.m.	Final adoption of Ordinance approving Districts, maps, and sequencing.

Community Outreach

Starting in September 2017, the City began community outreach to inform the public about district elections and how they would affect the selection of City Council Members. Notice of Public Hearings were publically posted and made through the regular agenda process in English, Korean, Spanish, and Vietnamese to reach as large a demographic population as possible, as required by the FVRA. In addition, the districting efforts are advertised on the City's website, and will be in the September edition of the City Managers monthly E-Newsletter, and promoted on the City's various social media channels.

Drawing District Boundaries

In addition to the CVRA, proposed district boundaries must also comply with federal law, specifically the Federal Voting Rights Act ("FVRA"). The FVRA requires districts to contain essentially equal total populations. Small population deviations are permitted if they are necessary to achieve what the U.S. Supreme Court has labeled "traditional redistricting principles." These principles include: maintaining communities of interest; creating compact, contiguous districts; using visible natural or manmade boundaries; and meaningfully engaging voters in the process.

To assist in developing district boundaries that comply with both the CVRA and FVRA, NDC has developed the following criteria for Council's consideration:

1. Each Council district shall contain a nearly equal number of inhabitants; and
2. Council district borders shall be drawn in a manner that complies with the Federal Voting Rights Act; and
3. 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; and
4. Council districts shall consist of contiguous territory in as compact form as possible; and
5. Council districts shall respect communities of interest as much as possible; and
6. Council district borders shall follow visible natural and man-made geographical and topographical features as much as possible; and
7. Council districts known to be areas of higher-than-average population growth in the two to five years following this boundary line adjustment may be under populated within the population deviation amounts allowed by law.

Doug Johnson, Principal at NDC, will present additional information regarding the proposed criteria during the Public Hearing. Staff recommends the City Council adopt the proposed Resolution (Attachment 2) establishing these criteria, providing the basic framework for NDC's development of the proposed maps.

Number of Proposed Districts/Directly Elected Mayor

In order to effectively engage the community in the development of the proposed district maps, Council should determine the number of proposed districts and whether the Mayor should be directly elected or appointed annually by members of the Council, as is the current practice. Options include five, seven or nine districts with the Mayor appointed annually by the City Council. Alternatively, the Council may select four, six or eight districts with a directly elected Mayor. Staff would like the City Council to provide direction on this prior to finalizing the online drawing tools. Such direction will assist in receiving proposed maps that reflect the Council's vision of how the Council should be configured.

FISCAL IMPACT:

Fiscal impact associated with the recommended action includes the cost of translations of the public hearing notices and related staff time.

ENVIRONMENTAL IMPACT:

This item is not subject to California Environmental Quality Act ("CEQA") pursuant to Sections 15378(b)(5)(Organizational or administrative activities of governments that will not result in direct or indirect physical changes in the environment).

LEGAL REVIEW

The City Attorney has reviewed and approved the accompanying resolution as to form.

PUBLIC NOTIFICATION:

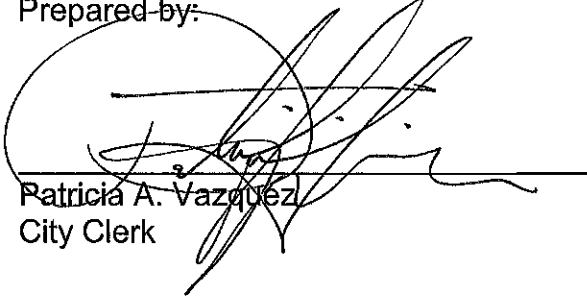
Public notice for this item was publically posted and made through the regular agenda process.

STRATEGIC PLAN COMPONENT ADDRESSED:

Objective 5: Provide a High Quality of Life

Objective 6: Maintain and Promote a Responsive, High Quality and Transparent Government.

Prepared by:



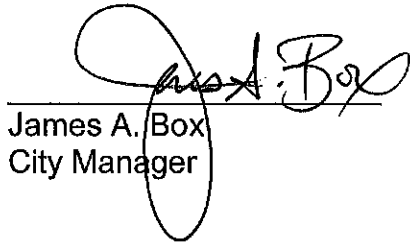
Patricia A. Vazquez
City Clerk

Concurred by:



Stephen M. Parker
Administrative Services Director

Approved by:



James A. Box
City Manager

Reviewed by:

Matthew E. Richardson
City Attorney

Attachment:

- A. Resolution of Intention
- B. Resolution No. 2017-34 Establishing Criteria for Districts

RESOLUTION NO. 2017-32

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF STANTON, CALIFORNIA, DECLARING ITS INTENTION TO TRANSITION FROM AT-LARGE TO DISTRICT-BASED ELECTIONS PURSUANT TO CALIFORNIA ELECTION CODE SECTION 10010(e)(3)(A)

WHEREAS, the City Council has determined that it is in the best interests of the City and in furtherance of the purposes of the California Voting Rights Act ("CVRA") to transition from at-large to district-based elections; and

WHEREAS, the City Council desires to declare its intention to adopt an ordinance pursuant to Government Code section 34886 transitioning from at-large to district-based elections for the 2018 general municipal election, establish specific steps it will undertake to facilitate this transition, and establish an estimated time frame for doing so.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF STANTON, CALIFORNIA, DOES HEREBY RESOLVE AS FOLLOWS:

SECTION 1. The City Council finds that this project is not subject to the California Environmental Quality Act (CEQA) pursuant to Sections 15062(c)(2) and 15060(c)(3).

SECTION 2. The City Council intends to adopt an ordinance, pursuant to Government Code section 34886 to transition the election of its city council members from an at-large electoral system to a district-based system, with five (5) council members elected by district as provided by Government Code Section 34871(a).

SECTION 3. Within fourteen (14) days of the effective date of this resolution, the City Manager shall, pursuant to the provisions of Stanton Municipal Code Section 2.56.110, retain the services of a demographer experienced and qualified to assist the City in drafting a district map consistent with the CVRA and the Federal Voting Rights Act.

SECTION 4. Within thirty (30) days of the selection and retention of a demographer, City staff and the demographer will develop and bring back to the City Council for approval a schedule for the following actions in accordance with Election Code Section 10010(a):

(i) Conduct public outreach, including to non-English-speaking communities, to explain the districting process and to encourage public participation.

(ii) Before drawing a draft map or maps of the proposed district boundaries, hold at least two public hearings at which the public is invited to provide input regarding the composition of the districts and to consider district boundaries as provided in Election Code Section 10010.

(iii) After drawing a draft map or maps, publish the draft map(s) and the potential sequence of the district elections, and hold at least two public hearings at which the public is invited to provide input regarding the content of the draft map or maps and the proposed sequence of elections.

(iv) Hold a public hearing at which the City Council will consider and adopt an ordinance establishing district elections, including the adoption of a district boundary map and the sequence of the district elections.

SECTION 5. The City Council shall approve a schedule to take all of the actions necessary to adopt an ordinance approving district-based elections no later than March 31, 2018.

SECTION 6. The City Clerk shall certify as to the adoption of this Resolution.

ADOPTED, SIGNED AND APPROVED this 11th day of July, 2017.


CAROL WARREN, MAYOR

APPROVED AS TO FORM:


MATTHEW E. RICHARDSON, CITY ATTORNEY

ATTEST:

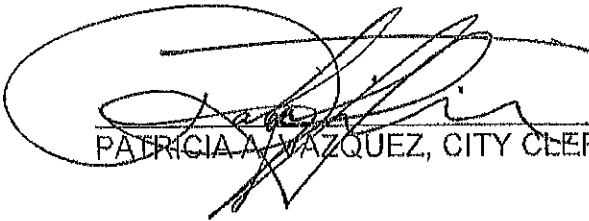
I, Patricia A. Vazquez, City Clerk of the City of Stanton, California DO HEREBY CERTIFY that the foregoing Resolution, being Resolution No. 2017-32 has been duly signed by the Mayor and attested by the City Clerk, all at a regular meeting of the Stanton City Council, held on July 11, 2017, and that the same was adopted, signed and approved by the following vote to wit:

AYES: Ethans, Warren

NOES: Shawver

ABSENT: Donahue, Ramirez

ABSTAIN: None



PATRICIA A. VAZQUEZ, CITY CLERK

RESOLUTION NO. 2017-34

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF STANTON, CALIFORNIA ESTABLISHING CRITERIA FOR SINGLE-MEMBER VOTING DISTRICTS FOR THE ELECTION OF COUNCIL MEMBERS

WHEREAS, the City Council of the City of Stanton ("City") was elected under an "at-large" election system where Council Members were elected by voters of the entire City; and

WHEREAS, the City Council is considering a change to "by-district" elections where each Council Member must reside within the designated district boundary and is elected only by those voters in that district; and

WHEREAS, the Federal Voting Rights Act (42 U.S.C. section 1973) prohibits the use of any voting qualification, or prerequisite to voting, or standard, practice, or procedure, in a manner which results in a denial or abridgement of the right of any citizen of the United States to vote on account of race or color; and

WHEREAS, federal law and the Equal Protection Clause require that each district be equal in population to ensure compliance with the "one person, one vote" rule; however deviations of less than a total of ten percent (10%) are presumptively valid under the Equal Protection Clause where required to meet an official criteria; and

WHEREAS, the Council has instructed its City Manager, City Clerk, and demographer to develop draft maps that fully comply with legal requirements and desires to provide official criteria for any needed population deviations.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF STANTON, CALIFORNIA, DOES HEREBY RESOLVE, DETERMINE, FIND AND ORDER AS FOLLOWS:

SECTION 1: The following criteria is hereby adopted to guide the establishment of _____ districts for City Council elections, where each Council Member must reside within the designated district boundary and is elected only by the voters in that district.

1. Each Council district shall contain a nearly equal number of inhabitants; and
2. Council district borders shall be drawn in a manner that complies with the Federal Voting Rights Act; and
3. 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; and
4. Council districts shall consist of contiguous territory in as compact form as possible; and
5. Council districts shall respect communities of interest as much as possible; and

6. Council district borders shall follow visible natural and man-made geographical and topographical features as much as possible; and
7. Council districts known to be areas of higher-than-average population growth in the two to five years following this boundary line adjustment may be under populated within the population deviation amounts allowed by law.

SECTION 2: The City Attorney shall be authorized to clarify these general line drawing criteria so long as such changes are consistent with all requirements of law.

SECTION 3: Effective Date. This Resolution shall become effective upon its adoption.

SECTION 4: The City Clerk shall attest as to the adoption and execution of this Resolution and cause the same to be maintained in the permanent records of the City.

ADOPTED, SIGNED AND APPROVED by the City Council of the City of Stanton at a regular meeting held on September 29, 2017 by the following vote, to wit:

CAROL WARREN, MAYOR

ATTEST:

PATRICIA A. VAZQUEZ, CITY CLERK

APPROVED AS TO FORM:

MATTHEW E. RICHARDSON, CITY ATTORNEY

ATTEST:

I, PATRICIA A. VAZQUEZ, City Clerk of the City of Stanton, California DO HEREBY CERTIFY that the foregoing Resolution, being Resolution No. 2017-34 has been duly signed by the Mayor and attested by the City Clerk, all at a special meeting of the Stanton City Council, held on September 29, 2017, and that the same was adopted, signed and approved by the following vote to wit:

AYES: _____

NOES: _____

ABSENT: _____

ABSTAIN: _____

PATRICIA A. VAZQUEZ, CITY CLERK