



Legislation Details (With Text)

File #: 15-378 **Version:** 1 **Name:**
Type: Consent Item **Status:** Passed
File created: 12/16/2015 **In control:** City Council/Public Finance and Economic Development Authority/Parking Authority
On agenda: 1/4/2016 **Final action:** 1/4/2016

Title: SUBJECT: First Amendment to Agreement with National Demographics Corporation for Districting Consulting Services

REPORT IN BRIEF

Consider approving an amendment to the agreement with National Demographics Corporation in the amount of \$4,750.

RECOMMENDATION

City Council - Adopt a motion approving an amendment to the agreement with National Demographics Corporation in the amount of \$4,750; and, authorizing the City Manager to execute the necessary documents.

Sponsors:

Indexes:

Code sections:

Attachments: 1. First Amendment to Agreement with NDC.pdf, 2. Original Agreement with NDC

Date	Ver.	Action By	Action	Result
1/4/2016	1	City Council/Public Finance and Economic Development Authority/Parking Authority	approved	Pass

Report Prepared by: John Tresidder, Interim Assistant City Clerk, City Clerk's Office

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ALTERNATIVES

1. Approve as recommended; or,
2. Approve, subject to amendments; or,
3. Deny; or,

4. Continue to a future meeting.

AUTHORITY

Charter of the City of Merced, Section 200.

CITY COUNCIL PRIORITIES

Not Applicable

DISCUSSION

The City underwent a competitive procurement for consultant services to assist the Citizen's Advisory Commission in undertaking the mapping of City Council districts. The City received a number of responses and interviewed the top three qualified firms. The interview committee included representatives from the City Clerk Department, City Attorney's Office, City Manager's Office, and the Planning Department.

After a review of the submissions and the interviews, staff recommended the selection of National Demographics, Inc. (NDC) as the districting consultant to assist the Committee. The purpose of the consultant services was to provide specialized demographics review of census information and to assist in the public comment and input process.

Founded in 1979, NDC has performed work in all regions in the country, especially experienced in working in local jurisdictions in California. NDC pioneered the "transparent districting" approach which involves the public at every stage of the process. NDC possesses all the hardware and software necessary to the districting needs of the City, and its personnel have extensive experience in performing graphics districting work as well as developing databases for districting use.

History and Past Actions

In early April of 2014, the Mayor and City Council received a letter from the Mexican-American Legal Defense and Education Fund ("MALDEF") indicating their belief that the City's current at-large method of electing Members of the City Council violated the provisions of the California Voting Rights Act ("CVRA") because it resulted in racially polarized voting in that no Latino candidate has been successful in winning a seat on the City Council since 2005. MALDEF indicated it was ready and willing to file suit against the City for violation of the CVRA unless a resolution of the matter was achieved.

A measure was placed on the November 4, 2014 Election ballot to amend Section 400 of the City Charter, which required that the City Council be elected at-large. The amendment proposed that individual City Council Members would be elected by districts, with the boundaries of the six districts being established by Ordinance while retaining the at-large election of the Mayor. The measure was adopted by the voters, the by-district elections will occur in the City of Merced beginning with the November 2016 election.

The settlement agreement with MALDEF set up a process to appoint a citizens committee to recommend the actual district boundaries. The budget adopted by the City Council on June 16, 2014 set aside funding for the work of the committee, including hiring a professional demographer, as well as the estimated cost of the election.

The original amount for the agreement with NDC was not to exceed \$50,000. The City requested the

consultant attend three additional meetings not provided for in the original scope of work bringing the total invoice for services provided to \$54,750 requiring an amendment in the amount of \$4,750.

IMPACT ON CITY RESOURCES

No appropriation of funds is needed.

ATTACHMENTS

1. First Amendment to Agreement with NDC
2. Original Agreement with NDC