



## Legislation Text

---

**File #:** 21-311, **Version:** 1

---

*Report Prepared by: John Tresidder, Deputy City Clerk, City Clerk's Office*

**SUBJECT:** Overview of the Upcoming Redistricting Process Including the Possible Formation of a Redistricting Advisory Committee, and Approval of an Agreement with National Demographics Corporation to Assist in the Map Drawing Process in an Amount not to Exceed \$50,000

### REPORT IN BRIEF

Provides Council with a brief overview on the upcoming redistricting process and potential formation of a Redistricting Advisory Committee and authorizes an agreement with National Demographics Corporation to assist with demography work potentially adjusting the current City Council district map after release of the 2020 Census data.

### RECOMMENDATION

**City Council** - Adopt a motion:

- A. Providing staff direction on the formation of a Redistricting Advisory Committee; and,
- B. Approving a Professional Services Agreement with National Demographics Corporation in a not to exceed amount of \$50,000 for redistricting consulting and demography work; and,
- C. Authorizing the City Manager or designee to sign the necessary documents; and,
- D. Approving a supplemental appropriation in the amount of \$35,000 from the unencumbered, unreserved General Fund balance in the City Clerk's Division Professional Services expense account 001-0204-512.17-00.

### ALTERNATIVES

- 1. Approve as recommended by staff; or,
- 2. Approve subject to amendments (specify in motion); or
- 3. Refer back to staff for revisions; or,
- 4. Continue to a future meeting.

### AUTHORITY

Merced Municipal Code Section 1.17 "Council Districts"; Elections Code Section 21620 et seq.

### DISCUSSION

Until 2016, the City of Merced Council Members were elected at-large. In 2016, the City began the transition from at-large to by district elections with elections in Districts 1, 3, and 5 taking place. In November of 2018, the elections in Districts 2, 4, and 6 took place completing the transition to district

-based elections. The transition to district-based elections was prompted by a letter received from the Mexican-American Legal Defense and Education Fund ("MALDEF") indicating their belief that the City's at large method of electing Council Members at the time violated the provisions of the California Voting Rights Act ("CVRA") because it resulted in racially polarized voting. The City Council at that time placed before the electors of the City a measure to amend the City Charter Section 400 to move from an at-large system to a by district system. The measure was approved by the voters at the November 4, 2014 election.

Once a City has transitioned to district elections, State law requires the City Council examine, and if necessary, adjust the City Council district boundaries every 10-years based off the U.S. Census data to ensure compliance with the Voting Rights Act.

Elections Code Section 23001 allows for a local jurisdiction to establish by resolution, ordinance, or charter amendment an independent redistricting commission, a hybrid redistricting commission, or an advisory redistricting commission composed of residents of the local jurisdiction to change the legislative body's district boundaries or to recommend to the legislative body changes to those district boundaries.

In 2015, the Council adopted Resolution 2015-08 establishing an Independent Districting Advisory Committee for which the League of Women Voters reviewed the applications and made the nominations for appointment to the City Council. If the Council does not wish to hold all of the required Public Hearings and map submissions at a Council level, staff recommends a similar process to the one used in 2015. The committee could hold the bulk of the required hearings and narrow down the submissions to two maps that would then be brought forward to the City Council for selection and adoption of a final map. In addition, that process would include the hiring of a consultant to assist with the map submissions and applying all of the appropriate Census and demographic data to the districts to ensure "balance" is obtained between all districts and that they are in compliance with the CVRA.

Staff is requesting Council approval of a Professional Services Agreement with National Demographics Corporation (NDC) to assist staff and the Redistricting Advisory Committee (should Council decide to appoint one) with the public comment and map submission process. NDC was contracted in 2015 to assist with the creation of the initial City Council district map that is currently being used today. NDC has performed work in all regions of the country and is especially experienced in working with 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 and was an exceptional partner for the City's initial districting process.

## **IMPACT ON CITY RESOURCES**

There is \$15,000 in funds available within the City Clerk's Fiscal Year 20-21 budget. A supplemental appropriation in the amount of \$35,000 from the unencumbered, unreserved General Fund balance is needed for the agreement with NDC.

Additional impacts will include staff time from both the City Clerk's Office in working with an advisory commission, the Information Technology Department in creation of a dedicated redistricting web page and the City Attorney's Office for legal review of documents and drafting of a new ordinance for

changes to district lines.

## **ATTACHMENTS**

1. Agreement with National Demographics Corporation
2. Presentation