



DATE: October 23, 2018
TO: Mayor and Members of the City Council
FROM: Claudia Quintana, City Attorney
SUBJECT: **RESOLUTION DECLARING INTENT TO TRANSITION TO DISTRICT-BASED ELECTIONS**

RECOMMENDATION

Adopt a Resolution declaring the City of Vallejo's intent to transition from at-large to district-based elections.

REASONS FOR RECOMMENDATION

On behalf of the Southwest Voter Registration Education Project, attorney Kevin Shankman has sent the City of Vallejo a demand letter urging Vallejo to voluntarily change its at-large system of electing council members. Given the relatively small legal burden potential plaintiffs are to carry in order to be successful in a CVRA lawsuit challenging at-large elections and that no city to date has been successful in defending an at-large system, and the exorbitant costs associated with such defense, it is recommended that the city begin the process to transition to by-district elections.

BACKGROUND AND DISCUSSION

On August 22, 2017 attorney Tanya G. Pellegrini from MALDEF (Mexican American Legal Defense Fund) wrote Mayor Bob Sampayan to notify the City that it had been contacted by community members concerned about the current at-large system diluting the vote of Latino voters. MALDEF conveyed to the City that, "if, as the electoral history may indicate, our investigation and analysis concludes that Vallejo's at large electoral system violates the California Voting Rights Act, we will be contacting you shortly."

Prompted by this correspondence, the City contracted with the National Demographics Corporation to evaluate the City's compliance with state law and vulnerability to a lawsuit alleging a violation of the CVRA and to conduct an independent analysis. A confidential legal memorandum on this subject was given to the Council from this office.

On September 17, 2018, the City received a letter from attorney Kevin Shenkman of the law firm of Shenkman & Hughes on behalf of the Southwest Voter Registration Education Project. The letter threatened to sue the City for alleged violations of the California Voting Rights Act ("CVRA") unless the City voluntarily transitions from its current at-large system of electing council members to a by-district election system (explained in greater detail below). The letter alleges that Vallejo's at-large elections dilute the ability of Latinos and African Americans (each a protected class) to elect candidates of their choice or to otherwise influence the outcome of elections. In recent years, many other jurisdictions have received similar letters from Mr. Shenkman's firm and recently from other attorneys alleging various CVRA violations. A copy of Mr. Shenkman's letter is attached to this staff report (Attachment 1).

SHENKMAN & HUGHES

ATTORNEYS

MALIBU, CALIFORNIA

RECEIVED

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OFFICE OF THE
CITY CLERK
CITY OF VALLEJO

VIA CERTIFIED MAIL

September 14, 2018

Dawn Abrahamson, City Clerk
City of Vallejo
555 Santa Clara Street, Third Floor
Vallejo, CA 94590

Re: Violation of California Voting Rights Act

I write on behalf of our client, Southwest Voter Registration Education Project. The City of Vallejo (“Vallejo”) relies upon an at-large election system for electing candidates to its City Council. Moreover, voting within Vallejo is racially polarized, resulting in minority vote dilution, and therefore Vallejo’s at-large elections violate the California Voting Rights Act of 2001 (“CVRA”).

The CVRA disfavors the use of so-called “at-large” voting – an election method that permits voters of an entire jurisdiction to elect candidates to each open seat. *See generally Sanchez v. City of Modesto* (2006) 145 Cal.App.4th 660, 667 (“*Sanchez*”). For example, if the U.S. Congress were elected through a nationwide at-large election, rather than through typical single-member districts, each voter could cast up to 435 votes and vote for any candidate in the country, not just the candidates in the voter’s district, and the 435 candidates receiving the most nationwide votes would be elected. At-large elections thus allow a bare majority of voters to control *every* seat, not just the seats in a particular district or a proportional majority of seats.

Voting rights advocates have targeted “at-large” election schemes for decades, because they often result in “vote dilution,” or the impairment of minority groups’ ability to elect their preferred candidates or influence the outcome of elections, which occurs when the electorate votes in a racially polarized manner. *See Thornburg v. Gingles*, 478 U.S. 30, 46 (1986) (“*Gingles*”). The U.S. Supreme Court “has long recognized that multi-member districts and at-large voting schemes may operate to minimize or cancel out the voting strength” of minorities. *Id.* at 47; *see also id.* at 48, fn. 14 (at-large elections may also cause elected officials to “ignore [minority] interests without fear of political consequences”),

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citing *Rogers v. Lodge*, 458 U.S. 613, 623 (1982); *White v. Register*, 412 U.S. 755, 769 (1973). “[T]he majority, by virtue of its numerical superiority, will regularly defeat the choices of minority voters.” *Gingles*, at 47. When racially polarized voting occurs, dividing the political unit into single-member districts, or some other appropriate remedy, may facilitate a minority group's ability to elect its preferred representatives. *Rogers*, at 616.

Section 2 of the federal Voting Rights Act (“FVRA”), 42 U.S.C. § 1973, which Congress enacted in 1965 and amended in 1982, targets, among other things, at-large election schemes. *Gingles* at 37; see also Boyd & Markman, *The 1982 Amendments to the Voting Rights Act: A Legislative History* (1983) 40 Wash. & Lee L. Rev. 1347, 1402. Although enforcement of the FVRA was successful in many states, California was an exception. By enacting the CVRA, “[t]he Legislature intended to expand protections against vote dilution over those provided by the federal Voting Rights Act of 1965.” *Jauregui v. City of Palmdale* (2014) 226 Cal. App. 4th 781, 808. Thus, while the CVRA is similar to the FVRA in several respects, it is also different in several key respects, as the Legislature sought to remedy what it considered “restrictive interpretations given to the federal act.” Assem. Com. on Judiciary, Analysis of Sen. Bill No. 976 (2001-2002 Reg. Sess.) as amended Apr. 9, 2002, p. 2.

The California Legislature dispensed with the requirement in *Gingles* that a minority group demonstrate that it is sufficiently large and geographically compact to constitute a “majority-minority district.” *Sanchez*, at 669. Rather, the CVRA requires only that a plaintiff show the existence of racially polarized voting to establish that an at-large method of election violates the CVRA, not the desirability of any particular remedy. See Cal. Elec. Code § 14028 (“A violation of Section 14027 *is established* if it is shown that racially polarized voting occurs ...”) (emphasis added); also see Assem. Com. on Judiciary, Analysis of Sen. Bill No. 976 (2001–2002 Reg. Sess.) as amended Apr. 9, 2002, p. 3 (“Thus, this bill puts the voting rights horse (the discrimination issue) back where it sensibly belongs in front of the cart (what type of remedy is appropriate once racially polarized voting has been shown).”)

To establish a violation of the CVRA, a plaintiff must generally show that “racially polarized voting occurs in elections for members of the governing body of the political subdivision or in elections incorporating other electoral choices by the voters of the political subdivision.” Elec. Code § 14028(a). The CVRA specifies the elections that are most probative: “elections in which at least one candidate is a member of a protected class or elections involving ballot measures, or other electoral choices that affect the rights and privileges of members of a protected class.” Elec. Code § 14028(a). The CVRA also makes clear that

“[e]lections conducted prior to the filing of an action ... are more probative to establish the existence of racially polarized voting than elections conducted after the filing of the action.” *Id.*

Factors other than “racially polarized voting” that are required to make out a claim under the FVRA – under the “totality of the circumstances” test – “are probative, but not necessary factors to establish a violation of” the CVRA. Elec. Code § 14028(e). These “other factors” include “the history of discrimination, the use of electoral devices or other voting practices or procedures that may enhance the dilutive effects of at-large elections, denial of access to those processes determining which groups of candidates will receive financial or other support in a given election, the extent to which members of a protected class bear the effects of past discrimination in areas such as education, employment, and health, which hinder their ability to participate effectively in the political process, and the use of overt or subtle racial appeals in political campaigns.” *Id.*

Vallejo’s at-large system dilutes the ability of Latinos and African Americans (each a “protected class”) – to elect candidates of their choice or otherwise influence the outcome of Vallejo’s council elections.

In the last seven elections, only two Latino/a candidates competed for Vallejo City Council. In 2003 and 2005, Linda Labrado Engelman ran for City Council. Ms. Labrado Engelman received significant support from Latino voters, but was unable to secure a City Council seat due to the bloc voting of the non-Latino majority. After Ms. Labrado Engelman’s losses, no Latino candidates sought election to the City Council for over a decade. Thus, many regarded Ms. Diaz, the sole Latina/o candidate in 2016, as Vallejo’s long-awaited “champion” for Latino residents, who had, for too long, been deprived of a Latino voice on the City Council. However, Ms. Diaz, like Ms. Labrado Engelman, was unable to secure a seat on the City Council.

The losses of Ms. Diaz and Ms. Labrado Engelman, coupled with the alarming paucity of Latino candidates seeking election to the Vallejo City Council, reveal vote dilution. *See Westwego Citizens for Better Government v. City of Westwego*, 872 F. 2d 1201, 1208-1209, n. 9 (5th Cir. 1989).

Unfortunately, African American candidates have not fared much better. In the past seven elections, African American candidates have sought City Council positions and lost on *thirteen* occasions. In 2005 and 2007, Darrell Edwards ran for City Council; in 2009, Johnathan Logan Jr. ran for City Council; in 2011, Johnathan Logan Jr. and Matthias Esoimeme ran for City Council; in 2013, Tony Summers, Herman Woody Blackwell, Vernon Williams III, and Ronald Johnson

Jr. ran for City Council; and in 2016, Lenisha Anderson, Latressa Wilson, and Vernon Williams III ran for City Council. The aforementioned candidates received major support from African American voters during their candidacies, but were unable to secure seats on the Vallejo City Council due to the bloc voting of the non-African American majority. Further, there was only one African American candidate elected to Vallejo's City Council during the aforementioned period.

According to recent data, Latinos comprise approximately 22.5% of the Vallejo population, and African Americans comprise approximately 22.06% of the Vallejo population, yet there are currently no Latino members and no African American council members on the City Council. Further, it appears that there has *never* been a Latino council member on the City Council. The contrast between the significant African American and Latino proportions of the electorate, and the near absence of African Americans and total absence of Latinos to be elected to the City Council is telling.

That Vallejo is an incredible model of diversity is undisputed. However, Vallejo's Council quite clearly does not fully reflect this diversity. African American and Latino residents that each make up nearly a quarter of the city have no one to speak to and for their struggles at the city government level. And their struggles *are* unique, and *are* exacerbated by the fact that they have no voice on the council. As the New York Times reported last year, "Black households [in Vallejo] rank lowest in median income, at \$42,000," and "[Vallejo] [r]esidents have complained of brutality by the police force against black and brown people." Further, the comfort of diversity has simultaneously had a negative effect in Vallejo. Acting as though they are protected by the diversity of their upbringings, those of one race feel comfortable promulgating racist language and stereotypes about others without fear of censure. Many minority residents of Vallejo can and do attest to this phenomenon, but are ultimately unable to effect true, city-wide change.

The City Council is Vallejo's governing body. As such, it ought to not only represent its constituents, but embody the lives and needs of its constituents, and make them heard.

As you may be aware, in 2012, we sued the City of Palmdale for violating the CVRA. After an eight-day trial, we prevailed. After spending millions of dollars, a district-based remedy was ultimately imposed upon the Palmdale City Council, with districts that combine all incumbents into one of the four districts.

Given the historical lack of both Latino and African American representation on the City Council in the context of racially polarized elections, we urge Vallejo to voluntarily change its at-large system of electing council members. Otherwise, on

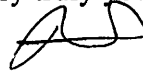
September 14, 2018

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behalf of residents within the jurisdiction, we will be forced to seek judicial relief. Please advise us no later than November 3, 2018 as to whether you would like to discuss a voluntary change to your current at-large system.

We look forward to your response.

Very truly yours,

A handwritten signature in black ink, appearing to read "K. Shenkman", written over a horizontal line.

Kevin I. Shenkman

The California Voting Rights Act of 2001 ("CVRA")

The CVRA was signed into law in 2002. The CVRA prohibits an at-large method of election that impairs the ability of a protected class (related to race or color) to elect candidates of its choice or its ability to influence the outcome of an election. The law's intent is to expand protections against vote dilution over those provided by the Federal Voting Rights Act of 1965 ("FVRA"). The law was also motivated, in part, by the lack of success of California plaintiffs who challenged at-large electoral systems under the FVRA. The passage of the CVRA made it much easier for plaintiffs to prevail in lawsuits challenging at-large election systems by removing several key elements required to prove an FVRA violation. Under the CVRA, a plaintiff need only prove the existence of "racially polarized voting" that leads to the defeat of candidates preferred by a protected class to establish liability. No proof of intent to discriminate against a protected class is required; and plaintiffs do not have to provide proof that a majority-minority district can be drawn. Further, an allegation of a CVRA violation does not imply that the City Council is acting in a discriminatory manner, but rather is an allegation that the overall electoral system within the City is resulting in the disenfranchisement of minority voters.

Following passage of the CVRA, cities throughout the State have increasingly been facing legal challenges to their "at-large" systems of electing city council members. Almost all have settled claims out of court by agreeing to voluntarily shift to district-based elections. Those that have defended CVRA challenges in the courts have ultimately either voluntarily adopted, or have been forced to adopt, district-based elections. Additionally, because the CVRA grants a prevailing plaintiff the right to recover reasonable attorneys fees and expert witness fees, even cities that have settled have paid large sums of money in attorneys and expert fees. In at least one case that staff is aware of that was fully litigated, the losing city was ordered to pay significant attorneys and expert fees of approximately \$4,600,000. Payments for settlements have ranged from tens of thousands to millions of dollars in attorneys and expert fees by cities. A table of results of CVRA litigation shared amongst California cities is included as Attachment 2. Alternatively, if a city were to prevail (to date staff is not aware of any City that has ever prevailed) the City cannot recover either attorneys fees or other costs except in exceptional circumstances.

According to research conducted by other cities, statewide, approximately 90 cities and 165 school districts have switched to district elections since 2006, with the overwhelming majority occurring in the last 2 years. In Solano County, the City of Vacaville received a similar CVRA violation letter and is in the process of transitioning to by-district elections. In 2016, the City of Dixon voluntarily transitioned to district-based elections.

At-Large and By-District Voting Systems:

At-large and district-based voting systems are 2 types of voting systems contemplated in the California Government and Elections Codes for the election of governing bodies of municipalities.

Vallejo currently has an at-large election system. In this system, members of the governing body are elected by a vote of the entire voting population of the jurisdiction and each voter may cast one vote for each open seat. In a by-district election system, the jurisdiction is divided into separate districts and each voter may cast a vote only for the candidate seeking election within their respective district.

City Charter at Section 300 states: "The elective officers of the City shall be the Mayor and six

councilmembers." Section 201 of the Charter allows the City to act pursuant to any procedure established by law, unless a different procedure is required by the Charter. The City's charter does not specify whether elections should be by-district or at-large.

AB 350 Safe Harbor:

On September 28, 2016, the Governor signed AB350 into law, which modified Elections Code Section 10010 (effective on January 1, 2017). The legislation attempts to provide a "safe harbor" from CVRA litigation for cities that choose to voluntarily transition to a district election system. If a city receives a demand letter, the city is given 45 days of protection from litigation to assess its situation. If within that 45 days, a city adopts a resolution declaring the Council's intent to transition from at-large to district-based elections, outlining specific steps to be undertaken to facilitate the transition, and estimating a time frame for action, then a potential plaintiff is prohibited from filing a CVRA action for an additional 90 day period. Thus, the legislation provides time (a safe harbor) for the city to assess and implement a transition to a district-based election system before a lawsuit may be filed. The legislation sets forth a number of steps a city must take in the effort to assess and transition to a district-based election system, including 4 public hearings prior to consideration of an ordinance at a public hearing. Under AB350, a city's liability is capped at \$30,000 if it follows this process after receiving a CVRA notice letter, and the plaintiff must show financial documentation that these costs were actually incurred in generating the CVRA demand notice.

Decision, Process and Timing:

Statutorily upon receipt of Mr. Shenkman's demand letter the city has 45 days in which to adopt a resolution of intent to move to by-district elections. Thus, to fall within the Safe Harbor, the City should decide whether to adopt the resolution of intent no later than November 1, 2018.

Upon receipt of Mr. Shenkman's demand letter, the city attorney's office reached out to him and obtained a 90 day extension for adoption of any ordinance. Thus, if the Council adopts the resolution of intent as recommended, the deadline for adoption of the ordinance establishing by-district elections must occur prior to April 30, 2019.

If the City Council chooses to adopt the Resolution of Intent to establish by-district elections, it will have an opportunity over the next few months to determine the composition and boundaries of the districts, and the sequence of district elections. By law, there is no ability to cut short or extend the terms of sitting council members through this process. The first election to include districts would occur in 2020. The remaining districts would have elections in 2022; however, as a result of the Federal census in 2020, the district boundaries may be modified in 2021 for the 2022 election.

During the coming months, the City must hold 2 public hearings for input on district composition prior to maps being drawn. The City must then release draft maps at least 7 days before the next public hearing. This is then followed by holding 2 additional public hearings on the released maps, and then introduction and adoption of an enacting ordinance at a public hearing. A detailed schedule is Attachment 1 to the Resolution, and is presented below

TENTATIVE TIMELINE: CONSIDERATION AND TRANSITION TO DISTRICT-BASED ELECTIONS SYSTEM

DATE	EVENT
October 23, 2018	Resolution of Intent
November 7, 2018	Community Meeting- TBD
November 27, 2018	Public Hearing #1 without maps
December 18, 2018	Public Hearing #2 without maps
January 5, 2019	Community Meeting TBD
January 22, 2019	Public Hearing #3 with maps*
February 26, 2019	Public Hearing #4 with maps*
March 26, 2019	Public Hearing: Introduction of Ordinance
April 9, 2019	Pubic Hearing: Adoption of Ordinance

*Initial map(s) and any revised maps must be published at least 7 days prior to the hearing

FISCAL IMPACT

While much of the work will be done in house, there will be outside consultant costs : a demographer to help create maps and engage with the public and a programmer to help set up and maintain the city's webpage on by-district elections. Additionally, specialized work in the areas of translation of materials will be necessary. It is estimated that these costs will not exceed \$200,000.

ENVIRONMENTAL REVIEW

This action is exempt from the California Environmental Quality Act (CEQA) because it is not a project which has a potential for resulting in either a direct physical change in the environment, or a reasonably foreseeable indirect physical change in the environment, pursuant to CEQA Guideline section 15378.

ATTACHMENTS

1.	Shenkman demand letter 9.17.2018
2.	Attachment 2
3.	Vallejo (CVRA) - Resolution of Intent YNA Revisions stamped approved

CONTACT

Claudia Quintana, City Attorney (707) 648-4545

Claudia.Quintana@cityofvallejo.net

Attorneys' Fees Settlements Paid by Other Jurisdictions

City or Political Subdivision	Attorneys' Fees Paid to Plaintiff	Notes
Ceres Unified School District	\$3,000	Settlement
Cerritos Community College District	\$55,000	Settlement
City of Anaheim	\$1.2 million	Settlement
City of Bellflower	Undisclosed	Settlement
City of Compton	Approximately \$170,000	Settlement
City of Escondido	\$385,000	Settlement
City of Merced	\$42,000	Settlement
City of Modesto	\$3 million	Settlement
City of Palmdale	\$4.7 million	City lost its challenge in court and subsequently reached a settlement
City of Santa Barbara	\$600,000	Settlement
City of Santa Clarita	\$600,000	Settlement includes provision to move to cumulative voting
City of Tulare	\$225,000	Settlement
City of Whittier	\$1 million	Court Award
Compton Community College District	\$40,000	Settlement
Hanford Unified School District	\$118,000	Settlement
Madera Unified School District	\$162,500	Court Award
Placentia	\$20,000	Settlement
San Mateo County	\$650,000	Settlement
Santa Clarita Community College District	\$850,000	Settlement
Tulare Local Healthcare District	\$500,000	Settlement

RESOLUTION NO. 2018-

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF VALLEJO DECLARING ITS INTENTION TO TRANSITION FROM AT-LARGE TO DISTRICT-BASED COUNCIL MEMBER ELECTIONS EFFECTIVE FOR THE NOVEMBER 2020 ELECTION PURSUANT TO ELECTIONS CODE SECTION 10010

WHEREAS, the City of Vallejo (“City”) is a charter city, duly organized under the Constitution and the laws of the State of California; and

WHEREAS, pursuant to the City Charter the City Council is comprised of seven elective officers, the Mayor and six councilmembers, who are all currently elected in at-large elections, in which each City Council member is elected by a vote of all registered voters of the entire City, with the Mayor being separately elected by all registered voters of the entire City; and

WHEREAS, Government Code Section 34886, in certain circumstances, authorizes the legislative body of a city of any population to adopt an ordinance to change its method of election from an “at-large” system to a “district-based” system in which each council member is elected only by the voters in the district in which the candidate resides or a “district-based” system with an elective mayor; and

WHEREAS, on September 17, 2018, the City received a notice of violation letter from attorney Kevin Shenkman on behalf of the Southwest Voter Registration Education Project, asserting that the City’s at-large council member election system violates the California Voting Rights Act (“CVRA”) and threatening litigation if the City declines to voluntarily change to a district-based election system for electing council members; and

WHEREAS, under California Elections Code Section 14028(a) a CVRA violation is established if it is shown that racially polarized voting occurs in elections in a particular jurisdiction and impair the ability of a protected class to elect candidates of its choice or influence the outcome of an election in an at-large election system. “Racially polarized voting” means voting in which there is a difference in the choice of candidates or other electoral choices that are preferred by voters in a protected class, and in the choice of candidates and electoral choices that are preferred by voters in the rest of the electorate (Elections Code Section 14026(e)); and

WHEREAS, the Elections Code provides a Safe Harbor whereby a jurisdiction may expeditiously change to a by-district election system, after completing statutory public hearings, and if done so within 90 days of adoption of a resolution of intent, can transition without litigation and also cap its liability to potential plaintiffs and their attorneys to \$30,000 for reimbursement of costs in generating the CVRA demand notice; and

WHEREAS, the City denies that it’s at-large electoral system violates the CVRA or any other provision of law and asserts the City’s election system is legal in all respects and further denies any wrongdoing whatsoever in connection with the manner in which it has conducted its City Council elections; and

WHEREAS, despite the foregoing, the City Council has determined that the purposes of the California Voting Rights Act and the public interest would be best served by transitioning to a district-based election system and avoiding the risks and cost of defending against a CVRA lawsuit; and

WHEREAS, California Elections Code Section 10010 requires that a city that is changing from at-large to district-based elections shall do all of the following before holding a public hearing at which the City Council votes to approve or defeat an ordinance establishing district-based elections:

1. Prior to drawing one or more draft maps of the proposed boundaries of the districts, the City shall hold at least 2 public hearings over a period of no more than 30 days, at which the public is invited to provide input regarding the composition of the districts;
2. After all draft maps are drawn, the City shall publish and make available for release at least one draft map and, if members of the City Council will be elected in their districts at different times to provide for staggered terms of office, the potential sequence of the elections shall also be published. The City Council shall also hold at least 2 additional hearings over a period of no more than 45 days at which the public is invited to provide input regarding the content of the draft map(s) and the proposed sequence of elections, if applicable. The first version of a draft map shall be published at least 7 days before consideration at a hearing. If a draft map is revised at or following a hearing, it shall be published and made available to the public for at least 7 days before being adopted; and

WHEREAS, the City has retained an experienced demographer to assist the City with transitioning to a district-based electoral system; and

WHEREAS, the adoption of a district-based elections system will not affect the terms of any sitting council member, each of whom will serve out his or her current term; and

WHEREAS, attorney Kevin Shenkman on behalf of his client has agreed in writing to a 90-day extension of the 90-day safe harbor period, during which he and his client will not file a CVRA lawsuit against the City if the City adopts the subject Resolution of Intention, thereby permitting the City Council to adopt an ordinance establishing district-based elections at any time up to and including April 30, 2019.

NOW, THEREFORE, BE IT RESOLVED that:

Section 1. The City Council hereby resolves to consider adoption of an ordinance, to transition to a district-based election system as authorized by Government Code Section 34886, for use in the City's General Municipal Elections for City Council members with an implementation date of November 2020.

Section 2. The City Council authorizes the City Manager and City Attorney to negotiate and execute contracts or amendments to contracts with special legal counsel and consultants as needed to conduct public outreach, prepare demographics maps, and obtain any other information or data necessary to prepare a draft map that divides the City into voting districts in a manner consistent with the intent and purpose of the California Voting Rights Act and Federal Voting Rights Act.

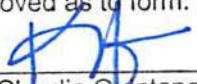
Section 3. The City Council hereby approves the tentative timeline as set forth in Exhibit A, attached to and made a part of this resolution, for conducting a public process to solicit public input and testimony on proposed district-based maps before adopting any such map.

Section 4. The tentative timeline in Exhibit A may be adjusted by the City Manager as necessary to facilitate public outreach while complying with the safe harbor deadlines, any negotiated extension or tolling agreement, and Elections Code section 10010.

Section 5. The City Council directs staff to post information regarding the proposed transition to a district based election system, including maps, notices, agendas, and other information and to establish a means of communication to answer questions from the public.

Section 6. This resolution shall become effective immediately upon its introduction and passage.

Approved as to form:

By: 

Claudia Quintana
City Attorney

Attachment: Exhibit A – Tentative Timeline

EXHIBIT A

TENTATIVE TIMELINE: CONSIDERATION AND TRANSITION TO DISTRICT-
BASED ELECTIONS SYSTEM

DATE	EVENT
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March 26, 2019	Public Hearing #5: Introduction of Ordinance
April 9, 2019	Public Hearing #6: Adoption of Ordinance

*Initial map(s) and any revised maps must be published at least 7 days prior to the hearing