1. City Council Meeting Agenda

   Documents:

   01-16-2018 ANNOTATED AGENDA.PDF

2. Supporting Documents

   Documents:

   7A.PDF
COUNCILMEMBERS
Edi E. Birsan, Mayor
Carlyn S. Obringer, Vice Mayor
Laura M. Hoffmeister
Ronald E. Leone
Timothy A. McGallian

Civic Center
1950 Parkside Drive
Concord, CA 94519
www.cityofconcord.org

ANOTATED AGENDA
Special Meeting of the Concord City Council

Tuesday, January 16, 2018
5:30 p.m. - Closed Session
6:30 p.m. - Open Session
Council Chamber
1950 Parkside Drive

Information for the public on participation at Council meetings can be found on the back of the Speaker Identification Card located near the Council Chamber entrance. Should you have any questions after consulting the Speaker Identification Card, please contact the City Clerk prior to the Council meeting.

AGENDIZED ITEMS – The public is entitled to address the City Council on items appearing on the agenda before or during the City Council’s consideration of that item. Each speaker will be limited to approximately three minutes.

CLOSED SESSION

1. OPENING
   Roll Call – all present

2. PUBLIC COMMENT FOR CLOSED SESSION - none

3. CLOSED SESSION
   a. CONFERENCE WITH LEGAL COUNSEL - ANTICIPATED LITIGATION.
       Significant exposure to litigation pursuant to paragraph (2) of subdivision (d) of Government Code Section 54956.9: One potential case.

       ACTION: Closed session held.

4. RECESS TO OPEN SESSION

5. OPENING
   Roll Call – Councilmember Hoffmeister absent.
Pledge to the Flag – Councilmember McGallian

7. **CITY COUNCIL PUBLIC HEARING**

Persons who wish to speak on Public Hearings listed on the agenda will be heard when the public hearing is opened, except on public hearing items previously heard and closed to public comment. After the public has commented, the item is closed to further public comment and brought to the Council level for discussion and action. Further comment from the audience will not be received unless requested by the Council. No public hearing shall commence after 10 p.m. unless approved by majority vote of the City Council.

a. **Public Hearing** – to receive input from the community regarding districts to be established for district-based elections, input may include discussion on number of districts and a directly elected mayor. **Report by Laura Simpson, Planning and Housing Manager.**

   **ACTION:** Report heard; discussion on number of districts and directly elected mayor held; public testimony given.

8. **CORRESPONDENCE**

Correspondence received at the City Council meeting will be listed here on the Annotated Agenda.

a. Concord City Council Districting PowerPoint Presentation

9. **ADJOURNMENT** – at 8:40 p.m.

Next Meeting: Regular Meeting
Date: 1/23/2018 - 6:30 PM

**ADA NOTICE AND HEARING IMPAIRED PROVISIONS** - The Council Chamber is equipped with a T-Coil Hearing Loop. This system allows “T” coil reception of the audio proceedings. Please switch your hearing aid or cochlear device to the “T”, “T” Coil or telephone position. If you would like better audio reception, a loop receiver that picks up the audio loop is available from the City Clerk.

In accordance with the Americans with Disabilities Act and California Law, it is the policy of the City of Concord to offer its public programs, services and meetings in a manner that is readily accessible to everyone, including those with disabilities. If you are disabled and require a copy of a public hearing notice, or an agenda and/or agenda packet in an appropriate alternative format; or if you require other accommodation, please contact the ADA Coordinator at (925) 671-3031, at least five days in advance of the hearing. Advance notification within this guideline will enable the City to make reasonable arrangements to ensure accessibility.
The following is a list of regular Council Committee meeting dates. Most meetings are held in the Garden Conference Room, 1950 Parkside Drive, Concord. **NOTE:** Meetings are subject to change or cancellation. For latest information and committee agendas please call 671-3158.

<table>
<thead>
<tr>
<th>Committee</th>
<th>Chair/Member</th>
<th>Meeting Time</th>
</tr>
</thead>
<tbody>
<tr>
<td>Policy Development &amp; Internal Operations</td>
<td>Birsan/Obringer</td>
<td>2&lt;sup&gt;nd&lt;/sup&gt; Wednesday at 5:30 p.m.</td>
</tr>
<tr>
<td>Housing &amp; Economic Development</td>
<td>Obringer/McGallian</td>
<td>4&lt;sup&gt;th&lt;/sup&gt; Monday at 5:30 p.m.</td>
</tr>
<tr>
<td>Infrastructure &amp; Franchise</td>
<td>Hoffmeister/Leone</td>
<td>2&lt;sup&gt;nd&lt;/sup&gt; Monday at 6:00 p.m.</td>
</tr>
<tr>
<td>Recreation, Cultural Affairs &amp; Comm. Svc.</td>
<td>McGallian/Birsan</td>
<td>3&lt;sup&gt;rd&lt;/sup&gt; Wednesday at 5:30 p.m.</td>
</tr>
<tr>
<td>Youth &amp; Education</td>
<td>Leone/Hoffmeister</td>
<td>3&lt;sup&gt;rd&lt;/sup&gt; Monday at 6:00 p.m.</td>
</tr>
</tbody>
</table>
Staff Report

Date: January 16, 2018
To: City Council
From: Valerie J. Barone, City Manager
Reviewed by: Andrea Ouse, Director of Community and Economic Development
Prepared by: Laura Simpson, Planning and Housing Manager
Laura.simpson@cityofconcord.org
(925) 671-3369

Subject: Public Hearing to receive input from the community on City Council districts to be established for district-based elections, may include discussions on the number of districts and a directly elected mayor

Report in Brief
On January 2, 2018, the City adopted a resolution of intention to transition from at-large to district-based elections. Pursuant to California State Elections Code §10010, this is the first of two public hearings to inform the public about the districting process, present options available to the city, and receive community input on the criteria for drawing the boundaries of the voting districts, prior to the City’s independent demographer drafting district map boundary alternatives. Public testimony and Council discussion may also include the number of desired districts and a directly elected Mayor.

Recommended Action
Hold the first of two public hearings to receive input on the composition and number of voting districts, request any additional information needed for the public hearing scheduled for January 23rd.

Background
On January 2, 2018, the City Council adopted a resolution of intention to transition from at-large to district-based elections, in order to conform to the California Voting Rights Act of 2001 (CVRA). The transition to district elections is proposed to be implemented for the 2020 General Election.
Pursuant to Elections Code §10010, the City is required to hold at least two public hearings over a period of no more than 30 days before any map or maps of the boundaries for the proposed voting districts are drawn. At the public hearings, the community is invited to provide input regarding the composition of the districts. Such input may include feedback on the number of desired districts and whether the City should have a directly elected Mayor.

Before developing draft district boundaries, the City Council will take comments from residents and interested community groups at two public hearings to understand the community’s view of where district boundaries should be drawn. The City Council will then define the criteria used to create one or more proposed district maps, and present a draft map or maps for public comment and review at two subsequent public hearings.

The City Council will then provide further direction to finalize the map which will be presented to the City Council for a final vote. The City Council is the final decision-making body on adopting district boundaries. To ensure a cap of $30,000 on the limitation of the City’s reimbursement to prospective plaintiffs challenging the City’s compliance with §10010 of the Election Code (known as the “limited safe harbor” provision), adoption of the ordinance must occur no later than March 27, 2018.

Analysis
The legally required criteria that apply to the creation of the districts are:

- Each council district shall contain nearly equal population, with any deviations justified by other traditional redistricting criteria.
- A districting plan shall be drawn in a manner that complies with the state and federal Constitutions, the Federal Voting Rights Act and state law;
- Each council district shall not be drawn with race as the predominant factor in violation of the principles established by the United States Supreme Court in Shaw v. Reno, 509 U.S. 630 (1993).
- Each council district shall be contiguous, meaning that there are no islands or parts of the district that are not attached to the whole.

Council may also consider other criteria. Additional criteria that have been used in other communities to define districts include:

- Compactness of districts, including their shape and appearance.
- Keeping communities of interest, such as neighborhoods, school district boundaries, etc., undivided by a district boundary, to the extent feasible.
- Respecting visible natural and man-made geographical and topographical features when drawing district boundaries, as much as possible.
Avoiding head-to head contests between incumbent Council members, insofar as this does not conflict with federal or state law.

Identifying changes to the housing stock, including areas of population growth since 2010.

Including public facilities in each district, to the extent feasible.

Including commercial interests in each district, to the extent feasible.

Following existing precinct boundaries where feasible to facilitate the County’s ability to conduct elections.

The above criteria are examples only, and may not be applicable or appropriate in Concord. The public is encouraged to provide input on some or all of these additional criteria options, and may also provide input on other criteria not mentioned above, including the number of districts to be created and whether Concord should have a directly elected Mayor. The Council will be informed by the public input. To support the public in providing input some basic Concord base maps have been attached to this report as Attachment 1. The Council must balance criteria, and may choose to include some, all, or no additional criteria. The Council may also choose to develop additional alternative criteria that the Council believes are applicable to the City when selecting a districting plan for the City.

The next public hearing to receive and consider further input from the public concerning the composition of voting districts is scheduled for Tuesday, January 23, 2018. The public is encouraged to provide input via e-mails to districtelections@cityofconcord.org or to provide input through Concord Community Town Hall which will be available through a link from the City’s District Elections webpage at www.cityofconcord/districtelections. Written input may also be dropped off or mailed to the Planning Manager at 1950 Parkside Drive, MS/53 Concord, CA 94519. Input must be received on or before January 23, 2018 for consideration at the meeting of January 23.
The full schedule of public hearing dates for this effort is presented below. There will be Spanish/English translation services provided at the first four public hearings.

<table>
<thead>
<tr>
<th>Public Hearing Date</th>
<th>Description</th>
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<tbody>
<tr>
<td>Jan. 16, 2018</td>
<td><strong>Hearing #1:</strong> Education on the process of drawing district boundaries and taking public testimony regarding appropriate districting criteria and communities of interest.</td>
</tr>
<tr>
<td>Jan. 23, 2018</td>
<td><strong>Hearing #2:</strong> Respond to any questions referred to staff from first public hearing, continue to receive public testimony on criteria. Council will provide direction on criteria to be used in drawing district boundaries to the consulting demographer.</td>
</tr>
<tr>
<td>Feb. 6, 2018</td>
<td><strong>Hearing #3:</strong> Take public testimony on the draft district boundary map or maps provided by the demographer. Request adjustments for further consideration. The draft map or maps to be reviewed at this hearing will be published and placed on City’s district elections webpage on January 30th.</td>
</tr>
<tr>
<td>Feb. 27, 2018</td>
<td><strong>Hearing #4:</strong> Review the revised map or maps, take public testimony. If no significant changes are proposed, select one map and introduce it as part of a district elections ordinance. The revised map or maps to be reviewed at this hearing will be published and placed on City’s district elections webpage on February 20th.</td>
</tr>
<tr>
<td>Mar. 13, 2018</td>
<td><strong>Hearing #5:</strong> Adopt the district elections ordinance</td>
</tr>
</tbody>
</table>

**Public Outreach**

In addition to the aforementioned public hearings, a public outreach strategy has been developed. Since the City Council’s adoption of the resolution of intent on January 2nd, the City has been engaging in public outreach efforts to help inform the public on district-based elections, the process associated with their formation, and to obtain feedback and input, in the following ways:

- A webpage on district elections has been created: [www.cityofconcord.org/districtelections](http://www.cityofconcord.org/districtelections). All information related to the City’s process is on this webpage, including opportunities for when and how the public can contribute to the decision-making process.
- The City issued a news release and directed interested parties to the district elections webpage.
- A fact sheet has been mailed in English to every mailing address in the City of Concord, representing 52,000 residential and business addresses (see
Attachment 2). In addition, the fact sheet has been translated into Spanish and sent to approximately 5,000 Spanish-speaking households. A copy of the fact sheet can also be found on the www.cityofconcord.org/districtelections webpage.

- Notification of all meetings, updates to the webpage, and all other public outreach tools and information will be rolled out via the City’s social media platforms, such as Twitter, Facebook and NextDoor.

- The City is launching an interactive page on Concord Community Town Hall which will be available after January 16, 2018, via a link from the www.cityofconcord/districtelections webpage.

- City staff has created a speaker’s bureau to meet with and solicit feedback from interested community groups such as HOAs, businesses or service organizations, faith-based groups, and other community organizations. Any interested groups need only e-mail districtelections@cityofconcord.org and staff will work to set up a briefing. All feedback will be shared with Council at a public meeting. The first of these briefings has been set up by Monument Impact and the Monument Crisis Center. It will be held at Monument Crisis Center on Thursday, January 18th. Monument Impact and Monument Crisis Center are inviting community members to the meeting. Staff will post the meeting information on the City’s district elections website.

All public comment received on this topic by the time of producing the agenda is attached (Attachment 3). Any public comment received after this date will be benched for the Council and public at the meeting.

Financial Impact
There is a financial impact on the City’s General Fund to cover staff time and cost of an outside demographer, an elections consultant and special legal counsel associated with the transition to district-based elections. These costs are estimated to be up to $150,000. Additionally, the City will be required to reimburse the prospective plaintiffs for documented costs of up to $30,000.

Environmental Determination
This action is not a project within the meaning of the California Environmental Quality Act (CEQA) Guidelines Sections 15320, 15378 and 15061(b)(3) as it is an organizational structure change and does not have the potential to result in either a direct or reasonable foreseeable indirect physical change in the environment.

Public Contact
The City Council Agenda was posted.
Attachments

1. Base maps
2. Fact Sheets (English and Spanish versions)
3. Correspondence received
Concord is about to change the way it elects City Councilmembers. Currently, five City Councilmembers are elected at-large, meaning that all registered voters have the opportunity to vote for all five council positions. Under the new system, City Councilmembers will be elected by district. One Councilmember, who lives in a district, will be elected by people (registered voters) who also live in the same district. The City needs your help in deciding where the district boundaries should be drawn.

Why is the City of Concord going from at-large to district elections?

The City received two separate letters from attorneys charging that Concord’s at-large elections don’t conform to the California Voting Rights Act of 2001 (CVRA). Under this statute, local at-large voting systems are prohibited if they “impair the ability of a protected class… to elect candidates of its choice or otherwise influence the outcome of an election.” The remedy available under the CVRA is usually for the city to move to district elections.

Considering the significant costs to defend against a CVRA lawsuit and that no city has prevailed, a majority of cities receiving such “CVRA demand letters” have voluntarily transitioned to district-based election systems.

On January 1, 2017, the California Voter Rights Act Reform (AB 350) became effective which allows cities a “safe harbor” following receipt of a CVRA demand letter. This provides 45 days of protection from litigation to assess the situation, and if a resolution declaring an intent to transition to district-based elections is adopted within the 45-day period, then a CVRA action is forestalled for an additional 90-day period, providing the City time to assess and implement a course of action. By taking this approach Concord caps its financial liability at a maximum of $30,000. The Concord City Council has determined that moving forward with District Elections under the safe harbor provided by the California Voter Rights Act Reform is the best course for the City and is proceeding to do so.

What are the rules for creating election districts?

The following criteria must be met in creating election districts:

1. Each Council district must contain a nearly equal population. The 2010 Census numbers will be used to determine the population number for each district.
2. Council district borders must be drawn in a manner that complies with the Federal Voting Rights Act and avoids racial gerrymandering.
3. In establishing district boundaries, the City Council may give consideration to the following factors: topography, geography, cohesiveness, contiguity, integrity, compactness of territory, and “community of interests” such as neighborhoods, school boundaries, and common interests.
4. The City Council may also establish other criteria, as long as they do not conflict with federal or state law.

Upcoming meetings:

<table>
<thead>
<tr>
<th>Date</th>
<th>Event</th>
</tr>
</thead>
<tbody>
<tr>
<td>Tuesday, Jan. 16</td>
<td>Public Hearing – district boundaries</td>
</tr>
<tr>
<td>Tuesday, Jan. 23</td>
<td>Public Hearing – district boundaries</td>
</tr>
<tr>
<td>Tuesday, Feb. 6</td>
<td>Public Hearing – proposed district maps</td>
</tr>
<tr>
<td>Tuesday, Feb. 27</td>
<td>Public Hearing – proposed district maps</td>
</tr>
<tr>
<td>Tuesday, March 13</td>
<td>Adoption of new voting districts</td>
</tr>
</tbody>
</table>

Speakers Bureau

If you would like staff to make a presentation on district elections to your neighborhood association or community group, contact Planning Manager Laura Simpson, (925) 671-3369 or by email, Laura.Simpson@cityofconcord.org.

More information

Planning Manager Laura Simpson, (925) 671-3369, Laura.Simpson@cityofconcord.org.

City website

www.cityofconcord.org/districtelections
How will the election district boundaries be decided?
Before developing draft district boundaries, the City Council will take comments from residents and interested community groups at two public hearings to understand the community’s view of where district boundaries should be drawn. They will then define the criteria they want the hired independent demographer to use in creating one or more proposed district maps. The demographer’s goal will be to draw map options that meet the criteria and take into account comments from the community as prioritized by the City Council. The City Council will present the draft maps for public comment and review at two additional public hearings. The City Council will provide further direction to the demographer after the public hearings, who will revise the map or maps which will then go before the City Council for a final vote. By law, the City Council is the final decision making body on adopting district boundaries.

How often are the voting districts reviewed?
Because the population numbers in each district are determined by Census numbers, the voting districts will be reviewed every ten years following the Census. The next Census will be conducted in 2020, so the districts will be reviewed after the Census counts are released in 2021, and revised as necessary.

How can I participate in the decision-making process?

- Public Hearings:
  The community’s input in the development of the voting districts is very important to this process. The City Council will hold two public hearings before maps are developed to get community input on where district boundaries should be drawn. Draft maps will be developed from these public hearings. These public hearings will be held January 16 and January 23, 2018.

  Two additional public hearings will be held to present and take comment on the draft map or maps. These public hearings will take place February 6 and February 27, 2018.

  A final map or maps will go to the City Council for a vote on March 13, 2018.

  All meetings will be held at the Concord Civic Center, 1950 Parkside Drive, in the City Council Chamber beginning at 6, 6:30 or 7 p.m. Check the City’s website at www.cityofconcord.org for individual meeting start times. The meetings will also be televised on Concord Cable TV channels Comcast 28, Astound 29, AT&T U-verse 99, and will be streamed live on the City’s website.

- Concord Community Town Hall:
  Look for a new way to comment through the new online Concord Community Town Hall, launching soon. Concord Community Town Hall will be an on-line way of communicating with the City. You will be able to link to it from the City’s website, once it is launched. Draft maps will be posted there towards the end of February.

- Emails and letters
  Send your comments to the City by email to: districtelections@cityofconcord.org

  or by mail to:
  City of Concord, District Elections
  attn. Laura Simpson
  1950 Parkside Dr., MS 01B
  Concord, CA 94519

Where can I get more information?
Information will be posted on the City’s website at www.cityofconcord.org/districtelections. Proposed district maps will be available on the website and through the website on Concord Community Town Hall by the February 6, 2018 meeting date.
Concord está a punto de cambiar la manera en que elige a los concejales de la Ciudad. Actualmente, cinco concejales de la Ciudad son elegidos en forma general lo que significa que todos los votantes registrados tienen la oportunidad de votar por todas las cinco posiciones para el concilio. Bajo el nuevo sistema, los Concejales de la Ciudad serán elegidos por distrito. Un concejal, que vive en un distrito, será elegido por la gente (votantes registrados) que también vive en el mismo distrito. La Ciudad necesita su ayuda en decidir dónde se deben trazar los límites del distrito.

¿Por qué la Ciudad de Concord va de elecciones en general a distritales?

La ciudad recibió dos cartas separadas de los abogados alegando que las elecciones en general de Concord no se ajustan al Acta de Derechos Electorales de California del 2001 (CVRA). En este estatuto, los sistemas locales de votación en general están prohibidos si “perjudican la capacidad de una clase protegida... para elegir a los candidatos de su elección o de lo contrario influir en el resultado de una elección”. El remedio disponible bajo la CVRA es generalmente que la ciudad cambie a las elecciones por distrito.

Tomando en cuenta los costos significativos para defenderse contra un juicio de la CCRA y que ninguna ciudad ha logrado, una gran mayoría de ciudades que han recibido tales “cartas de demanda de la CVA” voluntariamente han cambiado a los sistemas de elecciones basados por distrito.

El primero de enero del 2017, la Reforma del Acta de Derechos del Votante de California (AB 350) se hizo efectiva lo cual permite a las ciudades una “protección” después de haber recibido una carta demanda de la CVRA. Esto proporciona 45 días de protección contra litigios para evaluar la situación, y si se adopta una resolución declarando una intención para cambiar a elecciones basadas por distrito dentro del periodo de 45 días, entonces una acción de la CVRA se anticipa por un periodo adicional de 90 días, proporcionando a la ciudad tiempo para evaluar e implementar un curso de acción. Al adoptar este enfoque, Concord limita su responsabilidad financiera a un máximo de $30,000. El Concilio de la Ciudad de Concord ha determinado que cambiando a elecciones por distrito bajo la protección ofrecida por la Reforma del Acta de Derechos de Votantes de California es el mejor curso para la Ciudad y van a proceder a hacerlo.

¿Cuáles son las reglas para crear elecciones por distritos?

El siguiente criterio se debe cumplir al crear elecciones por distrito:

1. Cada distrito debe contener una población casi igual. Las cifras del Censo del 2010 serán utilizadas para determinar el número de habitantes por cada distrito.
2. Los límites de distritos electorales deben ser trazados de manera que cumpla con el Acta Federal de Derechos de Votantes y se evite hacerlo tomando en cuenta la raza.
3. Al establecer límites por distritos, el Concilio de la Ciudad puede dar consideración a los siguientes factores: topografía, geografía, afinidad, contigüidad, integridad, compactibilidad de territorio y “comunidad de intereses” tales como vecindarios, límites para las escuelas e intereses comunes.
4. El Concilio de la Ciudad puede también establecer otro criterio, siempre y cuando no entre en conflicto con una ley federal o estatal.

Próximas reuniones:
Todas las audiencias públicas serán conducidas durante las reuniones del Concilio de la Ciudad de Concord y se realizarán en la Cámara del Concilio de la Ciudad en Civic Center, 1950 Parkside Dr., empezando a las 6, 6:30 o 7 p.m. Por favor verifique la página web para las horas de inicio de cada reunión.

Martes, Ene. 16  Audiencia Pública – límites distritales
Martes, Ene. 23  Audiencia Pública – límites distritales
Martes, Feb. 6   Audiencia Pública – mapas distritales propuestos
Martes, Feb. 27  Audiencia Pública – mapas distritales propuestos
Martes, Marzo 13 Adopción de nuevos distritos electorales

Oficina de Oradores
Si usted quisiera que el personal hiciera una presentación sobre las elecciones por distrito en su asociación de vecindario o grupo comunitario, por favor comuníquese con la Gerente de Planeación Laura Simpson, al (925) 671-3369 o por correo electrónico a Laura.Simpson@cityofconcord.org.

Mas información
Gerente de Planeación Laura Simpson, (925) 671-3369, Laura.Simpson@cityofconcord.org.

Página web de la Ciudad
www.cityofconcord.org/districtelections
¿Cómo se decidirán los límites para distritos electorales?
Antes de desarrollador un borrador de los límites del distrito, el Concilio de la Ciudad tomará comentarios de los residentes y grupos comunitarios interesados en dos audiencias públicas para comprender el punto de vista de la comunidad de dónde se deben trazar los límites del distrito. Ellos luego definirán el criterio que ellos quieran que el demógrafo independiente contratado use en crear uno o más mapas propuestos del distrito. La meta del demógrafo será el trazar opciones de mapas que cumplan el criterio y tomen en cuenta comentarios de la comunidad como ha sido señalado por el Concilio de la Ciudad. El Concilio de la Ciudad presentará el borrador de los mapas para comentarios públicos y revisión en dos audiencias públicas adicionales. El Concilio de la Ciudad ofrecerá más dirección al demógrafo después de las audiencias públicas, quien revisará el mapa o mapas que luego se presentarán ante el Concilio de la Ciudad para un voto final. Por ley, el Concilio de la Ciudad es el organismo final en la toma de decisiones al adoptar los límites distritales.

¿Con qué frecuencia se revisan los distritos electorales?
Debido a que el número de la población en cada distrito se determina por las cifras del Censo, los distritos electorales serán revisados cada diez años siguiendo el Censo. El siguiente Censo será llevado a cabo en el 2020, por lo tanto, los distritos serán revisados después que el conteo del Censo sea publicado en el 2021, y revisado cuando sea necesario.

¿Cómo puedo yo participar en el proceso de toma de decisiones?

Audiencias Públicas:
La opinión de la comunidad en el desarrollo de los distritos electorales es muy importante en este proceso. El Concilio de la Ciudad realizará dos audiencias públicas antes que los mapas sean trazados para así tener opinión de la comunidad sobre dónde se deben trazar los límites de los distritos. El borrador de los mapas será desarrollado de estas audiencias públicas. Estas audiencias públicas se realizan el 16 y 23 de enero del 2018.

Dos audiencias públicas adicionales se realizarán para presentar y tomar comentarios en el o los borradores de los mapas. Las audiencias públicas tendrán lugar el 6 y 27 de febrero, 2018.
Un mapa o mapas finales se presentarán ante el Concilio de la Ciudad para una votación el 13 de marzo, 2018.
Todas las reuniones se realizarán en el Centro Cívico e Concord, 1950 Parkside Drive en la Cámara del Concilio de la Ciudad empezando a las 6, 6:30 o 7 de la noche. Verifique la página web de la ciudad www.cityofconcord.org para las horas de inicio de cada reunión. Las reuniones serán televisadas en los canales de TV por Cable de Concord, Comcast 28, Astound 29, AT&T U-verse 99 y serán transmitidas en vivo en la página web de la Ciudad.

Concejo de la Comunidad de Concord:
Encuentre una nueva manera de comentar a través del nuevo Concejo de la Comunidad de Concord en línea que se lanzará muy pronto. El Concejo de la Comunidad de Concord será una manera de comunicarse en línea con la Ciudad. Ustedes podrán enlazarse a través de la página web de la Ciudad, una vez que sea lanzado. Los borradores de los mapas serán colocados allí hacia finales de febrero.

Correos electrónicos y cartas
Envíe sus comentarios a la Ciudad por correo electrónico a: districtelections@cityofconcord.org
or by mail to:
City of Concord, District Elections
attn. Laura Simpson
1950 Parkside Dr., MS 01B
Concord, CA 94519

¿Dónde puedo obtener más información?
Más información será proporcionada en la página web de la ciudad en www.cityofconcord.org/districtelections. Los mapas distritales propuestos están disponibles en la página web a través de la página web en el Concejo de la Comunidad de Concord para la reunión del 6 de febrero.
From: Ron Leone, Concord City Councilmember

Subject: Idea for incorporating a directly elected Mayor into District Elections in 2020

First, it is important for me to indicate this is just an idea at this time. I'm very interested in hearing from members of the public and my colleagues on Council about all aspects of drawing districts, how many districts, and whether to have a directly elected Mayor. However, the idea I shared verbally at Tuesday's Council meeting is as follows:

In order to create a smooth transition into a directly elected Mayor concurrently with implementing district elections in 2020 and place the Mayoral election onto a presidential election year to maximize turn-out, I propose the following:

During the 2018 election cycle when three at-large Council seats will be up for election, I propose that one of the three seats be turned into a 2-year term. The 2-year term would be filled by the lowest vote-getter of the three people elected in November 2018. In this way the 2-year term will expire in 2020 allowing for the ability to hold an election for mayor concurrently with holding the elections for two of the four newly created districts. In this way the city election cycles will always have two districts up every election cycle, plus a directly elected mayor every four years during the highest voter turn-out years.

Ron

Sent from Councilmember,
City of Concord
Ron Leone's iPhone
Enclosed are my comments on the meeting Tuesday evening. Not being a gifted speaker, it is difficult for me condense my thoughts in a 3 minute window.

This will likely be my last correspondence on this issue although I am planning on including what transpires in Concord in future columns appearing in the California Political News @ Review. This is an important subject that effects communities statewide that I will be following.

Good luck in your efforts to implement district elections.

Richard J. Eber

Amerasa Rapid Transit USA Inc
DBA Focus 21 Forwarding Group
2520 Stanwell Dr., Ste. 130
Concord, CA 94520 USA
Ph: 925-602-1280 Fax: 925-602-1599
Memo from Rich Eber  January 4, 2018

To Mayor Edi Birsan, City Council, and Valarie Barone City Manager

Re: District vs. At large Election of City Council Members

After attending the City Council meeting has Tuesday evening, there were a number of issues brought up that I would like to comment on for your consideration.

(1) We all agree district elections are to be conducted in Concord. The question is when they should be implemented.

(2) Following the reality of #1, the people of Concord should consider a directly elected Mayor to counter the concern that District Elections will create office holders who will not be looking at the priorities of the entire City.

(3) Given what the speaker from the League of Women voters stated, in all likelihood the County will not be able to conduct District Elections this year for Concord. If this is the case, the City would likely have to spend at least a half million dollars to perform this task at separate polling places.

(4) Even if the County might be able to conduct District elections this November in Concord, I really think the City Council and the citizens of Concord need adequate time to determine how this process is to be structured.

(5) What the City Council does in making these changes should not be determined by a lawsuit coming from Kevin Shenkman that upsets the democratic process.
(6) The City Council needs to direct The City Manager and City Attorney to take a more aggressive stance in dealing with Shenkman. The current state of affairs in our City is completely different with what transpired when the Malibu Attorney successfully sued to impose district Elections in a Southern California City.  

In the precedent setting case of Serrano vs. Priest in 1977 that provided Shenkman the ability to sue, it was stated “Prevailing defendant parties shall not recover any costs unless the court finds the action to be frivolous, unreasonable, or without foundation.” It would surprise me if a judge who sees Concord is committed to having District Elections, would take Shenkman’s side and award him any damages.

(7) In fact I would suggest writing this attorney a letter saying the City is complying with his request and plans on having District elections no later than 2020. Further he should be told that if the attorney goes through with his threat of Court Action, the city will try to collect from Shenkman their legal fees in what amounts to a frivolous lawsuit.

(8) Even if Shenkman goes through with his threat of filing a suit, the cost of fighting him is likely much less expensive than being forced to conduct a special election to meet his demands this year.

Lastly, and perhaps most important, the City Council should not be overly influenced by the public comment speakers at these type of meetings. With the exception of myself and a couple others Tuesday, most of those who spoke at the meeting were part of special interest groups that might not reflect how the entire Concord community might feel about this subject.

As such, I recommend the city Council inhale a deep breath and take their time to allow enough input from voters to create a new system of selecting City Council members and perhaps a directly elected mayor starting in 2020.

Best regards,

Rich Eber

Richard J. Eber
Dear Ms. Simpson,

As a former councilmember (1982 – 1991) and Mayor of the City of Concord (1985 – 1987), I applaud the City Council’s decision to move toward district elections, even if the action is an involuntary one based upon the threat of potential litigation. I have always been in favor of district elections, even as a councilmember and Mayor, because this city is so diverse. The absence of district elections essentially stifles the voice of neighborhoods, such as the Monument Corridor, in advocating for services and City support for issues that are of the highest priority to this neighborhood of interest. These neighborhoods are the backbone of the City, and implementing District elections will help to balance the interests of all neighborhoods by having advocates on the official body that makes decisions allocating the resources of the City.

I also believe that the City should have an elected Mayor who can set an agenda for the City and be an advocate for the implementation of that agenda. Concord is the largest city in Contra Costa County and the lack of an elected mayor prevents the person acting in that position, now determined by annual rotation, from having the voice and clout to represent the City’s interests.

Regards,

Ron Mullin
Concord City Council Districting

Concord City Council
District Elections: Public Hearing #1

January 16, 2018
COUNCIL ACTION REQUESTED

1) Hold the first public hearing to receive input on the composition and number of voting districts

2) Request any additional information needed for the public hearing scheduled for January 23rd
BACKGROUND

• January 2\textsuperscript{nd}, 2018, Council adopted resolution to transition from at-large to district elections

• Schedule has been established to conform to the California Voting Rights Act of 2001 and to meet the safe harbor timeframe
SCHEDULE

• January 16, 2018- Public hearing 1 – receive input on criteria
• January 23, 2018- Public hearing 2 – receive input and provide direction on criteria for boundaries
• (maps published on January 30, 2018)
• February 6, 2018 – Public hearing 3 – public testimony on the maps, request adjustments
• (maps published February 20, 2018)
• February 27, 2018 – Public hearing 4 – view revised maps, take testimony, if no changes, select map and introduce it as part of the ordinance
• March 13, 2018- Public hearing 5 – adoption of ordinance
COMMUNITY OUTREACH

• Launched District Elections webpage at www.cityofconcord.org/districtelections
• Activated e-mail at districtelections@cityofconcord.org
• Mailed 52,000 district election flyers in English, sent 5,000 in Spanish to Spanish mailing address list on January 11, 2018
• Distributed press release and posted on NextDoor
• Included information in January eNews on January 3, 2018
• Community informational meetings upon request via e-mail
  – Meeting on January 18th, 5:30-7:30 at Monument Crisis Center
  – Meeting requested by Dana Estates HOA – February 26th
  – Chamber of Commerce- February 13th
What is Districting?

As opposed to an at-large system, representatives are elected from districts.

Districting is simply the process of drawing boundaries to divide a jurisdiction into those districts.

How those lines are drawn affects how people are represented.
Districting

- Districting Criteria
- Geography and Data
- Next Steps
Equal Protection Clause of the 14th Amendment

**Equal Population:** Districts must be substantially equal in population. i.e. “One-Person, One-Vote.”

Equal Population: Districts must be substantially equal in population. i.e. “One-Person, One-Vote.”

Concord
122,530 people (2010).

If divided into 5 districts, ideal district size: 24,506.

If divided into 4 districts, ideal district size: 30,633.

**Deviation:** Percent difference between actual district size and ideal district size.

Equal

Not

Exact equality not required. Good faith effort is.
Equal Protection Clause of the 14th Amendment

**Race:** Must not be the “predominant” factor.

Does not prohibit considering along with traditional, race-neutral, criteria.

Traditional criteria must not be subordinate.
In establishing the boundaries of city council districts, “the council may give consideration to the following factors:

(a) topography,
(b) geography,
(c) cohesiveness, contiguity, integrity, and compactness of territory, and
(d) community of interests of the council districts.”
Contiguity: All parts of the district should be connected.
Compactness: Many technical measures.

Be aware of shape and appearance.
Topography and Geography: Natural and man-made barriers and boundaries are not always compact.

More Compact, But…

Lime Ridge is an example of a geographic feature that is not itself compact.
Communities of Interest: Sharing common interests. Bringing like people together for representation.

Law does not limit the kinds of interests that may bind a community. Can represent current situation or common goals.

More Compact, But…

Concord

Can consider existing city planning information such as the Downtown Concord Specific Plan but there is no dataset that defines communities of interest.

Examples include neighborhoods, common assets like schools and shopping areas, housing, culture and language, and employment.

Need Public Testimony!!!
Districting

- Law and Criteria
- Geography and Data
- Next Steps
Census Geography and Data

**Census Block**
Smallest unit of analysis. 2010 census data on population used to determine if populations are equal.

**Census Block Group**
Next smallest unit of analysis. Smallest unit for ACS data which includes social, economic, housing, and demographic info.

Including CVAP data. CA’s Statewide Database (SWDB) provides an additional breakdown to block level.

**Census Tract**
Still larger unit of analysis. Some ACS data is only available at this size.

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**Concord**

1,697 blocks averaging 72 persons each.

99 block groups* averaging 1,238 persons each.

33 tracts* averaging 3,713 persons each.

* Including geographies split and only partially within the city.
Electoral Geography and Data

**Precincts**
Smallest unit of analysis for electoral data.

May change with each election and do not always line up with census geography.

SWDB provides additional breakdowns to census block level.

Includes information on who is registered, who voted, and results for state contests.

**Other**
Assembly, Senate, Congressional, Supervisorial, Board of Equalization, Community College, High School, Elementary School…

Concord

83 precincts averaging 1,476 persons each.

County has requested the city minimize splits of existing precinct boundaries.
Things to Remember

Strive for population equality. Be prepared to justify any deviations.

Focus on traditional redistricting criteria. Draw contiguous, compact districts when possible while respecting existing boundaries and communities of interest.

Do not use race as the predominant factor. Only consider as one of many factors.

Be aware of timeline. Prior to drawing a map or maps, two hearings, no more than 30 days apart. After releasing maps, two more hearings, no more than 45 days apart. 90 days for entire process.
Districting

- Law and Criteria
- Geography and Data
- Next Steps
Phases

Phase I: Gather Information & Establish Priorities
Two public hearings without maps
January 16\textsuperscript{th}
Next public hearing is January 23.
Community Input via testimony, e-mail, hard copy, Concord Community Town Hall website, due January 23\textsuperscript{rd}.

Phase 2: Confront Tradeoffs and Refine
Two public hearings - maps
Maps published January 30\textsuperscript{th} and February 20\textsuperscript{th}
Hearings on February 6 and February 23\textsuperscript{rd}

Phase 3: Adoption
If maps agreed upon, introduce ordinance on
February 23
Adopt ordinance on March 13\textsuperscript{th}
Phase I: Gather Information & Establish Priorities

Public input with a particular focus on communities of interest:
- What is the mutual interest of the community?
- Where is it located?
- Why should it be kept together?

Next public hearing is January 23.

Online: [www.cityofconcord.org/districtelections](http://www.cityofconcord.org/districtelections)
- Maps of demographic and city planning data.
- Concord Community Town Hall link through website.

**Goals**
Identify key communities to keep whole, including their boundaries.

Prioritize among traditional redistricting criteria as they apply to the city’s unique geography and demographics.

Begin determining number of districts and sequence in which districts should first elect.