



DATE: **January 31, 2022**

FROM: Eric Danly, City Attorney

SUBJECT: Public Hearing #3 to Receive Community Input on City Council Districts to Be Established for District-Based Elections, Including Input on Three Alternative Maps Showing Potential Council District Boundaries, to Provide Direction on Any Preferred Configurations and Changes to Draft Maps and to Provide Direction on District Election Timing and Sequencing.

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**RECOMMENDATION**

- 1) Hold the third public hearing to receive input on Council voting districts, and the first hearing to receive public comment on three Council district map alternatives published on January 24th.
- 2) Provide direction on any preferred configurations and changes to draft maps.
- 3) Provide direction on district election timing and sequencing.

**BACKGROUND**

On October 4, 2021, the City Council adopted Resolution No. 2021-164 N.C.S. declaring its intent to initiate procedures to consider transitioning from at-large elections to district-based elections pursuant to California Elections Code Section 10010, part of the California Voting Rights Act (CVRA). The resolution of intent approved a tentative schedule for conducting public hearings and related actions.<sup>1</sup>

Before developing draft district boundaries, the City Council received comments from residents and interested community groups at two public hearings to understand the community's view of how district boundaries should be drawn. The first public hearing occurred on November 1, 2021. The second public hearing required before any maps and districts were drawn occurred on November 15, 2021.

At the direction of City Council, we requested and received a 90-day extension as permitted under the statutory districting schedule to permit more time to engage the community and

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<sup>1</sup> [https://petaluma.granicus.com/MetaViewer.php?view\\_id=31&clip\\_id=3419&meta\\_id=505873](https://petaluma.granicus.com/MetaViewer.php?view_id=31&clip_id=3419&meta_id=505873) Link to the October 4, 2021 Staff Report and Resolution.

develop maps. To meet the statutory districting deadline and cap the City’s potential attorneys’ fees exposure at \$30,000, the City Council must adopt district maps on or before April 4, 2022.

The following schedule lists the remaining public hearings making up Petaluma’s district elections transition process:

<b>Public Hearing Date</b>	<b>Description</b>
<b>Jan. 31, 2022</b>	<b>Hearing #3:</b> Receive public testimony on the draft district boundary maps provided by the City’s demographers and on the sequence of district elections. Receive and give direction on proposed district adjustments. The draft map or maps to be reviewed at this hearing were published on City’s district elections webpage on January 24th.
<b>Feb. 14, 2022</b>	<b>Hearing #4:</b> 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 that adopts the map and specifies the sequence of elections.
<b>March 7, 2022</b>	<b>Hearing #5:</b> Adopt the district elections ordinance.

In addition to receiving testimony at the public hearings, the City has developed several other ways residents can submit input on the topic of district elections. These include:

1. Sending an e-mail to [districtelections@cityofpetaluma.org](mailto:districtelections@cityofpetaluma.org) or calling (707) 778-4321
2. Mailing input to the City Clerk at 11 English Street, Petaluma CA 94952.
3. Dropping off input in green drop boxes (typically used for payments) located in the parking lots of the Petaluma Community Center and City Hall
4. Providing input through the District Elections webpage at [cityofpetaluma.org/districtelections](http://cityofpetaluma.org/districtelections).
5. Completing a proposed map using the mapping tool creating with ESRI Redistricting software and located on the district elections webpage.

## **DISCUSSION**

At the November 15 public hearing, the City Council directed the creation of maps with six voting districts for City Council seats, and directed that the seventh, Mayoral seat be elected by the voters at large. The Council’s direction was intended to preserve the separately elected mayoral seat specified by the Petaluma City Charter while satisfying the CVRA districting requirements. The three draft maps prepared by the City’s demographers in response to the City Council’s direction are attached to this staff report as Attachment 1 and were published to the City’s dedicated District Elections Webpage, [cityofpetaluma.org/districtelections](http://cityofpetaluma.org/districtelections), on January 24, 2022.

The City Council will receive public testimony regarding the three alternative district boundary maps at its January 31, 2022, meeting. The City’s demographers will receive input and direction from the Council on any changes it wishes to have made to the maps for the February 28th districting hearing, and any revised map or maps will be published on February 20th. To ensure the districts are properly balanced based on population and satisfy all other applicable CVRA requirements, any boundary changes to the draft maps requested by the City Council will be performed by Redistricting Partners and presented for consideration at the February 8 public hearing.

Selection of the final Petaluma district map is scheduled for the February 14th public hearing. The City’s district elections ordinance is scheduled to be introduced at that time, with adoption scheduled for March 7th.

A map showing the City divided into smaller population blocks has been prepared and has been provided to members of the public on the City’s district elections website to allow the community to provide mapping input in writing. That map (Attachment 2) provides directions on how to submit maps to the City for inclusion in ongoing public testimony on the possible districts. Maps may also be submitted by mail to the Director of Economic Development and Open government, 11 English Street, Petaluma, CA 94952.

#### *Timing and Sequencing of District Elections*

The City Council has not yet determined the timing and sequence of district elections. Four City Council seats will be up for election in November 2022 – the Mayoral seat and three other Council seats. The City Council will determine which three City voting districts will elect Council representatives in 2022. The Mayoral seat will also be filled in 2022 and continue as an at-large seat on the City Council. The remaining three City Council seats will be filled by district elections in 2024. The district elections ordinance that the Council adopts will specify which districts will be the first three to elect district representatives in 2022, and which three districts will elect district representatives in 2024.

The CVRA provides some guidance regarding determining which new voting districts should elect their representatives first. The CVRA specifies that the district election voting sequence must “give special consideration” to the CVRA’s purposes and “take into account the preferences expressed by members of the districts.” The purposes of the CVRA include eliminating minority voting dilution and addressing ongoing discrimination in voting. By law, the terms of sitting Petaluma Council members are not cut short as a result of the transition to District Elections. Those Councilmembers whose seats are not up for election in 2022 will continue to serve as at-large members of the City Council until the 2024 election.

#### **Analysis**

Three alternative maps dividing the City into six Council Districts included in Attachment 1 are labeled Plan A, B, and C.

The districts comprising each map were created in compliance with Fair Maps Act criteria. Accordingly, each of the three maps in Attachment 1 are:

- Substantially equal in size as required by the federal Constitution based on the entire population of the district, and not just citizens; and
- Contiguous – the districts are connected and do not hop across the map; and
- Respectful of “communities of interest” identified by Petaluma community members; and
- Easily identifiable and understandable, following, natural and artificial City boundaries; and
- Reasonably compact, to the extent practicable, and where compactness does not interfere with the preceding criteria.

In drawing the maps in Attachment 1, Redistricting Partners attempted to split as few neighbors as possible. The neighborhoods were referenced from the 2008 General Plan Sub Areas (Attachment 3). To the extent possible the map creation also reflects the written testimony and the 22 maps submitted through the city’s website.

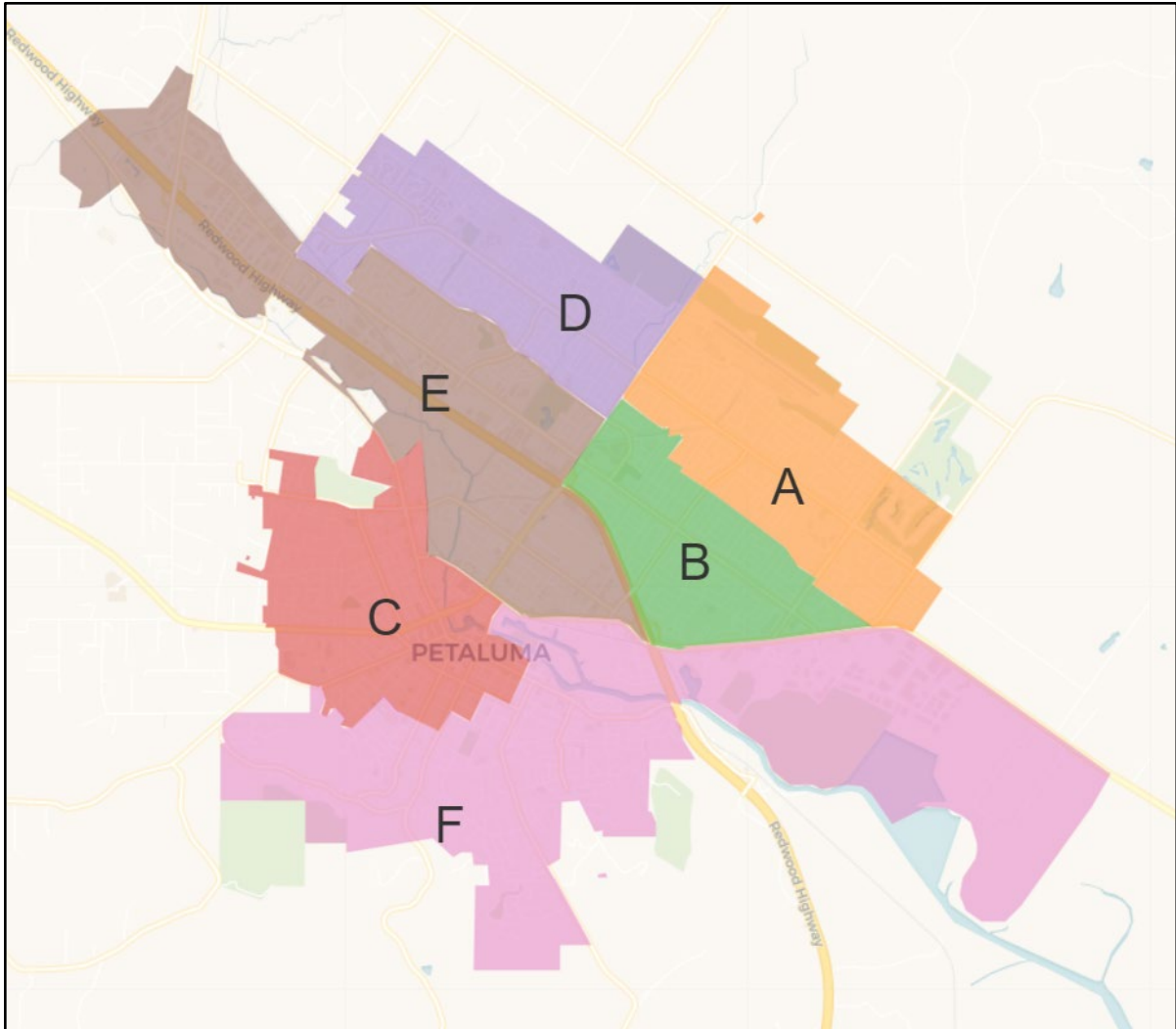
The following briefly summarizes of community of interest written testimony received to date:

- **Washington St. Corridor/East of 101:** Includes a large Latinx population, multi-family dwellings housing low-income community members, dual-immersion schools, and high property values.
- **Heritage District-Downtown, Brewster, Oakhill:** People are committed to preserving the historic character of the community.
- **East of 101, South of Madison, Bordered on the West by Sonoma Mountain Parkway/Ely Rd:** Community members in this area espouse working class values, and are family centered people are often too busy making ends meet to engage fully in community or political activities.
- **Petaluma High School area:** Common interests in this area include schools, traffic, public safety, growth, development. Voters in this area are active and interested in environmental, social and racial issues.
- **Rural West Side:** Interests in this area include crops, animal and apiary interests. The unincorporated area reflects different lifestyles and values
- **Adobe Creek Golf Course:** One concern expressed is that the golf course is currently non-operational, and affecting property values

### Description of Alternative Maps

Each of the draft map seeks to avoid neighborhood splits and use major streets and Highway 101 as dividing lines between city council districts.

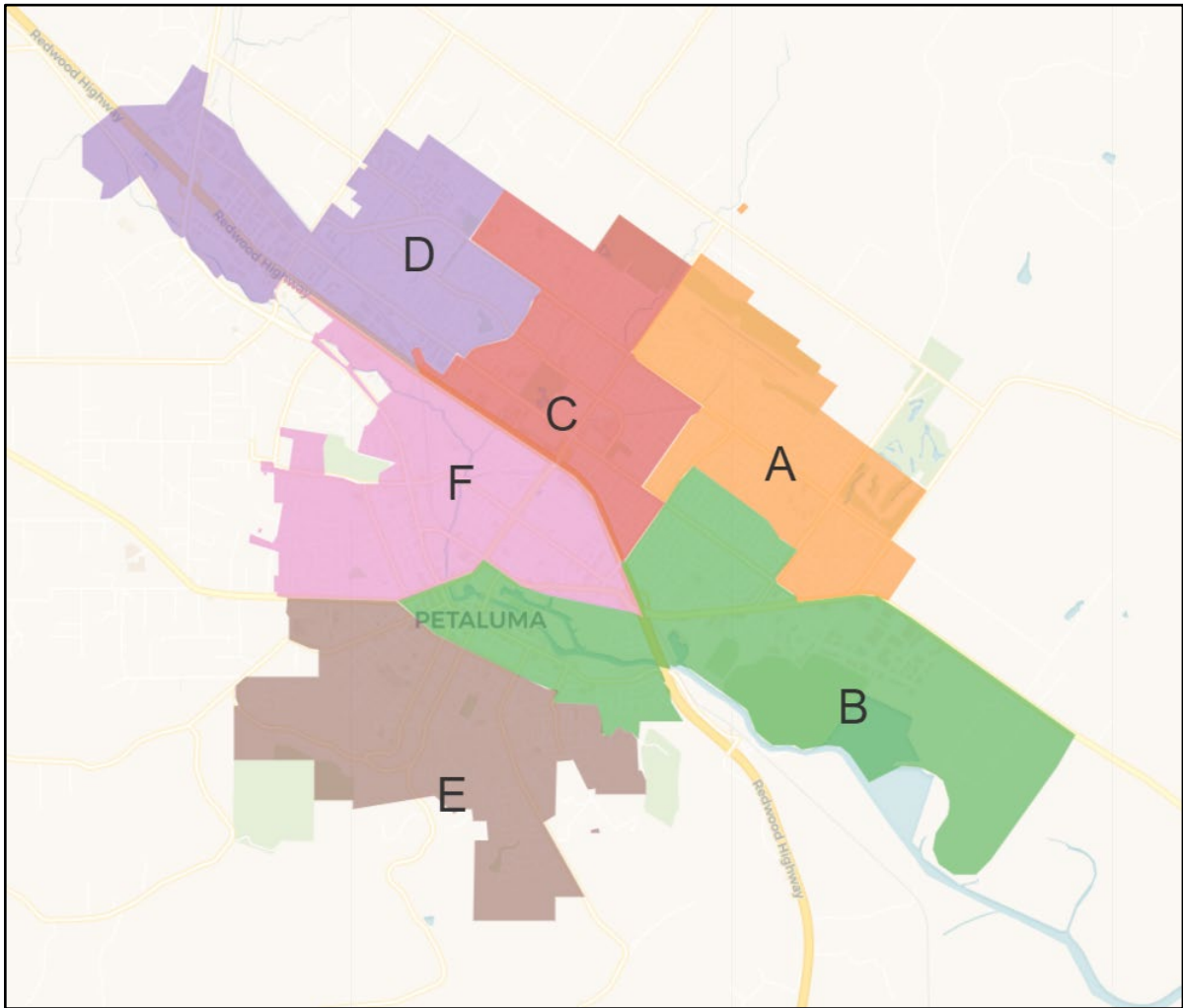
### **Plan A**



This map divides four of the districts (Districts A, B, D, and E) at East Washington St. It also breaks three of the districts (Districts F, E, and B) at Lakeville Ave.

- **District A** - the neighborhoods south of East Washington St. and east of Crinella Dr. / Sutter St stopping at the city limits to the east.
- **District B** – the neighborhoods south of East Washington St. and west of Crinella Dr. / Sutter St stopping at highway 101 and Lakeville St. to the west and south.
- **District C** – Includes the Oak Hill neighborhood west of Petaluma Blvd and the Downtown core.
- **District D** - District D includes the residential neighborhoods north of East Washington St. East of Maria Dr. stopping at the city limits.
- **District E** - District E includes areas north of East Washington St. From Maria Dr. on the east and Petaluma Blvd. N to the west.
- **District F** – includes all areas of the city that are south of Lakeville Hwy and span to the western and southern edges of Petaluma.

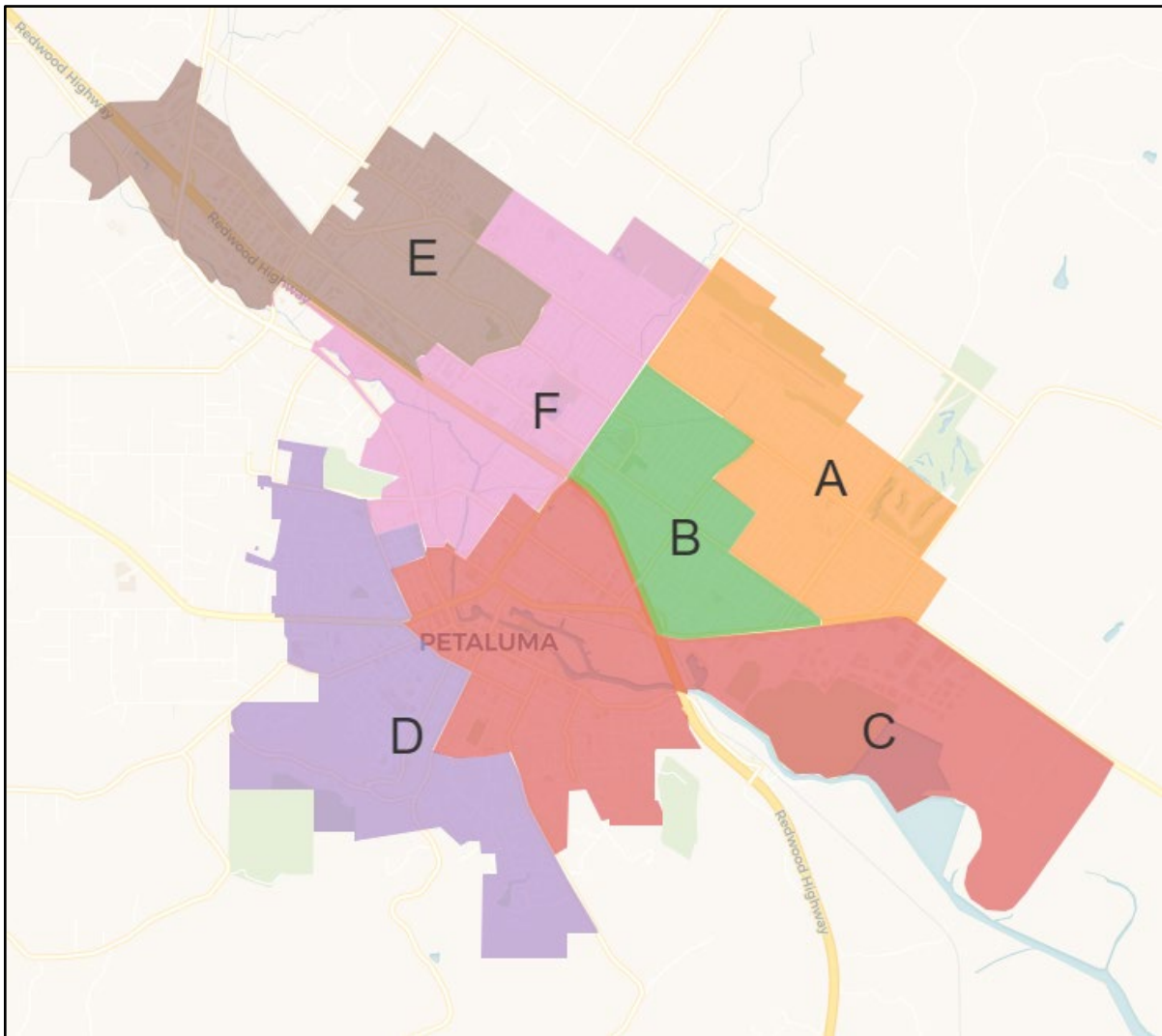
## Plan B



Draft map B follows main streets and the highway to create natural boundaries.

- **District A** – Incorporates most of the neighborhoods east of East Washington and above Ely Blvd.
- **District B** – uses Caulfield Lane as a divider between District C and A, and uses Crinella Drive and Lakeville Highway from District A. B also jumps the highway, going into the downtown core.
- **District C** – Incorporates communities above Highway 101, including Santa Rosa Junior College Petaluma and Petaluma Valley Hospital.
- **District D** – Includes neighborhoods east of Rainier Avenue and the Junior College and north of Highway 101, while dipping below Highway 101 past Corona Road.
- **District E** – Uses Bodega Avenue, 6<sup>th</sup> Street, Mission Drive to Country Club Drive as a divider and includes all of the southern portion of the city.
- **District F** - Uses Bodega Avenue, Lakeville Street and Highway 101 as dividers and includes the Oak Hill neighborhood.

## Plan C



Draft map C follows main streets and the highway to create natural boundaries.

- **District A** – Includes the communities in the northeastern corner of the city, using East Washington, Ely Blvd., Caulfield Lane, McDowell Blvd. and the Lakeville Highway as boundaries.
- **District B** – Incorporates the communities below District A, west of East Washington, bounded by Highway 101 and Lakeville Highway.
- **District C** – Includes the eastern portion of the city below Lakeville Highway and goes into the downtown core.
- **District D** – Includes the southwestern portion of the city, using I Street Extension, Sunnyslope Ave, D Street, 6<sup>th</sup> Street, Keokuk Street, Kent Street, Petaluma Blvd and Cherry Street as boundaries.

- **District E** - Includes neighborhoods east of Rainier Avenue and the Junior College and north of Highway 101, while dipping below Highway 101 past Corona Road.
- **District F**– takes the communities west of East Washington above and below Highway 101. It includes the Junior College and part of the Oak Hill neighborhood.

The table below demonstrates how each proposed plan meets population requirements. Attachment 1 also provides detailed demographic data for each plan and the districts within the plans.

Draft Plan A				Draft Plan B				Draft Plan C			
District	Population	Deviation	Deviation%	District	Population	Deviation	Deviation%	District	Population	Deviation	Deviation%
A	10,321	347	3.5%	A	10,310	336	3.4%	A	10,424	450	4.5%
B	10,360	386	3.9%	B	10,046	72	0.7%	B	10,257	283	2.8%
C	9,837	-137	-1.4%	C	10,203	229	2.3%	C	9,859	-115	-1.2%
D	9,947	-27	-0.3%	D	9,807	-167	-1.7%	D	9,801	-173	-1.7%
E	9,795	-179	-1.8%	E	9,789	-185	-1.9%	E	9,785	-189	-1.9%
F	9,586	-388	-3.9%	F	9,691	-283	-2.8%	F	9,720	-254	-2.50%
Totals:	59,846		7.8%		59,846		6.2%		59,846		7.0%

## **PUBLIC OUTREACH**

Staff have been conducting broad outreach for the past several months and will continue to do so through ordinance adoption. Staff have a dedicated a district elections webpage at <https://cityofpetaluma.org/district-elections> to provide information on the City’s district elections transition. The district elections webpage also offers a mapping tool that allows the public to propose their own maps using census data. At the December 6, 2021, City Council meeting and at the open houses on (December 15, 2021, and January 8, 2022) staff presented information regarding use of the mapping tool and answered questions about the districting process. Staff have placed advertisements in the Argus Courier and boosted our social media posts for broad exposure. We also held an informational meeting with community leaders on December 15, 2021, asking them to help spread the word about Petaluma’s transition to district elections to their networks.

Additionally, to make public input as easy as possible, staff have created printed materials and provided maps that can be hand sketched (Attachment 2). All materials are available in English and Spanish, and all public meetings regarding district elections have been and will continue to be translated live and recorded for future viewing. The printed maps have been placed at the Petaluma Library. Finally, staff are reaching out to the community through focus groups, a WhatsApp group, Spanish language media and outreach to our partners such as the Health Care Center, the Family Resource Center and other groups with a Latinx following. All the public testimony received so far (including Community of Interest Forms, (49), web comments (31), emails (6), and draft maps (22)) is viewable from the [cityofpetaluma.org/districtelections](https://cityofpetaluma.org/districtelections) webpage.



Public outreach regarding this public hearing included notification by social media through Facebook, Instagram, Twitter, and NextDoor. We also sent weekly emails to the City's mailing lists and provided updates to the City's website for project information. A dedicated webpage on the City's website: [cityofpetaluma.org/districtelections](http://cityofpetaluma.org/districtelections) and an email: [districtelections@cityofpetaluma.org](mailto:districtelections@cityofpetaluma.org) were established to provide updates and respond to community questions and feedback.

This item appeared on the City's tentative agenda on the January 24th, 2021, City Council meeting which was a publicly noticed meeting, and this item was noticed in compliance with the California Brown Act.

### **COUNCIL GOAL ALIGNMENT**

This action helps achieve the following City Council goal:

Workplan Item #161: Increase community engagement through programs that attract new followers. Complete minority outreach strategy and begin implementing recommendations from the strategy.

### **ENVIRONMENTAL COMPLIANCE**

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 holding a public hearing to receive input on potential voting district boundaries is an organizational and structural change and does not have the potential to result in either a direct or reasonably foreseeable indirect physical change in the environment.

### **ALTERNATIVES**

No alternatives are suggested as this time. The purpose of this hearing is to hear testimony about the proposed district map options. New drafts will be presented at subsequent hearings that address testimony received at this public hearing.

### **FINANCIAL IMPACTS**

There are financial impacts on the City's General Fund due to the need to devote staff time and to retain an outside demographer, an elections consultant and special legal counsel to assist with the transition to district-based elections. These costs are estimated to be up to \$300,000. Additionally, the City will be required to reimburse the prospective plaintiffs for documented costs of up to \$30,000. This cost is included in the adopted FY 21/22 General Fund budget.

### **ATTACHMENTS**

1. Proposed District Plans
2. City Map for Public Input
3. 2008 General Plan Sub Area Map