



SAN RAFAEL CITY COUNCIL AGENDA REPORT

Department: City Attorney

**Prepared by: Lisa Goldfien,
Assistant City Attorney**

City Manager Approval: _____

TOPIC: DISTRICT-BASED CITY ELECTIONS

SUBJECT: PUBLIC HEARING TO CONSIDER DRAFT MAPS SHOWING ALTERNATIVES FOR THE ESTABLISHMENT OF CITY VOTING DISTRICTS

RECOMMENDATION:

Hold a public hearing to receive public comment concerning the alternative draft maps prepared by the City’s demographer and by the public showing how the four City Council electoral districts might be drawn.

BACKGROUND:

In 2002, the Legislature enacted the California Voting Rights Act (CVRA) (Elec. Code §§14025 – 14032), which prohibits California public agencies from imposing or applying an at-large election method “that impairs the ability of a protected class to elect candidates of its choice or its ability to influence the outcome of an election.” (Elec. Code §14027) A protected class is defined by the CVRA as “a class of voters who are members of a race, color, or language minority group, as this class is referenced and defined in the federal Voting Rights Act of 1965.”

The CVRA defines an at-large method of election to include the election method used by the City of San Rafael, in which the voters of the entire City elect all the members of the City Council. In a lawsuit brought pursuant to the CVRA, a plaintiff who establishes a history of “racially polarized voting” under a city’s at-large election system can require a city to change to a district-based election system.

On November 20, 2017 the City received a letter from Malibu attorney Kevin Shenkman urging the City to change its at-large voting system to a district-based voting system, asserting that “San Rafael’s at-large system dilutes the ability of Latinos (a ‘protected class’) - to elect candidates of their choice or otherwise influence the outcome of San Rafael’s council elections.” Receipt of this letter started a 45-day timeline for the City “to pass a resolution outlining its intention to transition from at-large to district-based elections, specific steps it will undertake to facilitate this transition, and an estimated time frame for doing so.” (Elec. Code §10010.)

FOR CITY CLERK ONLY

File No.: _____

Council Meeting: _____

Disposition: _____

After several public hearings in November and December 2017 and on January 16, 2018 concerning whether the City should change to a district-based election system, the City Council voted unanimously on January 16, 2018 to adopt Resolution No. 14453 (Attachment 2), expressing the City Council's intention to transition to district-based elections for the City's four City Council seats, starting with the election of November 3, 2020, and setting forth a timeline for that process.

The City Council's adoption of Resolution No. 14453 gives the City an additional 90 days, or through April 16, 2018, to hold at least five public hearings and officially adopt an ordinance establishing the boundaries of, and the sequence of elections for, the four new election districts. During this time period, the City cannot be sued for a violation of the CVRA. The first two hearings, to receive public input regarding the composition of the districts, were held on February 5, 2018 and February 20, 2018. On February 20, 2018, the City Council adopted Resolution No. 14468, providing guidelines for the preparation of draft district maps. (Attachment 3.)

ANALYSIS:

This hearing is the third of the minimum five required hearings prior to adoption of an ordinance establishing the four City voting districts. The purpose of this hearing is for the Council and the public to consider the alternative draft district maps that have been prepared by the City's demographic consultants, National Demographics, Inc. ("NDC") as well as those that have been submitted by the public on or before February 26, 2018, the deadline for publishing maps to be considered at this hearing. A notice was published in the Marin IJ on February 26, 2018 advising of the availability of the draft maps on the City's website at <https://www.cityofsanrafael.org/draft-maps/> and in the City Clerk's office.

Six draft maps are presented for consideration at this meeting. The maps labeled "Green", "Purple" and "Orange" were prepared for the City by NDC. The other three maps, labeled "Tan", "Olive", and "Violet" were prepared and submitted by members of the public. The Council should also consider any proposals for the sequence in which the Council district elections should be held starting in November 2020. The three maps prepared by NDC include the proposed sequence of elections on the face of each map.

Following this public hearing, the Council may ask the City's demographer to prepare new or revised draft district maps for consideration. The public may also continue to submit draft district maps. The City Council will be holding a study session on March 12, 2018 to further consider draft district maps. Any draft maps to be considered at the March 12, 2018 meeting must be published by the City no later than March 5, 2018. Any maps to be considered at the March 19, 2018 meeting must be published by the City no later than March 12, 2018.

COMMUNITY OUTREACH:

The City is partnering with community groups to communicate information throughout San Rafael. A website, <https://www.cityofsanrafael.org/departments/district-elections/> has been created to provide information about the topic, a schedule of meetings, and an online form for public feedback. Meetings have been announced via the City's website, email notifications, the City Manager's newsletter, and via social media. The City Council considered this issue at a Study Session on November 20, and at its regular meetings on December 4 and December 18, 2017, January 16, 2018, February 5, 2018 and February 20, 2018.

The Canal Alliance, Canal Welcome Center, Alcohol Justice, Youth for Justice, and United Marin Rising organizations sponsored a public meeting at the Albert Boro Community Center on Saturday January 13 for the purpose of providing information to and receiving input from interested members of the public. Another community meeting is set for March 1, 2018 at the offices of Alcohol Justice at 24, Belvedere Street, at which the City's demographer, outside counsel, and City staff will be present.

A notice of public hearing is also posted in the Marin IJ ten days prior to each public hearing. Printed information prepared by or on behalf of the City in connection with this issue, including PowerPoint presentations, has been made available in English and in Spanish on the City's website. Bilingual City staff has also disseminated informational flyers directly to the public.

Finally, the City is providing on its website an interactive online tool that the public can use to draw and submit proposed districting plans. The tool is in addition to other available methods such as paper or on-line population maps.

FISCAL IMPACT:

The full extent of the fiscal impacts of a change to district elections is unknown at this time. The City has retained National Demographics, Inc. to provide demographic information and prepare optional district maps. The City's costs for demographic services, including an interactive online tool for use by the public in drawing and submitted proposed district maps, will be \$41,500. There are sufficient funds to support this contract in the City Clerk's department budget in the City's General Fund.

The City's additional costs for the services of outside counsel during the transition process are estimated at \$35,000. There are sufficient funds to support this contract in the City Attorney's department budget in the City's General Fund.

In addition, upon adoption of the ordinance establishing the electoral districts for the 2020 election, the City will be liable for the payment attorney Kevin Shenkman's attorney's fees incurred in this matter, subject to documentation and capped at \$30,000. There are sufficient funds to support this obligation in the City Clerk's department budget in the City's General Fund.

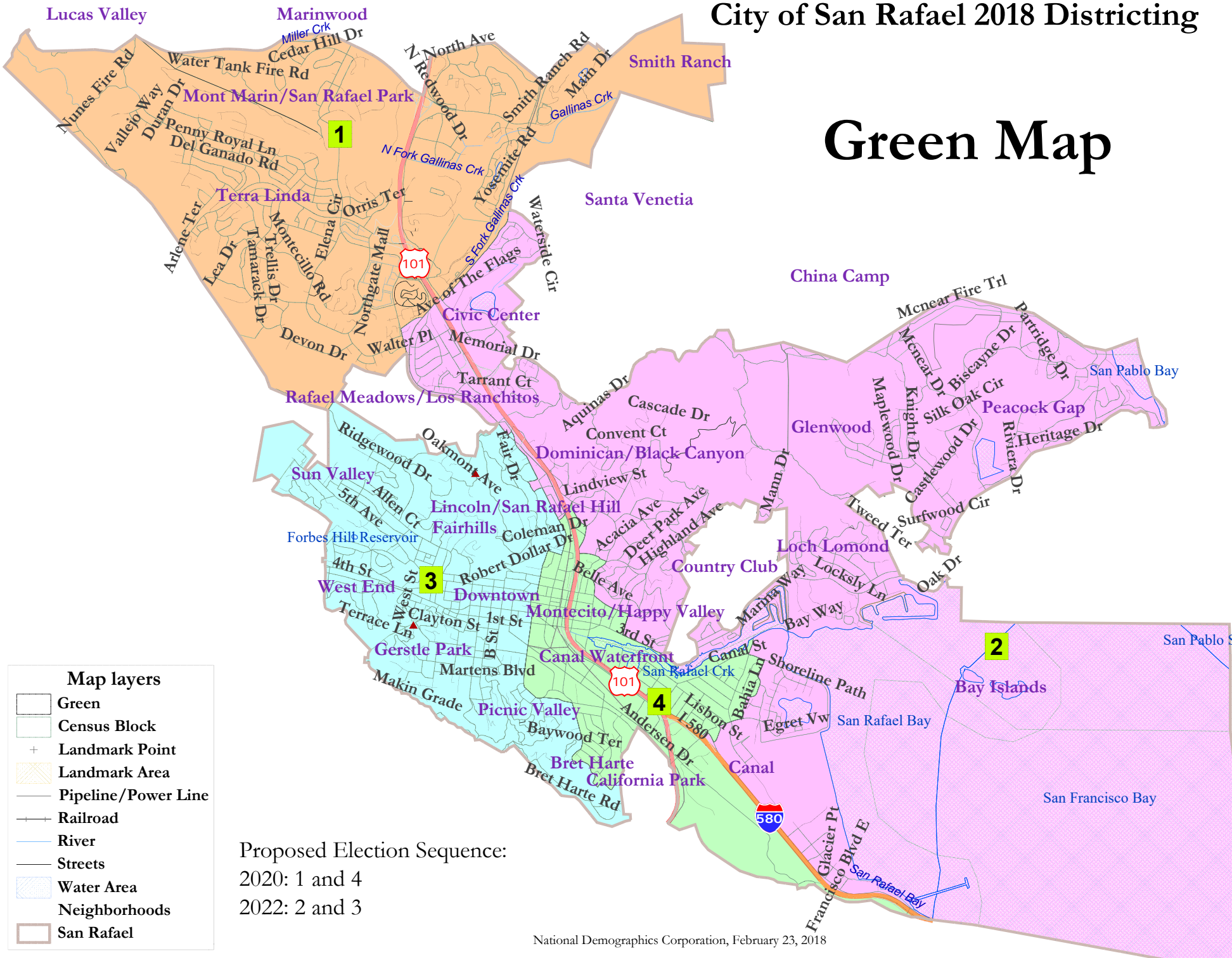
RECOMMENDED ACTION:

Staff recommends that the City Council hold a public hearing to receive comments and consider the five alternative draft district maps, and provide direction to the City's demographers NDC whether to prepare any new or revised draft maps for consideration at a future City Council meeting.

ATTACHMENTS:

1. Draft Maps prepared by City's demographer National Consulting, Inc.:
 - Green
 - Olive (Partial)
 - Orange
 - Purple
 - Tan (Partial)
 - Violet
2. Resolution No. 14453, with Exhibit A, timeline
3. Resolution No. 14468, with Exhibit A, criteria to guide establishment of electoral districts

Green Map



Lucas Valley

Marinwood

Smith Ranch

Mont Marin/San Rafael Park

1

Terra Linda

Santa Venetia

China Camp

Civic Center

Rafael Meadows/Los Ranchitos

Dominican/Black Canyon

Glenwood

Sun Valley

Lincoln/San Rafael Hill

Fairhills

Loch Lomond

West End

Downtown

Montecito/Happy Valley

Country Club

2

3

Canal Waterfront

Bay Islands

Picnic Valley

4

Bret Harte

Canal

California Park

Map layers

- Green
- Census Block
- + Landmark Point
- Landmark Area
- Pipeline/Power Line
- Railroad
- River
- Streets
- Water Area
- Neighborhoods
- San Rafael

Proposed Election Sequence:
 2020: 1 and 4
 2022: 2 and 3

City of San Rafael - Green Map

District		1	2	3	4	Total
<u>Ideal</u>	Total Pop	14,822	14,355	14,399	14,143	57,719
14,430	Deviation from ideal	392	-75	-31	-287	679
	% Deviation	2.72%	-0.52%	-0.21%	-1.99%	4.71%
Total Pop	% Hisp	11%	18%	17%	75%	30%
	% NH White	75%	70%	72%	18%	59%
	% NH Black	2%	2%	3%	2%	2%
	% Asian-American	9%	9%	6%	4%	7%
Citizen Voting Age Pop	Total	11,518	10,249	10,884	4,473	37,123
	% Hisp	7%	7%	9%	37%	11%
	% NH White	81%	80%	82%	45%	77%
	% NH Black	3%	3%	4%	2%	3%
	% Asian/Pac.Isl.	7%	7%	4%	11%	7%
Voter Registration (Nov 2016)	Total	9,822	9,192	9,216	3,000	31,230
	% Spanish-surnamed	6%	7%	7%	19%	8%
	% Asian-Surnamed	4%	4%	3%	5%	4%
	% Filipino-Surnamed	1%	1%	1%	1%	1%
	% NH White est.	84%	84%	86%	61%	82%
	% NH Black	3%	2%	3%	7%	3%
Voter Turnout (Nov 2016)	Total	8,696	8,082	8,056	2,424	27,259
	% Spanish-surnamed	6%	7%	6%	17%	7%
	% Asian-Surnamed	4%	4%	3%	5%	4%
	% Filipino-Surnamed	1%	1%	1%	1%	1%
	% NH White est.	85%	85%	86%	64%	83%
	% NH Black	3%	2%	3%	7%	3%
Voter Turnout (Nov 2014)	Total	5,610	5,120	4,879	1,234	16,844
	% Spanish-surnamed	4%	4%	4%	12%	5%
	% Asian-Surnamed	3%	2%	3%	5%	3%
	% Filipino-Surnamed	1%	1%	0%	0%	0%
	% NH White est.	89%	90%	91%	73%	89%
	% NH Black est.	2%	2%	2%	6%	2%
ACS Pop. Est.	Total	15,264	14,713	15,208	14,297	59,482
Age	age0-19	20%	23%	19%	30%	23%
	age20-60	50%	48%	59%	58%	54%
	age60plus	31%	30%	22%	12%	24%
Immigration	immigrants	17%	24%	19%	50%	27%
	naturalized	58%	43%	34%	18%	33%
Language spoken at home	english	77%	72%	74%	30%	64%
	spanish	9%	16%	18%	63%	25%
	asian-lang	6%	5%	2%	4%	4%
	other lang	8%	8%	6%	3%	6%
Language Fluency	Speaks Eng. "Less than Very Well"	9%	13%	11%	46%	19%
Education (among those age 25+)	hs-grad	41%	36%	41%	39%	40%
	bachelor	29%	31%	31%	13%	27%
	graduatedegree	24%	22%	22%	8%	20%
Child in Household	child-under18	26%	28%	24%	44%	29%
Pct of Pop. Age 16+	employed	58%	59%	66%	69%	63%
Household Income	income 0-25k	16%	13%	17%	29%	17%
	income 25-50k	15%	15%	20%	25%	18%
	income 50-75k	16%	9%	11%	14%	13%
	income 75-200k	36%	38%	40%	26%	36%
	income 200k-plus	17%	24%	12%	8%	16%
Housing Stats	single family	60%	76%	55%	36%	59%
	multi-family	40%	24%	45%	64%	41%
	rented	36%	30%	56%	70%	46%
	owned	64%	70%	44%	30%	54%

Total population data from the 2010 Decennial Census.

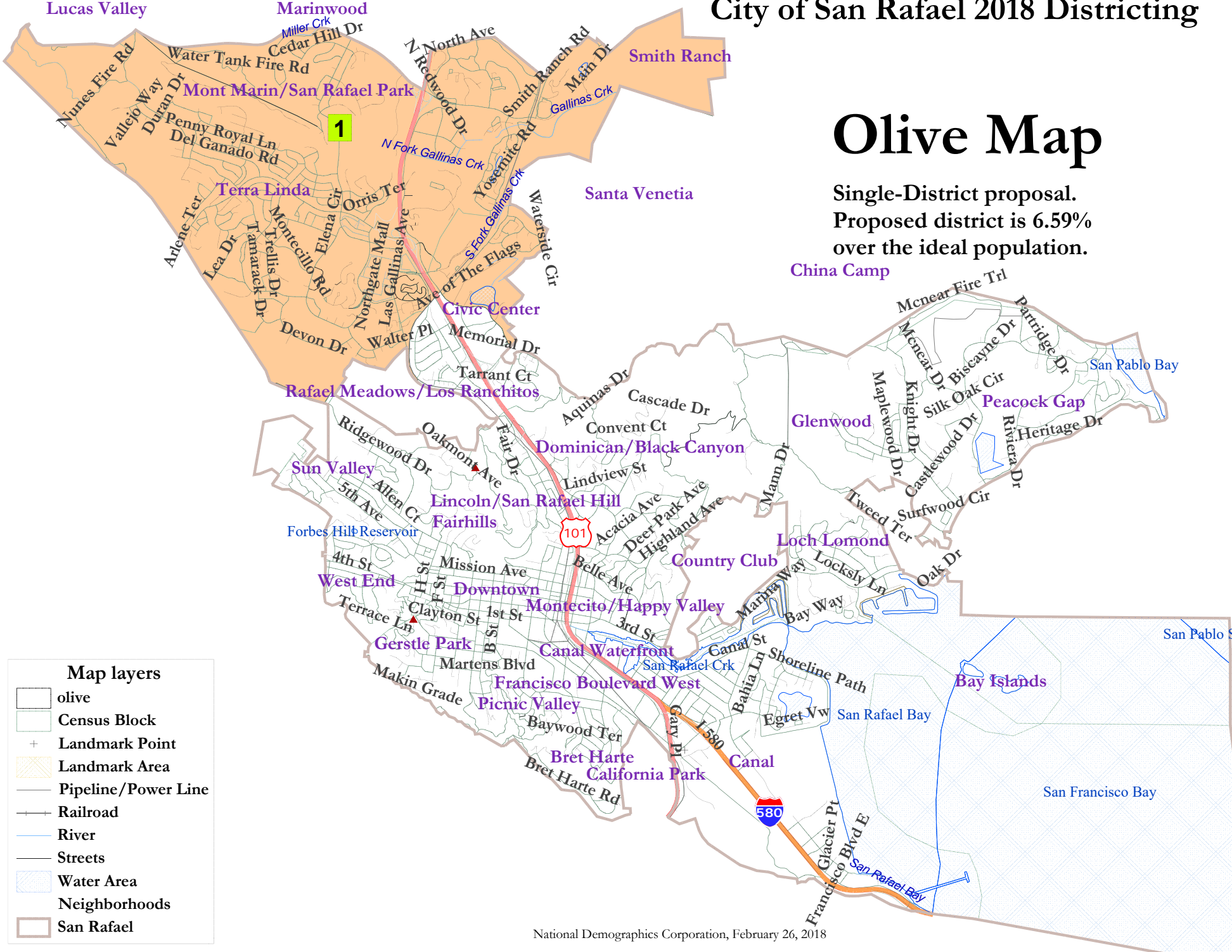
Surname-based Voter Registration and Turnout data from the California Statewide Database.

Latino voter registration and turnout data are Spanish-surname counts adjusted using Census Population Department undercount estimates. NH White and NH Black registration and turnout counts estimated by NDC. Citizen Voting Age Pop., Age, Immigration, and other demographics from the 2011-2015 American Community Survey and Special Tabulation 5-year data.

City of San Rafael 2018 Districting

Olive Map

Single-District proposal.
Proposed district is 6.59%
over the ideal population.



Map layers

- olive
- Census Block
- Landmark Point
- Landmark Area
- Pipeline/Power Line
- Railroad
- River
- Streets
- Water Area
- Neighborhoods
- San Rafael

National Demographics Corporation, February 26, 2018

City of San Rafael - Olive Map

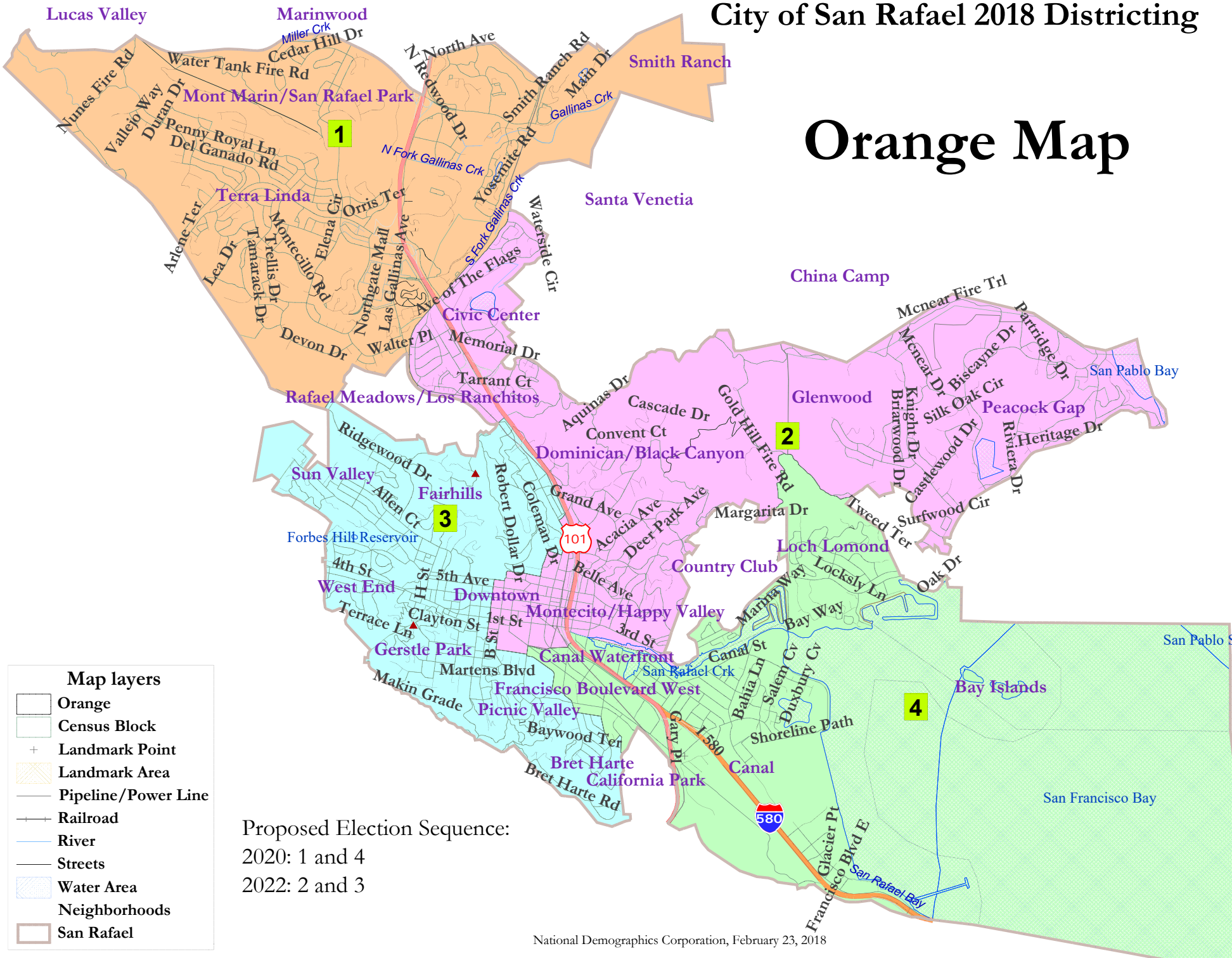
District		1	Unassigned		Total
<u>Ideal</u>	Total Pop	15,381	42,338		57,719
14,430	Deviation from ideal	951	27,908		
	% Deviation	6.59%	193.40%		6.59%
Total Pop	% Hisp	11%	37%		30%
	% NH White	75%	53%		59%
	% NH Black	2%	2%		2%
	% Asian-American	10%	6%		7%
Citizen Voting Age Pop	Total	11,949	25,174		37,123
	% Hisp	7%	13%		11%
	% NH White	81%	75%		77%
	% NH Black	3%	3%		3%
Voter Registration (Nov 2016)	% Asian/Pac.Isl.	7%	6%		7%
	Total	10,220	21,010		31,230
	% Spanish-Surnamed	6%	9%		8%
	% Asian-Surnamed	4%	4%		4%
	% Filipino-Surnamed	1%	1%		1%
Voter Turnout (Nov 2016)	% NH White est.	84%	81%		82%
	% NH Black	3%	3%		3%
	Total	9,036	18,223		27,259
	% Spanish-Surnamed	6%	8%		7%
	% Asian-Surnamed	4%	3%		4%
	% Filipino-Surnamed	1%	1%		1%
Voter Turnout (Nov 2014)	% NH White est.	85%	83%		83%
	% NH Black	3%	3%		3%
	Total	5,852	10,991		16,844
	% Spanish-Surnamed	4%	5%		5%
	% Asian-Surnamed	3%	3%		3%
ACS Pop. Est.	% Filipino-Surnamed	1%	0%		0%
	% NH White est.	89%	89%		89%
	% NH Black est.	2%	2%		2%
	Total	15,902	43,580		59,482
Age	age0-19	20%	24%		23%
	age20-60	50%	55%		54%
	age60plus	30%	21%		24%
Immigration	immigrants	17%	31%		27%
	naturalized	57%	28%		33%
Language spoken at home	english	76%	60%		64%
	spanish	9%	31%		25%
	asian-lang	6%	4%		4%
	other lang	8%	6%		6%
Language Fluency	Speaks Eng. "Less than Very Well"	9%	23%		19%
Education (among those age 25+)	hs-grad	42%	39%		40%
	bachelor	29%	26%		27%
	graduatedegree	23%	18%		20%
Child in Household	child-under18	26%	30%		29%
Pct of Pop. Age 16+	employed	59%	64%		63%
Household Income	income 0-25k	16%	18%		17%
	income 25-50k	15%	20%		18%
	income 50-75k	16%	11%		13%
	income 75-200k	37%	36%		36%
	income 200k-plus	17%	15%		16%
Housing Stats	single family	61%	58%		59%
	multi-family	39%	42%		41%
	rented	36%	51%		46%
	owned	64%	49%		54%

Total population data from the 2010 Decennial Census.

Surname-based Voter Registration and Turnout data from the California Statewide Database.

Latino voter registration and turnout data are Spanish-surname counts adjusted using Census Population Department undercount estimates. NH White and NH Black registration and turnout counts estimated by NDC. Citizen Voting Age Pop., Age, Immigration, and other demographics from the 2011-2015 American Community Survey and Special Tabulation 5-year data.

Orange Map



City of San Rafael - Orange Map

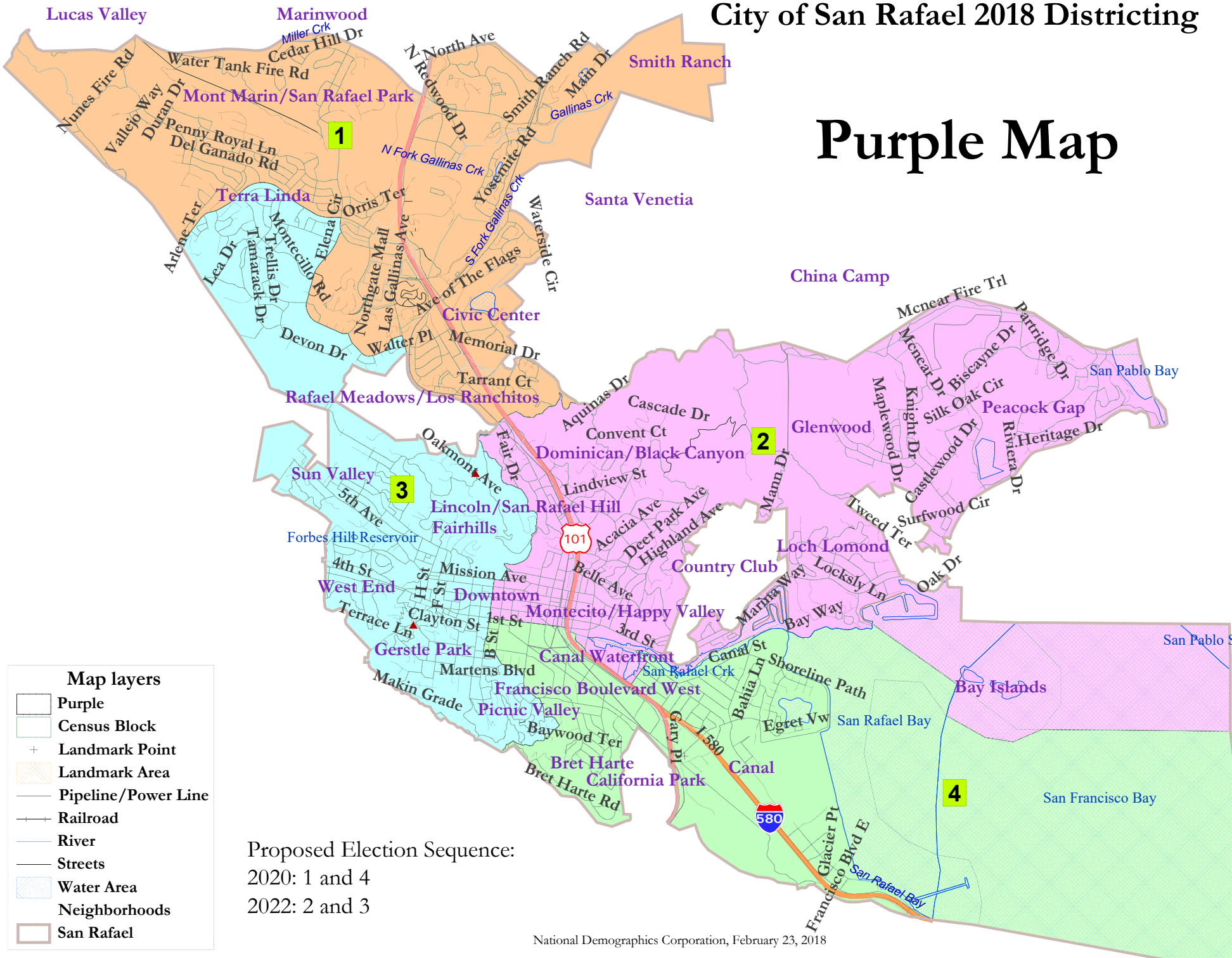
District		1	2	3	4	Total
<u>Ideal</u>	Total Pop	14,887	14,166	14,163	14,503	57,719
14,430	Deviation from ideal	457	-264	-267	73	724
	% Deviation	3.17%	-1.83%	-1.85%	0.51%	5.02%
Total Pop	% Hisp	12%	20%	17%	71%	30%
	% NH White	75%	67%	73%	21%	59%
	% NH Black	2%	3%	2%	1%	2%
	% Asian-American	9%	8%	6%	5%	7%
Citizen Voting Age Pop	Total	11,568	10,397	10,626	4,532	37,123
	% Hisp	7%	9%	10%	31%	11%
	% NH White	81%	78%	82%	52%	77%
	% NH Black	3%	6%	3%	2%	3%
Voter Registration (Nov 2016)	% Asian/Pac.Isl.	7%	5%	5%	13%	7%
	Total	9,864	8,509	9,317	3,540	31,230
	% Spanish-surnamed	6%	7%	7%	18%	8%
	% Asian-Surnamed	4%	3%	3%	8%	4%
	% Filipino-Surnamed	1%	1%	1%	1%	1%
Voter Turnout (Nov 2016)	% NH White est.	84%	83%	86%	65%	82%
	% NH Black	3%	4%	3%	4%	3%
	Total	8,733	7,424	8,169	2,933	27,259
	% Spanish-surnamed	6%	7%	6%	17%	7%
	% Asian-Surnamed	4%	3%	3%	7%	4%
Voter Turnout (Nov 2014)	% Filipino-Surnamed	1%	1%	1%	1%	1%
	% NH White est.	85%	84%	87%	68%	83%
	% NH Black	3%	4%	3%	4%	3%
	Total	5,635	4,573	5,006	1,629	16,844
	% Spanish-surnamed	4%	5%	4%	9%	5%
ACS Pop. Est.	% Asian-Surnamed	3%	2%	3%	5%	3%
	% Filipino-Surnamed	1%	1%	0%	0%	0%
	% NH White est.	89%	89%	91%	79%	89%
	% NH Black est.	2%	3%	2%	3%	2%
	Total	15,329	14,467	15,076	14,611	59,482
Age	age0-19	20%	22%	19%	31%	23%
	age20-60	50%	49%	59%	57%	54%
	age60plus	31%	29%	22%	12%	24%
Immigration	immigrants	17%	20%	20%	52%	27%
	naturalized	58%	47%	34%	19%	33%
Language spoken at home	english	77%	77%	73%	27%	64%
	spanish	9%	11%	19%	66%	25%
	asian-lang	7%	3%	2%	6%	4%
	other lang	8%	8%	6%	2%	6%
Language Fluency	Speaks Eng. "Less than Very Well"	9%	9%	11%	49%	19%
Education (among those age 25+)	hs-grad	41%	38%	40%	38%	40%
	bachelor	29%	32%	30%	13%	27%
	graduatedegree	24%	23%	22%	8%	20%
Child in Household	child-under18	26%	26%	25%	46%	29%
Pct of Pop. Age 16+	employed	58%	60%	66%	69%	63%
Household Income	income 0-25k	16%	14%	17%	27%	17%
	income 25-50k	15%	16%	20%	25%	18%
	income 50-75k	16%	9%	11%	13%	13%
	income 75-200k	36%	38%	40%	26%	36%
	income 200k-plus	17%	23%	12%	9%	16%
Housing Stats	single family	60%	70%	57%	40%	59%
	multi-family	40%	30%	43%	60%	41%
	rented	36%	36%	55%	66%	46%
	owned	64%	64%	45%	34%	54%

Total population data from the 2010 Decennial Census.

Surname-based Voter Registration and Turnout data from the California Statewide Database.

Latino voter registration and turnout data are Spanish-surname counts adjusted using Census Population Department undercount estimates. NH White and NH Black registration and turnout counts estimated by NDC. Citizen Voting Age Pop., Age, Immigration, and other demographics from the 2011-2015 American Community Survey and Special Tabulation 5-year data.

Purple Map



National Demographics Corporation, February 23, 2018

City of San Rafael - Purple Map

District		1	2	3	4	Total
<u>Ideal</u>	Total Pop	14,857	13,938	14,179	14,745	57,719
14,430	Deviation from ideal	427	-492	-251	315	919
	% Deviation	2.96%	-3.41%	-1.74%	2.18%	6.37%
Total Pop	% Hisp	16%	18%	13%	72%	30%
	% NH White	70%	71%	77%	20%	59%
	% NH Black	3%	2%	2%	2%	2%
	% Asian-American	10%	7%	6%	6%	7%
Citizen Voting Age Pop	Total	11,656	10,074	10,639	4,754	37,123
	% Hisp	8%	8%	9%	31%	11%
	% NH White	79%	81%	82%	49%	77%
	% NH Black	3%	4%	3%	2%	3%
	% Asian/Pac.Isl.	7%	5%	5%	14%	7%
Voter Registration (Nov 2016)	Total	9,172	8,996	9,650	3,412	31,230
	% Spanish-surnamed	7%	6%	6%	20%	8%
	% Asian-Surnamed	4%	3%	3%	8%	4%
	% Filipino-Surnamed	1%	1%	1%	1%	1%
	% NH White est.	82%	85%	87%	62%	82%
	% NH Black	3%	3%	3%	6%	3%
Voter Turnout (Nov 2016)	Total	8,075	7,886	8,503	2,795	27,259
	% Spanish-surnamed	7%	5%	5%	18%	7%
	% Asian-Surnamed	4%	2%	3%	7%	4%
	% Filipino-Surnamed	1%	1%	1%	1%	1%
	% NH White est.	83%	86%	88%	65%	83%
	% NH Black	3%	3%	3%	6%	3%
Voter Turnout (Nov 2014)	Total	5,059	4,981	5,397	1,406	16,844
	% Spanish-surnamed	5%	4%	4%	11%	5%
	% Asian-Surnamed	3%	2%	3%	7%	3%
	% Filipino-Surnamed	1%	0%	0%	0%	0%
	% NH White est.	89%	91%	90%	76%	89%
	% NH Black est.	2%	2%	2%	4%	2%
ACS Pop. Est.	Total	15,431	14,056	14,841	15,155	59,482
Age	age0-19	19%	21%	19%	30%	23%
	age20-60	51%	49%	56%	59%	54%
	age60plus	30%	29%	25%	11%	24%
Immigration	immigrants	18%	19%	18%	52%	27%
	naturalized	54%	46%	42%	18%	33%
Language spoken at home	english	75%	78%	76%	26%	64%
	spanish	10%	12%	14%	67%	25%
	asian-lang	6%	2%	4%	6%	4%
	other lang	8%	8%	7%	2%	6%
Language Fluency	Speaks Eng. "Less than Very Well"	9%	9%	9%	49%	19%
Education (among those age 25+)	hs-grad	42%	36%	40%	40%	40%
	bachelor	29%	33%	31%	12%	27%
	graduatedegree	23%	24%	23%	7%	20%
Child in Household	child-under18	26%	25%	25%	45%	29%
Pct of Pop. Age 16+	employed	59%	59%	64%	70%	63%
Household Income	income 0-25k	16%	13%	16%	29%	17%
	income 25-50k	15%	15%	19%	26%	18%
	income 50-75k	16%	10%	11%	14%	13%
	income 75-200k	36%	38%	40%	26%	36%
	income 200k-plus	16%	24%	15%	5%	16%
Housing Stats	single family	59%	73%	59%	36%	59%
	multi-family	41%	27%	41%	64%	41%
	rented	37%	34%	50%	71%	46%
	owned	63%	66%	50%	29%	54%

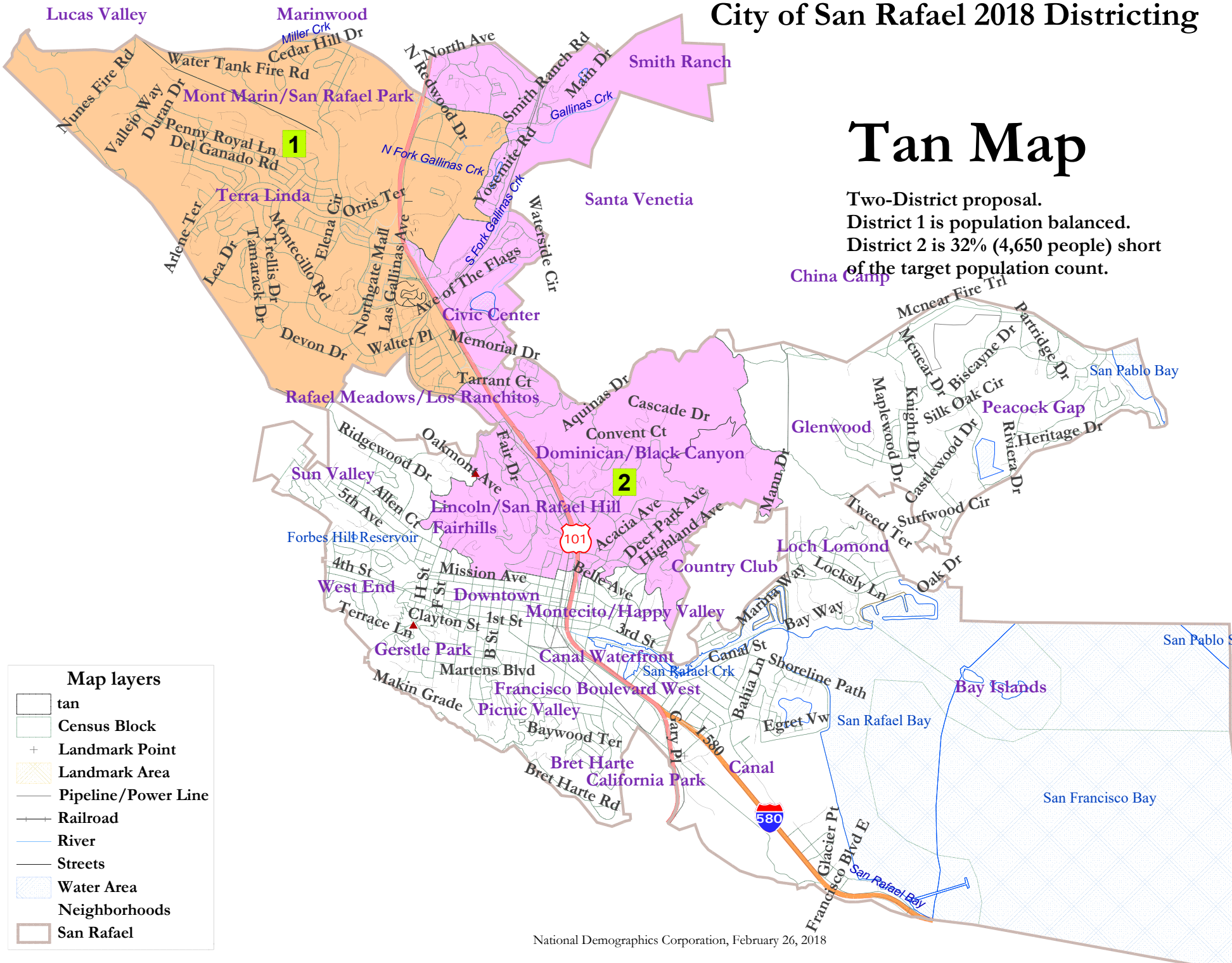
Total population data from the 2010 Decennial Census.

Surname-based Voter Registration and Turnout data from the California Statewide Database.












Latino voter registration and turnout data are Spanish-surname counts adjusted using Census Population Department undercount estimates. NH White and NH Black registration and turnout counts estimated by NDC. Citizen Voting Age Pop., Age, Immigration, and other demographics from the 2011-2015 American Community Survey and Special Tabulation 5-year data.

Tan Map

Two-District proposal.
 District 1 is population balanced.
 District 2 is 32% (4,650 people) short of the target population count.



Map layers

-  tan
-  Census Block
-  Landmark Point
-  Landmark Area
-  Pipeline/Power Line
-  Railroad
-  River
-  Streets
-  Water Area
-  Neighborhoods
-  San Rafael

City of San Rafael - Tan Map

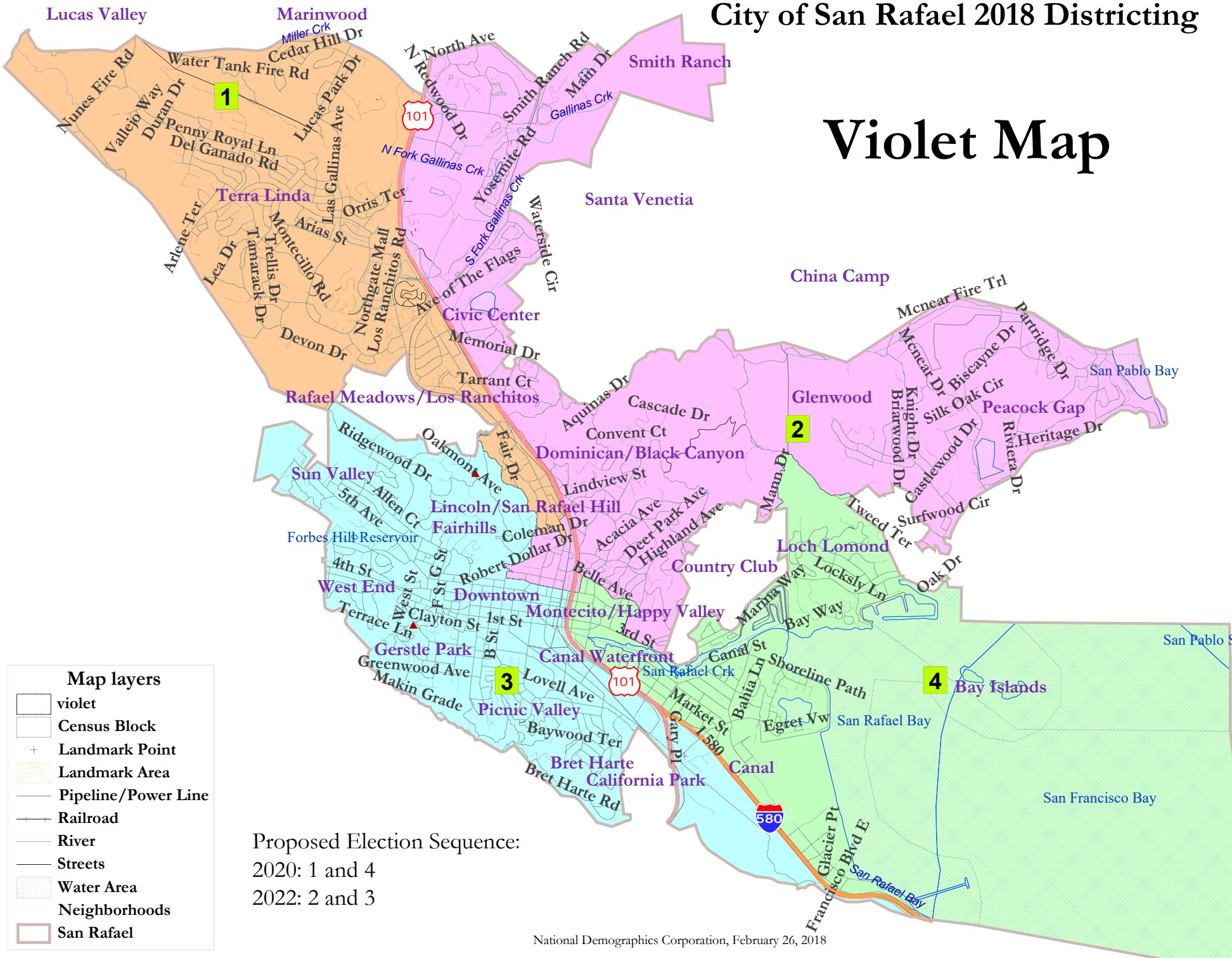
District		1	2	Unassigned	Total
<u>Ideal</u>	Total Pop	14,079	9,780	33,860	57,719
14,430	Deviation from ideal	-351	-4,650	19,430	
	% Deviation	-2.43%	-32.22%	134.65%	-32.22%
Total Pop	% Hisp	12%	23%	39%	30%
	% NH White	74%	63%	51%	59%
	% NH Black	2%	3%	2%	2%
	% Asian-American	10%	8%	6%	7%
Citizen Voting Age Pop	Total	10,803	7,320	19,000	37,123
	% Hisp	7%	10%	14%	11%
	% NH White	81%	75%	75%	77%
	% NH Black	2%	6%	3%	3%
	% Asian/Pac.Isl.	8%	6%	7%	7%
Voter Registration (Nov 2016)	Total	9,110	5,817	16,303	31,230
	% Spanish-Surnamed	6%	9%	9%	8%
	% Asian-Surnamed	4%	3%	4%	4%
	% Filipino-Surnamed	1%	1%	1%	1%
	% NH White est.	85%	79%	82%	82%
	% NH Black	2%	5%	3%	3%
Voter Turnout (Nov 2016)	Total	8,082	5,013	14,164	27,259
	% Spanish-Surnamed	6%	8%	8%	7%
	% Asian-Surnamed	4%	3%	4%	4%
	% Filipino-Surnamed	1%	1%	1%	1%
	% NH White est.	85%	80%	84%	83%
	% NH Black	2%	5%	3%	3%
Voter Turnout (Nov 2014)	Total	5,206	3,054	8,584	16,844
	% Spanish-Surnamed	4%	5%	5%	5%
	% Asian-Surnamed	3%	2%	3%	3%
	% Filipino-Surnamed	1%	1%	0%	0%
	% NH White est.	89%	86%	89%	89%
	% NH Black est.	2%	5%	2%	2%
ACS Pop. Est.	Total	14,492	10,142	34,848	59,482
Age	age0-19	21%	20%	24%	23%
	age20-60	49%	54%	56%	54%
	age60plus	31%	26%	20%	24%
Immigration	immigrants	18%	21%	33%	27%
	naturalized	58%	39%	26%	33%
Language spoken at home	english	76%	71%	57%	64%
	spanish	9%	17%	35%	25%
	asian-lang	7%	3%	4%	4%
	other lang	8%	8%	5%	6%
Language Fluency	Speaks Eng. "Less than Very Well"	9%	13%	25%	19%
Education (among those age 25+)	hs-grad	41%	43%	38%	40%
	bachelor	29%	29%	25%	27%
	graduatedegree	24%	20%	17%	20%
Child in Household	child-under18	29%	23%	31%	29%
Pct of Pop. Age 16+	employed	58%	62%	65%	63%
Household Income	income 0-25k	15%	17%	19%	17%
	income 25-50k	14%	18%	20%	18%
	income 50-75k	14%	15%	11%	13%
	income 75-200k	37%	36%	35%	36%
	income 200k-plus	20%	14%	15%	16%
Housing Stats	single family	66%	52%	57%	59%
	multi-family	34%	48%	43%	41%
	rented	33%	48%	52%	46%
	owned	67%	52%	48%	54%

Total population data from the 2010 Decennial Census.

Surname-based Voter Registration and Turnout data from the California Statewide Database.

Latino voter registration and turnout data are Spanish-surname counts adjusted using Census Population Department undercount estimates. NH White and NH Black registration and turnout counts estimated by NDC. Citizen Voting Age Pop., Age, Immigration, and other demographics from the 2011-2015 American Community Survey and Special Tabulation 5-year data.

Violet Map



Lucas Valley

Marinwood

Smith Ranch

Santa Venetia

China Camp

Rafael Meadows/Los Ranchitos

Glenwood

Dominican/Black Canyon

Sun Valley

Lincoln/San Rafael Hill

Loch Lomond

West End

Downtown

Country Club

Canal Waterfront

Bay Islands

Picnic Valley

Bret Harte

California Park

Proposed Election Sequence:

2020: 1 and 4

2022: 2 and 3

City of San Rafael - Violet Map

District		1	2	3	4	Total
<u>Ideal</u>	Total Pop	14,142	14,359	14,603	14,615	57,719
14,430	Deviation from ideal	-288	-71	173	185	473
	% Deviation	-2.00%	-0.49%	1.20%	1.28%	3.28%
Total Pop	% Hisp	16%	16%	19%	68%	30%
	% NH White	71%	71%	71%	24%	59%
	% NH Black	2%	3%	2%	2%	2%
	% Asian-American	9%	8%	6%	6%	7%
Citizen Voting Age Pop	Total	10,335	11,010	11,080	4,698	37,123
	% Hisp	8%	8%	10%	27%	11%
	% NH White	80%	79%	80%	56%	77%
	% NH Black	1%	5%	4%	2%	3%
	% Asian/Pac.Isl.	8%	5%	4%	12%	7%
Voter Registration (Nov 2016)	Total	8,985	9,140	9,207	3,899	31,230
	% Spanish-surnamed	6%	7%	7%	17%	8%
	% Asian-Surnamed	4%	3%	3%	7%	4%
	% Filipino-Surnamed	1%	1%	1%	1%	1%
	% NH White est.	86%	82%	85%	67%	82%
% NH Black	2%	4%	3%	4%	3%	
Voter Turnout (Nov 2016)	Total	7,980	7,967	8,069	3,243	27,259
	% Spanish-surnamed	6%	6%	6%	15%	7%
	% Asian-Surnamed	4%	3%	3%	6%	4%
	% Filipino-Surnamed	1%	1%	1%	1%	1%
	% NH White est.	86%	83%	86%	70%	83%
% NH Black	2%	4%	3%	4%	3%	
Voter Turnout (Nov 2014)	Total	5,268	4,875	4,881	1,819	16,844
	% Spanish-surnamed	5%	4%	4%	9%	5%
	% Asian-Surnamed	3%	2%	3%	5%	3%
	% Filipino-Surnamed	1%	1%	0%	0%	0%
	% NH White est.	89%	89%	91%	81%	89%
% NH Black est.	2%	3%	2%	3%	2%	
ACS Pop. Est.	Total	14,570	14,651	15,690	14,571	59,482
Age	age0-19	21%	20%	19%	31%	23%
	age20-60	50%	50%	59%	56%	54%
	age60plus	29%	30%	22%	13%	24%
Immigration	immigrants	20%	19%	20%	52%	27%
	naturalized	55%	48%	34%	19%	33%
Language spoken at home	english	75%	77%	73%	28%	64%
	spanish	10%	11%	19%	64%	25%
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Language Fluency	Speaks Eng. "Less than Very Well"	9%	9%	11%	48%	19%
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	bachelor	29%	32%	30%	14%	27%
	graduatedegree	24%	23%	21%	8%	20%
Child in Household	child-under18	30%	23%	24%	45%	29%
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	income 50-75k	13%	14%	10%	13%	13%
	income 75-200k	38%	36%	40%	26%	36%
	income 200k-plus	21%	19%	12%	11%	16%
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RESOLUTION NO. 14453

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SAN RAFAEL
DECLARING ITS INTENTION TO TRANSITION FROM AT-LARGE TO
DISTRICT-BASED ELECTIONS FOR CITY COUNCIL PURSUANT TO
ELECTIONS CODE SECTION 10010(E)(3)(A), EFFECTIVE
FOR THE NOVEMBER 2020 GENERAL MUNICIPAL ELECTION**

WHEREAS, the City of San Rafael is a charter city duly organized and existing pursuant to the Constitution and laws of the State of California; and

WHEREAS, Article VI of the Charter of the City of San Rafael ("City Charter") provides for the election of four city councilmembers and a separately elected mayor at the general municipal election; and

WHEREAS, Article IV of the City Charter provides that all elections to fill public offices shall be held and conducted as provided by general state law; and

WHEREAS, the City currently uses an at-large election system for electing the mayor and city councilmembers; and

WHEREAS, on November 20, 2017, the City Clerk received by certified mail a letter from attorney Kevin I. Shenkman asserting that the City's at-large election system violates the California Voting Rights Act of 2001 (Elections Code §§14025-14032) ("CVRA") and threatening to sue the City unless the City transitions to a district-based election system for its city council; and

WHEREAS, a violation of the CVRA is established if it can be proven that "racially polarized voting" occurs in the City's 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", an in the choice of candidates or other electoral choices that are preferred by voters in the rest of the electorate (Elections Code §14026(e)); and

WHEREAS, the City Council has been advised that defending a lawsuit filed pursuant to the CVRA will require the City to incur legal fees and costs potentially in the hundreds of thousands of dollars for the City's own defense, and additional liability of potentially hundreds of thousands of dollars in legal fees and costs payable to the prevailing plaintiffs if the City is unsuccessful; and

WHEREAS, California Government Code Section 34886, in certain circumstances, authorizes the legislative body of a city to adopt an ordinance to change its method of election from an "at-large" to "district-based" in which each council member is elected only by the voters residing in the district in which the candidate resides; and

WHEREAS, the California Legislature, in amendments to Elections Code section 10010, has provided a method whereby a jurisdiction, including a charter city, can expeditiously change to a by-district election system and avoid litigation under the CVRA; and

WHEREAS, if the City elects to transition to a district-based election system within the timeframe established in Elections Code section 10010, then the City is protected from the filing

of a CVRA lawsuit with its incumbent costs, and its liability to the potential plaintiffs for legal fees will be capped at \$30,000; and

WHEREAS, although Mr. Shenkman's letter was not accompanied by any evidence to support his claim of a CVRA violation, the City Council finds that the City should act within the safe-harbor timeframe provided by Elections Code Section 10010 to transition from an at-large election system to a district-based election system for electing the city councilmembers; and

WHEREAS, prior to the City Council's consideration of an ordinance to establish district boundaries for a district-based electoral system, California Elections Code Section 10010 requires all of the following:

1. Prior to drawing a draft map or maps of the proposed boundaries of the districts, the City shall hold at least two (2) public hearings over a period of no more than thirty (30) days, at which the public will be invited to provide input regarding the composition of the districts;
2. After all draft maps are drawn, 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 two (2) additional hearings over a period of no more than forty-five (45) days, at which the public shall be invited to provide input regarding the content of the draft map or maps and the proposed sequence of elections, if applicable. The first version of a draft map shall be published at least seven (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 seven (7) days before being adopted; and

WHEREAS, the City will retain an experienced demographer to assist the City to develop a proposal for a district-based electoral system; and

WHEREAS, the adoption of a district-based electoral system will not affect the term of any sitting Council Member, each of whom will serve out his or her current term;

NOW, THEREFORE, BE IT RESOLVED, by the City Council of the City of San Rafael as follows:

1. The City Council shall consider an ordinance to change to a district-based election system for use in the City's General Municipal Election for City Council Members beginning in November 2020.
2. The City Council directs staff to work with the City's retained demographer, and other appropriate consultants as needed, to provide a detailed analysis of the City's current demographics and 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 the Federal Voting Rights Act.
3. The City Council approves the tentative timeline set forth in Exhibit A, attached to and made a part of this resolution, for conducting a public process to solicit public input on proposed district-based electoral maps before adopting any such map.

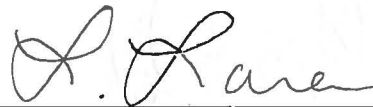
4. The City Council directs staff to institute a program for public outreach and to inform the residents of San Rafael of this resolution and the process set forth in Exhibit A, and to facilitate and encourage public participation.
5. The timeline contained in Exhibit A may be adjusted as deemed necessary, provided that such adjustments shall not prevent the City from complying with the time frames specified by Election Code Section 10010.

I, LINDSAY LARA, Interim City Clerk of the City of San Rafael, hereby certify that the foregoing resolution was duly and regularly introduced and adopted at a regular meeting of the City Council of the City of San Rafael held on the 16th day of January, 2018, by the following vote, to wit:

AYES: COUNCILMEMBERS: Bushey, Colin, Gamblin, McCullough & Mayor Phillips

NOES: COUNCILMEMBERS: None

ABSENT: COUNCILMEMBERS: None

A handwritten signature in cursive script, appearing to read "L. Lara", written in black ink.

Lindsay Lara, Interim City Clerk

EXHIBIT A

**TENTATIVE TIMELINE
TRANSITION TO DISTRICT-BASED ELECTIONS PER ELECTIONS CODE §10010**

NO.	TASK	DATE
1	Adopt Resolution of Intention	January 16, 2018
2	1 ST Public Hearing: Consider composition of districts	February 5, 2018
3	2 nd Public Hearing: Consider composition of districts	February 20, 2018
4	Publication of draft maps and proposed election sequence	By February 26, 2018
5	3 rd Public Hearing: Consider draft maps and election sequence	March 5, 2018
6	Publication of any new or revised draft maps and/or proposed election sequences	By March 12, 2018
7	4 th Public Hearing: Consider draft maps election sequence, and introduce ordinance establishing district elections	March 19, 2018
8	Publication of any new or revised draft maps and/or proposed election sequences	By April 9, 2018
9	5 th Public Hearing: Adopt ordinance establishing district	April 16, 2018
10	Day 90	April 16, 2018
11	Effective date of ordinance	
12	First district-based election	November 3, 2020

RESOLUTION NO. 14468

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SAN RAFAEL
SPECIFYING THE CRITERIA TO GUIDE THE ESTABLISHMENT OF
ELECTORAL DISTRICTS AND TO FURTHER SPECIFY THE DEADLINE FOR
SUBMISSION OF PROPOSED MAPS BY THE PUBLIC**

WHEREAS, on January 16, 2018, the City Council of the City of San Rafael ("City") adopted Resolution No. 14453, stating its intention to adopted district-based elections pursuant to Elections Code section 10010 and the California Voting Rights Act; and

WHEREAS, the City has retained an experienced demographer and special legal counsel to assist the City in establishing a by-district electoral system; and

WHEREAS, on February 5, 2018, and February 20, 2018, the City Council received presentations from its special counsel concerning the current demographics of the City under the 2010 census and American Community Survey, and the procedures and legal and policy criteria governing districting, and received public comment regarding appropriate criteria; and

WHEREAS, on February 5, 2018, and February 20, 2018, the City Council further conducted duly noticed public hearings at which it received testimony from the public regarding appropriate districting criteria; and

WHEREAS, the City Council has fully considered the presentations of its consultants and all of the public comments received; and

WHEREAS, the City Council now wishes to adopt criteria to guide the establishment of electoral districts consistent with legal requirements, including reasonably equal population and Section 2 of the federal Voting Rights Act, and which address other concerns and considerations important to the City; and

WHEREAS, the City has made available on its website materials, including an online mapping program, that are designed to enable members of the public to submit proposed district maps for consideration by the Council; and

WHEREAS, in adopting Resolution No. 14453, the City Council also adopted a timeline for the consideration of proposed maps; and

WHEREAS, to facilitate full consideration of proposed maps at public hearings scheduled for March 5, 2018, March 19, 2018, and April 16, 2018, the Council wishes to adopt a deadline for submission of proposed maps from the public;

NOW, THEREFORE, BE IT RESOLVED, the above recitals are true and correct; and

BE IT FURTHER RESOLVED, that the City Council hereby adopts the criteria identified in Exhibit A to this Resolution as criteria to guide the establishment of electoral districts to be implemented beginning with the November 2020 City Council elections; and

BE IT FURTHER RESOLVED, that the City's redistricting/demographic consulting firm, acting under the supervision of the City Manager, is hereby authorized and directed to formulate one or more electoral district plan scenarios based upon the criteria specified in Exhibit A for

review by the public and by the City Council at three public hearings (or more if necessary), in accordance with the adopted timeline; and

BE IT FURTHER RESOLVED, that the City Council hereby adopts a deadline of March 8, 2018, for submission of proposed maps by the public for consideration by the City Council at future public hearings; and

BE IT FURTHER RESOLVED, that the City Manager shall consult with legal counsel to resolve all legal issues necessary to give effect to this Resolution.

I, LINDSAY LARA, Interim City Clerk of the City of San Rafael, hereby certify that the foregoing Resolution was duly and regularly introduced and adopted at a regular meeting of the City Council of the City of San Rafael, held on Tuesday, the 20th of February 2018, by the following vote, to wit:

AYES: Councilmembers: Colin, McCullough & Mayor Pro Tem Bushey

NOES: Councilmembers: None

ABSENT: Councilmembers: Gamblin & Mayor Phillips



Lindsay Lara, Interim City Clerk

EXHIBIT A

Specification of Criteria to Guide the Establishment of Electoral Districts

1. The boundaries of the electoral districts shall be established so that the electoral districts are equal in population as defined by law.
2. The boundaries of the electoral districts shall not be gerrymandered in violation of the principles established by the United States Supreme Court in *Shaw v. Reno*, 509 U.S. 630 (1993), and its progeny.
3. The boundaries of the electoral districts shall be established so that the electoral districts do not result in a denial or abridgement of the right of any citizen to vote on account of race or color as provided in Section 2 of the federal Voting Rights Act.
4. The boundaries of the electoral districts shall observe communities of interest as identified in public comment or identified by the city council, including, but not limited to social interests; historical areas; industrial or service industry interests; residential and commercial areas, the location of city facilities and historical sites, and the like, insofar as practicable.
5. The boundaries of the electoral districts shall be compact, insofar as practicable.
6. The boundaries of the electoral districts shall be created to contain cohesive, contiguous territory, insofar as practicable. A district shall not be determined to be non-contiguous within the meaning of this criterion if it is connected by Census blocks comprised of water, and the Council may also take into account the existence of numerous unincorporated islands within the boundaries of the City that are not part of incorporated San Rafael in assessing contiguity.
7. The boundaries of the electoral districts may observe topography and geography, such as the existence of mountains, flat land, forest lands, man-made geographical features such as highways, major roadways and canals, etc., as natural divisions between districts, insofar as practicable.
8. Unless otherwise required by law, the electoral districts shall be created using whole census blocks, insofar as practicable.
9. The boundaries of the electoral districts may avoid the "pairing" of incumbents in the same electoral district, insofar as this does not conflict with the constitution and laws of the State of California and the United States.
10. The boundaries of the electoral districts shall comply with such other factors which become known during the districting process and are formally adopted by the City Council.

CITY OF SAN RAFAEL

NOTICE OF PUBLIC HEARING

The City Council of the City of San Rafael will hold a public hearing:

DATE/TIME/PLACE: Monday, March 5, 2018, at 7:00 p.m.
City Hall Council Chambers, 1400 Fifth Avenue, San Rafael

PURPOSE: Public Hearing: On March 5, March 19, and April 16, 2018, at 7:00 p.m., in the City Council Chambers located at 1400 Fifth Avenue, the City Council of the City of San Rafael will conduct Public Hearings regarding establishing single-member council districts in which to conduct by-district elections for the City Council members, and the potential sequence of elections in such districts. At the two public hearings in March, the public is invited to provide input regarding the content of the draft map or maps and the proposed sequence of elections. At the final public hearing, the City Council will vote to approve or defeat an ordinance establishing district-based elections. Comments can also be submitted via e-mail to Lindsay.lara@cityofsanrafael.org. More information about the establishment of single-member districts for by-district elections, including draft maps when they become available, will be included on the City's website at <https://www.cityofsanrafael.org/district-elections>. It is anticipated that draft maps will be made available on approximately February 26, 2018. In the event changes are necessary to the public hearing schedule noted above, a new notice will be published in accordance with law.

IF YOU CANNOT ATTEND: You may send a letter to Lindsay Lara, Interim City Clerk, City of San Rafael, P.O. Box 151560, San Rafael, CA 94915-1560. You may also hand deliver a letter to the City Clerk prior to the meeting.

FOR MORE INFORMATION: You may contact Lisa Goldfien, Assistant City Attorney, at (415) 485-3081. Office hours are Monday through Friday, 8:30 a.m. to 5:00 p.m.

SAN RAFAEL CITY COUNCIL
/s/ LINDSAY LARA
LINDSAY LARA, Interim City Clerk

(Please publish in the Marin Independent Journal on **Friday, February 23, 2018**)

CIUDAD DE SAN RAFAEL

AVISO DE AUDIENCIA PÚBLICA

El Concejo Municipal de la Ciudad de San Rafael tendrá una audiencia pública:

FECHA / HORA / LUGAR: Lunes, 5 de marzo de 2018, a las 7:00 p.m.
Sala del Consejo Municipal, 1400 Fifth Avenue, San Rafael,
CA 94901

PROPÓSITO: Audiencia pública: el 5 de marzo, el 19 de marzo y el 16 de abril de 2018, a las 7:00 p.m., en la Saladel Consejo Municipal, ubicada en 1400 Fifth Avenue, el Consejo Municipal de la Ciudad de San Rafael conducirá audiencias públicas con respecto al establecimiento de distritos municipales de un solo miembro en los cuales se llevarán a cabo elecciones para los miembros del Consejo Municipal, y la posible secuencia de elecciones en tales distritos. En las dos audiencias públicas, se invita al público a proporcionar su opinión sobre el contenido del mapa o mapas preliminares y la secuencia propuesta de elecciones. En la audiencia pública final, el Consejo Municipal votará para aprobar o rechazar una ordenanza que establezca elecciones por distritos. Se incluirá más información sobre el establecimiento de distritos de un solo miembro para elecciones por distrito, y borradores de mapas cuando estén disponibles, en el sitio web de la Ciudad en <https://www.cityofsanrafael.org/district-elections>. Se anticipa que los borradores de mapas estarán disponibles aproximadamente el 26 de febrero de 2018. En el caso de que sean necesarios cambiar el calendario de la audiencia pública que está mencionado anteriormente, se publicará un nuevo aviso de acuerdo con la ley.

SI NO PUEDE ASISTIR: Puede enviar una carta a Lindsay Lara, Secretaria Municipal Interina, City of San Rafael, P.O. Box 151560, San Rafael, CA 94915-1560. Usted también puede entregar una carta a la Secretaria Municipal Interina en persona antes de la reunión. También puede enviar sus comentarios por correo electrónico a lindsay.lara@cityofsanrafael.org.

PARA OBTENER MÁS INFORMACIÓN:

Puede comunicarse con Lisa Goldfien, Abogado Asistente Municipal, al (415) 485-3081. El horario de oficina es de lunes a viernes, de 8:30 a.m. a 5:00 p.m.

CONSEJO MUNICIPAL DE SAN RAFAEL

/f/ LINDSAY LARA

LINDSAY LARA, SECRETARIA MUNICIPAL INTERINA