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MEMORANDUM

DATE: July 16, 2014

TO: Mayor and City Council
CC: City Manager

FROM: William A. Vaughn, City Attorney

RE: Public Hearing on Draft Council District Plans of By District Method
of Election of City Council Members

Recommendation. It is recommended that the City Council receive the presentation of Doug Johnson; open the public hearing and receive public comment on the draft plans; and request further modifications to any of the draft plans.

Background. On June 4, the Council adopted a resolution to begin the process for Submission of By-District Election Method to the Voters on the November 4, 2014 Ballot. On June 18, 2014 the City Council received introduction presentations by Chris Skinnell as Special Legal Counsel for the City and by Douglas Johnson of National Demographics Corporation (NDC) as the City's demographer concerning City Council districting. The City also received public comment and adopted "A Resolution of the City Council of the City of Los Banos Specifying the Criteria to Guide the Preparation of Council Districts, for Submission of By-District Election Method to the Voters on the November 4, 2014 Ballot." On June 25, 2014 the initial draft council district plans were made available to the public by posting on the City's website and by making copies available at City Hall. Additionally, the City published an informational flyer for distribution to the public. On July 2, 2014 the City's demographer, Doug Johnson made a presentation on the initial draft plans and the City Council solicited comment from the public on the initial draft plans.

Discussion. In response to the public comments received at the July 2, 2014 meeting and communications directly to Doug Johnson, he will be making a follow up presentation to update his presentation on the proposed district plans. Following the presentation, staff recommends that the City Council open the public hearing to receive public input regarding the draft plans and may request further modifications to any of the plans. The next steps in the process are outlined in the enclosed tentative timeline. August 8, 2014 is the last day the City may submit the measure to the County Registrar.

Memo: By District Method of Election
July 16, 2014
Page 2

Fiscal Impact. There will be significant legal, experts, consultants, and processing costs associated with this process however, as of this writing those fiscal impacts cannot be accurately estimated.

Attachments:
Tentative Timeline
Public Hearing Notice

**CITY OF LOS BANOS
TENTATIVE TIMELINE FOR SUBMISSION OF “BY-DISTRICT” ELECTION
METHOD TO THE VOTERS [GOV’T CODE § 34871]**

(Note: most actions are goal dates subject to change.
Only items in bold are fixed deadlines.)

DATE	ACTION
June 4, 2014 Council Meeting	City Council determines to begin process of submitting a ballot measure to the voters to adopt “by-district” method of election; approves the retention of a qualified demographic consultant.
June 18, 2014 Council Meeting	Presentation by special redistricting counsel regarding legal considerations and appropriate policy criteria governing districting, and by demographic consultant regarding City demographics. Council solicits public input regarding appropriate criteria, and adopts same to guide districting process
June 25, 2014	Initial draft council district plans to be made publicly available.
July 2, 2014 Council Meeting	Demographic consultant to present* initial draft council district plans; Council solicits public comment on draft plans; Council may request modifications to any of the plans.
July 3, 2014	Notice of first public hearing regarding draft plans published in newspaper of general circulation and posted at City Hall and three other public locations.
July 16, 2014 Council Meeting	Council receives public input and additional testimony regarding draft plans; holds first public hearing on draft plans; Council may order further modifications to any of the plans.
July 18, 2014	Notice of second public hearing regarding draft plans published in newspaper of general circulation and posted at City Hall and three other public locations.

* Appearances by the City’s special counsel and demographic consultant may be by conference call or in person, as the City prefers.

DATE	ACTION
July 30, 2014 Special Council Meeting	Council holds second public hearing on alternate plans; first reading of ordinance to submit district plan to voters. If Council orders further modifications, another public hearing will be required.
August 6, 2014 Council Meeting	Council conducts second reading of ordinance to submit district plan to voters, votes to submit ordinance.
August 8, 2014	Last day City may transmit measure to County Registrar for submission to the voters or ordinance to adopt “by-district” method of election.
November 4, 2014	Election on whether to adopt “by-district” method of election.
November 8, 2016	First election using new by-district election plan.

NOTICE OF PUBLIC HEARING

CITY OF LOS BANOS

WHERE: City Council Chambers
520 J Street
Los Banos, California

WHEN: July 16, 2014
7:00 PM

NOTICE IS HEREBY GIVEN that a public hearing will be held by the City Council of the City of Los Banos to receive public input and testimony regarding proposed council districts. The City Council has voted to initiate the process of submitting proposed council districts to the voters at the November 4, 2014 election pursuant to Government Code Section 34871. The voters will also be asked to approve a change to the City's method of election of its Council Members from "at-large" voting to "by-district" voting, in which members of the Council are elected by the voters of the district in which they reside. The City Council will consider plans prepared by the City's demographic consultant and based on the 2010 Census.

The Public Hearing will be held at the regular meeting of the Los Banos City Council on Wednesday, July 16, 2014 at 7:00 p.m. in the Council Chambers at Los Banos City Hall located at 520 J Street, or as near as possible thereafter. Questions regarding the above-referenced item may be directed to the City Clerk at City Hall, 520 J Street or at (209) 827-7000.

All interested persons will be given an opportunity to comment on this item at the Public Hearing. In addition, written comments may be submitted to the City Council prior to the hearing, mailed to 520 J Street, Los Banos, CA 93635, Attention: City Clerk. Please reference hearing title and date of hearing in any correspondence. If no comments are received prior to or on the above date, it will be assumed that no comments are being offered. The public is also informed that should this matter at some future date go to court, court testimony is limited to only those issues raised at the hearings per Government Code Section 65009.

It is the intention of the City to comply with the Americans with Disabilities Act (ADA). If you require special assistance beyond what is normally provided, the City will attempt to accommodate you in every reasonable manner. Please contact the City Clerk's Office at (209) 827-7000 at least 48 hours prior to the meeting to inform us of your particular needs.

LUCILLE L. MALLONEE, LOS BANOS CITY CLERK

AVISO DE AUDIENCIA PÚBLICA

CIUDAD DE LOS BANOS

DONDE: Cámaras del Consejo del Ayuntamiento
Calle J numero 520
Los Banos, California

CUANDO: 16 de Julio del 2014
7:00 p.m.

SE HACE SABER que una audiencia pública se llevará a cabo por el Consejo Municipal de la Ciudad de Los Banos para recibir la opinión del público y testimonio en relación con los distritos concejales propuestos. El Consejo Municipal ha votado para iniciar el proceso de someter las propuestas de los distritos del concejo a los votantes en la elección del 4 de Noviembre del 2014 de acuerdo con el Código de Gobierno § 34871. A los votantes también se les pedirá que aprueben un cambio en el método que tiene la Ciudad para elección de sus Miembros del Consejo de votación "at-large" (votación en general) a votación "por distrito", en lo que los miembros del Consejo son elegidos por los votantes del distrito en el cual residen. El Consejo Municipal considerara los planes elaborados por el consultor demográfico de la ciudad y basado en el Censo del 2010.

La Audiencia Pública se llevara a cabo en la junta regular del Consejo Municipal de Los Banos el Miércoles, 16 de Julio del 2014 a las 7:00 p.m. en la sala del Consejo en el Ayuntamiento de Los Banos localizado en la calle J numero 520, o tan cerca como sea posible después de eso. Preguntas sobre el tema antes mencionado de los distritos del Consejo pueden ser dirigidas a la Secretaria Municipal en el Ayuntamiento, calle J numero 520 o al (209) 827-7000.

Todas las personas interesadas se les darán la oportunidad de comentar sobre este tema en la Audiencia Pública. Además, comentarios escritos pueden someterse al Consejo Municipal antes de la audiencia, enviados por correo a 520 J Street, Los Banos, CA 93635, Atención: Secretaria Municipal. Por favor hacer referencia titulo auditivo y fecha de audiencia en toda la correspondencia. Si no hay comentarios recibidos antes de o en la fecha mencionada anteriormente, se asumirá que no hay comentarios ofrecidos. El público también es informado que si este asunto en alguna fecha en el futuro va a la corte, el testimonio de la corte se limita solo a los temas planteados en la audiencia por el código del Gobierno sección 65009.

Es la intensión de la Ciudad para cumplir con la Ley de Americanos Discapacitados ADA (Americans with Disabilities Act). Si requiere asistencia especial mas allá de lo normal, la Ciudad tratara de acomodarlo(a) en todas las maneras razonables. Por favor contacte la oficina de la Secretaria Municipal al (209) 827-7000 a lo menos 48 horas antes de la junta para informarnos de sus necesidades particulares.

LUCILLE L. MALLONEE, SECRETARIA MUNICIPAL DE LOS BANOS