



## CITY COUNCIL AGENDA REPORT

**Meeting Date:** June 20, 2024

**From:** Interim City Manager Holstine

**Subject:** Elections Issues Update

### Background

The Charter City and Election Issues Subcommittee met on June 6<sup>th</sup>. The subcommittee has been tasked with three assignments. The purpose of this item for the June 20<sup>th</sup> meeting is to update the City Council and receive direction as appropriate.

### Directly Elected Mayor

The subcommittee has reviewed this approach. Both Belmont and San Bruno have directly elected Mayors. The subcommittee has discussed the pros and cons. As an alternative to a directly elected Mayor the subcommittee drafted language regarding Mayoral rotation. The language is in Attachment 1A. The Council may adopt this language by resolution and/or refer it to the voters for ratification. The former could be amended by the City Council at any time through a revised resolution. The latter would require voter approval to change.

### Term Limits

The subcommittee met and is recommending that terms limits be submitted to the voters for approval. Term limits would be for 3 terms or 12 years maximum. If a Councilmember assumed a term that was not full, they would still be limited to 3 terms (which may be less than 12 years).

Once the 12-year, 3 term limit is met, a Councilmember will be required to have a 2-year break, at which time they could run again and be limited to the 12 years, 3 term limit.

By function of law the commencement of the 12 years, 3 term limit comes into effect after voter approval of term limits. Any terms prior to that time do not count against the limit.

### District Elections

The subcommittee met with our demographer Douglas Johnson of NDC on June 6<sup>th</sup> for his report. The power point presentation is provided as Attachment 2. The analysis is in the context of compliance with the California Voting Rights Act (CVRA).

Key findings:

- 37% of total population is Asian/Pacific Islander.
- 18% of total population is Hispanic/Latino.
- Asian-American and Pacific Islander population is concentrated in the west side of the city, off West Hill Drive. Locally we refer to this area as the Northeast Ridge.
- There are no large geographic concentrations of Latino.

Two tests for Districts were applied.

**Asian-American Test:**

With five Council Districts, two majority Asian-American districts can be drawn.

With four Districts, one majority Asian-American districts can be drawn, and one plurality Asian American district can be drawn.

**Latino/Hispanic Test:**

No majority District can be drawn. Maximum in a five-district map would be 39% but if that concentration is achieved the ability to draw two Asian districts will be reduced to one.

**Recommendation**

The subcommittee is recommending that this issue be studied further, and that the demographer be directed to draft up to 3 alternatives for consideration and commence the public outreach process as required by CVRA.

As was discussed at a previous City Council meeting, the adoption of districts alone does not guarantee that Asian-American and/or Latino/Hispanic candidates will be successful. However, by adopting District elections consistent with CVRA, the City of Brisbane would be in a safe harbor for any potential litigation.

**Ballot Issues Timeline**


If the Council wishes to submit a measure to the voters, it must do so 88 days before the election which is August 9<sup>th</sup> for the November 5, 2024 Election. If the City Council decides to direct staff to draft a resolution to place a measure on the ballot for this year, that should be done for the July 18<sup>th</sup> City Council Meeting. Staff will need to send it to the County Elections Office immediately after that for approval.

**Fiscal Impact**

It's important to note that elections costs are difficult to estimate since no two elections are alike with costs and the number of registered voters varies considerably from election to election. Cost estimates can also vary based on the number of jurisdictions participating in an election. The estimated cost to place 1-2 ballots on an even year election is between \$19,000 and \$27,000.

**Attachments**

- 1A Rotation Language
- 1B Elections Subcommittee June 6<sup>th</sup> Agenda and Staff Report on Mayoral Rotation
- 2 Brisbane Demographic Analysis Presentation



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Clay Holstine, City Manager

**Proposed Language for Mayoral Rotation to be Placed on the Ballot  
(Notes from the June 6, 2024 Election Issues Subcommittee Meeting)**

The current Council Member with the longest term from last serving as Mayor shall be sworn in as Mayor. The current Council Member with the second longest term from last serving as Mayor shall be sworn in as the Mayor Pro Tem. The current Council Member with the third longest term from last serving as Mayor will move into the third position in the rotation. The current Council Member with the fourth longest term from last serving as Mayor will move into the fourth position in the rotation. The outgoing Mayor will go to the end of the rotation.

Newly at-large elected Council Members will be placed at the end of the current Council rotation, but will be ahead of the outgoing Mayor. If there is more than one newly elected at-large Council Member in a given election, the newly elected Council Member with the most votes in their election shall be placed at the end of the current Council rotation. The newly elected at-large Council Member with the least amount of votes shall be placed at the end of the rotation, but ahead of the outgoing Mayor.

Newly by-district elected Council Members will be placed at the end of the current Council rotation, but will be ahead of the outgoing Mayor. If there is more than one newly elected by-district Council Member in a given election, the newly elected Council Members will be chosen randomly to be placed at the end of the current Council rotation, but ahead of the outgoing Mayor.

In the event the Mayor Pro Tem chooses not to serve as Mayor, they can defer for a year and the next council member in line can take their place. They will remain the Mayor Pro Tem and become Mayor the following year. Their decision to defer a year does not alter the lineup and the person after them does not change places permanently, the adjustment in the rotation is temporary.



# CITY of BRISBANE

## Charter City & Election Issues Subcommittee Agenda

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Thursday, June 6<sup>th</sup>, 2024 at 2:45PM • Hybrid Meeting  
Brisbane City Hall, Large Conference Room, 50 Park Place, Brisbane, CA

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The public may observe/participate in the Subcommittee meetings by using remote public comment options or attending in person. Subcommittee members shall attend in person unless remote participation is permitted by law. The Subcommittee may take action on any item listed in the agenda.

### JOIN IN PERSON

Location: 50 Park Place, Brisbane, CA 94005 - [Large Conference Room](#)

Masks are no longer required but are highly recommended in accordance with California Department of Health Guidelines. To maintain public health and safety, please do not attend in person if you are experiencing symptoms associated with COVID-19 or respiratory illness.

### JOIN VIRTUALLY

Join Zoom Webinar (please use the latest version: [zoom.us/download](https://zoom.us/download)):

Join Zoom: <https://us06web.zoom.us/j/85618257430>

Meeting ID: 856 1825 7430

Call In Number: 1 (669) 900-9128

Note: Callers dial \*9 to “raise hand” and dial \*6 to mute/unmute.

The agenda materials may be viewed online at [www.brisbaneca.org](http://www.brisbaneca.org) at least 72 hours prior to a Meeting. Please be advised that if there are technological difficulties, the meeting will nevertheless continue.

### TO ADDRESS THE SUBCOMMITTEE

#### IN PERSON PARTICIPATION

To address the Subcommittee on any item on or not on the posted agenda, please wait until Public Comments are being accepted.

#### REMOTE PARTICIPATION

Members of the public may observe/participate in the Committee meeting by logging into the Zoom Webinar. Aside from commenting while in the Zoom meeting, the following email line will be monitored during the meeting, and public comments received will be noted for the record during Public Comment or during the Item.

Email: [Albarra@brisbaneca.org](mailto:Albarra@brisbaneca.org)

#### SPECIAL ASSISTANCE

If you need special assistance to participate in this meeting, please contact Angel Ibarra at (415) 508-2109 or

[Aibarra@brisbaneca.org](mailto:Aibarra@brisbaneca.org). Notification in advance of the meeting will enable the City to make reasonable arrangements to ensure accessibility to this meeting.

**SUBCOMMITTEE MEMBERS:**

Councilmember Davis, Councilmember Lentz

**ROLL CALL**

- A. Consider any request of a City Councilmember to attend the meeting remotely under the “Emergency Circumstances” of AB 2449

**PRESENTATIONS AND DISCUSSION ITEMS**

- B. Discussion Mayoral Rotation

**PUBLIC COMMENT**

**ADJOURNMENT**

**File Attachments for Item:**

B. Discussion Mayoral Rotation



## CITY COUNCIL SUBCOMMITTEE AGENDA REPORT

**To:** Council Subcommittee regarding Election Issues  
**Meeting Date:** June 6<sup>th</sup>, 2024  
**From:** Interim City Manager  
**Subject:** Mayoral Rotation

### Background

At the Council meeting on May 16<sup>th</sup>, the Elections Subcommittee liaisons reviewed and gave their recommendations to the City Council regarding City districting, term limits and mayoral rotation matters that was discussed at their subcommittee meeting on May 13<sup>th</sup>.

### Discussion

The council had a robust discussion and evaluated information provided and brainstormed alternatives. The topic of mayoral rotation was referred back to the subcommittee to review and what their recommendation would be to the council – whether to pursue this as a ballot initiative or not. If they would like it to go to the voters, then the subcommittee should work on the language for the resolution.

The following is a summary:

- Directly Elected Mayor -
  - The Subcommittee recommended that the term of a Mayor be 2 years and restricted to two terms.
  - As an alternative the Council could draft a strict rotation policy and refer that to the voters.
  - Under either scenario the Subcommittee is recommending that the role of the Mayor remain unchanged.

Attachment: Resolution 2016-06

**RESOLUTION NO. 2016-06**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BRISBANE SETTING GUIDELINES FOR THE SELECTION OF MAYOR AND MAYOR PRO TEMPORE**

**WHEREAS**, the City Council wishes to set guidelines for the selection of Mayor and Mayor Pro Tempore so that potential conflicts concerning who is selected as Mayor and Mayor Pro Tempore may be avoided; and

**WHEREAS**, serving as Mayor and Mayor Pro Tempore for the City is a privilege and not a right.

**NOW, THEREFORE, BE IT RESOLVED**, by the City Council of the City of Brisbane that the following Guidelines are adopted for the selection of Mayor and Mayor Pro Tempore:

- 1. The City Council will meet the week prior to the Council’s Reorganization Meeting (typically held in December of each year) to discuss the selection of the next Mayor and Mayor Pro Tempore.
- 2. Whenever possible, each Council member shall have the opportunity to serve as Mayor during that Council member’s first term of office.
- 3. Whenever possible, the City Council shall select the then current Mayor Pro Tempore as the next Mayor.
- 4. These Guidelines supersede any other adopted Council policy or guidelines concerning the same issue.




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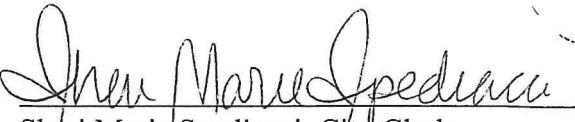
Clifford R. Lentz, Mayor

I hereby certify that the foregoing Resolution No. 2016-06 was duly and regularly adopted at the meeting of the Brisbane City Council on February 18, 2016 by the following vote:

AYES: Councilmember Conway, Davis, Liu, O’Connell, and Mayor Lentz

NOES: None

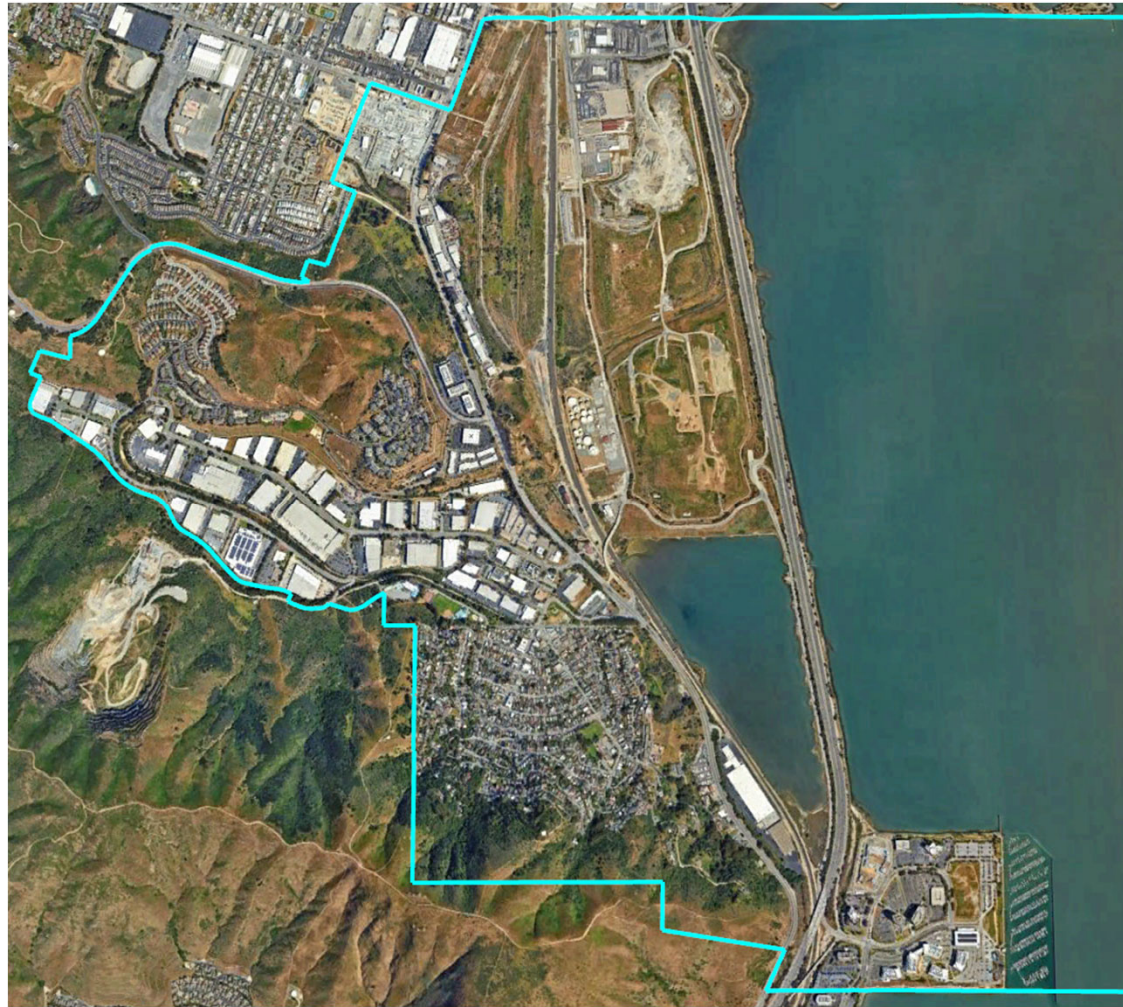
ABSENT: None




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Sheri Marie Spediacci, City Clerk





# *City of Brisbane* Demographic Analysis

June 6, 2024

# Key Demographics

“Citizen Voting Age Population” data from the Census Bureau’s American Community Survey is considered the best available data on “eligible voters.”

Category	Field	Total
2020 Census	Total Population	4,858
Total Pop.	Hispanic/Latino	18%
	NH White	40%
	NH Black	2%
	NH Asian/Pac.Isl.	37%
	NH Native Amer.	1%
Citizen Voting Age Pop	Total	3,296
	Hisp	20%
	NH White	45%
	NH Black	0%
	Asian/Pac.Isl.	34%
	Native Amer.	0%

# Demographic Summary

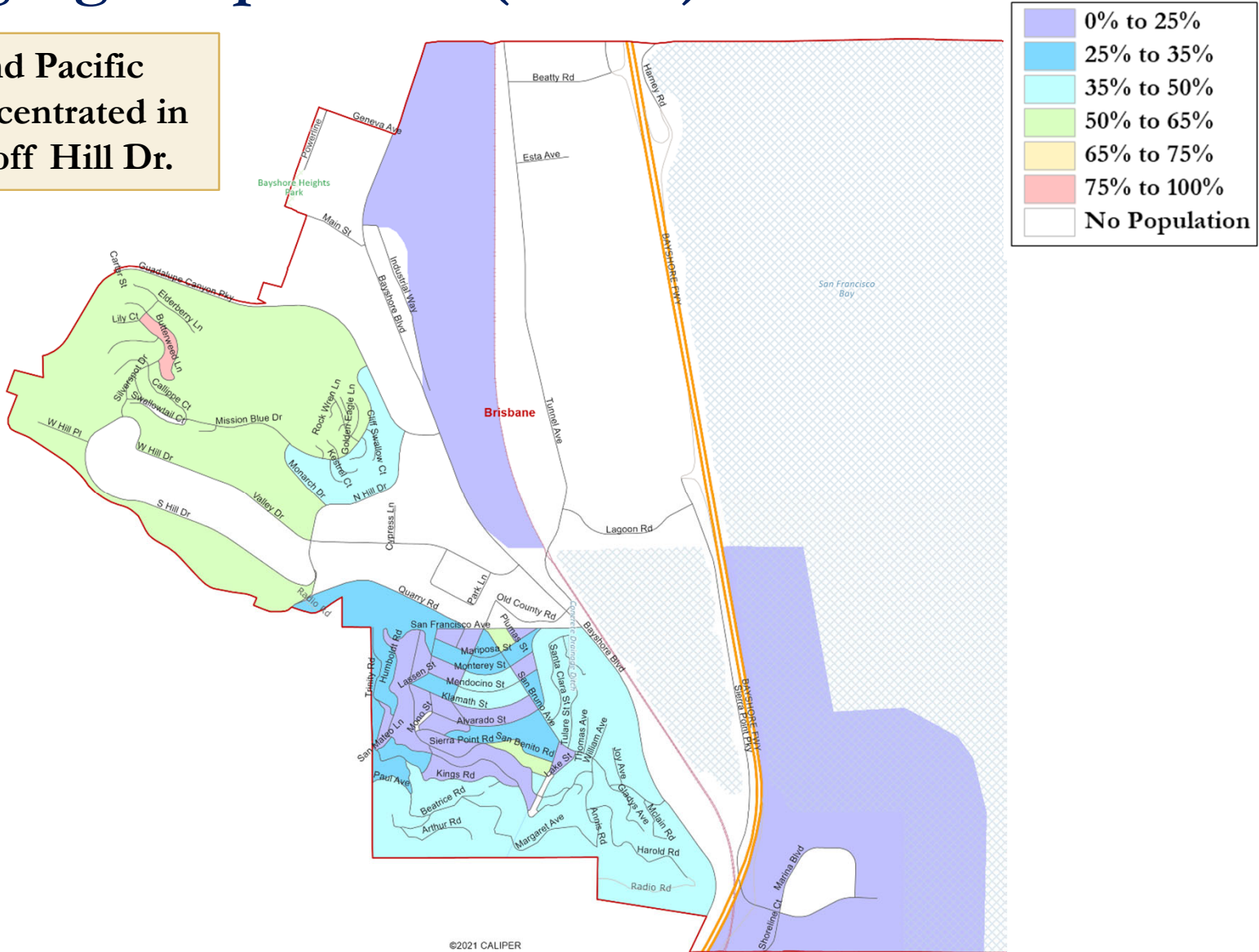


Category	Field	Total	Category	Field	Total
2020 Census	Total Population	4,858	Age	age0-19	23%
Total Pop.	Hispanic/Latino	18%		age20-60	54%
	NH White	40%		age60plus	24%
	NH Black	2%	Immigration	immigrants	35%
	NH Asian/Pac.Isl.	37%		naturalized	71%
	NH Native Amer.	1%	Language spoken at home	english	61%
Citizen Voting Age Pop	Total	3,296		spanish	9%
	Hisp	20%		asian-lang	26%
	NH White	45%		other lang	4%
	NH Black	0%	Language Fluency	Speaks Eng. "Less than Very Well"	16%
	Asian/Pac.Isl.	34%		Education (among those age 25+)	hs-grad
Native Amer.	0%	bachelor	30%		
		graduatedegree	24%		
Voter Registration (Nov 2022)	Total	2,943	Child in Household	child-under18	25%
	Latino est.	17%	Pct of Pop. Age 16+	employed	62%
	Spanish-Surnamed	15%		Household Income	income 0-25k
	Asian-Surnamed	17%	income 25-50k		13%
	Filipino-Surnamed	3%	income 50-75k		10%
NH White est.	61%	income 75-200k	32%		
NH Black	3%	income 200k-plus	39%		
Voter Turnout (Nov 2022)	Total	1,821	Housing Stats	single family	66%
	Latino est.	13%		multi-family	34%
	Spanish-Surnamed	12%		rented	34%
	Asian-Surnamed	14%		owned	66%
	Filipino-Surnamed	2%			
Voter Turnout (Nov 2020)	Total	2,648	Total population data from California's adjusted 2020 Census data. Citizen Voting Age Population, Age, Immigration, and other demographics from the 2018-2022 American Community Survey and Special Tabulation 5-year data. Turnout and Registration data from California Statewide Database. "Latino" figures calculated by NDC using Census Bureau's Latino undercount by surname estimate.		
	Latino est.	14%			
	Spanish-Surnamed	13%			
	Asian-Surnamed	15%			
	Filipino-Surnamed	3%			
NH White est.	63%				
NH Black est.	5%				



# Asian & Pacific Islander Citizen Voting Age Population (CVAP)

Asian-American and Pacific Islander CVAP is concentrated in the west of the city, off Hill Dr.

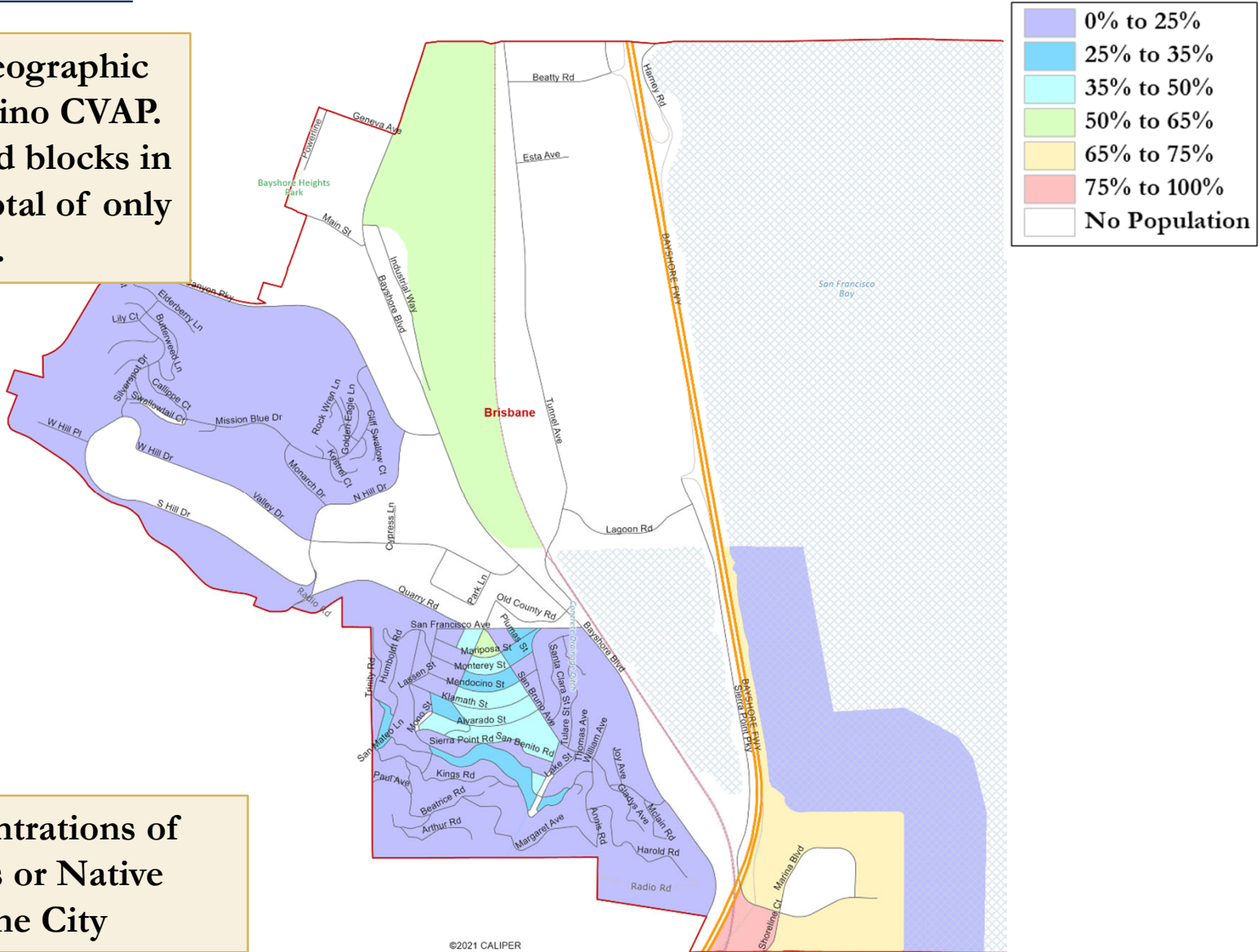


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# Latino CVAP

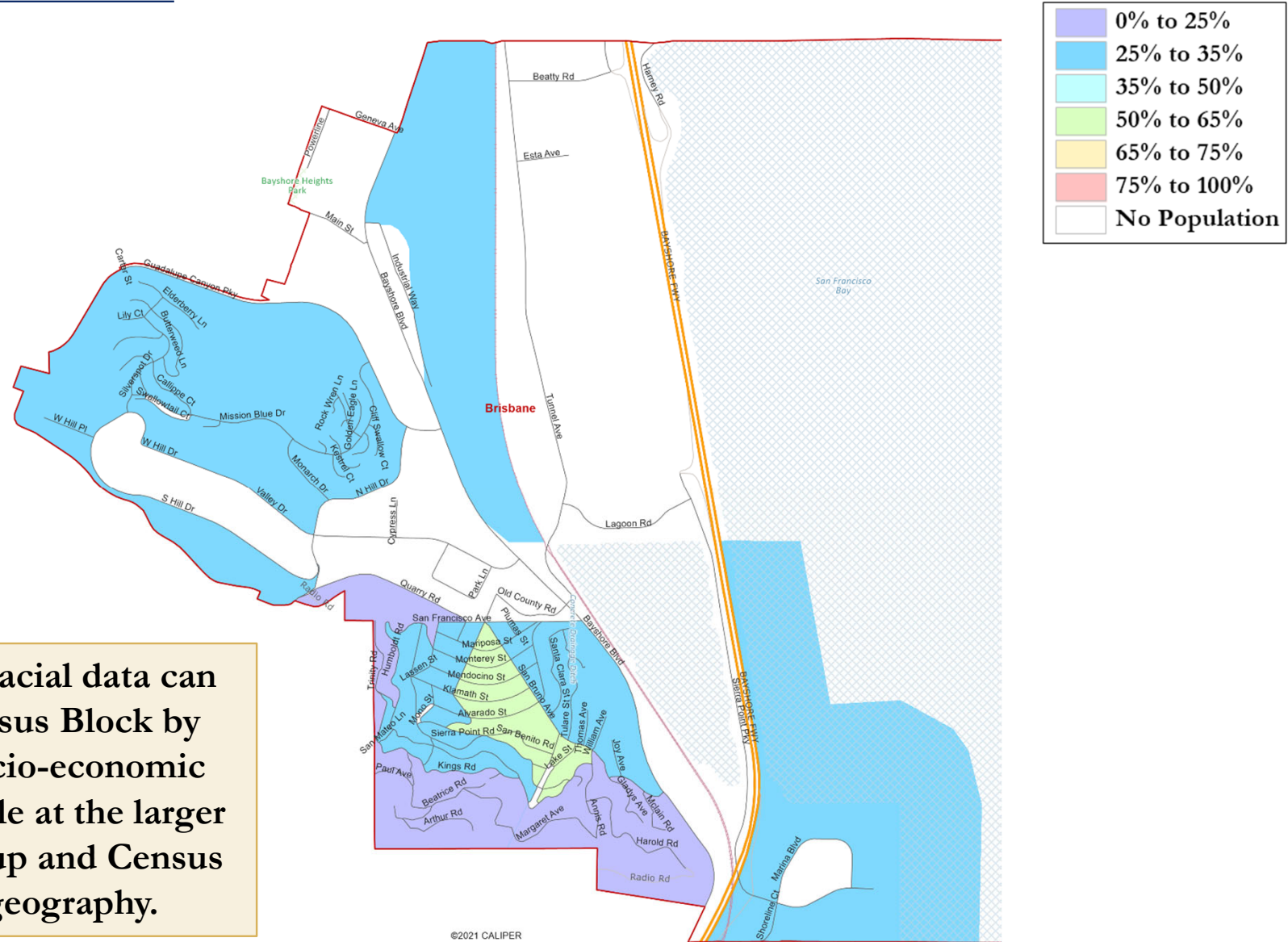
There are no large geographic concentrations of Latino CVAP. The two yellow and red blocks in the southeast have a total of only 25 residents.

There are no concentrations of African-Americans or Native Americans in the City



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# Percent Renters

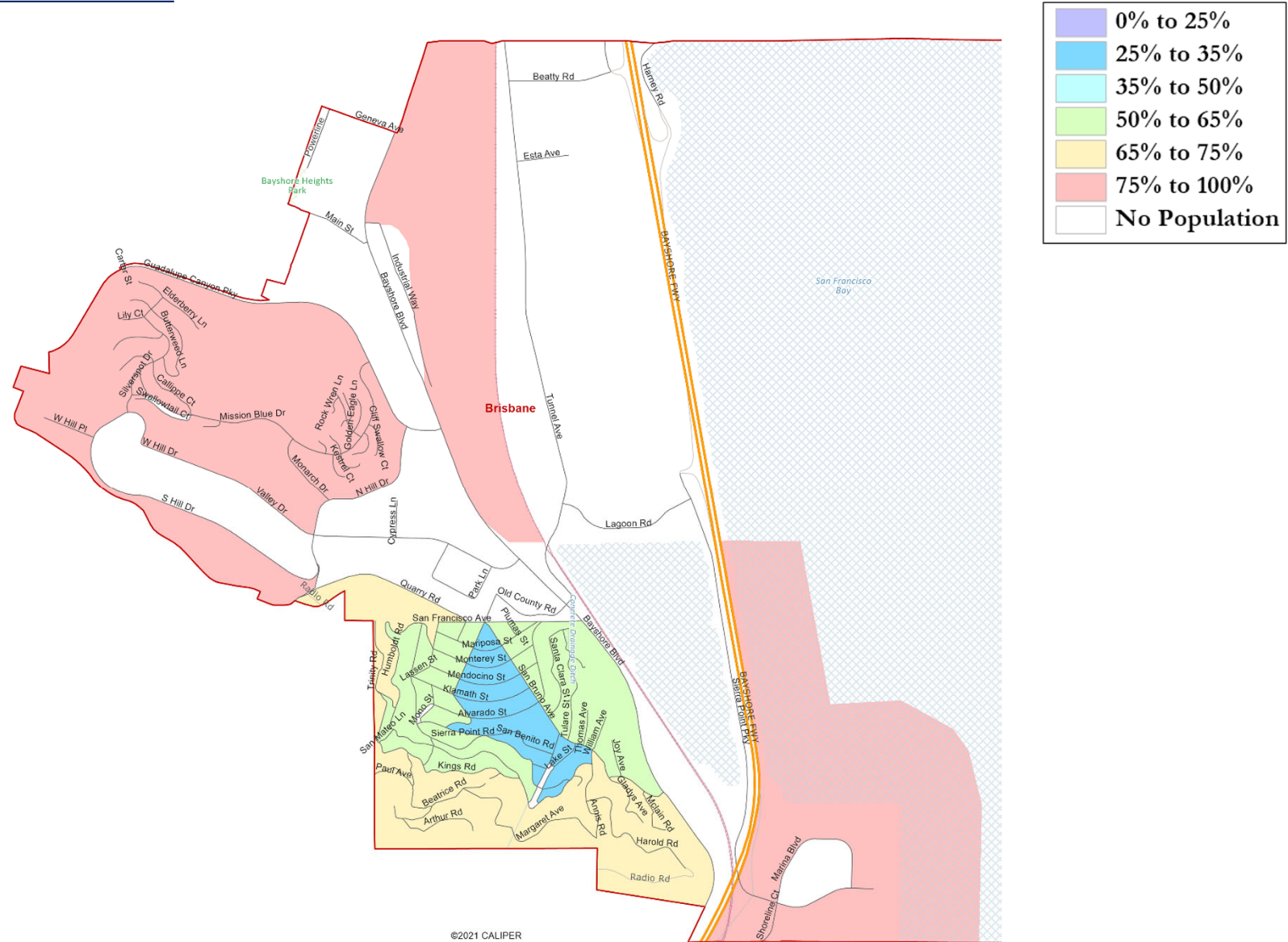


While ethnic and racial data can be estimated Census Block by Census Block, socio-economic data is only available at the larger Census Block Group and Census Tract level of geography.



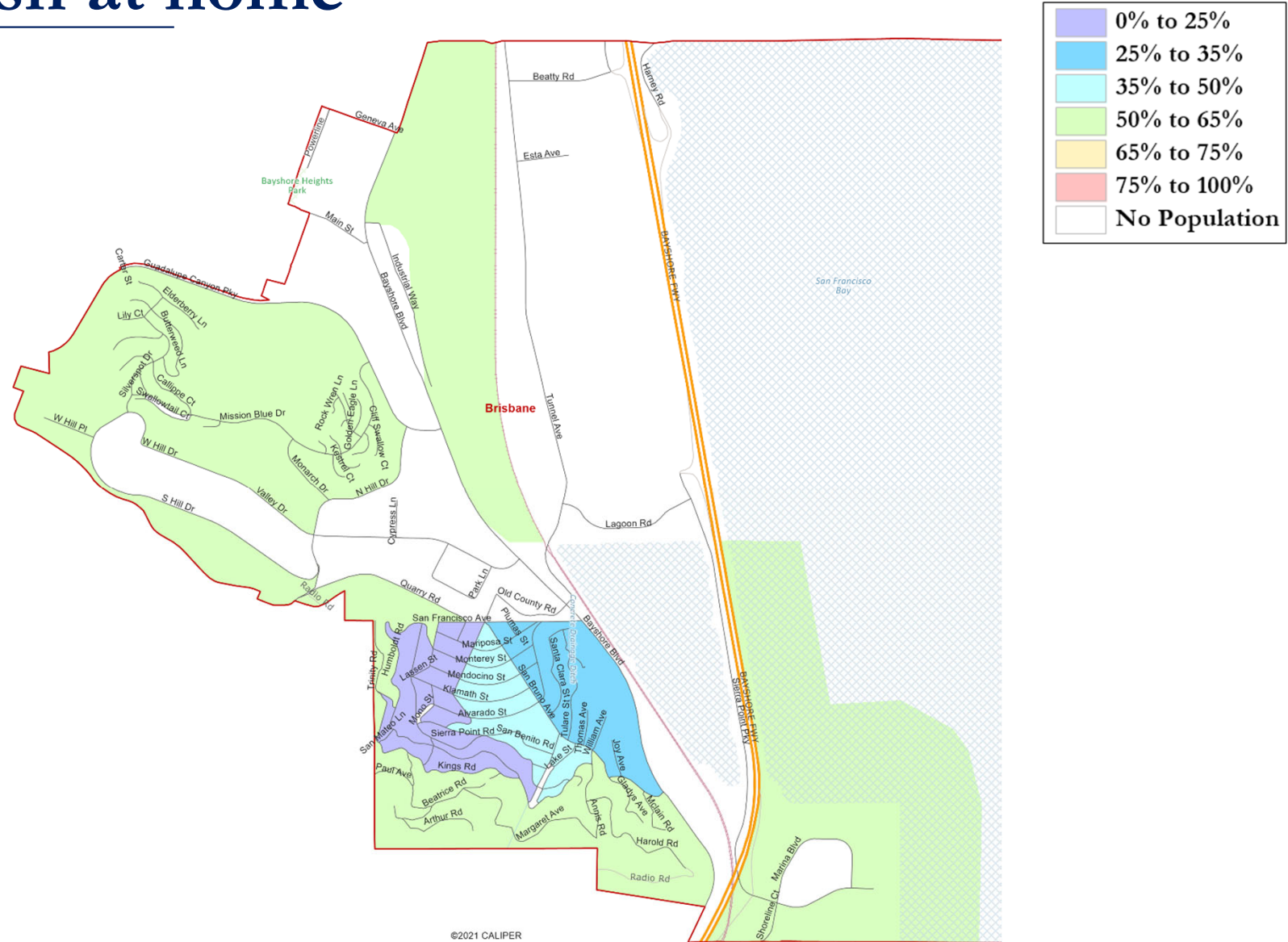


# Percent College Graduates





# Percent speaking a language other than English at home



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# Test Plans

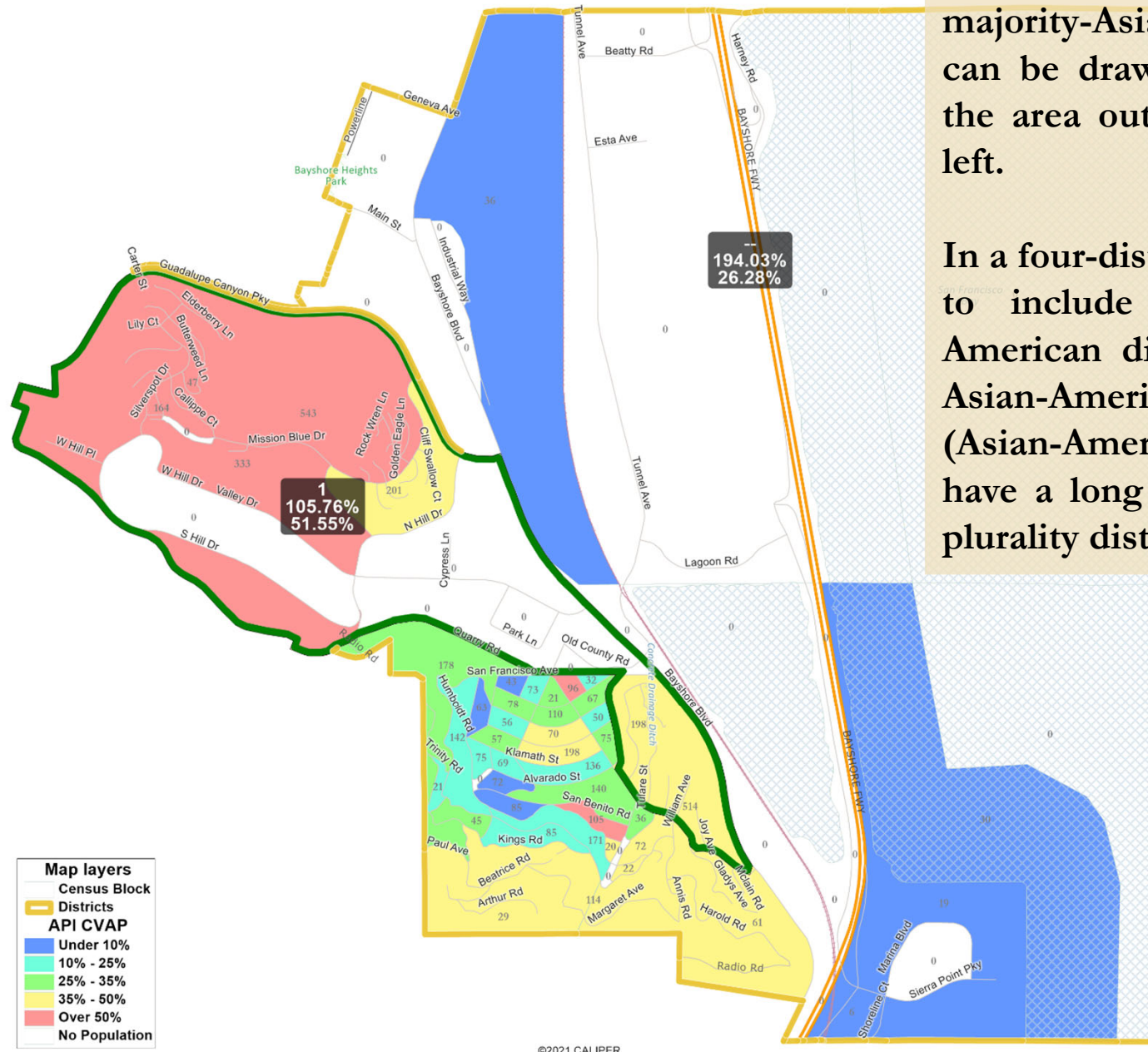
Drawn to test whether majority-protected-class trustee areas are possible.

These are NOT proposed maps for adoption.

# Asian-American Test

With five Council Districts, two majority-Asian-American districts can be drawn in Brisbane within the area outlined in Green to the left.

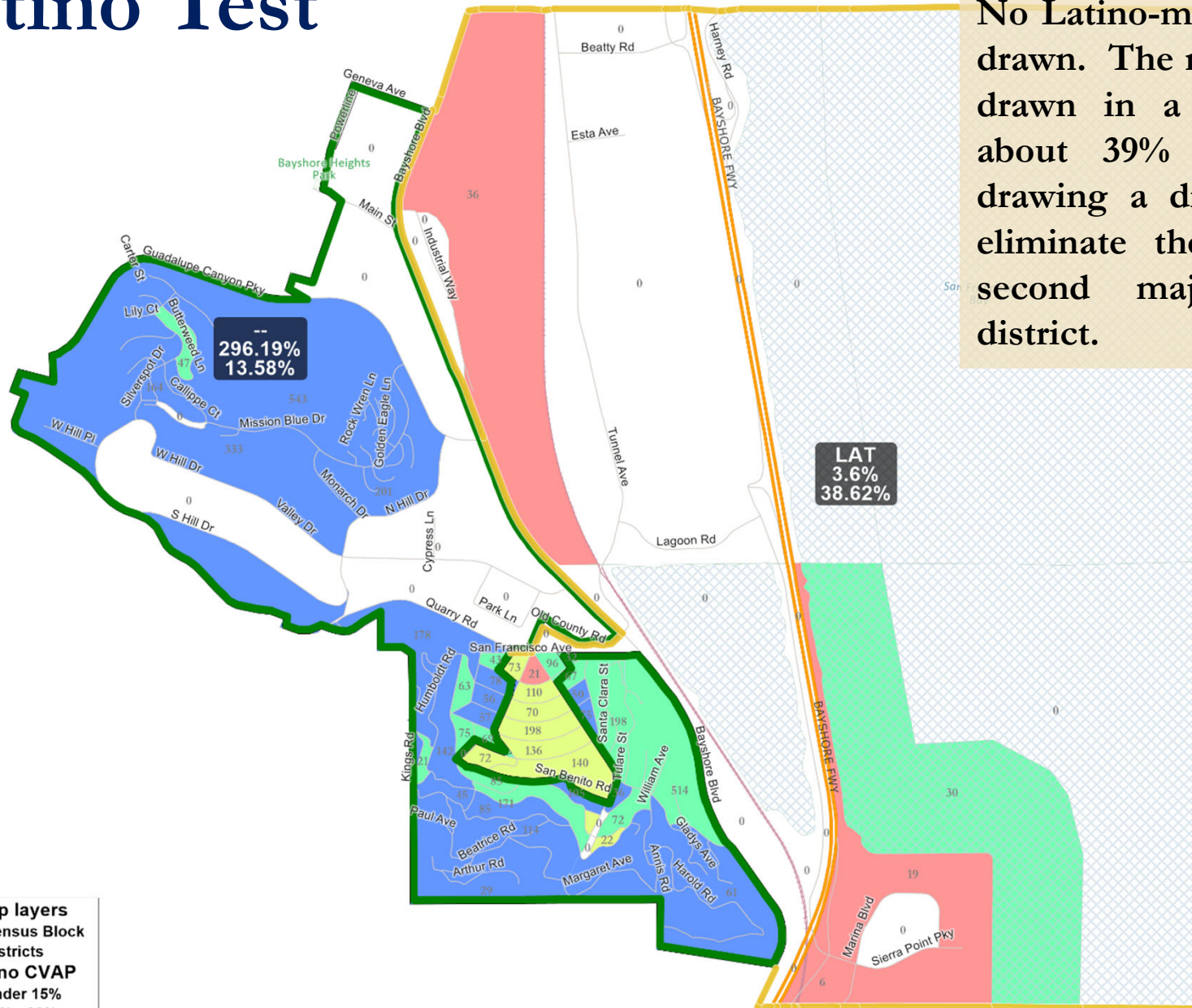
In a four-district map, it is possible to include one majority-Asian-American district along with one Asian-American plurality district (Asian-Americans in California have a long history of success in plurality districts).





# Latino Test

No Latino-majority district can be drawn. The maximum that can be drawn in a five-district map is about 39% Latino CVAP, and drawing a district at 39% would eliminate the ability to draw a second majority-Asian-American district.



- Map layers**
- Census Block
  - Districts
- Latino CVAP**
- Under 15%
  - 15% - 30%
  - 30% - 50%
  - Over 50%
  - No population

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# Equal Population Requirement

- Under both state and federal law, City Council districts must have roughly total population using state-adjusted 2020 Census data.
  
- Brisbane's total population is 4,858:
  - A five-district City Council would have about 972 people per district, with no more than a 97-person difference between the smallest and largest districts
  
  - A four-district City Council (with a citywide-elected Mayor) would have about 1,215 people per district, with no more than a 121-person difference between the smallest and largest districts

# Summary

1. Latinos are 20% of the eligible voters (measured by CVAP data). Asian-Americans are 34%.
2. If election districts are drawn, the target population for each of five districts would be only 972 people, or 1,215 people with four districts and a citywide-elected mayor. Those are total population counts, not registered voters.
3. Two majority Asian-American CVAP districts are possible in a five-district map, or one with a 2<sup>nd</sup> plurality district in a four-district map.
4. A 39% Latino CVAP district is possible in a five-district map, but not in a map with two Asian-American districts. Thus, the likely Latino CVAP in the final map would be lower.