



CITY COUNCIL AGENDA REPORT

Meeting Date: February 6, 2025

From: City Manager Jeremy Dennis

Subject: Update Regarding the Creation of Potential Council Election Districts

Community Goal/Result

Community Building - Brisbane will honor the rich diversity of our city (residents, organizations, businesses) through community engagement and participation

Recommendation

It is recommended that the City Council:

1. Receive an update regarding the creation of potential Council election districts
2. Provide direction to staff on the timeline and outreach.

Background

Background on the California Voting Rights Act

The California Voting Rights Act ("CVRA") became law in 2003. It provides instructions for transitioning a jurisdiction from an at-large election system to a different system - typically a by-district or by-division election system. Since its adoption over 200 cities, over 300 school districts, and over 100 other jurisdictions have made the change to by-district elections either in anticipation of, or following receipt of, a litigation threat.

In San Mateo County alone, Belmont, Burlingame, Foster City, Half Moon Bay, Menlo Park, Pacifica, Redwood City, San Bruno, San Mateo, South San Francisco, and Woodside already transitioned to by-district elections.

No jurisdiction facing such a litigation threat has won so far, and the few jurisdictions that have fought such threats in court have spent millions on their defense and millions more in payouts to plaintiffs.

Brisbane's Situation

The City Council was elected under an at-large election system, whereby Council Members are elected by voters of the entire City. On May 16, 2024 the Council adopted a Resolution of Intent to Change Election Systems. Moving to by-district elections would require a Council Member (and all candidates for that position) to reside within a designated district boundary, and each Council Member would be elected only by voters of the appropriate district.

While no formal litigation threat (“demand”) letter has been received, given the spread of such letters in the county and across the state it is likely one will be forthcoming. Acting before receiving such a letter will save the City up to \$40,000 that state law says an attorney sending such a letter receives from the targeted jurisdiction.

Additionally, the City has received correspondences regarding this issue; they are attached to this staff report (Attachment 2).

This change has no impact on current Council Member terms or status. The only impact of the change is when a Council Member’s current term expires, as the new by-district system will be used for that election.

Discussion

Next Steps

As required by Elections Code Section 10010, the City will need to hold at least two (2) public hearings prior to the release of draft maps of Council election districts. Council will then hold an additional two (2) or more public hearings to solicit public input regarding the content of the draft maps and the proposed sequence of elections. Then an additional public hearing will be held prior to the approval of an ordinance implementing a Council election district map.

The first hearing will also include the public launch of the City’s public mapping tool and interactive map review website, provided by our districting consultant (National Demographics Corporation, or NDC). In addition, between now and the first public hearing, the City will prepare to conduct an outreach campaign to inform and educate the community about the upcoming process.

The current schedule for this process is as follows:

February 6	Council update and approval of timeline
March 20	First Hearing
Week of March 24 or 31	Community Forum
April 17	Second Hearing
May 4	Deadline for public to submit maps for consideration at the Third Hearing
May 8	Deadline to post initial draft maps
May 15	Third Hearing
Late May/Early June	Community Forum
June 5	Fourth Hearing
September 4	Hearing and Final Adoption

Fiscal Impact

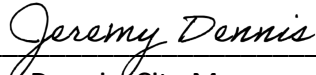
None

Environmental Analysis

No environmental review is required because the proposed action is not a project governed by the California Environmental Quality Act.

Attachments

1. May 16, 2024 City Council Action Minutes
2. Correspondences regarding district elections



Jeremy Dennis, City Manager

I. Approve a Resolution Adopting a Project, the Overlay of Monterey Street between Visitacion Avenue and San Bruno Avenue, for fiscal year 2024-2025 funded by Senate Bill 1: the Road Repair and Accountability Act of 2017

(The Fiscal Impact of this Item: The project recommended for this year is to utilize 2024-25 RMRA funds to complete a mill-and-overlay of Monterey Street between Visitacion Avenue and San Bruno Avenue, as identified in the City's pavement management system. City will receive an estimated \$124,200 to fund the cost of this work.)

Councilmember Davis made a motion, seconded by Councilmember Lentz, to approve Consent Calendar Items E-G and I. The motion was carried unanimously by all present.

Ayes: Councilmembers Cunningham, Davis, Lentz, Mackin, and Mayor O'Connell

Noes: None

Abstain: None

Absent: None

H. Approve the Mothers of Brisbane's CPR/First Aid Training as a Cosponsored Event

Councilmember Cunningham pulled Consent Calendar Item H for a brief discussion. She requested staff to widely publicize this important community event.

After no public comment, Councilmember Mackin made a motion, seconded by Councilmember Cunningham, to approve Consent Calendar Items E-G and I. The motion was carried unanimously by all present.

Ayes: Councilmembers Cunningham, Davis, Lentz, Mackin, and Mayor O'Connell

Noes: None

Abstain: None

Absent: None

OLD BUSINESS

J. Elections Issues Update

Interim City Manager Holstine reported that Councilmembers are being asked to consider the recommendations from the Charter City and Election Issues Subcommittee and provide directions to staff regarding the election issues of a directly elected mayor, council term limits, and term limits.

After a brief presentation from Douglas Johnson from National Demographics Corporation and council questions, Roland Lebrun and Nancy Lacsamana commented on the election issues.

After council discussion, the interim City Manager was directed to have signing authority up to \$11,500 to work with the National Demographics Corporation for a demographic study.

STAFF REPORTS

K. City Manager's Report on Upcoming Activities

- i. San Mateo County Alert and Overview of City Communication Platforms

February 21, 2024

Dear Respected City Council members,

My name is Arthur Sun and have been a City of Brisbane resident for 15 years. The City of Brisbane is dear to my heart. I love the friendliness and engaging community. The diversity of its residents has grown over the years. However, the body of the city council does not reflect its diverse population due to the City's current at-large council member electoral system.

Therefore, the City of Brisbane should voluntarily change to a district-based election system for electing City Council Members. With a **district-based election system**, the residents can have the opportunity to vote for a candidate who lives in their district and equally represents the best of all residents in the city. Today, officially, I am not witnessing equal voices and representation at the city council. As one of the City of Brisbane residents I want the City Council to reflect who we are and where we live.

Concerning the **City Term Election**, which I believe will encourage residents to get involved and be more engaged in our government and represent their constituency, so we can collectively move forward for the benefit of the future of our city.

I am also in support of the **City-Wide Vote on Mayor**; it should be democratically practiced in our city. The idea of a "government of all the people, by all the people, for all the people" should take center for every decision-making to reflect the demographic of the city's residents when electing the City of Brisbane Mayor.

I hope that the City Council members will consider making adjustments to the city election system to better represent the residents and align with Diversity, Equity, and Inclusion.

Warm regards,
Arthur Sun, Ridge Resident

From: Calvin Lee <thekalvinlee@gmail.com>

Sent: Thursday, February 22, 2024 12:04 PM

To: Padilla, Ingrid <IPadilla@brisbaneca.org>

Subject: Public Comments: Brisbane City Council Subcommittee meeting on Election processes

Dear Brisbane City Council -

Thank you for taking your time to provide us an opportunity to discuss Brisbane election options & charter city review. As documented by the past historic actions of our elected officials, it is my experience Brisbane is inclusive and always acting in the best interest of our community. From the creation of the IDEA committee, resources provided to host the Brisbane vigil and partner with myself galvanizing support from our community to take action against asian hate, etc... Once again we have the opportunity to discover if the following would be best for our community by increasing representation and improving accountability moving forward.

- 1) Term limits for elected officials
- 2) District elections so that selection of council members will represent all areas
- 3) Election Citywide of Mayor - vs self selected by Council members

I would like for our community to continue to move the above forward and work together to determine what is best for us.

Thank you for your consideration.

Best,
Calvin Lee

Brisbane City Council

3/18/24

Dear Council Members

I have been a resident of Brisbane since ¹⁹⁷¹~~1978~~.

I have raised my family here and have been an employee of the Recreation Department.

I have seen many changes here in town as the community has grown.

What is important to me is that the City of Brisbane reflect the community to which it represents -- all areas of Brisbane and the community members that are in this great town.

I strongly support District elections to ensure all areas including the Ridge have equal representation, **term limits of Council members** and the opportunity to **Vote for Mayor by the Citizens of Brisbane**.

If term limits and the Election at large for Mayor needs to be an issue voted on by the public --please get this on the November 24 ballot so all can decide.

Please recommend that a demographic study be done so we can start the process for community input on **district elections**. This will ensure that City Council members are more responsive to the areas they represent.

Thank you for your service.

Riedell
Joe Riedell

Joe Riedell

3/20/24

212 K. Lamark ST

From: ROBERTO MENDEZ <berto53@sbcglobal.net>
Sent: Wednesday, April 3, 2024 6:21 PM
To: Council Members <CouncilMembers@brisbaneca.org>
Subject: By-District Elections

April 3, 2024,

Dear Brisbane City Council,

We have been Kings Road residents of Brisbane for over 33 years. I am a retired San Francisco physician, and my wife, Eva, is a retired Stanford Hospital registered nurse. As a couple that represents both the Hispanic and Asian communities of Brisbane, we value the diversity of Brisbane, and understand the benefit of different perspectives. We love our city, and would like to have ethnic diversity on our Council that is more representative of the cultural mix in our community.

The California Voting rights Act encourages cities to enact by-district elections if a city council does not reflect the full diversity of the community. I appreciate the spirit in which this Act has been created because true representation is the foundation of our democracy.

To insure Brisbane is not in violation of the California Voting Rights Act, the city needs to hire a demographer to gather the information that will enable all Brisbane citizens to explore by-district elections. Some cities in San Mateo County have been proactive in implementing by-district elections, while others were pressure with litigation to do so. It makes sense to avoid a financial cost to Brisbane by not procrastinating and being proactive.

Thank you for creating the subcommittee and looking into this important election issue. We hope that we can continue moving forward so that the community can soon join in the conversation about a by-district election option.
Thank you for your consideration.

Sincerely,
Roberto Mendez
Eva Mendez

Sent from my iPad

Honorable Mayor and City Council members

4/4/24

I attended the CC meeting of 3/21/24 (agenda item G) in which the Election Processes subcommittee made their first report.

I would like to thank Council Member Davis and Lentz and City Manager Holstine for the presentation of initial discussions and the need to seek additional funds in different stages of the research needed.

Thank you to Council Member Davis for being very clear and very direct to the other Council members that their questions could only be fully addressed with more staff time needed.

A few comments.

What was very concerning to me during the Council member statements was the lack of acknowledgement that the community of Brisbane does want these issues fully vetted -and are by and large -in agreement that change IS necessary.

I will acknowledge that sharing with the public -as you progress- with the research will be critical. For example, that a geographical section of town is not in itself a reason for a district.

Question raised – “Why now”?

My view is that there is a growing community sentiment that in the past few elections there is a lack of candidates, discord with selection of mayor by the Council, and lack of diversity on the Council. There is also a growing movement in all of San Mateo County to address these issues.

We are not alone even due to our size -- there are at least 2 San Mateo towns under 10k population that have District Elections. A simple google search found that for me.

As a member of the San Mateo NAACP Housing Committee, in support of the California Voters Right Act (CVRA) we discussed this at our last meeting in taking a proposal to our Executive committee to make a statement for all cities in San Mateo.

I also found a few comments very disturbing.

A Council Member stated “to talk about race, (is or feels) ICKY.”

Words matter. CC words are recorded and these are now public.

A Council Member (and I am paraphrasing) ---"look at us, we are diverse. Some people may not like that we are..." The context of this comment may have been completely off topic. This "diversity" comment was never clarified but since we were on the subject of CVRA which is race based ---it came across very strange since all the members are the same race. Words Matter.

Race should be discussed freely and openly with respect. People in our community are proud of their race and want you to acknowledge diversity and the need for representation. The Why is now. A new school board member told me that over 70% of the Brisbane community has at least 1 parent as a person of color. Our future is here.

Term limits, Vote for Mayor at Large and District Elections can shape our future to be more reflective, and representative of all.

Thank you for your dedication to service. We look forward to more dialogue and public input.

Nancy Lacsamana

From: Sesa Pabalan <smpabalan@gmail.com>

Sent: Wednesday, April 17, 2024 2:53 PM

To: Council Members <councilmembers@brisbaneca.org>

Subject: Equitable opportunity and representation in Brisbane's leadership

Dear Brisbane City Council,

My name is Sesa Pabalan, and I have been a resident of Brisbane for about ten years. I love our community, its connection with nature, feeling safe, friendliness and being inclusive.

Equity is important to me. Though Brisbane's population is ethnically diverse, our leadership is not. I believe that the City Council does not reflect our diverse population due to the City's current at-large electoral system.

During the time I've lived in Brisbane, I've seen our town grow and change, but I don't see this being represented at the Council level. As a person of color, I would like to see people in leadership being represented from all classes, rather than appearing to be just one. I believe instituting by-district elections will provide Brisbane a greater opportunity to elect people from protected classes as identified by the California Voting Rights Act.

We have had a large Asian American population in Brisbane for decades, but we have never had an Asian American serve on the Council, though many have run for office. It is time to do the necessary public outreach and data gathering to implement by-district elections.

I hope that the City Council will embrace ethnic diversity in leadership and be proactive in enacting by-district elections, rather than ignoring the realities of our community and be forced to enact by-district elections because of the threat of litigation for being in violation of the California Voting Rights Act.

Sincerely,

Sesa Pabalan

From: Nancy Lacsamana <nlacsamana230@gmail.com>

Sent: Thursday, July 18, 2024 7:37 AM

To: Padilla, Ingrid <ipadilla@brisbaneca.org>; Padilla, Ingrid <ipadilla@ci.brisbane.ca.us>; Council Members <CouncilMembers@brisbaneca.org>

Cc: paul bouscal <bouscalp@yahoo.com>

Subject: CC Meeting 7/18/24 Agenda Item Q

Please see attached a community letter to move forward the two Election processes items to the November ballot.

Ingrid --Can you Please confirm receipt --thank you

Thank you all for your service.

Nancy Lacsamana

From: Claudette Molina <claudettemolina49@gmail.com>
Sent: Thursday, June 13, 2024 7:37 AM
To: Council Members <councilmembers@brisbaneca.org>
Subject: District

Don't want it.

To: Brisbane City Council
From: Dana Dillworth
RE: "I" Election Issues
June 20, 2024

I thank you for doing a 2020 demographic study but question whether slicing up a small town into even more districts will forever create a gerrymandering of our lovely town we don't want.

On the other hand, historically our council members have come from the Ridge or Humboldt/Kings areas and this would mandate a representative from the bowl section of town. It might create a change you don't expect, but be very welcome.

What ever happened to the best person wins as our system was designed? You walk the town, meet the constituents, you get out the vote.

I don't mind electing a mayor and/or term limits which are separate issues from redistricting, but remind you, these are volunteer positions, unlike other municipalities you cite that have fully paid staff and offices and greater populations to serve.

This is another case of one-size does not fit all but understand the reason to look. In any case, the Public should vote on the changes.

Thank you again.