



City Council Agenda Report

Meeting Date: November 12, 2024

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Approved By: Gabriel Engeland

Subject: Adopt an ordinance of the City to amend the Los Altos Municipal Code by adding Sections 2.04.070 through 2.04.100 to Chapter 2.04, which provide for the election of members of the City Council by five districts, establish the boundaries, identification numbers, and the election order of each district, establish a residency requirement to seek a Council seat from each district, and related actions.

COUNCIL PRIORITY AREA

- Business Communities
- Circulation Safety and Efficiency
- Environmental Sustainability
- Housing
- Neighborhood Safety Infrastructure
- General Government

RECOMMENDATION

Adopt an ordinance of the City to amend the Los Altos Municipal Code by adding Sections 2.04.070 through 2.04.100 to Chapter 2.04, which provide for the election of members of the City Council by five districts, establish the boundaries, identification numbers, and the election order of each district, establish a residency requirement to seek a Council seat from each district, and related actions.

FISCAL IMPACT

There is no fiscal impact to this action. There may be fiscal impacts related to future elections held by the City.

ENVIRONMENTAL REVIEW

Adoption of this Ordinance is exempt from environmental review as the adoption of this Ordinance does not qualify as a “project” pursuant to the California Environmental Quality Act (“CEQA”), under Public Resource Code Section 21065 and CEQA Guidelines Section 15320, 15378, and 15061(b)(3), as there is no possibility that such action would cause either a direct, or reasonably foreseeable indirect, physical change in the environment.

PREVIOUS COUNCIL CONSIDERATION

On April 18, 2024, the City received a Notice of Violation of the California Voting Rights Act (“CVRA”). The letter asserts that the City is in violation of the CVRA because the City's

Councilmember elections are at-large and there is racial polarization and vote dilution within the jurisdiction. On May 28, 2024, the City Council adopted a resolution declaring its intent to transition to a district-based electoral system commencing in November of 2026.

Currently, voters across the City vote "at-large" for all five (5) City Councilmembers. A "by-district" election is one in which the City is divided into separate districts, each represented by one City Councilmember who resides in that district and is chosen only by that district's voters. The first by-district City Council election will occur in the November 2026 general municipal election, when Districts 2 and 4 will select Councilmembers, with the transition to district-based elections fully completed in the November 2028 general election, when Districts 1, 3, and 5 will select Councilmembers.

Although only five (5) public hearings are required by the CVRA, the City held a total of seven (7) public hearings on the following dates: June 11, July 13, August 28, September 24, October 8, October 21, and October 22, 2024. The City also engaged in a robust outreach campaign to encourage public participation and inclusivity as a part of the districting process. The City has:

- Hosted a webpage dedicated to districting, which includes an explanation of the districting process, relevant demographic data, the process for obtaining public input, a calendar of public hearings, meetings, and/or workshop dates, the notice and agenda for each hearing/meeting/workshop, audio/video records of the hearings/meetings/workshops, and copies of the draft map(s) to be considered;
- Invited the submission of community of interest forms to allow the public to provide input on keeping communities of interest in single districts to the extent possible, and invited the submission of draft maps using an interactive mapping tool to allow the public to weigh-in on how the actual district lines might be drawn; and
- Provided the above referenced information to local newspapers and to good government and civic engagement groups within the City to ensure active community engagement and outreach to a wide cross section of the community,

City Staff also have hosted community workshops and solicited community input at additional workshops. In these ways, the City has provided multiple ways for the public to submit feedback at formal hearings, City-sponsored workshops, and via on-line submissions of community of interest forms, draft maps, and other input.

At public hearings, the City's demographer made presentations regarding the requirements for by-district elections, and the process for taking public input to help determine how the City Council districts might be constructed. The City Council then heard from the public on the various communities of interest that exist in the City, and how the districts might be drawn to recognize these communities of interest. The City Council and City staff also sponsored numerous community workshops and outreach at community events in September 2024.

On June 11 and July 13, 2024, the City Council held the first and second of five required public hearings required for the City's transition to by-district elections. These first two (2) hearings were held prior to any draft maps being drawn. Redistricting Partners made presentations at both public hearings regarding the requirements of the CVRA. Those presentations covered the composition

and number of districts, as well as the public input process. Members of the public provided input at both hearings regarding various communities of interest in and the various attributes of the City of Los Altos. At its July 13th hearing, the City Council, with public input, provided direction to begin drawing draft maps for a by-district election system comprised of five districts and a rotational mayor.

At the remaining five meetings, the City Council reviewed a total of twelve (12) maps drawn by the City's demographer, Redistricting Partners. At the August 28th hearing, Redistricting Partners presented three draft maps as a way for the City Council and community to visualize proposed district boundaries. The City Council also provided further direction on the additional information the City should examine when forming the district boundaries, such as the distribution and of information regarding socio-economic status, age, school boundaries, shopping districts, and parks.

At the September 24, 2024 public hearing, the City Council reviewed two additional draft maps prepared by Redistricting Partners and received an update on the community outreach efforts conducted by the City. The City Council also provided direction on draft maps.

At the October 8, 2024 public hearing, the City Council reviewed five additional draft maps prepared by Redistricting Partners based on direction received at the September 24th meeting and provided direction to create two new versions of existing draft maps.

At the October 21, 2024 public hearing, the City Council reviewed draft maps that had previously been submitted by the public and created by Redistricting Partners, and provided further direction on changes to the boundaries in these draft maps and also drew additional draft maps for consideration.

At the October 22, 2024 public hearing, the City Council selected Map F2A as the final map. Additionally, the City Council determined the identification numbers for the districts (starting with District 1 as the southern-most portion of the City and continuing northward), identified Districts 2 and 4 as those districts to hold elections in 2026, and determined that residents must have dwelled in a specific district for at least thirty (30) days prior to filing nominations papers for election to the City Council.

The City Council introduced the attached ordinance at this public hearing. Following adoption, the ordinance will go into effect in thirty (30) days and the City will be scheduled to hold its first district-based election in 2026.

DISCUSSION/ANALYSIS

Public Input Received

Over several months, the City Council oversaw an extensive community outreach process and received substantial comments related to district boundaries in the City and draft maps. In response to this input, the City's demographer developed revised maps to address the public's concerns and the direction provided by the City Council, all the while ensuring that the City complied with the criteria mandated by the CVRA and the Federal Voting Rights Act.

District Formation Criteria

In creating the district boundaries, the City must ensure compliance with the following criteria mandated by the CVRA and the Federal Voting Rights Act:

- Each district must contain a nearly equal population (no more than a 10% variance but best practices encourage no more than a 5% population deviation);
- The districting plan must be drawn in a manner that complies with the Federal Voting Rights Act and the Equal Protection Clause of the U.S. Constitution; and,
- The districts must not be drawn with race as the predominant factor because the overall population balance between districts is the highest priority.

Additionally, Election Code section 21130 requires general law cities like the City to adopt districts using the following criteria, which are set forth in order of priority:

- Districts shall be geographically contiguous.
- To the extent practicable, the geographic integrity of any local neighborhood or local community of interest must be respected and maintained. A “community of interest” is a population that shares common social, economic and geographic interests that should be included within a single district for purposes of its effective and fair representation.
- District boundaries should be easily identifiable and understandable. To the extent practicable, districts shall be bounded by natural and artificial barriers, by streets, or by the boundaries of the jurisdiction.
- To the extent practicable, and where it does not conflict with the preceding criteria, districts shall be drawn to encourage geographical compactness.

Drawing and Considering Draft Maps

At the October 22, 2024 public hearing, the City Council heard public feedback on all draft maps previously prepared by Redistricting Partners, as well as those created by the public. Each draft map considered at the October 22nd public hearing was published on the City's website at least seven (7) days in advance of the October 22nd meeting.

On October 22nd, the City Council introduced an ordinance selecting Map F2A for adoption. Draft F2A originated from the draft Map F series, which was live-drawn during the September 24th public meeting. The City Council's goal was to maintain communities of interest that included:

- The El Camino Real community in the northern portion of the City;
- Shopping centers/commercial hubs, which were considered logical community gathering points patronized by residents on a daily basis within their neighborhoods; and
- Neighborhoods, particularly the Highlands and Grant Park neighborhoods in the southern portion of the City.

As required, the City adopted a map that ensures the population is well balanced, uses the appropriate census dataset, follows the Federal Voting Rights Act, and does not discriminate or favor a political party, incumbent or candidate. The total deviation for the adopted map is 8.5%, below the 10% total deviation maximum allowed for municipalities. Additionally, the City and

its consulting demographer used the required Statewide Database's adjusted census data, which reallocated incarcerated residents throughout the state.

Related to communities of interest, the City Council discussed numerous points of interest and communities of interest. In selecting Map F2A for adoption, the City used definitions of neighborhoods and communities of interest as defined by the community and the Council Members and remained consistent in their definitions.

ATTACHMENTS

1. Ordinance No. 2024-xxx
2. Final District Map Report