

**City of Watsonville
City Clerk's Office**



M E M O R A N D U M

DATE: February 16, 2011

TO: Honorable Mayor and City Council Members

FROM: Beatriz Vázquez Flores, City Clerk **APPROVED**

SUBJECT: Proposed Process for Redistricting

MEETING: February 22, 2011 **CITY COUNCIL**

RECOMMENDATION:

1. Adopt a resolution authorizing staff to issue a Request for Proposals (RFP) to hire a qualified legal consultant to work with the City's GIS department to assist the Community Advisory Committee and City Council to review the City's council voting district and to examine and verify compliance with the state and federal Voting Rights Act.
2. Motion approving the following process for redistricting the City of Watsonville as provided in the City Charter following the receipt of the 2010 decennial census data:
 - (a) Establishment of a seven-member Community Advisory Committee on March 8, 2011, to recommend new district boundary lines to the City Council. Each Council Member will nominate one member who is a resident of the City of Watsonville. The City Clerk, City Attorney, and GIS Department will staff the Committee.
 - (b) Council awards contract.
 - (c) Community Advisory Committees meeting(s).
 - (d) Joint Council/Committee meeting(s), if needed.
 - (e) Community Advisory Committee recommends redistricting proposal(s) to Council.
 - (f) On or before October 2011, Council introduces ordinance redistricting the City of Watsonville and adopting a new District Map.
 - (g) Council adopts final ordinance.

BACKGROUND:

Section 413 of the City Charter, which is attached, requires the City Council to redraw Council district boundaries **no later than six months** following receipt by the City Clerk of a written publication containing an enumeration of population by blocks derived from the Census. It is anticipated that the State will receive the data from the Census Bureau on April 1, 2011, and the information will be disseminated to cities some time following that. Staff estimates completion of the process by October 2011. In order to involve all segments of the community and to obtain as much input as possible, it would be appropriate for the City Council to establish a community advisory committee to recommend new Council districts. Since the City Charter requires that the districts conform to the Voting Rights Act, it would be in the City's best interest to hire a legal consultant to assist the Committee and the City Council in redrawing district boundaries as was done in 1991 and 2001, following the 1990 and 2000 Census, respectively.

The recommended process was used in the redistricting of 2001 and a similar process was also used in 1991.

FINANCIAL IMPACT:

In 2001, the City paid approximately \$60,000 for the consultant. Since then the City's population has increased from 46,483 to 52,543 (2010 figures). Unlike the period between 1991 through 2001, major housing subdivisions have been constructed and occupied in several districts, such as Vista Montaña, Bay Breeze, Seaview Ranch, and Las Brisas; and several small infill housing projects have likewise been built and occupied. In 2001 the City hired a legal consultant and a third party demographer; whereas, this time staff is recommending to use its GIS staff for demographic services in an effort to lower the consultant costs.

ATTACHMENTS:

1. Section 413 of the City of Watsonville Charter

~~in the name of the City and be attested by the City Clerk. Disobedience of such subpoena or the refusal to testify upon other than constitutional grounds shall constitute a misdemeanor and shall be punishable in the same manner as violations of this Charter are punishable.~~

SECTION 413. DISTRICT BOUNDARIES.

The boundaries of the seven (7) Districts shall be subject to alteration and change under the provisions of this Section. Following the taking of each federal decennial census, commencing with the 1990 federal decennial census, but no earlier than three (3) months and no later than six (6) months following receipt by the City Clerk of a written publication containing an enumeration of population by blocks derived from such census, the Council shall by ordinance redistrict the City into seven (7) numbered Districts. Such ordinance shall be adopted according to the provisions of Article VI and shall become effective at the expiration of thirty (30) days after adoption of the ordinance; provided, however, that if such ordinance becomes effective on or after the first day on which nomination papers may be filed for an election to the office of member of the Council, then such ordinance shall not apply, or be deemed to apply, to that election or to the person elected to the office of member at such election.

Except as provided hereinabove, such Districts shall be used for all elections of members of the Council, including their recall, and for filling any vacancy in the office of member of the Council, subsequent to the effective date of such ordinance and until new Districts are established. Districts so formed shall be as nearly equal in population as practicable according to such federal decennial census. Any territory heretofore or hereafter annexed to or consolidated with the City but not included within a District shall, prior to or concurrently with completion of the proceedings therefore, be added to an adjacent District or Districts by the Council by ordinance, which shall become effective at the expiration of thirty (30) days after adoption and shall apply to all elections held on and after its effective date.

Any ordinance adopted by the Council and establishing, changing, or altering the boundaries of any District shall describe the new boundaries by reference to a map on file in the office of the City Clerk and/or by a metes-and-bounds description.

In any redistricting, the Council shall make the Districts as nearly equal in population as may be practicable, and may, in establishing the boundaries of the Districts, give consideration to a:

- (a) natural boundaries, street lines and/or City boundaries;
- (b) geography;
- (c) cohesiveness, contiguity, integrity and compactness of territory;
- (d) community of interests within each District; and the Voting Rights Act, 42 U.S.C. Section 1973.

Upon any decennial redistricting pursuant to the provisions of this Section, each incumbent member of the Council who no longer resides within the District to which they were elected as a result of such redistricting will continue to hold office and to represent the District to which the member was elected prior to such redistricting until the first Tuesday following the next General Municipal Election at which time a new member shall be elected to serve the remaining period of the unexpired term, if any, notwithstanding any provision of

Section 403 requiring a member to be a resident of the District represented by such members.

ARTICLE V. THE MAYOR

SECTION 500. APPOINTMENT OF MAYOR.

The Council shall appoint one of its members who shall have the title of Mayor subject to approval by resolution of the Council adopted by at least four (4) affirmative votes. The Mayor shall be appointed at a meeting on the second Tuesday following the General Municipal Election in each election year, and the second meeting in the month designated by Section 1300, General Municipal Elections, in each non-election year, and shall serve until a successor has been appointed.

At the same meeting at which the Mayor is appointed, the Council shall also appoint from among its members a Mayor Pro Tempore subject to approval by resolution of the Council adopted by at least four (4) affirmative votes. The Mayor Pro Tempore shall act as Mayor during the absence or disability of the Mayor, and if a vacancy occurs, shall become Mayor for the completion of the unexpired term.

SECTION 501. POWERS AND DUTIES.

The Mayor shall be recognized as the official head of the City for all political, representative and ceremonial purposes, by the Courts for the purposes of serving civil processes, and by the Governor for military purposes. In time of public danger or emergency, he may direct the administration of the City government through the City Manager.

The Mayor shall be charged with the duty of making recommendations to the Council on all matters of policy and program which require Council decision, provided, that if he recommends any increases in the City budget, he shall recommend the method of financing such expenditures; and provided further, that if he proposes curtailments of services, such recommendations and his reasons therefore shall be specific. The Mayor shall have the primary, but not exclusive, responsibility for interpreting the policies, programs and needs of the City government to the community. He may also, on his own account, inform the community on any matters of policy or program which he believes the welfare of the community makes necessary. It shall be the duty of the Mayor to represent the Council in its relationships with civic groups within the City, and by direction of the Council, he shall represent the City in its relationships with other governmental agencies on matters of policy and program.

The Mayor shall preside at meetings of the Council and shall have a vote as a member of the Council. He shall have no power to veto any ordinance or resolution adopted by the Council.

The Mayor shall have authority to preserve order at all Council meetings and to move or cause the removal of any person from any meeting of the Council for disorderly conduct, to enforce the rules of the Council, and to determine the order of business under the rules of the Council.