

CITY COUNCIL OF THE CITY OF NOVATO

RESOLUTION NO.

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF NOVATO SPECIFYING THE CRITERIA TO GUIDE THE ESTABLISHMENT OF ELECTORAL DISTRICTS AND TO FURTHER SPECIFY THE DEADLINE FOR SUBMISSION OF PROPOSED MAPS BY THE PUBLIC

WHEREAS, the City Council of Novato adopted Resolution No. 2019-021, stating its intention to adopt district based elections, finding that the establishing of electoral districts is exempt from the California Environmental Quality Act (CEQA) pursuant to CEQA guidelines, sections 15061(b)(3), 15320, and 15378(b)(3); and

WHEREAS, the City has retained Nielsen Merksamer Parrinello Gross & Leoni, LLP, to assist with the elections transition and has selected National Demographics Corporation (NDC) to help draw the district maps; and

WHEREAS, on March 26, 2019 and April 9, 2019, the City Council received presentations from its special counsel and consultant concerning the current demographics of the City under the 2010 census, and the procedures and legal and policy criteria governing districting, and received public comment regarding appropriate criteria; and

WHEREAS, at said meetings, the City Council further conducted duly noticed public hearings at which it received testimony from the public regarding appropriate districting criteria; and

WHEREAS, the City Council has fully considered the presentations of its consultants and all of the public comments received; and

WHEREAS, the City Council now wishes to adopt criteria to guide the establishment of electoral districts consistent with legal requirements, including reasonably equal population and Section 2 of the Federal Voting Rights Act, and which address other concerns and considerations important to the City; and

WHEREAS, the City continuously encourages the public to provide input on proposed district maps; and

WHEREAS, in adopting Resolution No. 2019-021, the City Council also adopted a timeline for the consideration of the proposed maps; and

WHEREAS, to facilitate full consideration of proposed maps at public hearings scheduled for April 23, 2019, May 14, 2019, and May 21, 2019, the Council wishes to adopt a deadline for submission of proposed maps from the public.

NOW, THEREFORE, BE IT RESOLVED that the above recitals are true and correct; and

BE IT FURTHER RESOLVED, that the City Council adopts the criteria identified in Exhibit A to this resolution as criteria to guide the establishment of electoral districts to be implemented beginning with the November 5, 2019 City Council elections; and

BE IT FURTHER RESOLVED, that the City's redistricting/demographic consulting firm, acting under the supervision of the City Manager, is hereby authorized and directed to formulate one or more electoral district plan scenarios based upon the criteria specified in Exhibit A for review by the public and by the City Council at three public hearings (or more if necessary), in accordance with the adopted timeline; and

BE IT FURTHER RESOLVED, that the City Council hereby adopts a deadline of Tuesday, April 30, 2019, for submission of proposed maps by the public for consideration by the City Council at future public hearings; and

BE IT FURTHER RESOLVED, that the City Manager shall consult with legal counsel to resolve all legal issues necessary to give effect to this Resolution.

\* \* \* \* \*

I HEREBY CERTIFY that the foregoing resolution was duly and regularly adopted by the City Council of the City of Novato, Marin County, California, at a meeting thereof, held on the 9<sup>th</sup> day of April, 2019, by the following vote, to wit:

AYES: Councilmembers  
NOES: Councilmembers  
ABSTAIN: Councilmembers  
ABSENT: Councilmembers

\_\_\_\_\_  
City Clerk of the City of Novato

Approved as to form:

\_\_\_\_\_  
City Attorney of the City of Novato

## **EXHIBIT A**

### **Specification of Criteria to Guide the Establishment of Electoral Districts**

1. The boundaries of the electoral districts shall be established so that the electoral districts are equal in population as defined by law.
2. The boundaries of the electoral districts shall not be gerrymandered in violation of the principles established by the United States Supreme Court in *Shaw v. Reno*, 509 U.S. 630 (1993), and its progeny.
3. The boundaries of the electoral districts shall be established so that the electoral districts do not result in a denial or abridgement of the right of any citizen to vote on account of race or color as provided in Section 2 of the Federal Voting Rights Act.
4. The boundaries of the electoral districts shall observe communities of interest as identified in public comment or identified by the City Council, including, but not limited to social interests; historical areas; industrial or service industry interests; residential and commercial areas, the location of City facilities and historical sites, and the like, insofar as practicable.
5. The boundaries of the electoral districts shall be compact, insofar as practicable.
6. The boundaries of the electoral districts shall be created to contain cohesive, contiguous territory, insofar as practicable.
7. The boundaries of the electoral districts may observe topography and geography, such as the existence of hills, flat lands, man-made geographical features such as highways, and major roadways, etc., as natural divisions between districts, insofar as practicable.
8. Unless otherwise required by law, the electoral districts shall be created using whole census blocks, insofar as practicable.
9. The boundaries of the electoral districts may avoid the “pairing” of incumbents in the same electoral district, insofar as this does not conflict with the constitution and laws of the State of California and the United States.
10. The boundaries of the electoral districts shall comply with such other factors, which become known during the districting process and are formally adopted by the City Council.