

RESOLUTION 2017-90

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

WHEREAS, on August 30, 2017, the City Council of the City of Encinitas ("City") adopted Resolution No. 2017-082, stating its intention to adopted district based elections pursuant to Elections Code section 10010 and the California Voting Rights Act; and

WHEREAS, the City has retained an experienced demographer and special legal counsel to assist the City in establishing a by-district electoral system; and

WHEREAS, on September 6, 2017, and September 20, 2017, the City Council received presentations from its special counsel and demographic consultant concerning the current demographics of the City under the 2010 census and American Community Survey, and the procedures and legal and policy criteria governing districting, and received public comment regarding appropriate criteria; and

WHEREAS, on September 6, 2017, and September 20, 2017, 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 has made available on its website materials, including an online mapping program, that are designed to enable members of the public to submit proposed district maps for consideration by the Council; and

WHEREAS, in adopting Resolution No. 2017-082, the City Council also adopted a timeline for the consideration of proposed maps; and

WHEREAS, to facilitate full consideration of proposed maps at public hearings scheduled for November 8, 2017, and November 15, 2017, the Council wishes to adopt a deadline for submission of proposed maps from the public;

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

FURTHER, The City Council hereby adopts the criteria identified in Exhibit A to this Resolution as criteria to guide the establishment of electoral districts for the November 2018 and November 2020 City Council elections.


FURTHER, 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.

FURTHER, the City Council hereby adopts a deadline of October 18, 2017, for submission of proposed maps by the public for consideration by the City Council at future public hearings.

FURTHER, The City Manager shall consult with legal counsel to resolve all legal issues necessary to give effect to this Resolution.

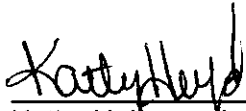
PASSED AND ADOPTED, by the City Council of the City of Encinitas, this 20th day of September, 2017, by the following roll call vote:

AYES: Blakespear, Boerner Horvath, Kranz, Mosca, Muir
NAYS: None
ABSENT: None
ABSTAIN: None



Catherine S. Blakespear, Mayor

ATTEST:



Kathy Hollywood, City Clerk

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 rural or urban populations; social interests; agricultural, industrial or service industry interests; residential and commercial areas, the location of city facilities and historical sites, and the like, insofar as practicable. For example, and without limiting the communities of interest that may be considered, the boundaries shall take into account:
 - a. Encinitas's historical communities of New Encinitas, Old Encinitas, Leucadia, Cardiff-by-the-Sea, and Olivenhain; and
 - b. Political subdivision boundaries such as school districts and water and wastewater districts.
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 mountains, flat land, forest lands, man-made geographical features such as highways, major roadways and canals, etc., as natural divisions between districts, insofar as practicable. For example, and without limiting the communities of interest that may be considered, the boundaries shall:
 - a. Attempt to avoid the creation of a coastal/inland division; and
 - b. Attempt to provide, to the extent possible, for each district to share responsibility for major transportation corridors, such as Highway 5, Pacific Coast Highway, El Camino Real, and Highway 101, and coastal regions.
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.