

RESOLUTION NO. 16-09

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF EASTVALE, CALIFORNIA, INITIATING PROCEDURES FOR ESTABLISHING AND IMPLEMENTING BY-DISTRICT ELECTIONS FOR CITY COUNCIL MEMBERS, INCLUDING SPECIFYING CRITERIA FOR ESTABLISHMENT OF THOSE VOTING DISTRICTS

WHEREAS, members of the City Council of the City of Eastvale (“City”) currently are elected in “at-large” elections, in which each City Council member is elected by all registered voters of the entire city; and

WHEREAS, the City was incorporated with a provision for such at-large elections and has used such a voting system in all past City Council elections; and

WHEREAS, California Government Code section 34886, effective January 1, 2016, Authorizes the City Council of a city with a population of fewer than 100,000 people, to change the city’s method of election by ordinance, with certain formalities, to a “by- district” system in which each City Council member is elected only by the voters in the district in which that candidate resides or four candidates are elected from districts and the Mayor is elected at large for a two or four year term; and

WHEREAS, on or about April 4, 2016, the City received a letter asserting that it’s at-large electoral system violates the California Voting Rights Act (“CVRA”) and threatening litigation if the City declined to adopt by-district elections in time for the November 2016 general election; and

WHEREAS, the City Council issued direction based upon the CVRA to commence the process to establish by-district elections to avoid spending tax dollars in the defense of a potentially extremely expensive lawsuit; and

WHEREAS, the City will work with an experienced demographer to assist the City in establishing a by-district electoral system; and

WHEREAS, at its April 27, 2016 meeting, the City Council adopted Resolution No. 16-09, formally initiating the process of establishing by-district elections for City Council, beginning in November 2016, and approving a timeline for conducting a public process and adopting an appropriate ordinance pursuant to Government Code section 34886; and

WHEREAS, pursuant to that timeline, on April 27, 2016, at a noticed regular meeting, the City Council and the public received presentations regarding the current demographics of the City under the 2010 census as well as the legal and policy criteria and procedures governing conversion to by-district voting; and

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

WHEREAS, the City Council now also 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, as well as other concerns and considerations important to the City.

NOW, THEREFORE, BE IT RESOLVED as follows:

A. The above recitals are true and correct.

B. The City Council hereby resolves to adopt a by-district election system by ordinance as authorized by Government Code section 34886 for use in the City's General Municipal Election for City Council Members in November 2016.

C. The City Council hereby approves the tentative timeline contained in Exhibit A hereto, and incorporated by this reference, for conducting a public process to solicit public input and testimony on proposed by-district electoral plans before adopting any such plan. This timeline contained in Exhibit A shall be subject to adjustment by the City Council as it deems necessary, provided that such adjustments shall not prevent the City from meeting its goal of finalizing the change to by-district elections in time for the November 2016 elections.

D. The City Council hereby adopts the criteria identified in Exhibit B, attached to this Resolution and incorporated by this reference, as criteria to guide the establishment of electoral districts for the 2016 City Council elections.

E. 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 B for review by the public and by the City Council at three public hearings (or more if necessary), in accordance with the adopted timeline.

F. Working with the demographic consulting firm, staff is directed post relevant maps, information, notices, agendas and other materials regarding by-district elections and to establish means of communication to answer questions from the public; in addition, the consultant will provide a downloadable map of the city which may be used by the public to draw suggested District boundaries and then returned to the City or consultant. Such materials shall be in both Spanish and English.

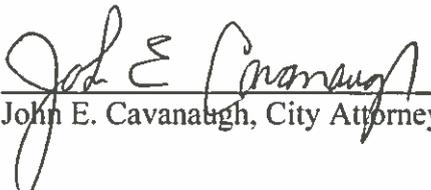
G. All three public hearings to be held shall be noticed as follows: posting on the City website at least 10 calendar days in advance of the hearing and publication at least 10 days in advance of the hearing in the newspaper adjudicated to provide notice within the City.

H. The City Manager is authorized to take any and all other necessary action to give effect to this Resolution.

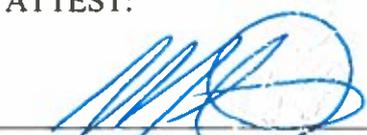
PASSED, APPROVED AND ADOPTED this 27th day of April, 2016.


Ike Bootsma, Mayor

APPROVED AS TO FORM:


John E. Cavanaugh, City Attorney

ATTEST:


Marc Donohue, City Clerk

STATE OF CALIFORNIA)
COUNTY OF RIVERSIDE) §
CITY OF EASTVALE)

I, Marc Donohue, City Clerk of the City Council of the City of Eastvale, California, do hereby certify that the foregoing City Council Resolution, No. 16-09, was duly adopted by the City Council of the City of Eastvale, California, at a regular meeting thereof held on the 27th day of April, 2016, by the following vote, to wit:

AYES: Councilmember Lorimore, Mayor Pro Tem TESSARI, Mayor Bootsma

NOES:

ABSENT: Councilmember Rush

ABSTAIN:


Marc Donohue, City Clerk