

# Consideration of Intent to Transition to District Elections

August 13, 2019

# Legal Analysis

- What is the CVRA?
  - Prohibits at-large election system from impairing a protected class to elect candidates or influence the outcome of elections because of the dilution of voters
  - Protected class = a class of voters who are members of a race, color, or language minority group
  - A violation of the CVRA exists if racially polarized voting exists in the jurisdiction's elections

# Legal Analysis Cont.

- The threshold required for showing a violation of the CVRA is low
- The main remedy under CVRA is to move to district-based elections, which is a method of election in which “the candidate must reside within an election district . . . and is elected only by voters residing within that election district”
- Since 2016 nearly 100 California cities have switched to or are considering district elections

# CVRA and the City of Davis

- July 1: City received demand letter alleging a violation of CVRA
- “Safe-harbor” provision: If resolution of intent to transition to districts adopted within 45 days of receiving demand letter (August 13 Council meeting), the city has an additional 90 days to adopt ordinance to transition to district elections (November 5 Council meeting)

# Proposed Schedule (Updated)

- **August 13:** Adopt resolution of intention
- **September 3:** Public Hearing 1
- **September 10:** Public Hearing 2
- **September 21:** Community Event
- **September 30:** Maps Published
- **October 8:** Public Hearing 3
- **October 22:** Public Hearing 4 (introduce ordinance to transition to districts)
- **November 5:** Public Hearing 5 (adopt ordinance)

# Next Steps

- Hire Demographer
- Community Outreach Commences
- Public Hearings 1 and 2
  - Must be held prior to drawing of maps
  - Discuss process
  - Identify neighborhoods and communities of interest
  - Consider criteria for the formation of districts

# Next Steps Cont.

- Public Hearing 3
  - Map(s) published at least 7 days prior to hearing
  - Receive input regarding map(s)
  - Final opportunity to provide direction to modify map options
- Public Hearing 4
  - Map(s) published at least 7 days prior to hearing
  - Receive input regarding map(s)
  - Selection of final map
  - Introduce ordinance to transition to district elections

# Next Steps Cont.

- Public Hearing 5
  - Adopt ordinance to transition to district elections
  
- Public Outreach



# Other Considerations

- Timing of Municipal Elections
  - March 2020: County deadlines require city to take action on districts prior to September 12 (not logistically feasible for city to meet legal requirements prior to this date)
  - Consider changing election date to November (statewide general election date)
    - Need to address terms of existing Councilmembers
    - Requires ordinance amendment

# Other Considerations Cont.

- November 5 Deadline: Council must take final actions related to March 2020 election