



# CITY OF SANTA BARBARA

## COUNCIL AGENDA REPORT

**AGENDA DATE:** February 10, 2015

**TO:** Mayor and Councilmembers

**FROM:** City Clerk Division, Administrative Services Department

**SUBJECT:** Contract For Civic Engagement Regarding District Elections

**RECOMMENDATION:** That Council:

- A. Authorize the Administrative Services Director to negotiate and execute, subject to approval by the City Attorney, an agreement with National Demographics Corporation, Inc. (NDC) in an amount not to exceed \$65,000 for the development of public input tools related to by-district elections, and authorize up to \$10,000 for extra services of NDC that may be necessary, for a total authorized amount not to exceed \$75,000; and
- B. Allocate \$75,000 of General Fund appropriated reserves to the Fiscal Year 2015 Administrative Services Department, City Clerk's Office, budget to fund the contract with National Demographics Corporation and other expenses related to the public input process.

### **DISCUSSION:**

#### Background

On February 3, 2015, Council approved a civic engagement plan to collect input from City residents regarding the possibility of moving to by-district elections (hereinafter "district elections".)

The City's civic engagement plan has two distinct goals:

- Goal 1 (Pre-trial): To quickly collect as much public input as practical to inform the City's positions in litigation (Banales, et al. v. City of Santa Barbara), set for an April 2015 trial date, and in potential settlement discussions.
- Goal 2 (Ballot Measure): To move forward with gathering input necessary to place the question of whether to implement district elections on the November 2015 ballot, as originally planned, should the plaintiffs be unsuccessful in getting an order for district elections without the approval of the voters.

### Question for Public Input

The public will have an opportunity to weigh in on the full range of issues related to how district elections should be implemented, if they are implemented. Examples of questions for public input include the following:

- *Preliminary District Input:* What district boundaries should the City advocate for in litigation and potential settlement discussions, should district elections begin in November 2015?
- *Ballot Language on Independent Districting Commission:* If district elections are not imposed through court proceedings, what will the November 2015 ballot measure say about who will be eligible to serve on the districting commission, how they will be appointed, and what their duties will be?
- *Implementation of District Elections:* Given staggered Council terms of office, how will the ballot measure address the implementation or phase-in of district elections (i.e., which districts would be first to fill positions on the Council)?

As indicated above, the input related to district boundaries would initially be used by the City to inform its positions in litigation and potential settlement discussions. Should the City not be ordered to implement district elections in November 2015, the input collected from the public would later be available to the City Attorney in drafting a ballot measure. Should district elections ultimately be approved by the voters, it would also be available to the independent districting commission established by the voters.

### Public Input Tools

Staff recommends engaging Douglas Johnson of the National Demographics Corporation (NDC) to design public input tools. National Demographics already has collected a large amount of data about the City's boundaries and demographics for the City in its consideration of district elections, and is in the best position to respond quickly.

NDC will develop a public input website, including a geographic computer model from a company named ESRI that would allow the user to draw and test various district boundaries against demographic data. The public would be given the opportunity to go online to answer questions about a proposed ballot measure, consider various example district maps developed by a demographics consultant, and/or to propose alternate district maps that best reflect the public interest. A pen-and-paper option will be available for those who prefer to use more traditional input tools.

Input Schedule

The following schedule has been developed to work around the reflected deadlines, though the details are still under negotiation and may be subject to change:

| <b>DATE</b>                        | <b>MILESTONE</b>  | <b>DESCRIPTION</b>  |
|------------------------------------|---|---|
| February 28<br>(Saturday)          | <b>Community Workshop #1</b>  | Introduce members of the public to the issue of district elections, the input process, and how they can use available input tools and opportunities. Members of the public will also be able to provide comment |
| February 28<br>through<br>March 13 | <b>Public Input Period</b>  | Public may provide input online or to the City Clerk's Office   |
| March 18<br>(Wed. Eve)             | <b>Community Workshop #2</b>  | Introduce the results and conclusions gathered through public input. Members of the public will also be able to provide additional comment  |
| March 24                           | <b>Council Consideration<br/>of Public Input Results</b>                | Council will receive a report on the results of the public input process  |
| April 6                            | <b>Trial Date</b>   |   |
| TBD                                | <b>County Deadline</b>  | District boundary map submitted to County (If district elections ordered for 2015)  |
| TBD                                | <b>Community Workshop #3</b>  | Public to review the draft ballot measure proposed by the City Attorney   |
| TBD                                | <b>Council Consideration<br/>of Draft Ballot Measure</b>                | Council consideration of City Attorney draft ballot measure (If question permitted to go to voters)   |
| June 9                             | <b>Deadline for Council<br/>Adoption of Ballot<br/>Measure Language</b> | Last day for Council to adopt Resolution for ballot measure   |

The window to receive input is not ideal, of course, but this schedule is necessary to allow the public a meaningful input in time for consideration prior to trial. Staff will put considerable effort input publicizing the input opportunities to maximize participation.

**BUDGET/FINANCIAL INFORMATION:**

The contract with National Demographics Corporation will cost an estimated \$65,000. Staff is requesting authority for up to an additional \$10,000 in extra services that may be needed, and/or other costs related to the process that may arise, for a total amount not to exceed \$75,000. Funds are available in the General Fund appropriated reserve to

cover the cost; and staff is recommending allocating \$75,000 to the City Clerk's Office for this purpose.

**SUBMITTED BY:** Kristine Schmidt, Administrative Services Director

**APPROVED BY:** City Administrator's Office