

**RESOLUTION NO. 7524****A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SOUTH PASADENA, CALIFORNIA, DECLARING ITS INTENT TO TRANSITION FROM AT-LARGE ELECTIONS FOR CITY COUNCIL TO DISTRICT-BASED ELECTIONS FOR CITY COUNCIL PURSUANT TO ELECTIONS CODE SECTION 10010**

**WHEREAS**, members of the City Council of the City of South Pasadena (City) are currently elected in “at-large” elections, in which each City Councilmember is elected by the registered voters of the entire City; and

**WHEREAS**, Government Code Section 34886 in certain circumstances, authorizes the legislative body of a city of any population to adopt an ordinance to change its method of election from an “at-large” system to a “by-district” system in which each Councilmember is elected only by the voters in the district in which the Councilmember resides; and

**WHEREAS**, the City received a certified letter on June 5, 2017, from Kevin I. Shenkman, Esq., on behalf of his client Southwest Voter Registration Education Project, containing unsubstantiated allegations that the City’s at-large electoral system violates the California Voting Rights Act (CVRA) and threatening litigation if the City declined to adopt a district-based electoral system; and

**WHEREAS**, the City has a history of inclusionary voting as Latino candidates have been regularly elected to the City Council. Since 2007, Latinos have won two of the three times they were on the ballot, serving a total of 8 out of 10 years. Today, the City Council is represented by residents from a diverse range of racial and ethnic backgrounds including Asian-American, Latino, Armenian, Italian, and Caucasian; and

**WHEREAS**, the City denies that its election system violates the CVRA or any other provision of law and asserts that South Pasadena’s electoral system is legal in all respects and further denies any wrongdoing whatsoever in connection with the manner in which it has conducted its City Council elections; and

**WHEREAS**, although the letter was not accompanied by any evidence to support the claim of a CVRA violation, the City Council has concluded that the public interest would be better served by transitioning to a district-based electoral system because: 1) the extraordinary cost to defend against a CVRA lawsuit, 2) the risk of losing such a lawsuit would require the City to pay prevailing plaintiff’s attorney’s fees, and 3) reimbursable costs and attorney’s fees are capped at a maximum of \$30,000 by following the procedures set forth in Elections Code Section 10010 as amended by Assembly Bill 350; and

**WHEREAS**, prior to the City Council's consideration of an ordinance to establish boundaries for a district-based electoral system, Elections Code Section 10010 requires all of the following:

- 1) Prior to drawing a draft map or maps of the proposed boundaries of the districts, the City shall hold a least two (2) Public Hearings over a period of no more than thirty (30) days, at which the public will be invited to provide input regarding the composition of the districts.
- 2) After all draft maps are drawn, the City shall publish and make available for release at least one draft map and, if members of the City Council will be elected in their districts at different times to provide for staggered terms of office, the potential sequence of the elections shall also be published.
- 3) The City Council shall also hold at least two (2) additional Public Hearings over a period of no more than forty-five (45) days, at which the public shall be invited to provide input regarding the content of the draft map or maps and the proposed sequence of elections, if applicable.
- 4) The first version of a draft map shall be published at least seven (7) days before consideration at a Public Hearing. If a draft map is revised at or following a Public Hearing, it shall be published and made available to the public for at least seven (7) days before being adopted.

**WHEREAS**, the City will be utilizing the services of a professional demographer to assist the City to develop a proposal for a district-based electoral system; and

**WHEREAS**, the adoption of a district-based electoral system will not affect the terms of any sitting Councilmember, each of whom will serve out his or her current term.

**NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF SOUTH PASADENA, CALIFORNIA, DOES RESOLVE, DECLARE, DETERMINE AND ORDER AS FOLLOWS:**

**SECTION 1.** The City Council hereby resolves to consider adoption of an ordinance to transition to a district-based electoral system as authorized by Government Code Section 34886 for use in the City's General Municipal Election for Members of the City Council beginning in November 2018.

**SECTION 2.** The City Council directs the City Clerk and City Attorney to work with a professional demographer, and other appropriate consultants as needed, to provide a detailed analysis of South Pasadena's current demographics and any other information or data necessary to prepare a draft map that divides South Pasadena into voting districts in a manner consistent with the intent and purpose of the CVRA and the Federal Voting Rights Act.

**SECTION 3.** The City Council hereby approves the tentative timelines as set forth in Exhibit A, attached to and made part of this resolution, for conducting a public process to solicit public input and testimony on proposed district-based electoral maps before adopting any such map.

**SECTION 4.** The timeline contained in Exhibit A may be adjusted by the City Clerk as deemed necessary, provided that such adjustments shall not prevent the City from complying with the time frames specified by Elections Code Section 10010.

**SECTION 5.** The City Council directs the City Clerk to post information regarding the proposed transition to a district-based electoral system on the City's website, including maps, notices, agendas and other information.

**SECTION 6.** The City Clerk of the City of South Pasadena shall certify to the passage and adoption of this resolution and its approval by the City Council and shall cause the same to be listed in the records of the City.

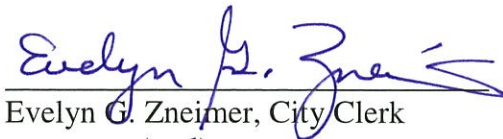
**PASSED, APPROVED AND ADOPTED ON** this 19<sup>th</sup> day of July, 2017.



Michael A. Cacciotti, Mayor

**ATTEST:**

**APPROVED AS TO FORM:**



Evelyn G. Zneimer, City Clerk  
(seal)



Teresa L. Highsmith, City Attorney

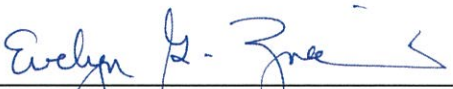
**I HEREBY CERTIFY** the foregoing resolution was duly adopted by the City Council of the City of South Pasadena, California, at a regular meeting held on the 19<sup>th</sup> day of July, 2017, by the following vote:

**AYES:** Joe, Khubesrian, Mahmud, Schneider, and Mayor Cacciotti

**NOES:** None

**ABSENT:** None

**ABSTAINED:** None

  
\_\_\_\_\_  
Evelyn G. Zneimer, City Clerk  
(seal)

## EXHIBIT A

**TENTATIVE TIMELINE FOR THE  
CONSIDERATION AND IMPLEMENTATION OF A  
DISTRICT-BASED ELECTORAL SYSTEM**

- 07/19/2017: City Council Meeting to introduce topic and adoption of the Resolution of Intent to transition from at-large to district-based elections.
- 08/16/2017: Public Hearing #1: City Council Meeting to seek community input and to provide direction on “communities of interest” and the composition of districts.
- 09/06/2017: Public Hearing #2: City Council Meeting to seek community input and to provide direction on “communities of interest” and the composition of districts.
- 09/20/2017: Public Hearing #3: City Council Meeting to seek community input and to provide direction on the content of the proposed draft maps and sequence of elections.
- 10/04/2017: Public Hearing #4: City Council Meeting to select a preferred district map and to introduce an ordinance to transition to district-based elections.
- 10/18/2017: City Council Meeting to adopt an ordinance to transition to district-based elections.