

## CITY OF FAIRFIELD

### RESOLUTION NO. 2019 - 218

#### RESOLUTION OF THE CITY COUNCIL OF THE CITY OF FAIRFIELD DECLARING ITS INTENTION TO TRANSITION FROM AT-LARGE TO DISTRICT-BASED ELECTIONS FOR MEMBERS OF CITY COUNCIL, OUTLINING SPECIFIC STEPS TO BE UNDERTAKEN TO FACILITATE THE TRANSITION, AND ESTIMATING A TIME FRAME FOR ACTION PURSUANT TO ELECTIONS CODE SECTION 10010

**WHEREAS**, members of the City Council of the City of Fairfield ("City") are currently elected in "at-large" elections, in which each City Councilmember and the Mayor are elected by the registered voters of the entire City; and

**WHEREAS**, on August 21, 2019, the City received a letter from the law firm of Shenkman & Hughes, PC alleging that the City's at-large election system violates the California Voting Rights Act; 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 or a "by-district" system with an elective mayor; and

**WHEREAS**, Elections Code Section 10010 establishes a process by which a jurisdiction can change to a district-based election system through the legislative approval process and avoid the high cost of litigation under the California Voting Rights Act; and

**WHEREAS**, prior to the City Council's consideration of an ordinance to establish district boundaries for a district-based election 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 at 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 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. The City Council shall also hold at least two (2) additional public hearings over a period of no more than 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. 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; and

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

**NOW, THEREFORE, THE COUNCIL OF THE CITY OF FAIRFIELD HEREBY RESOLVES:**

Section 1. The City Council will consider the adoption of an ordinance to transition to a district-based election system as authorized by Government Code Section 34886 for use in the City's General Municipal Election for City Councilmembers.

Section 2. The City Attorney and the City Clerk are directed to work with a professional demographer, and other appropriate consultants as needed, to provide a detailed analysis of the City's demographics and any other information or data necessary to prepare a draft map that divides the City into voting districts in a manner consistent with the intent and purpose of the California Voting Rights Act and the federal Voting Rights Act; and

Section 3. The tentative timeline set forth in Exhibit A, attached to and made a part of this resolution, for conducting a public process to solicit public input and testimony on proposed district-based election maps is approved; and

Section 4. The timeline contained in Exhibit A may be adjusted by the City Attorney and City Clerk as deemed necessary, including pursuant to an extension agreement with the prospective plaintiff, provided that such adjustments shall not prevent the City from complying with the time frames specified in Elections Code Section 10010; and

Section 5. The City Clerk is directed to post information regarding the proposed transition to a district-based election system, including maps, notices, agendas, and other information and to establish a means of communication to answer questions and receive comments from the public.

**PASSED AND ADOPTED** this 17th day of September, 2019, by the following vote:

AYES: COUNCILMEMBERS: PRICE / BERTANI / MOY / TIMM / VACCARO  
NOES: COUNCILMEMBERS: None  
ABSENT: COUNCILMEMBERS: None  
ABSTAIN: COUNCILMEMBERS: None

*Harry F. Puccio*  
MAYOR

ATTEST:  
*Karen L. Rees*  
CITY CLERK

**EXHIBIT A**

**TENTATIVE TIMELINE FOR PUBLIC HEARING PROCESS**

<b>DATE</b>	<b>ACTION</b>
<p><b>September 17, 2019</b> (Regular City Council Meeting) <small>*Deadline is 45-day mark - October 7, 2019</small></p>	<p>Council adoption of resolution of intent to transition from at-large to district-based elections</p>
<p><b>October 1, 2019</b> (Regular Council Meeting)</p>	<p>First public hearing to give background on CVRA, introduce mapping tools and explain process</p>
<p><b>October 15, 2019</b> (Regular Council Meeting)</p>	<p>Second public hearing to give background on CVRA, introduce mapping tools and explain process</p>
<p><b>October 16- October 28, 2019</b></p>	<p>Draft maps</p>
<p><b>October 29, 2019</b></p>	<p>Publish draft map(s) no less than 7 days before public hearing</p>
<p><b>November 5, 2019</b> (Regular Council Meeting)</p>	<p>Third public hearing to receive public input on draft maps and election sequence</p>
<p><b>November 12, 2019</b></p>	<p>Publish any new/revised draft map(s) no less than 7 days before public hearing</p>
<p><b>November 19, 2019</b> (Regular Council Meeting)</p>	<p>Fourth public hearing to receive public input on draft maps and election sequence</p> <p>Map Selection</p> <p>Introduction and first reading of ordinance to establish district-based elections</p>
<p><b>December 3, 2019</b> (Regular City Council Meeting)</p>	<p>Fifth hearing for second reading and adoption of ordinance to establish district-based elections</p>
<p><b>December 16, 2019</b></p>	<p>90 days after adoption of resolution of intent</p>