

RESOLUTION NO. 8823

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF OROVILLE, CALIFORNIA EXPRESSING THE CITY COUNCIL'S INTENTION, PURSUANT TO ELECTIONS CODE SECTION 10010, TO INITIATE PROCEDURES FOR ESTABLISHING AND IMPLEMENTING BY-DISTRICT ELECTIONS FOR COUNCIL MEMBERS

WHEREAS, the council members of the City of Oroville are currently elected in at-large elections, in which each Council Member is elected by all registered voters of the entire City; and

WHEREAS, at-large election systems such as those presently employed by the City to elect Council Members, are subject to challenge under the California Voting Rights Act of 2001, codified at sections 14025, et seq., of the California Elections Code ("CVRA"); and

WHEREAS, "by-council member area" electoral systems, whereby only voters residing within a specific council district vote only for the council member representing that council district, are not similarly vulnerable to challenge under the CVRA; and

WHEREAS, the City Council previously determined that it is in the best interest of the City to move from its current at-large electoral system to a by-district election for members of the City Council in furtherance of the purposes of CVRA; and

WHEREAS, because the City Charter outlines a separately elected position of Mayor and the Government Code separately authorizes the position of Mayor elected throughout the City at-large, the by-district voting will be applicable to elect City Council Members; and

WHEREAS, the City Council will work with Q2 Data & Research LLC to prepare by-council member area election system map options for the City Council's consideration; and

WHEREAS, before drawing a draft map of the proposed boundaries of the districts, pursuant to Section 10010 of the Elections Code, the City will hold at least two (2) public hearings over no more than thirty (30) days, at which time the public is invited to provide input regarding the composition of the districts; and

WHEREAS, the City will then publish and make available for release at least one (1) draft map of the new electoral districts, including the potential sequence of elections shown; and

WHEREAS, once the draft map has been published for at least seven (7) days , the City will hold at least two (2) additional public hearings, over no more than forty-five (45) days, at which time the public is invited to provide input regarding the content of the

draft map and the proposed sequence of elections prior to the public hearing at which the City Council adopts a map; and

WHEREAS, if a draft map is revised at or following a public hearing, the revised map will be published and made available to the public at least seven (7) days before the City chooses to adopt it; and

WHEREAS, in determining the final sequence of staggered district elections, the City Council will give special consideration to the purposes of the CVRA, and will take in to account the preferences expressed by the members of the districts; and

WHEREAS, the City Council now wishes to adopt criteria to guide the establishment of electoral districts consistent with legal requirements, including reasonable 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 BY THE CITY COUNCIL OF THE CITY OF OROVILLE AS FOLLOWS:

SECTION 1. The above recitals are true and correct and are incorporated herein by this reference.

SECTION 2. The City Council hereby resolves, pursuant to Elections Code section 10010, to adopt a by-district election system by ordinance as authorized by the California Government Code, for use in the City's General Municipal Election for Council Members.

SECTION 4. The City Council further resolves to continue working with Q2 Data & Research LLC, a qualified demographer, to hold at least five (5) public hearings and to publish at least one (1) draft map and staggering sequence.

SECTION 5. The City Council's redistricting/ demographic consulting firm, acting under the supervision of the City Administrator and City Attorney, is hereby authorized to direct and formulate one or more electoral district scenarios for review by the public and City Council at two or more public hearings if necessary, in accordance with the City's proposed timeline.

SECTION 6. Working with the demographic consulting firm, staff is directed to publicize relevant maps, information, notices, agendas and other materials regarding by-district elections and to establish means of communication to answer questions from the public.

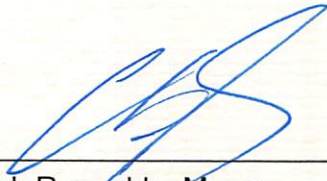
SECTION 7. All public hearings shall be noticed as follows: posting on the City website at least ten (10) calendar days in advance of the hearing and publication at least ten (10) days in advance of the hearing in the newspaper adjudicated to provide notice within the City.

SECTION 8. The City Administrator is authorized to take any and all other necessary actions to give effect to this Resolution.

SECTION 9. This Resolution shall become effective immediately upon its adoption.

PASSED AND ADOPTED BY THE CITY COUNCIL OF THE CITY OF OROVILLE: This 3rd day of December 2019, by the following roll call vote:


AYES:	Hatley, Smith, Goodson, Draper, Reynolds
NOES:	Pittman
ABSTAIN:	Thomson
ABSENT:	None



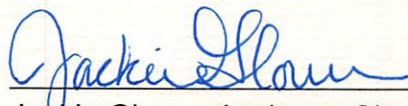
Chuck Reynolds, Mayor

APPROVED AS TO FORM

ATTEST:

 For:

Scott E. Huber, City Attorney



Jackie Glover, Assistant City Clerk