



City Council Special Meeting

**Ballot Measures
regarding District Elections**

July 16, 2018



Background

- On June 6, 2018, the Santa Clara Superior Court issued a ruling stating that the City's current at-large, by-seat election system violated the California Voting Rights Act (CVRA).
- Court directed the City to make best efforts to hold public hearings on possible district plans for Council elections
- Remedies phase to begin this Wednesday, July 18
- Judgment could be as soon as July 23



Court Ordered Public Hearings

- **Purpose: Solicit feedback from the public regarding district elections**
- **The Ad-hoc Advisory Districting Committee held a total of three public hearings: July 3, July 5 and July 11**
- **The fourth public hearing will be held tonight as part of the Special Council Meeting**



Public Process

- Previous public process that lead to Measure A was 4-month long process (which was already accelerated)
- Court-ordered process was 2 weeks
- Based on feedback received, voter confusion is apparent



November 2018 Election

- Court likely to rule on how candidates are to be elected in November 2018 election
- As a Charter City, the City Council may place one or more measures on the ballot to ask the voters how Council Members should be elected in November 2020 and beyond



November 2020 Election

- **Deadline for Ballot Measures to ROV is August 10**
- **Council Recess July 18-August 20**
- **Upon receipt of 2020 census data, re-districting will be needed**



Two Policy Options

- **Advisory Ballot Measure (non-binding)**
 - Maximizes community input and sequentially provides voters with the right to determine whether there are Council districts and if so, how many. Minimizes voter confusion.
- **2, 3 or 6 District Ballot Measures**
 - Accelerates community input and voter decision on the number of Council districts and assumes Santa Clara voters want to elect Council Members by districts. May result in increased voter confusion.



Alternative 1 – Advisory Ballot Measure

Shall the City of Santa Clara engage the voters in a public process to draft a Charter Amendment ballot measure to elect its Council Members, other than the Mayor, by district?



Advisory Ballot Measure - Considerations

- **Non-binding**
- **Would allow for a robust, sequential public outreach and engagement process to avoid voter confusion. Information and education efforts would be on each step of the process.**
- **Seek public input on: number of districts, boundary lines, sequencing and transition plan**
- **Charter Amendment ballot measure would be voted on in June 2020 in time for November 2020 election if passed.**



Alternative 2 –

District Ballot Measures

- In order to effect a change to the Charter, a ballot measure must receive 50%+1 of the votes
- In the event Council places more than one measure on the ballot, the measure that has achieved the highest vote will prevail
- In each option, Charter Amendments would modify Charter Sections 600, 700.1 and add a new Section 700.2



Two Council Districts

*Shall the City Charter be amended to change how Council Members are elected by establishing **two** districts beginning in 2020 each represented by **three** Council Members with sequencing and terms to be established by ordinance of the City Council?*



Three Council Districts

*Shall the City Charter be amended to change how Council Members are elected by establishing **three** districts beginning in 2020 each represented by **two** Council Members with sequencing and terms to be established by ordinance of the City Council?*



Six Council Districts

*Shall the City Charter be amended to change how Council Members are elected by establishing **six** districts beginning in 2020 each represented by **one** Council Member with sequencing and terms to be established by ordinance of the City Council?*



Ballot Arguments

- Council may designate up to three Council Members to draft an argument for any ballot measure
- Otherwise, any registered voter or bona fide association of citizens may submit an argument
- Arguments due to City Clerk: **August 14, noon**
- Rebuttal arguments and City Attorney Impartial Analysis due to City Clerk : **August 21, noon**



Outreach and Education

- City website and e-Notify
- Social Media
- Government Access Channel
- Publication of ads in local and ethnic media outlets
- Direct Mail and flyers
- Translation in multiple languages



Fiscal Impact

- Each ballot measure would be approximately \$90,800
- A total of 2 ballot measures have been budgeted, including printing, translation services and publication of notices
- Note: depending upon Council direction, additional funds may be needed for professional consulting services for voter education



Action Alternatives

- Adopt the requisite Resolutions to submit one or more ballot measures for the November 2018 election:
 - Advisory Vote; **OR**
 - 2 Districts; **OR/AND**
 - 3 Districts; **OR/AND**
 - 6 Districts; **OR/AND**



Action Alternatives (cont)

- Designate up to three Council Members to author ballot argument and direct City Attorney to draft Impartial Analysis
- OR
- Maintain the status-quo and await the Court's ruling on the CVRA case



City of Santa Clara

The Center of What's Possible

