Deborah Lopez

From: Paula Perotte
Sent: Saturday, March 04, 2017 4:13 PM
To: Michelle Greene; Deborah Lopez
Subject: Fwd: Election Preference/Off-leash Area at Ellwood

FYI
Paula ~

Sent from my iPhone

Begin forwarded message:

From: Frank L Hudson <goletahudson@cox.net>
Date: March 4, 2017 at 2:46:33 PM PST
To: <citycouncil@cityofgoleta.org>
Subject: Election Preference/Off-leash Area at Ellwood

Dear City Council Members,

Concerning district vs at large voting, we are in favor of maintaining the at large system. We feel this gives everyone more say in electing members based on their views on issues important to everyone in the whole community; like development for instance. A pro-development candidate could be voted in by a much smaller sub-segment of the whole population based on localized preferences, and the majority of the population would be effectively disenfranchised.

Concerning designated off-leash areas at Ellwood Mesa, it should be recognized that long time residents of Goleta have been using this area this way for decades with very few conflicts that couldn't be resolved between users in a cooperative manner. It is due to the vocal presence of a relatively few anti-dog people that we now have this stepped-up leash enforcement in the fields. I encourage those City Council members who may not have followed this discussion on the Nextdoor website to do so in order to gauge public sentiment on this issue. I recognize that the strict nature preserve designation of the Coronado and Ellwood Main Butterfly groves would always be on-leash only. It is disingenuous of those who would ban all off-leash dogs at Ellwood to justify their position based on a nature preserve designation for the entire area. A mixed-use open space where cycling, kite flying, horse back riding and open-field hiking is allowed is not a strict nature preserve, and there is ample space there to designate an area for off-leash dogs. An area designated by signage, not bifurcated by a fence.

Sincerely,

Frank and Linda Hudson

Deborah Lopez

From: Masseybarb@aol.com
Sent: Sunday, March 05, 2017 9:38 AM
To: Stuart Kasdin; Kyle Richards; Michael Bennett; Roger Aceves; Paula Perotte
Cc: Deborah Lopez; masseybarb@aol.com
Subject: At large vs. District elections comments

Mayor and Councilmembers,

You have asked for input from the citizens of Goleta on how they want to elect Councilmembers. Since I lived in San Diego which went from at large to district elections, I have had some experience with both. District elections resulted in Councilmembers voting for what they viewed as best for their district even when it was not best for the City. It was and is every Councilmember for himself and at times there was more fighting among them than doing what was good for the City.

It should be noted that there has almost always been a Councilmember who either lived or worked in Old Town. Old Town has been well represented on Council since the beginning of the City.

The lack of Latino participation doesn't mean that at large elections are the problem. Unfortunately there has been little interest shown by the Latino community in attending Council and Planning Commission meetings, applying for Boards and Commissions, and running for Council.

There is a lack of proof of racial polarization and the City should not be blackmailed into district elections. The issue of district elections has already been rejected by Goleta voters. Most voters' don't want district elections.

I support at large elections because I have found that it was the most representative of public opinion in the City's that for elections.

Barbara

Deborah Lopez

From: Stuart Kasdin
Sent: Sunday, March 05, 2017 8:13 AM
To: Michelle Greene; Deborah Lopez
Subject: Fwd: at large vs. district election.

Sent from my iPhone

Begin forwarded message:

> **From:** Maureen Mezzetta <momezzetta@gmail.com>
> **Date:** March 4, 2017 at 12:01:20 PM PST
> **To:** <citycouncil@cityofgoleta.org>
> **Subject: at large vs. district election.**
>
> I am just briefly responding that I favor district elections because they would be more representative.
>
> Maureen Mezzetta

Deborah Lopez

From: Paula Perotte
Sent: Saturday, March 04, 2017 4:15 PM
To: Michelle Greene; Deborah Lopez
Subject: Fwd: The City Council Wants Your Input: At-Large v. District Elections

FYI
Paula ~

Sent from my iPhone

Begin forwarded message:

> **From:** David Liu <d_j_liu@hotmail.com>
> **Date:** March 4, 2017 at 12:16:22 PM PST
> **To:** "citycouncil@cityofgoleta.org" <citycouncil@cityofgoleta.org>
> **Subject: Fw: The City Council Wants Your Input: At-Large v. District Elections**
>
> The Honorable Members of City Council:
>
> I am writing in support of the current At-Large election, and I am against the proposed District election. Below is a summary of the reasons.
>
> In our city, there is no clear division by ethnic groups in residence. Trying to favor one group by creating a protected district will lead to gerrymandering and actual segregation, both are steps in the wrong direction.
>
> Statistics does not show a clear correlation between incumbency and ethnicity.
>
> In a small town like ours, it is more productive to have each council member consider the opinion of all of us, instead of a small special group.
>
> I am also interested in presenting my comments in the meeting, and would appreciate additional information such as the format of the meeting and the time allocated for each citizen.
>
> Thank you.
>
> Respectfully,
>
> David J. Liu
> 5635 Cielo Ave
> Goleta, CA 93117
> 805-252-6836

From: City of Goleta <goleta@public.govdelivery.com>
Sent: Friday, March 3, 2017 10:22 AM

To: d_j_liu@hotmail.com
Subject: The City Council Wants Your Input: At-Large v. District Elections

[City News]

The City Council Wants Your Input: At-Large v. District Elections

On Tuesday, March 7th, the City Council will have a discussion about how the voters of Goleta should elect their councilmembers. The question is whether Council should change the current voting method from at-large to district elections. Currently, under the at-large method, councilmembers are elected by all voters in the City. Under a district-based method, councilmembers may run only in their district and be elected only by voters who live in their district. If the City chooses to move to a district-based method, the City would embark upon a public process to draw district lines to split the City into four districts.

This question has been raised due to a Notice of Violation of California Voting Rights Act served on the City by two Goleta residents. The Notice asserts Goleta elections are characterized by "racially polarized voting," meaning a larger ethnic group of voters are statistically proven to prefer candidates who consistently defeat the preferred candidates of voters in a protected class. The Notice demands that the City begin the process to transition to district based elections. The Notice further states that if the City declines to do so, the residents who filed the Notice and others may commence a lawsuit to compel the City to hold district-based elections.

The City Council needs to make a decision on how to move forward and seeks the public's input. A full staff report on the item can be found here<http://links.govdelivery.com:80/track?type=click&enid=ZWFzPTEmbWFpbGluZ2lkPTIwMTcwMzAzLjcwNjk0NDYxJm1lc3NhZ2VpZD1NREItUFJELUJVTC0yMDE3MDMwMy43MDY5NDQ2MSZkYXRhYmFzZWlkPTEwMDEmc2VyaWFsPTE3ODM0NjQ3JmVtYWlsaWQ9ZF9qX2xpdUBob3RtYWlsLmNvbSZ1c2VyaWQ9ZF9qX2xpdUBob3RtYWlsLmNvbSZmbD0mZXh0cmE9TXVsdGl2YXJpYXRlSWQ9JiYm&&&100&&&https://goleta.legistar.com/LegislationDetail.aspx?ID=2973680&GUID=E7F944CF-D9EA-47EE-B9B2-453E0B4213CB>.

This item is scheduled for the 6 p.m. session of the Goleta City Council meeting on Tuesday, March 7th. The public is encouraged to attend in person to provide input during the public comment period. City Council Chambers are located at 130 Cremona Drive, Suite B.

Those who wish to submit comments in advance can email them to citycouncil@cityofgoleta.org<mailto:citycouncil@cityofgoleta.org>. It is recommended comments be submitted by noon on Monday, March 6 so the Council has adequate time to review them.

The meeting will also be televised on Channel 19 and can also be streamed through the City's website at www.cityofgoleta.org<http://links.govdelivery.com:80/track?type=click&enid=ZWFzPTEmbWFpbGluZ2lkPTIwMTcwMzAzLjcwNjk0NDYxJm1lc3NhZ2VpZD1NREItUFJELUJVTC0yMDE3MDMwMy43MDY5NDQ2MSZkYXRhYmFzZWlkPTEwMDEmc2VyaWFsPTE3ODM0NjQ3JmVtYWlsaWQ9ZF9qX2xpdUBob3RtYWlsLmNvbSZ1c2VyaWQ9ZF9qX2xpdUBob3RtYWlsLmNvbSZmbD0mZXh0cmE9TXVsdGl2YXJpYXRlSWQ9JiYm&&&101&&&http://www.cityofgoleta.org/>.

El Concejo Municipal Quiere Su Aportación: Elección General ("At-Large" en inglés) versus Elección de Distrito

El martes, 7 de marzo, el Concejo Municipal tendrá una discusión sobre cómo los votantes de Goleta deben elegir a sus concejales. La cuestión es si el Consejo debe cambiar el método de votación actual de las elecciones generales a las distritales. Actualmente, bajo el método general, los miembros del Concejo Municipal son elegidos por todos los votantes en la Ciudad. Bajo un método basado en el distrito, los concejales pueden postularse solamente en su distrito y ser elegidos solamente por los votantes que viven en su distrito. Si la Ciudad decide pasar a un método basado en el distrito, la Ciudad se embarcaría en un proceso público para trazar líneas de distrito para dividir la Ciudad en cuatro distritos.

Esta pregunta ha sido planteada debido a una Notificación de Violación de la Ley de Derechos Electorales de California que se sirvió a la Ciudad por dos residentes de Goleta. La Notificación afirma que las elecciones de Goleta se caracterizan por "votación racialmente polarizada", lo que significa que un mayor grupo étnico de votantes está estadísticamente probado que prefiere a los candidatos que consistentemente vencen a los candidatos preferidos de los votantes en una clase protegida. La Notificación exige que la Ciudad comience el proceso de transición a las elecciones basadas en distritos. La Notificación también indica que, si la Ciudad se niega a hacerlo, los residentes que presentaron la Notificación y otros pueden iniciar una demanda para obligar a la Ciudad a celebrar elecciones distritales.

El Concejo Municipal necesita tomar una decisión sobre cómo avanzar y busca la opinión del público. Se puede encontrar un informe del personal completo sobre el tema aquí<http://links.govdelivery.com:80/track?type=click&enid=ZWFzPTEmbWFpbGluZ2lkPTIwMTcwMzAzLjcwNjk0NDYxJm1lc3NhZ2VpZD1NREItUFJELUJVTC0yMDE3MDMwMy43MDY5NDQ2MSZkYXRhYmFzZWlkPTEwMDEmc2VyaWFsPTE3ODM0NjQ3JmVtYWlsaWQ9ZF9qX2xpdUBob3RtYWlsLmNvbSZ1c2VyaWQ9ZF9qX2xpdUBob3RtYWlsLmNvbSZmbD0mZXh0cmE9TXVsdGl2YXJpYXRlSWQ9JiYm&&&102&&&https://goleta.legistar.com/LegislationDetail.aspx?ID=2973680&GUID=E7F944CF-D9EA-47EE-B9B2-453E0B4213CB>.

Este elemento está programado para la sesión de las 6 pm de la reunión del Concejo Municipal de Goleta el martes, 7 de marzo. Se anima al público a asistir a la reunión en persona y proporcionar su opinión durante el período de comentarios públicos. Las Cámaras del Concejo Municipal están ubicadas en 130 Cremona Drive, Suite B.

Los que deseen enviar comentarios por adelantado pueden enviarlos por correo electrónico a citycouncil@cityofgoleta.org<mailto:citycouncil@cityofgoleta.org>. Se recomienda que se envíen comentarios al mediodía del lunes 6 de marzo para que el Concejo Municipal tenga tiempo suficiente para revisarlos.

La reunión también será televisada en el Canal 19 y también se podrá ver a través del sitio web de la Ciudad en www.cityofgoleta.org<http://links.govdelivery.com:80/track?type=click&enid=ZWFzPTEmbWFpbGluZ2lkPTIwMTcwMzAzLjcwNjk0NDYxJm1lc3NhZ2VpZD1NREItUFJELUJVTC0yMDE3MDMwMy43MDY5NDQ2MSZkYXRhYmFzZWlkPTEwMDEmc2VyaWFsPTE3ODM0NjQ3JmVtYWlsaWQ9ZF9qX2xpdUBob3RtYWlsLmNvbSZ1c2VyaWQ9ZF9qX2xpdUBob3RtYWlsLmNvbSZmbD0mZXh0cmE9TXVsdGl2YXJpYXRlSWQ9JiYm&&&103&&&http://www.cityofgoleta.org/>.

[GovDelivery logo]<http://links.govdelivery.com:80/track?type=click&enid=ZWFzPTEmbWFpbGluZ2lkPTIwMTcwMzAzLjcwNjk0NDYxJm1lc3NhZ2VpZD1NREItUFJELUJVTC0yMDE3MDMwMy43MDY5NDQ2MSZkYXRhYmFzZWlkPTEwMDEmc2VyaWFsPTE3ODM0NjQ3JmVtYWlsaWQ9ZF9qX2xpdUBob3RtYWlsLmNvbSZ1c2VyaWQ9ZF9qX2xpdUBob3RtYWlsLmNvbSZmbD0mZXh0cmE9TXVsdGl2YXJpYXRlSWQ9JiYm&&&104&&&http://www.cityofgoleta.org>

Questions? Contact Us<mailto:pio@cityofgoleta.org>

STAY CONNECTED:

[Visit us on Facebook]<ww.facebook.com/cityofgoleta> [Visit us on Twitter] <http://links.govdelivery.com:80/track?type=click&enid=ZWFzPTEmbWFpbGluZ2lkPTIwMTcwMzAzLjcwNjk0NDYxJm1lc3NhZ2VpZD1NREItUFJELUJVTC0yMDE3MDMwMy43MDY5NDQ2MSZkYXRhYmFzZWlkPTEwMDEmc2VyaWFsPTE3ODM0NjQ3JmVtYWlsaWQ9ZF9qX2xpdUBob3RtYWlsLmNvbSZ1c2VyaWQ9ZF9qX2xpdUBob3RtYWlsLmNvbSZmbD0mZXh0cmE9TXVsdGl2YXJpYXRlSWQ9JiYm&&&105&&&https://twitter.com/search?q=goletapio&src=typd> [You Tube] <http://links.govdelivery.com:80/track?type=click&enid=ZWFzPTEmbWFpbGluZ2lkPTIwMTcwMzAzLjcwNjk0NDYxJm1lc3NhZ2VpZD1NREItUFJELUJVTC0yMDE3MDMwMy43MDY5NDQ2MSZkYXRhYmFzZWlkPTEwMDEmc2VyaWFsPTE3ODM0NjQ3JmVtYWlsaWQ9ZF9qX2xpdUBob3RtYWlsLmNvbSZ1c2VyaWQ9ZF9qX2xpdUBob3RtYWlsLmNvbSZmbD0mZXh0cmE9TXVsdGl2YXJpYXRlSWQ9JiYm&&&106&&&http://www.youtube.com/results?search_query=cityofgoleta1&oq=cityofgoleta1&gs_l=youtube.3...2423.2423.0.3044.1.1.0.0.0.0.275.275.2-1.1.0...0.0...1ac.1.11.youtube.-Ls7HCtm7aA> [Sign up for email updates] <http://links.govdelivery.com:80/track?type=click&enid=ZWFzPTEmbWFpbGluZ2lkPTIwMTcwMzAzLjcwNjk0NDYxJm1lc3NhZ2VpZD1NREItUFJELUJVTC0yMDE3MDMwMy43MDY5NDQ2MSZkYXRhYmFzZWlkPTEwMDEmc2VyaWFsPTE3ODM0NjQ3JmVtYWlsaWQ9ZF9qX2xpdUBob3RtYWlsLmNvbSZ1c2VyaWQ9ZF9qX2xpdUBob3RtYWlsLmNvbSZmbD0mZXh0cmE9TXVsdGl2YXJpYXRlSWQ9JiYm&&&107&&&http://pinterest.com/search/pins/?q=Goleta> [Sign up for email updates] <http://links.govdelivery.com:80/track?type=click&enid=ZWFzPTEmbWFpbGluZ2lkPTIwMTcwMzAzLjcwNjk0NDYxJm1lc3NhZ2VpZD1NREItUFJELUJVTC0yMDE3MDMwMy43MDY5NDQ2MSZkYXRhYmFzZWlkPTEwMDEmc2VyaWFsPTE3ODM0NjQ3JmVtYWlsaWQ9ZF9qX2xpdUBob3RtYWlsLmNvbSZ1c2VyaWQ9ZF9qX2xpdUBob3RtYWlsLmNvbSZmbD0mZXh0cmE9TXVsdGl2YXJpYXRlSWQ9JiYm&&&108&&&https://public.govdelivery.com/accounts/CAGOLETA/subscriber/new>

[Bookmark and Share]<http://links.govdelivery.com:80/track?type=click&enid=ZWFzPTEmbWFpbGluZ2lkPTIwMTcwMzAzLjcwNjk0NDYxJm1lc3NhZ2VpZD1NREItUFJELUJVTC0yMDE3MDMwMy43MDY5NDQ2MSZkYXRhYmFzZWlkPTEwMDEmc2VyaWFsPTE3ODM0NjQ3JmVtYWlsaWQ9ZF9qX2xpdUBob3RtYWlsLmNvbSZ1c2VyaWQ9ZF9qX2xpdUBob3RtYWlsLmNvbSZmbD0mZXh0cmE9TXVsdGl2YXJpYXRlSWQ9JiYm&&&109&&&https://content.govdelivery.com/accounts/CAGOLETA/bulletins/18af87f?reqfrom=share>

SUBSCRIBER SERVICES:

Manage Preferences<http://links.govdelivery.com:80/track?type=click&enid=ZWFzPTEmbWFpbGluZ2lkPTIwMTcwMzAzLjcwNjk0NDYxJm1lc3NhZ2VpZD1NREItUFJELUJVTC0yMDE3MDMw

My43MDY5NDQ2MSZkYXRhYmFzZWlkPTEwMDEmc2VyaWFsPTE3ODM0NjQ3JmVtYWlsaWQ9ZF9qX2xpdUBob3RtYWlsLmNvbSZ1c2VyaWQ9ZF9qX2xpdUBob3RtYWlsLmNvbSZmbD0mZXh0cmE9TXVsdGl2YXJpYXRlSWQ9JiYm&&&110&&&https://public.govdelivery.com/accounts/CAGOLETA/subscriber/new?preferences=true> | Delete Profile<http://links.govdelivery.com:80/track?type=click&enid=ZWFzPTEmbWFpbGluZ2lkPTIwMTcwMzAzLjcwNjk0NDYxJm1lc3NhZ2VpZD1NREItUFJELUJVTC0yMDE3MDMwMy43MDY5NDQ2MSZkYXRhYmFzZWlkPTEwMDEmc2VyaWFsPTE3ODM0NjQ3JmVtYWlsaWQ9ZF9qX2xpdUBob3RtYWlsLmNvbSZ1c2VyaWQ9ZF9qX2xpdUBob3RtYWlsLmNvbSZmbD0mZXh0cmE9TXVsdGl2YXJpYXRlSWQ9JiYm&&&111&&&https://public.govdelivery.com/accounts/CAGOLETA/subscriber/one_click_unsubscribe?verification=5.58f3ea7062c639b945710c33f6f2d219&destination=d_j_liu%40hotmail.com> | Help<http://links.govdelivery.com:80/track?type=click&enid=ZWFzPTEmbWFpbGluZ2lkPTIwMTcwMzAzLjcwNjk0NDYxJm1lc3NhZ2VpZD1NREItUFJELUJVTC0yMDE3MDMwMy43MDY5NDQ2MSZkYXRhYmFzZWlkPTEwMDEmc2VyaWFsPTE3ODM0NjQ3JmVtYWlsaWQ9ZF9qX2xpdUBob3RtYWlsLmNvbSZ1c2VyaWQ9ZF9qX2xpdUBob3RtYWlsLmNvbSZmbD0mZXh0cmE9TXVsdGl2YXJpYXRlSWQ9JiYm&&&112&&&https://subscriberhelp.govdelivery.com/>

This email was sent to d_j_liu@hotmail.com using GovDelivery, on behalf of: City of Goleta · 130 Cremona Drive, Suite B · Goleta, CA 93117 [Powered by GovDelivery] <http://links.govdelivery.com:80/track?type=click&enid=ZWFzPTEmbWFpbGluZ2lkPTIwMTcwMzAzLjcwNjk0NDYxJm1lc3NhZ2VpZD1NREItUFJELUJVTC0yMDE3MDMwMy43MDY5NDQ2MSZkYXRhYmFzZWlkPTEwMDEmc2VyaWFsPTE3ODM0NjQ3JmVtYWlsaWQ9ZF9qX2xpdUBob3RtYWlsLmNvbSZ1c2VyaWQ9ZF9qX2xpdUBob3RtYWlsLmNvbSZmbD0mZXh0cmE9TXVsdGl2YXJpYXRlSWQ9JiYm&&&113&&&http://www.govdelivery.com/portals/powered-by>

Deborah Lopez

From: Paula Perotte
Sent: Saturday, March 04, 2017 4:14 PM
To: Michelle Greene; Deborah Lopez
Subject: Fwd: at large v. district elections;

FYI
Paula ~

Sent from my iPhone

Begin forwarded message:

> **From:** b wilson <btkf6rai@gmail.com>
> **Date:** March 4, 2017 at 2:48:54 PM PST
> **To:** <citycouncil@cityofgoleta.org>
> **Subject: at large v. district elections;**
>
> While I can understand the Goleta City's desire to avoid litigation, (all cases on record have been lost) , I think there should at least be a through examination of the so called "racially polarized voting" that unfairly discriminates against a certain "protected" class of citizens.
> The persons filing this "Notice of Violation" should be vetted to see if it is just "sour grapes" because their preferred candidate lost their election or reelection bid.
> How many of the "protected class" are registered, (and what protected class would that be?) and voted in the election of Goleta City representatives, and mayor ? ??
> Census and county voter roles can be accessed to obtain this information.
>
> Bruce Wilson 86 placer drive, Goleta, Ca. 93117

Deborah Lopez

From: Paula Perotte
Sent: Saturday, March 04, 2017 11:51 AM
To: Michelle Greene; Deborah Lopez
Subject: Fwd: City-wide versus district elections

FYI
Paula ~

Sent from my iPhone

Begin forwarded message:

> **From:** Robert Lynn <robert.lynn7@gmail.com>
> **Date:** March 4, 2017 at 11:50:02 AM PST
> **To:** <citycouncil@cityofgoleta.org>
> **Subject: City-wide versus district elections**
>
> District versus City-Wide elections?
>
> I understand there are merits to both sides of this discussion, but I come down on the side of City-Wide elections.
>
> District elections, by their very nature, result in an *us versus them* thinking. Council members no longer have the first response of what's best for the City of Goleta, but the first response, and subsequent responses, become what's best for my district. Not the whole, but the part.
>
> Not good, especially as our people become more and more fractious.
>
> Robert Lynn
> robert.lynn7@gmail.com

Deborah Lopez

From: Michelle Greene
Sent: Saturday, March 04, 2017 10:09 AM
To: Deborah Lopez
Subject: Fwd: District Based Elections

Sent from my iPhone

Begin forwarded message:

> **From:** Thomas Taylor <tt0629268@gmail.com>
> **Date:** March 4, 2017 at 9:01:24 AM PST
> **To:** <citycouncil@cityofgoleta.org>
> **Subject: District Based Elections**
>
> Dear Councilmembers:
>
> I vote for Roger Aceves without an inkling of regard for his ethnicity but solely because of what he believes and what he gets done. A district based system will be provincial and incestuous.
>
> Regards,
>
> Thomas Taylor
> N. La Patera Lane

Deborah Lopez

From: Stuart Kasdin
Sent: Friday, March 03, 2017 11:49 PM
To: Michelle Greene; Deborah Lopez
Subject: Fwd: districts vs at-large voting

Sent from my iPhone

Begin forwarded message:

> **From:** Kalia Rork <kaliarork@me.com>
> **Date:** March 3, 2017 at 11:15:48 PM PST
> **To:** <citycouncil@cityofgoleta.org>
> **Subject: districts vs at-large voting**
>
> Dear Mayor and Council members,
>
> I saw your post on the Nextdoor site, and subsequently read through the staff report on this subject.
>
> I am a citizen of the City of Goleta, and very much encourage you to keep the AT-LARGE VOTING. I believe that is the best way to get participation from all Goleta citizens and the best way to avoid gerrymandering, which is an even bigger problem.
>
> Additionally, I think it would be difficult to get the required number of candidates to have meaningful choice in a district, and someone may get elected with very little support of the community because he or she was the only candidate in a specific district.
>
> Thank you very much for asking for our input.
>
> Sincerely,
>
> Kalia Rork
> 525 Barling Terrace
> Goleta, CA
> 805-967-7969

Deborah Lopez

From: Stuart Kasdin
Sent: Friday, March 03, 2017 9:17 PM
To: Michelle Greene; Deborah Lopez
Subject: FW: at large

Stuart Kasdin, PhD
Mayor Pro Tempore
Goleta City Council

From: Lisa Dabbs [dabbsie.booklady@yahoo.com]
Sent: Friday, March 03, 2017 9:02 PM
To: City Council
Subject: at large

May the most qualified among candidates be elected, regardless of creed, gender or ethnicity.
Please keep the current status quo/ procedure for voting 'at large'.
Thank you,
Lisa Dabbs.
6056 Paseo Palmilla
Goleta, Ca 93117

Deborah Lopez

From: Stuart Kasdin
Sent: Friday, March 03, 2017 6:06 PM
To: Deborah Lopez; Michelle Greene
Subject: FW: District elections

Stuart Kasdin, PhD
Mayor Pro Tempore
Goleta City Council

From: Valerie Kushnerov
Sent: Friday, March 03, 2017 10:46 AM
To: Dick Fuller
Cc: City Council
Subject: RE: District elections

Thank you for your quick response to the City's email about the Council desiring input about District versus At-Large elections. I will forward your email to the City Council so they can read your comments.

Best regards,
Valerie

Valerie Kushnerov
Community Relations Manager/PIO
City of Goleta
805-961-7507
Twitter: @goletapio
Facebook: www.facebook.com/CityofGoleta/
Pinterest: www.pinterest.com/goleta/
YouTube: www.youtube.com/CityofGoleta1
Instagram: www.instagram.com/cityofgoleta/

From: Dick Fuller [mailto:d.fuller14@verizon.net]
Sent: Friday, March 03, 2017 10:41 AM
To: Valerie Kushnerov <vkushnerov@cityofgoleta.org>
Subject: District elections

I would prefer that the elections for the Goleta City Council remain as is: i.e., at-large. However, if the proponents of district elections press their case in court, the probability is that they would win. Case in point is the City of Santa Barbara, who fought and lost. To avoid the costs of litigation, and the animosity it would create, therefore, the city should acquiesce to district elections.

Richard Fuller

Deborah Lopez

From: Stuart Kasdin
Sent: Friday, March 03, 2017 6:05 PM
To: Deborah Lopez; Michelle Greene
Subject: FW: District Elections

Stuart Kasdin, PhD
Mayor Pro Tempore
Goleta City Council

From: Lisa Kus [lisakus1@gmail.com]
Sent: Friday, March 03, 2017 12:00 PM
To: City Council
Subject: District Elections

Hello.

I am confused by the recent post from Valerie about this topic. It appears the City really doesn't have a choice because of the pending lawsuit? You will institute district elections?

If I am wrong, that the City still has a choice, we are opposed to district elections. The size of Goleta does not warrant it. It will only lead to division in the City.

Lisa and Steve Kus

Deborah Lopez

From: Stuart Kasdin
Sent: Friday, March 03, 2017 6:03 PM
To: Deborah Lopez
Cc: Michelle Greene
Subject: FW: City Council Elections.

Stuart Kasdin, PhD
Mayor Pro Tempore
Goleta City Council

From: Ann Kwarcinski [mamaski@yahoo.com]
Sent: Friday, March 03, 2017 6:02 PM
To: City Council
Subject: City Council Elections.

Dear City Council of Goleta,

I strongly oppose switching to "Elections By District" for The City of Goleta. The City of Goleta has been served very well by "The Elections At Large" way of doing things and the elections at large method should be continued. It's not broke, you don't need to fix it.

Sincerely,
Ann Kwarcinski

Deborah Lopez

From: Michelle Greene
Sent: Friday, March 03, 2017 5:11 PM
To: Deborah Lopez
Subject: FW: Keep at-large voting in Goleta elections.

Michelle Greene
City Manager
City of Goleta
(805) 961-7501

From: Melanie Jacobson [mailto:majacobson09@gmail.com]
Sent: Friday, March 03, 2017 4:07 PM
To: City Council <citycouncil@cityofgoleta.org>
Subject: Keep at-large voting in Goleta elections.

District-based voting makes sense in large cities, but not in small cities like Goleta. Such voting would severely limit the candidate pool by fragmenting an already small city into tiny districts thereby NOT having the democratizing impact that district-based voting has in large cities.

Sincerely,
Melanie Jacobson
Barrington Drive, Goleta 93117

Deborah Lopez

From: Michelle Greene
Sent: Friday, March 03, 2017 5:10 PM
To: Deborah Lopez
Subject: FW: District!

Michelle Greene
City Manager
City of Goleta
(805) 961-7501

From: Anna Kokotovic [mailto:anna48k@gmail.com]
Sent: Friday, March 03, 2017 2:09 PM
To: City Council <citycouncil@cityofgoleta.org>
Subject: District!

I support changing to District elections.

Anna Kokotovic, PhD

Deborah Lopez

From: Michelle Greene
Sent: Friday, March 03, 2017 5:08 PM
To: Deborah Lopez
Subject: FW: District vs At Large elections

Michelle Greene
City Manager
City of Goleta
(805) 961-7501

From: Catherine Macaulay [mailto:CMacaulay@DBNTM.com]
Sent: Friday, March 03, 2017 10:31 AM
To: City Council <citycouncil@cityofgoleta.org>
Subject: District vs At Large elections

1. The "People" feel that they receive better representation if they have a representative that is from their own area of the city.
2. At large elections give the power to the most active people regardless of where they live.
    a. It can be perceived that only the more affluent people are willing to serve because the less affluent are busy working one, two or even three part-time jobs.
    b. If the majority of the representatives are from a particular area of town they can give priority to issues that affect they own area.

BUT –

If there is no one in a particular area that is willing to run, be elected and serve then what will happen?
Who would be in charge of setting up the districts? Who would monitor that favoritism and/or gerrymandering would not happen? I was a witness to issues like this while attending GUSD meetings many years ago and that was related to which school would "have to receive" the ESL students and thus bring down the schools mandatory test scores(!!) unbelievable the behavior of these parents and school district officials!!!!!

Conclusion: sometimes even though in fact At Large elections might be a better choice.... **In appearance District Elections make more sense to the voting public**.

Similar to being a CPA: Independence in Fact is not the same as Independence in Appearance. And appearance means everything.

Good luck!

Catherine H. Macaulay, CPA
Damitz, Brooks, Nightingale,
Turner & Morrisset
200 E Carrillo St, Suite 303
Santa Barbara, CA 93101
Phone: 805.963.1837
Fax: 805.564.2150
cmacaulay@dbntm.com

ProVisors

For secure file transfer, please use the following link: http://dbntm.leapfile.com and click **Secure Upload**.

Deborah Lopez

From: Paula Perotte
Sent: Friday, March 03, 2017 4:18 PM
To: Michelle Greene; Deborah Lopez
Subject: Fwd: Changes in Electoral Districts.

FYI
Paula ~

Sent from my iPhone

Begin forwarded message:

> **From:** David Sigurdson <dsigurd@yahoo.com>
> **Date:** March 3, 2017 at 4:10:49 PM PST
> **To:** "citycouncil@cityofgoleta.org" <citycouncil@cityofgoleta.org>
> **Subject: Changes in Electoral Districts.**
> **Reply-To:** David Sigurdson <dsigurd@yahoo.com>
>
> Members of the City Council:
>
> I support continuing with All-City voting for council members. In our small city, we are all in favor of improving all parts of the city and we are all in favor of caring for old town as well as the foothills. Dividing the city into voting districts would have a polarizing effect. We are not a city of Anglos and Latinos. We are a city of Americans and we care about all parts of our city.
>
> David R. Sigurdson, Aberdeen Ave., Goleta.

Deborah Lopez

From: Paula Perotte
Sent: Friday, March 03, 2017 12:27 PM
To: Michelle Greene; Deborah Lopez
Subject: Fwd: voting

FYI
Paula ~

Sent from my iPad

Begin forwarded message:

> **From:** Irene Bagalio <ibagalio@yahoo.com>
> **Date:** March 3, 2017 at 12:02:00 PM PST
> **To:** city council goleta <citycouncil@cityofgoleta.org>
> **Subject: voting**
> **Reply-To:** Irene Bagalio <ibagalio@yahoo.com>
>
> Distric voting would be my choice Thank You Irene Bagalio@yahoo.com

Deborah Lopez

From: Paula Perotte
Sent: Friday, March 03, 2017 4:09 PM
To: Michelle Greene; Deborah Lopez
Subject: Fwd: Voting process

FYI
Paula ~

Sent from my iPad

Begin forwarded message:

> **From:** Nicole McKenzie <violinistnicole@gmail.com>
> **Date:** March 3, 2017 at 2:31:42 PM PST
> **To:** <citycouncil@cityofgoleta.org>
> **Subject: Voting process**
>
> I'm unable to make the meeting, but I support fair representation, and it sounds like district-based voting will be more fair than the current system.
>
> ~ Nicole McKenzie, Goleta resident
> Sent from my iPhone

Deborah Lopez

From: Paula Perotte
Sent: Friday, March 03, 2017 4:04 PM
To: Michelle Greene; Deborah Lopez
Subject: Fwd: Split Goleta

FYI
Paula ~

Sent from my iPad

Begin forwarded message:

> **From:** Stephen Martin <smartin629@cox.net>
> **Date:** March 3, 2017 at 3:41:01 PM PST
> **To:** <citycouncil@cityofgoleta.org>
> **Subject: Split Goleta**
>
> I am not in favor of splitting Goleta into 4 districts. At large members are fine, we are not that big of a city.
>
> Steve Martin, Arundel Road

Deborah Lopez

From: Paula Perotte
Sent: Friday, March 03, 2017 4:03 PM
To: Michelle Greene; Deborah Lopez
Subject: Fwd: Scam

FYI
Paula ~

Sent from my iPad

Begin forwarded message:

> **From:** Managing.Director <managing.director@lafsbc.org>
> **Date:** March 3, 2017 at 3:41:13 PM PST
> **To:** "citycouncil@cityofgoleta.org" <citycouncil@cityofgoleta.org>
> **Subject: Scam**
>
> I don't have an opinion on district vs. at large elections. I doubt in the end it makes very much difference. However, I know that local attorneys are using this issue as a way to make a very quick and very large settlement for attorneys' fees. Find out what happened in Santa Maria. I suggest that you voluntarily switch to district elections in order to make sure you are not sued by these shysters and whatever you do, do not agree to pay a settlement for attorneys' fees. Make them at least prove actual fees. Make them show you the hours that they actually charged their clients. And thgenm make sure they weren't charging someone else at the same time.
> Molora Vadnais

Deborah Lopez

From: Paula Perotte
Sent: Friday, March 03, 2017 11:07 AM
To: Deborah Lopez; Michelle Greene
Subject: Fwd: At Large Vs District Elections

FYI
Paula ~

Sent from my iPhone

Begin forwarded message:

> **From:** ALBERTO ORTIZ <aortiz@flash.net>
> **Date:** March 3, 2017 at 11:05:24 AM PST
> **To:** "citycouncil@cityofgoleta.org" <citycouncil@cityofgoleta.org>
> **Cc:** Ann Ortiz <aaortiz@flash.net>
> **Subject: At Large Vs District Elections**
> **Reply-To:** "aortiz@flash.net" <aortiz@flash.net>
>
> City Council Members,
>
> There is no need or requirement to change to District Elections.
>
> This decision would lead to higher taxes or new unnecessary new city taxes with absolutely no benefit to the people living on the city. Furthermore, it would nullified voters.
>
> How to proceed with the notice to the city?
>
> Fight them in court as the claim is ridiculous, unwarranted, and without basis or merit.
>
> The objective of these lawyers is political control to ensure future elections go with their idiology and taken away from the will of the people.
>
> Simply said, the larger the sample vote, the greater the opportunity to shift the outcome one way or another by moving district lines.
>
> Goleta is a newly form and wonderful diverse community. We have to defend the rights of our voters to make their vote count and not be nullified by manipulative buroccracy.
>
> We should also find out if Santa Barbara and other cities received such notifications and what actions are they taking.
>
> They must of seen something that is not in line with their agenda that motivated them to move legally.
>
> The will of the people in Goleta is at stake. Respectfully urge the council to fight this notification legally.

Thanks,

Alberto & Ann Ortiz
City of Goleta Residents

Sent from Yahoo Mail on Android

Deborah Lopez

From: Paula Perotte
Sent: Friday, March 03, 2017 10:49 AM
To: Michelle Greene; Deborah Lopez
Subject: Fwd: I prefer the at-large voting method the City of Goleta currently has.

FYI
Paula ~

Sent from my iPhone

Begin forwarded message:

> **From:** Gail Anikouchine <gail@mfco.com>
> **Date:** March 3, 2017 at 10:29:02 AM PST
> **To:** "citycouncil@cityofgoleta.org" <citycouncil@cityofgoleta.org>
> **Subject: I prefer the at-large voting method the City of Goleta currently has.**
>
> Gail H. Anikouchine
> Goleta resident

Deborah Lopez

From: Paula Perotte
Sent: Friday, March 03, 2017 10:48 AM
To: Michelle Greene; Deborah Lopez
Subject: Fwd: The City Council Wants Your Input: At-Large v. District Elections

FYI
Paula ~

Sent from my iPhone

Begin forwarded message:

> **From:** Patty Pottenger <PPottenger@life-like.com>
> **Date:** March 3, 2017 at 10:21:27 AM PST
> **To:** "citycouncil@cityofgoleta.org" <citycouncil@cityofgoleta.org>
> **Subject: The City Council Wants Your Input: At-Large v. District Elections**
>
> I would like to hear from the 2 people that started all this in the first place. When, Why and how did this information come out and how are you going to stay transparent if you do not give the citizens the information they need to make sure we understand the what why and how. Out of 30,000 people you have to make this big deal over 2 people wow.
>
> Patty

Deborah Lopez

From: kathleen werner <kemily.werner@gmail.com>
Sent: Monday, March 06, 2017 11:41 AM
To: Deborah Lopez; City Council
Subject: Comments on At-Large vs District Election Agenda Item
Attachments: District elections.docx

Please find attached my written comments on the agenda item for the March 7, 2017 evening city council session. Please confirm that you have received my comments and that they will be distributed to city council members.

Sincerely,

Kathleen Werner

March 5, 2017

Goleta City Council Members

Please accept the following comments on the issue of shifting City of Goleta City Council elections from at-large elections to district elections.

I have lived in Goleta for over 25 years and voted for formation of the City of Goleta. I met my husband and raised my family here. I voted for Goleta city hood because I thought it was important for decisions facing the Goleta community be made by the people who live in Goleta.

I have always felt proud to be a citizen of Goleta and amazed by all the city has to offer, from the high quality of its schools, safe neighborhoods, recreational opportunities and the generosity of its citizens. So, it was with much dismay and shock that I read the *"Racially Polarized Voting and Abridgement of Latino Voting Rights in in the City of Goleta"* document prepared by the California Voting Rights Project, February 2017. Honestly, I did not recognize the community described in this document. I decided to look at the voting trends myself to determine if the allegations against the City of Goleta made by this group are indeed correct and warrant changes to the election process.

California Voting Rights Act Section (CVRA) 14027

CVRA14027 states, "An at-large method of election may not be imposed or applied in a manner that impairs the ability of a protected class to elect candidates of its choice or its ability ***to influence the outcome of an election***, as a result of the dilution or abridgment of the rights of voters who are members of a protected class".

The 2004 reelection of Jonny Wallis to the Goleta City Council and the 2006 election of Roger Aceves are two examples given in the *"Racially Polarized Voting and Abridgement of Latino Voting Rights in in the City of Goleta"* document to show that Goleta elections are in violation of CVRA14027. When it seems to me that these two examples actually show just the opposite, that the protected class of voters in old town Goleta by voting for Jonny Wallis in 2001 and Roger Aceves in 2006 were able ***to influence the outcome of an election***.

Latino Representation – 2014 to 2016

The "*Racially Polarized Voting and Abridgement of Latino Voting Rights in in the City of Goleta"* document states that CRVA (Sec. 14028(b) "One circumstance that may be considered in determining a violation ... is the extent to which candidates who are members of a protected class and who are preferred by voters of the protected class, as determined by an analysis of voting behavior, **have been elected to the governing body** of a political subdivision" (id.).

I'd like to point out that with both Mr. Aceves and Mr. Vallejo serving on the governing body of the Goleta City Council from 2014 to 2016, that 40% of the City Council were members of the protected class, well representative of the 29% of eligible Latino voters.

2016 defeat of Tony Vallejo to the Goleta City Council

This defeat of Tony Vallejo to the Goleta City Council is not simply a matter of protected class voters. His defeat was more complicated and I believe more than anything else was due to the dissatisfaction of many Goleta residents to the amount of development that was taking place in the City. Whether true or not, I came to understand that Tony Vallejo more than a representative of a protected class of voters was a representative of the Goleta Valley Chamber of Commerce which made him appear as the swing vote on the Council that approved much of the new development.

After Tony Vallejo's appointment to the City Council, the Goleta Chamber of Commerce Aug 27, 2014 "featured articles" stated, "*From the perspective of the Chamber of Commerce this is good news. We have been satisfied with the Council's direction for the past several years, noting that the Council has a balance of individuals with a variety of backgrounds and viewpoints and in general their decisions have been logical. Gone are the days of cliques and voting blocs. We have enjoyed a council that is open to discussion, pro-active, thorough and conscientious. It also means that our community avoids a possibly contentious election and the resulting hyperbole and divisiveness.*"

His defeat appeared to me to be the voice of the Goleta community asking their representatives to rethink the manner in which new development permits are approved.

Other factors I have considered to help me decide on the value of at large vs. district elections included:

City Size

With a population of approximately 30,000, the City of Goleta is relatively small and, I believe, because of its size it's community's needs can be well understood and addressed by City Council members elected by the entire community. It seems to me that with at large elections the electorate can contact and hold accountable all 5 city council members, not just 1 as in district elections.

At least one city councilman, Roger Aceves, identified as the one Latino candidate who has served on the City Council since 2006, has supported this as he stated in an interview with the **Noozhawk News Desk | October 11, 2010,** *"One thing that separates me from other candidates is that I have consistently proven I am available to anyone who wants me to listen. I spend a great deal of time at City Hall meeting with residents and reaching out to the community on issues for which I'd like their input. I am glad I have the time and inclination to do so, as I learn much from the feedback and input of others."*

Number of Candidates

Two of the last three elections for City Council were uncontested. In 2012, two candidates ran for two seats and in 2014 there was no election because there were no candidates challenging the incumbents. In order to elect the most qualified candidate it is important to have an *election process*. This process introduces the candidates to the voters, the voters learn about their views on city issues and then vote for the person they determine is most qualified to represent them.

By changing to District elections, there would need to be at least 10 candidates, two from each future district to have a robust election, that this community deserves. My fear is that this will not happen and that it will be even harder to find people willing to run for office from five smaller citizen pools.

Unknown Factor

One question I had that I could not answer had to do with where past and present city council members lived, in terms of general area. For example, do either Mr. Aceves or Mr. Vallejo live in the old town neighborhood?

Conclusion and Recommendation

Certainly, elections could be run differently and are changing. For example, California now has an open "top 2" primary system where the top 2 highest vote getters move on to the general election regardless of party affiliation. Maine and several cities have moved to a "ranked choice" where voters pick candidates in order of preference. There are other suggestions to redraw legislative districts to be larger so that there would be more than one representative in House elections and potentially increase the number of minority parties represented. *If the City Council decides to reexamine elections in Goleta perhaps one of these new ideas should also be considered?*

It may be difficult, but I hope the City Council can evaluate all the information you will receive from counsel, staff and citizens and make the best decision for our community without regard to the threat of a lawsuit.

I urge you, the representatives of all the citizens of Goleta, to move cautiously and thoughtfully when making this decision on future elections. Voting is the bedrock of our society. There are always those pesky "unintended consequences" that arise from these decisions.

After reading the staff report and attached amendments and reviewing the election data at the Santa Barbara County Assessor's website and City of Goleta election history, I am **not** convinced that the City of Goleta is in violation of the CVRA. **I am not in favor of moving to district elections.**

Sincerely,
Kathleen Werner
359 Princeton Ave
Goleta, CA
805-252-3353

Deborah Lopez

From: Stuart Kasdin
Sent: Monday, March 06, 2017 1:03 PM
To: Deborah Lopez
Subject: FW: Santa Maria District Elections
Attachments: Santa Maria Materials.pdf

Stuart Kasdin, PhD
Mayor Pro Tempore
Goleta City Council

From: Nikolaus Schiffmann [nikschiffmann@gmail.com]
Sent: Monday, March 06, 2017 12:53 PM
To: Paula Perotte; Stuart Kasdin; Roger Aceves; Michael Bennett; Kyle Richards; Michelle Greene; Winnie Cai
Subject: Santa Maria District Elections

Dear Mayor Perotte and Members of the Goleta City Council:

Attached you will find a copy of the Santa Maria City staff report on district elections there. It may contain information that is of interest and use.

I appreciated that two of you got back to me after my recent e-mail on district elections. There are many benefits of district elections beyond the need to increase representation on the Goleta City Council.

One of you mentioned in your e-mail that the Goleta City Council might benefit from other reforms, such as a salary for members of the Council. I agree, and think that approving district elections at this time will allow other reforms to go forward. If, instead, there is a lawsuit against the City of Goleta concerning district elections, I don't think it would be as feasible for other reforms to be implemented.

Thank-you for your consideration.

Sincerely,
Nik Schiffmann
Native Goletan,
Ellwood Resident

COUNCIL AGENDA REPORT

TO: City Council

FROM: City Manager and City Attorney

SUBJECT: RESOLUTION DECLARING THE CITY OF SANTA MARIA'S INTENTION TO TRANSITION FROM AN AT-LARGE CITY COUNCIL ELECTED PROCESS TO A DISTRICT-BASED ELECTION PROCESS PURSUANT TO ELECTIONS CODE SECTION 10010

RECOMMENDATION:

That the City Council adopt a resolution declaring its intention to transition from an at-large City Council election process to a district-based elections process, outlining specific steps it will take and providing an estimated timeline for doing so pursuant to Elections Code Section 10010.

BACKGROUND:

The City received a certified letter on December 16, 2016, from Jason Dominguez, Esq., on behalf of his client Hector Sanchez, an unsuccessful candidate for City Council in the November 2016 election, asserting that the City's at-large electoral system violates the California Voting Rights Act, codified at California Elections Code sections 14025–14032 ("CVRA"). Mr. Dominguez claims "polarized voting" may be occurring and threatens litigation if the City declines to adopt district-based elections.

The CVRA was signed into law in 2002. The law was motivated, in part, by the lack of success by plaintiffs in California in lawsuits challenging at-large electoral systems brought under the Federal Voting Rights Act ("FVRA"). In fact, the City of Santa Maria had successfully defended a FVRA lawsuit in the early 1990's brought by the Mexican American Legal Defense and Education Fund. This litigation cost over $1 million to defend and took ten years to resolve in the City's favor.

The passage of the CVRA made it much easier for plaintiffs to prevail in lawsuits against public entities that elected their members to its governing body through "at-large" elections with the ultimate goal to transition to "district-based" elections. By way of background, in a district-based election system, a candidate must live in the district he or she wishes to represent.

It is staff's understanding that no such FVRA lawsuits have been filed in California since 2000. Accordingly, all voting rights lawsuits in California have been filed under the CVRA since its passage. Under the CVRA, to prove a violation, plaintiffs must only demonstrate that there is "racially polarized voting." This occurs when there is a

difference between the choice of candidates preferred by voters in a protected class and the choice of candidates preferred by voters in the rest of the electorate. Plaintiffs in other litigation have taken the position that the CVRA does not require a showing of discriminatory intent or an actual electoral injury. They have further argued that the CVRA does not require proof that racially polarized voting actually resulted in the defeat of a group's preferred candidate. No appellate court has yet ruled on these issues.

Cities throughout the State have increasingly been facing legal challenges to their "at-large" systems of electing City Council members. Almost all have settled claims out of court by essentially agreeing to voluntarily shift to district-based elections, while others have defended CVRA challenges through the courts. Ultimately, these cities have either voluntarily adopted, or have been forced to adopt, district-based elections. The exception is the City of Santa Clarita that resolved the CVRA action filed against it by agreeing to change the date of its general municipal election to November of even-numbered years.

Cities that have attempted to defend their existing "at-large" system of City Council elections in court have incurred significant legal costs, including attorneys' fees incurred by plaintiffs. Awards in these cases have reportedly ranged from about $400,000 to over $3,500,000. When sued, the settlements entered into by cities typically have included paying the plaintiff's attorney fees. For example, in February 2015, the City of Santa Barbara reportedly paid $800,000 in attorneys' fees and expert costs to settle their CVRA lawsuit. Another example is the City of Palmdale that incurred expenses in excess of $4.5 million in its unsuccessful attempt to defend against a lawsuit brought under the CVRA. Moreover, what is most concerning is that staff is unaware of any city that has prevailed in defending its "at-large" system of election under a claim filed by any individual or group under the CVRA. Accordingly, staff has concluded that the public's best interest is in preserving and protecting vital general fund revenues from being unnecessarily expended (given the low probability of defending against a CVRA lawsuit) and that this interest outweighs the public's interest in maintaining the current at-large voting system.

DISCUSSION:

Accordingly, after much analysis and in-depth conservations with those most familiar with these types of litigation matters, staff is recommending that the City Council adopt a resolution declaring its intention to transition from at-large to district-based elections following the procedures required by Elections Code section 10010, as amended by AB 350, to establish voting districts. Staff makes this recommendation due to the extraordinary costs to successfully defend against a CVRA lawsuit and the fact that no apparent city has successfully prevailed against a CVRA lawsuit, and that the public interest would best be served by transitioning to a district-based electoral system.

While the City has a sustained history of electing Latinos/as to the City Council, the outcome of litigation is always uncertain. Unlike other cities where at-large elections have prevented Latinos from electing candidates of their choice, the election history for the Santa Maria City Council has demonstrated that Latino candidates have been

regularly elected. Since 1996, at least one Latino/a has been elected to the City Council in each election except the November 2012 election where a Latina candidate (Waterfield) lost by only two votes. In all, ten Latinos/as have been elected to the City Council in the last twenty years. In addition, partly because of appointments made by the City Council to fill unexpired terms, the City Council has been represented by a Latino majority from 2002 until 2010 and the current City Council is a Latino elected majority. Not withstanding the aforementioned history of being able to elect Latinos to the City Council, the CVRA essentially makes any at-large election vulnerable to challenge with a low probability of successfully defending against such a challenge.

Staff estimates that the cost to defend this lawsuit would exceed $1,000,000 even if it were successful, and would likely exceed $2,000,000 if the plaintiff prevailed and the City was ordered to pay plaintiff's attorneys' fees. These attorney fees and costs would be a General Fund liability which would be a significant unexpected expense that could not come at a worse time since the City already has a multi-million dollar structural budget deficit AND pension-related expenses continue to escalate.

It should be noted that Government Code section 34886 permits the legislative body of any city to adopt an ordinance establishing election of members of the legislative body by district. AB 350 was recently adopted by the State Legislature and became effective on January 1, 2017, and amended Elections Code section 10010 to place a cap of a maximum of $30,000 on attorneys' fees that a plaintiff would be entitled to recover if the target city voluntarily adopted an ordinance to establish voting districts either before or after receiving notice of a CVRA violation. In addition, AB350 prohibits a plaintiff from filing a CVRA lawsuit within 90 days of a city's adoption of a resolution declaring its intention to transition to district-based elections. Accordingly, should the City Council adopt the proposed resolution, the maximum the City will have to reimburse Mr. Dominguez in attorneys' fees and costs is $30,000, and plaintiff would be prohibited from filing a CVRA lawsuit until May 22, 2017.

Alternatives:

1. The City Council may elect to place this issue on the ballot and let the electorate decide if they prefer district-based elections. However, even if the voters rejected district-based elections, the City would be vulnerable to a CVRA lawsuit if racially polarized voting is occurring in the City.
2. The City Council may direct staff to defend against any CVRA lawsuits that may be filed. This option will be very expensive to defend, and even if successful, would expose the City to an award of costly attorneys' fees.

Fiscal Considerations:

There will be significant staff time needed to transition to district-based elections because of the staff time that will be incurred for the five (5) public hearings that will be required in addition to the cost for a demographics and elections consultant and special legal counsel. Should the City Council concur with staff's recommendation, the City will only be required to reimburse plaintiff for its attorney's fees and costs up to $30,000. In addition, staff expects roughly a $10,000 increase in election costs for district-based

elections during each of the upcoming election cycles. These fiscal impacts are necessary and unavoidable if the Council transitions to district-based elections.

Impact to the Community:
The decision to change from at-large to district-based voting may have a substantial impact on the community since the City Council has been elected at-large since the City's incorporation in 1905. There may be a profound and noticeable impact to the community if the City adopts district-based elections and confusion until district-based elections are fully implemented in 2020. As proposed, two council seats will be elected by-district in the 2018 election and two or three council seats (pending the outcome of the five public hearings) in the 2020 election after the current incumbents have served their full terms. In some situations, the Mayor may be elected at-large, but all other members of the City Council must reside in the district they represent. The decision whether to establish four voting districts with the Mayor elected at-large, or five voting districts is one of the topics that will be decided upon by the City Council as a result of the minimum of five (5) public hearings that will be held as required by California Elections Code section 10010 should it adopt the proposed resolution.

RICHARD J. HAYDON
City Manager

GILBERT A. TRUJILLO
City Attorney

RESOLUTION NO. 2017-21

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SANTA MARIA, CALIFORNIA, DECLARING ITS INTENTION TO TRANSITION FROM AT-LARGE TO DISTRICT-BASED ELECTIONS PURSUANT TO ELECTIONS CODE SECTION 10010

RECITALS

WHEREAS, members of the City Council of the City of Santa Maria ("City") are currently elected in "at-large" elections, in which each City Council member is elected by the registered voters of the entire City; and

WHEREAS, California Government Code section 34886 permits the legislative body of a city to change its method of election by ordinance from an "at-large" system to a "district-based" system in which each member of the legislative body is elected only by the voters in the district in which the candidate resides; and

WHEREAS, the City received a certified letter on December 16, 2016, from Jason Dominguez, Esq., on behalf of his client Hector Sanchez, an unsuccessful candidate for City Council in the November 2016 election, asserting that the City's at-large electoral system violates the California Voting Rights Act ("CVRA") and threatening litigation if the City declined to adopt district-based elections; and

WHEREAS, a violation of the CVRA is established if it is shown that racially polarized voting occurs in elections (Elections Code section 14028(a)). "Racially polarized voting" means voting in which there is a difference in the choice of candidates or other electoral choices that are preferred by voters in a protected class, and in the choice of candidates and electoral choices that are preferred by voters in the rest of the electorate (Elections Code section 14026(e)); and

WHEREAS, the City of Santa Maria denies that its election system violates the CVRA or any other provision of law and asserts that Santa Maria's election 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, Mr. Dominguez granted the City an extension to February 10, 2017, and a second extension to February 22, 2017, to timely respond to his CVRA Notice of Violation, agreeing not to file suit and to extend the period of time to February 22, 2017, by which attorney's fees are capped at $30,000 as provided by AB 350; 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 attorneys' fees, and 3) reimbursable costs and attorneys' fees are capped at a maximum of $30,000 by following the procedures set forth in Election Code section 10010 as amended by AB 350; and

WHEREAS, the City Council unanimously directed staff to commence the process to establish district-based elections; and

WHEREAS, prior to the City Council's approval of a proposal to establish district boundaries for a district-based electoral system, California Elections Code section 10010 requires all of the following:

1. 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 before drawing a draft map or maps of the proposed boundaries of the districts;

2. After all draft maps are drawn, 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 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. The first version of a draft map shall be published at least seven (7) days before consideration at a hearing. If a draft map is revised at or following a hearing, it shall be published and made available to the public for at least seven (7) days before being adopted; and

WHEREAS, the City has retained an experienced demographer and special legal counsel to assist the City in establishing a district-based electoral system.

NOW, THEREFORE, IT IS HEREBY RESOLVED by the City Council of the City of Santa Maria, California, as follows:

A. The above recitals are true and correct.

B. The City Council hereby resolves to adopt a district-based election system as authorized by Government Code section 34886 for use in the City's General Municipal Election for City Council Members beginning in November 2018.

C. The City Council hereby approves the tentative timeline contained in Exhibit A and attached hereto, for conducting a public process to solicit public input and testimony on proposed district-based electoral maps before adopting any such map.

D. The timeline contained in Exhibit A shall be subject to adjustment by the City Council as it deems necessary, provided that such adjustments shall not prevent the City from meeting its goal of finalizing the change to district-based elections in time for the November 2018 elections.

E. The City Manager shall consult with legal counsel to resolve all legal issues necessary to give effect to this Resolution.

PASSED AND ADOPTED at a regular meeting of the City Council of the City of

Santa Maria held this 21st day of February 2017.

AYES:

NOES:

ABSENT:

ABSTAINED:

Mayor

ATTEST:

Chief Deputy City Clerk

APPROVED AS TO FORM:

City Attorney

Exhibit A: Tentative Timeline: Adoption of "District-based" Election Method

APPROVED AS TO CONTENT:

Department Head

City Manager

EXHIBIT A
TENTATIVE TIMELINE: ADOPTION OF "DISTRICT-BASED" ELECTION METHOD

DATE	EVENT	COMMENT
February 21, 2017	**Day 1** Resolution of Intention: City Council adopts Resolution declaring its intention to transition from at-large to district-based elections.	CVRA Action cannot be commenced for 90 days.
February 22-March 6, 2017	Public Outreach (optional but recommended)	Re: Process & Participation NO MAPS YET DRAWN
March 7, 2017	1st Public Hearing	Re: Composition of Districts NO MAPS YET DRAWN
March 21, 2017	2nd Public Hearing	Re: Composition of Districts NO MAPS YET DRAWN
March 28, 2017	Post Draft Maps and Potential Sequence of Elections	
April 4, 2017	3rd Public Hearing	Re: Draft Maps
April 11, 2017	Any Amended Maps Posted	
April 18, 2017	4th Public Hearing Select Map Council introduces ordinance establishing district elections, including District Boundaries and Election Sequence	Re: Draft Maps If selected map is amended, ordinance cannot be introduced until 7 days after amended map is published.
May 2, 2017	5th Public Hearing 2nd reading of ordinance establishing district elections: approval or defeat of ordinance	
May 22, 2017	**Day 90**	

June 1, 2017	Effective date of ordinance establishing district elections	
June 19, 2018	Council adopts resolutions calling for election, requesting consolidation, etc.	
July 16 – August 10, 2018	Candidate nomination period	
November 6, 2018	First election using new district-based election system	

Deborah Lopez

From: Michelle Greene
Sent: Monday, March 06, 2017 1:15 PM
To: Deborah Lopez
Subject: FW: Discussion Item D-1 California Voting Rights Act....

Michelle Greene
City Manager
City of Goleta
(805) 961-7501

From: Don McDermott [mailto:donmcdermott1@gmail.com]
Sent: Monday, March 06, 2017 11:59 AM
To: City Council <citycouncil@cityofgoleta.org>
Subject: Discussion Item D-1 California Voting Rights Act....

Dear Mayor and Council Members,

I offer no definite opinion on this important issue other than to say that I could overcome my resistance and support district elections but with a note that I would rather everyone feel represented by the current system of at-large electors. Suggestion; consider an alternated system to limit the potential for fiefdom development. Also, I would not want the city to be involved in protracted and costly litigation, should it come to that. The current voting public in the at large system is seemingly small enough and the districts could represent even smaller factions.

Conern; If Old Town residents feel underrepresented it could be that the problem is due to competing visions for that district and the current at-large system is perceived heavy handed. One district representative could benefit that one district in overcoming outside desires but it could also be subject to manipulative carpet bagger influence.

Sincerely,
Don McDermott
484 Cole Pl. (LLC area)
805.680.6309

Deborah Lopez

From: Paula Perotte
Sent: Monday, March 06, 2017 11:47 AM
To: Michelle Greene; Deborah Lopez
Subject: FW: At-Large v. District Elections

FYI
Paula ~

Paula Perotte
Mayor
City of Goleta | 130 Cremona Drive, Suite B | Goleta, CA 93117
805-961-7536 | pperotte@cityofgoleta.org

From: Jim Allen [mailto:jimallen2020@gmail.com]
Sent: Monday, March 06, 2017 8:29 AM
To: City Council <citycouncil@cityofgoleta.org>
Subject: At-Large v. District Elections

3-6-2017
Dear Goleta City Council,
I prefer "At-Large Elections" versus "District Elections".
I believe that there is a serious negative potential impact if the City of Goleta is further divided into districts.
The citizens of this city deserve to be a unified group which can be heard by county, state and federal officials.
Division only weakens us.
Sincerely,
James R. Allen,
541 Dorset Court,
Goleta, CA 93117