



## CITY OF GLENDALE, CALIFORNIA REPORT TO THE CITY COUNCIL

### AGENDA ITEM

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Report: Sixth Public Hearing Regarding the Composition of Council Districts Related to the City's Proposed Transition to District-Based Councilmember Elections and Discussion of Potential Amendments to City Charter

1. Motion Identifying a Proposed District Map for Inclusion into a Proposed Ballot Measure to Transition to District-Based Councilmember Elections
2. Motion Providing Direction on a Proposed District Map
3. Motion Directing Staff Regarding Proposed Charter Amendments Pertaining to Council Districts, a Directly Elected Mayor, and Council Compensation

### COUNCIL ACTION

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**Item Type:** Public Hearing

**Approved for** May 7, 2024 **calendar**

### EXECUTIVE SUMMARY

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This marks the sixth public hearing concerning city council districts and associated charter amendments. Staff is seeking direction on two fronts: 1) either finalizing the selection of a map to be included in a proposed charter amendment or narrowing down the options and 2) additional direction on charter amendments related to Council governance. Specifically, staff is seeking direction on the following:

- Direction or Input on a District Map
- Dual Candidacy for Mayor and Council
- Terms and Term Limits
- Mayor and Council Salary
- Role of the Charter Review Committee re: Districting & Civil Service & Misc. Cleanup Provisions

During the 5<sup>th</sup> public hearing on November 7, 2023, the Council identified three 'focus' maps that were discussed in stakeholder outreach meetings held between January and April 2024. National Demographics Corporation, the City's demographer consultant, will provide a summary of the stakeholder outreach meetings and the feedback received.

## RECOMMENDATION

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That the Council hold the public hearing and provide direction on districts and potential charter amendments.

## ANALYSIS

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On May 2, 2023, the Council adopted Resolution No. 23-55 declaring its intent to initiate the process to transition from at-large to district-based councilmember elections pursuant to Elections Code section 10010. The Council directed staff to commence the process to transition to council districts by way of amendment to the City Charter, to include a proposal to transition to six (6) council districts and a directly elected mayor who would be a voting member of the Council. Through the districting process, 42 draft maps were submitted to or prepared by the City for the Council's consideration. The draft maps are attached as Exhibit 1 and can also be viewed using an Interactive Review Map available at <https://mapglendale.org/draft-maps/>.

### Council Districts

At the November 7, 2023 public hearing, the Council identified 3 focus maps (Maps 106b, 125 and 126d) for the purpose of conducting additional stakeholder outreach. Two additional maps (Maps 120b and 124) were shown based on participant requests.

### Public Hearing

Pursuant to Elections Code section 10010, the Council is required to hold at least four public hearings. To date, the Council has held five public hearings: June 13, 2023, July 11, 2023, August 15, 2023, October 10, 2023 and November 7, 2023, as well as a study session on October 24, 2023.

The principal purpose of this sixth public hearing is for the City's demographer, National Demographics Corporation (NDC), to provide an overview of the maps, the results of the direct stakeholder outreach conducted between January and April of 2024, and to seek Council feedback and input on a proposed map.

### District Criteria

In accordance with Elections Code section 21601, the Council must draw districts that satisfy the following criteria:

- Council districts must be substantially equal in population based on the total population of residents of the city as determined by the most recent census with adjustments mandated by the State of California.
- Council district boundaries must comply with the United States Constitution, the California Constitution, and the federal Voting Rights Act.
- The Council shall adopt district boundaries using the following criteria as set forth in the following order of priority:
  - (i) To the extent practicable, council districts shall be geographically contiguous.

(ii) To the extent practicable, the geographic integrity of any local neighborhood or local community of interest shall be respected in a manner that minimizes its division. A “community of interest” is a population that shares common social or economic interests that should be included within a single district for purposes of its effective and fair representation. Communities of interest do not include relationships with political parties, incumbents, or political candidates.

(iii) Council district boundaries should be easily identifiable and understandable by residents. To the extent practicable, council districts shall be bounded by natural and artificial barriers, by streets, or by the boundaries of the city.

(iv) To the extent practicable, and where it does not conflict with the preceding criteria, council districts shall be drawn to encourage geographical compactness in a manner that nearby areas of population are not bypassed in favor of more distant populations.

- The Council must not draw district boundaries for the purpose of favoring or discriminating against a political party.

### Draft District Maps

There are currently 42 draft maps that have been submitted to the City or prepared by the City’s hired demographer. The draft maps are attached as Exhibit 1 and can also be viewed using an Interactive Review Map available at <https://mapglendale.org/draft-maps/>. NDC will provide a review during the public hearing.

### Sequencing of Districting Elections

For reference purposes, staff provides the following information again regarding the sequencing of district elections if Council places the matter on the ballot. Elections Code § 10010 contains provisions governing the sequencing of elections in the new districts:

1) The draft districting plans made available during the second round of public hearings include a “potential” sequencing of elections for each draft plan as required by Elections Code section 10010(a)(2).

2) Elections Code section 10010(b) specifies two criteria for “consideration” in setting the sequencing. Those criteria are “consideration to the purposes of the California Voting Rights Act” and “tak[ing] into account the preferences expressed by members of the districts.” The sequencing of elections published with the draft plans, however, is only proposed sequencing. The sequencing of elections in the districts of the finally adopted new districting plan is at the discretion of the Council. In addition to the considerations required by Section 10010(b), cities commonly consider:

a. Completion of the terms of incumbents elected at-large. For example, a councilmember whose term ends in 2028 serves out the full four-year term even if that member resides in the same district as an incumbent whose term ends in 2026 and that district is placed on the 2026 ballot.

b. Scheduling elections in a particular district based on the expiration of the term of

office of the incumbent who resides in the district. For example, a district in which an incumbent resides with a term ending in 2026 could be placed on the ballot in 2026. A district in which two incumbents reside with respective terms ending in 2026 and in 2028 could be placed on the ballot in 2026 or 2028. If in 2028, the incumbent with a term ending in 2026 would be out of office after the 2026 elections, but he or she could run again in 2028 for the district seat in which he or she resides.

c. If the district seat were placed on the ballot in 2026, an incumbent with the term ending in 2028 would serve out the full four-year at-large term to which elected, and then could seek election in 2028 for the district seat. Alternatively, that incumbent could run for the district seat in 2026 and, if elected, resign from the at-large seat on the City Council, creating a vacancy to be filled in accordance with the city's laws.

d. Scheduling elections in a district in which no current incumbent resides at the earlier election cycle consistent with maintaining the appropriate number of Council Members.

As noted previously, these iterations aside, with an expanded Council, it would appear that three district seats for four-year terms would be up for election in 2026, along with a two-year seat. In 2028, 3 four-year district seats would be up for election, and then three seats would be up for election every two years after that assuming no vacancies.

Staff seeks further direction on either selection of a map or direction for future discussion.

### Council Governance Charter Amendments

At the July 11, 2023 and August 8, 2023 regular meetings, the Council reviewed and provided feedback regarding Charter amendments that would implement a by-district election system. Proposed Charter amendment language is included in Exhibit 2. Staff provides the following comments on the outstanding issues from the July/August 2023 meetings and other follow-up issues:

#### 1. Dual Candidacy for Council and Mayor

The proposed charter language reviewed in July/August 2023 included a provision prohibiting an incumbent councilmember from being a candidate for mayor and for reelection as a councilmember at the same time. This is in accord with other city charters and state law (e.g. Election Code §10220.5) prohibiting the same individual from appearing on the same ballot more than once. This would have the effect of requiring a councilmember whose term is expiring but wishes to run for Mayor to choose to run for reelection or run for mayor, but not both. Council requested consideration for methods to address this challenge, including permitting individuals to run for both offices at the same time.

As a charter city, Glendale has plenary authority to run elections as a local affair and can have a charter provision that supersedes state election law. Thus, it would be permissible

to draft Charter language to permit an incumbent councilmember to run for Council and Mayor at the same time. If the incumbent councilmember is elected to the mayorship and reelected to the Council, he or she would be sworn in as mayor and resign from council. Then the council position would be filled in the manner prescribed in the charter.

Another method to address this challenge is to limit mayoral terms to two years (which would even the playing field for all, but still require incumbent councilmembers wishing to run for mayor to resign). At the August 8, 2023 meeting, however, the Council expressed opposition to 2-year terms for the mayorship. A third option is to require any incumbent councilmember (regardless of term expiration) wishing to run for Mayor to “resign to run” for Mayor. This option was not discussed. The constitutionality of such an approach is questionable, however, and would likely require additional research if Council is inclined to explore it further.

## 2. Terms and Term Limits

The consensus at the July/August 2023 was for four-year terms and for the Mayor to be subject to a two-term limit. Prior versions of the language did not clearly spell out that terms served as a councilmember are not included as mayor terms and vice versa. It was staff’s understanding this was the concept Council supported so the updated version clarifies the distinction. If Council feels differently, it can provide additional direction during the meeting.

## 3. Mayor and Council Salary

At the July/August 2023 meetings, the Council provided direction to prepare a Charter amendment that would establish the salary of the councilmembers at 80% of area median income (AMI) and the Mayor’s at 100% of AMI. The current AMI for Los Angeles County is \$68,750 which would set the Mayor’s salary at \$68,750 and the councilmembers’ salaries at \$55,000. As discussed at the August 8, 2023 meeting, the Charter language has been revised to provide that the mayor’s and councilmembers’ salary would take effect and be implemented commencing upon the seating of the mayor and council after the June 2026 election when the mayoral and first district elections take place.

## 4. Amendments to Civil Service Provisions of Charter and Other Amendments

This report focuses on City Council governance changes to the City Charter. Council has also directed staff to prepare amendments to the Charter pertaining to the Civil Service system. Staff is in the process of making those revisions as well as engaging in the meet-and-confer process required by state labor law. Staff anticipates bringing those items to Council at a future date.

In addition, staff presented information to Council in 2023 on miscellaneous charter amendments such as urgency ordinances, location of Council meetings, and removing obsolete references. Since then, the Council has established a Charter Review Committee and will be considering appointment of its members. In staff’s view, it makes

sense to have the Committee review those changes along with the overall review of the Charter it will conduct as part of the Committee's task. Council can provide alternate direction if it chooses.

### Review and Input from Charter Review Committee

The Council has recently established a Charter Review Committee and is in the process of selecting its members. When established, the Council contemplated having the Committee review the proposed Council governance changes, i.e. districts, directly elected mayor and Council salaried and provide comments or recommendations, discussed in this Report. During the April 30, 2024 Council discussion of the selection of Committee members, it was suggested by a councilmember to not have the Committee provide input on these matters and focus on the broader review of the Charter, since the Council has already a significant amount of discussion on these governance changes and the deadline to place these matters on the ballot (August 9, 2024) is approaching. If Council continues to move forward with consideration of the governance changes addressed in this Report, staff seeks Council direction/confirmation whether to seek the Committee's review and input.

### **STAKEHOLDERS/OUTREACH**

Commencing in May 2023, the district outreach team undertook a comprehensive approach to engage the community, incorporating various methods such as hosting community workshops and pop-up events held in geographically spread-out locations, posting printed flyers in multiple locations, utilizing digital flyers for social media platforms, making phone calls, publishing information on the City's website, publishing articles on City Connection to name a few.

This is the sixth public hearing on districts. In addition, the City held 14 public workshops and various pop-up events in 2023, along with an extensive digital outreach campaign.

In response to the City Council's call for direct community outreach to community-based organizations on November 7, 2023, staff extended invitations to 172 community-based organizations. The direct outreach to these organizations proved effective. The meetings provided an opportunity for in-depth discussions, questions, and feedback on draft maps and an opportunity for the groups to learn about the districting process. From January to April 2024, a total of nine stakeholder meetings were conducted, engaging community leaders and representatives from 13 organizations.

1. January 11, 2024 – Glendale Latino Association Stakeholder Meeting
2. January 22, 2024 – Verdugo Woodlands HOA, Bridging the Borders, Glendale Teacher's Association
3. January 25, 6:30 p.m. – Crescenta Highlands Neighborhood Association
4. February 5, 2024 – Glendale Homeowners Coordinating Council
5. February 8, 2024 – Rossmoyne Mountain HOA
6. February 15, 2024 – Glendale Community College

7. February 15, 2024 – Filipino-American Business Association of Glendale, Adams Hill Neighborhood Association, Armenian Bar Association
8. February 26, 2024 – Whiting Woods HOA
9. April 8, 2024 – Northwest Glendale Homeowners Association

Exhibit 3 includes summaries of the discussions from these 9 stakeholder meetings.

Following the stakeholder meetings, the City hosted two additional public forums to discuss the feedback received from stakeholders and draft maps:

1. April 3, 2024 – Pacific Park
2. April 18, 2024 – Glendale Civic Auditorium

Residents were encouraged to attend these public forums to share their input and pose questions to the outreach team.

A summary of the input received at the stakeholder meetings and the public forums will be presented by the City's Demographer, Doug Johnson of NDC.

### **FISCAL IMPACT**

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There is no fiscal impact associated with this report. An expansion of the number of councilmembers and adjustments to Council compensation will have fiscal impacts that will be provided if Council provides direction to move forward with charter amendments incorporating those changes. Staff will provide the assessment of fiscal impact at a future Council discussion.

### **ENVIRONMENTAL REVIEW (CEQA/NEPA)**

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This activity involves organizational and administrative activities of the government related to election procedures and eligibility requirements, and such internal procedural and eligibility changes have no potential for resulting in either a direct physical change in the environment, or a reasonably foreseeable indirect physical change in the environment. As such, this action is not a "project" subject to the requirements of the California Environmental Quality Act (CEQA) 14 Cal. Code Regs § 15378.

### **CAMPAIGN DISCLOSURE**

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This item is exempt from campaign disclosure requirements.

### **ALTERNATIVES TO STAFF RECOMMENDATION**

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1. Council can choose to provide no direction and note and file the item.

### **ADMINISTRATIVE ACTION**

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**Submitted by:**

Michael J. Garcia, City Attorney

**Prepared by:**

Michael J. Garcia, City Attorney

**Approved by:**

Roubik R. Golanian, P.E., City Manager

**EXHIBITS/ATTACHMENTS**

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1. Proposed District Maps
2. Preliminary Charter amendment language
3. Summaries of Stakeholder Meetings
4. NDC Powerpoint Presentation – Stakeholder Outreach