



CITY OF SOLANA BEACH

SOLANA BEACH CITY COUNCIL, SUCCESSOR AGENCY TO THE REDEVELOPMENT
AGENCY, PUBLIC FINANCING AUTHORITY, AND HOUSING AUTHORITY

AGENDA

Joint SPECIAL Meeting

Wednesday, March 09, 2022 * 5:00 p.m.

Teleconference Location Only-City Hall/Council Chambers, 635 S. Highway 101, Solana Beach, California

This meeting will be conducted in accordance with California Government Code sections 54953(e) and 54954.3 and other applicable law.

MEETING LOCATION WILL NOT BE OPEN TO THE PUBLIC

Be advised that due to the COVID-19 pandemic in-person participation will not be allowed, there will be no members of the public in attendance at Council Meetings. Alternatives to in-person attendance for viewing and participating in City Council meetings are being provided under provided below.

AGENDA MATERIALS

A full City Council agenda packet including relative supporting documentation is posted online www.cityofsolanabeach.org Closed Session Agendas are posted at least 72 hours prior to regular meetings and at least 24 hours prior to special meetings.

WATCH THE MEETING

- Live web-streaming: Meetings web-stream live on the City's website on the City's [Public Meetings](#) webpage. Find the large Live Meeting button.
- Live Broadcast on Local Govt. Channel: Meetings are broadcast live on Cox Communications - Channel 19 / Spectrum (Time Warner)-Channel 24 / AT&T U-verse Channel 99.
- Archived videos online: The video taping of meetings are maintained as a permanent record and contain a detailed account of the proceedings. Council meeting tapings are archived and available for viewing on the City's [Public Meetings](#) webpage.

PUBLIC COMMENTS

- Written correspondence (supplemental items) regarding an agenda item at an open session meeting should be submitted to the City Clerk's Office at clerkoffice@cosb.org with a) Subject line to include the meeting date b) Include the Agenda Item # as listed on the Agenda.
- Correspondence received after the official posting of the agenda, but before 3:00 p.m. (or 3 hrs. prior to the meeting start time) on the meeting day, will be distributed to Council and made available online along with the agenda posting. All submittals received before the start of the meeting will be made part of the record.
- Written submittals will be added to the record and not read out loud.
- The designated location for viewing supplemental documents is on the City's website www.cityofsolanabeach.org on the posted Agenda under the relative Agenda Item.

OR

Verbal Comment Participation: If you wish to provide a live verbal comment during the meeting, attend the virtual meeting via your computer or call in.

Before Meeting

- Alert Clerk's Office. We ask that you alert us that you will joining the meeting to speak. Please email us at clerkoffice@cosb.org to let us know which item you will speak on. This allows our Staff to manage speakers more efficiently.
- Watch the Meeting and Make a Public Comment
You can watch the meeting on the Live Meeting button on the Public Meetings page OR on TV at the stations provided above OR on the zoom event:

Link: <https://cosb-org.zoom.us/j/86813892979>

Webinar ID: 896 1389 2979

If you cannot log on or need to use a phone for audio quality, use one of these call-in numbers (toll free):
US: +1 669 900 9128 or +1 346 248 7799 or +1 253 215 8782 or +1 312 626 6799 or +1 646 558 8656 or
+1 301 715 8592 or 833 548 0282 (Toll Free) or 877 853 5257 (Toll Free) or 888 475 4499 (Toll Free) or
833 548 0276 (Toll Free)

- Join/Log-In to the meeting at least 15 minutes prior to the start time so that the City Clerk can verify that you are ready to speak before the meeting begins.
- Audio Accessibility: If your computer does not have a microphone or you have sound issues, you can call-in from a landline or cell phone and use it as your audio (phone # is provided once

During Meeting:

- During each Agenda Item and Oral Communications, attendees will be asked if they would like to speak. Speakers are taken during each agenda item.
- Speakers will be asked to raise their hand (zoom icon under participants can be clicked or on the phone you can dial *9) if they would like to be called on to speak during each item. We will call on you by your log in name or the last 4 digits of your phone #. When called on by the meeting organizer, we will unmute so you may provide comments for the allotted time. Allotted speaker times are listed under each [Agenda](#) section.
- Choose Gallery View to see the presentations, when applicable.

SPECIAL ASSISTANCE NEEDED - AMERICAN DISABILITIES ACT TITLE 2

In compliance with the Americans with Disabilities Act of 1990, persons with a disability may request an agenda in appropriate alternative formats as required by Section 202. Any person with a disability who requires a modification or accommodation in order to participate in a meeting should direct such request to the City Clerk's office (858) 720-2400 clerkoffice@cosb.org at least 72 hours prior to the meeting.

| | | | |
|--------------------------------------|---|---|---------------------------------------|
| CITY COUNCILMEMBERS | | | |
| Lesa Heebner, Mayor | | | |
| Kelly Harless Deputy Mayor | David A. Zito Councilmember District 1 | Jewel Edson Councilmember District 3 | Kristi Becker Councilmember |
| Gregory Wade City Manager | Johanna Canlas City Attorney | Angela Ivey City Clerk | |

SPEAKERS:

See Public Participation on the first page of the Agenda for publication participation options.

READING OF ORDINANCES AND RESOLUTIONS:

Pursuant to [Solana Beach Municipal Code](#) Section 2.04.460, at the time of introduction or adoption of an ordinance or adoption of a resolution, the same shall not be read in full unless after the reading of the title, further reading is requested by a member of the Council. If any Councilmember so requests, the ordinance or resolution shall be read in full. In the absence of such a request, this section shall constitute a waiver by the council of such reading.

CALL TO ORDER AND ROLL CALL:

CLOSED SESSION REPORT:

FLAG SALUTE:

APPROVAL OF AGENDA:

ORAL COMMUNICATIONS:

Note to Public: Refer to [Public Participation](#) for information on how to submit public comment.

This portion of the agenda provides an opportunity for members of the public to address the City Council on items relating to City business and not appearing on today's agenda by joining the virtual meeting online to speak live, per the Public Participation instructions on the Agenda.

Pursuant to the Brown Act, no action shall be taken by the City Council on public comment items. No written correspondence may be submitted in lieu of public speaking. Council may refer items to the City Manager for placement on a future agenda. The maximum time allotted for each speaker is THREE MINUTES (SBMC 2.04.190).

COUNCIL COMMUNITY ANNOUNCEMENTS / COMMENTARY:

An opportunity for City Council to make brief announcements or report on their activities. These items are not agendized for official City business with no action or substantive discussion.

D. STAFF REPORTS: (D.1.)

Note to Public: Refer to [Public Participation](#) for information on how to submit public comment.

Any member of the public may address the City Council on an item of concern by submitting written correspondence for the record to be filed with the record or by registering to join the virtual meeting online to speak live, per the Public Participation instructions on the Agenda. The maximum time allotted for each speaker is THREE MINUTES (SBMC 2.04.190).

D.1. Third Public Hearing - Redistricting Process. (File 0430-60)

Recommendation: That the City Council

1. Receive Staff Report.
2. Conduct third public hearing.
3. Review submitted draft maps; and/or
4. Provide instructions to demographic consultant.

[Item D.1. Report \(click here\)](#)

Posted Reports & Supplemental Docs contain records up to the cut off time, prior to the start of the meeting, for processing new submittals. The final official record containing handouts, PowerPoints, etc. can be obtained through a Records Request to the City Clerk's Office.

ADJOURN:

AFFIDAVIT OF POSTING

STATE OF CALIFORNIA }
 COUNTY OF SAN DIEGO } §
 CITY OF SOLANA BEACH }

I, Megan Bavin, Deputy City Clerk of the City of Solana Beach, do hereby certify that this Agenda for the March 9, 2022 Council Meeting was called by City Council, Successor Agency to the Redevelopment Agency, Public Financing Authority, and the Housing Authority of the City of Solana Beach, California, was provided and posted on March 2, 2022 at xx:xx p.m. on the City Bulletin Board at the entrance to the City Council Chambers. Said meeting is held at 5:00 p.m., March 9, 2022, in the Council Chambers, at City Hall, 635 S. Highway 101, Solana Beach, California.
 Megan Bavin, Deputy City Clerk * City of Solana Beach, CA



STAFF REPORT CITY OF SOLANA BEACH

TO: Honorable Mayor and City Councilmembers
FROM: Gregory Wade, City Manager
MEETING DATE: March 9, 2022
ORIGINATING DEPT: City Attorney's Office
SUBJECT: **Third Public Hearing - Redistricting Process**

BACKGROUND:

On April 11, 2018, the Council adopted Resolution 2018-042 declaring the City of Solana Beach's intent to change the way the Council members are elected, transitioning from an at-large Councilmember election system to a district-based Councilmember election system with a directly elected Office of Mayor. On July 18, 2018, the Council adopted Ordinance 488 implementing district-based elections for Council members. The districts were drawn based on the 2010 Census data, the most recent available. The 2018 plan was used in City Council elections in 2020.

Following every federal decennial census, local governments are required to engage in a formal redistricting process as prescribed by the California Elections Code. Elec. Code § 21601 *et seq.* The California Legislature passed a new law in 2019, amended in 2020 and 2021, called the Fair Maps Act which specifies the procedures and mandatory, prioritized criteria under redistricting must occur.

The City has engaged assistance from Special Counsel Marguerite Leoni of Nielsen Merksamer Parrinello Gross & Leoni LLP and Demographers Douglas Johnson/Shannon Kelly from National Demographics Corporation to assist with the redistricting process.

The City conducted the initial/first public hearing on December 15, 2021. After the first public hearing, draft maps were published. The City conducted the second public hearing on January 12, 2022, where the City Council reviewed draft maps and invited the public to submit maps. To date, the City received eight (8) draft maps submitted by members of the public. The submitted maps have been analyzed by the City's demographer and

COUNCIL ACTION:

posted with their corresponding demographic data at https://www.ci.solana-beach.ca.us/index.asp?SEC=56737889-4955-493D-8F8F-D9F2F8A9BC7A&Type=B_BASIC.

The item is before the City Council to conduct the third of the required public hearings under the law.

DISCUSSION:

Mandatory Redistricting Criteria.

California Elections Code section 21601 requires the City Council to adopt district boundaries using the following criteria, in the following order of priority:

1. Council districts shall be substantially equal in population based on total population of residents of the city as determined by the most recent federal decennial census with adjustments required by state law pertaining to incarcerated persons. (Changes to state law now require that the California Statewide Database perform certain “adjustments” to the data to reassign incarcerated residents back to their last known place of residence, rather than where they are incarcerated.)
2. Council districts must comply with the United States Constitution the California Constitution, and the federal Voting Rights Act of 1965.
3. To the extent practicable, council districts shall be geographically contiguous.
4. 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.)
5. District boundaries must be easily identifiable and understandable by residents. To the extent practicable, districts shall be defined by natural and artificial barriers, by streets or by the boundaries of the city.
6. To the extent practicable, boundaries must be drawn to encourage geographical compactness in a manner that nearby areas of population are not bypassed in favor of more distant populations.
7. The Council shall not adopt District boundaries for the purpose of favoring or discrimination against a political party.

State law does not expressly prohibit other good government considerations for redistricting, such as avoiding to the extent possible the deferral of the exercise of the right to vote because of rearrangement of district boundaries, or a minimal change approach provided all statutory criteria are met.

Minimum Process: Public Hearing.

Before adopting the revised district boundaries, the Council must conduct at least four public hearings:

- One before draft maps are released. (The first public hearing was conducted on December 15, 2021)
- Two after draft maps are published. (The second public hearing was conducted on January 12, 2022.)
- At discretion when to hold a fourth public hearing but it must be presided over by the City Council.

One of the four public hearings must be conducted on a weekend or on a weekday evening after 6 p.m. (a regular council meeting would fulfill this requirement).

The City established the schedule of public hearings for the redistricting process, all presided over by the council (note that the City Council conducted an extensive process of public hearings/ meetings just three years ago in connection with the establishment of its Council districts). The scheduled public hearings dates after publication of the draft maps that have not yet been conducted are as follows:

- Wednesday, March 9, 2022 at 5 p.m.
- Wednesday, March 23, 2022 at 6 p.m.

This evening's public hearing is the third of the four required. At the discretion of the Council, additional public hearings/workshops may be scheduled. These additional hearings/workshops may be conducted by staff or the City's consultant.

Mandatory Public Outreach.

The Elections Code provisions applicable to the redistricting process require the City to take steps to encourage residents, including those in underrepresented communities and non-English speaking communities, to participate in the redistricting public review process. Elec. Code § 21608(a). These steps include:

- Informing local media outlets, including those who serve language minority communities.
- Informing the public through civic engagement or community groups that are active within the city, including those active in language minority communities.
- Arranging for live translation of a public hearing in an applicable language if a request for translation is made.
- Publishing the date, time, and location for any public hearing or workshop on the internet at least five days before the hearing or workshop.
- For each draft map prepared by the city, publishing information on the total population, citizen voting age population, and racial and ethnic characteristics of the citizen voting age population of each proposed council district.
- Publishing a draft redistricting map online, including population information, for at least seven days before Council's final adoption.
- Receiving public testimony or draft boundary maps in writing and electronically.

- Publishing in required languages procedures for a member of the public to testify during a public hearing or to submit written testimony directly to the City Council.
- Publishing a calendar of all public hearing dates.
- Providing a recording or written summary of all public comments and council deliberations at each public hearing online.
- Maintaining a website dedicated to redistricting for at least 10-years post adoption.

Staff has complied with all these requirements to date.

The public participation map drafting kits and submitted draft maps are available online at: https://www.ci.solana-beach.ca.us/index.asp?SEC=56737889-4955-493D-8FBF-D9F2F8A9BC7A&Type=B_BASIC.

Deadline for Completion of Redistricting Process.

The statutory deadline for the Council to complete the redistricting process is April 17, 2022, but earlier completion is advised, to ensure that the County Registrar is provided sufficient time to implement the new boundaries considering the statewide and countywide redistricting currently underway in numerous jurisdictions, all with deadlines considering June and/or November 2022 elections. After the deadline, the redistricting must be referred to the superior court for completion.

CEQA COMPLIANCE STATEMENT:

Not a project as defined under CEQA.

FISCAL IMPACT:

The City engaged the services of National Demographics Corporation to facilitate the redistricting process. The base price for the professional demographic services is \$12,500. The total cost is dependent on the level of service requested by the City which may include meeting attendance, public participation mapping kit, etc.

OPTIONS:

- Provide instructions to demographic consultant regarding draft redistricting maps including number of drafts and any additional considerations after compliance with statutory mandatory criteria.

DEPARTMENT RECOMMENDATION:

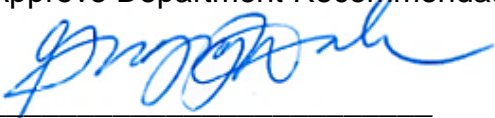
Staff recommends that the City Council:

1. Receive Staff Report.
2. Conduct third public hearing.

3. Review submitted draft maps; and/or
4. Provide instructions to demographic consultant.

CITY MANAGER'S RECOMMENDATION:

Approve Department Recommendation.



Gregory Wade, City Manager