

RESOLUTION NO. 2024-

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LOS ALTOS
DECLARING ITS INTENTION TO TRANSITION FROM AN AT-LARGE
ELECTIONS SYSTEM TO A BY-DISTRICT-ELECTIONS SYSTEM PURSUANT TO
CALIFORNIA ELECTIONS CODE 10010**

WHEREAS, the City of Los Altos, California ("City") is a general law city, duly organized under the constitution and laws of the State of California; and

WHEREAS, the City is currently, and has historically, conducted at-large elections, in which each of the five (5) Councilmembers are elected by the registered voters of the entire City; and

WHEREAS, California Government Code Section 34886, in certain circumstances, authorizes the legislative body of a city of any population to adopt an ordinance to change its method of election from an at-large system to a by-district system or by-district system with an elective mayor in which each Councilmember is elected only by the registered voters in the district in which the candidate resides; and

WHEREAS, on April 18, 2024, the City received a Notice of Violation of the California Voting Rights Act ("CVRA") from attorney Kevin Shenkman (Shenkman & Hughes, PC), asserting that current City elections are characterized by racially polarized voting and threatening litigation should the City decline to voluntarily transition to a district-based elections system; and

WHEREAS, Mr. Shenkman granted the City an extension under Elections Code Section 10010 to complete its transition from an at-large elections system to a by-district elections system by October 31, 2024;

WHEREAS, the City of Los Altos denies that its current election system violates the CVRA or any other provision of law and asserts the City's election system is legal in all aspects; and

WHEREAS, the City intends to make this transition from an at-large system to a by-district system in accordance with the procedural rules outlined in Government Code Section 34886 and Elections Code 10010; and

WHEREAS, the City will begin by working with an experienced demographer to assist the City in establishing maps for a by-district electoral system that complies with both the Federal Voting Rights Act and the California Voting Rights Act; and

WHEREAS, before drawing a draft map of the proposed boundaries of the districts, the City will hold at least two (2) public hearings where the public is invited to provide input regarding existing communities of interest and the composition of the districts; and

WHEREAS, the City will then publish and make available for release one or more draft maps of the new electoral districts and any such maps will be published at least seven (7) days before

any hearing to consider those maps; and

WHEREAS, once the draft map(s) have been publicized for at least seven (7) days, the City will hold at least two (2) additional public hearings for the public to provide input regarding the content of the draft maps as well as the proposed sequence of elections prior to the public hearing at which the City Council adopts a map; and

WHEREAS, at a fifth meeting, the City Council will select one of the maps and set the order of elections with the furtherance of the goals of the CVRA in mind.

NOW THEREFORE, BE IT RESOLVED, that the City Council of the City of Los Altos hereby:

1. The above recitals are true and correct and are incorporated herein by this reference.
2. The City Council hereby resolves, pursuant to Elections Code Section 10010, to bring the transition to a by-district election system by ordinance as authorized by California Government Code Section 34886, for use in the City's General Municipal Election for City Councilmembers by October 31, 2024.
3. The City Council further resolves to retain a qualified demographer and to hold at least 5 public hearings for public input, with the first two hearings being for the purpose of public input on communities of interest and how maps should be drawn, with at least two more hearings at which maps will be presented. Any map that the City Council will consider will be published to the public at least 7 days in advance of that hearing, and will comply with both the Federal and California Voting Rights Act. In these later hearings, the City Council will also receive public input on the sequence of elections to further the purposes of the CVRA. The City will publicly release a draft schedule of the public hearings in advance, within a reasonable timeframe from this Resolution, and post the same on its website.
4. At a fifth and final meeting, the City Council will select a map, and also set the order of elections in 2026 and 2028 with the objectives of the CVRA in mind.
5. Working with the demographer, staff is directed to publicize relevant maps, information, notices, agendas and other materials regarding by-district elections and to establish means of communication to answer questions from the public.
6. All public hearings shall be noticed on the City's website, and in addition, as follows: posting on the City's website at least 7 calendar days in advance of the hearing and publication at least 7 days in advance of the hearing in the newspaper adjudicated to provide notice within the City; and holding at least one hearing on a Saturday, Sunday, or after 6 pm on a weekday.
7. Adopting the proposed schedule to complete the transition from an at-large elections system to a by-district elections system:

Date	Event
June 11, 2024	Public Hearing No. 1
June 25, 2024	Public Hearing No. 2
By August 27, 2024	Draft Maps Published

September 3, 2024	Public Hearing No. 3
September 17, 2024	Public Hearing No. 4
October 1, 2024	Public Hearing No. 5

Date	Event
June 11, 2024	Public Hearing No. 1
June 25, 2024	Public Hearing No. 2
July 2, 2024	Public Hearing No. 3
By August 27, 2024	Draft Maps Published
September 3, 2024	Public Hearing No. 4
September 17, 2024	Public Hearing No. 5
October 1, 2024	Public Hearing No. 6

8. The City Manager is authorized to take any and all other necessary actions to give effect to this Resolution.
9. This Resolution shall become effective immediately upon its adoption.

I HEREBY CERTIFY that the foregoing is a true and correct copy of a Resolution passed and adopted by the City Council of the City of Los Altos at a meeting thereof on the 28th day of May, 2024 by the following vote:

AYES:
 NOES:
 ABSENT:
 ABSTAIN:

Jonathan D. Weinberg, MAYOR

Attest:

Melissa Thurman, MMC
 City Clerk