

RESOLUTION NO. 4321-2020

RESOLUTION OF THE FORT BRAGG CITY COUNCIL ADOPTING THE RECOMMENDATIONS OF THE ELECTIONS REVIEW COMMITTEE

WHEREAS the City of Fort Bragg received a letter from the "Coast Committee for Responsive Representation" (CCRR), dated April 16, 2018, alleging that the City of Fort Bragg violated the California Voting Rights Act of 2001 (CVRA, California Elections Code §§ 14025-14032), by not establishing voting 'districts' to avoid racially-polarized voting; and

WHEREAS, on May 24, 2018, the CCRR submitted a retraction and resubmission letter to the City expressing a desire to extend the safe harbor timelines related to CVRA claims and potential litigation; and

WHEREAS, on July 9, 2018, the City Council adopted Resolution No. 4109-2018, declaring its intent to transition from an at-large election system for members of the City Council to a district-based election system and setting forth a tentative timeline for conducting public hearings, formulating proposed district maps and election systems and for presenting a draft ordinance to City Council for decision; and

WHEREAS, the City held public hearings on July 23, 2018 and August 13, 2018 for the purpose of seeking public input on the possible composition and boundaries of separate districts. The majority of input received from the public at both of those hearings disfavored transitioning to a district-based election system and input regarding the composition of the district boundaries was limited; and

WHEREAS, in anticipation of possible litigation for the CVRA claim, the City commissioned National Demographics Corporation ("NDC") to provide demographic and election history profiles and racially polarized voting analysis. The City included a summary of the results of NDC's analysis in the agenda packet for the August 13, 2018 public hearing stating that the results were statistically unreliable due to the limited data available and the small number of voting precincts in the City, and that what data is available appears to indicate that the winners of the 2016 election were supported by Latino voters, and two of the three candidates in the 2014 election were supported by Latino voters; and

WHEREAS the City of Fort Bragg and the CCRR, subsequent to the NDC demographics study, signed a settlement agreement October 10, 2018, whereby CCRR agreed to rescind the letter and the City agreed to establish new protocols to encourage minority voting and candidates; and

WHEREAS the City of Fort Bragg, as part of the settlement agreement, set up an Elections Review Committee (ERC) to look at city voting in more detail and to make recommendations about (a) district voting; (b) adopting an alternative method of voting to better enfranchise the minority vote; (c) adopting additional measures to encourage more minority candidates; and

WHEREAS The ERC researched the topic in depth, and presented their final recommendations to the City in December 2019; and

WHEREAS, based on all the evidence presented and the recommendations of the ERC, the City Council finds as follows:

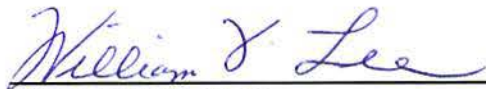
1. There is no current need to establish voting districts to prevent racially-polarized voting; and
2. There is no current minority or racially-based justification to adopt alternative voting methods, and therefore the City will not ask voters to change Fort Bragg to a Charter City, which is a prerequisite to changes in voting or vote-counting methods.
3. There is no current need to establish voting districts to prevent racially-polarized voting; and
4. There is no current minority or racially-based justification to adopt alternative voting methods, and therefore the City will not ask voters to change Fort Bragg to a Charter City, which is a prerequisite to changes in voting or vote-counting methods.

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Fort Bragg does hereby adopt and agree to the following recommendations of the ERC:

1. The City will periodically contract with a demographer after every US Census, starting next year, to determine if there is new evidence of racially-polarized voting, and will reevaluate if districting or other voting changes are warranted.
2. The City will take steps to encourage more community involvement in City government and elections by:
 - i. Advertising City government announcements in both Spanish and English; the new policy of free candidate statement fees; health benefits and a small stipend for elected council.
 - ii. Encouraging setting up voter registration booths at all Latino public events;
 - iii. Reaching out to groups such as the Latino Coalition during election years and adding City of Fort Bragg Elections a link to their webpage.


The above and foregoing Resolution was introduced by Councilmember Albin-Smith, seconded by Councilmember Norvell, and passed and adopted at a regular meeting of the City Council of the City of Fort Bragg held on the 26th day of October, 2020, by the following vote:

AYES: Councilmembers Albin-Smith, Morsell-Haye, Norvell, Peters and Mayor Lee.
NOES: None.
ABSENT: None.
ABSTAIN: None.
RECUSED: None.



WILLIAM V. LEE
Mayor

ATTEST:



June Lemos, CMC
City Clerk