

COUNCIL RESOLUTION # 07-24

A RESOLUTION OF THE CITY COUNCIL FOR THE CITY OF CHOWCHILLA, CALIFORNIA TO INITIATE A TRANSITION TO A DISTRICT-BASED ELECTION SYSTEM

WHEREAS, the City Council for the City of Chowchilla ("Council") is currently elected "at-large," meaning that each council member is elected by voters of the entire City;

WHEREAS, the California Voting Rights Act (Elec. Code, § 14025, *et seq.*) ("CVRA") disfavors the use of an "at-large" election system for city council members if the "at-large" election system may impair the ability of a protected class to elect candidates of its choice or its ability to influence the outcome of an election;

WHEREAS, the Council desires to promote meaningful voter involvement in the election of council members and increase the ability of candidates to seek elected office;

WHEREAS, in February 2024, the City received a letter by certified mail from Attorney Scott Rafferty asserting the City's at-large method of electing the City Council violates the CVRA;

WHEREAS, the City denies that its election system violates the CVRA, but in light of the potential risk and cost associated with litigation over the City's method of election, the Council believes that the public interest will be better served by a transition to a "district-based" election system, where council members are elected by the registered voters residing within the election district in which the candidate resides;

WHEREAS, the boundaries for election districts in a district-based election system are established based on population counts and demographics from the most recent United States census;

WHEREAS, in accordance with Elections Code section 10010, the transition to district-based elections would require the Council to hold multiple public hearings within specified timeframes, including two public hearings to gather input on potential map development, two public hearings to review and comment on proposed maps, and an additional public hearing prior to the Council voting to approve an ordinance establishing district-based elections;

WHEREAS, the adoption of district-based elections will not affect the terms of any council members serving or elected during this transition, each of whom will serve out his or her full term; and

WHEREAS, pursuant to Government Code section 34886, the Council may adopt an ordinance to transition to district-based elections for council members without submitting the ordinance to an election by the City's voters.

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Chowchilla hereby finds, determines and declares the following:

1. The above recitals are true and correct;
2. The City Council shall commence the process of transitioning to district-based elections in full compliance with all appropriate procedures and policies provided in law, including but not limited to the Government Code and Elections Code sections 10010 and 14025, *et seq.*;

3. The City Council hereby approves the tentative timeline set forth in Exhibit A for conducting public hearings. The City Administrator or designee shall make changes to the timeline should such changes become prudent or necessary;
4. The City Administrator or designee is hereby directed to ensure that a reputable demographer is engaged as soon as possible to ensure that the City is able to complete the adoption of district-based elections in a timely fashion;
5. The City Administrator, or designee, shall consult with legal counsel to take all steps necessary to implement and give effect to this resolution; and
6. The foregoing resolution shall take effect immediately upon its adoption.

PASSED AND ADOPTED by the City Council of the City of Chowchilla this 21st day of March 2024 by the following vote to wit:

AYES: **5 – Barragan, Chavez, Ahmed, Troost, Smith**

NOES: **0**

ABSENT: **0**


ABSTAIN: **0**

APPROVED:



Mayor Kelly Smith

ATTEST:



Joann McClendon, CMC
City Clerk

**Exhibit A
Tentative Timeline**

Action	Date of Council Meeting	Location of Council Meeting
1. Council holds public hearing to gather community input regarding potential composition of district boundaries	April 9, 2024	Council Chambers, City Hall (130 S. Second Street)
2. Council holds public hearing to gather community input regarding potential composition of district boundaries	April 23, 2024	Council Chambers, City Hall (130 S. Second Street)
3. Council holds public hearing to gather community input regarding draft district maps and election sequencing.	May 14, 2024	Council Chambers, City Hall (130 S. Second Street)
4. Council holds public hearing to gather community input regarding draft district maps and election sequencing. Council may also consider selecting district map and election sequencing.	May 28, 2024	Council Chambers, City Hall (130 S. Second Street)
5. Council holds public hearing to gather community input regarding ordinance to establish district-based elections. Council may also vote to adopt said ordinance.	June 11, 2024	Council Chambers, City Hall (130 S. Second Street)