



AMERICAN CIVIL LIBERTIES UNION FOUNDATION

Northern California

May 14, 2024

The Honorable Chowchilla City Council
130 S. Second Street
Chowchilla, CA 93610
CityClerk@cityofchowchilla.org
JMCCLENDON@cityofchowchilla.org

VIA ELECTRONIC MAIL

**Re: Public Comment on Chowchilla's Transition to District-Based Elections;
May 14, 2024 Council Meeting (Agenda Item 4.1)**

Dear Honorable Chowchilla City Councilmembers:

We write on behalf of the American Civil Liberties Union Foundation of Northern California (“ACLU”) regarding the City of Chowchilla’s districting process and to urge the City Council to go above the minimum requirements under California’s Voting Rights Act (“CVRA”). Specifically, we urge the City Council to maximize public participation, increase transparency, and adopt a map that ensures fair representation for all residents of the City of Chowchilla. Moving from an at-large system to district-based requires robust public input, thoughtful analysis of communities of interest, and a commitment to drawing districts that allow communities to elect candidates-of-choice or to have the ability to influence the outcome of an election. We urge the City Council to hold steadfast to its commitment to democratic principles and to abide by the requirements of the CVRA.

Extension of Time

We understand that on March 21, 2024, the City Council adopted a resolution providing notice of its intention to change Chowchilla’s election system from at-large to district-based elections.¹ We further understand that the City Council has held two initial public hearings to gather community input regarding “potential composition of district boundaries” and has scheduled today’s meeting to “gather input regarding draft district maps and election sequencing.”² According to the City’s tentative timeline, the council will hold two more public hearings on the proposed maps, with the final hearing slated for June 11, 2024.

We urge you to not rush this important process. Instead, consistent with best democratic practices, the City Council should stipulate to an extension for its districting process and use that additional

¹ Resolution No. 07-24; *see also* “Notice of Public Hearing,” available at <https://www.cityofchowchilla.org/DocumentCenter/View/3466/Public-Notice-7035>.

² Exhibit A, Tentative Timeline, available at <https://www.cityofchowchilla.org/345/District-Elections-Calendar>; *see also* Chowchilla City Council Meeting, May 14, 2024, Agenda Item 4.1, available at https://www.cityofchowchilla.org/AgendaCenter/ViewFile/Agenda/_05142024-560.

time to seek further input from the community. Reflecting the importance of public participation in the districting process, the CVRA allows local jurisdictions and prospective plaintiffs to enter into a written agreement to provide for additional time beyond the statutory “safe harbor” of 90 days “to conduct public outreach, encourage public participation, and receive public input” on where lines should be drawn.³ We urge you to take advantage of this potential additional time.

Education and Outreach: Additional Public Hearings

Even if the City Council adheres to its current tentative timeline, it should schedule additional public hearings to afford the public ample opportunity to weigh in on the draft maps. The City Council should work with local community groups to encourage greater community engagement and feedback, and request that its demographer produce more variations of its maps.

The City Council should also consider additional good-government measures. For example, any public hearing concerning the transition to the district-based system and that is consolidated with a regular or special meeting of the City Council should start at a fixed time. Specifically, today’s public hearing (Agenda Item 4.1) should have been scheduled at a time-certain to maximize public participation by providing certainty to the community about when the hearing will be held. We urge you to schedule at a time-certain all future public hearings that are consolidated with a regular or special meeting.

We also note that, although the public is invited to submit their own proposed maps, the City’s website currently does not provide a submission portal. Rather, the website states that “[i]nformation on drawing and submitting maps” is “[c]oming [s]oon!”.⁴ Given the demanding timeline to adopt a district-based map, we urge the City Council to immediately open to submission portal to allow the public to submit proposed maps.

* * *

As the California Supreme Court recently noted in a case about the CVRA, “[t]he genius of representative government, in all its guises, is that it is responsive to the people it serves. But its ability to be responsive is dependent in a fundamental way on the assumption that each person’s vote is of equal weight.” *Pico Neighborhood Assn. v. City of Santa Monica*, 15 Cal.5th 292, 305 (2023), as modified (Sept. 20, 2023). The Court astutely observed that the essence of this responsiveness hinges on the fundamental premise that every individual’s vote carries equal weight. Transitioning to district-elections—provided these districts are crafted in alignment with the letter and spirit of the CVRA—holds the promise of fostering a more inclusive, fair, and equal electoral process.

Every Chowchilla resident deserves a seat at the table—not just at the ballot box but as part of the City’s districting process. “With a seat at the table, the voters’ representative can have a say in the topics and terms of the debate on the many crucial decisions that local governments make.

³ See Elec. Code § 10010(e)(3)(C)(i). This written agreement must include a requirement that the district boundaries be established no later than six months before either the next regular primary election or regular election to select governing members, whichever is earlier. *Id.*

⁴ City of Chowchilla, “How to Participate,” available at <https://www.cityofchowchilla.org/344/How-to-Participate>.

Without a seat, though, the voters' voice may be effectively muted or silenced and their needs and preferences may be ignored or given less weight." *Pico Neighborhood Assn.*, 15 Cal.5th at 306. To achieve this, the City Council must take crucial steps to actively engage the community in the districting process and ensure that any final map not only complies with state and federal law but is also representative of all Chowchilla residents.

If you have any questions or would like to further discuss any of our recommendations, please contact us.

Sincerely,

A handwritten signature in black ink that reads "Angélica Salceda". The signature is fluid and cursive, with "Angélica" on the top line and "Salceda" on the bottom line.

Angélica Salceda, Director
Democracy & Civic Engagement Program
ACLU Foundation of Northern California

Joann McClendon

From: michael andrade <andrade11bravo@yahoo.com>
Sent: Monday, May 13, 2024 4:30 PM
To: Joann McClendon
Subject: District Maps

Caution! This message was sent from outside your organization.

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Hi my name is Michael Andrade, I am writing in with my support of 5 districts. Map 501 would represent the city the best.

Please make sure to read this message out loud at the next meeting.

[Sent from Yahoo Mail for iPhone](#)

Joann McClendon

From: madlyn diaz <o_softball@yahoo.com>
Sent: Monday, May 13, 2024 4:02 PM
To: Joann McClendon
Subject: District maps

Caution! This message was sent from outside your organization.

Hi!

My name is Madlyn Andrade. I am sending this email in regards to the recent district maps that have been put out. I have looked over the maps and have come to realize that the most sensible thing to do is to vote for 5 districts. Map 501 & 502 make the most sense to me. I urge the city and the council to stop and actually think about the people for once instead of themselves and their own person interest.

Approved 5 districts!

Please note that I would like this message to be read aloud at the next meeting.

Thank you!

Joann McClendon

From: Angela Santamaria <angela.santamariahomes@gmail.com>
Sent: Monday, May 13, 2024 4:42 PM
To: Joann McClendon
Subject: District Maps

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Dear City of Chowchilla,

I hope this email finds you well, my name is Angela Santamaria, I am writing on behalf of our community to express our preference for Map 501 after reviewing the draft maps provided. I believe Map 501 aligns best with the needs and interests of our neighborhood. Its layout and boundaries take into account various factors important to us. I believe that Map 501 will not only benefit our neighborhood but also contribute positively to the overall plan for the city.

Thank you for considering my input, and please let me know if there is any further steps needed to take to support the adoption of Map 501 for our community.

If you can kindly read this email aloud at the next meeting.

Best regards,
Angela Santamaria.



Angela Santamaria
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