



# City of Sunnyvale

## Agenda Item-No Attachments (PDF)

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### **REPORT TO COUNCIL**

#### **SUBJECT**

Approval of Redistricting Outreach Plan for City Council Redistricting, Second Amendment to Agreement with PlaceWorks, Inc. in the amount of \$67,410 and Approve Budget Modification No. 24 in the amount of \$112,000

#### **BACKGROUND**

Sunnyvale voters adopted a six-district Council election system with a directly-elected mayor (Measure B) on March 3, 2020. Council placed Measure B on the ballot after a robust community engagement process. The process involved education related to the California Voting Rights Act (CVRA). Staff gathered input on the number of preferred districts and selection of the mayor. A community-driven map-making process resulted in Council adopting a community designed district map. It became effective with the passage of Measure B.

While adopted in 2019, the current district map used 2010 Census data for total population counts. With the release of the 2020 Census, Sunnyvale must revisit its boundary lines. This process is called redistricting.

The City Council adopted Ordinance No. 3174-21 (establishing a public process for redistricting on April 6, 2021, RTC No. 21-0473). The Ordinance establishes a Redistricting Commission. The Commission will oversee the redistricting process and recommend three to five draft plans to Council. Council will adopt the final district plan.

The Redistricting Ordinance also requires the adoption of a community outreach plan. The City must also appropriate adequate funds for community outreach, a demographer and other necessary consultants or outside legal counsel.

#### **EXISTING POLICY**

Sunnyvale City Charter section 609(c): "The City Council shall adopt an ordinance establishing a public process for redistricting. Such ordinance shall be adopted in sufficient time for redistricting following release of the 2020 federal Census."

Pursuant to Sunnyvale Charter Section 1305, at any meeting after the adoption of the budget, the City Council may amend or supplement the budget by a motion adopted by affirmative votes of at least four members to authorize the transfer of unused balances appropriated for one purpose or another, or to appropriate available revenue included in the budget.

#### **ENVIRONMENTAL REVIEW**

The action being considered does not constitute a "project" with the meaning of the California Environmental Quality Act ("CEQA") pursuant to CEQA Guidelines sections 15320, 15378 and 15061

(b)(3) as it is an organizational structure change and does not have the potential to result in either a direct or reasonably foreseeable indirect physical change in the environment.

## **DISCUSSION**

This redistricting process completes Sunnyvale's transition to a district-based election system. Voters in even districts elected a Council representative and all Sunnyvale voters elected the mayor in November 2020. Currently, four Council seats are district-based and three are at-large numbered seats. Voters in odd districts will elect a Council representative in November 2022 under a new district plan. This report provides an overview of key elements of the draft redistricting outreach plan (Attachment 1).

### **Outreach Goals**

The draft outreach plan defines the following broad goals:

- Educating City residents about redistricting requirements
- Ensuring participation from a wide range of residents, reflecting community demographics, with special efforts to involve traditionally underrepresented and marginalized groups
- Using a variety of tools and meeting formats to make it easy for the community to provide input
- Seeking participation proactively to encourage broad community awareness and understanding

The draft plan describes tools and strategies designed to ensure that we gather input from all segments of the community. State law requires us to take specific steps to engage residents from underrepresented communities and non-English speakers in the redistricting process. Pursuant to state law the draft plan proposes targeted outreach, advertising, and interpretation/translation to reach and engage underrepresented groups.

### **Outreach Plan Overview**

The draft plan describes the entire redistricting process to include several phases. In the first phase, the City held a series of public meetings to design a public process for redistricting. This phase is now complete with Council's adoption of the Redistricting Ordinance.

The next phase involves the Redistricting Commission selection and onboarding process. Staff is recruiting applicants through a diverse network of community groups and organizations. A strong applicant pool will allow Council to select a representative and highly qualified Redistricting Commission.

The final phase encompasses the community mapping and adoption process. In the mapping phase, staff will engage residents in map criteria with a focus on communities of interest. We will train community members on map design and provide technical support. We will also gather broad feedback on draft map preferences. The Redistricting Commission will use this community input to recommend three to five draft maps to Council. Staff will share a summary of community input before Council makes their final map decision.

### **Project Tasks and Schedule**

Table 1 of the draft plan details the proposed project tasks and schedule. The schedule accounts for the possibility that Council will send comments on recommended maps back to the Redistricting Commission before making a final decision.

### **Consultant Support**

The City will contract with several consultants to support the redistricting process. In 2019, the City engaged with PlaceWorks for outreach support. We contracted with National Demographics Corporation (NDC) for demographic services. We also received legal counsel from Nielsen Merksamer LLP. All successfully worked with our community, Council, and staff to enact the City's current districting plan. We plan to engage with them as they have established credibility with City stakeholders. It will also make the redistricting process a seamless extension of the 2019 district election process.

### **FISCAL IMPACT**

The cost of the redistricting process is estimated to be \$200,000. This cost includes a demographic consultant (\$65,000); outreach consultant (\$67,000); marketing and communications support (\$20,000); utility bill inserts, in-house printing, and miscellaneous expenses (\$8,000), translation services (\$5,000), and a project contingency (\$10,000). Additionally, staff is recommending an appropriation of \$25,000 to fund the cost of outside legal counsel. The total project life budget for 832670 - Sunnyvale Elections is \$1,096,151, with \$88,818.59 still available.

PlaceWorks remains under contract and staff is recommending approval of a Second Amendment to their Agreement for services (Attachment 2) related to the Redistricting Outreach Plan (Attachment 1) in the amount of \$67,410. Staff is also requesting approval of Budget Modification No. 24 in the amount of \$112,000 to appropriate funding from the General Fund Budget Stabilization Fund to cover the costs of the redistricting process.

#### **Budget Modification No. 24 FY 2020/21**

	Current	Increase/ (Decrease)	Revised
<b><u>General Fund</u></b>			
<b><u>Expenditures</u></b>			
Project 832670 - Sunnyvale Elections	\$ 1,096,151	\$ 112,000	\$ 1,208,151
<b><u>Reserves</u></b>			
Budget Stabilization Fund	\$ 51,482,199	(\$ 112,000)	\$ 51,370,199

### **PUBLIC CONTACT**

Public contact was made by posting the Council agenda on the City's official-notice bulletin board outside City Hall, Sunnyvale Public Library and Department of Public Safety, In addition, the agenda and report are available at the Office of the City Clerk and on the City's website.

In addition, staff created a Redistricting page on the City's website with project information

(Attachment 3). The page provides easy access to prior reports about the establishment of a redistricting process.

### **ALTERNATIVES**

1. Approve Redistricting Outreach Plan for City Council redistricting, authorize the City Manager to execute the Second Amendment to an agreement with PlaceWorks, Inc. in the amount of \$67,410 and approve Budget Modification No. 24 in the amount of \$112,000
2. Approve Redistricting Outreach Plan for City Council redistricting, authorize the City Manager to execute the Second Amendment to an agreement with PlaceWorks, Inc. in the amount of \$67,410 and approve Budget Modification No. 24 in the amount of \$112,000 with modifications as directed by the City Council.
3. Other actions as directed by the City Council.

### **STAFF RECOMMENDATION**

Alternative 1: Approve Redistricting Outreach Plan for City Council redistricting, authorize the City Manager to execute the Second Amendment to an agreement with PlaceWorks, Inc. in the amount of \$67,410 and approve Budget Modification No. 24 in the amount of \$112,000.

Prepared by: Jaqui Guzmán, Deputy City Manager

Reviewed by: Tim Kirby, Director of Finance

Reviewed by: Teri Silva, Assistant City Manager

Approved by: Kent Steffens, City Manager

### **ATTACHMENTS**

1. Draft Redistricting Outreach Plan
2. Draft Second Amendment to Agreement with PlaceWorks, Inc.
3. Redistricting Webpage Link