

AGENDA REPORT

FOR: City Council August 31, 2016
TO: Dave Zabell, City Manager Regular Meeting: 9/6/16
FROM: Stan Strebel, Deputy City Manager
Executive
SUBJECT: Alternative City Council Voting System Public Hearing

I. REFERENCE(S):

II. ACTION REQUESTED OF COUNCIL / STAFF RECOMMENDATIONS:

CONDUCT A PUBLIC HEARING

III. FISCAL IMPACT:

IV. HISTORY AND FACTS BRIEF:

The City and the ACLU jointly filed a Partial Consent Decree in the Eastern District of Washington, Federal Court to resolve questions regarding the City's compliance and ability to comply with the federal Voter Rights Act (VRA). The filing provides for the parties to meet and confer, by September 15 to "determine whether the parties can agree on a remedial option for compliance with Section 2 of the Voting Rights Act."

The City has consulted with political science, demographic and legal professionals with expertise in VRA issues in order to develop and review various voting systems which may be considered as remedial to the VRA violation.

The purpose of the public hearing is to present and provide an analysis of possible remedial voting systems and to hear from the public on those and other plans they wish the Council to consider. While the Federal Court must ultimately approve any remedial plan, whether such plan is supported by both the ACLU and the City, or by choosing between alternative plans offered by the parties, citizen comment and input is an important component for the Council to consider in selecting the plan that it feels best serves the community in fair representation and is in compliance with the law.

Systems compliant with current state statutes suggested for consideration are modification of the current City system which utilizes five single-member districts and two at-large positions to allow for voting by district in the general election, and the ACLU's preferred seven single-member district plan. In addition, an alternative which

is somewhere between these two systems (i.e., six single-member districts and one at-large position), might also be considered.

To address the VRA issues, the five-district plan, at the least, would have to become district-based for both primary and general election contests - that is, only voters residing within each district would vote for district candidates in each election.

5-2 System: providing for district-based voting for the five districts, while retaining two at-large Council seats, would address VRA compliance concerns while maintaining the opportunity for any citizen, regardless of residence, to run for one of the at-large seats on the City Council, every two years. Every four years, any citizen could file for the district seat (or an at-large seat), also. Likewise, all voters would be able to cast ballots in three of the seven City Council races in a four-year cycle. Under this scenario it is possible to maintain the two districts which currently exist, both having a significant majority Hispanic Citizen Voter Age Population (HCVAP).

7-0 System: the ACLU's preferred system proposes seven single-member districts, all district-based, with as many as three districts over the 50% mark in terms of HCVAP. Under a seven-district system, citizens would have one opportunity to vote for City Council members and one opportunity to run for a seat on the Council, for the district within which they live, in each four-year period.

6-1 System: district-based voting in six single-member districts, with one at-large seat, would provide the opportunity to create three HCVAP districts, similar to the ACLU favored 7-0 system. At the same time, maintaining one at-large seat would provide all voters the opportunity to vote for two candidates for City Council, as well as providing an additional opportunity for citizens to run for election, regardless of residence, in each four-year period.

The narrative above covers three general voting systems (5-2, 7-0 and 6-1) with discussion of the opportunities of citizens to vote for City Council candidates as well as to run for election to a seat on the Council.

Another important consideration for Council is the ability of all citizens to be represented with their votes for City Council. To consider the ability of the City's Latino citizens to elect representatives of their choice, the percentage of Hispanic (surnamed) citizens who are of voter-aged population (HCVAP) is being calculated for representative districts which could be created under each of the three plans introduced (staff intends to be able to present this data at the hearing of 9/6/16). It may be possible to increase or decrease HCVAP percentages within districts slightly by moving district boundaries or by altering district boundaries without consideration of existing precinct boundaries. The extent to which boundaries can be modified to produce desired percentages and/or balance is a question that Council must ultimately determine in October, subject to final approval by the Federal court.

V. DISCUSSION:

It is recommended that Council hear the comments of citizens at the public hearing and consider the issues of compliance with the VRA in anticipation of providing direction to staff on its preferred alternative at the meeting of September 19.



**Pasco City Council
Regular Meeting
September 6, 2016**

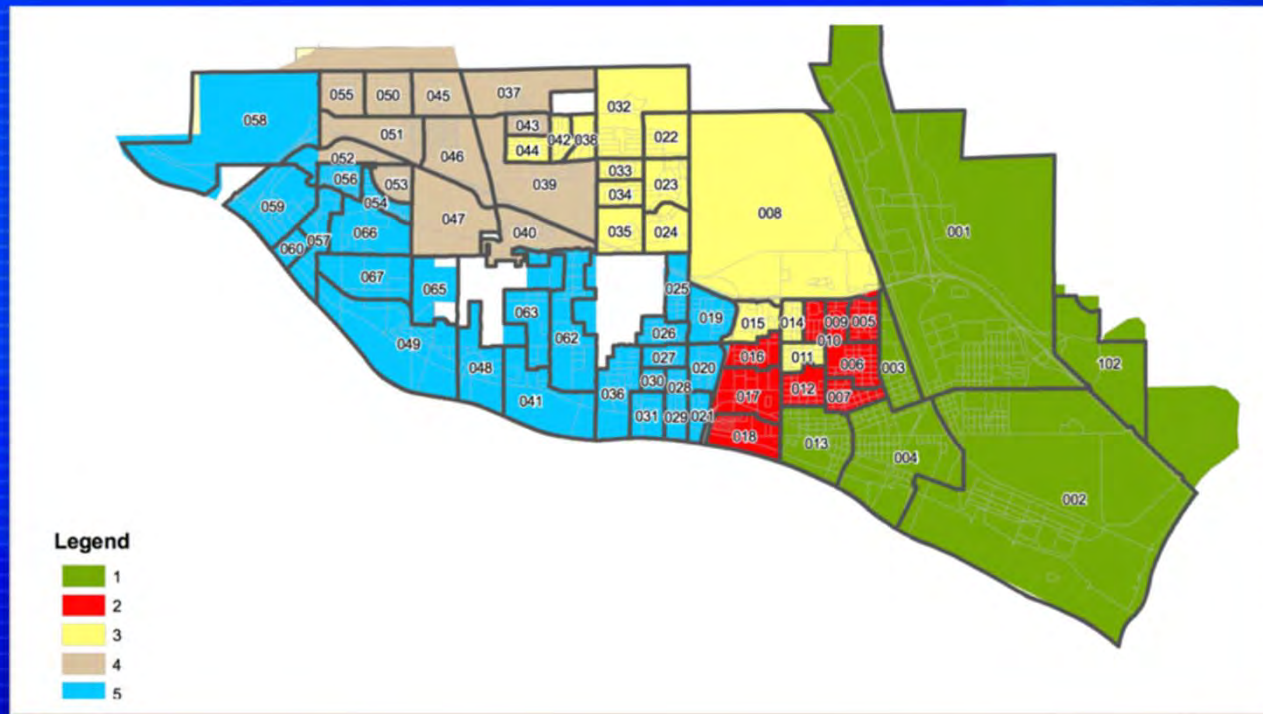


Alternative City Council Voting System: 5-2 Plan (2015 Updated)

District	Total CVAP	Hispanic CVAP	% HCVAP
1	4,159	2,674	64%
2	4,675	2,359	50%
3	7,174	2,207	31%
4	8,280	2,016	24%
5	8,454	1,194	14%
	32,742	10,450	



Alternative City Council Voting System: 5-2 Plan (2015 Updated)



Voter:
3 Councilmembers
(1-District, 2-At Large)

Candidate:
3 Opportunities
(1-District, 2-At Large)

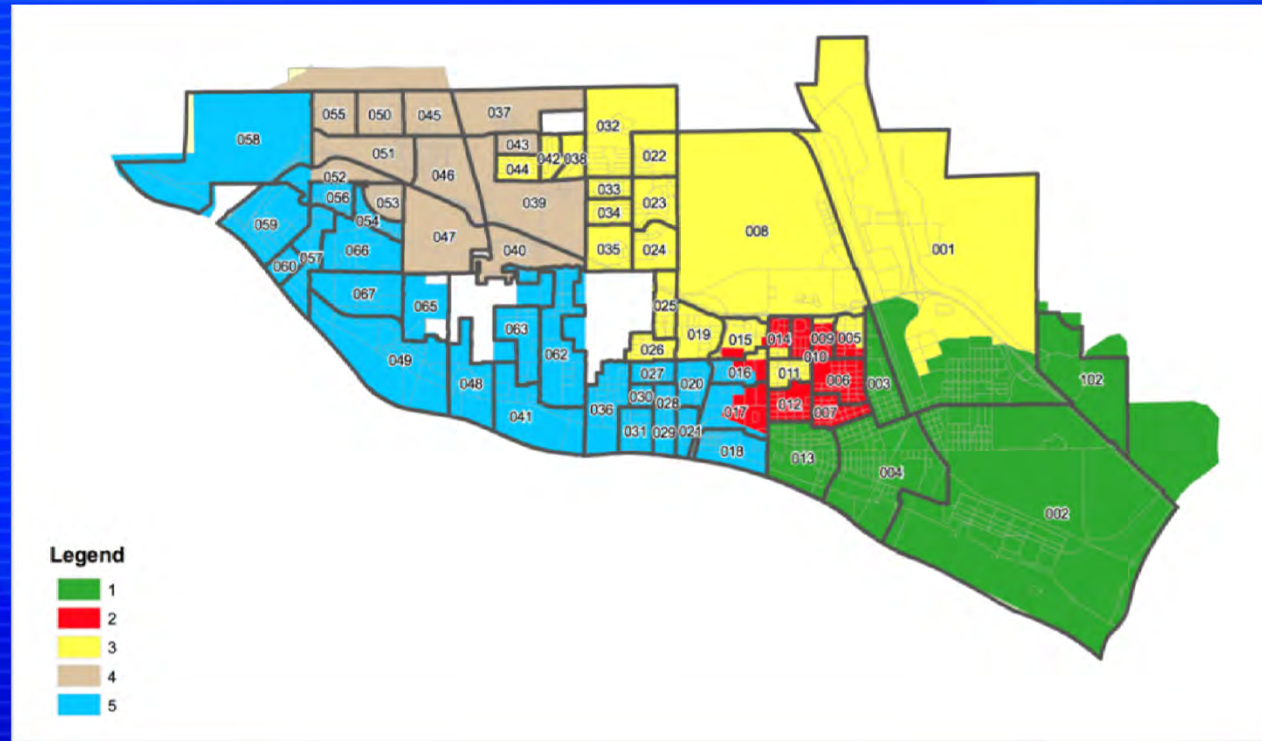


Alternative City Council Voting System: Modified 5-2 Plan (No Precinct Constraints)

District	Total CVAP	Hispanic CVAP	% HCVAP
1	4,068	2,669	66%
2	4,253	2,305	54%
3	7,647	2,212	29%
4	8,280	2,016	24%
5	8,495	1,247	15%
	32,743	10,449	



Alternative City Council Voting System: Modified 5-2 Plan (No Precinct Constraints)



Voter:
3 Councilmembers
(1-District, 2-At Large)

Candidate:
3 Opportunities
(1-District, 2-At Large)

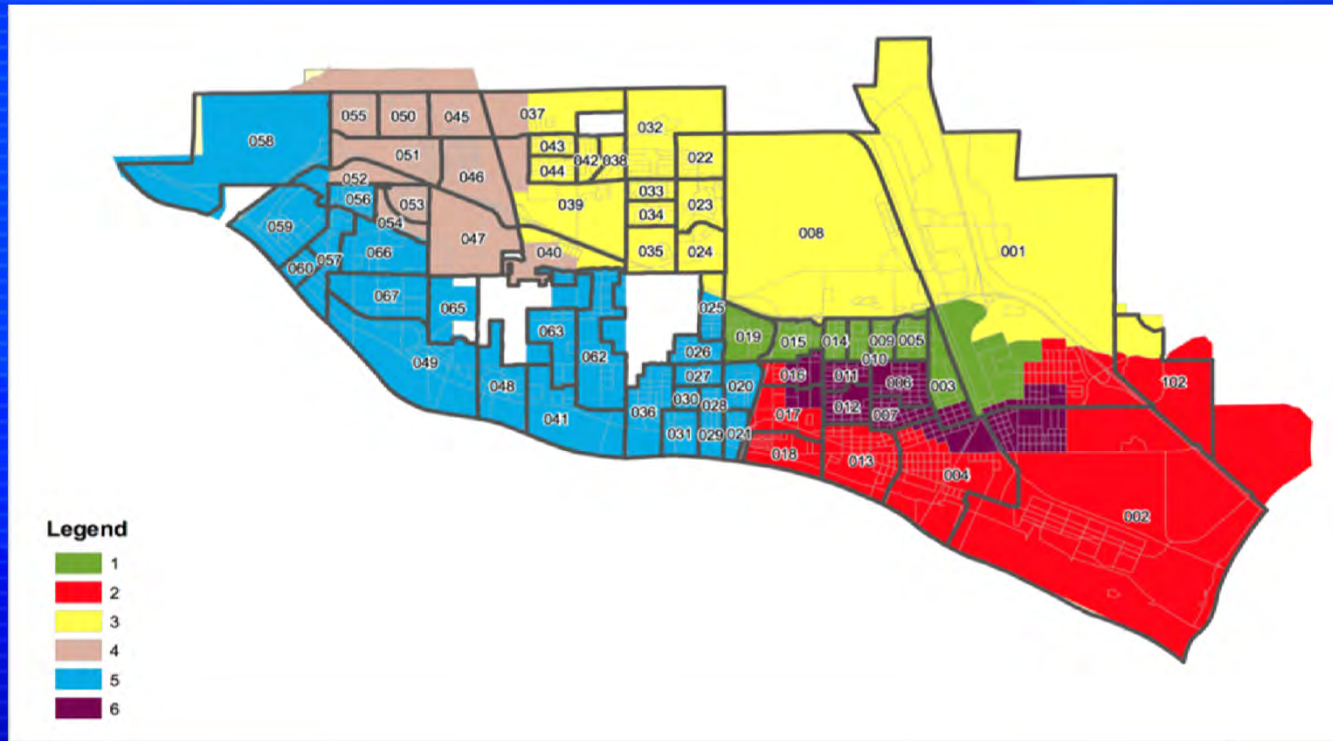


Alternative City Council Voting System: 6-1 Plan

District	Total CVAP	Hispanic CVAP	% HCVAP
1	3,330	1,721	52%
2	3,442	1,857	54%
3	7,828	2,136	27%
4	6,535	1,542	24%
5	7,609	954	13%
6	3,998	2,239	56%
	32,742	10,449	



Alternative City Council Voting System: 6-1 Plan



Voter:
2 Councilmembers
(1-District, 1-At Large)

Candidate:
2 Opportunities
(1-District, 1-At Large)

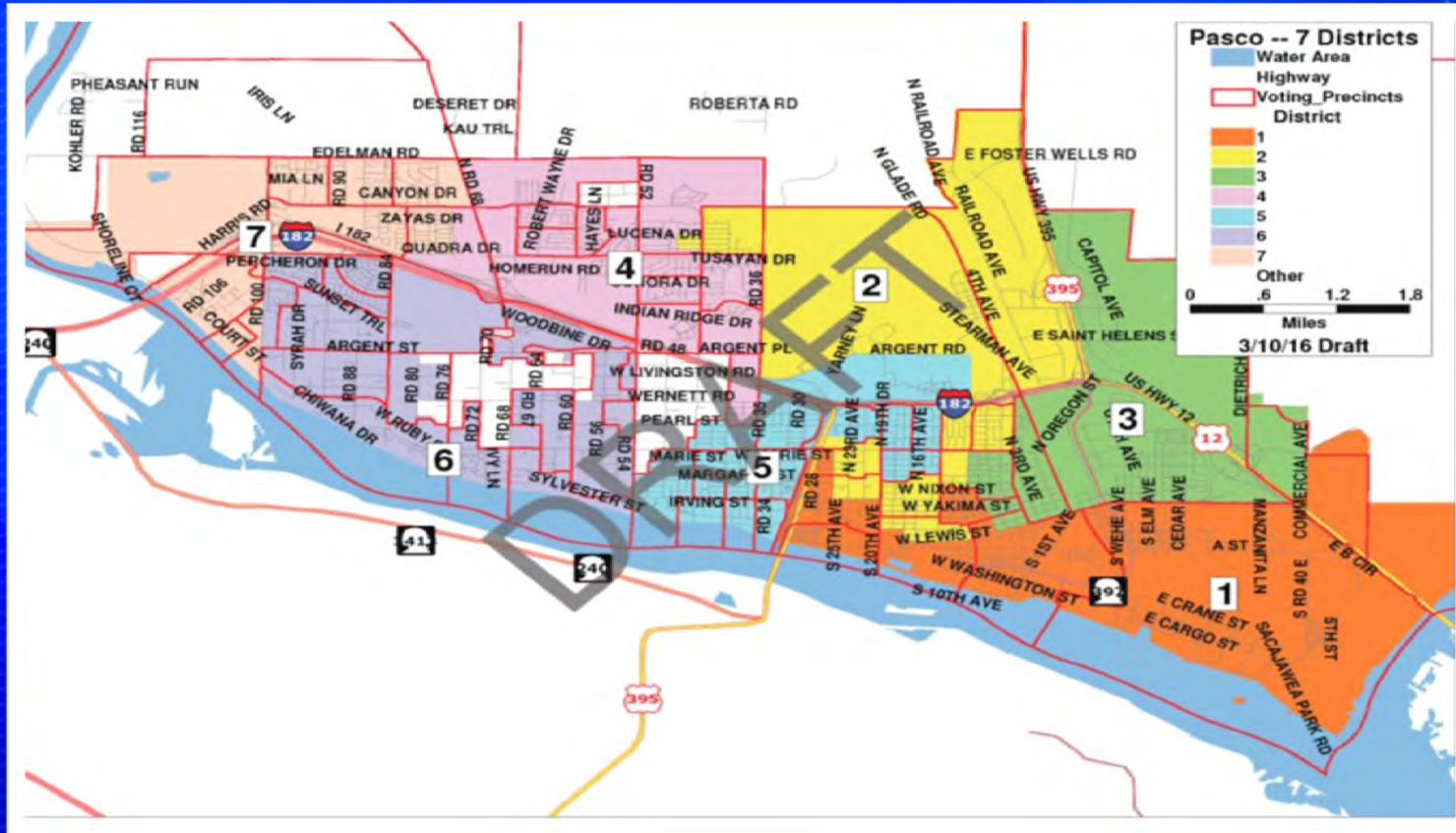


Alternative City Council Voting System: 7-0 Plan

District	Total CVAP	Hispanic CVAP	% HCVAP
1			52%
2			51%
3			59%
4			30%
5			27%
6			14%
7			23%



Alternative City Council Voting System: 7-0 Plan



Voter:
1 Councilmember
(1-District)

Candidate:
1 Opportunity
(1-District)



**More information:
[www.pasco-wa.gov/
councilelections](http://www.pasco-wa.gov/councilelections)**



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