



Charlotte City Council
Budget and Effectiveness Committee
Meeting Summary
Thursday, June 17, 2020

**COMMITTEE AGENDA
TOPICS**

- Agenda Overview
- I. Elections Schedule
- II. Redistricting Considerations
- III. Virtual Meetings

COMMITTEE INFORMATION

Committee Members Present: Ed Driggs (Chair), Julie Eiselt (Vice Chair), Dimple Ajmera, Malcolm Graham, Renee Johnson.

Staff Resources: Ryan Bergman, Budget Director
Kelly Flannery, Chief Financial Officer

Meeting Duration: 2:30 p.m. – 4:30 p.m.

ATTACHMENTS

- 1. Agenda
- 2. Senate Bill 722
- 3. Redistricting Considerations Presentation
- 4. Virtual Meeting Options Presentation

DISCUSSION HIGHLIGHTS

Elections Schedule

The Committee discussed Senate Bill 722, which left it up to Council to determine if At-Large Council members, who are not subject to redistricting, can run this year on the original schedule. The Bill's provisions for District Council members are still effective; meaning they will have to run on a differed schedule based on when redistricting is complete. The topic is time sensitive as the law requires that Council provide five days' notice before the beginning of the filing period of Council's decision pertaining to this matter. The new law pushed elections in Charlotte to 2022 without having to take any actions. It would require an action to bifurcate.

City Attorney, Patrick Baker advised the Committee of redistricting deadlines which requires Council to review and revise districts by November 17, 2021, in accordance with law and notify County Board of Elections of revised districts by November 12. The filing period would then begin on December 6 – 17, 2021. This is only for an election which occurs on March 8, bifurcated or not. April 26 would be the general election.

Committee Chair, Ed Driggs asked about the possibility that the dates may be affected by run offs. Baker did not have any specific language to address this, but stated the language appears to support a Primary on March 8 and the general election will be April 26.

Senate Bill 277 notes that at-large and mayoral election would be the same as delayed district election schedule, March 8 primary and April 26, 2022 general elections. The alternative Option: keep at-large and mayoral election on normal year election schedule requires notification of County BOE by July 19, Sept/Oct primaries and Nov 2021 general municipal elections.

Budget Director, Ryan Bergman explained that as part of the city's consolidation agreement with Mecklenburg County, the city pays 40 percent of election costs, regardless of when they occur. If bifurcated, the County estimates the total additional expense would be \$850K. The city's portion would be \$340K.

Driggs stated that there is a case to be made for At-Large races to proceed on schedule since they are not affected by redistricting. Vice Chair, Julie Eiselt inquired about the benefits of bifurcation, the potential confusion of voters, lack of voter participation for a split election and additional expense. Committee member, Dimple Ajmera said having an election this year gives our residents the opportunity to participate and that Council should consider the perception issue. Committee member, Malcolm Graham made a motion to recommend to the full Council to have all the elections occur in 2022. Eiselt seconded. Committee member, Renee Johnson requested resident's input on the topic and to be able to have full Council vote. Deputy Budget Director, Marie Harris informed the Committee that due to the July 19 deadline to provide the BOE of Council's decision, this would be a report out item and on the agenda for June 28 to make it clear that a vote can take place to have a split or single election. Residents may provide input at the Public Forum on that date. The Mayor asked who will communicate to the public in regard to this and how and if public input is not received as defined by Council member Johnson, will it be a special meeting. Baker will follow up on those questions.

Vote: Johnson made a substitute motion to move the topic to full Council for consideration, without recommendation from the Committee. Ajmera seconded. The motion passed 4:1.

Redistricting Considerations

Historically a special Ad Hoc Bi-partisan Redistricting Planning Committee of five appointed by Mayor and Councilmembers; chaired by MPT or another at-large member is created for redistricting purposes. The Committee needs to determine if they will adhere to this practice. The City Attorney explained that Census data is usually received in March, but he anticipates receiving it in September to begin redistricting plans. Baker described the importance of the first order recommendations in

redistricting:

- Districts must have substantially equal population – one person/one vote rule (required)
- Districts should be reasonably compact (strongly recommended)
- District boundaries may follow neighborhood boundaries or the boundaries of areas containing residents sharing similar interests.

Second order recommendations include:

- District boundaries may be drawn to create/maintain (representative) balance between major political parties.
- District boundaries may follow precinct boundaries.
- District boundaries may be drawn considering the race of district residents as long as race is not the predominant motivating factor.
- District(s) most likely to be impacted by future annexations (or growth rates) may be smaller to minimize impact of future annexations on future redistricting.
- District boundaries may be drawn to avoid contests between incumbents.
- *When possible, districts should have relatively even partisan balance.**

(Only additional criterion recommended by Citizens' Advisory Committee on Governance in its 2020 report.)

The Ad Hoc Committee would work with Planning and the City Attorney's Office to complete the redistricting process. The recommendation for revised districts will then go to full Council for consideration. The Committee has not had the ability to do involuntary annexations since 2010, so this may be the most challenging redistricting since there hasn't been ongoing redistricting since that point. In anticipation of this challenge, Baker intends to hire a demographer to assist with the process.

Some key dates to note include November 12 Deadline to notify County BOE if redistricting in accordance with law will be complete by November 17. March 8, 2022 will be the Partisan municipal primary. April 26, 2022 will be the General municipal election.

Vote: Eiselt made a motion for support of establishing an Ad Hoc Bi-partisan Redistricting Planning Committee to work on redistricting. Johnson seconded. The motion passed unanimously.

Virtual Meeting Options

A request was made in the June 7 Committee meeting to broaden Rule 28 which is Council's procedures regarding virtual meetings. The Committee to discussed what modifications should be made.

Deputy City Attorney, Lina James reviewed the virtual meetings rules and made the Committee aware that if Council revises its rule to allow electronic/virtual/remote meetings without limitation they have the potential of encountering quorum and voting challenges. Ajmera recommended changing the 48 hour notice requirement to two hours for committee meetings.

Vote: Eiselt made a motion to change the 48 hour notice requirement for virtual participation at Council committee meetings to two hours. Ajmera seconded. Johnson, Ajmera, Eiselt and Driggs voted yes. Graham's vote was counted as yes due to his absence at this time. The motion passed 5:0

Johnson requested to remove "By reason of illness and injury" and replace with "the Chair must be present". Ajmera seconded. Eiselt made a substitute motion to recommend to full Council to allow for virtual participation providing that a quorum (three people) are present in person, assuming all meetings have WebEx capability. Driggs seconded. The motion passed 3:2. Graham's vote was counted as yes due to his absence at this time in accordance with the duty to vote provision.

In regard to Council meetings, the following rules apply:

Council members may attend Council meetings by telephone or other electronic means for emergency meetings. In addition, Council members may attend regular and special meetings by telephone or other electronic means

where:

- (i) necessary to achieve a quorum;
- (ii) attendance is precluded due to weather, civil unrest, emergency, etc.; and
- (iii) the meeting needs to be continued (e.g., need to open and continue a public hearing to avoid the need to readvertise) or to take action on matters that cannot be delayed.

Chair Driggs said there should be a strong presumption that Council will be present for Council meetings.

Vote: Ajmera made a motion to add an extra provision to the above stated reasons for remote participation Council member's illness or family emergency. Driggs seconded. The motion passed unanimously.

Johnson suggested a modification to the language making explicit that a member attending virtually is entitled to participate and vote. Baker agreed that that language can be modified and added that the General Assembly may clarify the landscape of virtual meetings and that should be added to the legislative agenda to request more specific guidance. Johnson requested clarification on public attendance of meetings. Baker said that the statute is clear that if there is a remote meeting it must be made accessible for the public to watch it does not specify public participation. This topic needs to be brought to full Council for consideration.

Meeting adjourned at 4:30 p.m.

Next Meeting: The next meeting is TBD.