

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF REDWOOD CITY PROVIDING FOR THE ELECTION OF MEMBERS OF THE CITY COUNCIL BY SEVEN DISTRICTS, ESTABLISHING THE BOUNDARIES AND IDENTIFICATION NUMBER OF EACH DISTRICT, ESTABLISHING THE ELECTION ORDER OF EACH DISTRICT AND ADDING SECTION 2.27.7 "CITY COUNCIL DISTRICT ELECTIONS" TO CHAPTER 2, ARTICLE I OF THE REDWOOD CITY MUNICIPAL CODE

WHEREAS, California Government Code Section 34886 permits the City Council to change the method of election by ordinance to a "by-district" system in which each member of the City Council is elected only by the voters in the district in which the candidate resides, in accordance with California Government Code Section 34871, subdivision (c); and

WHEREAS, under the provisions of California Elections Code Section 10010, a city that changes from an at-large city council method of election to a by-district city council method of election must hold a total of five public hearings, which includes at least two public hearings regarding potential voting district boundaries prior to the release and consideration of any draft voting district maps, and two public hearings following the release of draft voting district maps; and

WHEREAS, at a regular meeting of the City Council of the City of Redwood City held on September 24, 2018, the City Council adopted Resolution No. 15704 that initiated the process of establishing a by-district election system and adopting the schedule therefore; and

WHEREAS, thereafter, at regular meetings of the City Council of the City of Redwood City held on October 22, 2018 and November 19, 2018, pursuant to California Elections Code Section 10010(a) (1), the City Council held public hearings where the public was invited to provide input regarding the composition of the City's voting districts before any draft maps were drawn, and the City Council of the City of Redwood City considered and discussed the same; and

WHEREAS, thereafter, at regular meetings of the City Council of the City of Redwood City held on February 11, 2019, February 25, 2019, March 11, 2019 and April 8, 2019, pursuant to California Elections Code Section 10010(a)(2), the City Council held public hearings where the public was invited to provide input regarding the content of the draft maps that had been released and published at least seven (7) days before each meeting, and the proposed sequence of elections, and the City Council of the City of Redwood City considered and discussed the same; and

WHEREAS, at the regular meeting of the City Council of the City of Redwood held on March 11, 2019, the City Council introduced an Ordinance establishing district elections, and City Council was scheduled to hold a second reading of the ordinance at the City Council's meeting on March 25, 2019. However, on March 19, 2019, in reversal

of previous statements, the City's demographer informed the City for the first time that it was possible to address both community concerns and legal obligations related to the maps. Based on this new information, on March 25, 2019 the City Council determined to re-open the process of considering district maps, in an effort to better address community concerns and gain additional community input, and accordingly the City Council did not conduct the second reading of the Ordinance proposed on March 11; and

WHEREAS, at the regular meeting of the City Council of the City of Redwood City on April 8, 2019, the City Council held a public hearing to receive input on additional draft maps drafted by the City's demographer and two maps submitted by the public, and to receive input on the sequence of elections; and

WHEREAS, at its meeting on April 8, 2019, the City Council directed staff to prepare an ordinance adopting a voting district map for the City Council's consideration; and

WHEREAS, at the regular meeting of the City Council of the City of Redwood City held on May 6, 2019, the City Council held a final public hearing on the proposal to establish district boundaries, reviewed additional public input, formally selected the voting district map and the election sequence attached to, incorporated in, and set forth, in this Ordinance as Exhibit A, which was introduced for a first reading at the same regular meeting; and

WHEREAS, throughout the foregoing process, the City engaged in a significant amount of public outreach and engagement above and beyond the public hearings and other procedures required by California Elections Code Section 10010, including, but not limited to, community forums; and

WHEREAS, the purpose of this Ordinance is to enact, pursuant to California Government Code Section 34886, an ordinance providing for the election of members of the City Council of the City of Redwood City by-district in seven single-member districts as reflected in the voting district map referred to as Map _____ and attached as Exhibit A to this Ordinance, in furtherance of the purposes of the California Voting Rights Act of 2001 (Chapter 1.5 (commencing with Section 14025) of Division 14 of the Elections Code) and to implement the guarantees of Section 7 of Article 1 and of Section of Article II of the California Constitution.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF REDWOOD CITY HEREBY ORDAINS AS FOLLOWS:

Section 1. Code Amendment. Chapter 2 of the Redwood City Municipal Code is hereby amended by adding Section 2.27.7 to Article I as follows:

“2.27.7. **CITY COUNCIL DISTRICT ELECTIONS:**

A. **Declaration of Purpose.** The City Council hereby declares that the change of method of electing members of this Council hereby enacted is being made in furtherance of the California Voting Rights Act of 2001.

B. **City Council Districts Established.** Seven City Council districts are hereby established in the City of Redwood City. The boundaries and identifying number of each district shall be as described on the Council District Map as attached hereto as Exhibit A and incorporated herein;

C. **Election of Members of the City Council by District.**

1. Following the effective date of this ordinance and upon the commencement of “by district” elections in the order established in Section 2.D of this Code, Members of the City Council shall be elected “by district” as defined in California Government Code Section 34871 or any successor statute. Any candidate for City Council must have been a resident and elector of the district in which he or she seeks election for at least thirty days before the time he or she files nominating papers or equivalent declaration of candidacy for such office, or such person’s appointment to fill a vacancy therein. No term of any Member of the City Council that commenced prior to the effective date of this Ordinance shall be affected by the adoption of this Ordinance.

2. Registered voters signing nomination papers or voting for a Member of the City Council shall be residents of the geographical area making up the district from which the Member is to be elected.

3. The terms of the office of each Member elected to the City Council shall remain four (4) years.

D. **Commencement of District Elections.** Commencing on the general municipal election in 2020 and every four years thereafter the voters in districts __, __, __, and __, shall elect Members of the City Council by district for full four (4) year terms. At the general municipal election in 2022 and every four years thereafter, the voters in districts __, __, and __ shall elect Members of the City Council by district for full four (4) year terms.

The term of office of any council member who has been elected and whose term of office has not expired shall not be affected by any change in the boundaries of the district from which he or she was elected.

Section 2. Technical Adjustments and metes-and-bounds. If necessary to facilitate the implementation of this Ordinance, the City Clerk is authorized to make technical adjustments to the district boundaries that do not substantively affect the populations in the districts, the eligibility of candidates, or the residence of elected officials within any district. The City Clerk shall consult with the City Manager and City Attorney

concerning any technical adjustments deemed necessary and shall advise the City Council of any such adjustments required in the implementation of the districts. The City Clerk shall also direct the City's demographer to provide a metes and bounds description of each district as shown on the map attached as Exhibit A, which shall be submitted to the City Council at its next regular meeting and kept on file in the City Clerk's office for public review.

Section 3. **Severability.** If any section, subsection, sentence, clause, phrase, or portion of this ordinance is for any reason held to be invalid or unenforceable by a court of competent jurisdiction, the remaining portions of this Ordinance shall nonetheless remain in full force and effect. The Council of the City of Redwood City hereby declares that it would have adopted each section, subsection, sentence, clause, phrase, or portion of this Ordinance, irrespective of the fact that any one or more sections, subsections, sentences, clauses, phrases, or portions of this Ordinance be declared invalid or unenforceable.

Section 4. **CEQA Determination.** Adoption of this Ordinance is exempt from environmental review as the adoption of this Ordinance does not qualify as a "project" pursuant to the California Environmental Quality Act ("CEQA"), under Public Resource Code Section 21065 and CEQA Guidelines Section 15320, 15378, and 15061(b) (3) as there is no possibility that such action would cause either a direct, or reasonably foreseeable indirect, physical change in the environment.

Section 5. **Certification.** The City Clerk shall certify to the adoption of this Ordinance.

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Exhibit A