

ORDINANCE NO. 874-C.S.

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF PACIFICA AMENDING TITLE 2, CHAPTER 9, "DISTRICT ELECTIONS" BY REPEALING AND REPLACING SECTION 2-9.02, "CITY COUNCIL DISTRICTS ESTABLISHED" OF THE CITY OF PACIFICA MUNICIPAL CODE TO ADOPT CITY COUNCIL DISTRICT BOUNDARIES BASED ON 2020 CENSUS DATA

WHEREAS, the City Council adopted Ordinance No. 839-C.S. on December 17, 2018, to provide for the election of members of the City Council of the City of Pacifica by-district in five single-member districts and establish district boundaries for five City Council districts as defined in the voting district map 505b and set forth the election sequence of the five districts; and

WHEREAS, pursuant to California Elections Code 21601, following each federal decennial census for a city whose council is already elected using district-based elections, the council shall, by ordinance or resolution, adopt boundaries for all of the council districts of the city so that the council districts shall be substantially equal in population as required by the United States Constitution; and

WHEREAS, California Elections Code section 21600 *et seq.*, requires, among other things, that following each decennial federal census, and using that census as a basis, the city council by ordinance or resolution, adopt boundaries for any or all of the council districts of the city so that the council districts shall be substantially equal in population as required by the United States Constitution ("redistricting"); and

WHEREAS, pursuant to California Elections Code 21607.1(a), at a regular meeting held on January 10, 2022, the City Council held a public hearing where the public was invited to provide input regarding the composition of the City's voting districts before any draft maps were drawn; and

WHEREAS, thereafter, at regular meetings held on February 14, 2022 and February 28, 2022, the City Council held public hearings pursuant to California Elections Code 21607, where the public was invited to provide input regarding the content of the draft maps that had been released at least seven (7) days before each meeting, and the City Council considered and discussed the same; and

WHEREAS, at a regular meeting held on February 28, 2022, the City Council discussed the draft maps and selected the final voting district map; and

WHEREAS, at a regular meeting held on March 14, 2022, the City Council affirmed the final voting district map and set forth the introduction of this Ordinance for a first reading; and

WHEREAS, in compliance with Elections Code section 21607.1(b)(c) and (d), all of the public hearings were commenced at a fixed time after 5:30 p.m., on a weekday, and were accessible to persons with disabilities; and

WHEREAS, in compliance with Elections Code section 21608(a), the Council took steps to encourage residents, including those in underrepresented communities and non-English speaking communities, to participate in the redistricting public review process. These steps include, but are not limited to the following:

- Public Hearing Notice for the January 10, 2022 public hearing was posted at City Hall on January 4, 2022 and published in the Pacifica Tribune on January 5, 2022.
- Following the January 10, 2022 public hearing, public mapping kits in English and Spanish were posted to the City website and available at City Hall.
- Public Hearing Notice for the February 14, 2022 Public Hearing #2 was posted at City Hall on January 21, 2022 and published in the Pacifica Tribune on January 26, 2022 and February 2, 2022.
- Public Hearing Notice for the February 28, 2022 Public Hearing #3 was posted at City Hall on February 11, 2022 and published in the Pacifica Tribune on February 16, 2022 and February 23, 2022, published in Spanish in El Reportero on February 25, 2022 and published in Chinese in the World Journal on February 24, 2022.
- Information on redistricting and soliciting public input and submission of draft maps for the redistricting process were published in the City of Pacifica's "Connect With Pacifica" weekly e-newsletter and distributed by email on January 21, 2022, January 28, 2022 and February 4, 2022.
- Information on redistricting and soliciting public input and submission of draft maps in reference to the February 14, 2022 Public Hearing was also published to the City's NextDoor and Facebook social media feeds on February 2, 2022.
- Draft maps for consideration at the February 28, 2022 Public Hearing were published on the City's Redistricting webpage (www.cityofpacifica.org/Redistricting) on February 20, 2022.

WHEREAS, pursuant to Elections Code section 21608(c), the City established a redistricting website which provided a schedule with the date, time, and location for any public hearing relating to redistricting on the internet at least five days before the hearing and also provided access to redistricting data and for the purposes of drawing draft maps and paper mapping tools; and

WHEREAS, a fourth public hearing is scheduled to be held at a regular meeting of the City Council on March 14, 2022, to review and consider additional public input related to the

selection of final district map and the introduction of this proposed ordinance with adoption of the ordinance anticipated to take place at a regular meeting on March 28, 2022; and

WHEREAS, pursuant to Elections Code section 21608(d)(1), all draft maps considered by the Council were published on the City's redistricting website at least seven days before being considered for adoption as a final map by the Council.

NOW THEREFORE, THE CITY COUNCIL OF THE CITY OF PACIFICA DOES HEREBY ORDAIN AS FOLLOWS:

Section 1. Recitals. The City Council hereby finds that the foregoing recitals are a true and accurate and are incorporated herein by reference.

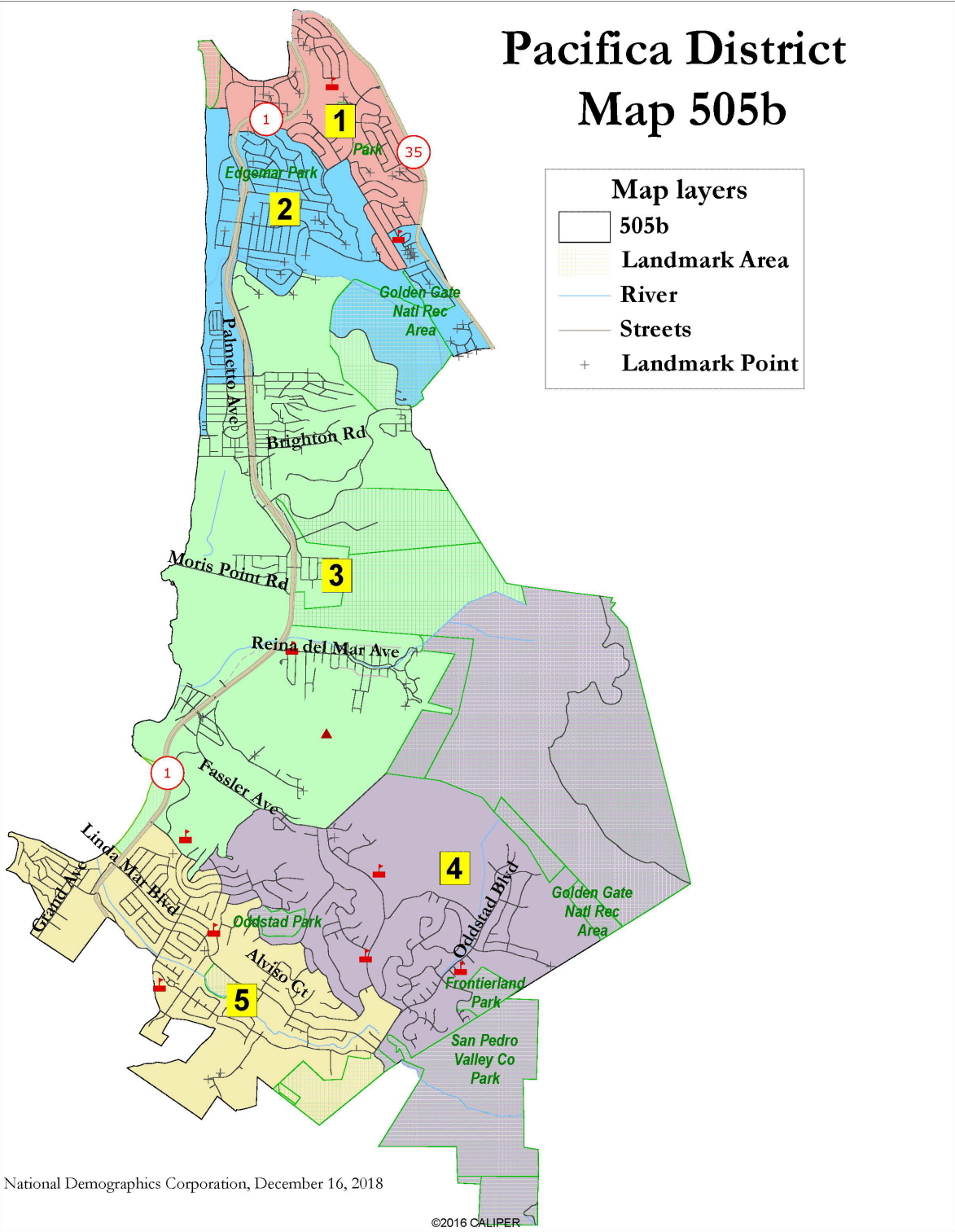
Section 2. California Environmental Quality Act (CEQA) Determination.

Adoption of this Ordinance is exempt from environmental review as the adoption of this Ordinance does not qualify as a "project" pursuant to Public Resource Code section 21065 and CEQA Guidelines Sections 15320, 15378 and 15061(b)(3) since it can be seen with certainty that there is no possibility that adoption of the Ordinance would cause either a direct physical change in the environment, or a reasonably foreseeable indirect physical change in the environment.

Section 3. Code Amendment. Title 2, "Administration", Chapter 9, "District Elections" is amended by repealing Section 2-9.02, "City Council Districts" in its entirety and replacing it to read as follows:

"2-9.02. - City Council Districts.

Five City Council districts are hereby adopted in the City of Pacifica. The boundaries and identifying number of each district for the City Council elections shall be as described on the Council District Map 505b included and incorporated below:



Section 4. Authorization for Technical Adjustments. The City’s demographer, National Demographics Corporation (NDC), is hereby authorized to make non-substantive technical

adjustments to Map 505b to finalize the Map as necessary and to prepare a GIS shapefile which identifies the Council district boundaries consistent with Map 505b as well as census blocks and tracts, as may be necessary, in a form approved by the City Clerk and City Attorney.

Section 5. 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 Pacifica 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 6. Effective Date.

This Ordinance shall take effect thirty (30) days after adoption as provided by Government Code section 36937.

Section 7. Publication; Certification.

The City Clerk shall attest to the adoption of this Ordinance and cause the same to be published in accordance with State law. The City Clerk is also authorized and directed to file this Ordinance, Map 505b, the census blocks and tracts, the GIS shapefile, and any other documents, as may be necessary, to effectuate the adoption of Map 505b with the San Mateo County Clerk-Recorder-Assessor-Registrar of Voters. In the case of any parcels that are split across Council district boundaries, the County Clerk-Recorder-Assessor-Registrar of Voters shall apply a uniform methodology to adjust the boundary line to a border of the parcel without materially affecting the population within each affected district.

PASSED AND ADOPTED this 28th day of March 2022, by the following vote:

AYES, Councilmembers: Beckmeyer, Bier, Bigstycck, O'Neill, Vaterlaus.

NOES, Councilmembers: n/a

ABSENT, Councilmembers: n/a

ABSTAIN, Councilmembers: n/a


Mary Bier (Mar 30, 2022 19:29 PDT)

Mary Bier, Mayor

ATTEST:



Sarah Coffey, City Clerk

APPROVED AS TO FORM:



Michelle Kenyon, City Attorney









For Signature: OrdinanceNo874-CS_Redistrictin gBasedOn2020Census_ADOPTED

Final Audit Report

2022-03-31

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