

ORDINANCE NO. 2848

AN ORDINANCE OF THE CITY OF REDLANDS AMENDING CHAPTER 2.03 OF THE REDLANDS MUNICIPAL CODE TO CHANGE THE CITY'S ELECTORAL SYSTEM FROM AT-LARGE TO BY-DISTRICT ELECTIONS WITH RESPECT TO ELECTING CITY COUNCIL MEMBERS, ESTABLISHING DISTRICT BOUNDARIES, AND SEQUENCING OF ELECTIONS WITHIN THE DISTRICTS

WHEREAS, the City Council of the City of Redlands supports the full participation of all residents in electing members of the City Council; and

WHEREAS, the City of Redlands currently elects its five City Council members using an at-large election system; and

WHEREAS, in the at-large election system, candidates may reside in any part of the City and each City Council member is elected by the voters of the entire City; and

WHEREAS, in a by-district election system, a candidate for City Council must reside in the district that he or she wishes to represent, and only the voters of that district are entitled to vote to decide who their representative will be; and

WHEREAS, California Government Code section 34886 permits the city council of a city to change the city's method of election by ordinance, with certain formalities, to a by-district system in which each City Council member is elected only by the voters in the district in which the candidate resides; and

WHEREAS, pursuant to California Government Code section 34886, it is declared the change in the method of electing members of the City Council of the City of Redlands made by this Ordinance is to implement the guarantees of Section 7 of Article I and of Section 2 of Article II of the California Constitution, as set forth in Section 14031 of the California Voting Rights Act; and

WHEREAS, on August 16, 2016 the City Council commenced the process of establishing electoral districts for City Council elections by the adoption of Resolution No. 7664 which established criteria to guide the design of the districts, and instructed its demographic consultant to prepare draft maps; and

WHEREAS, Map 2, one of the maps developed by the City's consultant, was published on September 19, 2016, in accordance with standard City practice for disseminating information to the public, and by posting a copy of Map 2, on the City's redistricting website on September 19, 2016; and

WHEREAS, the City Council held public forums, each commencing at 6:00 p.m., on November 10, 2016 at Cope Middle School, December 1, 2016 at Clement Middle School, and December 13, 2016 at Moore Middle School, to present information and receive public commentary on the City's proposed redistricting proceedings as of such dates; and

WHEREAS, Map 2b was developed from Map 2 by one of the City Council persons, and the City published and made Map 2b available for release on November 9, 2016, in accordance with standard City practice, and by posting a copy of Map 2b on the City's redistricting website on November 9, 2016; and

WHEREAS, California Elections Code section 10010, as amended by Assembly Bill No. 350 (2016), became effective on January 1, 2017; and

WHEREAS, under the provisions of California Elections Code section 10010, a political subdivision that changes from an at-large method of election to a by-district method of election shall hold at least two public hearings at which the public is invited to provide input regarding the content of the draft maps and the proposed sequence of elections prior to a public hearing at which the governing body of the political subdivision votes to approve or defeat the proposal; and

WHEREAS, California Elections Code section 10010 also requires the first version of a draft map to be published at least seven days before consideration at a hearing, and if a draft map is revised at or following a hearing, it shall be published and made available to the public for at least seven days before being adopted; and

WHEREAS, the City Council held public hearings on the proposal to establish district boundaries on January 3, 2017, February 7, 2017, February 21, 2017, March 7, 2017, March 21, 2017, and April 4, 2017, at which it considered the proposal to establish district boundaries and corresponding draft maps, and draft maps with election sequencing commencing with the February 7, 2017, public hearing and each public hearing thereafter for such draft maps; and also, at the public hearing held on April 4, 2017, the City Council voted to introduce this Ordinance on the proposal; and

WHEREAS, at the public hearing of March 7, 2017, after considering the verbal and written testimony and comments of the members of the public, the City staff, and the City's consultant who was retained in connection with the establishment of the districts, among the reasons articulated for the selection of Map 2b to be identified as the City Council's selected map for purposes of this Ordinance were the following:

- A. The map strongly complies with both the California Voting Rights Act and the Federal Voting Rights Act;
- B. The map creates a Latino district with a population in excess of fifty percent (50%);
- C. The map focuses three districts responsible for the downtown core and its associated economic engine which should not be the responsibility of one individual Council member, but shared by as many as possible;
- D. The map creates a generally compact district system;
- E. The map preserves in a district the historic Lugonia and University areas of the City;
- F. The map prevents the I-10 corridor from becoming a physical permanent barrier separating communities;

- G. The boundaries of districts 1, 2, 3, and 4 have logical boundaries that have been drawn using the major well known streets of Wabash, Judson, Church, Tennessee, Fern and Terracina; and
- H. The map respects the “will of the people” through single incumbency with the exception of one district.

WHEREAS, the purpose of this Ordinance is to enact, pursuant to California Government Code section 34886, an ordinance providing for the election of the members of the City Council of the City of Redlands by-district in five single-member districts as reflected in Exhibit “A” to this Ordinance;

THE CITY COUNCIL OF THE CITY OF REDLANDS DOES ORDAIN AS FOLLOWS:

Section 1. Chapter 2.03 of the Redlands Municipal Code, entitled “Election of City Council Members At Large,” is hereby deleted in its entirety and rewritten to read as follows:

CHAPTER 2.03

ELECTION OF CITY COUNCIL MEMBERS BY DISTRICTS

2.03.010: MANNER OF ELECTION.

2.03.020: ELIGIBILITY OF MEMBERS.

2.03.030: ESTABLISHMENT OF CITY COUNCIL ELECTORAL DISTRICTS.

2.03.040: ELECTION SCHEDULE.

2.03.050: IMPLEMENTATION.

2.03.010: MANNER OF ELECTION.

- A. Pursuant to California Government Code section 34886, members of the City Council of the City of Redlands shall be elected by-districts in five (5) single-member districts.
- B. Beginning with the general municipal election in November 2018, members of the City Council shall be elected in the electoral districts established by Section 2.03.030 of this Chapter and subsequently reapportioned as provided by State law. Elections shall take place “by-district” as that term is defined in California Government Code section 34871, meaning one member of the City Council shall be elected from each district, by the voters of that district alone. Each member of the City Council shall serve a four-year term until his or her successor is qualified.

2.03.020: ELIGIBILITY OF MEMBERS

- A. Except as provided in subdivision B of this section, the City Council member elected to represent a district must reside in that district and be a registered voter in that district, and any candidate for City Council must live in, and be a registered voter in, the district in

which he or she seeks election at the time nomination papers are issued, pursuant to California Government Code section 34882 and California Elections Code section 10227. Termination of residency in a district by a City Council member shall create an immediate vacancy for that Council district unless a substitute residence within the district is established within thirty (30) days after the termination of residency.

- B. Notwithstanding any other provision of this section, the members of the City Council in office at the time the Ordinance codified in this Chapter takes effect shall continue in office until the expiration of the full term to which he or she was elected and until his or her successor is qualified. A vacancy prior to the expiration of such full term shall be filled from the City on an at-large basis and in accordance with law. At the end of the term of each City Council member, that member's successor shall be elected on a by-district basis in the districts established in Section 2.03.030 and as provided in Section 2.03.010 of this Chapter.

2.03.030: ESTABLISHMENT OF CITY COUNCIL ELECTORAL DISTRICTS.

- A. Members of the City Council shall be elected on a by-district basis from the Council districts described as follows:

1. Council District 1 shall comprise all that portion of the City beginning at the intersection of Barton Road and the western border of the City of Redlands, proceeding easterly along Barton Road to Ladera Street; thence proceeding southerly and easterly along Ladera Street to Terracina Boulevard; thence proceeding southeasterly along Terracina Boulevard to Fern Avenue; thence proceeding northeasterly along Fern Avenue to Redlands Boulevard; thence proceeding northwesterly along Redland Boulevard to Church Street; thence proceeding northerly along Church Street to Citrus Avenue; thence proceeding westerly along Citrus Avenue to Olive Avenue; thence proceeding southwestly along Olive Avenue to Cajon Street; thence proceeding northwesterly along Cajon Street to Vine Street; thence proceeding westerly along Vine Street to Eureka Street; thence proceeding northwesterly along Eureka Street to State Street; thence proceeding westerly along State Street to Texas Street; thence proceeding northerly along Texas street to Interstate 10; thence proceeding westerly along Interstate 10 to the interchange for the northbound and westbound 210 and 330 Highways; thence proceeding northerly along the interchange to the Lugonia Avenue underpass; thence proceeding westerly along Lugonia Avenue to the border of the unincorporated county island; thence proceeding clockwise along the county island border back to the 210 freeway; thence proceeding northerly along the 210 to the northern City border; thence proceeding counter-clockwise along the City border to the point of origin.
2. Council District 2 shall comprise all that portion of the City beginning at the intersection of Orange Street and the northern border of the City of Redlands, proceeding southerly along Orange Street to the Santa Ana Wash; thence proceeding southeasterly along the Santa Ana Wash to the northern extension of Church Street; thence proceeding southerly along Church Street to Citrus Avenue; thence proceeding

westerly along Citrus Avenue to Olive Avenue; thence proceeding southwesterly along Olive Avenue to Cajon Street; thence proceeding northwesterly along Cajon Street to Vine Street; thence proceeding westerly along Vine Street to Eureka Street; thence proceeding northwesterly along Eureka Street to State Street; thence proceeding westerly along State Street to Texas Street; thence proceeding northerly along Texas street to Interstate 10; thence proceeding westerly along Interstate 10 to the interchange for the northbound and westbound 210 and 330 Highways; thence proceeding northerly along the interchange to the Lugonia Avenue underpass; thence proceeding westerly along Lugonia Avenue to the border of the unincorporated county island; thence proceeding counter-clockwise along the county island border to its northern tip and intersection with the 210 freeway; thence proceeding northerly along the 210 to the northern border of the City of Redlands; thence proceeding clockwise along the City border to the point of origin.

3. Council District 3 shall comprise all that portion of the City beginning at the intersection of Orange Street and the northern border of the City of Redlands, proceeding southerly along Orange Street to the Santa Ana Wash; thence proceeding southeasterly along the Santa Ana Wash to northern extension of Church Street; thence proceeding southerly along Church Street to Pioneer Avenue; thence proceeding easterly along Pioneer Avenue to Occidental Drive; thence proceeding southerly along Occidental Drive to San Bernardino Avenue; thence proceeding easterly along San Bernardino Avenue to Judson Street; thence proceeding southerly along Judson Street, which becomes Ford Street, which becomes Garden Hill Drive, to Garden Street; thence proceeding easterly along Garden Street, which becomes Mariposa Drive, to Wabash Avenue; thence proceeding northerly along Wabash Avenue to interstate 10; thence proceeding easterly along Interstate 10 to the eastern City border; thence proceeding counter clockwise along the City border to the point of origin, and including the City islands of territory to the east of the City (south of the City's easterly extension in the northeast).
4. Council District 4 shall comprise all that portion of the City beginning at the intersection of Church Street and Pioneer Avenue; proceeding easterly along Pioneer Avenue to Occidental Drive; thence proceeding southerly along Occidental Drive to San Bernardino Avenue; thence proceeding easterly along San Bernardino Avenue to Judson Street; thence proceeding southerly along Judson Street, which becomes Ford Street, to E Sunset Drive North; thence proceeding westerly along Sunset Drive, which becomes Hilton Avenue, to Garden Street; thence proceeding northwesterly along Garden Street, to Cajon Street; thence proceeding northwesterly along Cajon Street to Highland Avenue; thence proceeding northeasterly along Highland Avenue to Redlands Boulevard; thence proceeding northwesterly along Redland Boulevard to Church Street; thence proceeding northerly along Church Street to the point of origin.
5. Council District 5 shall comprise all that portion of the City beginning at the intersection of Barton Road and the western border of the City of Redlands, proceeding easterly along Barton Road to Ladera Street; thence proceeding southerly and easterly along Ladera Street to Terracina Boulevard; thence proceeding southeasterly along

Terracina Boulevard to Fern Avenue; thence proceeding northeasterly along Fern Avenue to Redlands Boulevard; thence proceeding southeasterly along Redland Boulevard to Highland Avenue; thence proceeding southwesterly along Highland Avenue to Cajon Street; thence proceeding southwesterly along Cajon Street to Garden Street; thence proceeding southeasterly along Garden Street to Hilton Avenue; thence proceeding easterly along Hilton Avenue, which becomes East Sunset Drive North to Ford Street; thence proceeding southerly along Ford Street, which becomes Garden Hill Drive, to Garden St; thence proceeding southeasterly along Garden Street, which becomes Mariposa Drive, to Wabash Avenue; thence proceeding northerly along Wabash Avenue to Interstate 10; thence proceeding easterly along Interstate 10 to the eastern City border; thence clockwise along the City border to the point of origin.

- B. The Council districts specified in subdivision A of this section shall continue in effect until they are amended or repealed in accordance with law.

2.03.040: ELECTION SCHEDULE.

Council members shall be elected in Council Districts 1, 3, and 5 beginning at the general municipal election in November 2018, and every four years thereafter. City Council members shall be elected from Council Districts 2 and 4 beginning at the general municipal election in November 2020, and every four years thereafter.

2.03.050: IMPLEMENTATION.

- A. A map showing the districts described in the Ordinance codified in this Chapter 2.03 is attached hereto as Exhibit "A" and incorporated by this reference. To the extent there is a conflict between the descriptions contained in the Ordinance codified in this Chapter 2.03 and the map incorporated herein, the map shall prevail.
- B. If necessary to facilitate the implementation of this Ordinance, the Redlands 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 in writing of any such adjustments required in the implementation of the districts."

Section 2. To the extent the terms and provisions of this Ordinance may be inconsistent or in conflict with the terms or conditions of any prior City ordinance, resolution, motion, rule or regulation governing the same subject, the terms of this Ordinance shall prevail with respect to the subject matter thereof.

Section 3. In interpreting or resolving any ambiguity of this Ordinance, this Ordinance shall be interpreted in a manner that effectively accomplishes its stated purposes.

Section 4. If any section, subsection, subdivision, sentence, clause, phrase, or portion of this Ordinance is for any reason held to be invalid or unconstitutional by the decision of any court of competent jurisdiction, then such decision shall not affect the validity of the remaining portions of this Ordinance. The City Council of the City of Redlands hereby declares that it would have adopted this Ordinance, and each section, subsection, subdivision, sentence, clause, phrase, or portion thereof, irrespective of the fact that any one or more sections, subsections, subdivisions, sentences, clauses, phrases, or portions thereof be declared invalid or unconstitutional.

Section 5. The adoption of this Ordinance is exempt pursuant to Section 15061(b)(3) of the State Guidelines implementing the California Environmental Quality Act (“CEQA”), which states that a project is exempt from CEQA if the activity is covered by the general rule that CEQA applies only to projects that have the potential for causing a significant effect on the environment. Where it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment, the activity is not subject to CEQA. This Ordinance relates exclusively to the organizational or administrative activities of the City and will not result in direct or indirect changes in the environment. Therefore, there is no possibility that adopting this Ordinance will have a significant effect on the environment. Further, and additionally, the City Council finds this Ordinance to be categorically exempt pursuant to Section 15320 of the CEQA Guidelines (Class 20, changes in organization of local government agencies) because the changes do not change the geographical area in which previously existing powers of the City are exercised. Therefore, no environmental analysis is required.

Section 6. The Mayor shall sign this Ordinance and the City Clerk shall certify to the adoption of this Ordinance and shall cause it, or a summary of it, to be published once in the Redlands Daily Facts, a newspaper of general circulation within the City, and thereafter, this Ordinance shall take effect as provided by law.


Paul W. Foster, Mayor

ATTEST:


Jeanne Donaldson, City Clerk

I, Jeanne Donaldson, City Clerk of the City of Redlands, hereby certify that the foregoing Ordinance was duly adopted by the City Council at the regular meeting thereof, held on the 18th day of April, 2017 by the following vote:

AYES: Councilmembers Harrison, Gilbreath, Barich; Mayor Foster
NOES: Councilmember Tejada
ABSTAIN: None
ABSENT: None


Jeanne Donaldson, City Clerk

Exhibit 1
MAP OF PROPOSED ELECTORAL DISTRICTS

Exhibit 1
MAP OF PROPOSED ELECTORAL DISTRICTS

City of Redlands 2017 Districting

Map 2B Renumbered

2018 Elections: 1, 3 and 5
2020 Elections: 2 and 4

