

**EFFECTIVE DATE  
OF ORDINANCE**

**ORDINANCE NO. 2803 N.C.S.**

Introduced by D'Lynda Fischer

Seconded by Dennis Pocekay

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF PETALUMA  
PROVIDING FOR THE ELECTION OF THE MAYOR AT LARGE AND THE  
REMAINING MEMBERS OF THE CITY COUNCIL BY SIX ELECTION DISTRICTS,  
APPROVING AN ELECTION DISTRICT MAP ESTABLISHING DISTRICT  
BOUNDARIES AND ESTABLISHING THE ELECTION ORDER OF EACH DISTRICT,  
AND ADDING A NEW TITLE 5, "CITY COUNCIL ELECTIONS" TO CODIFY THE  
CITY'S CITY COUNCIL ELECTION REQUIREMENTS**

**WHEREAS**, on August 23, 2021, the Petaluma City Clerk received a letter from Kevin Shenkman, an attorney with the Shenkman & Hughes firm, alleging that the City of Petaluma at-large elections system violates the California Voting Rights Act, Elections Code §§14025-14032, ("CVRA") by diluting the ability of Latino voters to elect candidates of their choice or otherwise influence the outcome of the City's elections and urging the City to voluntarily change its at-large elections system; and

**WHEREAS**, by letter dated October 8, 2021, the City responded to Mr. Shenkman to correct factual inaccuracies in Mr. Shenkman's assertions regarding the representation of Latinx electors on the Petaluma City Council, and to inform him that on October 4, 2021, the City Council adopted Resolution No. 2021-164 N.C.S. declaring its intent to initiate procedures to consider transitioning from at-large elections to district-based elections pursuant to California Elections Code Section 10010; and

**WHEREAS**, Mr. Shenkman has not established that the City's at-large election system violates the CVRA or any other provision of law and the City denies any wrongdoing whatsoever in connection with the way Petaluma City Council elections have been conducted; and

**WHEREAS**, the City's October 8 reply to Mr. Shenkman noted the City's commitment to conducting City Council elections in accordance with both the letter and intent of the CVRA and all other applicable law, including the City Charter, which permits transitioning to district elections, and that the City Council's direction to staff has made clear that the end result of reviewing Petaluma voting history and engaging in the district election transition process pursuant to the CVRA should be a voting system for Petaluma City Council elections that maximizes the participation of protected-class and all other City voters so that Petaluma City Councils accurately

reflect the voting preferences of the entire electorate as required by law; and

**WHEREAS**, the City Council declared its intent to initiate procedures to consider transitioning to district elections mindful of the potential high cost of defending a CVRA lawsuit and exposure to paying a prevailing plaintiffs' attorneys' fees, and that transitioning to district elections in accordance with the CVRA safe harbor provisions would cap the City's attorneys' fees exposure as a result of Mr. Shenkman's demand letter at approximately \$30,000; and

**WHEREAS**, on November 1, 2021, the City Council directed staff to request that Mr. Shenkman grant the City the 90-day extension permitted under the CVRA to complete the district elections transition process to allow for greater public participation in the districting process, and on November 4, 2021 Mr. Shenkman granted the 90-day extension, and accordingly, the City has until April 4, 2022 to adopt a district elections ordinance to finalize the City's transition to district elections and cap the City's attorneys' fees exposure at approximately \$30,000; and

**WHEREAS**, on November 1, 2021, and November 15, 2021, 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 considered and discussed the same; and

**WHEREAS**, at the November 15 public hearing, the City Council directed the creation of maps with six voting districts for City Council seats, and with the seventh, mayoral seat to be elected by the voters at large to preserve the separately-elected mayoral seat prescribed by the Petaluma Charter and permitted by Section 34886 of the Government Code while satisfying the CVRA districting requirements; and

**WHEREAS**, on January 31, 2022, and February 14, 2022, 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 considered and discussed the same; and

**WHEREAS**, at its meeting on February 14, 2022, the City Council directed staff to prepare an ordinance adopting a voting district map for the City Council's consideration; and

**WHEREAS**, on March 7, 2022, the City Council held a final public hearing on proposed district boundaries, received and considered district map plans and map demographic and other data for 13 different election district maps, received and considered additional public input, and selected the map identified as Draft Plan 2 from IC2 which was supplied by a member of the public to be published and brought forward for adoption by the City's district elections ordinance; and

**WHEREAS**, on March 11, 2022, the author of the IC2 map indicated it included an error

in which the census tracts making up a segment of Highway 101 extended as a “tail” from District F, and in response the City’s mapping consultant, Redistricting Partners, created a variant of the IC2 map with the Highway 101 “tail” relocated to the adjacent district, District D; and

**WHEREAS**, because the census tracts making up the segments of Highway 101 have no population, moving them does not affect the total population deviation of the amended IC2 map; and

**WHEREAS**, so that both the IC2 map and the amended IC2 map would satisfy Election Code Section 10010 publication requirements, and the City Council would be free to introduce the district elections ordinance on March 21, 2022 with either the IC2 map or the amended IC2 map, staff have published both the IC2 map and the amended IC2 map on March 11, 2022 in accordance with Section 10010 of the CVRA; and

**WHEREAS**, throughout the City’s district elections transition process, the City has endeavored to facilitate a public information outreach and engagement process more extensive than the minimum number of public hearings and other procedures required by the CVRA, including, but not limited to, by:

- Creating a dedicated district elections webpage at <https://cityofpetaluma.org/district-elections> to provide information on the City’s district elections transition;
  - Presenting information regarding use of an on-line mapping tool available for members of the public to create their own district maps and answering questions about the districting process at the December 6, 2021, City Council meeting and at open houses held for members of the public on December 15, 2021, and January 8, 2022;
  - Arranging for all the public hearings and open houses regarding district elections to be translated for Spanish-speaking attendees;
  - Placed advertisements in the Argus Courier and boosting City social media posts for greater exposure.
  - Holding an informational meeting with community leaders on December 15, 2021, to request their help in spreading the word about Petaluma’s transition to district elections;
  - Creation of printed materials and maps that can be hand sketched for members of the public, and placement of the printed maps and materials in both English and Spanish at the Petaluma Library and other publicly-available locations;
  - Outreach to community focus groups, WhatsApp groups, Spanish language media and outreach to community partners such as the Petaluma Health Care Center, the Family Resource Center and other groups with a Latinx following;
- and

**WHEREAS**, Section 4 of Article III of the Petaluma Charter expressly authorizes the City

to “district and subdivide the municipality into municipal election precincts for the holding of municipal elections;” and

**WHEREAS**, Section 4 Article III of the Petaluma City Charter establishes staggered terms for City Council members where the mayor and three of the six Council members are elected during the statewide general election during mid-term election years and the remaining three Council members are elected during the statewide general election during presidential election years; and

**WHEREAS**, Section 4 of Article III of the Petaluma City Charter provides that “[e]xcept as herein otherwise specifically provided, all regular and special municipal elections of this city are to be held in accordance with the provisions of the Elections Code of the State of California, including all amendments thereto” and Section 6 of Article III of the Petaluma City Charter provides that, “[t]he provisions of the general laws of the state governing the election for state and county officers, not inconsistent with the provisions of this Charter, shall govern city elections in matters of which no provision is made in this Charter...;” and

**WHEREAS**, Section 15452 of the California Elections Code provides that “[t]he person who receives a plurality of the votes cast for any office is elected to that office in any election except: (a) an election for which different provision is made by any city or county charter, and (b) a municipal election for which different provision is made by the laws under which the city is organized . . .;” and

**WHEREAS**, Section 8 of Article III of the Petaluma City Charter provides that Council members “... shall hold office for such term as in this Charter provided and until the election and qualification of their successors;” and

**WHEREAS**, Sections 15 and 16 of Article IV of the Petaluma City Charter provides that the Mayor and all Council members “shall hold office for a term of four years from and after the first regular meeting of the city council in January after their election, and until their successors are elected and qualified;” and

**WHEREAS**, the district elections transition process prescribed under the provisions of California Elections Code Section 10010 requires that cities that transition from an at-large method of city council elections to a by-district method of city council elections must hold a total of five public hearings, including 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 to consider draft maps, community of interest information and the potential sequencing of district elections; and

**WHEREAS**, provisions in Chapter 4 of Part 1 of Division 2 of Title 4 of the California

Government Code regulating election of city legislative bodies by district includes:

- Government Code Section 34886, which provides that the legislative body of a city may adopt an ordinance that requires the members of the legislative body to be elected by district or by district with an elective mayor, as described in subdivisions (a) and (c) of Government Code Section 34871, without being required to submit the ordinance to the voters for approval; and
- Government Code Section 34881, which provides that for elections by-district, “[o]ne member of the legislative body shall be elected by or from each district...;” and
- Government Code Section 34882, which provides that a person is not eligible to hold office as a member of the city council unless “he or she...resides in the district...from which he or she is elected;” and

**WHEREAS**, this ordinance is subject to and nothing in this ordinance is intended to conflict with any applicable provision of the Petaluma City Charter; and

**WHEREAS**, this ordinance is exempt from the requirements of the California Environmental Quality Act (“CEQA”) in accordance with CEQA Guidelines Section 15378(b)(5), in that adopting an ordinance establishing district-based elections does not meet CEQA's definition of a “project,” because the action does not have the potential for resulting in either a direct physical change in the environment or a reasonably foreseeable indirect physical change in the environment, and because the action constitutes organizational or administrative activities of governments that will not result in direct or indirect physical changes in the environment;

**NOW, THEREFORE**, be it ordained by the council of the City of Petaluma as follows:

**SECTION 1. Recitals Incorporated as Findings; Staff Report Incorporated.** The City Council hereby finds and determines that the foregoing recitals are true and correct and incorporates them into this ordinance as findings and determinations of the City Council. The staff report prepared for the March 21, 2022 City Council meeting to accompany this ordinance is hereby incorporated into this ordinance by this reference as part of the legislative record supporting the City Council’s enactment of this ordinance.

**SECTION 2. California Environmental Quality Act Compliance.** The City Council hereby finds that this ordinance is exempt from the requirements of the California Environmental Quality Act (“CEQA”) in accordance with CEQA Guidelines Section 15378(b)(5), in that adopting an ordinance establishing district-based elections does not meet CEQA's definition of a “project,” because the action does not have the potential for resulting in either a direct physical change in the environment or a reasonably foreseeable indirect physical change in the environment, and because the action constitutes organizational or administrative activities of governments that will

not result in direct or indirect physical changes in the environment.

**SECTION 3. California Voting Rights Act Declaration and Findings.** The City Council makes the following declarations and findings pursuant to the California Voting Rights Act of 2001, codified in Chapter 1.5, commencing with Section 14025, of Division 14 of the Elections Code:

1. In accordance with the requirements of California Government Code Section 34886, the City Council declares that the change in the method of electing members of the City Council to transition the City to district elections in accordance with this ordinance is being made in furtherance of the purposes of the California Voting Rights Act of 2001, which purposes include eliminating minority vote dilution and addressing ongoing discrimination in voting.
2. The City Council finds that this ordinance complies with the requirements of Section 21621 of the California Elections Code because the boundaries of the election district map adopted pursuant to this ordinance are substantially equal in population as required by the United States Constitution, and further that the election district boundaries adopted pursuant to this ordinance comply with the United States Constitution, the California Constitution, and the federal Voting Rights Act of 1965 (52 U.S.C. Sec. 10301 *et seq.*), because the district boundaries were formed applying the criteria established in Subdivision (c) of Section 21621 of the Elections Code, and because the boundaries were not adopted for the purposes of favoring or discriminating against a political party.
3. The City Council finds that the sequencing for district elections adopted pursuant to this ordinance satisfies the anti-vote dilution and anti-voting discrimination purposes of the California Voting Rights Act as the data attached to the accompanying staff report dated March 21, 2022 shows that the election sequence of the City's election districts will help support the ability of protected-class voters to elect candidates of their choice to the City Council.
4. The City Council finds that the City has complied with California Voting Rights Act requirements in California Election Code Section 10010 for transitioning from at-large elections to district-based elections, by holding public hearings on November 1, 2021 and November 15, 2021 before any district maps were drawn, at which the public was invited to provide input regarding the composition of the districts, and by publishing and making available for release multiple draft district maps at least seven days before the hearings at which they were considered, and providing information on the maps and the potential sequence of district elections and holding public hearings on January 31, 2022, February 14, 2022 and March 7, 2022 at which the public was invited to provide input regarding the draft maps after draft district maps were drawn, and by publishing and making available for release district map IC2 which was selected by the City Council on March

7, 2022 and a variant of map IC2 on March 11, 2022, nine days before March 21, 2022, the date this ordinance was scheduled for introduction.

**SECTION 4. Enactment of New Title 5 Entitled “City Council Elections” of the Petaluma Municipal Code.**

A new Title 5 entitled “City Council Elections” is hereby added to the Petaluma Municipal Code, to read as follows:

**Title 5**

**City Council Elections**

**Chapter 1 – Mayoral Elections**

**5.01.010 Declaration of Purpose.**

The purpose of this chapter is to provide for the election of the city’s separately-elected mayor in accordance with section 10 of Article IV of the city charter and in harmony with chapter 2 of this title governing the city’s district elections.

**5.01.020 Eligibility Requirements.**

Candidates for mayor must be eligible electors in accordance with Section 11 of Article IV of the city charter who reside in the city at the time they file nominating papers or equivalent declarations of candidacy for such office, or for such person’s appointment to fill a vacancy.

**5.01.030 Election of the Mayor at Large.**

The office of mayor of the city shall be elected at-large in a city-wide election of all eligible electors in the city in all city election districts.

**5.01.040 Sequence of Mayoral Elections.**

Commencing with the general municipal election in 2022 and every four years thereafter, the mayor shall be elected at-large in accordance with Section 5.01.020 during the same statewide general election during the mid-term elections at which three other city council members are elected by-district in accordance with Section 5.02.040.

**5.01.050 Nomination of Mayoral Candidates.**

Any registered voters in any city election district may sign nomination papers for candidates for the office of mayor.

**5.01.060 Successful Mayoral Candidate.**

In accordance with Section 4 of Article III and Section 6 of Article IV of the city charter, the successful mayoral candidate shall be the eligible candidate for mayor that receives the greatest number of votes cast by all eligible electors in the city in all city election districts in accordance with Section 5.01.030 and California Government Code Section 15452 as amended from time to time or any successor statute.



### **5.01.070 Mayoral Term.**

The term of office of the mayor shall be four (4) years beginning the first regular city council meeting in January after the mayor's election and continuing until the mayor's successor is elected and qualified in accordance with Section 15 of Article IV the city charter.

### **5.01.080 Mayoral Vacancies.**

A vacancy in the office of mayor shall be filled by city council appointment of an eligible city elector from the city at-large in accordance with Section 13 of Article IV of the city charter.

## **Chapter 2 - District Elections**

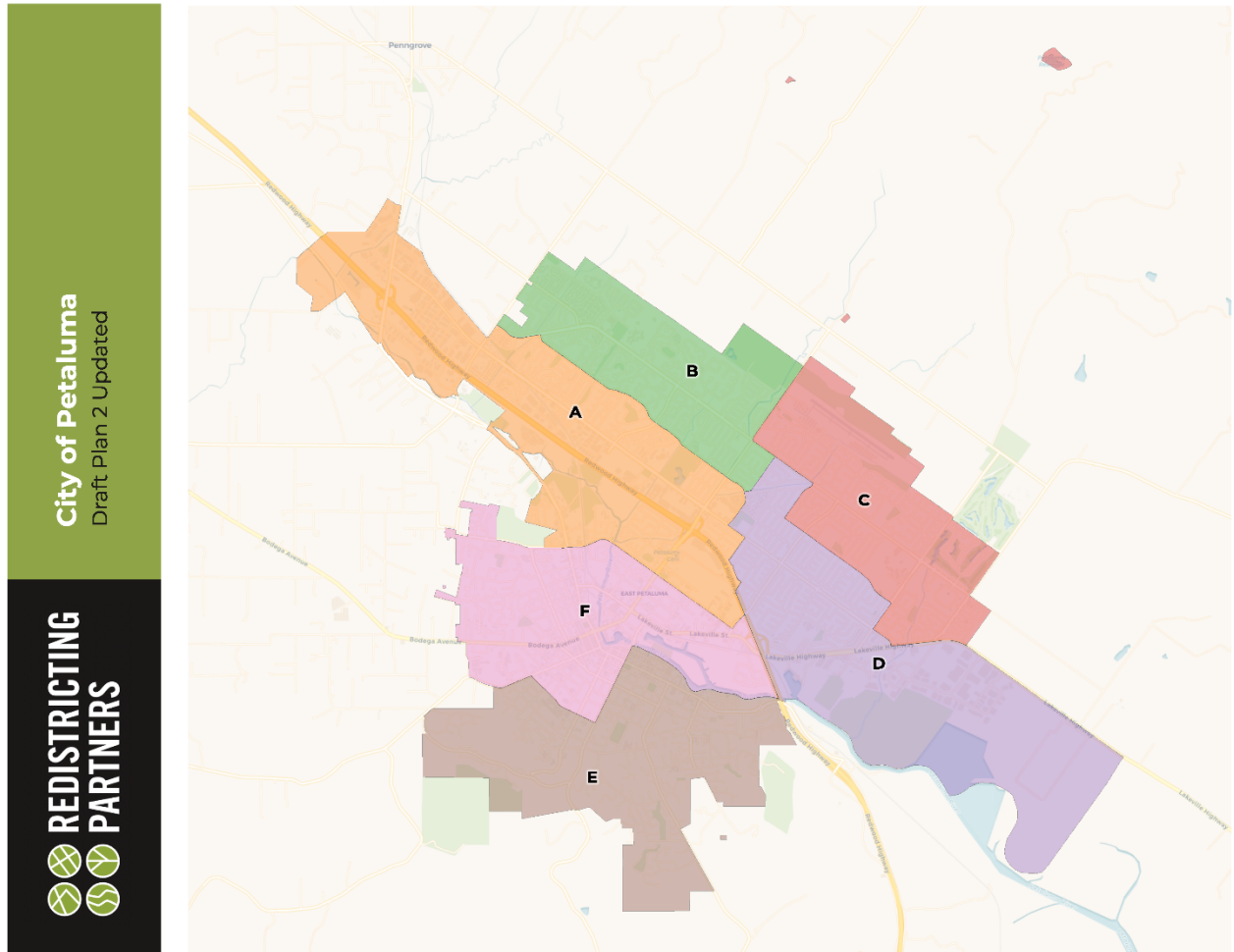
### **5.02.010 Declaration of Purpose.**

The city council hereby declares that the purpose of this chapter is to change the method of electing members of the city council other than the mayor from an at-large method to a by-district method as defined in the California Voting Rights Act of 2001 as amended from time to time or any successor statute, and as permitted by Section 3 of Article IV of the city charter and in furtherance of the purposes of the California Voting Rights Act, which purposes include eliminating minority vote dilution and addressing ongoing discrimination in voting.

### **5.02.020 City Council Election Districts Established.**

Six city council election districts are hereby established in the city. The boundaries and identifying number of each district shall be as described on the election district map as depicted below in this section. The election district boundaries are further described in the metes and bounds also provided below in this section.

## A. Election District Map



## B. Election District Metes and Bounds

### District A / District 1

All of that portion of Sonoma County bounded and described as follows: 1. Beginning at the point of intersection of the Petaluma city line and Magnolia Ave, and proceeding northerly along the Petaluma city line to the Penngrove/Petaluma census designated place/city line, and proceeding northerly along the Penngrove/Petaluma census designated place/city line to the Petaluma city line, and proceeding easterly along the Petaluma city line to Sonoma Mountain Pkwy, and proceeding easterly along Sonoma Mountain Pkwy to Maria Dr, and proceeding southerly along Maria Dr to S McDowell Blvd, and proceeding easterly along S McDowell Blvd to McGregor Ave, and proceeding southerly along McGregor Ave to Stuart Dr, and proceeding southerly along Stuart Dr to Kresky Way, and proceeding southerly along Kresky Way to Lindberg Ln, and proceeding southerly along Lindberg Ln to nonvisible boundary, and proceeding southerly along nonvisible boundary to Redwood Hwy, and proceeding southerly along Redwood Hwy to Caulfield Ln, and proceeding westerly along Caulfield Ln to Payran St, and proceeding westerly along Payran St to

W Payran St, and proceeding westerly along W Payran St to Magnolia Ave, and proceeding westerly along Magnolia Ave to the point of beginning. 2. Except for all of the region bounded by the Petaluma city line. 3. Except for all of the region bounded by the Petaluma city line.

### **District B / District 2**

All of that portion of Sonoma County bounded and described as follows: Beginning at the point of intersection of the Petaluma city line and Sonoma Mountain Pkwy, and proceeding northerly along the Petaluma city line to E Washington Blvd, and proceeding southerly along E Washington Blvd to E Washington St, and proceeding southerly along E Washington St to Ely Blvd S, and proceeding easterly along Ely Blvd S to nonvisible boundary, and proceeding southerly along nonvisible boundary to stream/river, and proceeding westerly along stream/river to Maria Dr, and proceeding northerly along Maria Dr to Sonoma Mountain Pkwy, and proceeding westerly along Sonoma Mountain Pkwy to the point of beginning.

### **District C / District 4**

All of that portion of Sonoma County bounded and described as follows: 1. Beginning at the point of intersection of E Washington St and Ely Blvd S, and proceeding northerly along E Washington St to E Washington Blvd, and proceeding northerly along E Washington Blvd to the Petaluma city line, and proceeding northerly along the Petaluma city line to Lakeville Hwy, and proceeding westerly along Lakeville Hwy to S McDowell Blvd, and proceeding northerly along S McDowell Blvd to Casa Grande Rd, and proceeding northerly along Casa Grande Rd to Crinella Dr, and proceeding westerly along Crinella Dr to Weaverly Dr, and proceeding northerly along Weaverly Dr to Ely Blvd S, and proceeding westerly along Ely Blvd S to the point of beginning. 2. As well as all of the region bounded by the Petaluma city line. 3. As well as all of the region bounded by the Petaluma city line. 4. As well as all of the region bounded by the Petaluma city line.

### **District D / District 3**

All of that portion of Sonoma County bounded and described as follows: Beginning at the point of intersection of Maria Dr and S McDowell Blvd, and proceeding northerly along Maria Dr to stream/river, and proceeding easterly along stream/river to nonvisible boundary, and proceeding northerly along nonvisible boundary to Ely Blvd S, and proceeding easterly along Ely Blvd S to Weaverly Dr, and proceeding westerly along Weaverly Dr to Crinella Dr, and proceeding easterly along Crinella Dr to Casa Grande Rd, and proceeding southerly along Casa Grande Rd to S McDowell Blvd, and proceeding easterly along S McDowell Blvd to Lakeville Hwy, and proceeding easterly along Lakeville Hwy to the Petaluma city line, and proceeding easterly along the Petaluma city line to Redwood Hwy, and proceeding northerly along Redwood Hwy to nonvisible boundary, and proceeding northerly along nonvisible boundary to Lindberg Ln, and proceeding northerly along Lindberg Ln to Kresky Way, and proceeding northerly along Kresky Way to Stuart Dr, and proceeding northerly along Stuart Dr to McGregor Ave, and proceeding northerly along McGregor Ave to S McDowell Blvd, and proceeding westerly along S McDowell Blvd to the point of beginning.

### **District E / District 5**

All of that portion of Sonoma County bounded and described as follows: 1. Beginning at the point of intersection of the Petaluma city line and Redwood Hwy, and proceeding northerly along the Petaluma city line to Western Ave, and proceeding easterly along Western Ave to Fair St, and proceeding southerly along Fair St to 10th St, and proceeding easterly along 10th St to D St, and proceeding northerly along D St to shoreline, and proceeding easterly along shoreline to Redwood Hwy, and proceeding southerly along Redwood Hwy to the point of beginning. 2. As well as all of the region bounded by the Petaluma city line.

### **District F / District 6**

All of that portion of Sonoma County bounded and described as follows: 1. Beginning at the point of intersection of the Petaluma city line and Western Ave, and proceeding westerly along the Petaluma city line to Magnolia Ave, and proceeding easterly along Magnolia Ave to W Payran St, and proceeding easterly along W Payran St to Payran St, and proceeding easterly along Payran St to Caulfield Ln, and proceeding northerly along Caulfield Ln to Redwood Hwy, and proceeding southerly along Redwood Hwy to shoreline, and proceeding westerly along shoreline to D St, and proceeding southerly along D St to 10th St, and proceeding westerly along 10th St to Fair St, and proceeding westerly along Fair St to Western Ave, and proceeding westerly along Western Ave to the point of beginning. 2. As well as all of the region bounded by the Petaluma city line.

C. In case of an apparent conflict between the election district map in provision A. of this section and the election district metes and bounds in provision B. of this section, the election district metes and bounds shall govern. The city clerk is authorized to make technical adjustments to the district boundaries specified in this section if necessary to facilitate the implementation of this chapter, so long as such adjustments do not materially affect the district populations, the eligibility of council candidates, or the residency of elected officials within any district. The city clerk shall consult with the city manager and the city attorney concerning any technical adjustments that the clerk deems to be necessary, and shall advise the city council of any such adjustments.

#### **5.02.030. Election and Appointment of City Council Members by-District.**

Upon this chapter taking effect and upon the commencement of by-district elections in the order established in Section 5.02.040 of this chapter, members of the city council except for the mayor shall be elected by-district as defined in California Government Code Section 34871 as amended from time to time or any successor statute. Candidates for city council must be eligible electors in accordance with Section 11 of Article IV of the city charter who reside in the district in which they seek election at the time they file nominating papers or equivalent declarations of candidacy for such office, or for such person's appointment to fill a city council vacancy.

#### **5.02.040 Commencement and Sequence of District Elections.**

A. Commencing with the general municipal election in 2022 and every four years thereafter during the statewide general election held in a mid-term election year, the voters in districts 1, 2, and 3, shall elect members of the city council by district for full four (4) year terms at the same time that the mayor is elected at-large in accordance with Section 5.01.030. Commencing with the general municipal election in 2024 and every four years thereafter during the same statewide general election held in a presidential election year, the voters in districts 4, 5, and 6 shall elect members of the city council by district for full four (4) year terms.

B. This chapter shall have no effect on the term of city council members who have been elected prior to the effective date of this chapter and whose term of office has not expired as of the effective date of this chapter.

#### **5.02.050 Successful District Candidates**

In accordance with Section 4 of Article III and Section 6 of Article IV of the city charter, the successful district candidates shall be the eligible candidates for city council that receive the greatest number of votes cast by all eligible electors who reside in the district in which they seek election in accordance with Section 5.02.030 and California Government Code Section 15452 as amended from time to time or any successor statute.

#### **5.02.060 Nomination of and Voting for City Council District Candidates.**

Registered voters signing nomination papers or voting for candidates for city council other than the mayor shall be residents of the geographical area making up the district from which the candidate is intending to run or is running for election.

#### **5.02.070 Council District Terms.**

The terms of office of each city council member elected by-district shall be four (4) years beginning the first regular city council meeting in January after the council-member's election and continuing until the council member's successor is elected and qualified in accordance with Section 16 of Article IV of the city charter.

#### **5.02.080 City Council District Vacancies.**

A vacancy in a city council office filled by-district shall be filled by city council appointment of an eligible city elector who resides within the boundaries of the election district where the vacancy has occurred in accordance with Section 13 of Article IV of the Petaluma City Charter.

#### **5.02.090 Adjustment of Election District Boundaries.**

The city council shall adjust the boundaries of any or all of the city election districts following and based on each decennial federal census and at the time of annexation of any territory to the

city in accordance with the requirements of Section 21620 *et seq.* of the Elections Code as amended from time to time or any successor statute.

**SECTION 5: SEVERABILITY.** If any part of this ordinance is for any reason held to be unconstitutional, unlawful, or otherwise invalid by a court of competent jurisdiction, such decision will not affect the validity of the remaining parts of this ordinance. The City Council of the City of Petaluma hereby declares that it would have passed and adopted this ordinance and each of its provisions irrespective of any part being held invalid.

**SECTION 6: EFFECTIVE DATE.** This ordinance shall become effective thirty (30) days after the date of its adoption by the Petaluma City Council.

**SECTION 7: POSTING/PUBLISHING OF NOTICE.** The City Clerk is hereby directed to post and/or publish this ordinance or a synopsis of it for the period and in the manner required by the City Charter. The City Clerk is also hereby directed to file a Notice of Exemption concerning this ordinance with the Office of the Sonoma County Clerk in accordance with Section 15062 of the CEQA Guidelines.

**INTRODUCED** and ordered posted/published the 21<sup>st</sup> day of March 2022 by the following vote:

Ayes: Mayor Barrett, Fischer, McDonnell, Pocekay  
Noes: Healy  
Abstain: None  
Absent: None

**ADOPTED** this \_\_\_\_\_ day of \_\_\_\_\_, 2022, by the following vote:

Ayes: Mayor Barrett, Barnacle, Fischer, King, McDonnell, Vice Mayor Pocekay  
Noes: None  
Abstain: None  
Absent: None

---

Teresa Barrett, Mayor

ATTEST:

APPROVED AS TO FORM:

---

Karen Gonzales, Interim City Clerk

---

Eric Danly, City Attorney