

REQUEST FOR COUNCIL ACTION



CITY COUNCIL MEETING DATE:

NOVEMBER 20, 2018

TITLE:

PUBLIC HEARING: HOLD HEARING TO INTRODUCE ORDINANCE SETTING NEW WARD BOUNDARIES AND ELECTION SEQUENCE FOR NEW WARDS FOR THE 2020 GENERAL MUNICIPAL ELECTION COUNCIL CANDIDATES (STRATEGIC PLAN NO. 5, 1)

A handwritten signature in blue ink, appearing to read "Carmen Fe", written over a horizontal line.

CITY MANAGER

CLERK OF COUNCIL USE ONLY:

APPROVED

- As Recommended
- As Amended
- Ordinance on 1st Reading
- Ordinance on 2nd Reading
- Implementing Resolution
- Set Public Hearing For _____

CONTINUED TO _____

FILE NUMBER _____

RECOMMENDED ACTIONS

1. Open and close the Public Hearing on proposed Ward map that was approved by the City Council at the October 30, 2018 City Council Meeting by a 5-0 vote (Pulido and Villegas absent)
2. Confirm Ward numbering and sequence of election.
Note: Wards 1, 3 and 5 will hold elections on November 3, 2020; and Wards 2, 4 and 6 will hold elections on November 8, 2022.
3. Introduce ordinance for first reading and authorize publication of title (*Requires five affirmative votes*).

DISCUSSION

At its October 16, 2018, the City Council held the third public hearing regarding Ward boundaries. The City Council selected Maps C, D and D-2 for final consideration. City's consultant, Redistricting Partners submitted proposed Map D-2 and Councilmember Solorio submitted proposed Map C-2, which include slight variations to Maps C (C-2) and D (D-2) for City Council consideration.

The City Council held an Adjourned Regular Meeting on October 30, 2018 in which the City Council by a vote of 5-0 approved Map D-2 and introduced an ordinance establishing proposed Map D-2 as the new boundaries. The City Council deferred the sequence of election to the November 20, 2018 Regular City Council Meeting. Legal Counsel has advised that in order to meet the requirements of the Settlement Agreement the election sequence has to be considered along with the introduction of the ordinance. Thus, staff requests that the election sequence be made part of the motion in consideration of the Map that had been previously approved by a super majority of the City Council. The second reading and final adoption of the ordinance will be scheduled for the December 4, 2018

City Council meeting. The New Boundaries will be effective for the 2020 General Municipal Election.

Pursuant to the Settlement Agreement entered by the City of Santa Ana and plaintiff, consistent with California Elections Code section 10010(b), the Ward with the highest percentage of Asian-American citizens of voting age shall be designated among the three Wards (1, 3 and 5) subject to election on November 3, 2020, with Wards 2, 4 and 6 to be subject to election on November 8, 2022; and any special elections after November 3, 2020 shall be By-Ward. Based on Asian CVAP populations, and minimal disruption to the existing election cycle, the proposed Ward numbers and term expirations are provided for in map D-2 (Exhibit 1).

Under the provisions of the Settlement Agreement, staff proposed that the Wards be numbered as reflected above in the versions of the maps under consideration, but can be changed by a Council majority. Once a map is selected, metes and bounds descriptions for each Ward will be appended to the map in Exhibit 2 and sent to the Registrar of Voters Office.

Under the City Charter, an ordinance adjusting ward boundaries must be approved by a 2/3 affirmative vote requirement and be adopted no later than 120 days before an election in order to be effective for that election. While the City Charter currently limits ward boundary adjustments as needed to ensure equality of population among the wards, the settlement agreement recognized the need to comply with the California Voting Rights Act, which applies to both general law and charter cities.

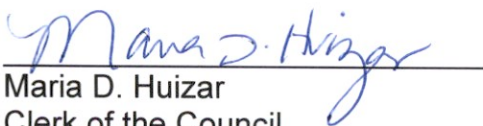
This proposed re-boundary process is categorically exempt from the California Environmental Quality Act ("CEQA") pursuant to Section 15320 – Class 20 (Changes in Organization of Local Agencies) of the CEQA Guidelines, California Code of Regulations, Title 14, Chapter 3, since it involves a proposed reorganization of the City Council Wards and does not change the geographical area in which previously existing powers are exercised.

STRATEGIC PLAN

Approval of this item allows us to meet Goal #5. Community Health, Livability, Engagement & Sustainability, Priority #1, Establish a comprehensive community engagement initiative exhibit to expand access to information and create opportunities for stakeholders to play an active role in discussing public policy and setting priorities.

FISCAL IMPACT

There is no fiscal impact associated with this action.



Maria D. Huizar
Clerk of the Council

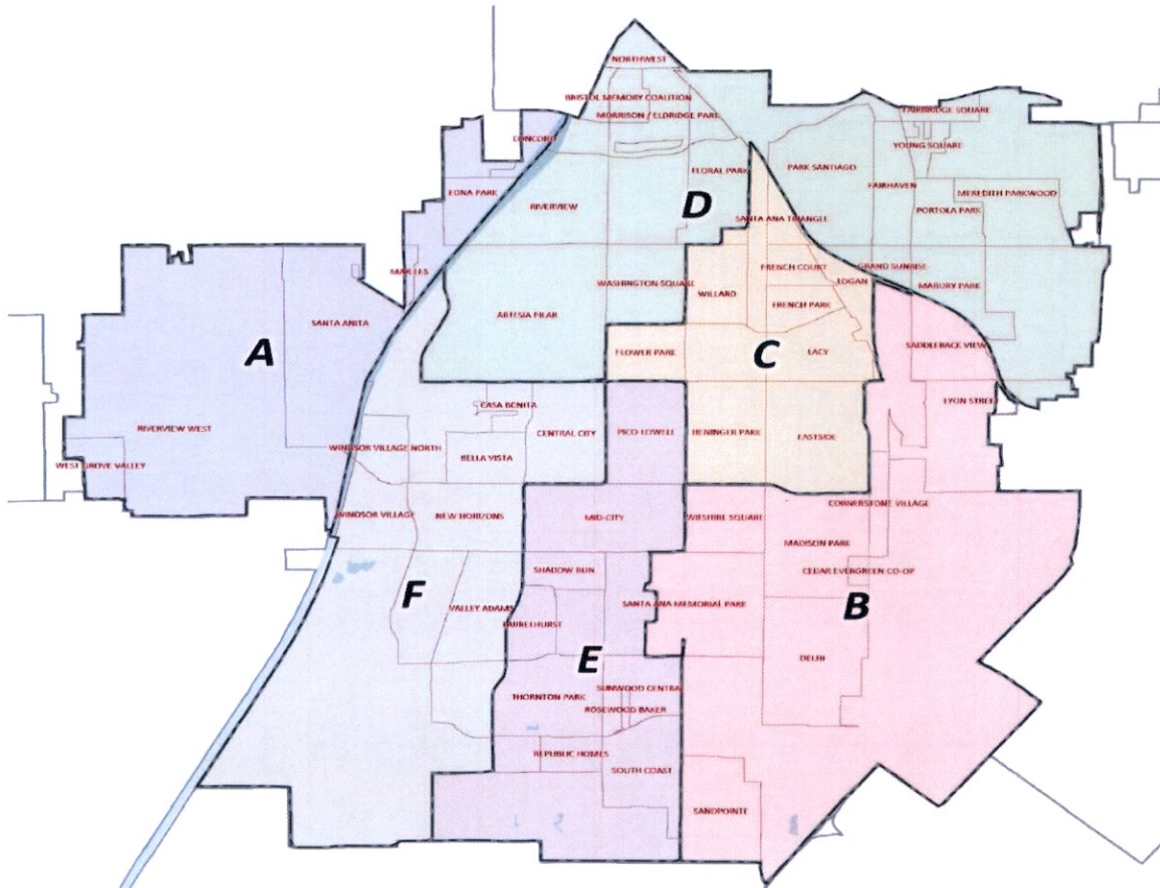
- Exhibits: 1. Map D-2 with proposed Election Sequence
 2. Ordinance

Proposed Election Sequence

- A - Ward 1 (2020)**
- B - Ward 2 (2022)**
- C - Ward 3 (2020)**
- E - Ward 4 (2022)**
- D - Ward 5 (2020)**
- F - Ward 6 (2022)**

EXHIBIT 1

Plan D 2



PLAN D 2	A	B	C	D	E	F
Population	53,515	54,646	54,038	54,656	54,075	53,655
Deviation	(583)	548	(60)	558	(23)	(443)
	-1%	1%	0%	1%	0%	-1%
18+ Citizens (CVAP)	26,467	21,702	15,110	29,145	25,417	22,583
	49%	40%	28%	53%	47%	42%
Latino CVAP	10,803	15,902	10,983	15,405	16,231	14,733
	41%	73%	73%	53%	64%	65%
White CVAP	3,058	3,495	2,532	10,198	5,458	2,661
	12%	16%	17%	35%	21%	12%
African American CVAP	193	417	316	363	453	816
	1%	2%	2%	1%	2%	4%
Asian CVAP	11,776	1,696	1,119	2,740	2,964	4,084
	44%	8%	7%	9%	12%	18%

ORDINANCE NO. NS-XXXX

AN ORDINANCE OF THE CITY OF SANTA ANA
ESTABLISHING NEW BOUNDARY LINES OF THE WARDS
OF THE CITY OF SANTA ANA AND REPEALING
ORDINANCE NO. NS-2826

WHEREAS, By certified letter received on March 14, 2018, the Asian-Americans Advancing Justice advised the City that it believes the City's current at-large method of electing City Councilmembers violates the California Voting Rights Act ("CVRA").

WHEREAS, On July 17, 2018 the City Council by a vote of 6-0 approved Resolution No. 2018-056 to place a Charter Amendment on the ballot to transition from At-Large City Councilmember elections to By-Ward elections on the November 6, 2018 General Municipal Election. The resolution also mandated that Ward Boundaries be re-drawn in accordance with federal and state law.

WHEREAS, Several Community Meetings and four (4) Public Hearings were held to receive input from the community, include their "communities of interest", provide criteria for mapping of new Ward boundaries and consider proposed Ward Maps.

WHEREAS, The City Charter provides that an ordinance adjusting ward boundaries must be approved by a 2/3 affirmative vote requirement and be adopted no later than 120 days before an election in order to be effective for that election.

WHEREAS, A Settlement Agreement entered by the City of Santa Ana and plaintiff specifies that, consistent with California Elections Code section 10010(b), the Ward with the highest percentage of Asian-American citizens of voting age shall be designated among the three Wards (1, 3 and 5) subject to election on November 3, 2020, with Wards 2, 4 and 6 to be subject to election on November 8, 2022; and any special elections after November 3, 2020 shall be by-Ward.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF SANTA ANA DOES ORDAIN AS FOLLOWS:

SECTION 1: That the boundaries and numbers of the wards of the City of Santa Ana are hereby changed and established as set forth on the map and description attached hereto and incorporated herein by reference as **Exhibit 1**. Metes and bounds of each district are attached hereto and incorporated herein by reference as **Exhibit 2**.

SECTION 2: That the Clerk of the Council shall cause a map diagram showing the new boundary lines of each and every ward to be published in the Orange County Register not less than thirty (30) days prior to the 2020 general municipal election.

Exhibit 2

SECTION 3: This ordinance shall take effect and be in force immediately from and after the date of its passage.

ADOPTED this _____ day of _____, 2018

Miguel A. Pulido
Mayor

APPROVED AS TO FORM:

By: _____
Sonia R. Carvalho,
City Attorney

AYES: Councilmembers _____

NOES: Councilmembers _____

ABSTAIN: Councilmembers _____

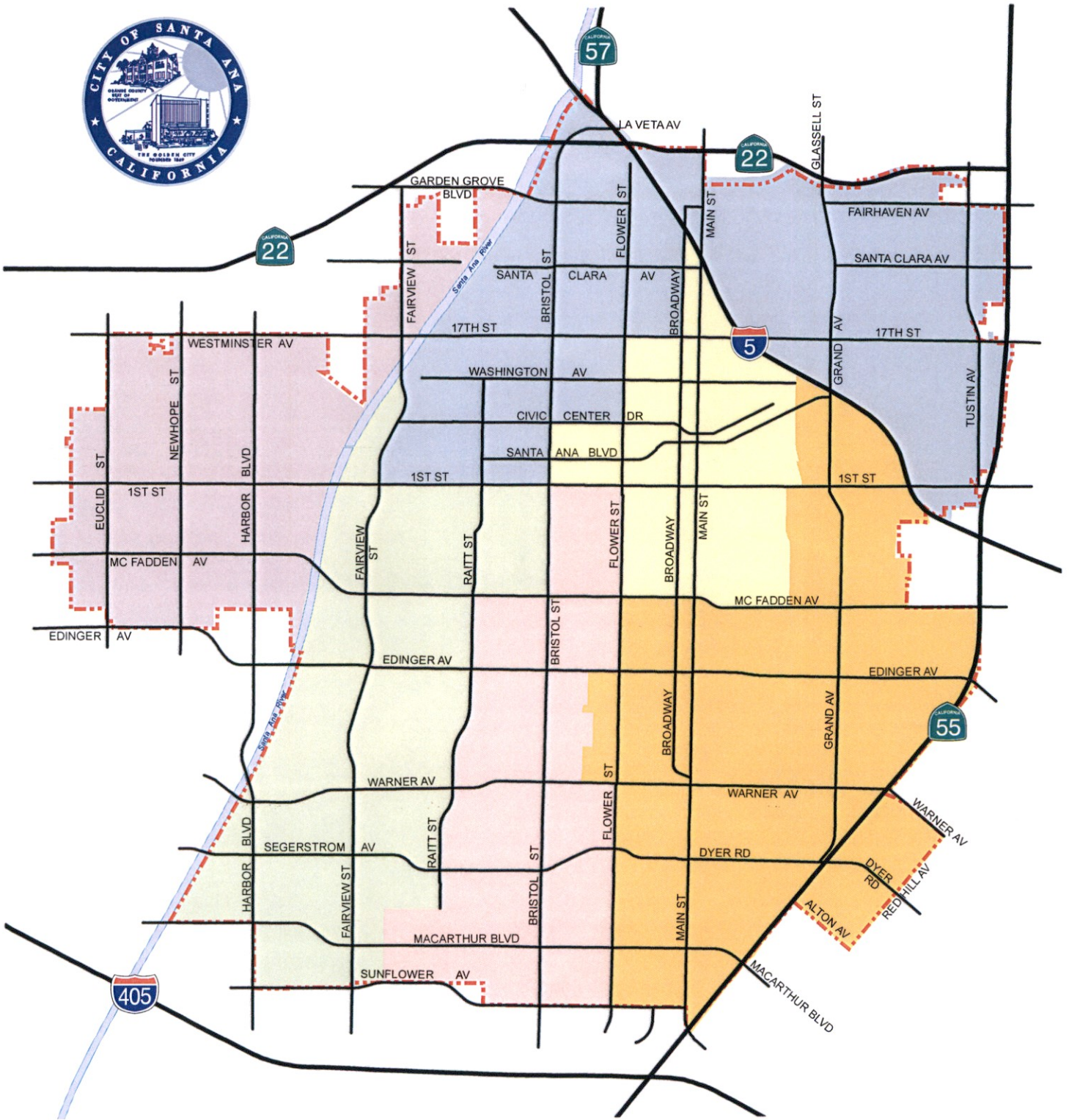
NOT PRESENT: Councilmembers _____

CERTIFICATE OF ATTESTATION AND ORIGINALITY

I, MARIA D. HUIZAR, Clerk of the Council, do hereby attest to and certify that the attached Ordinance No. NS-~~XXX~~ to be the original ordinance adopted by the City Council of the City of Santa Ana on _____, and that said ordinance was published in accordance with the Charter of the City of Santa Ana.

Date: _____

Clerk of the Council
City of Santa Ana



City of Santa Ana Proposed Wards (D-2)

0 ¼ ½
Miles

75A-7



WARD RE-BOUNDARY ORDINANCE

EXHIBIT 2

(TO BE POSTED BY FRIDAY, NOVEMBER 16, 2018)

