ORDINANCE NO. 5062

AN ORDINANCE OF THE CITY COUNCIL OF THE
CITY OF EL CAJON, CALIFORNIA, ESTABLISHING FOUR
COUNCIL DISTRICTS AND AMENDING THE
EL CAJON MUNICIPAL CODE TO PROVIDE FOR
<u>CITY COUNCIL ELECTIONS BY DISTRICTS</u>

THE CITY COUNCIL OF THE CITY OF EL CAJON DOES ORDAIN AS FOLLOWS:

SECTION 1. At the November 8, 2016 general municipal election the voters in El Cajon approved an amendment to Section 201 of the El Cajon Charter in order to change the method of selecting the City of El Cajon's four Councilmembers from at-large elections to district-based elections, where Councilmembers are elected from and by four districts. Section 201 continues to provide that the selection of the Mayor is at-large from the entire city.

SECTION 2. As a result of the amendment to City Charter Section 201, and following the guidelines established by El Cajon City Council Resolution No. 006-17, the City has conducted proceedings in accordance with State laws to develop draft maps of districts that fully comply with State and federal voting rights laws for consideration by the City Council.

SECTION 3. The City Council makes the following findings:

1.   The City of El Cajon has conducted a series of public meetings and properly noticed and conducted public hearings to develop the criteria for the creation of councilmember districts, in which the public was encouraged to participate in the development of the criteria; and

2.   The City of El Cajon has conducted five (5) community workshops in geographically diverse locations in order to engage the public, educate the community, and empower the residents to develop proposed district maps for consideration by the City Council followed by additional public hearings on the maps that meet the criteria approved by the City Council; and

3.   The City of El Cajon has provided the public with demographic and voting information, and website tools allowing the public the opportunity to create their own maps for consideration by the City Council; and

4.   The El Cajon City Council has conducted three (3) properly noticed and conducted public hearings to review and consider the proposed district maps, at which they considered all comments and information presented by its staff, consultants, and the public, taking into consideration the population of the City of El Cajon as reflected in the United States 2010 Census; and

5.   The City Council has listened to public comment on this issue and has reviewed and considered the proposed districting plans reflected in a total of 22 maps created by its consultant and the public; and

6.   That upon consideration of the staff report and all public testimony presented, the City Council finds that the proposed Council districts reflected in the recommended districting plan, as set forth in Exhibit A, comply with the criteria set forth in Resolution No. 006-17; are as equal as practicable in population as shown by the United States 2010 Census; were drawn to comply with the federal Voting Rights Act, and the California Voting Rights Act; are geographically contiguous and drawn to encourage compactness; were drawn with respect for the geographic integrity of neighborhoods and communities of interest; and were not drawn for the purpose of favoring or discriminating against an incumbent, political candidate, or political party.

SECTION 4. The City of El Cajon is hereby divided in to four Council districts, and the boundaries of the districts are more particularly depicted in Exhibit A, which is attached and incorporated by this reference.

SECTION 5. Section 1.18.010 of Chapter 1.18 of the El Cajon Municipal Code is hereby deleted.

SECTION 6. Sections 1.18.010, 1.18.020, 1.18.030 and 1.18.040 are hereby added to Chapter 1.18 of Title 1 of the El Cajon Municipal Code to read as follows:

Section 1.18.010 Election of Council Members.

The four city council members shall be elected from four districts and the Mayor shall be elected at-large. Each district councilmember shall reside within and be elected by voters within their respective district. Such districts shall be used in all matters concerning the appointment, recall, vacancy or any other aspects of that particular council seat.

Section 1.18.020 Map of Council Districts.

The city clerk shall maintain a map of the city showing the current boundaries and numbers of each city council district as may be established and amended from time to time by ordinance of the city council.

Section 1.18.030 2018 and 2020 City Council Elections.

A.   The city shall hold an election for the seat representing city council district one in November of 2018. The individual so elected shall fill the seat of the councilmember who was elected in November of 2014.

B.   The city shall hold elections for the seats representing city council districts two, three and four in November of 2020. The three individuals so elected shall fill the seats of the councilmembers who were elected in November of 2016.

Section 1.18.040 Mail Ballot Elections.

A.   The city council is authorized to conduct elections wholly by mail ballot as described in subsection (B) of this section. The city council shall determine whether an election will be conducted by mail at the time the election is called. Actions of the city council pursuant to this section shall be set forth in a resolution approved at a regular or special meeting of the city council.

B.   The following items may be the subject of a mail ballot election:

    1.   Any election to approve a special tax as required or authorized by Article XIII C of the California Constitution.

    2.   Any election to approve a property-related fee or charge as required or authorized by Article XIII D of the California Constitution.

    3.   Any assessment ballot proceeding required or authorized by Article XIII D of the California Constitution; provided, however, that such a proceeding shall be denominated an assessment ballot proceeding rather than an election.

C.   Elections authorized by this section shall be held on an established mailed ballot election date pursuant to California Elections Code section 1500.

D.   Elections authorized by this section shall be conducted in accordance with special provisions as may be adopted by resolution of the city council with respect to assessment ballot proceedings and elections for property-related fees and charges, and, with respect to elections on taxes, in accordance with the provisions for mail ballot elections set forth in California Elections Code sections 4100 et seq., as now exist or may hereafter be amended.

SECTION 7. SEPARABILITY. If any section, subsection, sentence, clause, phrase or portion of this ordinance is held invalid or unconstitutional for any reason by any court of competent jurisdiction, such portion shall be deemed a separate, distinct and independent provision and such holding shall not affect the validity of the remaining portions.

SECTION 8. That as of the effective date of this ordinance, all ordinances or parts of ordinances in conflict herewith are hereby repealed.

SECTION 9. That the City Clerk is hereby directed to certify the passage of this ordinance and to cause the same or a summary to be published in a newspaper of general circulation, printed and published in the City of El Cajon.

PASSED AND ADOPTED by the City Council of the City of El Cajon, California at a Regular Joint City Council/Housing Authority/Successor Agency to the El Cajon Redevelopment Agency Meeting held this 13th day of June 2017, by the following vote to wit:

AYES	:	Goble, Kendrick, McClellan, Wells
NOES	:	Kalasho
ABSENT	:	None
DISQUALIFY:		None

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_____BILL WELLS_____
Mayor of the City of El Cajon

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ATTEST:

_____BELINDA A. HAWLEY, CMC_____
City Clerk

I hereby certify that the above and foregoing is a full and true copy of Ordinance No. 5062 of the Ordinances of the City of El Cajon, California, as adopted by the City Council at the Regular Joint Meeting of the City Council/Housing Authority/Successor Agency to the Redevelopment Agency on the 13th day of June 2017.

Belinda A. Hawley, CMC, City Clerk

Adopt Districting Map of El Cajon 053117

05/23/17 (Item No. 101) – 1st Reading
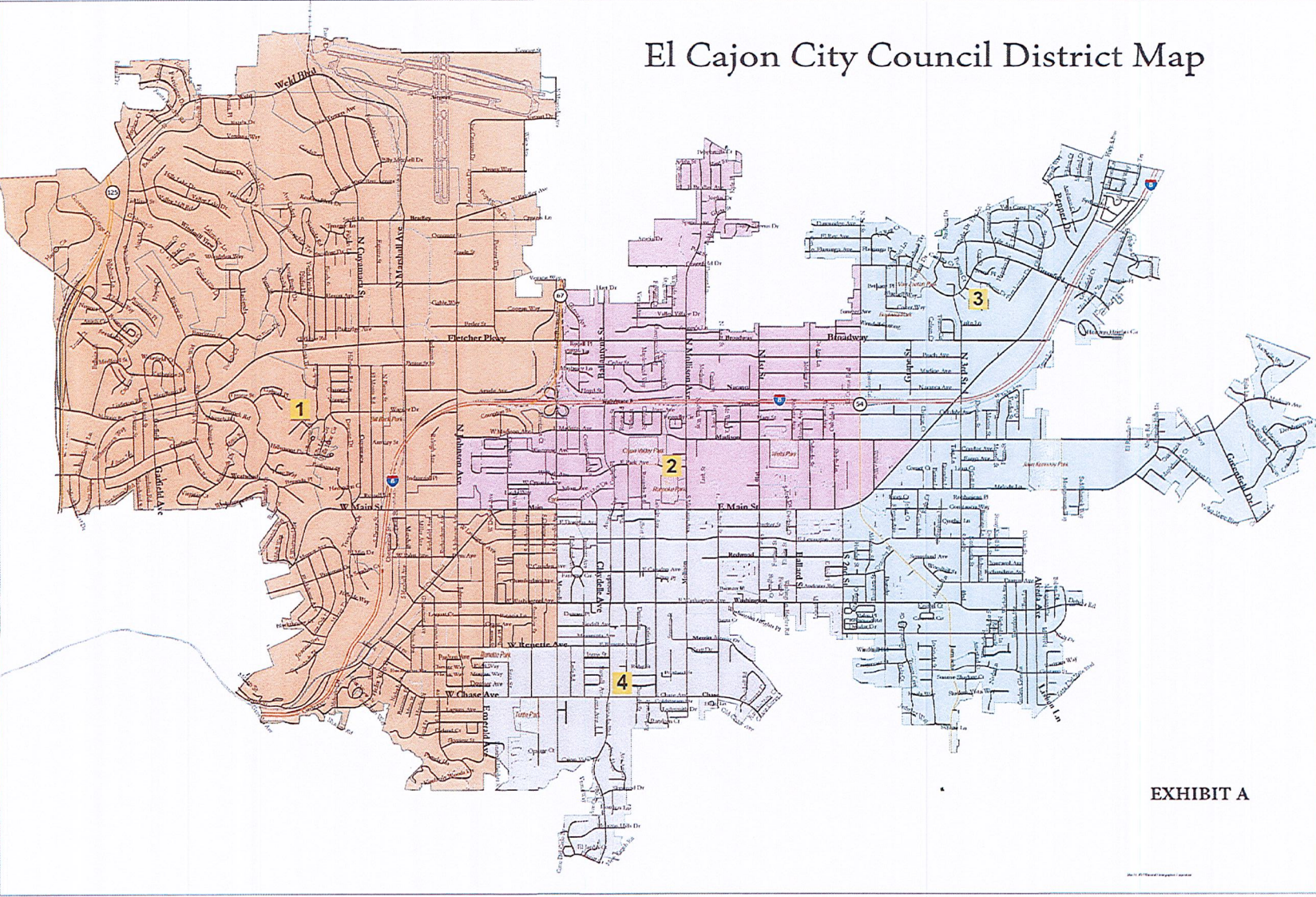06/13/17 (Item No. 14.1) – 2nd Reading

El Cajon City Council District Map

EXHIBIT A