

ORDINANCE NO. 1980

AN ORDINANCE OF THE CITY OF SANTA CLARA, CALIFORNIA, AMENDING CHAPTERS 2.10 ("CITY COUNCIL") and 2.125 ("MUNICIPAL ELECTIONS") OF TITLE 2 ("ADMINISTRATION AND PERSONNEL") OF "THE CODE OF THE CITY OF SANTA CLARA, CALIFORNIA"

BE IT ORDAINED BY THE CITY OF SANTA CLARA AS FOLLOWS:

WHEREAS, City Council directed the creation of a Charter Review Committee on April 11, 2017 to review the City's election method with a focus on district and other methods of electing members to the City Council in time for the June 2018 primary election;

WHEREAS, on July 18, 2017, the Charter Review Committee presented the following recommendations to City Council: the implementation of by-district elections; the establishment of two Council districts with three Council Members representing each district; changing the voting method for all elected officers to single transferrable vote method of ranked choice voting when supported by Santa Clara County Registrar of Voters; and, election of the three members of each district as well as alternating district elections between gubernatorial and presidential election years;

WHEREAS, the City Attorney's Office drafted the proposed ballot language to reflect the Charter Review Committee's recommendations, which was approved by City Council on December 5, 2017;

WHEREAS, on January 30, 2018, the City Council adopted resolutions calling for a special municipal election to be conducted in consolidation with Santa Clara County on June 5, 2018;

WHEREAS, on March 6, 2018, the City Council adopted Resolution No. 18-8500 to submit Measure 1 on the ballot of the June 5, 2018 special municipal election, which, if passed, would amend the City Charter to implement the aforementioned recommendations by the Charter Review Committee, and set forth the district boundary map;

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 four public hearings, two before a draft map is published and two after a draft map is

published, during which the public is invited to provide input regarding the composition of the districts, and provide comments on the draft maps;

WHEREAS, on January 30, 2018, City Council authorized the City Manager to establish the Ad Hoc Advisory Districting Committee to hold the required four public hearings;

WHEREAS, before any maps of the proposed boundaries of the districts were drawn, the Ad Hoc Advisory Districting Committee held public hearings on February 12, 2018, and March 8, 2018, at which time input from the public on the proposed district boundaries was invited and heard;

WHEREAS, at the public hearing on March 8, 2018, the Ad Hoc Advisory Districting Committee instructed its demographic consultant to develop district boundary map options containing two Council Districts;

WHEREAS, on March 19, 2018, consistent with the provisions of Elections Code section 10010, the City published and made available for release, all of the draft maps under consideration;

WHEREAS, as required by Elections Code section 10010, the Ad Hoc Advisory Districting Committee held two additional hearings on March 26, 2018, and April 12, 2018, at which the public was invited to provide input regarding the content of the draft maps and the potential sequence of elections;

WHEREAS, at the March 26, 2018 public hearing, members of the public provided the City and its demographic consultant with draft maps for consideration, and those provided in a timely manner were analyzed by the demographic consultant and published in accordance with Elections Code section 10010;

WHEREAS, on April 12, 2018, the Ad Hoc Advisory Districting Committee, after the public provided input, considered all the district boundary options and made a recommendation on a Council district boundary map (Attachment 1 – Council District Boundary Map) and election sequencing, to be implemented by ordinance;

WHEREAS, it is necessary to adopt a district boundary map and determine election sequencing prior to determining whether Measure 1 passes in the June 5, 2018 election in order to implement the districts for the 2018 election within the prescribed timeline set forth in Elections Code section 12262; and,

WHEREAS, on May 8, 2018, the Ad Hoc Advisory Districting Committee's recommendations were presented to City Council for adoption and the City Council accepted and approved the Ad Hoc Advisory Districting Committee's recommendations.

NOW THEREFORE, BE IT FURTHER ORDAINED BY THE CITY OF SANTA CLARA, AS FOLLOWS:

SECTION 1: That Section 2.10.010 ("Membership – Terms of office and election") of Chapter 2.10 ("City Council") of Title 2 ("Administration and Personnel") of "The Code of the City of Santa Clara, California" ("SCCC") is amended to read as follows:

"Section 2.10.010 Governing body.

The City Council is the governing body of the City, whose members shall be elected in accordance with the provisions of the Charter of the City of Santa Clara and the provisions of SCCC 2.125.090."

SECTION 2: That Section 2.125.090 ("Establishment of City Council electoral districts") is added to Chapter 2.125 ("Municipal Elections") of Title 2 ("Administration and Personnel") of "The Code of the City of Santa Clara, California" ("SCCC") to read as follows:

"Section 2.125.090 Establishment of City Council electoral districts.

Council members shall be elected in accordance with the provisions of Section 700.1 of the Charter of the City of Santa Clara, as amended by electors at an election held on June 5, 2018, on a by-district basis from Districts 1 and 2. The boundaries and identifying number of each District shall be as indicated on the official "Council District Boundary Map," which shall be on file and on public display in the City Clerk's Office."

SECTION 3: The "Council District Boundary Map" that is depicted on Attachment 1 to this Ordinance is hereby adopted.

SECTION 4: Savings clause. The changes provided for in this ordinance shall not affect any offense or act committed or done or any penalty or forfeiture incurred or any right established or accruing before the effective date of this ordinance; nor shall it affect any prosecution, suit or proceeding pending or any judgment rendered prior to the effective date of this ordinance. All fee schedules shall remain in force until superseded by the fee schedules adopted by the City Council.

SECTION 5: Effective date. This ordinance shall take effect upon adoption in accordance with Section 810 of "The Charter of the City of Santa Clara, California." The provisions of this Ordinance shall be suspended if the Charter of the City of Santa Clara is not amended by passage of Measure A in the June 5, 2018 special municipal election. Prior to its final adoption it shall be published in accordance with the requirements of Section 808 and 812 of "The Charter of the City of Santa Clara, California."

PASSED FOR THE PURPOSE OF PUBLICATION this 8th day of MAY, 2018, by the following vote:


AYES:	COUNCILORS:	Davis, Kolstad, Mahan, O'Neill, and Watanabe and Mayor Gillmor
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NOES:	COUNCILORS:	None
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ABSENT:	COUNCILORS:	Caserta
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ABSTAINED:	COUNCILORS:	None
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ATTEST:


JENNIFER YAMAGUMA
ACTING CITY CLERK
CITY OF SANTA CLARA

Attachments incorporated by reference:

1. Council District Boundary Map

**Boundaries follow centerlines of
El Camino Real and Lawrence Expressway.**

