



**TO:** Mayor and Councilmembers

**FROM:** Kristy Schmidt, Assistant City Manager

**CONTACT:** Deborah Lopez, City Clerk

**SUBJECT:** Second Reading Of Proposed Ordinance To Change To By-District Elections For the City Council and Adopting A Map Describing the Boundaries and Identifying Election Sequencing for Each Electoral District.

**RECOMMENDATION:**

Conduct second reading (by title only, waiving further reading) and adopt Ordinance No. 22-\_\_\_, entitled “An Ordinance of the City Council of the City of Goleta, California, Adding a New Chapter 2.16 to the Goleta Municipal Code to Change the System of Elections for Members of the City Council from an At-Large System to a By-District System and Adopting a Map Describing the Boundaries and Identifying Election Sequencing for Each Electoral District.”

**BACKGROUND:**

On May 16, 2017, the City adopted Resolution of Intention No. 17-17 to transition from at-large to district-based elections of City Councilmembers in November 2022. Beginning in early 2021, staff worked with the City’s Public Engagement Commission to design and implement a robust community District Drawing Process. Fifty-five maps were submitted for consideration and, following a special public hearing on January 26, 2022, the Public Engagement Commission recommended four maps to the City Council. In subsequent public hearings before the City Council, one of the maps recommended by the Public Engagement Commission with its proposed election sequencing, Plan 701, became a focus plan. With a minor adjustment to renumber the districts, Plan 701 (Attachment 1 and Exhibit A to Attachment 2) was selected by the City Council on February 24, 2022, as its preferred map.

All the maps considered are available for review at <https://drawgoleta.org/draft-maps/> and have also been loaded by NDC into an interactive tool which, among other things, allows the viewer to zoom in to see district boundaries in greater detail. This tool is available through the following link:

<https://ndcresearch.maps.arcgis.com/apps/View/index.html?appid=8d7cbd5588914037bd8e46188cb905b6>

On March 1, 2022, the City Council held its sixth and final public hearing to review the published focus maps and proposed sequencing and receive public comment on new proposed district boundaries. After public comment and discussion, Council formally selected Plan 701 (as renumbered) as the plan for district boundaries with the associated sequence of the elections for those districts as Districts 1 and 2 in November 2022 and Districts 3 and 4 in November 2024 (Attachment 2). Council conducted the first reading of the ordinance establishing the boundaries of the districts and the sequence of the elections for those districts.

**DISCUSSION:**

The purpose of this meeting is to conduct the second reading to adopt the ordinance establishing a by-district election process and election sequence for the four new council districts according to the selected Plan 701 as renumbered. The City Council must conduct a second reading of the ordinance prior to it going into effect. The ordinance will become effective on the thirty-first day after adoption. It should be noted that the original ordinance contained a scrivener's error in that the new chapter was incorrectly proposed as Chapter 2.090.1 adding sections 2.090.1 through 2.090.4 instead of as Chapter 2.16 adding new sections 2.16.010 through 2.16.040. The corrected numbering is not a substantive change and follows the City's numbering convention in the municipal code. The ordinance attached to this staff report incorporates the new Chapter 2.16 adding new sections 2.16.010 through 2.16.040.

**FISCAL IMPACTS:**

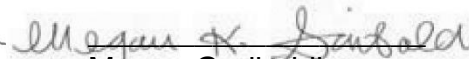
The City has budgeted \$80,000 to cover the cost of the consultant demographic and mapping services, legal counsel and any and all publications and/or mailers. So far, this amount appears to be sufficient. However, because this is such an important process, should additional resources be needed staff will return to Council to request them.

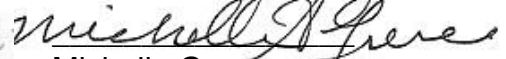
**Reviewed By:**

**Legal Review By:**

**Approved By:**

  
Kristine Schmidt  
Assistant City Manager

  
Megan Garibaldi  
City Attorney

  
Michelle Greene  
City Manager

**ATTACHMENTS:**

1. Plan 701 (Renumbered)
2. Ordinance No. 22-\_\_, entitled "An Ordinance of the City Council of the City of Goleta, California, Adding a New Chapter 2.16 to the Goleta Municipal Code to Change the System of Elections for Members of the City Council from an At-Large System to a By-District System and Adopting a Map Describing the Boundaries and Identifying Election Sequencing for Each Electoral District."

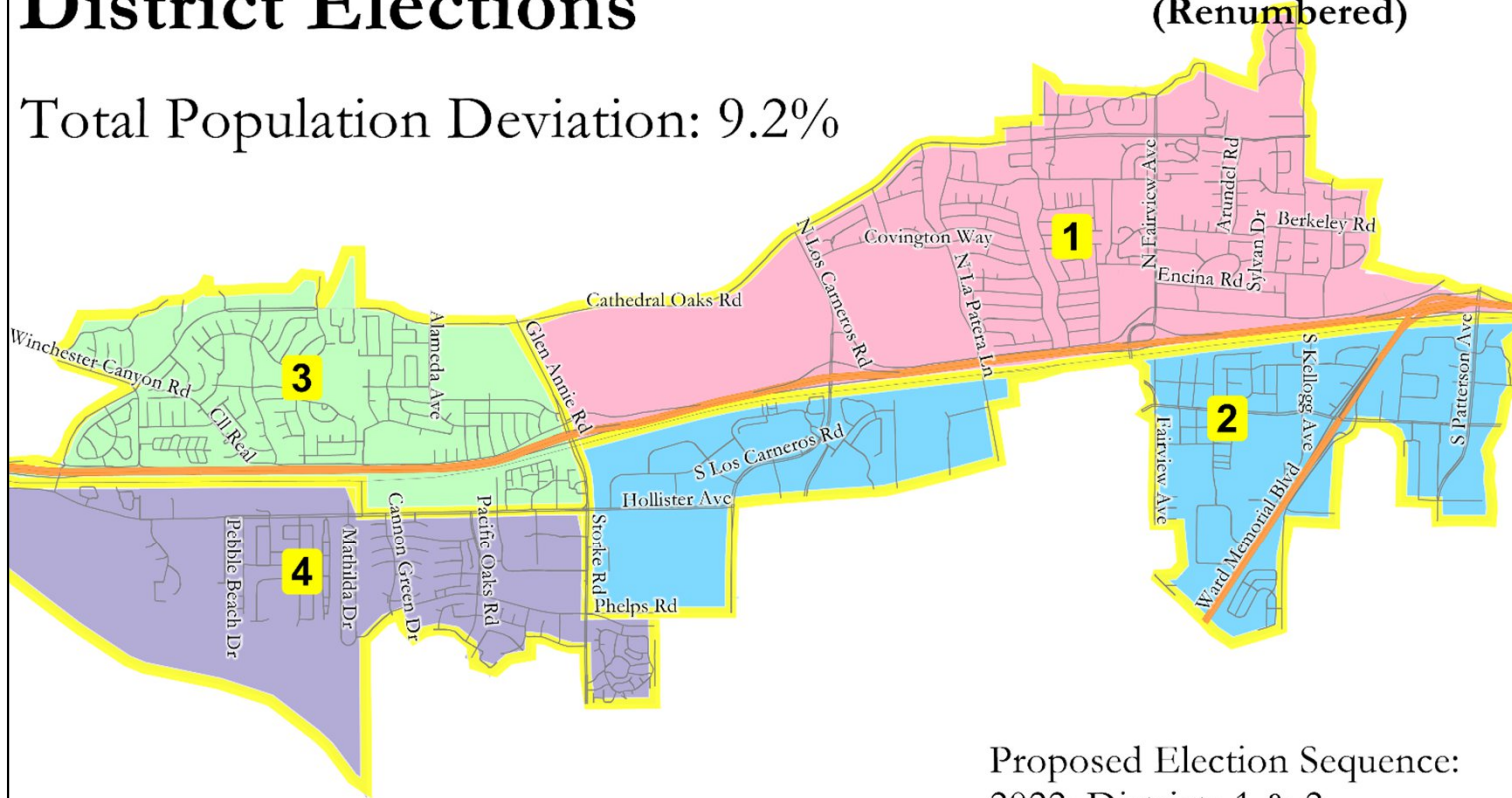
**Attachment 1**  
Plan 701 (Renumbered)

# Focus Plan

## City of Goleta 2021/22 Transition to District Elections

## Plan 701 Drafted by NDC (Renumbered)

Total Population Deviation: 9.2%



National Demographics Corporation, February 4, 2022

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## **Attachment 2**

Ordinance No. 22-\_\_\_, entitled "An Ordinance of the City Council of the City of Goleta, California, Adding a New Chapter 2.16 to the Goleta Municipal Code to Change the System of Elections for Members of the City Council from an At-Large System to a By-District System and Adopting a Map Describing the Boundaries and Identifying Election Sequencing for Each Electoral District."

**ORDINANCE NO. 22-\_\_**

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF GOLETA, CALIFORNIA, ADDING A NEW CHAPTER 2.16 TO THE GOLETA MUNICIPAL CODE TO CHANGE THE SYSTEM OF ELECTIONS FOR MEMBERS OF THE CITY COUNCIL FROM AN AT-LARGE SYSTEM TO A BY- DISTRICT SYSTEM AND ADOPTING A MAP DESCRIBING THE BOUNDARIES AND IDENTIFYING ELECTION SEQUENCING FOR EACH ELECTORAL DISTRICT**

**WHEREAS**, the City of Goleta (“City”) currently elects the members of the City Council using an at-large system of elections; and

**WHEREAS**, on February 6, 2017, the City was served a Notice asserting the City's at-large electoral system violated the California Voting Rights Act, and threatening litigation if the City declined to adopt by-district elections; and

**WHEREAS**, at its regular meeting on May 16, 2017, the City Council adopted Resolution No. 17-17 that initiated the process of establishing a district-based election system and adopting a proposed schedule; and

**WHEREAS**, pursuant to Government Code section 34886, the City Council has the authority to adopt an ordinance changing the system of elections in the City from an at-large elections system to a by-district elections system; and

**WHEREAS**, the City Council of the City now desires to adopt an ordinance changing the system of elections in the City from an at-large system of elections to a by-district elections system; and

**WHEREAS**, the change in method for electing members of the City Council is made in furtherance of the purposes of the California Voting Rights Act of 2001 (Elections Code section 14025, *et seq.*); and

**WHEREAS**, under the provisions of California Elections Code Section 10010, a city that changes from an at-large City Council method of election to a district-based City Council method of election requires a total of four public hearings, which includes 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 map(s); and

**WHEREAS**, four Public Workshops were held over a period of six months, on June 7, 2021, June 26, 2021, August 2, 2021 and November 4, 2021 to educate the public on the districting process, hear public input, answer questions, and demonstrate the tools available for the public to use to draw and submit their own maps; and

**WHEREAS**, in addition to the Public Workshops, the Public Engagement Commission received updates, took public comment, and provided feedback to staff on the Districting Process at its regular meetings on February 17, 2021, April 22, 2021, August 17, 2021, and December 9, 2021, and at a noticed public hearing on January 26, 2022; and

**WHEREAS**, on January 19, 2022, consistent with the provisions of California Elections Code section 10010, the City published and made available for release, 55 draft maps for consideration by the Council, 4 of which were prepared by the City's demographic consultant and 51 of which were prepared and submitted to the City by members of the public, together with the potential sequence of the elections; and

**WHEREAS**, on February 4, 2022, consistent with the provisions of California Elections Code section 10010, the City published and made available for release, a revision of the map titled "Plan 701" that was prepared by the City's demographic consultant for consideration by the Council, together with the potential sequence of the elections; and

**WHEREAS**, pursuant to the requirements of Elections Code section 10010, the Public Workshop on August 2, 2021 was noticed as a workshop in lieu of a first public hearing, as permitted under Election Code section 21607.1; and

**WHEREAS**, pursuant to the requirements of Elections Code section 10010, in addition to the August 2, 2021 workshop in lieu of a public hearing, the City Council held noticed public hearings on August 17, 2021, February 1, 2022, February 3, 2022, and February 24, 2022, in order to receive testimony regarding the potential composition of City Council districts; and

**WHEREAS**, throughout the foregoing process, the City engaged in a significant amount of public outreach and engagement as required by California Elections Code Section 10010; and

**WHEREAS**, after the Public Hearing on February 24, 2022, the City Council selected the revised Plan 701 (Exhibit A) as its preferred map and sequencing and directed staff to return with actions necessary to implement district elections for the November 2022 General Election; and

**WHEREAS**, on March 1, 2022, following a final public hearing, the City Council conducted the first reading of an ordinance to establish by-district elections in four single-member districts in the City, adopt the map describing the boundaries, identify the four City Council districts in the City, and establish elections sequencing for each district.

**NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF GOLETA DOES HEREBY ORDAIN AS FOLLOWS:**

**SECTION 1.** The above recitals are true and correct and incorporated herein by this reference.

**SECTION 2.** A new Chapter 2.16 "City Council Elections By-District" is hereby added to the Goleta Municipal Code to read in its entirety as follows:

**"CHAPTER 2.16 CITY COUNCIL ELECTIONS BY-DISTRICT**

- 2.16.010 Declaration of Purpose
- 2.16.020 By-District Elections for City Council
- 2.16.030 City Council Districts Established
- 2.16.040 Commencement of By-District Elections

### **2.16.010 Declaration of Purpose**

The City Council of the city hereby declares the purpose of this Chapter is to further the purposes of the California Voting Rights Act of 2001 (Elections Code section 14025, *et seq.*), as amended.

### **2.16.020 By-District Elections for City Council**

A. Pursuant to Government Code section 34886, members of the City Council shall be elected by-district in four single-member districts. Members of the City Council shall be elected by-district, as that term is defined in Government Code section 34871(a), as amended, 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.

B. Pursuant to Government Code section 34882, 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 reside 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 Elections Code section 10227.

### **2.16.030 City Council Districts Established**

A. The boundaries and identifying number of each of the four City Council districts shall be as described in **NDC Plan 701** to establish the City Council electoral districts in the City (attached as Exhibit A); and incorporated by this reference.

B. The City Council districts described in subsection A, above, shall continue in effect until they are amended or repealed in accordance with law. The boundaries of the City Council districts shall be reapportioned from time to time as required by the Elections Code, or any other applicable law.

### **2.16.040 Implementation of By-District Elections**

A. The by-district system of elections shall be implemented, beginning at the general municipal election to be held November 8, 2022, as follows:

1. Members of the City Council shall be elected in Districts 1 and 2 and beginning at the general municipal election of November 2022, and every four years thereafter; and

2. Members of the City Council shall be elected in Districts 3 and 4 beginning at the general municipal election of November 2024, and every four years thereafter.

B. No term of any member of the City Council that commenced prior to the effective date of this Chapter shall be affected by the adoption of this Chapter.”

**SECTION 3.** If any section, subsection, 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, such decision shall not affect the validity of the remaining sections, subsections, sentences, clauses, phrase, or portions of this ordinance. The City Council hereby declares that it would have adopted this ordinance and each section, subsection, sentence, clause, phrase, or portion thereof, irrespective of the fact of the fact



that any one or more sections, subsections, sentences, clauses, phrases, or portions be declared invalid or unconstitutional.

**SECTION 4.** This ordinance shall become effective 30 days after its adoption.

**SECTION 5.** The City Clerk shall certify to the adoption of this ordinance and shall cause a copy of the same to be published in a manner prescribed by law.

**INTRODUCED ON** the 1<sup>st</sup> day of March, 2022.

**PASSED, APPROVED, AND ADOPTED** this \_\_\_\_ day of \_\_\_\_\_, 2022.

\_\_\_\_\_  
PAULA PEROTTE  
MAYOR

**ATTEST:**

**APPROVED AS TO FORM:**

\_\_\_\_\_  
DEBORAH S. LOPEZ  
CITY CLERK

\_\_\_\_\_  
MEGAN GARIBALDI  
CITY ATTORNEY

STATE OF CALIFORNIA )  
COUNTY OF SANTA BARBARA ) ss.  
CITY OF GOLETA )

I, DEBORAH S. LOPEZ, City Clerk of the City of Goleta, California, do hereby certify that the foregoing Ordinance No. 22-\_\_ was introduced on March 1, 2022 and adopted at a regular meeting of the City Council of the City of Goleta, California, held on the 15<sup>th</sup> day of March 2022, by the following roll-call vote, to wit:

AYES:

NOES:

ABSENT:

ABSTENTIONS:

(SEAL)

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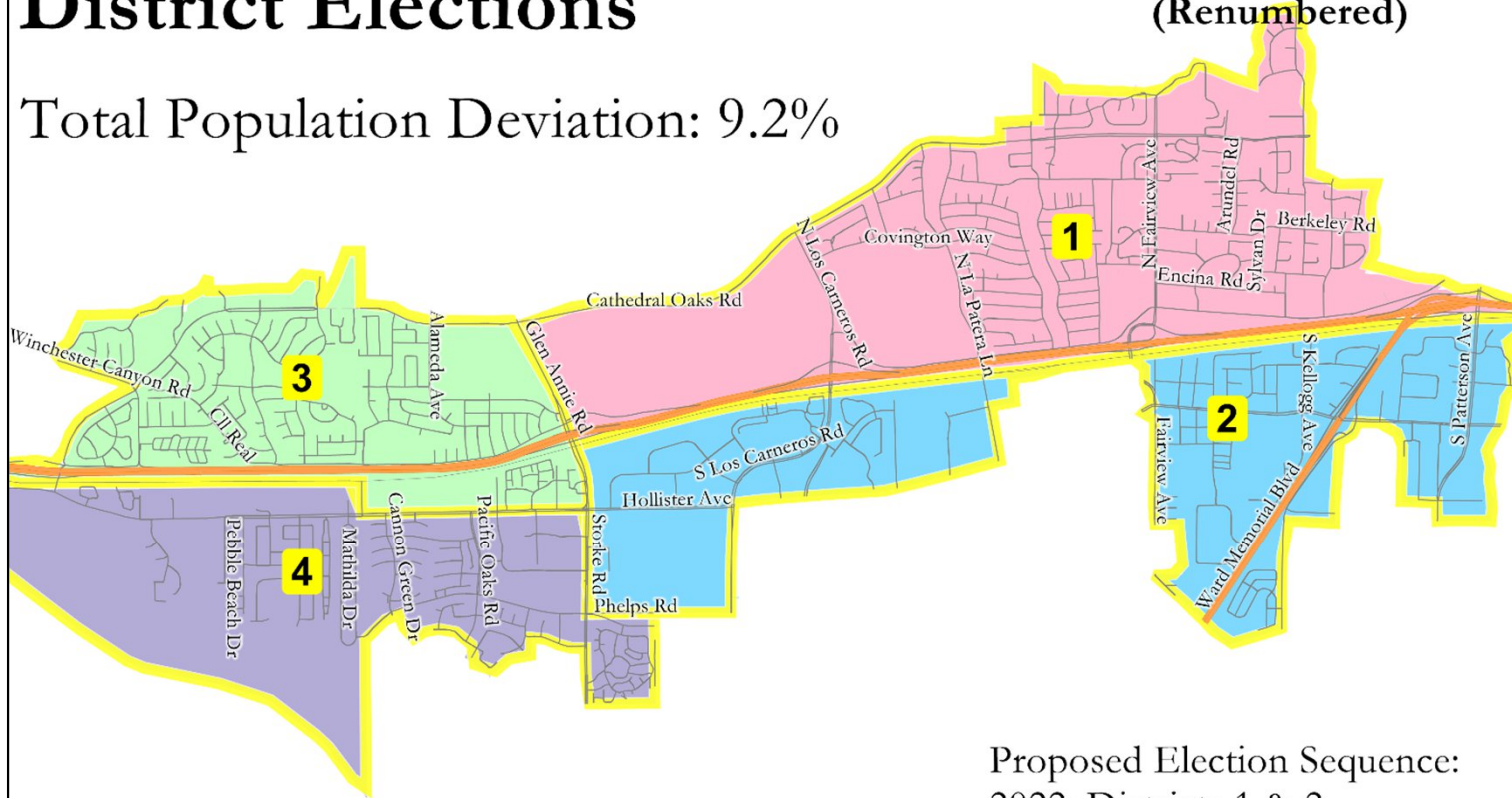
DEBORAH S. LOPEZ  
CITY CLERK

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