

**ORDINANCE NO. 551**

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SANTEE, CALIFORNIA, ADDING CHAPTER 2.38 TO THE SANTEE MUNICIPAL CODE, PROVIDING FOR THE ELECTION OF MEMBERS OF THE CITY COUNCIL BY FOUR DISTRICTS, ESTABLISHING THE BOUNDARIES AND IDENTIFICATION NUMBER OF EACH DISTRICT, AND ESTABLISHING THE ELECTION ORDER OF EACH DISTRICT**

**WHEREAS**, the City of Santee, California, currently elects four Council Members and a Mayor using an at-large election system; and

**WHEREAS**, pursuant to its authority under the Santee City Charter and Government Code Section 34886, the City Council is authorized to change the City's method of election by ordinance, with certain formalities, to a "by-district" system in which each Council Member is elected only by the voters in the district in which the candidate resides; and

**WHEREAS**, under the provisions of Elections Code Section 10010, a city that changes from an at-large city council method of election to a by-district city council method of election requires a total of five 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 maps; and

**WHEREAS**, the City engaged an expert demographic firm to assist the City with the process of analyzing the City's population, developing draft maps, and gathering input from residents on the possible maps; and

**WHEREAS**, on January 10, 2018, the City Council adopted Resolution No. 002-2018, a Resolution declaring the City's intention to consider the transition from at-large to by-district elections pursuant to the Santee City Charter, Elections Code Section 10010, and Government Code Section 34886; and

**WHEREAS**, at regular meetings of the City Council held on January 24, 2018, and February 14, 2018, the City Council held two 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**, thereafter, at regular meetings of the City Council held on March 14, 2018, and March 28, 2018, 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 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 the regular meeting of the City Council held on March 28, 2018, the City Council directed staff to draft an ordinance adopting the voting district map known as Map "A" and putting Council Districts 1, 2, and 3 on the 2018 ballot (with the Council Member from District 3 to serve an initial two-year term), and Council Districts 3 and 4 on the 2020 ballot; and

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**WHEREAS**, at the regular meeting of the City Council held on April 11, 2018, the City Council held a final Public Hearing on the proposal to establish district boundaries, reviewed additional public input, formally selected the voting district map and the election sequence attached to, incorporated in, and set forth in this Ordinance, which was introduced for a first reading at the same regular meeting of the City Council; and

**WHEREAS**, throughout the foregoing process, the City engaged in a significant amount of public outreach and the City Council has satisfied all legal prerequisites to the enactment of this Ordinance; and

**WHEREAS**, the purpose of this Ordinance is to enact, pursuant to the Santee City Charter and Government Code Section 34886, an ordinance providing for the election of the members of the City Council of the City of Santee by district in four single-member districts as reflected in Exhibit A to this Ordinance, with the Mayor elected at-large.

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

**SECTION 1.** Chapter 2.38 is hereby added to Title 2 of the Santee Municipal Code to read as follows:

### **2.38 CITY COUNCIL ELECTIONS**

#### **2.38.010 Declaration of Purpose.**

The City Council of the City of Santee intends to change from at-large elections to by-district elections.

#### **2.38.020 City Council Districts Established.**

Four City Council districts are hereby established in the City of Santee. The boundaries and identifying number of each district shall be as described on the City of Santee Council District Map attached hereto as Exhibit "A," a copy of which shall be on file in the City Clerk's office.

#### **2.38.030 Election of Members of the City Council by District.**

- A. Members of the City Council shall be elected in the electoral districts established by Section 2.38.020 of this Chapter and subsequently reapportioned as provided by State law. Elections shall take place "by district" as that term is defined in California Government Code Section 34871, meaning one Council Member shall be elected from each district, by the voters of that district alone.

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- B. No term of any Member of the City Council that commenced prior to the effective date of this Ordinance shall be affected by the adoption of this Ordinance.
- C. A Council Member elected or appointed 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.
- D. Termination of residency in a district by a Council Member shall create a vacancy for that City Council district unless a substitute residence within the district is immediately declared and established within thirty (30) days after the termination of residency.
- E. Notwithstanding any other provision of this Section, the Council Members in office at the time this Chapter takes effect shall continue in office until the expiration of the term to which he or she was elected. In the event a vacancy occurs before the expiration of the term of a Council Member in office at the time this Chapter takes effect, a person who is appointed or elected by special election to fill such vacancy may reside anywhere within the corporate boundaries of the City. A person appointed or elected to fill such a vacancy shall hold the office in accordance with Government Code Section 36512.
- F. Except for the initial two-year term described in Section 2.38.040(B), the terms of the office of each Member elected to the City Council shall remain four (4) years.

### **2.38.040 Commencement of By-District Elections.**

The by-district system of elections shall be implemented, beginning at the general municipal election held in November 2018, as follows:

- A. Members of the City Council shall be elected in Districts 1 and 2 beginning at the general municipal election in November 2018, and every four years thereafter; and

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- B. A Member of the City Council shall be elected in District 3 at the general municipal election in November 2018 to serve an initial two year term, and beginning at the general election in November 2020, will be elected every four years thereafter; and
- C. A Member of the City Council shall be elected in District 4 beginning at the general municipal election in November 2020, and every four years thereafter.

### **2.38.050 Amendment of District Boundaries.**

Pursuant to Elections Code Section 21601, as it may be amended from time to time, the City Council shall adjust the boundaries of any or all of the districts following each decennial federal census to ensure that the districts are in compliance with all applicable provisions of law.

**SECTION 2.** CEQA. Based upon the whole of the administrative record before it, the City Council hereby finds that a transition from at-large to by-district elections is exempt from environmental review under the California Environmental Quality Act ("CEQA") (Pub. Res. Code, § 21000 et seq.) pursuant to State CEQA Guidelines (Cal. Code Regs., tit. 14, § 15000 et seq.) Sections 15061(b)(3), 15320, and 15378(b)(3). Adoption of this Ordinance is an organizational and administrative activity of the City, does not have the potential to result in either a direct or reasonably foreseeable indirect physical change in the environment, and is therefore not a project for purposes of CEQA (State CEQA Guidelines, §§ 15061(b)(3); 15378(b)(5)). In the event adoption of this Ordinance does constitute a project, it is categorically exempt under the Class 20 (Changes in the Organization of Local Governments) categorical exemption (State CEQA Guidelines, § 15320). Further, none of the exceptions to the exemptions found in State CEQA Guidelines Section 15300.2 apply. Staff is hereby directed to prepare, execute and file with the San Diego County Clerk a CEQA Notice of Exemption within five (5) working days of the adoption of this Ordinance.

**SECTION 3.** If necessary to facilitate the implementation of this Ordinance, the City Clerk is authorized to make technical adjustments to the district boundaries that do not substantively affect the populations in the districts, the eligibility of candidates, or the residence of elected officials within any district. The City Clerk shall consult with the City Manager and City Attorney concerning any technical adjustments deemed necessary and shall advise the City Council of any such adjustments required in the implementation of the districts.

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**SECTION 4.** Severability. If any Section, subsection, subdivision, paragraph, sentence, clause or phrase of this Ordinance or any part thereof is for any reason held to be unconstitutional, such decision shall not affect the validity of the remaining portion of this Ordinance or any part thereof. The City Council of the City of Santee hereby declares that it would have passed each Section, subsection, subdivision, paragraph, sentence, clause or phrase thereof, irrespective of the fact that any one or more Section, subsection, subdivision, paragraph, sentence, clause or phrases be declared unconstitutional.

**SECTION 5.** This Ordinance shall become effective immediately upon its adoption.

**SECTION 6.** The City Clerk is hereby directed to certify the adoption of this Ordinance and cause the same to be published as required by law.

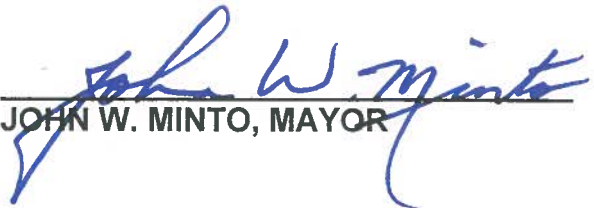
**INTRODUCED AND FIRST READ** at a Regular Meeting of the City Council of the City of Santee, California, on the 11<sup>th</sup> day of April, 2018, and thereafter **ADOPTED** at a Regular Meeting of the City Council held on this 25<sup>th</sup> day of April, 2018, by the following roll call vote to wit:

**AYES: HALL, HOULAHAN, MINTO**

**NOES: JONES, MCNELIS**

**ABSENT: NONE**

**APPROVED:**

  
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**JOHN W. MINTO, MAYOR**

**ATTEST:**

  
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**ANNETTE ORTIZ, CITY CLERK**

Attachment: Exhibit A – City of Santee District Map

# Exhibit A

## City of Santee Council District Map

**Map layers**

- Map B
- Water Area
- Landmark Point
- Landmark Area
- Pipeline/Power Line
- Railroad
- River
- Street

