

## ORDINANCE NO. O-2018-03

### AN EMERGENCY ORDINANCE OF THE CITY COUNCIL OF THE CITY OF PLACENTIA, CALIFORNIA ADDING CHAPTER 2.10 ENTITLED "CITY COUNCIL DISTRICT BOUNDARIES" AND ADOPTING A MAP ESTABLISHING THE BOUNDARIES AND IDENTIFICATION NUMBER OF EACH ELECTORAL DISTRICT

#### City Attorney Summary

This Emergency Ordinance would add Chapter 2.10 to the City of Placentia Municipal Code establishing district boundaries for the five City Council districts. At the November 2016 election, the electorate approved a measure amending the City's Charter to change from an at-large system of electing members of the City Council to a by-district system of election. Section 600 of the City's Charter provides that the City Council shall consist of five (5) members elected from the City by-district. This Ordinance adopts a map establishing the boundaries and identification number of each of the City Council electoral districts pursuant to subdivision (c) of Section 600 of the City's Charter. This Ordinance qualifies as an Emergency Ordinance under Section 615 of the City's Charter as it is necessary to comply with the terms of the Settlement Agreement between the City and Joseph V. Aguirre and ensure that the Orange County Registrar of Voters has sufficient time to implement the new by-district election method in time for the City's November election.

#### A. Recitals

(i) At the City's General Municipal Election held on November 8, 2016, a measure was placed on the ballot to amend the City Charter to provide for the by-district election of members of the City Council.

(ii) The measure was placed on the November 2016 ballot pursuant to a settlement agreement that the City entered into with Joseph V. Aguirre in February of 2016 and that was subsequently amended in July of 2016 ("Settlement Agreement").

(iii) The City's electorate approved the Charter amendment by a majority vote at the November 8, 2016 General Municipal Election.

(iv) The Charter amendment repealed and replaced Sections 600 and 601 of the City Charter and established by-district election for the five members of the City Council.

(v) Subsection (c) of Section 600 of the Charter provides that the five (5) Council districts are "to be determined by the City Council in any manner provided by law."

(vi) 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 two public hearings over a period of no more than thirty (30) days, at which the public is invited to provide input regarding the composition of the districts.

(vii) Pursuant to the requirements of Elections Code Section 10010, the City Council held public hearings on February 6, 2018 and February 20, 2018 prior to drawing draft maps of the proposed district boundaries to receive input from the public regarding the composition of the districts.

(viii) Under the provisions of California Elections Code Section 10010, a political subdivision shall hold at least two additional hearings over a period of no more than 45 days, after draft maps are drawn, at which the public is invited to provide input regarding the content of the draft maps and the proposed sequence of elections.

(ix) Pursuant to the requirements of Elections Code Section 10010, after the district maps were drawn, the City Council held public hearings regarding the proposed draft maps on March 20, 2018 and May 1, 2018 to receive public input regarding the draft maps, and received proposed draft maps from members of the public.

(x) While not required under the Elections Code, the City also held a community forum on March 28, 2018 to receive additional public input regarding the proposed draft maps and answer the public's questions regarding the district-drawing process.

(xi) On May 1, 2018, the City Council selected one of the proposed district maps establishing the district boundaries and identification number of each electoral district, which is attached hereto as Exhibit "A."

(xii) Pursuant to the Settlement Agreement, because the Charter amendment measure passed during the November 2016 election, the City is required to approve and adopt one of the final district map plans by May 1, 2018. The Settlement Agreement also provides that the City shall submit the district plans to the Orange County Elections Department to implement the new by-district election method in time for the City's November 2018 general election.

(xiii) The City of Placentia consolidates its general municipal election with the statewide general election. The County of Orange conducts the elections on behalf of the City and canvasses the election results.

(xiv) Therefore, the City Council finds and determines that the preservation of the public peace, health, and safety requires that this Ordinance be enacted as an emergency ordinance pursuant to Section 615 of the City Charter and take effect immediately upon adoption. If this Ordinance does not become effective immediately, but instead becomes effective thirty days after its adoption, the City may not be able to transmit the district boundaries and identification numbers of the districts to the Orange

County Registrar of Voters in time for implementation of the new by-district election system for the November 2018 election. The Emergency Ordinance is also necessary in order to meet the May 1, 2018 deadline set forth in the Settlement Agreement. Therefore, this Ordinance is necessary for the preservation of the public peace, health, and safety, and its urgency is hereby declared.

**B. Ordinance**

NOW, THEREFORE, the City Council of the City of Placentia does hereby find, determine and ordain as follows:

SECTION 1. Title 2 of the City's Municipal Code is hereby amended by adding Chapter 2.10 titled "City Council District Boundaries" to read as follows:

2.10 - City Council District Boundaries

2.10.010 District Boundaries. Pursuant to Section 600 of the City Charter, the boundaries for the five (5) City Council districts and the identification number of each district shall be as described on the Council District Map attached hereto as Exhibit "A" and incorporated herein by this reference.

2.10.020 Council Elections Sequenced. Pursuant to Section 600 of the City Charter, the members of the Council elected by the second and fourth Council districts shall be elected commencing in the year 2018 to the Council seats then open, and in each fourth year thereafter. The members of the Council elected by the first, third, and fifth Council districts shall be elected commencing in the year 2020 to the Council seats then open, and in each fourth year thereafter.

2.10.030 Changes in Boundaries of Council Districts. The City Council may adjust the boundaries of any or all of the districts as provided in Section 600 of the City Charter."

SECTION 2. Severability. If any section, subsection, sentence, clause, phrase, or portion of this Ordinance or Chapter 2.10 is for any reason held to be invalid or unenforceable by a court of competent jurisdiction, the remaining portions of this Ordinance shall nonetheless remain in full force and effect. The City Council of the City of Placentia hereby declares that it would have adopted each section, subsection, sentence, clause, phrase, or portion of this Ordinance, irrespective of the fact that any one or more sections, subsections, sentences, clauses, phrases, or portions of this Ordinance be declared invalid or unenforceable.

SECTION 3. The Mayor shall sign and the City Clerk shall certify to the passage and adoption of this Ordinance and shall cause the same, or the summary thereof, to be published and posted pursuant to the provisions of law and this Ordinance shall take effect immediately upon its adoption.

**PASSED, APPROVED AND ADOPTED this 1st day of May, 2018.**



Chad P. Wanke, Mayor

ATTEST:

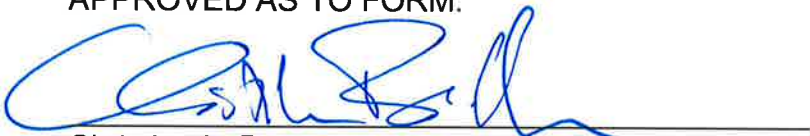
  
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Patrick J. Melia, City Clerk

I, Patrick J. Melia, City Clerk of the City of Placentia, do hereby certify that the foregoing Ordinance was adopted at a regular meeting of the City Council of the City of Placentia, held on the 1st day of May, 2018 by the following vote:

AYES:	Councilmembers:	Green, Smith, Yamaguchi, Shader, Wanke
NOES:	Councilmembers:	None
ABSENT:	Councilmembers:	None
ABSTAIN:	Councilmembers:	None

  
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Patrick J. Melia, City Clerk

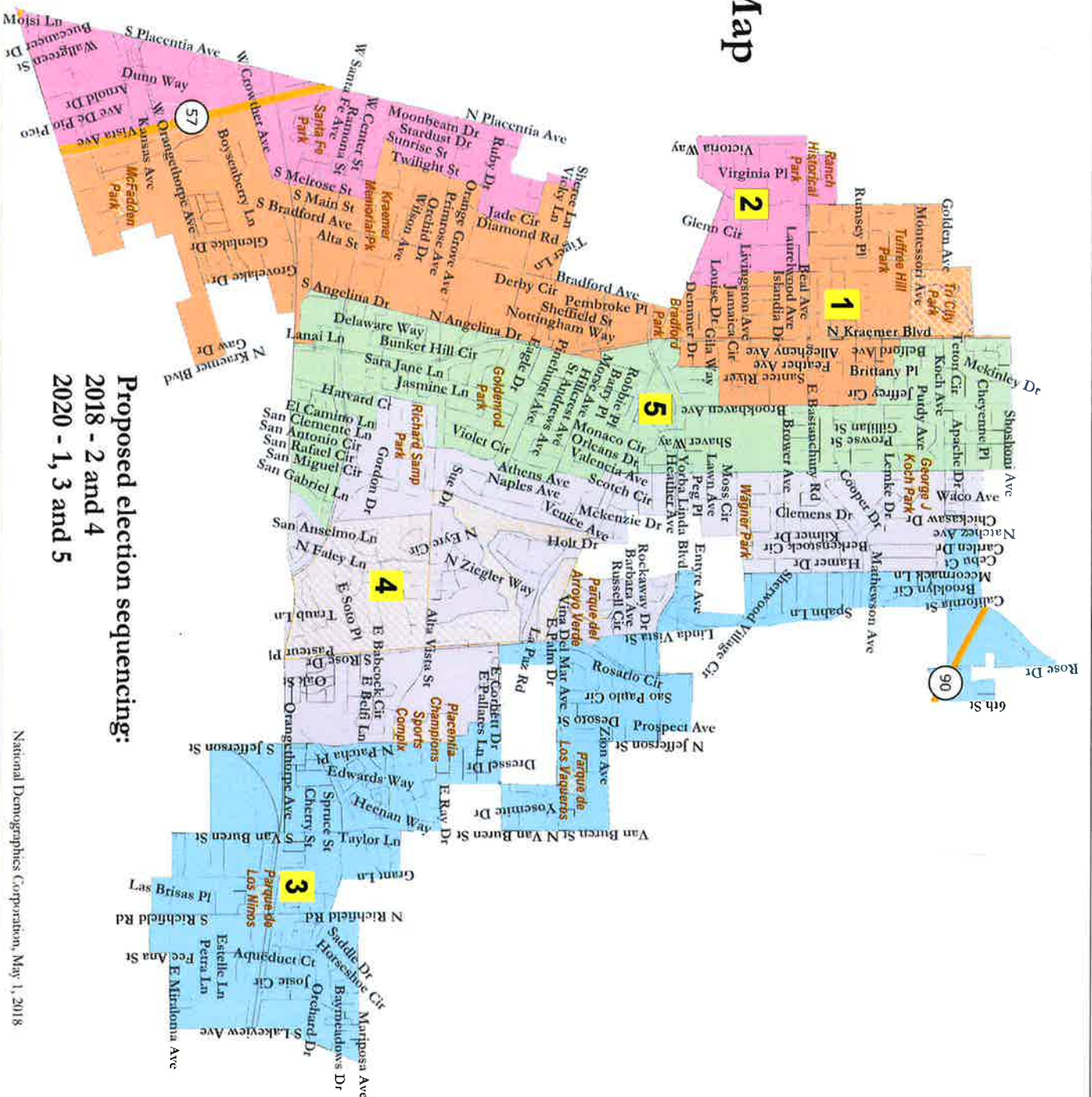
APPROVED AS TO FORM:

  
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Christian L. Bettenhausen, City Attorney

# City of Placentia 2018 Districting

## Council District Map

- Map layers**
- Council Districts
  - Census Block final
  - Water Area
  - Landmark Area
  - Pipeline/Power Line
  - Railroad
  - River
  - Streets



**Proposed election sequencing:  
2018 - 2 and 4  
2020 - 1, 3 and 5**