

ORDINANCE NO. 1327

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SANTA PAULA, CALIFORNIA, ADDING SECTION 30.07 TO CHAPTER 30 OF TITLE III OF THE SANTA PAULA MUNICIPAL CODE ESTABLISHING BY-DISTRICT ELECTIONS, DEFINING DISTRICT BOUNDARIES, AND SCHEDULING ELECTIONS WITHIN THE DISTRICTS

WHEREAS, the City of Santa Paula currently elects five Councilmembers using an at-large election system; and

WHEREAS, the City received a letter on February 22, 2022, from attorney Jason Dominguez on behalf of "a large segment of the population and on behalf of Laura Espinosa", alleging non-compliance with the California Voting Rights Act ("CVRA") and threatening litigation if the City declines to voluntarily change to a district-based election system for electing councilmembers; and

WHEREAS, in response to the demand letter the City Council has determined that it is in the best interest of the City to shift from its current at-large election system to a by-district election system; and

WHEREAS, on April 6, 2022, the City Council at a regular meeting adopted Resolution No. 7393, a resolution declaring the City's intention to transition from at-large to district-based elections pursuant to Elections Code Section 10010; and

WHEREAS, California Government Code section 34886 permits the City Council to change the City's method of election by ordinance, with certain formalities, to a "by-district" system in which each Councilmember is elected only by the voters in the district in which the candidate resides; and

WHEREAS, pursuant to California Government Code section 34886, it is declared that the purpose of the change in the method of electing members of the City Council made by this Ordinance is to implement the guarantees of Section 7 of Article I (Equal Protection) and of Section 2 of Article II (Right to Vote) of the California Constitution, as set forth in Sections 14025 through 14032 of the California Elections Code; and

WHEREAS, the City engaged an expert demographic consultant 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, in accordance with Elections Code section 10010, and in the interest of engaging the public in the shift to by-district elections, the City Council held two public hearings on August 3 and August 17, 2022 and three community workshops on September 14, October 6, and December 1, 2022 to obtain input on any proposed district boundaries; and

WHEREAS, on January 11, 2023, the City's demographer made available for

public review on the City's districting website ten (10) draft maps submitted by the public and four (4) draft maps prepared by the demographer based on public input from past meetings; and

WHEREAS, on January 18, 2023, the City Council held a public hearing at which the public was invited to provide input regarding the content of the draft maps and the sequence of elections; and

WHEREAS, throughout the foregoing process, the City engaged in a significant amount of public outreach and engagement beyond the public hearings and other procedures required by California Elections Code Section 10010, including but not limited to hosting four community workshop meetings, creating a dedicated district elections web page and a social media outreach approach. Additional outreach included email or phone contact with nearly 120 community leaders, organizations, residents and media contacts, several press releases, which were featured in the Santa Paula Times, advertisements on Spectrum Channel 10, emails to website districting subscribers, and process flyers posted to the website; and

WHEREAS, at its March 1, 2023 regular meeting, and the fifth public hearing, the City Council introduced, read by title, and waived further reading of this Ordinance; and

WHEREAS, the City Council considered all oral and written information, testimony, and comments received during the public review process. All draft maps were published more than seven days before the public hearing at which they were discussed; and

WHEREAS, the purpose of this Ordinance is to enact, pursuant to California Government Code section 34886, an ordinance providing for the election of Santa Paula City Councilmembers by district in five single-member districts as reflected in Exhibit A to this Ordinance.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF SANTA PAULA DOES ORDAIN AS FOLLOWS:

SECTION 1. Incorporation of Recitals. The above recitals are true and correct and are incorporated herein by this reference.

SECTION 2. By-District Elections. Section 30.07 is hereby added to Chapter 30 of Title III of the Santa Paula Municipal Code to read as follows:

"§ 30.07 – By-District Elections.

(A) By-District Elections. Pursuant to California Government Code section 34886, members of the City Council shall be elected by-district in five (5) single-member districts.

1. Councilmembers shall be elected in the electoral districts established by subdivision B of this Section 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 Councilmember shall be elected from each district, by the voters of that district alone.

2. A Councilmember 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.
3. Termination of residency in a district by a Councilmember 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.
4. Notwithstanding any other provision of this Section, the Councilmembers in office at the time this Section 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 Councilmember in office at the time this Section 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 general law and applicable provisions of the Santa Paula Municipal Code.

(B) Council Districts and District Elections. All five Councilmembers shall be elected on a "by-district" basis from the Council districts shown and numbered on the map titled 'City of Santa Paula District Map' attached as Exhibit A, a copy of which shall be on file in the City Clerk's office. In 2024, and every four years thereafter, the following two Council districts shall be elected by-district: District 1 and District 5. In 2026, and every four years thereafter, the following three Council districts shall be elected by-district: District 2; District 3; and District 4.

(C) Amendment of District Boundaries. Pursuant to Elections Code section 21601, as it may be amended from time to time, the 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 3. 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. Resources 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 Ventura County Clerk a CEQA Notice of Exemption within five (5) working days of the adoption of this Ordinance.

SECTION 4. Severability. If any provision of this Ordinance or the application thereof to any person or circumstance is held invalid, such invalidity shall not affect other provisions or applications, and to this end the provisions of this Ordinance are declared to be severable.

SECTION 5. Effective Date. This Ordinance shall become effective thirty (30) days following its adoption.

SECTION 6. Publication. The City Clerk shall certify to the adoption of this Ordinance and shall cause a summary of the same to be published in a newspaper of general circulation and then be published and circulated in the City of Santa Paula within fifteen (15) days following its adoption, pursuant to Government Code § 36933.

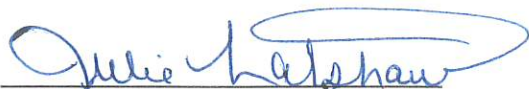
PASSED, APPROVED AND ADOPTED this 15th day of March, 2023 by the following vote:

AYES: CROSSWHITE, CHAVEZ, SOBEL
NOES: JUAREZ, CORNEJO
ABSENT: NONE
ABSTAIN: NONE



Andy Sobel
Mayor

ATTEST:



Julie Latshaw
City Clerk



APPROVED AS TO FORM:



Monica Castillo
Interim City Attorney


CERTIFICATION

STATE OF CALIFORNIA)
COUNTY OF VENTURA) ss
CITY OF SANTA PAULA)

I, Julie Latshaw, City Clerk, hereby certify that the attached is a true copy of Ordinance No. 1327, introduced by the City Council of the City of Santa Paula, California, at a City Council meeting held the 1st day of March, 2023. Ordinance No. 1327 was passed, approved and adopted at a regular City Council meeting held at the 15th day of March, 2023.

WITNESS my hand and official seal of the City of Santa Paula this 15th day of MARCH, 2023.




Julie Latshaw
City Clerk

CERTIFICATION

CITY OF SANTA PAULA)
COUNTY OF VENTURA)§
STATE OF CALIFORNIA)

I, Julie Latshaw, City Clerk of the City of Santa Paula, California, do hereby certify that the foregoing Ordinance No. 1327 was **INTRODUCED AND GIVEN FIRST READING** on the 1st day of March 2023, upon the following roll call vote:

AYES: SOBEL, CORNEJO, CHAVEZ
NOES: CROSSWHITE, JUAREZ
ABSENT: NONE
ABSTAIN: NONE

And was **PASSED AND ADOPTED UPON SECOND READING** this 15th day of March 2023, upon the following roll call vote:

AYES: SOBEL, CORNEJO, CHAVEZ
NOES: CROSSWHITE, JUAREZ
ABSENT: NONE
ABSTAIN: NONE



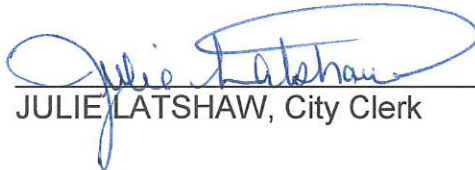
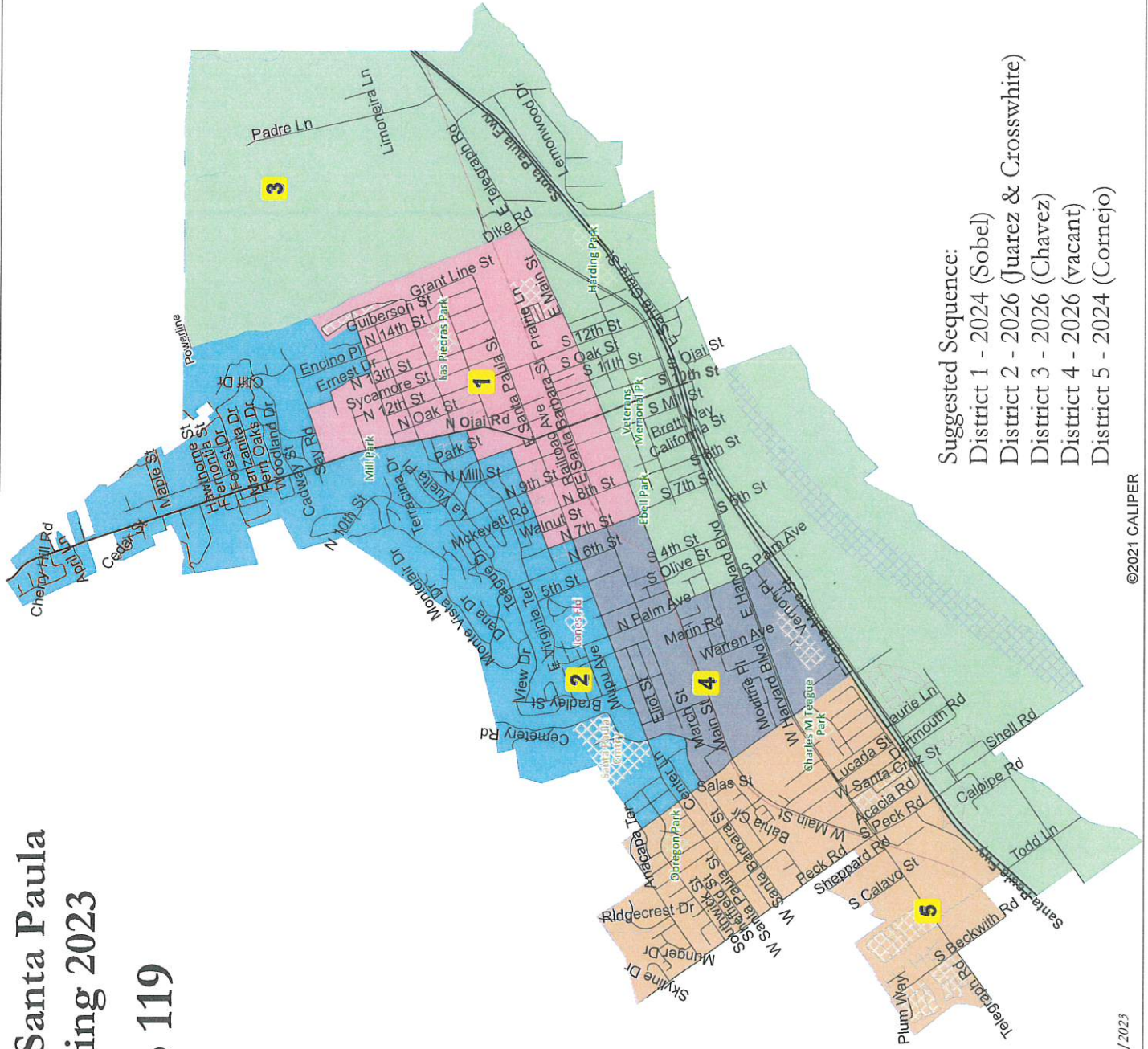

JULIE LATSHAW, City Clerk

EXHIBIT A

[MAP ATTACHED BEHIND THIS PAGE]

City of Santa Paula Districting 2023

Map 119



Map 119

District		1	2	3	4	5	Total
	Total Pop	6,090	6,333	5,798	6,322	6,229	30,772
	Deviation from ideal	-64	179	-356	168	75	535
	% Deviation	-1.04%	2.91%	-5.78%	2.73%	1.22%	8.68%
Total Pop	% Hisp	89.5%	83%	87%	89%	81%	82%
	% NH White	9%	32%	11%	9%	16%	15%
	% NH Black	0%	1%	0%	0%	0%	0%
	% Asian-American	0%	2%	1%	1%	1%	1%
Citizen Voting Age Pop	Total	2,568	3,685	2,670	2,985	4,127	16,024
	% Hisp	87%	55%	66%	79%	76%	72%
	% NH White	12%	43%	30%	18%	21%	25%
	% NH Black	1%	0%	1%	0%	0%	0%
	% Asian/Pac. Isl.	1%	3%	2%	1%	1%	2%
Voter Registration (Nov 2020)	Total	2,411	3,932	2,332	2,260	3,366	14,301
	% Latino est.	82%	53%	76%	63%	77%	72%
	% Spanish-Surnamed	76%	49%	70%	76%	70%	66%
	% Asian-Surnamed	0%	1%	1%	1%	1%	1%
	% Filipino-Surnamed	1%	1%	1%	1%	1%	1%
	% NH White est.	18%	49%	26%	22%	28%	31%
	% NH Black	1%	0%	1%	0%	0%	0%
Voter Turnout (Nov 2020)	Total	1,747	3,311	1,779	1,700	2,678	11,215
	% Latino est.	80%	51%	73%	81%	74%	69%
	% Spanish-Surnamed	74%	47%	67%	75%	67%	63%
	% Asian-Surnamed	0%	1%	1%	0%	1%	1%
	% Filipino-Surnamed	1%	1%	1%	1%	1%	1%
	% NH White est.	21%	50%	29%	23%	31%	34%
	% NH Black	1%	0%	1%	0%	0%	0%
Voter Turnout (Nov 2018)	Total	1,099	2,444	1,006	1,063	1,798	7,410
	% Latino est.	74%	45%	71%	76%	68%	63%
	% Spanish-Surnamed	70%	41%	66%	70%	63%	58%
	% Asian-Surnamed	0%	0%	0%	0%	1%	0%
	% Filipino-Surnamed	1%	1%	0%	1%	0%	1%
	% NH White est.	25%	56%	30%	28%	36%	39%
	% NH Black est.	1%	0%	1%	0%	0%	0%
ACS Pop. Est.	Total	6,035	5,969	5,840	6,571	6,125	30,540
Age	age0-19	36%	33%	29%	37%	24%	32%
	age20-60	48%	47%	52%	53%	55%	51%
	age60plus	16%	20%	19%	9%	21%	17%
Immigration	immigrants	32%	24%	31%	29%	23%	28%
	naturalized	32%	42%	21%	26%	45%	32%
Language spoken at home	english	29%	50%	34%	31%	36%	36%
	spanish	70%	48%	65%	69%	62%	63%
	asian-lang	0%	0%	0%	0%	1%	0%
	other lang	0%	1%	0%	1%	1%	1%
Language Fluency	Speaks Eng. "Less than Very Well"	32%	18%	34%	31%	21%	27%
Education (among those age 25+)	hs-grad	51%	49%	47%	50%	57%	51%
	bachelor	7%	15%	5%	7%	10%	9%
	graduatedegree	2%	13%	3%	3%	5%	5%
Child in Household	child-under18	47%	35%	36%	50%	33%	40%
Pct of Pop. Age 16+	employed	58%	55%	55%	58%	63%	58%
Household Income	Income 0-25k	27%	16%	15%	26%	9%	18%
	Income 25-50k	27%	11%	32%	28%	18%	23%
	Income 50-75k	18%	23%	19%	16%	26%	20%
	Income 75-200k	27%	37%	33%	29%	44%	34%
	Income 200k-plus	2%	13%	1%	0%	3%	4%
Housing Stats	single family	78%	92%	71%	50%	91%	77%
	multi-family	22%	8%	29%	50%	9%	23%
	rented	57%	26%	61%	66%	33%	48%
	owned	43%	74%	39%	34%	67%	52%

Total population data from the 2020 Decennial Census.

Surname-based Voter Registration and Turnout data from the California Statewide Database.

Latino voter registration and turnout data are Spanish-surname counts adjusted using Census Population Department undercount estimates. NH White and NH Black registration and turnout counts estimated by NDC. Citizen Voting Age Pop., Age, Immigration, and other demographics from the 2016-2020 American Community Survey and Special Tabulation 5-year data.

**CITY OF SANTA PAULA
MEMORANDUM**

To: Honorable Mayor and Members of the City Council

From: Jonathan Royas, Management Analyst

Subject: SECOND READING AND ADOPTION OF ORDINANCE NO. 1327,
ADDING SECTION 30.07 TO CHAPTER 30 OF TITLE III OF THE SANTA
PAULA MUNICIPAL CODE ESTABLISHING BY-DISTRICT ELECTIONS,
DEFINING DISTRICT BOUNDARIES, AND SCHEDULING ELECTIONS
WITHIN THE DISTRICTS

Date: March 15, 2023

Agenda Item: 10.D

RECOMMENDATION:

Adopt Ordinance No. 1327, entitled "AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SANTA PAULA, CALIFORNIA, ADDING SECTION 30.07 TO CHAPTER 30 OF TITLE III OF THE SANTA PAULA MUNICIPAL CODE ESTABLISHING BY-DISTRICT ELECTIONS, DEFINING DISTRICT BOUNDARIES, AND SCHEDULING ELECTIONS WITHIN THE DISTRICTS".

BACKGROUND:

On February 22, 2022, the City received a letter from attorney Jason Dominguez on behalf of "a large segment of the population and on behalf of Laura Espinosa" demanding an end to the at-large Council election system.

In response to that letter, on April 6, 2022, the City Council discussed its options and unanimously adopted Resolution No. 7393, indicating its intent to change the election system from at-large to by-district elections. Given the litigation risk and associated financial impact on the City, the City Council directed staff to move the districting process forward.

On May 4, 2022, Council provided staff direction to work with the City's existing public relations firm and to utilize our contract with BB&K law firm to select a qualified demographer. Through that process, National Demographics Corporation (NDC) was selected.

ANALYSIS:

As required by Elections Code Section 10010, the City was required to hold at least two (2) public hearings prior to the release of draft maps of Council election districts, and two (2) public hearings after their release to solicit public input regarding the content of the draft maps and the proposed sequence of elections. Though not required by the Elections Code, the City also organized community workshops and facilitated community participation on social media and other outlets.

Public Hearings Before Draft Maps

On August 3, 2022, Council held its first public hearing whereby Dr. Daniel Phillips, from NDC, shared with Council and the public a presentation on the districting process to solicit input on the neighborhoods and communities of interest in the City.

On August 17, 2022, Council held its second public hearing whereby Council received an updated presentation from staff and NDC regarding the process for developing options for City Council voting districts; provided staff and NDC direction regarding any optional criteria Council wanted to consider in the development of voting district options; and conducted a public hearing to receive public input on district boundaries.

Community Outreach

The City and consultant team of NDC and Tripepi Smith kicked off the districting process the week of June 3, 2022 with the website www.drawsantapaula.org going live and outreach coordination initiated. Additionally, the email districting@spcity.org was also set up to begin receiving communications from the public in one central location. As a result, the City leveraged a full array of outreach platforms to connect with the public.

To date, the City has reached the community through the following:

- Email and/or phone contact with nearly 120 community leaders, organizations, residents and media contacts to proactively outreach to key stakeholders with districting related information.
- Rollout of the districting website, *DrawSantaPaula.org*, where extensive resources are available for the public to learn about the districting process, access all meeting materials and meeting information, draw maps based upon their understanding of communities of interest and submit them for consideration by City Council.
- Distribution of an online neighborhood survey to develop a list of neighborhoods and "communities of interest" – *DrawSantaPaula.org/Neighborhood-Survey*.
- 33 social media posts in English and Spanish published across Facebook, Instagram, Twitter and Nextdoor from July 1, 2022 – February 7, 2023.
- Six flyers in English and Spanish to promote community meetings.
- Four press releases in English and Spanish distributed to the City's media contacts.
- Six Channel 10 advertisements to promote upcoming community meetings.
- Four community meetings to discuss the districting process and gather public input on neighborhoods and "communities of interest."
- Publication of a mapping tool in English and Spanish in the Santa Paula Times to solicit draft maps.

It is important to note all materials, social media posts, community workshops, and activities related to the Districting process were conducted in both English and Spanish to maximize our public engagement.

In addition, the City hosted four community workshops to educate and engage the community on the Districting process and demonstrate how to use the map drawing tools provided by the consultant team. Below are the details of the four workshops.

September 14, 2022 @ 6:00PM

Santa Paula Cultural Arts Building @ The Santa Paula Community Center

530 W Main Street, Santa Paula, CA 93060

October 6, 2022 @ 6:00PM

Recorded Virtual Community Workshop via Zoom is available at www.drawsantapaula.org

December 1, 2022 @ 6:00PM

Church of Guadalupe
427 N Oak Street, Santa Paula, CA 93060

January 21, 2023 @ 10:00AM

Santa Paula Youth Center
431 N 13th St., Santa Paula, CA 93060

Public Hearings After Draft Maps

During the third public hearing held January 18, 2023, City Council reviewed and discussed draft maps of proposed districts which were submitted by members of the community. After receiving public testimony, the Council narrowed the list of draft maps under consideration from fourteen (14) to six (6) focus maps, those being Maps 101, 102, 104, 105, 108, and 113. In addition, Council provided feedback and direction to staff and NDC to make modifications to Map 113 and create a new map, Map 115, based on input that evening.

On February 15, 2023, City Council held a fourth public hearing whereby Council reviewed and discussed draft focus maps of proposed districts. The City and NDC accepted additional draft maps from the public for this fourth public hearing up until February 1, 2023. Prior to the February 1, 2023 deadline, a total of four (4) draft maps (Maps 116, 117, 118 and 119) were submitted by the public. After careful review and analysis by NDC, three (3) of the submitted draft maps (Maps 117, 118 and 119) met the requirements of the California Voting Rights Act (CVRA) and one (1) map, Map 116, did not as it was not a contiguous map. As a result, ten (10) maps met the requirements of the CVRA and were provided to Council for consideration. Each of the proposed maps were also posted on the City's Districting webpage (www.drawsantapaula.org) for public access and review. At the same City Council meeting when the fourth public hearing took place, an in-depth review of Council's selected course of action was presented and shared with the public during a presentation entitled, "*Why Districting? A Presentation on the Districting Process in Santa Paula, CA.*"

Final City Council District Map

After the fourth public hearing on February 15, 2023, by a 3-2 vote, the City Council approved Map 119, providing for five (5) districts. Council also agreed that the elections for Districts 1 and 5 will occur at the general municipal election in November of 2024 and the election for Districts 2, 3, and 4 will occur at the general municipal election of 2026.

Map 119 was prepared in accordance with all applicable law, including provisions of the California Voting Rights Act, the Federal Voting Rights Act and Santa Paula City Council Resolution No. 7393, indicating its intent to change the election system from at-large to by-district elections. A copy of Map 119 is attached as Exhibit A to Ordinance No. 1327. (See Exhibit A.)

At its March 1, 2023 regular meeting, the City Council introduced and waived first reading of Ordinance No. 1327 to add Section 30.07 to Chapter 30 of Title III of the Santa Paula Municipal Code establishing by-district elections, defining district boundaries, and scheduling elections within the districts. Tonight, Council may conclude its part in the districting process by adopting Ordinance No. 1327.

STRATEGIC PLAN:

This item is not a goal or objective within City Council's two-year Strategic Plan.

FISCAL IMPACTS:

The City is spending approximately \$100,000 on the two consulting firms assisting the City with this highly specialized districting process. On May 4, 2022, Council set aside \$50,000 for anticipated expenses. On March 1, 2023, Council adopted a mid-year budget adjustment, allocating an additional \$50,000 to help complete the districting process.

OPTIONS:

In addition to Staff's recommendation, City Council has the following options available for consideration:

1. The City Council may choose to not adopt the ordinance and maintain its current at-large election system. This is not recommended unless Council is prepared to defend any potential action filed pursuant to the CVRA. As shared with Council during this process, to date, no jurisdiction has prevailed on the merits of a CVRA action and fees and costs associated with litigation generally exceed \$2 million; or
2. Take other action related to this item.

ATTACHMENTS:

[Exhibit A - Ordinance No. 1327.pdf](#)

EXHIBIT A -
ORDINANCE NO. 1327