ORDINANCE NO. 22-02

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF BUELLTON, CALIFORNIA, ADDING A NEW CHAPTER 1.17 TO THE BUELLTON 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 Buellton ("City'') currently elects the members of the City Council using an at-large system of elections; 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, pursuant to the requirements of Elections Code section 10010, the City Council held public hearings on June 10, 2021 and July 8, 2021 in order to receive testimony regarding the potential composition of City Council districts; and

WHEREAS, also pursuant to the requirements of Elections Code section 10010, the City Council held public hearings regarding proposed draft maps on January 27, 2022 and February 24, 2022, and received proposed draft maps from members of the public; and

WHEREAS, on February 24, 2022, the City Council selected NDC Plan 204 to establish the City Council electoral districts in the City, the district map is attached hereto as Exhibit "A"; and

WHEREAS, also on February 24, 2022, the City Council held a duly noticed public hearing after which the City Council voted to introduce this ordinance for a first reading; and

WHEREAS, on March 10, 2022, the City Council will consider adoption of ordinance 22-02 to establish by-district elections in four single-member districts in the City, and to adopt the map describing the boundaries and identifying the four City Council districts in the City and corresponding election sequencing.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF BUELLTON 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 1.17 "City Council Elections By-District" is hereby added to the Buellton Municipal Code to read in its entirety as follows:

"CHAPTER 1.17 CITY COUNCIL ELECTIONS BY-DISTRICT

1.17.010 Declaration of Purpose
1.17.020 By-District Elections for City Council
1.17.030 City Council Districts Established
1.17.040 Commencement of By-District Elections

1.17.010 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.

1.17.020 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.

1.17.030 City Council Districts Established

A. The boundaries and identifying number of each of the four City Council districts shall be as described in ***Plan 204,*** establishing 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.

1.17.040 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 4** 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 **District 2 and 3** 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.

PASSED, APPROVED, AND ADOPTED this 10th day of March, 2022.

Holly Sierra
Mayor

ATTEST:

Linda Reid
City Clerk

I, Linda Reid, City Clerk of the City of Buellton, do hereby certify that the foregoing Ordinance No. 22-02 was duly adopted by the City Council of the City of Buellton at a regular meeting held on the 10th day of March 2022 by the following vote of the Council:

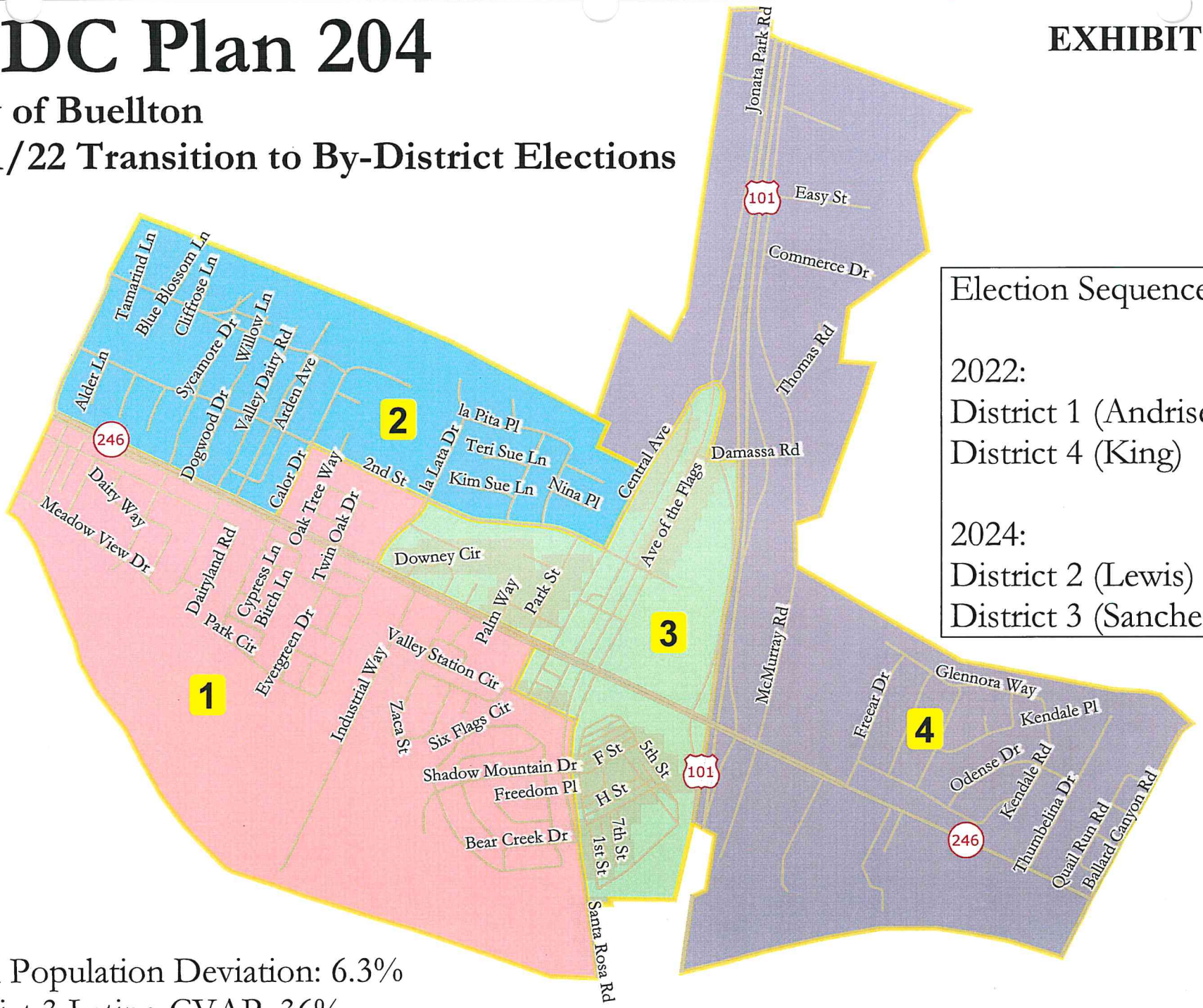
AYES:	5	Council Members Andrisek, Lewis, Sanchez, Vice Mayor King, and Mayor Sierra
NOES:	0	
ABSENT:	0	
ABSTAIN:	0	

Linda Reid
City Clerk

NDC Plan 204

EXHIBIT A

City of Buellton
2021/22 Transition to By-District Elections



Election Sequence:

2022:
District 1 (Andrisek)
District 4 (King)

2024:
District 2 (Lewis)
District 3 (Sanchez)

Total Population Deviation: 6.3%
District 3 Latino CVAP: 36%

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National Demographics Corporation, January 12, 2022