

ORDINANCE NO. 2018-_____

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF LAKE ELSINORE, CALIFORNIA, AMENDING CHAPTER 2.09 ELECTIONS, PROVIDING FOR THE ELECTION OF FIVE MEMBERS OF THE CITY COUNCIL BY DISTRICTS, ESTABLISHING THE BOUNDARIES AND IDENTIFICATION NUMBER OF EACH DISTRICT, AND ESTABLISHING THE ELECTION ORDER OF EACH DISTRICT

THE CITY COUNCIL OF THE CITY OF LAKE ELSINORE DOES HEREBY ORDAIN AS FOLLOWS:

Section 1. This Ordinance is adopted with respect to the following purposes:

(a) Pursuant to California Government Code Section 34886 and Elections Code Section 10010, the City Council votes to approve the change to a district-based election system for the members of the City Council whereby all five members of the City Council shall be elected by the voters of five City Council districts rather than at-large.

(b) Pursuant to California Government Code Section 34886, it is declared the change in the method of electing members of the City Council of the City of Lake Elsinore made by this ordinance is in furtherance of the purposes of the California Voting Rights Act of 2001.

Section 2. Sections, 2.09.015, 2.09.020, 2.09.025 and Section 2.098.028 are hereby added to Chapter 2.09, Elections, of the Lake Elsinore Municipal Code to read as follows:

2.09.015 City Council Districts Established. Five City Council districts are hereby established in the City of Lake Elsinore. The boundaries and identifying number of each district shall be as described on the official "Council District Map" on file in the Office of the City Clerk.

2.09.020 Election of Members of the City Council by District.

A. Commencing with the November 2018 general municipal election, Members of the City Council shall be elected "by District" as defined in California Government Code Section 34871. A person shall not be eligible to be elected to be a Member of the City Council unless he or she is otherwise qualified as required by law, resides in the geographical area making up the district from which he or she is nominated to be elected and is a registered voter of the City of Lake Elsinore at the time nomination papers are issued to the candidate as provided in Section 10227 of the California Elections Code. No term of any Member of the City Council that commenced on or prior to the effective date of this Chapter shall be affected prior to its expiration date.

B. Registered voters signing nomination papers or voting for a Member of the City Council shall be residents of the geographical area making up the district from which the Member is to be elected.

C. The terms of the office of each Member elected to the City Council shall be four years.

2.09.025 Commencement of District Elections. Commencing with the General Municipal election in November of 2018 and thereafter, the voters in Council Districts 1 and 3 shall elect Members of the City Council by district for full four-year terms. At the General Municipal election in 2020 and thereafter, the voters in Council Districts 2, 4 and 5 shall elect Members of the City Council by district for full four-year terms.

2.09.028 Adjustment of Council District Boundaries.

A. Pursuant to Elections Code Section 21601 the City Council shall adjust the boundaries of any or all of the districts following each decennial federal census. Using the census as a basis, the City Council shall adjust the boundaries so that the districts shall be as nearly equal in population as practicable and in compliance with all applicable provisions of law. Any adjustment of district boundaries shall be made by Ordinance adopted by the City Council before the first day of November of the year following the year in which each decennial federal census is taken commencing with the 2020 federal census. The City Council shall hold a public hearing on the proposed district boundaries as required by Elections Code Section 21607 prior to the introduction of an Ordinance adjusting the district boundaries.

B. At the time of any annexation of territory to the City, the City Council shall designate, by Resolution adopted by a vote of at least a majority of the City Council, the contiguous district to which the annexed territory shall be a part and shall amend the district boundaries if necessary in accordance with Elections Code Section 21603.

C. Pursuant to Elections Code Section 21606 the term of office of any Council Member who has been elected and whose term of office has not expired shall not be affected by any change in the boundaries of the district from which he or she was elected.

D. At the first election for City Council following adjustment of the boundaries of the districts, a person meeting the requirements of Government Code Section 34882 shall be elected to the City Council for each district under the readjusted district plan that has the same district number as a district whose incumbent's term on the council is due to expire.

Section 3. District Map. The Official Council District Map referenced in Section 2.09.015 is hereby approved and is attached hereto as Exhibit "A" and incorporated herein by this reference. The Official Council District Map shall be kept on file in the Office of the City Clerk.

Section 4. Effective Date. This Ordinance shall take effect upon its adoption pursuant to Government Code Section 36937(a) as it is an Ordinance relating to an election for the City.

Section 5. Severability. If any section, subsection, sentence, clause, phrase, or portion of this Ordinance or Chapter 2.08 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 Lake Elsinore 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 6: CEQA. This Ordinance is exempt from the California Environmental Quality Act in accordance with Section 15061(b) (3) there is no possibility that the activity in question may have a significant effect on the environment.

Section 7: Certification. The City Clerk shall certify to the passage of this Ordinance and shall cause a synopsis of the same to be published according to law.

Passed and Adopted on this ____ day of _____, 2018.

Robert E. Magee
Mayor

Susan M. Domen, MMC
Clerk

STATE OF CALIFORNIA)
COUNTY OF RIVERSIDE) ss.
CITY OF LAKE ELSINORE)

I, Susan M. Domen, MMC, City Clerk of the City of Lake Elsinore, do hereby certify that the foregoing Ordinance No. 2018-_____ was introduced at the Regular meeting of _____, 2018, and adopted by the City Council of the City of Lake Elsinore at its Regular meeting of _____, 2018, by the following vote:

AYES:
NOES:
ABSENT:
ABSTAIN:

I further certify that said Synopsis was published as required by law in a newspaper of general circulation in the City of Lake Elsinore, California on the ____ day of _____, 2018, and on the ____ day of _____, 2018.

Susan M. Domen, MMC
City Clerk