

ORDINANCE NO. C-2018-_____

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF HALF MOON BAY AMENDING CHAPTER 1.24 OF THE HALF MOON BAY MUNICIPAL CODE TO ADD SECTION 1.24.090 TO CHANGE THE CITY'S ELECTORAL SYSTEM FROM AT-LARGE TO BY-DISTRICT ELECTIONS WITH RESPECT TO ELECTING MEMBERS OF THE CITY COUNCIL, ESTABLISHING BOUNDARIES, AND SEQUENCING OF ELECTIONS WITHIN DISTRICTS

Section 1. Findings: The City Council finds and declares as follows.

(a) the City of Half Moon Bay supports the full participation of all residents in electing members of the City Council.

(b) in the City's current at-large election system, candidates may reside anywhere in city limits and each Councilmember is elected by the voters of the entire City.

(c) in a district-based election system, a candidate for City Council must reside in the district which he or she wishes to represent, and only the voters of that district are entitled to vote to decide who their representative will be.

(d) the City received a certified letter on March 6, 2018, from Kevin I. Shenkman, Esq., on behalf of his client, Southwest Voter Registration Project, containing unsubstantiated allegations that the City's at-large electoral system violates the California Voting Rights Act (CVRA) and threatening litigation if the City declined to adopt a district-based electoral system.

(e) the City denies that its election system violates the CVRA or any other provision of law, but in order to avoid unnecessary and costly legal fees to defend against the threatened litigation, the City initiated the public process to begin the transition to district-based elections.

(f) at its regular meeting on April 17, 2018, the City Council adopted Resolution No. 2018-34 declaring its intent to establish a by-district electoral system pursuant to California Elections Code Section 10010.

(g) under the provisions of 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, at which the public is invited to provide input regarding the composition of the districts before drawing a draft map or maps of the proposed boundaries of the districts.

(h) before any maps were drawn, the City Council held public hearings on May 15, 2018 and June 19, 2018, at which time input from the public on the proposed district boundaries was invited and heard.

(i) as required by Elections Code Section 10010, the City held additional hearings, on July 17, 2018 and August 21, 2018, at which the public was invited to provide input regarding the content of the draft maps and the potential sequence of elections.

(j) it is the City Council's intent and desire that City resources will continue to be prioritized based on the greatest citywide need and benefit, and that the City Council will work cooperatively with one another for the benefit of the entire City.

(k) if the CVRA is amended in a manner which qualifies the City to return to at-large elections, the City Council declares its desires for appropriate actions to be taken.

NOW, THEREFORE, THE COUNCIL OF THE CITY OF HALF MOON BAY, CALIFORNIA, DOES HEREBY ORDAIN AS FOLLOWS:

Section 2. Chapter 1.24 of the Half Moon Bay Municipal Code is hereby amended to add Section 1.24.090 (By-District Electoral System):

- a. The City Council declares that the change in method of electing members of this City Council hereby enacted is being made in furtherance of the CVRA of 2001.
- b. Beginning with the municipal election in 2020, members of the City Council shall be elected in the electoral districts established in Section 1.24.090(c) 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 member of the City Council shall be elected from each district, by the voters of the district alone. Each member of the City Council shall serve a four-year term.
- c. Members of the City Council shall be elected on a by-district basis from the four City Council districts hereby established. The boundaries and identifying number of each district shall be as described on the City Council District Map attached hereto as "Exhibit A" and incorporated by reference.
- d. The fifth member of the City Council, not elected by a district, will be an at-large, directly-elected mayor, serving a four-year term.
- e. Commencing with the general municipal election in November 2020 and thereafter, the voters in districts 2 and 3 shall elect members of the City Council by-district for full four (4) year terms. At the general municipal election in November 2022, and thereafter, the voters in districts 1 and 4 shall elect members of the City Council by-district for full four (4) year terms, as well as the voters of the city shall elect a mayor to serve a full four (4) year term.
- f. 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 candidate is to be elected.
- g. A candidate for City Council must live in, and be a registered voter in, the City Council District in which he or she seeks election at the time nomination papers are issued, pursuant to Elections Code Section 10227. Termination of residency in a district by a Councilmember shall create an immediate vacancy for that district unless the

Councilmember immediately declares and establishes another residence within the district within 30 days.

- h. If necessary to facilitate the implementation of this Section, 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 the candidates, or the residence of elected officials within any district. The City Clerk shall consult with the City Manager and City Attorney regarding any technical adjustments deemed necessary and shall advise the City Council of any such adjustments required in the implementation of the districts.

Section 3. Constitutionality and Severability

If any section, subsection, sentence, clause or phrase of this ordinance is for any reason held to be invalid, such decision or decisions shall not affect the validity of the remaining portions of this ordinance. The City Council hereby declares that it would have passed this ordinance, and each section, subsection, sentence, clause and phrase thereof irrespective of the fact that any one or more sections, subsections, sentences, clauses or phrases be declared invalid.

Section 4. Publication. The City Clerk of the City of Half Moon Bay is hereby directed to publish this Ordinance, or the title hereof as a summary, pursuant to Government Code Section 36933, once within fifteen (15) days after its passage in the Half Moon Bay Review, a newspaper of general circulation published in the city of Half Moon Bay.

Section 5. Effective date.

The ordinance shall be effective immediately as an ordinance relating to an election pursuant to Government Code Section 36937(a).

INTRODUCED at a regular meeting of the City Council of the City of Half Moon Bay, California, held on the 4th day of September 2018.

PASSED AND ADOPTED at a regular meeting of the City Council of the City of Half Moon Bay, California, held on the ___ day of _____ 2018, by the following vote:

Ayes, Councilmembers:

Noes, Councilmembers:

Absent, Councilmembers:

Abstain, Councilmembers:

ATTEST:

Jessica Blair, City Clerk

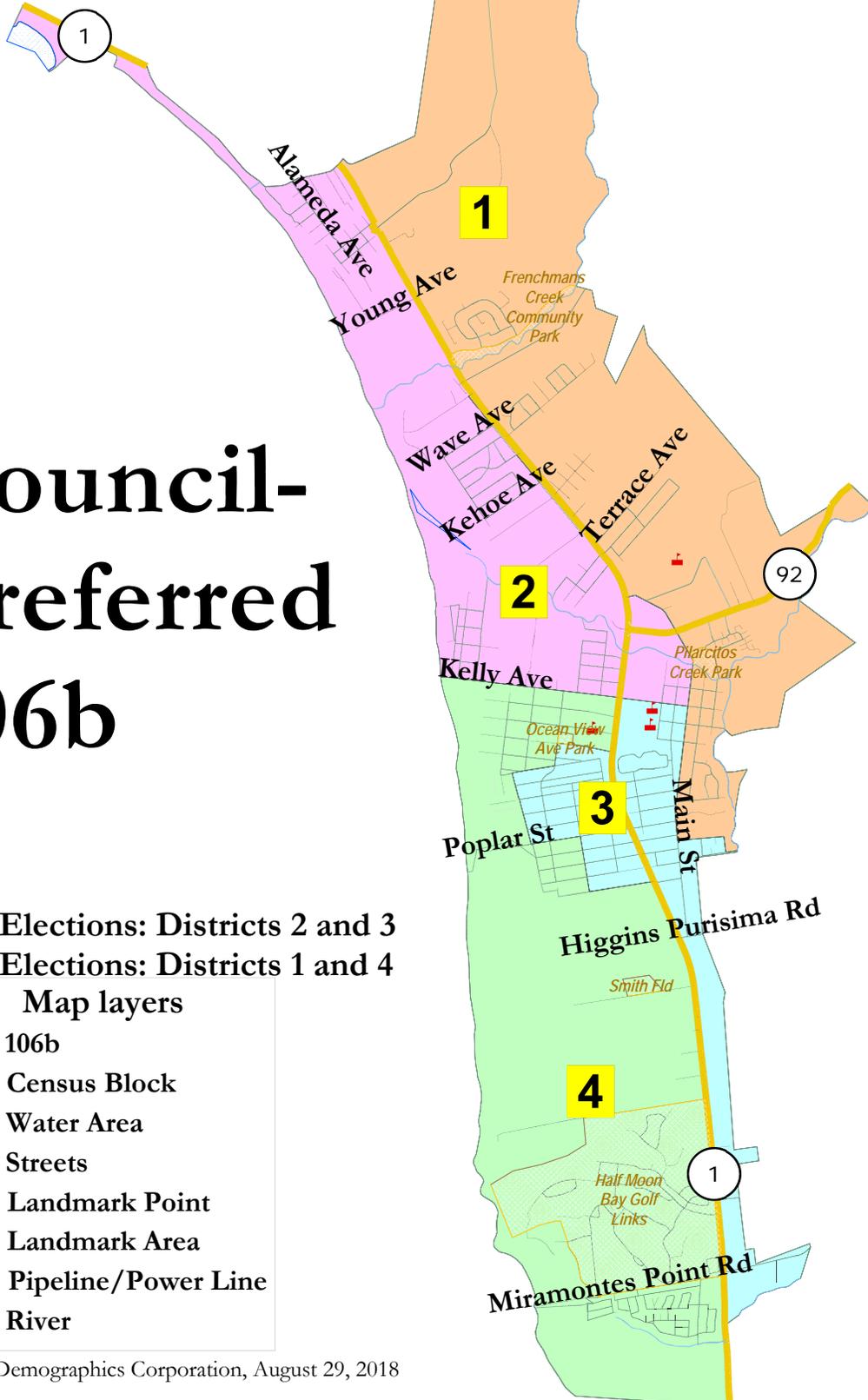
Deborah Penrose, Mayor

Half Moon Bay 2018 Districting

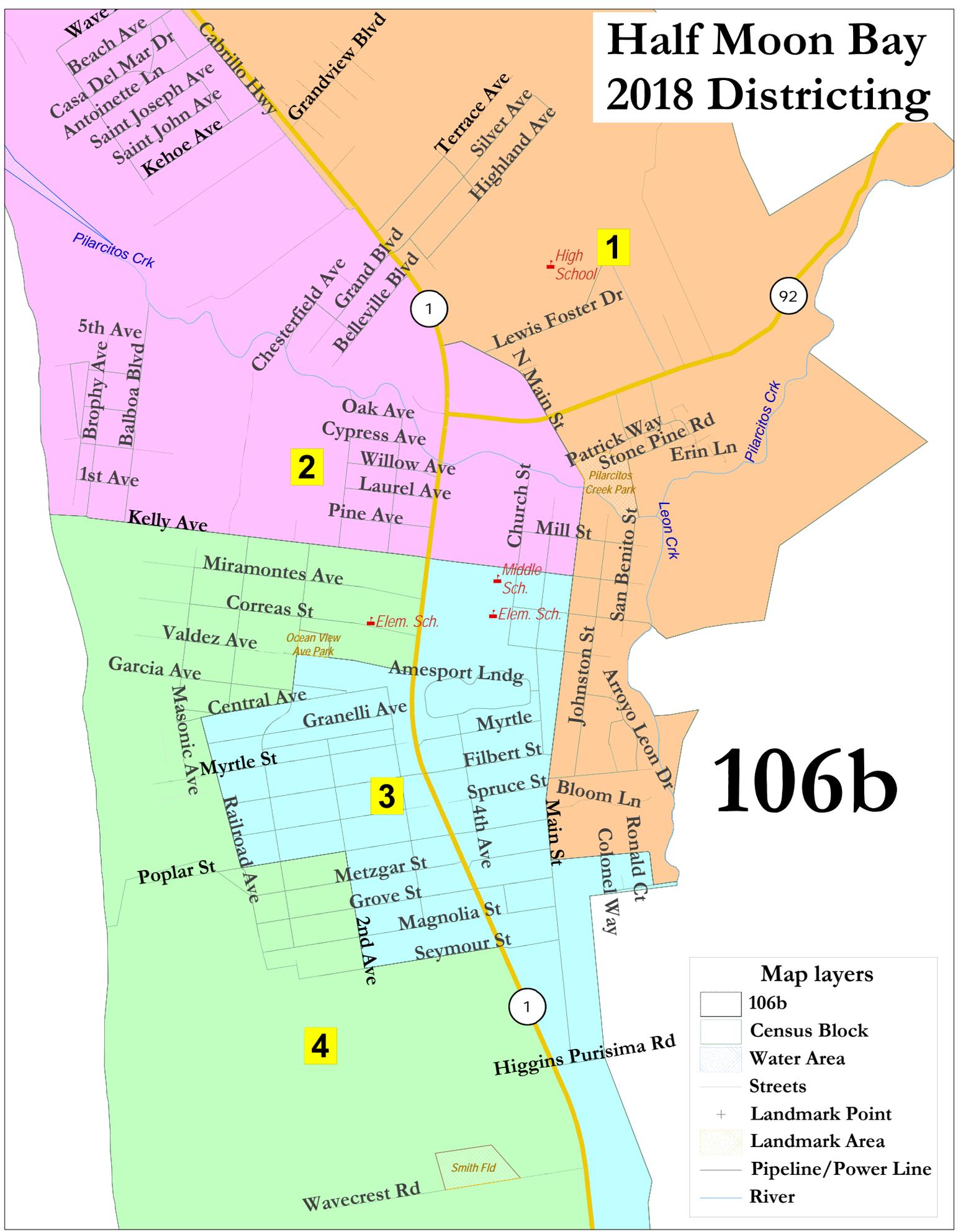
Council-Preferred 106b

2020 Elections: Districts 2 and 3
2022 Elections: Districts 1 and 4

Map layers	
	106b
	Census Block
	Water Area
	Streets
	Landmark Point
	Landmark Area
	Pipeline/Power Line
	River



Half Moon Bay 2018 Districting



106b

Map layers

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Half Moon Bay - Draft 106b

District		1	2	3	4	Total
Ideal	Total Pop	2,823	2,709	2,937	2,855	11,324
2,831	Deviation from ideal	-8	-122	106	24	228
	% Deviation	-0.28%	-4.31%	3.74%	0.85%	8.05%
Total Pop	% Hisp	31%	41%	45%	9%	31%
	% NH White	61%	52%	50%	83%	62%
	% NH Black	0%	1%	1%	1%	1%
	% Asian-American	6%	4%	4%	6%	5%
Citizen Voting Age Pop	Total	2,440	1,990	1,872	2,570	8,872
	% Hisp	21%	12%	28%	7%	16%
	% NH White	64%	78%	64%	81%	72%
	% NH Black	0%	1%	1%	0%	1%
	% Asian/Pac.Isl.	14%	9%	7%	11%	10%
Voter Registration (Nov 2016)	Total	1,878	1,394	1,643	2,272	7,187
	% Latino est.	19%	20%	17%	8%	15%
	% Spanish-Surnamed	27%	27%	26%	24%	26%
	% Asian-Surnamed	2%	2%	2%	2%	2%
	% Filipino-Surnamed	2%	2%	2%	1%	2%
	% NH White est.	50%	49%	51%	45%	48%
	% NH Black	18%	19%	17%	26%	20%
Voter Turnout (Nov 2016)	Total	1,544	1,145	1,364	1,964	6,016
	% Latino est.	17%	18%	16%	8%	14%
	% Spanish-Surnamed	24%	25%	24%	23%	24%
	% Asian-Surnamed	3%	3%	2%	3%	3%
	% Filipino-Surnamed	2%	2%	2%	1%	1%
	% NH White est.	52%	51%	54%	47%	51%
	% NH Black	18%	19%	18%	26%	21%
Voter Turnout (Nov 2014)	Total	904	766	847	1,312	3,829
	% Latino est.	9%	9%	10%	5%	8%
	% Spanish-Surnamed	8%	8%	9%	5%	7%
	% Asian-Surnamed	3%	3%	2%	3%	3%
	% Filipino-Surnamed	1%	1%	2%	0%	1%
	% NH White est.	86%	84%	81%	91%	86%
	% NH Black est.	1%	3%	2%	0%	1%
ACS Pop. Est.	Total	3,162	3,123	2,993	2,909	12,188
Age	age0-19	21%	22%	20%	20%	21%
	age20-60	52%	53%	50%	50%	51%
	age60plus	26%	25%	30%	30%	28%
Immigration	immigrants	30%	29%	24%	24%	27%
	naturalized	51%	52%	45%	45%	49%
Language spoken at home	english	60%	61%	69%	69%	65%
	spanish	28%	27%	24%	24%	26%
	asian-lang	4%	4%	3%	3%	3%
	other lang	8%	8%	5%	5%	6%
Language Fluency	Speaks Eng. "Less than Very Well"	19%	18%	14%	14%	16%
Education (among those age 25+)	hs-grad	38%	39%	34%	34%	36%
	bachelor	25%	26%	28%	28%	27%
	graduatedegree	19%	19%	22%	22%	20%
Child in Household	child-under18	25%	26%	22%	22%	24%
Pct of Pop. Age 16+	employed	66%	64%	67%	67%	66%
Household Income	income 0-25k	10%	7%	15%	15%	12%
	income 25-50k	14%	14%	14%	14%	14%
	income 50-75k	12%	13%	9%	9%	11%
	income 75-200k	43%	48%	33%	33%	39%
	income 200k-plus	20%	17%	29%	29%	24%
Housing Stats	single family	86%	86%	86%	86%	86%
	multi-family	14%	14%	14%	14%	14%
	rented	33%	31%	30%	30%	31%
	owned	67%	69%	70%	70%	69%

Total population data from the 2010 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 2012-2016 American Community Survey and Special Tabulation 5-year data.