ORDINANCE O2022-__

ORDINANCE OF THE CITY COUNCIL OF THE CITY OF NAPA, STATE OF CALIFORNIA, ADOPTING THE FINAL MAP OF DISTRICT BOUNDARIES FOR DISTRICT-BASED ELECTIONS OF COUNCILMEMBERS IN ACCORDANCE WITH THE REDISTRICTING PROCESS FOR THE 2020 FEDERAL DECENNIAL CENSUS (CALIFORNIA ELECTIONS CODE SECTIONS 21620 – 21630), AND AMENDING NAPA MUNICIPAL CODE SECTION 1.10.010 TO IMPLEMENT THE DISTRICT-BASED ELECTIONS

WHEREAS, the City of Napa ("City") is a California charter city and municipal corporation, duly organized under the Constitution and laws of the State of California, and exercising its authority pursuant to California Constitution Article XI, Sections 5 and 7; and

WHEREAS, the City Council ("Council") is the governing body of the City, and the Council is comprised of five members, including the directly elected Mayor and four Councilmembers; and

WHEREAS, at its regular meeting on May 5, 2020, the City Council adopted Ordinance O2020-007 establishing district-based elections for Councilmembers by amending Napa Municipal Code Title 1 to add a new Chapter 1.10 ("District-Based Elections"), and approving the District boundary Map and Sequence of Elections for Councilmembers; and

WHEREAS, each city with district-based elections is required to update ("redistrict") the district boundaries every ten years, following the receipt of updated population data from each federal decennial census; and

WHEREAS, since the City of Napa has district-based elections for four Councilmembers, the City is required to redistrict the district boundaries prior to the next election of Councilmembers in 2022. Councilmember Districts 2 and 4 were on the ballot on November 3, 2020, and Councilmember Districts 1 and 3 will be on the ballot on November 8, 2022; and

WHEREAS, while the City recently established the district boundaries on May 5, 2020 for the November 2020 election, the boundaries are based on the 2010 federal census, which means the City must now update the boundaries through the redistricting process based on the 2020 federal census; and

WHERAS, at its Regular meeting on February 2, 2021 the City Council directed staff to implement a staff-led process without a redistricting commission, with a community outreach plan to encourage substantial public participation, for the process for redistricting boundary lines for district-based elections of four Councilmembers, pursuant to Elections Code Sections 21620 – 21630; and

WHEREAS, on October 26, 2021, the City Council held its first Public Hearing without maps to receive input from the public regarding district boundaries for Councilmembers; and

WHEREAS, on December 1, 2021; January 6, 2022; and January 30, 2022 the City conducted Community Workshops to allow the City's demographer to provide information and guidance to members of the public regarding the parameters for drawing district boundary maps and give the public the opportunity to prepare and submit proposed maps and public testimony for City Council's consideration; and

WHERAS, in addition to the Public Hearings and Community Workshops, City staff participated in the local Farmers Market, rolled out a robust public messaging campaign via social media, press releases, TV ads and targeted outreach, and held more than the legally required number of Hearings and Community Workshops; and

WHEREAS, on December 14, 2021 and January 25, 2022, consistent with California Elections Code 21627.1, the City held its second and third Public Hearings with draft district boundary maps for consideration; and

WHEREAS, the City instructed its demographic consultant to consider input and proposed district boundary maps prepared by the public, and prepare a draft district boundary map option in accordance with the criteria provided by the Council during the public hearings on December 14, 2021 and January 25, 2022, and in accordance with Elections Code Section 21621; and

WHEREAS, on January 31, 2022, consistent with the provisions of California Elections Code Section 21628, the City published and made available to the public on the City's webpage (https://www.cityofnapa.org/1013/Draft-Maps) one draft district boundary map; and

WHEREAS, at its regular meeting on February 8, 2022, the City Council held a Public Hearing at which the public was invited to provide input regarding the content of the draft map, and a proposed ordinance adopting the final map of district boundaries for district-based elections of Councilmembers in accordance with the redistricting process for the 2020 Federal Decennial Census, as required by California Elections Code section 21621; and the Council introduced this ordinance to adopt the district boundary map (consistent with what is documented in this ordinance on Exhibit "A"); and

WHEREAS, prior to final adoption, at its regular meeting on March 8, 2022, the City Council held a Public Hearing at which the public was invited to provide input regarding the content of the draft map, and a proposed ordinance adopting the final map of district boundaries for district-based elections of Councilmembers in accordance with the redistricting process for the 2020 Federal Decennial Census, as required by California Elections Code section 21621; and

WHEREAS, the City has complied with all requirements of California Elections Code Sections 21620 – 21630; and

WHEREAS, the District Boundary Map adopted as a part of this Ordinance (attached hereto as Exhibit "A," and incorporated herein by reference; and described in Napa Municipal Code Section 1.10.010(B)) complies with the legal criteria and order of priority established by California Government Code Section 21621, based on the following findings of fact:

(a) The population of each district is substantially equal, with an estimated population deviation of 7.6%.
(b) The boundary lines were drawn in compliance with the United States Constitution, the California Constitution and the federal Voting Rights Act, since they were drawn without discriminatory intent and without using race as a predominant consideration.
(c) Each district is geographically contiguous. The only portions of districts that are separated by a river or creek are connected by vehicular and pedestrian bridges.
(d) No district divides a community of interest. Care was taken to include neighborhoods in one district, to the extent practicable.
(e) The boundaries of all districts are easily identifiable and understandable by residents. In addition to the City limit lines, the district boundaries rely solely on the most prominent boundary lines in the City: the Napa River, State Route 29, and five major public streets (Redwood, Trancas, Jefferson, Lincoln, and Soscol).
(f) The districts are geographically compact such that populations are not bypassed in favor of more distant populations. The districts that are geographically largest are also the least densely populated.
(g) There was no consideration of political parties (pro or con) when preparing the district boundary lines.

WHEREAS, this Ordinance is intended to provide for the district-based election of four Councilmembers of the City of Napa by-district in four single-member districts, retaining a directly elected office of Mayor, pursuant to California Government Code Section 34886; and

WHEREAS, the City Council has considered all information related to this matter, as presented at the public meetings of the City Council identified herein, and as published on the City's redistricting webpage (www.cityofnapa.org/redistricting), including any supporting reports by City staff, and any information provided during public meetings.

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Napa as follows:

SECTION 1. Findings and determinations. The City Council hereby finds and determines that the facts set forth in the recitals to this Ordinance are true and correct, and establish the factual bases for the City Council's adoption of this Ordinance.

SECTION 2. Amendment. Napa Municipal Code Section 1.10.010 is hereby amended to repeal subsections 1.10.010(B)(3) and 1.10.010(B)(4), and adopt the replacement subsections as set forth in the text for "3" and "4" below. These amendments are intended to clarify the use of the eastern bank of the Napa River as a portion of the dividing line between District 3 and District 4. [NOTE to the codifier: this ordinance does not amend Napa Municipal Code subsections 1.10.010(A), 1.10.010(B)(1), or 1.10.010(B)(2).]

3. "District 3 (the easternmost district) generally includes the portion of the City that is: (a) east of the eastern bank of the Napa River; (b) east of Soscol Avenue; (c) bounded by Lincoln Avenue, Jefferson Street, Trancas Street, and Soscol Avenue; and (d) the Stanly Ranch area (the southernmost portion of the City west of the Napa River). District 3 is bounded by a line beginning at the intersection of Trancas Street and Big Ranch Road; then proceeding east and following the City limit line until it intersects with the eastern bank of the Napa River then proceeding north following the eastern bank of the Napa River until its crossing under Soscol Avenue; then proceeding north on Soscol Avenue until its intersection with Lincoln Avenue; then proceeding west on Lincoln Avenue until its intersection with Jefferson Street; then proceeding north on Jefferson Street until its intersection with Trancas Street; then proceeding east on Trancas Street until returning to the intersection of Trancas Street and Big Ranch Road."

4. "District 4 (the central district) generally includes the portion of the City that is east of State Route 29, south of Trancas Street, and west of: (a) Jefferson Street (between Trancas Street and Lincoln Avenue), (b) Soscol Avenue (between Lincoln Avenue and the Napa River), and (c) the eastern bank of the Napa River (south from Soscol Avenue until it first crosses the City limits). District 4 is bounded by a line beginning at the intersection of Trancas Street and State Route 29; then proceeding east on Trancas Street until its intersection with Jefferson Street; then proceeding south on Jefferson Street until its intersection with Lincoln Avenue; then proceeding east on Lincoln Avenue until its intersection with Soscol Avenue; then proceeding south on Soscol Avenue until it crosses over the eastern bank of the Napa River; then proceeding south along the eastern bank of the Napa River until it first crosses the City limits; then proceeding along the City limit line in a westerly and northerly direction until it intersects with State Route 29; then proceeding north on State Route 29 until returning to the intersection of Trancas Street and State Route 29."

SECTION 3. District Boundary Map. The City Council hereby approves and adopts as its "final map" (as that phrase is used in California Elections Code Sections 21627.1 and 21628(d)(1)) the District Boundary Map for the District-Based election system for four Councilmembers, identifying the district boundaries for each of the four districts, as set forth on Exhibit "A," attached hereto and incorporated herein by reference. The District Boundary Map shall be published on the City's webpage (www.cityofnapa.org/redistricting).

SECTION 4. Implementation. If necessary to facilitate the implementation of this Ordinance, the City Council hereby authorizes the City Manager, or his or her designee, to make technical adjustments to the district boundaries adopted in this Ordinance that do not substantively affect the populations in the districts, the eligibility of candidates, or the residence of elected officials within any district. The City Manager shall consult with the City Attorney concerning any technical adjustments deemed necessary and shall advise the City Council of any such adjustments required in the implementation of the districts.

SECTION 5. CEQA. The City Council finds that the actions authorized by this Ordinance are not subject to the requirements of the California Environmental Quality Act ("CEQA") pursuant to CEQA Guidelines Sections 15060(c)(2) and 15061(b)(3) since the actions will not result in a direct or reasonably foreseeable indirect physical change in the environment.

SECTION 6: Severability. If any section, sub-section, subdivision, paragraph, clause or phrase in this Ordinance, or any part thereof, is for any reason held to be invalid or unconstitutional by a decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining sections or portions of this Ordinance or any part thereof. The City Council hereby declares that it would have passed each section, sub-section, subdivision, paragraph, sentence, clause or phrase of this Ordinance, irrespective of the fact that any one or more sections, sub-sections, subdivisions, paragraphs, sentences, clauses or phrases may be declared invalid or unconstitutional.

SECTION 7: Effective Date. This Ordinance shall become effective thirty (30) days following adoption.

City of Napa, a California charter city and municipal corporation

MAYOR: _____

ATTEST: _____

CITY CLERK OF THE CITY OF NAPA

STATE OF CALIFORNIA⎫
COUNTY OF NAPA ⎬ SS:
CITY OF NAPA ⎭

      I, Tiffany Carranza, City Clerk of the City of Napa, do hereby certify that the foregoing Ordinance had its first reading and was introduced during the public hearing of the City Council on the 8th day of February, 2022, and had its second reading and was adopted and passed during the public meeting of the City Council on the 8th day of March, 2022, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

ATTEST: _____
Tiffany Carranza
City Clerk

Approved as to Form:

_____
Michael W. Barrett
City Attorney

EXHIBIT A
District Boundary Map for City of Napa
District-Based Elections for Councilmembers
(Identifying Districts 1, 2, 3 and 4)