



# City of South San Francisco

P.O. Box 711 (City Hall,  
400 Grand Avenue)  
South San Francisco, CA

## City Council

**Ordinance: ORD 1558-2018**

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**File Number: 18-583**

**Enactment Number: ORD 1558-2018**

AN ORDINANCE AMENDING SOUTH SAN FRANCISCO MUNICIPAL CODE CHAPTER 2.16 TO ESTABLISH A DISTRICT-BASED ELECTION SYSTEM FOR FIVE COUNCIL DISTRICTS WITH A ROTATING MAYOR.

WHEREAS, the City of South San Francisco supports the full participation of all citizens in electing councilmembers; and

WHEREAS, the five (5) members of the City Council are currently elected in “at-large” elections, in which each City Councilmember is elected by the registered voters of the entire City; and

WHEREAS, the City received a certified letter on March 6, 2018, from an attorney alleging that the City's at-large councilmember electoral system violates 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, the letter was not accompanied by any evidence to support the claim of a CVRA violation; and

WHEREAS, the City is committed to diversity and inclusion as reflected in Resolution No. 17-232 (2017) and denies its election system violates the CVRA or any other provision of law and asserts the City's election system is legal in all respects and further denies any wrongdoing whatsoever in connection with the manner in which it has conducted its City Council elections; and

WHEREAS, to avoid the extremely high costs associated with defending a lawsuit based on the CVRA, on April 11, 2018, the City Council adopted Resolution No. 52-2018 declaring the City's intent to transition from at-large elections to district-based councilmember elections pursuant to Elections Code section 10010; and

WHEREAS, pursuant to Government Code sections 34886 and 34871, the City has the authority to adopt an ordinance requiring members of the City Council to be elected by district in five districts with a rotating mayor system; and

WHEREAS, Government Code section 34886 requires any such ordinance to “include a declaration that the change in the method of electing members of the legislative body is being made in furtherance of the purposes of the California Voting Rights Act of 2001”; and

WHEREAS, pursuant to Elections Code section 10010, before any maps of the proposed boundaries of the districts were drawn, the City Council held public hearings on April 25, 2018, and May 9, 2018, to receive public input regarding the composition of district maps; and

WHEREAS, on May 16, 2018, consistent with the provisions of Elections Code section 10010, the City published and made available for release, a potential sequence of elections and ten draft maps for consideration by the City Council, seven of which were prepared and submitted to the City by members of the public and three of which were prepared by the City's demographic consultant; and

WHEREAS, the City Council held a public hearing on May 23, 2018, to receive public input regarding the proposed district maps and sequence of elections and selected four maps (101, 102b, 106b, and 109) for further consideration; and

WHEREAS, on June 13, 2018, consistent with the provisions of Elections Code section 10010, the City published and made available for release, a potential sequence of elections and an additional six draft maps (116, 117, 118, s16, s27, s44) for consideration by the City Council; and

WHEREAS, the City Council held a public hearing on June 20, 2018, to receive public input and selected a district map, Map 109, and sequence of elections; and

WHEREAS, also pursuant to Elections Code section 10010, the City Council held a public hearing on June 27, 2018, prior to adoption of this Ordinance; and

WHEREAS, throughout the foregoing process, the City engaged in a significant amount of public outreach and engagement above and beyond the public hearings and other procedures required by California Elections Code Section 10010, including but not limited to providing a Spanish interpreter at all public meetings, translating materials into Spanish, Tagalog, and Simplified Chinese, mailing postcards to all households in the City, hosting map drawing workshops at libraries, soliciting public input through fliers at the farmer's markets, providing information to various homeowners and community associations, and engaging the South San Francisco Unified School District ; and

WHEREAS, in order to further the purposes of the California Voting Rights Act of 2001, the City Council now wishes to adopt an ordinance providing that the members of the City Council shall be elected by-district in five districts with a rotating mayor system beginning with the November 2020 general election; and

WHEREAS, the five City Council electoral districts to be established are described further in this Ordinance and shown on the district map, attached hereto as Exhibit "A" to this Ordinance.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF SOUTH SAN FRANCISCO DOES HEREBY ORDAIN AS FOLLOWS:

**SECTION 1. Incorporation of Recitals.**

The City Council of South San Francisco finds that all Recitals are true and correct and are incorporated

herein by reference.

## **SECTION 2. Amendments**

Chapter 2.16 of the South San Francisco Municipal Code is hereby amended to add Sections 2.16.020, 2.16.030 and Section 2.16.040 to read as follows:

### Section 2.16.020 District-Based Electoral System Established

Members of the City Council shall be elected on a district-based electoral system from five (5) single-member City Council Districts pursuant to Government Code Sections 34886 and 34871. For purposes of this section, the term “district-based electoral system” shall mean the election of City Councilmembers by the voters of the district alone.

### Section 2.16.030 District-Based Electoral System Requirements

(a) Members of the City Council shall be elected on a district-based electoral system, as defined in Section 2.16.020, from the five City Council Districts as illustrated in Figure 2.16.030(A).

(b) Except as provided in subsection(c), each member of the City Council 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 live in, and be a registered voter in, the City Council District in which that candidate is seeking election at the time nomination papers are issued to that candidate pursuant to Government Code Section 34882 and Elections Code Section 10227. Termination of residency in a district by a member of the City Council shall create an immediate vacancy for that City Council District unless a substitute residence within the district is established within thirty (30) days after that termination of residency.

(c) Notwithstanding any other provision of this section, the members of City Council in office, at the time this ordinance takes effect, shall continue in office until the expiration of the full term to which he or she was elected and until his or her successor is qualified.

(d) The City Council Districts described in this section shall be adjusted following each decennial federal census, as required by California Elections Code section 21600, *et seq.*, or by other law.

### Section 2.16.040 Election Schedule

Members of the City Council shall be elected from City Council Districts two and four at the November 2020 general municipal election, and every four years thereafter. Members of the City Council shall be elected from City Council Districts one, three, and five at the November 2022 general municipal election, and every four years thereafter.

## **SECTION 3. Map**

A map showing the districts described in this Ordinance is attached hereto as Exhibit A and incorporated herein by reference, and shall be codified in Chapter 2.16 as Figure 2.16.030(A) of the South San

Francisco Municipal Code.

**SECTION 4. Technical Adjustments**

If necessary to facilitate the implementation of this Ordinance, 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 candidates, or the residence of elected officials within any district. The City Clerk 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. Severability**

If any provision of this ordinance or the application thereof to any person or circumstance is held invalid, the remainder of the ordinance and the application of such provision to other persons or circumstances shall not be affected thereby.

**SECTION 6. Compliance with the California Environmental Quality Act**

The approval of this ordinance is exempt from the California Environmental Quality Act (Public Resources Code §§ 21000 et seq., “CEQA,” and 14 Cal. Code Reg. §§ 15000 et seq., “CEQA Guidelines”). This action is not a project within the meaning of the California Environmental Quality Act (CEQA) Guidelines Section 15378 and 15061(b)(3) as it is an organizational structure change that will not result in any direct or indirect physical change in the environment. Therefore, pursuant to CEQA Guidelines section 15060, CEQA analysis is not required.

**SECTION 7. Effective Date of Ordinance**

This Ordinance shall be in full force and effect thirty (30) days after its final passage.

**SECTION 8. Publication**

The summary of this Ordinance shall be published within fifteen (15) days after the adoption, together with the names of those City Councilmembers voting for or against it, in the South San Francisco Examiner, a newspaper of general circulation in the City of South San Francisco, in accordance with Government Code Section 36933.

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Introduced at a regular meeting of the City Council of the City of South San Francisco held the 27th day of June, 2018.


At a meeting of the City Council on 7/11/2018, a motion was made by Richard Garbarino, seconded by Pradeep Gupta, that this Ordinance be adopted. The motion passed.

**Yes:** 4 Mayor Normandy, Mayor Pro Tem Matsumoto, Councilmember Garbarino, and Councilmember Gupta

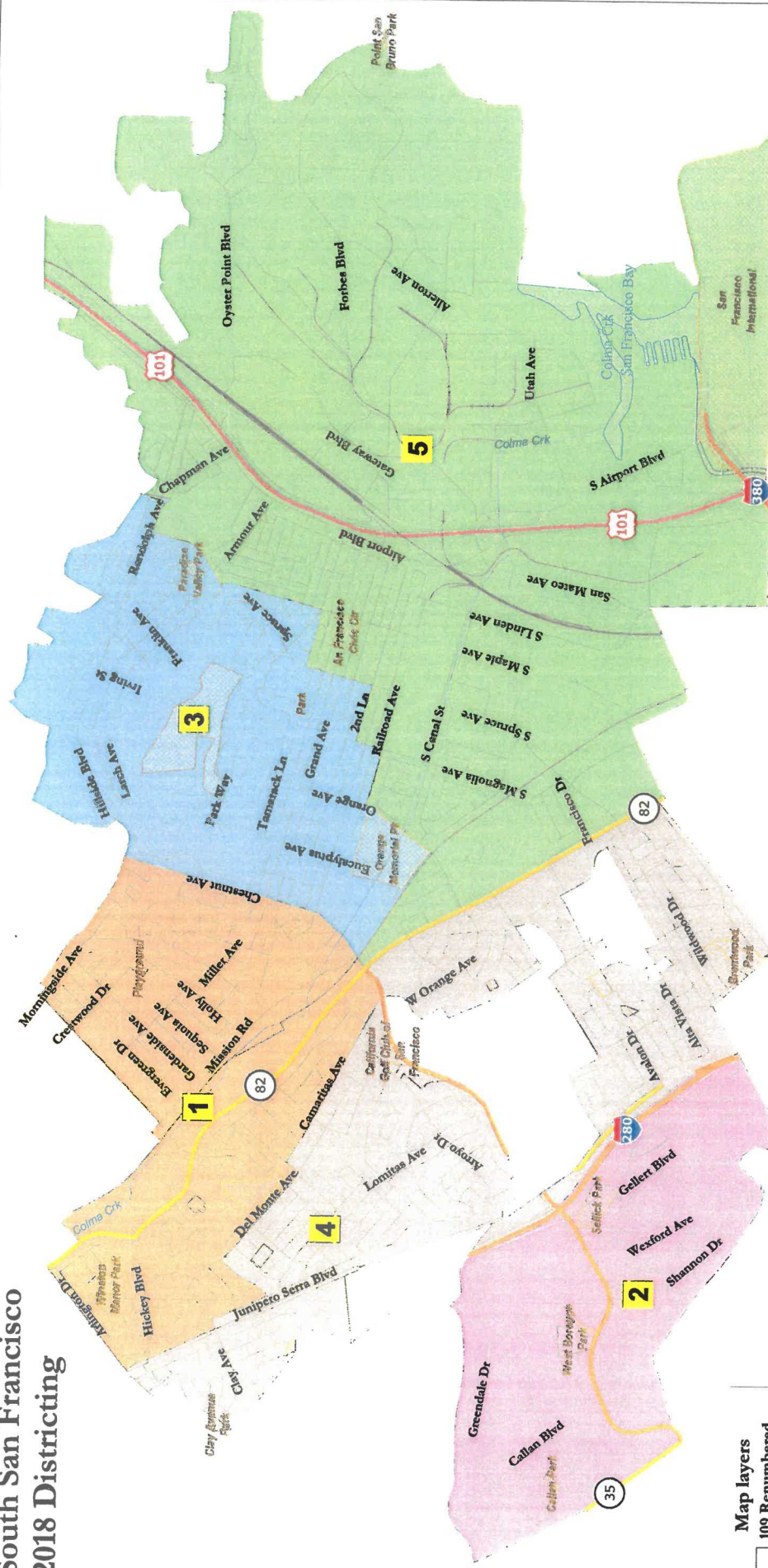
**No:** 1 Councilmember Addiego

Attest by

  
\_\_\_\_\_  
Krista Martinelli

  
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Liza Normandy, Mayor

# South San Francisco 2018 Districting



# Council-Preferred Map 109 Renumbered

2020 Elections: Districts 2 and 4  
2022 Elections: Districts 1, 3 and 5

**Map layers**

- 109 Renumbered
- Census Block
- Water Area
- Streets
- Landmark Area
- Pipeline/Power Line
- Railroad
- River