

IN THE CITY COUNCIL OF THE CITY OF LIVERMORE, CALIFORNIA

AN ORDINANCE AMENDING TITLE 2, CHAPTER 2.14, *ELECTIONS*, OF THE LIVERMORE MUNICIPAL CODE REGARDING CITY COUNCIL DISTRICTS AND AMENDING THE BOUNDARIES AND DESCRIPTIONS OF THE DISTRICTS

Every ten years, cities with by-district elections are required to use new census data to review and redraw district lines to reflect population changes.

This redistricting process ensures that all districts within a city have nearly an equal number of people residing within each district.

The City of Livermore transitioned to a district-based election system on November 26, 2018. As a result of the 2020 federal decennial census, the City Council is required to update the district boundaries prior to the November 8, 2022, General Municipal Election.

Although the City recently went through the districting process in 2018, the Council districts that were created reflected the population totals from the 2010 census.

Under the requirements of California Elections Code section 21608, the City created a redistricting website that included agendas, notices, draft maps, a hearing calendar, the procedure for submitting testimony, a recording of each hearing, meeting minutes, and public participation tools.

The City took specific steps to encourage residents, including those in underrepresented communities and non-English speaking communities, to participate in the redistricting process.

Pursuant to state law, the City held a total of five public hearings at the fixed time of 7:05 p.m., which included two public hearings regarding the potential voting district boundaries prior to the release and consideration of any draft voting district maps and two public hearings following the release of draft voting district maps. Spanish translation services were provided at all public hearings.

On October 11, 2021 and January 24, 2022, the City Council held public hearings to consider input from the public on the composition of the Council districts. The City Council considered all oral and written information, testimony, and comments received during the public review process.

On February 4, 2022, the City published and made available for release, all of the draft maps under consideration. The draft maps were made available on the City's website and the public was invited to provide comments. On February 14, 2022, the City Council considered the draft maps and comments received by the public and provided direction to the demographer to revise such maps.

On February 18, 2022, the City published four additional focus maps on the website and invited the public to provide comments.

At a public hearing on March 14, 2022, the City Council voted to proceed with a revised map.

On March 16, 2022, consistent with the provisions of California Elections Code section 21608(d)(1), the City published on the website the final map selected by the City Council. The final map was made available on the City's website and the public was invited to provide comments seven days prior to the first reading of the ordinance.

Under the provisions of California Elections Code section 21607.1, a recording of each public hearing was made available immediately following each meeting and meeting minutes were posted immediately following City Council approval.

The City desires to amend Title 2, Chapter 2.14, *Elections*, of the Municipal Code to include revisions to district boundaries.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF LIVERMORE DOES ORDAIN AS FOLLOWS:

Section 1. *Findings and Declarations.* The City Council finds and declares that the final map attached as Exhibit B to this resolution meets all of the requirements of state law including, but limited to, that the modified Council Districts:

- A. Are substantially equal in population;
- B. Comply with the U.S. Constitution, the California Constitution, and the federal Voting Rights Act;
- C. Are geographically contiguous;
- D. Minimize the division of local neighborhoods and local communities of interest;
- E. Create district boundaries that residents can easily identify and understand;
- F. Are compact in size; and
- G. Are not adopted to favor or discriminate against a political party.

Section 2. *Environmental.* The City Council finds that the proposed amendments to the *Livermore Municipal Code* are exempt from the requirements of the California Environmental Quality Act pursuant to Title 14 of the California Code of Regulations, Section 15061(b)(3) because it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment.

Section 3. Amendment. Title 2, Chapter 2.14, *Elections*, of the Livermore Municipal Code is amended as set forth in Exhibit A attached hereto. The deletions are shown using a strikethrough and the added language is shown with an underline, but the stricken language and underlines themselves shall not be codified in the Municipal Code, which publication shall only reflect the final language.

Section 4. Minor Adjustments. If necessary to facilitate the implementation of this Ordinance, the City Clerk is authorized to make minor 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 Manager and 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 part of this ordinance is declared invalid by a court, such invalidity shall not affect any of the remaining parts.

Section 6. Publication. This ordinance shall be published once in a newspaper of general circulation of the City of Livermore within fifteen days after its adoption.

Section 7. Effective date. This Ordinance shall take effect 30 days after its adoption.

The foregoing ordinance was introduced at the meeting of the City Council of the City of Livermore held on March 28, 2022, by the following vote:

AYES: COUNCIL MEMBERS:
NOES: COUNCIL MEMBERS:
ABSENT: COUNCIL MEMBERS:
ABSTAIN: COUNCIL MEMBERS:

The ordinance was adopted at the regular meeting of the City Council held on April 11, 2022, by the following vote:

AYES: COUNCIL MEMBERS:
NOES: COUNCIL MEMBERS:
ABSENT: COUNCIL MEMBERS:
ABSTAIN: COUNCIL MEMBERS:

Mayor, City of Livermore

ATTEST:

APPROVED AS TO FORM:

Marie Weber
City Clerk

/s/ Tara M. Mazzanti

Tara M. Mazzanti
Assistant City Attorney

Exhibit A – Amended and Restated Chapter 2.14, *Election*
Exhibit B – District Map

Article III. District Elections

2.14.080 District-Based Elections System.

A. Pursuant to California Government Code Section 34886 and 34871(c), Council members shall be elected on a district-based elections system in four single-member districts. For purposes of this article, the term "district-based elections system" shall mean the election of members of the City Council by the voters of the district alone.

B. Except as provided in subsection C of this section, the Council member elected to represent a district must live 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 district in which he or she seeks election at the time nomination papers are issued, pursuant to California Government Code Section 34882 and Elections Code Section 10227.

C. A Council member in office at the time this article takes effect shall continue in office until the expiration of the full term to which he or she was elected or appointed and until his or her successor is qualified. If vacancies in Council member offices elected at-large occur before expiration of the full term thereof, such vacancies shall be filled according to law from the City at-large.

D. Upon expiration of the full term of each Council member elected at-large, that Council member's successor shall be elected on a by-district basis in the districts established in LMC 2.14.090 (A) and (B) and as provided in LMC 2.14.100.

2.14.090. Districts.

A Subject to LMC 2.14.100, City Council members shall be elected on a by-district basis from the Council districts depicted on the map attached to the ordinance codified in this article, which is as Exhibit AB to that ordinance and incorporated by this reference. To the extent there is a conflict between the map incorporated herein and the descriptions contained in subsection B of this section, the map shall prevail.

B. The Districts are as follows:

1. District 1: All that portion of the city of Livermore lying westerly of the following described line: Beginning at the intersection of E Stanley Boulevard and the westerly boundary of the city of Livermore, and proceeding easterly along E Stanley Boulevard to the Arroyo Macho, and proceeding southeasterly along the Arroyo Macho to Arroyo Road, and proceeding southerly along Arroyo Road to Robertson Park Road, and proceeding easterly along Robertson Park Road to the easterly boundary of the city of Livermore, and proceeding northerly along the boundary of the city of Livermore to S Livermore Avenue, and proceeding northwesterly along S Livermore Avenue to N Livermore Avenue, and proceeding northerly along N Livermore Avenue to Portola Avenue, and proceeding westerly along Portola Avenue to the northern boundary of the city of Livermore. All the portion of the City of Livermore contained within this boundary: Beginning at the intersection of the westerly boundary of the City of Livermore and East Stanley Boulevard; thence proceeding easterly along East Stanley Boulevard to Arroyo Mocho; thence proceeding southeasterly along Arroyo Mocho to Holmes Street; thence proceeding northerly along Holmes Street to 4th Street; thence proceeding northeasterly along 4th Street to South Livermore Avenue; thence proceeding southeasterly along South Livermore Avenue to East Avenue; thence proceeding easterly along East Avenue to Maple Street; thence proceeding northwesterly along Maple Street to 5th Street; thence proceeding northeasterly along 5th Street to Church Street; thence proceeding northwesterly along Church Street to 1st Street; thence proceeding southwestly along 1st Street to Old 1st Street; thence proceeding northerly along Old 1st Street to Junction Avenue; thence proceeding northwesterly along Junction Avenue to Ladd Avenue; thence proceeding northeasterly along Ladd Avenue to Lee Avenue; thence proceeding northerly along Lee Avenue to Portola Avenue; thence proceeding westerly along Portola Avenue to the northerly boundary of the City of Livermore; thence proceeding westerly along the City of Livermore City Limits boundary line courses in a counterclockwise direction to East Stanley Boulevard and the point of beginning of this description.

2. District 2: All the portion of the city of Livermore lying northerly of the following described line: Beginning at the intersection of Portola Avenue and the northerly boundary of the city of Livermore, and proceeding southerly along Portola Avenue to N Livermore Avenue, and proceeding southerly along N Livermore Avenue to Junction Avenue, and proceeding southeasterly along Junction Avenue to rail line, and proceeding easterly along rail line to First Street, and proceeding northeasterly along First Street to Interstate 580, and proceeding easterly along Interstate 580 to the point directly south of the intersection of Altamont Pass Road and the boundary of the city of Livermore, and proceeding north to the easterly boundary of the city of Livermore. All the portion of the City of Livermore contained within this boundary: Beginning at the intersection of the northerly boundary of the City of Livermore and Portola Avenue; thence proceeding southerly along Portola Avenue to Lee Avenue; thence proceeding southerly along Lee Avenue

to Ladd Avenue; thence proceeding southwesterly along Ladd Avenue to Junction Avenue; thence proceeding southeasterly along Junction Avenue to Old 1st Street; thence proceeding southwesterly along Old First Street to 1st Street; thence proceeding northeasterly along 1st Street to railroad, and proceeding easterly along railroad to fork of railroad nearest Arroyo Las Positas; thence proceeding easterly along southernmost fork of railroad to the easterly boundary of the City of Livermore; thence proceeding along the City of Livermore City Limits boundary line courses in a counterclockwise direction to Portola Avenue and the point of beginning of this description.

~~District 3: All the portion of the city of Livermore lying easterly of the following described line: Beginning at the intersection of S Livermore Avenue and the easterly boundary of the city of Livermore, and proceeding northwesterly along S Livermore Avenue to N Livermore Avenue, and proceeding northerly along N Livermore Avenue to Junction Avenue, and proceeding southeasterly along Junction Avenue to rail line, and proceeding easterly along rail line to First Street, and proceeding northeasterly along First Street to Interstate 580, and proceeding easterly along Interstate 580 to the point directly south of the intersection of Altamont Pass Road and the boundary of the city of Livermore, and proceeding north to the easterly boundary of the city of Livermore.~~ All the portion of the City of Livermore contained within this boundary: Beginning at the intersection of the southerly boundary of the City of Livermore and Robertson Park Road; thence proceeding westerly along Robertson Park Road to Arroyo Road; thence proceeding northerly along Arroyo Road to Arroyo Mocho; thence proceeding westerly along Arroyo Mocho to Holmes Street; thence proceeding northerly along Holmes Street to 4th Street; thence proceeding northeasterly along 4th Street to South Livermore Avenue; thence proceeding southeasterly along South Livermore Avenue to East Avenue; thence proceeding easterly along East Avenue to Maple Street; thence proceeding northwesterly along Maple Street to 5th Street; thence proceeding northeasterly along 5th Street to Church Street; thence proceeding northwesterly along Church Street to 1st Street; thence proceeding northeasterly along 1st Street to railroad; thence proceeding easterly along railroad to fork of railroad nearest Arroyo Las Positas; thence proceeding easterly along southernmost fork of railroad to the easterly boundary of the City of Livermore; thence proceeding along the City of Livermore City Limits boundary line courses in a clockwise direction to Robertson Park Road and the point of beginning of this description.

4. District 4: All the portion of the city of Livermore lying southerly of the following described line: Beginning at the intersection of E Stanley Boulevard and the westerly boundary of the city of Livermore, and proceeding easterly along E Stanley Boulevard to the Arroyo Mocha, and proceeding southeasterly along the Arroyo Macho to Arroyo Road, and proceeding southerly along Arroyo Road to Robertson Park Road, and proceeding easterly along Robertson Park Road to the easterly boundary

of the city of Livermore. All the portion of the City of Livermore contained within this boundary: Beginning at the intersection of the southerly boundary of the City of Livermore and Robertson Park Road; thence proceeding westerly along Robertson Park Road to Arroyo Road; thence proceeding northerly along Arroyo Road to Arroyo Mocho; thence proceeding westerly along Arroyo Mocho to East Stanley Boulevard; thence proceeding westerly along East Stanley Boulevard to the westerly boundary of the City of Livermore; thence proceeding along the City of Livermore City Limits boundary line courses in a clockwise direction to Robertson Park Road and the point of beginning of this description.

C. The Council districts specified in subsections A and B of this section shall continue in effect until they are amended or repealed in accordance with law.

2.14.100. Election Schedule.

Except as otherwise required by California Government Code Section 36512, Council members shall be elected in Council ~~4~~Districts 3 and 4 beginning at the general municipal election in November 2020, and continue every four years thereafter. Council members shall be elected in Council ~~4~~Districts 1 and 2 beginning at the general municipal election in November 2022, and continue every four years thereafter. The election schedule for the mayor is not affected by this section.

LIVERMORE
CALIFORNIA
Proposed Final Plan

