

**ORDINANCE NO. 22-2202**

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF CARSON AMENDING THE CITY COUNCIL DISTRICT BOUNDARIES FOLLOWING THE 2020 FEDERAL DECENNIAL CENSUS PURSUANT TO SECTION 21620 *ET SEQ.* OF THE CALIFORNIA ELECTIONS CODE BY ADOPTING A NEW COUNCIL DISTRICT BOUNDARY MAP AND AMENDING SECTION 2155 (BY-DISTRICT ELECTIONS) OF CHAPTER 1.5 (GENERAL MUNICIPAL ELECTIONS) OF ARTICLE II (ADMINISTRATION) OF THE CARSON MUNICIPAL CODE**

**WHEREAS**, the California Voting Rights Act (CVRA), at California Elections Code section 14027, states: "An at-large method of election may not be imposed or applied in a manner that impairs the ability of a protected class to elect candidates of its choice or its ability to influence the outcome of an election, as a result of the dilution or the abridgment of the rights of voters who are members of a protected class ... "; and

**WHEREAS**, Carson enjoys a diverse demographic blend of several racial and ethnic groups – e.g. Latino, African-American, non-Hispanic white, Asian-American and Pacific Islander and experiences same with respect to its elected officials; and

**WHEREAS**, in 2019 and 2020, pursuant to California Elections Code Section 10010, the City held several public meetings, including in each region of the City, at which the public's input on whether to switch to By-Districts Elections in lieu of at-large elections and input on district maps was invited, and each map was scrutinized; and

**WHEREAS**, the City retained expert demographic firms to assist the City with developing draft electoral district maps and gathering input from residents on the district boundaries of possible maps; and

**WHEREAS**, California Government Code section 34886 permitted the City Council to change the City's method of election by ordinance, with certain formalities, to a by-district system in which each Councilmember, other than the directly elected Mayor, is elected only by the voters in the electoral district in which the Councilmember resides; and

**WHEREAS**, pursuant to California Government Code section 34886, the City Council declared that the purpose of the change in the method of electing members of the City Council of the City of Carson made by Ordinance No. 20-2008 was to implement the guarantees of Article I, Section 7 and Article II, Section 2 of the California Constitution, as set forth in the California Voting Rights Act (California Elections Code sections 14025 through 14032); and

**WHEREAS**, on July 21, 2020, the City Council introduced, read by title, and waived further reading of Ordinance No. 20-2008, which includes a map (attached as Exhibit "A" to Ordinance No. 20-2008) with four council districts that are population balanced and based on communities of interest and other Constitutional factors as set forth in Elections Code section 26120 and other applicable law; and

**WHEREAS**, on August 4, 2020, the City Council passed and adopted Ordinance No. 20-2008, which became effective and was the basis for the 2020 City Council Regular Election for Districts 1 and 3 and for the 2021 City Council Special Election for District 4, pursuant to Carson Municipal Code Section 2155 (B); and

**WHEREAS**, pursuant to California Elections Code section 21620 *et seq.*, as may be amended from time to time, the City Council shall adjust the boundaries of any or all the districts following each federal decennial census or, if authorized by the City Charter, following each federal mid-decade census, to ensure that the districts are in compliance with all applicable provisions of law; and

**WHEREAS**, following the results of the 2020 federal decennial census, in 2021 the City retained an expert demographic firm to assist the City with developing draft electoral redistricting maps and gathering input from residents on the district boundaries of possible maps; and

**WHEREAS**, Section 21627.1 of the Elections Code requires that (a) Before adopting a final map, the council shall hold at least four public hearings at which the public is invited to provide input regarding the composition of one or more council districts, with (1) At least one public hearing shall be held before the council draws a draft map or maps of the proposed council boundaries; and (2) At least two public hearings shall be held after the council has drawn a draft map or maps of the proposed council boundaries, although under subsection (e) of that section, the council may have city staff or a consultant conduct one or more public workshops in lieu of holding one of the public hearings that is otherwise required before draft maps are drawn. Additionally, under subsection (b) of that section, at least one public hearing or public workshop shall be held on a Saturday, on a Sunday, or after 6 p.m. on a weekday Monday through Friday; and

**WHEREAS**, a noticed public hearing was held November 16, 2021, followed by a public workshop on December 4, 2021 at the Community Center, both prior to any draft redistricting maps being produced; additionally, the December 4 meeting was on a Saturday and all other weekday public meetings were conducted after 6:00 p.m. pursuant to Section 21627.1 (b) of the Elections Code; and

**WHEREAS**, the City held three noticed public hearings subsequent to the drafting of preliminary Council district maps by the City-retained demographer, at which the public was invited to provide input regarding the composition of Council districts, those noticed public hearings being held on January 18, 2022, February 15, 2022 and March 1, 2022, and the City Council also discussed maps at the February 1, 2022 City Council meeting; and

**WHEREAS**, subsequent to the drafting of preliminary Council redistricting maps by the City-retained demographer, the City also held multiple public meetings on such Council district maps, with public meetings being held on January 10 and January 11 at Hemingway Park and at Dolphin Park; virtual meetings via Zoom and broadcast on the City's public access television channels were held on January 19 for the Veteran's Park neighborhood and January 25 for the Stevenson Park neighborhood; February 8 for the Calas Park neighborhood, February 9 for the Foisia Park neighborhood, and February 16 for the Anderson Park neighborhood; and

**WHEREAS**, subsequent to the drafting of preliminary Council redistricting maps by the City-retained demographer, the City also held in each Council district additional in-person workshops with Zoom and television access on such Council district maps, with public meetings being held on February 19 at Mills Park (District 3) and Foisia Park (District 4), on February 22 (District 2) at Carson Park (District 1), and on February 26 at Stevenson Park (District 1) and the Congresswoman Juanita Millender-McDonald Community Center (Citywide); and

**WHEREAS**, the public review process provided by the City for the redistricting complied with all applicable requirements of California Elections Code Section 21628. Without limitation, all public hearing notices for the public hearings were provided in applicable languages (e.g., English, Spanish and Tagalog) and other materials were available to be translated as well, and the City has created a dedicated web page for all relevant information about the redistricting process for public review; and

**WHEREAS**, the purpose of this Ordinance is to adopt, pursuant to California Elections Code Section 21620 *et seq.* and Carson Municipal Code Section 2155(C), new City Council District boundaries as shown in the map attached as Exhibit A to this Ordinance and to amend Carson Municipal Code Section 2155(B) to effectuate same henceforth within the context of the City's existing by-district Council election system, and subject to the provisions of California Elections Code Section 21626(a) - (b), which provide that (a) 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 the council member was elected, and (b) at the first election for council members in each city following adoption of the boundaries of council districts, excluding a special election to fill a vacancy or a recall election, a council member shall be elected for each district under the new district plan that has the same district number as a district whose incumbent's term is due to expire; and

**WHEREAS**, the Council district boundaries reflected in the map attached as Exhibit A to this Ordinance have been analyzed by the City's expert demographer, City staff, and the City Council. The expert demographer and City staff have confirmed, and the City Council hereby finds, that the Council districts as reflected in the map attached as Exhibit A to this Ordinance are substantially equal in population as required by the United States Constitution and in compliance with all applicable provisions of law.

**NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF CARSON, CALIFORNIA FINDS AND ORDAINS AS FOLLOWS:**

**SECTION 1. INCORPORATION OF RECITALS.** The above recitals are true and correct and are incorporated herein by this reference as material findings in support of this Ordinance.

**SECTION 2. CEQA.** Based upon the whole of the record before it, the City Council hereby finds that the adoption of an amended City Council District map is exempt from environmental review under the California Environmental Quality Act ("CEQA") (Pub. Resources

Code, § 21000 et seq.) pursuant to State CEQA Guidelines (Cal. Code Regs., tit.14, § 15000 et seq.) sections 15061(b)(3), 15320, and 15378(b)(3). Adoption of this Ordinance is an organizational and administrative activity of the City, does not have the potential to result in either a direct or reasonably foreseeable indirect physical change in the environment, and is therefore not a project for purposes of CEQA. (State CEQA Guidelines, §§ 15061 (b)(3); 15378(b)(5).) In the event adoption of this Ordinance does constitute a project, it is categorically exempt under the Class 20 (Changes in the Organization of Local Governments) categorical exemption. (State CEQA Guidelines, § 15320.) Further, none of the exceptions to the exemptions found in State CEQA Guidelines section 15300.2 apply. Staff is hereby directed to prepare, execute and file with the Los Angeles County Clerk a CEQA Notice of Exemption within five (5) working days of the adoption of this Ordinance.

**SECTION 3. ADOPTION OF REDISTRICTING MAP WITH NEW COUNCIL DISTRICT BOUNDARIES.** Pursuant to California Elections Code Section 21621(a), the City Council hereby adopts the “Redistricting Map” attached to this Ordinance as Exhibit “A;” the Council district boundaries as shown therein are hereby adopted as the boundaries for all of the council districts of the City henceforth. Notwithstanding the foregoing, this action is intended to be construed as taken (i) within the context of the City’s existing by-district election system as codified in Carson Municipal Code Section 2155, including as the same is amended by Section 4 of this Ordinance, and (ii) subject to the applicable provisions of California Elections Code Section 21626, including subsections (a) and (b) thereof, and other applicable law.

**SECTION 4. CODE AMENDMENT.** Section 2155 (By-District Elections) of Chapter 1.5 (General Municipal Elections) of Article II (Administration) of the Carson Municipal Code is hereby amended to read as follows:

"2155 By-District Elections.

A. By-District Elections. Pursuant to California Government Code Section 34886, all members of the City Council of the City of Carson, other than the Mayor, shall be elected by district in four (4) single-member districts.

1. All members of the City Council shall be elected in the electoral districts established by subsection (B) of this Section and as subsequently reapportioned pursuant to State law. All City Council elections shall take place "by district" as that term is defined in California Government Code Section 34871, meaning each of the five (5) Councilmembers, other than the directly elected Mayor, shall be elected from each district, by the voters of that district alone.

2. Any Councilmember elected or appointed to represent a district must reside in that district and be a registered voter in that district, and any candidate for City Council must reside in, and be a registered voter in, the district in which he or she seeks election at the time nomination papers are issued.

3. Termination of residency in a district by a Councilmember shall create a vacancy for that City Council district unless a substitute residence within the district is

immediately declared and established within thirty (30) days after the termination of residency.

4. Notwithstanding any other provision of this Section, all Councilmembers in office at the time this Section takes effect shall continue in office until the expiration of the at-large term to which they were elected.

B. City Council Districts and District Elections. All Councilmembers, other than the directly elected Mayor, shall be elected on a by-district basis from the Council districts shown and numbered on the ***“Redistricting Map” attached as Exhibit “A” to City Ordinance No. 22-2202*** ~~map attached to the ordinance codified in this section as Exhibit A~~, a copy of which shall be on file in the City Clerk's office. In November, 2020, and every four years thereafter, the following two City Council districts shall be elected by-district: District 1 and District 3. In November, 2022, and every four years thereafter, the following two City Council districts shall be elected by-district: District 2 and District 4.

C. Amendment of District Boundaries. Pursuant to California Elections Code section 21620, as it may be amended from time to time, the City Council shall adjust the boundaries of any or all of the districts following each federal decennial census or, if authorized by the City Charter, following each federal mid-decade census, to ensure that the districts are in compliance with all applicable provisions of law.”

**SECTION 5. SEVERABILITY.** If any section, subsection, sentence, clause, phrase, or portion of this ordinance is, for any reason, held to be invalid or unconstitutional by the decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this ordinance. The City Council hereby declares that it would have adopted this ordinance and each section, subsection, sentence, clause, phrase, or portion thereof, irrespective of the fact that any one or more sections, subsections, sentences, clauses, phrases, or portions thereof may be declared invalid or unconstitutional.

**SECTION 6. EFFECTIVE DATE.** Pursuant to Government Code section 36937(a) and/or City Charter Section 316(1), this Ordinance shall become effective immediately following its adoption.

**SECTION 7. CERTIFICATION.** The City Clerk shall certify to the adoption of this ordinance and shall cause the same to be posted and codified in the manner required by law.

[signatures on the following page]

**PASSED AND ADOPTED** on the \_\_\_\_ day of \_\_\_\_\_, 2022, by the following  
vote:

AYES:  
NOES:  
ABSENT:

\_\_\_\_\_  
LULA DAVIS-HOLMES, Mayor

ATTEST:

\_\_\_\_\_  
DR. KHALEAH R. BRADSHAW, City Clerk

APPROVED AS TO FORM:

\_\_\_\_\_  
SUNNY K. SOLTANI, City Attorney

**EXHIBIT “A”**  
**REDISTRICTING MAP**

[to be attached]