



City Council Staff Report

DATE: April 17, 2019

AGENDA ITEM NO: Public Hearing
Agenda Item 4-A

TO: The Honorable Mayor and City Council
FROM: Vincent D. Chang, City Clerk
SUBJECT: Public Hearing to Receive Input from the Community Regarding the Creation of a City Council District-Based Electoral System Pursuant to Elections Code §10010

RECOMMENDATION:

It is recommended that the City Council consider:

- (1) Conducting a continued Public Hearing to receive public testimony on the composition of districts for a district-based electoral system pursuant to Elections Code § 10010;
- (2) Introduce and waive first reading of an Ordinance establishing City Council Districts or provide direction to the City's demographer regarding the composition of districts for a district-based electoral system pursuant to Elections Code § 10010 for consideration at a future Council meeting;
- (3) Authorizing an additional \$15,000 to cover the costs for implementation of district voting; and
- (4) Taking such additional, related, action that may be desirable.

EXECUTIVE SUMMARY:

On November 7, 2018, the City Council adopted Resolution No. 12043 declaring its intent to transition from at-large to district-based elections for City Council members, commencing with the General Municipal Election in March 2020. Elections Code § 10010 requires that the City conduct four public hearings to receive community input on district boundaries and maps for the formation of City Council districts. The City Council conducted Public Hearings on December 5, 2018, December 19, 2018, February 20, 2019, March 20, 2019, and April 3, 2019.

At the March 20, 2019 Council Meeting the issue was raised as to whether the City's term limit ballot measure/code would allow for either Mayor Chan or Mayor Pro Tem Liang to run for a council seat in a 2020 district election. The City Attorney reviewed this issue and opined that neither the Mayor nor Mayor Pro Tem can run for City Council in 2020 or 2022 regardless of whether there is district-based voting or not.

Based on public input, the City Council's direction, and other legally required criteria, the City's Demographer evaluated and submitted the proposed draft maps for public review and comments. It is recommended that the City Council provide the City Demographer with direction regarding which final map product, with any necessary modifications, the City Council would like to consider at its April 17, 2019 meeting. The Council has the authority to arrange the districts and arrange the order of the various districts' elections in 2020 and 2022 based upon any rational basis that "give[s] special consideration to the purposes of the California Voting Rights Act of 2001" and "take[s] into account the preferences expressed by members of the districts" (Elections Code Section 10010(b)), so long as it does not impermissibly dilute the voting strength of Latinos or any other protected class.

BACKGROUND

Since November 7, 2018, the City engaged in outreach efforts to inform the public about district elections and the process associated with their formation. A webpage (www.MontereyPark.ca.gov/DistrictElections) was uploaded to provide information about district elections, including opportunities for when and how the public can be engaged (translations available). The official notice of Public Hearings was translated and published in the Monterey Park Press (English), La Opinión (Spanish), World Journal (Chinese) and Saigon Times (Vietnamese). In addition, a press release in multiple languages was sent via email to local media and subscribers, and an article was placed in the December 2018 and the February 2019 editions of the Monterey Park Cascade (which was mailed to every residence in the City).

At its December 19, 2018 meeting, the City Council directed staff to conduct additional outreach efforts to engage the community in the formation of city council districts. On the week of Jan. 14, 2019, a postcard providing notice of the formation of a district-based electoral system (in multiple languages) was mailed to each household in the City. The announcement was also emailed to City's Commission and Board members. Additionally, public participation kits were made available throughout city hall and an instructional video on how to use the participation tools was uploaded to the webpage as well. Kits were also mailed to persons seeking additional information and those requesting participation kits.

At its February 20, 2019 meeting, the City Council (1) continued the previously scheduled March 6, 2019 Public Hearing to March 20, 2019 and; (2) set the deadline of March 8, 2019 4:30 p.m. as the deadline for submittal of five district maps. Concluding that certain maps presented challenges including, without limitation, over or under five districts, population imbalance, protected-class dilution, etc., the City Council, by consensus, eliminated Map Nos. 1, 2, 6, 7, 8, 10, 11, 12, 13, 14, 15, and 16. Consideration of the remaining Maps (Nos. 3, 4, 5, 9, 17 and 18) was continued to the March 20, 2019 City Council meeting.

Before the March 20, 2019 meeting, the City Clerk's office received a number of proposed draft maps; seven of these proposed draft maps were evaluated by the City's

Demographer. Of these seven maps, five were confirmed to have met the standards established under the California Voting Rights Act and the Federal Voting Rights Act (Map Nos. 19, 20, 21, 22 and 23), while two maps (Nos. 24 and 25) were rejected due to population imbalance and protected class dilution, respectively.

At its March 20, 2019 meeting, the City Council included Map Nos. 19-23 to its consideration of Map Nos. 3, 4, 5, 9, 17 and 18. In order to ensure sufficient time to review all eleven maps, the City Council continued its consideration of these Maps from March 20, 2019 to April 3, 2019 and directed National Demographics Corporation (NDC) not to process maps received after March 20, 2019.

At its April 3, 2019 meeting, the City Council consented to move forward Map Nos. 4, 9, and 23 for further discussion at its April 17, 2019 council meeting and potentially introduce an ordinance establishing Council districts.

Elections Code § 10010 requires that modifications to the boundary maps be republished for public review at least seven days before City Council consideration. It is recommended that the City Council either introduce the attached ordinance establishing the Council districts or provide the City Demographer with direction regarding which map(s) , with any necessary modifications, the City Council would like to consider introducing by ordinance at its May 3, 2019 meeting.

FISCAL IMPACT:

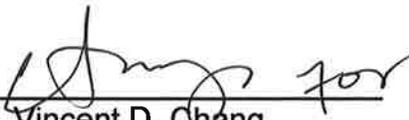
At the March 7, 2018 and December 5, 2018 City Council meetings, the Council allocated \$50,000 and \$10,000, respectively, for costs associated with district voting. The related costs are as follows:

NDC – Basic District Project Elements	\$21,500
NDC – In-person presentation (6 meetings)	\$12,000
NDC – Public Participation Kits	\$ 4,000
NDC – Database of demographic	\$ 2,000
Legal notices publication	\$ 4,326
Translations	\$ 2,465
Postcard – Printing, mailhouse, delivery	\$ 3,995
Postcard – Postage	\$ 3,823
Postcard – Translation	<u>\$ 350</u>
Total	\$54,459

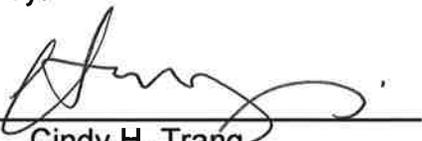
With the adoption of the ordinance and the final map, staff is requesting an allocation of \$15,000 for costs associated with the finalizing the district map and outreach efforts such as postcards, water bill inserts, and outreach at special events.

Respectfully submitted,

Prepared by:



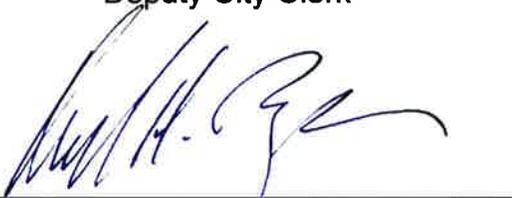
Vincent D. Chang
City Clerk



Cindy H. Trang
Deputy City Clerk



Ron Bow
City Manager



Karl H. Berger
Assistant City Attorney

Attachments:

1. Focus Map Nos. 4, 9, and 23 for Consideration
2. Draft Ordinance

ATTACHMENT 1

Focus Map Nos. 4, 9, and 23 for Consideration

Monterey Park 2019 Districting

Dhing 1



Monterey Park - Dhing 1							
District		1	2	3	4	5	Total
Ideal	Total Pop	12,086	11,817	12,127	12,231	12,008	60,269
12,054	Deviation from ideal	32	-237	73	177	-46	414
	% Deviation	0.27%	-1.97%	0.61%	1.47%	-0.38%	3.43%
Total Pop	% Hisp	16%	23%	57%	16%	22%	27%
	% NH White	4%	7%	5%	5%	5%	5%
	% NH Black	0%	1%	0%	0%	0%	0%
	% Asian-American	79%	69%	37%	78%	72%	67%
Citizen Voting Age Pop	Total	8,194	8,473	8,232	6,863	7,543	39,305
	% Hisp	18%	26%	55%	18%	23%	29%
	% NH White	5%	7%	5%	5%	5%	5%
	% NH Black	0%	2%	0%	0%	0%	1%
	% Asian/Pac.Isl.	76%	64%	39%	75%	72%	65%
Voter Registration (Nov 2016)	Total	5,746	6,343	6,103	4,384	5,385	27,960
	% Latino est.	20%	30%	56%	23%	31%	33%
	% Spanish-Surnamed	18%	27%	51%	21%	28%	29%
	% Asian-Surnamed	59%	50%	29%	57%	48%	48%
	% Filipino-Surnamed	1%	1%	1%	1%	2%	1%
	% NH White est.	17%	15%	12%	18%	18%	16%
Voter Turnout (Nov 2016)	Total	3,295	3,967	4,152	2,470	3,457	17,342
	% Latino est.	23%	33%	60%	28%	35%	37%
	% Spanish-Surnamed	21%	29%	54%	25%	32%	34%
	% Asian-Surnamed	54%	46%	27%	51%	43%	43%
	% Filipino-Surnamed	1%	1%	1%	1%	2%	1%
	% NH White est.	18%	15%	11%	19%	18%	16%
Voter Turnout (Nov 2014)	Total	1,469	1,808	1,502	981	1,509	7,269
	% Latino est.	20%	24%	62%	24%	32%	33%
	% Spanish-Surnamed	18%	22%	56%	22%	29%	30%
	% Asian-Surnamed	53%	51%	25%	48%	44%	44%
	% Filipino-Surnamed	1%	1%	1%	1%	2%	1%
	% NH White est.	23%	23%	11%	22%	20%	20%
ACS Pop. Est.	Total	12,826	11,963	12,611	11,807	12,096	61,303
	Age						
Age	age0-19	18%	20%	22%	17%	18%	19%
	age20-60	54%	55%	53%	56%	57%	55%
	age60plus	28%	25%	25%	27%	25%	26%
Immigration	immigrants	58%	45%	40%	67%	58%	54%
	naturalized	66%	68%	69%	59%	60%	64%
Language spoken at home	english	24%	28%	31%	16%	22%	24%
	spanish	13%	23%	35%	11%	18%	20%
	asian-lang	62%	49%	33%	72%	59%	55%
	other lang	1%	1%	1%	1%	1%	1%
Language Fluency	Speaks Eng. "Less than Very Well"	45%	31%	30%	57%	46%	42%
Education (among those age 25+)	hs-grad	46%	46%	54%	45%	49%	48%
	bachelor	22%	24%	19%	19%	21%	21%
	graduatedegree	12%	12%	8%	8%	7%	9%
Child in Household	child-under18	21%	29%	26%	26%	28%	26%
Pct of Pop. Age 16+	employed	52%	54%	52%	54%	54%	53%
Household Income	income 0-25k	29%	23%	22%	29%	25%	26%
	income 25-50k	16%	20%	23%	27%	25%	22%
	income 50-75k	14%	18%	16%	14%	14%	15%
	income 75-200k	34%	31%	35%	24%	29%	31%
	income 200k-plus	7%	8%	5%	5%	7%	7%
Housing Stats	single family	63%	70%	77%	54%	71%	67%
	multi-family	37%	30%	23%	46%	29%	33%
	rented	50%	44%	41%	58%	50%	49%
	owned	50%	56%	59%	42%	50%	51%
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.							

Dhing 1 – submitted by Jason Dhing

The following criterias are used to create the 5 districts:

1 District 3 is created first based on the highest Hispanic percentage of total population. The Unit ID numbers that have percentage of population of Hispanics 35% or more are circled in the colored Population Unit ID Map (attached with email).

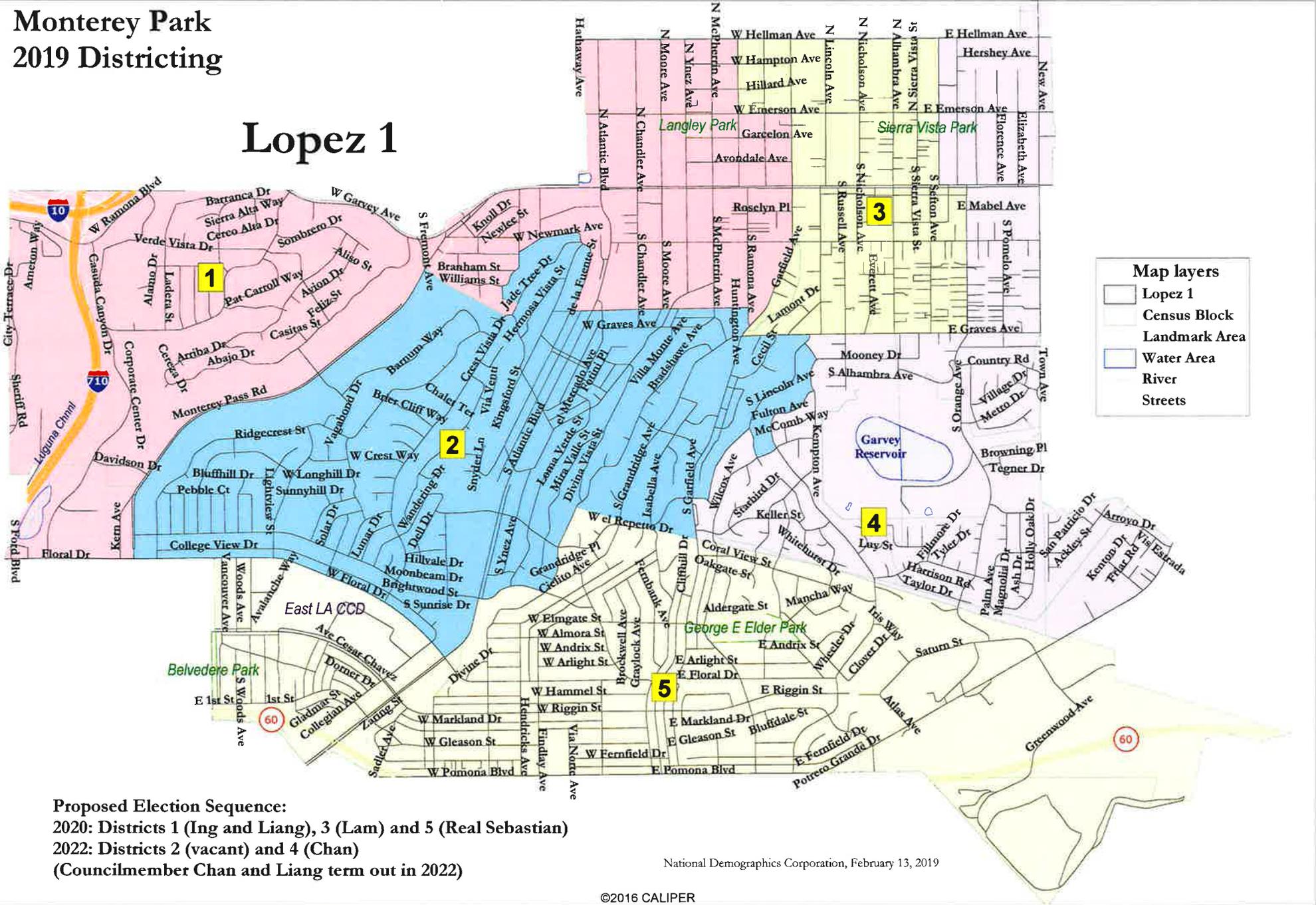
2 Approximate elementary school boundaries (based on Population Unit ID) of each Alhambra Unified School District are next drawn on the map as guidelines for the other 4 districts.

3 Each Population Unit ID are added to each based on the first 2 criteria, with a conscious balance of Number of Population, Voters and Registration in mind. Each district has almost equal number of Population, equal number of Voters and equal number of Registration.

4 Population Unit ID# 22 and 1 are purposely left out, because ID#22 is East Los Angeles College, and ID#1 is Monterey Park Marketplace. These two IDs should never be controlled by any district. Each district has some share of each of the business districts of the city [NDC note: Population Units 22 and 1 have been added to their surrounding districts by NDC because by law all city territory must be assigned to a district.]

Monterey Park 2019 Districting

Lopez 1



Monterey Park - Lopez 1

District		1	2	3	4	5	Total
Ideal	Total Pop	12,048	12,297	11,642	12,158	12,124	60,269
12,054	Deviation from ideal	-6	243	-412	104	70	655
	% Deviation	-0.05%	2.02%	-3.42%	0.86%	0.58%	5.43%
Total Pop	% Hisp	16%	27%	13%	22%	56%	27%
	% NH White	4%	7%	3%	5%	6%	5%
	% NH Black	0%	1%	0%	0%	0%	0%
	% Asian-American	79%	65%	82%	72%	37%	67%
Citizen Voting Age Pop	Total	8,240	8,086	6,850	7,355	8,773	39,305
	% Hisp	18%	32%	16%	22%	51%	29%
	% NH White	5%	8%	3%	5%	6%	5%
	% NH Black	0%	2%	0%	0%	0%	1%
	% Asian/Pac.Isl.	76%	57%	80%	73%	42%	65%
Voter Registration (Nov 2016)	Total	5,737	6,613	3,691	5,393	6,526	27,960
	% Latino est.	20%	30%	20%	27%	59%	33%
	% Spanish-Surnamed	18%	27%	18%	24%	53%	29%
	% Asian-Surnamed	59%	49%	63%	51%	26%	48%
	% Filipino-Surnamed	1%	1%	1%	2%	1%	1%
	% NH White est.	17%	17%	13%	18%	12%	16%
	% NH Black	0%	3%	1%	1%	0%	1%
Voter Turnout (Nov 2016)	Total	3,291	4,247	1,919	3,438	4,447	17,342
	% Latino est.	23%	32%	26%	31%	63%	37%
	% Spanish-Surnamed	21%	29%	23%	28%	56%	34%
	% Asian-Surnamed	54%	46%	56%	47%	23%	43%
	% Filipino-Surnamed	1%	1%	1%	2%	1%	1%
	% NH White est.	18%	17%	13%	19%	12%	16%
	% NH Black	0%	3%	1%	1%	0%	1%
Voter Turnout (Nov 2014)	Total	1,464	1,867	703	1,519	1,716	7,269
	% Latino est.	20%	26%	23%	29%	59%	33%
	% Spanish-Surnamed	18%	24%	21%	26%	53%	30%
	% Asian-Surnamed	54%	48%	57%	46%	25%	44%
	% Filipino-Surnamed	1%	1%	1%	2%	1%	1%
	% NH White est.	23%	23%	15%	21%	15%	20%
	% NH Black est.	0%	1%	2%	1%	0%	1%
ACS Pop. Est.	Total	12,715	12,203	11,641	11,872	12,871	61,303
Age	age0-19	18%	20%	18%	17%	22%	19%
	age20-60	54%	54%	57%	57%	53%	55%
	age60plus	28%	26%	25%	25%	25%	26%
Immigration	immigrants	58%	43%	69%	60%	40%	54%
	naturalized	67%	68%	58%	62%	68%	64%
Language spoken at home	english	24%	29%	15%	21%	32%	24%
	spanish	13%	25%	9%	16%	36%	20%
	asian-lang	61%	45%	76%	62%	31%	55%
	other lang	1%	1%	0%	1%	1%	1%
Language Fluency	Speaks Eng. "Less than Very Well"	45%	29%	59%	47%	30%	42%
Education (among those age 25+)	hs-grad	46%	45%	44%	49%	56%	48%
	bachelor	22%	26%	18%	21%	18%	21%
	graduatedegree	12%	13%	8%	8%	6%	9%
Child in Household	child-under18	22%	29%	27%	28%	26%	26%
Pct of Pop. Age 16+	employed	52%	55%	54%	54%	51%	53%
Household Income	income 0-25k	29%	21%	32%	26%	21%	26%
	income 25-50k	17%	18%	28%	24%	25%	22%
	income 50-75k	14%	19%	14%	14%	15%	15%
	income 75-200k	34%	32%	21%	29%	36%	31%
	income 200k-plus	7%	10%	4%	8%	3%	7%
Housing Stats	single family	63%	71%	45%	70%	83%	67%
	multi-family	37%	29%	55%	30%	17%	33%
	rented	50%	41%	65%	50%	39%	49%
	owned	50%	59%	35%	50%	61%	51%

Total population data from the 2010 Decennial Census.

Surname-based Voter Registration and Turnout data from the California Statewide Database.

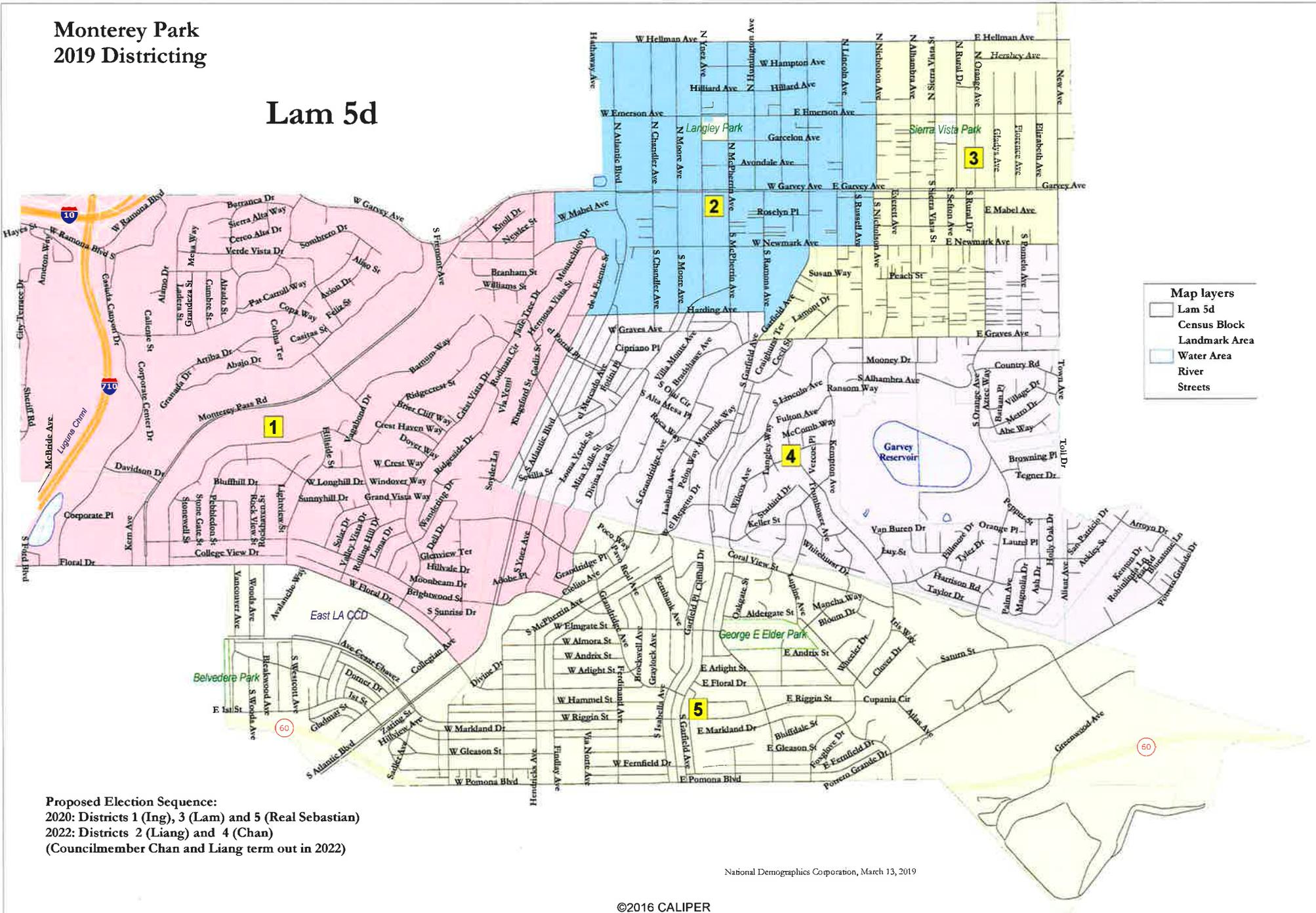
Latino voter registration and turnout data are Spanish-surname counts adjusted using Census Population Department undercount estimates. NH White and NH Black registration and turnout counts estimated by NDC. Citizen Voting Age Pop., Age, Immigration, and other demographics from the 2012-2016 American Community Survey and Special Tabulation 5-year data.

Lopez 1 – Submitted by Mike Lopez

I think this map makes sense because: it follows the boundaries of most school districts and school communities, keeps neighborhoods together, reduces confusion (because current council members are each represented in a separate district) and a Latino district of 56% is created as required by the California Voting Rights Act.

Monterey Park
2019 Districting

Lam 5d



Proposed Election Sequence:
 2020: Districts 1 (Ing), 3 (Lam) and 5 (Real Sebastian)
 2022: Districts 2 (Liang) and 4 (Chan)
 (Councilmember Chan and Liang term out in 2022)

National Demographics Corporation, March 13, 2019

Monterey Park - Lam 5d

District		1	2	3	4	5	Total	
<u>Ideal</u>	Total Pop	11,972	11,727	12,481	11,965	12,124	60,269	
12,054	Deviation from ideal	-82	-327	427	-89	70	754	
	% Deviation	-0.68%	-2.71%	3.54%	-0.74%	0.58%	6.26%	
Total Pop	% Hisp	25%	12%	16%	25%	56%	27%	
	% NH White	6%	3%	2%	7%	6%	5%	
	% NH Black	1%	0%	0%	0%	0%	0%	
	% Asian-American	68%	84%	80%	67%	37%	67%	
Citizen Voting Age Pop	Total	8,437	7,193	7,374	7,527	8,773	39,305	
	% Hisp	27%	15%	19%	27%	51%	29%	
	% NH White	7%	4%	2%	8%	6%	5%	
	% NH Black	1%	0%	0%	1%	0%	1%	
	% Asian/Pac.Isl.	64%	80%	79%	63%	42%	65%	
Voter Registration (Nov 2016)	Total	6,613	4,397	4,136	6,288	6,526	27,960	
	% Latino est.	25%	20%	22%	29%	59%	33%	
	% Spanish-Surnamed	23%	18%	20%	26%	53%	29%	
	% Asian-Surnamed	52%	63%	60%	47%	26%	48%	
	% Filipino-Surnamed	1%	1%	1%	1%	1%	1%	
	% NH White est.	18%	14%	12%	19%	12%	16%	
Voter Turnout (Nov 2016)	% NH Black	2%	0%	2%	1%	0%	1%	
	Total	4,305	2,232	2,268	4,090	4,447	17,342	
	% Latino est.	27%	25%	28%	33%	63%	37%	
	% Spanish-Surnamed	24%	22%	25%	29%	56%	34%	
	% Asian-Surnamed	50%	56%	54%	45%	23%	43%	
	% Filipino-Surnamed	1%	1%	1%	1%	1%	1%	
	% NH White est.	19%	16%	12%	19%	12%	16%	
Voter Turnout (Nov 2014)	% NH Black	2%	0%	2%	1%	0%	1%	
	Total	2,006	828	844	1,876	1,716	7,269	
	% Latino est.	21%	21%	27%	31%	59%	33%	
	% Spanish-Surnamed	19%	19%	24%	28%	53%	30%	
	% Asian-Surnamed	52%	58%	58%	41%	25%	44%	
	% Filipino-Surnamed	1%	2%	1%	2%	1%	1%	
ACS Pop. Est.	% NH White est.	25%	16%	12%	24%	15%	20%	
	% NH Black est.	0%	0%	1%	2%	0%	1%	
	Total	12,016	12,202	12,799	11,415	12,871	61,303	
	Age	age0-19	20%	18%	18%	17%	22%	19%
		age20-60	51%	56%	59%	56%	53%	55%
age60plus		29%	26%	23%	27%	25%	26%	
Immigration	immigrants	43%	66%	67%	52%	40%	54%	
	naturalized	71%	60%	58%	68%	68%	64%	
Language spoken at home	english	31%	16%	16%	26%	32%	24%	
	spanish	23%	11%	11%	20%	36%	20%	
	asian-lang	45%	73%	73%	53%	31%	55%	
	other lang	2%	0%	0%	1%	1%	1%	
Language Fluency	Speaks Eng. "Less than Very Well"	30%	54%	55%	38%	30%	42%	
Education (among those age 25+)	hs-grad	43%	47%	46%	48%	56%	48%	
	bachelor	28%	18%	19%	23%	18%	21%	
	graduatedegree	14%	9%	7%	11%	6%	9%	
Child in Household	child-under18	26%	24%	29%	27%	26%	26%	
Pct of Pop. Age 16+	employed	53%	53%	56%	52%	51%	53%	
Household Income	income 0-25k	21%	34%	31%	21%	21%	26%	
	income 25-50k	15%	21%	27%	23%	25%	22%	
	income 50-75k	17%	15%	15%	15%	15%	15%	
	income 75-200k	35%	27%	22%	33%	36%	31%	
	income 200k-plus	12%	3%	6%	8%	3%	7%	
Housing Stats	single family	68%	49%	52%	83%	83%	67%	
	multi-family	32%	51%	48%	17%	17%	33%	
	rented	38%	65%	63%	38%	39%	49%	
	owned	62%	35%	37%	62%	61%	51%	

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.

NDC

Monterey Park Plan Submitter Comments

March 10, 2019

Lam 5d - No Comment

ATTACHMENT 2

Draft Ordinance

AN ORDINANCE CHANGING THE CITY'S PROCEDURE FOR ELECTING MEMBERS OF THE CITY COUNCIL FROM AT-LARGE TO BY-DISTRICT.

THE CITY COUNCIL DOES ORDAIN AS FOLLOWS:

SECTION 1: The City Council finds and determines as follows:

- A. The City of Monterey Park supports the full participation of all residents in electing Members of the City Council;
- B. The City currently elects its five City Council Members using an at-large election system;
- C. Some members of the public believe adopting a by-district electoral system for the Monterey Park City Council would better promote the full participation of all residents in electing Members of the City Council;
- D. In the at-large election system, candidates may reside in any part of the City and each City Council Member is elected by the voters of the entire City;
- E. Government Code § 34886 allows the City Council to change the City's method of election by ordinance to a "by-district" system in which each member of the City Council is elected only by the voters in the district in which the candidate resides;
- F. Elections Code § 10010 requires cities changing from an at-large city council method of election to a by-district city council method of election hold a total of five public hearings which includes at least two public hearings regarding potential voting district boundaries before the release and consideration of any draft voting district maps, and two public hearings following the release of draft voting district map(s);
- G. On November 7, 2018, the City Council adopted Resolution No. 12043 that initiated the process of establishing a by-district election system and adopted an implementation schedule;
- H. Public Hearings were held on December 5, 2018 and December 19, 2018 to receive public input regarding the composition of the City's voting districts before any draft maps were drawn;
- I. Public Hearings were then held on February 20, 2019, March 20, 2019, April 3, 2019, and April 17, 2019 where the public was invited to provide input regarding the content of the draft maps;

- J. On April 17, 2019, the City Council held a final public hearing on the proposal to establish district boundaries, reviewed additional public input, formally selected the voting district map and the election sequence attached to, incorporated in, and set forth in this Ordinance; and
- K. This Ordinance is enacted pursuant to Government Code § 34886 to provide for election of members of the City Council of the City of Monterey Park by-district in five single-member districts as reflected in Exhibit 1 to this Ordinance to implement the purposes of the California Voting Rights Act of 2001 (Elections Code § 14025, *et seq.*) and protect the guarantees of the California Constitution.

SECTION 2: Sections 2.04.060 to 2.04.090 are added to Chapter 2.04 of the Monterey Park Municipal Code ("MPMC") to read as follows:

"2.04.060 By-District Electoral System.

Beginning in 2020, members of the City Council will be elected by-district from five single-member Council Districts in accordance with this chapter.

2.04.070 Council Districts Established.

- A. Pursuant to Government Code § 34871(a), City Council members will be elected on a by-district basis from the five Council Districts established and amended from time to time by ordinance, and numerically designated as District 1, District 2, District 3, District 4, and District 5.
- B. City Council members must be elected in the electoral districts established by this chapter and subsequently reapportioned pursuant to applicable law.
- C. Except as otherwise provided by applicable law, and notwithstanding any other provision of this chapter, once this chapter is fully implemented, a member of the City Council elected appointed to represent a district must reside in that district and be a registered voter in that district. Pursuant to Government Code § 34882 and Elections Code § 10227, candidates for City Council must live, and be a registered voter, in the Council District in which he or she seeks election at the time nomination papers are issued. Termination of residency in a district by a member of the City Council will create an immediate vacancy for that Council District unless a substitute residence within the district is established within 30 days after the termination of residency.

- D. Pursuant to Government Code § 36512, members of the City Council in office at the time this chapter becomes effective will 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. At the end of the term of each member of the City Council that member of the City Council's successor will be elected in accordance with this chapter.

2.04.080 Election Schedule.

Except as otherwise required by Government Code § 36512, the members of the City Council will be elected from Council Districts ____, ____, and __ beginning at the General Municipal Election in 2022, and every four years. Members of the City Council will be elected from Council Districts __ and __ beginning at the General Municipal Election in 2020, and every four years thereafter.

2.04.090 Map of Council Districts.

The city clerk will maintain a map of the city showing the current boundaries and numbers of each city council district as may be established and amended from time to time by ordinance of the city council.”

SECTION 3: Council District Map; Implementation.

- A. A map showing the Council Districts is attached as Exhibit “A,” and incorporated by reference.
- B. 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 must consult with the City Manager and City Attorney concerning any technical adjustments deemed necessary and advise the City Council of any such adjustments required in the implementation of the districts.

SECTION 4: *Environmental Assessment.* The City Council finds that the Ordinance is not subject to review under the California Environmental Quality Act (“CEQA”) under CEQA Guidelines section 15061(b)(3) because it can be seen with certainty that there is no possibility that the Ordinance may have a significant effect on the environment. Adopting this Ordinance will not have the effect of deleting or substantially changing any regulatory standards or required findings. This Ordinance would not result in any development or changes to the physical environment. Following an evaluation of possible adverse impacts, it can be seen with certainty that there is no possibility that the Ordinance will have a significant effect on the environment.

SECTION 5: *Validity of Previous Code Sections.* If the entire Ordinance or its application is deemed invalid by a court of competent jurisdiction, any repeal of the MPMC or other regulation by this Ordinance will be rendered void and cause such MPMC provision or other regulation to remain in full force and effect for all purposes.

SECTION 6: *Reliance on Record.* Each and every one of the findings and determinations in this Ordinance are based on the competent and substantial evidence, both oral and written, contained in the entire record relating to the project. The findings and determinations constitute the independent findings and determinations of the City Council in all respects and are fully and completely supported by substantial evidence in the record as a whole.

SECTION 7: *Limitations.* The City Council's analysis and evaluation of the project is based on the best information currently available. It is inevitable that in evaluating a project that absolute and perfect knowledge of all possible aspects of the project will not exist. One of the major limitations on analysis of the project is the City Council's lack of knowledge of future events. In all instances, best efforts have been made to form accurate assumptions. Somewhat related to this are limitations on the City's ability to solve what are in effect regional, state, and National problems and issues. The City must work within the political framework within which it exists and with the limitations inherent in that framework.

SECTION 8: *Preservation.* Repeal or amendment of any previous Code Sections does not affect any penalty, forfeiture, or liability incurred before, or preclude prosecution and imposition of penalties for any violation occurring before this Ordinance's effective date. Any such repealed part will remain in full force and effect for sustaining action or prosecuting violations occurring before the effective date of this Ordinance.

SECTION 9: *Severability.* If any part of this Ordinance or its application is deemed invalid by a court of competent jurisdiction, the City Council intends that such invalidity will not affect the effectiveness of the remaining provision or application and, to this end, the provisions of this Ordinance are severable.

SECTION 10: *Summaries of Information.* All summaries of information in the findings, which precede this section, are based on the substantial evidence in the record. The absence of any particular fact from any such summary is not an indication that a particular finding is not based in part on that fact.

SECTION 11: The City Clerk is directed to certify the passage and adoption of this Ordinance; cause it to be entered into the City of Monterey Park's book of original ordinances; make a note of the passage and adoption in the records of this meeting; and, within ten (10) days after the passage and adoption of this Ordinance, cause it to be published or posted in accordance with California law.

SECTION 12: This Ordinance will take effect on the 30th day following its final

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passage and adoption.

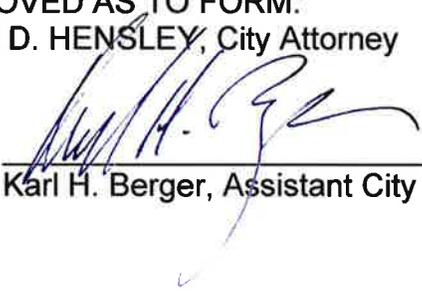
PASSED, APPROVED, AND ADOPTED April ____, 2019.

Peter Chan, Mayor

ATTEST:

Vincent D. Chang, City Clerk

APPROVED AS TO FORM:
MARK D. HENSLEY, City Attorney

By: 
Karl H. Berger, Assistant City Attorney