

ORDINANCE NO. 2022-01

**AN ORDINANCE OF THE CITY OF MARINA
ADOPTING NEW COUNCIL DISTRICT BOUNDARIES FOR FOUR COUNCIL
DISTRICTS PURSUANT TO CALIFORNIA ELECTIONS CODE §§21621-21629 AND
CALIFORNIA GOVERNMENT CODE § 34871(c) & 34886**

WHEREAS, the City of Marina supports the full participation of all residents in electing members of the City Council; and

WHEREAS, Section 2.06.010 of Chapter 2 of the Marina Municipal Code provides that that the general municipal election in the City shall be held on the same date as the statewide general election in November of even-numbered years; and

WHEREAS, in an election held on November 8, 2016, the voters approved the addition to the City Charter of Section 1.04 of Article 6 to provide for the direct election of the mayor, who is also a member of the City Council, to serve a term of four years; and

WHEREAS, California Government Code section 34871 (c) provides for the election of members of the legislative body of a city by districts in four districts with a separately elected mayor; and

WHEREAS, at an adjourned regular meeting on September 5, 2019, the City Council adopted Resolution 2019-96 declaring its intention to transition from at-large to by-district elections for members of the City Council members elections pursuant to Elections Code Section 10010; and

WHEREAS, at a regular meeting on December 17, 2019, the City Council adopted Ordinance 2019-04 establishing Council district boundaries as set forth on Map 109 C attached to Ordinance 2019-04 for four Council districts while retaining the separately elected office of mayor; and

WHEREAS, in adopting Ordinance 2019-04 the City Council declared the change in the method of electing members of the City Council of the City of Marina made by Ordinance 2019-04 was to implement the guarantees of Section 7 of Article I and of Section 2 of Article II of the California Constitution as set forth in California Elections Code section 14031 of the California Voting Rights Act of 2001; and

WHEREAS, in a by-district election system a candidate for City Council must reside in the district which he or she wishes to represent and only the voters of that district are entitled to vote to decide who their representative will be; and

WHEREAS, at the 2020 General Municipal Election conducted on November 3, 2020, Members of the City Council were elected in Council District 2 and Council District 3. Marina Municipal Code Section 2.06.030 B. provides for the election of Members of the City Council from Council District 1 and Council District 4 beginning at the General Municipal Election to be conducted on November 8, 2022; and

WHEREAS, California Elections Code Section 21621 requires that following each decennial federal census, and using that census as a basis, the City Council shall, by ordinance or resolution adjust the boundaries of any or all of the Council districts of the City so that the districts shall be as nearly equal in population as may be and shall comply with the applicable provision of Public Law 94-171 as amended, the United States Constitution, the California Constitution and the federal Voting Rights Act of 1965. In establishing the boundaries of the districts the City Council shall give consideration to the following criteria in order of priority: (a) geographic continuity, (b) geographic integrity of local neighborhoods or communities of interest, (c) ease of identification and understandability by residents through use of natural and artificial barriers as boundaries, and (d) geographical compactness; and

WHEREAS, due to delays caused by the COVID-19 pandemic the 2020 federal census was not published until August 2, 2021; and

WHEREAS, recently amended state law, California Elections Code section 21621(a), requires that redistricting be conducted using census data that are adjusted by the California Statewide Database to reassign incarcerated persons back to their last known place or residence prior to incarceration; and

WHEREAS, the California Statewide Database published the final version of those adjusted census data on September 27, 2021, and provided the City of Marina with an official population estimate of 22,422 residents; and

WHEREAS, California Elections Code Sections 21621-21629 set forth the procedures the City of Marina is to follow to determine and redetermine Council district boundaries; and

WHEREAS, City staff and the City's consultants, National Demographics Corporation, Inc., as the provider of professional demographer services, and Tripepi, Smith & Associates, Inc., as the provider of professional public outreach services, commenced facilitating revision of the Council district map in June 2021; and

WHEREAS, public hearings were held on July 6 and September 21, 2021, prior to the release of draft maps, to identify neighborhoods and communities of interest and secondary areas of consideration and to review the use of mapping tools; and

WHEREAS, community workshops were held on November 19 and November 20, 2021, to review the redistricting process and the official census date, to discuss neighborhoods and communities of interest and secondary areas of consideration and to provide demonstrations and instructions on the use of mapping tools; and

WHEREAS, public hearings were held on January 4, February 15, and February 23, 2022, to discuss and revise draft maps, discuss election sequencing, and to identify maps for consideration; and

WHEREAS, the City maintains and will maintain for ten years a comprehensive website for its redistricting process at www.mapmarina.org on which the City provided a general explanation of the redistricting process in English and other languages, information on how to participate in the process, the schedule for all public hearings and the community workshops, the notice and agenda for each public hearing and workshop, each draft map considered by the City Council at a public hearing, and online tools for members of the public to submit proposed maps for consideration and other useful information; and

WHEREAS, a varied outreach program to the public was conducted in English, Spanish, Vietnamese and Korean languages and via the City of Marina's social media accounts, its website at www.cityofmarina.org, direct email, newsflash announcement, announcements of City Council meetings and workshops and newspaper advertisements, press releases and public hearing notices; and

WHEREAS, throughout the foregoing process the City of Marina and the City Council engaged in a significant amount of public outreach and engagement required by California Elections Code section 21500 et seq, "the Fair and Inclusive Redistricting for Municipalities and Political Subdivisions (FAIR MAPS Act); and

WHEREAS, the purpose of this Ordinance is to enact, pursuant to California Government Code section 34886 and California Elections Code section 21621 an ordinance providing for the election of the members of the City Council of the City of Marina by district in four single-member districts while retaining a separately elected office of mayor.

NOW, THEREFORE, the City Council of the City of Marina does find and ordain as follows:

Section 1

The City Council finds the City is in substantial compliance with the procedural requirements of the City Charter, the Marina Municipal Code, and California Elections Code sections 21621-21629 and the proposed new Council district boundaries in the map attached as **Exhibit A** are in accord with the criteria set forth in the FAIR MAPS Act.

Section 2.

The City Council hereby adopts as the official Council District Map of the City of Marina the map attached hereto as **Exhibit A** and directs that the map be published on the City's websites at www.cityofmarina.org and www.mapmarina.com.

Section 3.

Chapter 2.06 of the Marina Municipal Code, entitled "Municipal Elections" is hereby amended by replacing Subsection 2.06.020. B.(1) in its entirety and replacing it with the following:

"2.06.020. B. (1) Beginning with the general municipal election in November 2022, councilmembers shall be elected in the electoral districts whose boundaries and district numbers are reflected on the map contained in **Exhibit A** attached hereto and incorporated herein by this reference and as subsequently reapportioned as provided by State law. Elections shall take place on a by-district basis as that term is defined in California Government Code section 34871, meaning one member of the City Council shall be elected from each district, by the voters of that district alone, except for the Mayor, who shall be elected citywide. In accordance with the general law and the City Charter, each councilmember and the Mayor, shall serve a four-year term until his or her successor has qualified."

Section 4

If necessary to facilitate the implementation of this Ordinance, the City Manager or his or her designee 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 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.

The City Council finds that the proposed amendments to the Marina Municipal Code are exempt from the requirements of the California Environmental Quality Act (CEQA) pursuant to Title 14 of the California Code of Regulations, Section 15061 (b)(3) in that it is not a project which has the potential for causing a significant effect on the environment.

Section 6.

If any section, subsection, sentence, clause, or phrase of this Ordinance is for any reason held to be invalid, such decision shall not affect the validity of the remaining portions of this Ordinance. The Council hereby declares that it would have adopted the Ordinance and each section, subsection, sentence, clause, or phrase thereof, irrespective of the fact that any one or more sections, subsections, sentences, clauses, or phrases be declared invalid.

Section 7

This Ordinance shall be in full force and effect thirty (30) days after its final passage, and the Ordinance shall be posted within fifteen (15) days after the adoption.

Section 8

The Council districts adopted herein shall be used for the November 2022 general municipal election and each election thereafter until such time as the districts may be modified again in accordance with the Charter, the Municipal Code and the California Elections Code.

Section 9

The Deputy City Clerk is hereby directed to provide a certified copy of this Ordinance and **Exhibit A** to the Monterey County Registrar of Voters for use in subsequent City of Marina City Council elections.

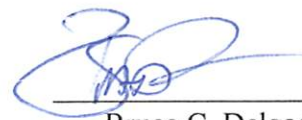
THE FOREGOING ORDINANCE was introduced following a public hearing held at a special meeting of the City Council of the City of Marina on February 23, 2022, and will come for adoption as an Ordinance of the City of Marina at a regular meeting of the Council to be held on March 1, 2022.

AYES, COUNCIL MEMBERS: Medina Dirksen, Berkley, Delgado

NOES, COUNCIL MEMBERS: Burnett

ABSENT, COUNCIL MEMBERS: Biala

ABSTAIN, COUNCIL MEMBERS: None



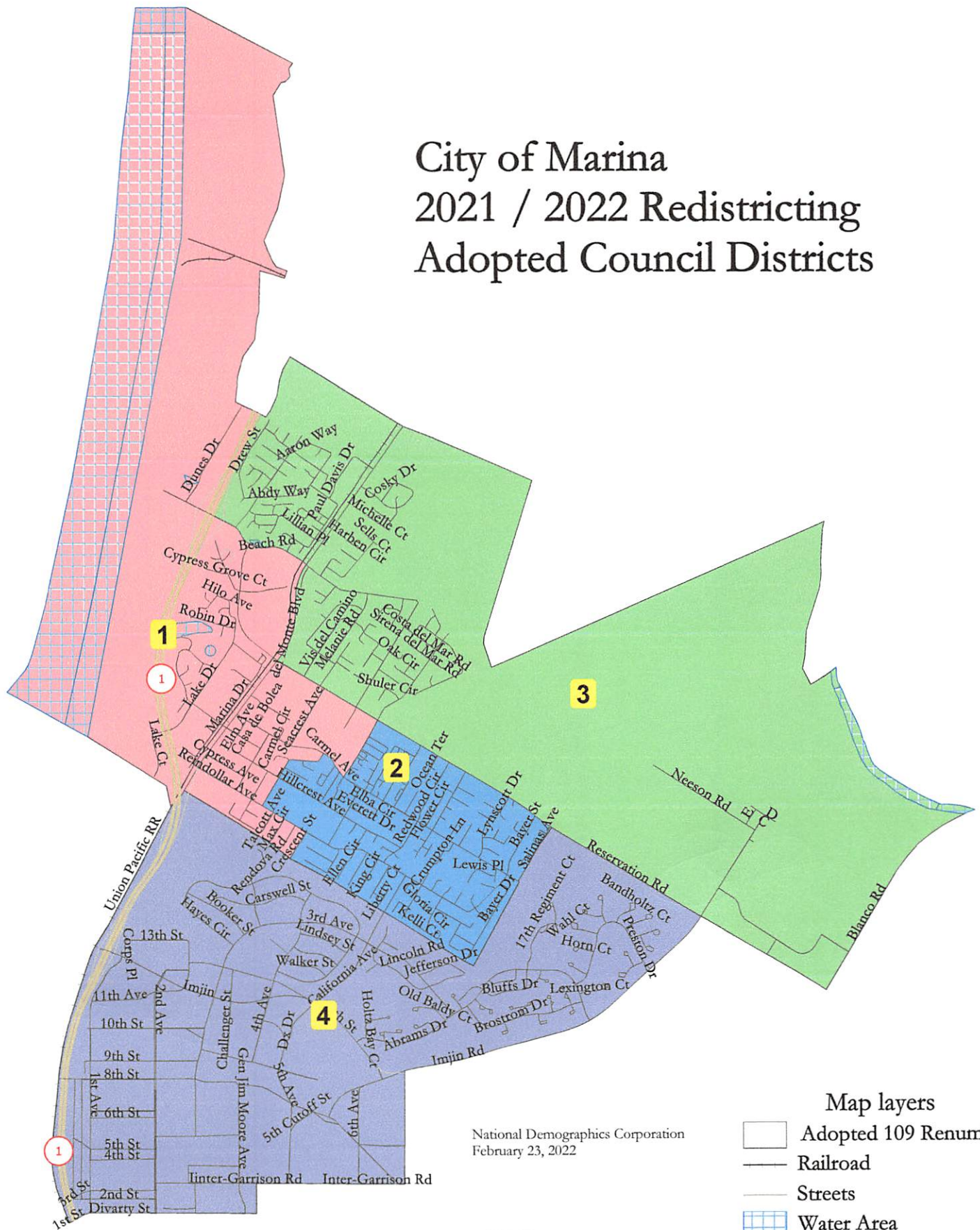
Bruce C. Delgado, Mayor

ATTEST:



Anita Sharp, Deputy City Clerk

City of Marina 2021 / 2022 Redistricting Adopted Council Districts



Adopted 109 Renumbered						
District		1	2	3	4	Total
	Total Pop	5,630	5,817	5,632	5,343	22,422
	Deviation from ideal	24	211	26	-263	474
	% Deviation	0.43%	3.76%	0.46%	-4.69%	8.46%
Total Pop	% Hisp	40.7%	30%	27%	31%	32%
	% NH White	27%	34%	35%	35%	33%
	% NH Black	6%	5%	7%	8%	7%
	% Asian-American	20%	23%	23%	19%	21%
Citizen Voting Age Pop	Total	3,539	4,351	3,946	2,974	14,811
	% Hisp	24%	12%	23%	27%	21%
	% NH White	35%	56%	43%	41%	45%
	% NH Black	9%	4%	9%	12%	8%
	% Asian/Pac.Isl.	27%	21%	20%	19%	22%
Voter Registration (Nov 2020)	Total	2,939	3,877	3,446	1,985	12,247
	% Latino est.	29%	25%	21%	21%	24%
	% Spanish-Surnamed	26%	23%	19%	19%	22%
	% Asian-Surnamed	9%	10%	9%	9%	9%
	% Filipino-Surnamed	3%	4%	4%	3%	4%
	% NH White est.	49%	59%	57%	51%	55%
	% NH Black	12%	4%	11%	16%	10%
Voter Turnout (Nov 2020)	Total	2,305	3,151	2,821	1,600	9,877
	% Latino est.	28%	24%	19%	19%	23%
	% Spanish-Surnamed	25%	22%	18%	18%	21%
	% Asian-Surnamed	8%	9%	8%	8%	8%
	% Filipino-Surnamed	3%	4%	4%	3%	3%
	% NH White est.	51%	62%	58%	53%	57%
	% NH Black	12%	4%	11%	15%	10%
Voter Turnout (Nov 2018)	Total	1,439	2,138	2,008	804	6,387
	% Latino est.	25%	19%	17%	17%	19%
	% Spanish-Surnamed	23%	17%	15%	16%	18%
	% Asian-Surnamed	7%	7%	6%	6%	7%
	% Filipino-Surnamed	3%	3%	3%	2%	3%
	% NH White est.	55%	67%	63%	54%	61%
	% NH Black est.	12%	4%	12%	17%	10%
ACS Pop. Est.	Total	5,636	6,388	5,789	4,415	22,228
Age	age0-19	25%	24%	27%	38%	28%
	age20-60	54%	49%	54%	47%	51%
	age60plus	20%	26%	19%	15%	21%
Immigration	immigrants	28%	27%	18%	18%	23%
	naturalized	53%	49%	54%	60%	53%
Language spoken at home	english	50%	69%	65%	68%	63%
	spanish	28%	14%	22%	19%	21%
	asian-lang	18%	13%	11%	9%	13%
	other lang	4%	3%	2%	5%	3%
Language Fluency	Speaks Eng. "Less than Very Well"	26%	15%	12%	13%	17%
Education (among those age 25+)	hs-grad	44%	47%	46%	42%	45%
	bachelor	19%	16%	21%	19%	19%
	graduatedegree	8%	13%	9%	10%	10%
Child in Household	child-under18	32%	28%	30%	43%	32%
Pct of Pop. Age 16+	employed	71%	62%	68%	61%	65%
Household Income	income 0-25k	19%	24%	12%	17%	18%
	income 25-50k	22%	15%	18%	19%	19%
	income 50-75k	26%	19%	16%	20%	20%
	income 75-200k	30%	36%	47%	40%	38%
	income 200k-plus	3%	5%	7%	4%	5%
Housing Stats	single family	29%	74%	66%	43%	54%
	multi-family	71%	26%	34%	57%	46%
	rented	73%	40%	44%	89%	57%
	owned	27%	60%	56%	11%	43%
Total population data from the 2020 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 2015-2019 American Community Survey and Special Tabulation 5-year data.						