

ORDINANCE NO. 2060

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF PALM SPRINGS, CALIFORNIA, AMENDING PALM SPRINGS MUNICIPAL CODE SECTION 2.02.005(B) REGARDING BY-DISTRICT ELECTIONS, ADJUSTING THE BOUNDARIES OF CITY COUNCIL ELECTION DISTRICTS, AND CONFIRMING SUCH REVISED COUNCIL DISTRICT BOUNDARIES, AS REFLECTED IN MAP OPTION L

City Attorney's Summary

Starting with the November 2019 Municipal Election, the City Council has been elected by five (5) geographical election districts. This Ordinance amends Section 2.02.005(B) of Chapter 2.02 of the City's Municipal Code adjusting the boundaries of the City's five (5) City Council election districts to keep them "substantially equal in population" based upon the 2020 United States Decennial Census, as required by Federal and State law.

WHEREAS, on December 19, 2018, the City Council of the City of Palm Springs ("City Council") held a final public hearing on establishing Council election district boundaries, received additional public input, and formally selected the voting district map, set forth in Ordinance No. 1971 which established the current Palm Springs City Council election districts codified at Palm Springs Municipal Code section 2.02.005(B), which have been utilized to date in City Council elections; and

WHEREAS, the United States Census Bureau is required by Article I, Section 2, of the United States Constitution to conduct an accurate count of the population every ten years; and

WHEREAS, California Elections Code § 21621 requires that following each decennial federal census, and using that census as a basis, the City Council shall adjust the boundaries of any or all of the Council election districts of the City so that the districts shall be substantially equal in population as required by the United States Constitution, California Constitution, and the Federal Voting Rights Act. In establishing the boundaries of the districts, the Council must give consideration to the following factors in the following priority: (a) contiguity of districts, (b) respecting communities of interest, (c) drawing easily identifiable districts through use of natural or artificial boundaries and (d) compactness of territory in districts; and

WHEREAS, California Elections Code § 21622 requires that the Council adopt an ordinance or pass a resolution amending Council districts no later than April 17, 2022; and

WHEREAS, on September 27, 2021, the Census Bureau sent 2020 Census data to the State of California with an official population estimate of 44,782 residents for the City of Palm Springs; and

WHEREAS, the City Council held four public hearings on November 4, 2021, December 9, 2021, February 10, and February 24, 2022, where the Council received briefings from the City's staff, legal counsel, and demographic consultant relating to the redistricting process and state and federal redistricting criteria, including the California Elections Code, the Federal Voting Rights Act and the United States Constitution, heard public testimony, and directed staff and the City's demographic consultant to prepare draft Council district maps for consideration; and

WHEREAS, the City also conducted a series of workshops from December 13 through December 17, 2021, to both educate the public about the redistricting process and to solicit public input as to where the boundaries of future election districts should be drawn; and

WHEREAS, in addition, City staff conducted public outreach by way of print, radio, and digital advertisements. During the public hearings, public comment was received on redistricting criteria and communities of interest; and

WHEREAS, at the December 9, 2021, February 10, 2022, and February 24, 2022, public hearings, the Council received and reviewed a total of eight (8) draft maps prepared by the City's demographic consultant (Map Options A-E, J-L) and reviewed four (4) additional maps submitted by the public (Map Options F-I) for compliance with applicable laws and standards; and

WHEREAS, at the February 24, 2022, public hearing, the City Council agreed on Map Option L, designating it as the preferred map and directed that it be introduced and adopted by Ordinance; and

WHEREAS, at each of the public hearings on redistricting, the Council heard testimony relating to "communities of interest," which led the Council to reach the following determinations about communities of interest on the preferred map, as required under federal and state law:

- (1) The election districts are geographically contiguous. The districts are arrayed in a simple and logical form without any islands and with minimal intrusions from the area of one district into another;
- (2) To the extent practicable, the preferred map respects the geographic integrity of local neighborhoods and local communities of interest. The Council heard testimony about what constitutes communities of interest in the public's view.
- (3) The election districts are easily identifiable and understandable by residents. The districts in the preferred map form a relatively simple pattern.

- (4) To the extent practicable, the election districts are geographically compact. Their configurations for the most part are compact, simple shapes, with nearby populations included in the same districts.
- (5) The election districts are balanced in terms of the total population and voting-age population. The districts are well within the one-person/one-vote deviations permitted under federal and state voting rights laws.
- (6) The election districts conform to concentration of minority voters. The preferred map maintains one majority/minority voting district.

WHEREAS, all information in the staff reports, maps, presentations, Council debate, and public testimony referenced above is hereby incorporated into this decision and serves as the evidentiary basis for these findings and legislative decision.

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

Section 1. This Ordinance is adopted following four noticed City Council public hearings as required by California Elections Code section 21627.1.

Section 2. Subsection (B) of Section 2.02.005 (By-District Elections) of Chapter 2.02 (Municipal Elections) of Title 2 (Administration and Personnel) of the Palm Springs Municipal Code is hereby amended to read as follows:

"2.02.005 By-district elections.

.....

B. City Council Districts and District Elections. ***Effective for all Council offices newly elected at the November 8, 2022, General Municipal Election and at each General Municipal Election thereafter, Aall five Councilmembers shall be elected on a by-district basis from the Council districts shown and numbered on the map titled 'City of Palm Springs District Map - 2022' attached as Exhibit A, a copy of which shall be on file in the City Clerk's office. In November, 20192022, and every four years thereafter, the following three City Council districts shall be elected by-district: District 1; District 2; and District 3. In November, 20242024, and every four years thereafter, the following two City Council districts shall be elected by-district: District 4 and District 5. The City Council may, by future enactment, change the dates of these elections as required and/or authorized by applicable law. Notwithstanding any other provision of this Section, and pursuant to California Elections Code § 21626 (a) and (b), each of the Council Members currently in office at the time this Ordinance takes effect shall continue in office until the expiration of the full term to which they were regularly elected or appointed. Any vacancy in or recall election for a Council term currently in effect shall be filled based on the Council districts in effect at the time the current Council term was last regularly elected.***

Section 3. All ordinances and resolutions, or parts thereof in conflict with this Ordinance are hereby repealed.

Section 4. The City Manager is directed to take all necessary steps to give effect to this Ordinance. 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 election 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 Clerk is hereby directed to provide a certified copy of this Ordinance to the Riverside County Registrar of Voters for use in subsequent Palm Springs City Council Elections.

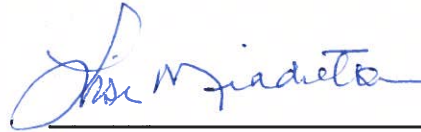
Section 6. Compliance with California Environmental Quality Act. This activity is exempt from environmental review under the California Environmental Quality Act ("CEQA") (Pub. Resources Code, § 21000 et seq.) pursuant to State CEQA Guidelines (Cal. Code Regs., tit. 14, § 15000 et seq.) sections 15061(b)(3), 15320, and 15378(b)(3). The redistricting process 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 the transition process 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.) 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 Riverside County Clerk a CEQA Notice of Exemption within five (5) working days of the adoption of this Ordinance.

Section 7. Integration of Ordinance. If any section, subsection, subdivision, sentence, or clause or phrase in this Ordinance or any part thereof is for any reason held to be unconstitutional, invalid or ineffective by any court of competent jurisdiction, such decision shall not affect the validity or effectiveness of the remaining portions of this Ordinance or any part thereof. The City Council hereby declares that it would have adopted each section irrespective of the fact that any one or more subsections, subdivisions, sentences, clauses, or phrases are declared unconstitutional, invalid, or ineffective.

Section 8. Effective Date. This Ordinance shall become effective thirty (30) days from its adoption.

Section 9. Publication. The City Clerk shall certify to the adoption of this Ordinance and cause it, or a summary of it, to be published in a newspaper of general circulation printed and published within the City of Palm Springs, pursuant to all legal requirements.

PASSED, APPROVED AND ADOPTED BY THE PALM SPRINGS CITY COUNCIL THIS
10TH DAY OF MARCH 2022



LISA MIDDLETON, MAYOR

ATTEST:



MONIQUE LOMELI, CMC
INTERIM CITY CLERK

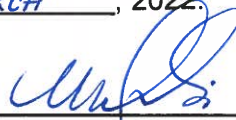
CERTIFICATION

STATE OF CALIFORNIA)
COUNTY OF RIVERSIDE) ss.
CITY OF PALM SPRINGS)

I, MONIQUE LOMELI, Interim City Clerk of the City of Palm Springs, do hereby certify that Ordinance No. 2060 is a full, true, and correct copy, and was introduced by the City Council at a regular meeting held on the 24th day of February 2022, and adopted at a regular meeting of the City Council held on the 10th day of March 2022, by the following vote:

AYES: Councilmembers Kors, Woods, Mayor Pro Tem Garner, and Mayor Middleton
NOES: None
ABSENT: Councilmember Holstege
ABSTAIN: None

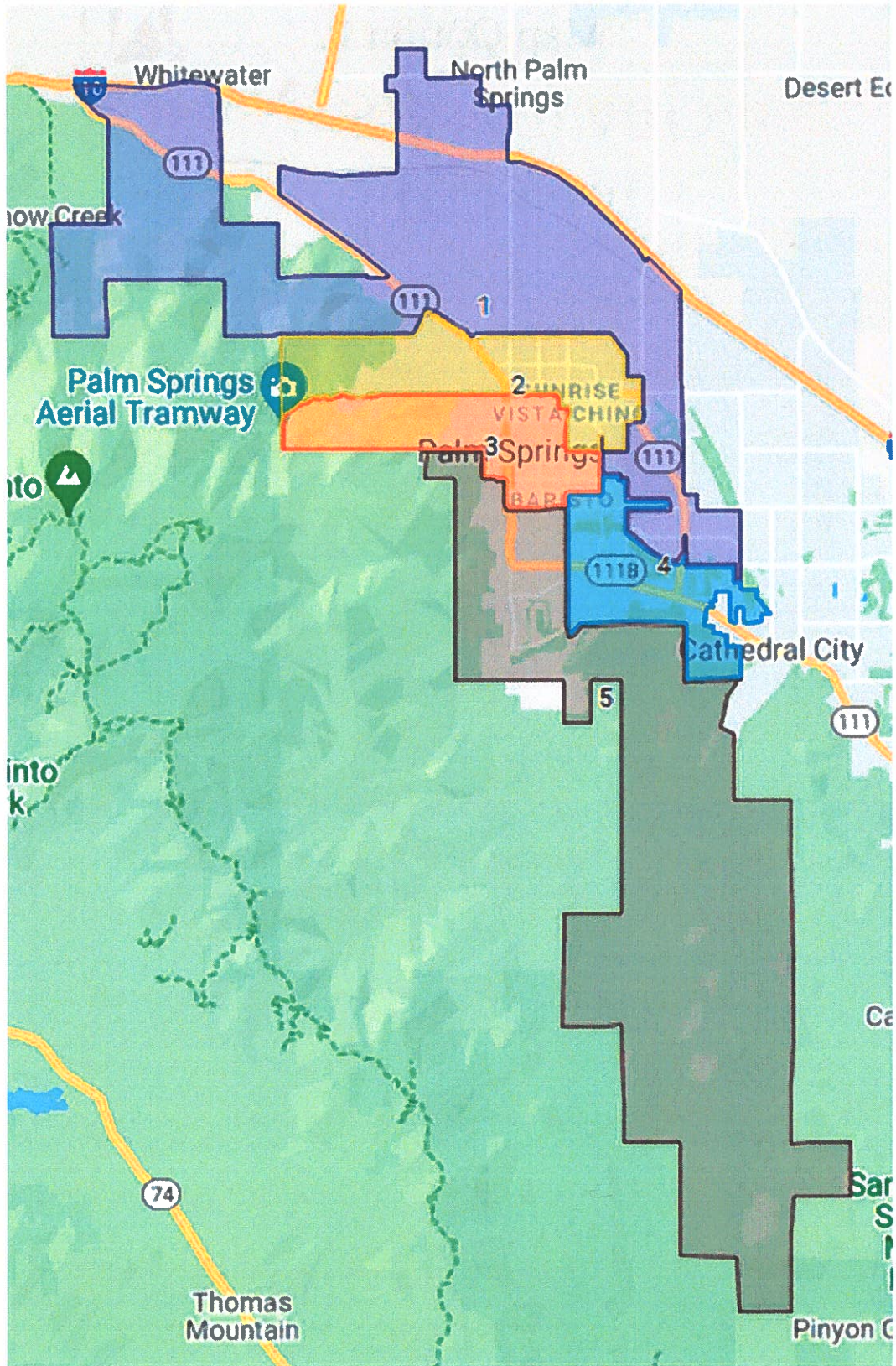
IN WITNESS WHEREOF, I have hereunto set my hand and affixed the official seal of the City of Palm Springs, California, this 22nd day of MARCH, 2022.



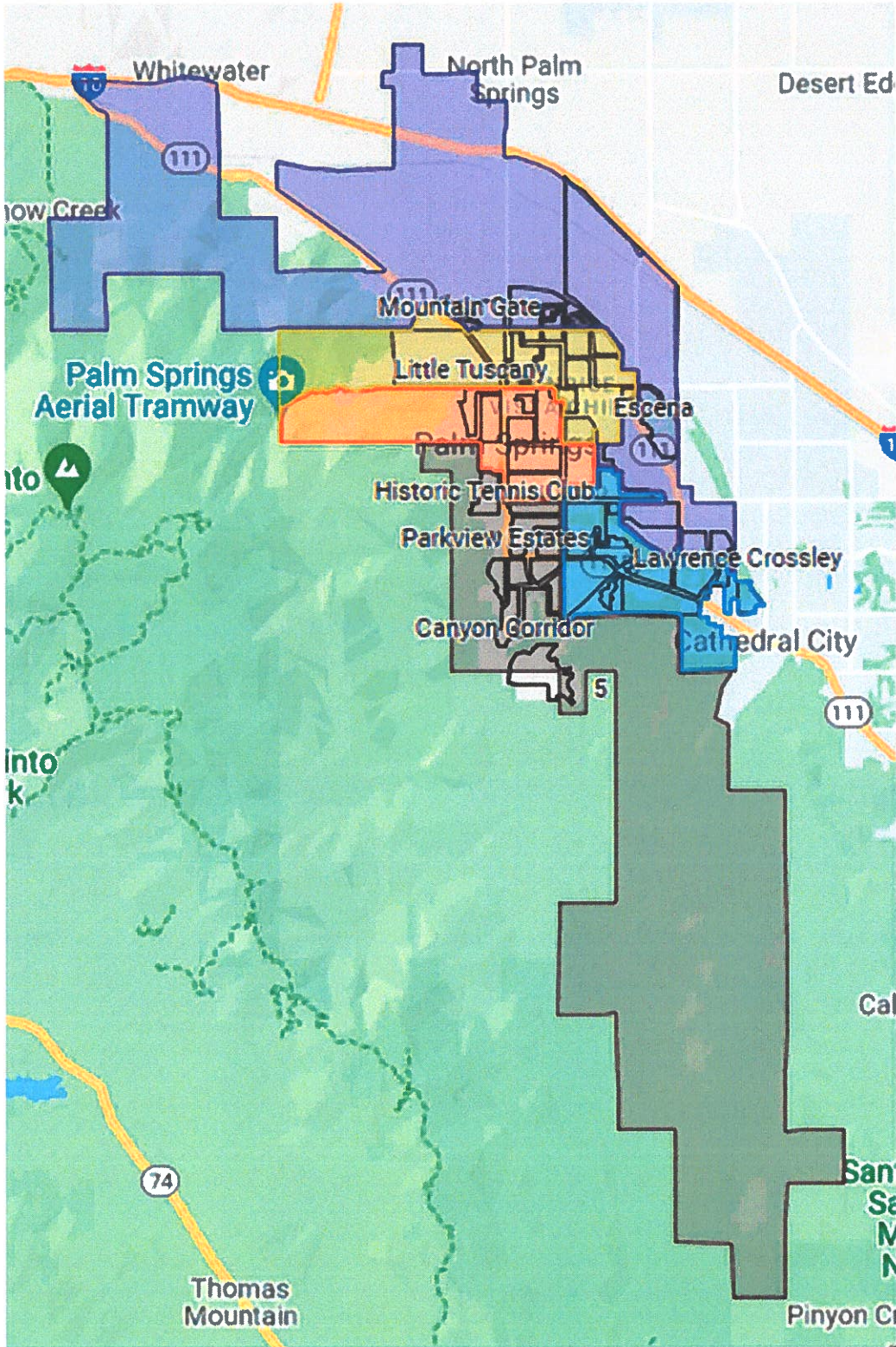
MONIQUE LOMELI, CMC
INTERIM CITY CLERK

Exhibit "A"
City of Palm Springs District Map 2022

Map Option L



Map Option L with Neighborhood Overlay



Map Option L Demographic Analysis

District	Total Population	Raw Population	% Population	Total Hispanic	Total Non White	Hispanic VAP	Non White VAP	Hispanic CVAP 19	Non White CVAP 19
1	8,863	-93	-1.04%	44.14%	64.33%	38.11%	58.22%	26.63%	51.49%
2	8,743	-213	-2.38%	23.20%	35.81%	20.53%	32.35%	15.74%	25.91%
3	9,419	463	5.17%	25.40%	38.03%	21.64%	33.59%	15.82%	25.64%
4	9,005	49	0.54%	19.00%	30.39%	16.31%	27.05%	16.64%	24.29%
5	8,752	-204	-2.28%	12.39%	21.14%	10.97%	19.12%	11.19%	15.94%
Total	44,782								
Ideal	8,956	Deviation	7.55%						

