

CITY OF FAIRFIELD

ORDINANCE NO. 2020-02

AN ORDINANCE OF THE CITY OF FAIRFIELD AMENDING CHAPTER 2A OF THE FAIRFIELD MUNICIPAL CODE PROVIDING FOR THE ELECTION OF SIX MEMBERS OF THE CITY COUNCIL BY DISTRICTS AND THE ELECTION OF THE MAYOR CITY-WIDE, ESTABLISHING THE BOUNDARIES AND IDENTIFICATION NUMBER OF EACH DISTRICT, AND ESTABLISHING THE ELECTION ORDER OF EACH DISTRICT

THE CITY COUNCIL OF THE CITY OF FAIRFIELD DOES ORDAIN AS FOLLOWS:

SECTION 1. This Ordinance is adopted with respect to the following purposes:

(a) Pursuant to California Government Code Section 34886 and Elections Code Section 10010, the City Council desires to approve the change to a district-based election system for the members of the City Council whereby members of the City Council shall be elected by the voters of City Council districts rather than at-large, except for the Mayor who will continue to be elected at-large.

(b) Pursuant to California Government Code Section 34886, it is declared the change in the method of electing members of the City Council of the City of Fairfield made by this ordinance is in furtherance of the purposes of the California Voting Rights Act of 2001 (Chapter 1.5, commencing with Section 14025, of Division 14 of the Elections Code) (the "CVRA").

SECTION 2. Chapter 2A (Elections) of the Fairfield Municipal Code is hereby amended by adding Sections 2A.2 through 2A.5 to read as follows:

2A.02 City Council Districts Established. Six City Council districts are hereby established in the City of Fairfield. The boundaries and identifying number of each district shall be as described on the official "Council District Map" on file in the Office of the City Clerk.

2A.03 Election of Members of the City Council by District.

A. Members of the City Council shall be elected "by District" as defined in California Government Code Section 34871. A person shall not be eligible to be elected to be a Member of the City Council unless he or she is otherwise qualified as required by law, resides in the geographical area making up the district from which he or she is nominated to be elected and is a registered voter of the City of Fairfield at the time nomination papers are issued to the candidate as provided in Section 10227 of the California Elections Code.

B. Registered voters signing nomination papers or voting for a Member of the City Council shall be residents of the geographical area making up the district from which the Member is to be elected.

C. Notwithstanding Subsections A. and B. above, the Mayor shall be elected by a city-wide election of eligible voters residing in the City of Fairfield.

D. The terms of the office of each Member elected to the City Council shall be four (4) years.

E. References in this Chapter to state statutes shall include any amendments thereto and any successor statutes.

2A.4 Commencement of District Elections. Commencing with the general municipal election in November of 2020 and thereafter, the voters in Council Districts 2, 4, and 6 shall elect Members of the City Council by district for full four (4) year terms. For the purposes of transitioning from a five-member to a seven-member City Council and notwithstanding Subsection D of Section 2A.3, at the general municipal election in November of 2020, the voters in District 5 shall elect a Member of the City Council for a two (2) year term. At the general municipal election in 2022 and thereafter, the voters in Council Districts 1, 3 and 5 shall elect Members of the City Council by district for full four (4) year terms. No term of any Member of the City Council that commenced on or prior to the effective date of this Chapter shall be affected prior to its expiration date.

2A.5 Adjustment of Council District Boundaries.

A. Pursuant to Elections Code Section 21601 the City Council shall adjust the boundaries of any or all of the districts following each decennial federal census. Using the census as a basis, the City Council shall adjust the boundaries so that the districts shall be as nearly equal in population as practicable and in compliance with all applicable provisions of law. Any adjustment of district boundaries shall be made by ordinance adopted by the City Council before the first day of November of the year following the year in which each decennial federal census is taken commencing with the 2020 federal census. As required by Elections Code Section 21607, the City Council shall hold at least one public hearing on the proposal to adjust boundaries of any or all districts prior to the public hearing at which the council votes to approve or defeat the proposal.

B. At the time of any annexation of territory to the City, the City Council shall designate, by resolution adopted by a vote of at least a majority of the City Council, the contiguous district to which the annexed territory shall be a part and shall amend the district boundaries if necessary in accordance with Elections Code Section 21603.

C. Pursuant to Elections Code Section 21606 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 he

or she was elected. At the first election for council following adjustment of the boundaries of the districts, a person meeting the requirements of Government Code Section 34882 shall be elected to the City Council for each district under the readjusted district plan that has the same district number as a district whose incumbent's term on the council is due to expire.

SECTION 3. The Official Council District Map referenced in Section 2A.2 is hereby approved and is attached hereto and incorporated herein by this reference. The Official Council District Map shall be kept on file in the Office of the City Clerk.

SECTION 4. This Ordinance shall be effective 30 days following its adoption by the City Council. A summary of this Ordinance shall, within fifteen (15) days after passage, be published in accordance with Section 36933 of the Government Code of the State of California with the names of the City Council members voting for and against it.

SECTION 5. If any section, subsection, sentence, clause, phrase, or portion of this Ordinance or Chapter 2A is for any reason held to be invalid or unenforceable by a court of competent jurisdiction, the remaining portions of this Ordinance shall nonetheless remain in full force and effect. The City Council of the City of Fairfield hereby declares that it would have adopted each section, subsection, sentence, clause, phrase, or portion of this Ordinance, irrespective of the fact that any one or more sections, subsections, sentences, clauses, phrases, or portions of this Ordinance be declared invalid or unenforceable.

INTRODUCED at a regular meeting of the City Council of the City of Fairfield on the 4th day of February, 2020, and

PASSED AND ADOPTED this 18th day of February, 2020, by the following vote:

AYES: Councilmembers: PRICE / BERTANI / MOY / TIMM / VACCARO

NOES: Councilmembers: _____

ABSENT: Councilmembers: _____

ABSTAIN: Councilmembers: _____

MAYOR

ATTEST:

CITY CLERK