

**LEGAL NOTICE  
NOTICE OF PUBLIC HEARING**

**CITY OF PATTERSON**

**NOTICE IS HEREBY GIVEN** that the City Council of the City of Patterson (“City”) will hold a public hearing on Tuesday, May 3, 2016 at 7:00 p.m. or as soon thereafter as the matter may be heard, in the City Council chambers, **1 Plaza, Patterson, CA** to consider switching from an “at-large” election system of electing City Councilmembers to a “by-district” election system, whereby each Councilmember must reside within the designated district boundary and is elected only by voters of that district. The City Council may consider adoption of an ordinance (the “Ordinance”) revising Title 2 of the Patterson Municipal Code to add Chapter 2.10 District Elections. If approved by a majority of the City Council, the Ordinance will become effective 30 days after adoption. The City Council is considering the change in order to ensure compliance with the California Voting Rights Act of 2001 (“CVRA”) and Federal Voting Rights Act of 1965.

**NOTICE IS ALSO HEREBY GIVEN** that the City Council may proceed with the second reading of the proposed Ordinance introduced at the April 19, 2016 City Council meeting. The purpose of the public hearing is to receive testimony from the public regarding the matters described in this notice. At the public hearing described in this notice the City Council may receive staff presentations on and may discuss and direct action as described in this notice on the Ordinance submitted to the City Council. At the public hearing described in this notice the City Council may direct that an ordinance establishing City Council districts, or as such hearings may be continued or noticed separately.

**ALL INTERESTED PARTIES** are invited to attend the public hearings to express opinions or submit evidence for or against the approval of any districting proposal. At the above noted times and place, testimony from interested persons will be heard and considered by the City of Patterson City Council prior to taking action on any component of the districting proposals. Upon request, the agenda and the documents in the hearing agenda packet can be made available to persons with a disability. In compliance with the Americans with Disabilities Act, the City of Patterson encourages those with disabilities to participate fully in the public hearing process. Any person requiring special assistance to participate in the meeting should notify the City Clerk by calling (209) 895-8014 or by emailing at [cityclerk@ci.patterson.ca.us](mailto:cityclerk@ci.patterson.ca.us) or at City Hall in person at 1 Plaza, 2<sup>nd</sup> Floor, Patterson, CA at least forty-eight (48) hours prior to the meeting.

Interested individuals will be given an opportunity to speak in favor or opposition to the above proposed actions. Written comments are also accepted, prior to the hearing, by the City Council, at P.O. Box 667, Patterson, CA 95363. Information regarding the hearing is on file and may be viewed by interested individuals at City Hall, 1 Plaza, Patterson, CA. If a challenge is presented to the City Council’s action on the matters described in this notice in court, you may be limited to raising only those issues you or someone else raised at the public hearings described in this

notice, or in written correspondence delivered to the City Council at, or to the City Clerk prior to, the public hearings. Furthermore, you must exhaust any applicable administrative remedies prior to commencing a court challenge to the City Council's actions.

**FURTHER INFORMATION** regarding the information described above may be obtained at the City of Patterson City Hall, City Clerk's Office, 2nd Floor, or by calling (209) 895-8014 or by email [cityclerk@ci.patterson.ca.us](mailto:cityclerk@ci.patterson.ca.us).

BY ORDER OF THE CITY COUNCIL OF THE CITY OF PATTERSON

DATES ADVERTISED: April 21, 28, 2016

**ORDINANCE NO. 795**

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF PATTERSON,  
CALIFORNIA, AMENDING TITLE II: ADMINISTRATION AND PERSONNEL,  
ADDING CHAPTER 2.10: COUNCIL MEMBER ELECTIONS BY-DISTRICT, TO THE  
PATTERSON MUNICIPAL CODE, TO ESTABLISH THAT ELECTION OF CITY  
COUNCIL MEMBERS SHALL BE BY-DISTRICT**

WHEREAS, The City of Patterson (“City”) has determined that it is in the best interest of the City to move from its current “at-large” election system to a “by-district” election for members of the Patterson City Council (“Council”); and

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

WHEREAS, the City hired consulting firm National Demographic Corporation (“NDC”) to assist the City in evaluating the City’s current at-large system and assist the City in its transition to a by-district electoral system pursuant to state law; and

WHEREAS, NDC developed several voter district boundary maps for consideration by the citizens of the City and the Council; and

WHEREAS, the Council conducted three separate noticed public hearings on March 30, 2016, April 5, 2016, and April 19, 2016 pursuant to Elections Code Section 10010(a) to receive public input on the proposed district maps; and

WHEREAS, on April 19, 2016, the Council directed NDC to create additional revised maps; and

WHEREAS, on April 25, 2016, the Council selected NDC 4 District Option 4 Map depicting the boundaries of the four (4) districts for City elections moving forward; and

WHEREAS, this Ordinance provides for the election of the members of the Council by district in four (4) districts with a separately elected Mayor, elected at-large; and

WHEREAS, in good faith, the City has publicized and conducted several public hearings in an effort to include the City’s residents in the discussion of the transition plan to district elections, and in the decision-making process of the proposed district boundary maps developed by NDC; and

WHEREAS, pursuant to Government Code Section 34886, a city council of a general law city may by ordinance change the method of electing members of the council without submitting the question to the voters; and

WHEREAS, pursuant to Government Code Section 34886, a city council of a general law city that has a population of less than 100,000 people, is authorized to adopt an ordinance that

requires the members of the city council to be elected by-district in four (4) districts with a Mayor elected at-large; and

WHEREAS, pursuant to Government Code Section 34886, subdivision (a), the change in the method of electing members of the Council is being made 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 CITY COUNCIL OF THE CITY OF PATTERSON, CALIFORNIA DOES ORDAIN AS FOLLOWS:

**SECTION 1:** Chapter 2.10: Council Member Elections By-District of Title II, Administration and Personnel, of the Patterson Municipal Code shall be added to read as follows:

**2.10.010 Method of Election of Mayor and City Council.** The elective officers of the City of Patterson shall be a Mayor and four (4) Council members. The Council shall consist of the Mayor elected at-large, and four (4) Council members, each of whom, including the Mayor, shall have the right to vote on all questions coming before the Council.

- A. Council members. Each member of the Council shall serve a four (4) year term until his or her successor is elected and qualified. Members of the Council shall be elected by-district and each district shall elect one Council member. Only voters who live in a district shall be eligible to vote in the election for Council member of that district.
- B. Residency. The Council member elected to represent a district shall reside in that district and be a registered voter in that district, and any candidate for the Council must live in, and be a registered voter in, the district in which he or she seeks election. Each Council member shall reside within the district for the full term of office. Termination of residency in a district by a Council member shall create an immediate vacancy for that Council district unless a substitute residence within the district is established within fourteen (14) days of the termination of residency. In the event that a Council member fails to provide evidence of a substitute residency in the district within fourteen (14) days of a change in residency, the Council shall presume the seat to be abandoned and vacant.
- C. Mayor. The term of office of the Mayor shall be two (2) years until his or her successor is elected and qualified. The Mayor shall be elected by the voters of the City at-large. The Mayor shall reside within the City limits and be a registered voter of the City for the full term of office. Termination of residency by the Mayor shall create an immediate vacancy in office unless a substitute residence within the City limits is established within fourteen (14) days of the termination of residency. In the event that the Mayor fails to provide evidence of a substitute residency in the district within fourteen (14) days of a change in residency, the Council shall presume the seat to be abandoned and vacant. The Mayor in office at the time this Ordinance takes effect shall continue in office until the expiration of the full term to which he or she was elected.

**2.10.20 Establishment of Council Districts.** Beginning with the general municipal election in November 2016, members of the Council shall be elected on a by-district basis from four (4) Council districts.

- A. Boundaries and numbering of each district. Each Council district shall be assigned a district letter, with districts lettered A through D. The boundaries and the letter of each of the four (4) electoral districts for the Council are set forth in Exhibit A, including a map of the districts, which is incorporated herein by reference. The electoral districts may be subsequently reapportioned as provided by state law.

The Council members of Districts A and C shall be elected by-district in November 2016 for a term of four (4) years. The Council members of Districts B and D shall be elected by-district in November 2018 for a term of four (4) years. After the adoption of this Ordinance all persons appointed to fill vacancies on the Council and all persons elected to fill vacancies on the Council at a special municipal election shall reside within the district to which they are appointed or elected.

- B. Technical changes to Council districts. If necessary to facilitate the implementation of this section, 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 shall advise the Council of any such adjustments that are found to be required in the implementation of the district.
- C. Amendment of district boundaries. Pursuant to Elections Code section 21602, as it may be amended, the Council shall adjust the boundaries of any or all of the districts following each decennial federal census. Using the census as a basis, the 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 Council before the first day of November of the year following the year in which each decennial federal census is taken. Prior to the public hearing approving the adjustment of the district boundaries, the City Council shall hold a public hearing on the proposed district boundaries as required by Election Code section 21601.
- D. Transition period. A period of transition from at-large elections to by-district elections will occur from the time of adoption of the first districting plan to the time that the by-district elections are held for all Council member districts. During this period of transition, each Council member elected at-large in the regular municipal election of November 2014 will be designated by the Council as the Council member representing one of Districts A and C in the districting plan whether or not that Council member resides in the district. The first by-district elections for Districts A and C shall occur during the regular municipal election in November 2016. The first by-district elections for Districts B and D shall occur during the regular municipal election in November 2018. Nothing contained herein shall prevent an incumbent Council member at the time of the effective date of this Ordinance from running for a

Council district in which that Council member resides other than the district for which that member currently holds office, if the Council member is otherwise eligible to run in that district and vacates the office of Council member for the district of non-residency if elected. No Council member may hold office in more than one district. Each incumbent Council member elected at-large shall be allowed to complete the term for which they were elected regardless of the district of residency so long as they otherwise remain eligible to hold the office and have not been removed for cause or elected to another office.

**SECTION 2:** If any section, subsection, sentence, clause, or phrase 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 Council declares that it would have adopted this Ordinance, and each and every section, subsection, sentence, clause, or phrase not declared invalid or unconstitutional, without regard to whether any portion of the Ordinance would be subsequently declared invalid or unconstitutional.

**SECTION 3:** This Ordinance shall be published by one insertion in The Patterson Irrigator, a newspaper of general circulation, printed and published in the City of Patterson, within fifteen (15) days after its final passage, and shall take effect and be in force thirty (30) days after its final passage.

Introduced at a regular meeting of the City Council of the City of Patterson, held on the 19th day of April, 2016, and given its first reading and introduction at said meeting. Said Ordinance was given a second reading and adopted at a regular meeting of the City Council held on the 3rd day of May, 2016, and after such reading, \_\_\_\_\_, who moved its adoption, seconded by \_\_\_\_\_, and said Ordinance was thereupon adopted by the following roll call vote:

AYES:  
NOES:  
EXCUSED:

APPROVED:

\_\_\_\_\_  
Luis I. Molina  
Mayor of the City of Patterson

ATTEST:

\_\_\_\_\_  
Maricela L. Vela  
City Clerk of the City of Patterson

