

ORDINANCE NO. 2141-C-S

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ANTIOCH ENACTING SECTION 2-1.303 OF TITLE 2 OF THE ANTIOCH MUNICIPAL CODE ADOPTING A BY-DISTRICT SYSTEM FOR ELECTING MEMBERS OF THE CITY COUNCIL

WHEREAS, the City of Antioch currently elects four Councilmembers and its Mayor using an at-large election system; and

WHEREAS, in response to threatened litigation regarding alleged noncompliance with the California Voting Rights Act (“CVRA”), the City Council has determined that it is in the best interest of the City to shift from its current at-large election system to a by-district election system for its four Councilmembers; and

WHEREAS, California Government Code section 34886 permits the City Council to change the City’s method of election by ordinance to a “by district” system in which each Councilmember is elected only by the voters in the district in which the candidate resides; and

WHEREAS, in accordance with California Government Code section 34886, it is declared that the purpose of the change in the method of electing members of the City Council is 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 Sections 14025 through 14032 of the California Elections Code; and

WHEREAS, because City electors expressed their intention in Measure M of the June 2012 Primary Election to require an independently elected Mayor separate from the four Councilmembers; this ordinance does not change the at-large method of election for the Mayor.

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

Section 1. Section 2-1.303 of the Antioch Municipal Code is enacted to read as follows:

§2-1.303 BY-DISTRICT ELECTIONS FOR CITY COUNCIL MEMBERS

(A) Pursuant to California Government Code section 34886, Members of the City Council of the City of Antioch shall be elected by-district in four (4) single-member districts.

(1) Members of the City Council shall be elected in the electoral districts established by subsection (B) of this Section and subsequently reapportioned as provided by State law. Elections shall take place “by district” as that term is defined in California Government Code section 34871, meaning one

Councilmember shall be elected from each district, by the voters of that district alone.

(2) A Councilmember elected or appointed to represent a district must reside in that district and be a registered voter in that district, and any candidate for City Council must reside in, and be a registered voter in, the district in which he or she seeks election at the time nomination papers are issued.

(B) All four Councilmembers shall be elected on a “by-district” basis from the Council districts shown and numbered on a map titled “City of Antioch District Map,” as adopted separately by resolution, a copy of which shall be on file in the City Clerk’s office.

(C) Pursuant to Elections Code section 21601, as it may be amended from time to time, the City Council shall adjust the boundaries of any or all of the districts following each decennial federal census to ensure that the districts are in compliance with all applicable provisions of law.

(D) District elections enacted in accordance with this section shall commence in the November 2020 General election. In the November 2020 General Election, Districts 1 and 4, as shown in the “City of Antioch District Map,” will have initial terms of two (2) years, and both districts shall again be open for election in the November 2022 General Election, at and following which election they shall have four (4) year terms. Beginning in the November 2020 General Elections and thereafter, Districts 2 and 3, as shown in the “City of Antioch District Map,” shall have four (4) year terms.

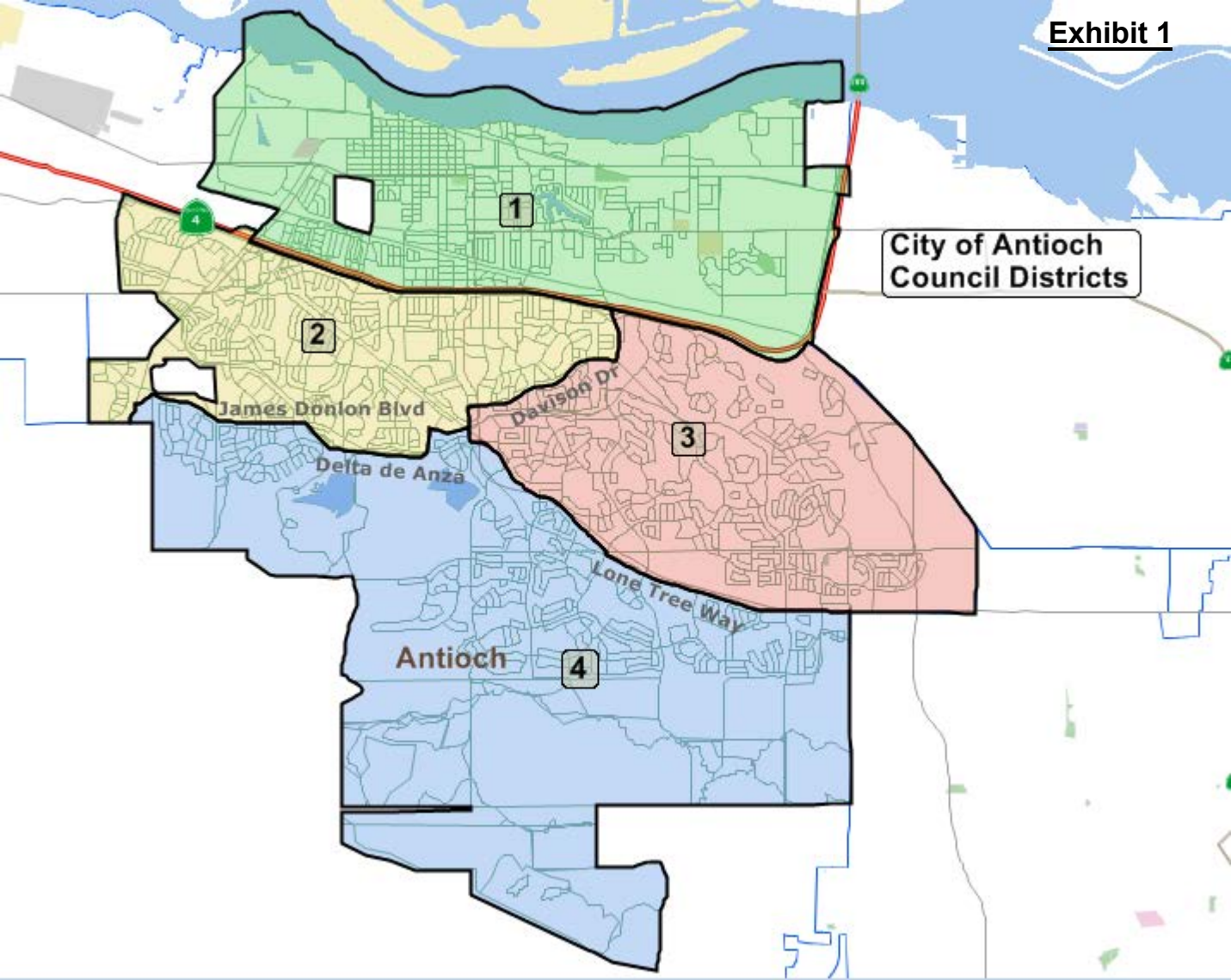
(E) Notwithstanding California Government Code section 34873, and to ensure the orderly transition away from the at-large election system for City Councilmember that exists at the time of this Ordinance’s adoption, the two City Council positions open for election in the November 2018 General Election shall have two (2) year terms and because of this reduced term of office, no Councilmember elected in the November 2018 General Election shall have any right or claim under Government Code section 34873 to any term of office longer than two years.

Section 2. CEQA Findings.

This project is exempt from environmental analysis under the requirements of the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines section 15061(b)(3), because it can be seen with certainty that the proposed amendments will not have a significant effect on the environment.

Section 3. Severability.

In the event any section or portion of this ordinance shall be determined to be invalid or unconstitutional, such section or portions shall be deemed severable and all other sections or portions hereof shall remain in force and effect.



**City of Antioch
Council Districts**

1

2

3

4

James Donlon Blvd

Davison Dr

Delta de Anza

Lone Tree Way

Antioch