

**CITY OF YUCAIPA  
AGENDA REPORT**

**TO:** Honorable Mayor and City Council

**FROM:** Jennifer Crawford, Assistant City Manager/City Clerk *Jf*  
Tammy Vaughan, Deputy City Clerk/IS Technician *TV*

**FOR:** City Council Meeting of February 28, 2022

**SUBJECT:** 6:03 P.M. TIME CERTAIN - Public Hearing No. 4: Adopt Resolution No. 2022-10, Adopting a Map of the Boundaries of Five City Council Districts

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**RECOMMENDATION:**

That City Council conduct the fourth Redistricting Public Hearing and:

1. Receive public input from the community on the proposed Resolution and the establishment of Yucaipa City Council Election District boundaries; and
2. Adopt Resolution No. 2022-10

**DISCUSSION:**

Following each federal decennial census, California Elections Code Sections 21601 and 21602 require cities with by-district elections to analyze population and demographic changes to assess whether or not changes are needed to their adopted district maps to maintain compliance with the criteria set forth in applicable law (redistricting process). Following the release of the results of the 2020 federal decennial census, the City Council is required to review the boundaries of the existing City Council to ensure that each district complies with the requirements of federal and state law, the most important of which is that the total population of each district is substantially equal.

On January 24, 2022, the City Council held its third redistricting public hearing and received a presentation from NDC. NDC provided an overview of what was presented at the second public hearing that took place on November 8, 2021 and noted the changes from the 2010 U.S. Census to the 2020 U.S. Census and the impacts on each of the districts in the currently adopted district map and reiterated that the City's current maximum population deviation (the difference between the most populous district and least populous district) is 8.66% and the law allows no more than a 10% deviation. Therefore, the current district map that was adopted pursuant to Ordinance 348 is considered balanced as the districts are nearly equal in population as practicable and in compliance with all applicable provisions of law, including the United States and Federal Constitutions and the Federal Voting Rights Act of 1965 (52 U.S.C. Section 10301 et seq.).

The City has met the requirements of Assembly Bill (AB) 849, enacted in 2019, known as the "Fair and Inclusive Redistricting for Municipalities and Political Subdivision" (FAIR MAPS) Act and has held four public hearings (October 11, 2021, November 8, 2021, January 24, 2022, and will hold the fourth on February 28, 2022). All were duly noticed, and the City complied with the

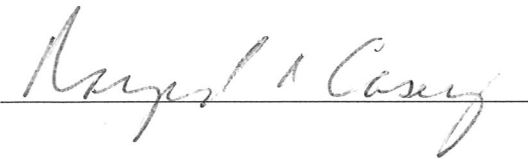
public information and outreach requirements of applicable law. Throughout the public hearing process and after considering public comments, the City Council discussed its options relative to the district map boundaries and determined that, based on the minimal population changes from the 2010 to the 2020 Census, the fact that the districts are population balanced and are reasonably compact, and that current district boundaries meet all federal and state requirements, the City should move forward with maintaining the current City Council district boundaries as the City's proposed map. In compliance with applicable law, the proposed draft map was reviewed at the third public hearing and again at this fourth public hearing (once the February 28, 2022 hearing is closed).

The proposed resolution and incorporated map follows the City Council's direction. If the City Council determines to proceed with adopting this map of election district boundaries, the map will be used beginning with the November 2022 General Election.

**FISCAL IMPACT:**

There is no impact to the General Fund as a result of this public hearing or the adoption of the proposed Resolution.

Attachment: Resolution No. 2022-10  
Exhibit "A" – Council Selected Map

Approved by: 

## RESOLUTION NO. 2022-10

### A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF YUCAIPA, CALIFORNIA, ADOPTING A MAP OF THE BOUNDARIES OF FIVE CITY COUNCIL ELECTION DISTRICTS FOR THE CITY OF YUCAIPA PURSUANT TO APPLICABLE LAW

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**WHEREAS**, On June 27, 2016, the City Council adopted Ordinance No. 348 pursuant to Government Code Sections 34871 to provide for the election of members of the City Council by five districts, establish the boundaries of each district, establish the initial election term for each district, and amend Chapter 1.08 of the Yucaipa Municipal Code. Yucaipa Municipal Code section 1.08.060 provides that the Yucaipa City Council District boundaries shall be reviewed by the City Council and, if warranted, the City Council shall adjust the boundaries of any or all of the districts following each decennial federal census pursuant to Elections Code Section 21601, as it may be amended; and,

**WHEREAS**, Applicable State and federal law require that every ten years, following each federal census, California cities that use district-based elections must review the boundaries of those voting districts and adopt district boundaries based on current census data; and

**WHEREAS**, The purpose of this process is to review and adopt Council district boundaries that ensure voting districts remain substantially equal in population and protect the rights of members of communities of interest to vote for the candidates of their choice; and

**WHEREAS**, Pursuant to Elections Code section 21607.1 (d), the City held duly-noticed public hearings regarding redistricting consolidated with regular meetings of the City Council at fixed times; and

**WHEREAS**, Pursuant to Elections Code section 21607.1(a)(1), before drawing draft maps, the City held two public hearings, one on October 11, 2021 and another on November 8, 2021 where an overview of the redistricting process was presented, and there was an opportunity for public comment; and

**WHEREAS**, Pursuant to Elections Code section 21607.1 (a)(2), the City held two subsequent duly-noticed public hearings, one on January 24, 2022 and another on February 28, 2022 to receive public testimony regarding draft maps; and

**WHEREAS**, Pursuant to Elections Code 21608, the City encouraged residents to participate in the redistricting public review process by providing information through the City's social media sites and posting information on the City website explaining the redistricting process, including a notice of each public hearing and the procedures for providing public comment; and

**WHEREAS**, After the 2020 census data was released, the City's consultant (National Demographics Corporation) determined that the current maximum population deviation of the City's districts, the difference between the most populous district and least populous district, is 8.66% and the law allows up to a 10% deviation. Therefore, the current District Map that was adopted pursuant to Ordinance 348 is considered balanced as the districts are nearly equal in population as practicable and in compliance with all applicable provisions of law, including the United States and Federal Constitutions and the Federal Voting Rights Act of 1965 (52 U.S.C. Sections 10301 et seq.), and California's Fair Maps Act (Government Code Sections 21600, *et seq.*); and

**WHEREAS**, all legal prerequisites to the adoption of this Resolution have occurred.

**NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF YUCAIPA DOES HEREBY FIND, DETERMINE, AND RESOLVE AS FOLLOWS:**

Section 1. The City Council finds that all of the facts set forth in the Recitals of this Resolution, are true and correct.

Section 2. Based upon substantial evidence presented to the City Council during the public hearings held on October 11, 2021, November 8, 2021, January 24, 2022, and February 28, 2022, which included public testimony and written and oral staff reports, the City Council finds as follows:

(a) All necessary public hearings and opportunities for public testimony and comment have been conducted in compliance with State Law and the Municipal Code of the City of Yucaipa.

Section 3. Adoption of New District Map

(a) The map attached hereto as Exhibit "A" to this Resolution, and incorporated herein by this reference, is hereby approved and adopted as the Official Council District Map for the City of Yucaipa and shall be used in the 2022 General Municipal Election and all such elections for City Council thereafter, until further amended. This map is identical to the map attached as Exhibit "A" to Ordinance No. 348 as the City Council determined that the District Map attached as Exhibit 1 to Ordinance No. 348 is considered "balanced" in population based on the criteria of applicable State and federal law, and complies with all other provisions of such laws, as provided herein.

Section 4. Delegation of Authority - The City Clerk is authorized and directed to file the District Map with the San Bernardino County Registrar of Voters.

Section 5. Severability. If any section, subsection, sentence, clause, phrase, or portion of this Resolution is for any reason held to be invalid or unenforceable by a court of competent jurisdiction, the remaining portions of this Resolution shall nonetheless remain in full force and effect.

PASSED, APPROVED and ADOPTED by the City Council of the City of Yucaipa this 28<sup>th</sup> day of February 2021.

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David Avila  
Mayor

ATTEST:

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Jennifer Crawford  
City Clerk

Attachment: Exhibit "A"

# City Council Districts

Exhibit "A" (Resolution No. 2022-10)

## City Council District

- 1
- 2
- 3
- 4
- 5

