

ORDINANCE NO. 521-24

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF CHOWCHILLA, CALIFORNIA
AMENDING SECTION 2.04.150 OF TITLE 2 OF CHAPTER 2.04 OF THE CHOWCHILLA
MUNICIPAL CODE ESTABLISHING BY-DISTRICT ELECTIONS, DEFINING DISTRICT
BOUNDARIES, AND SCHEDULING ELECTIONS WITHIN THE DISTRICTS; AND CHANGING
THE OFFICE OF MAYOR FROM AN APPOINTED OFFICE TO AN ELECTED OFFICE,
PURSUANT TO THE CALIFORNIA VOTING RIGHTS ACT

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

SECTION 1. Recitals. The City Council of the City of Chowchilla hereby determines as follows:

A. The City of Chowchilla currently elects five Council Members at-large. The five City Council Members pick one Council Member to serve as mayor for one year, after which the City Council picks a different Council Member to serve as mayor for another one-year term.

B. 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.

C. On March 21, 2024, the City Council adopted Resolution No. 07-24, a resolution declaring the City's intention to transition from at-large to district-based elections pursuant to the California Voting Rights Act (California Elections Code Section 10010).

D. California Government Code section 34886 permits the City Council to change the City's method of election by ordinance and without an election to a four-member "by-district" system, with a separately elected at-large mayor serving a two-year term, in which each Councilmember is elected only by the voters in the district in which the candidate resides.

E. Pursuant to California Government Code section 34886, it is declared that the purpose of the change in the method of electing members of the City Council of the City of Chowchilla made by this Ordinance 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 the California Voting Rights Act (Sections 14025 through 14032 of the California Elections Code).

F. The City engaged an expert demographic firm to assist the City with the process of analyzing the City's population, developing draft maps, and gathering input from residents on the possible maps.

G. In accordance with Elections Code section 10010, the City Council held two "premap" public hearings to obtain input on any proposed district boundaries on April 9, 2024, and April 23, 2024.

H. On May 7, 2024, the City Council published draft district maps to its website. On May 14, 2024, the City Council held its first public hearing to begin reviewing the proposed maps.

I. On May 18, 2024, the City Council held an informal community meeting where members of the public were invited to ask the demographer questions, and provide additional feedback.

J. On May 21, 2024, the City Council published additional draft district maps to its website. On May 28, 2024, the City Council held its second public hearing on the proposed maps.

K. On June 3, 2024, the City Council held a meeting to select a map for adoption, establish an election sequencing schedule, set a two-year term limit for an at-large mayor, and introduced by title only this Ordinance.

L. The purpose of this Ordinance is to enact, pursuant to California Government Code section 34886, an ordinance providing for the election of the Members of the City Council of the City of Chowchilla by-district in four single-member districts with a separately elected at-large mayor as reflected in Exhibit A to this Ordinance.

SECTION 2. Amendment. Section 2.04.150 of Title 2 of Chapter 2.04, of the Chowchilla Municipal Code is hereby amended as follows:

“2.04.150 - Election of council members—General election.

- A. Commencing with the general municipal election now scheduled for November, 1995, the general municipal elections for the city shall be held on the same date as the statewide general elections, being the first Tuesday after the first Monday of November of each even-numbered year.
- B. Those city officers, including council members whose terms of office would have, prior to the adoption of the ordinance codified in this section, expired in December, 1995, following the election in November, 1995, shall, instead, continue in office until no later than December, 1996, or until their successors are elected and qualified.
- C. Those city officers, including council members whose terms of office would have, prior to the adoption of said ordinance, expired in December, 1997, following the election in November, 1997, shall, instead, continue in office until no later than December, 1998, or until their successors are elected and qualified.
- D. All procedural requirements, including the dates of any notice, canvass of votes, or certification of election, shall comply with those for the statewide general election.
- E. Commencing with the November 5, 2024 General Municipal Election, the city council shall consist of four (4) city councilmembers, all of whom shall be elected at the time and in the manner provided by law.
- F. The successors of all initial officers will be elected by the city electors at a general municipal election.

G. By-District Elections.

- a. Pursuant to California Government Code section 34886, commencing with the November 5, 2024 General Municipal Election, the mayor will be elected at-large for a two (2)-year term.
- b. Pursuant to California Government Code section 34886, commencing with the November 5, 2024 General Municipal Election, members of the City Council of the

City of Chowchilla shall be elected by-district in four (4) single-member districts with a separately elected at-large mayor serving a two (2)-year term.

1. Members of the City Council shall be elected in the electoral districts established by subdivision (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.
3. Termination of residency in a district by a Councilmember shall create a vacancy for that City Council district unless a substitute residence within the district is immediately declared and established within thirty (30) days after the termination of residency.
4. Notwithstanding any other provision of this Section, the Councilmembers elected at-large and in office at the time this Section takes effect shall continue in office until the expiration of the term to which he or she was elected. In the event a vacancy occurs before the expiration of the at-large elected term of a Councilmember in office at the time this Section takes effect, a person who is appointed or elected by special election to fill such vacancy may reside anywhere within the corporate boundaries of the City. A person appointed or elected to fill such a vacancy shall hold the office in accordance with State law.

- c. City Council Districts and District Elections. All four Councilmembers shall be elected on a "by-district" basis from the Council districts shown and numbered on the map titled '401' attached as Exhibit A, a copy of which shall be on file in the City Clerk's office. In 2024, and every four years thereafter, the following two City Council districts shall be elected by-district: District 3 and District 4. In 2026, and every four years thereafter, the following two City Council districts shall be elected by-district: District 1 and District 2.
- d. Amendment of District Boundaries. 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."

SECTION 3. Technical District Changes. If necessary, to facilitate the implementation of this Ordinance, the City Administrator or 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 Administrator or City Clerk shall consult with the City Administrator and 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 4. Severability. If any section, subsection, subdivision, paragraph, sentence, clause or phrase of this ordinance or any part hereof is for any reason held to be invalid, such invalidity shall not affect the validity of the remaining portions of this ordinance or any part thereof. The City Council of the City of Chowchilla hereby declares that it would have passed each section, subsection, subdivision, paragraph, sentence, clause, or phrase hereof, irrespective of the fact that any one or more sections, subsections, subdivisions, paragraphs, sentences, clauses or phrases be declared invalid.

SECTION 5. Effective Date. This ordinance shall take effect thirty (30) days after the date of its passage; and prior to fifteen (15) days after its passage, the City Clerk shall cause a copy of this ordinance to be published in accordance with the provisions of the law. The City Clerk shall certify the adoption of this ordinance.

PASSED, APPROVED, AND ADOPTED this 11th day of June, 2024.



Waseem Ahmed
Mayor Pro Tem

APPROVED AS TO FORM:



Mary Lerner
City Attorney

ATTEST:



Joann McClendon, CMC
City Clerk

STATE OF CALIFORNIA)
COUNTY OF MADERA) ss.
CITY OF CHOWCHILLA)

I HEREBY CERTIFY that the foregoing Ordinance No. 521-24 was duly introduced and placed upon its first reading at a special meeting of the City Council of the City of Chowchilla held on the 3rd day of June 2024, and that thereafter, said ordinance was duly adopted and passed at a regular meeting on the 11th day of June 2024, by the following vote of the Council:

AYES: Chavez, Barragan, Troost, Ahmed

NOES: None

ABSENT: Smith

ATTEST:



Joann McClendon

City Clerk

