

**CITY OF PALMDALE
COUNTY OF LOS ANGELES, CALIFORNIA
ORDINANCE NO. 1474**

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF PALMDALE, CALIFORNIA ADDING NEW CHAPTER 4.10 TO TITLE 4 "MUNICIPAL ELECTIONS" OF THE PALMDALE MUNICIPAL CODE ADOPTING DISTRICT BOUNDARIES FOR FOUR DESIGNATED DISTRICTS FOR THE ELECTION OF CITY COUNCIL MEMBERS IN ACCORDANCE WITH ORDINANCE NO. 1471.

WHEREAS, the City was sued in April of 2012 in the Los Angeles County Superior Court in a case alleging that the City was in violation of the California Voting Rights Act of 2001 ("CVRA") by, among other things, maintaining an "at-large" system for electing members of the City Council ("Lawsuit"); and

WHEREAS, the City denied all the material substantive allegations of the complaint and denied any liability thereunder or that the plaintiffs were entitled to relief under the CVRA; and

WHEREAS, the Lawsuit was tried in the Los Angeles County Superior Court where the trial court issued a Statement of Decision and a Judgment ("Judgment") that found the City liable for violation of the CVRA and subsequently determined the remedies for the violation, including preliminarily enjoining certification of the City's November 2013 general municipal election ("preliminary injunction"), and granted the plaintiffs, as the prevailing party, a substantial award of attorney fees; and

WHEREAS, the preliminary injunction, Judgment and attorney fees award were respectively appealed to the California Court of Appeal, which affirmed issuance of the preliminary injunction. The California Supreme Court declined to hear the matter. Thereafter, plaintiffs filed for an additional award of attorney fees, which the trial court granted, including for plaintiffs' unsuccessful attempt to hold the City Council members in contempt for not vacating their elective offices in accordance with the Judgment. This latter award was also subject to appeal; and

WHEREAS, to avoid the further expenditure of public funds and further protracted litigation, and based on a desire to achieve finality and certainty on issues of public importance relating to the system of election for members of the City Council and the City's electoral process, the City entered into a Settlement Agreement with plaintiff's; and

WHEREAS, the Court of Appeal, in accordance with the Settlement Agreement, ordered that the Judgment be modified, and on June 19, 2015, in accordance with the

remittitur of the Court of Appeal, the trial court entered an amended Judgment providing, in part, for the Office of Mayor to be separately elected at-large, and the four council members to be elected by-districts as specifically described in the amended Judgment; and

WHEREAS, on July 1, 2015 in accordance with the amended Judgment, the City Council adopted Ordinance No. 1471 amending Palmdale Municipal Code Chapter 2.08 "City Council" to maintain election of the separate Office of Mayor on a citywide basis and change the method of election of the four City Council Members to be elected by four designated electoral districts; and

WHEREAS, in accordance with the Settlement Agreement and Elections Code section 10010, on August 12, 2015, August 15, 2015, August 26, 2015, and September 2, 2015, the City Council held public hearings in each of the proposed districts specifically delineated in the amended Judgment; and

WHEREAS, the amended Judgment orders the City Council to implement the electoral districts set forth therein from the date of entry of the amended Judgment to the next decennial redistricting cycle in 2021, at which time the electoral district boundaries may be changed in any manner consistent with law; and

WHEREAS, it is the desire and intent of the City Council to be in full compliance with the amended Judgment and Ordinance No. 1471,

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

SECTION 1. Recitals. The foregoing recitals are true.

SECTION 2. District Boundaries. The following district boundaries are set forth in the amended Judgment, and are hereby adopted as the electoral districts for the four City Council members of the City of Palmdale through the general municipal election in November 2020:

District # 1

The region bounded and described as follows: Beginning at the point of intersection of City Boundary and E Ave P-8, and proceeding southerly along City Boundary to 30th St E, and proceeding southerly along 30th St E to E Ave R, and proceeding westerly along E Ave R to 17th St E, and proceeding northerly along 17th St E to E Palmdale Blvd, and proceeding westerly along E Palmdale Blvd to 12th St E, and proceeding southerly along 12th St E to E Ave R, and proceeding westerly along E Ave R to 10th St E, and proceeding southerly along 10th St E to E Ave S, and proceeding easterly along E Ave S to Palmdale Siding 2 RR, and proceeding easterly

along Palmdale Siding 2 RR to Southern Pacific RR, and proceeding easterly along Southern Pacific RR to JOJOBA TER, and proceeding southerly along JOJOBA TER to 30th St E, and proceeding southerly along 30th St E to 30TH ST E, and proceeding northerly along 30TH ST E to Jojoba Ter, and proceeding easterly along Jojoba Ter to 33rd St E, and proceeding southerly along 33rd St E to Conestoga Canyon Rd, and proceeding easterly along Conestoga Canyon Rd to Jenna Ln, and proceeding southerly along Jenna Ln to Purple Sage Ln, and proceeding westerly along Purple Sage Ln to 33rd St E, and proceeding southerly along 33rd St E to Pearblossom Hwy, and proceeding easterly along Pearblossom Hwy to City Boundary, and proceeding southerly along City Boundary to TLID:627483510, and proceeding northerly along TLID:627483510 to TLID:142830567, and proceeding northerly along TLID:142830567 to TLLD:241215263, and proceeding easterly along TLID:241215263 to TLLD:241215641, and proceeding easterly along TLID:241215641 to TLID:241208656, and proceeding northerly along TLID:241208656 to TLID:142833675, and proceeding northerly along TLID:142833675 to TLID:141864761, and proceeding northerly along TLID:141864761 to TLID:142705412, and proceeding northerly along TLID:142705412 to TLID:142705411, and proceeding northerly along TLID:142705411 to TLID:142705409, and proceeding northerly along TLID:142705409 to W City Ranch Rd, and proceeding easterly along W City Ranch Rd to TLID:141845802, and proceeding easterly along TLID:141845802 to TLID:141845803, and proceeding easterly along TLID:141845803 to TLID:241112777, and proceeding easterly along TLID:241112777 to TLID:241112778, and proceeding easterly along TLID:241112778 to TLID:141848619, and proceeding easterly along TLID:141848619 to TLID:141848620, and proceeding easterly along TLID:141848620 to TLID:142671550, and proceeding easterly along TLID:142671550 to TLID:241249396, and proceeding easterly along TLID:241249396 to TLID:142829748, and proceeding easterly along TLID:142829748 to TLID:141857328, and proceeding easterly along TLID:141857328 to Tierra Subida Ave, and proceeding northerly along Tierra Subida Ave to W Palmdale Blvd, and proceeding easterly along W Palmdale Blvd to W Ave Q, and proceeding easterly along W Ave Q to E Ave Q, and proceeding easterly along E Ave Q to Carolside Ave, and proceeding southerly along Carolside Ave to E Ave Q, and proceeding easterly along E Ave Q to 3rd St E, and proceeding northerly along 3rd St E to E Ave Q, and proceeding easterly along E Ave Q to City Boundary, and proceeding easterly along City Boundary to E Ave Q, and proceeding easterly along E Ave Q to City Boundary, and proceeding easterly along City Boundary to E Ave P-8, and proceeding easterly along E Ave P-8 to the point of beginning.

District #2

The region bounded and described as follows: 1. Beginning at the point of intersection of City Boundary and TLID:627483510, and proceeding easterly along City Boundary to 50th St E, and proceeding southerly along 50th St E to City Boundary, and proceeding westerly along City Boundary to E Ave P-8, and proceeding westerly along E Ave P-8 to City Boundary, and proceeding westerly along City Boundary to E

Ave Q, and proceeding westerly along E Ave Q to City Boundary, and proceeding westerly along City Boundary to E Ave Q, and proceeding westerly along E Ave Q to 3rd St E, and proceeding southerly along 3rd St E to E Ave Q, and proceeding westerly along E Ave Q to Carolside Ave, and proceeding northerly along Carolside Ave to E Ave Q, and proceeding westerly along E Ave Q to W Ave Q, and proceeding westerly along W Ave Q to W Palmdale Blvd, and proceeding westerly along W Palmdale Blvd to Tierra Subida Ave, and proceeding southerly along Tierra Subida Ave to TLID:141857328, and proceeding westerly along TLID:141857328 to TLID:142829748, and proceeding westerly along TLID:142829748 to TLID:241249396, and proceeding westerly along TLID:241249396 to TLID:142671550, and proceeding westerly along TLID:142671550 to TLID:141848620, and proceeding westerly along TLID:141848620 to TLID:141848619, and proceeding westerly along TLID:141848619 to TLID:241112778, and proceeding westerly along TLID:241112778 to TLID:241112777, and proceeding westerly along TLID:241112777 to TLID:141845803, and proceeding westerly along TLID:141845803 to TLID:141845802, and proceeding westerly along TLID:141845802 to W City Ranch Rd, and proceeding westerly along W City Ranch Rd to TLID:142705409, and proceeding southerly along TLID:142705409 to TLID:142705412, and proceeding southerly along TLID:142705412 to TLID:141864761, and proceeding southerly along TLID:141864761 to TLID:142833675, and proceeding southerly along TLID:142833675 to TLID:241208656, and proceeding southerly along TLID:241208656 to TLID:24121541, and proceeding westerly along TLID:24121541 to TLID:241215263, and proceeding westerly along TLID:241215263 to TLID:142830567, and proceeding southerly along TLID:142830567 to TLID:627483510, and proceeding southerly along TLID:627483510 to the point of beginning.

District #3

The region bounded and described as follows: Beginning at the point of intersection of 17th St E and E Palmdale Blvd, and proceeding southerly along 17th St E to E Ave R, and proceeding easterly along E Ave R to 45th St E, and proceeding southerly along 45th St E to Southern Pacific RR, and proceeding easterly along Southern Pacific RR to 47th St E, and proceeding southerly along 47th St E to City Boundary, and proceeding westerly along City Boundary to Pearblossom Hwy, and proceeding westerly along Pearblossom Hwy to 33rd St E, and proceeding northerly along 33rd St E to Purple Sage Ln, and proceeding easterly along Purple Sage Ln to Jenna Ln, and proceeding northerly along Jenna Ln to Conestoga Canyon Rd, and proceeding westerly along Conestoga Canyon Rd to 33rd St E, and proceeding northerly along 33rd St E to Jojoba Ter, and proceeding westerly along Jojoba Ter to 30th St E, and proceeding southerly along 30th St E to JOJOBA TER, and proceeding northerly along JOJOBA TER to southern Pacific RR, and proceeding westerly along Southern Pacific RR to Palmdale Siding 2 RR, and proceeding westerly along Palmdale Siding 2 RR to E Ave S, and proceeding westerly along E Ave S to 10th St E, and proceeding northerly along 10th St E to E Ave R, and proceeding easterly along E

Ave R to 12th St E, and proceeding northerly along 12th St E to E Palmdale Blvd, and proceeding easterly along E Palmdale Blvd to the point of beginning.

District #4

The region bounded and described as follows: Beginning at the point of intersection of City Boundary and 50th St E, and proceeding easterly along City Boundary to 47th St E, and proceeding northerly along 47th St E to Southern Pacific RR, and proceeding westerly along Southern Pacific RR to 45th St E, and proceeding northerly along 45th St E to E Ave R, and proceeding westerly along E Ave R to 30th St E, and proceeding northerly along 30th St E to City Boundary, and proceeding easterly along City Boundary to 50th St E, and proceeding northerly along 50th St E to the point of beginning.

SECTION 3. Map. A map depicting the boundaries set forth in Section 2 is attached hereto as Exhibit A and incorporated into this ordinance by this reference.

SECTION 4. Environmental Review. The City Council finds that this ordinance is not subject to the California Environmental Quality Act (CEQA) pursuant to sections 15060(c) (2) and 15061(c) (3), i.e. respectively, that the activity will not result in a direct or reasonably foreseeable indirect physical change in the environment and it does not have the potential to cause a significant effect on the environment (CEQA Guidelines, California Code of Regulations, Title 14, Chapter 3).

SECTION 5. Implementation. Because the electoral district boundaries may contain technical anomalies caused by errors in the 2010 Census line files, the description contained in the amended Judgment, or development in the City of Palmdale since the 2010 Census, that do not substantively affect the populations in the council districts, the district boundaries, or the intent of this ordinance, which anomalies are not revealed until implementation of the district boundaries by the appropriate elections official, the City Manager and/or his designee shall immediately advise the City Attorney of any such technical emendations that are found to be required in plan implementation by the elections officials, and is thereafter authorized to make the necessary technical emendations to the district map provided they do not substantively affect the populations in the council districts, the district boundaries, or the intent of this ordinance, unless the City Attorney advises the City Manager not to make the necessary emendation.

SECTION 6. Effective Date. Pursuant to Elections Code section 9235 this ordinance is effective 30 days from and after its final passage.

SECTION 7. Settlement of Lawsuit. This ordinance is being considered pursuant to a negotiated settlement of the Lawsuit which settlement was approved by

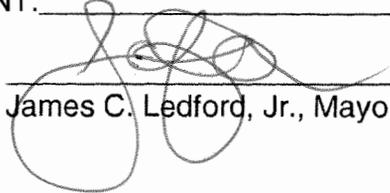
SECTION 24. The City Clerk shall certify to the adoption of this ordinance and shall cause this ordinance to be published or posted as required by law.

PASSED, APPROVED and ADOPTED this 2nd day of September, 2015, effective on the 2nd day of October, 2015, by the following vote:

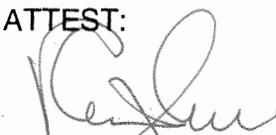
AYES: Ledford, Dispenza, Hofbauer, Thompson, and Martinez

NOES: None

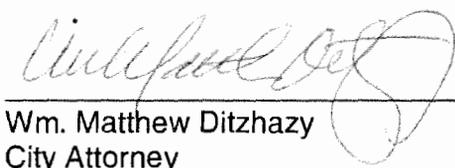
ABSTAIN: None ABSENT: None



James C. Ledford, Jr., Mayor

ATTEST:


Rebecca J. Smith
City Clerk

APPROVED AS TO FORM:


Wm. Matthew Ditzhazy
City Attorney