



Legislation Details (With Board Report)

File #: ORD 21-019 **Name:** Introduce, waive reading and set adoption of an ordinance of the County of Monterey amending Chapter 1.04

Type: Ordinance **Status:** Agenda Ready

File created: 10/14/2021 **In control:** Board of Supervisors

On agenda: 10/19/2021 **Final action:** 10/19/2021

Title: Introduce, waive reading, and set for adoption on November 2, 2021 at 10:30 a.m., an ordinance of the County of Monterey amending Chapter 1.04 of the Monterey County Code to allow for adoption, amendment or modification of supervisorial district boundaries by resolution.

Sponsors:

Indexes:

Code sections:

Attachments: 1. Board Report 10-19-21, 2. Ex A Chp 1.04 redistricting ord drft final, 3. Ex B Chp 1.04 redistricting ord u-s v2, 4. Completed Board Order Item No. 35

Date	Ver.	Action By	Action	Result
10/19/2021	1	Board of Supervisors	approved	

Introduce, waive reading, and set for adoption on November 2, 2021 at 10:30 a.m., an ordinance of the County of Monterey amending Chapter 1.04 of the Monterey County Code to allow for adoption, amendment or modification of supervisorial district boundaries by resolution.

RECOMMENDATION:

It is recommended that the Board of Supervisors introduce, waive reading, and set for adoption on November 2, 2021 at 10:30 a.m., an ordinance of the County of Monterey amending Chapter 1.04 of the Monterey County Code to allow for adoption, amendment or modification of supervisorial district boundaries by resolution.

SUMMARY/DISCUSSION:

The United States Census Bureau is required by Article I, Section 2 of the United States Constitution to conduct an accurate count of the population every ten years, and the census data is used to determine how many seats each state will have in the United States House of Representatives and to adjust the districts for state legislatures, county boards of supervisors, and city councils.

On April 26, 2021, the Census Bureau delivered 2020 Census state population counts that will be used for reapportionment, and on August 16, 2021, the Census Bureau released redistricting counts to all 50 states, and on September 20, 2021, the State of California released adjusted redistricting counts. These counts will be used to redraw legislative districts based on population changes.

California Elections Code Section 21500 (a) provides, in pertinent part, "...following each federal decennial census for a county whose board is already elected using district-based elections, the board shall, by ordinance or resolution, adopt boundaries for all of the supervisorial districts of the county so that the supervisorial districts shall be substantially equal in population as required by the United States Constitution," and "[p]opulation equality shall be based on the total population of residents of the county as determined by the most recent federal decennial census."

In order to comply with the requirement to adjust district boundaries, counties are required to adopt Redistricting Plans, and state law allows for Redistricting Plans to be approved either by ordinance or resolution. Historically, supervisorial district boundaries have been adopted by the Monterey County Board of Supervisors by ordinance codified in Chapter 1.04 of the Monterey County Code. Due to the timing of Census state population counts used for reapportionment and determining population equality for each supervisorial district, as well as the quick turn-around time and date for approval by the Board of Supervisors of the final Redistricting Plan, the purpose of this ordinance is to amend the Monterey County Code to allow for approval of supervisorial district boundaries by resolution because there is insufficient time for the introduction, adoption and effective date of a due course ordinance amending the County Code.

A draft ordinance amending Chapter 1.04 of the County Code, specifically Section 1.04.010, is enclosed as Exhibit A. An underline/strikeout is enclosed as Exhibit B.

OTHER AGENCY INVOLVEMENT:

County Counsel has approved the ordinance as to form.

FINANCING:

Amending the Monterey County Code, will not result in additional General Fund contributions.

BOARD OF SUPERVISORS STRATEGIC INITIATIVES:

Amending the Monterey County Code Section 1.04.010, supports the 2021 redistricting process for supervisorial districts in Monterey County.

Mark a check to the related Board of Supervisors Strategic Initiatives

- Economic Development
- Administration
- Health & Human Services
- Infrastructure
- Public Safety

Prepared by:

Anne K. Brereton, Deputy County Counsel

Approved by:

Wendy S. Strimling, Assistant County Counsel

Attachments:

Board Report

Exhibits:

- A. Draft Ordinance
- B. Underline/strikeout