

ORDINANCE NUMBER O- 20786 (NEW SERIES)

DATE OF FINAL PASSAGE JAN 13 2017

AN ORDINANCE OF THE COUNCIL OF THE CITY OF SAN DIEGO TO AMEND THE BOUNDARY OF COUNCIL DISTRICT FOUR TO INCLUDE PROPERTY LOCATED IN SOUTHEASTERN SAN DIEGO PROPOSED TO BE ANNEXED INTO THE CITY'S JURISDICTIONAL BOUNDARIES.

WHEREAS, the City Council (Council) of the City of San Diego (City) is considering the initiation of proceedings to annex into the City's jurisdictional boundaries approximately 121 acres of land currently within the jurisdiction of the County of San Diego that is surrounded on all sides by City territory (the County Island), which territory is adjacent to existing Council Districts 4 and 9; and

WHEREAS, the San Diego City Charter provides that, if territory is annexed into the City, the Council shall add the territory to an adjacent district or districts at the time of the annexation; and

WHEREAS, in August 2011, the City's Redistricting Commission completed a comprehensive plan that amended the boundaries of each of the City's nine Council Districts, which plan took into account the following factors: equalizing the population; avoiding diluting the voting strength of protected classes; providing fair and effective representation for all citizens of the City; using contiguous territory; using whole census tracts or blocks to the extent practical; preserving identifiable communities of interest; observing natural boundaries; drawing districts as geographically compact as possible; not drawing districts for the purpose of advantaging or protecting incumbents; and ensuring that each community planning area and neighborhood is intact in a single district to the extent possible, all while adhering to the relevant requirements of the U.S. Constitution, Federal statutes, and traditional redistricting principles; and

WHEREAS, the Redistricting Commission's plan references the area that comprises the County Island in its description for Council District 4 but did not include that area in that district, and could not have done so at the time, because the City lacked jurisdiction over that territory; and

WHEREAS, approximately three-quarters of the County Island is comprised of the Greenwood Memorial Cemetery, and the remainder of the land contains City- and County-owned parcels, a private residence, and a small portion of land owned by the YMCA; and

WHEREAS, incorporating the County Island into the boundaries of Council District 4 would not conflict with the aforementioned redistricting factors for reasons that include the following:

1. The area is largely uninhabited and it is home to so few registered voters that it is considered legally uninhabited under the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000, which governs changes in jurisdictional organization and, as such, its population is insufficient to affect the relative population of districts, the voting strength of protected classes, the provision of fair and effective representation for all citizens of the City, the preservation of identifiable communities of interest, or the advantaging or protecting of incumbents; and

2. The County Island is surrounded by land within the Southeastern Community Planning Area; that planning area is already shared between two Council districts, and assigning the County Island to Council District 4 would not create a new division of a community planning area; and

3. The County Island contains one residential parcel, which is located in the southeastern part of the area near the boundary of the Mountain View neighborhood, which neighborhood is part of Council District 4; and

4. The area encompasses an entire census tract (Precinct 512600);

5. Incorporating the County Island into Council District 4 observes natural boundaries (and, to the east, the I-805 Freeway) to the same extent as does the current Council District map; NOW, THEREFORE,

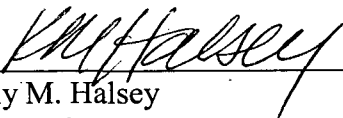
BE IT ORDAINED, by the Council of the City of San Diego, as follows:

Section 1. That the boundary of City Council District 4 be revised to encompass the territory that is proposed to be annexed into the jurisdictional boundaries of the City of San Diego, which consists of approximately 121 acres and is located in Southeastern San Diego.

Section 2. That a full reading of this ordinance is dispensed with prior to passage, a written copy having been made available to the Council and the public prior to the day of its passage.

Section 3. That this ordinance shall take effect and be in force on the effective date of the annexation and not earlier than the thirtieth day from and after its passage.

APPROVED: MARA W. ELLIOTT, City Attorney

By   
Keely M. Halsey  
Deputy City Attorney

KMH:als  
11/21/2016  
Or.Dept:Planning  
Doc. No.: 1369916

I hereby certify that the foregoing Ordinance was passed by the Council of the City of San Diego, at this meeting of JAN 10 2017.

ELIZABETH S. MALAND  
City Clerk

By *Sindya Bruin*  
Deputy City Clerk

Approved: 1/13/17  
(date)

*Kevin L. Faulconer*  
KEVIN L. FAULCONER, Mayor

Vetoed: \_\_\_\_\_  
(date)

\_\_\_\_\_  
KEVIN L. FAULCONER, Mayor

Passed by the Council of The City of San Diego on JAN 10 2017, by the following vote:

Councilmembers	Yeas	Nays	Not Present	Recused
Barbara Bry	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Lorie Zapf	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Chris Ward	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Myrtle Cole	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Mark Kersey	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Chris Cate	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Scott Sherman	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
David Alvarez	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Georgette Gomez	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Date of final passage JAN 13 2017

AUTHENTICATED BY:

KEVIN L. FAULCONER  
Mayor of The City of San Diego, California.

(Seal)

ELIZABETH S. MALAND  
City Clerk of The City of San Diego, California.

By Linda Irwin, Deputy

I HEREBY CERTIFY that the foregoing ordinance was not finally passed until twelve calendar days had elapsed between the day of its introduction and the day of its final passage, to wit, on

DEC 13 2016, and on JAN 13 2017

I FURTHER CERTIFY that said ordinance was read in full prior to passage or that such reading was dispensed with by a vote of five members of the Council, and that a written copy of the ordinance was made available to each member of the Council and the public prior to the day of its passage.

(Seal)

ELIZABETH S. MALAND  
City Clerk of The City of San Diego, California.

By Linda Irwin, Deputy

Office of the City Clerk, San Diego, California

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