



# Board Agenda Item 31

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DATE: November 2, 2021

TO: Board of Supervisors

SUBMITTED BY: Jean M. Rousseau, County Administrative Officer

SUBJECT: Amendments to Chapter 2.72 of the Fresno County Ordinance Code to allow adoption of final supervisorial district maps by ordinance or resolution, Second Hearing

RECOMMENDED ACTION(S):

**Conduct second hearing and adopt an Ordinance amending the County of Fresno Ordinance Code, Title 2 - Administration, Chapter 2.72 - Supervisorial Districts to provide for adoption of final supervisorial district boundary map by ordinance or resolution in accordance with California State law; and waive the reading of the amended Ordinance in its entirety.**

Approval of the recommended action will amend Title 2 - Administration, Chapter 2.72 - Supervisorial Districts of the Fresno County Ordinance Code and allow your Board to adopt new supervisorial district boundary maps by ordinance or resolution. This item is countywide.

ALTERNATIVE ACTION(S):

Your Board may decline to pass the proposed amendments in which case the procedure available to your Board to adopt new supervisorial districts following a decennial census would be limited to the adoption of new districts by ordinance.

FISCAL IMPACT:

There is no increase in Net County Cost associated with the recommended action. Sufficient appropriations are included in the FY2021-22 Adopted Budget, Org. 2540 - Miscellaneous and Interest Expense.

DISCUSSION:

The County's current redistricting ordinances reflect prior California State law which required that new district boundaries for county supervisorial districts be adopted by ordinance. The Governor signed Senate Bill 594 into law on September 27, 2021 which amended Section 21500 of the California Elections Code to expressly allow counties to adopt new supervisorial districts boundaries by ordinance OR by resolution. The proposed amendments to Chapter 2.72 of the Fresno County Ordinance Code provide the Board of Supervisors the ability to adopt new supervisorial district boundaries following a federal decennial census by ordinance or by resolution.

Under California law, the adoption of an ordinance requires a first and a second hearing of the ordinance separated by no less than five days. With the release of official census data by the federal government delayed by the COVID-19 pandemic, and new public participation requirements put in place by the California Fair Maps Act, the process for consideration of new supervisorial districts has been compressed into a few

months of intense effort by County staff, the Advisory Redistricting Commission, the public, and the Board of Supervisors.

The County has currently scheduled the necessary public hearings for the Advisory Redistricting Commission and the Board of Supervisors so that the Board may adopt maps via ordinance prior to the December 15, 2021 deadline, however, this has created a very tight schedule to complete the process. Should the Board require an additional meeting to make its final decision for adopting maps that conform to state and federal requirements, the option of being able to adopt the final maps by resolution rather than by ordinance (which require two meetings) would provide the Board with the ability to add an additional hearing at one of its upcoming meetings to provide for that additional public input and consideration of the maps by the Board. Nothing in the proposed ordinance requires the Board to adopt the new maps via resolution, and the Board is free to utilize the ordinance process as well.

On October 19, 2021 your Board conducted the first hearing of the proposed amendment to the County of Fresno Ordinance Code, Title 2 - Administration, Chapter 2.72 - Supervisorial Districts.

REFERENCE MATERIAL:

BAI #9, October 19, 2021  
BAI #6, October 5, 2021  
BAI #5, May 25, 2021  
BAI #27, April 27, 2021  
BAI #6, April 13, 2021

ATTACHMENTS INCLUDED AND/OR ON FILE:

Ordinance Amendment - Chapter 2.72

CAO ANALYST:

Yussel Zalapa