

RESOLUTION NO. _____

A RESOLUTION OF THE COUNCIL OF THE CITY OF BURBANK SETTING THE SEQUENCE OF ELECTIONS FOR AN ORDINANCE ADDING A NEW ARTICLE 3 TO TITLE 2 OF THE BURBANK MUNICIPAL CODE TO CHANGE THE CITY'S ELECTORAL SYSTEM FROM AT-LARGE TO BY-DISTRICT ELECTIONS WITH RESPECT TO ELECTING CITY COUNCIL MEMBERS AND ESTABLISHING DISTRICT BOUNDARIES TO BE SUBMITTED TO THE VOTERS OF BURBANK AT THE NOVEMBER 3, 2026 CONSOLIDATED STATEWIDE ELECTION, AND MAKING CERTAIN FINDINGS PURSUANT TO THE CALIFORNIA ENVIRONMENTAL QUALITY ACT

THE COUNCIL OF THE CITY OF BURBANK FINDS:

- A. On August 23, 2022, the City received a notice of a potential violation of the California Voting Rights Act (CVRA) from a potential plaintiff (Plaintiff) on behalf of a Latino voter in the City of Burbank. (Elec. Code §§14027-14032.)

- B. On January 24, 2023, Council adopted a Resolution of Intent to Initiate a Transition to District Elections in accordance with Elections Code § 10010 and authorized staff to retain National Demographics Corporation (NDC) to guide the process.

- C. Council held two pre-map public hearings on March 14, 2023, and April 11, 2023, with three community forums on March 30, April 6, and April 8.

- D. Prior to the initial June 2nd deadline for submission of draft districting maps, 26 draft maps were submitted with 14 submissions in the "Draw Your Neighborhood" tool.

- E. On June 14, 2023, Council held its first public hearing to consider draft maps submitted by the June 2 deadline.

- F. At Council's direction, the City hosted five additional community forums on June 15, 22 (one virtual and one live), 24 and 29 to allow constituents multiple opportunities to discuss and debate five "focus" maps selected by Council.

- G. The City received 13 additional maps and one more "Draw Your Neighborhood" submission by the second July 7 deadline.

H. Council held a fourth public hearing July 18 at which it considered the additional submissions. At that hearing, Council directed NDC to create variations of draft Map 130.

I. Map 130 and the four variations created by NDC each included a proposed sequencing in which the districts depicted in the map would be up for election either in the presidential or in the gubernatorial election year.

J. Map 130 and its variations with corresponding sequencing proposals were posted on Burbank's redistricting website on July 28, 2023.

K. Council considered Map 130 and its variants at a public hearing August 23 but did not assign final sequencing of elections in the districts of Map 130 or any of its variations.

L. Rather, Council directed staff to return for future discussion following the outcome of the California Supreme Court decision in the *Pico Neighborhood Ass'n v. City of Santa Monica* case.

M. On August 24, 2023 the California Supreme Court issued its opinion in *Pico Neighborhood Ass'n v. City of Santa Monica* (2023) 15 Cal.5th 292.

N. Considering the Supreme Court's expansive discussion of alternative electoral systems as remedial options in a CVRA case, on October 3, 2023, the Burbank City Council unanimously declined to adopt a districting ordinance and directed staff to evaluate the availability and impact of cumulative voting within the City's existing at-large election system.

- O. On October 3, 2023, by unanimous motion, Council directed staff to:
- a. Contact the Los Angeles County Clerk regarding the feasibility of cumulative voting for residents and return with a first-step report on cumulative voting that addresses any expected impact on voter representation in Burbank.
 - b. Direct the Charter Review Committee to consider the size and composition of the City Council, consider various iterations of districts, the possibility of a separately elected Mayor, and a re-districting process.
 - c. Invite the Plaintiff who sent the City the August 23, 2022 notice of a potential violation of the CVRA to participate in future discussion to ensure any potential outcome address the concerns posed by the initial notice.

P. On October 19, 2023, the Plaintiff filed a lawsuit against the City alleging two causes of action, for violation of the CVRA and for violation of the Equal Protection Clause of the California Constitution (the second was subsequently dismissed with prejudice).

Q. On February 23, 2026, the City participated in court-ordered pretrial mediation which resulted in a settlement of the CVRA lawsuit.

R. The settlement agreement included a provision for placing an Ordinance for enactment of Map 130 from the 2023 districting process on the November 2026 ballot including a sequencing of the elections in the districts depicted in Map 130.

S. The settlement agreement reserved to Council full discretion to decide the sequencing of elections in the districts depicted in Map 130.

T. On June 30, 2026, the Council held a public hearing on sequencing of elections in the districts depicted in Map 130.

U. Elections Code § 10010(b) specifies two criteria for “consideration” in setting sequencing: (1) giving “consideration to the purposes of the California Voting Rights Act” and (2) “tak[ing] into account the preferences expressed by members of the districts.”

V. Council considered the criteria set forth in Elections Code § 10010(b).

W. The proposed Ordinance involves organizational and administrative activities of the government related to election procedures and eligibility requirements, and such internal procedural and eligibility changes have no potential for resulting in either a direct physical change in the environment, or a reasonably foreseeable indirect physical change in the environment. As such, this action is not a “project” subject to the requirements of the California Environmental Quality Act (CEQA) 14 Cal. Code Regs § 15378.

THE COUNCIL OF THE CITY OF BURBANK RESOLVES:

1. The above recitals are true and correct.
2. The sequence of elections in the districts depicted in Map 130 shall be the following:

ATTACHMENT 2A

Districts ____ and ____ on the ballot in 2028 and every four years thereafter.

Districts _____, _____, and _____ on the ballot in 2030 and every four years thereafter.

3. Staff are instructed to include language in the Ordinance for enactment of Map 130 reflecting the above sequencing of elections in the districts of Map 130.

4. The Council determines that this activity involves organizational and administrative activities of the government related to election procedures and eligibility requirements, and such internal procedural and eligibility changes have no potential for resulting in either a direct physical change in the environment, or a reasonably foreseeable indirect physical change in the environment. As such, this action is not a "project" subject to the requirements of the California Environmental Quality Act (CEQA) 14 Cal. Code Regs § 15378.

PASSED and ADOPTED this _____ day of June, 2026.

Tamala Takahashi
Mayor

Approved as to Form:
Office of the City Attorney

Attest:

Kimberley Clark, City Clerk

By: _____
Jill Vander Borght
Chief Assistant City Attorney

STATE OF CALIFORNIA)
CITY OF BURBANK) ss.
COUNTY OF LOS ANGELES)

I, Kimberley Clark, City Clerk of the City of Burbank, do hereby certify that the foregoing Resolution was duly and regularly passed and adopted by the Council of the City of Burbank at its regular meeting held on the ____ day of June, 2026, by the following vote:

AYES:

NOES:

ABSENT:

Kimberley Clark, City Clerk