

Council Districts

Redistricting in light of 2020 Federal Census

City Council Meeting
June 8, 2021

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Background

- Council District boundaries must be reviewed every ten years, following decennial Federal Census
- Review to ensure consistency with U.S. Constitution and federal and state election law
- Also provides opportunity to revise district boundaries if desired

Initial Considerations

- Scope of redistricting
- Engagement of demographer
- Internal City team

Public Process

- Four public hearings required
 - At least one public hearing before draft maps drawn
 - At least two public hearings after draft maps drawn
 - At least one public hearing on a weekend or after 6:00 pm on a weekday

Public Process

- Standards for public hearings
 - If consolidated with regular or special meeting of Council, public hearing shall begin at fixed time
 - City staff or consultant may conduct one or more public workshops in lieu of one of the public hearings required prior to the drawing of maps
 - Council may establish an advisory redistricting commission to hold the public hearings prior to the drawing of draft maps

Public Process

- Public engagement efforts are required, including:
 - Provide information to media organizations
 - Provide information to civil rights, civic engagement and community groups active in the City
 - Live translation of public hearings and workshops
 - Publish notice of all public hearings and workshops at least five days in advance

Public Process

- Draft map must be published on internet for at least seven days before adoption as final map
- Each draft map prepared by City must be accompanied by information on total population, voting age population, and race and ethnic characteristics, for each proposed district
- Public must be allowed to submit testimony or draft maps in writing or electronically

Public Process

- City must record or prepare a written summary of each public comment and Council deliberation at every public hearing or workshop
- City must establish and maintain, for a period of ten years after adoption of new district boundaries, an internet webpage dedicated to redistricting

Substantive Requirements

- Requirements for Council district boundaries
 - Substantially equal population
 - Population as determined by Federal Census
 - Incarcerated persons included in last known place of residence

Substantive Requirements

- Additional criteria in the following order of priority
 - Geographically contiguous
 - Geographic integrity of any local neighborhood or local community of interest
 - Boundaries easily identifiable and understandable by residents
 - Encourage geographical compactness
 - Not favoring or discriminating against any political party

Timing

- Timing of ordinance establishing districts:
 - By state law, no earlier than August 1, 2021 and no later than 151 days before next regular election occurring after March 1, 2022 (June 10, 2022)
 - **Sonoma County ROV, however, requires final map by mid-April 2022**

Timing

- Charter Cities: statutory deadline is NOT applicable if a different redistricting deadline is adopted by ordinance or Charter prior to October 1, 2021
- If statutory deadline is missed, Council must petition the Superior Court for order adopting Council district boundaries

No Further Redistricting

- No additional redistricting until next decennial census except:
 - Court order
 - Settling legal claim alleging violation of Constitution, federal Voting Rights Act or state Elections Code
 - Addition of new territory
 - Adopting districts for the first time
 - Charter city has adopted different rules for mid-cycle redistricting in its city charter

Redistricting Commissions

- Three types of Commissions:
 - Advisory
 - Independent
 - Hybrid
- City may establish Commission by resolution, ordinance or charter amendment

Advisory Commission

- Commission recommends district boundaries to the legislative body
- City may prescribe the manner in which members are appointed to the advisory commission
- Cannot include elected official or family member, staff or paid campaign staff
- City may impose additional requirements on the commission, members of the commission or applicants to the commission

Independent or Hybrid Commission

- Independent commission is empowered to adopt district boundaries
- Hybrid commission recommends two or more maps to the legislative body, legislative body must adopt one of the maps without change

Independent or Hybrid Commission

- City may prescribe the manner in which members are appointed to the commission
- Commissioners may not be directly appointed by the City Council or an elected City official
- Application process must be open to all eligible residents
- Persons who have been a candidate or for elective City office in prior 8 years not eligible

Independent or Hybrid Commission

- Person shall not be appointed if person or spouse has within the last 8 years:
 - Served as an officer, employee or paid consultant to a campaign committee or candidate for elected office in the City
 - Served as an officer, employee or paid consultant to a political party or as an elected or appointed member of a political party central committee

Independent or Hybrid Commission

- Person shall not be appointed if person or spouse has within the last 8 years:
 - Served as a staff member or a consultant to, or who has contracted with a currently serving elected officer of the City
 - Been registered to lobby in the City
 - Contributed \$500 or more in a year to any candidate for elective office in the City

Independent or Hybrid Commission

- Person shall not be appointed if person's family member (other than spouse) has, within the last 4 years:
 - Served as an officer, employee or paid consultant to a campaign committee or candidate for elected office in the City
 - Served as an officer, employee or paid consultant to a political party or as an elected or appointed member of a political party central committee

Independent or Hybrid Commission

- Person shall not be appointed if person's family member (other than spouse) has, within the last 4 years:
 - Served as a staff member or a consultant to, or who has contracted with a currently serving elected officer of the City
 - Been registered to lobby in the City
 - Contributed \$500 or more in a year to any candidate for elective office in the City

Independent or Hybrid Commission

- Limitations on Members' Activities:
 - While serving on commission, members may not endorse, work for, volunteer for or make a campaign contribution to a candidate for elective office of the City
 - May not be candidate for elective office in the City if any of the following are true:
 - Less than 5 years has elapsed since date of appointment
 - Election will be conducted using district boundaries adopted by the commission
 - Election will be conducted using district boundaries recommended by the commission

Independent or Hybrid Commission

- For 4 years after date of appointment, may not:
 - Accept employment as a staff member of or consultant to an elected official or candidate for elective office in the City
 - Receive a noncompetitively bid contract with City
 - Register as a lobbyist in the City

- For 2 years after date of appointment, may not:
 - Accept appointment to an office of the City

Independent or Hybrid Commission

- Subject to same redistricting deadlines, requirements and restrictions as would apply to legislative body
- City may impose additional requirements
- Commission shall hold four public hearings
- Shall not draw districts for the purpose of favoring or discriminating against a political party or an incumbent or political candidate

QUESTIONS?