

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
- Potential for Redistricting Commission

Required 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

Required 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

Required 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

Required 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

Required 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 except as may be required to comply with state or federal law

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
- Person shall not be appointed if person or family member has been elected, appointed or candidate for elective City office within last 8 years

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
- 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
- City may impose additional requirements

Direction Requested

- Scope of redistricting?
- Redistricting Commission?

QUESTIONS?