


REPORT OF THE CHIEF LEGISLATIVE ANALYST

DATE: March 10, 2023

TO: Honorable Members of the City Council

FROM: Sharon M. Tso 
Chief Legislative Analyst

Council File No. 21-1472, 22-1196
Assignment No. 22-10-0613

SUBJECT: Independent Redistricting Charter Reform

SUMMARY

Motion (Krekorian, Raman – Martinez, CF 21-1472) (Attachment A) instructed the Chief Legislative Analyst (CLA) to report with options for a ballot measure for the November 2022 ballot to amend the City Charter to create an Independent Redistricting Commission for the City of Los Angeles. The Motion included an extensive list of components that would govern an independent redistricting process, and directed that best practices for these components be identified. The Motion was adopted in October 2022.

The CLA evaluated redistricting commission models currently used in the State of California, including the State Redistricting Commission, the California Elections Code (which includes the California Fair Maps Act concerning independent redistricting for jurisdictions other than Charter Cities), and models from several counties and cities. These models have been developed through several legislative pathways, including a State constitutional amendment, State legislation, Charter measures, ordinances, and resolutions. Based on this evaluation, this report identifies options within each of the program components in the Motion to provide Council with building blocks for the organization of a City Independent Redistricting Commission. In most cases, references are made to the California Elections Code which contains a range of requirements related to redistricting. There are some references, however, to the California Fair Maps Act which do not apply to Charter Cities, but may be a useful reference for consideration of policy options.

This report includes two parts. The first provides a discussion of each of the program components involved in the formation and operation of an independent redistricting commission, comparing the different elements implemented in jurisdictions across the State. The second part is a decision matrix that provides options for each of these components that could be used to structure a final program. No specific plan is recommended, though some components are required or notably essential and these are identified in this report.

This report also includes a response to Motion (O'Farrell – Raman, Krekorian, Price, Koretz, C.F. 22-1196) (Attachment A) concerning a Charter amendment to establish the number of Council Districts based on population of the City rather than a fixed number of districts. Analysis includes identification of possible population triggers, as well as an evaluation of internal and external impacts resulting from a change in the number of Council Districts.

Also in response to Motion (Raman – O’Farrell) (Attachment A), this report includes information related to establishing an Independent Redistricting Commission for the Los Angeles Unified School District (LAUSD) Board. The City Charter has provisions related to the LAUSD, including a process to revise Board districts. The report identifies those areas in which an LAUSD process would differ from a City Council District process, but has determined that most of the provisions remain the same in both independent commissions. Finally, Motion (O’Farrell for Rodriguez – Raman) (Attachment A) included recommendations related to obtaining a complementary study from the Pat Brown Institute. Following adoption of this Motion, the Pat Brown Institute determined that they would be conducting such a study with other partners, and thus the City’s funding contribution was not needed.

Finally, this report identifies the option to establish a City Data Bureau to collect, manage, and publish City data for use by the public, institutional partners, and City departments. In particular, the City Data Bureau would provide support for the redistricting process and manage on-going technical programs related to the Census; and could be assigned responsibility for matters such as data collection and analysis for issues such as housing and homelessness; publishing and management of data dashboards independent of any elected office; and technical assistance to departments requiring data management support.

RECOMMENDATIONS

That the City Council instruct the Chief Legislative Analyst, with the assistance of the City Attorney and other Departments as necessary, to prepare ballot measure proposals consistent with the instructions of the Committee and Council.

BACKGROUND

The Los Angeles City Charter is the principal governing document for the City. Among its many provisions are criteria guiding the decennial process of redistricting the City’s 15 Council Districts. These provisions were first included in the City Charter as a result of the Charter Reform process in the late 1990s, culminating in voter approval of the revised City Charter in 1999. Prior to this reform effort, redistricting was a process handled exclusively by the City Council. Charter Reform established an advisory Redistricting Commission that forms every 10 years to consider and recommend revisions to the Council District boundaries. The City Council then has the authority to review and revise the Redistricting Commission’s recommendations.

This advisory process has been in place for three redistricting cycles, in 2001, 2011, and most recently in 2021. In each cycle, the City Council has substantially approved the Redistricting Commission’s recommended plan. Subsequent to the Charter Reform effort that established the advisory commission process, advocates have sought to implement fully independent redistricting processes in other California jurisdictions instead. The first such independent redistricting commission was established in 2008 for the Board of Equalization, Assembly, Senate, and Congressional seats in the State of California. In 2016, momentum began to build with legislation to establish an independent redistricting commission for the County of Los

Angeles and then 2018 with the California Fair Maps Act establishing a process to form independent redistricting provisions for General Law cities.

Recognizing that policy priorities with regard to the redistricting process have changed since the voters last considered this issue in 1999 and noting the challenges involved with the advisory process, Motion (Krekorian, Raman – Martinez, CF 21-1472) instructed the Chief Legislative Analyst (CLA) to report with options for a ballot measure for the November 2022 ballot to amend the City Charter to create an Independent Redistricting Commission for the City of Los Angeles. The Motion included an extensive list of components that would govern an independent redistricting process, and directed that best practices for these components be identified.

Motion (O’Farrell – Raman, Krekorian, Price, Koretz) was introduced to evaluate options to present a Charter amendment to the voters to establish the number of Council Districts based on population of the City rather than a fixed number of districts. The City has had 15 Council Districts since 1925, when the City had fewer than one million residents. The City is estimated to have 4.3 million residents in 2030. Since the primary matter that a redistricting commission must consider is how many districts will need to be drawn and certain elements of the commissioner selection process could be based on the number of districts, we have included consideration of this Motion along with the process for forming an independent redistricting process.

ELECTION CALENDAR

Any change to the City Charter requires presentation of a measure to the voters, with approval by majority vote. Further, in conformance with the California Elections Code, Charter amendments may only be presented on a Statewide ballot at a Primary or General election. In 2024, the Primary election will be held in March and the General election will be held in November; in 2026, the Primary election will be held in June and the General election will be held in November.

In order to place a measure on the ballot, the Council must initiate such action by requesting the City Attorney to prepare the necessary documents no later than 125 days prior to the election date. For a March Primary election, Council would need to act no later than the prior November; for a June Primary election, Council would need to act no later than the prior January. For a November General election, Council would need to act no later than the prior June. The City Clerk will determine the actual deadlines for 2024 and 2026 at a later date.

In 2024, measures to amend the City Charter would need to be adopted as follows:

March 2024 Primary	Council action by November 2023
November 2024 General	Council action by June 2024

CHANGE THE NUMBER OF CITY COUNCIL DISTRICTS

Motion (O’Farrell – Raman, Krekorian, Price, Koretz, C.F. 22-1196) seeks a Charter amendment to establish the number of Council Districts based on population of the City rather than a fixed number of districts. Since the redistricting process requires a determination of the number of

Council Districts that will be drawn, this Motion has been included in this report to ensure the issue is addressed concurrently. Analysis for this Motion includes historical background on changes to the number of City Council Districts, review of other jurisdictions, identification of options to change the number of Council Districts, as well as an evaluation of internal and external impacts resulting from a change in the number of Council Districts.

Nearly a century ago, City voters approved the 1924 Charter, which established the current 15 member structure of the City Council. The Council's expansion in 1924 occurred during a period of robust growth, both in terms of the number of residents and in the increasing diversity of its constituency. Since 1920, the City has grown from approximately 577,000 residents to approximately 3.9 million residents in 2020. When the Council's 15 district structure was implemented, there was a ratio of one Councilmember to approximately 38,000 residents in the City. Today, the ratio is one Councilmember to 264,885 residents. Additionally, similar to the City's growth in the past, the City's constituency also continues to expand in terms of its demographic and social landscapes as a diverse array of immigrant communities have continued to establish in the City. The City's growing constituency and the high ratio between Councilmembers and residents compared to other major cities has sparked a conversation surrounding the size of the Council and its relation to civic participation, representation, and responsiveness to the City's residents.

In light of these concerns, the Council adopted Motion (O'Farrell – Raman, Krekorian, Price, Koretz), which instructed this Office to prepare a report to place a Charter amendment on a future ballot that increases the number of Council Districts based on the size of the City's population. The Motion seeks to set the size of the City Council in a manner that increases representation to better reflect the residents that they serve. The Motion also instructs this Office to outline and set forth an immediate redistricting process to implement these reforms following the passage of any measure that expands the size of the City Council, which is discussed later in this report. The following sections provide an analysis of two proposals for expanding the size of the City Council, which includes a proposal that ties increases to the number of seats on the City Council to population growth and a proposal that increases the City Council by a specific number of seats.

In developing these proposals, this Office also researched models from other jurisdictions that increased the number of districts in their legislative branches. For example, the Charter for the City of Carson allows the City Council to adopt a resolution to increase their City Council from four to six members if the population of the city exceeds 100,000 residents. In the State of New York, their State Constitution includes a provision that allows the New York State Senate to apportion their seats using a set of formulas to create a ratio that is divided into the population of each County, and using that result to apportion state senate seats for each County relative to their apportionment from 1894. All the state senate seats are then added up, and if the new sum is larger than the current size of the New York State Senate, then new districts can be created. Outside of these two unique models for changing the number of districts, jurisdictions we reviewed increased their city councils and/or legislatures by a specific number in an effort to improve representation.

Recent analysis¹ has also looked at the size of the House of Representatives, which has been unchanged since passage of the Permanent Apportionment Act of 1929 which fixed the number of Representatives at 435. Each member represents about 762,000 people, with an expectation that will grow to 1 million by mid-century. These analyses identify an increase in the number of Representatives could result in improved responsiveness to constituents, increased oversight over the Executive Branch, a decrease in the cost to run for election, greater diversity among elected officials, and possibly de-polarization of political ideology as potential benefits associated with a larger House of Representatives.

Historical Efforts to Increase Council Size²

In 1924, the Board of Freeholders submitted to City voters several Charter Reform measures that were focused on addressing issues related to addressing corruption, ensuring efficient government, and improving representation. Prior to the 1924 Charter Reform movement, the City Council consisted of nine members who were elected at-large. As part of the 1924 Charter Reform measures that were submitted to City voters, a ballot measure was proposed that would increase the size of the Council to 11 members that were elected at-large. On the same ballot, an alternative measure was also proposed that would switch the Council to a district-based system whereby the City would be divided into 15 council districts with one member per district. Following the election, the competing measures were brought before the California Supreme Court to settle the conflict, as both measures passed with a majority of votes. Ultimately, the California Supreme Court ruled in favor of district-based elections for the Council, giving the City its current system of 15 members elected by district.

In 1999, the City underwent Charter Reform to address concerns related to the San Fernando Valley's secession movement, as well as to improve representation and accountability for the City's residents. As part of their recommendations for the new Charter, the two Charter Reform commissions recommended that the Council be expanded to either 21 or 25 members. Voters were then provided the opportunity to consider the ballot measure to revise the City Charter, at the same time as two separate ballot measures to expand the Council to either 21 or 25 members. Charter Reform passed, but both ballot measures related to the expansion of the City Council failed by large margins.

Council Size Compared to Other Cities

Figure 1 below compares the population of the City with the ten largest cities in the nation. Per the 2020 Census, the City has a population of 3,973,278 persons. When dividing the City's total population by the 15 Council Districts, each Councilmember represents approximately 264,885 residents, which is a much larger share of representation than councilmembers from other large cities. By contrast, a New York City councilmember represents about 172,631 people and in Chicago an alderman represents about 54,944 people. The average for the nation's top ten cities is about 128,762 people per councilmember, excluding Los Angeles. As shown in Figure 1, the City has the largest ratio between councilmembers and residents compared to the councils of other major U.S. cities.

¹ Danielle Allen, "The House was supposed to grow with population. It didn't. Let's fix that." *Washington Post*, February 28, 2023 and "Time to Expand the House?", *electoral-vote.com*, March 8, 2023.

² Historical background informed by "Los Angeles: Structure of a City" by Raphael J. Sonenshine and "Meeting the Challenge of Charter Reform" by Kevin F. McCarthy, Stephen P. Erie, and Robert Reichardt.

Changes to Council Districts – Fixed Population Growth

Motion (O’Farrell - Raman, Krekorian, Price, Koretz) requested an analysis of an option to adjust the number of Council Districts using a methodology that ties the number of council districts to a population variable. By doing so, the Motion seeks to ensure that representation is variable based on population rather than fixed, regardless of population size.

Historically, if the City were to adjust the number of Council Districts in relation to population size, the number of Council Districts would have increased, as well. For example, as seen in Figure 2, if the 150,000 resident population threshold were chosen, the City would have had 23 Council Districts in 1990 and then subsequently increased the size of the Council to 27 Council Districts to accommodate the City’s population growth in 2020. Similarly, when looking at the 200,000 resident population trigger, the City would have established 17 Council Districts in 1990 and then subsequently increased the Council to 19 Council Districts in 2020.

Figure 1
Size of Major Legislative Bodies

Cities, Counties, and Legislatures	Residents per Elected Official	Population, 2020*	Members of Elected Body			District Size
			Total	District	At-Large	
Los Angeles	264,885	3,973,278	15	15	0	264,885
New York	172,631	8,804,190	51	51	0	172,631
Phoenix	200,967	1,607,739	8	8	0	200,967
San Diego	153,991	1,385,922	9	9	0	153,991
Houston	143,924	2,302,792	16	11	5	209,345
San Jose	101,455	1,014,545	10	10	0	101,455
San Antonio	143,427	1,434,270	10	10	0	143,427
Philadelphia	94,341	1,603,797	17	10	7	160,380
Dallas	93,174	1,304,442	14	14	0	93,174
Chicago	54,944	2,747,231	50	50	0	54,944
County of Los Angeles Board of Supervisors	2,002,801	10,014,009	5	5	0	2,002,801
California State Assembly	494,228	39,538,245	80	80	0	494,228
California State Senate	988,456	39,538,245	40	40	0	988,456
Average (Cities only; excluding LA)	128,761	-	-	-	-	-

*Source: Population from U.S. Census Bureau - Population Data estimates, as of April 1, 2020

When using the population threshold triggers to determine the number of Council Districts, it should also be noted that the Council will need to establish a rounding methodology in order to evaluate when it is appropriate to increase the number of Council Districts. Figure 2 shows the average number of Council Districts for three population thresholds for the City's population from 1990 through 2030 (as estimated by the Southern California Association of Governments), as well as the number of Council Districts that would be established based on standard mathematical rules for rounding. This also assumes that there will always be an odd number of Council Districts. These two variables, rounding rules and ensuring that there is always an odd number of Council Districts, may be changed if the Council so chooses.

Figure 2 Number of Districts Based on Historical Population Values								
Year	Population	% change	Estimated Number of Districts					
			150,000		200,000		250,000	
			Average	Rounded*	Average	Rounded*	Average	Rounded*
1990	3,485,567		23.24	23	17.43	17	13.94	13
2000	3,694,820	6.00%	24.63	25	18.47	19	14.78	15
2010	3,792,621	2.65%	25.28	25	18.96	19	15.17	15
2020	3,973,278	4.76%	26.49	27	19.87	19	15.89	15
2030 est*	4,310,000	8.47%	28.73	29	21.55	21	17.24	17

* rounded to the nearest whole odd number

* population estimate provided by the Southern California Association of Governments

It is recommended that if this model for determining the number of Council Districts is implemented, that the number of Council Districts be established after each decennial census conducted by the U.S. Census Bureau, and that a City office be designated to certify and establish the total number of Council Districts for the next decade. Certification and evaluation of the population data could occur within 30 days following the data's release from the U.S. Census Bureau. This could be assigned to the City Clerk, the City Planning Department which is the only City department with a staff of demographers, or the Bureau of Engineering. If a City Data Bureau is created, as discussed below, it could be assigned this task as well.

Another consideration that the City should take into account when adjusting the size of the Council is whether minimum or maximum limits should be established for the number of Council Districts. For example, there could be no fewer than 15 members and no more than 25 members on the Council regardless of the total population reported by the U.S. Census Bureau. If the City chose to adjust the size of the Council without establishing a minimum or maximum limit on the number of Council Districts, a situation could arise where drastic changes in population could lead to large shifts in the size of the Council. The establishment of minimum and maximum limits provides constraints if there are unpredictable swings in the City's population. Further, in order to manage large population changes, the Council could regularly

re-evaluate the number of Council Districts to determine whether the population is effectively represented.

Significant challenges could arise by tying the size of the Council to fluctuations in population, particularly in the event of a large decrease in City population that would trigger a reduction in the number of Council Districts. Careful consideration should be given to whether and how to reduce the number of Council Districts. An automatic trigger to reduce the number of Council Districts could lead to a scenario where incumbents would challenge one another for the same Council Office. It could also create difficulties in determining how to number Council Districts during the redistricting process. Depending on how the decennial census coincides with the City's election calendar, any impacts in the reduction of the Council could be inconsistent for even and odd Council Districts, as elections for these seats are conducted on a staggered basis. Furthermore, difficulties may arise when determining which Council Districts should be removed if the Council were to be reduced in size, as well as to the manner in how and which communities should be incorporated into neighboring districts during the redistricting process.

This automatic reduction trigger can also lead to issues that may affect incumbents on the Council that have the ability to run for and/or serve additional terms before they are termed out of office. Charter Section 204(e) should be taken into consideration, and possibly be amended, as it states that the City is precluded from redistricting incumbents in a manner that abolishes or terminates an incumbent Councilmember's term of office. This Charter Section could also potentially be applied to incumbents that are affected by a reduction in the number of Council Districts as it may prevent them from running for and serving the three terms that are allowable under the current Charter provisions.

If this population adjustment methodology is adopted, the City could consider several options to address issues related to a reduction in the size of the Council. The first option is to apply this reduction when incumbents are naturally termed out after serving three full terms. If an incumbent is termed out, the task of the Independent Redistricting Commission is to then adopt a plan that takes this into consideration when adjusting district boundaries to reduce the number of Council Districts. Reducing the number of Council Districts in this manner would also help prevent the City from running into the above mentioned issues with Charter Section 204(e) as it would not apply to a termed out incumbent. This becomes complicated if there are no Councilmembers who are naturally termed out of office.

The next option would be to present a ballot measure to ask the voters of the City whether they would like to reduce the number of Council Districts as a result of the City's population decrease. With this option, redistricting should be delayed until the outcome of the ballot measure is determined.

The third option is to include a condition that states that the fixed population methodology only applies to population growth and accompanying increases to the size of the Council. In the event that the City's population decreases, the number of Council Districts would continue to remain the same.

Though this concern may be hypothetical due to the City’s history of population growth, recent news accounts of significant population decreases in California suggest that such a concern should be considered. The complications involved with an automatic trigger to adjust the number of Council Districts may be why no other jurisdictions have been identified that employ this model.

Changes to Council Districts – Specific Number

An alternative option would be to increase the number of Council Districts to a specific number. Past efforts to increase the Council’s size used this approach. For example, in 1925 the Council increased its size from nine members to 15 members in an effort to enhance representation for the City’s growing constituency at the time. Similarly, during the 1999 Charter Reform movement, there were two ballot measures that proposed to increase the size of the Council to 21 or 25 members; however, these measures did not pass.

At the Council’s current size of 15 members, each Councilmember represents approximately 264,885 residents. Should the City choose to increase the size of the Council by a specific number, the share of residents that are represented per district would decrease. For example, if the City used the proposal from 1999 to increase the size of the Council to 21 or 25 members, each member would represent approximately 189,204 residents and 158,931 residents, respectively (Figure 3). In this example, increasing the Council to 21 or 25 members would bring the number of residents represented per district in Los Angeles in closer parity to the amount of residents represented per district in other major U.S. cities, such as New York City (172,631 residents) and San Diego (153,991 residents) (see Figure 1).

Figure 3 Share of Representation by Council Size*	
Number of Council Districts	Residents Per District
15	264,885
17	233,722
19	209,120
21	189,204
25	158,931
*Population from 2020 Census: 3,973,278 persons	

It should be noted that when this Office examined historical adjustments to the size of City Councils from other major jurisdictions, most cities increased their City Councils by choosing a specific number that was proposed by their legislative branch. The justifications that were used for these increases were related to enhancing representation to account for population growth or an increased growth in certain communities of interest.

External and Internal Impacts to Changing Council Districts

Adjusting the size of the Council would result in both external and internal implications for the City, as the City would need to increase appointments to various boards and commissions where the Council is the appointing authority. For example, one substantial external impact would be to the Southern California Association of Governments (SCAG), which is an association of local governments and agencies that convene to address regional issues. The SCAG's Regional Council, which is an 86-member governing board that administers the affairs of the SCAG, governs the SCAG and implements policy directions provided by its membership. Currently, the SCAG's bylaws limit the membership of the Regional Council to 70 voting district representatives. Each member of the City Council is a voting district representative on the SCAG's Regional Council. If the City Council were to be increased, the City would need to engage in discussions with the SCAG to determine whether additional City district representatives would be allocated on the Regional Council. Additionally, an amendment to the SCAG's bylaws would need to be considered if the Regional Council were to be increased beyond the 70 voting district representatives to accommodate the City's increased membership.

Another board that would need adjustment as a result of a larger City Council would be the San Fernando Valley Council of Governments (SFVCOG). The SFVCOG is a regional body that consists of city officials from neighboring jurisdictions in the San Fernando Valley, and was created to develop and implement policies and plans that improve regional mobility, public safety, and the economy. According to the SFVCOG's Joint Powers Authority Agreement, the City shall have "one Board Representative from each Council District that is located entirely or partially in the San Fernando Valley." Should the number of Councilmembers in the San Fernando Valley increase, the City's Board membership on the SFVCOG would also need to be increased accordingly.

In addition to these external adjustments to regional boards and commissions, the City will also need to identify internal commissions, committees, and boards that may be impacted as a result of a larger City Council. In particular, this would impact boards and commissions whereby each Councilmember has the authority to make their own individual appointments. As the City considers amendments in the City Charter pertaining to the size of the Council, staff should also identify the governing basis of boards and commissions that will be directly impacted by changes to the Council, and propose potential amendments that will need to be made in the City Charter or Administrative Code in order to accommodate these adjustments. Some examples of boards and commissions that will be impacted by a larger Council would be the Los Angeles City Health Commission (one appointment per Councilmember), the current City Council Redistricting Commission (one appointment per Councilmember excluding the Council President; two appointments by the Council President; three appointments by the Mayor; one appointment each for the City Attorney and the Controller), and the Landlord-Tenant Mediation Board (one appointment per Councilmember).

Cost Impacts Related to Increased Council Districts

As the City looks into adjusting the size of the Council, another factor to consider is the cost associated with an expanded Council, which would be a budgetary decision made by the Mayor and the Council. Within the Council itself, the range of costs associated would depend on several factors, including but not limited to, the number of Councilmembers, size of their staff, office

space, and office expenses. It should be noted that the cost of expanding the size of the Council could vary widely depending on whether the Council decides to redistribute its existing allocation of funds equally amongst the new members, or to appropriate additional funds. Decisions related to how the funds would be allocated for an expanded Council would significantly impact costs associated with staffing within the Council Offices. For example, if the Council chose to redistribute its existing allocation of funds, the amount of staff in each office would need to be reduced in order for the new members to hire staff. It should also be noted that Councilmember compensation is established by the Charter.

In addition to the total cost for each Council Office, another factor that should be considered are the incidental costs associated with creating a new Council Office. These incidental costs include City Hall office space and field offices, fleet cost for transportation, costs associated with modifications to the Council Chambers to accommodate additional members, security, and computers and information technology. Alternatively, a new location could be established to accommodate an increase in the number of Councilmembers.

Each Council District also receives discretionary funds through the City's General City Purposes (GCP) budget as well as other special funds. Through the GCP budget, each Council Office is allocated funds for special events in their Council Districts, as well as funds to help support community organizations and nonprofit organizations that provide services to constituents in those Council Districts. Special funds include those for art programs and charter bus services. Each Council Office administers these discretionary funds throughout the fiscal year. A policy decision would need to be made to redistribute the existing amounts or provide new allocations for additional Councilmembers.

Aside from the cost impacts associated with the Council itself, an expanded Council would also affect City departments that support the Council with their day-to-day operations. These departments may include, but are not limited to, the City Clerk, General Services, Information Technology Agency, Public Works Bureaus, Planning Department, City Administrative Officer, and the Chief Legislative Analyst. Increasing the staffing for City Departments along with the Council would help ensure that the Council's requests continue to be addressed in a timely manner.

Non-fiscal Administrative and Operational Impacts

To the extent that the Charter, Council Rules, Administrative Code, or Municipal Code designate a specific number of Councilmembers to participate in a meeting, those numbers would need to be revised. Further, a larger number of Councilmembers will result in higher thresholds to meet quorum, to pass Council actions, and to pass ordinances. Additionally, a higher threshold would be set to override a Mayoral veto. This could slow or hinder the passage of legislation or policy, as well as shift the balance of authority toward the executive branch. Voting thresholds to maintain the balance of authority and to address logistical issues should be considered as part of this process.

INDEPENDENT REDISTRICTING COMMISSION DISCUSSION

An independent redistricting commission process seeks to establish separation from the influence of elected officials in all elements of the redistricting process. It requires that interested, qualified individuals apply for the position of commissioner, selection of commissioners in a manner that does not include the involvement of elected officials, and whose final map is approved without confirmation by any elected official or elected body. This report provides options for the formation of such a commission.

The following begins with a review of the California Elections Code which is a significant consideration when developing a commission model; identification of the commission models that have been reviewed for this report; identification of general concepts that will affect the structure of the model that could be presented to the voters for consideration; and reference to recommendations made by the 2021 City Council Redistricting Commission with regard to future redistricting processes.

A short review of the redistricting process as conducted in 2001, 2011, and 2021 is provided to indicate the key steps involved in the process and the activities that take place in each step. Depending on how the final model is structured, there may be requirements for different responsible parties to be active in each stage of the process. Unsurprisingly, the effectiveness of the map development process is dependent upon the preparation work conducted before Census data are released.

This is then followed by a review of key issues identified in the Motion, as well as issues discovered through the review of independent redistricting commission models implemented in California cities and counties. For each issue, reference is provided to the City's current redistricting requirements, which are then compared to the alternatives in other jurisdictions. In most cases, this includes identification of options for the City model as well as identification of any City factors that require consideration.

California Elections Code

The California Elections Code (Attachment B) provides a variety of regulations governing the conduct of redistricting in local jurisdictions. One section of the law concerns the completion of redistricting and applies to all cities. Another section, the California Fair Maps Act, concerns redistricting commissions and applies to counties, general law cities, and other jurisdictions; Charter cities are exempt. In most cases, references are made to the California Elections Code which contains a range of requirements related to redistricting. There are some references, however, to the California Fair Maps Act when that specific section of the Elections Code is being discussed.

Elections Code Section 21600 et seq addresses the completion of redistricting in all cities in California, with a section that provides criteria for Charter Cities. In this section, some provisions are required, while others are only required if the city's Charter does not have other provisions. For example, this section provides requirements for redistricting criteria, unless a Charter specifies at least two criteria. On the other hand, all cities are prohibited from including criteria that discriminate against political parties regardless of any Charter provisions on this subject.

Elections Code Section 23000 et seq (the California Fair Maps Act) provides details concerning independent redistricting commissions. Since this section does not apply to Charter cities, the City is not required to comply with these provisions. They do, however, provide a baseline on which to build a City Independent Redistricting program. They also provide a legislative basis for the City's program with regard to these provisions. This section is most instructive with regard to terms that disqualify an applicant from becoming a commissioner and limitations on commissioner activities during and after the commission process.

In structuring an independent redistricting commission proposal, the City should do so in a manner that incorporates the California Elections Code where required. It should also consider and respect other criteria to ensure that the City's approach is in line with larger State concerns and solutions.

Models for Independent Redistricting Commissions

An analysis of the structure of independent redistricting commissions in several California jurisdictions was conducted. This involved the review of the State Constitution, California law, and county and city charters, municipal codes, and resolutions, which are summarized in Attachment C. The jurisdictions and laws reviewed are:

- State of California
- California Elections Code
- County of Los Angeles
- County of San Diego
- County of Santa Barbara
- City of Berkeley
- City of Carlsbad
- City of Lincoln
- City of Long Beach
- City of Martinez
- City of Menlo Park
- City of Oakland
- City of Roseville
- City of Sacramento
- City of San Diego

Consideration of independent redistricting commissions outside of California was limited to a cursory review of potential concepts or approaches that may be unique and viable in Los Angeles. A detailed summary is not provided here, however, as these jurisdictions are not subject to California law and ultimately provide limited applicability to a solution for the City.

This report provides a summary of key components of independent redistricting commissions and the range of solutions enacted in those jurisdictions reviewed. Since the concept of independent redistricting commissions is relatively new, it is difficult to assess whether any of these are "best practices." Most jurisdictions have been through only one or two redistricting cycles using an independent commission solution. Further, the commissions formed after

implementation of the State Commission have evolved to incorporate lessons learned from earlier efforts.

In the course of our review, we also identified issues that are not addressed in other independent commission models. We have discussed these issues in this report, as well.

Key Concepts

There are three concepts that should be considered when selecting the components for the Independent Redistricting Commission. These are:

- Definition of Independent
- Governance Organization
- Simplicity to Complexity

Definition of Independent

Motion (Krekorian, Raman – Martinez) instructed the CLA to evaluate the best practices for an independent redistricting commission. For purposes of clarity, the concept of independence should be defined to show the degrees of independence available. This informs decisions on the extent of independence at any given point and whether there are limits to the extent of independence available.

For the purposes of this review, independence seeks to distance the redistricting commission from influence by elected officials in the City by as many degrees as possible. The following indicates the range of independence for any potential decision point:

More Influence	⇐ ⇒	More Independence
<ul style="list-style-type: none">● Council engagement<ul style="list-style-type: none">○ City-wide elected official (Mayor, City Attorney, Controller) engagement<ul style="list-style-type: none">■ City commissioner engagement<ul style="list-style-type: none">● City department engagement<ul style="list-style-type: none">○ Other governmental agency engagement<ul style="list-style-type: none">■ Random selection of qualified voters		

The range of independence could be further refined by defining engagement. Providing authority to amend an action has greater influence than providing limited authority for advice and consent.

There may be elements of the process that cannot be separated from any engagement by elected officials. For example, the City Council and Mayor have the authority to appropriate funds. In other cases, it may not be possible to achieve the maximum degree of independence. For instance, City staff would be needed to process invoices and make payments for Commission expenses. On the other hand, it may be that engagement in a particular action, such as processing invoices, is not a significant concern with regard to an independent redistricting process.

Of particular note, a fully independent commission may not have experience with or access to City or County services and processes that City staff would have, but which are critical to the

redistricting process. Whatever degree of independence is provided, it would be important to maintain access and involvement with a City office to facilitate support from other governmental agencies. For example, the Commission may need the Bureau of Engineering to provide or review a metes and bounds description of the final district boundaries. Or the Commission may need contacts with the County Registrar-Recorder or the U.S. Census Bureau. A designated City officer should be identified to provide such support.

Governance Organization

The City Council has options on how to structure the various elements of an Independent Commission's governance and operations. The City Charter currently provides nearly all governance requirements for the City's existing redistricting process. If there is a desire to change the City's redistricting process, a Charter measure is required. But this is not the only way to define a program: it may be appropriate to place certain components of the program in the Charter and others by ordinance in the Administrative Code. Berkeley, for example, distributes its redistricting governance between their Charter and municipal code.

Consideration of these options should involve the degree to which the redistricting process can be revised in the future. Any changes to the City Charter must be approved by voters, which requires time to present a measure on a scheduled ballot and then time to implement. Ordinances can be revised by the City Council and approved by the Mayor, with implementation occurring comparatively quickly. Placing all of the redistricting requirements in the Charter would not provide the Redistricting Commission or the City with flexibility should State law change or other factors of importance emerge. But the Council and the public may desire to ensure that there are constraints on revising redistricting program requirements. Placing such requirements in an ordinance may not provide adequate constraints due to the role of elected officials in passing such ordinance revisions.

It may be possible to establish a higher threshold for adoption of an ordinance that amends the redistricting process by requiring that such an ordinance obtain a supermajority vote by the Council, or that amendments to the ordinance may only be recommended by the Commission and subject to vote of the Council with no option to change. Berkeley, for example, requires that the implementing ordinance cannot be changed for five years after adoption by a two-thirds vote by the Council, and any vote to amend requires a two-thirds vote.

Simplicity to Complexity

As indicated in Motion and further explored in this report, a fully realized independent redistricting commission can be very complex. Review of the commissions already formed across the State has revealed a range of solutions that work for each jurisdiction. And although there are many similarities between them, each has their own unique process. Implementing the most appropriate lessons from all of these models could result in a detailed redistricting process. We have also found that some of the recent actions to form an independent commission are more complex as they have incorporated lessons learned. And as more jurisdictions become engaged in this issue, new concerns and issues related to implementation are identified.

Some of the recent independent commissions (cities of Carlsbad, Lincoln, Martinez, and Menlo Park), on the other hand, have simply adopted a Resolution that largely and simply reiterates the

California Elections Code. This is a one-time solution implemented each decade by these cities and does not require the development of complicated processes. A similar solution is available to the City, one that would rely substantially on the California Elections Code and its form and matter as approved by the State legislature.

Therefore, on one end of the spectrum, the City has the option to develop a very robust program that is fully codified in the Charter and/or Administrative Code; or on the other end, a more streamlined solution that relies principally on State law. A robust solution incorporated in the Charter and Administrative Code places greater responsibility on the City to manage and provides greater authority to the Commissioners and the City's voters to revise and amend. The more simple solution would rely significantly on the State legislature to manage the California Elections Code which would control the City process.

Recommendations from the 2021 Redistricting Commission

In their final report to Council (CF 20-0668-S7), the 2021 City Council Redistricting Commission (2021 Commission) recommended that a task force be formed to evaluate options to increase the number of Council Districts serving the City. The Commission also provided nine recommendations for Council action to reform the redistricting process, as follows:

1. Establish an independent, rather than advisory, Redistricting Commission;
2. Create narrow criteria for the replacement of Commissioners;
3. Ban all ex parte communications between elected officials and the Commissioners;
4. Begin the redistricting process earlier;
5. Assign a full-time City staff member to assist the Commission;
6. Provide sufficient funds for the Commission's work;
7. Authorize the search for an Executive Director prior to the seating of a Commission;
8. In the year preceding redistricting, provide grants to community organizations to conduct redistricting training for the public;
9. Establish a starting point website for the Commission prior to the beginning of their work.

These issues are addressed in this report and complement the instructions in the Motion, though it should be noted that several of these recommendations do not require a Charter revision to be implemented (Items 3 through 9). Should voters choose not to approve an independent redistricting model, several of these recommendations could still be implemented without a Charter revision.

Redistricting Process

Redistricting is an intensive process that requires extensive public outreach, technical resources and assistance, legal support, and staff to implement and support the Commission's work program. Significant planning and support is needed before and during the Commission's work, and then final close-out activities to ensure that the Commission's work is documented and all contractors are paid. The following provides a brief overview of the redistricting process.

Pre-Redistricting: Preparation

A significant work effort is required to prepare resources for the Commission before they begin their program and to coordinate and implement a Commissioner selection process. These responsibilities need to be assigned to a designated City department or other entity and include:

- Commission Selection
 - Prepare application
 - Publicize and conduct outreach about application period
 - Receive applications
 - Screen applications for eligibility
 - Conduct selection process
- Resources
 - Budget approval
 - Lease and furnish office space
 - Set up telecommunications
 - Obtain and set up computing resources
 - Obtain and set up copiers and other office equipment
- Data
 - Select and implement redistricting software
 - Set up and manage sociodemographic data
 - Set up and manage geographic data
 - Prepare data documentation

City staff currently manage the Resources and Data processes listed above.

Redistricting: Work Program

The redistricting work program typically occurs in three phases:

- Initial Phase: This critical period is when the Commission establishes its organizational structure, hires staff, and begins development of fundamental principles for their process. During this period, the Commission seeks general public input concerning communities of interest and other issues that should be addressed in the redistricting process. This is also an opportunity for the Commission to educate the public about the redistricting process and the actions that will be taken over the coming months. The Commission may also decide to obtain special studies. The 2001 Commission, for example, commissioned a study concerning the 2000 Census undercount to inform their decisions. Under the current redistricting program, the CLA manages this effort with the assistance of the City Clerk and other City departments until the Commission hires its own staff.
- Draft Map Phase: This period focuses on preparing draft maps for public consideration. The Commission meets to develop district boundary lines based on input received from the Initial Phase and the wide range of sociodemographic and geographic data identified to inform their process. This phase is dependent on receiving the decennial Census data.

- **Final Map Phase:** This results in the development of a final map, presentation of that map to the public, and any revisions before adoption of the final map to establish Council Districts for upcoming elections.

Post-Redistricting

Once the Commission has approved a final map, there is additional work required to close-out the contracting, staffing, and other administrative matters. All of the documentation gathered by the Commission needs to be organized and stored for future reference. Some contractors are better organized than others, resulting in contracting and invoicing issues that might remain unresolved for months after adoption of a plan. Further, there could be litigation which would require the attention of legal counsel, staff, and, possibly, commissioners. If the Commission is seated for a limited term, a responsible party will need to be designated to ensure that all matters have been addressed. If the Commission is seated for a 10 year term, then they would be responsible to address on-going matters.

Figure 4 shows an indicative timeline for the redistricting work program. The time available for each phase will depend upon the date by which the Redistricting Commission is seated, availability of the decennial Census data, as well as the total number of hearings the Commission decides to hold. The Charter should indicate a minimum number of hearings for public comment in each phase that meets the minimum standards of the California Elections Code, but the Commission should be able to hold more meetings if it chooses. Finally, the date of completion would be determined by the requirement to certify a final map in compliance with the Charter, State law, and requirements of the Los Angeles County Registrar-Recorder to meet election deadlines.

Figure 4 Indicative Schedule for Redistricting Process						
Pre-Redistricting	Initial Phase	Draft Map Phase		Final Map Phase		Post-Redistricting
Commission Formation	Initial Public Input	Prepare Draft Map	Public Hearings on Draft Map	Prepare Final Map	Public Hearings on Final Map	Prepare and Certify Final Map
						Pay final invoices, documentation, other actions

City elections are currently consolidated with State elections held in even numbered years. The County Registrar-Recorder conducts the election and must have the boundaries for districts in a timely manner to allow for the drawing of voter precincts. Further, final district boundaries must be known so that candidates for office know which district they are running for to establish residency. Election law includes deadlines by which candidates must file to run. As a result, the Commission must be assigned a deadline to complete their work in time to allow the County Registrar-Recorder to complete their voter precinct work and to allow candidates to choose a district in which to run.

INDEPENDENT REDISTRICTING COMMISSION COMPONENTS

Motion (Krekorian, Raman – Martinez) included a wide range of components to be included in an independent redistricting commission for the CLA to evaluate. Review of the other independent redistricting models revealed several approaches for many of the components identified, as well as other issues and components that need to be considered. The components of the Motion and other issues identified have been organized into the following structure:

- Commission Purpose
- Commission Organization
- Commissioner Qualifications, Responsibilities, and Restrictions
- Commissioner Selection and Removal
- Redistricting Requirements and Criteria
- Public Meetings and Public Comment
- Commission Process
- Records and Data
- Funding
- Administrative and Operational Considerations
- Legal Matters

Two other issues of interest and concern are addressed:

- City Data Bureau
- Los Angeles Unified School District

The remainder of this section evaluates each of the components of the redistricting process, how the City Charter addresses the matter currently, models that have been adopted in other jurisdictions, and how issues specific to the City may influence how those other models might be implemented here.

Commission Purpose

The City Charter currently provides a process for an advisory redistricting commission. Once the commission adopts a final map, it is presented to the City Council for approval and is subject to amendment. This is not consistent with the definition of an independent redistricting commission under the California Fair Maps Act, which provides for two key requirements:

- Commissioners shall selected through an application process
- The final map shall be adopted by the commission and shall not be subject to review or amendment by the legislative body.

The Commission Purpose section of a Charter amendment should clearly state the type of commission that is being formed.

Several models open with general statements of purpose for their independent redistricting commission. The following have been included in those statements of purpose:

- Conduct open and transparent process enabling full public participation, make a reasonable effort to afford maximum public access to its proceedings
- Solicit broad public participation in the process, including from residents in neighborhoods and communities that traditionally participate less frequently in the local political process
- Draw district lines according to the redistricting criteria and applicable federal and State law

Though not included in other models, it may be helpful to add a statement such as “Seek consensus and resolve conflicts with regard to Council District Boundaries.” The intention of such a statement would be to address the contentious nature of redistricting by highlighting the need to achieve broad agreement on the final map.

Commission Organization

The initial organizational structure of the commission consists of the number of commissioners to be seated, the timing as to when they would be seated, and the length of the term they would serve.

Number of Commissioners

The first consideration for commission organization is the number of commissioners that would serve. It is important to identify a number that can represent the City’s diversity and can ensure full participation in commission business. Too few commissioners and the opportunity for diversity may suffer. But too many commissioners may be difficult to manage, alter the balance of authority as discussed earlier in this report, and may limit the ability of commissioners to fully participate.

The City’s Redistricting Commission currently provides for 21 appointed members.

The State Commission selects members based on their party affiliation, which is not a relevant factor for nonpartisan offices like the City Council. Examples from other cities and counties range from a low of five members to a high of 14 members. Figure 5 shows the number of commissioners in each of the study jurisdictions. All but two commissions have an odd number of members. Of the largest jurisdictions, the City of Long Beach has 13 members, the State and County of Los Angeles commissions have 14 members, and the City of San Diego has 9 members.

Because the City has both cultural diversity and geographic diversity, a larger number of Commissioners would be appropriate.

Alternate Commissioners

Several commissions also select alternate commissioners. They may attend meetings of the commission but are not voting members. Most commissions have either two or four alternates. Berkeley is unusual in seating an alternate for every member of its commission, for a total of 13

commissioners and 13 alternates. Figure 5 shows the number of alternates in each study jurisdiction.

Since the commission process unfolds over an extended period of time, there is some likelihood that commissioners will resign. A process should be identified to replace them. If alternates are seated, some commissions are organized to authorize the chair of the commission to randomly select one of the alternates to fill a vacancy. In other models, if there is no alternate to begin with or all selected alternates have been made commissioner, then the City Clerk is authorized to establish a pool of applicants and the commissioners select from that pool. The County of Santa Barbara does not select alternates. If a vacancy occurs, the commission is directed to go back to the original applicant pool to select a replacement.

Figure 5 Number of Commissioners per Independent Redistricting Commission in Other Jurisdictions		
Jurisdiction	Number of Commissioners	Number of Alternates
State of California	14	0
County of Los Angeles	14	0
County of San Diego	13	0
County of Santa Barbara	11	0
City of Berkeley	13	13
City of Carlsbad	7	3
City of Lincoln	11	0
City of Long Beach	13	2
City of Martinez	7	2
City of Menlo Park	7	2
City of Oakland	13	2
City of Roseville	11	5
City of Sacramento	13	2
City of San Diego	9	2
City of Los Angeles Advisory Redistricting Commission	21	0

Term and Timing

Provisions should specify when the commission selection process starts, when a commission is to be seated, and the length of their term. The City's current commission process requires that Commissioners be appointed no later than the date when Census data are available. The Charter's timing designation is not particularly instructive as there are several Census data releases, though the State Elections Code now requires that all cities (including Charter Cities) use the Public Law 94-171 (PL-94) datafile. Other commissions are more specific, as with Long Beach which requires selection of a commission in 2020 and in every year ending in a 0 thereafter.

The 2021 Commission recommended that the next redistricting process begin earlier. Of note in the review of reports by commissions in other jurisdictions is that they, also, recommend beginning their process earlier. For reference, City staff initiated the 2021 redistricting process in 2019 with the pre-redistricting actions noted in this report, with the 2021 Commission seated in September 2020. Significant delay in the release of the Census data in 2021 compounded the difficulty in completing redistricting plans in a timely manner in 2021.

Term

The City Charter is silent on the term for Redistricting Commissioners, though practice has been that their work ends upon presentation of their final report to the Council. This results in a term of approximately 14 months.

Review of other jurisdictions shows that some independent commissions are seated for a 10 year term. Other models provide for a limited term where commissioners are seated for the time required to prepare a new district plan or for the time required to prepare a new district plan, plus any additional time to resolve any legal challenge.

The State commission and commissions for the counties of Los Angeles, San Diego, and Santa Barbara are seated for 10 years, with a term ending upon the selection of a new commission. The City of Sacramento seats its commissioners for 10 years, but clearly states that they would not meet after adopting a final plan unless ordered to do so by a court or called to meet by the Sacramento City Clerk or City Attorney to address purposes specified in their charter. The City of Long Beach commission is also seated for 10 years. As these city and county independent commissions have only been formed for the first time to address the 2021 redistricting cycle, there is no evaluation available concerning the effect or usefulness of a 10 year term.

If the City were to maintain a Commission for 10 years, they would not need to meet unless specific duties were assigned to them or other legal or administrative duties regarding redistricting required attention. For example, as with Sacramento, an annexation of land to the City could require confirmation by the Redistricting Commission that the area is being placed in the correct district. The City currently has a Boundary Adjustment Board (Administrative Code Section 22.178) composed of the City Administrative Officer, Chief Legislative Analyst, and Director of Planning to address this same purpose. The Boundary Adjustment Board meets infrequently. If a Commission were in place for 10 years, it could be assigned this responsibility. With regard to other duties, if the Commission were in place for 10 years, they could be tasked with conducting the application process for the new Commission and in providing oversight for

future Commission data needs. They could also be tasked with coordinating on-going public workshops in the redistricting process, map drawing, and data analysis.

Most cities, though, seat their commission for the time necessary to adopt a final plan. Within the context of the release of the U.S. Census redistricting data, this would be an approximately 14 month term. Some provisions require the commission to remain in place until the time limits for legal challenge have expired or for court orders to have been issued. Others dissolve the commission and allow the court to order the commission to reconvene if needed.

Timing

Two factors affect timing for development and approval of a district plan:

1. Start – Release of the State prison-adjusted population file derived from the PL-94 Census datafile, and
2. End – Deadlines for the drawing of voter precincts for the next election by the County Registrar-Recorder.

Historically, the U.S. Census releases the PL-94 file (the file used for State redistricting) within a year of completing the decennial Census. In 2030, that would mean the decennial Census is conducted on April 1, 2030 and the PL-94 file would be expected by March 31, 2031. The release of the full PL-94 file was delayed until September 2021 due to COVID, creating significant complications for redistricting processes across the country. Generally, the date of significance related to Census data release would be March 31 of any year ending in 1. So the start point for a commission is determined relative to this data release.

A further refinement is that the State prepares an adjustment to the PL-94 file to account for the last known place of residence of incarcerated persons. Cities are obligated to use the State's adjusted PL-94 file.

As noted, boundaries are expected to be in place in time for the next upcoming election. California currently holds primary elections in March of even-numbered years. This means that there would be a primary election in March of 2032, a presidential election year. The Los Angeles County Registrar-Recorder would likely need new district boundaries by October or November of 2031 in order to draw precinct maps in support of the 2032 election, so redistricting must be completed by this deadline. But in 2042, the Primary election would be in June, adding three months to the time available to complete a plan. As such, it may be helpful to set the completion date in a manner that provides flexibility to adjust to the State election calendar.

With the above factors in mind, the considerations are:

- how much time would it take to seat commissioners,
- how much time would they be allowed for advance work, and
- how much time would they have to complete their work?

Designation of the start date determines whether a commission has a significant amount of time or a very limited amount of time to organize their program, conduct their work program, and finalize a district plan.

Figure 6 provides potential schedule proposals incorporating the factors discussed above. These schedules assume that new boundaries would be approved in time for the 2032 election and for any election in a year ending in 2.

Figure 6 Potential Timing Proposals					
2028	2029	2030	2031		2032
Initiate application process, select commission	Commission seated and begins work program			Work Completed	Election
	Initiate application process, select commission	Commission seated and begins work program		Work Completed	Election
		Initiate application process, select commission	Commission seated and begins work program	Work Completed	Election
Notable Dates and Deadlines		Decennial Census, April 1	PL-94 Released, by March 31	County requires boundaries, Oct or Nov	State Primary Election in March

Most of the models specify a deadline by which a commission must adopt a final plan (Figure 7). Some require that a plan be completed within 6 or 9 months of the release of the Census data. This approach is helpful in that it provides a period of time to complete the work, without creating a shortened time frame in case the Census Bureau is late releasing their data.

The counties of Los Angeles and Orange set a timeframe based on the date of the next election, so that the new redistricting plan is adopted 174 days before the upcoming primary election. This number of days is set in State law, Elections Code Section 21501. For Charter cities, the Elections Code requires redistricting to be completed no later than 205 days before the next election in a year ending in 2, which would be August 13, 2031, unless the Charter designates some other time. This would mean that the Commission has approximately four months from the release of the decennial Census data to complete their draft map and final map process. This approach would accommodate the alternating March/June Primary system under California election law. In such a compressed timeline, beginning the Commission process earlier would allow more opportunity for advance work.

Figure 7
Plan Adoption Deadlines

Jurisdiction	Month/Day	Year Ending in...
State of California	August 15	1
County of Los Angeles	174 days before primary election	
County of San Diego	174 days before primary election	
County of Santa Barbara	6 months from release of Census data	**
City of Berkeley	February 1	2
City of Carlsbad	Information not available	*
City of Lincoln	April 17, 2022	*
City of Long Beach	6 months from release of Census data	**
City of Martinez	April 17, 2022	*
City of Menlo Park	April 17, 2022	*
City of Oakland	December 31	1
City of Roseville	March 1	2
City of Sacramento	6 months from release of Census data	**
City of San Diego	9 months from release of Census data	
<p>* These cities adopted their independent redistricting process by Resolution, one option allowed under the California Fair Maps Act. The Resolution set a completion date of April 17, 2022, without reference to future date. This appears to be consistent with State Election Code and not referenced in the California Fair Maps Act.</p> <p>** These jurisdictions require a map to be completed within a set number of months from release of the Census data. If the Census data are late, that could affect the year in which the map is required to be approved.</p>		

Jurisdictions that establish their independent redistricting commission by resolution designated a specific date for adoption of a final map, in this case April 17, 2022, for the 2020 redistricting cycle, which is a date calculated according to provisions in the California Elections Code. Designating a specific date in this way provides clarity and is tied to a specific component of State law rather than a date derived by a local decision maker. However, these cities establish their independent redistricting commission through resolution adopted by their city council. This means that the approach to independent redistricting commissions could change every decade, so such a model may not be relevant to the City's purpose.

Finally, some set a date formula, naming a month and a decadal year, such as October of a year ending in 1. This has been the approach in the City Charter, though using the more prosaic phrase, "each subsequent tenth anniversary of that date."

As Figure 6 indicates, beginning the process earlier allows the Commission more time to organize, hire staff and consultants, and conduct preliminary work related to the preparation of socioeconomic and geographic data and discussions concerning communities of interest. It also provides the public more time to become engaged with the process. Considering the short period of time between when the Census Bureau releases the PL-94 data and when the County Registrar-Recorder needs a final map (4-6 months) or when the State requires completion 205 days before an election (3 months), it is important that a commission have time in advance to organize and prepare for the Census data release.

Returning to the question of term, Figure 6 shows that if a limited term model is selected, Commissioners would be in place for a period of approximately 14 months. One benefit of seating a commission for a full 10-year period, until the next commission is selected, would be to provide oversight in initiating and conducting outreach for the application process for the new commission.

The 2021 Commission recommended that the City provide grant funding to organizations well in advance of the beginning of the redistricting process to conduct public education programs. Such an effort could be conducted by a commission selected beginning in 2028 or 2029, but not by a commission selected in 2030. Other factors related to early initiation of work as recommended by the 2021 Commission would be advanced by a commission selected earlier. And if the term is set for 10 years, such factors could be initiated by the sitting commission in preparation for the new commission to be seated.

Finally, the 2020 U.S. Census was delayed by more than four months. This resulted in an extremely compressed timeframe for the 2021 Commission to complete their work, a constraint experienced by redistricting panels across the country. If the City's redistricting cycle began later with the intention of using new district boundaries in a year ending in 3 or 4, rather than in a year ending in 2, then the City Commission would not have the same pressure if such a circumstance occurs again.

Preparation for Commission Formation

Other jurisdiction models provide limited and unstructured guidance concerning the advance work necessary to prepare for commission formation. The 2021 Commission made several recommendations to ensure an early start to the commission formation process. It would be advisable to specify provisions that ensure the initiation of certain actions to achieve successful implementation of the commission process. These would include:

- Designate the entities responsible for initiating the application process
- Provide resources to implement an outreach process to ensure public awareness of the application process
- Ensure outreach to underserved communities
- Ensure outreach that attracts qualified applicants that represent the diversity of the City

If the City Commission is seated for a 10 year term, as discussed above, each commission could be in a position to support the formation of the next. But if the term for a commission is limited, formation support would likely be the responsibility of City staff or some other designated entity.

2024 Special Redistricting

Interest has been expressed in conducting a new, independent redistricting process at the earliest opportunity. If the voters approve the formation of an independent commission process in 2024, the next election cycle would occur in 2026. The County Registrar-Recorder would likely require that new Council District boundaries be available by October or November of 2025. To implement a full independent redistricting commission in compliance with a newly adopted program, an expedited process would need to be implemented. The Commissioner selection process would need to be greatly accelerated and Commissioners would need to form their body, hire staff, and conduct public hearings immediately. The Commission would not need to wait for the release of Census data, but efforts would be needed to organize the needed data quickly and in a manner that would serve the public interest and the Commission.

Commissioner Qualifications, Responsibilities, and Restrictions

One of the more significant components of selecting an independent commission is to establish qualifications for commissioner candidates, as well as other matters that concern candidacy and service as a commissioner. The following provides a discussion of commissioner qualifications, restrictions, and duties and responsibilities that have been identified in review of other commission structures, as well as concepts identified elsewhere in our research. This section not only provides suggestions for criteria that would qualify someone as a commissioner, but also those factors that would disqualify an interested candidate. Finally, it is important to describe restrictions that would be placed on someone who serves as a commissioner.

Application Process

The City Charter provides for an appointed commission; there is no application process. This does not satisfy the independent commission designation in State law.

The California Fair Maps Act defines an independent redistricting commission as one that is authorized to “adopt the district boundaries of a legislative body.” It also requires an application process open to eligible residents and that commissioners are not appointed by any elected official. The Act provides the option for a hybrid redistricting commission in which the commission prepares two maps and the legislative body must adopt one of those two maps without modification, but commissioners are still selected through application, not appointment.

Most jurisdictions reviewed accept applications from anyone qualified to participate. The City of San Diego is unique in seeking nominations for the commission, with the individuals and organizations making such nominations by submitting an application with the appropriate materials. Their Charter is silent as to whether an individual can nominate themselves.

Qualifications

Among the models reviewed, qualifications to be a commissioner include objective factors such as residency in the jurisdiction and having actively voted in recent elections, and subjective factors such as a demonstrated ability to be impartial, to appreciate the diversity of the jurisdiction, to be able to comprehend federal and State voting rights laws, and to be able to analyze the data and information presented.

Some jurisdictions identify other qualifications, such as consistent affiliation with a single political party. Rather than delineate qualifications criteria, some jurisdictions provide a simple qualification such as that the individual is a resident of the jurisdiction, is at least 18 years old, or is a registered voter.

If more detailed qualifications are included, there are options with regard to certain details. If a residency factor is included, for example, then that residency could be qualified with a time factor such as having lived in the jurisdiction continuously for a specified number of years. If participation in elections is a factor, then the candidate could be required to have voted in a certain number of elections. For example, some jurisdictions require having voted in only one of the past three elections, others require having voted in two.

Disqualifications

Figure 8 indicates the criteria that disqualifies an applicant from serving as a redistricting commissioner in a local jurisdiction under the California Fair Maps Act. The City may adopt these criteria, establish other thresholds, or include additional criteria. For example, each of these criteria might not just apply to the City, but could be extended to other levels of government, such as the LAUSD, County, and State. It should be noted that the background of an individual's family members is a factor as well as the individual's own experience.

The California Fair Maps Act is the most detailed document on this matter; other jurisdictions either adopt or refine these factors. When documenting these disqualifying factors, attention should be paid to whether the Charter section forming the Independent Redistricting Commission contains these factors in detail, or whether the Charter refers to other laws for guidance. The Charter may only need to incorporate by reference sections of the Charter, the California Fair Maps Act, or some other law as a more flexible approach to capture any future changes to law regarding eligibility to participate.

Figure 8 Applicant Disqualifications		
Restriction	Applicant and their Spouse	Applicant's Family Member
Elected, appointed, or candidate for an elective office	8 Years	8 years
Served as an officer of, employee of, or paid consultant to, a campaign committee or a candidate for elective office	8 years	4 years
Served as an officer of, employee of, or paid consultant to, a political party or as an elected or appointed member of a political party central committee	8 years	4 years
Served as a staff member or consultant to, or who has contracted with, a currently serving elected officer of the local jurisdiction	8 years	4 years
Been registered to lobby the local jurisdiction	8 years	4 years
Contributed \$500 or more in a year to any candidate for an elective office of the local jurisdiction (can adjust for CPI).	8 years	4 years

Duties

Models for independent redistricting commissions do not clearly state the duties of individual commissioners. A variety of concepts are identified that could be defined as individual commissioner duties, including:

- conduct themselves in a manner to ensure integrity and fairness of the independent redistricting process, including compliance with ex parte communication restrictions
- attend and participate in commission meetings and hearings
- attend training on redistricting and ethics
- file appropriate statements, such as the Form 700
- use an assigned e-mail address for commission business
- shall be impartial

Such provisions should be addressed, and there are a variety of ways to do so in the Charter or Administrative Code.

Ex Parte Communications

One concept included in several models is a prohibition on ex parte communications between commissioners and elected officials. There are different approaches to this, including where such prohibitions are documented and the extent of such prohibitions.

The City does not currently prohibit ex parte communications. In 2021, however, Council adopted provisions in the Administrative Code that require Commissioners to disclose at the next public hearing following communication with elected officials that occurred outside a public meeting. Some of the other jurisdictions have adopted this model.

Although a prohibition on ex parte communications is not included in the law that requires Los Angeles County to form an independent commission, the County Commission has adopted By-Laws that prohibit intentional communications with Supervisors or their staff, the public, any organization, or any interest group concerning the placement of supervisorial district boundaries. Any unintentional communication must be reported to the commission's clerk. Communications within a public meeting or hearing are allowed.

The cities of Long Beach and Sacramento prohibit ex parte communications between elected officials and Commissioners and Commission staff, consultants, and legal counsel. Exceptions are provided for communication allowed under State law and related to public education and outreach.

It may be appropriate to clearly state that elected officials are able or encouraged to participate in the public process. This would be particularly relevant if ex parte communication provisions establish an outright ban on any communications outside of public meetings and hearings.

Commissioner Selection Process

The commissioner selection process includes two phases. The first involves establishing a pool of qualified candidates. Once a certain number of qualified candidates have been identified for

the pool, a process is implemented to select the designated number of commissioners from the pool.

Application Process

An application process would need to be established. As previously stated, State law requires that members of an independent commission be selected through an application process. An entity needs to be designated to initiate this process. Most jurisdictions reviewed designate their City Clerk or an elections official to develop and manage the application process. In the City of Los Angeles, elections are managed by the City Clerk. In a minor refinement that shows how jurisdiction-specific details may have local importance, the City of Martinez specifies that the Deputy City Clerk is assigned responsibility for the application process because the City Clerk is an elected position.

The City of Oakland is unique in that the City Administrator has an extensive role in the application process, including preparing the application, publicizing availability of the application, ensuring that there is a minimum number of applications per council district, reviewing applications for qualifications, disqualifying applications based on established criteria, and then publicizing the names of the applicants in the final qualified pool. One additional step involves the formation of a commissioner screening panel (also called a selection panel) composed of one retired judge, one law student from an accredited law school, and a representative from a 501(c)(3) good government organization that is involved in the selection process.

If the City sets the Commission's term at 10 years, the Commission could be assigned responsibility for managing the selection process for the successors. It would only be necessary to designate an entity and process to select the initial Commission.

Establishing a Pool of Qualified Candidates

Once applications have been received from those interested in serving as a commissioner, the process to review the applications and identify candidates who have met the qualifications to serve is needed. This process is typically managed by a jurisdiction's City Clerk, but some rely on their Ethics Commission or some other department or entity (termed here the Review Entity).

The review process can have different components:

1. Review applications for compliance with quantitative requirements, such as age, voter status, and participation in recent elections;
2. Identify any objective reasons why a person does not qualify for service; and/or
3. Evaluate subjective criteria to determine whether an applicant is qualified.

Most models then provide that the Review Entity establish a pool of the most qualified candidates. The size of the pool can vary, with examples ranging from 30 to 60. Some require that the pool also have a minimum number of applicants from each district within the jurisdiction. If the final pool does not result in an adequate number of applicants, the Review

Entity is obligated to open the application period again until an adequate number of applicants is identified.

In some models, the names of the individuals in the pool are posted for public review. Additional interviews may be conducted to ensure that the pool of candidates is qualified. In some cases, any registered voter in the jurisdiction is allowed to register a concern with a name and seek the dismissal of that candidate from the pool. Once all challenges have been exercised and a final pool of qualified applicants has been set, the process then moves into the selection phase.

Selection of Commissioners

There are several models for the selection of an independent commission. As noted previously, since the City has an appointed Commission, the City Charter does not provide a model for this process.

There are three approaches that have been identified:

- **Panel Selection:** Appoint a panel that selects commissioners from a pool of qualified applicants
- **Single-Step Selection:** Randomly select all commissioners from a pool of qualified applicants
- **Dual-Step Selection:** Randomly select a portion of the commission from a pool of qualified applicants based on geography. This group then selects the remaining commissioners to ensure diversity among all commissioners

Panel Selection Process

The City of San Diego is the only independent commission model that seats a panel that then selects the full commission. The panel is made up of retired judges termed the Appointing Authority. A pool of qualified applicants, who are identified through a nomination process, is prepared for the Appointing Authority who makes selections based on social and ethnic diversity, qualifications, impartiality, and geographic coverage of the city. If it is not possible to seat an Appointing Authority, the City Clerk holds a random drawing of qualified applicants.

Single-Step Selection Process

It is theoretically possible to develop a process to randomly select a complete commission from a pool of qualified applicants in a single step. There are no models of such a process, however. Although such a process could be developed, it may not result in a commission that represents the sociodemographic and geographic diversity of the City. As such, this is not likely an ideal process.

Dual-Step Selection Process

Most models reviewed employ a Dual-Step selection process. Once a pool of qualified applicants is developed, the selection process is conducted in two steps. Step One involves the sorting of the qualified applicant pool by district and selection of a commissioner from each district in the

jurisdiction. In Step Two, the commissioners selected in Step One choose the remaining commissioners from the full applicant pool to ensure diversity among the commission.

Step One: Geographic Selection

The first step in a Dual-Step selection process involves selection by geography. After developing a pool of qualified candidates, those candidates are then sorted into sub-pools based on council or supervisorial district. From each subpool, one commissioner is selected. Berkeley and Sacramento, for example, select eight commissioners through this process. In a modified geographic approach, the Los Angeles County Commission is formed by selecting one commissioner randomly from a subpool of qualified applicants from each of the supervisorial districts, plus three randomly from the remaining pool of all qualified applicants.

One potential drawback in the County of Los Angeles process is that of the 14 members, only five are selected geographically. With only a third of the commissioners selected by geography, the end result of the selection process for their current commission has been an imbalance in geographic representation once the diversity step was completed. The number selected in this step, then, should be carefully structured in balance with the diversity step.

Step Two: Selection to Ensure Diversity

Once the Step One process is completed, commissioners randomly chosen in Step One review the remaining applicants and select the balance of commissioners to ensure diversity on the commission. The text from Los Angeles County and Long Beach provide examples:

- Los Angeles County Diversity Selection: The eight commissioners selected in the geographic step review the remaining list of names in the candidate pool and pick six additional commissioners based on relevant experience, analytical skills, and ability to be impartial, and to ensure that the commission reflects the county's diversity, including racial, ethnic, geographic, and gender diversity. However, formulas or specific ratios shall not be applied for this purpose. The eight commissioners shall also consider political party preference, selecting applicants so that the political party preference of the members of the commission is as proportional as possible to the total number of voters registered with each political party in the County in the most recent statewide election.
- City of Long Beach Diversity Selection: The subpool should reasonably reflect the City's diversity; provided that, other than the requirement of geographic diversity in this subsection, no quotas, formulas, or ratios may be applied for this purpose.

If diversity is included in the commissioner selection process, it may be appropriate to identify categories that should be considered by the panel conducting that process. As noted above, the panel could consider racial and ethnic diversity, religion, political party, sex, sexual identity, profession, and other factors.

Lessons for the City

The approach used by the County of Los Angeles and the cities of Sacramento and Berkeley likely would not work for the City of Los Angeles if there is a preference for a redistricting commission smaller than the current 21-member body. For reference, of the independent

redistricting commissions studied, none had a commission of larger than 14 active commissioners. As there are currently 15 Council Districts and the number could increase significantly if voters chose to create more districts, a geographic selection process that includes one commission member from each existing Council District would ensure a commission at least as large as the current model.

If the intention is to limit the size of the Commission, an alternative Step One geographic selection process could be created. For clarity, the only intent here is to demonstrate geographic areas for selection purposes and not to suggest that any City officials from these geographic bodies would be involved in the selection process. Here are two examples:

- There are 99 neighborhood councils divided into 12 regions. A pool of qualified applicants could be divided into the 12 neighborhood council regions. One commissioner could be randomly selected from each subregion, resulting in 12 commissioners selected by geography. Those 12 Step One commissioners could then select a certain number of additional commissioners from the remaining pool to ensure diversity among the commission. This would have the following results:
 - Step 1: 12 commissioners randomly selected by geography
 - Step 2: 5-9 commissioners selected to balance diversity
- There are 35 community plans that are grouped for oversight purposes into seven area planning commissions. A pool of qualified applicants could be divided into seven area planning commission regions, with one or two qualified commissioners selected randomly from each region. This could be further refined so that each commissioner must come from a different community plan area. These 7 or 14 Step One commissioners could then select a certain number of additional commissioners from the remaining pool to ensure diversity among the commission. This would have the following results:
 - In a 17 member commission:
 - Step 1: 7 commissioners randomly selected by geography
 - Step 2: 10 commissioners selected to balance diversity
 - In a 21 member commission:
 - Step 1: 14 commissioners randomly selected by geography
 - Step 2: 7 commissioners selected to balance diversity

Using community-based geographies, as identified in these two options, would de-emphasize the political boundaries of Council Districts in favor of community-based organizational structures. Using the neighborhood council structure places the geographic selection process into the context of resident-based geographies, while using the Community Plan structure places the geographic selection process into the context of administrative boundaries that have been fixed and not subject to change over time.

These solutions are not ideal in that the 12 Neighborhood Council regions and the seven Regional Community Plan regions do not have a relatively balanced population among them. Further consideration to these options and others that may be available should be studied.

Removal Process

Of the 14 fully independent redistricting commissions in California, ten specify the reasons why a commissioner would be removed and the process for doing so. These models include the following reasons a commissioner may be removed:

- Substantial neglect of duty
- Gross misconduct in office
- Inability to discharge the duties of office
- It is determined that the commissioner is not qualified or has ceased to be qualified due to events or circumstances occurring after the filing of their application
- A commissioner has a certain number of unexcused absences from commission business within a specified time frame
- Working or volunteering for, contributing to, or endorsing a candidate for an elective office in the jurisdiction in which the commission is performing its duties
- A violation affecting the transparency of the process, such as failure to disclose ex parte communications received from the office of an elective official, or a commissioner's response to such communications
- A commissioner's failure to continue to meet the qualifications by which they were originally selected
- The commissioner is convicted of a felony; any violation of state, local or federal election laws; any criminal violation of the Ralph M. Brown Act; bribery or any other crime involving violation of the public trust; any crime involving moral turpitude
- A commissioner will be considered to have resigned if they are no longer a resident of, or registered voter within the jurisdiction

Pre-Removal Process

In most cases, commissioners are removed at the prerogative of the commission. Before being removed, a Commission member is typically provided with the reasons for their proposed removal, a notice of the public hearing where their proposed removal will be voted on, and an opportunity to respond to or rebut those reasons in writing and at the hearing.

Removal Process

If a Commissioner is deemed ineligible in the pre-removal process, the Commission then votes on the removal. The vote can be either by a simple majority or a supermajority (two-thirds).

Automatic Removal

In some cases, the commission may remove a member automatically, without a pre-removal process. In the City of Berkeley, if it is determined that a commissioner falls into a prohibited category set forth in the Berkeley City Charter's Redistricting regulations, that commissioner will be asked to provide their immediate resignation. In the County of Santa Barbara, a commissioner will be immediately suspended upon charge of a serious crime, and immediately removed upon conviction of such a crime.

Appeal

Some jurisdictions allow for an appeal process. In the County of Santa Barbara, action to remove a commissioner by the Elections Officer may be superseded by a judge's ruling. In the City of Sacramento, a commissioner may appeal removal by filing a petition for writ of mandate with the superior court within ten days of the commission's action.

Redistricting Requirements and Criteria

Each of the commission models reviewed includes requirements related to the drawing of maps, as does the City Charter currently, which states that:

All districts shall be drawn in conformance with requirements of state and federal law and, to the extent feasible, shall keep neighborhoods and communities intact, utilize natural boundaries or street lines, and be geographically compact.

The California Elections Code specifies criteria that must be used by Charter cities unless their charter includes at least two criteria for drawing the plan other than the requirement that districts be equal in population. The City Charter currently provides more than two criteria (currently, the City Charter includes: equal population, keep neighborhoods and communities intact, utilize natural boundaries or street lines, and be geographically compact). Options for additional criteria are listed later in this report.

Criteria are typically placed into primary and additional categories. Of primary importance are federal and State laws such as the Voting Rights Act. Additional criteria include compactness, contiguity, keeping neighborhoods intact, and using natural boundaries and streets. There are no examples of strict prioritization among criteria in each of the additional categories. Commissions need the capacity to balance priorities among additional criteria to ensure that the primary criteria are met, as a result, strict prioritization is not recommended.

Most of these models prohibit using the place of residence of any individual, including incumbents and candidates for office, when drawing the boundaries. Models seek to ensure that incumbents are not explicitly protected or harmed by redistricting criteria.

Two concepts have been identified that address keeping the core area of an existing district intact. The City of Sacramento criteria include a provision that boundaries should preserve population cores that have consistently been associated with each council district. Such a provision maintains long-term historical community associations that may be relevant to communities. Such an approach has been supported by the courts.

Similarly, a criteria could be included to reduce “voter deferral,” a concept that seeks to reduce the transfer of population from one district to another in a manner that extends the time when voters would be able to participate in an election for their City Council member. For example, some voters in the City would not have seen a City Council election for 7.5 years as a result of proposed changes to Council District boundaries in 2021. There are no independent redistricting commission models that expressly identify voter deferral as a criterion, but the State Commission has used this factor in the past.

No best practices could be identified concerning the numbering of districts, with only two references. The State redistricting process is the only model identified that addresses district numbering; it requires that districts be numbered sequentially from north to south. A strict numbering process such as that used by the State would create confusion for voters in the City. It should be noted that the 2021 Commission did not number all districts; it would be appropriate to require that all districts be numbered. The Long Beach Commission is obligated to number districts in a manner such that “for as many residents as possible, the number of the Council District they reside in remains the same.”

Public Meetings and Public Comment

The Charter does not currently require a specific number or minimum number of public hearings or meetings to obtain input, but does require the Commission to “seek public input throughout the redistricting process.” Furthermore, the City is required to comply with the public hearing requirements of the Brown Act and the California Elections Code.

The California Elections Code requires that at least four public hearings be held before adoption of a final map. One of those is to be conducted prior to the preparation of a draft map and two after a draft map has been drawn. At least one of these hearings must be held on a Saturday, a Sunday, or a weeknight after 6 p.m. The City’s program could include a requirement for more than the State designation. Other criteria concern the provision of translation services, notification to the public and good government organizations, and posting requirements before a hearing can be held. Most jurisdictions establish criteria that comply with the California Elections Code; the City of Sacramento requires that at least one meeting be held in each of its eight council districts. The City of San Diego requires at least nine meetings. It should be noted that the 2021 Commission held over 20 public meetings and public hearings.

The California Elections Code also requires more notice for public hearings or workshops than required under the Brown Act. Any local legislative body is required to notice public hearings at least 72 hours in advance of a public hearing under the Brown Act. For redistricting under the California Elections Code, public hearings must be noticed at least 5 days in advance of a public hearing. This requirement is reduced to 3 days when there remains less than 28 days of the deadline to adopt boundaries.

Meeting locations should be accessible to persons with disabilities. Efforts should be made to ensure that information and communication is provided to people with disabilities. The Commission should be mindful that there are different types of disabilities and that their efforts require a range of responses to provide accommodation. The Department on Disability has provided information, included later in this report, to specifically address accessibility issues.

It may be appropriate to ensure geographic distribution of public hearings, as well. For example, no public hearing can be held in the same venue more than once. Such requirements should be structured to provide flexibility in case there are limitations in the availability of hearing locations. To ensure clarity for this purpose, a distinction should be made between public meetings and public hearings.

Language

City Election Code Section 701 requires that petitions, initiatives, and other election materials be printed in English, as well as:

in any minority language if more than five percent of the voting age population of the City are limited-English proficient members of that minority language group and the minority language is one of the languages identified by the federal government as a Voting Rights Act language for Los Angeles County.

As a result, the City Clerk currently provides materials in English, Spanish, Armenian, Chinese, Persian (Farsi), Hindi, Japanese, Khmer, Korean, Russian, Tagalog, Thai, and Vietnamese. These provisions relate to the federal Voting Rights Act and are determined based on language usage at the precinct level. The language requirement in the Voting Rights Act, however, applies to election materials distributed to voters and not to the redistricting process generally.

The California Elections Code requires that a Commission website include:

- A general explanation of the redistricting process
- Procedures for public testimony, both public and written
- A calendar of all hearings and workshops, with time and location
- Notice and agenda for each hearing and workshop
- A recording or written summary of each public hearing or workshop
- Each draft map considered
- The adopted final map

Of the items on this list, only the general explanation of the redistricting process and procedures for public testimony are required to be published in “applicable languages,” defined as:

...any language that is spoken by a group of city residents with limited English proficiency who constitute three percent or more of the city’s total population over four years of age for whom language can be determined.

In Los Angeles, the “applicable languages” standard includes English and Spanish.

A requirement that all Commission materials be provided in all languages included under the elections provisions of the Voting Rights Act would likely be time and cost prohibitive. For reference, City Council agendas are not translated into other languages, but the Council agenda website is structured to facilitate use of Google Translate to translate Council agendas into other languages.

The California Elections Code also requires live translation of a redistricting commission's public hearings into applicable languages. As noted above, public hearings and workshops are to be noticed at least five days in advance, therefore a request for translation is to be made at least 72 hours before the hearing or workshop. When the Commission is within 28 days of their deadline to adopt a final map, public hearings and workshops can be posted at least three days in advance and the request for translation services shall be made at least 48 hours before the hearing or workshop.

Commission Process

The redistricting process typically occurs in three phases, as discussed above:

- Initial Phase
- Draft Phase
- Final Phase

There are several factors that are needed to provide structure to the commission process, including the final deadline to complete their work; organizational elements such as the number to establish quorum and the number of votes to approve an item; the number of public hearings required; and determining how a final map becomes effective.

All of the models reviewed include requirements for meeting a quorum and to approve items. With regard to setting a quorum for meetings, most commissions require a supermajority (two-thirds) of the commission to make quorum. Approval of an action can require:

- a majority of members on all items;
- a majority of members on all votes, unless otherwise specified; or
- a supermajority of all members on all votes.

Additional components of the commission process may be appropriate in the City's model for an independent commission. These include:

- Draft Maps: Several models and the California Elections Code are clear that the public should have an opportunity to review and comment on one or more draft maps. Clarity may be appropriate with regard to ensuring that all draft maps submitted are available for public review and consideration, and that the commission may present one or more draft maps for public consideration as approved by a vote of the Commission.
- Final Vote: Some models are silent on the vote requirement for a final map. Some indicate that a simple majority of commissioners is necessary and some require a supermajority of commissioners to approve a final map. With a supermajority requirement, an impasse procedure may be needed.

Finally, a process needs to be defined that describes how the approved final map will be implemented. The City Charter currently requires that the Council adopt new council district

boundaries by ordinance. Since such an action would not be consistent with an independent redistricting commission format, a different process needs to be defined.

To be consistent with the independent redistricting commission provision in the California Elections Code, the map could be effective upon approval by the Commission. No Council or Mayor approval would be needed.

Among the models reviewed, however, there is some variability as to when the map becomes effective. In some cases, the final approval by the Commission is the effective date. In other cases, an official recordation date is marked as the effective date. For example, it may be appropriate to set the effective date based on the date the report and final map are submitted to the City Clerk. In the County of Santa Barbara, the map is official 30 days after it has been submitted to the County election official.

Regardless, a specific point in time should be designated. The specific effective date may be relevant in the context of any provisions related to implementation for elections, compliance with the Charter, and legal action against the final map that may be considered by the courts.

Records and Data

Models reviewed typically state that a commission is subject to the California Public Records Act and the Ralph M. Brown Act. Such statements are duplicative, as those State laws are clear that the commission would be obligated to comply with their provisions. But it may be appropriate to include such language to avoid any doubt.

Some jurisdictions clearly obligate that data and tools to prepare maps are made available to the public. The Board of Supervisors for the counties of Los Angeles and San Diego are obligated to do so under State law. Long Beach obligates the Commission to make such an effort to the greatest extent practicable. This includes providing online mapping tools.

If such a requirement is included in the City's program, it should be accompanied by a requirement to provide training materials or workshops to ensure that the public understands redistricting principles and how to apply them to the mapping tools; an understanding of the context, meaning, and technical elements of the data; and how the mapping tools work. Providing the online mapping service is not meaningful unless the public has the capacity to use those tools effectively.

Funding

Cities and counties include provisions addressing the funding for independent redistricting commissions. Some simply require that a city council provide "sufficient funds" for the commission to do its work, while others take the additional step of requiring that the funding amount be based on the allocation for the previous redistricting process adjusted for inflation. Among the examples reviewed, the City of San Diego has a unique process that involves an Appointing Authority composed of retired judges that selects commissioners and retains certain authorities throughout the redistricting process, including review and approval of funding requests.

The 2021 Council Redistricting Commission was initially funded at \$1,233,210, with a supplemental allocation of \$374,220 as a result of delays with the delivery of Census data. The final budget of \$1,607,430 supported staff, contractors, venue costs, supplies, media, and other costs related to outreach and development of the district plan.

Should the Commission retain outside or independent counsel rather than rely on the City Attorney, then additional funds may be needed to fund ongoing legal services through any litigation process as outside counsel would be responsible for defending the plan. Funding language should recognize this contingency.

Administrative and Operational Considerations

The following addresses administrative and operational matters that should be included in a revised redistricting process. Staffing matters are included in the City Charter currently and are commonly included in other jurisdictions. Although a commission would be fully independent under this model, the Commission would still require some assistance to access City resources. City coordinators should be identified. Finally, the Motion requested information concerning compensation models for commissioners.

Independent Staff and Consultants

The City Charter currently provides for the Redistricting Commission to hire its own executive director and staff. Such provisions are included in the models reviewed, as well.

Among the models reviewed, only the City of Sacramento requires that commission staff comply with ex parte communications restrictions.

City Staff Participation

Nearly all models recognize that some involvement by city or county staff will be necessary to facilitate the commission's work. In some cases, a single office such as the City Manager or City Clerk is designated. In others, a panel comprised of three jurisdiction officials is designated to provide support, such as the City Manager, City Clerk, and City Attorney.

State Political Reform Act

The California Fair Maps Act includes a statement that Commissioners are considered employees of the jurisdiction, which would ensure that Commissioners comply with State ethics laws. The City Charter includes similar language to ensure that all City Commissioners are considered employees and subject to City and State ethics laws. With regard to an independent redistricting commission, the City's model could include this language or defer to other sections of the Charter to capture this concept.

Amendments to the Redistricting Process

From time to time, it may be necessary or appropriate to amend the City's redistricting process. Redistricting elements in the Charter would require voter approval, which requires either a ballot initiative or action by Council to place a measure on the ballot. Redistricting elements in the Administrative Code would require Council approval. Consideration could also be given to structuring the Charter provisions in a way to allow the amendment of Charter provisions with an

Administrative Code change. Such an option should take into account the role of the Council in adopting such changes.

The City's model for redistricting could remain silent on how future amendments would be handled, or the model could include provisions that guide that process. Considerations for such instructions could include provisions for how amendments would be proposed and how Council would consider such provisions. For example, the model could provide that the Commission recommends amendments and that Council is limited to either approving or disapproving those amendments. The City of Long Beach Commission model includes a statement that the Commission may submit recommendations to improve the redistricting process and that the City Council may approve certain provisions by a two-thirds vote.

City Charter Section 703 includes provisions for the Ethics Commission to amend rules and regulations within its jurisdiction, subject to Council approval without modification. Such a model may be useful to allow the Independent Redistricting Commission to amend the redistricting process, while providing an opportunity for review of those amendments.

Legal Counsel

The two common approaches with regard to legal counsel are for commissions to rely on the City/County Counsel of the jurisdiction or on independent counsel selected through an independent contracting process. Charter Sections 272 through 275 invest authority with regard to litigation and to hiring outside counsel with the City Attorney. If there is a preference to provide distance between elected officials and the Commission, it is possible for the Commission to hire counsel directly without involvement of the City Attorney. This is referred to as "independent" counsel. If the Commission is to be authorized to retain independent counsel, the Charter will need to provide an exception for this purpose. The City Attorney has indicated that the current City commission process could be supported by independent counsel.

Four options are available, then, to provide legal counsel to the Commission:

- The City Attorney can represent the Commission
- The City Attorney can select outside counsel to represent the Commission
- The Commission can select independent counsel to represent the Commission
- The Commission can select the City Attorney to represent the Commission

If the Commission uses outside or independent counsel, that counsel will be obligated to defend the Commission district plan should there be litigation. Financial resources would be required in that case, so provisions may need to be in place to ensure the availability of funding for this situation.

About half of the models reviewed specifically identify that the City Attorney would represent the Commission, with the others silent with regard to legal counsel. Although silent on the matter, the County of Los Angeles Commission was supported by outside counsel and not the County Counsel. And although the Long Beach Charter specifically identifies the City Attorney as counsel for the commission, the Long Beach City Attorney retained outside counsel.

Considering the options for providing legal counsel, the City's redistricting model can specify any of the following:

- either remain silent or designate the City Attorney and allow the City Attorney to determine how the Commission would be represented (the City Attorney or outside counsel);
- specify that the City Attorney shall represent the Commission;
- require that the Commission be represented by independent counsel selected by the Commission; or
- allow the Commission to decide how it will obtain legal counsel, including the option to use the City Attorney.

If the Commission is to be authorized to retain independent counsel, the City Charter will need to be revised to authorize this action.

Commissioner Compensation

The City Charter does not explicitly restrict the compensation of Redistricting Commissioners. Council may allow for compensation in a manner that conforms with standards for similar City commissions by adopting an ordinance that allows for compensation.

Of the independent commissions reviewed, most are silent on the question of compensation. The City of Berkeley and the State of California provide compensation for commissioners. A few, however, explicitly prohibit compensation. The Los Angeles County Redistricting Commission recommended last year in their final report that the Supervisors give consideration to providing compensation to Commissioners.

Berkeley provides compensation of \$100 per meeting for voting members. The State of California initially provided \$300 per day when the commissioner is engaged in commission business. That rate was set in 2008, and is adjusted each decade in a year ending in 9 by the Consumer Price Index.

Outside of redistricting, grand jurors are another example of per diem compensation for participation in a civic duty that is designated to last for an extended period of time. The Los Angeles County Civil Grand Jury compensation rate is \$60 per day and the Los Angeles Federal Court Grand Jury compensation rate is \$50 per day.

Most City commissioners, such as those for the Housing, Personnel, Fire, and Police departments receive a stipend for each meeting they attend: between \$25 and \$50 per meeting. Some commissioners, such as those on the City Administrative Officer's Innovation and Performance Commission, receive no stipend. The Employee Relations Board Commissioners are paid the highest stipend at a rate of \$900 per meeting. Finally, the Board of Public Works Commissioners work full-time and receive salaries commensurate with that level of responsibility.

The City's 2021 Redistricting Commission attended a total of 21 public meetings over the course of their work. Some meetings lasted over five hours, with the longest lasting seven and a half hours. Members of the Commission received no compensation for their time.

Submission of Final Report

The City Clerk maintains the City's official records. The Commission should be obligated to submit their final report and map to the City Clerk. As noted earlier, the Commission's action on a Final Map may be considered official upon adoption or it could be official based on some other date, such as when the report and map are received by the City Clerk.

Mid-Cycle Redistricting

The California Elections Code does not allow redistricting between federal decennial censuses. It does, however, allow Charter cities to conduct mid-cycle redistricting if the Charter includes such a provision. The Los Angeles City Charter currently includes such a provision. The Oakland City Charter allows for mid-cycle redistricting under specified conditions, such as a judicial order.

Legal Matters

Legal challenges to the Commission map may be brought by any member of the public. Sacramento establishes a 30-day period to file a challenge and Long Beach establishes a 90-day period for a registered voter to file a challenge. Several indicate that an adopted plan is subject to referendum according to the laws of the jurisdiction.

If a challenge is successful, models provide that either the Court can require a commission to reconvene to conduct the required work or the Court can revise the map. In some models, the commission is required to convene to re-make the plan without a court option.

As noted previously, some models require that independent counsel be retained to advise a commission or a City Attorney may determine the type of legal counsel to be provided, including outside counsel. If independent or outside counsel is retained, they would be responsible for defending the commission district plan against any legal challenge. The State Constitution has unique language that designates the State Redistricting Commission as having "sole legal standing" to defend the final State maps.

City Data Bureau

One of the most significant requirements for the redistricting process involves the acquisition, processing, and publication of data and software tools needed to support commission decisions. To ensure full consideration of communities of interest in the City, it is necessary to collect not just U.S. Census data, but a wide range of sociodemographic and geographic data that describe the City. This data must be processed into consistent formats and then presented in publicly available tools.

Issues with the 2021 Redistricting process highlight the need for a dedicated data process that is in place before redistricting begins. Among the issues encountered:

- There was no single, consistent database or mapping tool available to the public, the Commission, Commission staff, the Council, and City staff. Rather, the Commission consultant maintained a more comprehensive dataset with sociodemographic and geographic data that were not available to most of the other interested parties.

- Data used by the Commission's consultant was organized in non-standard categories for race. It is important that data be structured in a manner consistent with categories used by the federal Department of Justice, for example, to ensure analysis of mapping is consistent with federal and State law.
- Software tools available to prepare draft maps were accessed through contracts proprietary to the Commission's consultant, with limited tools to evaluate data or to prepare detailed maps. Other, more sophisticated tools were available, but not offered for public use.
- Late release of the U.S. Census data limited the ability of the Commission to produce maps. Access to American Community Survey data and other data resources could have allowed the public and the Commission to do more work earlier to evaluate and develop communities of interest information to inform the development of districts.

These issues, among many, highlight the need for a dedicated, permanent resource to collect, process, evaluate, manage, and publish sociodemographic and geographic data to inform the redistricting process. A City Data Bureau (Bureau) could be established that would serve this purpose. As a permanent agency, it would not face forced and rapid formation and staffing issues to ramp up to meet a single purpose, as experienced by the 2021 Commission. And as a permanent agency, it would obtain and process data as it becomes available rather than at the last minute.

Historically, the City maintained a staff of demographers who were available to analyze socioeconomic data. The Community Development Department and Housing Department each had staff dedicated to this work, and the City Planning Department had a more robust staff for this purpose. The Information Technology Agency (ITA) currently has database architects on staff supporting existing City databases, but additional work in this area would likely be assigned to contractors. ITA also had a Geographic Information Systems unit, but it was disbanded.

To ensure long-term value, the Bureau could be charged with managing all U.S. Census technical programs, which are implemented throughout the decade leading up to the decennial census. These include annual programs to evaluate jurisdictional boundaries, programs to develop address lists, and programs to evaluate and revise Census boundaries such as Census Tracts, Census Blocks, and special geographics (Voting Districts and Public Use Microdata Sample, for example).

Another function could involve certification of the required number of Council Districts as a result of population changes as proposed in Motion (CF 22-1196, O'Farrell – Raman, Krekorian, Price, Koretz). This proposal would seek voter approval of a measure to set the number of Council Districts based on population. If approved, an agency with relevant technical expertise would be appropriate to certify the population data. The Bureau could provide this service and submit the required documentation to the City Clerk.

The Bureau could be charged with responsibilities to process and publish other City data as appropriate to support economic development, housing, families, public improvements, and other purposes as appropriate.

Another service the Bureau could offer to City departments would be through its expertise in evaluating the technical components of data and the development of business rules to improve the quality of data collected and published.

Finally, the Bureau should be operated and administered in a manner that is independent of influence from elected officials. The Bureau should serve as a technical agency focused on providing accurate data. It should be properly resourced to conduct its work and it should have access to the data it needs. An independent agency could also provide data for use by the public, community and business groups, and all elected officials on a consistent basis.

Organizational requirements for the Bureau could be established in the Charter to ensure resources to support its required services. Further, it would be a means to ensure that all City departments supply data as requested. The Bureau could be embedded in an existing department, such as ITA or the Library, but it may be more appropriate to establish another layer of independence for such an agency and designate them as a stand-alone department or provided by a University partner through a contract.

If Council would like to implement a City Data Bureau, models for organization and oversight should be evaluated. The Ethics Commission or the Department of Water and Power Office of Public Accountability, for example, could serve as models. Funding would be required for the City Data Bureau; provisions should be included to fund baseline operations, with the option for Council and the Mayor to provide additional funding and authority as needed.

Los Angeles Unified School District

The City Charter includes provisions related to the governance of the LAUSD, including provisions for the establishment of seven Board districts and redistricting Board seats in a manner similar to the current process for Council Districts. All of the issues and options associated with an independent redistricting program described above for Council Districts apply to the LAUSD Board districts, though there are considerations and adjustments that should be made with respect to the number of commissioners and the term for the commission. The following provides a short review of issues that would include different details in an independent redistricting process for the LAUSD Board districts.

Number of Commissioners

The LAUSD is a broader geographic area with a much larger general population. The LAUSD serves all or part of approximately 20 cities and unincorporated portions of Los Angeles County. The current redistricting process in the Charter establishes an LAUSD commission comprised of 15 members: one member appointed by each of the Board members, four members appointed by the Mayor, and four members appointed by the Council President. The Charter requires that the Mayor and Council President each select someone who lives outside the City limits.

For an independent commission, 15 members may be the appropriate number of members, but the selection process might be revised, as noted below, to achieve a different balance of representatives. Again, a smaller commission may not appropriately represent the diversity of the LAUSD, while too many may inhibit participation or efficiency of meetings.

Finally, the Charter and past commissions have not directly addressed student participation in the redistricting process. It may be appropriate to develop a student participation element to the LAUSD redistricting process.

Commissioner Selection and Removal

Similar concepts concerning Commissioner selection and removal described above for the City Council Independent Redistricting Commission are the same for the LAUSD Independent Redistricting Commission. However, there may be other entities that could be designated to manage the various steps of the Commissioner application and selection process.

Dual-Step Commissioner Selection Model

The Dual-Step Commission Selection model is likely the most appropriate solution to ensure geographic representation on the LAUSD commission. Since there are other jurisdictions represented in the LAUSD, additional efforts would be required to ensure that commissioners are appointed from these areas.

In a Dual-Step selection process, it may be adequate to use Board districts as the geographic basis for the Step One random geographic selection basis. There are only seven districts, so this would not result in an overwhelming number of commissioners.

The Diversity selection step should additionally require consideration of representation among cities other than the City of Los Angeles. As a result, it would be important to require representation from these other geographic areas.

There is some statistical chance that the random selection would result in an outcome where all of the commissioners randomly selected in Step One live either only inside or outside the City. Such an outcome should be monitored and the Diversity selection process may be required to select Commissioners who live in areas that will provide geographic representation on the Commission. It may be appropriate to include additional criteria related to the ratio of commissioners from inside and outside the City that should sit on the Commission.

OPTIONS FOR AN INDEPENDENT REDISTRICTING COMMISSION

The following provides specific options for inclusion in a Charter amendment to establish an Independent Redistricting Commission. Council could select and refine among these options, and request the City Attorney to prepare the necessary materials to present a ballot measure to the voters.

The following section identifies those requirements that are included in the California Elections Code with this mark: **. Council should instruct whether any given provision should be included in the Charter or accepted by reference.

Also note that these options can be addressed in a range of ways:

- No action is needed because another section of City, State, or federal law prevails
- Inclusion of other laws by reference
- Detailed text to define how the option would be implemented in the independent redistricting process

As the City's Independent Redistricting Commission model is developed, it would be appropriate to note those matters that are included in other laws and therefore not referenced in the City's model or that should be included by reference to ensure clear understanding of the legislative intent. All other matters would be included in the text of the independent redistricting measure.

Our review of the key factors identified in Motion and in other independent commissions are included in the following organizational structure:

- A. Number of Council Districts
- B. Purpose of an Independent Redistricting Commission
- C. Commission Organization
- D. Commissioner Qualifications, Responsibilities, and Restrictions
- E. Commissioner Selection and Removal
- F. Redistricting Requirements and Criteria
- G. Public Meetings and Public Comment
- H. Commission Process
- I. Records and Data
- J. Funding
- K. Administrative and Operational Considerations
- L. Legal Matters

Two other issues of possible interest and concern have been identified as well:

- M. City Data Bureau
- N. Los Angeles Unified School District

A. NUMBER OF COUNCIL DISTRICTS

The Charter currently designates that there will be 15 Council Districts. That number can be changed.

ACTION	
<p>A.1 Number of Council Districts</p> <p>– Retain the current number of Council Districts (15)</p> <p>OR</p> <p>– Increase the number of Council Districts to a specific number:</p> <ul style="list-style-type: none">• 17• 19• Some other number <p>OR</p> <p>– Increase the number of Council Districts based on decennial U.S. Census population results by the nearest whole odd number to achieve:</p> <ul style="list-style-type: none">• One district per 150,000 people• One district per 200,000 people• One district per 250,000 people• Some other ratio or methodology	

If the option to change the number of Council Districts based on decennial population results is selected, a method for rounding population should be designated. The number of districts will be represented as a whole number.

ACTION	
<p>A.2 Determination of the number of Council Districts will be rounded</p> <ul style="list-style-type: none">• to the nearest odd whole number. <p>OR</p> <ul style="list-style-type: none">• Some other methodology	

Under the decennial adjustment model, it may be appropriate to identify upper and lower limits on the total number of members. For example, there will be no fewer than 15 members and no more than 25, regardless of the total population reported by the Census Bureau in a decennial census.

ACTION	
<p>A.3 Shall there be minimum and maximum limits on the number of Council Districts in a model with decennial adjustments?</p> <ul style="list-style-type: none"> ● Minimum number of Districts: <ul style="list-style-type: none"> ○ 11 ○ 15 ○ 17 ○ Some other number ● Maximum number of Districts: <ul style="list-style-type: none"> ○ 23 ○ 25 ○ 27 ○ Some other number 	

Further, should a decennial census result in a significant population decrease that would precipitate a reduction in the number of Council Districts, how should this be addressed:

ACTION	
<p>A.4 Should City population decrease in a decennial census in an amount that would result in a reduction in the number of Council Districts, such an outcome will be addressed in the following manner:</p> <ul style="list-style-type: none"> ● There shall be no reduction in the number of Council Districts; <p>OR</p> <ul style="list-style-type: none"> ● Voters shall be presented the opportunity to approve a reduction in the number of Council Districts; <p>OR</p> <ul style="list-style-type: none"> ● A reduction in Council Districts would be effective only to the extent that sitting Councilmembers are naturally termed out of office or if they choose not to run upon the effective date of new Council District boundaries following redistricting. 	

In tandem with the term of the Independent Redistricting Commission and their deadline to complete their work, as discussed below, the date when the revised number of Council Districts will be effective should be identified.

ACTION	
<p>A.5 Effective Date for Revised Districts</p> <p>Revised Council District Boundaries shall be effective for the next election following a year ending in:</p> <ul style="list-style-type: none"> ● Select a year: <ul style="list-style-type: none"> ○ 1 (e.g., 2032 and all elections thereafter) ○ 2 (e.g., 2033 for a special election and all elections thereafter) ○ 3 (e.g., 2034 and all elections thereafter) 	

If it is determined that the number of Council Districts is to be based on population and adjusted every 10 years, a process should be developed to certify the population figures. This report presents the option to create a City Data Bureau to manage several data issues, including those related to the Census. The Bureau could be designated as the technical specialist to certify population data and the resulting number of Council Districts that would need to be created, while the City Clerk would receive and record that certification.

ACTION	
<p>A.6 Following the decennial U.S. Census, the _____ will evaluate City population data, determine the number of Council Districts required, and submit an analysis of these findings within 30 days to the City Clerk for recordation.</p> <ul style="list-style-type: none"> ● Designate the entity that will certify the decennial U.S. Census data: <ul style="list-style-type: none"> ○ City Data Bureau ○ City Clerk ○ City Planning Department ○ Bureau of Engineering ○ Some other office or entity, to be determined, established by ordinance 	

As noted in the report, some commissions and boards provide for the appointment of one member to represent each Council District. If the number of Council Districts is changed, the regulations governing these commissions and boards should be revised to reflect the revised number of Districts.

ACTION	
<p>A.7 Identify and revise regulations concerning appointment authorities for commissions and boards based on Council District representation.</p> <ul style="list-style-type: none"> • Yes • No 	

As indicated in this report, increasing the number of Council Districts could shift authority toward the executive branch. It would also require a higher number to make quorum and to override a Mayoral veto. Due to this, there should be a consideration as to whether the voting thresholds should be changed in the Council in order to override a Mayoral veto. Currently, the threshold to override a Mayoral veto is two-thirds of the Council.

ACTION	
<p>A.8 Voting threshold for overriding a Mayoral veto:</p> <ul style="list-style-type: none"> • Simple majority • Supermajority <ul style="list-style-type: none"> ◦ Three-fifths ◦ Two-thirds, as is current practice 	

B. PURPOSE OF AN INDEPENDENT REDISTRICTING COMMISSION

The California Fair Maps Act requires that an independent redistricting commission be composed of members who are selected through an application process, not through appointment by an elected official. This Action clearly articulates that the City Commission will be an independent commission within the meaning of the Act.

ACTION	
B.1 The City Council Redistricting Commission shall be an independent redistricting commission within the meaning of the California Fair Maps Act.	

Charter and ordinance provisions often include general statements as to the purpose of an independent redistricting commission.

ACTION	
<p>B.2 Shall statements such as these be included in the definition of the purpose of the Independent Redistricting Commission?</p> <ul style="list-style-type: none">• Conduct open and transparent process enabling full public participation, make a reasonable effort to afford maximum public access to its proceedings• Solicit broad public participation in the process, including from residents in neighborhoods and communities that traditionally participate less frequently in the local political process• Draw district lines according to the redistricting criteria and applicable federal and State law• Seek consensus and resolve conflicts with regard to Council District boundaries• Some other statement	

C. COMMISSION ORGANIZATION

These actions would establish the general organizational structure of the Commission, beginning with a determination of the total number of Commission members.

An additional consideration is whether there should be alternate Commissioners selected or whether there should be an independent replacement process should openings occur.

ACTION	
C.1 There shall be ____ Commissioners.	
<ul style="list-style-type: none">• Select a specific number of Commissioners to serve on the Commission.<ul style="list-style-type: none">○ 11○ 13○ 15○ 17○ 19○ 21○ Some other number, e.g., the number of Council districts +/- a number	

Consideration should be given to whether there should be Alternate Commissioners selected at the outset of the process, or later through some other process. If Alternate Commissioners are selected early, a process should be identified to determine how an alternate will be selected to fill a vacancy.

ACTION	
C.2a Shall there be Alternate Commissioners?	
<ul style="list-style-type: none">• Yes• No	
If there are Alternate Commissioners, how many should be selected?	
<ul style="list-style-type: none">• Select a specific number of Alternate Commissioners.<ul style="list-style-type: none">○ 2○ 3○ 4○ Some other number, e.g., a number equal to the number of Commissioners	

<p>C.2b If Alternate Commissioners are seated, how will they be selected to replace a Commissioner who resigns?</p> <ul style="list-style-type: none"> • Chair selects a name randomly from the alternates <p>OR</p> <ul style="list-style-type: none"> • In the order that alternate names were drawn in the selection process <p>OR</p> <ul style="list-style-type: none"> • Some other process 	
<p>C.2c If there are no Alternates or alternates available, vacancies on the Commission shall be filled in the following manner:</p> <ul style="list-style-type: none"> • The chair of the Commission shall randomly draw names from the original pool of eligible applicants; <p>OR</p> <ul style="list-style-type: none"> • An expedited application process shall be conducted, with the Commission randomly selecting replacements from a pool of eligible applicants. <p>OR</p> <ul style="list-style-type: none"> • Some other process 	

The term, from the initiation of the new Commission, should be defined. The term can be limited to the time required to adopt a plan or for an extended period of time, such as to the point when a new Commission is seated. Action C.4 identifies the length of the term, while Action C.5a below sets the actual start date.

ACTION	
<p>C.3 The term of the Commission shall be:</p> <ul style="list-style-type: none"> • From time of appointment of the first Commissioner until the adoption of the redistricting plan and if recalled by the court to resolve any litigation; <p>OR</p> <ul style="list-style-type: none"> • From time of appointment of the first Commissioner until the redistricting plan adopted by the Commission becomes effective and any and all legal and referendum challenges have been resolved; <p>OR</p> <ul style="list-style-type: none"> • From the time of appointment until a fixed date (to be set in relation to adoption of a final map); <p>OR</p> <ul style="list-style-type: none"> • From the time of appointment until the appointment of the next Commission (approximately 10 years). 	

The other key timing issue relates to when the application process begins and then when the selection process begins. The following actions provide options for both. If the process begins earlier, there is more opportunity for public engagement and education and ensuring that the Commission has staffing and resources in place before the decennial Census data are released. Beginning at a later date places the focus on the immediate process of developing district boundaries. Past City redistricting commissions have submitted recommendations asking that the Council initiate the redistricting process sooner rather than later.

ACTION	
<p>C.4a An application process to identify prospective Commissioners shall commence by April 1 in a year ending in the number _____.</p> <ul style="list-style-type: none"> • Select a date for the year in which Commission formation will begin: <ul style="list-style-type: none"> ○ 7 (e.g., 2027 and each decade thereafter) ○ 8 (e.g., 2028 and each decade thereafter) ○ 9 (e.g., 2029 and each decade thereafter) 	
<p>C.4b An entity will need to be identified to initiate and run the application process and manage Commission formation actions.</p> <ul style="list-style-type: none"> • If the Commission is seated for 10 years, the Commission could be assigned to initiate and manage the next Commissioner application process. <p>OR</p> <ul style="list-style-type: none"> • The City Clerk could be designated to initiate and manage the Commissioner application process. <p>OR</p> <ul style="list-style-type: none"> • The City Ethics Commission could be designated to initiate and manage the Commissioner application process. <p>OR</p> <ul style="list-style-type: none"> • A panel of three members of the previous Commission could be formed to initiate and manage the Commissioner application process. <p>OR</p> <ul style="list-style-type: none"> • Some other process 	

<p>C.4c An outreach effort in support of the application process shall be conducted to help develop a diverse pool of applicants. This effort would be conducted by the entity selected under C.4b.</p> <ul style="list-style-type: none"> • Outreach and education shall be conducted to ensure that there is wide awareness that the Commission application process is open, with efforts to reach underserved communities and with efforts conducted in the languages required under the Voting Rights Act. 	
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ACTION	
<p>C.5 The application process shall be completed within one year and Commissioners shall be appointed to commence their term and begin their work no later than April 1 of a year ending in ____.</p> <ul style="list-style-type: none"> • 8 (e.g., 2028 and each decade thereafter) • 9 (e.g., 2029 and each decade thereafter) • 0 (e.g., 2030 and each decade thereafter) <p>Commissioners shall be sworn into service by the City Clerk.</p>	

Finally, interest has been expressed in conducting a new redistricting process as soon as possible. This final action would initiate a process to establish new districts as soon as a new process is approved by voters. But it should be noted that such a process will need to be conducted in a severely compressed time-frame to be in place for the 2026 election cycle.

ACTION	
<p>C.6 A special Redistricting Process shall commence immediately upon approval of this measure by the voters, with revised Council District boundaries to be effective no later than for the election in 2026.</p>	

D. COMMISSIONER QUALIFICATIONS, RESPONSIBILITIES, AND DUTIES

Commissioners would be identified through an application process. The following would establish the qualifications to serve as a Commissioner as well as those criteria that would disqualify a candidate from serving. There are also several restrictions that are identified in State law regarding Commissioner actions during their term of service, which can be enhanced at the City's discretion. Finally, duties should be identified.

Eligibility Qualifications to be Commissioner

The following actions would establish eligibility requirements to serve as a Commissioner. The following criteria have been used in other jurisdictions.

ACTION	
D.1a Candidate must be a registered voter in the City of Los Angeles. <ul style="list-style-type: none">• Yes• No	
D.1b Candidate must have been a resident of the City of Los Angeles for ____ years. <ul style="list-style-type: none">• Select a number of years:<ul style="list-style-type: none">○ 1○ 5○ Some other number	
D.1c Candidates must have voted in the City in at least ____ elections in the prior ____ years. <ul style="list-style-type: none">• Selection a number of elections:<ul style="list-style-type: none">○ 1○ 2○ Some other number• Select a number of years:<ul style="list-style-type: none">○ 4○ 6○ 8○ 10○ Some other number	
D.1d Candidates should possess experience that demonstrates analytical skills relevant to the redistricting process and voting rights, and possess an ability to comprehend and apply the applicable State and federal legal requirements. <ul style="list-style-type: none">• Yes• No	

D.1e Candidates should possess experience that demonstrates an ability to be impartial.	
<ul style="list-style-type: none"> • Yes • No 	
D.1f Candidates should possess experience that demonstrates an appreciation for the diverse demographics and geography of the City of Los Angeles.	
<ul style="list-style-type: none"> • Yes • No 	

Disqualification from Eligibility

Certain criteria are suggested to disqualify a candidate for Commissioner. The following actions would establish limits that would result in a person being disqualified to be a Redistricting Commissioner. As noted above, the California Fair Maps Act does not apply to Charter cities, but the Act provides criteria that Council may choose to adopt.

ACTION	
D.2 The following disqualifies a candidate from serving as a commissioner:	
<ul style="list-style-type: none"> • ** Adopt criteria in Figure 8 in this report, consistent with the California Fair Maps Act 	
OR	
<ul style="list-style-type: none"> • Amend the criteria in the California Fair Maps Act 	

Additional limits not covered by the California Fair Maps Act include the following:

ACTION	
D.3 Currently serves as a City employee or has served as a City employee within the last ____ years.	
<ul style="list-style-type: none"> • Designate a period of time: <ul style="list-style-type: none"> ○ 4 ○ 8 ○ Some other number of years 	

An applicant for Commissioner is disqualified under the California Fair Maps Act if they have contributed \$500 or more in a year to any candidate for elective office in the City. This does not apply to any other elective office, such as LAUSD, County, State, or federal office. The City could adopt a more expansive standard to include elective offices at other levels of government.

ACTION	
<p>D.4 Applicants cannot have contributed \$500 or more in a year to any candidate for an elective office of the _____ (can adjust for CPI).</p> <ul style="list-style-type: none"> • Include any of the following: <ul style="list-style-type: none"> ○ LAUSD ○ County of Los Angeles ○ State of California <ul style="list-style-type: none"> ■ any or ■ only those elected by Los Angeles voters ○ Federal <ul style="list-style-type: none"> ■ any or ■ only those elected by Los Angeles voters ○ Any elected office 	

Restrictions During and After Commission Service

Restrictions on Commissioners could be put in place to ensure that they do not participate out of self-interest, such as seeking elective office for districts that they created, obtaining employment with an elected official, or seeking appointment to a commission or other appointed body.

ACTION	
<p>D.5a During service as a Commissioner, Commissioners shall not endorse, work for, volunteer for, or make a campaign contribution to, a candidate for an elective office of the City. Commissioners choosing to engage in such activity may resign at any time, including after the approval of a final map to ensure that the Commissioner no longer serves if the Commission is reconvened to redraw districts.</p>	
<p>D.5b A Commissioner shall be ineligible, for a period of _____ years beginning from the date of their appointment, to hold City elective office.</p> <ul style="list-style-type: none"> • Select a number of years for Commissioner ineligibility to hold City elective office: <ul style="list-style-type: none"> ○ ** 5 years (per California Fair Maps Act) ○ 10 years ○ Some other number of years ○ A Commissioner shall be ineligible to hold City elective office for a district which boundaries 	

<p>were adopted by the commission on which the person served.</p> <ul style="list-style-type: none"> • Select City elective office for which Commissioners would be ineligible: <ul style="list-style-type: none"> ○ Council ○ Mayor ○ City Attorney ○ City Controller <p>Persons who accept appointment to the Commission, at the time of their appointment, shall file a written declaration with the _____ stating an understanding of this restriction.</p> <ul style="list-style-type: none"> • Select a City department to receive this declaration: <ul style="list-style-type: none"> ○ City Clerk ○ Personnel Department ○ Ethics Commission 	
<p>D.5c A Commissioner shall be ineligible, for a period of _____ years beginning from the date of their appointment, to be appointed to another City commission, to serve as paid staff for or as a paid consultant to any City elected official, to receive a non-competitively bid contract with the City, or to register as a City lobbyist.</p> <ul style="list-style-type: none"> • Select a number of years a Commissioner would be ineligible to accept any of the above appointments: <ul style="list-style-type: none"> ○ 4 years ○ 5 years ○ Some other number of years 	

Commissioner Duties and Responsibilities

This would provide a clear statement of the duties and responsibilities of individual Commissioners.

ACTION	
<p>D.6 Duties of a Commissioner shall include:</p> <ul style="list-style-type: none"> • conduct themselves in a manner to ensure integrity and fairness of the independent redistricting process, including compliance with ex parte communication restrictions 	

<ul style="list-style-type: none"> • attend and participate in commission meetings and hearings • attend training on redistricting and ethics • file appropriate statements, such as the Form 700 • use an assigned e-mail address for commission business • shall be impartial 	
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If the Commission is seated for a 10-year term, it may be appropriate to identify additional duties to be performed by the Commission.

ACTION	
<p>D.7 If seated for a 10-year term, the Commission shall be responsible for these additional duties (select those that apply):</p> <ul style="list-style-type: none"> • Evaluate the Council District assignment of any annexation to the City • Conduct on-going workshops and educational programs regarding redistricting • Assist Census technical program response • Provide oversight for new Commission selection • Other duties as assigned 	

The following address ex parte communications among Commissioners, elected officials and their respective staffs.

ACTION	
<p>D.8a ** Prohibit all ex parte communications between any member of the Commission and any elected City official or member of any elected City official's staff regarding a matter pending before the Commission.</p>	
<p>D.8b Shall ex parte communication restrictions apply to Commission staff, as well?</p> <ul style="list-style-type: none"> • Yes • No 	
<p>D.8c Shall ex parte communication restrictions apply to elected officials and the staff of elected officials at any other level of government?</p> <ul style="list-style-type: none"> • Yes • No 	

<p>If yes, which level?</p> <ul style="list-style-type: none"> ○ LAUSD ○ County of Los Angeles ○ State of California <ul style="list-style-type: none"> ■ any or ■ only those elected by Los Angeles voters ○ Federal <ul style="list-style-type: none"> ■ any or ■ only those elected by Los Angeles voters ○ Any elected office 	
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E. COMMISSIONER SELECTION AND REMOVAL

One of the central organizing principles behind an independent redistricting commission is to establish a process for selecting commissioners that does not involve elected officials. The California Fair Maps Act defines an independent commission as being one composed of commissioners who apply for the position. This section would set up the Commissioner selection process.

First, an entity is needed to prepare, advertise, and receive the applications.

ACTION	
E.1 The _____ shall prepare the application for Commissioner and ensure wide publication and outreach to ensure that the public is aware of the application process.	
<ul style="list-style-type: none">• The applications will be initiated by the:<ul style="list-style-type: none">○ City Clerk○ City Ethics Commission○ City Redistricting Commission (if remaining seated)○ Some other recipient	

ACTION	
E.2 ** People interested in becoming a Commissioner apply for the position, submitting the application to the _____.	
<ul style="list-style-type: none">• Applications will be submitted to:<ul style="list-style-type: none">○ City Clerk○ City Ethics Commission○ City Redistricting Commission (if remaining seated)○ Some other recipient	

Applications received need to be screened for compliance with the qualifying factors and to remove any applicants who are disqualified based on designated factors. A single screening entity can review based on both objective and subjective factors; alternatively, two screening entities can be named, one for objective factors and another for subjective factors. Please note that in the following options, the choice may be to select a panel of City department heads or retired judges to perform the designated duties. These are noted with an asterisk (*). If that choice is made, a process to identify the people who would participate would need to be developed.

ACTION	
<p>E.3 How shall the screening process be conducted?</p> <ul style="list-style-type: none"> • In a single step process by a single entity? <ul style="list-style-type: none"> ○ If yes, go to E.3a ○ If no, move to the next option • In two phase process, with one entity screening for objective factors and a second entity screening for subjective factors: <ul style="list-style-type: none"> ○ If yes, go to E.3b ○ If no, move to the next option • Some other methodology 	
<p>E.3a Applications received are screened for eligibility by a single designated entity.</p> <ul style="list-style-type: none"> • The designated screening entity would be: <ul style="list-style-type: none"> ○ City Clerk ○ Personnel Department ○ City Ethics Commission ○ * Panel of City department heads ○ City Redistricting Commission (if remaining seated) ○ * Panel of existing and retired judges ○ Some other panel 	
<p>E.3b Applications received are screened for eligibility in two phases:</p> <ul style="list-style-type: none"> • The designated screening entity for objective qualifying and disqualifying factors (such as age, voting activity, and residency): <ul style="list-style-type: none"> ○ City Clerk ○ Personnel Department ○ City Ethics Commission ○ * Panel of City department heads ○ City Redistricting Commission (if remaining seated) ○ * Panel of existing and retired judges ○ Some other panel • The designated screening entity for subjective qualifying and disqualifying factors (such as experience, demonstrated objectivity, and demonstrated appreciation for diversity): <ul style="list-style-type: none"> ○ City Clerk 	

<ul style="list-style-type: none"> ○ Personnel Department ○ City Ethics Commission ○ * Panel of City department heads ○ City Redistricting Commission (if remaining seated) ○ * Panel of existing and retired judges ○ Some other panel 	
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ACTION	
<p>E.4a Establish a pool of candidates as a result of the screening process.</p> <ul style="list-style-type: none"> ● A pool of all eligible candidates, resulting in a general pool that could have an unlimited number of candidates. <p>OR</p> <ul style="list-style-type: none"> ● A limited pool of the most qualified candidates, such that the screening process would include both objective and subjective evaluation. <ul style="list-style-type: none"> ○ A pool of _____ eligible candidates <ul style="list-style-type: none"> ■ 30 ■ 60 ■ 120 ■ Some other number 	
<p>E.4b Once a pool of candidates has been established, shall the list of names be posted for public review?</p> <ul style="list-style-type: none"> ● Yes ● No 	
<p>E.4c If the names of the candidates are posted for public review, shall there be a process to allow any registered voter to register a concern with any name and seek dismissal of that candidate from the pool?</p> <ul style="list-style-type: none"> ● Yes ● No 	

Additional criteria can be included in the process to develop the Candidate Pool.

ACTION	
<p>E.5 Shall any of these criteria be included in the development of the pool?</p> <ul style="list-style-type: none"> • The pool shall include at least ____ candidates from each Council District. <ul style="list-style-type: none"> ○ 2 ○ 3 ○ Some other number • Diversity criteria (race, sex, gender, sexual orientation, profession, geography, and others) shall be included in the development of the limited pool of most qualified candidates. 	

If the pool of qualified candidates is too small after the review process conducted under E.4 and E.5, provisions may be needed to reopen the pool to accept additional applications or to reconsider applications that had not been selected.

ACTION	
<p>E.6 If the pool of qualified candidates is too small, the _____ shall reopen the application period and seek additional submissions or reconsider applications not selected.</p> <ul style="list-style-type: none"> • Applications will be submitted to: <ul style="list-style-type: none"> ○ The same entity named in E.3a or E.3b ○ Some other entity 	

Once a pool is established, an entity is required to conduct the selection process. This entity should be different from the entity that manages the application process.

ACTION	
<p>E.7 _____ shall administer the Commissioner selection process.</p> <ul style="list-style-type: none"> • The designated administrative entity would be: <ul style="list-style-type: none"> ○ City Clerk ○ Personnel Department ○ City Ethics Commission ○ * Panel of City department heads ○ City Redistricting Commission (if remaining seated) ○ * Panel of existing and retired judges ○ Some other panel 	

If a Dual-Step process is selected under E.3b, the following components would implement that process.

ACTION	
<p>E.8a Step One: Selection by geography would involve:</p> <ul style="list-style-type: none"> ● Divide the pool of qualified candidates into sub-pools based on _____ and select one Commissioner from each area in that geography considering the number of Commissioners designated in C.1: <ul style="list-style-type: none"> ○ Select a geography: <ul style="list-style-type: none"> ■ Seven (7) Regional Planning Areas ■ 12 Neighborhood Council Regions ■ Existing Council Districts ■ Some other geography 	
<p>E.8b Step Two: Diversity selection would involve the following steps:</p> <ul style="list-style-type: none"> ● Recombine the sub-pools of remaining qualified candidates. ● The Commissioners selected in Step One select _____ candidates to ensure diversity among the full Commission. <ul style="list-style-type: none"> ○ The number of Commissioners selected in this step would equal the total number of Commissioners designated in Action C.1 less the number of Commissioners selected in Action E.9a. ● Designate the diversity factors that would be considered: <ul style="list-style-type: none"> ○ Race and ethnicity ○ Sex and Gender ○ Sexual orientation ○ Profession ○ Geography ○ Other factors as designated <p>OR</p> <ul style="list-style-type: none"> ● Selection consideration would include, but not be limited to, a list of diversity factors. 	

The program can include a Commissioner removal process, with several options to provide for a fair review process. The following provides for a general removal process with due process requirements, as well as an automatic removal process for factors of great concern.

ACTION	
<p>E.9 Shall there be a Commissioner removal process?</p> <ul style="list-style-type: none"> • Select one: <ul style="list-style-type: none"> ○ Yes ○ No 	

If yes, the following provides terms to consider for removal, as well as options for implementation of such a process.

ACTION	
<p>E.10 Shall any of the following criteria be identified as factors that provide cause for removal?</p> <ul style="list-style-type: none"> • Select all that apply: <ul style="list-style-type: none"> ○ Substantial neglect of duty; ○ Gross misconduct in office; ○ Inability to discharge the duties of office; ○ It is determined that the Commissioner is not qualified or has ceased to be qualified due to events or circumstances occurring after the filing of their application; ○ A Commissioner has a certain number of unexcused absences from Commission business within a specified time frame; ○ Violating any of the restrictions identified in D.5.a; ○ A violation of the ex parte communications rules; ○ A Commissioner's failure to continue to meet the qualifications in D.1 or a change resulting in disqualification under D.2 through D.4; ○ The Commissioner is _____ a felony; any violation of state, local or federal election laws; any criminal violation of the Ralph M. Brown Act; bribery or any other crime involving violation of the public trust; any crime involving moral turpitude; <ul style="list-style-type: none"> ■ Charged with ■ Convicted of ○ A Commissioner will be considered to have resigned if they are no longer a resident of, or registered voter within the City. 	

ACTION	
<p>E.11 Shall there be a pre-removal process to inform a Commissioner that they may be subject to removal?</p> <ul style="list-style-type: none"> • Yes • No <p>Shall a Commissioner be suspended upon the charge of a serious crime and pending further due process?</p> <ul style="list-style-type: none"> • Yes • No <p>Shall a notice of public hearing regarding the suspension or removal consideration be issued?</p> <ul style="list-style-type: none"> • Yes • No <p>Shall the Commissioner have an opportunity to provide rebuttal in writing prior to the hearing?</p> <ul style="list-style-type: none"> • Yes • No <p>Shall the Commissioner have the opportunity to address the matter at the public hearing?</p> <ul style="list-style-type: none"> • Yes • No 	

ACTION	
<p>E.12 What shall the vote requirement for removal be?</p> <ul style="list-style-type: none"> • Majority of the Commission <p>OR</p> <ul style="list-style-type: none"> • Supermajority (two-thirds) of the Commission 	

As noted above, the city of Berkeley includes a provision for automatic removal, by two-thirds vote of the Commission with an appeal process available. The conditions for automatic removal in Berkeley are more stringent than those specified for consideration of removal.

ACTION	
<p>E.13a Shall a Commissioner be automatically removed because it is determined by a vote of the Commission that the Commissioner is not qualified or has ceased to be qualified</p>	

<p>due to events or circumstances occurring after the filing of their application:</p> <ul style="list-style-type: none"> • Yes • No 	
<p>E.13b If yes, which additional conditions would result in automatic removal?</p> <ul style="list-style-type: none"> • Select all that apply: <ul style="list-style-type: none"> ○ Substantial neglect of duty; ○ Gross misconduct in office; ○ Inability to discharge the duties of office; ○ A Commissioner has a certain number of unexcused absences from Commission business within a specified time frame; ○ Violating any of the restrictions identified in D.5.a; ○ A violation of the ex parte communications rules; ○ A Commissioner's failure to continue to meet the qualifications in D.1 or a change resulting in disqualification under D.2 through D.4; ○ The Commissioner is _____ a felony; any violation of state, local or federal election laws; any criminal violation of the Ralph M. Brown Act; bribery or any other crime involving violation of the public trust; any crime involving moral turpitude; <ul style="list-style-type: none"> ■ Charged with ■ Convicted of ○ A Commissioner will be considered to have resigned if they are no longer a resident of, or registered voter within the City. 	
<p>E.13c What shall the vote requirement for automatic removal be?</p> <ul style="list-style-type: none"> • Majority of the Commission • Supermajority (two-thirds) of the Commission 	

ACTION	
<p>E.14 Shall there be an appeal process in case of suspension, removal, or automatic removal?</p> <ul style="list-style-type: none"> • Yes • No 	

F. REDISTRICTING REQUIREMENTS AND CRITERIA

Key criteria established in federal and State law must be included in any Charter section governing the City's redistricting process. These are:

- Compliance with the U.S. Constitution
- Compliance with the federal Voting Rights Act
- Compliance with State law, such as the California Elections Code
- Each district shall have a reasonably equal population with other districts, except where deviation is required to comply with the federal Voting Rights Act of 1965 (52 U.S.C. Sec. 10101 et seq.) or as allowable by law.

ACTION	
<p>F.1 The following criteria shall be included as primary criteria for consideration when drawing district boundaries.</p> <ul style="list-style-type: none">• Compliance with the U.S. Constitution• Compliance with the federal Voting Rights Act• Compliance with State law, such as the California Elections Code and California Voting Rights Act• Each district shall have a reasonably equal population with other districts, except where deviation is required to comply with the federal Voting Rights Act of 1965 (52 U.S.C. Sec. 10101 et seq.) or as allowable by law.	

Additional criteria are optional based on the interests of the jurisdiction. The following have been identified as additional criteria that could be included in the City's redistricting process. Each would be included with the provision that such criteria should be considered without violating the requirements of federal or State law. Many of these are standard redistricting criteria, including several that are included in the City Charter currently.

It is not necessary to include all of these criteria, especially if a catch-all provision acknowledges the need to include other criteria as appropriate.

ACTION	
<p>F.2 Additional Criteria:</p> <p>Should any of the following be included as additional criteria for consideration when drawing district boundaries?</p>	
<p>F.2a All lines must correspond to census blocks or census voting districts in order to preserve the validity of data and avoid arbitrary boundaries; except:</p>	

<ul style="list-style-type: none"> • to ensure direct access to the core of the district • to provide continuity for discreet, defined communities of interest <ul style="list-style-type: none"> ○ Justification for each deviation from a whole census block or census voting district must be documented. ○ Deviation shall be limited to the smallest area necessary to meet the documented need. 	
F.2b ** Council district boundaries should be easily identifiable and understandable by residents. To the extent practicable, council districts shall be bounded by natural and artificial barriers, by major streets, or by the boundaries of the city.	
F.2c To the extent feasible, utilize natural boundaries or street lines.	
F.2d To the extent feasible, geographic integrity of Neighborhood Councils shall be respected in a manner that minimizes their division to the extent possible.	
F.2e ** Districts shall be geographically contiguous; areas that meet only at the points of adjoining corners are not contiguous; areas that are separated by water and not connected by a bridge, tunnel, or regular ferry service are not contiguous.	
F.2f ** To the extent feasible, be geographically compact.	
F.2g ** Neighborhoods and communities sharing a common language, history, culture and identity should not be divided so as to dilute their voting power.	
F.2h ** A community of interest is a contiguous population which shares common social and economic interests that should be included within a single district for purposes of its effective and fair representation. Communities of interest do not include relationships with political parties, incumbents, or political candidates.	
F.2i ** The place of residence of any incumbent or political candidate shall not be considered in the creation of a map. Districts shall not be drawn for the purpose of favoring or discriminating against an incumbent, political candidate, or political party.	

F.2j Boundary changes should limit voter deferral where possible.	
F.2k Preserve population cores that have consistently been associated with each council district.	
F.2l Commission may adopt additional criteria that do not conflict with the other requirements and criteria listed in this section or with State or federal law.	

This criteria is required by the California Elections Code, though the City may simply be able to include this requirement by reference.

ACTION	
F.3 ** Council District boundaries shall not favor or discriminate against a political party.	

There are limited models for Council Districting numbering procedures, only one of which is included in a city redistricting process. There may be opportunities to develop other options.

ACTION	
F.4 Council Districts shall be numbered in a manner that, <ul style="list-style-type: none"> • for as many residents as possible, the number of the Council District they reside in remains the same OR <ul style="list-style-type: none"> • Some other methodology 	

G. PUBLIC MEETINGS AND PUBLIC COMMENT

Public participation is essential to a fair and representative redistricting process. Compliance with the California Elections Code is required, but the City can expand and supplement those required elements. The following actions would ensure that the public is engaged throughout the process, with active efforts by the Commission to reach out to underrepresented communities.

ACTION	
<p>G.1 ** The Commission shall take steps to encourage residents, including those in underrepresented communities and non-English speaking communities, to participate in the redistricting public review process. These steps shall include a good faith effort to do all of the following:</p> <ul style="list-style-type: none">• Provide information to media organizations that provide city news coverage, including media organizations that serve language minority communities. <p>AND</p> <ul style="list-style-type: none">• Provide information through good government, civil rights, civic engagement, or community groups or organizations that are active in the city, including those active in language minority communities, or that have requested to be notified concerning city redistricting.	

ACTION	
<p>G.2 ** The Commission shall arrange for the live translation of a public hearing or workshop held pursuant to this article in an applicable language if a request for translation is made at least 72 hours before the hearing or workshop.</p>	

ACTION	
<p>G.3 ** The Commission shall publish the date, time, and location for any public hearing or workshop on the internet at least five business days before the hearing or workshop, or three days within 28 days of the deadline to adopt boundaries.</p>	

The Commission will begin preparation of a Draft Map following many public hearings to receive testimony on a wide range of issues and concerns, most significantly regarding issues of community of interest. The Commission will also receive written testimony and full or partial draft maps. These materials should be available for public review.

ACTION	
G.4 The Commission should consider testimony in their deliberations, as well as any full or partial maps provided in writing and at public hearings and meetings.	

Should the Commission be directed to provide documents in other languages? If so, to what extent should they be required to do so?

ACTION	
G.5a ** The Commission shall be required to comply with the California Elections Code with regard to the publication of materials in applicable languages (currently English and Spanish).	
<p>G.5b The Commission shall publish all documents produced for the public in all languages required by the Voting Rights Act for election (currently English, Spanish, Armenian, Chinese, Persian (Farsi), Hindi, Japanese, Khmer, Korean, Russian, Tagalog, Thai, and Vietnamese).</p> <p>OR</p> <p>The Commission shall make a best effort to publish all documents produced for the public in all languages required by the Voting Rights Act for elections (currently English, Spanish, Armenian, Chinese, Persian (Farsi), Hindi, Japanese, Khmer, Korean, Russian, Tagalog, Thai, and Vietnamese).</p>	

The Commission should incorporate actions to ensure accessibility in all aspects of its work program. The following language has been recommended by the Department on Disability.

ACTION	
G.6 The Commission shall develop and implement an Accessibility Plan to ensure that people with disabilities are able to access and fully participate in Commission meetings and hearings. This includes mechanisms for both physical and virtual access as well as related communications consistent	

with the Americans with Disabilities Act (ADA) and §508 of the Rehabilitation Act, and related laws and codes. This also includes policies and procedures for responding to requests for accommodations from the public and City staff.	
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If strict ex parte communication restrictions are included in the program, it may be appropriate to clarify and ensure that elected officials are encouraged to be part of the process through public hearings and meetings.

ACTION	
G.7 The Commission shall ensure that elected officials are encouraged to participate in public meetings and hearings.	

The next three actions would require the Commission to hold a series of public hearings at each phase of the redistricting process: the Interim Phase, the Draft Phase, and the Final Phase. These actions would require a minimum number of hearings during each phase.

The California Elections Code requires that the Commission hold at least four public hearings, with meeting requirements for the draft and final map phases. The City is currently obligated to comply with this minimum requirement. The following provides options for the total number of meetings and the number of meetings per phase. It may not be necessary to provide requirements for each phase, relying instead on provisions in the California Elections Code in this regard.

ACTION	
<p>G.8 The Commission shall hold at least _____ hearings or workshops to obtain public input regarding communities of interest and other information that may be relevant to the purpose of revising City Council district boundaries, prior to initiating any drawing of district maps.</p> <ul style="list-style-type: none"> • Select the minimum number of public hearings or workshops prior to any drawing of draft maps: <ul style="list-style-type: none"> ○ 5 ○ 10 ○ 15 ○ Some other number 	

ACTION	
<p>G.9 The Commission shall hold at least _____ hearings to obtain public input regarding <u>draft maps</u> prepared by the Commission.</p> <ul style="list-style-type: none"> ● Select the minimum number of hearings required to consider draft maps: <ul style="list-style-type: none"> ○ 2 ○ 4 ○ 5 ○ 10 ○ Some other number 	

ACTION	
<p>G.10 Before adopting a final map, the Commission shall hold at least _____ public hearing(s) at which the public is invited to provide input regarding the <u>final map</u> proposed by the Commission.</p> <ul style="list-style-type: none"> ● Select a number of hearings to be held: <ul style="list-style-type: none"> ○ 1 ○ 3 ○ 4 ○ 5 ○ Some other number 	

Different constituencies are available at different times of the day with regard to participation in public hearings. Working families, in particular, may have difficulty attending meetings during the weekday. This action would ensure that the Commission holds meetings on weekends and evenings to ensure that working families, in particular, are able to participate in person.

ACTION	
<p>G.11 Public hearings held during each phase of the mapping process (Initial, Draft, and Final) shall be scheduled to ensure that at least _____ in each phase is/are held on a Saturday or Sunday, or scheduled to begin no sooner than 6 p.m.</p> <ul style="list-style-type: none"> ● Select an option: <ul style="list-style-type: none"> ○ One meeting ○ 20 percent of meetings ○ Some other number or factor 	

<ul style="list-style-type: none"> ● Shall there be an alternate consideration for Final map hearings? <ul style="list-style-type: none"> ○ No meetings required evenings or weekends for a final map ○ One meeting required on an evening or weekends for a final map 	
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To ensure that the Commission holds public hearings across the City, a requirement could be put in place that limits the Commission to hearing in the same location no more than once and in a manner that meetings in each phase cover the full geography of the City.

ACTION	
<p>G.12a Public hearings shall not be held in the same location more than once, to the extent possible.</p> <p>G.12b In the Initial and Draft phases of the redistricting process, public hearings will be held in locations that will cover the full geography of the City.</p> <p>G.12c Recognize that public hearings are designed to receive public testimony and present information concerning the redistricting process, while public meetings are designed to conduct the business of the Commission.</p>	

H. COMMISSION PROCESS

This set of actions would establish a structure for the conduct of the redistricting process. The City is able to establish this date as a Charter City.

ACTION	
H.1 The Redistricting Commission shall approve a map of the new Council districts no later than: <ul style="list-style-type: none">September 30, _____, and thereafter, each subsequent tenth anniversary of that date.<ul style="list-style-type: none">A year ending in 1 (e.g., 2031)A year ending in 2 (e.g., 2032)A year ending in 3 (e.g., 2033) OR <ul style="list-style-type: none">** 205 days before the City's next regular election occurring after January 1 in each year ending in the number two (e.g., August 13, 2031 for the March 5, 2032 election).	

The next provision would establish the quorum and vote requirements for the Commission.

ACTION	
H.2a A _____ of the Commission shall constitute a quorum. <ul style="list-style-type: none">Simple majoritySupermajority (two-thirds)	
H.2b A vote shall require: <ul style="list-style-type: none">A majority of all Commissioners on all votes OR <ul style="list-style-type: none">A majority of all Commissioners, except as otherwise noted (e.g., a higher vote requirement for map approval)<ul style="list-style-type: none">Adoption of draft and final mapsSome other vote OR <ul style="list-style-type: none">A supermajority of all Commissioners for all votes	

When preparing draft maps, the Commission may receive proposed maps from the public or prepare their own maps. Upon review of the submissions, the Commission selects draft maps for public review and comment, whether prepared by the Commission or submitted by the public.

ACTION	
<p>H.3 Select all that apply to the Draft Map phase:</p> <ul style="list-style-type: none"> • The Commission shall accept full or partial draft maps from the public for consideration • Individual Commissioners shall be able to prepare full or partial draft maps for consideration by the Commission • All decisions regarding the consideration and adoption of principles for the draft map or maps and selection of boundaries in the draft map or maps shall be made in a public meeting or hearing 	

This action would ensure that draft maps prepared by the Commission are available for evaluation by the public for a minimum number of days before public hearings are held.

ACTION	
<p>H.4 The draft map(s) prepared by the Commission shall be posted for public consideration for at least _____ days before any public hearings to consider those maps.</p> <ul style="list-style-type: none"> • Select a specific number of days that the draft map(s) shall be presented to the public prior to consideration. <ul style="list-style-type: none"> ○ ** 7 days (per California Elections Code) ○ 10 days ○ Another number of days 	

As with the draft maps, this provision ensures that the Commission's final map is posted for public evaluation for a designated period of time before hearings on the final map are conducted. The California Elections Code requires that the final map be made available for at least seven days prior to adoption.

ACTION	
<p>H.5 ** The final map prepared by the Commission shall be posted for public consideration for at least _____ days before any public hearings to consider that map.</p> <ul style="list-style-type: none"> • Select a specific number of days the final map shall be presented to the public prior to consideration. <ul style="list-style-type: none"> ○ ** 7 days (per California Elections Code) ○ 10 days ○ Another number of days 	

The final map is the most consequential action of the Commission. One way to ensure that the Commission has achieved consensus on the outcome of this map is to require a supermajority vote on the final action. Alternatively, the Commission could approve the final vote on a simple majority

ACTION	
<p>H.6a A _____ of the Commission shall be required to approve the final map.</p> <ul style="list-style-type: none"> • Simple majority • Supermajority (two-thirds) 	
<p>H.6b If a supermajority vote is required for the final map, shall an impasse provision be included to address any failure of the Commission to adopt a final map?</p> <ul style="list-style-type: none"> • Yes • No 	

It is essential that the Commission fully document the process and determinations that resulted in the final map. A final document should be required to provide this documentation and the report should be transmitted to the Council and Mayor through the City Clerk.

ACTION	
<p>H.7 The final map shall be effective date upon which the following action occurs:</p> <ul style="list-style-type: none"> • The Commission adopts the final map <p>OR</p> <ul style="list-style-type: none"> • The Commission adopts a report that explains the basis on which it made its decisions in achieving compliance with the redistricting criteria, including definitions of the terms and standards used in drawing its final map, and adopts the final map <p>OR</p> <ul style="list-style-type: none"> • The Commission shall issue within ____ days of a final vote by the Commission a report that explains the basis on which it made its decisions in achieving compliance with the redistricting criteria, including definitions of the terms and standards used in drawing its final map, and the final map is transmitted to the City Council and 	

<p>Mayor via the City Clerk.</p> <ul style="list-style-type: none"> ○ Select the number of days: <ul style="list-style-type: none"> ■ 15 days ■ 30 days ■ Some other number of days <p>AND</p> <ul style="list-style-type: none"> ● The City Clerk shall certify receipt of the Commission Plan and post the plan and report on the public record within ____ days. The map will be effective upon this date. <ul style="list-style-type: none"> ○ 5 business days ○ 10 business days ○ Some other number of days 	
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I. RECORDS AND DATA

As a public body, the Commission should comply with all State and local laws regarding public records and open meetings. Further, it should document its work and maintain those records for public review. The Commission's actions have long-term implications for the City and in particular form a historical record that will be of interest well into the future. The following actions also include requirements that the Commission share with the public all data and software tools that it uses. This will ensure that the public is able to avail itself of the same resources used by the Commission.

ACTION	
I.1 The Commission shall comply with the California Public Records Act, commencing with section 6250 of the California Government Code, or its successor, and any City laws regarding public records, to the degree they require greater disclosure and retention of Commission records than is provided in this article.	
I.2 The Commission shall comply with the Brown Act and other open meeting laws.	
I.3 The Commission and its subcommittees shall keep minutes of all discussion and actions taken at public meetings. The minutes should be adopted at the next public meeting of that body. To the greatest extent practicable, all public meetings of the Commission and its subcommittees shall be video recorded.	
I.4 All records of the Commission relating to redistricting, and all data considered by the Commission in drawing a draft map or the final map, are public records.	
I.5a The Commission shall make available to the public a free electronic mapping tool, populated with relevant sociodemographic and geographic data, which tool can be used to create draft maps and draft partial maps. I.5b The Commission shall provide redistricting training and workshops for the public, including by providing grants to community organizations to conduct such training and workshops.	
I.6 The Commission shall establish an internet web page dedicated to redistricting. ** The _____ shall maintain the website for at least 10 years after the adoption of new Council District boundaries.	

<ul style="list-style-type: none"> • City Data Bureau • City Clerk • Information Technology Agency • Some other City department 	
I.7 All data available to the Commission and its staff shall also be available to the public.	

J. FUNDING

The redistricting process requires staffing and access to consultants and other resources necessary to complete the required task. These actions would ensure that adequate funding is provided to accomplish this work. It further ensures that City departments providing support to the Commission are adequately funded.

ACTION	
<p>J.1 City Council and Mayor shall provide:</p> <ul style="list-style-type: none">• Funds to meet the operational needs for the formation and operation of the Commission, conduct any outreach program to solicit broad public participation in the redistricting process, and, if necessary, defend the Commission in any legal proceeding. <p>OR</p> <ul style="list-style-type: none">• A funding amount equivalent to the initial amount provided for the 2021 City Council Redistricting Commission, adjusted by the CPI, and, if necessary, any funds needed to defend the Commission in any legal proceeding. <p>OR</p> <ul style="list-style-type: none">• Shall an independent Administrative Authority be named to review and submit any Commission budget request to the Council and Mayor for consideration and approval, including additional funding needed to defend the Commission in any legal proceeding?<ul style="list-style-type: none">○ If yes, name the Administrative Authority.	
<p>J.2 The City Council and Mayor shall provide funds to all City departments involved with the formation of a Commission, providing support to the Commission, and maintaining records as required by law.</p>	

K. ADMINISTRATIVE AND OPERATIONAL CONSIDERATIONS

The following provisions address administrative and operations matters for the Independent Redistricting Commission. As with the current Charter, the first Action provides for Commission staff.

ACTION	
K.1 The Commission shall hire an executive director and redistricting, technology, or outreach staff, whose positions shall be exempt from the civil service provisions of the Charter.	
K.2 The Commission shall have the authority to hire consultants through a competitive bidding process consistent with City contracting provisions.	

Although independent, it is necessary to designate a City entity to serve as a liaison to the Commission to provide any additional support or City resources that may be required to conduct Commission work.

ACTION	
<p>K.3 One or more City departments should be designated to provide support to the Commission as needed.</p> <ul style="list-style-type: none">• Designate a single department <p>OR</p> <ul style="list-style-type: none">• Designate a panel of departments <p>Which department(s) would be designated?</p> <ul style="list-style-type: none">• Chief Legislative Analyst• City Clerk• City Administrative Officer• City Ethics Commission• City Attorney• Personnel Department	

The following statement concerning the status of Commissioners with regard to City employment is an element of the California Elections Code and should be included in the City's model. This concept is already included in the Charter section concerning Commissioners, however, and may not need to be included in the redistricting commission section.

ACTION	
<ul style="list-style-type: none"> • K.4 ** Each member of the Commission shall be a designated employee in the conflict of interest code for the Commission pursuant to State law. 	

Provisions may be appropriate to guide future revisions to the City Charter and Administrative Code with respect to the City's redistricting process. The following provides options to address the Commission's recommendations for future amendments.

K.5a and K.5b address changes to the Administrative Code which are subject to Council approval and changes to the Charter which are subject to voter approval as recommended by the Commission.

K.6 addresses the possibility that elements of the Charter could be amended without voter approval. Charter Section 703 provides a process involving consideration and approval by the Commission and either approval or disapproval by the Council and Mayor.

ACTION	
<p>K.5a If elements of the redistricting process are governed through the Administrative Code, the City Council ____ adopt by ordinance changes to those elements as recommended by the Commission, unchanged.</p> <ul style="list-style-type: none"> • may (similar to Charter Section 703) • shall 	
<p>K.5b If the Commission recommends amendments to the Charter concerning the redistricting process, the Council ____ present those amendments to the voters at the next Citywide election.</p> <ul style="list-style-type: none"> • may • shall 	

ACTION	
<p>K.6 Shall components of the Independent Redistricting program included in the Charter be eligible for amendment by ordinance?</p> <ul style="list-style-type: none"> • Yes • No 	

<p>If Yes:</p> <ul style="list-style-type: none"> ○ Shall a process similar to Charter Section 703 be implemented for such revisions? ○ Shall some other process be used? 	
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Some models designate who shall provide legal counsel to the Commission. If the City model is silent, then the City Attorney would represent the Commission by default and could decide independently that the Commission should be represented by outside counsel. Alternatively, the City model could specify how the Commission would receive legal counsel.

ACTION	
<p>K.7 Should a statement be provided concerning legal counsel? If so, select an approach:</p> <ul style="list-style-type: none"> ● Designate the City Attorney to represent the Commission and allow the City Attorney to determine how the Commission would be represented by legal counsel ● Designate the City Attorney to represent the Commission and specify that the City Attorney represent the Commission ● Require that the Commission be represented by outside counsel <ul style="list-style-type: none"> ○ If this option is selected, Charter Sections 272 through 275 may need to be revised ● Provide the Commission with the authority to choose their legal counsel, including the City Attorney <ul style="list-style-type: none"> ○ If this option is selected, Charter Sections 272 through 275 may need to be revised 	

The redistricting process is a multi-year effort, and possibly as long as a decade depending on the structure presented to the voters. As such, similar to a Grand Jury, it may be appropriate to provide Commissioners with some form of financial compensation for their time.

ACTION	
<p>K.8a Should Commissioners receive compensation for their time attending meetings?</p> <ul style="list-style-type: none"> ● Yes ● No 	

<p>K.8b If yes, what should be the amount of the stipend per meeting?</p> <ul style="list-style-type: none"> • \$25 • \$50 • \$100 • Some other amount as determined by ordinance? 	
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Full documentation of the Commission process and findings should be submitted to the City Clerk for inclusion on the Council File.

ACTION	
<p>K.9 Within 15 days after the adoption of a final map, unless otherwise specified, the commission shall transmit a report to the City Council and Mayor via the City Clerk (see Action H.7).</p>	

The City Charter currently allows redistricting between decennial census.

ACTION	
<p>K.10 Shall the City model include a provision to allow for redistricting between federal decennial censuses?</p> <ul style="list-style-type: none"> • Yes • No 	

L. LEGAL MATTERS

The following provides a framework to address any legal challenges to the Independent Redistricting Commission's actions or maps and the consequences for any successful challenge that requires drafting of a new map.

ACTION	
L.1 The Effective Date for the final map shall be the date as defined in Action H.7.	
L.2 The certified map shall be subject to referendum in the same manner that a statute is subject to referendum.	
<p>L.3 Any registered voter in the City may file a petition for a writ of mandate or writ of prohibition within _____ days after the Effective Date, to bar the implementation of all or a portion of the new Council District boundaries on the grounds that the final map violates this article. No legal challenge may be brought against the final map under this article after the period has expired.</p> <ul style="list-style-type: none">• 30 days• 60 days• 90 days	
<p>L.4 If a legal challenge is successfully brought against the final map, the Court may order the Commission to reconvene to adjust or adopt new Council District boundaries; alternatively, the Court may correct the violation by court order adjusting Council District boundaries consistent with the redistricting requirements and criteria of the City Charter.</p> <p>OR</p> <p>If a legal challenge is successfully brought against the final map, the Court shall order the Commission (if appropriate) to reconvene to adjust or adopt new Council District boundaries</p>	

M. CITY DATA BUREAU

A City Data Bureau may be a useful resource to support the Independent Redistricting Commission with data and to perform other duties that support the City's data collection efforts. Such a Bureau could ensure that data is provided for public use.

ACTION	
M.1a Establish a City Data Bureau <ul style="list-style-type: none">• Yes• No	
M.1b If yes, shall the City Data Bureau be structured similarly to the: <ul style="list-style-type: none">• City Ethics Commission• LADWP Office of Public Accountability• Some other model OR <ul style="list-style-type: none">• Embedded within a City Department:<ul style="list-style-type: none">○ Information Technology Agency○ Library Department○ Some other department AND/OR <ul style="list-style-type: none">• Contract or provide the opportunity to contract with a University partner	
M.1c Shall a baseline funding amount or methodology be established? <ul style="list-style-type: none">• Yes• No	

A Charter designation with regard to the City Data Bureau's role with regard to other City departments may be appropriate to ensure full participation in Bureau programs.

ACTION	
M.2 Shall City departments be instructed in the Charter to support the City Data Bureau in the performance of its duties? <ul style="list-style-type: none">• Yes• No	

Duties can be identified in the Charter or in the Administrative Code.

ACTION	
<p>M.3 What duties shall the City Data Bureau perform?</p> <ul style="list-style-type: none"> ● Select duties: <ul style="list-style-type: none"> ○ Provide data for use by the public, community organizations, businesses, City departments, and City elected officials; ○ Manage and prepare the City's response to all Census technical programs ○ Support the City Council and LAUSD Independent Redistricting Commissions with sociodemographic and geographic data ○ Other duties as assigned, such as data to support economic development, housing, families, and public improvements 	

If the voters are presented with and approve a measure to set the number of City Council Districts based on the City's population as determined by the decennial U.S. Census, a specialist with sociodemographic data and Census expertise would be needed to evaluate the Census data and certify the City's decennial population and the number of Council Districts that would result.

ACTION	
<p>M.4 If the Charter is revised to change the number of Council Districts based on population as determined by the decennial U.S. Census, designate the City Data Bureau to evaluate and submit certification of population data to the City Clerk:</p> <ul style="list-style-type: none"> ● Yes ● No 	

N. LOS ANGELES UNIFIED SCHOOL DISTRICT REDISTRICTING

The Independent Redistricting Commission for the LAUSD would be structured substantially the same as the City Council Redistricting Commission. The following provisions, however, would refine that structure where needed to accommodate differences with the LAUSD governance structure.

ACTION	
<p>N.1 There shall be _____ Commissioners.</p> <ul style="list-style-type: none">• Select a specific number of Commissioners to serve on the Commission.<ul style="list-style-type: none">○ 11○ 13○ 15○ 17○ 19○ 21○ Some other number	
<p>N.2 Shall there be Alternate Commissioners?</p> <ul style="list-style-type: none">• Yes• No (go to N.4) <p>If there are Alternate Commissioners, how many should be selected?</p> <ul style="list-style-type: none">• Select a specific number of Alternate Commissioners.<ul style="list-style-type: none">○ 2○ 3○ 4○ Some other number	
<p>N.3 If Alternate Commissioners are seated, how will they be selected to replace a Commissioner who resigns?</p> <ul style="list-style-type: none">• Chair selects a name randomly from the alternates• In the order that alternate names were drawn in the selection process• Some other process	
<p>N.4 If there are no Alternates or alternates available, vacancies on the Commission shall be filled in the following manner:</p>	

<ul style="list-style-type: none"> • The chair of the Commission shall randomly draw names from the original pool of eligible applicants; OR <ul style="list-style-type: none"> • An expedited application process shall be conducted, with the Commission randomly selecting replacements from a pool of eligible applicants; OR <ul style="list-style-type: none"> • Some other process. 	
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Actions E.1, E.2, E.3a, E.3b, E.6, and E.7 identify entities that will be involved in the application and selection process for LAUSD Commissioners. These entities could be designated to manage both the City Council and LAUSD commissions or different entities could be identified to manage the LAUSD commission process.

ACTION	
<p>N.5 Shall the entities managing the City Council Commission application and selection process also manage the LAUSD Commission process?</p> <ul style="list-style-type: none"> • Yes • No <ul style="list-style-type: none"> ◦ If No, designate the entities that would manage the LAUSD process. 	

A Dual-Step selection process for the LAUSD Commission could be structured as follows:

ACTION	
<p>N.6a Step One: Divide the pool of qualified candidates into seven (7) sub-pools based on LAUSD Board District and select one commissioner from each area in that geography.</p>	
<p>N.6b Step Two: Diversity selection would involve the following steps:</p> <ul style="list-style-type: none"> • Recombine the sub-pools of remaining qualified candidates. • The Commissioners selected in Step One select _____ candidates to ensure diversity among the full Commission. 	

<ul style="list-style-type: none"> ○ The number of Commissioners selected in this step would equal the total number of Commissioners designated in Action N.1 minus seven. ● Designate the diversity factors that would be considered: <ul style="list-style-type: none"> ○ Race and ethnicity ○ Sex and Gender ○ Sexual orientation ○ Profession ○ Geography ○ Other factors as designated <p>OR</p> <ul style="list-style-type: none"> ● Selection consideration would include, but not be limited to, a list of diversity factors. 	
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Public hearings and meetings are an essential element of the Commission work program. Because LAUSD includes a much larger geographic area than the City of Los Angeles, including other incorporated cities in Los Angeles County, some public hearings and meetings should be held in those jurisdictions.

ACTION	
N.7 Shall a requirement be included that some portion of public hearings and meetings be held in areas outside the City of Los Angeles?	

Student participation in the redistricting process may be

ACTION	
<p>N.8a Shall student participation be included in the LAUSD independent redistricting program?</p> <ul style="list-style-type: none"> ● Yes ● No 	
<p>N.8b If yes, how should students be engaged in the LAUSD independent redistricting program?</p> <ul style="list-style-type: none"> ● Through participation on the Commission ● Through an advisory body ● Through some other process 	

ACTION	
<p>N.9 Require that LAUSD pay for the full cost of their independent redistricting process?</p> <ul style="list-style-type: none"> • Yes • No 	

ATTACHMENT A

Motions

MOTION

A fundamental principle of representative democracy is that elections should be determined by voters, not by politicians who draw district maps. In many states and jurisdictions around the United States, this principle is currently under attack, with politicians at multiple levels of government drawing their own district lines to pick their voters and influence the outcome of elections.

In California, the State, several counties, and a number of cities have begun to guard against this type of political gerrymandering by turning over responsibility for political map drawing to independent redistricting commissions. These commissions are insulated from the elected officials whose district boundaries are being redrawn, prevent the participation of lobbyists and political insiders, and are given transparent, ranked criteria to guide the map drawing process.

The City of Los Angeles is far behind these other jurisdictions. In Los Angeles, the redistricting process that was created during the charter reform of 1999 has proven to be hopelessly flawed. First and foremost, the Los Angeles City Council Redistricting Commission is not independent of the City Council. Commissioners are selected by the elected officials of the City, including the members of the City Council whose districts are to be redrawn, and they may be lobbied and replaced at will by the very people who appointed them. Second, commissioners may have financial, political, and personal conflicts of interest that undermine the integrity of the redistricting process, with some commissioners serving as registered lobbyists or "government relations" professionals who make a living advocating before the City Council, and yet others having backgrounds as political insiders with ties to campaigns, political fundraising efforts, and potential future candidates for City Council. Finally, the City Charter does not clearly delineate the mission of the Commission, such that commissioners are free to disregard certain public testimony and prioritize certain voices over others without clear criteria to guide their decisions.

To restore Angelenos' faith in the City's redistricting process, the time has come for the City to offer voters the chance to consider an alternative redistricting process that establishes an Independent Redistricting Commission in the City Charter.

I THEREFORE MOVE that the City Council instruct the Chief Legislative Analyst, with assistance from the City Attorney and other City departments, as needed, to report within 90 days with options for a ballot measure for the November 2022 ballot to amend the City Charter to create an Independent Redistricting Commission for the City of Los Angeles. The report should include, among other topics, the following:

- An analysis of the structure and performance of the independent redistricting commissions in place at the State of California, the County of Los Angeles, the County of



San Diego, the City of Long Beach, the City of Berkeley, and any others that could serve as models to be replicated;

- Best practices for the selection of redistricting commissioners, including the possibility of a random/self-selection model wherein: (1) the applicant pool is vetted and whittled down by non-electeds and/or non-partisan bodies (e.g., an ethics commission or a selection panel of retired judges or democracy experts) to a reasonable number of qualified applicants, (2) a certain number of qualified applicants are randomly selected to sit on the commission, and (3) the remainder of the commissioners are democratically selected by the randomly selected commissioners;
- The qualifications for commissioners, including the potential consideration of voter registration status, jurisdiction residency, analytical skills relevant to the redistricting process and voting rights, the ability to comprehend and apply the applicable State and Federal legal requirements, the ability to be impartial, and an appreciation for the diverse demographics and geography of the City of Los Angeles;
- Conflicts of interest that would preclude participation on the redistricting commission, including the prohibition of individuals who: have worked for, within a minimum time frame prior to application, a locally elected politician or a local candidate's campaign; have contributed, within a minimum time frame prior to application, a certain dollar amount to a candidate for locally elected office; have been registered, within a minimum time frame prior to application, as a lobbyist with the City of Los Angeles, the County of Los Angeles, the State of California, or the Federal government; have been a local candidate or elected within a minimum time frame prior to application; have served as a member of any board or commission of the City of Los Angeles; have been an employee, or performed services under contract with the City of Los Angeles, including performing services as an employee of a contractor or subcontractor; have been an employee of any redistricting contractor or consultant; and/or are the spouse, domestic partner, child, parent, sibling or in-law of any person who fits any of the criteria above;
- Potential prohibitions on commissioners, for a specific period of time after appointment, becoming candidates for, or be appointed to, any elected office in the City of Los Angeles, being compensated for lobbying the City Council, or receiving a non-competitively bid contract from the City;
- Best practices for the size, structure, and makeup of the commission to ensure a representative commission that reflects the great diversity of the City of Los Angeles in terms of race, ethnicity, socioeconomic class, renter vs. homeowner status, age, gender, and geography, among any other relevant considerations;
- Best practices for the criteria that should guide the commission's map drawing process, including the ranked criteria model and the commissioners' potential consideration of compactness, contiguity, the unity of neighborhoods (including Neighborhood Councils) and communities of interest, existing district boundaries, minimization of voter deferral,

adherence to applicable State and Federal legal requirements, and other relevant considerations, including those enumerated in the California Fair Maps Act of 2019;

- Best practices for a fair numbering process for newly-drawn districts, including the possible adoption of an objective standard for new districts to be numbered corresponding to the existing district from which they draw the greatest population;
- Best practices for the removal and replacement of commissioners, including the possible adoption of a for-cause standard for removal and the inclusion of additional non-voting commissioners to serve as alternates in the case of removal, resignation, or incapacitation of a commissioner;
- Best practices for the insulation of the redistricting commission from City elected officials and staff, including the banning of all commissioner communications with City elected officials and staff and the possibility of the redistricting commission having independent staff and an independent counsel;
- Best practices to ensure transparency and public participation, including the potential adoption of minimum requirements for access and participation, outreach, options to give verbal or written testimony, options to participate in-person or virtually, and access to mapping software with the ability to submit publicly drawn maps;
- An adequate and mandatory budget for the redistricting commission and potential safeguards to ensure City elected officials and staff cannot underfund the commission or forestall the release of commission funds;
- Best practices for commissioner compensation;
- Legal remedies for the challenging of adopted maps and options protocols to address maps deemed illegal by a court of law; and
- Any other considerations to ensure that the commission fairly and adequately represents the residents of the City of Los Angeles in the redistricting process.

PRESENTED BY:


NITHYA RAMAN

Councilmember, 4th District


PAUL KREKORIAN

Councilmember, 2nd District

ORIGINAL

SECONDED BY:




24A

MOTION


I MOVE that the matter of the Continued Consideration of Rules, Elections, and Intergovernmental Relations Committee Report, relative to options for a ballot measure for the November 2022 ballot to amend the City Charter to create an Independent Redistricting Commission for the City, and related matters, Item No. 24 on today's Council Agenda (CF 21-1472), BE AMENDED as follows:

INSTRUCT the Chief Legislative Analyst (CLA), with assistance from the City Attorney and other City departments, as needed, to report within 90 days with options for a ballot measure to be prepared for an election in 2024 or sooner to amend the City Charter to create ~~an~~ Independent Redistricting Commissions for the City and the Los Angeles Unified School District. The report should include, among other topics, the following...

PRESENTED BY:


NITHYA RAMAN
Councilmember, 4th District

SECONDED BY:


ORIGINAL

OCT 18 2022



24B
n.07

MOTION

I MOVE that the matter of the Continued Consideration of Rules, Elections, and Intergovernmental Relations Committee Report, relative to options for a ballot measure for the November 2022 ballot to amend the City Charter to create an Independent Redistricting Commission for the City, and related matters, Item No. 24 on today's Council Agenda (CF 21-1472) BE AMENDED to have the Council adopt the following in addition to the Committee Report:

1. INSTRUCT the Chief Legislative Analyst to request the Pat Brown Institute to conduct an analysis as envisioned in the Committee Report and to report with recommendations within 30 to 60 days.
2. AUTHORIZE the Chief Legislative Analyst to negotiate and execute the necessary agreement for the above purpose with the Pat Brown Institute in an amount not to exceed \$50,000.
3. FIND that the services to be performed by the Pat Brown institute are for the performance of professional, scientific, expert, technical, or other special services of a temporary and occasional character for which competitive bidding is not practicable or advantageous and that the work can be performed more economically or feasibly by independent contractors than by City employees.

PRESENTED BY

Mitch O'Zuna (FOR MS. RODRIGUEZ)

MONICA RODRIGUEZ
Councilwoman, 7th District

SECONDED BY

William F. ...

ORIGINAL

Motion

Almost 100 years ago, the City voters adopted the charter reforms submitted by the "Board of Freeholders", which were developed in 1923, voted on in 1924, and enacted in 1925. At the time, the charter reform movement was focused on tackling corruption, ensuring efficient government, and improving representation. Although many smaller changes took place after the 1925 charter reform movement, the next major change didn't take place until the late 1990s, ushering in important updates such as the Department of Neighborhood Empowerment, and restructured roles and duties of the Council and Mayor.

As the second largest city in the United States, Los Angeles is a major world-wide center of economic, cultural, and industrial power. As of the last US Census, the City grew approximately 3%, to 3.898 million people, a change of just over 106,000 residents since the 2010 census count. The City is home to some of the largest communities outside of their respective countries: Korean, Armenian, Salvadoran, Mexican, Filipino and others, making Los Angeles a major immigrant destination.

Between 1920 and 1929, the City's population grew from an approximate 577,000 residents, to just over 1.2 million. It was under this major growth that the City voters chose to create a Council with 15 members representing the unique corners of the City. With just under 4 million residents, it is time for the City to once again focus on representation. The Council should reflect the city residents that they serve; a charter amendment to increase the number of seats with methodology that ties council membership to population will help meet that goal.

I THEREFORE MOVE that the City Council instruct the Chief Legislative Analyst, with the Assistance of the City Attorney, to report on the steps needed to place a charter reform ballot initiative before the voters of Los Angeles in 2024, with recommendations that ensure representation is fixed to population growth, in order to increase the number of Los Angeles City Council seats.

I FURTHER MOVE that the City Council instruct the Chief Legislative Analyst, with the assistance of the City Administrative Officer, to prepare a report that outlines and sets forth an immediate redistricting process to implement the updated reforms, after passage of the above-mentioned charter reform ballot initiative.

PRESENTED BY:

Mitch O'Farrell
Mitch O'Farrell
Councilmember, 13th District

SECONDED BY:

Nyleck Rellie
Paul Kekorian
Paul Kootz

ORIGINAL

OCT 11 2022

Mitch O'Farrell

ATTACHMENT B

California Elections Code and Fair Maps Act

Elections Code: Division 21. State and Local Reapportionment

Chapter 7. City Elections: Article 2. Chartered Cities [21600 – 21630]

ARTICLE 1. General Law Cities [21600 - 21609]

Section 21600

- (a) This article applies to a general law city that elects members of the city's legislative body by districts or from districts, as defined in Section 34871 of the Government Code.
- (b) This article shall not be interpreted to limit the discretionary remedial authority of any federal or state court.

Section 21601

- (a) Following a city's decision to elect its council using district-based elections, or following each federal decennial census for a city whose council is already elected using district-based elections, the council shall, by ordinance or resolution, adopt boundaries for all of the council districts of the city so that the council districts shall be substantially equal in population as required by the United States Constitution.
 - (1) Population equality shall be based on the total population of residents of the city as determined by the most recent federal decennial census for which the redistricting data described in Public Law 94-171 are available.
 - (2) Notwithstanding paragraph (1), an incarcerated person as that term is used in Section 21003, shall not be counted towards a city's population, except for an incarcerated person whose last known place of residence may be assigned to a census block in the city, if information about the last known place of residence for incarcerated persons is included in the computerized database for redistricting that is developed in accordance with subdivision (b) of Section 8253 of the Government Code, and that database is made publicly available.
- (b) The council shall adopt council district boundaries that comply with the United States Constitution, the California Constitution, and the federal Voting Rights Act of 1965 (52 U.S.C. Sec. 10301 et seq.).
- (c) The council shall adopt district boundaries using the following criteria as set forth in the following order of priority:
 - (1) To the extent practicable, council districts shall be geographically contiguous. Areas that meet only at the points of adjoining corners are not contiguous. Areas that are separated by water and not connected by a bridge, tunnel, or regular ferry service are not contiguous.
 - (2) To the extent practicable, the geographic integrity of any local neighborhood or local community of interest shall be respected in a manner that minimizes its division. A "community of interest" is a population that shares common social or economic interests that should be included within a single district for purposes of its effective and fair representation. Communities of interest do not include relationships with political parties, incumbents, or political candidates.

(3) Council district boundaries should be easily identifiable and understandable by residents. To the extent practicable, council districts shall be bounded by natural and artificial barriers, by streets, or by the boundaries of the city.

(4) To the extent practicable, and where it does not conflict with the preceding criteria in this subdivision, council districts shall be drawn to encourage geographical compactness in a manner that nearby areas of population are not bypassed in favor of more distant populations.

(d) The council shall not adopt council district boundaries for the purpose of favoring or discriminating against a political party.

(e) For purposes of this article, “adopt” or “adoption” in regard to council district boundaries means the passage of an ordinance or resolution specifying those boundaries.

Section 21602

(a) (1) For redistricting occurring in 2031 and thereafter, the boundaries of the council districts shall be adopted by the council not later than 205 days before the city’s next regular election occurring after January 1 in each year ending in the number two.

(2) For redistricting occurring before 2031 and where a city has a regular election occurring after January 1, 2022, and before July 1, 2022, the boundaries of the council districts shall be adopted by the council not later than 174 days before that election.

(3) For redistricting occurring before 2031 and where a city does not have a regular election occurring after January 1, 2022 and before July 1, 2022, the boundaries of the council districts shall be adopted by the council not later than 205 days before the city’s next regular election occurring on or after July 1, 2022.

(b) This section does not apply when a city transitions from at-large to district-based elections.

Section 21603

(a) If the boundaries of a city expand by the addition of new territory, including through annexation of unincorporated territory or consolidation with another city, the council shall add that new territory to the nearest existing council district without changing the boundaries of other council district boundaries.

(b) Notwithstanding subdivision (a), the council may adopt new boundaries for each council district under the circumstances described in subdivision (a) if both of the following conditions are met:

(1) There are more than four years until the council is next required to redistrict pursuant to Section 21601.

(2) The population of the new territory being annexed or consolidated is greater than 25 percent of the city’s population, as determined by the most recent federal decennial census.

Section 21605

(a) After redistricting or districting pursuant to Section 21601 or 21603, a council shall not adopt new council district boundaries until after the next federal decennial census, except under the following circumstances:

(1) A court orders the council to redistrict.

(2) The council is settling a legal claim that its council district boundaries violate the United States Constitution, the federal Voting Rights Act of 1965 (52 U.S.C. Sec. 10301 et seq.), or this article.

(3) The boundaries of the city change by the addition of territory pursuant to Section 21603 or by the subtraction of territory.

(b) This section does not prohibit a council from adopting council districts between federal decennial censuses if the council is adopting council districts for the first time, including when a city adopts council districts for the purpose of transitioning from electing its council members in at-large elections to elections by districts or from districts.

Section 21606

(a) The term of office of any council member who has been elected and whose term of office has not expired shall not be affected by any change in the boundaries of the district from which the council member was elected.

(b) At the first election for council members in each city following adoption of the boundaries of council districts, excluding a special election to fill a vacancy or a recall election, a council member shall be elected for each district under the new district plan that has the same district number as a district whose incumbent's term is due to expire. This subdivision does not apply when a city transitions from at-large to district-based elections.

(c) Except as provided in subdivision (a), a person is not eligible to hold office as a member of a city council unless that person meets the requirements of Section 201 of the Elections Code and Section 34882 of the Government Code.

Section 21607

Before adopting the boundaries of a council district pursuant to Section 21601 or 21603, or for any other reason, the council shall hold public hearings on the proposal in accordance with Section 21607.1. This section does not apply when a city transitions from at-large to district-based elections.

Section 21607.1

(a) Before adopting a final map, the council shall hold at least four public hearings at which the public is invited to provide input regarding the composition of one or more council districts.

(1) At least one public hearing shall be held before the council draws a draft map or maps of the proposed council boundaries.

(2) At least two public hearings shall be held after the council has drawn a draft map or maps of the proposed council boundaries.

(b) At least one public hearing or public workshop shall be held on a Saturday, on a Sunday, or after 6 p.m. on a weekday Monday through Friday.

(c) Public hearing buildings shall be accessible to persons with disabilities.

(d) If a public hearing is consolidated with a regular or special meeting of the council that includes other substantive agenda items, the public hearing shall begin at a fixed time regardless of its order on the agenda, except that the council may first conclude any item being discussed or acted upon, including any associated public comment, when that time occurs. The time of the public hearing shall be noticed to the public.

(e) The council may have city staff or a consultant conduct one or more public workshops in lieu of holding one of the public hearings required by paragraph (1) of subdivision (a).

(f) The council may establish an advisory redistricting commission pursuant to Section 23002 to hold the public hearings required by paragraph (1) of subdivision (a).

Section 21608

(a) The council shall take steps to encourage residents, including those in underrepresented communities and non-English speaking communities, to participate in the redistricting public review process. These steps shall include a good faith effort to do all of the following:

(1) Providing information to media organizations that provide city news coverage, including media organizations that serve language minority communities.

(2) Providing information through good government, civil rights, civic engagement, and community groups or organizations that are active in the city, including those active in language minority communities, and those that have requested to be notified concerning city redistricting.

(b) The council shall arrange for the live translation in an applicable language of a public hearing or workshop held pursuant to this article if a request for translation is made at least 72 hours before the hearing or workshop, unless less than five days' notice are provided for the hearing or workshop, in which case the request shall be made at least 48 hours before the hearing or workshop.

(c) Notwithstanding Section 54954.2 of the Government Code, the council shall publish the date, time, and location for any public hearing or workshop on the internet at least five days before the hearing or workshop. However, if there are fewer than 28 days until the deadline to adopt boundaries, the council may publish the agenda on the internet for at least three days before the hearing or workshop.

(d) (1) A draft map shall be published on the internet for at least seven days before being adopted as a final map by the council provided that, if there are fewer than 28 days until the deadline to adopt boundaries, the draft map may instead be published on the internet for at least three days.

(2) Each draft map prepared by a member of the council or by employees or contractors of the city shall be accompanied by information on the total population, citizen voting age

population, and racial and ethnic characteristics of the citizen voting age population of each proposed council district, to the extent the city has that data.

(3) (A) The council and employees or contractors of the city shall not release draft maps of council districts earlier than three weeks after the block-level redistricting database required by subdivision (b) of Section 8253 of the Government Code is first made publicly available. This subparagraph does not prohibit the council from holding public hearings or workshops on the placement of council district boundaries before the earliest date that draft maps of council districts may be released.

(B) If the period of time between the date that the redistricting database is made publicly available and the map adoption deadline is fewer than 90 days and more than 59 days, the waiting period required by subparagraph (A) is reduced to one week. If the period of time between the date that the redistricting database is made publicly available and the map adoption deadline is fewer than 60 days, then the waiting period required by subparagraph (A) is waived.

(e) The council shall allow the public to submit testimony or draft maps in writing and electronically.

(f) The city shall either record or prepare a written summary of each public comment and council deliberation made at every public hearing or workshop held pursuant to this article. The city shall make the recording or written summary available to the public within two weeks after the public hearing or workshop.

(g) The council shall establish, and maintain for at least 10 years after the adoption of new council district boundaries, an internet web page dedicated to redistricting. The web page may be hosted on the city's existing internet website or another internet website maintained by the city. The web page shall include, or link to, all of the following information:

- (1) A general explanation of the redistricting process for the city in English and applicable languages.
- (2) The procedures for a member of the public to testify during a public hearing or to submit written testimony directly to the council in English and any applicable language.
- (3) A calendar of all public hearing and workshop dates. A calendar listing that includes the time and location of the public hearing or workshop satisfies the notice required by subdivision (c).
- (4) The notice and agenda for each public hearing and workshop.
- (5) The recording or written summary of each public hearing and workshop.
- (6) Each draft map considered by the council at a public hearing.
- (7) The adopted final map of council district boundaries.

(h) For purposes of this section, "applicable language" means any language that is spoken by a group of city residents with limited English proficiency who constitute 3 percent or more of the city's total population over four years of age for whom language can be determined. Before January 1, 2021, and before January 1 in every year ending in the number one thereafter, the

Secretary of State shall post the applicable languages for each city in a conspicuous location on the Secretary of State's internet website. To determine the applicable languages for each city, in 2020 and in each year ending in the number zero thereafter, the Secretary of State, in consultation with the Statewide Database, shall request a special tabulation from the United States Bureau of the Census of the most recent data on limited English proficiency from the bureau's American Community Survey that satisfies this subdivision. If the bureau is unable to produce that data, the Secretary of State shall base the Secretary of State's determination on the table from the American Community Survey enumerating the number of residents with limited English proficiency that has the largest number of languages included, that is publicly available, and that was produced within the previous ten years.

(i) This section does not apply when a city transitions from at-large to district-based elections.

(j) Before January 1, 2021, and before January in each year ending in the number one thereafter, the Secretary of State shall publish on the internet a template explaining the city redistricting process that meets the requirements of paragraphs (1) and (2), inclusive, of subdivision (g). The Secretary of State shall publish the template in all of the languages into which ballots are required to be translated in the state pursuant to subdivision (h). The template shall be published in the same conspicuous location on the Secretary of State's internet website that is described in subdivision (h).

Section 21609

(a) If the council does not adopt council district boundaries by the deadlines set forth in Section 21602, the council shall immediately petition the superior court in the county in which the city is located for an order adopting council district boundaries. If the council does not petition the superior court within five days after the deadline, any resident of the city may file that petition and shall be entitled to recover the resident's reasonable attorney's fees and costs from the city for doing so.

(b) (1) Upon finding that a petition filed pursuant to subdivision (a) is valid, the superior court shall adopt council district boundaries in accordance with the criteria set forth in Section 21601, which shall be used in the city's next regular election. The superior court may also order the adjustment of electoral deadlines as necessary to implement the new council district boundaries in the next regular election.

(2) The superior court may appoint a special master to assist the court with adopting the council district boundaries. The city shall pay the cost for the special master and associated costs.

(3) The superior court or the special master shall hold one or more public hearings before the superior court adopts the council district boundaries.

(4) Subject to the approval of the superior court, the special master may employ redistricting experts or other consultants or counsel, independent experts in the field of redistricting and computer technology, and other necessary personnel to assist them in their work. In addition, the special master may seek the full cooperation of the city in producing and using whatever

data, computer models and programs, and technical assistance that was made available to the council and city personnel who are knowledgeable in the mechanics of drafting redistricting legislation. The superior court may assist the special master in securing the necessary personnel and the physical facilities required for their work, and to prepare for the prompt submission to the city of a request for city funding for the necessary expenses of the special master and the special master's staff.

(5) The council district boundaries adopted by the superior court shall be immediately effective in the same manner as if the court's order were an enacted resolution or ordinance of the city council.

Section 21620

(a) This article applies to a charter city that elects members of the city's legislative body by districts or from districts, as defined in Section 34871 of the Government Code.

(b) This article shall not be interpreted to limit the discretionary remedial authority of any federal or state court.

Section 21621

(a) Following a city's decision to elect its council using district-based elections, or following each federal decennial census for a city whose council is already elected using district-based elections, the council shall, by ordinance or resolution, adopt boundaries for all of the council districts of the city so that the council districts shall be substantially equal in population as required by the United States Constitution.

(1) Population equality shall be based on the total population of residents of the city as determined by the most recent federal decennial census for which the redistricting data described in Public Law 94-171 are available.

(2) Notwithstanding paragraph (1), an incarcerated person, as that term is used in Section 21003, shall not be counted towards a city's population, except for an incarcerated person whose last known place of residence may be assigned to a census block in the city, if information about the last known place of residence for incarcerated persons is included in the computerized database for redistricting that is developed in accordance with subdivision (b) of Section 8253 of the Government Code, and that database is made publicly available.

(b) The council shall adopt council district boundaries that comply with the United States Constitution, the California Constitution, and the federal Voting Rights Act of 1965 (52 U.S.C. Sec. 10301 et seq.).

(c) The council shall adopt district boundaries using the following criteria as set forth in the following order of priority:

(1) To the extent practicable, council districts shall be geographically contiguous. Areas that meet only at the points of adjoining corners are not contiguous. Areas that are separated by water and not connected by a bridge, tunnel, or regular ferry service are not contiguous.

(2) To the extent practicable, the geographic integrity of any local neighborhood or local community of interest shall be respected in a manner that minimizes its division. A “community of interest” is a population that shares common social or economic interests that should be included within a single district for purposes of its effective and fair representation. Communities of interest do not include relationships with political parties, incumbents, or political candidates.

(3) Council district boundaries should be easily identifiable and understandable by residents. To the extent practicable, council districts shall be bounded by natural and artificial barriers, by streets, or by the boundaries of the city.

(4) To the extent practicable, and where it does not conflict with the preceding criteria in this subdivision, council districts shall be drawn to encourage geographical compactness in a manner that nearby areas of population are not bypassed in favor of more distant populations.

(d) The council shall not adopt council district boundaries for the purpose of favoring or discriminating against a political party.

(e) Subdivision (c) does not apply to a charter city that has adopted comprehensive or exclusive redistricting criteria in its city charter. For purposes of this subdivision, “comprehensive or exclusive” means either that the city’s charter excludes consideration of redistricting criteria other than those that are identified in the city charter or that the city’s charter provides two or more traditional criteria for redistricting other than the requirement that districts be equal in population.

(f) For purposes of this article, “adopt” or “adoption” in regard to council district boundaries means the passage of an ordinance or resolution specifying those boundaries.

Section 21622

(a) (1) For redistricting occurring in 2031 and thereafter, the boundaries of the council districts shall be adopted by the council not later than 205 days before the city’s next regular election occurring after January 1 in each year ending in the number two.

(2) For redistricting occurring before 2031 and where a city has a regular election occurring after January 1, 2022 and before July 1, 2022, the boundaries of the council districts shall be adopted by the council not later than 174 days before that election. For cities that charge candidates a filing fee, notwithstanding subdivision (b) of Section 8106, the forms required under that subdivision shall not be made available until at least 28 days after the adoption of a final map. The elections official shall reduce the required number of signatures for the in-lieu-filing-fee petition, as specified in subdivision (a) of Section 8106, by the same proportion as the reduction in time for the candidate to collect signatures.

(3) For redistricting occurring before 2031 and where a city does not have a regular election occurring after January 1, 2022 and before July 1, 2022, the boundaries of the council districts shall be adopted by the council not later than 205 days before the city’s next regular election occurring on or after July 1, 2022.

(b) This section does not apply to a charter city that has adopted a different redistricting deadline by ordinance or in its city charter.

(c) This section does not apply when a city transitions from at-large to district-based elections.

Section 21623

(a) If the boundaries of a city expand by the addition of new territory, including through annexation of unincorporated territory or consolidation with another city, the council shall add that new territory to the nearest existing council district without changing the boundaries of other council district boundaries.

(b) Notwithstanding subdivision (a), the council may adopt new boundaries for each council district under the circumstances described in subdivision (a) if both of the following conditions are met:

(1) There are more than four years until the council is next required to redistrict pursuant to Section 21621.

(2) The population of the new territory being annexed or consolidated is greater than 25 percent of the city's population as determined by the most recent federal decennial census.

(c) This section does not apply to a charter city that has adopted, by ordinance or in its city charter, a different standard for adding new territory to existing council districts.

Section 21625

(a) After redistricting or districting pursuant to Section 21621 or 21623, a council shall not adopt new council district boundaries until after the next federal decennial census, except under the following circumstances:

(1) A court orders the council to redistrict.

(2) The council is settling a legal claim that its council district boundaries violate the United States Constitution, the federal Voting Rights Act of 1965 (52 U.S.C. Sec. 10301 et seq.), or this article.

(3) The boundaries of the city change by the addition of territory pursuant to Section 21623 or by the subtraction of territory.

(b) This section does not prohibit a council from adopting council districts between federal decennial censuses if the council is adopting council districts for the first time, including when a city adopts council districts for the purpose of transitioning from electing its council members in at-large elections to elections by districts or from districts.

(c) This section does not apply to a charter city that has adopted different rules for mid-cycle redistricting in its city charter.

Section 21626

(a) The term of office of any council member who has been elected and whose term of office has not expired shall not be affected by any change in the boundaries of the district from which the council member was elected

(b) At the first election for council members in each city following adoption of the boundaries of council districts, excluding a special election to fill a vacancy or a recall election, a council member shall be elected for each district under the new district plan that has the same district number as a district whose incumbent's term is due to expire. This subdivision does not apply when a city transitions from at-large to district-based elections.

(c) For a city employing both a primary and a general election, a change in the boundaries of a council district shall not be made between the direct primary election and the general election.

(d) Except as provided in subdivision (a), a person is not eligible to hold office as a member of a city council unless that person meets the requirements of Section 201 of the Elections Code and Section 34882 of the Government Code.

Section 21627

Before adopting the boundaries of a council district pursuant to Section 21621 or 21623, or for any other reason, the council shall hold public hearings on the proposal in accordance with Section 21627.1. This section does not apply when a city transitions from at-large to district-based elections.

Section 21627.1

(a) Before adopting a final map, the council shall hold at least four public hearings at which the public is invited to provide input regarding the composition of one or more council districts.

(1) At least one public hearing shall be held before the council draws a draft map or maps of the proposed council boundaries.

(2) At least two public hearings shall be held after the council has drawn a draft map or maps of the proposed council boundaries.

(b) At least one public hearing or public workshop shall be held on a Saturday, on a Sunday, or after 6 p.m. on a weekday Monday through Friday.

(c) Public hearing buildings shall be accessible to persons with disabilities.

(d) If a public hearing is consolidated with a regular or special meeting of the council that includes other substantive agenda items, the public hearing shall begin at a fixed time regardless of its order on the agenda, except that the council may first conclude any item being discussed or acted upon, including any associated public comment, when that time occurs. The time of the public hearing shall be noticed to the public.

(e) The council may have city staff or a consultant conduct one or more public workshops in lieu of holding one of the public hearings required by paragraph (1) of subdivision (a).

(f) The council may establish an advisory redistricting commission to hold the public hearings required by paragraph (1) of subdivision (a).

Section 21628

(a) The council shall take steps to encourage residents, including those in underrepresented communities and non-English speaking communities, to participate in the redistricting public review process. These steps shall include a good faith effort to do all of the following:

(1) Providing information to media organizations that provide city news coverage, including media organizations that serve language minority communities.

(2) Providing information through good government, civil rights, civic engagement, and community groups or organizations that are active in the city, including those active in language minority communities, and those that have requested to be notified concerning city redistricting.

(b) The council shall arrange for the live translation in an applicable language of a public hearing or workshop held pursuant to this article if a request for translation is made at least 72 hours before the hearing or workshop, unless less than five days' notice are provided for the hearing or workshop, in which case the request shall be made at least 48 hours before the hearing or workshop.

(c) Notwithstanding Section 54954.2 of the Government Code, the council shall publish the date, time, and location for any public hearing or workshop on the internet at least five days before the hearing or workshop. However, if there are fewer than 28 days until the deadline to adopt boundaries, the council may publish the agenda on the internet for at least three days before the hearing or workshop.

(d) (1) A draft map shall be published on the internet for at least seven days before being adopted as a final map by the council provided that, if there are fewer than 28 days until the deadline to adopt boundaries, the draft map may instead be published on the internet for at least three days.

(2) Each draft map prepared by a member of the council or by employees or contractors of the city shall be accompanied by information on the total population, citizen voting age population, and racial and ethnic characteristics of the citizen voting age population of each proposed council district, to the extent the city has that data.

(3) (A) The council and employees or contractors of the city shall not release draft maps of council districts earlier than three weeks after the block-level redistricting database required by subdivision (b) of Section 8253 of the Government Code is first made publicly available. This subparagraph does not prohibit the council from holding public hearings or workshops on the placement of council district boundaries before the earliest date that draft maps of council districts may be released.

(B) If the period of time between the date that the redistricting database is made publicly available and the map adoption deadline is fewer than 90 days and more than 59 days, then the waiting period required by subparagraph (A) is reduced to one week. If the period of time between the date that the redistricting database is made publicly available and the

map adoption deadline is fewer than 60 days, then the waiting period required by subparagraph (A) is waived.

(e) The council shall allow the public to submit testimony or draft maps in writing and electronically.

(f) The city shall either record or prepare a written summary of each public comment and council deliberation made at every public hearing or workshop held pursuant to this article. The city shall make the recording or written summary available to the public within two weeks after the public hearing or workshop.

(g) The council shall establish, and maintain for at least 10 years after the adoption of new council district boundaries, an internet web page dedicated to redistricting. The web page may be hosted on the city's existing internet website or another internet website maintained by the city. The web page shall include, or link to, all of the following information:

(1) A general explanation of the redistricting process for the city in English and applicable languages.

(2) The procedures for a member of the public to testify during a public hearing or to submit written testimony directly to the council in English and any applicable language.

(3) A calendar of all public hearing and workshop dates. A calendar listing that includes the time and location of the public hearing or workshop satisfies the notice required by subdivision (c).

(4) The notice and agenda for each public hearing and workshop.

(5) The recording or written summary of each public hearing and workshop.

(6) Each draft map considered by the council at a public hearing.

(7) The adopted final map of council district boundaries.

(h) For purposes of this section, "applicable language" means any language that is spoken by a group of city residents with limited English proficiency who constitute 3 percent or more of the city's total population over four years of age for whom language can be determined. Before January 1, 2021, and before January 1 in every year ending in the number one thereafter, the Secretary of State shall post the applicable languages for each city in a conspicuous location on the Secretary of State's internet website. To determine the applicable languages for each city, in 2020 and in each year ending in the number zero thereafter, the Secretary of State, in consultation with the Statewide Database, shall request a special tabulation from the United States Bureau of the Census of the most recent data on limited English proficiency from the bureau's American Community Survey that satisfies this subdivision. If the bureau is unable to produce that data, the Secretary of State shall base the Secretary of State's determination on the table from the American Community Survey enumerating the number of residents with limited English proficiency that has the largest number of languages included, that is publicly available, and that was produced within the previous ten years.

(i) This section does not apply when a city transitions from at-large to district-based elections.

(j) Before January 1, 2021, and before January in each year ending in the number one thereafter, the Secretary of State shall publish on the internet a template explaining the city redistricting process that meets the requirements of paragraphs (1) and (2), inclusive, of subdivision (g). The Secretary of State shall publish the template in all of the languages into which ballots are required to be translated in the state pursuant to subdivision (h). The template shall be published in the same conspicuous location on the Secretary of State's internet website that is described in subdivision (h).

Section 21629

(a) If the council does not adopt council district boundaries by the deadlines set forth in Section 21622, the council shall immediately petition the superior court in the county in which the city is located for an order adopting council district boundaries. If the council does not petition the superior court within five days after the deadline, any resident of the city may file that petition and shall be entitled to recover the resident's reasonable attorney's fees and costs from the city for doing so.

(b) (1) Upon finding that a petition filed pursuant to subdivision (a) is valid, the superior court shall adopt council district boundaries in accordance with the criteria set forth in Section 21621, which shall be used in the city's next regular election. The superior court may also order the adjustment of electoral deadlines as necessary to implement the new council district boundaries in the next regular election.

(2) The superior court may appoint a special master to assist the court with adopting the council district boundaries. The city shall pay the cost for the special master and associated costs.

(3) The superior court or the special master shall hold one or more public hearings before the superior court adopts the council district boundaries.

(4) Subject to the approval of the superior court, the special master may employ redistricting experts or other consultants or counsel, independent experts in the field of redistricting and computer technology, and other necessary personnel to assist them in their work. In addition, the special master may seek the full cooperation of the city in producing and using whatever data, computer models and programs, and technical assistance that was made available to the council and city personnel who are knowledgeable in the mechanics of drafting redistricting legislation. The superior court may assist the special master in securing the necessary personnel and the physical facilities required for their work, and to prepare for the prompt submission to the city of a request for city funding for the necessary expenses of the special master and the special master's staff.

(5) The council district boundaries adopted by the superior court shall be immediately effective in the same manner as if the court's order were an enacted resolution or ordinance of the city council.

(c) This section does not apply to a charter city that has adopted in its city charter a different method for adopting city council district boundaries when a redistricting deadline is missed.

Section 21630

If a council assigns the responsibility to recommend or to adopt new district boundaries to a hybrid or independent redistricting commission as defined in Section 23000, the charter city remains subject to the redistricting deadlines, requirements, and restrictions that apply to the council under this article, unless otherwise exempted by law. A redistricting commission described in this section may perform the duties required of a city council under this article.

Chapter 7. Advisory and Independent Redistricting Commissions [23000 – 23004]

Section 23000

For purposes of this chapter, the following terms have the following meanings:

(a) “Advisory redistricting commission” means a body that recommends to a legislative body placement of the district boundaries for that legislative body.

(b) “Family member” means a spouse, parent, sibling, child, or in-law.

(c) “Hybrid redistricting commission” means a body that recommends to a legislative body two or more maps for the placement of the district boundaries for that legislative body, where the legislative body must adopt one of those maps without modification, except as may be required to comply with state or federal law.

(d) “Independent redistricting commission” means a body, other than a legislative body, that is empowered to adopt the district boundaries of a legislative body.

(e) “Legislative body” means a county board of supervisors, a city council of a general law city, a governing board of a school district, a governing board of a community college district, or an elected governing board of a special district.

(f) “Local jurisdiction” means a county, general law city, school district, community college district, or special district. “Local jurisdiction” does not include a charter city.

(g) “Redistricting” means either districting or redistricting.

(h) “Spouse” means a spouse or registered domestic partner.

Section 23001

A local jurisdiction may establish by resolution, ordinance, or charter amendment an independent redistricting commission, a hybrid redistricting commission, or an advisory redistricting commission composed of residents of the local jurisdiction to change the legislative body’s district boundaries or to recommend to the legislative body changes to those district boundaries.

Section 23002

- (a) This section applies to advisory redistricting commissions.
- (b) Notwithstanding any other law, the local jurisdiction may prescribe the manner in which members are appointed to the commission.
- (c) A person who is an elected official of the local jurisdiction, or a family member, staff member, or paid campaign staff of an elected official of the local jurisdiction, shall not be appointed to serve on the commission.
- (d) A local jurisdiction may impose additional requirements or restrictions on the commission, members of the commission, or applicants to the commission in excess of those prescribed by this section.

Section 23003

- (a) This section applies to hybrid redistricting commissions and independent redistricting commissions.
- (b) Notwithstanding any other law, the local jurisdiction may prescribe the manner in which members are appointed to the commission, provided that the jurisdiction uses an application process open to all eligible residents and provided that the commissioners are not directly appointed by the legislative body or an elected official of the local jurisdiction.
- (c) A person shall not be appointed to serve on the commission if the person or any family member of the person has been elected or appointed to, or been a candidate for, an elective office of the local jurisdiction in the eight years preceding the person's application.
- (d) A person shall not be appointed to serve on the commission if either of the following applies:
 - (1) The person or his or her spouse has done any of the following in the eight years preceding the person's application:
 - (A) Served as an officer of, employee of, or paid consultant to, a campaign committee or a candidate for elective office of the local jurisdiction.
 - (B) Served as an officer of, employee of, or paid consultant to, a political party or as an elected or appointed member of a political party central committee.
 - (C) Served as a staff member or a consultant to, or who has contracted with, a currently serving elected officer of the local jurisdiction.
 - (D) Been registered to lobby the local jurisdiction.
 - (E) Contributed five hundred dollars (\$500) or more in a year to any candidate for an elective office of the local jurisdiction. The local jurisdiction may adjust this amount by the cumulative change in the California Consumer Price Index, or its successor, in every year ending in zero.

(2) A family member of the person, other than his or her spouse, has done any of the following in the four years preceding the person's application:

(A) Served as an officer of, employee of, or paid consultant to, a campaign committee or a candidate for elective office of the local jurisdiction.

(B) Served as an officer of, employee of, or paid consultant to, a political party or as an elected or appointed member of a political party central committee.

(C) Served as a staff member of or consultant to, or has contracted with, a currently serving elected officer of the local jurisdiction.

(D) Been registered to lobby the local jurisdiction.

(E) Contributed five hundred dollars (\$500) or more in a year to any candidate for an elective office of the local jurisdiction. The local jurisdiction may adjust this amount by the cumulative change in the California Consumer Price Index, or its successor, in every year ending in zero.

(e) A member of the commission shall not do any of the following:

(1) While serving on the commission, endorse, work for, volunteer for, or make a campaign contribution to, a candidate for an elective office of the local jurisdiction.

(2) Be a candidate for an elective office of the local jurisdiction if any of the following is true:

(A) Less than five years has elapsed since the date of the member's appointment to the commission.

(B) The election for that office will be conducted using district boundaries that were adopted by the commission on which the member served, and those district boundaries have not been subsequently readopted by a commission after the end of the member's term on the commission.

(C) The election for that office will be conducted using district boundaries that were adopted by a legislative body pursuant to a recommendation by the commission on which the member served, and those district boundaries have not been subsequently readopted by a legislative body pursuant to a recommendation by a commission after the end of the member's term on the commission.

(3) For four years commencing with the date of his or her appointment to the commission:

(A) Accept employment as a staff member of, or consultant to, an elected official or candidate for elective office of the local jurisdiction.

(B) Receive a noncompetitively bid contract with the local jurisdiction.

(C) Register as a lobbyist for the local jurisdiction.

- (4) For two years commencing with the date of his or her appointment to the commission, accept an appointment to an office of the local jurisdiction.
- (f) The commission shall not be comprised entirely of members who are registered to vote with the same political party preference.
- (g) Each member of the commission shall be a designated employee in the conflict of interest code for the commission pursuant to Article 3 (commencing with Section 87300) of Chapter 7 of Title 9 of the Government Code.
- (h) The commission is subject to the Ralph M. Brown Act (Chapter 9 (commencing with Section 54950) of Part 1 of Division 2 of Title 5 of the Government Code) and the California Public Records Act (Chapter 3.5 (commencing with Section 6250) of Division 7 of Title 1 of the Government Code).
- (i) The commission shall be subject to the same redistricting deadlines, requirements, and restrictions that would otherwise apply to a legislative body. A local jurisdiction may also impose additional requirements and restrictions on the commission, on members of the commission, or on applicants to the commission in excess of those prescribed by this section.
- (j) The commission shall publish a map of the proposed new district boundaries and make that map available to the public for at least seven days before that map may be adopted. The commission shall hold at least three public hearings preceding the hearing at which the new boundaries are adopted.
- (k) The commission shall not draw districts for the purpose of favoring or discriminating against a political party or an incumbent or political candidate.
- (l) District boundaries adopted by an independent redistricting commission or adopted by a legislative body from recommendations provided by a hybrid redistricting commission, shall not be altered by the legislative body or the commission until after the next federal decennial census occurs, unless those boundaries have been invalidated by a final judgment or order of a court of competent jurisdiction.
- (m) For the purposes of subdivisions (c) and (d), "local jurisdiction" does not include a local jurisdiction that contracts with a county independent redistricting commission pursuant to Section 23004.

Section 23004

A local jurisdiction, except for a county, may contract with a county in which the local jurisdiction is partially or wholly located that has established an independent redistricting commission to have that commission adopt the local jurisdiction's election district boundaries. The county independent redistricting commission shall hold at least three public hearings in the local jurisdiction before adopting those boundaries

ATTACHMENT C

Summary Review of Independent Redistricting Models

Summary Review of Independent Redistricting Models

This attachment provides a summary of independent redistricting models from the following jurisdictions:

- State of California
- California Elections Code

- County of Los Angeles
- County of San Diego
- County of Santa Barbara

- City of Berkeley
- City of Carlsbad
- City of Lincoln
- City of Long Beach
- City of Martinez
- City of Menlo Park
- City of Oakland
- City of Roseville
- City of Sacramento
- City of San Diego

These are summaries and not the actual text of the laws governing these independent redistricting commissions.

California (State)

1. Number of Districts: All State Congressional, Senate, Assembly, and Board of Equalization Seats

2. Purpose of an Independent Redistricting Commission: In November 2008, California voters passed the Voters FIRST Act, authorizing the creation of the state Independent Citizens Redistricting Commission (California State IRC).

3. Commission Organization: California State IRC consists of 14 members (five Republicans, five Democrats, and four Not Affiliated with either of those two parties).

4. Commissioner Qualifications, Responsibilities, and Restrictions: Each California State IRC member shall be a voter who has been continuously registered in California with the same political party or unaffiliated with a political party and who has not changed political party affiliation for five or more years immediately preceding the date of his or her appointment. Each Commission member shall have voted in two of the last three statewide general elections immediately preceding his or her application.

Members are prohibited from running for public office for 10 years; prohibited from holding appointed office for five years; and prohibited from becoming a paid staff member, lobbyist, or consultant for five years.

5. Commissioner Selection: Applications are forwarded to an Applicant Review Panel (panel) consisting of three independent auditors from the California State Auditor. The panel reviews and selects 120 of the "most qualified applicants" for interview, divided into three equal sub-pools according to party affiliation, which is then narrowed down to 60 applicants. The panel presents those 60 applicants to the California State Legislature, where leadership has the option of removing up to 24 names from the list—eight from each sub-pool. The names of the applicants not removed from the sub-pools are then submitted to the California State Auditor.

The California State Auditor randomly draws from the names remaining in the three sub-pools: three Democrats, three Republicans, and two from neither of those parties. These eight applicants became the first eight members of the California State IRC. The first eight members of the Commission then selected the final six members of the Commission by selecting two Commissioners from each of the three sub-pools.

6. Commissioner Removal: Not specified.

7. Redistricting Requirements and Criteria: The California Constitution requires that the California State IRC conduct an open and transparent process enabling full public consideration of and comment on the drawing of district lines; draw district lines according to the redistricting criteria specified in this article; and conduct themselves with integrity and fairness.

The California State IRC shall draw maps that comply with the United States Constitution and Federal Voting Rights Act; be geographically contiguous; respect geographical integrity of cities, counties,

neighborhoods, and communities of interest; be compact; and other restrictions specific to the type of jurisdiction.

8. Public Meetings and Public Comment: California State IRC held public meetings with language access and encouraged public participation and comment. Public input tools were provided to facilitate outreach work, including free-to-use mapping tools. In total, California State IRC received 36,280 public comments and suggestions.

9. Records and Data: Not available.

10. Funding: Not specified. The California Constitution states that the Legislature shall fund any legal defense of the map.

11. Administration and Operations: Not available.

12. Legal Challenge: The California State IRC has the sole legal standing to defend any action regarding a certified final map. The California Supreme Court has jurisdiction in all proceedings. 2011 maps were challenged (and subsequently affirmed by the California Supreme Court) in three separate cases.

13. Compensation: \$300/day

14. Date When Application Process Starts: Not specified.

15. Date When Commission is Selected: The California State IRC shall be created no later than December 31 in 2010, and in each year ending in the number zero thereafter.

16. Date When Commission Starts (if Different): Not specified.

17. Date by which the Commission is required to adopt a Final Plan: By August 15 in 2011, and in each year ending in the number one thereafter, the California State IRC shall approve four final maps that separately set forth the district boundary lines for the congressional, Senatorial, Assembly, and State Board of Equalization districts. Upon approval, the Commission shall certify the four final maps to the Secretary of State.

18. Commissioner Duties: Not available.

Los Angeles (County)

1. Number of Districts: Five Supervisorial Districts

2. Purpose of an Independent Redistricting Commission: The County of Los Angeles Citizens Redistricting Commission (Los Angeles County IRC) has the power to adopt new supervisorial district boundaries.

3. Commission Organization: The Los Angeles County IRC has 14 members who are appointed through a combination of random and appointments by the seated Commissioners.

4. Commissioner Qualifications, Responsibilities, and Restrictions: Each Los Angeles County IRC member shall: be a resident of the County; be a voter continuously registered in the County with the same political party for at least five years; have voted in at least one of the last three statewide elections; possess experience that demonstrates analytical skills relevant to the redistricting process and voting rights, and possess an ability to comprehend and apply the applicable state and federal legal requirements; possess experience that demonstrates an ability to be impartial; and possess experience that demonstrates an appreciation for the diverse demographics and geography of the County. The applicant, nor an immediate family member, must also not, within the last 10 years: have been appointed to, elected to, or have been a candidate for office at the local, state, or federal level representing the County; served as an employee, officer, or paid consultant for, an elected representative, candidate for elected office representing the County, political party, or political party central committee; or, been a registered state or local lobbyist.

A Los Angeles County IRC member shall be ineligible for a period of five years beginning from the date of appointment to hold elective public office at the federal, State, County, or City level in this state. A commission member shall be ineligible for a period of three years beginning from the date of appointment to hold appointive federal, state, or local public office, to serve as paid staff for, or as a paid consultant to, the Board of Equalization, the Congress, the Legislature, or any individual legislator, or to register as a federal, state or local lobbyist in this state [Elections Code 21530-21535].

5. Commissioner Selection: After an open application process, the Los Angeles County Registrar creates a subpool of the 60 most qualified candidates. One Commissioner is selected at random from each of the five supervisorial districts, and then an additional three are selected at random irrespective of district. Those eight Commissioners select the final 6 Commissioners from the remaining applicants in the subpool.

6. Commissioner Removal: Any Los Angeles County IRC Commissioner who ceases to meet these qualifications during their term of service (e.g., moves outside Los Angeles County) must immediately notify the Co-Chairs in writing of such fact.

Removal of a Los Angeles County IRC Commissioner by a recorded affirmative vote of nine Commissioners, due to:

- i. Three consecutive unexcused absences or five total unexcused absences in a calendar year. An unexcused absence means an absence which is not approved by a Co-Chair;
- ii. A Commissioner's failure to continue to meet the qualifications in Elections Code section 21532;
- iii. Conviction of a felony or any crime involving moral turpitude; or,
- iv. Repeated or systematic violations of any provision of these Bylaws or Elections Code sections 21530-21535.

7. Redistricting Requirements and Criteria: The following criteria will be considered when drawing maps, in order of priority: equal population; Federal Voting Rights Act; geographical contiguity; geographical integrity, including communities of interest; compactness.

8. Public Meetings and Public Comment: The Los Angeles County IRC held 56 meetings, including 16 public hearings and one press conference. The Commission is required to hold seven Community of Interest Public Hearings. The Commission also held hours of public oral comment periods, allowed for written comment, and received 113 public maps for consideration.

9. Records and Data: The board shall take all steps necessary to ensure that a complete and accurate computerized database is available for redistricting, and that procedures are in place to provide to the public ready access to redistricting data and computer software equivalent to what is available to the Commission members. All records of the Commission relating to redistricting, and all data considered by the Commission in drawing a draft map or the final map, are public records.

10. Funding: Los Angeles County funded the Los Angeles County IRC.

11. Administration and Operations: The Los Angeles County IRC used County funding to hire outside firms for consultation services to retain full independence. County staff had little involvement in the process.

12. Legal Challenge: Not available.

13. Compensation: No compensation.

14. Date When Application Process Starts: Not specified.

15. Date When Commission is Selected: The Los Angeles County IRC shall be created no later than December 31, 2020, and in each year ending in the number zero thereafter.

16. Date When Commission Starts (if Different): Not specified.

17. Date by which the Commission is required to adopt a Final Plan: For redistricting occurring in 2031 and thereafter, the boundaries of the supervisorial districts shall be adopted by the board not later than 205 days before Los Angeles County's next regular election occurring after January 1 in each year ending in the number two.

18. Commissioner Duties:

Los Angeles County IRC Commissioners shall conduct themselves in a manner that reinforces public confidence in the integrity of the redistricting process and shall apply Elections Code sections 21530 - 21535 in an impartial manner; shall timely file with the appropriate official or office a Statement of Economic Interests; and shall complete AB 1234 Local Officials Ethics Training offered by the Fair Political Practices Commission within 60 days of taking office

Each Los Angeles County IRC Commissioner shall use the Commission-provided email address for all communications involving Commission business and shall encourage the public to use the Commissioner's official email address in all correspondence with the Commissioner.

Except during a public meeting, workshop or hearing, a Los Angeles County IRC Commissioner shall not intentionally communicate with a member of the Board, an entity for a member of the Board, or any of a Board member's immediate family members, or any other party, regarding redistricting of Los Angeles County supervisorial districts (other than the time, place, or agendas of upcoming Commission meetings or hearings). A Commissioner shall promptly summarize and report any such communication that arises unintentionally to the Clerk of the Commission.

San Diego (County)

1. Number of Districts: Five Supervisorial Districts

2. Purpose of an Independent Redistricting Commission: The San Diego Independent Redistricting Commission (San Diego County IRC) has the power to adopt new County supervisor district boundaries.

3. Commission Organization: The San Diego County IRC consists of 14 members who apply to serve on the Commission; eight applicants are randomly-selected. Those randomly selected applicants select the final six Commissioners.

4. Commissioner Qualifications, Responsibilities, and Restrictions: San Diego County IRC Commissioners must be a resident of the County; be a voter who has been continuously registered in the County with the same political party for at least five years; have voted in at least one of the preceding three statewide elections; possess experience that demonstrates analytical skills relevant to the redistricting process and voting rights, and possess an ability to comprehend and apply the applicable state and federal legal requirements; possess experience that demonstrates an ability to be impartial; and possess experience that demonstrates an appreciation for the diverse demographics and geography of the County.

Applicants, nor their immediate family members, may not have done any of the following in the previous 10 years: been appointed to, elected to, or have been a candidate for office at the local, state, or federal level representing the County; served as an employee of, or paid consultant for, an elected representative or candidate representing the County; served as an officer, employee, or paid consultant of a political party or as an appointed member of a political party central committee; or been a registered federal, state, or local lobbyist.

For five years from appointment, members may not hold elective public office at the federal, State, County, or City level in this state. A San Diego County IRC member shall be ineligible for a period of three years beginning from the date of appointment to hold appointive federal, state, or local public office, to serve as paid staff for, or as a paid consultant to, the Board of Equalization, the Congress, the Legislature, or any individual legislator, or to register as a federal, state, or local lobbyist in this state.

5. Commissioner Selection: At least one of the 14 Commissioners must reside in each of the five supervisorial districts. After that, composition is based on voter registration demographics in San Diego County.

Applicants apply to the San Diego County Clerk, who reviews applications and creates a subpool of 60 of the most qualified candidates, based on the criteria listed above, without input from the Board. The San Diego County Clerk then randomly draws eight Commissioner names: one Commissioner per each of the five districts, and another three at-large Commissioners. These eight Commissioners select the remaining six Commissioners based on the criteria listed above, and taking into consideration political party registration and County demographics.

6. Commissioner Removal: Not specified.

7. Redistricting Requirements and Criteria: The following criteria will be considered when drawing maps, in order of priority: equal population; Federal Voting Rights Act; geographical contiguity; geographical integrity, including communities of interest; easily identifiable boundaries; compactness; and no favor or discrimination against a political party, incumbent, or candidate.

8. Public Meetings and Public Comment: The San Diego County IRC must provide a chance for public comment during meetings. Before map drawing, the Commission should hold seven public hearings (which may be virtual, if in an ongoing public health emergency), with at least one in each district. After map drawing, the Commission should hold two public hearings.

9. Records and Data: All records of the San Diego County IRC related to redistricting, and all data considered by the Commission in drawing a draft map or the final map, are public records.

10. Funding: The San Diego County Board of Supervisors shall provide reasonable funding and staffing for the San Diego County IRC.

11. Administration and Operations: The San Diego County Board of Supervisors shall provide reasonable funding and staffing for the San Diego County IRC.

12. Legal Challenge: Not available.

13. Compensation: Not available.

14. Date When Application Process Starts: Not specified.

15. Date When Commission is Selected: Not specified. The San Diego County IRC shall be created no later than December 31, 2020, and in each year ending in the number zero thereafter.

16. Date When Commission Starts (if Different): Not specified.

17. Date by which the Commission is required to adopt a Final Plan: The San Diego County IRC shall adopt a redistricting plan adjusting the boundaries of the supervisorial districts and shall file the plan with the San Diego County Clerk by the map adoption deadline set forth in subdivision (a) of Section 21501.

18. Commissioner Duties: Not available.

Santa Barbara (County)

1. Number of Districts: 5 Supervisorial Districts

2. Purpose of an Independent Redistricting Commission: The Santa Barbara Citizens' Redistricting Commission (Santa Barbara County IRC) has the power to adopt new supervisorial district boundaries.

3. Commission Organization: The Santa Barbara County IRC has 11 members who are appointed through a combination of random selection and appointments by the seated Commissioners. After an open application process, the County elections official creates a subpool of the 45 most qualified candidates. One Commissioner is selected at random from each of the five supervisorial districts. Those five Commissioners select the final six Commissioners from the remaining applicants in the subpool.

4. Commissioner Qualifications, Responsibilities, and Restrictions: Commissioners must: be a resident and registered voter in the County; have not changed political party affiliation in the last five years; have voted in the County in one of the last three statewide elections; be eligible under the provisions of Elections Code 23003(c). In addition, no Commissioner or their family members may themselves donate, or have any significant financial interest in any company, corporation, or other business entity that has donated \$500 or more in one year to any candidate for elective office in the County within the last eight years. Neither may they have been a board member, officer, paid or volunteer staff, or had a significant influence on the actions or decisions of a political committee which expended funds in excess of \$500 in support or opposition to a candidate for elective office in the County. The Board may adjust these figures every decade based on inflation.

While a member of the Santa Barbara County IRC, Commissioners may not endorse, work for, volunteer for, or make a campaign contribution to, a candidate for County elective office, nor may they be a candidate for elective County office for 10 years. For four years after their appointment, Commissioners may not accept an appointment to any County office, board or Commission; accept employment as a staff member of, or consultant to, an elected County official or candidate; receive a non competitively bid contract with the County; register as a lobbyist for the County.

Commissioners may be removed for failing to attend a majority of meetings in a three-month period; their application is deemed false; or they are convicted of a felony or violation of election laws.

5. Commissioner Selection: Santa Barbara County elections official reviews applications and creates a pool of the 45 most qualified candidates based on the following criteria: experience that demonstrates analytical skills relevant to the redistricting process and voting rights, and ability to comprehend and apply the applicable state and federal legal requirements; experience that demonstrates an ability to be impartial; experience that demonstrates an appreciation for the diverse demographics and geography of the County; up to nine candidates from each of the five districts. The County elections official makes the names public for 30 days. The District Attorney of Santa Barbara County then selects one Commissioner from each of the five districts. The five selected Commissioners then appoint six additional Commissioners from the pool: one from each district, and an at-large Commissioner, based on the criteria noted above, but also considering party preference and the political demographics of the County.

6. Commissioner Removal: While serving on the Santa Barbara County IRC, a member may not endorse, work for, volunteer for, or make a campaign contribution to, a candidate for County office.

A Santa Barbara County IRC Commissioner shall be removed for any of the following:

- a. The Commissioner fails to attend a majority of publicly noticed Commission meetings held within any three-month period.
- b. It is determined that the Commissioner is not qualified or has ceased to be qualified due to events or circumstances occurring after the filing of his or her application.
- c. The Commissioner is convicted of a felony; any violation of state, local or federal election laws; any criminal violation of the Ralph M. Brown Act; bribery or any other crime involving violation of the public trust; any crime involving moral turpitude. A Commissioner will be immediately suspended upon charge of such a crime, and immediately removed upon conviction of such a crime.

Any voter registered in Santa Barbara County may request that a Commissioner be removed by submitting a written request for removal. If the Commissioner contests, that matter shall be referred to the Elections Officer of the County for a determination within 30 days, or 60 days upon request. The decision shall be final, unless and until overturned by a court of competent jurisdiction.

A Santa Barbara County IRC Commissioner will be considered to have resigned if they are no longer a resident of, or registered voter within Santa Barbara County.

7. Redistricting Requirements and Criteria: The following criteria will be considered when drawing maps, in order of priority: equal population; Federal Voting Rights Act; geographical contiguity; geographical integrity, including communities of interest; easily identifiable boundaries; compactness; and no favor or discrimination against a political party, incumbent, or candidate.

8. Public Meetings and Public Comment: The Santa Barbara County IRC shall take steps to encourage county resident participation and solicit public comment. The Commission is required to hold seven public hearings prior to drawing maps, and another seven after the draft map has been released to the public.

9. Records and Data: Each of the public meetings shall be video recorded and available to the public for review.

10. Funding: Not available.

11. Administration and Operations: Not available.

12. Legal Challenge: Not available.

13. Compensation: Not available.

14. Date When Application Process Starts: Not specified.

15. Date When Commission is Selected: Not specified. The Santa Barbara County IRC shall be created no later than December 31, 2020, and in each year ending in the number zero thereafter.

16. Date When Commission Starts (if Different): Not specified.

17. Date by which the Commission is required to adopt a Final Plan: The Santa Barbara County IRC shall adopt a redistricting plan adjusting the boundaries of the supervisorial districts and shall file the plan with the County elections official within six months after the final population figures determined in each decennial federal census have been reached, but in any event not later than the date required to comply with California Elections Code Section 23003.

18. Commissioner Duties: A Santa Barbara County IRC member shall apply this chapter in a manner that is impartial and that reinforces public confidence in the integrity of the redistricting process.

Berkeley (City)

1. Number of Districts: Eight Council Districts (Mayor also votes as a 9th member of Council)

2. Purpose of an Independent Redistricting Commission: The Berkeley Independent Redistricting Commission (Berkeley IRC) has the power to adopt new Berkeley City Council district boundaries.

3. Commission Organization: The Berkeley IRC has 13 members who are appointed through a combination of random and appointments by the seated Commissioners. After an open application process, eight Commissioners are selected. Those eight Commissioners select the final five Commissioners from the remaining applicants.

4. Commissioner Qualifications, Responsibilities, and Restrictions: Berkeley IRC members must have voted in the last two General Municipal elections (unless ineligible by age). They are also restricted from having been an elected official within the last two years; immediate family or staff member of a Mayor, Councilmember, or their staff; a City employee or paid subcontractor; or worked on or contributed to a campaign committee within the last two years. Commissioners may not become paid staff of a Mayor or Councilmember within the two years following their tenure on the Commission.

5. Commissioner Selection: The Berkeley City Clerk holds a 30-day nomination period, then screens the applicants for eligibility, and creates eight separate pools for each Council District. One appointee and one alternate per Council District are drawn randomly from these pools to establish the first 16 members of the Berkeley IRC: eight appointees and eight alternates. The eight appointees then select the remaining five appointees and five alternates from the at-large pools, attempting to achieve community representation by taking into consideration geographic diversity, race, age, and gender.

6. Commissioner Removal: In the event of substantial neglect of duty, gross misconduct in office or inability to discharge the duties of office, or if it is determined that a Berkeley IRC Commissioner is ineligible under subdivision (b)(3) of the City Charter, Article V, Section 9, a Commissioner may be removed by a two-thirds vote of the Independent Redistricting Commission after having been served written notice and provided with an opportunity to respond.

If, after being selected and appointed to the Berkeley IRC, it is determined that a Commissioner falls into one of the prohibited categories set forth in the Berkeley City Charter, the Commissioner shall be immediately removed from the Commission.

Failure to disclose received communications or a Commissioner's response to such communications may be considered gross misconduct and grounds for removal from the Berkeley IRC.

A Commissioner may be removed by 2/3 vote of the Berkeley IRC.

7. Redistricting Requirements and Criteria: The Berkeley IRC shall adjust the boundaries of Berkeley City Council districts in a manner that complies with the Constitution and statutes of the United States and the State of California, in order that the eight Berkeley City Council districts shall be as nearly equal

in population as may be possible according to the most recent decennial federal census, except where deviation is required to comply with the federal Voting Rights Act. The Berkeley IRC shall take into consideration topography, geography, cohesiveness, contiguity, integrity, compactness of territory of the districts, communities of interest, and existing district boundaries. The Berkeley IRC may not consider the locations of incumbents, political candidates, or political parties.

8. Public Meetings and Public Comment: The Berkeley IRC shall establish and implement an open process for public input and Commission deliberation that shall be promoted through a thorough outreach program to solicit broad public participation in the redistricting process. All Citizens Redistricting Commission meetings shall be open to the public unless necessary to convene in closed session under California Government Code sections 54950 et seq. Members of the public shall have the opportunity to provide written and oral comments to the Citizens Redistricting Commission. The Commission's process must be designed to provide the widest public access reasonably possible to draft redistricting maps and to provide ample opportunity for the public to observe and participate in the redistricting process. The Commission shall also accept and consider maps that are submitted by the public.

9. Records and Data: Not available.

10. Funding: Berkeley City Council

11. Administration and Operations: The Berkeley City Clerk provides Secretary to the Berkeley IRC

12. Legal Challenge: Not available.

13. Compensation: \$100/meeting

14. Date When Application Process Starts: No later than February 1st of the year after the decennial federal census is taken, the Berkeley City Clerk shall initiate the nomination process.

15. Date When Commission is Selected: Berkeley IRC Commissioner applications must be in public view for 30 days, after which the Berkeley City Clerk may initiate the selection process. The date is unspecified.

16. Date When Commission Starts (if Different): Convenes within 10 days to select remaining members and alternates.

17. Date by which the Commission is required to adopt a Final Plan: The Berkeley IRC shall adopt Berkeley City Council district boundaries no later than February 1st of the second year after the year in which each decennial federal census is taken, or nine months after final adjustments are made to the census data, whichever is later.

18. Commissioner Duties: The Berkeley IRC shall comply with all relevant provisions of the Open Government Ordinance (Berkeley Municipal Code Chapter 2.06).

Berkeley IRC Commissioners are strictly prohibited from communicating with or initiating or receiving communications about redistricting matters from anyone outside of a public meeting or hearing; however, communications outside of a meeting between Commissioners, staff, legal counsel, and consultants retained by the City, that are otherwise permitted by the Brown Act (California Government Code Section 54950 et seq.) or its successor, are not prohibited. The receipt of written communications (whether through paper or electronic format) from the public submitted at a public meeting of the Commission or submitted prior to a Citizens Redistricting Commission meeting to the Secretary and made part of the public record are not prohibited. Any communication received by a Commissioner inconsistent with this subsection shall be promptly disclosed to the Secretary for the public record. Failure to disclose received communications or a Commissioner's response to such communications may be considered gross misconduct and grounds for removal from the Commission.

Carlsbad (City)

1. Number of Districts: Four Council Districts (Mayor also votes as a 5th member of Council)

2. Purpose of an Independent Redistricting Commission: The Carlsbad Independent Redistricting Commission (Carlsbad IRC) has the power to adopt new Carlsbad City Council district boundaries.

3. Commission Organization: The Carlsbad IRC has seven members and three alternates who are appointed through random election. After an open application process, the Carlsbad City Clerk removes candidates who do not meet the selection criteria. The Carlsbad City Clerk Services Manager then randomly selects seven Commissioners, including one from each of the four districts and three at-large members. Of the seven Commissioners, two must be registered as Republican, two registered as Democrat, and three who list another party affiliation on their voter registration.

4. Commissioner Qualifications, Responsibilities, and Restrictions: Applicants must have been a Carlsbad resident for at least the past three years, and be registered to vote. Carlsbad IRC members shall not, in the previous eight years: be a person or family member of a person who has been elected or appointed to, or been a candidate for, an elective City office; serve as an officer, employee, or paid consultant of a campaign committee, candidate for office, political party central committee, or elected officer of the City; been registered to lobby the City; or contributed \$500 or more in a year to a candidate for an elective City office. While serving, members may not endorse, work for, volunteer for, or make a campaign contribution to a candidate for an elective City office.

After their Carlsbad IRC membership has ended, a member may not, for five years, be a candidate for elected office that uses the boundaries set by the Commission; for two years, accept an appointment to a City office; for four years, accept employment from an elected official or candidate of elective City office, register as a lobbyist, or receive a non-competitive bid contract with the City.

5. Commissioner Selection: The Carlsbad City Clerk accepts applications over a two week span. Once eligibility is established, names are drawn randomly until seven are selected: one member from each District; three "citywide" members (not chosen because of district). Additionally, the seven members must include two registered Republicans, two registered Democrats, and three who list another party affiliation on their voter registration. Three alternates are also selected: one Democrat, one Republican, one other.

6. Commissioner Removal: Not specified.

7. Redistricting Requirements and Criteria: Maps shall follow the Federal Voting Rights Act. Carlsbad IRC maps shall be drawn considering the following criteria: equal population; geographical contiguity; geographical integrity; communities of interest; natural and artificial barriers, such as streets; compactness. Maps may not take into account the residences of incumbents or challengers, nor be drawn to benefit or hinder any political party.

8. Public Meetings and Public Comment: The Carlsbad IRC held a series of 10 virtual meetings that allowed for public comment. They also allowed for email submission of comments and draft maps.

9. Records and Data: Not available.

10. Funding: Not available.

11. Administration and Operations: Not available.

12. Legal Challenge: Not available.

13. Compensation: Unless otherwise stated, Carlsbad City Commissioners receive no compensation.

14. Date When Application Process Starts: Not specified.

15. Date When Commission is Selected: Not specified.

16. Date When Commission Starts (if Different): Not specified.

17. Date by which the Commission is required to adopt a Final Plan: TBD (One-time Commission, adopted on 2/17/2022) [Likely follows Elections Code section 21501]

18. Commissioner Duties: Not available.

Lincoln (City)

1. Number of Districts: Five Council Districts

2. Purpose of an Independent Redistricting Commission: The Lincoln Independent Redistricting Commission (Lincoln IRC) has the power to adopt new Lincoln City Council district boundaries.

3. Commission Organization: The Lincoln IRC has 11 members who are appointed through random selection. After an open application process, a panel consisting of the Lincoln City Manager, Lincoln City Attorney, and Lincoln City Clerk removes candidates who do not meet the selection criteria. The panel then randomly selects five Commissioners, one from each district, then an additional six Commissioners at-large.

4. Commissioner Qualifications, Responsibilities, and Restrictions: A person or their spouse, who has done any of the following in the preceding eight years, or the family member of a person who has done any of the following in the last four years, is ineligible: been elected or appointed to, or been a candidate for, an elective office of Lincoln; served as an officer of, employee of, or paid consultant to, a campaign Commission, candidate for elective City office, political party, political party central Commission, or elected officer in the City; been registered to lobby in Lincoln; contributed \$500 or more in a year to a candidate for an elective City office.

While serving, members may not endorse, work for, volunteer for, or make a campaign contribution to, a candidate for an elective office of Lincoln; be a candidate for an elective office of Lincoln for five years; accept an appointment to a City office for two years. They also may not, for four years, accept an appointment to a Lincoln Board, Committee or Commission; accept employment as a staff member of, or consultant to, an elected official or candidate for elective office of Lincoln; receive a non-competitively bid contract with Lincoln; or register as a lobbyist in Lincoln.

5. Commissioner Selection: A review body, made up of the Lincoln City Manager, Lincoln City Attorney, and Lincoln City Clerk will review applications and create a pool of qualified candidates and sort them by Council district. In a public meeting, the Review Body will randomly select one candidate from each Council district. Once the initial five candidates are selected, the remaining six at-large candidates will be chosen from a group of all additional qualified candidates.

6. Commissioner Removal: While serving on the Lincoln IRC, members may not endorse, work for, volunteer for, or make a campaign contribution to, a candidate for an elective office of Lincoln.

The Lincoln IRC may remove a member for substantial neglect of duty, gross misconduct in office, or inability to discharge the duties of office. Before being removed, a Commission member must be provided with the reasons for their proposed removal, at least a week's notice before the public hearing where his or her proposed removal will be voted on, and an opportunity to respond to or rebut those reasons in writing and at the hearing.

7. Redistricting Requirements and Criteria: To the extent practicable, district lines will be adopted using the following criteria: (1) geographically contiguous districts (each Lincoln City Council district should share a common border with the next), (2) the geographic integrity of local neighborhoods or communities shall be respected in a manner that minimizes its division, (3) geographic integrity of a City shall be respected in a manner that minimizes its division, (4) easily identifiable boundaries that follow natural or artificial barriers (rivers, streets, highways, rail lines, etc.), and (5) lines shall be drawn to encourage geographic compactness. In addition, boundaries shall not be drawn for purposes of favoring or discriminating against a political party.

8. Public Meetings and Public Comment: The Lincoln IRC will conduct at least four public hearings, with at least one prior to maps being drawn. Maps drawn by the Lincoln IRC will be available for public review for seven days prior to the Commission conducting a public hearing for adoption.

9. Records and Data: Not available.

10. Funding: Not specified.

11. Administration and Operations: The Lincoln City Manager, Lincoln City Attorney, and Lincoln City Clerk shall designate staff to support the Lincoln IRC, as needed. The City may also enter into an agreement with a consultant specializing in redistricting and demographics to support the Commission.

12. Legal Challenge: Not available.

13. Compensation: Not available.

14. Date When Application Process Starts: The application process shall be open through May 28, 2021.

15. Date When Commission is Selected: Not specified.

16. Date When Commission Starts (if Different): Not specified.

17. Date by which the Commission is required to adopt a Final Plan: 4/17/2022 (One-time Commission)

18. Commissioner Duties: Lincoln IRC members shall file Form 700 - Statement of Economic Interest forms, and shall disclose all contact regarding the Commission's subject matter jurisdiction that occurs outside of a publicly noticed meeting. Commission members shall disclose these contacts no later than the Commission's next regular or special meeting.

Long Beach (City)

1. Number of Districts: Nine Council Districts

2. Purpose of an Independent Redistricting Commission: The exclusive authority to redraw Council district boundaries is vested in the Long Beach Independent Redistricting Commission (Long Beach IRC). The Long Beach IRC shall: be independent of Mayor and City Council control; conduct an open and transparent process enabling full public consideration of and comment on the drawing of Council district boundaries; comply with the provisions in Article XXV of the City Charter; and conduct itself with integrity and fairness.

The Long Beach IRC may adopt for itself rules of procedure not in conflict with this article and adopt rules and regulations for the interpretation and implementation of this article.

3. Commission Organization: The Long Beach IRC shall consist of 13 Commissioners and two alternates. Alternates may fully participate in Commission deliberations but may not vote and may not be counted toward the establishment of a quorum. Alternates are subject to the same terms of office, qualifications, restrictions, and standards of conduct as other Commissioners under Article XXV of the City Charter.

The term of office of each Long Beach IRC Commissioner begins on December 1 of a year ending in zero, and expires on January 1 of the next year ending in zero; for example, a Commissioner seated on December 1, 2020 would serve a term ending on January 1, 2030. Sixty (60) days after a final map has been adopted, the Commission shall cease to meet, unless reconvened by order of a court of competent jurisdiction, or by the Long Beach City Attorney to consider settlement options if the final map is legally challenged or by the Long Beach City Council as provided by Section 2502(a) above.

Nine Long Beach IRC Commissioners constitute a quorum. The removal of a Commissioner or alternate; the approval of additional redistricting criteria; and the approval of a proposed final map, final map, and final report require the affirmative votes of nine Commissioners. All other Commission actions require the affirmative vote of a majority of Commissioners present.

At its first meeting, the Long Beach IRC shall select one Commissioner to serve as Chair and one to serve as Vice Chair. The Long Beach IRC may designate other officers from its membership and may establish subcommittees. Subcommittees shall report on their actions at the next meeting of the Long Beach IRC.

4. Commissioner Qualifications, Responsibilities, and Restrictions: Each Long Beach IRC Commissioner must be a registered voter of the City of Long Beach and must either: have voted in the City election immediately preceding his or her application to be on the Commission; or have been a resident of the City for at least one year immediately preceding his or her application to be on the Long Beach IRC.

The following persons are not eligible to be a Commissioner: a person who, or whose spouse, registered domestic partner, or child, within the eight years immediately preceding their date of application to be on the Long Beach IRC, has contributed to a candidate for City elective office, in a single year, more than Two Hundred Fifty Dollars (\$250). A person who, or whose spouse, registered domestic partner, or child -

is or has been, within the four years immediately preceding their date of application to be on the Commission, any of the following: A paid employee of the City, including those employed by an elected official; A registered City lobbyist, or someone who was required to be a registered City lobbyist; or a paid employee of any redistricting contractor or consultant. a person who, or whose spouse, registered domestic partner, parent, sibling, or child - has been, within eight years immediately preceding their date of application to be on the Commission, any of the following: elected to or appointed to, or been a candidate for, City elective office; an officer, employee of, or paid consultant or contractor to a campaign committee or a candidate for City elective office; a staff member, paid employee of, a consultant to, or someone under contract with any City elected official; or a principal officer of an active campaign committee domiciled in the County of Los Angeles that has made expenditures on candidate elections for a City elective office. Within 30 days of appointment, a Commissioner shall file with the Long Beach City Clerk a statement of economic interest, or similar financial disclosure statement, as required under the City's conflict of interest code, and shall agree to the City's Code of Ethics and written ethics pledge.

A Long Beach IRC Commissioner shall be ineligible, for a period of ten years beginning from the date of their appointment, to hold City elective office. A Commissioner shall be ineligible, for a period of four years beginning from the date of their appointment, to be appointed to another City Commission, to serve as paid staff for or as a paid consultant to any City elected official or candidate for City elective office, to receive a non-competitively bid contract with the City, or to register as a City lobbyist. While serving on the Commission, a Commissioner shall not endorse, work for, volunteer for, or contribute to any candidate campaign for City elective office. Commissioners choosing to engage in such activity may resign at any time, including after the approval of a final map to ensure that the Commissioner no longer serves if the Commission is reconvened to redraw districts

5. Commissioner Selection: The Long Beach City Clerk shall, beginning in 2020, and in each year ending in the number zero thereafter, initiate and widely publicize an application process, which shall remain open for at least three months. After the close of the application period, the Long Beach City Clerk shall review and remove individuals who are disqualified under Section 2504 of the Long Beach City Charter from among the Long Beach IRC applicants. If the resulting applicant pool does not have at least 35 qualified applicants, including three qualified applicants from each existing City Council district, the Long Beach City Clerk shall reopen the application period for one month and conduct additional outreach to ensure that the pool meets these requirements. After removing ineligible applicants, the Long Beach City Clerk shall publish and transmit to the City's Ethics Commission, serving as a screening panel, a list with the names of all qualified applicants.

From this eligible Long Beach IRC Commissioner applicant pool, the screening panel shall, no later than November 1, 2020, and by November 1 in each year ending in the number zero thereafter, create a subpool of not less than 20 nor more than 30 applicants most qualified to perform the duties of the Commission, including at least two applicants from each existing Council district. The screening panel, exercising its independent judgment, shall make these assignments at a publicly noticed meeting after the public has had the opportunity to provide written and oral comment. The subpool should reasonably reflect the City's diversity; provided that, other than the requirement of geographic diversity in this subsection, no quotas, formulas, or ratios may be applied for this purpose.

Immediately after the subpool has been created, and at that same public meeting, the chair of the screening panel shall randomly select nine names - one from each existing council district - from the subpool. These nine individuals shall serve as Commissioners on the Long Beach IRC. The Commissioners selected shall then select four Commissioners and two alternates from the remaining applicants in the subpool. The Commissioners shall make each selection on the basis of the applicant's relevant analytical skills, familiarity with the City's neighborhoods and communities, ability to be impartial, and apparent ability to work cooperatively with other Commissioners. The Commission should reasonably reflect the City's diversity; provided that no quotas, formulas, or ratios may be applied for this purpose.

The Long Beach IRC shall be fully established no later than December 1, 2020, and thereafter no later than December 1 in each year ending in the number zero. To meet this deadline, the Long Beach City Clerk may establish other deadlines for the Commissioner application and selection process described in this Section.

6. Commissioner Removal: While serving on the Long Beach IRC, a Commissioner shall not endorse, work for, volunteer for, or contribute to any candidate campaign for City elective office. Commissioners choosing to engage in such activity may resign at any time, including after the approval of a final map to ensure that the Commissioner no longer serves if the Commission is reconvened to redraw districts.

The Long Beach IRC may remove a Commissioner for substantial neglect of duty, gross misconduct in office, or inability to discharge the duties of office, but only after providing the subject Commissioner written notice and an opportunity for a response at a public meeting.

7. Redistricting Requirements and Criteria: The Long Beach IRC shall draw its final map so that Council districts are as nearly equal as practicable in total population; the final map complies with the U.S. Constitution; the Federal Voting Rights Act, the California Constitution; and any other requirement of federal or state law applicable to charter cities; and so that each Council district is geographically contiguous, to the extent practicable, and has a clearly defined boundary.

The Long Beach IRC shall consider the following criteria when drawing the final map, in order of priority:

- (1) The geographic integrity of a neighborhood should be respected in a manner that minimizes its division.
- (2) Communities of interest. The geographic integrity of a community of interest should be respected in a manner that minimizes its division. A community of interest is a contiguous population that shares common social and economic interests that should be included within a single district for purposes of its effective and fair representation;
- (3) Neighborhoods and communities sharing a common language, history, culture and identity should not be divided so as to dilute their voting power;
- (4) Geography and topography: Districts should respect major topographic and geographic features of the City;
- (5) District boundaries should be easily identifiable and understandable by voters. Districts should be bounded by natural and artificial barriers, by street lines, and/or by City boundary lines;

- (6) Districts should be geographically compact such that nearby areas of population are not bypassed for more distant population;
- (7) All lines must correspond to census blocks in order to preserve the validity of data and avoid arbitrary boundaries; and
- (8) Other Commission may adopt other criteria that do not conflict with the other requirements and criteria listed in this section or with state or federal law.

The Long Beach IRC shall not consider the place of residence of any individual, including any incumbent or political candidate, in the creation of a map. The Commission shall number each Council district such that, for as many residents as possible, the number of the Council district they reside in remains the same. The Long Beach IRC shall not draw districts for the purpose of favoring or discriminating against a political party.

8. Public Meetings and Public Comment: The Long Beach IRC shall establish and implement an open meeting process for public input and deliberation that is promoted through an outreach program to solicit broad public participation in the redistricting process. The Commission shall comply with all applicable State and City requirements for open meetings. Prior to adopting a final map, the Commission shall hold at least nine public meetings, including one public meeting in each existing Council district. A final map may not be adopted unless a proposed final map with substantially similar Council district boundaries has been adopted at least seven days earlier at a prior public meeting.

The Long Beach IRC shall establish and implement a process for accepting written public comment, including the submission of draft maps and draft partial maps for the Commission's consideration. Commission members and staff may not communicate with or receive communications about redistricting matters from anyone except at a public meeting or through the process established for accepting written public comment.

9. Records and Data: The Long Beach IRC shall comply with the California Public Records Act, commencing with section 6250 of the California Government Code, or its successor, and any City laws regarding public records, to the degree they require greater disclosure and retention of Commission records than is provided in this article.

The Long Beach IRC and its subcommittees shall keep minutes of all discussion and actions taken at public meetings. The minutes should be adopted at the next public meeting of that body. To the greatest extent practicable, all public meetings of the Commission and its subcommittees shall be video recorded.

To the greatest extent practicable, the Long Beach IRC shall make available to the public a free electronic mapping tool, loaded with relevant population and demographic data, which tool can be used to create draft maps and draft partial maps.

10. Funding: The Long Beach City Council shall appropriate sufficient funds to recruit Commissioners, meet the operational needs of the Long Beach IRC, and conduct any outreach program to solicit broad public participation in the redistricting process.

11. Administration and Operations: The Long Beach City Manager, Long Beach City Clerk, and Long Beach City Attorney shall assign sufficient staff to support the Commission. The Long Beach IRC shall be staffed by no less than three City employees: the Long Beach City Manager, the Long Beach City Clerk, and the Long Beach City Attorney, or their respective representatives. The Long Beach City Attorney's, or his/her respective representative's, only client on matters relating to redistricting is the Long Beach IRC.

The Long Beach City Clerk and the Long Beach City Attorney, or their respective representatives, shall, no later than March 1, 2021, and thereafter by March 1 in every year ending in one, train the Commissioners on the requirements of this article, federal and state law regarding redistricting, open meeting requirements, and general rules of parliamentary procedure.

12. Legal Challenge: Any registered voter in the City of Long Beach may file a petition for a writ of mandate or writ of prohibition within ninety days after the Long Beach IRC has adopted a final map, to bar the implementation of all or a portion of the new Council district boundaries on the grounds that the final map violates this article. No legal challenge may be brought against the final map under this article after the 90-day period has expired.

If a legal challenge is successfully brought against the final map of the Long Beach IRC, the Court may correct the violation by court order adjusting Council district boundaries consistent with the redistricting requirements and criteria of Section 2506; alternatively, if the Court finds the final map requires significant revisions or must be entirely redrawn, the Court may order the Commission to reconvene to adjust or adopt new Council district boundaries.

13. Compensation: Not available.

14. Date When Application Process Starts: The Long Beach City Clerk shall, beginning in 2020, and in each year ending in the number zero thereafter, initiate and widely publicize an application process, open for at least three months.

15. Date When Commission is Selected: From this eligible Long Beach IRC Commissioner applicant pool, the screening panel shall, no later than November 1, 2020, and by November 1 in each year ending in the number zero thereafter, create a subpool of not less than 20 nor more than 30 applicants most qualified to perform the duties of the Commission, including at least two applicants from each existing Council district. Immediately after the subpool has been created, and at that same public meeting, the chair of the screening panel shall randomly select nine names - one from each existing council district - from the subpool. These nine individuals shall serve as Commissioners on the Commission.

16. Date When Commission Starts (if Different): The Long Beach IRC shall be fully established no later than December 1, 2020, and thereafter no later than December 1 in each year ending in the number zero.

17. Date by which the Commission is required to adopt a Final Plan: Within six (6) months after census-block-level population data from a regular United States decennial census is made available to the

public, the Long Beach IRC shall adopt a final map establishing new Council district boundaries and a final report explaining its decision.

18. Commissioner Duties: Long Beach IRC members and staff may not communicate with or receive communications about redistricting matters from anyone except at a public meeting or through the process established for accepting written public comment. This subsection does not prohibit:

- (1) communication between Commission members, staff, legal counsel, and consultants retained by the Commission that is otherwise permitted by State and City open meeting requirements; or
- (2) Commissioners, staff, legal counsel, or consultants from engaging in public education and outreach, including explaining how the Commission functions and encouraging public participation in the redistricting process.

Any person who is compensated for communicating with the Long Beach IRC or any Commissioner, other than a reimbursement of reasonable travel expenses, shall identify the party compensating them in such communication.

Martinez (City)

1. Number of Districts: Four Council Districts (Mayor also votes as a 5th member of Council)
2. Purpose of an Independent Redistricting Commission: The Martinez Independent Redistricting Commission (Martinez IRC) has the power to adopt new Martinez City Council district boundaries.
3. Commission Organization: The Martinez IRC has seven members and two alternates. After an open application process, the Martinez Deputy City Clerk removes candidates who do not meet the selection criteria. The Martinez Deputy City Clerk then randomly selects four eligible Commissioners; those four Commissioners then select the final three Commissioners.
4. Commissioner Qualifications, Responsibilities, and Restrictions: Each Martinez IRC applicant shall be a registered voter of the City and verify that they satisfy the eligibility requirements in Elections Code section 23003, subdivisions (c) & (d).
5. Commissioner Selection: Eligible applicants are drawn randomly until four members are selected: one from each quadrant of the City. The four members select the next three members from the qualified pool. Finally, another random draw from the pool is used to select the two alternates.
6. Commissioner Removal: A Martinez IRC may be removed from the Commission by majority vote of the Commission upon occurrence of any of the following:

 - a. The failure to attend three successive, publicly noticed Commission meetings.
 - b. The discovery that the Commissioner is unqualified to serve, or ceases to be qualified to serve.
 - c. A violation of Elections Code section 23003, subdivision (e).
 - d. A conviction for any felony or crime of moral turpitude.
 - e. A violation affecting the transparency of the process.
7. Redistricting Requirements and Criteria: The following criteria will be considered when drawing maps, in order of priority: equal population; Federal Voting Rights Act; no racial gerrymandering; geographical contiguity; geographical integrity, including communities of interest; easily identifiable boundaries; compactness; no favor or discrimination against a political party, incumbent, or candidate; minimizing voters shifted to different election years; respecting voters' choices/continuity in office; accounting for future population growth; and preserving the core of existing districts.
8. Public Meetings and Public Comment: The public is able to submit written or oral testimony and can submit draft maps for consideration. The Martinez IRC held 15 public meetings.
9. Records and Data: Not available.
10. Funding: The Martinez City Council will appropriate sufficient funds to allow the Martinez IRC to carry out its powers and duties.

11. Administration and Operations: The Martinez City Manager will designate staff to support the Martinez IRC, as needed.

12. Legal Challenge: Not available.

13. Compensation: Not available.

14. Date When Application Process Starts: The Martinez Deputy City Clerk shall oversee the formation of the Martinez IRC and shall solicit application from May 31, 2021 to July 31, 2021.

15. Date When Commission is Selected: The Martinez (IRC) will be established no later than August 4, 2021.

16. Date When Commission Starts (if Different): Not specified.

17. Date by which the Commission is required to adopt a Final Plan: For the City of Martinez, the redistricting process must be complete by April 17, 2022. [Likely follows Elections Code section 21501]

18. Commissioner Duties: Martinez IRC Commissioners shall disclose all contacts regarding matters within the Commission's subject matter jurisdiction that occurs outside a publicly noticed meeting. Commissioners shall disclose these contacts no later than the Commission's next regular or special meeting. The Commission shall establish procedures for disclosure. These procedures shall, at a minimum, require the disclosure of, and a summary of the substance of, any contact with members of the Martinez City Council or their staff.

Menlo Park (City)

1. Number of Districts: Five Council Districts

2. Purpose of an Independent Redistricting Commission: The Menlo Park Independent Redistricting Commission (Menlo Park IRC) has the power to adopt new Menlo Park City Council district boundaries.

3. Commission Organization: The Menlo Park IRC has seven members and two alternates.

4. Commissioner Qualifications, Responsibilities, and Restrictions: Applicants must submit a Form 700. Each Menlo Park IRC applicant shall be 18 years of age or older, be a resident of the City for at least the last three years and verify that they satisfy the eligibility requirements in Elections Code section 23001 and 23002, subdivisions (b), (c) & (d). They will not be eligible if, in the last eight years: the person or any family member of the person has been elected or appointed, to, or been a candidate for, Menlo Park City Council; or if the person or the person's family member served as an officer of, employee of, or paid consultant to, a political party or as an elected or appointed member of a political party central committee. They will be ineligible if they or a family member, in the last four years: served as an officer of, employee of, or paid political consultant to, a campaign committee or a candidate for City Council; served as a staff member or a political consultant to, or who has contracted with, a currently serving City Councilmember or San Mateo County supervisor; or contributed \$500 or more in a year to any seated City Councilmember or current candidate for Menlo Park City Council. They will be ineligible if the person currently serves as a staff member or a political consultant to an elected official holding a partisan office; the person is a paid employee of the City, a City Councilmember, redistricting contractor or consultant; or if they perform any other action restricted by Elections Code 23003.

5. Commissioner Selection: After an open application process, the Menlo Park City Clerk removes candidates who do not meet the selection criteria. The Menlo Park City Clerk then randomly selects three Commissioners; those Commissioners select the final four Commissioners and two alternates.

6. Commissioner Removal: While serving on the Menlo Park IRC, a member may not endorse, work for, volunteer for, or make a campaign contribution to, a candidate for Menlo Park City Council.

The Menlo Park IRC by a 2/3 vote may remove a Commissioner or Alternate for substantial neglect of duty, gross misconduct in office, or inability to discharge the duties of office, but only after providing the subject Commissioner or Alternate with written notice and an opportunity for response at a public Commission meeting.

7. Redistricting Requirements and Criteria: To the extent practicable, district lines will be adopted using the following criteria: geographically contiguous; geographic integrity, including communities of interest; easily identifiable boundaries that follow natural or artificial boundaries; and compactness. Maps may also not take into account incumbents, candidates, or political party considerations.

8. Public Meetings and Public Comment: The public is able to submit written or oral testimony and can submit draft maps for consideration. The Menlo Park IRC held 15 public meetings. They were required to hold two public hearings.

9. Records and Data: Not available.

10. Funding: The Menlo Park City Council funds the Menlo Park IRC.

11. Administration and Operations: Menlo Park City staff, such as the Menlo Park City Attorney's office, are tasked with assisting the Menlo Park IRC.

12. Legal Challenge: Not available.

13. Compensation: No compensation.

14. Date When Application Process Starts: The Menlo Park City Clerk shall in each year ending in the number zero initiate and widely publicize an application process.

15. Date When Commission is Selected: The Menlo Park IRC shall be fully established no later than December 1, 2021, and thereafter no later than December 1 in each year ending in the number zero.

16. Date When Commission Starts (if Different): Not specified.

17. Date by which the Commission is required to adopt a Final Plan: For Menlo Park, the current redistricting process must be completed by April 17, 2022. [Likely follows Elections Code section 21501]

18. Commissioner Duties: Not available.

Oakland (City)

1. Number of Districts: Seven Council Districts (eight members: seven districts, one at-large)

2. Purpose of an Independent Redistricting Commission: In November 2014, voters approved a measure to create the Oakland Independent Redistricting Commission (Oakland IRC) that will re-draw and approve boundaries for Oakland City Council Districts and City Council and School Board of Directors districts. The measure also created a companion Screening Panel that will review and recommend Redistricting Commission applicants prior to the final selection of Commissioners.

3. Commission Organization: 15 members total: 13 voting and two alternate members, selected from a pool developed by the Screening Panel (description below).

4. Commissioner Qualifications, Responsibilities, and Restrictions: Members must be approved by the Screening Panel. All members shall be residents of the City for at least three years preceding the date of application; have no conflict of interest; shall not be City employees; shall not have been a redistricting consultant for the previous five years; and meet additional ethics obligations related to campaign contributions and elections.

5. Commissioner Selection: The Screening Panel, consisting of three members (a retired judge, a current law or graduate public policy student, and a representative of a 501(c)(3) non-profit good government organization) develops a qualified pool of 30 applicants that reflect the geographic, racial, ethnic, and economic diversity of the City, and containing at least two applicants from each Council District.

Once the 30-person pool has been determined, the Oakland City Clerk randomly selects the first six Commissioners. These six Oakland IRC Commissioners then review and select the additional nine Commissioners to serve.

6. Commissioner Removal: In the event of substantial neglect of duty, gross misconduct in office, or inability to discharge the duties of office, a member of the Oakland IRC, having been served written notice and provided with an opportunity for a response, is subject to removal by the Commission. Removal of a Commissioner requires approval by two-thirds vote.

7. Redistricting Requirements and Criteria: The Oakland IRC shall draw its final map based on the Federal Voting Rights Act, California Fair Maps Act, and Oakland City Charter. The Commission shall also take the following criteria into account when drawing maps: equal population; contiguity; compactness; communities of interest; census data; and public testimony.

8. Public Meetings and Public Comment: The Oakland IRC held 22 public meetings, on weekdays and weekends, in-person and online, and solicited public feedback, including DistrictR maps.

9. Records and Data: Not available.

10. Funding: The Oakland City Administrator's Office provided project management and City staff resources for the Oakland IRC.

11. Administration and Operations: The Oakland City Administrator's Office provided project management and Oakland City staff resources for the Oakland IRC.

12. Legal Challenge: Not available.

13. Compensation: Not available.

14. Date When Application Process Starts: No later than January 1, 2020, and in each year ending in the number zero (0) thereafter, initiate and widely publicize an application process, open to all residents of Oakland who meet the specified requirements, in a manner that promotes a Qualified Commissioner applicant pool that is large and reflective of the geographic, racial, ethnic, and economic diversity of the City of Oakland. This process shall remain open until April 1, 2020 and in each year ending in the number zero (0) thereafter.

15. Date When Commission is Selected: The Oakland IRC shall be fully established no later than September 1, 2020, and thereafter no later than September 1 in each year ending in the number (0).

16. Date When Commission Starts (if Different): Not specified.

17. Date by which the Commission is required to adopt a Final Plan: By December 31, 2021, and in each year ending in the number one (1) thereafter, the Oakland IRC shall adopt a final plan for the City of Oakland.

18. Commissioner Duties: Oakland IRC Commissioners shall disclose all contact regarding the Commission's subject matter jurisdiction that occurs outside of a publicly noticed meeting. Commissioners shall disclose these contacts no later than the Commission's next regular or special meeting. The Commission shall establish procedures for disclosure. These procedures shall, at minimum, require disclosure of contacts with incumbent members of the Oakland City Council and School Board regarding matters before the Commission.

Roseville (City)

1. Number of Districts: Five Council Districts

2. Purpose of an Independent Redistricting Commission: The Roseville Independent Redistricting Commission (Roseville IRC) has the power to adopt new Roseville City Council district boundaries.

3. Commission Organization: The Roseville IRC has 11 members who are appointed through a combination of random and appointments by the seated Commissioners. After an open application process, eight Commissioners are selected by random draw from the eligible applicants, including two from each district. Those eight Commissioners select the final three Commissioners and five alternates from the remaining applicants in the subpool.

4. Commissioner Qualifications, Responsibilities, and Restrictions: Roseville IRC Members must be 18 years of age and have been a resident of the City for at least three years. A member is ineligible if: the person or any family member of the person has been elected or appointed to, or been a candidate for, Roseville City Council in the last eight years; if the person or a family member served as an officer of, employee of, or paid consultant to, a political party or as an elected or appointed member of a political party central committee in the last eight years; if they are currently serving as a staff member of a political consultant to an elected official; or if the person is a paid employee of the City, a current City Councilmember, or a redistricting contractor or consultant. A member is also ineligible if they or a family member in the last four years served as an officer of, employee of, or paid political consultant to, a campaign committee or a candidate for Roseville City Council; served as a staff member or a political consultant to, or who has contracted with, a currently serving City Councilmember or County supervisor; or contributed \$500 or more in a year to any seated Councilmember or current candidate. During their tenure, a Commissioner may not endorse, work for, volunteer for, or make a campaign contribution to a candidate for Roseville City Council.

After their term, Roseville IRC Commissioners may not be a candidate for Roseville City Council within five years; accept employment as a staff member of, or political consultant to, a Roseville City Councilmember or candidate for four years; or accept an appointment to the Roseville City Council for two years.

5. Commissioner Selection: The Roseville City Clerk reviews each submitted application and randomly selects eight Roseville IRC Commissioners: two from each of the four 'quadrants' of the City. The Commissioners then select three at-large Commissioners and five at-large alternates from the remaining applicants. Alternates are seated by random process if a Commissioner leaves. The Commissioners are expected to make each selection on the basis of the applicant's relevant analytical skills, ability to comprehend and apply the applicable state and federal legal requirements, familiarity with the City's neighborhoods and communities, familiarity with the City's demographics and geography, ability to be impartial, and apparent ability to work cooperatively with other Commissioners.

6. Commissioner Removal: While serving on the Roseville IRC, a member may not endorse, work for, volunteer for, or make a campaign contribution to, a candidate for Roseville City Council.

The Roseville IRC may remove a Commissioner for substantial neglect of duty, gross misconduct in office, or inability to discharge the duties of office, but only after providing the subject Commissioner written notice and an opportunity for a response at a public meeting.

7. Redistricting Requirements and Criteria: The following criteria will be considered when drawing maps, in order of priority: equal population; Federal Voting Rights Act; geographical contiguity; geographical integrity, including communities of interest; easily identifiable boundaries; compactness; no favor or discrimination against a political party, incumbent, or candidate; and minimizing voters shifted to different election years.

8. Public Meetings and Public Comment: The Roseville IRC must hold at least five public hearings, including at least one in each existing Council District, and hear public comment.

9. Records and Data: Not available.

10. Funding: Roseville City Council appropriates sufficient funds to support the work of the Roseville IRC.

11. Administration and Operations: The Roseville City Manager, Roseville City Clerk, and Roseville City Attorney shall assign sufficient staff to support the Roseville IRC. The Roseville City Clerk or designee shall serve as secretary to the Commission. The Roseville City Attorney or designee shall serve as legal counsel to the Commission.

12. Legal Challenge: Not available.

13. Compensation: No compensation.

14. Date When Application Process Starts: The Roseville City Clerk shall in each year ending in the number zero initiate and widely publicize an application process

15. Date When Commission is Selected: Not specified. The Roseville IRC shall be fully established no later than December 1, 2020, and thereafter no later than December 1 in each year ending in the number zero.

16. Date When Commission Starts (if Different): Not specified.

17. Date by which the Commission is required to adopt a Final Plan: No earlier than August 1, 2021, and August 1 in each year ending in the number one thereafter, but no later than 151 calendar days before the city's next regular election occurring after March 1, 2022, and after March 1 in each year ending in the number two thereafter, the Roseville IRC shall adopt a final map establishing new council district boundaries and a final report explaining its decision.

18. Commissioner Duties: Not available.

Sacramento (City)

1. Number of Districts: Eight Council Districts (Mayor also votes as a 9th member of Council)

2. Purpose of an Independent Redistricting Commission: The Sacramento Independent Redistricting Commission (Sacramento IRC) shall be independent of Sacramento City Council control; conduct an open and transparent process enabling full public consideration of and comment on the drawing of Council District boundaries; and conduct itself with integrity and fairness.

3. Commission Organization: The Sacramento IRC consists of 13 members: eight from each of the Council Districts, as randomly selected from a pool of qualified applicants created by the Sacramento Ethics Commission; those eight will then select the final five members, plus two alternates.

4. Commissioner Qualifications, Responsibilities, and Restrictions: Members must be approved to be included in the Sacramento Ethics Commission pool of qualified applicants. Applicants must submit an application with the Sacramento City Clerk. To qualify, applicants must be a registered voter in the City, voted in two of the last three primary City elections, been a resident of Sacramento for at least ten years immediately preceding the application, and also meet ethics obligations related to campaign contributions and city employment status.

5. Commissioner Selection: The Sacramento Ethics Commission makes a sublist of 25-30 of the most qualified applicants and then randomly selects eight (one from each Council District) to serve. Those eight select an additional five members, plus two alternates, from the sublist. Sacramento IRC consists of 13 members: eight from each of the Council Districts, as appointed by the Sacramento Ethic Commission from a pool of qualified applicants; those eight will then select the final five members, plus two alternates.

6. Commissioner Removal: A Sacramento IRC Commissioner shall not contribute to or participate in any candidate campaign for City elective office, from the date of appointment to the Commission until 60 days after the adoption of a final map.

Nine Commissioners constitute a quorum. The removal of a Commissioner or alternate requires the affirmative votes of nine Commissioners.

The Sacramento IRC may remove a Commissioner for substantial neglect of duty, gross misconduct in office, or inability to discharge the duties of office, but only after providing the subject Commissioner written notice and an opportunity for a response at a public meeting. A Commissioner may appeal removal by filing a petition for writ of mandate with the superior court within ten days of the Commission's action.

7. Redistricting Requirements and Criteria: The Sacramento IRC shall draw its final map so that Council Districts are substantially equal in population; each Council District is geographically contiguous; and so that the map complies with the Constitution, Federal Voting Rights Act, State Constitution, and any other requirements.

Sacramento IRC also considered the following criteria: existing neighborhoods and community boundaries; communities of interest; integrity and compactness of territory; geography and topography; natural and artificial barriers and boundaries; and preservation of population cores that have consistently been associated with a Council District.

8. Public Meetings and Public Comment: SIRC held 23 public meetings during 2021. SIRC established a process for accepting written public comment, and additionally received over 30 draft district boundary map submissions and 50 community of interest maps from the public.

9. Records and Data: Not addressed. The Sacramento IRC identified concerns in 2021 and recommended reforms to the data issue.

10. Funding: Sacramento City Council must fund, per the Sacramento City Charter.

11. Administration and Operations: Sacramento City Manager, Sacramento City Clerk, and Sacramento City Attorney shall assign sufficient support staff, with no less than one member of each department providing support.

12. Legal Challenge: The Sacramento City Attorney shall defend the final map from legal challenge. The City Attorney may not settle any legal challenge without SIRC approval.

Any member of the public may challenge the map within 30 days. If the challenge succeeds, the court may institute changes or require SIRC to reconvene and redraw the map.

13. Compensation: Not available.

14. Date When Application Process Starts: The Sacramento City Clerk shall, no later than February 1, 2020, and by February 1 in each year ending in the number zero thereafter, initiate and widely publicize an application process, open to all city registered voters who meet the designated requirements, in a manner that promotes a qualified Commissioner applicant pool that is large and reflective of the diversity of the city. This process shall remain open until May 1, 2020 and until May 1 in each year ending in the number zero thereafter.

15. Date When Commission is Selected: From the eligible applicant pool, the Sacramento Ethics Commission, serving as a screening panel, shall, no later than November 1, 2020, and by November 1 in each year ending in the number zero thereafter, create a subpool of the 25 to 30 applicants most qualified to perform the duties of the Sacramento IRC, including at least two applicants from each existing council district. Immediately after the subpool has been created, and at that same public meeting, the chair of the screening panel shall randomly select eight names – one from each existing council district – from the subpool. These eight individuals shall serve as Commissioners on the Sacramento IRC. The Commission shall be fully established no later than December 1, 2020, and thereafter no later than December 1 in each year ending in the number zero.

16. Date When Commission Starts (if Different): Not specified.

17. Date by which the Commission is required to adopt a Final Plan: Within six months after census-block-level population data from a regular United States decennial census is made available to the public, the Sacramento IRC shall adopt a final map establishing new council district boundaries and a final report explaining its decision.

18. Commissioner Duties: (c) Within 30 days of appointment, a Sacramento IRC Commissioner shall file with the Sacramento City Clerk a statement of economic interest, or similar financial disclosure statement, as required under the City's conflict of interest code.

(e) A Commissioner shall not contribute to or participate in any candidate campaign for City elective office, from the date of appointment to the Commission until 60 days after the adoption of a final map.

(d) Commission members and staff may not communicate with or receive communications about redistricting matters from anyone except at a public meeting or through the process established for accepting written public comment. This subsection does not prohibit:

1. communication between Commission members, staff, legal counsel, and consultants retained by the Commission that is otherwise permitted by state and City open meeting requirements; or
2. Commissioners, staff, legal counsel, or consultants from engaging in public education and outreach, including explaining how the Commission functions and encouraging public participation in the redistricting process.

(e) Any person who is compensated for communicating with the Commission or any Commissioner, other than a reimbursement of reasonable travel expenses, shall identify the party compensating them in such communication

San Diego (City)

1. Number of Districts: Nine Council Districts

2. Purpose of an Independent Redistricting Commission: The San Diego Independent Redistricting Commission (San Diego IRC) has the power to adopt new San Diego City Council district boundaries.

3. Commission Organization: The San Diego IRC has nine members and two alternates who are directly appointed by a panel of randomly selected retired judges.

4. Commissioner Qualifications, Responsibilities, and Restrictions: Members shall be registered to vote in the City. Members are prohibited from seeking election to a City public office within five years of adoption of the final Redistricting plan. Other restrictions are set forth in the San Diego Municipal Code.

5. Commissioner Selection: The San Diego IRC shall be composed of nine members who shall be appointed by a panel of three retired judges (Appointing Authority). If a complete panel of judges cannot be seated, the San Diego City Clerk will preside as the Appointing Authority. Names of the retired judges willing to serve will be submitted to the San Diego City Clerk and drawn at random by the San Diego City Clerk. Applicants will apply with the San Diego City Clerk, who transfers the names to the Appointing Authority, which will hold a public meeting to appoint the nine Commissioners and two alternates.

The Appointing Authority shall attempt to appoint one San Diego IRC member from each of the nine Council districts to the extent practicable, given the other requirements of this section of the San Diego City Charter, and considering the extent of the applicant pool and an individual's qualifications to serve. The Appointing Authority shall also attempt to appoint Commission members who possess working knowledge of the geography and neighborhoods of the City of San Diego. The Appointing Authority shall appoint members who will give the Redistricting Commission geographic, social, and ethnic diversity, and who, in the Appointing Authority's judgment, have a high degree of competency to carry out the responsibilities of the Commission. The appointees shall include individuals with a demonstrated capacity to serve with impartiality in a nonpartisan role. The Appointing Authority will also appoint two alternates from the applicant pool.

6. Commissioner Removal: Not specified.

7. Redistricting Requirements and Criteria: Each San Diego IRC redistricting plan shall provide fair and effective representation for all citizens of the City, including racial, ethnic, and language minorities, and be in conformance with the requirements of the United States Constitution and federal statutes. To the extent it is practical to do so, districts shall: preserve identifiable communities of interest; be geographically compact - populous contiguous territory shall not be bypassed to reach distant populous areas; be composed of whole census units as developed by the United States Bureau of the Census; be composed of contiguous territory with reasonable access between population centers in the district; and not be drawn for the purpose of advantaging or protecting incumbents.

8. Public Meetings and Public Comment: All San Diego IRC meetings shall be open to the public and the Commission must solicit public comment. The Commission must hold a minimum of nine public hearings in various geographic areas before the preparation of a preliminary redistricting plan, and five after.

9. Records and Data: San Diego IRC records, data, and plans shall be available, at no charge, for public inspection during normal business hours in the office of the San Diego City Clerk.

10. Funding: The San Diego City Council provides funding, but the San Diego IRC's request goes through the Appointing Authority

11. Administration and Operations: San Diego City staff shall assist to the level feasible, but the San Diego IRC may employ a Chief of Staff.

12. Legal Challenge: Not available.

13. Compensation: Not available.

14. Date When Application Process Starts: The nomination period for appointment to the San Diego IRC shall commence on July 1 immediately succeeding the annexation, deannexation or consolidation and the Commission shall be constituted no later than the next November 1.

15. Date When Commission is Selected: The Appointing Authority shall appoint the members constituting the San Diego IRC no later than November 1 of every year in which a Federal Decennial Census is taken.

16. Date When Commission Starts (if Different): Within thirty days after the San Diego IRC members are appointed, the Commission shall hold its first meeting at a time and place designated by the San Diego City Clerk.

17. Date by which the Commission is required to adopt a Final Plan: San Diego City shall be redistricted at least once in every ten years, but no later than nine months following the City's receipt of the final Federal Decennial Census information.

18. Commissioner Duties: Not available.