

CITY OF BERKELEY

INDEPENDENT REDISTRICTING COMMISSION PLAN

REVISED August 2021 ~ Prepared by the City Clerk Department



INDEPENDENT
REDISTRICTING
COMMISSION **BERKELEY**

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INTRODUCTION

Mapping Berkeley Communities: Redistricting by the People.

Like many cities throughout the Bay Area and California, Berkeley utilizes a district-based system of electing councilmembers and has done so since 1986. The city is divided into eight geographic areas called “districts.” One councilmember is elected from each district by the voters living in that district. Other elected officers (such as Mayor and Auditor) are elected at-large, meaning they can live anywhere in Berkeley and are elected by all of Berkeley’s voters.

On November 8, 2016, Berkeley voters approved Measure W1, amending the City’s Charter to transfer responsibility for drawing electoral boundaries from the City Council to an Independent Redistricting Commission (the “Commission”). The measure was intended to establish a redistricting process that is open to the public, meets the requirements of law, and is conducted with integrity, fairness, and without personal or political considerations.

The Commission is tasked with adjusting the boundaries of City Council districts every ten years following the decennial federal census. Composed of thirteen members with broad community representation, the Commission will act as an independent body to engage the public and adopt an updated map of City Council district boundaries. The community will provide verbal and written input on the redistricting process, including submitting their own maps. The Charter also provides impasse procedures if a final map cannot be agreed upon.

The City Clerk Department will support the Commission throughout the redistricting process, including public outreach, coordinating the application process, and facilitating public meetings. The Commission will also receive technical support from an independent demographer, the City Attorney’s Office, and the Department of Information Technology. This document provides a high-level overview of the City’s Independent Redistricting Commission Plan. If you have questions about the redistricting process or this document, you may call the City Clerk Department at (510) 981-6900 or email redistricting@cityofberkeley.info.

Due to the COVID-19 pandemic, certain outreach activities may be limited. City staff will focus on methods to reach the widest possible audience given the mass gathering and physical distancing requirements. Electronic methods will be employed to maximize the public’s ability to participate in the process if in-person meetings are not feasible.



KEY DATES AND MILESTONES

Below is a timeline for the Independent Redistricting Commission highlighting key dates and milestones for the Commission and the public.

- **July – September 2020**
Public education and application outreach period
- **September 8 – October 9, 2020**
30-day commissioner application submission period
- **October – December 2020**
Applications screened for eligibility
- **January 2021**
Selection of eight district commissioners and alternates
- **January 2021**
Commission convenes and selects five at-large commissioners and alternates
- **February – June 2021**
Commission meets to establish its meeting schedule, meeting locations, and to receive training on conflict of interest, transparency, and ethics laws; and federal, state, and local redistricting laws and regulations
- **July 10, 2021**
Public Hearing #1 – Introduction to redistricting for the public
- **September 23, 2021**
Final California census data released
- **October 2, 2021**
Redistricting information and tools available to the public for submitting maps
- **November 15, 2021**
Deadline for the public's redistricting plan submissions
- **November – December 2021**
Staff analysis of public redistricting plan submissions
- **January – March 2022**
Commission consideration of public redistricting plans and adoption of final map
- **April 17, 2022**
Statutory deadline to provide new district boundaries to Registrar of Voters
- **November 8, 2022**
First election with new districts (unless impasse reached or plan referended)



OUTREACH

Key components of the City's outreach plan consist of the following.

Print Advertising

- ▶ Advertisement in the City's Recreation Activity Guide
- ▶ Tri-fold brochure and posters at the City's senior and recreation centers, administrative offices, public meetings, and public libraries; coordinated with U.C. Berkeley student union; and sent to community agencies
- ▶ Print advertisements in the Berkeley Times, Daily Cal, and Berkeley Tri-City Post newspapers

Community

- ▶ If permitted under the mass gathering and physical distancing policies, City staff will attend a variety of community events across the City
- ▶ Hold additional Town Hall community meetings upon request (in-person or via videoconference as conditions permit)
- ▶ Send information through existing communication outlets (Council newsletters; neighborhood groups, etc.) for dissemination

Media

- ▶ Public notices broadcast on Berkeley Community Media
- ▶ Press releases with targeted outreach to local print, online, radio, and multilingual media sources
- ▶ Coordinating with the Health, Housing, and Community Services Department to reach additional community partners

Internet & Social Media

- ▶ Dedicated page on City's website and front-page advertising
- ▶ Posts on the City's social media accounts, including Twitter and boosted advertisements on Facebook
- ▶ Paid advertisements posted on Berkeleyside



DEPARTMENT RESPONSIBILITIES

City Clerk Department

The Independent Redistricting Commission plan is an interdepartmental effort coordinated by the City Clerk Department. Preliminary responsibilities include establishing timelines, procedures, and the redistricting plan; coordinating a Request for Proposal for demographer services; and coordinating with the Department of Information Technology to procure electronic districting software for use by the Commission and public.

Throughout the redistricting process, the City Clerk Department will serve as the Secretary to the Commission and be responsible for conducting outreach, evaluating applications, selecting the initial eight commissioners, facilitating public meetings, coordinating all interdepartmental staff efforts, and supporting the Commission.

When a final district map is approved by the Commission and the City Council, the City Clerk Department will work with the Alameda County Registrar of Voters to implement the map. If an impasse is reached, the City Clerk Department will coordinate the effort through the election process and, if necessary, the identification of a special master to develop the redistricting plan.

City Attorney's Office

The City Attorney's Office serves as a legal resource to the Independent Redistricting Commission during training on conflict of interest, open meeting, and ethics laws, will attend Commission meetings to answer legal questions, and provide ongoing legal analysis as required.

Department of Information Technology

The Department of Information Technology will provide technical support for installation of the electronic districting software system and ongoing support throughout the districting process as needed. The GIS Division will provide technical support with mapping and demographics, including initial review of the census data provided by the U.S. Census Bureau.

City Manager's Office

The City Manager's Office has overall responsibility for the City Clerk Department, including coordinating information presented to the City Council. The City's Public Information Officer will be a key coordinator for outreach including press releases and website information during the application period and the Commission's community outreach process.



APPLICATION AND SELECTION PROCESS

What are the requirements to serve?

Any Berkeley resident who is 18 years of age or older at the time they submit their application, may apply for selection to the Independent Redistricting Commission.

Who can serve?

Current members of City boards and commissions that are appointed by the Mayor or Councilmembers can serve provided that they resign from their board or commission upon selection to the Independent Redistricting Commission (or as an alternate) and do not serve on any City commission during their tenure on the Independent Redistricting Commission. Persons who made a disclosable contribution to a candidate for Mayor or Councilmember may serve on the Commission if they disclose all such contributions made within the previous four years prior to the date of application.

Who is ineligible?

- City of Berkeley employees
- Qualified candidates for Berkeley Mayor or Councilmember (within 2 years of application)
- Current and former holders of Berkeley elective office (within 2 years of application)
- Paid staff or unpaid interns to the Mayor or Councilmembers (within 2 years of application)
- Family members of the Mayor or Councilmember or their staff
- Officers, paid staff, or paid consultants for campaign committees for Berkeley Mayor or Councilmember (within 2 years)
- Contractors or subcontractors of the City of Berkeley

What else should I know before I apply?

For two years after the termination of service on the Independent Redistricting Commission, you may not be a paid staff member for the Mayor or a Councilmember or serve on a City board or commission. Additionally, no Commission member may be a candidate for Mayor or City Council in the next election in which that office is on the ballot.

What happens after I apply?

The application deadline is October 9, 2020. The City Clerk will review all applications for eligibility. In January 2021, the City Clerk will randomly select eight Commissioners and eight alternates (one from each Council district). Within 10 days of selecting the initial commissioners, the Commission will convene to select five additional at-large members and alternates. The full Independent Redistricting Commission then begins meeting regularly.



MAP REQUIREMENTS

Maps are subject to the criteria outlined in Charter Article V, Section 9.5. The final map will be drawn so that the districts are as equal in population as practicable, compliant with state and federal laws, and geographically contiguous.

The Commission will take into consideration topography, geography, cohesiveness, contiguity, and integrity and compactness of the districts, as well as existing communities of interest as defined below. The Commission will also utilize easily understood district boundaries such as major traffic arteries and geographic boundaries (to the extent they are consistent with communities of interest). The geographic integrity of a neighborhood or community of interest will be respected to the extent possible.

As used here, “communities of interest” means contiguous populations that share common social and economic interests. These populations should be included within a single district for purposes of effective and fair representation.

Examples of “common social and economic interests” are areas where people:

- Share similar living standards
- Use the same transportation facilities
- Have similar work opportunities
- Have access to the same media of communication relevant to the election process
- Live in neighborhoods
- Are students/have organized student housing
- Have shared ages
- Have shared racial demographics

Communities of interest shall not include relationships with political parties, incumbents, or political candidates. Districts shall not be drawn for the purpose of favoring or discriminating against an incumbent, political candidate, or political party; i.e., the Commission may not consider the residence of current Councilmembers and a current Councilmember may be “drawn out” of their current district.

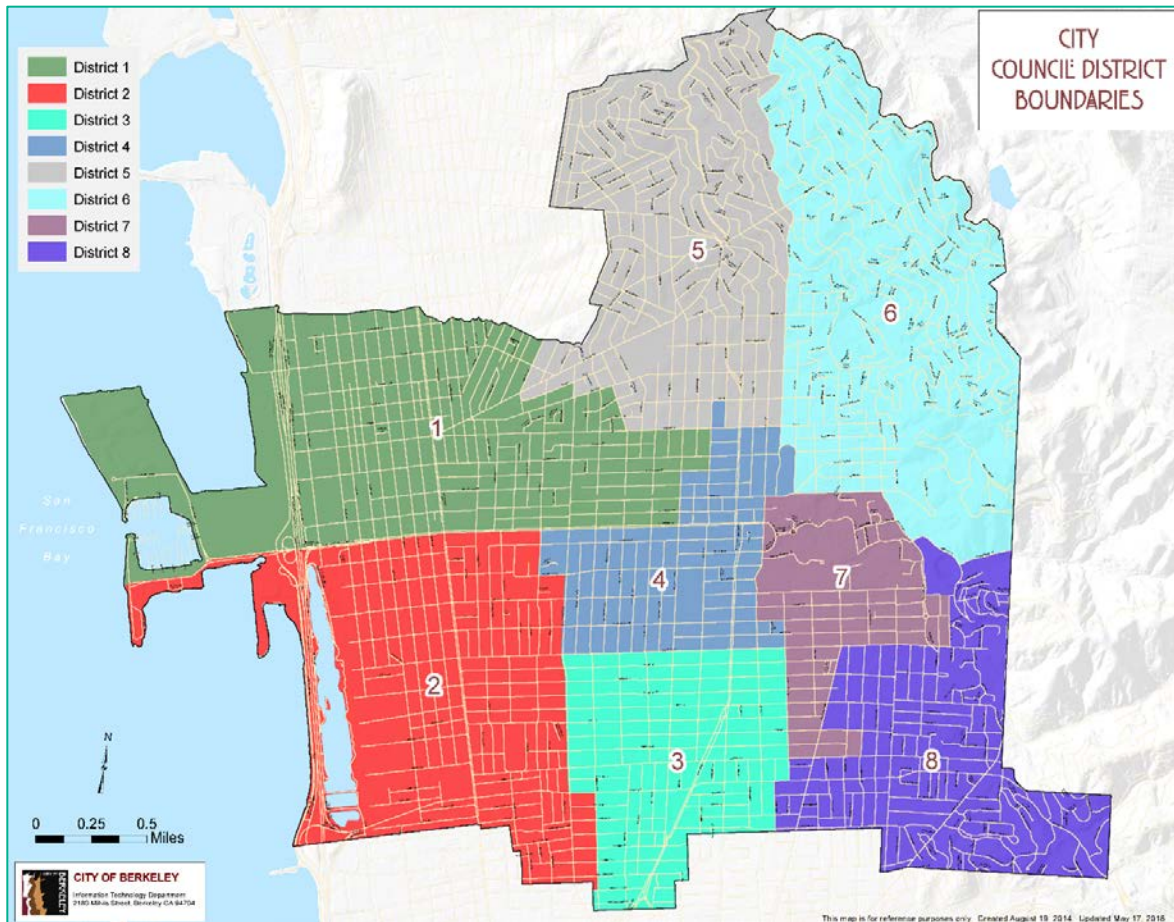
The Commission may consider existing district boundaries as a basis for developing new district boundaries.



FINAL DISTRICT MAP

Map Affirmed by Commission

The final map must be adopted by the Commission with at least seven affirmative votes (of the thirteen voting members) and submitted to the City Council. The City Council will adopt a redistricting ordinance implementing the final map without change. The boundaries of the districts will be effective until the adoption of new district boundaries following the next decennial federal census.



Final Map – 2010 Census Redistricting Process

Impasse Proceedings

If the Commission is unable to reach seven affirmative votes (of the thirteen voting members) for the final map, the map with the most votes will be placed on the ballot for the voters to consider. If the final map is rejected by the voters, the Commission will attempt to adopt a new redistricting plan within thirty days with at least seven affirmative votes. If the Commission is unsuccessful, the City Clerk will recommend a list of at least three special masters to develop a redistricting plan. The Commission will select a special master to develop the redistricting plan, and the City Council will adopt the redistricting plan determined by the special master.



EXHIBIT A: ELIGIBILITY WORKSHEET

Are you a resident of the City of Berkeley and 18 years of age or older?

Yes No (ineligible)



Have you been a qualified candidate for Mayor or Councilmember within the past two years?

No Yes (ineligible)



Are you (or have you been in the last two years) Berkeley Mayor, Councilmember, Auditor, School Board Director, or Rent Board Stabilization Board Commissioner?

No Yes (ineligible)



Are you the immediate family member of the Mayor or any Councilmember, or immediate family member of any staff to the Mayor or any Councilmember?

No Yes (ineligible)



Are you employed by the City of Berkeley?

No Yes (ineligible)



Are you performing paid services under contract with the City of Berkeley (including subcontractor employees)?

No Yes (ineligible)



Have you served as an officer, paid staff, or paid consultant of a campaign committee of a candidate for Berkeley Mayor or Councilmember within the past two years?

No Yes (ineligible)



Are you currently, or have you been within the last two years, a paid staff member or unpaid intern to the Berkeley Mayor or any Councilmember?

No Yes (ineligible)



Are you disqualified from serving in public office pursuant to Government Code sections 1021, 1021.5, or 1770, and the Constitution and laws of the State of California, except citizenship requirements?

No Yes (ineligible)



Do you serve on a City of Berkeley board or commission appointed by the Mayor or Councilmembers?

No Yes → Eligible. However, you must resign from the board or commission if selected and agree not to serve on the City's other boards or commissions during your term on the IRC.

Have you made disclosable monetary or non-monetary contributions to a candidate for Mayor or Councilmember in the City of Berkeley within the past four years?

No Yes → Eligible. However, you must disclose those contributions under penalty of perjury.



Congratulations – you are eligible to serve on the Independent Redistricting Commission!

