

Optional Processes for Establishing District Boundaries (E.C. §23000 et seq.)

For the redistricting process, there are several optional methods available for updating district boundaries, including:

1. Council-Driven Process: The City Council can perform all public outreach with City staff and consultants, draw alternative maps, and select the final map, following state law.
2. Advisory Redistricting Commission: The City Council appoints an Advisory Redistricting Commission to perform some community outreach and provide recommendations to the City Council.

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 shall not be appointed to the commission (E.C. §23002).

If the City Council pursues the creation of an Advisory Redistricting Commission, staff would be required to return to City Council with a resolution to establish the Advisory Redistricting Commission, which defines membership requirements, the scope and responsibilities of the Commission, and the commissioner selection process.

3. Independent Redistricting Commission: The City Council may establish an Independent Redistricting Committee that has the full and final authority to draw and adopt the new district boundaries. The Independent Redistricting Commission performs all public outreach, with staff and consultant support. The City Council's role is to fund the process and decided how the Independent Redistricting Committee members are selected; the City Council may not appoint the Independent Redistricting Committee members.

If an Independent Redistricting Commission is established, the City Council has no authority to review, modify, or approve any maps. The Independent Redistricting Commission approves the final district boundary map.

4. Hybrid Redistricting Commission: The City Council may establish a Hybrid Redistricting Commission that provides the City Council with two or more plans from which the City Council selects one map without any changes. The Hybrid Redistricting Committee performs public outreach and draws two or more maps, with City staff and consultant support. The City Council funds the process and decides how the Hybrid Redistricting Committee members are selected; the City Council may not appoint the Hybrid Redistricting Committee members.

Independent and Hybrid Redistricting Commissions have typically been used in very large counties such as Los Angeles, Santa Barbara, and San Diego, as well as in the cities of Long Beach, Oakland, Sacramento, San Diego, San Francisco, and Santa Barbara. One reason these two types of redistricting commissions are generally used in larger cities or counties is because of the challenge of identifying Commissioners that are qualified and meet the State law membership qualifications.

For both Independent and Hybrid Redistricting Commissions, State law establishes an extensive list of qualifications for membership, and there are post-service limitations on a commissioner's ability to run for local office, serve on a local board or commission, seek City employment, or otherwise contract with the City. While the City may establish stricter requirements for membership on any redistricting commission, the State law limitations on membership generally include the following requirements (E.C. §23003):

- Must be a resident of city.
- The commission shall not be comprised entirely of members who are registered to vote with the same political party preference.
- Cannot be a candidate for or elected to City Council for the past 8 years (applies to the commissioner and their family members) or be a candidate for or elected to public office for 5 years after service (for commissioner).
- Cannot have previously held a "disqualifying position" for the past 8 years (for commissioner and their spouse) or past 4 years (for a commissioner's non-spouse family members), and a "disqualifying position" includes: (a) officer, employee, or consultant for a candidate, campaign committee, or political party; or (b) contributed \$500 or more in a year to a Councilmember candidate.
- Cannot participate in campaigns for City Council while on the commission.
- Cannot be a candidate to serve in a district that was drawn by the commissioner.
- Cannot be hired by the City as an employee or "no bid" consultant for 4 years.
- Cannot be appointed to any other City board or commission for 2 years.

Process for Appointing Independent or Hybrid Commission Members

As mentioned above, the City Council may not appoint the members to either of these two types of redistricting commissions (E.C. 23003[b]). Rather the City Council must select a methodology for how these appointments are made. Two such approaches are described below:

1. *An Independent Selection Panel to Make the Appointments:* The City Council may appoint an independent selection body, such as a panel of retired judges; and that selection body directly appoints the commissioners after an open selection process. One of the greatest challenges with using an independent appointment selection method is the level of difficulty in identifying a truly impartial independent selection body.
2. *A Random Drawing to Make Commission Appointments:* After an open application process, an independent selection body reviews the applications and creates a pool of qualified applicants. A subset of applicants is selected at random from that pool. That subset of applicants then selects the remaining commissioners from the applicants still in the qualified pool. This method follows the model of the State Redistricting Commission and is intended to prevent the governing board from influencing who serves on the commission.