



Office of the City Manager

ACTION CALENDAR
March 22, 2022

To: Honorable Mayor and Members of the City Council
 From: Independent Redistricting Commission
 Submitted by: Elisabeth Watson, Chairperson, Independent Redistricting Commission
 Subject: Implementation of Redistricting Plan for City Council District Boundaries

RECOMMENDATION

Adopt first reading of an Ordinance implementing the adjusted City Council District Boundaries as approved by the Independent Redistricting Commission.

FISCAL IMPACTS OF RECOMMENDATION

There are no fiscal impacts associated with adopting the Ordinance.

CURRENT SITUATION AND ITS EFFECTS

Section 9.5 (d)(3) of the City Charter requires that the City Council adopt an Ordinance implementing the Independent Redistricting Commission's redistricting plan without change. These new boundaries will be in effect for the November 2022 election, and until the next redistricting process, which will commence after the 2030 Census.

On March 16, 2022, the Independent Redistricting Commission (IRC) adopted an adjusted city council district boundary map (Attachment 2) in accordance with state and local laws:

Action: *M/S/C (Rhodes/Gallegos-Diaz) to adopt Amber Map Version 2 as the final map to be included in the Redistricting Plan and forwarded to the City Council for implementation by adoption of the Redistricting Ordinance.*

Vote: *Ayes – Alejos, Cho, Choy, Cooper, Fox, Gallegos-Diaz, Hanson, Nicol, Rhodes, Smith, Sussell, Tran, Watson; Noes – None; Abstain – None; Absent – None.*

The IRC also adopted a Redistricting Report describing the redistricting process and development of the new council district boundaries (Attachment 3):

Action: *M/S/C (Nicol/Rhodes) to approve the final redistricting report that will accompany the final map when forwarded to the City Council for implementation.*

Vote: *Ayes – Alejos, Cho, Choy, Cooper, Fox, Gallegos-Diaz, Hanson, Nicol, Rhodes, Smith, Sussell, Tran, Watson; Noes – None; Abstain – None; Absent – None.*

BACKGROUND

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 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 IRC is tasked with adjusting the boundaries of City Council districts every ten years following the decennial federal census to account for changes in population. Composed of thirteen members with broad community representation, the IRC acts as an independent body to engage the public and adopt an updated map of City Council district boundaries. The community provided verbal and written input throughout the process, including submitting their own maps.

The City Clerk Department supported the Commission’s work, including public outreach, coordinating the application process, and facilitating public meetings. The Commission also received technical support from a redistricting consultant, the City Attorney’s Office, and the Department of Information Technology. The IRC’s Redistricting Report (Attachment 3) provides an in-depth look at the IRC’s work over the past 14 months, culminating in adoption of the final adjusted city council district map.

ENVIRONMENTAL SUSTAINABILITY AND CLIMATE IMPACTS

There are no environmental sustainability and climate impacts associated with adoption of this Ordinance.

RATIONALE FOR RECOMMENDATION

Adoption of the Redistricting Plan by the City Council, without alteration, is mandated by the City Charter.

ALTERNATIVE ACTIONS CONSIDERED

None.

CITY MANAGER

The City Manager concurs with the content and recommendations of the Commission’s report.

Implementation of Redistricting Plan for City Council District Boundaries

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CONTACT PERSON

Mark Numainville, City Clerk, (510) 981-6900

Attachments:

- 1: Ordinance
2. Redistricting Plan (Amber Map Version 2)
- 3: Independent Redistricting Commission Final Redistricting Report

ORDINANCE NO. X,XXX–N.S.

AUTHORIZING THE ADJUSTMENT OF BERKELEY CITY COUNCIL DISTRICT BOUNDARIES PURSUANT TO ARTICLE V, SECTION 9.5 OF THE BERKELEY CITY CHARTER, TO EQUALIZE POPULATION IN THE DISTRICTS AS A RESULT OF POPULATION CHANGES REFLECTED IN THE 2020 DECENNIAL FEDERAL CENSUS

BE IT ORDAINED by the Council of the City of Berkeley as follows:

Section 1. Purpose.

In order that the eight City Council Districts shall continue to be nearly equal in population as may be according to said 2020 Decennial Federal Census, the City Council Districts are hereby adjusted as set forth in Section 2.

Section 2. District Boundaries.

FIRST COUNCIL DISTRICT shall comprise all of that portion of the City of Berkeley included in the following 2020 Census Tract and Block numbers:

Tracts (First 11 Digits) and Blocks (Last 4 Digits)

060014220001003	060014220002049	060014221001021
060014220001001	060014220002048	060014220002056
060014220002028	060014220002041	060014220002064
060014220002070	060014220002042	060014220002057
060014220001002	060014220002035	060014221001007
060014220002037	060014220002046	060014220002022
060014220002038	060014220002036	060014220002021
060014220002068	060014220002045	060014220002020
060014220002069	060014220002047	060014221001008
060014220002039	060014220002043	060014221001009
060014220002052	060014220002044	060014221001006
060014220002058	060014220002023	060014221001010
060014220002059	060014220002040	060014221001005
060014220002051	060014220002053	060014220002019
060014220002061	060014220002054	060014220002018
060014220002060	060014220002055	060014221002033
060014221002008	060014220002066	060014221002022
060014220002030	060014220002065	060014221002017
060014220002031	060014220002062	060014221002018
060014220002032	060014221002007	060014221002019
060014220002034	060014221002006	060014222003009
060014220002033	060014220002063	060014222003008
060014220002050	060014221001022	060014221002016

060014222003016	060014222001024	060014219004008
060014222003015	060014222001023	060014219004014
060014222003010	060014219002017	060014219004017
060014222003007	060014222001022	060014219004007
060014222003011	060014219002016	060014219004004
060014221002005	060014222003004	060014219004003
060014221002010	060014222003001	060014219004005
060014221001024	060014222001021	060014219004006
060014221001020	060014222001020	060014219004002
060014221002004	060014219003013	060014219004001
060014221001019	060014219003009	060014219004000
060014221001018	060014219003010	060014222003014
060014221002011	060014219003012	060014222003012
060014221002012	060014219003011	060014222003013
060014221002013	060014219003005	060014222003006
060014221002003	060014219003004	060014222002010
060014221002002	060014219002015	060014222002005
060014221001017	060014219002014	060014222002011
060014221002001	060014219002013	060014222002012
060014221001023	060014219003003	060014222002009
060014221001011	060014219003002	060014222002006
060014221001004	060014220001000	060014222002013
060014221001003	060014220002029	060014222002008
060014221001012	060014220002027	060014222002007
060014221001013	060014220002025	060014223003006
060014220002017	060014220002026	060014223003005
060014221001002	060014220002024	060014222003005
060014220002016	060014220002004	060014222003000
060014220002015	060014220002006	060014222001019
060014221001014	060014220002005	060014222001004
060014221001016	060014220002007	060014222002004
060014219003014	060014220002003	060014222001018
060014221001015	060014220002008	060014222002003
060014219003008	060014220002009	060014222001017
060014221001001	060014220002002	060014222001007
060014221001000	060014220002010	060014222001006
060014220002014	060014220002011	060014222001005
060014219004016	060014220002012	060014222001008
060014219003007	060014220002013	060014222001002
060014219003006	060014220002001	060014219002012
060014219004015	060014220002000	060014219002008
060014221002014	060014219004010	060014219002011
060014221002015	060014219004011	060014219001008
060014222003002	060014219004012	060014219001007
060014222003003	060014219004013	060014219001009
060014221002000	060014219004009	060014222001003

060014219002009	060014223003004	060014213003016
060014219002010	060014223002017	060014219001005
060014219002007	060014223002008	060014219001006
060014219001010	060014223003003	060014220002067
060014219002005	060014223002005	060014221002028
060014219002006	060014223001013	060014221002029
060014219001011	060014223002004	060014221002030
060014222002002	060014223003002	060014221002024
060014222001016	060014223002016	060014221002027
060014222001009	060014223002009	060014221002026
060014222001001	060014223002003	060014221002009
060014222001010	060014223001006	060014221002025
060014222001011	060014223001007	060014221002031
060014222002001	060014223001005	060014221002032
060014222001015	060014223003001	060014221002023
060014222002000	060014223002015	060014221002020
060014223002018	060014223002002	060014221002021
060014222001014	060014223002010	060014223002013
060014222001013	060014223003010	060014223002011
060014223002007	060014223003000	060014223002001
060014223002006	060014223002014	060014223001008
060014223001012	060014223002012	060014223001004
060014219002003	060014223002000	060014223001009
060014219002004	060014224003003	060014223001003
060014219002002	060014219003001	060014223001002
060014219002001	060014219003000	060014223001001
060014222001012	060014219001003	060014223001000
060014222001000	060014219001002	060014223003015
060014219002020	060014219001004	060014223003007
060014219002018	060014219001012	060014223003014
060014223001011	060014219001000	060014223003008
060014223001010	060014219002000	060014223003013
060014219002019	060014219001013	060014223003012
060014223003011	060014219001001	060014223003009

The foregoing list of Census Blocks in the FIRST COUNCIL DISTRICT is generally located within a boundary line commencing on the point at the intersection of Martin Luther King, Jr. Way and University Avenue; thence westerly along University Avenue to intersection of University Avenue and Marina Boulevard; thence northerly along Marina Boulevard to a point at latitude - 37.8677586, longitude -122.3128683; thence continuing on the shoreline of the Bay to the Berkeley northern border; thence easterly along said border to a point between Albina Avenue and Monterey Avenue (latitude - 37.8829531, longitude -122.2828323); thence southerly to Hopkins Court, thence southerly to Hopkins Street; thence westerly along Hopkins Street to the intersection of Hopkins Street and Sacramento Street; thence southerly along Sacramento Street to the intersection of Sacramento Street and Cedar Street; thence easterly along Cedar Street to the

intersection of Cedar Street and Martin Luther King, Jr. Way; thence southerly along Martin Luther King, Jr. Way to the point of the beginning

SECOND COUNCIL DISTRICT shall comprise all of that portion of the City of Berkeley included in the following 2020 Census Tract and Block numbers:

Tracts (First 11 Digits) and Blocks (Last 4 Digits)

060019900000002	060014220001034	060014232001001
060014220001004	060014220001051	060014232001000
060014220001005	060014220001042	060014231001006
060014220001007	060014220001050	060014231001008
060014220001006	060014220001035	060014231001005
060014220001010	060014220001036	060014220001064
060014220001011	060014220001027	060014220001062
060014220001075	060014232002011	060014220001066
060014220001070	060014232002004	060014220001061
060014220001065	060014232002010	060014220001058
060014220001071	060014232002003	060014220001055
060014220001052	060014220001028	060014220001056
060014220001074	060014220001029	060014220001059
060014220001076	060014220001030	060014220001063
060014220001068	060014232002009	060014220001060
060014220001067	060014232002008	060014240021006
060014220001069	060014232002002	060014240021005
060014220001053	060014232002007	060014233003016
060014220001073	060014220001008	060014233003015
060014220001072	060014220001009	060014220001057
060014220001054	060014220001015	060014233003006
060014220001012	060014220001013	060014240021012
060014220001044	060014220001032	060014240022002
060014220001046	060014220001019	060014240021011
060014220001045	060014220001016	060014240022003
060014220001014	060014220001020	060014240021009
060014220001024	060014220001021	060014233003013
060014220001023	060014220001018	060014240021007
060014220001022	060014220001017	060014240021004
060014220001026	060014232002000	060014233003009
060014220001025	060014231003007	060014233003007
060014232002015	060014232001014	060014233003008
060014232002016	060014231001007	060014240021008
060014232002012	060014231002006	060014240021003
060014232002014	060014231002005	060014233003010
060014232002013	060014231001015	060014233003014
060014220001043	060014232001003	060014233003011
060014220001033	060014232001002	060014233003012

060014220001049	060014231002001	060014233001008
060014220001041	060014231003001	060014233001001
060014220001048	060014231003000	060014231004004
060014220001047	060014231002000	060014231004003
060014220001040	060014231001012	060014233001011
060014220001037	060014231001002	060014231004002
060014220001039	060014231001014	060014233001000
060014233002004	060014231001013	060014231004001
060014220001038	060014231001001	060014240022015
060014233003005	060014231001000	060014240022010
060014233003004	060014232001007	060014240022004
060014233003003	060014232001008	060014240022014
060014233002003	060014232001006	060014240022009
060014233002005	060014232002005	060014240022013
060014233001013	060014232001020	060014240022001
060014220001031	060014232001009	060014240022005
060014233001004	060014232001010	060014240022012
060014233001005	060014232001005	060014240022011
060014233001003	060014232001004	060014240022008
060014232002006	060014232001019	060014240022007
060014231004009	060014232001018	060014240022006
060014231004008	060014232001017	060014240022000
060014231003008	060014232001011	060014240021010
060014231004007	060014232001012	060014240021002
060014233001006	060014232001013	060014233002013
060014233001007	060014232002001	060014233002012
060014231003006	060014232001016	060014233002014
060014231002004	060014232001015	060014240021001
060014231002003	060014233001002	060014240021000
060014231001010	060014231004006	060014233002015
060014231003005	060014231004005	060014233002011
060014231003004	060014233003002	060014233002010
060014231002002	060014233002006	060014233002009
060014231001009	060014233002002	060014233002008
060014231001004	060014233003001	060014233002000
060014231001011	060014233003000	060014233001010
060014231001003	060014233002001	060014233001009
060014231003003	060014233002007	060014231004000
060014231003002	060014233001012	

The foregoing list of Census Blocks in the SECOND COUNCIL DISTRICT is generally located within a boundary line commencing at the intersection of Sacramento Street and the southern border of the City; thence westerly along said border until it reaches the Bay; thence including the portion of the City of Berkeley in the Bay; thence including the portion of the Berkeley Marina south and west of the harbor shoreline to the intersection of Marina Boulevard and University Avenue; thence easterly along University

Avenue to the intersection of University Avenue and Sacramento Street; thence southerly along Sacramento Street to the point of the beginning.

THIRD COUNCIL DISTRICT shall comprise all of that portion of the City of Berkeley included in the following 2020 Census Tract and Block numbers:

Tracts (First 11 Digits) and Blocks (Last 4 Digits)

060014240014016	060014236021005	060014236012007
060014240014015	060014236021006	060014236012005
060014240014011	060014236021007	060014236011016
060014240014017	060014240014004	060014236011010
060014240014018	060014235002008	060014236011008
060014240014013	060014235002009	060014236011005
060014240014014	060014235002003	060014236023013
060014239011029	060014235001014	060014236011004
060014234004002	060014235001011	060014236023009
060014234003012	060014235001006	060014236023006
060014234003007	060014235002002	060014236023010
060014234003002	060014235001015	060014236023005
060014234004001	060014235002001	060014236011009
060014234003011	060014235001016	060014236011003
060014234003008	060014235001010	060014236023011
060014234003001	060014235001007	060014236023004
060014234002009	060014235001009	060014234004000
060014234002002	060014235001008	060014234003010
060014234001007	060014235003014	060014234003009
060014234002001	060014235003015	060014234003000
060014234002010	060014235003000	060014235003006
060014234001008	060014235002012	060014235003004
060014240014001	060014236012011	060014235002014
060014240014012	060014236012010	060014235002005
060014240014010	060014236012009	060014234002000
060014240014009	060014236012008	060014234002011
060014240013001	060014235002000	060014234001009
060014240013002	060014235001017	060014235001012
060014240014000	060014236023008	060014235002004
060014240013000	060014236023007	060014235001013
060014240012006	060014236021003	060014235001005
060014239011023	060014236011007	060014235003007
060014239011027	060014236011006	060014235003008
060014239011028	060014236023012	060014235003003
060014239011024	060014236021004	060014235003009
060014239011026	060014236012013	060014235003002
060014239011021	060014236012012	060014235002013
060014239011020	060014236012006	060014235002010

060014235002006	060014240012003	060014239011017
060014235003010	060014240011007	060014239011005
060014235003011	060014240012007	060014239011002
060014235003012	060014239011012	060014239011000
060014235003001	060014239011022	060014239011004
060014235003013	060014239011019	060014239011003
060014235002011	060014240012002	060014240011003
060014235002007	060014240011002	060014234004011
060014240013006	060014240012001	060014234004007
060014240013005	060014234004009	060014234004008
060014240012005	060014240011001	060014234003004
060014240011005	060014234004010	060014234002006
060014234004005	060014240012000	060014234002007
060014234004012	060014239011011	060014234004004
060014234004006	060014239011013	060014234003014
060014240014003	060014239011010	060014234004003
060014240014005	060014240011000	060014234003013
060014240014006	060014235003005	060014234003005
060014240013007	060014239011009	060014234003003
060014240013004	060014239011025	060014234003006
060014240014002	060014239011014	060014234002005
060014240014008	060014239011006	060014234002004
060014240014007	060014239011008	060014234001005
060014240013008	060014239011007	060014234002008
060014240013003	060014239011001	060014234002003
060014240012004	060014239011015	060014234001006
060014240011006	060014239011018	
060014240011004	060014239011016	

The foregoing list of Census Blocks in the THIRD COUNCIL DISTRICT is generally located within a boundary line commencing on the point where the southern boundary line of the City of Berkeley intersects Sacramento Street; thence easterly, along said southern boundary line to the intersection of said southern boundary line and Shattuck Avenue; thence northerly, along Shattuck Avenue to the intersection of Shattuck Avenue and Ashby Avenue; thence easterly, along Ashby Avenue to the intersection of Ashby Avenue and Telegraph Avenue; thence northerly, along Telegraph Avenue to the intersection of Telegraph Avenue and Blake Street; thence westerly, along Blake Street to the intersection of Blake Street and Sacramento Street; thence southerly, along Sacramento Street to the point of the beginning.

FOURTH COUNCIL DISTRICT shall comprise all of that portion of the City of Berkeley included in the following 2020 Census Tract and Block numbers:

Tracts (First 11 Digits) and Blocks (Last 4 Digits)

060014234001003	060014224002013	060014229012005
060014230003014	060014224002003	060014235001000
060014234001002	060014224002002	060014229011004
060014234001001	060014224003007	060014229011003
060014230003006	060014224003004	060014229012004
060014230003007	060014224002010	060014229011002
060014230003008	060014224002011	060014229011001
060014230003005	060014224002004	060014229011000
060014230003004	060014224002006	060014229023004
060014230003003	060014224002005	060014229022013
060014230003002	060014224002001	060014229023003
060014230003009	060014224002000	060014229022009
060014230003013	060014224003008	060014229023001
060014230003010	060014224003002	060014229023000
060014230003001	060014224003001	060014229022003
060014230001006	060014224003005	060014229022008
060014230001007	060014224003006	060014229022004
060014230001000	060014224003000	060014229022012
060014224002009	060014224002014	060014229022010
060014224002008	060014228004001	060014229022011
060014224002007	060014235001003	060014234001000
060014224001004	060014230002009	060014235001004
060014229022002	060014230002010	060014230001008
060014224001003	060014230002008	060014230001009
060014224001005	060014229021005	060014230001005
060014224004007	060014229021007	060014230001004
060014224004008	060014229021006	060014230001010
060014224004009	060014229021004	060014230001012
060014229022001	060014230002001	060014230001011
060014224001002	060014230002000	060014230001003
060014229022000	060014229021003	060014230001002
060014224001006	060014230001016	060014230003012
060014224001001	060014229021001	060014230003011
060014224004005	060014229021000	060014230002013
060014224004004	060014229021002	060014230003000
060014224004006	060014229023002	060014230002005
060014224004002	060014229012008	060014230002004
060014224004003	060014229012007	060014230002011
060014224004001	060014229012006	060014230002012
060014236021002	060014229012003	060014230002006
060014228004003	060014229012002	060014230002007
060014228004002	060014229012001	060014230001013
060014229022007	060014229012000	060014230001001
060014229022005	060014235001002	060014230002003
060014229022006	060014229012009	060014230001014
060014224002012	060014235001001	060014230002002

060014230001015
060014234001004

060014230003017
060014230003016

060014230003015

The foregoing list of Census Blocks in the FOURTH COUNCIL DISTRICT is generally located within a boundary line commencing on the point at the intersection of Ellsworth Street and Blake Street; thence northerly, along Ellsworth Street to the intersection of Ellsworth Street and Channing Way; thence westerly, along Channing Way to the intersection of Channing Way and Fulton Street; thence northerly, along Fulton Street to where it becomes Oxford Street and continuing northerly, along Oxford Street to the intersection of Oxford Street and Cedar Street; thence westerly along Cedar Street to the intersection of Cedar Street and Martin Luther King Jr. Way; thence southerly along Martin Luther King Jr. Way to the intersection of Martin Luther King Jr. Way and University Avenue; thence westerly along University Avenue to the intersection of University Avenue and Sacramento Street; thence southerly along Sacramento Street to the intersection of Sacramento Street and Blake Street; thence easterly along Blake Street to the point of the beginning.

FIFTH COUNCIL DISTRICT shall comprise all of that portion of the City of Berkeley included in the following 2020 Census Tract and Block numbers:

Tracts (First 11 Digits) and Blocks (Last 4 Digits)

060014218002022	060014217003002	060014217001006
060014218002023	060014217003001	060014214002011
060014218002013	060014217003000	060014214002007
060014218002014	060014212004002	060014217001005
060014218002011	060014212004006	060014217001004
060014218002008	060014212003005	060014217001003
060014212002006	060014212003006	060014214002005
060014212002003	060014212003001	060014214002010
060014212002004	060014212004005	060014217002003
060014214001003	060014212003000	060014217002002
060014214001002	060014212004004	060014217002001
060014214001001	060014212004001	060014213001007
060014212002005	060014212004000	060014213001008
060014214001000	060014217002009	060014213001009
060014218002016	060014217002008	060014218002003
060014218002021	060014217001010	060014218002002
060014218002015	060014217001011	060014218002007
060014218002012	060014217002007	060014213003014
060014218002020	060014217002006	060014213003010
060014218002017	060014217002005	060014218002000
060014218002006	060014217002004	060014213003009
060014218002018	060014217001012	060014218002001
060014218002005	060014217001013	060014213003015
060014217003003	060014217001014	060014213003012

060014213003011	060014218001010	060014213001013
060014213004012	060014218001007	060014213001018
060014213004011	060014218001008	060014213001020
060014213004006	060014217003008	060014213001017
060014213004005	060014212002002	060014212003010
060014213004004	060014212003003	060014213001016
060014213004013	060014212002001	060014213003003
060014213004010	060014212002000	060014217001015
060014213003008	060014212001012	060014217001016
060014213004008	060014212001010	060014217002000
060014213004007	060014212001009	060014217001017
060014213004009	060014212001006	060014217001002
060014218001012	060014212001005	060014217001001
060014218001002	060014212001007	060014214001011
060014218001006	060014212001008	060014214001010
060014218001009	060014212001001	060014217001000
060014218001005	060014212001002	060014214001009
060014217002010	060014212001011	060014214002000
060014218001003	060014212001004	060014214002006
060014217003007	060014212001003	060014214002004
060014217003006	060014212001000	060014214001007
060014217003005	060014218001001	060014214001008
060014217003004	060014218001004	060014212002018
060014218002010	060014217001009	060014212002016
060014218002009	060014213003006	060014212002024
060014218002004	060014213003005	060014212002023
060014213003013	060014213003004	060014212002022
060014213002018	060014218001000	060014214001006
060014213002017	060014213003007	060014214001005
060014213002003	060014217001008	060014212002021
060014213002004	060014217001007	060014214001004
060014213002002	060014214002009	060014212002007
060014213002010	060014214002008	060014212002008
060014213002016	060014214002003	060014214002002
060014213002015	060014213004001	060014213003000
060014213002005	060014213004003	060014212002020
060014213002011	060014213004002	060014212002014
060014213002007	060014213002014	060014214002001
060014213002006	060014213003002	060014212002019
060014213002001	060014213004000	060014212002015
060014213002000	060014213003001	060014212002013
060014213002008	060014213001021	060014212003013
060014213002012	060014213002013	060014212003009
060014213002009	060014213001019	060014212002017
060014218002019	060014213001012	060014212002012
060014218001011	060014213001015	060014212002009

060014212002011	060014213001003	060014212003011
060014212002010	060014213001002	060014212003008
060014212003004	060014213001010	060014212004003
060014212003002	060014213001011	060014212003012
060014213001006	060014213001001	060014212003007
060014213001005	060014213001000	
060014213001004	060014213001014	

The foregoing list of Census Blocks in the FIFTH COUNCIL DISTRICT is generally located within a boundary line commencing on the point at the intersection of Spruce Street and Cedar Street; thence northerly, along Spruce Street to the northern boundary line of the City of Berkeley; thence westerly, and southerly along said northern boundary line to a point between Albina Avenue and Monterey Avenue (37.8829531,-122.2828323); thence southerly to Hopkins Court; thence southerly to Hopkins Street; thence westerly along Hopkins Street to the intersection of Hopkins Street and Sacramento Street; thence southerly along Sacramento Street to the intersection of Sacramento Street and Cedar Street; thence easterly along Cedar Street to the point of the beginning.

SIXTH COUNCIL DISTRICT shall comprise all of that portion of the City of Berkeley included in the following 2020 Census Tract and Block numbers:

Tracts (First 11 Digits) and Blocks (Last 4 Digits)

060014225001014	060014225003010	060014216002009
060014225001003	060014225003000	060014216002008
060014225001002	060014225001013	060014216002002
060014225003006	060014225001005	060014216002006
060014225003007	060014225001004	060014216002003
060014225003008	060014225003013	060014216002000
060014225003005	060014225002003	060014216002007
060014225001010	060014225002008	060014216002012
060014216004007	060014225002004	060014216001009
060014225001011	060014225002002	060014216002001
060014225001008	060014211001004	060014216001001
060014225001009	060014211001005	060014216001002
060014225003004	060014211001006	060014216001010
060014225003003	060014215001004	060014216001003
060014225003002	060014215001006	060014215003014
060014225003001	060014215001002	060014215002022
060014225001012	060014215001001	060014215002021
060014225001006	060014215001003	060014215001027
060014225001007	060014215001005	060014215001018
060014225003011	060014225001000	060014215001028
060014225003012	060014216002010	060014216003002
060014225003009	060014216002005	060014215003017

060014215003018	060014216003011	060014215001009
060014215003021	060014216003012	060014215001010
060014216003001	060014216004004	060014215001026
060014215003019	060014216003015	060014215001024
060014215003020	060014216004003	060014215001025
060014216003000	060014216003014	060014216001000
060014216004002	060014216003013	060014215001021
060014216004008	060014216003005	060014215001022
060014216004001	060014224001000	060014215001023
060014215003023	060014224004000	060014216001007
060014215003022	060014225001001	060014216001008
060014216004000	060014225002001	060014216001006
060014216004009	060014225002000	060019821001000
060014216004010	060019821001001	060014216001005
060014216002004	060014225002007	060014216001004
060014215003011	060014225002005	060014215001007
060014215003012	060014225002006	060014215001008
060014216002011	060014215002016	060014215001000
060014215003004	060014215002008	060014211002001
060014215003013	060014211002023	060014211002000
060014215003009	060014215002002	060014211002014
060014215003007	060014215002007	060014211002011
060014215002017	060014215002006	060014211002012
060014215002014	060014215002000	060014211002007
060014215002015	060014215002001	060014211002008
060014215003010	060014215001016	060014211002017
060014215003006	060014215003005	060014211002018
060014215003003	060014215003002	060014211002009
060014215002023	060014215002019	060014211002004
060014215002009	060014215003001	060014211002002
060014215003008	060014215003000	060014211002003
060014215002018	060014215002020	060014211001002
060014215002012	060014215002003	060014211001001
060014215002013	060014215002004	060014211001000
060014211002015	060014215001015	060014211002019
060014211002016	060014215002005	060014211002010
060014215002011	060014215001019	060014211001003
060014211002020	060014215001013	060014211001008
060014215002010	060014215001014	060014211001007
060014211002022	060014215001011	060014216003009
060014211002021	060014211002013	060014216003008
060014216004006	060014211002006	060014216003004
060014216003010	060014211002005	060014216003003
060014216004005	060014215001017	060014215003016
060014216003007	060014215001020	060014215003015
060014216003006	060014215001012	

The foregoing list of Census Blocks in the SIXTH COUNCIL DISTRICT is generally located within a boundary line commencing on the point at the intersection of Oxford Street and Hearst Avenue; thence easterly, along Hearst Avenue to the intersection of Hearst Avenue and Gayley Road; thence southerly along Gayley Road to the intersection of Gayley Road and Stadium Rim Way; thence easterly along Stadium Rim Way to the intersection of Stadium Rim Way and Centennial Drive; thence easterly along Centennial Drive to the eastern boundary line of the City of Berkeley; thence northwesterly along said eastern boundary line to the intersection of the eastern boundary line and Spruce Street; thence southerly along Spruce Street to the intersection of Spruce Street and Cedar Street; thence westerly, along Cedar Street to the intersection of Cedar Street and Oxford Street; thence southerly along Oxford Street to the point of the beginning.

SEVENTH COUNCIL DISTRICT shall comprise all of that portion of the City of Berkeley included in the following 2020 Census Tract and Block numbers:

Tracts (First 11 Digits) and Blocks (Last 4 Digits)

060019821001007	060014228001012	060014228001004
060019821001008	060014228001013	060014227003004
060019821001010	060014228002005	060014227003001
060019821001012	060014228002004	060014227004002
060019821001009	060014228002002	060014227004001
060019821001014	060014228002003	060014227004000
060019821001013	060014228002001	060014227002005
060014228003004	060014228001009	060014227002004
060014228003003	060014228001008	060014227002003
060014236021001	060014228001007	060014227002002
060014228004004	060014228002000	060014227002001
060014228003005	060014228001002	060014227003003
060014228004000	060014228001001	060014227003002
060014228003006	060014228001006	060014227003000
060014228003002	060014228001010	060019821001005
060019821001011	060014228001011	060014227002000
060014228003001	060014228001005	060019821001002
060014228003000	060014228001003	060019821001016
060019821001015	060014228001000	
060014236021000	060019821001006	

The foregoing list of Census Blocks in the SEVENTH COUNCIL DISTRICT is generally located within a boundary line commencing on the point at the intersection of Ellsworth Street and Blake Street; thence northerly, along Ellsworth Street to the intersection of Ellsworth Street and Channing Way; thence westerly, along Channing Way to the intersection of Channing Way and Fulton Street; thence northerly, along Fulton Street to where it becomes Oxford Street and continuing northerly, along Oxford Street to

the intersection of Oxford Street and Hearst Avenue; thence easterly, along Hearst Avenue to the intersection of Hearst Avenue and Gayley Road; thence southerly along Gayley Road to the intersection of Gayley Road and Stadium Rim Way; thence southerly along Stadium Rim Way to the intersection of Stadium Rim Way and Canyon Road; thence southerly along Canyon Road to where it becomes Panoramic Way and continuing southerly along Panoramic Way to the intersection of Panoramic Way and Bancroft Way; then westerly along Bancroft Way to the intersection of Bancroft Way and Prospect Street; thence southerly along Prospect Street to the intersection of Prospect Street and Dwight Way; thence westerly along Dwight Way to the intersection of Dwight Way and Telegraph Avenue; thence southerly along Telegraph Avenue to the intersection of Telegraph Avenue and Blake Street; thence westerly along Blake Street to the point of the beginning.

EIGHTH COUNCIL DISTRICT shall comprise all of that portion of the City of Berkeley included in the following 2020 Census Tract and Block numbers:

Tracts (First 11 Digits) and Blocks (Last 4 Digits)

060014239022015	060014236011000	060014236022004
060014239021007	060014237001001	060014239012007
060014239021006	060014227002006	060014239012009
060014239021004	060014227001003	060014239012006
060014239021003	060014237001000	060014239012005
060014238003020	060014227001004	060014239012003
060014238003019	060014227001005	060014239012002
060014238003018	060014227001006	060014239012008
060014238003016	060019821001004	060014239012001
060014238003017	060014227001001	060014239022012
060014238003013	060014227001002	060014239022013
060014238003012	060019821001003	060014239022011
060014238003014	060014227001000	060014239022010
060014238003015	060014238001013	060014239022006
060014239022001	060014238001011	060014239022016
060014239021005	060014238001012	060014239022014
060014236011012	060014238001010	060014239022009
060014236012002	060014238001007	060014239022007
060014239021000	060014238001006	060014239022008
060014239021001	060014238001005	060014239012004
060014239021002	060014238001004	060014239012000
060014236012001	060014238001008	060014239022005
060014236011013	060014238001003	060014239022004
060014236012000	060014238001001	060014239022003
060014236011014	060014238001002	060014239022002
060014236023002	060014238001009	060014236012004
060014236023001	060014238001000	060014239022000
060014236011001	060014236022005	060014236012003

060014236011015	060014237002017	060014238003003
060014236011011	060014237002019	060014238003002
060014236011002	060014238002003	060014237002011
060014236023003	060014238002000	060014237002004
060014238003009	060014238002002	060014237002005
060014238003001	060014237002015	060014237003004
060014237002013	060014237002000	060014237003002
060014238002008	060014237001012	060014237003003
060014238003010	060014236022003	060014237002007
060014238003000	060014236022001	060014237002012
060014237002018	060014236022002	060014237001005
060014237002006	060014236022000	060014237001006
060014237002003	060014237003001	060014238002014
060014237001007	060014237003000	060014238002009
060014237001003	060014237001004	060014238002011
060014237001008	060014237001002	060014238002004
060014237002014	060014236023000	060014238002010
060014237002001	060014238003007	060014238002005
060014237002002	060014238003004	060014238002015
060014237001009	060014237002009	060014238002013
060014237001010	060014238003006	060014238002012
060014237001011	060014237002010	060014238002007
060014238002006	060014238003005	060014238003011
060014238002001	060014237002008	
060014237002016	060014238003008	

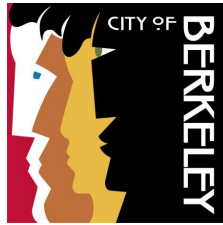
EIGHTH COUNCIL DISTRICT shall comprise all of that portion of the City not otherwise described as constituting the First, Second, Third, Fourth, Fifth, Sixth and Seventh Council Districts.

Section 3. Effective date of Adjustments.

The district boundaries established herein shall govern the election of Councilmembers beginning with the November 8, 2022 General Municipal Election.

Section 4. Posting.

Copies of this Bill shall be posted for two days prior to adoption in the display case located near the walkway in front of the Maudelle Shirek Building, 2134 Martin Luther King Jr. Way. Within fifteen days of adoption, copies of this Ordinance shall be filed at each branch of the Berkeley Public Library and the title shall be published in a newspaper of general circulation.



INDEPENDENT REDISTRICTING COMMISSION

BERKELEY



Mapping Berkeley Communities: Redistricting by the People

Draft City Council District Map: “AMBER MAP Version 2”

Adopted March 16, 2022

Contact the Independent Redistricting Commission: redistricting@cityofberkeley.info | (510) 981-6900
2180 Milvia Street, 1st Floor, Berkeley, CA 94704. To obtain additional redistricting information and view the draft maps in an interactive online map, please visit www.cityofberkeley.info/redistricting

AMBER MAP – Version 2

*Consistency Map with Changes to Address Universal Criteria
West Berkeley (Two Districts)*

The Amber Map responds to the direction of the Independent Redistricting Commission to create a draft map that has a high level of continuity with the existing council district boundaries and includes changes only as needed to meet the six universal map criteria. The universal criteria are: 1) Maximum of 10% population deviation; 2) Contiguous districts; 3) Maintain Communities of Interest and Neighborhoods; 4) Use major arterial streets as boundaries where possible; 5) Correct the features of the 2010 map that accounted for prior Councilmember residences; and 6) Include at least one compact student district in every map.

Version two of the Amber Map also responds to the Commission direction to adjust the border between District 3 and District 8 near Ashby BART.

The Amber Map follows the Commission direction by making the following noteworthy modifications:

- Move the border between District 3 and District 8 east from Adeline Street to Shattuck Avenue to include the Ed Roberts Campus, the Ashby BART east lot, and St. Paul AME Church in District 3.
- Unify the Westbrae Neighborhood in District 1;
- Unify the Poets Corner Neighborhood in District 2;
- Unify the LeConte Neighborhood in District 3;
- Unify the Lorin Neighborhood in District 3;
- Unify the Halcyon Neighborhood in District 8;
- Unify the Bateman Neighborhood in District 8;
- Unify the Willard Neighborhood in District 8;
- Unify Lower Spruce/Arch Street with the Northside Neighborhood in District 6;
- Move the census block that contains the International House from District 8 to the existing student district (District 7);
- Correct map features for prior Councilmember residences in District 4 and District 7;
- Maximize the use of the major arterials, University Avenue, Telegraph Avenue, Sacramento Street, Spruce Street, Oxford Street, and Cedar Street, as council district boundaries;
- Commission direction on topography/wildfire risk/transit access is reflected in higher elevation neighborhoods contained in two council districts (6, 8).

Amber Map - Version 2

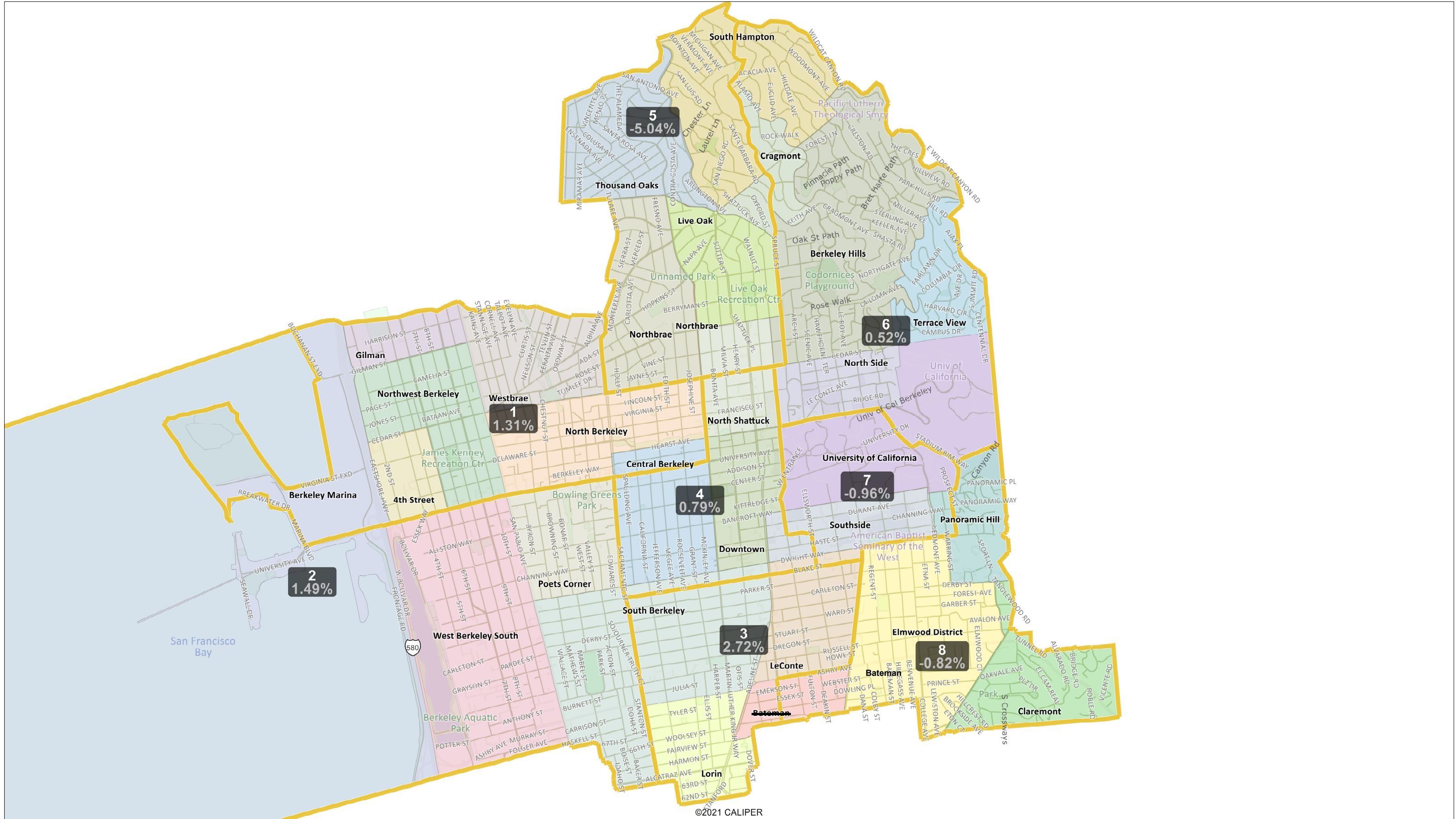
Each district is assigned a number (1 through 8)

2
3.79%

The percent shows the deviation from ideal number of people (15,554) in each district if population was distributed exactly equally among the eight districts.



Amber Map - Version 2



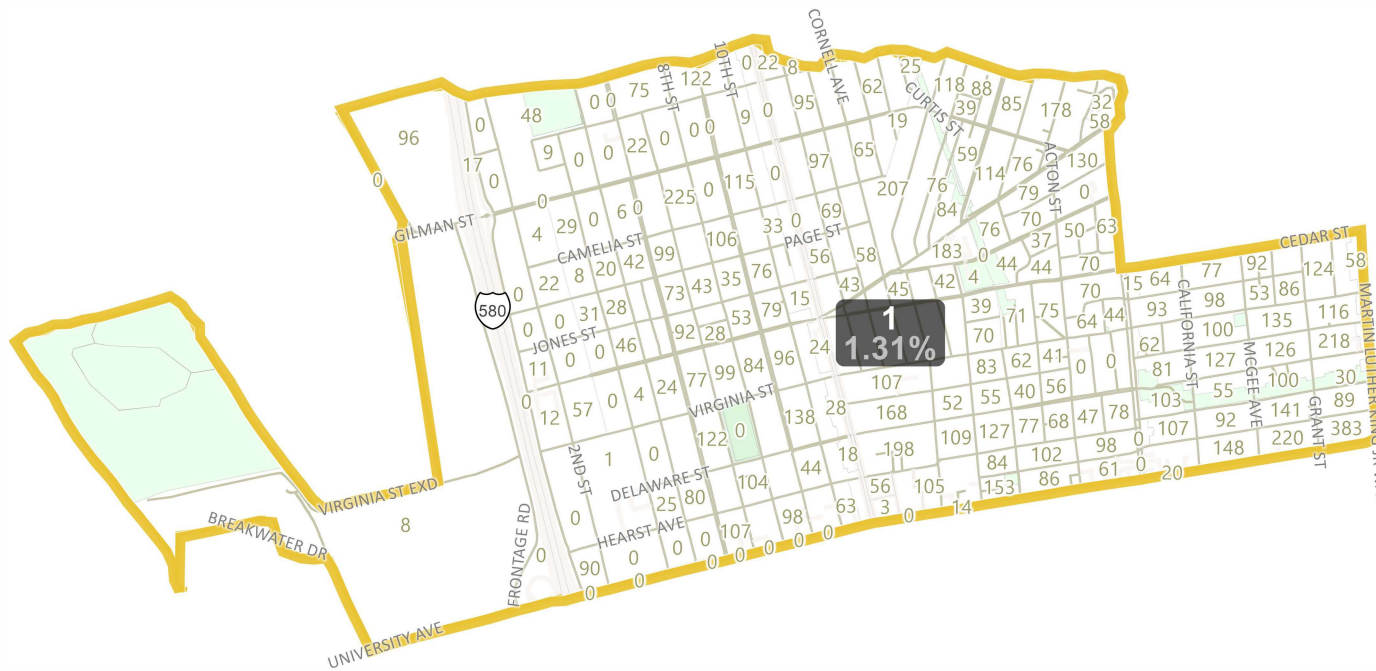
Fields List

Field	Description
District	Number assigned to district (1 through 8)
PPA_Population	PPA = Population
Deviation	Deviation from ideal number of people (15,554) in each district if population was distributed exactly equally among the eight districts.
% Deviation	
PPA_Hispanic_Origin	
% PPA_Hispanic_Origin	
PPA White	
% PPA White	
PPA AfAm	Population – African American
%PPA_AfAm	
PPA_AiAn	Population – American Indian and Alaskan Natives
% PPA_AiAn	
PPA_Asian	
% PPA_Asian	
PPA_HoPI	Hawaiian/Pacific Islander
%PPA_HoPI	
PPA_Other	
% PPA_Other	
PPA_CVAP_19	CVAP = City Voting Age Population
% PPA_CVAP_19	
Hispanic_Origin_CVAP	
% Hispanic_Origin_CVAP	
PPA_NH_Wht_CVAP_19	Non-Hispanic White
% PPA_NH_Wht_CVAP_19	
PPA_NH_BlK_CVAP_19	Non-Hispanic Black
% PPA_NH_BlK_CVAP_19	
PPA_NH_Ind_CVAP_19	Non-Hispanic American Indian
% PPA_NH_Ind_CVAP_19	
PPA_NH_Asn_CVAP_19	Non-Hispanic Asian
% PPA_NH_Asn_CVAP_19	
PPA_NH_Hwn_CVAP_19	Non-Hispanic Hawaiian/Pacific Islander
% PPA NH Hwn CVAP 19	
ACS 14-18 HU Occupied	Housing Units Occupied
ACS 14-18 Owner occupied	
% ACS 14-18 Owner occupied	
ACS 14-18 Renter occupied	
% ACS 14-18 Renter occupied	
ACS 14-18 HH Median income	Household Median Income
ACS 14-18 Median Age	

“ACS” = American Community Survey

Amber Map - Version 2

District: 1



Field	Value
District	1
PPA_Population	15757
Deviation	203
% Deviation	1.31%
PPA_Hispanic_Origin	2291
PPA_Hispanic_Origin	14.54%
PPA_White	7980
% PPA_White	50.64%
PPA_AfAm	1549
% PPA_AfAm	9.83%
PPA_AiAn	48
% PPA_AiAn	0.3%
PPA_Asian	2388
% PPA_Asian	15.16%
PPA_HoPI	67
% PPA_HoPI	0.43%
PPA_Other	171
% PPA_Other	1.09%
PPA_CVAP_19	10813
% PPA_CVAP_19	68.62%
hispanic_Origin_CVAP	1205
hispanic_Origin_CVAP	11.14%
A_NH_Wht_CVAP_19	6594
A_NH_Wht_CVAP_19	60.98%
A_NH_Blk_CVAP_19	834
A_NH_Blk_CVAP_19	7.71%
A_NH_Ind_CVAP_19	20
A_NH_Ind_CVAP_19	0.18%
A_NH_Asn_CVAP_19	1661
A_NH_Asn_CVAP_19	15.36%
A_NH_Hwn_CVAP_19	14
A_NH_Hwn_CVAP_19	0.13%
14_18_HU_Occupied	6282
18_Owner_occupied	2902
18_Owner_occupied	46.2%

ACS 14-18 Renter occupied	3388
% ACS 14-18 Renter occupied	53.93%
ACS 14-18 HH Median income	1125399
ACS 14-18 Median Age	514.02

Amber Map - Version 2

District: 2



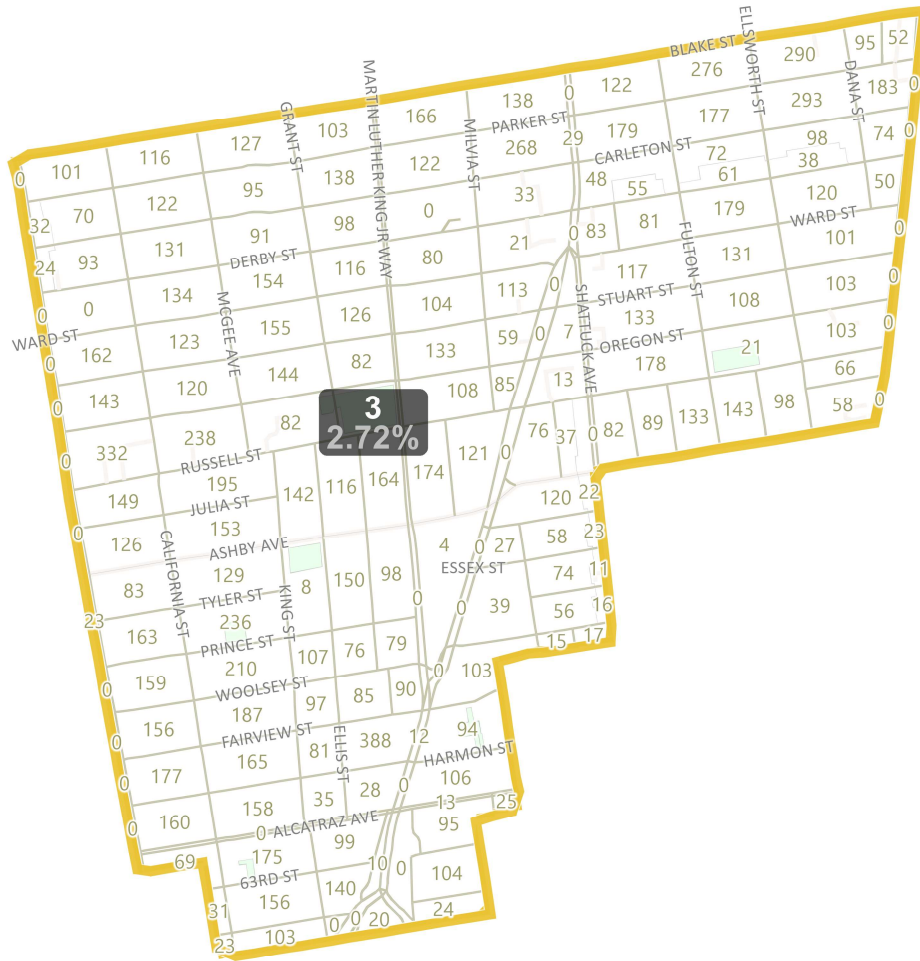
©2021 CALIPER

Field	Value
District	2
PPA_Population	15785
Deviation	231
% Deviation	1.49%
PPA_Hispanic_Origin	2691
PPA_Hispanic_Origin	17.05%
PPA_White	6748
% PPA_White	42.75%
PPA_AfAm	2794
% PPA_AfAm	17.7%
PPA_AiAn	41
% PPA_AiAn	0.26%
PPA_Asian	2071
% PPA_Asian	13.12%
PPA_HoPI	57
% PPA_HoPI	0.36%
PPA_Other	179
% PPA_Other	1.13%
PPA_CVAP_19	11043
% PPA_CVAP_19	69.96%
hispanic_Origin_CVAP	1474
hispanic_Origin_CVAP	13.35%
A_NH_Wht_CVAP_19	5276
A_NH_Wht_CVAP_19	47.78%
A_NH_Blk_CVAP_19	2708
A_NH_Blk_CVAP_19	24.52%
A_NH_Ind_CVAP_19	4
A_NH_Ind_CVAP_19	0.04%
A_NH_Asn_CVAP_19	906
A_NH_Asn_CVAP_19	8.2%
A_NH_Hwn_CVAP_19	141
A_NH_Hwn_CVAP_19	1.28%
14_18_HU_Occupied	6275
18_Owner_occupied	2414
18_Owner_occupied	38.47%

ACS 14-18 Renter occupied	3863
% ACS 14-18 Renter occupied	61.56%
ACS 14-18 HH Median income	929633
ACS 14-18 Median Age	450.23

Amber Map - Version 2

District: 3



Field	Value
District	3
PPA_Population	15977
Deviation	423
% Deviation	2.72%
PPA_Hispanic_Origin	2418
PPA_Hispanic_Origin	15.13%
PPA_White	7306
% PPA_White	45.73%
PPA_AfAm	2414
% PPA_AfAm	15.11%
PPA_AiAn	54
% PPA_AiAn	0.34%
PPA_Asian	2245
% PPA_Asian	14.05%
PPA_HoPI	24
% PPA_HoPI	0.15%
PPA_Other	176
% PPA_Other	1.1%
PPA_CVAP_19	12093
% PPA_CVAP_19	75.69%
ispanic_Origin_CVAP	1225
ispanic_Origin_CVAP	10.13%
A_NH_Wht_CVAP_19	6912
A_NH_Wht_CVAP_19	57.16%
A_NH_BlK_CVAP_19	1903
A_NH_BlK_CVAP_19	15.74%
A_NH_Ind_CVAP_19	69
A_NH_Ind_CVAP_19	0.57%
A_NH_Asn_CVAP_19	1370
A_NH_Asn_CVAP_19	11.33%
A_NH_Hwn_CVAP_19	4
A_NH_Hwn_CVAP_19	0.03%
14_18_HU_Occupied	6114
18_Owner_occupied	2051
18_Owner_occupied	33.55%
18_Renter_occupied	4051
18_Renter_occupied	66.26%
HH_Median_income	944540
14_18_Median_Age	437.71

Amber Map - Version 2

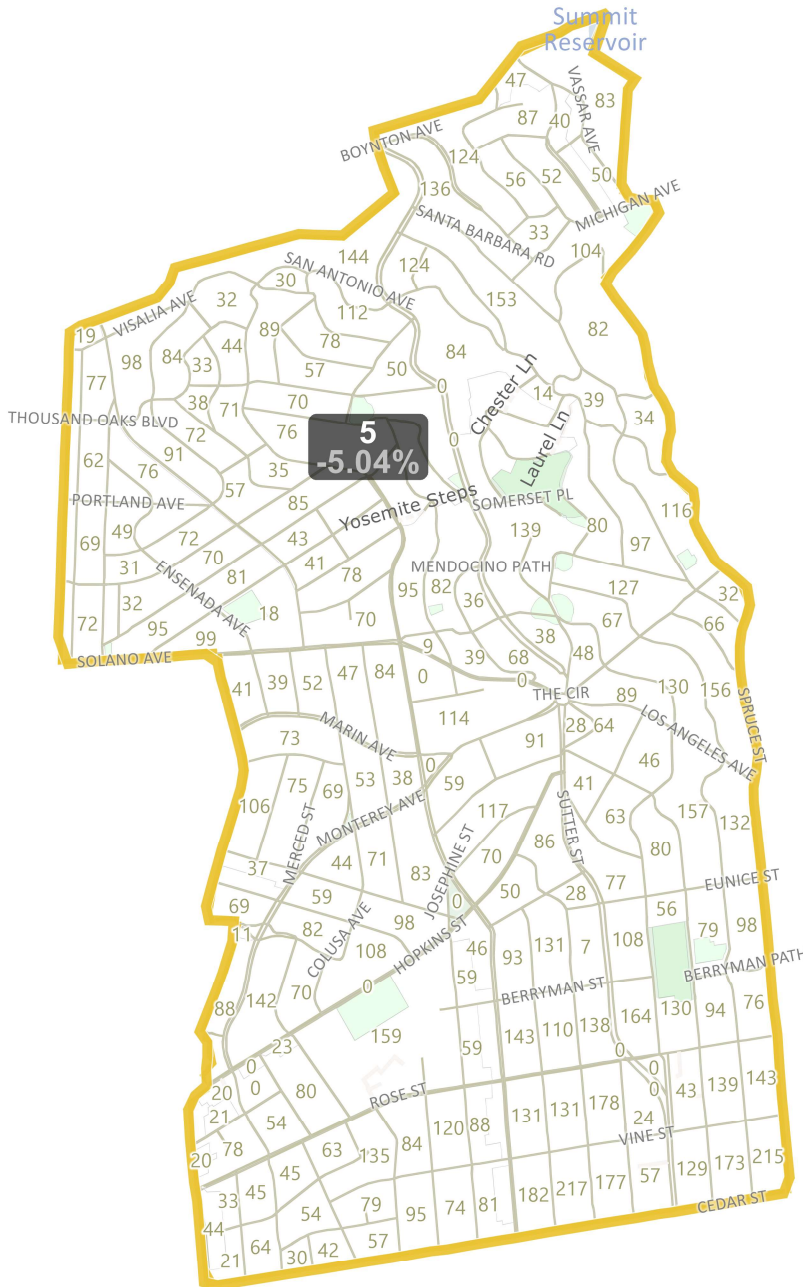
District: 4



Field	Value
District	4
PPA_Population	15677
Deviation	123
% Deviation	0.79%
PPA_Hispanic_Origin	1852
PPA_Hispanic_Origin	11.81%
PPA_White	6554
% PPA_White	41.81%
PPA_AfAm	1188
% PPA_AfAm	7.58%
PPA_AiAn	46
% PPA_AiAn	0.29%
PPA_Asian	4827
% PPA_Asian	30.79%
PPA_HoPI	34
% PPA_HoPI	0.22%
PPA_Other	161
% PPA_Other	1.03%
PPA_CVAP_19	12026
% PPA_CVAP_19	76.71%
ispanic_Origin_CVAP	1274
ispanic_Origin_CVAP	10.59%
A_NH_Wht_CVAP_19	6126
A_NH_Wht_CVAP_19	50.94%
A_NH_BlK_CVAP_19	842
A_NH_BlK_CVAP_19	7%
A_NH_Ind_CVAP_19	19
A_NH_Ind_CVAP_19	0.16%
A_NH_Asn_CVAP_19	3033
A_NH_Asn_CVAP_19	25.22%
A_NH_Hwn_CVAP_19	184
A_NH_Hwn_CVAP_19	1.53%
14_18_HU_Occupied	6588
18_Owner_occupied	1401
18_Owner_occupied	21.27%
18_Renter_occupied	5180
18_Renter_occupied	78.63%
HH_Median_income	539006
14_18_Median_Age	270.54

Amber Map - Version 2

District: 5

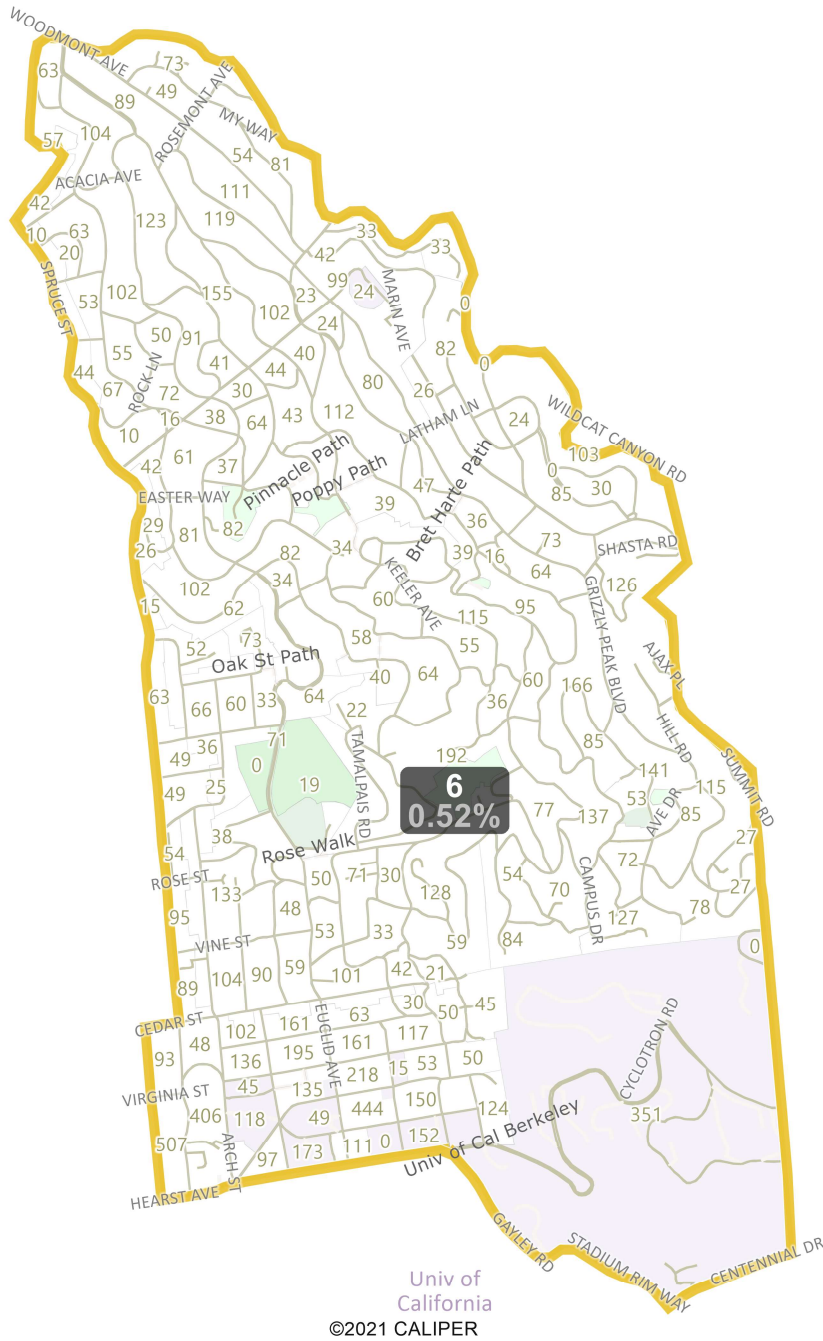


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Field	Value
District	5
PPA_Population	14770
Deviation	-784
% Deviation	-5.04%
PPA_Hispanic_Origin	1031
PPA_Hispanic_Origin	6.98%
PPA_White	10189
% PPA_White	68.98%
PPA_AfAm	305
% PPA_AfAm	2.06%
PPA_AiAn	7
% PPA_AiAn	0.05%
PPA_Asian	1917
% PPA_Asian	12.98%
PPA_HoPI	13
% PPA_HoPI	0.09%
PPA_Other	101
% PPA_Other	0.68%
PPA_CVAP_19	11164
% PPA_CVAP_19	75.59%
ispanic_Origin_CVAP	557
ispanic_Origin_CVAP	4.99%
A_NH_Wht_CVAP_19	8649
A_NH_Wht_CVAP_19	77.47%
A_NH_BlK_CVAP_19	166
A_NH_BlK_CVAP_19	1.49%
A_NH_Ind_CVAP_19	4
A_NH_Ind_CVAP_19	0.04%
A_NH_Asn_CVAP_19	1341
A_NH_Asn_CVAP_19	12.01%
A_NH_Hwn_CVAP_19	0
A_NH_Hwn_CVAP_19	0%
14_18_HU_Occupied	6060
18_Owner_occupied	4356
18_Owner_occupied	71.88%
18_Renter_occupied	1708
18_Renter_occupied	28.18%
HH_Median_income	2097617
14_18_Median_Age	710.05

Amber Map - Version 2

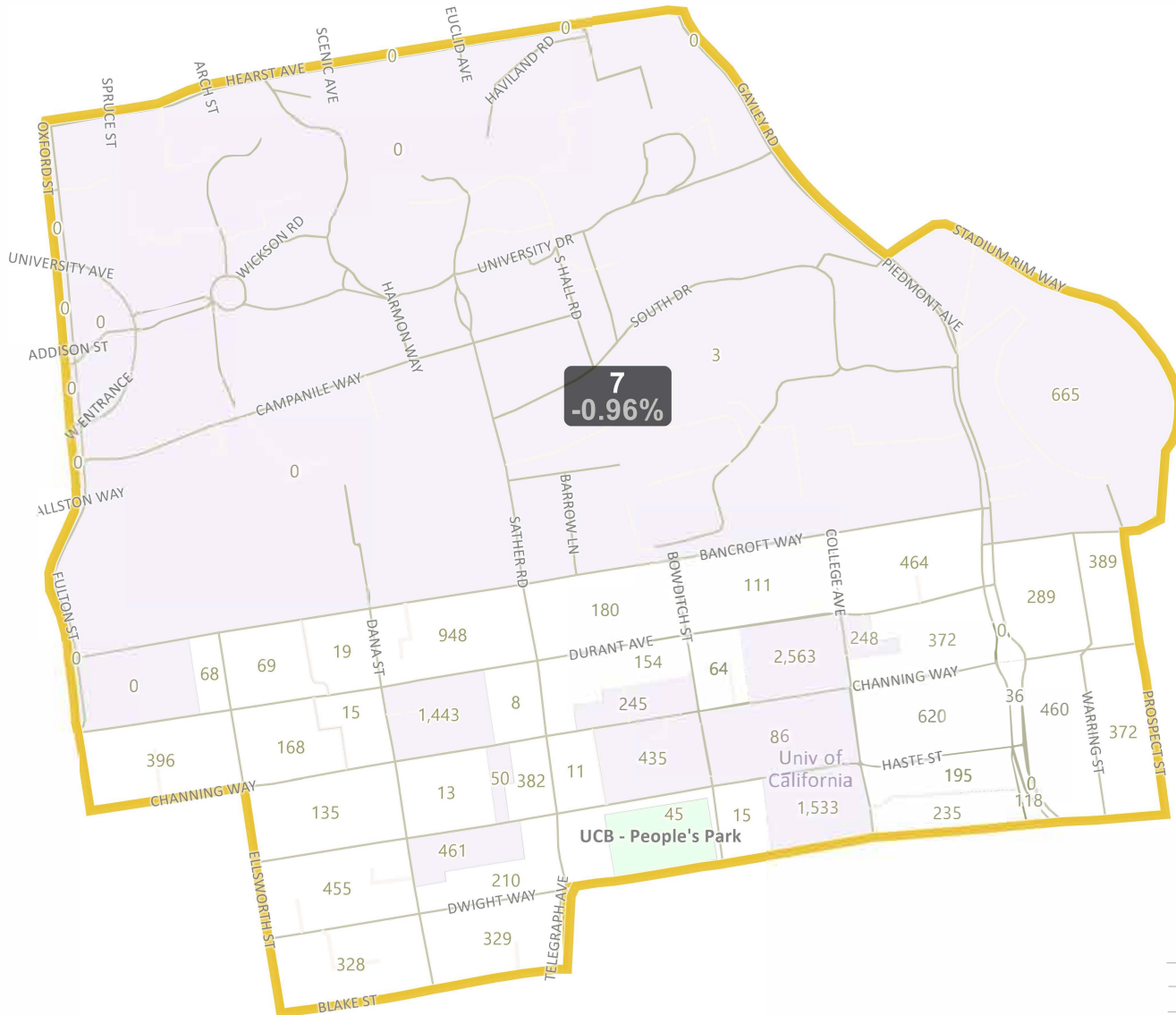
District: 6



Field	Value
District	6
PPA_Population	15635
Deviation	81
% Deviation	0.52%
PPA_Hispanic_Origin	1447
PPA_Hispanic_Origin	9.25%
PPA_White	9636
% PPA_White	61.63%
PPA_AfAm	444
% PPA_AfAm	2.84%
PPA_AiAn	7
% PPA_AiAn	0.04%
PPA_Asian	2859
% PPA_Asian	18.29%
PPA_HoPI	33
% PPA_HoPI	0.21%
PPA_Other	145
% PPA_Other	0.93%
PPA_CVAP_19	10967
% PPA_CVAP_19	70.14%
ispanic_Origin_CVAP	775
ispanic_Origin_CVAP	7.07%
A_NH_Wht_CVAP_19	7756
A_NH_Wht_CVAP_19	70.72%
A_NH_BlK_CVAP_19	275
A_NH_BlK_CVAP_19	2.51%
A_NH_Ind_CVAP_19	4
A_NH_Ind_CVAP_19	0.04%
A_NH_Asn_CVAP_19	1793
A_NH_Asn_CVAP_19	16.35%
A_NH_Hwn_CVAP_19	34
A_NH_Hwn_CVAP_19	0.31%
14_18_HU_Occupied	5680
18_Owner_occupied	3631
18_Owner_occupied	63.93%
18_Renter_occupied	2056
18_Renter_occupied	36.2%
HH_Median_income	1750752
14_18_Median_Age	532.57

Amber Map - Version 2

District: 7

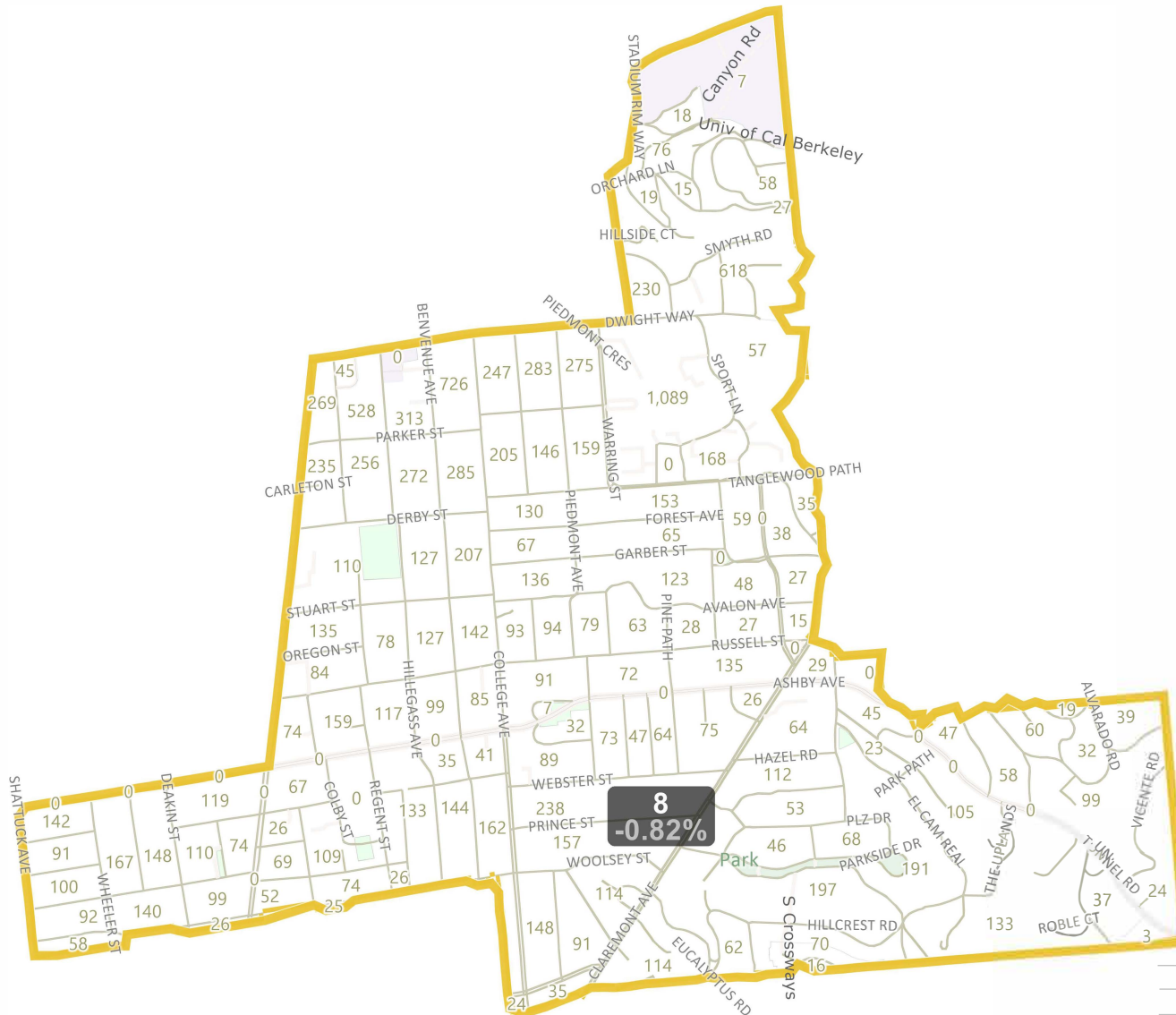


Field	Value
District	7
PPA_Population	15405
Deviation	-149
% Deviation	-0.96%
PPA_Hispanic_Origin	3638
PPA_Hispanic_Origin	23.62%
PPA_White	4946
% PPA_White	32.11%
PPA_AfAm	435
% PPA_AfAm	2.82%
PPA_AiAn	6
% PPA_AiAn	0.04%
PPA_Asian	5492
% PPA_Asian	35.65%
PPA_HoPI	2
% PPA_HoPI	0.01%
PPA_Other	73
% PPA_Other	0.47%
PPA_CVAP_19	10577
% PPA_CVAP_19	68.66%
ispanic_Origin_CVAP	1890
ispanic_Origin_CVAP	17.87%
A_NH_Wht_CVAP_19	3877
A_NH_Wht_CVAP_19	36.66%
A_NH_Blk_CVAP_19	304
A_NH_Blk_CVAP_19	2.87%
A_NH_Ind_CVAP_19	0
A_NH_Ind_CVAP_19	0%
A_NH_Asn_CVAP_19	3858
A_NH_Asn_CVAP_19	36.48%
A_NH_Hwn_CVAP_19	0
A_NH_Hwn_CVAP_19	0%
14_18_HU_Occupied	2098
18_Owner_occupied	119
18_Owner_occupied	5.67%

ACS 14-18 Renter occupied	1982
% ACS 14-18 Renter occupied	94.47%
ACS 14-18 HH Median income	202115
ACS 14-18 Median Age	115.36

Amber Map - Version 2

District: 8



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Field	Value
District	8
PPA_Population	15427
Deviation	-127
% Deviation	-0.82%
PPA_Hispanic_Origin	1661
PPA_Hispanic_Origin	10.77%
PPA_White	9098
% PPA_White	58.97%
PPA_AfAm	452
% PPA_AfAm	2.93%
PPA_AiAn	18
% PPA_AiAn	0.12%
PPA_Asian	2903
% PPA_Asian	18.82%
PPA_HoPI	23
% PPA_HoPI	0.15%
PPA_Other	109
% PPA_Other	0.71%
PPA_CVAP_19	13035
% PPA_CVAP_19	84.49%
hispanic_Origin_CVAP	1226
hispanic_Origin_CVAP	9.41%
A_NH_Wht_CVAP_19	8483
A_NH_Wht_CVAP_19	65.08%
A_NH_Blk_CVAP_19	375
A_NH_Blk_CVAP_19	2.88%
A_NH_Ind_CVAP_19	49
A_NH_Ind_CVAP_19	0.38%
A_NH_Asn_CVAP_19	2352
A_NH_Asn_CVAP_19	18.04%
A_NH_Hwn_CVAP_19	30
A_NH_Hwn_CVAP_19	0.23%
14_18_HU_Occupied	5801
18_Owner_occupied	2391
18_Owner_occupied	41.22%

ACS 14-18 Renter occupied	3418
% ACS 14-18 Renter occupied	58.92%
ACS 14-18 HH Median income	1370912
ACS 14-18 Median Age	459.19

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INDEPENDENT
REDISTRICTING
COMMISSION **BERKELEY**

March 16, 2022

To the Residents of the City of Berkeley,

With this letter, the Independent Redistricting Commission (IRC) transmits the new map of the Berkeley City Council Districts and the IRC Final Report to the Berkeley City Council and you, the residents of Berkeley. The final map was unanimously approved by the thirteen IRC commissioners after a months-long process, that included substantial input from you.

Every 10 years, the federal government conducts the census count and publishes updated population information. Berkeley must then redraw its city council districts to reflect the changes in Berkeley population and its distribution throughout the city. As neighborhoods evolve, city council districts change boundaries to reflect the changes in population.

In 2016, Berkeley voters approved the formation of an Independent Redistricting Commission made up of qualified resident volunteers. Per the City Charter, eight of us were selected at random to represent each council district. The eight district commissioners then selected the remaining five at-large commissioners to ensure that our Commission represents the diverse population of Berkeley. Our work was informed by rich and varied experiences and points of view, all shared in an environment of mutual respect and regard.

The COVID-19 pandemic presented challenges for the redistricting process. Census data was delayed, which compressed our schedule to meet the filing deadline for the November 2022 election. Every IRC meeting was held virtually, and communication to and from the IRC was limited to oral testimony at virtual meetings and written material, including proposed maps, sent by email, US Mail, or the IRC website. For some, virtual public hearings made access easier. But for those with limited access to technology, participation was difficult. When permitted, Commission staff had a booth at in-person events. Also, the draft maps were posted at our libraries, a senior center, UC Berkeley, and at City Hall. City Clerk staff also made materials available to the public in person at City Hall when COVID restrictions permitted.

Our work reflects the legal requirements for determining city council districts. The districts must have a population difference no greater than 10% across all districts; they must respect the integrity and cohesiveness of neighborhoods where possible; be contiguous and compact; and use major traffic arteries as borders where other requirements permit. Political factors are not relevant to the process and were not considered.

Our work also reflects the input we received from you. We actively solicited community input through an outreach program designed to raise awareness, educate, and encourage participation in the redistricting process. Twenty-nine maps, 80 Community of Interest Forms, and 270 emails were submitted for our consideration. The Commission held 31 public meetings, and over 200 individuals attended the five public hearings and provided input. Based on legal considerations and public input, we drafted and heard public comment on six maps, all designed to address inequities and to create maps that represent the voices we heard through extensive and varied public input.

While no map is perfect, the final map is compliant with all applicable laws and reflects the extensive input we received. We are grateful to every Berkeley resident who took the time to understand and to contribute to the process.

Our work would have been impossible without the expertise, professionalism, and extensive efforts of our city staff and the tools and consultants they selected to support us. We are deeply grateful for their efforts and the ensuing results.

The attached report details and documents our work. We hope that it demonstrates the transparency that was paramount at every stage of the process and that it will prove useful to future Independent Redistricting Commissions. It has been an honor to serve as the City of Berkeley's inaugural Independent Redistricting Commission.

Sincerely,

Terry Nicol, District 1, Chair, Public Input Subcommittee

Jesse Sussell, District 2

Lisa Tran, District 3, Commission Vice Chair

Curtis Hanson, District 4

Winston Rhodes, District 5, Chair, Mapping Subcommittee

Elisabeth Watson, District 6, Commission Chair

Rana Cho, District 7

Andrew Fox, District 8, Chair, Outreach Subcommittee

Carly Alejos, At-Large

Ronald Choy, At-Large

Delores Cooper, At-Large, Chair, Slogan Subcommittee

M. Guadalupe Gallegos-Diaz, At-Large

Sherry Smith, At-Large

INDEPENDENT
REDISTRICTING
COMMISSION **BERKELEY**

March 16, 2022

To the Mayor and City Councilmembers,

The Independent Redistricting Commission (IRC) officially transmits to the Berkeley City Council the new map of council districts for the City of Berkeley, unanimously approved by the Independent Redistricting Commission. We look forward to its adoption and implementation by you.

It has been an honor to serve as our City's Independent Redistricting Commission. This is the first time that Berkeley redistricting has been done by a panel of independent Berkeley residents, and we worked hard to achieve both of our goals: creating equitable and representative city council districts and adhering to the legal requirements of our mission. We also strove to represent the values that define Berkeley in our work - fairness, inclusion, transparency, and representation. We actively sought out voices that might otherwise go unheard. And while no map is perfect, we reviewed multiple options, all designed to address inequities and to create maps that represent the voices we heard through extensive public input via multiple channels.

We represent a diverse group of Berkeley residents. Eight of us were selected to ensure that each district is represented. The remaining five commissioners were selected to ensure that our commission reflects the diverse population of Berkeley. Our work was informed by rich and varied experiences and points of view, all shared in an environment of mutual respect and regard.

We made every effort to reach every resident of Berkeley and to invite their input. Our outreach efforts were designed to raise awareness, educate the community on the redistricting process, and engage the public in active participation and debate in drawing our new council districts.

The COVID-19 pandemic presented challenges for the redistricting process. Census data was delayed, which compressed our schedule to meet the filing deadline for the November 2022 election. Every IRC meeting was held virtually, and communication to and from the IRC was limited to oral testimony at virtual meetings and written material, including proposed maps, sent by email, US Mail, or the IRC website. For some, virtual public hearings made access easier. But for those with limited access to technology, participation was difficult. When permitted, Commission staff had a booth at in person events. Also, the draft maps were posted at our libraries, a senior center, UC Berkeley, and at City Hall. City Clerk staff also made materials available to the public in person at City Hall when COVID restrictions permitted.

Our work would have been impossible without the expertise, professionalism, and extensive efforts of our city staff and the tools and consultants they selected to support us. We are deeply grateful for their efforts and the ensuing results.

The map you have before you is the result of many hours spent listening in public hearings, reviewing map and community of interest submissions, and reading correspondence sent to us from Berkeley residents.

We are also grateful for the people of Berkeley for their enthusiastic participation and the thought and care that they brought to the process and the work of redistricting.

The attached report details and documents our work. We hope that it demonstrates the transparency that was paramount at every stage of the process and that it will prove useful to future Independent Redistricting Commissions. Again, it has been an honor to serve as the City of Berkeley's Independent Redistricting Commission. We look forward to the implementation of the council district maps.

Sincerely,

Terry Nicol, District 1, Chair, Public Input Subcommittee

Jesse Sussell, District 2

Lisa Tran, District 3, Commission Vice Chair

Curtis Hanson, District 4

Winston Rhodes, District 5, Chair, Mapping Subcommittee

Elisabeth Watson, District 6, Commission Chair

Rana Cho, District 7

Andrew Fox, District 8, Chair, Outreach Subcommittee

Carly Alejos, At-Large

Ronald Choy, At-Large

Delores Cooper, At-Large, Chair, Slogan Subcommittee

M. Guadalupe Gallegos-Diaz, At-Large

Sherry Smith, At-Large

EXECUTIVE SUMMARY

Independent Redistricting Commission

In 2016, Berkeley voters approved the creation of the Independent Redistricting Commission (the “Commission”) to draw City Council district lines. This is the first time that Berkeley has used a community commission to redraw the district boundaries; previously, the City Council was responsible for drawing and approving the new boundaries. The IRC acts as an independent body to engage the public, receive input, and approve an updated map of City Council district boundaries.

The Commission – comprising thirteen Berkeley residents representing a variety of personal and professional backgrounds and different parts of the City – serves all of Berkeley in this effort that takes place only every ten years. The Commission sought, encouraged, and received public participation in the process of drawing a map of City Council districts.

City Council’s Role in Redistricting

The Berkeley City Charter spells out line drawing responsibility and criteria, prohibits the Commission from considering “the residence of sitting councilmembers,” and prohibits the Commission from drawing districts “for the purpose of favoring or discriminating against an incumbent, political candidate, or political party.” The Independent Redistricting Commission is “solely responsible for drawing City Council district boundaries.” The City Council’s only role in the process is to adopt the map approved by the Commission.

Uneven Population Changes Required Changing District Boundaries

Every 10 years, after the federal government publishes updated census information, Berkeley must redraw the boundaries of its City Council districts so that the City’s population is more evenly allocated among the eight districts. Uneven changes in the distribution of the City’s population since the 2010 census required boundary changes.

Table 1. Population Changes 2010 - 2020

District	2020	2010	Change #	Change %
1	16,098	14,060	2,038	14.5%
2	16,202	14,026	2,176	15.5%
3	15,340	14,070	1,270	9.0%
4	15,736	14,082	1,654	11.7%
5	14,810	14,182	628	4.4%
6	14,629	13,966	663	4.7%
7	16,637	14,079	2,558	18.2%
8	14,981	14,115	866	6.1%
Total	124,433	112,580	11,853	10.5%

With a new total population of 124,433, all districts would have 15,554 residents if they were exactly equal (124,433 / 8 = 15,554). State law allows for a maximum deviation of 10% between the largest district and the smallest district. With the current population numbers and the existing boundaries, the City would be out of compliance with that requirement. District 7 is 7.0% above the exactly equal number and District 6 is 5.9% below the exactly equal number for a total deviation of 12.9%.

Table 2. District Population Deviation Percentages

District	2020	Equal Pop #	Deviation #	Deviation %
1	16,098	15,554	544	3.5%
2	16,202	15,554	648	4.2%
3	15,340	15,554	(214)	-1.4%
4	15,736	15,554	182	1.2%
5	14,810	15,554	(744)	-4.8%
6	14,629	15,554	(925)	-5.9%
7	16,637	15,554	1,083	7.0%
8	14,981	15,554	(573)	-3.7%

Commission Starts

Following an outreach campaign in summer 2020, the City began accepting applications for the Commission in September 2020 and received 138 by the close of the application period in October 2020. Eighty applicants met all eligibility criteria.

In January 2021, city staff randomly selected one commissioner from each district and those eight district commissioners then selected five at-large commissioners to achieve better community representation by taking into consideration geographic diversity, race, age, and gender. After training by City staff and redistricting specialists, Commissioners began creating and implementing an open and transparent process for soliciting, receiving, and analyzing public input – Community of Interest Forms, proposed maps, oral statements, and other communications – and drafting maps with integrity, fairness, and without personal or political considerations.

Image 1. Redistricting Process Timeline



Impact of COVID on Redistricting

The COVID-19 pandemic impacted redistricting in Berkeley in several ways.

First, the US Census Bureau's collection and processing of data were slowed, and the release of official "legacy" data for redistricting was delayed about six months until August 2021. This forced the Commission to compress its redistricting schedule in order to meet the deadline to use the new districts in the November 2022 election.

Second, because UC Berkeley (UCB) closed the campus and sent students off-site in March of 2021, the number of UCB students living in non-campus housing is thought to be undercounted. However, the Commission was bound to use only the official data, and could not compensate or adjust its process to factor in the likely undercount.

Third, prohibitions on in-person meetings forced the Commission to rewrite its plan to engage the public. While some limited in-person outreach was conducted, the primary channels for the public to interact with the IRC were oral testimony at meetings or written statements sent by email or US Mail. Every IRC meeting was virtual, and outgoing information used social media and electronic contact channels. For some, virtual public hearings made access easier, but for those with limited access to technology, participation was difficult. When permitted, Commission staff had a booth at in-person events. Also, the draft maps were posted at our libraries, a senior center, UC Berkeley and City Hall. City Clerk staff also made materials available to the public in-person at City Hall when COVID restrictions permitted.

Fourth, the Commission relied heavily on a newly designed, graphically based web site, the "Hub," to provide the public with information, redistricting resources, map drafting tools, and the draft maps under consideration.

Public Input Phase

On September 23, 2021, the Statewide Database released the official 2020 Census redistricting data used by all California redistricting bodies. The Commission held a public hearing on October 2, 2021, that launched the public input phase of Berkeley's redistricting process, beginning with the submission of Community of Interest Forms, for which the Commission set no deadline. The Commission set a 44-day window of October 2, 2021, through November 15, 2021, for the public to submit proposed maps.

The public submitted twenty-nine proposed maps during the public submission window, and eighty Community of Interest Forms have been submitted throughout the process. In addition, almost 400 oral and written statements have been provided by the public. The Commission analyzed all the input, adopted universal principles and themes to guide the creation of draft maps, and included changes as needed to meet the universal criteria.

Universal Criteria for Draft Maps

All draft maps created by the Commission contained the following universal criteria:

1. Less than 10% population deviation.
2. Contiguous districts.
3. Maintain Communities of Interest and Neighborhoods.
4. Use major arterial streets as boundaries where possible.
5. Correct the features of the 2010 map that account for prior Councilmember residences.
6. Include at least one compact student district in every map.

Draft Maps: Amber, Maroon, Blue, Orange, Violet

On January 20, 2022, the Commission published the first four draft maps, each with specific themes:

- *Amber* was most like the adjusted current map.
- *Maroon* had two student districts around the UCB campus instead of the current one.
- *Blue* had two student districts and one West Berkeley district instead of the current two.
- *Orange* was like Amber for Districts 3-8 and reconfigured the area in Districts 1 and 2 into one West Berkeley district and one other district.

Based on public communications and comments, as well as commission discussion at the January and February public hearings, the Commission:

- Revised Amber to adjust the border between District 3 and District 8 near the Ashby BART Station (resulting in Amber Map Version 2).
- Removed Maroon, Blue, and Orange from consideration.
- Drafted Violet, which had two student/renter-focused districts and two West Berkeley districts.

Final Map: Amber Map Version 2

Based on public communications and commission deliberations at two public hearings, the Commission removed the Violet Map from consideration, and selected *Amber Map Version 2* as the final map at the February 28 public hearing.

Image 2. Amber Map Version 2

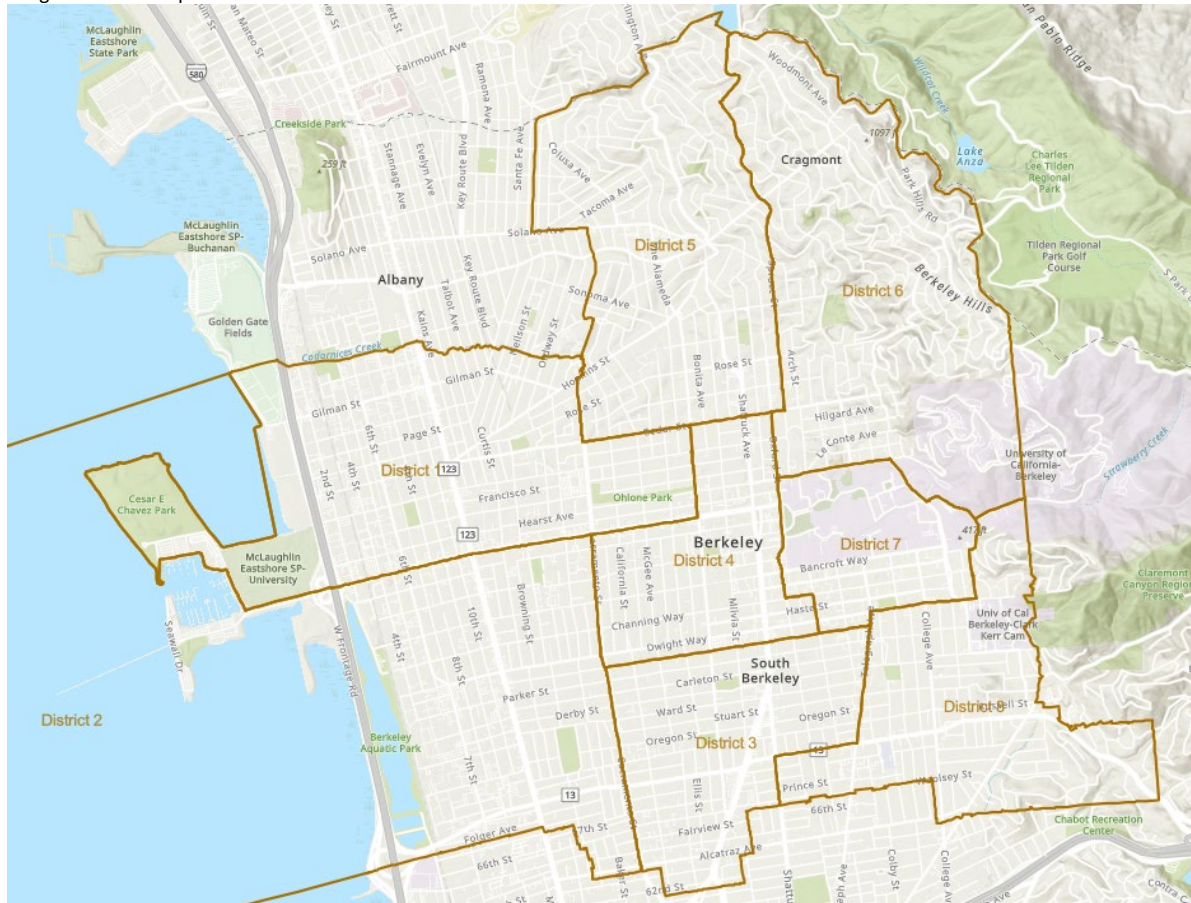


Table 3. 2020 Population in Final Districts

District	2020	Note
1	15,757	
2	15,785	
3	15,977	Largest
4	15,677	
5	14,770	Smallest
6	15,635	
7	15,405	
8	15,427	
	<i>124,433</i>	

Deviation from largest to smallest = 1,207

Allowable deviation = 1,556

The final map meets all the redistricting criteria set out in the City Charter:

- Public input guided the IRC in creating the final map that respects Berkeley communities.
- The map is based on the 2020 Census for Berkeley, as modified by the Statewide Database, other resources, and input submitted by the public.
- The largest district has a population of 15,977.
- The smallest district has a population of 14,770.
- The spread of 1,207 between the largest and smallest districts is within the acceptable spread of less than 10 percent of the average district population of 15,554.
- The districts respect the integrity of neighborhoods.
- The districts respect the cohesiveness of neighborhoods.
- The districts are contiguous.
- The districts are compact.
- Most borders are major traffic arteries or topographical features.
- The Commission did not consider political factors.
- The Commission did not consider the residences of sitting Councilmembers.

Approval and Transmission to City Council

On March 16, 2022, the Independent Redistricting Commission unanimously approved a map of City Council districts that will be first used in the November 2022 election and then for the next decade. On March 17, 2022, the Commission transmitted the map to the Berkeley City Council. The Commission and the Berkeley community look forward to its adoption and implementation by the Council.

ACKNOWLEDGEMENTS

The Berkeley Independent Redistricting Commission acknowledges the important contributions of the many individuals and organizations that participated in the redistricting process. The final map is a product of countless hours of hard work and dedication. The Commission wishes to extend its sincere appreciation to the following:

- The residents and communities of the City of Berkeley that participated in the process by submitting maps, Community of Interest Forms, written comments, and verbal comments
- Community organizations and entities that assisted in reaching out to their constituencies and encouraging participation
- UC Berkeley Administration
- Associated Students of the University of California
- Former Commissioners Jose Lopez, Samuel Taplin, and Simelia Rogers
- Alternate Commissioners Cindy Simon Rosenthal, Sarah Lorraine Price, Brandon James Yung, Bethany Andres-Beck, Steve Toub, Michael Streeter Lewis, Narendra Dev, Ian Schweickart, Stephen W. Wood, Susan A. Murphy, and Karl Batten-Bowman
- The Berkeley City Attorney's Office and Deputy City Attorney Samuel Harvey
- The Berkeley City Clerk Department and City Clerk Mark Numainville, Assistant City Clerk Sarah Bunting, and Assistant City Clerk April Richardson
- The Berkeley Department of Information Technology and Geographic Information Systems Analyst Makinde Falade, and Senior Systems Analyst Jason Ferguson
- Redistricting Partners
- The Berkeley Public Library
- Berkeley Unified School District
- The City of Berkeley Communications Office

CREATING THE COMMISSION AND REDISTRICTING PROCESS

I. History and Mission of the Independent Redistricting Commission

Redistricting is the process of adjusting electoral district boundaries to ensure districts are balanced with the same number of residents. Every 10 years, Council district boundaries are reviewed to account for population changes following the Census.

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, who must live in the district, 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.

Berkeley voters approved Measure W1 in 2016 to amend the City Charter to transfer responsibility for drawing electoral boundaries from the City Council to an Independent Redistricting Commission. The measure established an open and transparent redistricting process that is conducted with integrity, fairness, and without personal or political considerations. Comprised of thirteen members with broad community representation, the Commission acts as an independent body to engage the public and adopt an updated map of City Council district boundaries.

II. Regulatory Governance

The work of the Commission is primarily governed by three statutes:

- City Charter Section 9.5
- Berkeley Municipal Code Chapter 2.10,
- California’s Fair Maps Act contained in Assembly Bill 849 and Assembly Bill 1276.

The full text of these statutes is attached as Appendix A. Elements of the process are also governed by the Federal Voting Rights Act and the State’s Brown Act.

City Charter, Article V, Section 9.5 (Measure W1 – 2016)

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

Maps created by the Commission are subject to the criteria outlined in Section 9.5 of the Charter. The Commission is required to take into consideration topography, geography, cohesiveness, contiguity, and integrity and compactness of the districts, as well as existing communities of interest. The Commission must 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 must 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

In the context of redistricting, communities of interest do not include relationships with political parties, incumbents, or political candidates. Furthermore, the Charter prohibits the Commission from drawing council districts for the purpose of favoring or discriminating against an incumbent, political candidate, or political party. The Charter also prohibits the Commission from considering the residence of current Councilmembers; a current Councilmember could be “drawn out” of their current district. However, the Commission is permitted to consider existing district boundaries as a basis for developing new district boundaries. Section VII explains redistricting criteria in greater detail.

Berkeley Municipal Code (Chapter 2.10)

As provided for in Charter Section 9.5, the City Council adopted Chapter 2.10 of the Municipal Code as the implementation ordinance for the redistricting process. Chapter 2.10 clarifies various processes for commissioner application and selection, as well as provisions related to compensation, commissioner removal, quorum, public interactions, and selection of a special master for impasse.

Fair Maps Act (AB 849 and AB 1276)

State Assembly Bills 849 and 1276 created standardized, fair redistricting criteria that keep communities together, prohibit partisan gerrymandering for local districts, and adjust timing of map adoption to align with the California election cycle. Only certain portions of these bills apply to charter cities such as Berkeley.

Voting Rights Act

The Federal Voting Rights Act (FVRA) helps to ensure that there is no denial or abridgement of the right to vote on account of race, color, or membership in a language minority group. Council districts can be adjusted to help remedy such abridgement if the historical and demographic data provide adequate justification.

Section 2 of the FVRA provides protections for populations where it is shown that conditions exist wherein the political processes are not equally open to participation by members of a protected class of citizens. Analysis of Berkeley’s demographics by the redistricting consultant and further investigation by staff counsel show that the conditions and demographics in Berkeley do not provide adequate justification under the FVRA for the creation of majority-minority district(s) in the 2020 map. Thus, the FVRA is not a primary guiding regulation in the Berkeley process.

Brown Act

Since 1953, the Brown Act is California’s open meetings and public participation law for legislative bodies. The Independent Redistricting Commission is covered under the Brown Act. All meetings and proceedings of the Commission have been conducted in accordance with the Brown Act for noticing, participation, and public access to the decision-making process.

III. Representative Commission

A. Application and Selection of Commissioners

As mandated by the City Charter and Berkeley Municipal Code, potential commissioners must submit an application to the City. After extensive community outreach, the application period opened September 8, 2020, and ran through October 9, 2020. Applicants were required to submit basic information, demographic information, an eligibility questionnaire, disclosable campaign contributions, a 300-word written statement, and certification of a background check. The City received 138 applications for the Commission, and 80 of those 138 completed the process to become eligible for the random draw for district commissioners.

The random draw process selected one Commissioner and one Alternate Commissioner from each of the eight council districts. The first person selected in each district was seated on the commission and the second person selected was designated as the alternate for that district.

The applicant pool was predominantly male and white and the results of the random draw reflected the demographics of the applicant pool.

Table 4. Demographics of Random Draw Results

Race/Ethnicity	Gender	Commissioners	Outcomes
Asian/ Pacific Islander	F	1	By-district commissioners selected randomly are primarily male and white: <ul style="list-style-type: none"> • 75% Male • 75% White • 0% Black/Other/Bi-Racial • 1 Student (White, Male)
	M	0	
Black	F	0	
	M	0	
Hispanic	F	0	
	M	1	
Other/Bi-Racial	F	0	
	M	0	
White	F	1	
	M	5	

B. Diversity Considerations for At-Large Appointees

Pursuant to City Charter Section 9.5(B)(6), in appointing the remaining five at-large members and alternates, the eight district commissioners are directed to achieve broad community representation by taking into consideration geographic diversity, race, age, and gender. The Independent Redistricting

Commission application collected demographic information and the applicants also submitted a written statement outlining their qualifications to serve on the Commission.

The selection of the five at-large commissioners resulted in a significantly more diverse demographic makeup of the Commission as seen in the table below.

Table 5. Demographics of Initial 13 Commission Members

Name	Type	Race	Gender	Age	District
Carly Alejos	At-Large	HISPANIC	Female	18-25	4
Delores Cooper	At-Large	BLACK	Female	66+	1
Simelia Rogers	At-Large	BI-RACIAL (BLACK/WHITE)	Female	18-25	1
Sherry Smith	At-Large	WHITE	Female	66+	6
Ronald Choy	At-Large	ASIAN / PACIFIC ISLANDER	Male	66+	8
Jose Lopez	District 1	HISPANIC	Male	26-35	1
Jesse Sussell	District 2	WHITE	Male	46-55	2
Lisa M. Tran	District 3	ASIAN / PACIFIC ISLANDER	Female	26-35	3
Curtis Hanson	District 4	WHITE	Male	36-45	4
Winston Rhodes	District 5	WHITE	Male	46-55	5
Elisabeth Watson	District 6	WHITE	Female	56-65	6
Samuel Taplin	District 7	WHITE	Male	18-25	7
Andrew Fox	District 8	WHITE	Male	26-35	8

While there have been changes to the Commission demographics due to commissioner resignations, the Commission maintains a diverse and representative membership. The final membership of the Commission is below.

Table 6. Demographics of Final 13 Commission Members

Name	Type	Race	Gender	Age	District
Carly Alejos	At-Large	HISPANIC	Female	18-25	4
Delores Cooper	At-Large	BLACK	Female	66+	1
M. Guadalupe Gallegos-Diaz	At-Large	HISPANIC	Female	56-65	2
Sherry Smith	At-Large	WHITE	Female	66+	6
Ronald Choy	At-Large	ASIAN / PACIFIC ISLANDER	Male	66+	8
Terry Nicol	District 1	WHITE	Male	36-45	1
Jesse Sussell	District 2	WHITE	Male	46-55	2
Lisa M. Tran	District 3	ASIAN / PACIFIC ISLANDER	Female	26-35	3
Curtis Hanson	District 4	WHITE	Male	36-45	4
Winston Rhodes	District 5	WHITE	Male	46-55	5
Elisabeth Watson	District 6	WHITE	Female	56-65	6
Rana Cho	District 7	ASIAN / PACIFIC ISLANDER	Female	46-55	7
Andrew Fox	District 8	WHITE	Male	26-35	8

C. Commissioner Training / Workflow

After the full membership of the Commission was seated, the Commission began a training program in the spring of 2021. Specialists in their fields – Redistricting Partners Consultants, Voting Rights Act Attorneys, Community of Interest Experts, a Former State Redistricting Commissioner, and staff from the City Attorney’s Office and the City Clerk Department – presented the training topics:

- Meeting procedures and parliamentary procedures
- The Brown Act
- Conflict of Interest Laws
- State and Local Redistricting Laws
- Best Practices for Redistricting Commissions
- Communities of Interest
- Federal Voting Rights Act

The trainings were conducted between March and June of 2021 to prepare the commission for the start of the redistricting process in August when the federal Census data was released.

D. Bylaws Development and Adoption (Appendix B)

On March 17, 2021, the Independent Redistricting Commission requested that staff prepare draft bylaws to augment the existing rules for conducting Commission business contained in the City Charter, Municipal Code, and Commissioners' Manual. In preparing the draft bylaws, staff incorporated feedback from the Commission's discussion, and reviewed materials from similar local redistricting commissions in California. The bylaws include such topics as public comment procedures, rules of debate and decorum, and length of meetings. The final bylaws were adopted on June 9, 2021.

One important area of focus for the commission in the development of the bylaws was consensus. The specific language below from the bylaws demonstrates the Commission's commitment to fair, honest, and productive decision making.

Consensus

The Commission recognizes the importance of bringing diverse perspectives to form collective decisions throughout the redistricting process. To the greatest extent possible, the Commission agrees to strive for consensus when making decisions.

The Commission's principles for building consensus include:

- *All participants are equal.*
- *We will not exclude any relevant topic from discussion.*
- *We welcome differing opinions as helpful to our work.*
- *We will listen actively when others are speaking.*
- *Those who are not in agreement will voice their reservations, concerns, and opinions.*

We acknowledge that consensus does not mean unanimous agreement. Below are degrees of agreement that Commissioners may consider as the Commission seeks to build consensus:

- *I fully agree with the action.*
- *I substantially agree with the action.*
- *I have reservations, but I support the action.*
- *I do not agree with the action; however, I have shared my opinions during the discussion and I support the Commission's action.*

IV. Transparent Process / Meeting Data

Since its inception in January of 2021, the Commission has met 31 times. All commission meetings were held through the Zoom video conference platform due to the COVID-19 pandemic and the state and city health orders governing meetings of legislative bodies. Full meeting detail is available in Appendix C.

The COVID-19 pandemic impacted redistricting in Berkeley in several ways.

First, the US Census Bureau's collection and processing of data were slowed, and the release of official "legacy" data for redistricting was delayed about six months until August 2021. This forced the Commission to compress its redistricting schedule in order to meet the deadline to use the new districts in the November 2022 election.

Second, because UC Berkeley closed the campus and sent students off-site in March of 2021, the number of UCB students living in non-campus housing is thought to be undercounted. However, the Commission was bound to use only the official data, and could not compensate or adjust its process to factor in the likely undercount.

Third, prohibitions on in-person meetings forced the Commission to rewrite its plan to engage the public. While some limited in-person outreach was conducted, the primary channels for the public to interact with the IRC were oral testimony at meetings or written statements sent by email or US mail. Every IRC meeting was virtual, and outgoing information used social media and electronic contact channels. For some, virtual public hearings made access easier, but for those with limited access to technology, participation was difficult. When permitted, Commission staff had a booth at in-person events. Also, the draft maps were posted at our libraries, a senior center, and City Hall. City Clerk staff also made materials available to the public in-person when COVID restrictions permitted.

Fourth, the Commission relied heavily on a newly designed, graphically based web site "The Hub" to provide the public with information, redistricting resources, map drafting tools, and the draft maps under consideration.

The Commission has held five public hearings, one before the release of Census data and four after the release of Census data in compliance with the City Charter and the California Fair Maps Act. All five public hearings offered simultaneous Spanish interpretation for the public. The five dedicated public hearings were held on:

- Saturday, July 10, 2021: Introduce Commission, redistricting process, Community of Interest Forms
- Saturday, October 2, 2021: Release of Census data, launch of public submission phase
- Thursday, January 27, 2022: Public comment on four draft maps
- Thursday, February 17, 2022: Public comment on two draft maps
- Monday, February 28, 2022: Select final map

An additional special meeting was added on Saturday, February 19, 2022, to hear public comment on two draft maps up for consideration.

The Commission is a Brown Act legislative body and has been open and accepting of public input at every regular meeting, special meeting, and public hearing. All agendas, meeting packets, revised materials, and communications have been provided to the public in accordance with state open meeting laws. There

was also a significant amount of written public testimony in Community of Interest Forms and general written communications to the Commission.

The ability to meet in a virtual environment was one opportunity created by the pandemic and the State Declaration of Emergency that suspended certain aspects of the Brown Act. The Commission never met in person, but each meeting was available on Zoom and provided an opportunity for public comment. In this medium, the meetings were able to be recorded and shared for viewing, which would not have occurred had the meetings been in-person.

Virtual meetings provided the public with the opportunity to participate from their home and eliminated the need for vehicle trips and attendance at in-person meeting locations during the evening and on weekends. While the virtual meeting is not ideal for map viewing, it does provide participation benefits and allows greater access for persons with mobility limitations and limited access to transit.

V. Community Outreach

A. Involvement / Awareness / Education / Engagement

Public outreach to the community is an essential element of the redistricting process, and it is mandated in both the local regulations and in state legislation. The City has supported the work of the Independent Redistricting Commission to ensure it meets and exceeds its obligations to engage the community as the Commission redraws the council district boundaries.

The community outreach was conducted in three phases. In the summer and fall of 2020, the City began the “Awareness” phase of the community outreach plan to encourage applicants for the Commission. Next, starting in the spring of 2021, the “Education” outreach phase began to inform the public about the mission of the Commission and the plan for completing redistricting. The last phase was the “Engagement” phase of outreach starting in the fall of 2021. This phase focused on encouraging public participation through Community of Interest Forms, public map plans, and participation in the deliberations leading to a final map.

Of course, the ambitious plan for the awareness phase was curtailed somewhat by the limitations of the COVID-19 Shelter-in-Place orders, but staff was able to pivot away from in-person activities and use more of the outreach budget for print and social media advertising, and harness established networks of the City’s community partners for electronic communication.

In the spring of 2021, the Commission formed a subcommittee to work with staff on the development and implementation of the outreach plan; and to advise staff and the full commission of resource needs, goals, objectives, and accomplishments for public engagement. The outreach subcommittee rounded out a plan that targeted a diverse population of Berkeley residents through a variety of outlets. Two additional subcommittees assisted with outreach activities. Summary information for the three subcommittees is below.

Community Outreach Subcommittee

Commissioners: Fox, Watson, Smith, Hanson, Tran, and Gallegos-Diaz

Mission: To determine and to oversee a public outreach strategy for informing Berkeley residents about the activities of the Independent Redistricting Commission, and in particular to highlight opportunities for

public input into the Commission's deliberations, with the goal of reaching a maximally broad audience across Berkeley's diverse communities.

Activities: Provided comprehensive direction to City Staff for the execution of a public awareness campaign around the Commission's activities, including guidance on tactics for paid, earned, and owned media dissemination. Notable highlights included coordination with staff on multiple press placements, research and direction for a print and online media advertising campaign, and instruction on outreach to community organizations.

Outcome: The Subcommittee's outreach campaign, executed by City Staff, raised public awareness of the Commission's work and generated attendance, participation, and written input from a diverse range of Berkeley constituencies that accelerated significantly during the map drafting process. Members of the Subcommittee also created the PowerPoint presentation for the July 10, 2021, public hearing.

Commission Slogan Subcommittee

Commissioners: Cooper, Gallegos-Diaz, and Sussell

Mission: At the direction of the full Commission on September 8, 2021, the subcommittee was charged with creating a slogan that would be used on all Independent Redistricting Commission publicity documents.

Activities: The subcommittee met for the first time on September 14, 2021, and came up with six potential slogans. At the Commission meeting on September 22, 2021, the subcommittee presented seven slogans for the entire Commission to vote on, one of which had previously been submitted by commissioner Ronald Choy on September 8, 2021.

1. People Power to make a fair City Council district map by April 1, 2022.
2. Mapping our communities.
3. Mapping our communities with the people's voice.
4. Mapping our Berkeley communities: redistricting by the people.
5. The people's voice: mapping our communities.
6. The people of Berkeley decide.
7. Berkeley Redistricting: decided by the people.

Outcome: By a majority vote on September 22, 2021, the Commission adopted the following slogan: *Mapping Berkeley Communities: Redistricting by the People.*

The Daily Californian OpEd Subcommittee

Commissioners: Fox, Alejos, Smith, Taplin

Mission: To generate on behalf of the Independent Redistricting Commission an OpEd submission for the opinion section of The Daily Californian, encouraging UC Berkeley student participation in the redistricting process, and to assist City Staff in successful placement of the same.

Activities: The OpEd subcommittee met on multiple occasions to brainstorm, draft, and refine an 800-word opinion piece for The Daily Cal that summarized the redistricting process and invited students to make their opinions known to the Commission.

Outcome: The OpEd was submitted by staff on behalf of the subcommittee and was accepted by the newspaper's editors for publication. It appeared in print and online on October 19, 2021.

The outreach plan drew from past experience and existing communication infrastructure to guide the outreach efforts. Throughout the process, the City performed extensive outreach through a list of over 400 local community-based organizations, the BUSD A+ e-newsletter, the Berkeley Library e-newsletter, paid advertising, editorial interviews, earned media, in-person outreach events, City email subscriptions, community messages, social media, direct engagement with community organizations, the city website, the online community calendar, and pass-through information from City Council members to residents.

The Commission played an important role in the development and implementation of the outreach plan, while adhering to the limitation in the Berkeley Municipal Code about interacting with the public outside of noticed meetings. The work accomplished at noticed meetings of the Commission was an important part of the engagement with the public. The initial Outreach Plan is included in Appendix D.

While COVID-19 restrictions limited the Commission's ability to use some traditional in-person events, staff was still able to conduct several in-person events in 2021 to raise awareness, educate the public, and solicit feedback and participation from the community.

The principal method for obtaining input from the community was the Community of Interest Form (Appendix E). Staff developed a Community of Interest Form to solicit input from residents about important groups, neighborhoods, and communities that impact how district lines are drawn. The form was based on best practices from other cities in the region and was reviewed and improved by the expertise of the consultants at Redistricting Partners.

Over the course of the process, staff maintained an Outreach Log to keep a record of significant outreach activities. The Log has 131 entries and is attached as Appendix F.

B. Graphic Design Consultant

The staff secretary to the Independent Redistricting Commission hired a graphic designer to create the Commission logo, the "people" graphic for the Commission, and establish the branding color scheme for materials and the web. The particular logo was chosen to be inclusive and cover a wide range of demographic categories in an illustrative format. The coloring and logo were used throughout the campaign.

C. Web Content and Resources

The City used the Commission webpage to post relevant information, documents, agendas, minutes, meeting presentations, and meeting videos.

In October 2021 at the start of the Public Map Submission Period, a new website (the Hub - www.cityofberkeley.info/redistricting/) was created to provide a platform that was more graphically engaging and simpler to navigate for displaying essential information and the draft maps. The Hub webpage had more capability to display graphics and illustrative designs. The Hub also included an interactive Geographic Information System map with several layers of data. Users could turn layers on and off to view and analyze neighborhoods, transit lines, schools, parks, community centers, libraries, and

public facilities in relation to the city council districts in the public map proposals and commission draft maps. An image of the Hub site is included as Appendix G.

D. Translation of Materials & Interpretation at Public Hearings

The California Secretary of State established the required translation languages for each city in the state. For Berkeley, Spanish was the sole designated language for required translations. The outreach materials for the initial Commissioner application period, the application, the public submission packet, and the Community of Interest Forms were all translated into Spanish. In addition, the five public hearings all featured live, real-time interpretation into Spanish and are recorded. The recordings are posted on the Commission webpage.

VI. Census Count

In early 2021, the US Census Bureau announced that final Census data would be released by September 30, 2021, instead of the original March 31, 2021 release date. Ultimately, the raw Census data was released on August 17, 2021. The release of final data in California was further delayed until September 20, 2021, to allow time for the reallocation of incarcerated population data by the Statewide Database.

The delay of Census data placed the state and all local jurisdictions in a difficult position regarding the redistricting timeline for the 2022 election cycle. The City Charter provides for an extended deadline in the event of a delay in the Census data, however, this deadline – June 20, 2022 – would have been after the deadline to provide new maps to the Alameda County Registrar of Voters for the 2022 election. The Commission decided early in the process to stay on a schedule that would allow the new districts to be used in the 2022 general municipal election.

In August 2021, the US Census released in a “legacy format” the data from the decennial census, identifying the whole count of persons and where they resided as of April 1, 2020. This initial point-in-time count for Berkeley was 124,300. After the state-required reallocation of prison population conducted by the Statewide Database, the adjusted final population for Berkeley is **124,433**.

The final block-by-block census data was loaded into the Maptitude mapping software program and used to create the paper maps for public submissions as well as the electronic maps created by the public and Map Drafting Subcommittee. This single data set is the only official population and demographic data that can be used for redistricting purposes. The Commission did not consider potential future development, estimated student enrollments, or any other possible future factors.

While the 2020 Census Count was subject to significant challenges, including the potential inclusion of citizenship questions, the onset of the COVID-19 pandemic, and the uncertainty about the enumeration of the student population, the Berkeley maintained a high self-response rate for the Census questionnaire. This was due to significant outreach efforts and mitigating efforts by the Alameda County Complete Count Committee and UC Berkeley.

Table 7. Census Response Rates in 2010 and 2020

	2020 Self-Response Rate	2010 Self-Response Rate
Berkeley	72.5%	72.3%

The Alameda County Board of Supervisors deemed Census 2020 as a priority and authorized the creation of the Alameda County Complete Count Committee (CCC). The CCC first met on November 18, 2018, and was chaired by Supervisors Wilma Chan and Nate Miley. The CCC consisted of a broad coalition of community and faith-based organizations, volunteers, educational institutions, cities, and elected officials. The CCC focused on general community engagement and specific community engagement to reach residents who have been historically undercounted, including low-income individuals, immigrants, people with limited English proficiency, people of color, young children, people with disabilities, and people residing in overcrowded housing or who are unhoused. Staff from the City of Berkeley actively participated in CCC activities and were regular contributing members of the Local Government Subcommittee of the CCC.

Census 2020 officially concluded on October 15, 2020. Despite the significant challenges faced by the census in 2020, the final Census 2020 Self-Response Rate for Alameda County was 75.8%, ranking 7th amongst California counties. Alameda County achieved a higher “Self-Response Rate” than Census 2010 by 5.6%. A full accounting of CCC objectives and activities can be found in the CCC Final Report in Appendix H.

In addition to the County’s efforts, UC Berkeley engaged in significant efforts to gain the best Census count possible of UC students given the onset of the COVID-19 pandemic and the difficult political context of the Census count under the previous presidential administration.

In early March of 2020, UC Berkeley Chancellor Carol Christ announced the university’s move to virtual instruction in response to the growing COVID-19 pandemic. This announcement was followed shortly thereafter by local, county, and statewide declarations of emergency that resulted in thousands of students leaving Berkeley and returning to their hometowns. All non-essential in-person activities were severely limited.

UC Berkeley’s outreach efforts were substantially aided by the Alameda County Complete Count Committee. While both organizations rapidly shifted towards electronic outreach efforts, reaching students proved immensely difficult as they began to shelter in place. When students returned to their hometowns, they were likely counted at those locations, since the general instructions are to be counted where you are residing on Census Day (April 1). UC Berkeley sent instructive emails to students to mitigate this factor, most of which were unopened since they came alongside emails informing students about pass/fail semesters or cancellation of graduation. The Associated Students of the University of California (ASUC) was funded to do outreach, but their planned in-person events could not be carried out and the substitute online events were poorly attended. Several other outreach efforts were attempted in the census tracts close to campus between April and October of 2020.

UC Berkeley was able to provide the United States Census Bureau (USCB) with the count of students in the UC residence halls and some co-op housing. UC Berkeley counsel expressed concerns regarding data privacy and sharing any data for their undocumented students. Thus, UC provided USCB with only the following records: First name, last initial, year of birth, and dormitory street address (not unit number); and excluded race, ethnicity, and gender data. This was due to compelling concerns that under the former presidential administration, data would be shared with other government agencies and could lead to adverse consequences for the undocumented student population. Ultimately, this method of data reporting was adopted by the entire University of California system as a compromise to help achieve census participation while protecting the undocumented community.

While it is informative to understand the circumstances that led to the expected undercount of UC Berkeley students, there is no avenue for appealing the final count with the United States Census Bureau that would have resulted in adjustments to the official census data that could be used in the process to create a new map for the 2022 elections. The Commission was legally mandated to use the 2020 Census data for the purpose of determining equal district population, which is the primary consideration in the redistricting process.

VII. Required Redistricting Criteria Summary – Map Criteria

In considering the Census data and the input from the public (Community of Interest Forms, map proposals, written communication, and verbal comments), the Commission operated under the guidelines of the regulatory governance described in Section II.

Below is a description of the provisions of state law and the City Charter and how they are applied to the task of redistricting.

“The Independent Redistricting Commission shall be solely responsible for drawing City Council district boundaries in accordance with state and federal law and this Charter, and shall make adjustments as appropriate, taking into consideration public comment at public meetings and public hearings.” (Charter sec. 9.5(a)(1))

A. Eight Equal Districts

This criterion is the most universal, and there are controlling regulations in both state law and the City Charter. The language in the City Charter states that “[T]he eight City Council districts shall be as **nearly equal in population** as may be according to the most recent decennial federal census.” (Charter sec. 9.5(f)(1).) The State Elections Code uses the phrase “Substantially equal in population” (Cal. Elec. Code sec. 21621(a).)

The basic premise of why jurisdictions must redistrict after every Census is Equal Protection – “one person, one vote” with the justification that “the vote of any citizen is approximately equal in weight to that of any other citizen.” (*Reynolds v. Sims*, 377 U.S. 533, 579 (1964).)

For local redistricting in California, a deviation of less than 10% is required pursuant to a 1990 case, *Garza v. County of Los Angeles*. In this context, the “deviation” is the difference between least populated and most populated district.

Berkeley’s total population is 124,433. Dividing the total population by eight – the number of districts – the “equal district population” number is 15,554, and the maximum acceptable deviation is 1,555, which is less than 10% of the equal district population. Thus, the difference in population between the most populous district and the least populous district must be no more than 1,555.

B. City Charter Criteria

City Charter Section 9.5(f) states that the Independent Redistricting Commission shall take into consideration contiguity, compactness, topography, geography, cohesiveness, integrity, and communities of interest.

Priority: State law lists specific criteria in an order of priority (Elec. Code sec. 21621(c)), however, this priority is not binding on Berkeley since the City Charter has a complete set of criteria listed. The state priority is:

- 1) Contiguity;
- 2) Neighborhoods/Communities of interest;
- 3) Easily identifiable boundaries; and
- 4) Compactness.

Contiguity: All parts of a district are connected to one another. There cannot be any “islands” – all parts of a district must be connected by a single unbroken border. The Elections Code further describes that “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.” (Cal. Elec. Code sec. 21621(c)(1).)

Compactness: Defined in state law as “not bypassing nearby populated areas in favor of more distant populated areas,” compactness refers to the shape of the district. A circle is the ultimate “compact” shape, and shapes that have a higher ratio of perimeter to area and contorted boundaries would be comparatively less compact.

Topography/Geography: Does the map account for significant topographical or geographic features (both natural and artificial)? This usually refers to hills, valleys, ridges, open spaces, rivers, etc. It is not a disqualifying feature to cross a significant feature provided that it is justifiable under other criteria considerations.

Easily Understood Boundaries/Major Traffic Arteries/Geography: The City Charter directs the Commission to use easily understood boundaries such as major traffic arteries, but only to the extent that they are consistent with communities of interest.

Cohesiveness/Integrity: Do the district boundaries make sense given the defined neighborhoods and communities of interests that have been identified? In this instance there may be more than one right answer as there may be competing communities of interest identified in overlapping or nearby areas. The Charter directs that “The geographic integrity of a neighborhood or community of interest shall be respected to the extent possible.” (Charter sec. 9.5(f)(2).)

Communities of Interest: This criterion is one of the principle foundations of modern redistricting. A Community of Interest (COI) 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.

Such shared interests include but are not limited to those common to areas in which the people share similar living standards, use the same transportation facilities, have similar work opportunities, or have access to the same media of communication relevant to the election process, as well as neighborhoods, students, organized student housing, shared age, and racial demographics. Communities of Interest shall not include relationships with political parties, incumbents, or political candidates.

With regard to COIs, the Charter states that “The geographic integrity of a neighborhood or community of interest shall be respected to the extent possible without violating State or Federal law or the requirements of this Section” (Charter sec. 9.5(f)(2)). The Charter also states that the new map “[S]hall

utilize easily understood district boundaries such as major traffic arteries and geographic boundaries to the extent they are consistent with communities of interest."

C. Prioritizing Criteria

Unlike State law, the Charter does not list redistricting criteria in order of priority. However, looking at the Charter in the context of state and national redistricting principles, a general prioritization emerges:

1. Equal Population
2. Contiguity
3. Neighborhoods/Communities of Interest ("shall be respected to the extent possible without violating federal or state law")
4. Easily understood boundaries such as traffic arteries and geographic boundaries ("shall utilize to the extent consistent with communities of interest")
5. Compactness
6. Topography, geography, cohesiveness and integrity

The first two criteria are "Yes/No" criteria. If a map is outside the 10% deviation or it has non-contiguous boundaries, then it is not compliant on its face. The remaining criteria are comparative and may be incorporated into a compliant map in varying degrees depending on the specific facts and considerations of the process and the community participation and testimony. As noted above, the Charter does not enumerate a strict priority, so this ranking is not a strict roadmap but a thoughtful and defensible way of organizing the Charter's requirements.

All the criteria are interrelated, and depending on the issues presented in the maps and the potentially overlapping or differing communities of interest, certain criteria may be prioritized over others in pursuit of the most compliant map possible.

D. Consideration of Race in Redistricting

The Berkeley City Charter lists "racial demographics" as a shared interest that can create a community of interest. However, the US Supreme Court has determined that race cannot be a "predominant factor" in redistricting. Thus, the Commission was advised to avoid expressly discussing race as a factor in redistricting and not to use race as justification to move a district line.

In certain instances, Section 2 of the Federal Voting Rights Act can be applied to prohibit drawing districts in ways that improperly dilute voting power based on race, color or language minority group. For Section 2 to be applied, certain conditions must be present. The requirements of a Section 2 lawsuit (*Thornburg v. Gingles*, 478 U.S. 30 (1986)) are listed below.

- 1) Must be able to draw a geographically compact district where minority group is majority.
- 2) Minority group must be politically cohesive (pattern of voting for the same candidates).
- 3) White majority must regularly vote as a bloc to defeat minority-supported candidates.

Analysis of Berkeley's demographics by the redistricting consultant and staff counsel determined that the demographics in Berkeley do not provide adequate populations to create a majority-minority district, thus failing to meet the first required condition.

E. Prohibited Considerations

The City Charter additionally lays out four specific points of guidance for the Commission.

First, communities of interest shall not include relationships with political parties, incumbents or political candidates (Charter sec. 9.5(f)(2)).

Second, districts may not be drawn to favor or discriminate against an incumbent, political candidate or political party (Charter sec. 9.5(f)(3)).

Third, the Commission is prohibited from considering the residence of sitting councilmembers (Charter sec. 9.5(f)(5)). If the new map removes a sitting councilmember from their district, the councilmember will continue to serve until the end of their term (Charter sec. 9.5(f)(6)).

Fourth, the Commission may consider existing district boundaries. The Charter directs that if the new map deviates substantially from the existing districts, the Commission must explain the reasons in its final report (Charter sec. 9.5(f)(4)).

VIII. Commission Timeline

Image 3. Redistricting Process Timeline



PUBLIC INPUT: PREPARATION FOR MAP ANALYSIS AND DRAFTING

IX. Map Development Process Subcommittees (purpose, duration, membership)

To assist in the public submission process, information analysis, and map development work of the Commission, the Commission created four ad hoc subcommittees. A brief description of the mission, tasks, and outputs of the subcommittees is provided below.

- Public Submission Process Subcommittee
- Map and Community of Interest Review Subcommittee
- Map Drafting Subcommittee
- Final Report Drafting Subcommittee

Public Submission Process Subcommittee

Commissioners: Choy and Nicol

Mission: Develop a packet of information that the public could use to prepare and to submit Community of Interest (COI) information and proposed maps to the Commission.

Activities:

- Create a self-contained information packet of instructions on how to prepare and to submit COI statements or proposed redistricting maps to the Commission. The instructions had URL links to the basic information a person would need.
- Post these instructions on the Commission website with live links to supplemental material.
- Hard-copy versions of the information packet, including paper COI and map forms, were available at the City Clerk Department throughout the submission period.
- Create a PowerPoint presentation for a public hearing, explaining the COI and map forms and how to use Maptitude for online maps, emphasizing the deadline of November 15, 2021, midnight, to submit proposed maps to the IRC.

Outcome: The information packet was posted on the Commission website and presented during a public hearing on October 2, 2021. Hard copies were available at the City Clerk Department.

Map and Community of Interest Review Subcommittee, June 10, 2021

Commissioners: Rhodes, Cooper, Watson, Tran, Sussell, and Nicol

Mission: Review, analyze, and summarize feedback from submitted Community of Interest Forms and maps submitted by members of the public as part of the City of Berkeley Independent Redistricting Process.

Activities:

- Create and populate A matrix to review Community of Interest Forms submitted by the public to the Independent Redistricting Commission, summarizing location, impact, and rationale of modifying and/or redrawing council districts.
- Create and populate A matrix to evaluate submitted maps, identifying City Charter requirements and applicable state and federal law so mapping suggestions and themes are utilized to finalize the drawing of 2022 council district maps.

Outcomes: Presented the populated COI and submitted map matrices to the Commission. The COI matrix was specifically leveraged to ensure that the draft maps developed by the Commission met the goal of COI contiguity and cohesion for as many COI submissions as practical. The submitted map matrix was leveraged to identify themes that would then guide the development of the draft maps that the Commission presented to the public for their input.

Map Drafting Subcommittee, January 10, 2022

Commissioners: Rhodes, Nicol, Alejos, Fox

Mission: To prepare draft redistricting maps, synthesizing City Charter requirements, State and federal law, submitted Community of Interest Forms, maps submitted by community members, and guidance from the Independent Redistricting Commission. These maps were based on themes identified from COI forms and maps submitted by community members.

Activities: Prepared four initial maps based on major redistricting map themes and Commission direction for review and refinement and two subsequent maps that reflected further public input and Commission discussion.

Outcome: Prepared two rounds of draft redistricting maps and explanatory memos (four maps for the first round, two maps for the second) that formed the basis for creation of the final Independent Redistricting Commission approved map.

Final Report Drafting Subcommittee, December 15, 2021

Commissioners: Watson, Alejos, Cho, Choy, Gallegos-Diaz, Smith

Mission: Document the redistricting process to ensure transparency and to highlight the rich and varied public contributions at each phase of the redistricting process. Detail the rationale for the final map selection. Provide insight and guidance to subsequent independent redistricting efforts. Retain source documents from communications to the public, training, staff reports, and legal/professional advice.

Actions:

- Create report outline for review and comment by commissioners and the public.
- In conjunction with city staff, edit and review the draft report.
- Structure discussion / invite input from commission as a whole on draft report.
- Incorporate original source material from Commission reports and communications.
- Draft executive summary and introductory letters to the public and City Council.
- Provide a detailed review of the map selection process, including a detailed timeline.

Outcomes:

Included with the final map:

- Letter to Berkeley residents.
- Letter to Mayor and City Council.
- Executive summary.
- Timeline of Commission actions.
- Final report on redistricting process.

X. Communities of Interest

A Community of Interest (COI) is a concentrated population that shares common social and economic interests that should be included within a single district for purposes of its effective and fair representation.

For the current redistricting process, a COI is a technical term that has significant meaning in the exercise of redistricting. The public input from COIs is an essential component of the process and is an invaluable asset to the Commission when discussing map changes and learning about the community identities and preferences. The COI forms are one of the primary building blocks of the redistricting process.

A. Form Launch – July 10, 2021, Public Hearing #1

At the first public hearing on July 10, 2021, the IRC launched its online Community of Interest Form. The presentation to the public provided information on the definitions of COIs, their importance in the process, and how to find and submit the forms to the Commission. The presentation was recorded and posted on the Commission website. The IRC accepted COIs throughout the redistricting process.

B. Logging and Analyzing COIs

Throughout the process, the COI forms have been accepted, logged, and analyzed by commissioners, public map submitters, and the general public. The Map and COI Subcommittee created and updated the COI Matrix to facilitate the intake of information for the commission. The submitted forms and COI Matrix are included as Appendix I and Appendix J respectively.

The subcommittee provided a brief statement related to its approach to the information and analysis including the values and goals in reviewing public input.

- **Responsive:** We will ensure that public comment is acknowledged.
- **Inclusive:** We will consider any input that we receive in any form.
- **Fair/Equitable/Legal:** We will follow legal guidelines in determining what to do with the input that we receive.
- **Actionable:** We will focus on mappable, geographic discussion and decisions or suggestions that are specific and possible to infer.

C. Themes in COIs (Matrix)

The Berkeley community raised a wide range of concerns in their submissions. Many relate to city services, neighborhood character, equity, diversity, and resource allocation across districts. The Subcommittee captured themes raised in each submission in the matrix. The link between council district boundaries and city government services is not always direct, but it was important to capture the concerns of Berkeleyans. The COI matrix summarizes COI feedback received in order to help evaluate submitted redistricting maps, help formulate draft Commission maps, and highlight the community concerns expressed to the Commission.

XI. Map Submission Period, October 2, 2021 – November 15, 2021

As required in state and local regulations, the Commission must accept maps and redistricting plans from the public as part of the redistricting process. The Commission provided the public with a 44-day window in which to create and submit maps for consideration by the Commission. Extensive public outreach was conducted to make the public aware of the map submission period and Commission staff provided multiple demonstrations of the map creation software and use of the paper maps. In total, the Commission received 29 maps from the public during the map submission period. Of the 29 maps, 14 were submitted on paper and 15 were submitted electronically.

A. Public Hearing #2 October 2, 2021

On October 2, 2021, the Commission held a public hearing to educate the public about the map submission period, provide detail on the required criteria for council district maps, and demonstrated how to use the mapping software and paper maps to submit a district map. The presentation and the mapping software demonstration were recorded and posted to the Commission website for ongoing public use. The Commission published the map submission packet created by the Subcommittee to coincide with the October 2 hearing (Appendix K). The hearing also marked the launch of the Redistricting Hub, a new and enhanced dedicated website designed for the redistricting process: <https://www.cityofberkeley.info/redistricting/>.

B. Maptitude Tool

The City executed a contract with Caliper Corporation for the purchase and Implementation of the Maptitude Redistricting Software. Maptitude allowed for any member of the public to create, submit, and share a proposed map for the city council districts. Maptitude is a trusted vendor that has been used by hundreds of state and local jurisdictions throughout the country. Public users were able to log in and create one or several maps to submit. Commission staff provided training to the public on the mapping tool and also made computer terminals in the City Clerk Department available for public use.

C. Paper Map Options

Alternatively, the public was able to submit paper maps with hand-drawn boundaries. The City's consultant created paper maps (Appendix L) with neighborhoods and population blocks outlined. The City's paper map also outlined the basic rules for combining those populations.

XII. IRC Public Map Review

In contrast to other jurisdictions that relied heavily on paid consultants, the map development process in Berkeley was conducted primarily by City staff and the 13 members of the Commission. Commissioners selected from the community and experienced City staff had a good understanding of the legacy of Berkeley redistricting, Berkeley neighborhoods and Communities of Interest, and the physical features of the city that could impact district boundaries. In executing the redistricting process, staff regularly consulted with comparable jurisdictions to share information and discuss best practices. This information was distilled into a process that would work within existing resources and expertise of the Commission.

A. Public Map Analysis

The period for public submission of redistricting maps ended on Monday, November 15, 2021. A total of 29 maps were submitted for the Commission's consideration. Staff converted hand-drawn map submissions into electronic formats in order to provide accurate population and demographic data.

The review of public maps and development of a final map included analysis of the criteria in the City Charter and state law as discussed in Section VII. The plans from the public provided valuable input to the Commission in the form of common themes and specific interests expressed, but the ultimate discretion on final boundaries is delegated to the Commission exclusively.

The discussion of public maps and Community of Interest Forms started in December of 2021 and concluded with the final public hearing on February 28, 2022.

B. Map and COI Review Subcommittee

The Map and COI Review Subcommittee met four times from December 1, 2021, to January 3, 2022, with two to five members attending each meeting. All six subcommittee members were involved in the discussions.

The Subcommittee utilized the Map Review Matrix (MRM) to analyze the 29 submitted maps. Some maps were submitted in paper form, which were converted digitally by city staff using the City's online mapping tool to ease the comparative analysis with the current city council map. Some individuals submitted multiple maps, and there were several maps submitted that reflected the efforts of organized community groups. The maps submitted by the public and the MRM are included as Appendix M and Appendix N respectively.

The Subcommittee analyzed all 29 submitted maps. Maps were evaluated by applying the MRM criteria:

- Population deviation.
- Contiguity.
- Alignment with submitted COIs (via COI matrix).
- Use of easily understood boundaries.
- Compactness.
- Consideration of topography.
- Consideration of geography.
- Integrity and Cohesiveness.

In addition, the Subcommittee used Geographic Information System (GIS) map layers on the interactive map (accessible through the Redistricting Hub webpage) to evaluate proposed map boundaries (e.g., existing council district boundaries, mapped neighborhoods, various public facilities, and transportation facilities). The map analysis was conducted to help identify consistent map themes for preparation of draft Commission maps for further public review.

The MRM serves as an analytical and tracking tool to identify how proposed map feedback will be utilized in the Commission map preparation process. The final three columns in the MRM show how the final map incorporates the themes from the public maps.

In addition to the map themes and recommendations, the Subcommittee noted several items that the Commission reviewed during the process:

1. Not all submitted maps reflected the COIs received by the Commission. Specifically, many maps focused on minimizing the population deviation at the cost of respecting COI boundaries or using neighborhood streets as boundaries. However, the Subcommittee endeavored to identify the goals of the map submitters and include them in the proposed themes, if appropriate.
2. Several submitted maps (especially paper maps) did not include a narrative or written commentary. The Subcommittee made efforts to identify the goal of the submitted map and include them in the proposed maps, if appropriate.
3. Many submitted maps appeared to focus specifically on the submitter's own district/neighborhood. However, in order to reflect those desired or proposed changes, they made other changes throughout the city to abide by the rules imposed by Maptitude (such as minimizing population deviation) that cascaded into areas in which they might have been less familiar—and which the Subcommittee believes may not have been necessarily the desired outcome. For example, the Subcommittee saw this in a predominant shift of the boundaries between District 5 and 6, which often skewed westward toward District 5.

Major Map Themes and Recommendations identified by the Subcommittee are listed below.

- *Minor Changes:* Several maps made minor changes to the current boundaries in an effort to correct concerns associated with the current map. For example, the elimination of boundaries established based on the residency of Council members reflected in the current City Council District Map as well as respecting the submitted COI requests.
- *Two UC Student Districts:* Several maps sought to establish two supermajority “student” districts (over 66%) to increase representation of UC Berkeley student interests on the City Council. These maps usually included student population nodes on and off campus as well as north and south of campus. Often this theme resulted in substantial changes to the other six proposed districts in an effort to equalize the population in each district.
- *One More Compact UC Student District:* Several maps reflected the substantial increase in student housing between the 2010 and 2020 Census. For example, the large number of students living in existing student housing north of campus near Euclid Avenue, recently built multi-story housing on or near campus, and the students living at the Clark Kerr campus.
- *More Representative and Diverse Districts:* Some maps were drawn specifically to increase demographic diversity and include more varied housing types and interests. The intent was to create more socio-economic diversity within each district by splitting traditional neighborhood boundaries so each district would contain a wider range of interests.
- *West Berkeley District:* Some maps proposed unifying west Berkeley and creating a north-south oriented district that contains the Berkeley Marina, Oceanview/Fourth Street, new western University Avenue housing, and the City's industrial and light industrial areas.

C. Maps as Public Comment / Late Map Submissions

Additional proposed maps were submitted by e-mail and attached to COI Forms after the November 15, 2021, deadline. While these maps were not analyzed on the Map Matrix by the Subcommittee with the other 29 public maps, they were distributed to the Commission and the public in the communications packet to be a part of the public record and considered in the map development process.

DRAFTING, REVIEWING, AND REVISING DRAFT MAPS

XIII. Map Development Timeline

Table 8. Map Development Timeline

TIMELINE OF MAP DRAFTING AND SELECTION: JANUARY — MARCH 2022		
IRC Meeting	Jan 10	Themes in Public Maps and COI Forms; Direction to Map Drafting Subcommittee
	Jan 20	Publish Amber, Maroon, Blue, Orange Draft Maps
Public Hearing	Jan 27	Direction to revise Amber and draft new map; Discontinue Maroon, Blue, Orange
	Feb 10	Publish Amber Map Version 2 and new Violet Map
Public Hearing	Feb 17	Re-examine Blake-Dwight and Fulton-Channing-Ellsworth borders.
IRC Meeting	Feb 19	Advance Amber Map Version 2; Discontinue Violet
Public Hearing	Feb 28	Select Amber Map Version 2 to be Final Map adopted on March 16
	Mar 9	Publish Final Map
IRC Meeting	Mar 16	Adopt Final Map; Transmit to Mayor and City Council

XIV. Discussion and Development of Map Theme, January 10, 2022, Regular Meeting

Discussion of map themes at the January 10 meeting focused on the six themes listed below.

Unify and Prioritize COIs and Neighborhoods with Minor Changes: Several maps made minor changes to the current boundaries in an effort to correct concerns associated with the current map. For example, the elimination of boundaries established based on the residency of Council members reflected in the current City Council District Map as well as respecting the submitted COI requests.

Two UC Student Districts: Several maps sought to establish two supermajority “student” districts (over 66%) to increase representation of UC Berkeley student interests on the City Council. These maps usually included student population nodes on and off campus as well as north and south of campus. Often this theme resulted in substantial changes to the other six proposed districts in an effort to equalize the population in each district.

One More Compact UC Student District: Several maps reflected the substantial increase in student housing between the 2010 and 2020 Census. For example, the large number of students living in existing student housing north of campus near Euclid Avenue, recently built multi-story housing on or near campus, and the students living at the Clark Kerr campus.

More Representative and Diverse Districts: Some maps were drawn specifically to increase demographic diversity and include more varied housing types and interests. The intent was to create more socio-economic diversity within each district by splitting traditional neighborhood boundaries so each district would contain a wider range of interests.

West Berkeley District: Some maps proposed unifying west Berkeley to create a north-south oriented district that contains the Berkeley Marina, Fourth Street/Oceanview, new western University Avenue housing, and the City’s industrial and light industrial areas.

Topography: Some maps highlighted the issues of transit access and wildfire risk for neighborhoods identified by topography features of the city.

The Commission worked toward identifying consensus on significant themes and acted to provide guidance on map creation with the following criteria.

The first group of criteria were designated to be incorporated into all draft maps to the greatest extent possible.

Table 9. Mandatory Map Themes

Themes to be prioritized in all draft maps
<ul style="list-style-type: none"> a. Less than 10% Maximum Population Variance between the largest and smallest districts b. Contiguity c. Communities of Interest/Neighborhoods d. Use major arterial streets as boundaries where possible e. Correct the features of the 2010 map for Councilmember residences f. Include at least one compact student district in every map

The second group of criteria were designated to be incorporated into one or more draft map variations.

Table 10. Additional Map Themes

Themes to be included in one or more draft map variation
<ul style="list-style-type: none"> a. Single, north-south West Berkeley district b. Topography/Transit Access/Wildfire Risk c. Different configurations for two student majority districts d. High level of continuity with the existing boundaries that includes changes only as required by the six mandatory criteria above

On January 10, 2022, the Commission appointed the Map Drafting Subcommittee (Commissioners Rhodes, Nicol, and Alejos) to work with staff to create the first batch of draft maps based on the Commission’s direction.

XV. Creation of Four Draft Maps

Based on direction at the Independent Redistricting Commission’s meeting on January 10, 2022, four draft redistricting maps were created. The Commission discussed the draft maps, received community input, and provided direction regarding further development.

A. January 27, 2022, Public Hearing #3, Presentation of Four Draft Maps

On January 27, 2022, the Map Drafting Subcommittee presented the first batch of draft maps based on the direction from the Commission on January 10, 2022.

Working with staff, the Subcommittee met four times over four days to create draft maps. Initially intending to create five draft maps, the process resulted in four draft maps that responded to the full range of the Commission’s direction. This was accomplished by combining multiple aspects of the variations in the same draft map as described below.

Each draft map was given a non-numeric designation for the purpose of identification. The four draft maps are listed below in alphabetical order:

Table 11. Initial Draft Map Summary

Designation	Description
Amber Map	Continuity Map with Changes Made Only to Address Universal Criteria West Berkeley (Two Districts)
Blue Map	Two Student Districts (East-West) West Berkeley (One District)
Maroon Map	Two Student Districts (North-South) West Berkeley (Two Districts)
Orange Map	Continuity Map with Changes Made Only to Address Universal Criteria West Berkeley (One District)

The draft maps also include narratives explaining in detail how they were developed. District maps and data tables for the initial four draft maps are included in Appendix O.

B. Significant Features of Draft Maps

The primary features of the four draft maps demonstrate the following significant features identified through Commission discussion and community input in maps, written communications, COI Forms, and public comment:

- Options for West Berkeley District 1 and District 2 alignment
- One or two student-focused districts
- Continuity with current districts

These features are incorporated in various configurations in the four draft maps. The incorporation of these variations resulted in cascading required changes in several districts’ boundaries that created varying levels of adherence to the direction on neighborhood cohesion and use of major arterials.

UC Berkeley Student Population: The Census data does not include specific residency information about the UC Berkeley student population. While mapping the options for the student-focused districts, the Subcommittee discussed the location of both established student-only housing (dormitories, co-ops) and neighborhoods where students traditionally reside. This resulted in general consensus on districts that are student-focused while adhering to the mandatory criteria adopted by the Commission.

Topography / Transit Access / Wildfire Risk: During the attempt at creating a draft map that used this criteria as a predominant theme in one of the variations, it was discovered that this theme was better addressed as a complimentary theme in the other maps. A single district that encompassed the full hills area along the City’s eastern border was not compact, was separated in the middle by Strawberry Canyon, and included communities that would not traditionally be associated with common social or geographic interests. For each draft map, it is noted in the map narratives how many districts represent the higher elevation areas of the City in two, three, or four districts.

C. Public Information

The draft maps were available to the public on January 20, 2022, in the Commission agenda packet via the website. Beginning January 21, 2022, the draft maps were available on the Hub, both in the interactive viewing tool and as a PDF map book that could be downloaded. In addition, large-scale draft maps were available at the Central Library and the South Berkeley Senior Center. Large format maps were also placed at the MLK Student Union at UC Berkeley prior to the January 27, 2022, public hearing. Ledger-sized map binders were available at all branch libraries and recreation centers. There were four in-person map-viewing events hosted by City staff: one at Northbrae Community Church, one at the South Berkeley Senior Center, and two at UC Berkeley.

In all public messaging, the public was encouraged to send written comments on the maps to redistricting@cityofberkeley.info, complete a Community of Interest Form, or provide verbal testimony at a public hearing.

In consultation with activists in the community and the City's Disability Compliance Office, staff created written descriptions of the district boundaries for all draft maps for persons with low vision. These accessible descriptions are included in Appendix P.

D. Review and Action on Draft Maps, January 27, 2022

At the Commission public hearing on January 27, 2022, the Commission received public comment from 31 speakers and reviewed dozens of new written communications from the public regarding the four draft maps. Based on community input and the IRC deliberations, the Commission voted to remove the Blue, Orange, and Maroon maps from consideration (Ayes – 11; Noes 2).

The Commission voted to remove the Blue and Orange maps due to the lack of significant public input supporting the significant change from two West Berkeley Districts to a single West Berkeley District. The public testimony, both written and verbal, favored the two-district configuration for West Berkeley. Since there was no compelling impetus for the change under the state and local redistricting criteria, the Commission favored the existing alignment absent a groundswell of support for a single West Berkeley district from residents of the affected area.

The Maroon map created a significantly different configuration for District 4 and District 7 in an attempt to increase student/renter population. The changes did not result in significantly higher renter population concentrations over the Amber Map and resulted in a higher level of neighborhood disruption. Ultimately, the Commission favored creating a new map to meet the goals for increasing student/renter representation, but with more continuity with existing boundaries and neighborhoods.

The Commission voted unanimously to continue consideration of the Amber Map with modifications to the boundary between District 3 and District 8 near Ashby BART to prevent division of the community around the BART station.

The Commission also acted to request that the Map Drafting Subcommittee create a new map, with the Amber Map as the base map, that moved the portion of the Northside neighborhood south of LeConte Avenue into the student-focused district, made modifications to the boundary between District 3 and District 8 near Ashby BART to prevent division of the community around the BART station, and adjusted

District 4 in consideration of students and renters. The Subcommittee was further directed to develop a second student-focused district in a side-by-side orientation, but allowed this direction to be combined with the previously requested new map if feasible. The Commission also added Commissioner Fox to the Map Drafting Subcommittee.

XVI. Two Draft Maps for Consideration – February 17, 2022, Public Hearing #4

On February 10, 2022, the IRC published Amber Map Version 2 and the Violet Map, a new draft map. At the Commission public hearing on February 17, 2022, the Commission reviewed the modified version of the Amber Map (Amber Map Version 2) and the newly created Violet Map. The Commission received public comment from 21 speakers and reviewed new written communications from the public regarding the two draft maps.

Both the Amber Map Version 2 and the Violet Map adhere to the universal criteria:

- a. Less than 10% population deviation.
- b. Contiguous districts.
- c. Maintain Communities of Interest and Neighborhoods.
- d. Use major arterial streets as boundaries where possible.
- e. Correct the features of the 2010 map that accounted for prior Councilmember residences.
- f. Include at least one compact student district in every map.

Table 12. Summary of Second Round of Draft Maps

Designation	Description
Amber Map Version 2	Continuity Map with Changes Made Only to Address Universal Criteria West Berkeley (Two Districts)
Violet Map	Two Student/Renter Focused Districts (East-West) West Berkeley (Two Districts)

A. Review of Draft Maps

Amber Map Version 2: The revised version of the Amber Map responded to community input and Commission direction by moving the border between District 3 and District 8 from Adeline Street eastward to Shattuck Avenue. Moving the boundary to Shattuck Avenue returned the Ashby BART east parking lot, Ed Roberts Campus, and St. Paul AME Church into District 3. The corresponding population change did not adversely affect the required deviation percentage for either district or the overall city map.

There were no changes to Districts 1, 2, 4, 5, 6, or 7 in Amber Map Version 2 from the original Amber Map.

The Amber Map Version 2 contained a renter population of 78.6% in District 4 and 94.5% in District 7.

Violet Map: The Violet Map responded to the direction of the Independent Redistricting Commission to create a draft map that uses the Amber Map as the base map with changes in the Northside Neighborhood and the Downtown area to focus on student and renter populations.

The Subcommittee attempted to include the portion of the Northside Neighborhood south of LeConte Avenue into the student-focused district; however, the cascading effects into other districts presented

other challenges. It was determined that drawing the border one block south of LeConte Avenue on Ridge Road would achieve much of the Commission’s objective and facilitate population balancing in other surrounding districts.

Moving a portion of Northside Neighborhood and the Foothill Dormitory into District 7 lead to changes in the District 5/District 6 border. The border moved from Spruce Street to Arlington Avenue north of the Marin Circle. This change then led to District 5 moving south into District 4 to Hearst Avenue. Finally, this change caused the south border of District 4 to move one block south – from Blake Street to Parker Street – into District 3 and east into the Southside Neighborhood.

As with the Amber Map Version 2, the Violet Map modified the boundary between District 3 and District 8 to prevent division of the community near Ashby BART. The border between District 3 and District 8 moved from Adeline Street eastward to Shattuck Avenue. Moving the boundary to Shattuck Avenue returned the Ashby BART east parking lot, Ed Roberts Campus, and St. Paul AME Church into District 3.

The Violet Map contained a renter population of 79.0% in District 4 and 90.7% in District 7.

B. Significant Features of Draft Maps

West Berkeley: At the January 27, 2022, public hearing and in the written communications, there was limited support for a single West Berkeley district. Most commenters favored two representatives for West Berkeley. Absent substantial community groundswell for a significant change to the West Berkeley alignment, the Commission decided to move forward with two draft maps that both have two West Berkeley districts.

“Student-Focused” District(s): Similar to the West Berkeley discussion, a significant majority of community input favored the draft maps that had a single “student-focused” district. In the map drawing process, it was not readily apparent how to arrive at two fully student-focused districts. Since there was not a Census category for “UC Berkeley Student” the Subcommittee relied on known UC-owned student housing, co-ops, and traditional student neighborhoods to approximate a student-district. The two maps under consideration both had two districts that encompass or border UC Berkeley and have the two highest renter-occupied percentages in the City.

Continuity and Neighborhoods: There is strong advocacy from the community through written and verbal comments for the new map to maintain neighborhood cohesion and keep communities of interest in their current council district.

C. Public Information

The Amber Version 2 and Violet draft maps were available to the public in the Commission agenda packet on February 10, 2022. The new/revised maps were distributed to all locations where the first group of maps were posted - the Central Library, the ASUC Student Union in the Martin Luther King, Jr. Building, and the South Berkeley Senior Center. Updated ledger-sized map binders were available at all branch libraries and the Civic Center Building at 2180 Milvia Street.

D. Commission Action

At the February 17, 2022, public hearing, the Commission requested that staff prepare an analysis of two potential changes to Amber Map Version 2 prior to the February 19, 2022, meeting, including: 1) Moving a portion of the District 4/District 7 boundary from Fulton Street to Ellsworth street; and 2) Using Dwight Way as the northern border of District 3. This analysis was sent to the Commission and posted to the Commission website in advance of the February 19, 2022, special meeting.

XVII. Special Meeting, February 19, 2022

In order to allow for greater public access and more availability to the public, the Commission scheduled a special meeting on Saturday, February 19, 2022. At the February 19 meeting, the Commission heard from 29 members of the public during public comment. The Commission reviewed the additional analysis provided by staff on the potential changes to the Amber Map Version 2 and discussed options for drafting the changes in advance of the next meeting.

Moving the District 3 border to Dwight Way involved moving over 1,700 residents, which would have resulted in cascading changes to other district boundaries. These changes would have included less use of major arterial streets and dividing established neighborhoods. The Commission supported retaining Blake Street for the full length of the northern District 3 border as a more easily understood feature.

Adjusting the border between District 4 and District 7 in the Southside Neighborhood was considered, but the demographic information discussed for the affected area was not adequate to justify the potential change. The commission favored retaining the existing boundary in Amber Map Version 2.

For both changes, the Commission was concerned that responding to the request of a few individuals for a border change in one area would result in dissatisfaction from residents in other areas that were previously satisfied with the map boundaries, but now would have concerns after being affected by the requested changes. Ultimately, the Commission decided that there was not compelling testimony on the public record to justify making the changes on Dwight Way and the District 4/District 7 boundary.

Discussion of the Violet map centered around the goal of a student/renter-focused district and how well the map achieved that goal. Despite the best efforts of the Map Drafting Subcommittee, the Violet variation did not result in a significant difference in the renter percentage over Amber Map Version 2. The Amber Map Version 2 contains a renter population of 78.6% in District 4 and 94.5% in District 7. The Violet Map contains a renter population of 79.0% in District 4 and 90.7% in District 7. The Commission decided that the marginal difference did not justify the greater neighborhood disruption in the Violet Map.

The discussion of renter representation was raised by some community members at the public hearings and in written testimony. Analysis of the Amber Map Version 2 shows that six of the eight districts have a renter majority (all except District 5 and District 6), and three districts (District 2, District 4, and District 7) have a supermajority of renters (over 66%).

The commission voted unanimously, with three absences, to remove the Violet Map from consideration and send the Amber Map Version 2 forward in the process as published on February 10, 2022, to the February 28, 2022, public hearing for selection as the preferred final map.

FINAL MAP SELECTION

XVIII. Public Hearing #5, February 28, 2022

At the final public hearing, City staff provided a summary of the noteworthy features of the Amber Map Version 2, and compared the proposed map to the existing districts and neighborhood boundaries. The Commission received public testimony from eight speakers and discussed a few final aspects of the map regarding the configuration of the census blocks in the Marina, and the proposed changes from the February 19, 2022, meeting.

The changes to the District 1/District 2 border in the Marina was due to a change in the Census Block boundaries. Previously, the boundary ran along University Avenue and straight into the Bay on the line of the Berkeley Pier. The new block boundary included all of the harbor and the area of the Marina south of University Avenue into the same census block.

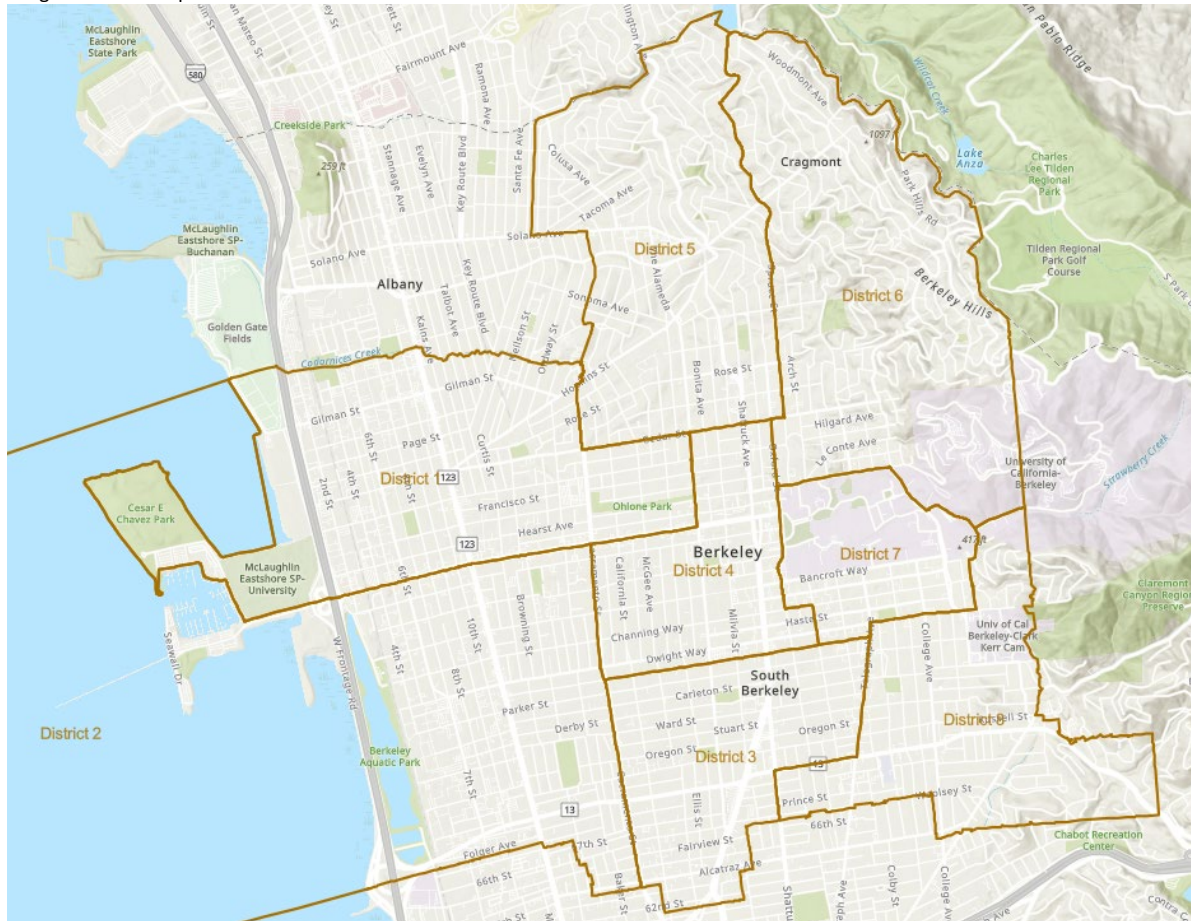
The Commission voted unanimously, with one absence, to advance Amber Map Version 2 as published on February 10, 2022, to the March 16, 2022, meeting for formal adoption.

XIX. Adoption of Final Map, March 16, 2022

At the final meeting of the Independent Redistricting Commission on March 16, 2022, the Commission unanimously approved Amber Map Version 2 as the official map for Berkeley City Council Districts. The Commission transmitted the map to the City Council for adoption of the redistricting ordinance to implement the map boundaries. At the March 16, 2022, meeting, the Commission also unanimously approved the Final Report for submission to the public and the City Council.

XX. Final Map - Amber Map Version 2

Image 4. Amber Map Version 2



A. Final Map Narrative

The original Amber Map was created by the Map Drafting Subcommittee to respond to the direction of the Independent Redistricting Commission to create a draft map that has a high level of continuity with the existing council district boundaries and includes changes only as needed to meet the six universal map criteria. The general satisfaction with current boundaries was a common theme in several COI Forms and written communications.

The universal criteria designated by the Commission are:

- Maximum of 10% population deviation.
- Contiguous districts.
- Maintain Communities of Interest and Neighborhoods.
- Use major arterial streets as boundaries where possible.
- Correct the features of the 2010 map that accounted for prior Councilmember residences.
- Include at least one compact student district in every map.

Based on valuable public input at the January 27, 2022, public hearing, the Subcommittee was directed to create a new version of the Amber Map to adjust the border between District 3 and District 8 near Ashby

BART. Amber Map Version 2 followed the Commission direction by moving the border between District 3 and District 8 east from Adeline Street to Shattuck Avenue to include the Ed Roberts Campus, the Ashby BART east lot, and St. Paul AME Church in District 3.

B. Compliance with Redistricting Criteria

Amber Map Version 2 is compliant with all applicable mandated regulations as noted in the report and summarized below. District-by-district maps and data tables for Amber Map Version 2 are provided in Appendix Q.

- 1) Equal Population: The map contains a maximum deviation of 7.76% between the largest district (District 3 at +2.72%) and the smallest district (District 5 at -5.04%). This deviation is within the allowable 10% threshold.
- 2) Contiguity: All of the council districts are geographically contiguous.
- 3) Neighborhoods/Communities of Interest: The map improves on the neighborhood integrity compared to the existing boundaries and the other draft maps. The map unifies the following neighborhoods: Westbrae, Poets Corner, LeConte, Lorin, Willard, and Northside; and responds to specific communities of interest in South Berkeley, Central Berkeley, West Berkeley, San Pablo Park Neighbors, Bart Station Neighbors, renters, and others.
- 4) Easily Understood Boundaries/Traffic Arteries/Geographic Boundaries: The use of major arterials is a significant component of the final map. The map uses Sacramento Street, University Avenue, Martin Luther King, Jr. Way, Cedar Street, Spruce Street, Oxford Street, Hearst Avenue, Dwight Way, Telegraph Avenue, Ashby Avenue, and Shattuck Avenue to the maximum extent possible.
- 5) Compactness: The districts in all draft maps are relatively compact and do not bypass nearby populations in favor of more distant populations or result in odd-shaped polygons with contorted boundaries.
- 6) Topography, Geography, Cohesiveness and Integrity: These criteria are reflected in the map thusly:
 - a. Topography: The Commission direction on topography/wildfire risk/transit access is reflected in higher elevation neighborhoods contained in two council districts (6, 8).
 - b. Geography: City Council district boundaries do not cross any significant geographic features in a manner that negatively affects neighborhoods or communities of interest.
 - c. The Cohesiveness and Integrity of the plan is evidenced by the re-unification of several traditional neighborhoods as described in paragraph 3) above, and the responsiveness to communities of interest.
- 7) Additional Criteria: The Amber Map Version 2 adheres to the Charter criteria as stated above and incorporates the additional criteria as approved by the Commission on January 10, 2022, to: 1) correct the features of the 2010 map that accounted for prior Councilmember residences; and 2) include at least one compact student district in every map.

The final map achieves the first directive by returning the “cap” on District 4 (the block bounded by Milvia Street, Vine Street, Henry Street, and Cedar Street) to District 5, and by removing the “tail” from District 7 to unify the LeConte and Willard neighborhoods in District 8.

The second directive is accounted for with the consolidation of District 7, the traditional “student district,” in the campus and Southside areas closer to campus, and by adding the International House student housing complex to District 7.

CONCLUDING REMARKS

Berkeley's redistricting process began in the summer of 2020 with the announcement that applications to serve on the first-ever Berkeley Independent Redistricting Commission would be available on September 8, 2020, almost 19 months ago.

Over the past two years, both the 2020 Census Count and the ensuing Redistricting process faced unprecedented challenges with the COVID-19 pandemic looming over every aspect. It forced the Commission to adopt new and novel approaches to public outreach, holding public meetings virtually, and working collaboratively to create the draft maps. The pandemic also delayed the release of the Census data, which dramatically altered and compressed the timeline to draw the new districts.

Despite these challenges, the process engaged the public, and was conducted in an open and transparent manner with integrity, fairness, and without personal or political considerations. Under difficult conditions, the Commission, the public, and City staff have been able to complete the process on time for the November 2022 election, and within budget.

The final map is compliant with all applicable laws and reflects the extensive input received from the community. The participation by the Berkeley community has been an invaluable asset throughout the process and helped guide the Commission's work.

This report satisfies the requirements of Berkeley City Charter Section 9.5(d)(3). It is the sincerest hope of the Commission that the City Council, the Berkeley community, and future incarnations of the Commission find this report an informative and useful record of the City Council redistricting process conducted after the 2020 United States Census Count.

APPENDICES

- A. Governing Regulations for Local Redistricting
- B. Independent Redistricting Commission Bylaws
- C. Independent Redistricting Commission Meeting Data Summary
- D. Outreach Plan for Berkeley Redistricting
- E. Commissioner Recruitment and Public Outreach Materials
- F. Outreach Log for Berkeley Redistricting Activities
- G. Redistricting Hub Website
- H. Alameda County Complete Count Committee Final Report
- I. Community of Interest Forms Submitted by the Public
- J. Community of Interest Form Matrix
- K. Public Submission Process Packet
- L. Paper Map Template for Public Map Submissions
- M. Redistricting Maps Submitted by the Public
- N. Public Map Review Matrix
- O. Draft Maps – Orange, Blue, Maroon, Violet, Amber
- P. Accessible Descriptions of Draft Map Boundaries
- Q. Final Adopted Map – Amber Map Version 2
- R. Berkeley Redistricting Plan
- S. Links to Redistricting Resources (Written Communications, Census Data, Commission Minutes)

Redistricting Regulations

Berkeley Charter Article V

Section 9.5. Independent Redistricting Commission

The purposes of this Section are to: 1) establish a redistricting process that is open and transparent and allows public comment on the drawing of district boundaries; 2) ensure that City Council district boundaries are drawn according to the redistricting criteria set forth in this Charter and applicable State and Federal laws; and 3) ensure that the redistricting process is conducted with integrity, fairness, and without personal or political considerations. In order to accomplish these purposes, an Independent Redistricting Commission (Commission) is hereby created.

(a) Duties and authority of Commission and City Council.

(1) The Independent Redistricting Commission shall be solely responsible for drawing City Council district boundaries in accordance with state and federal law and this Charter, and shall make adjustments as appropriate, taking into consideration public comment at public meetings and public hearings. The City Council shall have no role in developing or adopting a redistricting plan, and its sole responsibilities in redistricting shall be to: adopt an ordinance establishing procedures to implement this Section; adopt a redistricting ordinance as set forth in subdivision (d)(3); submit a final redistricting plan to the voters as set forth in subdivision (d)(4); submit a redistricting ordinance that is the subject of a referendum to the voters as set forth in subdivision (d)(5); and to adopt the redistricting plan determined by a special master as set forth in subdivision (d)(4).

(2) The City Council, as part of the adoption of the City Budget, shall allocate sufficient funds to support the work of the Independent Redistricting Commission, including funds necessary for community outreach, costs for city staff time associated with supporting the work of the Independent Redistricting Commission, and the hiring of any necessary consultants or outside counsel.

(3) The City Clerk or their designee shall serve as Secretary to the Commission.

(4) The City Council, by a two-thirds vote, shall adopt an ordinance establishing procedures to implement this Charter section. An implementation ordinance cannot be modified by the Council for a period of five years after initial adoption, and without a two-thirds vote of the Council, unless adoption of an amendment to the Charter, a change in applicable state or federal statute, or court decision necessitates an earlier modification.

Redistricting Regulations

(b) Appointment of Commission.

(1) Membership. The Commission shall consist of thirteen members, each of whom is a resident of the City of Berkeley. The application and selection process set forth below and by ordinance is intended to produce an Independent Redistricting Commission that is independent from legislative and political influence, and reasonably representative of the City's population.

(2) Term. Members of the Independent Redistricting Commission shall be appointed following each decennial federal census as set forth below. The term of office of each member of the Commission shall expire upon the effectiveness of a redistricting plan for that decennial federal census period.

(3) Qualifications and eligibility. All Berkeley residents who are 18 years of age or older at the time their application is submitted, are eligible for membership on the Independent Redistricting Commission, subject to the following limitations.

(i) The following individuals are prohibited from serving on the Citizens Redistricting Commission:

(A) any individual who currently holds, has held, or who has been a qualified candidate for the office of Mayor or City Councilmember within the two years preceding the date of application;

(B) any other individual who holds or has held any City of Berkeley elective office identified in this Charter within the two years preceding the date of application;

(C) the immediate family of the Mayor or any Councilmember, as well as immediate family of staff to the Mayor or Councilmember;

(D) any employee of the City of Berkeley;

(E) any person performing paid services under a contract with the City of Berkeley, including employees of subcontractors;

Redistricting Regulations

(F) any individual who has served as an officer, paid staff, or paid consultant of a campaign committee of a candidate for Mayor or City Council within the two years preceding the date of the application;

(G) any individual who is currently, or within the two years preceding the date of application, has been a paid staff member or unpaid intern to the Mayor or any Councilmember;

(H) any individual ineligible to serve in public office under Government Code sections [1021](#), [1021.5](#), [1770](#), or the Constitution and laws of the State of California.

(ii) If an applicant currently serves on a City of Berkeley board or commission whose members are appointed by the Mayor, a City Councilmember, or the full City Council, they may serve on the Independent Redistricting Commission if selected, provided they resign from the board or commission and they agree not to serve on another City of Berkeley board or commission during their term of office on the Independent Redistricting Commission.

(iii) If an applicant has made a disclosable monetary or non-monetary contribution to a candidate for Mayor or Councilmember, they shall be permitted to serve on the Independent Redistricting Commission if selected, under the condition that they disclose under penalty of perjury all monetary and non-monetary contributions made within the four years prior to the date of application to a candidate for Mayor or Councilmember in the City of Berkeley.

(iv) No person, within two years after the termination of their service on the Commission, will be eligible for employment as a paid staff member for the Mayor or any Councilmember or to serve on a City of Berkeley board or commission.

(4) Outreach. The City shall widely publicize the fact that an Independent Redistricting Commission will be appointed during the following year, the date by which applications for appointment to the Commission must be received, and such other information as will adequately inform potentially interested residents of the Commission. The City shall conduct outreach throughout the City of Berkeley in order to solicit a large pool of applicants and applicant diversity by race, ethnicity, gender, and geography.

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(5) Application process. The City Clerk shall initiate and advertise a 30-day nomination period for appointment to the Independent Redistricting Commission. The nomination process shall be open to Berkeley residents who are 18 years of age or older at the time their application is submitted, and be conducted in a manner that promotes a diverse and qualified applicant pool.

(6) Selection process.

(i) The City Clerk shall screen all applications submitted to ensure that each applicant satisfies the eligibility criteria of subsection (b)(3)(i). Procedures to implement the nomination and screening process that are not specified in this Section will be specified in the implementing ordinance adopted by Council.

(ii) At a time and place open to the public, and subject to at least ten days' public notice, the City Clerk shall select the initial eight members of the Independent Redistricting Commission. The City Clerk shall randomly select one person from each of the eight council districts. The first person chosen from each pool shall be appointed to the Independent Redistricting Commission. The City Clerk shall then randomly select one additional individual from each of the eight council districts to serve as an alternate for the individual who has been appointed from that district. To implement this paragraph, the City Clerk shall determine a randomized method that meets professional standards and best achieves a random selection.

(iii) The Independent Redistricting Commission, consisting of the initial eight (8) members, shall then convene within ten days for the purpose of selecting the remaining five members and five alternates from the pool of eligible applicants. In appointing the remaining ("at-large") five members, the Independent Redistricting Commission shall attempt to achieve community representation by taking into consideration geographic diversity, race, age and gender. At-large alternates shall be appointed as voting members as the at-large commissioners leave office for any reason. The order in which the alternates shall be seated on the Commission as voting members shall be established by a random method at the time they are selected. All appointments under this paragraph shall be at a noticed meeting of the Independent Redistricting Commission open to the public.

Redistricting Regulations

(c) Commission procedures.

(1) The Independent Redistricting Commission 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 Independent 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 Independent 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.

(2) The City Manager shall produce redistricting plans and maps based on specific direction from the Commission. The Commission shall also accept and consider maps that are submitted by the public.

(d) Commission redistricting proceedings.

(1) The Independent Redistricting Commission shall adopt 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. The boundaries shall be effective until the adoption of new district boundaries following the next decennial federal census. The City Council may not rescind, supersede or revise the district boundaries adopted by the Independent Redistricting Commission.

(2) Decisions by the Independent Redistricting Commission to adopt a redistricting plan shall be by seven votes of the Commission.

(3) Concurrently with its adoption of a redistricting plan, the Commission shall issue a report that explains its decisions in achieving compliance with the criteria listed in this Section and shall include definitions of the terms and standards used in drawing the final City Council districts map. The redistricting plan adopted by the Commission shall be submitted to the City Council at its next regular or special meeting consistent with Berkeley Municipal Code Chapter [2.06](#), and the City Council shall at that meeting adopt a redistricting ordinance that implements the redistricting plan without change.

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(4) Impasse procedure. If the Commission is unable to achieve seven affirmative votes to adopt a redistricting plan, then the Commission shall submit to the City Council the map which received the most votes of the Commission to be placed on the ballot. In the event that redistricting plan is rejected by the voters, the Commission shall have 30 days to adopt a new redistricting plan by seven affirmative votes. If the Commission, after rejection of the map by the voters, cannot adopt a final redistricting plan by seven affirmative votes, then the Commission shall request that the City Clerk recommend a list of at least three special masters to develop a redistricting plan. The Commission shall consider the recommendations of the City Clerk and select a special master, by majority vote, to develop a redistricting plan. The City Council shall adopt by ordinance the redistricting plan determined by the special master.

(5) A redistricting ordinance adopted by the City Council shall be subject to referendum in the same manner that an ordinance is subject to referendum pursuant to state law and Article XIV of the City Charter. The date of final adoption of the ordinance by the City Council shall be deemed the date of final passage for the purposes of Section 93 of the Charter. The procedures of Section 93 shall apply to a referendum of a redistricting ordinance, except that if a referendum petition is signed by the requisite number of qualified electors the City Council shall submit the ordinance to the voters at the next General Municipal Election.

(e) Removal of Commissioners.

(1) Commissioners should apply the law in a manner that is impartial and reinforces public confidence and integrity in the redistricting process.

(2) 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 commissioner is ineligible under subdivision (b)(3), 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.

(3) Any vacancy, whether created by removal, resignation, or absence pursuant to Berkeley Municipal Code Section [3.02.020](#) or its successor, shall be filled by the alternate for that Commission seat selected at the time of the original selection. If the alternate is unable to serve, the Independent Redistricting Commission shall fill the vacancy by selecting an applicant from the original pool of applicants by a two-thirds vote at a noticed

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meeting open to the public. If the seat to be filled is one representing a specific City Council district, the Independent Redistricting Commission shall appoint an individual who resides in that City Council district.

(4) No disqualification of a commissioner shall have any effect on the validity of any action by the Commission or any redistricting map it may adopt.

(f) Criteria for redistricting.

(1) The Commission shall adjust the boundaries of 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 City Council districts shall be as nearly equal in population as may be according to the most recent decennial federal census, except where deviation is required to comply with the federal Voting Rights Act.

(2) In establishing and modifying district boundaries, the Independent Redistricting Commission shall take into consideration topography, geography, cohesiveness, contiguity, integrity and compactness of territory of the districts, as well as existing communities of interest as defined below, and shall 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 shall be respected to the extent possible without violating State or Federal law or the requirements of this Section. For purposes of this subsection “communities of interest” shall mean the following: 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. Such shared interests include but are not limited to those common to areas in which the people share similar living standards, use the same transportation facilities, have similar work opportunities, or have access to the same media of communication relevant to the election process, as well as neighborhoods, students, organized student housing, shared age, and racial demographics. Communities of interest shall not include relationships with political parties, incumbents, or political candidates.

(3) Districts shall not be drawn for the purpose of favoring or discriminating against an incumbent, political candidate, or political party.

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(4) The Independent Redistricting Commission may consider existing district boundaries as a basis for developing new district boundaries. Should the Commission deviate substantially in its redistricting plan from the previous district boundaries in order to reflect population growth, protect communities of interest or better comply with the redistricting criteria in the Charter, it shall issue a report explaining its reasons for doing so.

(5) The Independent Redistricting Commission shall not consider the residence of sitting Councilmembers.

(6) If the Independent Redistricting Commission adopts a redistricting plan that removes the residence of a sitting Councilmember from their then-current district, that Councilmember shall continue to serve on the City Council until the expiration of their term.

(g) Severability. Should any provision of this Section be held invalid, the remainder of this Section shall not be affected thereby, and such word, phrase, sentence, part, section, subsection, or other portion shall be severable, and the remaining provisions of this Section shall remain in full force and effect. The voters hereby declare that they would have passed this Section and each subsection, sentence, clause and phrase thereof, irrespective of the fact that any one or more, subsections, sentences, clauses or phrases had been declared invalid

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Berkeley Municipal Code Chapter 2.10

Citizens Redistricting Commission

2.10.010 Purpose.

The purpose of this Chapter is to implement Article V, Section 9.5 of the Charter, which provides for the decennial establishment of a Citizens Redistricting Commission in order to ensure an open and transparent redistricting process that allows public comment on the drawing of district boundaries and is conducted with integrity, fairness, and without personal or political considerations. (Ord. 7699-NS § 1 (part), 2020)

2.10.020 Definitions.

- A. “Commission” means the Citizens Redistricting Commission.
- B. “Immediate Family” means a spouse, domestic partner, cohabitant, child, stepchild, grandchild, parent, stepparent, mother-in-law, father-in-law, son-in-law, daughter-in-law, grandparent, great grandparent, brother, sister, half-brother, half-sister, stepsibling, brother-in-law, sister-in-law, aunt, uncle, niece, nephew, or first cousin (that is, a child of an aunt or uncle).
- C. “Special Master” means an individual with the requisite expertise and qualification on the subject of redistricting that is appointed by the commission to create a council district map pursuant to the impasse procedures of the City Charter. (Ord. 7699-NS § 1 (part), 2020)

2.10.030 Commission Composition.

- A. The Commission shall consist of eight (8) District Commissioners (one (1) for each Council district) and five (5) At-Large Commissioners.
- B. There shall be eight (8) Alternate District Commissioners and five (5) alternate At-Large Commissioners. (Ord. 7699-NS § 1 (part), 2020)

2.10.040 Duties of the City Clerk.

- A. Beginning no later than September 1st of the year in which the decennial federal census is taken, the City Clerk shall conduct public outreach as specified in Charter Section 9.5(b)(4).

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- B. No later than February 1st of the year after the decennial federal census is taken, the City Clerk shall initiate the nomination process as specified in Charter Section 9.5(b)(5).
- C. The City Clerk shall develop and recommend a budget for the Commission sufficient to carry out the requirements of the City Charter and this Chapter.
- D. The City Clerk or City Clerk's designee shall serve as Secretary to the Citizens Redistricting Commission.
- E. At each meeting or public hearing of the Commission, the City Clerk shall make available for public viewing copies of each Commissioner's application to serve on the Commission as well as copies of all political, financial or other disclosures required of each Commissioner by Section 9.5 of the Charter or any other provision of City or state law, including but not limited to each Commissioner's Statement of Economic Interests and any disclosures under Charter Section 9.5(b)(3)(iii). (Ord. 7699-NS § 1 (part), 2020)

2.10.050 Application and Selection of Commissioners.

- A. All applicants shall submit their application on a form provided by the City Clerk, which shall include a declaration under penalty of perjury that the applicant meets the eligibility criteria set forth in Charter Section 9.5 and this Chapter, has made all required disclosures, and that the statements they are making are true and correct.
- B. The Commission application shall include questions asking if an applicant falls into one or more of the prohibited categories set forth in Charter Section 9.5(b)(3)(i).
 - 1. If an applicant discloses that they fall into any of the prohibited categories set forth in Charter Section 9.5(b)(3)(i), the applicant shall be removed from the applicant pool and shall not be considered for appointment.
 - 2. If it is determined at any point during the selection process that an applicant falls into one or more of the prohibited categories as set forth in Charter Section 9.5(b)(3)(i) then that applicant shall be disqualified.
 - 3. If, after being selected and appointed to the Commission, it is determined that a Commissioner falls into one of the prohibited categories set forth in Charter

Redistricting Regulations

Section 9.5(b)(3)(i), the Commissioner shall be immediately removed from the Commission, as provided for in Charter Section 9.5(e) and this Chapter.

C. All applicants shall affirm that, if selected, they shall comply with all requirements of the Charter and this Chapter applicable to members of the Commission.

D. Applicants shall file a Statement of Economic Interests (Form 700), provide a written statement of qualifications not longer than three hundred (300) words expressing why they believe they are qualified to serve on the Commission, and consent to a background check if appointed. Promptly after reviewing the background check to determine eligibility, the City Clerk shall either return it to the applicant or destroy it.

E. To the extent permitted by law, all application forms, materials and disclosures shall be kept confidential, and shall not be released to the public until all thirteen (13) Commissioners have been appointed.

F. After closure of the 30-day nomination period provided for in Charter Section 9.5(b)(5), the City Clerk shall remove from the applicant pool any applicants who do not satisfy the eligibility criteria set forth in Charter Section 9.5(b)(3), and shall divide the remaining applicants into separate pools, one for each then-existing City Council district in which the applicants reside. If there is an insufficient number of applicants in the pool of eligible applicants to fill a district seat or an alternate seat, the Commission may request, by a majority vote, that the City Clerk conduct a new, accelerated nomination and selection process to add additional applicants to the pool of eligible applicants.

G. The selection process for District Commissioners and At-Large Commissioners shall be conducted in accordance with Section 9.5(b)(6) of the City Charter and this Chapter.

H. When selecting the five (5) At-Large Commissioners, if there is an insufficient number of applicants in the remaining pool of eligible applicants to fill five (5) at-large seats and five (5) alternate at-large seats, the Commission may request, by a majority vote, that the City Clerk conduct a new, accelerated nomination and selection process to add additional applicants to the remaining pool of eligible applicants.

1. Once the pool of eligible applicants has a sufficient number of applicants to fill five (5) at-large seats and five (5) alternate at-large seats, the Commission shall, by a majority vote, select five (5) additional individuals from the remaining pool to serve

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as At-Large Commissioners and five (5) more individuals to serve as alternate At-Large Commissioners.

I. All commissioners and alternate commissioners shall swear or affirm the oath for public officials prescribed by the California Constitution. (Ord. 7699-NS § 1 (part), 2020)

2.10.060 Commission procedures.

A. The Commission shall operate under the provisions of the Commissioners' Manual, as adopted by resolution of the City Council, except when superseded by the City Charter or the provisions of this Chapter.

B. After selection of the five (5) At-Large Commissioners pursuant to Charter Section 9.5(b)(6)(iii), the Commission shall elect one (1) of its members to serve as Chair and one (1) to serve as the Vice-Chair. The term of the Chair and Vice-Chair is the term of their service on the Commission as defined in Charter Section 9.5(b)(2), unless the Chair or Vice-Chair resign the position or is removed from the position by a two-thirds (2/3) vote of the Commission. The Commissioner selected by the body to fill a vacancy in the position of Chair or Vice-Chair shall serve the remainder of the term.

C. Once all commissioners and alternate commissioners have completed training related to their service on the Commission, the Commission shall convene for the purpose of drawing City Council district boundaries.

D. For the purpose of selecting the At-Large Commissioners and At-Large Alternates, a quorum of the eight (8) District Commissioners is always five (5), and five (5) affirmative votes are always needed to take action unless otherwise specified by statute.

E. A quorum of the full thirteen (13) member Commission is always seven (7), and seven (7) affirmative votes are always needed to take action unless otherwise specified by statute.

F. Commissioners may make a request for a Leave of Absence from a Commission meeting, or for a period of time not to exceed three (3) months, by submitting a written request to the City Clerk by 5:00pm on the business day prior to the Commission meeting. The temporary vacancy will be filled as specified in Charter Section 9.5(e)(3).

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G. The Commission shall comply with all relevant provisions of the Open Government Ordinance (Berkeley Municipal Code Chapter [2.06](#)).

H. The Commission shall hold at least three (3) public hearings, each at a different location, to solicit public input on redistricting priorities and allow for submission of redistricting proposals by members of the public and public review of and input on any map proposed to be adopted by the Commission. The Commission shall display draft redistricting maps for public comment in a manner designed to achieve the widest public access reasonably possible and shall provide ample opportunity for public input.

I. 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.

J. Alternate commissioners may attend Commission meetings, other than closed session meetings under the Brown Act, and may give public comment to the Commission. Unless appointed to serve on the Commission, Alternate Commissioners may not vote in Commission meetings or hearings.

K. Upon the expiration of thirty (30) days after the Council's final approval by ordinance of the Commission's redistricting plan, the City Clerk shall submit the new district boundaries to the Alameda County Registrar of Voters for implementation starting with the next General Municipal Election. (Ord. 7699-NS § 1 (part), 2020)

2.10.070 Removal of Commissioners and Alternate Commissioners.

If a Commissioner or Alternate Commissioner is eligible to be removed pursuant to Charter Section 9.5(e), the Commissioner or Alternate Commissioner shall be provided

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written notice. The vote to remove the Commissioner or Alternate Commissioner shall appear on the next Commission agenda for which no posting or publication deadline has passed, occurring not more than thirty (30) days from the date the notice was mailed. The Commissioner or Alternate Commissioner may provide a written response or may provide a verbal response at the meeting of the Commission where the vote for removal will occur. The Commissioner or Alternate Commissioner may be removed by a two-thirds (2/3) vote of the Commission. A Commissioner or Alternate Commissioner subject to removal may vote on their own removal. The decision of the Commission is final and may not be appealed. (Ord. 7699-NS § 1 (part), 2020)

2.10.080 Selection of Special Master.

In the event of an impasse in which the City Clerk is required to recommend, and the Commission is required to select, a Special Master pursuant to Charter Section 9.5(d)(4), the City Clerk and Commission shall consider retired judges, professors with knowledge about redistricting and reapportionment law, experts with experience advising government agencies on redistricting, and other persons with appropriate knowledge, expertise and experience. The Commission must select a Special Master within thirty (30) days of the City Clerk presenting their recommendations. (Ord. 7699-NS § 1 (part), 2020)

2.10.090 Compensation.

A. Voting members of the Commission shall be compensated at a rate of one hundred dollars (\$100) per meeting for attendance at a regular meeting of the full Commission to compensate for the time the Commissioner is engaged in Commission business.

B. The rate of compensation for Commissions seated after each of the subsequent federal decennial censuses will be calculated based on the increase in the Consumer Price Index over the compensation provided for in paragraph (A) of this section.

C. Members of the Commission who meet eligibility requirements may also receive reimbursement for expenses for child care, dependent care, or disabled support services in the same manner as members of City boards and commissions. (Ord. 7699-NS § 1 (part), 2020)

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2.10.100 Severability.

Should any provision of this Chapter be held invalid, the remainder of this Chapter shall not be affected thereby, and such word, phrase, sentence, part, section, subsection, or other portion shall be severable, and the remaining provisions of this Chapter shall remain in full force and effect. The voters hereby declare that they would have passed this Chapter and each subsection, sentence, clause, and phrase thereof, irrespective of the fact that any one or more subsections, sentences, clauses, or phrases had been declared invalid, and that each subsection, sentence, clause, phrase, word, or other portion is therefore explicitly severable, part-by-part, phrase-by-phrase, and word-by-word, and that if any portion is determined by a court of competent jurisdiction to be unlawful, unenforceable, or otherwise void, voidable, or invalid, that the least amount of language possible shall be severed from the Chapter. (Ord. 7699-NS § 1 (part), 2020)

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Fair Maps Act (AB 849)

SECTION 1.

This act shall be known, and may be cited, as the Fair And Inclusive Redistricting for Municipalities And Political Subdivisions (FAIR MAPS) Act.

SEC. 28.

Section 21620 is added to the Elections Code, to read:

21620.

(a) This article applies to charter cities that elect members of the charter 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.

SEC. 29.

Section 21621 of the Elections Code is repealed.

SEC. 30.

Section 21621 is added to the Elections Code, to read:

21621.

(a) Following each federal decennial census, and using that census as a basis, 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 census.

(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.

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(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.

SEC. 31.

Section 21622 is added to the Elections Code, to read:

21622.

(a) The boundaries of the council districts shall be adopted by the council no earlier than August 1, 2021, and August 1 in each year ending in the number one thereafter, but no later than 151 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. However, this

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subdivision does not prohibit the council from holding public hearings or workshops on the placement of council district boundaries before August 1.

(b) This section does not apply to a charter city that has adopted a different redistricting deadline by ordinance or in its city charter before October 1, 2021, and October 1 of each year ending in the number one thereafter.

SEC. 32.

Section 21623 is added to the Elections Code, to read:

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 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.

SEC. 33.

Section 21625 is added to the Elections Code, to read:

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.

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(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 expand by the addition of new territory pursuant to Section 21623.

(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.

SEC. 34.

Section 21626 is added to the Elections Code, to read:

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, 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.

(c) The successor to the office in a council district for which the boundaries have changed shall be a resident and voter of that council district.

SEC. 35.

Section 21627 is added to the Elections Code, to read:

21627.

Before adopting the boundaries of a council district pursuant to Section 21621, 21623, or 21624, 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.

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SEC. 36.

Section 21627.1 is added to the Elections Code, to read:

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 pursuant to Section 23002 to hold the public hearings required by paragraph (1) of subdivision (a).

SEC. 37.

Section 21628 is added to the Elections Code, to read:

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:

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(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, 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.

(b) The council 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, 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 179 days until the city's next regular election, 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 179 days until the city's next regular election, 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 of the city shall be accompanied with 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.

(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

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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 any applicable language.
- (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.

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(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).

SEC. 38.

Section 21629 is added to the Elections Code, to read:

21629.

(a) If the council does not adopt council district boundaries by the deadlines set forth in Section 21622 or subdivision (a) or (b) of Section 21624, 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 this subdivision 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

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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.

SEC. 39.

Section 34874 of the Government Code is amended to read:

34874.

(a) An amendatory ordinance altering the boundaries of the legislative districts established pursuant to this article shall not be submitted to the registered voters until the ordinance has been submitted to the planning commission of the city or, in absence of a planning commission, to the legislative body of said city for an examination as to the definiteness and certainty of the boundaries of the legislative districts proposed.

(b) An amendatory ordinance altering the boundaries of legislative districts shall comply with the requirements and criteria of Section 21601 or 21621 of the Elections Code, as applicable.

SEC. 40.

Section 34877.5 of the Government Code is amended to read:

34877.5.

(a) After an ordinance is passed by the voters pursuant to Section 34876.5, or after an ordinance is enacted by the legislative body pursuant to Section 34886, the legislative body shall prepare a proposed map that describes the boundaries and numbers of the districts for the legislative body. In preparing the proposed map, the legislative body shall comply with the requirements and criteria of Section 21601 or 21621 of the Elections

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Code, as applicable, and shall seek public input, including accepting proposed maps submitted by the public.

(b) If the legislative body is changing from an at-large method of election to a district-based election, as those terms are defined in Section 14026 of the Elections Code, the legislative body shall hold public hearings pursuant to Section 10010 of the Elections Code. If the legislative body is otherwise adjusting the district boundaries, the legislative body shall hold public hearings on the proposed district boundaries pursuant to Section 21607 or 21627 of the Elections Code, as applicable.

SEC. 41.

Section 34884 of the Government Code is amended to read:

34884.

(a) If, at the time a vote is held on the subject of incorporation of a new city, a majority of the votes cast is for incorporation and, if, in accordance with Section 57116, a majority of the votes cast on the question of whether members of the city council in future elections are to be elected by district or at large is in favor of election by district, all of the following procedures apply:

(1) Before the first day on which voters may nominate candidates for election at the next regular municipal election, the legislative body shall, by ordinance or resolution, establish the boundaries of the districts of the legislative body. The districts shall be substantially equal in population as required by the United States Constitution. The districts shall comply with the requirements and criteria of Section 21601 or 21621 of the Elections Code, as applicable.

(2) The terms of office of the two members elected with the lowest vote shall expire on the Tuesday succeeding the next regular municipal election. At that election, members shall be elected by district in the even-numbered districts and shall hold office for four years.

(3) The terms of office of the three members elected with the highest vote shall expire on the Tuesday succeeding the second regular municipal election following the incorporation. At that election, members shall be elected by district in the odd-numbered districts and shall hold office for four years.

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(b) The result of the vote cast on the question of whether members of the city council in future elections are to be elected by district or at large shall not preclude the submission to the voters at any future election of a measure in accordance with Section 34871.

SEC. 42.

Section 34886 of the Government Code is amended to read:

34886.

Notwithstanding Section 34871 or any other law, the legislative body of a city may adopt an ordinance that requires the members of the legislative body to be elected by district or by district with an elective mayor, as described in subdivisions (a) and (c) of Section 34871, without being required to submit the ordinance to the voters for approval. An ordinance adopted pursuant to this section shall comply with the requirements and criteria of Section 21601 or 21621 of the Elections Code, as applicable, and include a declaration that the change in the method of electing members of the legislative body is being made in furtherance of the purposes of the California Voting Rights Act of 2001 (Chapter 1.5 (commencing with Section 14025) of Division 14 of the Elections Code).

SEC. 43.

The district boundary criteria specified in this act apply to supervisorial and council district boundaries that are adopted or readopted on or after January 1, 2020. Supervisorial and council district boundaries adopted before January 1, 2020, shall comply with the applicable district boundary criteria in effect at the time of their adoption.

SEC. 44.

If the Commission on State Mandates determines that this act contains costs mandated by the state, reimbursement to local agencies and school districts for those costs shall be made pursuant to Part 7 (commencing with Section 17500) of Division 4 of Title 2 of the Government Code.

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Fair Maps Act (AB 1276)

SEC. 17.

Section 21620 of the Elections Code is amended to read:

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.

SEC. 18.

Section 21621 of the Elections Code is amended to read:

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.).

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(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.

SEC. 19.

Section 21622 of the Elections Code is amended to read:

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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.

SEC. 20.

Section 21623 of the Elections Code is amended to read:

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:

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(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.

SEC. 21.

Section 21625 of the Elections Code is amended to read:

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.

SEC. 22.

Section 21626 of the Elections Code is amended to read:

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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.

SEC. 23.

Section 21627 of the Elections Code is amended to read:

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.

SEC. 24.

Section 21627.1 of the Elections Code is amended to read:

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.

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(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).

SEC. 25.

Section 21628 of the Elections Code is amended to read:

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

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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

Redistricting Regulations

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

Redistricting Regulations

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).

SEC. 26.

Section 21629 of the Elections Code is amended to read:

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.

Redistricting Regulations

(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.

SEC. 27.

Section 21630 is added to the Elections Code, to read:

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.

SEC. 28.

Section 23000 of the Elections Code is amended to read:

23000.

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

Redistricting Regulations

- (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.

SEC. 29.

This act and Division 21 (commencing with Section 21000) of the Elections Code shall not be construed as limiting the ability of a charter city to create an advisory, hybrid, or independent redistricting commission. The amendment of Section 23000 of, and the addition of Section 21630 to, the Elections Code made by this act do not constitute a change in, but are declaratory of, existing law.

SEC. 30.

The amendment of Sections 21500 and 21601, and subdivision (a) of Section 21621, of the Elections Code made by this act do not constitute a change in, but are declaratory of, existing law.

BYLAWS OF THE BERKELEY INDEPENDENT REDISTRICTING COMMISSION

Purpose

These Bylaws establish the Berkeley Independent Redistricting Commission's guidelines for orderly, consistent, and fair conduct of the Commission's business.

Consensus

The Commission recognizes the importance of bringing diverse perspectives to form collective decisions throughout the redistricting process. To the greatest extent possible, the Commission agrees to strive for consensus when making decisions.

The Commission's principles for building consensus include:

- All participants are equal.
- We will not exclude any relevant topic from discussion.
- We welcome differing opinions as helpful to our work.
- We will listen actively when others are speaking.
- Those who are not in agreement will voice their reservations, concerns, and opinions.

We acknowledge that consensus does not mean unanimous agreement. Below are degrees of agreement that Commissioners may consider as the Commission seeks to build consensus:

- I fully agree with the action.
- I substantially agree with the action.
- I have reservations, but I support the action.
- I do not agree with the action; however, I have shared my opinions during the discussion and I support the Commission's action.

Rule 1. Definition of Terms

The following terms, whenever used or referred to in these Bylaws, have the following and respective meanings, unless a different meaning is clearly made apparent by the context:

- a) **Agenda** means the agenda for the Berkeley Independent Redistricting Commission.
- b) **Alternate Commissioner** means a non-voting, unseated member of the Redistricting Commission.
- c) **Chair** means the chairperson of the Berkeley Independent Redistricting Commission.
- d) **Charter** means the Charter of the City of Berkeley.
- e) **Commission** means the Berkeley Independent Redistricting Commission.
- f) **Commissioner** means a voting, seated member of the Berkeley Independent Redistricting Commission.
- g) **Member** means Commissioners and Alternate Commissioners collectively.
- h) **Municipal Code** means the City of Berkeley Municipal Code.
- i) **Open Government Ordinance** means City of Berkeley Municipal Code Chapter 2.06.
- j) **Presiding Officer** means the Chair, Vice Chair, or other commissioner presiding over the conduct of the meeting.
- k) **Secretary** means the City Clerk, or their designee, serving as the secretary to the Berkeley Independent Redistricting Commission.
- l) **Subcommittee** means a sub-group of the Commission composed of less than a quorum of the full commission.
- m) **Vice Chair** means the vice chairperson of the Berkeley Independent Redistricting Commission.

**BYLAWS OF THE
BERKELEY INDEPENDENT REDISTRICTING COMMISSION**

Rule 2. Meetings

Except as otherwise determined by the Commission, regular meetings begin at 6:00 p.m. Commission meetings conclude no later than 9:00 p.m., unless extended by majority vote of the Commissioners in attendance.

To accommodate the broadest participation possible, Commission meetings are held on various days of the week, including weekends, and can start at various times of day.

In the course of its regular business, the Commission may form ad hoc subcommittees to review particular topics in depth and recommend future actions on particular topics at a duly noticed Commission meeting. A report from the subcommittee of its recommendations will be provided at a meeting of the full Commission.

Rule 3. Robert's Rules of Order

The business of the Commission is conducted, so far as it is practicable, in accordance with parliamentary rules as contained in Robert's Rules of Order Revised, except as modified by these Bylaws and in accordance with state open meeting laws and the Open Government Ordinance. The Secretary to the Commission serves as the official parliamentarian for meetings of the Commission.

Rule 4. Motions

If any Commissioner makes a motion, such motion is not debated, or further discussed or considered, or voted upon, until after a second to such motion is made by another Commissioner. All motions must be restated by the Chair or Secretary immediately prior to voting.

When a question or motion is before the Commission, no motion is entertained except:

1. To adjourn;
2. To fix the hour of adjournment;
3. To lay on the table;
4. For the previous question;
5. To postpone to a certain day;
6. To refer;
7. To amend;
8. To substitute; and
9. To postpone indefinitely.

These motions have precedence in the order indicated above. Any such motion, except a motion to amend or substitute, must be put to a vote without debate.

Rule 5. Voting Order

The Commissioners vote in alphabetical order according to their surnames, with the Vice Chair, Chair, or presiding officer of the Commission voting last.

Rule 6. Rights of Commissioners Less Than a Quorum

In the absence of a quorum at a noticed meeting of the Commission, no information may be presented and no official action taken by the Commissioners present except to reschedule the meeting, to recess, or to adjourn.

BYLAWS OF THE BERKELEY INDEPENDENT REDISTRICTING COMMISSION

Rule 7. Commissioner Conduct

Commissioners must be mindful that the Charter states that the purpose of the Commission is to “ensure that the redistricting process is conducted with integrity, fairness, and without personal or political considerations.” Commissioners should avoid any action or communication that could be interpreted to compromise their ability to serve in that regard.

Commissioners are expected to attend all meetings and to have read all pertinent materials and reports provided related to items on the agenda.

Commissioners must not publish opinions about Commission redistricting matters on social networking websites. This rule is not intended to prohibit the publication of information regarding the time, place, and agendas of upcoming meetings.

While the Commission is in session, Commissioners must practice civility and decorum in their discussions and debate. Commissioners must value each other’s time and must preserve order and decorum. A Commissioner must not, by conversation or otherwise: delay or interrupt the proceedings of the Commission; use personal, impertinent, or slanderous remarks; disturb any other Commissioner while that Commissioner is speaking; or refuse to obey the orders of the presiding officer or the Commission, except as otherwise provided herein.

The presiding officer has the affirmative duty to maintain order. Commissioners must honor the role of the presiding officer in maintaining order. If a Commissioner believes the presiding officer is not maintaining order, the Commissioner may move that the Vice-Chair, or another Commissioner if the Vice-Chair is acting as the presiding officer at the time, enforce the rules of decorum and otherwise maintain order. If that motion receives a second and is approved by a majority of the Commission, then the Vice-Chair, or other designated Commissioner, must enforce the rules of decorum and maintain order.

Rule 8. Commissioner Protocols at Meetings

All Commissioners have the opportunity to speak, but no Commissioner can speak twice on any given subject unless all other Commissioners have had the opportunity to speak. The Presiding Officer may set a limit on the speaking time allotted to Commissioners during Commission discussion.

Commissioners must request acknowledgment from the Chair to speak to an issue.

Rule 9. Virtual Meeting Protocol

Additional protocols apply during virtual meetings:

- Commissioners should identify themselves by using the title “Commissioner” before their first or last name.
- Staff and presenters should identify themselves by using their official title or the word “staff” after their full name (“First Last, Title”).
- Commissioners should leave their video cameras on when possible, except when doing so would create a disruption to the meeting.
- Commissioners who wish to comment should use the “raise hand” function and wait to be recognized by the Chair.
- Commissioners may eat or drink during meetings but should do so in a manner that limits disruption to the meeting.
- Be mindful that all meetings are recorded and available on the Commission webpage.
- Public speakers cannot yield time to other speakers during virtual meetings.

**BYLAWS OF THE
BERKELEY INDEPENDENT REDISTRICTING COMMISSION**

Rule 10. Alternate Commissioners

Alternate Commissioners are strongly encouraged to attend all meetings of the Commission so they can stay current on the Commission's business and be prepared for the role, should they be required to fill a vacancy.

Rule 11. Agenda

City staff, in consultation with the Chair, or Vice Chair in the Chair's absence, set the Agenda for Commission meetings. Agendas should reflect materials that cover a 3-hour window to accommodate comments before and after training/agenda items. If a Commissioner requests an item be added to a meeting Agenda, then the member must notify City staff no fewer than nine (9) days prior to the meeting date.

Commissioners may submit written materials or reports for the agenda packet no fewer than nine (9) days prior to the meeting date. All such materials must be in final form, ready to publish when they are submitted.

Estimates of time allocated to each agenda item should be listed on the Commission's agenda or in other materials as an effort to help the Commission manage meetings efficiently. Actual time spent on an item may vary depending on the needs of the Commission and the public's participation.

Rule 12. Non-Agenda Public Comment

Non-Agenda Public Comment must be listed at the beginning of the Agenda. The public must be awarded two (2) minutes to address the Commission under Non-Agenda Public Comment. The Chair or presiding officer may adjust the speaking time for Non-Agenda Public Comment; however, the public must be awarded at minimum one (1) minute to address the Commission.

Rule 13. Speaking Time Limits on Agenda Items

Each public speaker has two (2) minutes to address the Commission on each Agenda item. The presiding officer may adjust the speaking time for Agenda Items; however, the public must be awarded at minimum one (1) minute to address the Commission. A member of the public may speak only once at public comment on any single item, unless called upon by the Chair to answer a specific inquiry.

To ensure that non-English speakers and disabled persons receive the same opportunity to address the Commission as other speakers, the presiding officer must allocate additional time to speakers using translators and to speakers with a disability that necessitates the provision of additional time.

Rule 14. Yielding Time

Public speakers are permitted to yield their time to one other speaker, however no one speaker can have more than four (4) minutes. Speakers wishing to yield their time must: identify themselves, be recognized by the presiding officer, and announce publicly their intention to yield their time. Pursuant to Rule 9, speakers cannot yield time to other speakers during virtual meetings.

Rule 15. Addressing the Commission

Members of the public should address their questions or remarks to the Commission as a whole. Commissioners and City staff can respond to questions only when requested to do so by the

**BYLAWS OF THE
BERKELEY INDEPENDENT REDISTRICTING COMMISSION**

presiding officer. Commissioners and City staff must refrain from entering into any debates or discussion with speakers during public comment.

The public has the right to criticize policies, procedures, actions, or omissions of the Commission or City staff. The public should not vocally oppose statements made by anyone while they speak. Speakers should speak clearly and refrain from using profanity, yelling, or screaming.

Rule 16. Audience Conduct (For In-person Meetings)

The public may not display signs that impede the ability of the public or Commission to see or participate in the meeting or that endanger any meeting participants.

No person can disrupt the orderly conduct of the Commission meeting.

Rule 17. Removal of a Disruptive Person

When the public's behavior is disorderly or indecorous, the presiding officer must call for order, inform the person(s) that the conduct is violating the Bylaws, and provide a warning to the person(s) to cease the disruptive behavior. Should the person(s) fail to cease and to desist the disruptive conduct, the presiding officer may call a five (5) minute recess to allow the disruptions to cease.

The presiding officer has the power and duty to order removal from the meeting room (virtual or in-person) any person who is disorderly or indecorous after being warned that such conduct could lead to their removal.

Rule 18. Vacancy

A member voluntarily resigning from the Commission must immediately submit written notice of this action to the Chair and the Secretary. The Chair may call a Special Meeting of the Commission to fill a vacancy.

Rule 19. Eligibility

In the event a Commissioner is no longer eligible to serve on the Commission based on the criteria listed in Charter Section 9.5(b)(3), that Commissioner must immediately submit a written resignation to the Chair and Commission Secretary.

Rule 20. Amendment

The Commission can amend these Bylaws by a majority vote at a publicly noticed meeting and then must submit them to the Commission Secretary to send out with regular Commission notices.

2022 Annual Commission Attendance Report

Reporting Period: September 1, 2021 through March 16, 2022

Vacant seats: 0
(as of March 16, 2022)

Commission: Independent Redistricting Commission

Commission Secretary: Mark Numainville

Example:

Scheduled Meeting Date	Cancelled? If Yes, Provide Reason	Commissioners Present	Public Present	Public Speakers	Meeting Length
9/15/20		8 of 9	5	3	2.5 hrs
2/1/21	Yes – no quorum				

Scheduled Meeting Date	Cancelled? If Yes, Provide Reason	Commissioners Present	Public Present	Public Speakers	Meeting Length
9/8/21		13 of 13	5	0	2.25
9/22/21		13 of 13	3	0	2.25
10/2/21		13 of 13	26	7	2
10/6/21		12 of 13	6	3	2
10/20/21		11 of 13	1	0	2
11/3/21		12 of 13	4	0	2
11/17/21		13 of 13	11	6	1.75
12/1/21		12 of 13	6	4	3
12/15/21		11 of 13	9	1	3.5
12/20/21		9 of 13	0	0	.5
1/10/22		11 of 13	11	13	3.5
1/27/22		13 of 13	85	36	5.5
2/17/22		13 of 13	48	20	3
2/19/22		11 of 13	46	38	3
2/28/22		12 of 13	23	9	2.25
3/16/22		13 of 13	5	2	1.25



City Clerk Department

May 19, 2021

To: Independent Redistricting Commission

From: Mark Numainville, Commission Secretary

Subject: Independent Redistricting Commission Communities of Interest/Mapping Outreach Resources and Timeline 2021-2022

Public outreach to the community is an essential element of the redistricting process, and it is mandated in both our local regulations and in state legislation. The City is committed to supporting the work of the Independent Redistricting Commission to ensure it meets and exceeds its obligations to engage the community as the Commission redraws the council district boundaries.

The City is drawing from past experience and existing infrastructure to guide the outreach efforts of the Independent Redistricting Commission (IRC) for the coming year. In the summer and fall of 2020, the City began an ambitious community outreach plan to encourage applicants for the IRC. The plan was curtailed somewhat by the limitations of the COVID-19 Shelter-in-Place orders, but staff was able to pivot away from in-person activities and use more of the outreach budget for print and social media advertising, and harness established networks of the City's community partners.

The IRC and staff can build upon the previous efforts in the next phase of outreach for communities of interest and district mapping by expanding the use of technology. Additionally, if permitted under state and local emergency orders, staff will attend various in-person activities and events throughout the City. Partners in other City departments have proven to be important allies in our outreach efforts so far, and we anticipate continuing to work with our internal counterparts to share the Commission's messaging.

Staff has created a framework for the timeline and resources that are available for the next phase of outreach. The documents that follow provide a summary of the timeline for outreach, the various outreach channels, and a list of community organizations that may assist with messaging and mobilization among Berkeleyans.

The IRC may wish to form a subcommittee to work with staff on the development and implementation of the outreach plan; and to advise staff and the full commission of resource needs, goals, objectives, and accomplishments for public engagement. The outreach subcommittee would round-out a plan that targets a diverse population of Berkeley residents through a variety of outlets.

The IRC can and will play an important role in the development and implementation of the outreach plan, while adhering to the limitation in the municipal code about interacting with the public outside of noticed meetings. The work accomplished at noticed meetings of the IRC is an important part of the engagement with the public, whether virtual or in-person.

Attached to this memo you will find the following documents that outline the Redistricting Outreach Resources and Timeline.

1. Timeline

The timeline proposes dates for major IRC milestones and activities for the next year. A subcommittee of the IRC will be helpful to establish a more fixed schedule and work with the full commission and staff on finalizing dates before publishing an official timeline for the public. Some dates may become clearer when the exact date of US Census data release from UC Berkeley is known.

2. Outreach Channels

The list of outreach channels is based on the previous outreach efforts conducted for the IRC application period. The list has been expanded and revised to account for current health order conditions and the more expansive outreach that is expected for the redistricting process.

3. List of Outreach Organizations

The City has compiled a list of over 250 organizations that have previously partnered with the City on community information campaigns. The list is not exhaustive and more organizations will likely be added to the database. In addition, some of the organizations may fit into more than one category, and some of them may no longer be active due to the pandemic. The City has some contact information for all of the organizations listed and will be gathering new information as it becomes available.

4. Community of Interest Form

Staff has developed a community of interest form to solicit input from residents about important groups, neighborhoods, and communities that can impact how district lines are drawn. The form is based on best practices from other cities in the region and has been reviewed and improved by the expertise of our consultants at Redistricting Partners.

KEY REDISTRICTING OUTREACH DATES AND MILESTONES

Below is the anticipated timeline for major outreach milestones from June 2021 – April 2022.

- **Summer 2021 – April 2022**
Public Outreach (virtual/in-person) about public process, timeliness, and participation
- **Summer 2021**
IRC Public Hearing #1 – Redistricting Process, Timelines, and Requirements
- **Summer 2021**
IRC Community Workshops – Communities of Interest
- **Early Fall 2021**
IRC Community Workshops – Maptitude Software Demo & Public Submission Process
- **September/October 2021**
Release of Final Census Data
- **October 2021 (Exact Date TBD)**
Public map submission period opens
- **December 2021 (Exact Date TBD)**
Public map submission period closes
- **January 2022**
IRC Public Hearing #2 – Public Submissions & Draft Map Development
- **February 2022**
IRC Public Hearing #3 – Public Submissions & Draft Map Development
- **March 2022**
IRC Public Hearing #4 – Public Submissions & Draft Map Development
- **April 1, 2022**
Deadline for IRC Adoption of Final Map
- **April 17, 2022**
Deadline for City Council to Adopt IRC Final Map
- **April/May 2022**
Candidate messaging from the City regarding new boundaries
- **April – November 2022**
Community messaging from the City regarding new boundaries



COMMUNITIES OF INTEREST/MAPPING OUTREACH (2021-2022)

The City's outreach plan consists of the following components. Many of these outlets were successfully used in the public outreach campaign for the IRC application period. All of these resources may be used to increase public participation during key milestones in the redistricting process.

Print Advertising

- ▶ Advertisement in the City's Recreation Activity Guide (Fall & Winter)
- ▶ Announcements in the Berkeley Library newsletter (105,000 recipients monthly)
- ▶ Informational postcards at the City's senior and recreation centers, administrative offices, public meetings, and public libraries; U.C. Berkeley student union; and sent to community agencies and neighborhood associations
- ▶ Announcements in Berkeley Unified School District Newsletter: BUSD A+ News (20,000 recipients; Spanish language version utilized as well)
- ▶ Print advertisements in the Berkeley Times, Daily Cal, Berkeley Voice, East Bay Express, East Bay Times, and Tri-City Post newspapers

Community

- ▶ As permitted under COVID-19 restrictions, City staff will attend a variety of community events across the City including hosting a table at each of the 3 Farmer's Markets in Berkeley
- ▶ Co-host events with community organizations
- ▶ 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
- ▶ Communities of Interest outreach meetings
- ▶ Additional outreach regarding Independent Redistricting Commission meetings



COMMUNITIES OF INTEREST/MAPPING OUTREACH (2021-2022)

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 including their Twitter and Facebook account
- ▶ Text updates from City account
- ▶ Berkeley Unified School District social media outlets

Redistricting 2021 – Community Outreach Organizations (April 2021)

Arts (Visual / Performing)

Berkeley Academy of Music
Berkeley Art Center
Berkeley Art Studio
Berkeley Artisans Open Studio
Berkeley Arts Festival
Berkeley Camera Club
Berkeley Community Chorus Orchestra
Berkeley Folk Dancers
Berkeley Playhouse
Berkeley Potter Guild
Berkeley Repertory Theatre
Berkeley Symphony
Berkeley West Edge Opera

Business Sector

Adeline/Alcatraz Merchants Association
Adeline/Ashby Merchants Association
Another Bullwinkel Show
Berkeley-Albany Bar Association
Berkeley Albany Licensed Daycare Operators Association
Berkeley Association of Realtors
Berkeley Chamber of Commerce
Berkeley City Club
Berkeley Dental Society

Business Sector

Berkeley Federation of Teachers AFT Local 1078, AFL-CIO
Berkeley Fire Fighters Association
California Federation of Business & Professional Women (CFBPW)
Downtown Berkeley Association
Eastwind Books of Berkeley
Elmwood Merchants Association
Fourth Street Businesses
North Shattuck Association
Northside Merchants Association
Sacramento Street Merchants
Saint John's Child Care Program
Shattuck/Blake Merchants Association
Solano Avenue Merchants Association
Telegraph Business Improvement District
West Berkeley Artisans and Industrial Companies
West Berkeley Design Loop

Communications

Berkeley Community Media
Berkeley Daily Planet
Berkeley Liberation Radio (104.1 FM)

Communications

Free Radio Berkeley
KALX Radio

Community Based

A Better Way
Ala Costa Centers
Alameda County Homeless Action Center
Alameda County Network of Mental Health Clients
Alliance Francaise de Berkeley
Alzheimer's Services of the East Bay
American Association of University Women (AAUW) Berkeley Branch
American Legion. Berkeley Post #7
Athletes United for Peace
Bay Area Community Resources
Bay Area Hispano Institute for Advancement
Berkeley Addiction Treatment Services
Berkeley Age Friendly Continuum
Berkeley Architectural Heritage Association
Berkeley Bipolar Support Group
Berkeley Boosters
Berkeley Business Academy for Youth
Berkeley Citizens Action



Redistricting 2021 – Community Outreach Organizations (April 2021)

Community Based

Berkeley City Club Conservancy
Berkeley Community Fund
Berkeley Copwatch
Berkeley Creative Wellness Center
Berkeley Democratic Club
Berkeley Drop-in Center (Coalition for Alternatives in Mental Health)
Berkeley Earth Day (Vegan Earth Day)
Berkeley Emergency Storm Shelter
Berkeley Finnish Hall
Berkeley Food & Housing Project
Berkeley Food Pantry
Berkeley Foundation for Opportunities in Information Technology
Berkeley Free Clinic
Berkeley Garden Club
Berkeley Geochronology Center
Berkeley Hadassah
Berkeley High School Development Group
Berkeley Hillel Foundation. Jewish Student Community Center
Berkeley Historical Plaque Project
Berkeley Historical Society and Museum
Berkeley Holiday Fund
Berkeley Humane
Berkeley Ironworks

Community Based

Berkeley Juneteenth Association, Inc.
Berkeley Law Foundation
Berkeley Lions Club
Berkeley Mental Health - Family Youth and Children's Clinic
Berkeley Needle Exchange Distribution
Berkeley Parents Network
Berkeley Partners for Parks
Berkeley Place Deaf/Hard of Hearing Project
Berkeley Place, Inc. Casa de la Vida
Berkeley Public Library Foundation
Berkeley Special Education Parents Network
Berkeley Symphony
Berkeley Therapy Institute
Berkeley Youth Alternatives
Black Women Organized for Political Action Berkeley/Oakland Chapter (BWOPA)
Bonita House
Building Opportunities for Self-Sufficiency
California Writers Club - Berkeley Branch
Center for Accessible Technology
Center for Independent Living
Chaparral House
Community Energy Services Corporation

Community Based

Disaster Supply Cache Network
Dorothy Day House
East Bay Asian Youth Center
East Bay Center for the Blind
East Bay Community Law Center
East Bay Community Mediation
Easy Does It
Ecology Center
Ed Roberts Campus
Eden Council for Hope and Opportunity (ECHO Housing)
Ephesian Children's Center
Family Violence Law Center
Fred Finch Youth Center
Friends of the Fountain and Walk
Gray Panthers
Housing Groups
Housing Rights
Inter-City Services
Japanese-American Services of the East Bay
Kiwanis Club of Berkeley
Latinos Unidos/ United In Action
LeConte Neighborhood Association
Lifelong Medical Care
Multicultural Institute



Redistricting 2021 – Community Outreach Organizations (April 2021)

Community Based

Needle Exchange
New Bridge Foundation
Odd Fellows Temple, Berkeley Lodge #270
Options Recovery Services
Pacific Center for Human Growth
Rebuilding Together Albany-Berkeley-Emeryville
Resources for Community Development
Rotary Club of Berkeley
RISE
Rubicon
Satellite Affordable Housing Associates
Satellite Housing
SEEDS Community Resolution Center
Senior Center, North Berkeley
Senior Center, South Berkeley
Senior Center, West Berkeley
Sierra Club (San Francisco Bay Chapter)
Spiral Gardens
The Bread Project
Through The Looking Glass
United for Health
United in Action (Collaborative of 10+ Orgs)
West Berkeley Blogger
West Berkeley Lions Club

Community Based

Women's Daytime Drop-In Center
Youth Spirit Artworks
Youth, Engagement, Advocacy, and Housing
YWCA Berkeley/Oakland
Zonta Club of Berkeley/North Bay

Education

Acupuncture and Integrative Medicine College, Berkeley (AIMC)
Associated Students of the University of CA
Berkeley Adult School - BUSD
Berkeley Alumni Association
Berkeley City College
Berkeley City College
Berkeley Hills Nursery School
Berkeley Public Schools Fund
Berkeley Unified School District
Nia House
Public Tables
Stiles Hall
Student Organizations
UC Berkeley Disabled Student Union

Education

University Avenue Association
University of California, Berkeley. ASUC Student Legal Clinic
University of California, Berkeley. Boost@BerkeleyHaas Alternate Name: Young Entrepreneurs at Haas (YEAH)
UC Berkeley: Cal Camps and Youth Programs
UC Berkeley: Early Academic Outreach Program (EAOP)
UC Berkeley: Intercollegiate Athletics. Cal Athletic Camps
UC Berkeley: International House
UC Berkeley: Local Government and Community Relations Office
UC Berkeley: Pre-College Trio Programs-Upward Bound
UC Berkeley: Public Service Center
UC Berkeley: Recreational Sports. Cal Rec Club
UC Berkeley: Recreational Sports. Cal STAR Program
UC Berkeley: Recreational Sports. Fitness and Wellness
University of California, Berkeley. Recreational Sports. Intramural Sports

