

Resolution No. C-2021-19

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF HALF MOON BAY ESTABLISHING A REDISTRICTING ADVISORY COMMITTEE AND APPROVING ITS BYLAWS

WHEREAS, on April 6, 2021, the City Council directed staff to formally establish a redistricting advisory committee to assist with the creation of a new district election map as part of the 2021 post-census redistricting process; and

WHEREAS, on May 4, 2021, the City Council provided direction regarding the composition of the Redistricting Advisory Committee, which shall have seven (7) members that will be selected by councilmembers at-large at a future meeting; and

WHEREAS, the City Council directed the City Clerk to publish a Notice of Vacancy and solicit applications to recruit members for the Redistricting Advisory Committee; and

WHEREAS, the City Clerk will publish a Notice of Vacancy, release applications and conduct an application period for three weeks beginning May 5, 2021; and

WHEREAS, following City Council adoption of the final district map, the committee will be formally disbanded.

NOW, THEREFORE, BE IT RESOLVED THAT the City Council of the City of Half Moon Bay hereby establishes the 2021 Redistricting Advisory Committee, approves the Bylaws contained in Exhibit A to this resolution, and directs the City Clerk to open the application period and return to the Council for formal appointment of seven (7) members.

I, the undersigned, hereby certify that the foregoing resolution was duly passed and adopted on the 4th day of May, 2021 by the City Council of Half Moon Bay by the following vote:

AYES, Councilmembers: Jimenez, Penrose, Rarback, Ruddock, Brownstone

NOES, Councilmembers:

ABSENT, Councilmembers:

ABSTAIN, Councilmembers:

ATTEST

APPROVED



Jessica Blair, City Clerk



Robert Brownstone, Mayor

For

**City of Half Moon Bay
Redistricting Advisory Committee By-Laws**

Article I: Name and Authorization

- A. Name
 - 1. The name of the Committee shall be known as the Redistricting Advisory Committee, herein after referred to as "Committee"
- B. Authorization and Term
 - 1. The Committee exists by the authority of the Half Moon Bay City Council. The Redistricting Advisory Committee shall continue until the final district map has been formally adopted by the City Council. The Committee shall comply with relevant requirements of Chapter 9 of Division 21 of the California Elections Code, beginning with Section 23000.

Article II: Purpose

- A. Introduction
 - 1. The purpose of this advisory committee is to assist the Half Moon Bay City Council with the creation of a new district election map as part of the 2021 post-census redistricting process.
- B. Formation
 - 1. The Committee shall be established by June 30, 2021 and shall exist until new council district boundaries are adopted.

Article III: Committee Membership

- A. Members
 - 1. The Committee shall consist of seven (7) committee members.
- B. Selection Process
 - 1. The committee member selection process is designed to produce a qualified, independent, and impartial Committee.
 - 2. Committee members shall be selected through an open application process.
 - 3. Any person who meets the minimum committee member qualifications in Subsection C may apply to serve on the committee.
 - 4. The City Clerk shall initiate and widely publicize the committee application process. To promote a large and diverse applicant pool, the City Clerk shall seek assistance from a broad range of community-based organizations to encourage qualified persons to apply.

5. At the end of the application period, the City Clerk shall review and verify the information contained in each application, including applicants' eligibility to serve on the committee under Subsection C. The City Clerk shall remove from the applicant pool any applicant who does not meet the committee member qualifications.
 6. Following receipt of all applications, the Committee will be appointed in a manner approved by the City Council.
- C. Members
1. Applicants shall comply with the eligibility requirements in California Elections Code Section 23002.
 2. Applicants appointed to the Redistricting Advisory Committee shall be required to electronically file the Fair Political Practices Commission (FPPC) Statement of Economic Interests (Form 700), which is a public record.
 3. Applicants appointed to the Redistricting Advisory Committee are barred from serving on the Half Moon Bay City Council or Planning Commission for four years (4) following the adoption of a final map by the City Council.

Article IV: Districting Criteria and Transparency

- A. Districting Criteria
1. The Committee shall establish the boundaries of each council district in a plan using the following criteria:

Certain Federal required criteria must be observed when re-drawing districts:

- A. Each City Council district shall contain a nearly equal population;
- B. A districting plan shall be drawn in a manner that complies with the Federal Voting Rights Act and the Equal Protection Clause of the U.S. Constitution; and
- C. City Council districts shall not be drawn with race as the predominate factor.

Additionally, the Fair Maps Act now requires the City Council to adopt district boundaries using specific criteria as set forth in the following order of priority:

- D. To the extent practicable, city 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.
- E. 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.

- F. City Council district boundaries should be easily identifiable and understandable by residents. To the extent practicable, city council districts shall be bounded by natural and artificial barriers, by streets, or by the boundaries of the city.
- G. To the extent practicable, and where it does not conflict with the preceding criteria in this subdivision, city 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.

B. Transparency

- 1. The Committee shall establish and implement an open process for public input and Committee deliberation.
- 2. The Committee shall comply with the California Public Records Act, commencing with Section 6250 of the California Government Code, and the Ralph M. Brown Act, commencing with Section 54950 of the California Government Code.
- 3. The Committee shall publish on the internet and make available to the public a draft version of proposed final maps for at least 7 days before it may be adopted by the City Council.
- 4. All records of the Committee relating to districting, and all data considered by the committee in drawing a draft map or proposed final map, are public records.
- 5. The Committee shall establish and make available to the public on the internet a calendar of all public hearings.
- 6. The City shall establish and maintain, at least until the districting process is concluded, a webpage for the Committee where important redistricting materials may be published, including hearing agendas, hearing minutes, links to hearing audio or video recordings where applicable, a committee member roster, and draft maps created by the Committee.
- 7. Committee members shall disclose all contact regarding the Committee's subject matter jurisdiction that occurs outside of a publicly noticed meeting. Committee members shall disclose these contacts no later than the Committee's next meeting.
- 8. The Committee shall issue a report with its proposed final map(s) that explains the basis on which the Committee made its decisions in achieving compliance with the redistricting criteria listed in Subsection A.

C. Public Engagement

- 1. The Committee and the City should actively encourage residents to participate in the districting process.

2. The Committee shall make every reasonable effort to afford maximum public access to its proceedings.
3. The City shall solicit broad public participation in the districting process, including from residents of communities that traditionally participate less frequently in the local political process. The City Clerk shall conduct an outreach campaign to educate the public on the districting process and how to be involved; and request the assistance of neighborhood associations, community groups, civic organizations, and civil rights organizations with engaging residents in the districting public review process.
4. Before the Committee draws its first draft map, the Committee shall hold at least two (2) public hearings over a period of no less than 15 days, at which the public is invited to provide input regarding the placement of district boundaries.
5. After the Committee publishes its first draft map but before a proposed final map(s) is recommended, the Committee shall hold at least three (3) public hearings over a period of no less than 15 days, at which the public is invited to comment on the draft map or maps or to suggest alternative maps.
6. Unless on Zoom, Committee public hearings shall be held in different geographic areas of the City so as to facilitate participation by persons residing in different areas of the City. The hearing location shall be accessible to persons with disabilities and, to the extent practicable, shall have free parking nearby and be accessible by public transit.
7. Public hearings shall be scheduled at various times and days of the week to accommodate a variety of work schedules and to reach as large an audience as possible.
8. The Committee shall establish and implement a process for accepting written public comment, including the submission of draft maps and draft partial maps for the Committee's consideration.
9. To the extent practicable, the Committee shall make available to the public a free electronic mapping tool, loaded with relevant population and demographic data, which tool can be used to create draft maps and draft partial maps.

Article V: Administration

A. Guidelines

1. A quorum shall consist of four (4) committee members
2. The Committee may only recommend a plan for district boundaries with the affirmative vote of four (4) committee members. All other Committee actions require only a majority vote of those present, provided that a quorum is present.
3. The City Council may remove a committee member for substantial neglect of duty, gross misconduct in office, or inability to discharge the duties of office. Prior to being removed, a committee member must be provided with the reasons for their proposed removal, at least a week's notice of the meeting where his or her proposed removal will be voted on, and an opportunity to respond to or rebut those reasons in writing and at the hearing.

EXHIBIT A

4. The City Council shall appropriate sufficient funds to allow the Committee to carry out its powers and duties under this Section.
5. The City Manager, City Clerk, and City Attorney shall designate staff to support the Committee, as needed.
6. The Committee shall recommend a proposed final map (or maps) to the City Council no later than February 2022.