



*City of Arts & Innovation*

# City Council Memorandum

**TO: HONORABLE MAYOR AND CITY COUNCIL** **DATE: OCTOBER 12, 2021**  
**FROM: CITY CLERK** **WARDS: ALL**  
**SUBJECT: REVIEW THE REDISTRICTING PLAN AND APPROVE REDISTRICTING CRITERIA AND TIMELINE**

## **ISSUE:**

Riverside City Charter, Section 402 requires a review of Ward boundaries at least every ten years upon the completion of the federal decennial census data. The ward boundaries shall be adjusted as necessary to provide substantially equal numbers of residents in each ward in addition to setting forth the proposed steps, timing, criteria, and public outreach for the City's 2022 redistricting process.

## **RECOMMENDATIONS:**

That the City Council:

1. Receive Riverside County Executive Office presentation on County's Redistricting Briefing.
2. Review the Redistricting Steps, Criteria, and Timeline for the City's 2022 Redistricting Plan.
3. Determine if the City Council will oversee the redistricting process; defer the process to a Standing Committee such as the Inclusiveness, Community Engagement, and Governmental Processes Committee (ICGC); or establish a redistricting commission, selecting from one of the three types of redistricting commissions set forth in Elections Code sections 23002 and 23003.
4. Approve the proposed redistricting timeline for the City's Redistricting process.
5. Provide further direction as the City Council deems appropriate for the establishment of the City's Redistricting Plan.

## **LEGISLATIVE HISTORY:**

On November 27, 2012, the City of Riverside adopted an ordinance amending Riverside Municipal Code Chapter 1.12, in its entirety, to adjust the City Council ward boundaries, following the 2010 decennial census data. The City Council had adopted on December 6, 2011 the following criteria

and referred the redistricting criteria and alternatives to the Governmental Affairs Committee (now known as the Inclusiveness, Community Engagement, and Governmental Processes Committee):

1. Equalize the population count in each Ward within 10% (top to bottom)
2. Achieve  $\pm 5\%$  from optimal population per Ward
3. Comply with all applicable laws
4. Avoid disqualification of City Councilmembers during a term
5. Maintain continuity of existing Wards, to the extent possible
6. Draw Wards that are compact and contiguous
7. Use natural, geographic boundaries to the extent possible
8. Maintain cohesive neighborhoods and community interests, to the extent possible
9. Consider school districts and avoid dividing same, to the extent possible
10. Maintain income diversity within Wards, to the extent possible

That Committee had the responsibility of developing alternatives for City Council consideration. The staff redistricting team consisted of the City Clerk, City Attorney, City Manager, Chief Information Officer, and Community Development Director observing a timeline of approximately one year (December 2011 to October 2012) conducting public meetings, workshops, review of draft maps. The City Council adopted the final redistricting map in November 2012, with the adoption of the ordinance.

In January 2020, AB 849, known as the “Fair and Inclusive Redistricting for Municipalities and Political Subdivisions Act” or “Fair Maps Act,” went into effect, which specifies the criteria and deadlines for cities and counties to adopt or adjusting new district (ward) boundaries. The Fair Maps Act also defines the hearing procedures that would allow the public to provide input on the placement of boundaries and proposed boundary maps. The Fair Maps Act requires the governing body to take specified steps to encourage the residents of local jurisdictions to participate in the redistricting process.

## **DISCUSSION:**

### **Overview of Procedural Requirements for Redistricting**

Riverside City Charter Section 402 requires City Council, by an ordinance, to divide the city boundaries into seven wards, review the boundaries of those wards every ten years, and adjust, by ordinance, those boundaries to provide for substantially equal number of residents in each ward. The resulting redistricting ordinance becomes effective thirty days after it is adopted. The existing ward boundaries are to be used until new ward boundaries are established by that redistricting ordinance. Under California Election Code Division 21, Chapter 7, Article 2, new wards established generally cannot be changed until after the next decennial census, in 2031. However, Riverside City Charter states that ward boundary adjustments may occur more frequently as determined necessary upon receipt of official census data.

The California Fair Maps Act sets forth new map criteria requirements which are different from the criteria adopted by the City Council in 2011. To the greatest extent practicable, the City is required to adopt district boundaries using the criteria in the following order of priority:

1. Council wards shall be geographically contiguous.
2. The geographic integrity of any local neighborhood or local community of interest should be respected and included within a single ward for its effective and fair representation in

- a manner that minimizes its division. Council wards should be easily identifiable and understandable by residents.
3. Council wards shall be drawn to encourage geographical compactness in a manner that nearby areas of population are not bypassed in favor of more distant populations.
  4. Council wards boundaries shall not be established for the purpose of favoring or discriminating against a political party.

Riverside City Charter Section 402 sets forth an additional criterion that Council ward boundary adjustments during a Councilmember's term shall not result in disqualification for membership on the Council during such term.

### Public Hearings and Community Engagement

Before adopting a final redistricting ordinance, the Fair Maps Act requires the City to conduct at least four public hearings to provide input about the composition of wards. Those include:

- At least one hearing before any maps are drawn;
- At least two hearings after maps are drawn; and
- At least one hearing or workshop to be held on a Saturday, Sunday, or after 6 p.m. on a weekday.

The public hearings shall begin at a fixed time regardless of its order on the agenda, and the City shall properly notice the time of the public hearing.

The City must also take steps to encourage residents, including those in underrepresented and non-English speaking communities, to participate in the redistricting public review process. The City's outreach components will include, but are not limited to:

- Utilize all of the City's media outlets, including those serving language-minority communities
- Provide information through good government, civil rights, civic engagement, and community groups or organizations that are active in the City, including those active in non-English speaking communities and those that have requested to be notified about City redistricting
- Produce all redistricting materials in multiple languages (including sign language)
- Invite the public to submit their own maps
- Conduct the public hearings with live translation in Spanish
- Publish draft maps on the City's dedicated redistricting website at least seven days prior to adoption.
- Record or prepare a written summary of each public comment and council or redistricting authority deliberation made at every public hearing or workshop and make available to the public within two weeks

Further, the City is required to establish and maintain a website page dedicated to redistricting that includes:

1. A general explanation of the redistricting process.
2. Procedures for a member or public to comment during a public hearing or submit written testimony.
3. A calendar of all public hearings.
4. The notice and agendas for those hearings.

5. Recordings or written summaries of all hearings.
6. All draft and final maps considered and adopted by the redistricting authority and/or City Council.

The general description of redistricting and procedures on how to testify (comment at a public hearing) must be in English and Spanish. The information on the redistricting web page should be maintained for at least ten years after completing the redistricting process.

Staff recommends the City proceed with a robust community outreach plan, which would include the following efforts:

Public messaging via social media, the City's website, press releases, and other public communications, in English and Spanish, including:

- Social media engagement on Facebook, Twitter, and NextDoor
- New Dedicated webpage on City's website for redistricting updates and information
- Press releases sent to various outlets and groups
- Public notices posted at various City facilities
- Identify city nonprofits, good government, civil rights, and community groups that are active in the community, and provide those groups with all public notices and applicable information
- Infographics in both English and Spanish
- Video presentations in both English and Spanish (possibly American Sign Language)

Online Interactive Tools:

- A designated email address for members of the public to provide input and comments
- The development of an online form to encourage electronic submissions for "Community of Interests Worksheets" in both English and Spanish
- The City's demographer will also provide tools to allow public members to draw and submit plans in writing and electronically.

### Redistricting Format

The City Council must establish a redistricting format. The City Council has the option to decide if (1) the legislative body will oversee the redistricting process; (2) defer the process to a Standing Committee such as the Inclusiveness, Community Engagement, and Governmental Processes Committee (ICGC); or (3) establish one of three types of Redistricting Commissions.

Should City Council elect to establish a Redistricting Commission, California Election Code sections 23002 and 23003 set forth statutory authority on its members' scope, qualifications and selection process, prohibitions on conduct, commission requirements, and how public hearings are conducted. The three Redistricting Commission types and scope are as follows:

**Advisory Commission** conducts meetings/workshops and takes input that is provided to the City Council. The City Council holds the public hearings and makes the final decision on the map.

**Independent Commission** conducts all the public hearings and makes the final decision on the map. The City Council has no approval authority.

**Hybrid Commission** conducts some of the public hearings and makes recommendations on one to two maps. The City Council can only adopt one of the recommended maps.

For more information on the qualifications and selection process of members and more statutory context for establishing a Redistricting Commission, refer to Attachment 1.

### Timeline to (Redraw) Ward Boundaries

Generally, the United States Census data is published the March following the decennial year. However, due to the global COVID 19 Pandemic, the census data was released to local governments in late September 2021. Under the Fair Maps Act, the City is prohibited from releasing any draft updated ward boundary maps until at least three weeks after the State publishes the 2020 Census data.

California Election code section 21622(a)(3) states “*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 wards 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.*”

The City's next regular election to elect wards 1,3,5 and 7 does not occur until March 2024. Therefore, the City must adopt its ward boundaries no later than August 2023.

Staff recommends City Council approve the tentative timeline set forth below for the City’s Redistricting Plan:

#### December 2021 - April 2022

- City Council adopts the redistricting format (i.e., the establishment of one of the three types of Redistricting Commissions)
- Staff issues a RFP to identify and acquire Demography Services
- Staff prepare a community outreach strategy
- A Redistricting website page be posted containing City’s initial timelines and plans

#### May 2022 – October 2022

- (Tentative) Orientation meetings for Redistricting Commission members is/are held
- City conducts at least two public hearings; one to review overall redistricting criteria and receive public input; one to receive public input and begin instructing demographer on draft maps.
- Host Workshops throughout the City (at least seven, one in every ward) providing overall redistricting criteria, receive public input, begin instructing the demographer on draft maps, and training for the City’s online interactive tools.

#### November 2022 – December 2022

- City Council or Advisory or Hybrid Redistricting Commission holds 1-2 additional hearings to receive public input, receive draft maps, instruct the demographer to make revisions (if necessary), and approve final recommended plan. Commission completes work (if applicable)

#### January 2023 – March 2023

- During this period, staff proposes City Council (or Independent Redistricting Commission) hold up to three public hearings to receive public input, draw and refine maps, and adopt the final redistricting ordinance (plan):

- 1<sup>st</sup> Public Hearing: Receive public input; receive and review map recommended by advisory committee and/or members of public; instruct demographer on possible revisions;
- 2<sup>nd</sup> Public Hearing: Receive public input; review revised plans; approve a plan or propose further modifications; and
- 3<sup>rd</sup> Public Hearing (if necessary): receive public input, review revised plans, and adopt the final plan/ordinance

**Redistricting Deadline:** The City must adopt its Redistricting Ordinance 205 days before its next regular municipal election, March 2024. The City's deadline to adopt the ordinance is August 2023.

### **STRATEGIC PLAN ALIGNMENT:**

The City's Redistricting Plan contributes to the City Council's Envision 2025 Strategic Plan Priority and Goals:

**Community Well-Being** – Ensuring safe and inclusive neighborhoods where everyone can thrive with the following goal:

Goal 2.4 Support programs and innovations that enhance community safety, encourage neighborhood engagement, and build public trust: and,

**High Performing Government** – Providing world class public service that is efficient, accessible, and responsible to all, with the following goals:

Goal 5.2 - Utilize technology, data, and process improvement strategies to increase efficiencies, guide decision making, and ensure services are accessible and distributed equitably throughout all geographic areas of the City.

Goal 5.3 - Enhance communication and collaboration with community members to improve transparency, build public trust, and encourage shared decision-making.

The proposed Redistricting format, public outreach and marketing strategy aligns with the Envision 2025 Cross-Cutting Threads as follows:

1. **Community Trust** – The outreach strategy and the number of workshops proposed to occur prior to drafting new ward boundary maps allow for tremendous public input which in turn creates sound policy, inclusive community engagement which builds community trust.
2. **Equity** – Outreach efforts are proposed to encourage community input which will consist of website displays and community group flyers and posters throughout the city advising the public members ways to participate in the redistricting process and have a voice in how the ward boundaries are drawn.
3. **Fiscal Responsibility** – Riverside is a prudent steward of public funds and ensures responsible management of the City's financial resources while providing quality public services to all. The City Clerk's Office annual budget includes funding to support the redistricting program and outreach efforts.

4. **Innovation** –. Riverside's Redistricting Framework includes a marketing strategy that will include non-English languages including American Sign Language. The redistricting website will host interactive tools promoting collaborative public partnerships with redrawing ward boundaries.
5. **Sustainability & Resiliency** – Riverside is committed to meeting the present needs without compromising the needs of the future and ensuring the City's capacity to persevere, adapt and grow during fluctuating times alike. It is essential to review the ward boundaries every 10 years to maintain sustainable and resilient representation for a more sustainable future.

### **FISCAL IMPACT:**

The fiscal impact is not yet determined. However, staff was able to obtain cost proposals At-a-Glance (Attachment 2) for demography services, as an indicator for cost estimates.

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### **Attachments:**

1. Redistricting Commission Comparison
2. Cost Proposals At-a-Glance for Demography Services
3. County of Riverside Redistricting Presentation