



Agenda Report

Fullerton City Council

MEETING DATE: SEPTEMBER 21, 2021

TO: CITY COUNCIL / SUCCESSOR AGENCY

SUBMITTED BY: STEVE DANLEY, ACTING CITY MANAGER

PREPARED BY: LUCINDA WILLIAMS, CITY CLERK

SUBJECT: REDISTRICT FULLERTON – REDISTRICTING ADVISORY COMMISSION FORMATION

SUMMARY

City Council opted to utilize a Redistricting Advisory Commission to assist with the mandatory 2021 post-census redistricting (“Redistrict Fullerton”) process at its August 17, 2021 meeting. This item would formally establish the Advisory Commission and provides a tentative timeline for the Redistrict Fullerton process.

RECOMMENDATION

1. Adopt Resolution No. 2021-XX.

RESOLUTION NO. 2021-XX - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF FULLERTON, CALIFORNIA, ESTABLISHING A REDISTRICTING ADVISORY COMMISSION AND APPROVING ITS BYLAWS

2. Approve redistricting process timeline and Redistricting Advisory Commission meeting schedule.

or

3. Provide other direction to staff.

FISCAL IMPACT

No direct cost to form the Commission. However, the Commission will incur indirect costs for staff support and administrative time as well as possible costs for outreach activities. The City will contract with a demographer for the redistricting process for up to \$47,500. The FY 2021-22 budget has funding available for the redistricting process.

PRIORITY POLICY STATEMENT

This item matches the following Priority Policy Statement:

- Fiscal and Organizational Stability.

DISCUSSION

Staff introduced Redistrict Fullerton, the voting district redistricting process, and discussed options for selecting voting district maps at the August 17, 2021 City Council meeting. City Council opted to utilize a Redistricting Advisory Commission (RAC) to assist with the Redistrict Fullerton process. State law requires adoption of a resolution or ordinance to establish a redistricting commission. Staff requests that City Council adopt a resolution to formally create the RAC and establish the recruitment process or otherwise direct staff on how to proceed.

Commission Formation and Appointments

California Elections Code Section 23001 allows a local jurisdiction to establish an advisory redistricting commission composed of residents of the local jurisdiction by resolution or ordinance.

City Council may prescribe the manner of appointment for advisory commission members, provided appointments follow the standards outlined in Election Code Section 23002 prohibiting appointment of any elected official of the local jurisdiction or family member, staff member or paid campaign staff of an elected official of the local jurisdiction.

Provisions of the California Brown Act and California Public Records Act will apply to the RAC and Commissioners will file any required assuming, annual and leaving office Conflict of Interest (Form 700) statements while serving on the commission.

The Commission will work with staff and the City's demographer and conduct meetings and workshops to review and recommend voting district maps to City Council.

Staff requests City Council formally adopt the following elements of the commission composition and appointment process:

- Number of commission members: Determine the number of members to seat on the Commission.
- Direct or at-large appointments: Determine whether to appoint members directly, at-large or a combination of both methods.
- District residency requirements: Government Code Section 23002 requires commission members to live in Fullerton. City Council may wish to additionally require or encourage district residency for commission members.
- Age requirement: Fullerton requires its standing board, commission and committee members to be 18 years and older. City Council may consider that requirement for this commission as well.
- In-Service restrictions: Hybrid and independent redistricting commission members may not endorse, work for, volunteer for or make a campaign contribution to a candidate for city council while serving on the commission. The Elections Code does not impose this requirement on an advisory redistricting commission, however, City Council may impose its own in-service restrictions.
- Post-Commission restrictions: State law places post-service limitations on hybrid and independent redistricting commission members including:

- Commission members may not run for elective office for positions using district boundaries adopted by the commission or city council for five years following appointment to the commission.
- Commission members may not accept employment as a staff member or consultant for an elected official or candidate for elective office of the city, receive a noncompetitively bid contract with the city nor register as a lobbyist for the city for four years following appointment to the commission.
- Commission members may not accept an appointment to an office of the City for two years following appointment to the commission.

The Elections Code does not impose these requirements on an advisory redistricting commission, however, City Council may impose its own post-service restrictions.

Staff has prepared a draft resolution and Commission bylaws and will incorporate City Council’s direction on the preceding items.

Timeline

Staff has prepared the following draft timeline for the redistricting process. Staff requests City Council approval of the timeline and RAC meeting schedule.

Date	Legislative Body	Event
Sept 21, 2021 Tuesday	CC	Adopt Commission formation resolution Approve timeline
October 5, 2021 Tuesday	CC	Commission Appointments
October 26, 2021 Tuesday	RAC	Select Chair / Vice Chair, Legislative Review (Brown Act, Public Records Act, Conflict of Interest), Redistricting Basics Presentation
November 9, 2021 Tuesday	RAC	Workshop on Mapping, Legislation, etc.
November 30, 2021 Tuesday	RAC	Workshop on District Model, Election Sequencing
December 14, 2022 Tuesday	RAC	First Public Hearing (time specific): First drafts of committee maps, select 3 to 5 focus maps
January 11, 2022 Tuesday	RAC	Second Public Hearing (time specific): Select 2 or 3 focus maps to recommend to City council
February 1, 2022 Tuesday	CC	Third Public Hearing (time specific): Final Map Selection and Election Sequencing
February 8, 2022 Tuesday	RAC	Workshop: Public Input on Final Map
February 12 Saturday	RAC	Workshop: Public Input on Final Map
March 1, 2022 Tuesday	CC	Fourth Public Hearing (time specific): Adopt Final Map (first reading ordinance or resolution if SB 594

		enacted), Election sequencing
March 15, 2022 Tuesday	CC	Second Reading Ordinance (if not adopted by resolution)
April 17, 2022 Sunday	n/a	Map Submittal Deadline
November 8, 2022 Tuesday	n/a	Election Day

Attachments:

- Attachment 1 – PowerPoint Presentation
- Attachment 2 – Draft Resolution and Bylaws
- Attachment 3 – Elections Code 23000, et seq.