



MAYOR ROBERT GARCIA
CITY OF LONG BEACH

August 7, 2018

MEMBERS OF THE CITY COUNCIL & CHARTER AMENDMENT COMMITTEE
City of Long Beach

RECOMMENDATION:

Recommendation to adopt resolution ordering, calling and providing for and giving notice of a Special Municipal Election to be held in the City of Long Beach on Tuesday, November 6, 2018 for the purpose of submitting a proposed charter amendment to a vote of the qualified electors of the City relating to creating a Citizen Redistricting Commission; directing the City Attorney to prepare an impartial analysis of the charter amendment; and providing for the filing of primary and rebuttal arguments and setting rules for the filing of written arguments regarding a proposed charter amendment to be submitted at said election.

DISCUSSION:

On June 12, 2018 and July 17, 2018, the City Council and the Charter Amendment Committee concluded two joint public hearings on a proposed Charter Amendment relating to the Independent Citizens Redistricting Commission Measure. This third public meeting fulfills the requirements of City Charter §1903 and California Government Code §34458.

It is now recommended that this proposed Charter Amendment be placed on the November 6, 2018 ballot. To place the Charter Amendment on the ballot, the City Council must (i) call for the General Municipal Election and authorize the Charter Amendment language to be on the ballot; and (ii) request a consolidated election.

FISCAL IMPACT:

No fiscal impact.

SUGGESTED ACTION:

Approve recommendation.

Respectfully submitted,

Mayor Robert Garcia
City of Long Beach
Dated: July 30, 2018

RESOLUTION NO.

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LONG BEACH ORDERING, CALLING AND PROVIDING FOR AND GIVING NOTICE OF A SPECIAL MUNICIPAL ELECTION TO BE HELD IN THE CITY OF LONG BEACH ON TUESDAY, NOVEMBER 6, 2018, FOR THE PURPOSE OF SUBMITTING A PROPOSED CHARTER AMENDMENT TO A VOTE OF THE QUALIFIED ELECTORS OF THE CITY; DIRECTING THE CITY ATTORNEY TO PREPARE AN IMPARTIAL ANALYSIS OF THE CHARTER AMENDMENT; AND PROVIDING FOR THE FILING OF PRIMARY AND REBUTTAL ARGUMENTS AND SETTING RULES FOR THE FILING OF WRITTEN ARGUMENTS REGARDING A PROPOSED CHARTER AMENDMENT TO BE SUBMITTED AT SAID ELECTION

WHEREAS, Long Beach City Charter Section 103 currently provides the process for redistricting, the redrawing of the boundaries of City Council districts following the decennial census, in order to ensure that communities are fully and fairly represented on the City Council so that each Council district has an approximately equal number of inhabitants, consistent with the requirements of state and federal law; and

WHEREAS, independent citizens commissions have been successfully employed as a means of improving the independence and transparency of the redistricting process and safeguarding electoral fairness, by preventing manipulation of boundaries in favor of a political party or incumbent candidates; and

WHEREAS, pursuant to authority provided by California Constitution, Article XI, Long Beach City Charter Section 1903, California Government Code Sections 34450

1 et. seq. and California Elections Code Sections 9255 et. seq., the City Council of the City
2 of Long Beach desires to submit to the voters a proposed Charter amendment
3 establishing an independent citizens' commission of Long Beach residents to determine
4 the boundaries of City Council districts every ten years after the national census and at
5 such other times as may be required in a fair, open and transparent manner, consistent
6 with state and federal law, subject to the terms and conditions set forth therein ("Charter
7 Amendment"); and

8 WHEREAS, California Constitution, Article XI, Section 3, requires that any
9 charter amendment be approved by a majority of City voters voting at an election called
10 for that purpose; and

11 WHEREAS, pursuant to California Government Code Section 34458(b), the
12 City Council held a duly noticed public hearing on June 12, 2018 and a second duly
13 noticed public hearing on July 17, 2018 to hear public comment and testimony and to
14 consider the Charter Amendment, with the first public hearing being held at 5:00 p.m.,
15 outside normal City business hours; and

16 WHEREAS, pursuant to California Government Code Section 34458(b), this
17 resolution is being adopted at a City Council meeting which is at least twenty-one (21)
18 calendar days after the second public hearing referenced above; and

19 WHEREAS, the City Council is authorized and directed by statute to submit
20 the proposed Charter Amendment to the voters; and

21 WHEREAS, the City Council further desires to set deadlines and rules for
22 primary and rebuttal arguments for and against the Charter Amendment;

23 NOW, THEREFORE, the City Council of the City of Long Beach resolves as
24 follows:

25 Section 1. The foregoing recitals are true and correct and are hereby
26 incorporated and made an operative part of this Resolution.

27 Section 2. That pursuant to the provisions of California Constitution, Art.
28 XI, Section 3, Long Beach City Charter section 1903, California Government Code,

Sections 34450 et. seq., and California Elections Code, Sections 9255 et. seq., and any other applicable requirements of the laws of the State of California relating to charter cities, the City Council, by a majority vote, hereby calls and orders to be held a Special Municipal Election in the City of Long Beach between the hours of 7:00 a.m. and 8:00 p.m. on Tuesday, the 6th day of November, 2018, for the purpose of submitting to a vote of the qualified electors of the City of Long Beach the following proposed Charter Amendment.

"City of Long Beach Independent Citizens Redistricting Commission. Shall the City Charter be amended to create an independent citizens commission of Long Beach residents to determine the boundaries of City Council districts every ten years after the national census?"	YES
	NO

Section 3. That the text of the Charter Amendment to be submitted to the voters is attached hereto as Exhibit "A".

Section 4. That the minimum vote requirement for the Charter Amendment to pass is a simple majority (50% + 1) of the votes cast.

Section 5. That pursuant to California Elections Code Section 9280 and Long Beach Municipal Code Section 1.24.100, the City Council hereby directs the City Clerk to transmit a copy of the Charter Amendment to the City Attorney. The City Attorney shall prepare an impartial analysis of the Charter Amendment, not to exceed 500 words in length, showing the effect of the Charter Amendment on the existing law and the operation of the Charter Amendment, and transmit such impartial analysis to the City Clerk not later than the deadline for submittal of primary arguments for or against the Charter Amendment.

The impartial analysis shall include a statement indicating whether the Charter Amendment was placed on the ballot by a petition signed by the requisite number of voters or by the City Council. In the event the entire text of the Charter

1 Amendment is not printed on the ballot, nor in the voter information portion of the sample
2 ballot, there shall be printed immediately below the impartial analysis, in no less than 10-
3 font bold type, the following: **"The above statement is an impartial analysis of**
4 **Ordinance or Measure "____". If you desire a copy of the ordinance or measure,**
5 **please call the Office of the City Clerk at [insert phone number] and a copy will be**
6 **mailed at no cost to you."**

7 Section 6. Primary Arguments. That the City Council authorizes (i) the
8 Mayor, City Council or any member(s) of the City Council, (ii) any appointive officer of the
9 City, (iii) any individual voter eligible to vote on the above measure, (iv) a bona fide
10 association of such citizens or (v) any combination of voters and associations, to file a
11 written argument in favor of or against the City measure, accompanied by the printed
12 name(s) and signature(s) of the author(s) submitting it, in accordance with Article 4,
13 Chapter 3, Division 9 of the Elections Code of the State of California and Long Beach
14 Municipal Code Chapter 1.24, and to change the argument until and including the date
15 fixed below by the City Clerk, after which no arguments for or against the City measure
16 may be submitted to the City Clerk.

17 Section 7. Pursuant to Long Beach Municipal Code Section 1.24.020,
18 the Mayor, with the approval of the City Council, may designate a person, or association
19 of persons, to write arguments either for or against or both for and against the adoption of
20 any measure or proposition placed on the ballot.

21 Section 8. The deadline to submit arguments for or against the City
22 Measure pursuant to this Resolution is declared by the City Clerk to be Friday, August
23 17, 2018, at 4:30 p.m. Each argument shall not exceed three hundred (300) words and
24 shall be filed with the City Clerk, signed, and include the printed name(s) and signature(s)
25 of the author(s) submitting it, or if submitted on behalf of an organization, the name of the
26 organization, and the printed name and signature of at least one of its principal officers
27 who is the author of the argument.

28 Section 9. Rebuttal Arguments. Pursuant to Section 9285 of the

1 Elections Code of the State of California, when the City Clerk has selected the primary
2 arguments for and against the City Measure which will be printed and distributed to the
3 voters, the Clerk shall send copies of the primary argument in favor of the Measure to the
4 authors of the primary argument against, and copies of the primary argument against to
5 the authors of the primary argument in favor. The authors or persons designated by
6 them may prepare and submit rebuttal arguments not exceeding two hundred fifty (250)
7 words. The rebuttal arguments shall be filed with the City Clerk not later than Monday,
8 August 27, 2018 at 4:30 p.m. Authors may change a rebuttal argument until and
9 including the date fixed above by the City Clerk, after which no rebuttal arguments for or
10 against the City measure may be submitted to the City Clerk. Rebuttal arguments shall
11 be printed in the same manner as the primary arguments. Each rebuttal argument shall
12 immediately follow the primary argument which it seeks to rebut.

13 Section 10. That notice of the time and place of holding the election is
14 hereby given and the City Clerk is authorized, instructed and directed to give further or
15 additional notice of the election, in time, form and manner as required by law.

16 Section 11. The City Clerk is authorized, instructed and directed to
17 procure and furnish any and all official ballots, notices, printed matter and all supplies,
18 equipment and paraphernalia that may be necessary in order to properly and lawfully
19 conduct the election.

20 Section 12. That the ballots to be used at the election shall be in form and
21 content as required by law.

22 Section 13. That in all particulars not recited in this resolution, the election
23 shall be held and conducted as provided by law for holding municipal elections.

24 Section 14. The City Treasurer is hereby authorized and directed to
25 appropriate the necessary funds to pay for the City's cost of placing the Charter
26 Amendment on the election ballot.

27 Section 15. The City Council finds that this Resolution is not subject to the
28 California Environmental Quality Act (CEQA) pursuant to Sections 15060(c)(2) (the

1 activity will not result in a direct or reasonably foreseeable indirect physical change in the
2 environment), and 15060(c)(3) (the activity is not a project as defined in Section 15378)
3 of the CEQA Guidelines, California Code of Regulations, Title 14, Chapter 3, because it
4 has no potential for resulting in physical change to the environment, directly or indirectly.

5 Section 16. The provisions of this Resolution are severable and if any
6 provision of this Resolution is held invalid, that provision shall be severed from the
7 Resolution and the remainder of this Resolution shall continue in full force and effect, and
8 not be affected by such invalidity.

9 Section 17. This resolution shall take effect immediately upon its adoption
10 by the City Council, and the City Clerk shall certify the vote adopting this resolution.

11 I hereby certify that the foregoing resolution was adopted by the City
12 Council of the City of Long Beach at its meeting of _____, 2018
13 by the following vote:

14
15 Ayes: Councilmembers: _____

16 _____

17 _____

18 _____

19 Noes: Councilmembers: _____

20 _____

21 Absent: Councilmembers: _____

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City Clerk

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EXHIBIT "A"
Text of Charter Amendment
[attached behind this page]

MEASURE “ ____ ”

SECTION 1. THE PEOPLE OF THE CITY OF LONG BEACH DO HEREBY AMEND THE LONG BEACH CITY CHARTER BY ~~ADDING~~ REPEALING CITY CHARTER SECTION 103 AND REPLACING IT WITH THE FOLLOWING ARTICLE ____ TO THE CITY CHARTER:

ARTICLE ____ RCOUNCILMANIC DISTRICTS AND REDISTRICTING.

Section ____ – COUNCILMANIC DISTRICTS

The City shall be divided, for electoral purposes, into nine (9) Councilmanic Districts approximately equal in population.

Section ____ -LONG BEACH INDEPENDENT REDISTRICTING COMMISSION.

(a) The exclusive authority to redraw Council district boundaries is vested in the Long Beach Independent Redistricting Commission.

(b) The Commission shall:

- (1) Be independent of Mayor and City Council control;
- (2) Conduct an open and transparent process enabling full public consideration of and comment on the drawing of Council district boundaries;
- (3) Comply with the provisions in this article; and
- (4) Conduct itself with integrity and fairness.

(c) The Commission may:

- (1) Adopt for itself rules of procedure not in conflict with this article; and
- (2) Adopt rules and regulations for the interpretation and implementation of this article.

Section ____ – POWER AND DUTY OF COMMISSION TO ADOPT COUNCIL DISTRICT BOUNDARY MAP.

(a) Within six (6) months after census-block-level population data from a regular United States decennial census is made available to the public, the Commission shall adopt a final map establishing new Council district boundaries and a final report explaining its decision. The final map shall include a precise map and written description of the boundaries of each Council district. In the final report, the Commission shall explain the rationale for the Council district boundaries, including, at a minimum, an explanation

of how the final map complies with the redistricting requirements and criteria in Section ____ of this Charter and a reasonable justification for any Council district boundary that does not comply with any redistricting criterion.

(b) A Commission-adopted final map has the force and effect of law and is effective immediately upon adoption, unless on the date of adoption there are less than six (6) months until the next primary City election, in which case the final map shall go into effect after that election and any applicable run-off election.

(c) If the Commission does not adopt a final map by the deadline in subsection (a), the City Attorney shall immediately petition the Superior Court for an order prescribing new Council district boundaries in accordance with the redistricting criteria and requirements set forth in Section _____. The boundaries prescribed by the Superior Court shall be used for all City Council elections that take place more than six (6) months from the date of the Superior Court's order and shall last until a final map is adopted by the Commission to replace it.

(d) The Commission shall redraw Council district boundaries once per decade as provided in subsection (a), unless the Commission is reconvened by a vote of two-thirds of the City Council to address significant population changes, legal challenges, or other issues, or is ordered to do so by a court.

(e) Any territory that is annexed, consolidated, or otherwise attached to the City shall be allocated to a Council district pursuant to this subsection, effective upon the completion of such annexation, consolidation, or other proceedings. The City Clerk shall update the final map accordingly.

(1) If the territory's boundary is contiguous to the boundary of not more than one (1) Council district, the territory shall be allocated to that Council district.

(2) If the territory's boundary is contiguous to the boundaries of two (2) or more Council districts, the territory shall be allocated to the council district with which it shares the longest boundary.

(3) If the territory's boundary is not contiguous with the boundary of any Council district, the territory shall be allocated to the closest Council district.

Section ____ – COMMISSION ORGANIZATION.

(a) The Commission shall consist of 13 commissioners and 2 alternates. Alternates may fully participate in commission deliberations but may not vote and may not be counted towards the establishment of a quorum. Alternates are subject to the same terms of office, qualifications, restrictions, and standards of conduct as other commissioners under this article.

(b) The term of office of each commissioner begins on December 1 of a year ending in zero, and expires on January 1 of the next year ending in zero. Sixty (60) days after a final map has been adopted, the Commission shall cease to meet, unless reconvened by order of a court of competent jurisdiction, or by the City Attorney to consider settlement options if the final map is legally challenged or by the City Council as provided by Section (a) above.

(c) Nine (9) commissioners constitute a quorum. The removal of a Commissioner or alternate; the approval of additional redistricting criteria; and the approval of a proposed final map, final map, and final report require the affirmative votes of nine (9) commissioners. All other Commission actions require the affirmative vote of a majority of commissioners present.

(d) At its first meeting, the Commission shall select one (1) commissioner to serve as Chair and one (1) to serve as Vice Chair. The Commission may designate other officers from its membership, and may establish subcommittees. Subcommittees shall report on their actions at the next meeting of the Commission.

Section – COMMISSIONER QUALIFICATIONS, REQUIREMENTS AND POST-SERVICE RESTRICTIONS.

(a) Each commissioner must be a registered voter of the City and must either:

(1) Have voted in ~~the two one (1) of the last three (3) primary~~ City elections immediately preceding his or her application to be on the Commission; or

(2) Have been a resident of the City for at least ~~ten one (1)~~ years immediately preceding his or her application to be on the Commission.

(b) The following persons are not eligible to be a commissioner:

(1) A person who, or whose spouse, registered domestic partner, or child, within the eight (8) years immediately preceding their date of application to be on the Commission, has contributed to a candidate for City elective office, in a single year, more than \$500.

(2) A person who, or whose spouse, registered domestic partner, or child – is or has been, within the four (4) years immediately preceding their date of application to be on the Commission, any of the following:

i. A paid employee of the City, including those employed by an elected official;

ii. A registered City lobbyist, or someone who was required to be a registered City lobbyist; or

iii. A paid employee of any redistricting contractor or consultant.

(3) A person who, or whose spouse, registered domestic partner, parent, sibling, or child – has been, within eight (8) years immediately preceding their date of application to be on the Commission, any of the following:

- i. Elected to or appointed to, or been a candidate for, City elective office;
- ii. An officer, employee of, or paid consultant or contractor to a campaign committee or a candidate for City elective office;
- iii. A staff member, paid employee of, a consultant to, or someone under contract with any City elected official; or
- iv. A principal officer of an active campaign committee domiciled in the County of Los Angeles that has made expenditures on candidate elections for a City elective office.

(c) Within 30 days of appointment, a commissioner shall file with the City Clerk a statement of economic interest, or similar financial disclosure statement, as required under the City's conflict of interest code, and shall agree to the City's Code of Ethics and written ethics pledge.

(d) A commissioner shall be ineligible, for a period of ten years beginning from the date of their appointment, to hold City elective office. A commissioner shall be ineligible, for a period of four (4) years beginning from the date of their appointment, to be appointed to another City commission, to serve as paid staff for or as a paid consultant to any City elected official or candidate for City elective office, to receive a non-competitively bid contract with the City, or to register as a City lobbyist.

(e) While serving on the Commission, a commissioner shall not endorse, work for, volunteer for, or contribute to any candidate campaign for City elective office. Commissioners choosing to engage in such activity may resign at any time, including after the approval of a final map to ensure that the commissioner no longer serves if the Commission is reconvened to redraw districts

Section ____ – COMMISSIONER SELECTION AND REMOVAL.

(a) The commissioner selection process is designed to produce a Commission that is independent and that reasonably reflects the diversity of the City.

(b) The City Clerk shall, ~~no later than February 1 beginning in, 2020, and by February 4~~ in each year ending in the number zero thereafter, initiate and widely publicize an application process, open to all City registered voters who meet the requirements of Section 953, in a manner that promotes a qualified commissioner applicant pool that is

large and reflective of the diversity of the City. ~~This process~~The application period shall remain open until May 1, 2020 and until May 1 in each year ending in the number zero thereafter for at least three (3) months.

(c) The City Clerk shall create an application available in English, Spanish, Khmer and Tagalog and as may be required under the City's Language Access Policy for prospective commissioners, and seek assistance from a broad range of community-based organizations in outreach efforts. Applicants shall attest on the application, under penalty of perjury, that the information provided is true.

(d) ~~No later than June 30 of each year ending in the number zero~~Approximately one (1) month prior to the close of the application period, the eCity eClerk shall report to the City Council and Mayor on applications received up to that point and any additional outreach that is being undertaken or planned to ensure that the applicant pool has a sufficient number of qualified applicants and reasonably reflects the City's diversity.

(e) ~~After the close of the application period By August 1, 2020, and by August 1 in each year ending in the number zero thereafter,~~ the City Clerk shall review and remove individuals who are disqualified under Section 953___ of this Charter from among the commission applicants. The City Clerk shall maintain a public record of the disqualifications that apply to each person whose application is removed from the applicant pool. If the resulting applicant pool does not have at least 35 qualified applicants, including 3 qualified applicants from each existing City Council district, the City Clerk shall reopen the application period for one (1) month and conduct additional outreach to ensure that the pool meets these requirements.

(f) ~~No later than September 15, 2020, and by September 15 in each year ending in the number zero thereafter~~After removing ineligible applicants, the City Clerk shall publish and transmit to a screening panel a list with the names of all qualified applicants. For purposes of this section, "screening panel" means:

(1) The City's Ethics Commission, if that Commission is established by ordinance or under this Charter; or

(2) If an ethics commission matching the description in subsection (1) does not exist, a panel of Long Beach residents consisting of: one (1) retired judge; one (1) law, government, or public policy professor teaching at an accredited institution; and one (1) member of the governing board of a non-profit organization qualified under Internal Revenue Code section 501(c)(3) that has history of advocating for good government reform in the city. The panelists shall be selected by the Mayor from a pool of qualified applicants. Panelists shall meet the same qualifications required of commissioners in Section 953___. The Mayor shall recruit a pool of applicants to serve on the screening panel; or

(3) If an ethics commission matching the description in subsection (1) does not exist, and there are insufficient qualified applicants to form a panel pursuant to

paragraph (2), a panel consisting of the City Attorney, the City Clerk, and the City Auditor.

(g) From ~~the~~this eligible commissioner applicant pool, the screening panel shall, no later than November 1, 2020, and by November 1 in each year ending in the number zero thereafter, create a subpool of not less than 20 nor more than 30 applicants most qualified to perform the duties of the Commission, including at least two (2) applicants from each existing Council district. The screening panel, exercising its independent judgment, shall make these assignments at a publicly noticed meeting after the public has had the opportunity to provide written and oral comment. The screening panel may ask additional questions of commissioner applicants at that meeting. The screening panel shall make each assignment to the subpool on the basis of the applicant's relevant analytical skills, familiarity with the city's neighborhoods and communities, ability to be impartial, and apparent ability to work cooperatively with other potential commissioners. The subpool should reasonably reflect the City's diversity; provided that, other than the requirement of geographic diversity in this subsection, no quotas, formulas, or ratios may be applied for this purpose.

(h) Immediately after the subpool has been created, and at that same public meeting, the chair of the screening panel shall randomly select nine (9) names – one (1) from each existing council district – from the subpool. These nine (9) individuals shall serve as commissioners on the Commission.

(i) The commissioners selected pursuant to subsection (h) shall select four (4) commissioners and two (2) alternates from the remaining applicants in the subpool. Each selection requires ~~ninesix~~ (6) affirmative votes from among the nine (9) commissioners, and the selection must be made at a publicly noticed meeting after the public has had the opportunity to provide written and oral comment. The commissioners shall make each selection on the basis of the applicant's relevant analytical skills, familiarity with the city's neighborhoods and communities, ability to be impartial, and apparent ability to work cooperatively with other commissioners. The Commission should reasonably reflect the City's diversity; provided that no quotas, formulas, or ratios may be applied for this purpose.

~~(j) Within thirty (30) days after the selection of alternates, the nine (9) commissioners shall appoint four (4) additional Commissioners from the subpool using the criteria set forth in subsection (i) above. The nine Commissioners selected pursuant to subdivision (h) above shall select these four (4) additional Commissioners to ensure, as far as possible, that the Commission membership reflects the City's diversity.~~

~~(k)~~(i) The Commission shall be fully established no later than December 1, 2020, and thereafter no later than December 1 in each year ending in the number zero. To meet this deadline, the City Clerk may establish other deadlines for the commissioner application and selection process described in this Section.

~~(4)~~(k) The Commission may remove a commissioner for substantial neglect of duty, gross misconduct in office, or inability to discharge the duties of office, but only after providing the subject commissioner written notice and an opportunity for a response at a public meeting.

~~(m)~~(l) If a commissioner resigns or is removed from the Commission, the Chair of the Commission shall randomly select one (1) of the alternates to fill the vacancy as a voting commissioner. If the Commission is unable to act because there are fewer than nine (9) active commissioners, the City Clerk shall, within one (1) month of making this determination, recruit a pool of qualified applicants to fill the vacancies. The remaining commissioners shall, within two (2) weeks of the pool being constituted, appoint replacement commissioners from this pool by a two-thirds vote.

~~(n)~~(m) For purposes of this section, "diversity" includes, but is not limited to, racial, ethnic, gender, and sexual orientation diversity.

Section _____ – REDISTRICTING REQUIREMENTS AND CRITERIA.

(a) The Commission shall draw its final map so that:

(1) Council districts are as nearly equal as possible-practicable in total population;

(2) The final map complies with the U.S. Constitution; the Federal Voting Rights Act, the California Constitution; and any other requirement of federal or state law applicable to charter cities; and

(3) Each Council district is geographically contiguous, to the extent practicable, and has a clearly defined boundary.

(b) In addition to following the requirements of subsection (a), the Commission shall consider the following criteria when drawing the final map, in order of priority:

(1) The geographic integrity of a neighborhood should be respected in a manner that minimizes its division.

~~(1) Existing neighborhoods and community boundaries;~~

(2) Communities of interest The geographic integrity of a community of interest should be respected in a manner that minimizes its division. A community of interest 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;

(3) Neighborhoods and communities sharing a common language, history, culture and identity should not be divided so as to dilute their voting power;

(4) Geography and topography; Districts should respect major topographic and geographic features of the City;

~~(5) Natural and artificial barriers and boundaries~~ District boundaries should be easily identifiable and understandable by voters. Districts should be bounded by natural and artificial barriers, by street lines, and/or by City boundary lines;

~~(5) —~~

(6) Districts should be geographically compact such that nearby areas of population are not bypassed for more distant population;

(7) All lines must correspond to census blocks in order to preserve the validity of data and avoid arbitrary boundaries; and

~~(a)~~ (8) ~~Other~~ The Commission may adopt other criteria that do not conflict with the other requirements and criteria listed in this section or with state or federal law.

(c) The Commission shall not consider place of residence of any individual, including any incumbent or political candidate, in the creation of a map.

(d) The Commission shall number each Council district such that, for as many residents as possible, the number of the Council district they reside in remains the same.

~~(d)~~ (e) The Commission shall not draw districts for the purpose of favoring or discriminating against a political party.

Section ____ – PUBLIC MEETINGS AND PUBLIC COMMENT.

~~(b)~~ (a) The Commission shall establish and implement an open meeting process for public input and deliberation that is promoted through an outreach program to solicit broad public participation in the redistricting process. The Commission shall comply with all applicable State and City requirements for open meetings.

~~(e)~~ (b) Prior to adopting a final map, the Commission shall hold at least nine (9) public meetings, including one (1) public meeting in each existing Council district. A final map may not be adopted unless a proposed final map with substantially similar Council district boundaries has been adopted at least seven (7) days earlier at a prior public meeting.

~~(d)~~ (c) The Commission shall establish and implement a process for accepting written public comment, including the submission of draft maps and draft partial maps for the Commission's consideration.

~~(e)~~(d) Commission members and staff may not communicate with or receive communications about redistricting matters from anyone except at a public meeting or through the process established for accepting written public comment. This subsection does not prohibit:

- (1) communication between Commission members, staff, legal counsel, and consultants retained by the Commission that is otherwise permitted by State and City open meeting requirements; or
- (2) commissioners, staff, legal counsel, or consultants from engaging in public education and outreach, including explaining how the Commission functions and encouraging public participation in the redistricting process.

~~(f)~~(e) Any person who is compensated for communicating with the Commission or any commissioner, other than a reimbursement of reasonable travel expenses, shall identify the party compensating them in such communication.

Section ____ – RECORDS AND DATA.

(a) The Commission shall comply with the California Public Records Act, commencing with section 6250 of the California Government Code, or its successor, and any City laws regarding public records, to the degree they require greater disclosure and retention of Commission records than is provided in this article.

(b) The Commission and its subcommittees shall keep minutes of all discussion and actions taken at public meetings. The minutes should be adopted at the next public meeting of that body. To the greatest extent practicable, all public meetings of the Commission and its subcommittees shall be video recorded.

(c) To the greatest extent practicable, the Commission 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.

Section ____ – ADMINISTRATION.

(a) The City Council shall appropriate sufficient funds to recruit commissioners, meet the operational needs of the Commission, and conduct any outreach program to solicit broad public participation in the redistricting process.

(b) The City Manager, City Clerk, and City Attorney shall assign sufficient staff to support the Commission. The Commission shall be staffed by no less than three (3) City employees: the City Manager, the City Clerk, and the City Attorney, or their respective representatives. The City Attorney's, or his/_her/_her respective representative's, only client on matters relating to redistricting is the Commission.

(c) The City Clerk and the City Attorney, or their respective representatives, shall, no later than March 1, 2021, and thereafter by March 1 in every year ending in one, train the commissioners on the requirements of this article, federal and state law regarding redistricting, open meeting requirements, and general rules of parliamentary procedure.

(d) The City Manager and the City Clerk shall, by January 1, 2020, and thereafter by January 1 in every year ending in zero, provide a report to the Mayor and City Council that explains, at minimum, plans for: recruiting a qualified applicant pool that reflects the City's diversity; assigning sufficient staff to support the Commission's activities; training commissioners; providing work space and relevant technology to support the Commission's activities; facilitating an open selection process to hire redistricting consultants; identifying and reserving meeting spaces suitable for holding public meetings in each Council district; creating a website for the Commission; and encouraging public participation in the redistricting process.

(e) Within 60 days after the adoption of a final map, the Commission shall transmit a report to the Mayor and City Council recommending any changes, including amendments to this article, that could improve the redistricting process in future years. The City Council may, by two-thirds vote, adopt by ordinance changes to time limits and deadlines imposed by this article that are specifically recommended by the Commission.

~~(f) No person may threaten, intimidate, coerce, or take adverse action against a commissioner, alternate, or a commission staffer because of their affiliation with the Commission, or because of any Council district boundaries that are considered, proposed, or adopted by the commission.~~

Section ____ – LEGAL CHALLENGE.

(a) Any registered voter in the City may file a petition for a writ of mandate or writ of prohibition within ninety (90)~~30~~ days after the Commission has adopted a final map, to bar the implementation of all or a portion of the new Council district boundaries on the grounds that the final map violates this article. No legal challenge may be brought against the final map under this article after the ~~30~~90-day period has expired.

(b) If a legal challenge is successfully brought against the final map, the Court may correct the violation by court order adjusting Council district boundaries consistent with the redistricting requirements and criteria of Section ~~955~~ ____; alternatively, if the Court finds the final map requires significant revisions or must be entirely redrawn, the Court may order the Commission to reconvene to adjust or adopt new Council district boundaries."

SECTION 2. Approval, Filing and Recordation of Charter Amendment. Pursuant to California Government Code Section 34460, if approved by a majority of voters, the Mayor and City Clerk shall certify, authenticate and attest to the passage of this Charter Amendment. The City Clerk shall also (i) record one (1) copy of this Charter Amendment with the Los Angeles County Recorder's Office, (ii) file one (1) copy in the City's archives

and (iii) file one (1) copy with the California Secretary of State. - Each copy recorded with the County Recorder and filed in the City's archives shall also be filed with the following:

- (a) Certified copies of all publications and notices required of the City by State law in connection with the calling of an election to propose the Charter Amendment.
- (b) Certified copies of any arguments for or against the Charter Amendment that were mailed to voters pursuant to California Elections Code Sections 9281 and 13303.
- (c) A certified abstract of the vote at the election at which the Charter Amendment was approved by the voters.

SECTION 3. Ratification and Effective Date. Pursuant to California Government Code Section 34459, this Charter Amendment shall be deemed ratified if approved by a majority of the eligible voters of the City of Long Beach voting at the Special Municipal Election of November 6, 2018. However, this Charter Amendment shall not take effect until it has been accepted and filed by the Secretary of State pursuant to Government Code Section 34460.

SECTION 4. Severability. If any provision of this Charter Amendment or the application thereof to any person or circumstance is held invalid, the remainder of the Charter Amendment and the application of such provision to other persons or circumstances shall not be affected thereby.

PASSED, APPROVED and ADOPTED by the People of the City of Long Beach at a General Election held on November 6, 2018.

ROBERT GARCIA
Mayor of the City of Long Beach

Attest:

Monique De La Garza
City Clerk

Approved as to form:

Charles Parkin
City Attorney