



City of Long Beach

Working Together to Serve

Office of the City Attorney

Memorandum

DATE: September 29, 2021

To: Independent Redistricting Commission

FROM: Amy R. Webber, Deputy City Attorney

SUBJECT: District Boundaries and Timing Considerations

The City Charter has two relevant provisions that address when the Commission must adopt a final map. Section 2502(a) states that “[w]ithin 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.” Since block-level data was made available to the City on September 20, 2021, that provision requires the Commission to adopt a final map no later than March 20, 2022.

However, a second provision, section 2502(b), states that “[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.” Under that provision, the Commission’s final map must be adopted by December 7, 2021, if it is to be used for the City’s 2022 elections.

Early in the redistricting process, City staff prepared a timeline for map adoption for the Commission, which concluded with issuance of the final map by December 7, 2021 in compliance with the Charter. That deadline was also consistent with the deadline of December 9, 2021, that Los Angeles County elections officials gave local jurisdictions for final map submissions when the county was administering their June election.¹ The Commission and staff have worked diligently to meet this deadline, but as it approaches, a concern was raised that additional time was needed to accomplish the Commission’s goal. Since the census-block-level data was made available on September 20, 2021, could the Commission take until March 20, 2022 to consider and adopt a final map?

¹ After inquiries by City staff, Los Angeles County elections officials have revised this initial deadline, and are now stating that they will accept final adopted boundary maps from local jurisdictions through the end of December 2021.

There are several considerations, both practical and legal, in determining whether the Commission may disregard section 2502(b) of the Charter for adoption of new district boundaries:

A. The City's Council district elections are run by Los Angeles County. The City does not have the necessary equipment or staff to run its own elections, and contracts with the County for this service.

B. The Los Angeles County elections official has confirmed that the 2022 primary election is scheduled for June 7, 2022. Charter section 2502(b) requires that new boundary map be submitted at least six months prior to the primary election.

C. Under the City Charter and federal and state law, districts may have a population deviation of no more than ten percent. While current Council districts could be used in theory for the June 7, 2022 election, the recently released block-level census data has revealed that there is a deviation of approximately 14% in some current Council districts. Therefore, the use of current Council district boundaries is not a viable option.

D. Since the City can't use its existing districts in the 2022 elections, its legal remedy would be to seek a writ of mandate relieving the City of the six-month Charter deadline set forth in section 2502(b). Further, if the Commission sought an extension beyond December 2021, the writ of mandate would also need to seek relief against Los Angeles County, ordering the County to accept final maps beyond its submission deadline. The California Redistricting Commission recently attempted to extend its current deadline until January, and its efforts were not successful. (See attached CRC press release.) Courts have been reluctant to extend redistricting deadlines when they threaten the smooth administration of upcoming elections.

We hope this information is helpful in any discussion of upcoming deadlines.

ARW:bg A21-04733

01318812.DOCX

Attachment

cc: Charles Parkin, City Attorney
Kevin Jackson, Deputy City Manager
Monique DeLaGarza, City Clerk

Home > Media > Press Releases

California Supreme Court Rules Against the Proposed 2020 California Citizens Redistricting Commission Map Deadline

 Martín Pineda | September 22, 2021

PRESS RELEASE

California Supreme Court Rules Against the Proposed 2020 California Citizens Redistricting Commission Map Deadline

SACRAMENTO, CA—Today, the California Supreme Court ruled on the 2020 California Citizens Redistricting Commission’s (Commission) petition to clarify and/or modify the writ of mandate issued by the Court on July 17, 2020 (Legislature of CA v Alex Padilla S262530)—when it ruled that the Commission should have until December 15, 2021 to submit its maps to the California Secretary of State due to the delay in release of census results. If census results were received after July 31, 2021, the Commission’s deadline would be adjusted accordingly to compensate for the additional federal delay.

“The Commission is disappointed that the California Supreme Court did not agree with our justification for a January 14, 2022 deadline to submit final maps to the California Secretary of State,” stated Commission Chair Neal Fornaciari. “While disappointed with the ruling, the Commission is committed to ensuring continued public participation in the process and to posting the first set of draft district maps by the court mandated date of November 15, 2021 and to delivering the final district maps to the Secretary of State by the court mandated date of December 27, 2021. The Commission would like to thank the Court for its timely consideration and response to our petition.”

The State of California received local level data from the U.S. Census Bureau on August 12, 2021. These data required further preparation by the Statewide Database to allow for the state’s incarcerated population to be counted with the communities of their last known residence and reformat the data for use by the Commission. The Statewide Database published official census results on September 20, 2021. These data are available at: <https://statewidedatabase.org/redistricting2021/pl94-legacy.html>.

The relief sought by the Commission’s motion aimed to preserve the maximum opportunity for the public to be involved throughout the redistricting process by instituting a January 14, 2022 deadline, and for the Commission to be able to receive and respond to the public’s input, while adhering as closely as possible to the framework envisioned and adopted by the Voters First Act.

Every 10 years, after the federal government publishes updated census information, California must redraw the boundaries of its electoral districts so that the state’s population is evenly allocated among the new districts.

In 2008, California voters passed the Voters First Act, authorizing the creation of the independent California Citizens Redistricting Commission to draw new State Senate, State Assembly, and State Board of Equalization district lines. In 2010, the Voters First Act for Congress gave the Commission the responsibility of drawing new Congressional districts following

every census.

For more information, please visit WeDrawTheLinesCA.org.

###

Do you like this page?

Like Share 9 people like this. [Sign Up](#) to see what your friends like. Tweet

Sign in to leave a comment



Write a comment...

Post

Sign in with or

Email address*

Password*

Sign in

Don't have an account? [Click here to create one.](#)

Recent Activity



Martín Pineda published [California Supreme Court Rules Against the Proposed 2020 California Citizens Redistricting Commission Map Deadline](#) in [Press Releases](#) 5 days ago (2021-09-22T22:17:39Z)

Website Accessibility Certification

We Draw the Lines CA

721 Capitol Mall, Suite 260, Sacramento, CA 95814, United States
 (916) 323-0323



Sign in with [Facebook](#), [Twitter](#) or [email](#).
Created with [NationBuilder](#)