

CITY COUNCIL
CITY OF PALMDALE, CALIFORNIA
RESOLUTION NO. CC 2021-031

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PALMDALE
ESTABLISHING A REDISTRICTING COMMISSION PURSUANT TO
ELECTIONS CODE SECTION 23000

WHEREAS, members of the City Council of the City of Palmdale ("City") adopted Ordinance No. 1471, transitioning from at-large to by-district city councilmember elections under Elections Code § 10010; and

WHEREAS, the City Council are currently elected in "district-based " election, in which each city councilmember is elected only by the voters in the district in which the candidate resides; and

WHEREAS, Elections Code 21601 and 23000 authorizes the City Council to appoint a redistricting Commission; and

WHEREAS, the City Council desires to receive input on district boundaries from a geographically diverse sector of the community; and

WHEREAS, the Fair Maps Act (AB 849) became effective January 1, 2020 and created standardized redistricting criteria aimed to keep communities together and to prohibit partisan gerrymandering. The Act also expanded community outreach and public hearing requirements and timelines, which coincide with the State redistricting schedule (ATTACHMENT 1); and

WHEREAS, the SB 1018 became effective on January 1, 2019 expanding the methods for re-drawing district maps. Under this legislation, in addition to appointing an advisory, or an independent commission, the City Council may instead elect to appoint a hybrid commission or contract with Los Angeles County's Citizen Redistricting Commission ("CRC"), as outlined in the Authorities and Criteria for Redistricting Commissions (ATTACHMENT 2) and provides for detailed information for each commission):

- a. the City Council may **adopt districts itself**, and
- b. the City Council may appoint an **advisory commission** to recommend district boundaries for City Council adoption; and
- c. the City Council may establish an **independent redistricting commission** to adopt or new boundaries to the City; and
- d. the City Council may establish a **hybrid redistricting commission** to either adopt or recommend new boundaries to the City.

NOW, THEREFORE BE IT RESOLVED, that the City of Palmdale, acting by and through its City Council, having considered and been fully advised in the matter and good cause appearing therefore does hereby resolve as follows:

SECTION 1. Establishment. There shall be established the Palmdale Redistricting Commission, hereinafter "Commission" which shall be an Advisory Commission pursuant to Elections Code §23001. The Commission shall be established by June 1, 2021 and shall exist until the City Council adopts an ordinance establishing City Council district boundaries for the November 2022 election.

SECTION 2. Membership. The Commission shall consist of 11 Commission members. Commission members shall consist of a diverse group of residents.

SECTION 4. Selection Process. The Commission member selection process is designed to produce a qualified and impartial Commission. Commission members shall be selected through an open application process. Any person who meets the minimum Commission member qualifications in Section 5 may apply to serve on the Commission. Commissioners shall be appointed as follows

A. The City Clerk shall initiate and widely publicize the Commission 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. The application period shall be open through the earliest statutory date required.

B. 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 Commission under Section 5. The City Clerk shall remove from the applicant pool any applicant who does not meet the minimum Commission member qualifications.

C. The applicants may be considered taking into account the following factors:

(1) The Commission should not be comprised entirely of members who are registered to vote with the same political party preference.

(2) Commission members should reasonably reflect the City of Palmdale's diverse geography and reside in diverse areas throughout the city.

(3) Race/ethnicity may be considered without using formulas, quotas or ratios.

(4) Gender, age, economic class, sexual orientation and party registration may be considered in selecting Commission members.

(5) Commission members shall be impartial, know the jurisdiction's neighborhoods and communities, appreciate the jurisdiction's diversity and work well with others.

D. Commission members shall be appointed as follows: each Councilmember shall appoint two Commission members, and the remaining three Commission members shall be appointed by the Mayor, with all proposed appointees subject to confirmation by a majority of the Council.

SECTION 5. Eligibility Requirements for Members of the Commission. The application process shall be open to all eligible residents. The following qualifications and restrictions are imposed on members of the Commission:

A. A person, or the family member of a person (i.e., spouse, registered domestic partner, parent, sibling, child or in-law), who has done any of the following in the preceding eight years, shall not be appointed to serve on a Commission:

- (1) Been elected or appointed to, or been a candidate for, an elective office of Palmdale.
- (2) Served as an officer of, employee of, or paid consultant to, a campaign Commission or a candidate for elective office of Palmdale.
- (3) Served as an officer of, employee of, or paid consultant to, a political party or as an elected or appointed member of a political party central Commission.
- (4) Served as a staff member of, consultant to, or contracted with, a currently serving elected officer of Palmdale.
- (5) Been registered to lobby in Palmdale.
- (6) Contributed five hundred dollars (\$500) or more in a year to any candidate for an elective office of Palmdale.

B. A member of the Commission shall not do any of the following:

- (1) While serving on the Commission, endorse, work for, volunteer for, or make a campaign contribution to, a candidate for an elective office of Palmdale.
- (2) Be a candidate for an elective office of Palmdale for 5 years commencing with the date of his or her appointment to the Commission.
- (3) For four years commencing with the date of his or her appointment to the Commission:
 - a. Accept an appointment to a Palmdale Board, Commission or Commission.

- b. Accept employment as a staff member of, or consultant to, an elected official or candidate for elective office of Palmdale.
 - c. Receive a noncompetitively bid contract with Palmdale.
 - d. Register as a lobbyist in Palmdale.
- C. Must be a resident of Palmdale and resided in Palmdale for at least the past three years.
- D. Must be a registered voter. Those residents not eligible to vote due to age or citizenship but have a Permanent Resident Card (Green Card) are exempt from this requirement.

SECTION 6. During and Post-Service Restrictions. Commission members shall comply with the following during and post-service restrictions as contained in California Elections Code Section 23003(d):

- A. While serving on the Commission, members may not work for, volunteer for, or make a campaign contribution to, a candidate for an elective office of Palmdale.
- B. Commission members may not run for an elective office of Palmdale for 5 years commencing with the date of my appointment to the Commission.
- C. For four years commencing with the date of his or her appointment to the Commission, members shall not:
- (1) Accept an appointment to a Palmdale Board, Commission or Commission.
 - (2) Accept employment as a staff member of, or consultant to, an elected official or candidate for elective office of Palmdale.
 - (3) Receive a noncompetitively bid contract with Palmdale.
 - (4) Register as a lobbyist in Palmdale.

SECTION 7. Redistricting Criteria. The Commission shall take into account the following legally required criteria in recommending district boundaries:

- A. Each city council district shall contain a nearly equal population;
- B. A redistricting plan shall be drawn in a manner that complies with the Federal Voting Rights Act, the California 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.

- D. The Commission may also adopt its own criteria consistent with this Section 7 and may consider additional criteria, including the criteria set forth in Elections Code 21601, such as including topographical and geographical boundaries (major roads, freeways, creeks, railroad lines or other barriers) and communities of interest (school district boundaries, neighborhood boundaries, retail/commercial districts, voting precincts etc.).

SECTION 8. Public Transparency. The Commission shall implement an open process for public input and Commission deliberation as follows:

- A. The Commission members shall file Form 700 – Statement of Economic Interest B. forms.
- C. The Commission 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.
- D. The Commission shall publish on the internet and make available to the public a draft version of a proposed final map before final recommendation to the City Council.
- E. All records of the Commission relating to redistricting, and all data considered by the Commission in drawing a draft map or proposed final map, are public records.
- F. The City shall establish and make available to the public on the internet a calendar of all public hearings.
- G. The City shall establish and maintain for ten years a webpage for the Commission where important redistricting materials may be published, including hearing agendas, hearing minutes, links to hearing audio or video recordings where applicable, a Commission member roster, and draft maps created by the Commission.
- H. Commission members shall disclose all contact regarding the Commission's subject matter jurisdiction that occurs outside of a publicly noticed meeting. Commission members shall disclose these contacts no later than the Commission's next regular or special meeting.
- I. Any person who is compensated for communicating with the Commission or any Commission member, other than a reimbursement of reasonable travel expenses, shall identify the party compensating them in such communication.

SECTION 9. Public Engagement. The Commission and the City should actively encourage residents to participate in the redistricting process.

A. The Commission shall make every reasonable effort to afford maximum public access to its proceedings.

B. The City shall solicit broad public participation in the redistricting process, including from residents of communities that traditionally participate less frequently in the local political process. At minimum, the City shall:

(1) Develop and present a proposed outreach campaign to the City Council at a public meeting;

(2) Conduct an outreach campaign to educate the public on the redistricting process and how to be involved; and

(3) Request the assistance of neighborhood associations, community groups, civic organizations, and civil rights organizations with engaging residents in the redistricting public review process.

SECTION 10. Commission Meetings. 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. 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. 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.

SECTION 11. Administration. A quorum shall consist of a majority of the seated Commission members (i.e., if eleven members are seated, a quorum shall be six members). The Commission may only recommend a plan for district boundaries and election sequencing with a majority vote of the seated Commission members (i.e., if eleven members are seated, six votes would be needed). All other Commission actions, other than maps and sequencing, require only a majority vote of those present, provided that a quorum is present. The City Council or the Commission may remove a Commission member for substantial neglect of duty, gross misconduct in office, or inability to discharge the duties of office. Before being removed, a Commission member must be provided with the reasons for their proposed removal, at least a week's notice of the public hearing 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.

SECTION 12. Staff Support. The City Manager, City Clerk, and City Attorney shall designate staff to support the Commission, as needed.

SECTION 13. Schedule. The Commission shall forward its final recommendation regarding a proposed district map to the City Clerk by no later than January 21, 2022. Upon receipt of the recommendation, the City Clerk shall immediately cause the recommended map(s) to be published for a seven-day public review period. Thereafter, the City Council shall conduct a public hearing on the Commission

proposed map(s). At this hearing the City Council may elect to: (1) direct staff to introduce an ordinance approving one of the Commission recommended maps/sequencing or (2) reject the map(s)/sequencing and return it to the Commission for reconsideration with a statement of the reasons for such disapproval and request the Commission to modify the map(s)/sequencing. If the City Council rejects the Commission's recommendation, the Commission shall have up to seven days (but in no event later than January 28, 2022) to submit a revised map(s)/sequencing to the City Council for further consideration. Upon receipt of the revised map(s) the City Clerk shall immediately cause the maps to be published for a seven-day public review period.

SECTION 14. Statement of Council Intent: It is the intention of the City council to adopt one of the redistricting maps recommended by the Commission.

PASSED, APPROVED and ADOPTED this 6th day of April, 2021.

Approved as to form:



Steven D. Hofbauer, Mayor



Christopher L. Beck
City Attorney

ATTEST:


Shanae S. Smith, City Clerk

I, Shanae S. Smith, City Clerk of Palmdale, California, do hereby certify that the foregoing resolution was duly passed, approved, and adopted by the City Council of the City of Palmdale at a regular meeting of said Council held on the 6th day of April, 2021 by the following roll call vote:

AYES: Hofbauer, Bettencourt, Carrillo, Loa, Bishop

NOES: None

ABSTAIN: None ABSENT: None

Date: 4/15/2021 
_____ Shanae S. Smith, City Clerk