



Office of the City Manager

CONSENT CALENDAR

April 28, 2020

To: Honorable Mayor and Members of the City Council
 From: Dee Williams-Ridley, City Manager
 Submitted by: Mark Numainville, City Clerk
 Subject: Citizens Redistricting Commission Implementation Ordinance; Adding BMC Chapter 2.10

RECOMMENDATION

Adopt first reading of an Ordinance establishing regulations and procedures for the Berkeley Citizens Redistricting Commission to supplement the existing provisions of the City Charter related to redistricting, and adding Berkeley Municipal Code Chapter 2.10.

FISCAL IMPACTS OF RECOMMENDATION

No fiscal impact associated with adopting the ordinance. A total of \$60,000 has been allocated to support the redistricting process (e.g. outreach materials, consultants, software).

CURRENT SITUATION AND ITS EFFECTS

For the City Council District Redistricting Process following the 2020 Census, the City of Berkeley will utilize a Citizens Redistricting Commission for the first time. The Commission was created by Measure W1 in 2016 which passed with the support of over 88% of Berkeley voters.

The City Charter prescribes that the Council may adopt an ordinance to implement the requirements of Charter Section 9.5.

The key components of the ordinance are as follows:

- Definition of “immediate family” for the purposes of qualifying as a member
- Additional detail on the application and selection of Commissioners
- Vote threshold and quorum requirements to take actions
- Requests for a Leave of Absence by Commissioners
- Requirements for public hearings
- Limitations and disclosure requirements for Commissioners
- Removal of Commissioners and Alternate Commissioners
- Selection of Special Master if needed for the impasse procedure
- Compensation for Commissioners

BACKGROUND

Section 9.5 of the City Charter prescribes the process for the Citizens Redistricting Commission. Section 9.5(a)(1) provides that the Council may adopt an ordinance to implement the Charter provisions. This ordinance fills in some of the gaps regarding the operational and administrative implementation of the Charter.

ENVIRONMENTAL SUSTAINABILITY

There are no identifiable environmental effects associated with the recommendation in this report.

RATIONALE FOR RECOMMENDATION

This ordinance is needed in order to operationalize the provisions of the City Charter related to redistricting.

ALTERNATIVE ACTIONS CONSIDERED

None.

CONTACT PERSON

Mark Numainville, City Clerk, (510) 981-6900

Attachments:

- 1: Ordinance
- 2: Redistricting Plan Summary

ORDINANCE NO. #,###-N.S.

CITIZENS REDISTRICTING COMMISSION; ADDING BERKELEY MUNICIPAL CODE
CHAPTER 2.10

BE IT ORDAINED by the Council of the City of Berkeley as follows:

Section 1. That a new Chapter 2.10 of the Berkeley Municipal Code is added to read as follows:

Chapter 2.10
Citizens Redistricting Commission

- 2.10.010 Purpose**
- 2.10.020 Definitions**
- 2.10.030 Commission Composition**
- 2.10.040 Duties of the City Clerk**
- 2.10.050 Application and Selection of Commissioners**
- 2.10.060 Commission procedures**
- 2.10.070 Removal of Commissioners and Alternate Commissioners**
- 2.10.080 Selection of Special Master**
- 2.10.090 Compensation**
- 2.10.110 Severability**

2.10.010 Purpose

The purpose of this Chapter is to implement Article V, Section 9.5 of the Charter, which provides for the decennial establishment of a Citizens Redistricting Commission in order to ensure an open and transparent redistricting process that allows public comment on the drawing of district boundaries and is conducted with integrity, fairness, and without personal or political considerations.

2.10.020 Definitions

A. "Commission" means the Citizens Redistricting Commission.

B. "Immediate Family" means a spouse, domestic partner, cohabitant, child, stepchild, grandchild, parent, stepparent, mother-in-law, father-in-law, son-in-law, daughter-in-law, grandparent, great grandparent, brother, sister, half-brother, half-sister, stepsibling, brother-in-law, sister-in-law, aunt, uncle, niece, nephew, or first cousin (that is, a child of an aunt or uncle)

C. "Special Master" means an individual with the requisite expertise and qualification on the subject of redistricting that is appointed by the commission to create a council district map pursuant to the impasse procedures of the City Charter.

2.10.030 Commission Composition

- A. The Commission shall consist of eight (8) District Commissioners (one (1) for each Council district) and five (5) At-Large Commissioners.
- B. There shall be eight (8) Alternate District Commissioners and five (5) alternate At-Large Commissioners.

2.10.040 Duties of the City Clerk

- A. Beginning no later than September 1st of the year in which the decennial federal census is taken, the City Clerk shall conduct public outreach as specified in Charter Section 9.5(b)(4).
- B. No later than February 1st of the year after the decennial federal census is taken, the City Clerk shall initiate the nomination process as specified in Charter Section 9.5(b)(5).
- C. The City Clerk shall develop and recommend a budget for the Commission sufficient to carry out the requirements of the City Charter and this Chapter.
- D. The City Clerk or City Clerk's designee shall serve as Secretary to the Citizens Redistricting Commission.
- D. At each meeting or public hearing of the Commission, the City Clerk shall make available for public viewing copies of each Commissioner's application to serve on the Commission as well as copies of all political, financial or other disclosures required of each Commissioner by Section 9.5 of the Charter or any other provision of City or state law, including but not limited to each Commissioner's Statement of Economic Interests and any disclosures under Charter Section 9.5(b)(3)(iii).

2.10.050 Application and Selection of Commissioners

- A. All applicants shall submit their application on a form provided by the City Clerk, which shall include a declaration under penalty of perjury that the applicant meets the eligibility criteria set forth in Charter Section 9.5 and this Chapter, has made all required disclosures, and that the statements they are making are true and correct.
- B. The Commission application shall include questions asking if an applicant falls into one or more of the prohibited categories set forth in Charter Section 9.5(b)(3)(i).
 - 1. If an applicant discloses that they fall into any of the prohibited categories set forth in Charter Section 9.5(b)(3)(i), the applicant shall be removed from the applicant pool and shall not be considered for appointment.
 - 2. If it is determined at any point during the selection process that an applicant falls into one or more of the prohibited categories as set forth in Charter Section 9.5(b)(3)(i) then that applicant shall be disqualified.

3. If, after being selected and appointed to the Commission, it is determined that a Commissioner falls into one of the prohibited categories set forth in Charter Section 9.5(b)(3)(i), the Commissioner shall be immediately removed from the Commission, as provided for in Charter Section 9.5(e) and this Chapter.

C. All applicants shall affirm that, if selected, they shall comply with all requirements of the Charter and this Chapter applicable to members of the Commission.

D. Applicants shall file a Statement of Economic Interests (Form 700), provide a written statement of qualifications not longer than three hundred (300) words expressing why they believe they are qualified to serve on the Commission, and consent to a background check if appointed. Promptly after reviewing the background check to determine eligibility, the City Clerk shall either return it to the applicant or destroy it.

E. To the extent permitted by law, all application forms, materials and disclosures shall be kept confidential, and shall not be released to the public until all thirteen (13) Commissioners have been appointed.

F. After closure of the 30-day nomination period provided for in Charter Section 9.5(b)(5), the City Clerk shall remove from the applicant pool any applicants who do not satisfy the eligibility criteria set forth in Charter Section 9.5(b)(3), and shall divide the remaining applicants into separate pools, one for each then-existing City Council district in which the applicants reside. If there is an insufficient number of applicants in the pool of eligible applicants to fill a district seat or an alternate seat, the Commission may request, by a majority vote, that the City Clerk conduct a new, accelerated nomination and selection process to add additional applicants to the pool of eligible applicants.

G. The selection process for District Commissioners and At-Large Commissioners shall be conducted in accordance with Section 9.5(b)(6) of the City Charter and this Chapter.

H. When selecting the five (5) At-Large Commissioners, if there is an insufficient number of applicants in the remaining pool of eligible applicants to fill five (5) at-large seats and five (5) alternate at-large seats, the Commission may request, by a majority vote, that the City Clerk conduct a new, accelerated nomination and selection process to add additional applicants to the remaining pool of eligible applicants.

1. Once the pool of eligible applicants has a sufficient number of applicants to fill five (5) at-large seats and five (5) alternate at-large seats, the Commission shall, by a majority vote, select five (5) additional individuals from the remaining pool to serve as At-Large Commissioners and five (5) more individuals to serve as alternate At-Large Commissioners.

I. All commissioners and alternate commissioners shall swear or affirm the oath for public officials prescribed by the California Constitution.

2.10.060 Commission procedures

A. The Commission shall operate under the provisions of the Commissioners' Manual, as adopted by resolution of the City Council, except when superseded by the City Charter or the provisions of this Chapter.

B. After selection of the five (5) At-Large Commissioners pursuant to Charter Section 9.5(b)(6)(iii), the Commission shall elect one (1) of its members to serve as Chair and one (1) to serve as the Vice-Chair. The term of the Chair and Vice-Chair is the term of their service on the Commission as defined in Charter Section 9.5(b)(2), unless the Chair or Vice-Chair resign the position or is removed from the position by a two-thirds (2/3) vote of the Commission. The Commissioner selected by the body to fill a vacancy in the position of Chair or Vice-Chair shall serve the remainder of the term.

C. Once all commissioners and alternate commissioners have completed training related to their service on the Commission, the Commission shall convene for the purpose of drawing City Council district boundaries.

D. For the purpose of selecting the At-Large Commissioners and At-Large Alternates, a quorum of the eight (8) District Commissioners is always five (5), and five (5) affirmative votes are always needed to take action unless otherwise specified by statute.

E. A quorum of the full thirteen (13) member Commission is always seven (7), and seven (7) affirmative votes are always needed to take action unless otherwise specified by statute.

F. Commissioners may make a request for a Leave of Absence from a Commission meeting, or for a period of time not to exceed three (3) months, by submitting a written request to the City Clerk by 5:00pm on the business day prior to the Commission meeting. The temporary vacancy will be filled as specified in Charter Section 9.5(e)(3).

G. The Commission shall comply with all relevant provisions of the Open Government Ordinance (Berkeley Municipal Code Chapter 2.06).

H. The Commission shall hold at least three (3) public hearings, each at a different location, to solicit public input on redistricting priorities and allow for submission of redistricting proposals by members of the public and public review of and input on any map proposed to be adopted by the Commission. The Commission shall display draft redistricting maps for public comment in a manner designed to achieve the widest public access reasonably possible and shall provide ample opportunity for public input.

I. Commissioners are strictly prohibited from communicating with or initiating or receiving communications about redistricting matters from anyone outside of a public meeting or hearing; however communications outside of a meeting between Commissioners, staff, legal counsel, and consultants retained by the City, that are otherwise permitted by the Brown Act (California Government Code Section 54950 *et seq.*) or its successor, are not prohibited. The receipt of written communications (whether

through paper or electronic format) from the public submitted at a public meeting of the Commission or submitted prior to a Citizens Redistricting Commission meeting to the Secretary and made part of the public record are not prohibited. Any communication received by a Commissioner inconsistent with this subsection shall be promptly disclosed to the Secretary for the public record. Failure to disclose received communications or a Commissioner's response to such communications may be considered gross misconduct and grounds for removal from the Commission.

J. Alternate commissioners may attend Commission meetings, other than closed session meetings under the Brown Act, and may give public comment to the Commission. Unless appointed to serve on the Commission, Alternate Commissioners may not vote in Commission meetings or hearings.

K. Upon the expiration of thirty (30) days after the Council's final approval by ordinance of the Commission's redistricting plan, the City Clerk shall submit the new district boundaries to the Alameda County Registrar of Voters for implementation starting with the next General Municipal Election.

2.10.070 Removal of Commissioners and Alternate Commissioners

If a Commissioner or Alternate Commissioner is eligible to be removed pursuant to Charter Section 9.5(e), the Commissioner or Alternate Commissioner shall be provided written notice. The vote to remove the Commissioner or Alternate Commissioner shall appear on the next Commission agenda for which no posting or publication deadline has passed, occurring not more than thirty (30) days from the date the notice was mailed. The Commissioner or Alternate Commissioner may provide a written response or may provide a verbal response at the meeting of the Commission where the vote for removal will occur. The Commissioner or Alternate Commissioner may be removed by a two-thirds (2/3) vote of the Commission. A Commissioner or Alternate Commissioner subject to removal may vote on their own removal. The decision of the Commission is final and may not be appealed.

2.10.080 Selection of Special Master

In the event of an impasse in which the City Clerk is required to recommend, and the Commission is required to select, a Special Master pursuant to Charter Section 9.5(d)(4), the City Clerk and Commission shall consider retired judges, professors with knowledge about redistricting and reapportionment law, experts with experience advising government agencies on redistricting, and other persons with appropriate knowledge, expertise and experience. The Commission must select a Special Master within thirty (30) days of the City Clerk presenting their recommendations.

2.10.090 Compensation

A. Voting members of the Commission shall be compensated at a rate of one hundred dollars (\$100) per meeting for attendance at a regular meeting of the full Commission to compensate for the time the Commissioner is engaged in Commission business.

B. The rate of compensation for Commissions seated after each of the subsequent federal decennial censuses will be calculated based on the increase in the Consumer Price Index over the compensation provided for in paragraph (A) of this section.

C. Members of the Commission who meet eligibility requirements may also receive reimbursement for expenses for child care, dependent care, or disabled support services in the same manner as members of City boards and commissions.

2.10.100 Severability

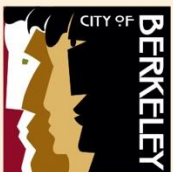
Should any provision of this Chapter be held invalid, the remainder of this Chapter shall not be affected thereby, and such word, phrase, sentence, part, section, subsection, or other portion shall be severable, and the remaining provisions of this Chapter shall remain in full force and effect. The voters hereby declare that they would have passed this Chapter and each subsection, sentence, clause, and phrase thereof, irrespective of the fact that any one or more, subsections, sentences, clauses, or phrases had been declared invalid, and that each subsection, sentence, clause, phrase, word, or other portion is therefore explicitly severable, part-by-part, phrase-by-phrase, and word-by-word, and that if any portion is determined by a court of competent jurisdiction to be unlawful, unenforceable, or otherwise void, voidable, or invalid, that the least amount of language possible shall be severed from the Chapter.

Section 2. Copies of this Ordinance shall be posted for two days prior to adoption in the display case located near the walkway in front of the Maudelle Shirek Building, 2134 Martin Luther King Jr. Way. Within 15 days of adoption, copies of this Ordinance shall be filed at each branch of the Berkeley Public Library and the title shall be published in a newspaper of general circulation.

CITY OF BERKELEY

CITIZENS REDISTRICTING COMMISSION PLAN

March 2020 ~ Prepared by the City Clerk Department



CITIZENS
REDISTRICTING
COMMISSION

BERKELEY

This material is available in alternative formats upon request. Alternative formats include audio-format, braille, large print, electronic text, etc. Please contact the Disability Services Specialist and allow 7-10 days for production of the material in an alternative format.

Disability Services Specialist

Email: ada@cityofberkeley.info

Phone: 1-510-981-6418

TTY: 1-510-981-6347



CONTENTS

INTRODUCTION 4

KEY DATES AND MILESTONES 5

OUTREACH 6

DEPARTMENT RESPONSIBILITIES 7

 City Clerk Department..... 7

 City Attorney’s Office 7

 Department of Information Technology..... 7

 City Manager’s Office..... 7

APPLICATION AND SELECTION PROCESS..... 8

MAP REQUIREMENTS 9

FINAL DISTRICT MAP 10

 Map Affirmed by Commission 10

 Impasse Proceedings 10

EXHIBIT A: ELIGIBILITY WORKSHEET 11



INTRODUCTION

Like many cities throughout the Bay Area and California, Berkeley utilizes a district-based system of electing councilmembers and has done so since 1986. The city is divided into eight geographic areas called “districts.” One councilmember is elected from each district by the voters living in that district. Other elected officers (such as Mayor and Auditor) are elected at-large, meaning they can live anywhere in Berkeley and are elected by all of Berkeley’s voters.

On November 8, 2016, Berkeley voters approved Measure W1, amending the City’s Charter to transfer responsibility for drawing electoral boundaries from the City Council to an independent Citizens Redistricting Commission (the “Commission”). The measure was intended to establish a redistricting process that is open to the public, meets the requirements of law, and is conducted with integrity, fairness, and without personal or political considerations.

The Commission is tasked with adjusting the boundaries of City Council districts every ten years following the decennial federal census. Composed of thirteen members with broad community representation, the Commission will act as an independent body to engage the public and adopt an updated map of City Council district boundaries. The community will provide verbal and written input on the redistricting process, including submitting their own maps. The Charter also provides impasse procedures if a final map cannot be agreed upon.

The City Clerk Department will support the Commission throughout the redistricting process, including public outreach, coordinating the application process, and facilitating public meetings. The Commission will also receive technical support from an independent demographer, the City Attorney’s Office, and the Department of Information Technology. This document provides a high-level overview of the City’s Citizens Redistricting Commission Plan. If you have questions about the redistricting process or this document, you may call the City Clerk Department at (510) 981-6900 or email commission@cityofberkeley.info.

Due to the COVID-19 pandemic, certain outreach activities may be limited. City staff will focus on methods to reach the widest possible audience given the mass gathering and physical distancing requirements. Electronic methods will be employed to maximize the public’s ability to participate in the process if in-person meetings are not feasible.



KEY DATES AND MILESTONES

Below is a timeline for the Citizens Redistricting Commission highlighting key dates and milestones for the Commission and the public.

- **June – September 2020**
Public education and application outreach period
- **September 8 – October 9, 2020**
30-day commissioner application submission period
- **October – December 2020**
Applications screened for eligibility
- **January 2021**
Selection of eight district commissioners and alternates
- **January 2021**
Commission convenes and selects five at-large commissioners and alternates
- **February 2021**
Commission meets to establish its meeting schedule, meeting locations, and to receive training on conflict of interest, transparency, and ethics laws; and federal, state, and local redistricting laws and regulations
- **March 2021**
Population data released by U.S. Census Bureau
- **April 2021**
Redistricting information and tools available to the public
- **June 2021**
Deadline for the public's redistricting plan submissions
- **June – July 2021**
Staff analysis of public redistricting plan submissions
- **July – October 2021**
Commission consideration of public redistricting plans and plans originating from the Commission
- **February 1, 2022**
Deadline for Commission to adopt a redistricting plan
- **February – March 2022**
City Council adopts Commission's redistricting plan (unless impasse reached)
- **November 8, 2022**
First election with new districts (unless impasse reached or plan referended)



OUTREACH

Key components of the City's outreach plan consist of the following.

Print Advertising

- ▶ Advertisement in the City's Recreation Activity Guide
- ▶ Tri-fold brochure and posters at the City's senior and recreation centers, administrative offices, public meetings, and public libraries; coordinated with U.C. Berkeley student union; and sent to community agencies
- ▶ Print advertisements in the Berkeley Times, Daily Cal, and Berkeley Tri-City Post newspapers

Community

- ▶ If permitted under the mass gathering and physical distancing policies, City staff will attend a variety of community events across the City
- ▶ Hold additional Town Hall community meetings upon request (in-person or via videoconference as conditions permit)
- ▶ Send information through existing communication outlets (Council newsletters; neighborhood groups, etc.) for dissemination

Media

- ▶ Public notices broadcast on Berkeley Community Media
- ▶ Press releases with targeted outreach to local print, online, radio, and multilingual media sources
- ▶ Coordinating with the Health, Housing, and Community Services Department to reach additional community partners

Internet & Social Media

- ▶ Dedicated page on City's website and front-page advertising
- ▶ Posts on the City's social media accounts, including Twitter and boosted advertisements on Facebook
- ▶ Paid advertisements posted on Berkeleyside



DEPARTMENT RESPONSIBILITIES

City Clerk Department

The Citizens Redistricting Commission plan is an interdepartmental effort coordinated by the City Clerk Department. Preliminary responsibilities include establishing timelines, procedures, and the redistricting plan; coordinating a Request for Proposal for demographer services; and coordinating with the Department of Information Technology to procure electronic districting software for use by the Commission and public.

Throughout the redistricting process, the City Clerk Department will serve as the Secretary to the Commission and be responsible for conducting outreach, evaluating applications, selecting the initial eight commissioners, facilitating public meetings, coordinating all interdepartmental staff efforts, and supporting the Commission.

When a final district map is approved by the Commission and the City Council, the City Clerk Department will work with the Alameda County Registrar of Voters to implement the map. If an impasse is reached, the City Clerk Department will coordinate the effort through the election process and, if necessary, the identification of special masters to develop the redistricting plan

City Attorney's Office

The City Attorney's Office serves as a legal resource to the Citizens Redistricting Commission during training on conflict of interest, open meeting, and ethics laws, will attend Commission meetings to answer legal questions, and provide ongoing legal analysis as required.

Department of Information Technology

The Department of Information Technology will provide technical support for installation of the electronic districting software system and ongoing support throughout the districting process as needed. The GIS Division will provide technical support with mapping and demographics, including initial review of the census data provided by the U.S. Census Bureau.

City Manager's Office

The City Manager's Office has overall responsibility for the City Clerk Department, including coordinating information presented to the City Council. The City's Public Information Officer will be a key coordinator for outreach including press releases and website information during the application period and the Commission's community outreach process.



APPLICATION AND SELECTION PROCESS

What are the requirements to serve?

Any Berkeley registered voter who has voted in the last two Berkeley elections (unless they didn't vote because they were too young to vote in those elections), and is eligible for public office in Berkeley, can apply for selection to the Citizen Redistricting Commission.

Who can serve?

Current members of City boards and commissions that are appointed by the Mayor or Councilmembers can serve provided that they resign from their board or commission upon selection to the Citizen Redistricting Commission (or as an alternate) and do not serve on any City commission during their tenure on the Citizen Redistricting Commission. Persons who made a disclosable contribution to a candidate for Mayor or Councilmember may serve on the Commission if they disclose all such contributions made within the previous four years prior to the date of application.

Who is ineligible?

- City of Berkeley employees
- Qualified candidates for Berkeley Mayor or Councilmember (within 2 years of application)
- Current and former holders of Berkeley elective office (within 2 years of application)
- Paid staff or unpaid interns to the Mayor or Councilmembers (within 2 years of application)
- Family members of the Mayor or Councilmember or their staff
- Officers, paid staff, or paid consultants for campaign committees for Berkeley Mayor or Councilmember (within 2 years)
- Contractors or subcontractors of the City of Berkeley

What else should I know before I apply?

For two years after the termination of service on the Citizen Redistricting Commission, you may not be a paid staff member for the Mayor or a Councilmember or serve on a City board or commission. Additionally, no Commission member may be a candidate for Mayor or City Council in the next election in which that office is on the ballot.

What happens after I apply?

The application deadline is October 9, 2020. The City Clerk will review all applications for eligibility. In January 2021, the City Clerk will randomly select eight Commissioners and eight alternates (one from each Council district). Within 10 days of selecting the initial commissioners, the Commission will convene to select five additional at-large members and alternates. The full Citizens Redistricting Commission then begins meeting regularly.



MAP REQUIREMENTS

Maps are subject to the criteria outlined in Charter Article V, Section 9.5. The final map will be drawn so that the districts are as equal in population as practicable, compliant with state and federal laws, and geographically contiguous.

The Commission will take into consideration topography, geography, cohesiveness, contiguity, and integrity and compactness of the districts, as well as existing communities of interest as defined below. The Commission will also utilize easily understood district boundaries such as major traffic arteries and geographic boundaries (to the extent they are consistent with communities of interest). The geographic integrity of a neighborhood or community of interest will be respected to the extent possible.

As used here, “communities of interest” means contiguous populations that share common social and economic interests. These populations should be included within a single district for purposes of effective and fair representation.

Examples of “common social and economic interests” are areas where people:

- Share similar living standards
- Use the same transportation facilities
- Have similar work opportunities
- Have access to the same media of communication relevant to the election process
- Live in neighborhoods
- Are students/have organized student housing
- Have shared ages
- Have shared racial demographics

Communities of interest shall not include relationships with political parties, incumbents, or political candidates. Districts shall not be drawn for the purpose of favoring or discriminating against an incumbent, political candidate, or political party; i.e., the Commission may not consider the residence of current Councilmembers and a current Councilmember may be “drawn out” of their current district.

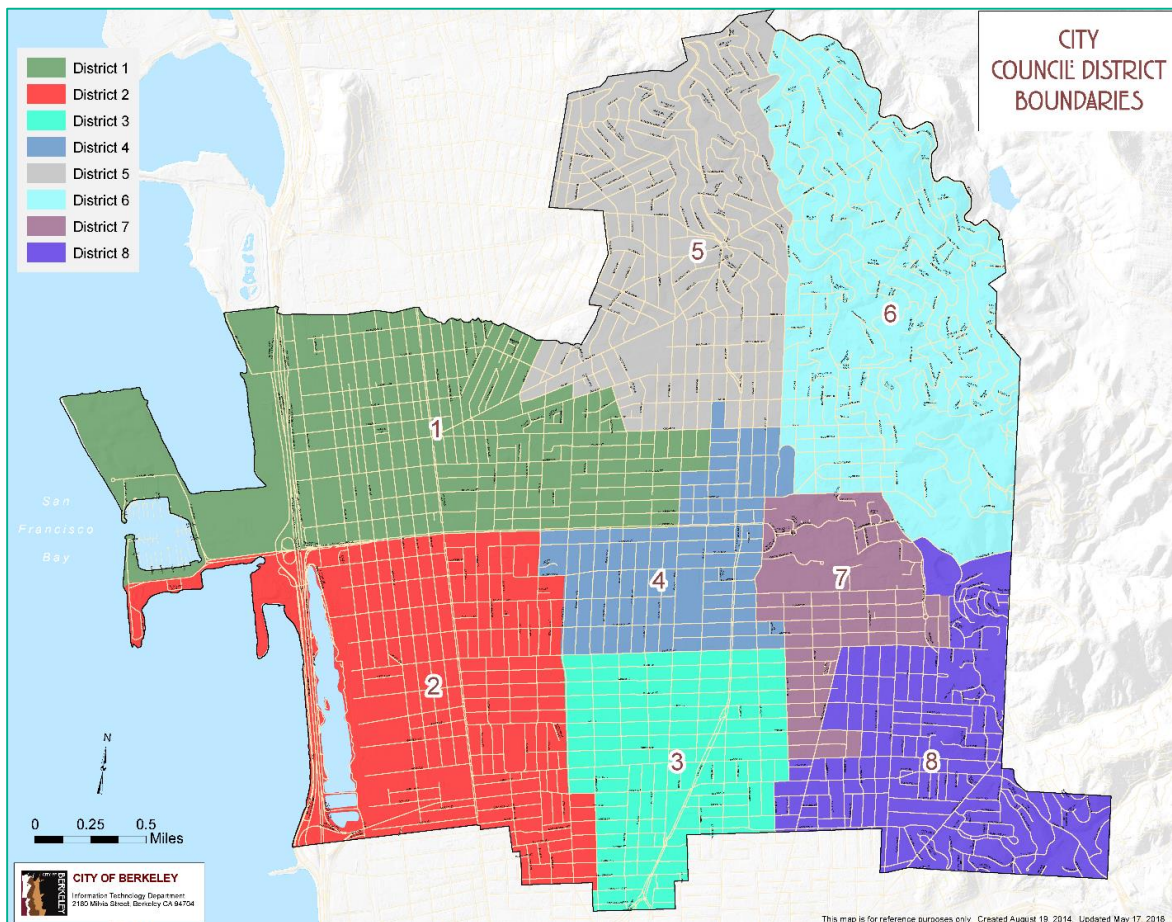
The Commission may consider existing district boundaries as a basis for developing new district boundaries.



FINAL DISTRICT MAP

Map Affirmed by Commission

The final map must be adopted by the Commission with at least seven affirmative votes (of the thirteen voting members) and submitted to the City Council. The City Council will adopt a redistricting ordinance implementing the final map without change. The boundaries of the districts will be effective until the adoption of new district boundaries following the next decennial federal census.



Final Map – 2010 Census Redistricting Process

Impasse Proceedings

If the Commission is unable to reach seven affirmative votes (of the thirteen voting members) for the final map, the map with the most votes will be placed on the ballot for the voters to consider. If the final map is rejected by the voters, the Commission will attempt to adopt a new redistricting plan within thirty days with at least seven affirmative votes. If the Commission is unsuccessful, the City Clerk will recommend a list of at least three special masters to develop a redistricting plan. The Commission will select a special master to develop the redistricting plan, and the City Council will adopt the redistricting plan determined by the special master.



EXHIBIT A: ELIGIBILITY WORKSHEET



Eligibility Worksheet for the City of Berkeley Citizens Redistricting Commission

Are you registered to vote in Berkeley?

Yes No (ineligible)

Did you vote in Berkeley's two most recent General Municipal Elections (2016 & 2018)?

Yes No (ineligible – unless you could not have voted in these elections due to age)

Have you been a qualified candidate for Mayor or Councilmember within the past two years?

No Yes (ineligible)

Are you (or have you been in the last two years) Berkeley Mayor, Councilmember, Auditor, School Board Director, or Rent Board Stabilization Board Commissioner?

No Yes (ineligible)

Are you the immediate family member of the Mayor or any Councilmember, or immediate family member of any staff to the Mayor or any Councilmember?

No Yes (ineligible)

Are you employed by the City of Berkeley?

No Yes (ineligible)

Are you performing paid services under contract with the City of Berkeley (including subcontractor employees)?

No Yes (ineligible)

Have you served as an officer, paid staff, or paid consultant of a campaign committee of a candidate for Berkeley Mayor or Councilmember within the past two years?

No Yes (ineligible)

Are you currently, or have you been within the last two years, a paid staff member or unpaid intern to the Berkeley Mayor or any Councilmember?

No Yes (ineligible)

Are you disqualified from serving in public office pursuant to Government Code sections 1021, 1021.5, or 1770, and the Constitution and laws of the State of California?

No Yes (ineligible)

Do you serve on a City of Berkeley board or commission appointed by the Mayor or Councilmembers?

No Yes → Eligible. However, you must resign from the board or commission if selected and agree not to serve on the City's other boards or commissions during your term on the CRC.

Have you made disclosable monetary or non-monetary contributions to a candidate for Mayor or Councilmember in the City of Berkeley within the past four years?

No Yes → Eligible. However, you must disclose those contributions under penalty of perjury.

Congratulations – you are eligible to serve on the Citizens Redistricting Commission!



