

City Attorney's Impartial Analysis

The City Council is required to adopt new council district boundaries within three years after the U.S. census, which happens every ten years.

Currently, the City Charter requires that the any new district boundaries preserve, to the extent possible, the boundaries established in 1986 in the City Charter, subject to the requirements that they be as nearly equal in population as may be, and that no change in district boundaries operates to abolish or terminate the term of a sitting Council member.

The proposed Charter amendment would eliminate the requirement that new district boundaries preserve, to the extent possible, the boundaries established in 1986. Instead, it would authorize the Council to adopt new district boundaries that are as nearly equal in population as may be, taking into consideration topography, geography, cohesiveness, contiguity, integrity and compactness of territory of the districts, as well as existing communities of interest, using easily understood district boundaries such as major traffic arteries and geographic boundaries to the extent consistent with communities of interest.

A community of interest is a contiguous population which shares common social and economic interests that should be included within a single district for purposes of its effective and fair representation.

The proposed measure would retain the limitation that no change in the boundary or location of any district could result in two sitting Council members being in the same district.

s/ZACH COWAN
Berkeley City Attorney