



Fremont City Council

3300 Capitol Avenue
Fremont, CA 94538

SCHEDULED

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Div/Dept: City Manager's Office
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**CITY OF FREMONT UPCOMING REDISTRICTING PROCESS INFORMATION –
Information and Presentation Overview of upcoming City of Fremont Redistricting
Process**

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Executive Summary: Every ten years, following each federal census, cities that use district-based election systems must review the boundaries of voting districts and re-adopt district boundaries based on current census data to ensure that voting districts remain substantially equal in population and still protect the rights of members of communities of interest to vote for the candidates of their choice. Data from the 2020 census may create the need to adjust voting district boundaries to address changes in population or demographics since the previous 2010 census. The U.S. Census Bureau announced that it will be delayed in delivering the data this review requires. Instead of delivering the data by July 31, 2021, data will be delivered by September 30, 2021. The City of Fremont will host a regular election on November 8, 2022, and boundaries for voting districts must be adopted not later than 205 days before that election. Therefore, district boundaries must be adopted no later than April 18, 2022.

BACKGROUND: In 2017, the City began the transition from at-large to by-district elections. In order to perform the transition from at-large to district-based elections, the City enlisted services from a demographer and engaged in a robust community engagement process. The district-based maps were adopted on June 13, 2017 by the City Council with an ordinance approving six new Council districts and establishing a phase-in schedule. In the November 2018 election, voters participated in the first district-based election when four City Council seats were up for election; District 1 (Northwest portion of the city – two-year term), District 2 (Central north portion), District 3 (Central portion), and District 4 (Eastern portion). In the November 2020 election, voters in District 1 (Northwest portion), District 5 (South portion) and District 6 (Central south portion) each elected a City Councilmember, and all voters decided the Mayor's position.

Once a City has transitioned to district elections, state law requires the City Council to examine and, if necessary, adjust the City Council district boundaries every 10 years following the Federal Census to ensure compliance with the Voting Rights Act. This process will require the City to provide extensive information and noticing to encourage civic engagement, host four public hearings, and adopt boundaries under defined parameters. The City of Fremont has enlisted demographer services from National Demographics Corporation, Inc. to assist in managing the City's redistricting process to ensure overall compliance with data analysis, map creation, website administration, timeline and noticing requirements.

DISCUSSION/ANALYSIS: Since the City Council's transition to district elections, the State has enacted additional laws governing the redistricting process, including the Fair Maps Act which creates standardized redistricting criteria aimed to keep communities together and to prohibit partisan gerrymandering. It also contains expanded community outreach and public hearing requirements and timelines, which more closely track the State redistricting schedule.

- Certain Federal required criteria must be observed when re-drawing districts:
 - Each City Council district shall contain a nearly equal population;
 - A districting plan shall be drawn in a manner that complies with the Federal Voting Rights Act and the Equal Protection Clause of the U.S. Constitution; and
 - City Council districts shall not be drawn with race as the predominate factor.
- The Fair Maps Act now requires the City Council to adopt district boundaries using specific criteria as set forth in the following order of priority:
 1. To the extent practicable, city council districts shall be geographically contiguous. Areas that meet only at the points of adjoining corners are not contiguous. Areas that are separated by water and not connected by a bridge, tunnel, or regular ferry service are not contiguous.
 2. To the extent practicable, the geographic integrity of any local neighborhood or local community of interest shall be respected in a manner that minimizes its division. A "community of interest" is a population that shares common social or economic interests that should be included within a single district for purposes of its effective and fair representation. Communities of interest do not include relationships with political parties, incumbents or political candidates.
 3. City Council district boundaries should be easily identifiable and understandable by residents. To the extent practicable, city council districts shall be bounded by natural and artificial barriers, by streets, or by the boundaries of the city.
 4. To the extent practicable, and where it does not conflict with the preceding criteria in this subdivision, city council districts shall be drawn to encourage geographical compactness in a manner that nearby areas of population are not bypassed in favor of more distant populations.
- In addition, the Fair Maps Act contains an extensive list of actions the City is required to take to encourage residents to participate in the redistricting public review process. Highlights of some requirements are listed below:
 - The City must host at least four public hearings at which the public is invited to provide input regarding the composition of one or more voting districts.
 - The City must provide information throughout the process to encourage civic engagement from residents and community groups or organizations that serve the community, including those active in minority language

communities, and those that have requested information regarding redistricting efforts.

- The City must provide a general explanation of the redistricting process in English and applicable languages, as well as the procedures for a member of the public to testify during a public hearing or to submit written testimony directly to the city council in English and any applicable language.
- The City must establish and maintain a web page dedicated to redistricting for at least 10 years following the adoption of new district boundaries.

A tentative timeline for the City of Fremont's redistricting project is as follows:

- July 2021- October 2021:
 - Launch City of Fremont Redistricting information website.
 - Begin other extensive community engagement procedures to provide the public information regarding the redistricting process.
 - Host a public hearing to formally engage the public with the redistricting process with proper noticing and translation requirements.
- October 2021 – March 2022:
 - Continue to provide adequate information and noticing for public engagement.
 - Host three additional public hearings with the proper noticing and translation services.
 - Accept submittal of different map versions and testimony by public and work with consultant to review.
- April 2022 (by April 18, 2022):
 - City Council will review and adopt District boundary map based on requirements of the Fair Maps Act.

FISCAL IMPACT: There is no fiscal impact associated with this report. However, the redistricting process requires the City to retain the services of a demographer. Staff has procured these services with National Demographics Corporation, Inc. The cost of services will be no more than \$72,000. Additionally, the City will incur costs associated with communications efforts for the process such as printing, advertisements, etc.

ENVIRONMENTAL REVIEW: None.

ATTACHMENTS: None.

RECOMMENDATION: Accept information and presentation overview of the upcoming City of Fremont Redistricting process.