

City of Brentwood **Redistricting 2021-2022**

Tonight's Agenda Item

- 2019 District Creation Process
- 2021-2022 Redistricting Process
 - Overview
 - Commission
 - Requirements
 - Public outreach
- Commission questions
- Public comment
- Commission discussion

2019 District → *Creation Process*

2021-2022
Redistricting Process

Overview

Commission

Requirements

Public outreach

Commission questions

Public comment

Commission discussion

- Legal challenge
- January – July 2019
 - 4 required public hearings
 - Draft maps
 - Adoption of final maps
- First District elections (1 and 3)
November 3, 2020
- Next District elections (2 and 4)
November 8, 2022

2019 District Creation
Process

*2021-2022
Redistricting
Process*



- FAIR MAPS Act - new procedures
- Different criteria from 2019
- 4 public hearings
- More community outreach
- Council approval deadline:
 - **April 17, 2022**

Overview

Commission

Requirements

Public outreach

Commission questions

Public comment

Commission discussion

Hybrid Redistricting Commission

2019 District Creation
Process

*2021-2022
Redistricting
Process*

Overview

Commission →

Requirements

Public outreach

Commission questions

Public comment

Commission discussion

- Not directly appointed by City Council
- Considerable limitations on members
- Conducts all hearings
- Provides City Council with 2 or more maps to consider
- City Council selects final map from Commission options, with no revisions

2019 District Creation
Process

*2021-2022
Redistricting
Process*

Overview

Commission

Requirements →

Public outreach

Commission questions

Public comment

Commission discussion

- Substantially equal populations
- Compliance with U.S. and California Constitutions and Voting Rights Acts
- Order of Priority
 1. Geographically contiguous (to extent practicable)
 2. Respect Communities of Interest
 3. Identifiable and understandable boundaries
 4. Geographically compact (to extent practicable)
- Cannot favor or disfavor a political party

2019 District Creation
Process

*2021-2022
Redistricting
Process*

Overview

Commission

Requirements

Public outreach →

Commission questions

Public comment

Commission discussion

- Social media
- Media organizations
- Community groups and organizations
- Availability of meeting translation services
- Dedicated webpage
- Dedicated email address
- Map drawing tools
- Materials at least in English and Spanish

2019 District Creation
Process

2021-2022
Redistricting Process

Overview

Commission

Requirements

Public outreach

*Commission
questions*



Public comment



*Commission
discussion*



Next Steps

- Commission questions
- Public comment
- Commission discussion



The Rules of the Road

AN OVERVIEW OF SOME OF THE LAWS THAT GOVERN YOUR ROLE AS A MEMBER OF THE BRENTWOOD REDISTRICTING COMMISSION

Tonight's Agenda

1. The Brown Act

Governs public meetings

2. The Public Records Act

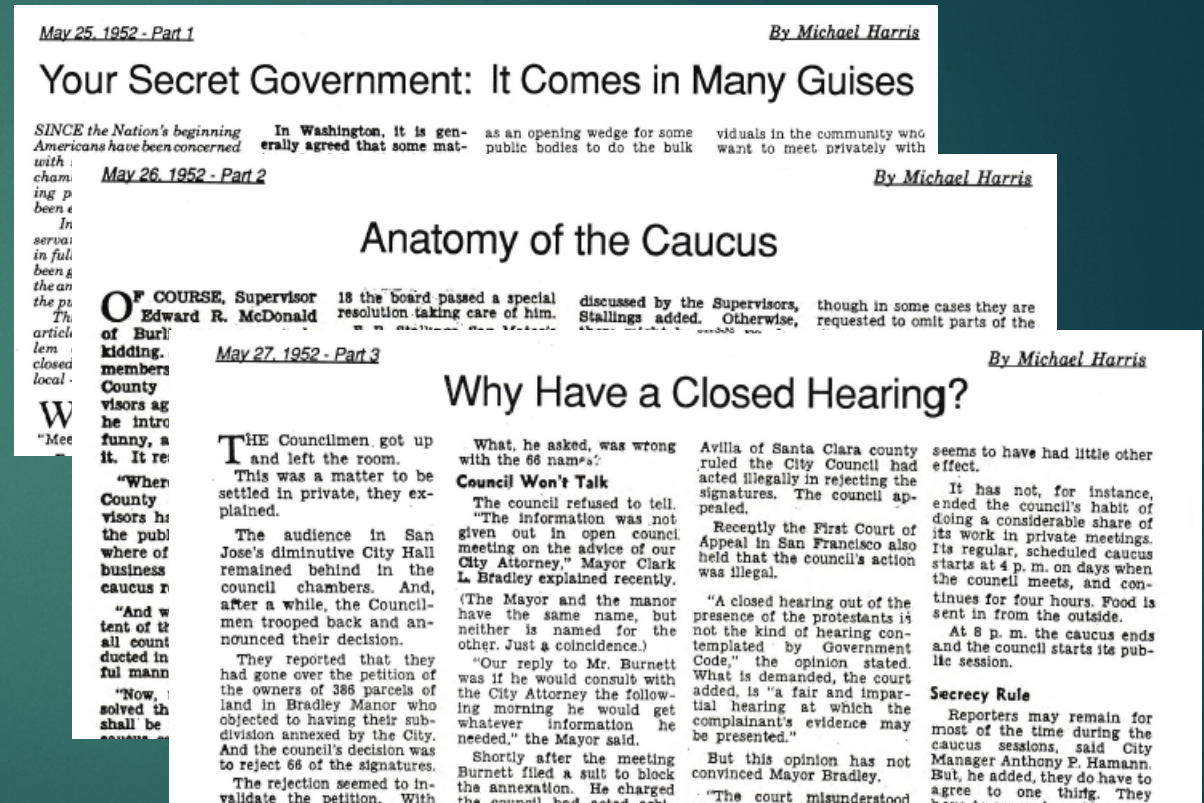
Governs availability of public records

3. Conflicts of Interest laws

Govern loyalty to the public interest

1. The Brown Act

- ▶ Generally: protects the right of the public to attend and participate in meetings of elected and appointed bodies of local agencies
- ▶ Exceptions apply



1. The Brown Act

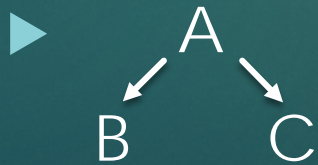
“ All meetings of the legislative body of a local agency shall be open and public, and all persons shall be permitted to attend any meeting of the legislative body of a local agency, except as otherwise provided in this chapter.”

1. The Brown Act

- ▶ Meetings must be open to the public
- ▶ Public has right to participate
- ▶ Notice of meetings must be provided
- ▶ Agendas must include brief general description of items to be discussed
- ▶ Discussion at Commission meetings cannot stray from agenda
- ▶ Majority of members required for meetings

1. The Brown Act

- ▶ Configuring a “majority of members”
 - ▶ Simple majority
 - ▶ 3 or more
 - ▶ “Daisy chain”
 - ▶ $A \rightarrow B \rightarrow C$
 - ▶ “Hub and spoke”



1. The Brown Act

Social media (AB 992)

- **Okay** to engage in a social media conversation or communication with the public to:
 1. answer questions
 2. provide information
 3. solicit information
- **Not okay** to:
 1. respond to another Commissioner's post, tweet, etc., or
 2. converse with a majority of the Commission

1. The Brown Act

Penalties for violation

- ▶ Civil: Commission action voided by the court and attorneys' fees and costs awarded to challenger
- ▶ Criminal: misdemeanor

1. The Brown Act

What do you need to do as a Commissioner?

- ▶ Avoid talking to other Commissioners about Commission business outside of meetings
- ▶ Be mindful of social media participation concerning Commission business
- ▶ Stick to matters on the agenda in Commission meetings

2. The Public Records Act

- ▶ Generally: sets out and governs the right of the public to access certain public records
 - ▶ Exemptions apply
 - ▶ May include emails and/or text messages sent to or from members of the Commission on matters within the Commission's jurisdiction

2. The Public Records Act

Penalties for violation

- ▶ Civil: Records ordered to be disclosed by the court and attorneys' fees and costs awarded to requestor

2. The Public Records Act

What do you need to do as a Commissioner?

- ▶ Assist staff in responding to any Public Records Act requests concerning Redistricting Commission matters by searching your own records and promptly providing to staff

3. Conflicts of Interest

- ▶ Generally: collection of laws and legal principles that prohibit public officials from participating in decisions in which the official has a disqualifying conflict of interest
- ▶ Many such laws and principles; not all apply to the Commission

3. Conflicts of Interest

▶ Political Reform Act

No public official shall:

- make
- participate in making or
- in any way attempt to influence

a governmental decision in which he or she knows or has any reason to know that he or she has a financial interest.

3. Conflicts of Interest

Under the Political Reform Act, “financial interests” include:

- ▶ Sources of income
- ▶ Real property
- ▶ Business entity investment
- ▶ Source of gifts (\$500 within 12 mos.)
- ▶ Personal finances

3. Conflicts of Interest

Penalties for violation

- ▶ Administrative: proceedings by the FPPC
- ▶ Criminal: prosecution by a local district attorney or the state attorney general
- ▶ Civil: lawsuit by the public, certain government agencies, or the FPPC

3. Conflicts of Interest

What do you need to do as a Commissioner?

- ▶ Identify and disclose if issues arise
- ▶ Submit your Form 700
- ▶ Consult staff
- ▶ If necessary: recuse

Most important take away...

Always call us with questions!

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