

**ADVISORY DISTRICTING COMMISSION****SECTION 1.****A. Establishment**

1. There shall be established the Menlo Park Advisory Districting Commission, hereinafter "Commission." The Commission shall comply with the requirements of Chapter 9 of Division 21 of the California Elections Code, beginning with Section 23000.
2. New city council district boundaries shall be adopted in the following manner:
  - a. The Commission shall adopt a proposed final map of district boundaries and submit it to the City Council.
  - b. The City Council shall not alter the proposed final map. Rather, the City Council shall approve or disapprove the proposed final map in its entirety at a meeting held at least 5 days but no more than 15 days after the proposed final map has been made publicly available.
  - c. If the City Council approves the proposed final map, it shall go into effect immediately upon approval.
  - d. If the City Council disapproves the proposed final map, it shall return the map to the Commission for reconsideration with a statement of the reasons for such reasons for disapproval and whether to make responsive alterations to its proposed final map. Within 15 days of the City Council's disapproval, the Commission shall either adopt its original proposed final map or an altered proposed final map. That final map shall go into effect immediately upon adoption
3. The Commission shall be established by January 31, 2018 and shall exist until new council district boundaries are adopted.
4. The Commission shall consist of 9 commissioners and 2 alternates. Alternates may fully participate in commission deliberations but may not vote and may not be counted towards the establishment of a quorum. Alternates are subject to the same terms of office, qualifications, restrictions, and standards of conduct as other commissioners under this article.

**B. Selection Process**

1. The commissioner selection process is designed to produce a qualified, independent, and impartial Commission.
2. Commissioners shall be selected through an open application process.

3. Any person who meets the minimum commissioner qualifications in Subsection C may apply to serve on the Commission.
4. 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 January 10.
5. 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 Subsection C. The City Clerk shall remove from the applicant pool any applicant who does not meet the minimum commissioner qualifications.
6. From this screened pool of qualified applicants, the City Clerk shall select between 18 and 27 persons to constitute the subpool of eligible applicants.
7. The City Clerk shall, at a public meeting, randomly select 6 names from that subpool. Those 6 shall serve as commissioners.
8. Those initial 6 commissioners shall, by majority vote at a noticed public hearing, select the final 3 commissioners and 2 alternates from the remaining applicants in the subpool. The initial commissioners shall select final commissioners such that the Commission shall not be comprised entirely of commissioners who are registered to vote with the same political party preference.
9. The City Clerk and the initial 6 commissioners should select applicants that are best qualified to carry out the Commission's duties under this Section and that, as a group, reasonably reflect the diversity of the City, provided that no quotas, formulas, or ratios may be applied for this purpose. In evaluating applications, the City Clerk and the initial 6 commissioners shall consider each applicant's:
  - a. competency to carry out the responsibilities of the Commission
  - b. ability to serve with impartiality in a nonpartisan role; and
  - c. apparent ability to work cooperatively with other commissioners.
10. "Diversity" for the purposes of this subsection means diversity of geography and race and ethnicity.

#### C. Commissioner Qualification

1. Applicants shall comply with the eligibility requirements in California Elections Code Section 23003.

D. During and Post-Service  
Restrictions

1. Commissioner shall comply with California Elections Code Section 23003(d).

E. Districting Criteria

1. The Commission shall establish the boundaries of each council district in a plan using the following criteria:
  - a. Districts shall comply with the United States Constitution, California Constitution, and applicable federal and state laws, including the federal Voting Rights Act, commencing at 42 U.S.C. Section 1971.
  - b. Each district shall be substantially equal in population.
  - c. To ensure fair and effective representation for all citizens of the City, the Commission, in adopting a districting plan, should draw districts that, to the extent practicable:
    - i. are geographically contiguous;
    - ii. are geographically compact such that nearby areas of population are not bypassed for more distant population;
    - iii. respect major topographic and geographic features of the City;
    - iv. respect the geographic integrity of local communities of interest in a manner that minimizes their division; and
    - v. respect the geographic integrity of neighborhoods in a manner that minimizes their division.
2. The Commission shall not draw districts for the purpose of favoring or discriminating against an incumbent, political candidate, or political party.

F. Transparency

1. The Commission shall establish and implement an open process for public input and Commission deliberation.
2. 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.
3. The Commission shall publish on the internet and make available to the public a draft version of a proposed final map for at least 7 days before it may be adopted.

4. All records of the Commission relating to districting, and all data considered by the commission in drawing a draft map or proposed final map, are public records.
5. The Commission shall establish and make available to the public on the internet a calendar of all public hearings.
6. The City shall establish and maintain, at least until the districting process is concluded, 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 commissioner roster, and draft maps created by the Commission.
7. Commissioners shall disclose all contact regarding the Commission's subject matter jurisdiction that occurs outside of a publicly noticed meeting. Commissioners shall disclose these contacts no later than the Commission's next regular or special meeting.
8. Any person who is compensated for communicating with the Commission or any commissioner, other than a reimbursement of reasonable travel expenses, shall identify the party compensating them in such communication.
9. The Commission shall issue a report with its proposed final map that explains the basis on which the Commission made its decisions in achieving compliance with the redistricting criteria listed in Subsection E.

#### G. Public Engagement

1. The Commission and the City should actively encourage residents to participate in the districting process.
2. The Commission shall make every reasonable effort to afford maximum public access to its proceedings.
3. The City shall solicit broad public participation in the districting process, including from residents of communities that traditionally participate less frequently in the local political process. At minimum, the City Clerk shall:
  - a. develop and present a proposed outreach campaign to the City Council at a public meeting;
  - b. conduct an outreach campaign to educate the public on the districting process and how to be involved; and
  - c. request the assistance of neighborhood associations, community groups, civic organizations, and civil rights organizations with engaging residents in the districting public review process.

4. Before the Commission draws its first draft map, the Commission shall hold at least 2 public hearings over a period of no less than 15 days, at which the public is invited to provide input regarding the placement of district boundaries.
5. After the Commission publishes its first draft map but before a proposed final map is adopted, the Commission shall hold at least 3 public hearings over a period of no less than 15 days, at which the public is invited to comment on the draft map or maps or to suggest alternative maps.
6. Commission public hearings shall be held in different geographic areas of the City so as to facilitate participation by persons residing in different areas of the City. 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.
7. 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.
8. 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.
9. To the extent practicable, the Commission shall make available to the public a free electronic mapping tool, loaded with relevant population and demographic data, which tool can be used to create draft maps and draft partial maps.

#### H. Administration

1. A quorum shall consist of 5 commissioners.
2. The Commission may only recommend or adopt a plan for district boundaries with the affirmative vote of 5 commissioners. All other Commission actions require only a majority vote of those present, provided that a quorum is present.
3. The City Council or the Commission may remove a commissioner for substantial neglect of duty, gross misconduct in office, or inability to discharge the duties of office. Prior to being removed, a Commissioner 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.
4. The City Council shall appropriate sufficient funds to allow the Commission to carry out its powers and duties under this Section.

5. The City Manager, City Clerk, and City Attorney shall designate staff to support the Commission, as needed. Subject to the funds appropriated to the Commission, the Commission may hire, as necessary, one or more independent consultants experienced and competent in local redistricting, demography, or community outreach following an open bidding process.
6. The Commission shall recommend a proposed final map to the City Council by March 26, 2018. If the City Council disapproves the proposed final map, the Commission shall adopt a final map by April 25, 2018.