

November 18, 2021

Honorable Mayor and City Council  
City of San Jose  
200 E. Santa Clara Street, 18th floor  
San Jose, CA 95113-1905

Dear Mayor Liccardo and Councilmembers:

As required under the San Jose City Charter, Section 403, the Redistricting Advisory Commission was appointed February 1, 2021 and is responsible to submit its recommendations to the City Council by November 18, 2021. The Commission has completed its work in conformance to the Charter and Council direction, and hereby submits its Recommendations for the Redistricting of the City Council Districts following the 2020 Census.

### **2020 Redistricting Commission Report**

#### **A. Charter Requirements**

Pursuant to Section 403, the Redistricting Advisory Commission was appointed by the City Council on January 26, 2021, effective February 1, 2021. The Commission is composed of one member nominated by each Councilmember to represent each Council District, with the Chair nominated by the Mayor. The Commission is responsible every ten years, following the federal decennial census, to review and recommend the appropriate boundaries for City Council districts based upon Federal Census data. Recruitment commenced on October 14, 2020 until December 13, 2020. Applications were posted to the website, and nominations were agendaized on January 7, 2021. Direction was given to return on January 26, 2021 for final appointment of the Commission to allow for the public to review the nominated members of the Redistricting commission. The members as appointed on January 26, 2021 including those replacement members and their appointment dates are as follows:

<b>District</b>	<b>Member</b>	<b>Replacement Date</b>	<b>Member</b>
Mayor	Teresa Alvarado, Chair	11/2/21	Fred Buzo
1	Jonathan Brun		
2	Enedina Cardenas		
3	Daisy Castro	10/19/21	Dee Barragan
4	Kaitlyn Tran	6/29/21	Gloria Collins
5	Ramon Martinez		
6	Andrew Ditlevsen		
7	Fred Sidbury		
8	Sylvia Alvarez		
9	BJ Fadem		
10	Lenka Wright		

## **B. Summary of Commission's Workplan**

### **1. Commission Meetings and Public Hearings**

Beginning on February 22 and through November 17, 2021, the Commission met 27 times, including 10 “public hearings” held both virtually and at locations in each Council district. Due to the COVID-19 pandemic restrictions, most meeting were held virtually via zoom, with only the communities of interest held in a hybrid environment of in person meetings held at community centers while simultaneously hosted on Zoom. All meetings were archived on YouTube for members of the public to review the information presented and received at any time. Due to the delays in the 2020 US Census Data, received on September 27, 2021, meetings and public hearings held prior to the data's receipt concentrated on education of the principles and laws behind redistricting and communities of interest public testimony. Once the data was received, meetings concentrated on analyzing Census data and alternatives based upon available data and compiling its recommendations. The Hybrid public hearings were conducted at:

<b>District</b>	<b>Date</b>	<b>Location</b>
1	August 7	Cypress Senior Center
2	August 14	Southside Community Center
3	September 11	Roosevelt Community Center
4	September 18	Berryessa Community Center
5	September 18	Mayfair Community Center
6	August 7	Willow Glen Community Center
7	September 11	Seven Trees Community Center
8	August 14	Evergreen Community Center
9	August 21	Camden Community Center
10	August 21	Almaden Community Center

### **2. Commission Process**

Staff from the Offices of the City Clerk, City Attorney, and Redistricting Partners provided support for the Commission's meetings and public hearings. The Commission's activities were conducted in a way to maximize opportunities for City residents to engage in the process and express their opinions; members of the public were given an opportunity to speak at all Commission's meetings and public hearings. Two Commission meetings had over 300 attendees, two meetings had over 200 attendees and the Commission heard testimony from over 100 individuals and one dozen organizations. Additionally, the Commission received and reviewed over 700 letters and emails from members of the public concerning redistricting issues.

The Commission utilized significant improvements in technology in its efforts to reach out to the community for input and to convey the redistricting options under consideration for public review and comment. A website was developed as the primary portal for review of technical information by the public. Agendas, minutes, and documents of Commission meetings were posted on the City's website, as were custom maps, data tables and other analysis as requested by the Commission. Advertisements of the Commission's meeting schedule were published several times and in multiple languages using various media

outlets. The video recordings of the meetings are currently available on YouTube live and archived. In addition, all plans, plan exercises, and alternatives were displayed and written comments from the public were featured on the website [www.sanjoseca.gov/redistricting2020](http://www.sanjoseca.gov/redistricting2020).

Members of the public had 24-hour access online to the [https://districtr.org/tag/san\\_jose](https://districtr.org/tag/san_jose) site to draw their own communities of interest and draw and submit their own proposed citywide maps. A public gallery of all submissions was available for members to view all proposals submitted.

### **3. Commissioner Conduct**

In establishing the Commission, the Council imposed the following requirements on Commissioner Conduct and City Staff:

- Commissioners and City staff may not communicate with or receive communications about redistricting matters from anyone outside of a public meeting except to communicate among each other;
- All communication with Commissioners concerning redistricting from elected officials shall be made orally during public comment at a Redistricting Commission meeting or in written comment submitted to the Redistricting Commission and published online; and
- Commissioners may not express an opinion about how the Council District boundaries should be redrawn outside of a public meeting or until the redistricting counts from the 2020 decennial census are reviewed by the Redistricting Commission and public comment on the redistricting data is concluded.

### **4. Commission Guidelines**

The Commission followed the guidelines as set forth in the City Charter and the Fair Maps Act which are:

- Relatively equal size - people, not citizens
- Contiguous – districts should not hop/jump
- Maintain “communities of interest”
- Follow existing neighborhoods
- Keep districts compact – appearance/function

Excerpt from City Charter Section 403: *In any redistricting, the Council shall make the Districts as nearly equal in population as may be practicable, and may, in establishing the boundaries of the Districts, give consideration to (a) natural boundaries, street lines and/or City boundaries; (b) geography; (c) cohesiveness, contiguity, integrity and compactness of territory; and (d) community of interests within each District.*

The Council also directed the Commission “to recommend, to the extent practicable, Districts that provide racial minorities with an equal opportunity to participate in the political

process and do not dilute or diminish their ability to elect candidates of choice whether alone or in coalitions with others.”

## **5. Census Data**

The City Charter requires that the ten Council Districts be as nearly equal in population as practicable, or each one tenth of the City’s total population, to guarantee the right of one, person, one vote. According to the 2010 Census, the City’s total population was 1,015,683 persons on April 1, 2020. This figure represents an increase of 69,741 persons from 2010. However, exact equality is not required. Local jurisdictions are permitted to deviate from perfect population equality to accommodate other redistricting objectives such as preserving the integrity of political subdivisions, maintaining communities of interest, and creating geographic compactness. Where the maximum population deviation between the largest and smallest district is less than 10%, a local legislative map presumptively complies with the one-person, one-vote rule.

Using this citywide population total, the mean population for San Jose Council Districts in 2021 is 101,568 persons. This is computed by dividing the total citywide population by the number of Council Districts (i.e.,  $1015,683 \div 10 = 101,568$  persons per District). The Commission’s target was to be within 10% of the mean. With a mean of 101,568 persons per District, the target population range is between 91,411 and 111,725. The deviation of the current City district maps is 24.2% which illustrates the necessity of drawing new district lines. (Attachment One). Districts which are over the mean population are District 4 (2020 population is 118,960) District 3 (2020 population is 108,138), District 7 (2020 population is 102,247).

## **6. Redistricting Timeline**

Per the Charter, redistricted boundaries are to be adopted by ordinance following the City’s regular process for adopting ordinances. The Council must adopt the redistricting ordinance by October 31 in the year following the Census but can extend this deadline if the Census results are not timely delivered by April 1. Since the results of the 2020 Census were delayed by the COVID-19 pandemic, the Council set January 11, 2022 as the deadline to adopt the redistricting ordinance.

The redistricting ordinance is effective 30 days after adoption. If the ordinance becomes effective on or after the first day on which nomination papers may be filed for Council office, then the ordinance will not apply at the upcoming election. The nomination period for the June 2022 primary begins February 14, 2022. Adopting the ordinance by January 11, 2022 will leave sufficient time for it to become effective before the nomination period begins.

The FAIR MAPS Act requires all cities, including charter cities, to hold at least four public hearings before a new map may be adopted. The criteria for these hearings are:

- At least one public hearing must be held before a draft map or maps of the proposed council boundaries is drawn. As permitted under the FAIR MAPS Act, this hearing was held by the Commission.

- At least two public hearings after the council has drawn a draft map or maps of the proposed council boundaries.
- At least one public hearing or public workshop must be held on a Saturday, on a Sunday, or after 6 p.m. on a weekday Monday through Friday.

In addition, the FAIR MAPS Act requires that each draft map be published on the internet for at least three days before it can be adopted. Thus, any change made to a map will require that it be posted for three days before an ordinance can be adopted.

### **RECOMMENDED MAPS**

On November 17, 2021, the Redistricting Commission approved three maps to move forward to the City Council. While the commission worked on the Commission Map over several meetings with D4 being the final version, the Commission also felt that two maps, the Community Map and the Unity Map received enough public support to move these maps forward to the City Council for their consideration.

- The Commission Plan, also known as D4, was created by the Commission. On a motion by Commissioner Ditlevsen and seconded by Commissioner Wright, the plan was approved unanimously (11-0). The total deviation of the Commission Plan is 8.5%. See Attachment Two for a district-by-district breakdown.
- The Community Map was submitted by Neighbors Keeping Communities Together. On a motion by Commissioner Fadern and seconded by Commissioner Barragan, the map was approved with a 9-2 vote (Noes: Commissioner Wright and Vice Chair Cardenas). The total deviation of the Commission Map is 7.3%. See Attachment Three for a district-by-district breakdown.
- The Unity map was jointly submitted by South Bay Labor Council, the San José/Silicon Valley NAACP, Asian Law Alliance, La Raza Roundtable, Latino Leadership Alliance, and Silicon Valley Rising. On a motion by Commissioner Martinez and seconded by Commissioner Bruns, the Commission voted 6-5 (Noes: Commissioners Wright, Fadern, Alvarez, Ditlevsen and Barragan). The total deviation of the Unity Map is 7.4%. See Attachment Four for a district-by-district breakdown.
- Additionally, a motion was made by Commissioner Barragan and seconded by Alvarez to direct the City Council to try to keep Guadalupe Washington, Goodyear Mastic, Tamien, and Spartan Keyes in the same district. The motion passed with a vote of 9-2 (Noes: Commissioner Ditlevsen, Vice Chair Cardenas)

All documents related to the Redistricting Commission can be found on our [website](#).