#### **WORKING PARTNERSHIPS** USA

October 13, 2020

The Honorable Sam Liccardo and City Councilmembers City Council, City of San Jose 200 East Santa Clara St. San Jose, CA 95113

RE: Item 2, Redistricting Commission

Dear Mayor Liccardo and Councilmembers:

As groups of leaders representing communities of color and working families across San Jose, we write urging the Rules Committee to not approve Mayor Sam Liccardo's plan to silence the voices of our communities in San Jose's redistricting process. As community leaders we have invested thousands of hours making calls and texts and knocking on doors to ensure every resident of San Jose is counted in the 2020 Census so that every person has a voice in the future of this City and our nation. Now we remain gravely concerned by the Mayor's exclusionary proposal to deeply restrict the voices of who has a say in the drawing district lines in the City of San Jose.

In particular, we remain concerned with point #5 in the Mayor's October 9th memo which could limit how community members, neighborhood groups, civil rights organizations and anyone with an interest in ensuring a fair and representative redistricting process can participate in the redistricting process. Certainly it will be important to nominate a set of Redistricting Commissioners who represent the diversity of race, ethnicity, immigration status, gender, social class, and experience of our city. Still as a City we should not limit the source of the community's wisdom and interests in this topic to who the Mayor and Council appoint. Under the Mayor's proposal, unless a community member was appointed to the Commission, they would be limited to communicating with Commission members or staff during public comment opportunities of the proceedings of public hearings.

If a community member or group of such community members wished to express in detail a significant concern, to develop their own proposal for fairly drawing district line or to critique a proposal developed by City staff, unless City Staff or the Mayor's appointed chair of the Commission were to agree to place such dissenting community members onto the Commission's formal agenda, those with a differing opinion could expect no longer than 2 minutes of public comment to express their input directly to any members of the commission, eliminating the

## FW: Public Comment re Council Agenda Item 3.5 (10/27/20) re Redistricting - SLOW DOWN AND ENGAGE PUBLIC

#### City Clerk

Mon 10/26/2020 12:49 PM

To: Agendadesk < Agendadesk @sanjoseca.gov >;

**0** 6 attachments (6 MB)

Commentary\_ Latinos must have proportionate representation on Citizens Redistricting Commission \_ CalMatters.pdf; Latinos underrepresented on CA redistricting commission \_ The Sacramento Bee.pdf; Common Cause Calls for Improved Latino Representation in 2020 California Citizens Redistricting Commission - California Common Cause.pdf; A California redistricting commission with no Latinos\_ Come on - Los Angeles Times.pdf; Howle\_ Application extended for Citizens Redistricting Commission, now it's up to you \_ Opinion \_ bakersfield.com.pdf; Sign on letter to CCRC re Latino representation final 07-21-2020.pdf;

#### Thank you!

Best Regards,
Pawandeep Kaur
CITY OF SAN JOSE OFFICE OF THE CITY CLERK
200 East Santa Clara St.
San Jose , CA 95113
408-535-1254

From: Serena Alvarez

Sent: Monday, October 26, 2020 12:46 PM

**To:** City Clerk <city.clerk@sanjoseca.gov>; Liccardo, Sam <sam.liccardo@sanjoseca.gov>; Jones, Chappie <Chappie.Jones@sanjoseca.gov>; Davis, Dev <dev.davis@sanjoseca.gov>; Diep, Lan <lan.diep@sanjoseca.gov>; Foley, Pam <Pam.Foley@sanjoseca.gov>; Khamis, Johnny <johnny.khamis@sanjoseca.gov>; Peralez, Raul <Raul.Peralez@sanjoseca.gov>; Jimenez, Sergio <sergio.jimenez@sanjoseca.gov>; Carrasco, Magdalena

<Magdalena.Carrasco@sanjoseca.gov>; Esparza, Maya <Maya.Esparza@sanjoseca.gov>; Arenas, Sylvia

<sylvia.arenas@sanjoseca.gov>

Subject: Public Comment re Council Agenda Item 3.5 (10/27/20) re Redistricting - SLOW DOWN AND ENGAGE PUBLIC

[External Email]

Mayor Liccardo and Councilmembers,

To advance redistricting principles, let alone purport to adopt *any* principles that would influence or direct any commission changes without the public engagement described by the Memorandum submitted by Councilmembers Peralez, Arenas, Esparza, Carrasco and Jimenez is *unacceptable*.

Yet again, the Latinx community is traumatized by another rush at the worst moment. You are urged to vote yes on the Memo submitted by the foregoing 5 Councilmembers.

This past July, our local Latinx community leaders fought back against 6 of you who throttled on a Strong Mayor deal. During that same month, we were all also fighting at the state level against complete and total exclusion of Latinx representation on the State Citizens Redistricting Commission. An attached public comment letter, dated July 22 and faciliated by NALEO, to the California Citizens Redistricting Commission includes local org and individual names that should be very familiar to all of you.

Attached also is a public letter by Common Cause that expressly recognizes how the process that they had a lead role in promoting went terribly, terribly wrong and absolutely must be corrected. That Common Cause entered into the fray in our city process without engaging underrepresented community leaders and elected officials is highly problematic.

To be clear, advocates recognize Common Cause to be an ally in the work of healthy democracy. However, even allies can make mistakes and moving at such a racing speed in our painfully divided city and after the scandalously traumatic process at the state level is a *gross* error in judgment. As an ally, Common Cause ought to read the public comments entered by CA LULAC, AACI, NAACP, among others, and support our need for process that includes our meaningful input on matters relating to redistricting commissioners. To not respect our joint requests would be shameful.

THIS IS WHERE CORRECTION IN REDISTRICTING PROCESSES BEGINS. **STOP LEAVING US OUT.** ENGAGE our stellar community leaders that managed to fight on all fronts this summer to protect Latinx families. Read the 6 educational materials attached to this communication and stop, stop, STOP traumatizing our community. I request these materials be entered into the public record for Item 3.5 of tomorrow's City Council Agenda. The 6 documents include:

- 1. Article published on calmatters.org (July 22, 2020): Commentary by Alejo and Polanco: Latinos Must Have Proportionate Representation on the California Citizens Redistricting Commission
- 2. Article published on latimes.com (July 10, 2020): Editorial: A California Redistricting Commission with No Latinos? That's an Embarassment
- 3. Article published on commoncause.org (July 13, 2020): Common Cause Calls for Improved Latino Representation in California Citizens Redistricting Commission ("Before the next Commission is seated in 2031, democracy reform and civil rights groups should work together to consider ways to make the application process more accessible and the applicant pool more representative.")
- 4. Article published on sacbee.com (August 11, 2020):
- 5. Op-Ed by State Auditor in partnership with CA LULAC and Dolores Huerta Foundation. Note that the exclusion of Latinx in the state commission process was not due to lack of Latinx leader engagement or recruitment but emerged due to outright problems with the selection process. It was an outright debacle.
- 6. Joint Public Comment facilitated by NALEO in partnership with CA LULAC, LULAC District 14 and many San Jose orgs and individual civic leaders.

You are urged to vote yes on and adopt the Memorandum of Councilmembers Peralez, Arenas, Esparza, Carrasco and Jimenez.

That you would rush this the week before elections, as our devoted community advocates are furiously working to engage voters whose voices are most in need of being heard is <u>outrageous</u>. Slow down and stop leaving us out.

Sincerely,

Serena S. Alvarez, Esq.

Daughter of Deacon Sal and Sylvia Alvarez

Executive Director, The Salvador E. Alvarez Institute for Non-Violence

See also Public Comment submitted by CA LULAC, as I am a volunteer servant on the State Executive Board.



**■ MENU** 

#### **MY TURN**

#### Latinos must have proportionate representation on the California Citizens Redistricting Commission



BY GUEST COMMENTARY, JULY 22, 2020 UPDATED ON JULY 27, 2020







Photo via iStock

#### **IN SUMMARY**

We need the redistricting commission to combat gerrymandering and to fairly draw boundaries so diverse communities can elect candidates of their choice.



By Luis A. Alejo and

Luis A. Alejo, a former State Assemblymember and chair of the Latino Legislative Caucus 2014-16, is a Democrat and Monterey County Supervisor, District1@co.monterey.ca.us.



#### Richard G. Polanco, Special to CalMatters

Richard G. Polanco, a Democrat, is a former state Senate Majority Leader from Los Angeles and chair of the Latino Legislative Caucus 1991-02, Senpolanco22@gmail.com.

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#### I'M NOT INTERESTED

Over the past 25 years, California has made great strides to be more inclusive and to better ensure more equitable political representation at all levels of government. However, as former and current chairs of the <u>California Latino Legislative Caucus</u>, we were deeply dismayed and disappointed at seeing no Latina or Latino representation on the list of <u>eight commissioners chosen</u> to serve on the <u>California Citizens Redistricting Commission</u>.

These eight commissioners will now choose the remaining six appointees by Aug. 15 and our Latino community is now left without a voice in that process as well. It is clear that this redistricting process has utterly failed and left Latinos in California completely disenfranchised.

The Citizens Redistricting Commission, created in 2008 by ballot Proposition 11 and later augmented in responsibility through Proposition 20 in 2010, plays the key role in the redistricting process of congressional, state Senate, Assembly and Board of Equalization districts in our state. Its role will once again be crucial next year after the 2020 Census is complete. We need the commission to combat political gerrymandering and to fairly draw boundaries so that our diverse communities can elect candidates of their choice.

Of the 20,724 initial applicants and 17,081 eligible applicants for the commission, the list was narrowed down to the final list of 60 people, of which 20 were Democrats, 20 Republicans and 20 of neither party. However, it is notable that the State Auditor's Applicant Review Panel of three, which narrowed down the list to 120 applicants to interview and 60 to finally submit to the Legislature, were all white (two male and one female of which one was Democrat, one was Republican and one neither party). In the end, Latinos were significantly underrepresented in that final pool of 60, with only 13 total or 21.7% being Latino.

On May 15, that list of 60 was submitted to the Legislature for consideration and that's where things made a turn for the worse. Assembly Speaker Anthony Rendon, Senate President Pro Tem Toni Atkins, Republican Assembly Minority Leader Marie Waldron and Republican Senate Minority Leader Shannon Grove narrowed the pool to 12 in each category. In other words, they were allowed peremptory strikes to remove 24 candidates from the pool of 60.

What is not known is which candidates were struck down by which legislative leaders. That fact must be revealed and disclosed to the public. Our community deserves to know whether Latinos were disproportionately or discriminatorily removed through that process.

In accordance with state law, on July 2, State Auditor Elaine Howle randomly drew three Democrats, three Republicans and two independents. One candidate withdrew just before the drawing causing a reduction in the Democratic pool from 12 to 11. But as it turned out, there were no Latinos selected overall out of the eight candidates chosen.

California is one of the most ethnically, racially and linguistically diverse states in our nation. Our growing Latino community already makes up 40% of our state's population. So, we call upon the eight commissioners who have been chosen to ensure that Latinos have proportionate representation on the commission.

Latinos should have six seats on the total panel of 14 commissioners, but there are only six seats yet to be filled and they will be split equally among the remaining Democrats, Republicans and those from neither party. But with only one Latino remaining in the "neither party" pool, Latinos could only gain a maximum of five seats at best. That leaves the commissioners great responsibility to ensure that the makeup of the commission reflects the diversity of our state. We hope that they will do what is just and equitable for the growing Latino community of California.

This commentary is co-signed by Richard Alatorre, Chuck Calderon, Martha M. Escutia, Joe Coto, Gil Cedillo, Ricardo Lara, Ben Hueso and Lorena Gonzalez.

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#### Common Cause Calls for Improved Latino Representation in 2020 California Citizens Redistricting Commission

07.13.2020 / 9:00 PM

Media Contact

Linda Owens

lowens@commoncause.org

**SACRAMENTO**, Calif. — July 13, 2020. California Common Cause and civil rights partners called on the first eight members of the California Citizens Redistricting Commission (CRC) to abide by their constitutional duty to select the remaining six members who will reflect the diversity of the state. The first eight commissioners were randomly drawn from a pool of finalists and not a single one is Latino.

In a letter sent to the new commissioners, California Common Cause, Advancement Project California, Asian Americans

Advancing Justice – California, the Black Census and Redistricting Hub, California League of Conservation Voters, California

Native Vote Project, CHIRLA, Inland Empire United, and the League of Women Voters of California wrote, "In a state where

Latinos comprise nearly 40 percent of the total population and nearly one third of its citizen voting age population, a lack of

Latino representation on the Commission would be unacceptable. Fortunately, you have the power, and the legal obligation, to
rectify the dramatic underrepresentation of Latinos when you make your determinations regarding the final six commissioners."

More than 20,000 Californians applied to serve on the CRC, a 14-member independent body charged with drawing district lines that will last for the next decade for congressional delegation, state assembly and state senate. Latino underrepresentation was a concern from the beginning, with Latinos composing only 13% of the initial applicant pool. The Applicant Review Panel brought that percentage up to 23% as it narrowed the pool of candidates. The legislative strikes and one withdrawal created a pool of 35 finalists that was 20% Latino.

On July 2, 2020 the first eight commissioners were selected by random drawing and included no Latino commissioners. While the first eight commissioners include strong representation from the African American (3), Asian American (2), LGBTQ (2)

communities, and strong gender and geographic diversity, the total lack of Latino representation is unacceptable.

"The next Citizens Redistricting Commission has to engage millions of Californians in the drawing of our political districts, so we have true community-led redistricting. That will only happen if all of California's communities see themselves in the Commission," said Jonathan Mehta Stein, Executive Director of California Common Cause. "The lack of Latino representation to this point is a tragedy. Thankfully the system is designed so that the first eight commissioners have the constitutional obligation to balance the diversity of the Commission."

California leads the nation in independent, citizen-run redistricting. In 2008 the CRC was created by voters via Proposition 11. California Common Cause was a primary supporter. Since then, several states around the nation have passed independent redistricting commissions emulating the California model. Before the next Commission is seated in 2031, democracy reform and civil rights groups should work together to consider ways to make the application process more accessible and the applicant pool more representative.

Find background and data on the CRC applicant pool below.

Read the full letter online.

https://www.commoncause.org/california/resource/letter-to-ca-citizens-redistricting-commission-regarding-selection-of-remaining-commissioners/

California Common Cause is a nonpartisan advocacy organization working to build a California democracy that includes everyone.

####

#### **BACKGROUND**

The initial CRC applicant pool, which was 13% Latino, was evaluated by a three-auditor panel known as the Applicant Review Panel (ARP), with one Democratic member, one Republican member, and one No Party Preference member appointed by the State Auditor's Office. As the ARP narrowed the pool of applicants under consideration, it brought Latino representation in the pool up. Of the 60 finalists selected by the ARP, including 20 Democrats, 20 Republicans, and 20 NPP/Other as required by law, 23% of applicants were Latino.

Each member of legislative leadership — the President pro Tempore of the Senate, the Minority Floor Leader of the Senate, the Speaker of the Assembly, and the Minority Floor Leader of the Assembly — was then permitted to strike up to two applicants from each subpool of 20. The legislative strikes brought Latino representation back down to 19%.

Latino Representation from Each Phase of the Application Process

- Original Applicant Pool: 13%
- 120 selected for interviews (40 Dems, 40 GOP, 40 NPP/Other)
  - 17% Latino
  - Latinos: 10 Dems, 5 GOP, and 6 NPP/Other
- 60 semi-finalists sent to Legislature for strikes (20 Dems, 20 GOP, 20 NPP/Other)
  - 23% Latino
  - Latinos: 8 Dem, 3 GOP, 3 NPP/Other
- Pool of 36 finalists after Legislative strikes (12 Dems, 12 GOP, 12 NPP/Other)
  - 19% Latino
  - · Latinos: 4 Dem, 2 GOP, 1 NPP/Other

At the final stage, one Asian American Democrat withdrew. As a result, the final pool that was eligible for the random draw included 35 candidates, 20% of whom were Latino.

10/26/2020 Common Cause Calls for Improved Latino Representation in 2020 California Citizens Redistricting Commission - California Common C...

During the lottery, three Democrats, three Republicans, and two NPP/Others were chosen. Given that number of draws from each pool, and the Latino representation in each pool, the odds of selecting at least one Latino was 90.4%. Calculation available upon request.

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California Common Cause Los Angeles Office / 453 S. Spring Street, Suite 401 / Los Angeles, CA 90013



#### commission

#### BY KIM BOJÓRQUEZ

AUGUST 11, 2020 05:00 AM, UPDATED AUGUST 11, 2020 09:37 AM





Stephanie Ramirez-Ridgeway, chief council of the California State Auditor's office, launches the initial application period for redistricting commissioners at Betty Rodriguez Regional Library in Fresno, CA, on Tuesday, June 11, 2019. BY JOHN WALKER



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Latinos are underrepresented on the commission that draws geographic boundaries for California political offices despite a campaign that highlighted their complete absence from the first group of people selected to serve on it.

Four of the 14 spots on the <u>California 2020 Citizens Redistricting Commission</u> are held by Latinos. That's 29% percent of the commission.



SKIP AD

"We shouldn't have to beg for a spot at the table," said former Senate President pro Tem Kevin de León, D-Los Angeles.

The appointment of the final commissioners last week concludes a process that began when about 20,000 Californians applied to join the once-a-decade boundary-setting panel. Of that group, about 2,000 continued in the process by completing an additional application package.

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That applicant pool was narrowed to 60 applicants by a review panel, with state legislative leaders having the power to strike applicants. The state auditor randomly selected the first eight members, none of whom were Latino.

Last week, the initial eight commissioners selected the final six members. Four of them are Latino.

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De León wrote <u>an opinion piece</u>, published in The Sacramento Bee on July 9, criticizing the lack of Latino representation in the commission's randomly selected group. He urged the first group to appoint Latinos to the remaining seats.

"Anything less would violate the spirit and intent of California's law to ensure fairness in our political boundary drawing," he wrote.

Assemblywoman Lorena Gonzalez, D-San Diego, said it was important that Latino voices be adequately represented on the commission. She called the number of Latinos on the commission an improvement, but said it still lacked full proportionality.

"Whether it's a community of immigrants or a community that has been historically disenfranchised you want somebody who maybe has a perspective on that," said the <u>California Latino Legislative Caucus</u> chair.

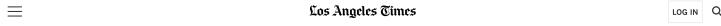
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OPINION

## Editorial: California's independent redistricting commission has no Latinos? That's an embarrassment







Gabino Aguirre, right, of the California Citizens Redistricting Commission discusses redistricting maps at a Sacramento news conference in 2011. (Rich Pedroncelli / Associated Press)

By THE TIMES EDITORIAL BOARD

JULY 10, 2020 | 3 AM



Last week, the state auditor stood behind a bingo cage filled with pingpong balls for a random drawing of eight lucky winners from among 35 names. The prize wasn't a million dollars, but one of the first seats on the 14-member <u>Citizens</u> <u>Redistricting Commission</u> and the chance to shape California's political future.

Though it was the luck of the draw, the results made for a pretty diverse octet. Half of those picked were women, three were Black and more than half of the commissioners were nonwhite — just like the state itself.

But by one crucial measure, the lottery failed miserably. None of the commissioners selected in the drawing was Latino. Not one.

This shouldn't have happened. Not in a state in which Latinos are the largest ethnic group, accounting for about 40% of the nearly 40 million residents. And it can't be chalked up to an astonishingly bad run of luck. The deck was stacked from the start.

It became clear that Latinos were <u>woefully represented in the pool</u>, making up just 14% of the applicants, even before the August deadline closed. The state auditor, who oversees the commission outreach and application process, extended the deadline under pressure from such groups as <u>California Common Cause</u>, which said they hadn't been given enough time to do recruiting. But the extension was a dud, at least for Latino candidates whose percentages increased only slightly.

A state review panel did manage to increase the percentage of Latino candidates as it winnowed down the pool over the next few months, but it couldn't overcome the early disadvantage — or the whim of legislative leaders from the two major parties, who collectively whacked several Latinos off a list of 60 semifinalists.

The random drawing of the first eight commissioners, who will pick the next six, is supposed to ensure a truly independent group chosen by chance, not by the machinations of politicians with their own agendas. But Proposition 11, which created the panel, didn't envision a bunch of random Californians. It mandated a group that would fairly represent the diversity of this vast state and ensure that no one was left out of the process of drawing the boundaries of legislative and congressional districts — and certainly not the state's largest ethnic group.

This outcome is not just embarrassing, it's unacceptable. This means the eight new commissioners must prioritize Latinos when they pick the next six of their colleagues.

But that's not enough. This can't happen again. The outcome suggests that the selection process for this important panel is both fundamentally flawed and inherently discriminatory, like so many of our civic institutions have turned out to be under recent scrutiny. Every step in the process must be examined and, if necessary, revised long before applicants start applying for the 2030 commission.





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#### Howle: Application extended for Citizens Redistricting Commission, now it's up to you

By Elaine M. Howle Aug 16, 2019



Elaine M. Howle

Last week I extended the deadline to submit applications for California's 2020 Citizens Redistricting Commission. Unlike other states, more than 10 years ago, by a vote of the people, Californians took redistricting out of the hands of politicians and put it in the hands of the public. Specifically, 14 individuals with a history of voting and no recent political ties will be in charge of redrawing new maps for congressional, state legislative and Board of Equalization districts. A decade ago, that process was a success, and I have no doubt once the new commission is formed, it will be again.

The challenge before us is not only to ensure eligible applicants that are representative of California's rich diversity know of this opportunity to apply, but also to get them to apply. Since applications opened on June 10, more than 17,790 applications have been submitted, and we've seen a greater uptick in the last week. In fact, in the last few days we've seen a huge increase in the daily application numbers. With every hour we are getting a more diverse pool, but we still need more — more Central Valley voters, women, Latinos, blacks and African Americans, Asian American and Asian Pacific Islander Californians, Native Americans and more from all communities. That is one of the reasons I have extended the deadline until 5 p.m. Aug. 19.

There are many groups and individuals in California who have been working with my office since the beginning of this process and represent non-governmental organizations, community-based organizations and other groups who work with Californians from every ethnicity and culture. They have pledged to redouble their efforts — as my office is also doing — during this extension period to help increase the numbers. Because everyone must do their part.

Serena Alvarez, President of League of United Latin American Citizens (LULAC) of Santa Clara, said this about the extension, "This is an opportunity of a decade. LULAC and the Dolores Huerta Foundation urge members of our Latinx communities to apply for the Citizens Redistricting Commission. We need Latinx and other diverse community members with a passion for civic engagement to take part in creating fair and transparent district boundaries that serve the best interests of the people of California. We're all needed to ensure fair representation for all Californians. We're out spreading the word - don't miss this opportunity to make sure your community's voice is heard."

So now it's up to you. With every passing day we are getting a bigger cross section of Californians applying. In fact, you can see information about who is applying on our website, which we update daily. But the numbers will only go up if you apply.

This has been a very exciting process and extending it a few more days will give even more Californians the chance to participate in this crucial exercise in direct democracy. So, go ahead and apply today at ShapeCaliforniasFuture.auditor.ca.gov.

If selected, it will be the experience of a lifetime and will shape California's future into the next decade. Your fellow Californians are counting on you.

Elaine M. Howle has served as the California state auditor for nearly 19 years.

## City Clerk Mon 10/26/2020 9:29 AM To:Agendadesk <

#### Thank you!

Best Regards,
Pawandeep Kaur
CITY OF SAN JOSE OFFICE OF THE CITY CLERK
200 East Santa Clara St.
San Jose , CA 95113
408-535-1254

From: Zulema Ramos [mailto:				
Sent: Saturday, October 24, 20	20 2:46 PM			
To: City Clerk <	Jones, Chappie <		Jimenez, Sergio	
<	Peralez, Raul <		Diep, Lan <	
Carrasco, Magdalena <		Davis, Dev <		Esparza, Maya
<	Arenas, Sylvia <		Foley, Pam <	
Khamis, Johnny <	Lio	cardo, Sam <		
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**Subject:** Vote NO on Mayor's Redistricting Memo

[External Email]

#### Hello,

Please reject the mayor's efforts to rush through changes that would diminish the voices of communities of color in San Jose, as we go through the critical process of redistricting the city council district boundaries.

The mayor's memo would silence the voices of our community, by banning direct community outreach and engagement by redistricting commissioners, while failing to make sure there is extensive formal community participation.

First you must begin by bringing in the community. Please vote for fair representation – not silencing the voices of our community!

Second, it's critical that we focus on getting the 2020 redistricting done correctly – but the mayor's memo rushes into making sweeping changes to the 2030 redistricting process. And he proposes doing that without any community engagement.

Worse, the changes he's asking for in 2030 – an "Independent" commission – have muted the voice of the Latino

community where they have been put in place. Why rush something like that onto the ballot almost 10 years early? Instead, please vote for the councilmembers memo that prioritizes transparency and community outreach.

Sincerely, Zulema Ramos

#### Agendadesk

Mon 10/26/2020 11:49 AM

Sent Items

To:City Clerk <

#### Thank you!

#### **Agenda Desk**

City of San José | Office of the City Clerk 200 East Santa Clara St. – Tower 14th Fl. San José, CA 95113-1905 Phone 408.535.1275 | Fax 408.292.6207

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From: City Clerk <

**Sent:** Monday, October 26, 2020 11:47:29 AM

**To:** Agendadesk <

Subject: FW: Vote NO on Mayor's Redistricting Memo

#### Thank you!

#### Best Regards,

Pawandeep Kaur

CITY OF SAN JOSE OFFICE OF THE CITY CLERK

200 East Santa Clara St. San Jose , CA 95113

408-535-1254

From: Giavanna Vega [mailto:

Sent: Monday, October 26, 2020 11:43 AM

To: City Clerk < Jones, Chappie < Jimenez, Sergio

Peralez, Raul < Diep, Lan <
Carrasco, Magdalena < Esparza, Maya

Arenas, Sylvia < Foley, Pam <
Khamis, Johnny < Liccardo, Sam <

Subject: Vote NO on Mayor's Redistricting Memo

[External Email]

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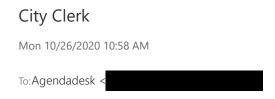
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Worse, the changes he's asking for in 2030 – an "Independent" commission – have muted the voice of the Latino community where they have been put in place. Why rush something like that onto the ballot almost 10 years early?

Instead, please vote for the councilmembers memo that prioritizes transparency and community outreach.

Sent from my T-Mobile 5G Device Get <u>Outlook for Android</u>



#### Thank you!

Best Regards,
Pawandeep Kaur
CITY OF SAN JOSE OFFICE OF THE CITY CLERK
200 East Santa Clara St.
San Jose , CA 95113
408-535-1254

From: James McCaskill [mailt	:0:			
Sent: Monday, October 26, 2	020 10:45 AM			
To: City Clerk <	Jones, Chappie <	Chappie < Jimenez, Sergio		nez, Sergio
<	Peralez, Raul <		Diep, Lan <	
Carrasco, Magdalena <		Davis, Dev <		Esparza, Maya
<	Arenas, Sylvia <		Foley, Pam <	
Khamis, Johnny <	Liccardo	, Sam <		
0 1 1 1 1 1 1 1 1 1	D 1: 1 : 1: 1 A A			

Subject: Vote NO on Mayor's Redistricting Memo

[External Email]

#### Dear City Officials,

Please reject the mayor's efforts to rush through changes that would diminish the voices of communities of color in San Jose, as we go through the critical process of redistricting the city council district boundaries.

The mayor's memo would silence the voices of our community, by banning direct community outreach and engagement by redistricting commissioners, while failing to make sure there is extensive formal community participation.

First you must begin by bringing in the community. Please vote for fair representation – not silencing the voices of our community!

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Instead, please vote for the councilmembers memo that prioritizes transparency and community outreach.

With regards,

James McCaskill

#### Item 3.5 CC 10-27-20

#### martha O'Connell

Mon 10/26/2020 10:20 AM



[External Email]

Item: 3.5

CC 10-27-20

ger·ry·man·der

/'jerē mandər/

verb

- manipulate the boundaries of (an electoral constituency) so as to favor one party or class.
- achieve (a result) by manipulating the boundaries of an electoral constituency

I support the 10-21- 20 memo on the Redistricting Commission authored by Council members Jimenez, Peralez, Carrasco, Esparza, and Arenas.

Martha O'Connell

M.A. Political Theory

# City Clerk Mon 10/26/2020 10:11 AM To:Agendadesk <

#### Thank you!

Best Regards,
Pawandeep Kaur
CITY OF SAN JOSE|OFFICE OF THE CITY CLERK
200 East Santa Clara St.
San Jose , CA 95113
408-535-1254

```
----Original Message---
From: Shakir Buni [mailto:
Sent: Monday, October 26, 2020 9:59 AM
                                         Jones, Chappie <
To: City Clerk <
                                                                                           Jimenez, Sergio
                                 Peralez, Raul <
                                                                              Diep, Lan
                           Carrasco, Magdalena <
                                                                                        Davis, Dev
                            Esparza, Maya <
                                                                            Arenas, Sylvia
                               Foley, Pam <
                                                                        Khamis, Johnny
                                 Liccardo, Sam <
Subject: Vote NO on Mayor's Redistricting Memo
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[External Email]

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First you must begin by bringing in the community. Please vote for fair representation – not silencing the voices of our community!

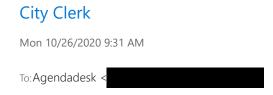
Second, it's critical that we focus on getting the 2020 redistricting done correctly – but the mayor's memo rushes into

making sweeping changes to the 2030 redistricting process. And he proposes doing that without any community engagement.

Worse, the changes he's asking for in 2030 – an "Independent" commission – have muted the voice of the Latino community where they have been put in place. Why rush something like that onto the ballot almost 10 years early?

Instead, please vote for the councilmembers memo that prioritizes transparency and community outreach.

Sent from my iPhone



#### Thank you!

Best Regards,
Pawandeep Kaur
CITY OF SAN JOSE OFFICE OF THE CITY CLERK
200 East Santa Clara St.
San Jose , CA 95113
408-535-1254

From: Curtis Jacobson [mailt	o:curti			
Sent: Sunday, October 25, 20	020 7:03 AM			
To: City Clerk <	Jones, Chappie <	Jimenez, Sergio		
<	Peralez, Raul <		Diep, Lan <	
Carrasco, Magdalena <		Davis, Dev <		Esparza, Maya
<	Arenas, Sylvia <		Foley, Pam <	
Khamis, Johnny <	Liccardo,	Sam <		
Subject: Vote NO on Mayor's	Redistricting Memo			

[External Email]

Please reject the mayor's efforts to rush through changes that would diminish the voices of communities of color in San Jose, as we go through the critical process of redistricting the city council district boundaries.

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First you must begin by bringing in the community. Please vote for fair representation – not silencing the voices of our community!

Second, it's critical that we focus on getting the 2020 redistricting done correctly – but the mayor's memo rushes into making sweeping changes to the 2030 redistricting process. And he proposes doing that without any community engagement.

Worse, the changes he's asking for in 2030 – an "Independent" commission – have muted the voice of the Latino community where they have been put in place. Why rush something like that onto the ballot almost 10 years early?

Instead, please vote for the councilmembers memo that prioritizes transparency and community outreach.
This message is from outside the City email system. Do not open links or attachments from untrusted sources.

# City Clerk Mon 10/26/2020 9:30 AM To:Agendadesk <

Thank you!

Best Regards,
Pawandeep Kaur
CITY OF SAN JOSE|OFFICE OF THE CITY CLERK
200 East Santa Clara St.
San Jose , CA 95113
408-535-1254

Subject: Vote NO on Mayor's Redistricting Memo

```
-----Original Message----
From: Mayra Busalacchi [mailto:
Sent: Saturday, October 24, 2020 11:04 PM
To: City Clerk < Jones, Chappie < Jimenez, Sergio

Peralez, Raul < Diep, Lan

Carrasco, Magdalena < Davis, Dev

Esparza, Maya < Arenas, Sylvia

Foley, Pam < Khamis, Johnny

Liccardo, Sam <
```

[External Email]

Please reject the mayor's efforts to rush through changes that would diminish the voices of communities of color in San Jose, as we go through the critical process of redistricting the city council district boundaries.

The mayor's memo would silence the voices of our community, by banning direct community outreach and engagement by redistricting commissioners, while failing to make sure there is extensive formal community participation.

First you must begin by bringing in the community. Please vote for fair representation – not silencing the voices of our community!

Second, it's critical that we focus on getting the 2020 redistricting done correctly – but the mayor's memo rushes into

making sweeping changes to the 2030 redistricting process. And he proposes doing that without any community engagement.

Worse, the changes he's asking for in 2030 – an "Independent" commission – have muted the voice of the Latino community where they have been put in place. Why rush something like that onto the ballot almost 10 years early?

Instead, please vote for the councilmembers memo that prioritizes transparency and community outreach.

Thanks, Mayra

# City Clerk Mon 10/26/2020 9:30 AM To:Agendadesk <

#### Thank you!

Best Regards,
Pawandeep Kaur
CITY OF SAN JOSE|OFFICE OF THE CITY CLERK
200 East Santa Clara St.
San Jose , CA 95113
408-535-1254

```
----Original Message----
From: Norma Callender [mailto
Sent: Saturday, October 24, 2020 9:56 PM
                                         Jones, Chappie <
To: City Clerk <
                                                                                          Jimenez, Sergio
                                 Peralez, Raul <
                                                                             Diep, Lan
                          Carrasco, Magdalena <
                                                                                        Davis, Dev
                            Esparza, Maya <
                                                                            Arenas, Sylvia
                               Foley, Pam <
                                                                        Khamis, Johnny
                                 Liccardo, Sam <
Subject: Vote NO on Mayor's Redistricting Memo
```

[External Email]

Dear Mayor Liccardo and Members of the San Jose City Council:

I am genuinely surprised to learn about the mayor's efforts to rush through changes that would diminish the voices of communities of color in San Jose, and am respectfully requesting that you please steadfastly reject said rushed decisions.

It is reasonable to think the council would be given sufficient time to fairly and justly go through the critical process of redistricting the city council district boundaries.

The mayor's memo would silence the voices of our community, by banning direct community outreach and engagement by redistricting commissioners, while failing to make sure there is extensive formal community

participation.

First you must begin by bringing in the community. Please vote for fair representation – not silencing the voices of our community!

Second, it's critical that we focus on getting the 2020 redistricting done correctly – but the mayor's memo rushes into making sweeping changes to the 2030 redistricting process. And he proposes doing that without any community engagement.

Worse, the changes he's asking for in 2030 – an "Independent" commission – have muted the voice of the Latino community where they have been put in place. Why rush something like that onto the ballot almost 10 years early?

Instead, please vote for the councilmembers memo that prioritizes transparency and community outreach.

Respectfully submitted, Norma Callender



#### Thank you!

Best Regards,
Pawandeep Kaur
CITY OF SAN JOSE OFFICE OF THE CITY CLERK
200 East Santa Clara St.
San Jose , CA 95113
408-535-1254

From: Anna Schlotz [mailto:					
Sent: Saturday, October 24, 2	020 5:15 PM	•			
To: City Clerk <	Jones, 0	Jones, Chappie <		Jimenez, Sergio	
<	Peralez, Raul <			Diep, Lan <	
Carrasco, Magdalena <			Davis, Dev <		Esparza, Maya
<	Arenas, Sylvia <			Foley, Pam <	
Khamis, Johnny <		Liccardo, S	Sam <		
Cubicate Vata NO an Mayarla	Dodistaistica Mones				

**Subject:** Vote NO on Mayor's Redistricting Memo

[External Email]

#### Dear Councilmembers,

I am a San Jose resident in District 9. Please reject the mayor's efforts to rush through changes that would diminish the voices of communities of color in San Jose, as we go through the critical process of redistricting the city council district boundaries.

The mayor's memo would silence the voices of our community, by banning direct community outreach and engagement by redistricting commissioners, while failing to make sure there is extensive formal community participation.

First you must begin by bringing in the community. Please vote for fair representation – not silencing the voices of our community!

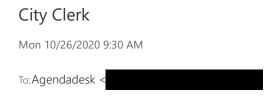
Second, it's critical that we focus on getting the 2020 redistricting done correctly – but the mayor's memo rushes into making sweeping changes to the 2030 redistricting process. And he proposes doing that without any community engagement.

Worse, the changes he's asking for in 2030 – an "Independent" commission – have muted the voice of the Latino community where they have been put in place. Why rush something like that onto the ballot almost 10 years early?

Instead, please vote for the councilmembers memo that prioritizes transparency and community outreach.

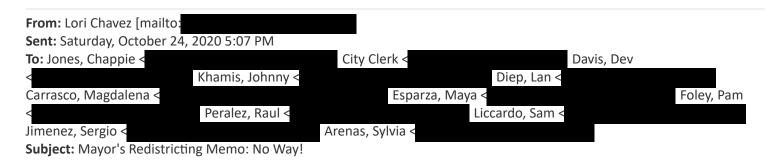
Grateful Anna Koski she/her/hers

#### FW: Mayor's Redistricting Memo: No Way!



#### Thank you!

Best Regards,
Pawandeep Kaur
CITY OF SAN JOSE OFFICE OF THE CITY CLERK
200 East Santa Clara St.
San Jose , CA 95113
408-535-1254



[External Email]

Mayor Sam Liccardo's efforts to rush through changes neglects the input and concerns from communities of color in San Jose, a critical process of redistricting the city council district boundaries. The mayor's memo would silence the voices of our community by banning direct community outreach and engagement by redistricting commissioners, while failing to make sure there is extensive formal community participation. The first step should be bringing in the community.

Please, please vote for fair representation – not silencing the voices of our community, your community! It's critical that we focus on getting the 2020 redistricting done correctly – but the mayor's memo rushes into making sweeping changes to the 2030 redistricting process. And he proposes doing that without any community engagement. Worse, the changes he's asking for in 2030 – an "Independent" commission – have muted the voice of the Latino community where they have been put in place. Why rush something like that onto the ballot almost 10 years early? Instead, please vote for the councilmembers memo that prioritizes transparency and community outreach.

Lorraine Chavez

Lori	Chavez



#### Thank you!

Best Regards,
Pawandeep Kaur
CITY OF SAN JOSE OFFICE OF THE CITY CLERK
200 East Santa Clara St.
San Jose , CA 95113
408-535-1254

From: Owen Bates [mailto:				
Sent: Saturday, October 24, 20	020 5:01 PM			
To: City Clerk <	Jones, Ch	Chappie < Jimenez, Sergio		
<	Peralez, Raul <		Diep, Lan <	
Carrasco, Magdalena <		Davis, Dev <		Esparza, Maya
<	Arenas, Sylvia <		Foley, Pam <	
Khamis, Johnny <	L	Liccardo, Sam <		
Cubicate Vata NO an Mayor's	Dadistricting Mama			

Subject: Vote NO on Mayor's Redistricting Memo

[External Email]

Please reject the mayor's efforts to rush through changes that would diminish the voices of communities of color in San Jose, as we go through the critical process of redistricting the city council district boundaries.

The mayor's memo would silence the voices of our community, by banning direct community outreach and engagement by redistricting commissioners, while failing to make sure there is extensive formal community participation.

First you must begin by bringing in the community. Please vote for fair representation – not silencing the voices of our community!

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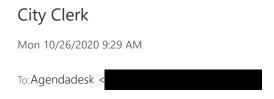
Worse, the changes he's asking for in 2030 – an "Independent" commission – have muted the voice of the Latino community where they have been put in place. Why rush something like that onto the ballot almost 10 years early?

Instead, please vote for the councilmembers memo that prioritizes transparency and community outreach.

Sent from  $\underline{\text{Mail}}$  for Windows 10

Owen Bates





#### Thank you!

Best Regards,
Pawandeep Kaur
CITY OF SAN JOSE OFFICE OF THE CITY CLERK
200 East Santa Clara St.
San Jose , CA 95113
408-535-1254

From: Brian Haberly [mailto	:			
Sent: Saturday, October 24,	2020 3:45 PM			
To: City Clerk <	Jones, Chappie <	Jimenez, Sergio		
<	Peralez, Raul <		Diep, Lan <	
Carrasco, Magdalena <		Davis, Dev <		Esparza, Maya
<	Arenas, Sylvia <		Foley, Pam <	
Khamis, Johnny <	Liccardo	, Sam <		
Subject: Vote NO on Mayor	s Redistricting Memo			

[External Email]

Please reject the mayor's efforts to rush through changes that would diminish the voices of communities of color in San Jose, as we go through the critical process of redistricting the city council district boundaries.

This is an important issue to me and many of my neighbors.

The mayor's memo would silence the voices of our community, by banning direct community outreach and engagement by redistricting commissioners, while failing to make sure there is extensive formal community participation.

First you must begin by bringing in the community. Please vote for fair representation – not silencing the voices of our community!

Second, it's critical that we focus on getting the 2020 redistricting done correctly – but the mayor's memo rushes into making sweeping changes to the 2030 redistricting process. And he proposes doing that without any community engagement.

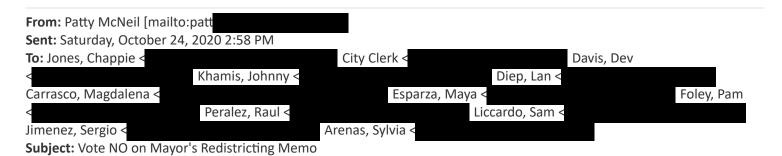
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Instead, please vote for the councilmembers memo that prioritizes transparency and community outreach.

# City Clerk Mon 10/26/2020 9:29 AM To:Agendadesk <

#### Thank you!

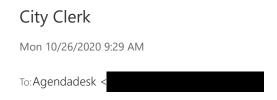
Best Regards,
Pawandeep Kaur
CITY OF SAN JOSE OFFICE OF THE CITY CLERK
200 East Santa Clara St.
San Jose , CA 95113
408-535-1254



[External Email]

"Please reject the mayor's efforts to rush through changes that would diminish the voices of communities of color in San Jose, as we go through the critical process of redistricting the city council district boundaries. The mayor's memo would silence the voices of our community, by banning direct community outreach and engagement by redistricting commissioners, while failing to make sure there is extensive formal community participation. First you must begin by bringing in the community. Please vote for fair representation – not silencing the voices of our community! Second, it's critical that we focus on getting the 2020 redistricting done correctly – but the mayor's memo rushes into making sweeping changes to the 2030 redistricting process. And he proposes doing that without any community engagement. Worse, the changes he's asking for in 2030 – an "Independent" commission – have muted the voice of the Latino community where they have been put in place. Why rush something like that onto the ballot almost 10 years early? Instead, please vote for the councilmembers memo that prioritizes transparency and community outreach."

PattyMcNeil



#### Thank you!

Best Regards,
Pawandeep Kaur
CITY OF SAN JOSE|OFFICE OF THE CITY CLERK
200 East Santa Clara St.
San Jose , CA 95113
408-535-1254

```
----Original Message----
From: debra brown [mailto:
Sent: Saturday, October 24, 2020 2:50 PM
To: City Clerk <
                                         Jones, Chappie <
                                                                                          Jimenez, Sergio
                                 Peralez, Raul <
                                                                             Diep, Lan
                           Carrasco, Magdalena <
                                                                                        Davis, Dev
                            Esparza, Maya <
                                                                            Arenas, Sylvia
                               Foley, Pam <
                                                                        Khamis, Johnny
                                 Liccardo, Sam <
Subject: Vote NO on Mayor's Redistricting Memo
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[External Email]

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First you must begin by bringing in the community. Please vote for fair representation – not silencing the voices of our community!

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Worse, the changes he's asking for in 2030 – an "Independent" commission – have muted the voice of the Latino community where they have been put in place. Why rush something like that onto the ballot almost 10 years early?

Instead, please vote for the councilmembers memo that prioritizes transparency and community outreach.

Sent from my iPad

opportunity for meaningful dialogue beyond the space of public comment. For workers who may be working or caregivers who have other responsibilities during these hearings, they may have little or no opportunity to share concerns directly with Commissioners. Such a provision would give staff and the Mayor's appointed Commission chair a disproportionate say over how dissenting opinions of community members other than those who are appointed get considered in Commission proceedings, potentially closing down meaningful debate.

Instead, we recommend that Commissioners should only be prohibited from communicating with those with a direct conflict of interest in redistricting, namely the Mayor and Council, any candidate for Mayor and City Council, campaign staff and their spouses. Additionally we recommend that the Commission make efforts to ensure the voice of community members is heard, by ensuring the Commission presents public hearings in every neighborhood and effectively engages impacted communities and creates protections to ensure that dissenting community voices engaging in the process who may wish to present the Commission with alternatives have opportunity to give extended presentations on their concerns to the Commission, beyond the public comment period, with enough time to be considered and, if approved by the Commission, incorporated before the Commission's final decisions.

Additionally, we disagree with Mayor's recommendation #7 which appears to side-step the City's recently created Charter Review Commission and use limited staff resources to bring forward a charter change proposal to the 2022 ballot before such a concept has received any community input. In recent months, after a vigorous debate around the Mayor's proposed "strong mayor" initiative, the City Council voted wisely to create a charter change commission to evaluate future charter changes for possibly placing on the 2022 ballot. Now the Mayor is proposing placing yet another charter change on the ballot without first requesting the Charter Review Commission could even consider its merits. This proposal would seem to undercut the Charter Review Commission before it even has begun its work.

If the idea is to be considered going forward, it should first be referred to the Charter Review Commission for further exploration before consideration by City Council.

Redistricting impacts how our city's diverse communities are represented. The work of the Redistricting Commission in 2021 will determine the power of the votes of our communities. At a time when our City is experiencing both a profound racial justice reckoning and the deeply inequitable impacts of COVID-19 we should be promoting accountability and enabling a diversity of community members to actively engage in the redistricting process, not limiting the discussion to a handful of Council and Mayoral appointments. Indeed, the pandemic has made it only too apparent how important it is for individuals of all backgrounds to have a voice in our democratic processes. Community health centers serving the most vulnerable patients on the frontlines of

COVID-19 are urgently aware of the need for patient advocates and community members to have more opportunities to weigh in on important issues that affect the health and well-being of our communities - not fewer. Certainly this is not the time to legislate exclusion as we draw our district lines.

As we seek to learn and grow as a City on issues of racial equity, we still live with the scars of exclusionary policies through our history, whether its redlining efforts to prohibit Black and immigrant families from certain neighborhoods or past shifts in policy to limit the power of poor, working class and immigrant voters in elections. Every member of our community equally deserves to have their vote matter and their voices heard, especially in redistricting.

We remain concerned that the Mayor's rushed effort to make such change to close this process off before voters elect a new Council in November benefits the politically connected few at the expense potentially of marginalized, under-represented groups like communities of color, immigrants and low income families. We have seen this story before. This proposal by Mayor Liccardo looks like yet another power grab, 20 days before an enormously consequential election for our City and our nation. The Mayor's proposal yet again looks to significantly change the rules of the game without engaging the community. Instead, the Mayor appears to be plotting with an outside group led locally by one of the biggest advocates for a controversial proposal to consolidate the Mayor's power and give our neighborhoods less say in local government. The Mayor and City Council should absolutely not silence community members.

We urge the City Council to ensure all of our voices matter in redistricting and to reject yet another power grab by Mayor Liccardo.

Sincerely,

Lucila Ortiz, Californians for Justice

Dolores Alvarado, Community Health Partnership

Salvador Bustamante, Latinos United for a New America (LUNA)

Walter Wilson, Minority Business Consortium

Scott Myers-Lipton, Professor, Sociology and Interdisciplinary Social Sciences, San Jose State University and Author, *Ending Extreme Inequality: An Economic Bill of Rights Approach to Eliminate Poverty* 

Maria Noel Fernandez, Silicon Valley Rising

Enrique Fernandez, Unite Here Local 19

Derecka Mehrens, Working Partnerships USA



October 21, 2020

San Jose City Council 200 E. Santa Clara Street San José, CA 95113

Re: Redistricting Reforms in the City of San José

Dear Mr. Mayor and Honorable Members of the San José City Council:

We write today to share our view on reforms we believe are necessary to make the redistricting process in the City of San José as inclusive, as accessible, as participatory, and as independent as possible.

California Common Cause is a nonpartisan, nonprofit organization dedicated to building a California democracy that hears every voice. We work on voting rights, redistricting reform, and money in politics to end structural inequities in our state and local democracies and to create governments at all levels that are accountable to and reflective of California's communities.

As this is election season, we have been working tirelessly, as we do every election year, to protect voters' rights and to engage and educate as many voters as possible. As an example, we are currently texting 500,000-800,000 low-frequency and first-time California voters in English and in Spanish, with good, solid information about how to cast their ballots in 2020.

We support redistricting processes that are as independent as possible but also that are as inclusive, accessible, and participatory as possible. To this end, we were the lead advocates for and co-architects of the statewide Citizens Redistricting Commission, a model of independent, community-driven redistricting initiated over a decade ago that is now being emulated in other states around the nation. We have partnered with good government and civic engagement organizations to establish redistricting commissions in cities and counties around California.

We are grateful to see Mayor Liccardo's reforms that strengthen the transparency and independence of San Jose's Advisory Redistricting Commission. We are in support. We articulate our specific views on the proposed reforms below, but want to draw your attention to the latter part of this letter in which we suggest additional reforms that are necessary to make sure San Jose's communities can make their voices heard in this process.

#### **Proposed Reforms**

Let the public apply to serve on the redistricting commission. We strongly support this
recommendation. The Advisory Commission should be made up of San José residents who
know the city's many communities, not insiders who may prioritize political relationships.
 We believe the City should create an open application process in which community members

- (including U.S. citizens and non-U.S. citizens) can submit their resumes and short essay answers, and require councilmembers to appoint someone from the applicant pool.
- Eliminate conflicts of interest. Advisory Commission members should represent the best interests of San José's communities, not the best interests of whoever appointed them. We strongly support prohibiting the appointment of an elected official's family members, employees, current or past campaign staffers, or current or past campaign consultants. We also support prohibiting the appointment of current and past San José candidates and officeholders, registered city lobbyists, and major campaign donors (e.g. a donor of \$500 or more to any San José campaign in the past 10 years).
- Ensure diversity on the commission. The Charter says, "The membership of the Commission shall be representative of the ethnic make-up of the City at large, to the extent practicable." (Art. IV, Sec. 403.) Achieving a diverse commission is critical. Unfortunately, there is no process to ensure that councilmembers making their appointments in isolation will appoint a Commission that reflects the City's diversity. We support making appointments "provisional" and public for a two-week period, so the City Clerk or City Attorney can provide an evaluation of whether the proposed appointees would compose a commission that is reflective of San José's diversity. We support making final appointments at a noticed Council meeting so councilmembers can make adjustments as needed to ensure diversity.
- Enable public input on commissioner selections before they are final. As part of making this process as public as possible, we support permitting the public to comment on the proposed commissioners during the proposed provisional period.
- Make all communications with the Commission public. California Common Cause supports making community participation in redistricting as easy as possible, but doing all redistricting work in the open. Currently, no limitations exist at all on *ex parte* communications i.e. closed-door conversations between commissioners and third parties. A total ban on *ex parte* communications and a ban on *ex parte* communications with elected officials/candidates would both be an improvement over the status quo. However, a total ban represents the best practice and is used at the state level, where the California Citizens Redistricting Commission permits commissioners to do education/outreach/engagement with the community but requires all discussion of districts and district lines to happen at public hearings or via written submission that becomes public. Of the two, we prefer that approach.
  - o Important: While closing off *private* communication with the Advisory Commission, the Council should dramatically increase opportunities for *public* communication with Advisory Commission. Our recommendations below would create a process that is accessible, inclusive, and participatory.
- Prevent interference with the commission's work. In other jurisdictions with advisory redistricting commissions, elected officials have unilaterally revoked their appointed commissioner for not being a loyal enough representative for the official's views/needs. We support allowing removal only for good cause (e.g. health problems, moving out of San José) and believe a proposed removal should be approved by a majority vote of the Advisory Commission.
- Adopt an independent redistricting commission for 2030. Well-designed independent redistricting commissions that are composed of diverse, well-qualified community members and put the public in the driver's seat of the redistricting process are the best practice for redistricting across the state and nation. We support an independent redistricting commission

in 2030. Getting the independent redistricting commission right is important, and the City has the time needed to consider it carefully with diverse stakeholders.

#### Additional Reforms Needed to Expand Access

Further action is needed for the City of San José to create a truly inclusive, community-driven redistricting process. Currently, the Advisory Commission is required to conduct only a minimum of three public hearings. No public outreach or engagement is mandated. We propose the following reforms, consistent with advocacy we have done in other cities and counties, to very substantially broaden public access to and participation in the City's redistricting process.

#### Accessible and Inclusive Hearings

- Hold a large number of hearings. The Advisory Commission should hold a minimum of 20 hearings, two in each council district. This enables residents from all over the city to find an easily accessible hearing to make their views known, regardless of their access to a car or transit. For context, when the much smaller City of Sunnyvale led its districting process in 2018-2019, it held dozens of meetings and hearings, and collected community input and testimony on new district lines at countless community events.
- Ensure hearings are as accessible as possible. All hearing locations should be accessible via transit and accessible to people with disabilities. All hearings should provide live translation upon request, as required by state law. (Cal. Elec. Code Section 21628.) Additionally, the City should consider providing childcare at hearings.
- Hold hearings at times that maximize participation. Hearings should be held in evenings and on weekends, so community members with standard work schedules can participate.
- **Retain district-specific meetings even if virtual.** If COVID prevents the holding of inperson hearings in each district, still hold at least two virtual hearings explicitly dedicated to hearing the input of and taking testimony from residents of each district. Without this, residents from more politically active parts of town may dominate redistricting hearings.
- Calendar hearings in advance to allow community to plan. The Advisory Commission should create and publish a calendar of all hearings at the beginning of its process, so community members who wish to participate can make a plan in advance to handle their family or job obligations (e.g. finding child care if child care is not provided at hearings).
- Provide mapping tools to the public and data transparency on all draft maps. The Advisory Commission should give the public easy-to-use mapping tools, several of which are currently under construction for use in the state redistricting process, so community members and groups can experiment with mapping themselves and potentially submit draft maps to the Commission. The Commission should publish all draft maps under consideration, along with the demographic makeup of each district in each draft map, for easy evaluation by the public.

#### Opportunities for Participation Outside of Hearings

• Stream all redistricting hearings and retain/post video after. Because family and work obligations may make it impossible for some community members to participate, stream all hearings live online, as the state redistricting commission does, even if progress on the

- COVID pandemic makes in-person hearings possible. Additionally, allow community members to watch all hearings online after they happen on the City's website.
- Offer members of the public the opportunity to participate even if they cannot attend a hearing. Some residents will be unable to attend a hearing to share their perspectives. The Advisory Commission should make it easy for members of the public and community organizations to submit public comment, community-of-interest testimony, analyses, reports, and draft maps via email, mail, and a dedicated webpage. Such testimony should be publicly viewable later, just like public comment given at a hearing.

#### Publicity and Outreach

• Maximize community engagement and outreach, in a wide range of languages. A successful redistricting process hears from all of the communities and neighborhoods within a city's limits, regardless of their language abilities, resources, or previous levels of engagement in local politics. The Advisory Commission should create outreach/publicity/social media materials in a number of languages and distribute them as widely as possible. The Commission should spread the word about its work in local newspapers and newsletters, in ethnic media, at meetings of local community groups, in multi-lingual robo-calls, on digital marquees at local schools, and so on.

Some of these choices may be in the hands of the Advisory Commission, not the Council. But the Council must budget the money needed to get the process right. The primary cost a jurisdiction will incur when transitioning to district elections is the hiring of a demographer. It is possible to think of that as a "necessary" cost (because redistricting cannot be done without a demographer) and to think of outreach and accessibility costs as "optional" or a "luxury." In truth, outreach and accessibility are essential if San José wants its residents to understand, believe in, and participate in the process. San José's City Council should budget for all of the above.

We are happy to discuss these proposals, or answer any questions. Please contact me at . Thank you for your consideration.



Jonathan Mehta Stein Executive Director California Common Cause

Sincerely,



# California League of United Latin American Citizens

Yvonne Gonzalez Duncan

State Director

Dave Rodriguez

Immediate Past State Director

Jose Barrera

Deputy State Director

Susie Flores

State Treasurer

Michelle Pelavo-Osorio

Deputy Director for Women

Dallas Rippy

Deputy Director for Young Adults

Astrid Acuna

Deputy Director for Youth

Pete Pascencia

Deputy Director for Seniors

Beatriz Mendoza

District Director I

Serena Alvarez

District Director 14

Elizabeth Zepeda

District Director 12

Cynthia Salas

District Director 17

The League of United Latin American Citizens (LULAC) is the nation's largest and oldest civil rights volunteer-based organization that empowers Hispanic Americans and builds strong Latino communities. Headquartered in Washington DC, with over 1000 councils around the United States and Puerto Rico, LULAC programs, services and advocacy address the most important issues for Latinos, meeting critical needs of today and the future.

October 23, 2020

San Jose Mayor Sam Liccardo and City Councilmembers City Hall, City of San José 200 East Santa Clara Street San Jose, CA 95113

RE: Item 3.5 (October 27, 2020) Redistricting Commission

San Jose Mayor Liccardo and Councilmembers,

In the coming months, the City of San José will undertake the once-a-decade process of Redistricting City Council Districts. This process is critical to ensuring that all communities and neighborhoods have a fair and equitable voice in their local government. CA LULAC is committed to assuring that underserved communities of color do not have their voices or their votes diluted and this can be protected against by providing a public, transparent, and inclusive process for Redistricting in San José.

Nationally, disturbing efforts to weaken and outright suppress the votes of communities of color have become prevalent, with such effort accompanied by a Census process fraught with exclusionary tactics. This is not what representative democracy looks like. Especially not in the midst of a global pandemic and economic crisis that are disproportionately impacting communities of color, both nationally and in San José. COVID-19 has taught that all in our society will benefit by historically underrepresented communities being empowered, including especially by implementing a local redistricting process that ensures that their voices are protected and heard.

What does a public, transparent, and inclusive process mean for redistricting in San José? It means ensuring that community members, neighborhood associations, and community organizations will have their voices and concerns heard throughout the process as active participants. It means that any changes and reforms to this process must be vetted by not only the City Council, but by the San José Board of Fair Campaign and Political Practices, the commission charged with reviewing and recommending fair and ethical practices relating to our City's political process.



## California League of United Latin American Citizens

These changes should focus on inclusivity and greater community engagement, including outreach meetings in every Council District, as well as meetings held in Spanish and Vietnamese. All of the information and data involved in the process must be readily available to the public. And all communications between commissioners and residents and community groups must be transparent and disclosed.

The foundation of public trust involves seeking input from the community and incorporating this input into decision-making. The more inclusive the process, the more trust our communities will have that the City values their concerns as it sets the new District boundaries. We urge City leaders to carefully consider the needs and the voices of those communities which have historically been excluded from the halls of power, both here in San José and across our nation, and set forward a Redistricting process that will provide all of our communities and residents the confidence that their voices are being heard—and matter.

Sincerely,

Yvonne Gonzalez Duncan, State Director California League of United Latin American Citizens (LULAC) | calulac.org

# Item 3.5 CC meeting 10-27-20

#### martha O'Connell

Sat 10/24/2020 2:50 PM

To:Liccardo, Sam <sam.liccardo@sanjoseca.gov>; Jones, Chappie <Chappie.Jones@sanjoseca.gov>; Jimenez, Sergio <sergio.jimenez@sanjoseca.gov>; Peralez, Raul <Raul.Peralez@sanjoseca.gov>; Diep, Lan <lan.diep@sanjoseca.gov>; Carrasco, Magdalena <Magdalena.Carrasco@sanjoseca.gov>; Davis, Dev <dev.davis@sanjoseca.gov>; Esparza, Maya <Maya.Esparza@sanjoseca.gov>; Arenas, Sylvia <sylvia.arenas@sanjoseca.gov>; Foley, Pam <Pam.Foley@sanjoseca.gov>; Khamis, Johnny <johnny.khamis@sanjoseca.gov>; martha O'Connell ; City Clerk <cddcityclerk@sanjoseca.gov>; Agendadesk <Agendadesk@sanjoseca.gov>;

[External Email]

Item: 3.5

CC 10-27-20

Rather than rehash what has been written by them, I simply wish to state that I support the 10-21-20 memo on the Redistricting Commission authored by Council members Jimenez, Peralez, Carrasco, Esparza, and Arenas.

I am mostly especially concerned about the possibility of the unseating of current Council members and I also want to urge that "Reforms should include prohibiting communication between Commissioners and the Mayor/Councilmembers, as well as candidates for those offices, campaign staff, and their spouses, as well as providing for strict disclosure requirements of all communications between Commissioners and outside parties to ensure transparency."

## City Clerk

Mon 10/26/2020 2:30 PM

To:Agendadesk < Agendadesk@sanjoseca.gov >;

#### Thank you!

Best Regards,
Pawandeep Kaur
CITY OF SAN JOSE OFFICE OF THE CITY CLERK
200 East Santa Clara St.
San Jose , CA 95113
408-535-1254

From: miguelz2

Sent: Monday, October 26, 2020 2:05 PM

**To:** City Clerk <city.clerk@sanjoseca.gov>; Jones, Chappie <Chappie.Jones@sanjoseca.gov>; Jimenez, Sergio <sergio.jimenez@sanjoseca.gov>; Peralez, Raul <Raul.Peralez@sanjoseca.gov>; Diep, Lan <lan.diep@sanjoseca.gov>; Carrasco, Magdalena <Magdalena.Carrasco@sanjoseca.gov>; Davis, Dev <dev.davis@sanjoseca.gov>; Esparza, Maya <Maya.Esparza@sanjoseca.gov>; Arenas, Sylvia <sylvia.arenas@sanjoseca.gov>; Foley, Pam <Pam.Foley@sanjoseca.gov>; Khamis, Johnny <johnny.khamis@sanjoseca.gov>; Liccardo, Sam <sam.liccardo@sanjoseca.gov>

Subject: Vote NO on Mayor's Redistricting Memo

[External Email]

Please reject the mayor's efforts to rush through changes that would diminish the voices of communities of color in San Jose, as we go through the critical process of redistricting the city council district boundaries.

The mayor's memo would silence the voices of our community, by banning direct community outreach and engagement by redistricting commissioners, while failing to make sure there is extensive formal community participation.

First you must begin by bringing in the community. Please vote for fair representation – not silencing the voices of our community!

Second, it's critical that we focus on getting the 2020 redistricting done correctly – but the mayor's memo rushes into making sweeping changes to the 2030 redistricting process. And he proposes doing that without any community engagement.

Worse, the changes he's asking for in 2030 – an "Independent" commission – have muted the voice of the Latino community where they have been put in place. Why rush something like that onto the ballot almost 10 years early?

Instead, please vote for the councilmembers memo that prioritizes transparency and community outreach.
This message is from outside the City email system. Do not open links or attachments from untrusted sources.

### City Clerk

Mon 10/26/2020 3:17 PM

To:Agendadesk < Agendadesk@sanjoseca.gov >;

#### Thank you!

Best Regards,
Pawandeep Kaur
CITY OF SAN JOSE OFFICE OF THE CITY CLERK
200 East Santa Clara St.
San Jose , CA 95113
408-535-1254

From: Alex Caraballo [

Sent: Monday, October 26, 2020 3:11 PM

**To:** City Clerk <city.clerk@sanjoseca.gov>; Jones, Chappie <Chappie.Jones@sanjoseca.gov>; Jimenez, Sergio <sergio.jimenez@sanjoseca.gov>; Peralez, Raul <Raul.Peralez@sanjoseca.gov>; Diep, Lan <lan.diep@sanjoseca.gov>; Carrasco, Magdalena <Magdalena.Carrasco@sanjoseca.gov>; Davis, Dev <dev.davis@sanjoseca.gov>; Esparza, Maya <Maya.Esparza@sanjoseca.gov>; Arenas, Sylvia <sylvia.arenas@sanjoseca.gov>; Foley, Pam <Pam.Foley@sanjoseca.gov>; Khamis, Johnny <johnny.khamis@sanjoseca.gov>; Liccardo, Sam <sam.liccardo@sanjoseca.gov>

Subject: Vote NO on Mayor's Redistricting Memo

[External Email]

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Instead, please vote for the councilmembers memo that prioritizes transparency and community outreach.

## City Clerk

Mon 10/26/2020 5:34 PM

To: Agendadesk < Agendadesk@sanjoseca.gov >;

Thank you!

Best Regards,
Pawandeep Kaur
CITY OF SAN JOSE|OFFICE OF THE CITY CLERK
200 East Santa Clara St.
San Jose , CA 95113
408-535-1254

----Original Message----

From: Christine Lam

Sent: Monday, October 26, 2020 3:23 PM

To: City Clerk <city.clerk@sanjoseca.gov>; Jones, Chappie <Chappie.Jones@sanjoseca.gov>; Jimenez, Sergio

- <sergio.jimenez@sanjoseca.gov>; Peralez, Raul <Raul.Peralez@sanjoseca.gov>; Diep, Lan
- <lan.diep@sanjoseca.gov>; Carrasco, Magdalena < Magdalena.Carrasco@sanjoseca.gov>; Davis, Dev
- <dev.davis@sanjoseca.gov>; Esparza, Maya <Maya.Esparza@sanjoseca.gov>; Arenas, Sylvia
- <sylvia.arenas@sanjoseca.gov>; Foley, Pam <Pam.Foley@sanjoseca.gov>; Khamis, Johnny
- <johnny.khamis@sanjoseca.gov>; Liccardo, Sam <sam.liccardo@sanjoseca.gov>

Subject: Vote NO on Mayor's Redistricting Memo

[External Email]

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Instead, please vote for the councilmembers memo that prioritizes transparency and community outreach.

## City Clerk

Mon 10/26/2020 5:37 PM

To:Agendadesk < Agendadesk@sanjoseca.gov >;

Thank you!

Best Regards,
Pawandeep Kaur
CITY OF SAN JOSE|OFFICE OF THE CITY CLERK
200 East Santa Clara St.
San Jose , CA 95113
408-535-1254

----Original Message----

From: Kanta Khiatani

Sent: Monday, October 26, 2020 5:01 PM

To: City Clerk <city.clerk@sanjoseca.gov>; Jones, Chappie <Chappie.Jones@sanjoseca.gov>; Jimenez, Sergio

- <sergio.jimenez@sanjoseca.gov>; Peralez, Raul <Raul.Peralez@sanjoseca.gov>; Diep, Lan
- <lan.diep@sanjoseca.gov>; Carrasco, Magdalena < Magdalena. Carrasco@sanjoseca.gov>; Davis, Dev
- <dev.davis@sanjoseca.gov>; Esparza, Maya <Maya.Esparza@sanjoseca.gov>; Arenas, Sylvia
- <sylvia.arenas@sanjoseca.gov>; Foley, Pam <Pam.Foley@sanjoseca.gov>; Khamis, Johnny
- <johnny.khamis@sanjoseca.gov>; Liccardo, Sam <sam.liccardo@sanjoseca.gov>

Subject: Vote NO on Mayor's Redistricting Memo

[External Email]

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Instead, please vote for the councilmembers memo that prioritizes transparency and community outreach.

Sent from my iPhone

## City Clerk

Mon 10/26/2020 5:36 PM

To:Agendadesk < Agendadesk @sanjoseca.gov >;

Thank you!

Best Regards,
Pawandeep Kaur
CITY OF SAN JOSE|OFFICE OF THE CITY CLERK
200 East Santa Clara St.
San Jose , CA 95113
408-535-1254

----Original Message----

From: Mita Dey

Sent: Monday, October 26, 2020 4:59 PM

To: City Clerk <city.clerk@sanjoseca.gov>; Jones, Chappie <Chappie.Jones@sanjoseca.gov>; Jimenez, Sergio

- <sergio.jimenez@sanjoseca.gov>; Peralez, Raul <Raul.Peralez@sanjoseca.gov>; Diep, Lan
- <lan.diep@sanjoseca.gov>; Carrasco, Magdalena < Magdalena.Carrasco@sanjoseca.gov>; Davis, Dev
- <dev.davis@sanjoseca.gov>; Esparza, Maya <Maya.Esparza@sanjoseca.gov>; Arenas, Sylvia
- <sylvia.arenas@sanjoseca.gov>; Foley, Pam <Pam.Foley@sanjoseca.gov>; Khamis, Johnny
- <johnny.khamis@sanjoseca.gov>; Liccardo, Sam <sam.liccardo@sanjoseca.gov>

Subject: Vote NO on Mayor's Redistricting Memo

[External Email]

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Instead, please vote for the councilmembers memo that prioritizes transparency and community outreach.

Gratefully, Mita Dey D8 Resident

Sent from my iPhone

## City Clerk

Mon 10/26/2020 5:36 PM

To:Agendadesk < Agendadesk@sanjoseca.gov >;

#### Thank you!

Best Regards,
Pawandeep Kaur
CITY OF SAN JOSE OFFICE OF THE CITY CLERK
200 East Santa Clara St.
San Jose , CA 95113
408-535-1254

From: cferguson rocketmail.com [

Sent: Monday, October 26, 2020 4:46 PM

**To:** Jimenez, Sergio <sergio.jimenez@sanjoseca.gov>; City Clerk <city.clerk@sanjoseca.gov>; Jones, Chappie <Chappie.Jones@sanjoseca.gov>; Davis, Dev <dev.davis@sanjoseca.gov>; Esparza, Maya <Maya.Esparza@sanjoseca.gov>; Carrasco, Magdalena <Magdalena.Carrasco@sanjoseca.gov>; Liccardo, Sam <sam.liccardo@sanjoseca.gov>; Arenas, Sylvia <sylvia.arenas@sanjoseca.gov>; Foley, Pam <Pam.Foley@sanjoseca.gov>; Peralez, Raul <Raul.Peralez@sanjoseca.gov>; Diep, Lan <lan.diep@sanjoseca.gov>; Khamis, Johnny <johnny.khamis@sanjoseca.gov>

Subject: Vote NO on Mayor's Redistricting Memo

[External Email]

To the City Council of San Jose.

In these times of political awareness by the electors, in this city and across the country, we are monitoring how you vote on the issues that matter to us. We the people, elect you to what is best for us, not for you.

Please reject the mayor's efforts to rush through changes that would diminish the voices of communities of color in San Jose, as we go through the critical process of redistricting the city council district boundaries.

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Instead, please vote for the councilmembers memo that prioritizes transparency and community outreach.

## **Craig Ferguson**

Concerned Citizen and <u>President of the Thompson Creek Neighborhood Association</u>

Expect Something Do Something, Do Nothing Expect Nothing...