

LEGISLATIVE DIGEST

(First Draft, 05/21/24)

[Charter Amendment - Independent Redistricting Task Force]

Describing and setting forth a proposal to the voters at an election to be held on November 5, 2024, to amend the Charter of the City and County of San Francisco to modify the redistricting process for Board of Supervisors districts by creating an independent redistricting task force responsible for adopting supervisorial district boundaries; specifying the qualifications to serve on the independent redistricting task force and restrictions on members' activities during and after service; creating a process for selecting members of the independent redistricting task force; modifying the processes the City must follow when adopting supervisorial district boundaries; and creating a division of the Department of Elections to support the redistricting process.

Existing Law

The Board of Supervisors consists of eleven supervisors, each representing a geographically defined district. Each supervisorial district must contain approximately equal population. Every ten years, following the decennial census, the City must reexamine the districts and make necessary adjustments to the district boundaries to account for changes in population and to satisfy other legal requirements. Within 60 days of the publication of the decennial census, the Director of Elections must report to the Board of Supervisors whether the existing district lines meet legal requirements.

Within 60 days of the Director's report, the Charter requires the Board of Supervisors to approve an ordinance convening a nine-member task force that will review the district boundaries and adopt a new map. The Board of Supervisors, the Mayor, and the Elections Commission each appoint three members of the redistricting task force. The task force must ensure the districts comply with the legal requirements of the U.S. Constitution, the federal Voting Rights Act, and factors laid out in the Charter, including that the districts are generally equal in population, that the district lines do not dilute the voting power of racial or language minorities, and that the districts reflect the City's communities of interest.

The Charter requires the task force to adopt a new map no later than April 15 of the year in which the City will hold an election using the new map. For the next redistricting cycle, the task force is required to adopt a map by April 15, 2032 for the November 2032 general municipal election.

Under state law, the City must hold one workshop before the task force draws a draft map. A workshop is a meeting facilitated by staff, consultants, or members of a redistricting body

where the City provides the public information on the redistricting process and how the public may participate. State law also requires the redistricting task force to hold at least two public meetings before drawing a draft map and then at least three public meetings after drawing a map before the task force may adopt a final map.

Amendments to Current Law

The proposed measure would amend the Charter to make the following changes to the City's redistricting process:

Independent Redistricting Task Force

The measure would establish an Independent Redistricting Task Force ("Task Force") consisting of 14 members and two alternates and set the qualifications for such members. Members must have resided in San Francisco for at least one year and must possess a history of civic engagement and participation, knowledge of the City's demographics and neighborhoods, and other relevant skills.

A person is ineligible to be a member of the Task Force if during the prior eight years the person or their spouse or registered domestic partner has done any of the following: been a City elected official or candidate; been a member of a City political party central committee or council; worked for a City elected official including in the official's City office; worked for the campaign of a person seeking City elective office or a candidate; worked for a City political party; registered to lobby the City; or contributed \$500 or more to any candidate for City elective office (except Board of Education or City College Board of Trustees) or a candidate for a City political party central committee or council.

While serving on the Task Force, members may not participate in any campaign supporting or opposing a candidate for City elective office, including making campaign contributions, and may not be a lobbyist or campaign consultant registered with the Ethics Commission. For four years after the Task Force adopts a final map, Task Force members may not work for a person serving in City elective office or for a candidate for City elective office, receive a non-competitively bid City contract, or register with the Ethics Commission to lobby any City department. Members would be ineligible to run for City elective office for five years after the Task Force adopts a final map and would be ineligible to serve as Supervisor if the election will be conducted using the district boundaries adopted by the Task Force on which the member served.

At the request of any member of the Task Force, the Task Force would have authority to remove one of its members for specified reasons.

Task Force Selection Process

The measure would specify a process for selecting members of the Task Force. The measure would create the Independent Redistricting Task Force Office (“Office”), a division of the Department of Elections that would support the Task Force and redistricting process, headed by an Administrator appointed by the Director of Elections. The Office would exist only during the redistricting process. In advance of the census, the Office would begin the process of recruiting members of the Task Force through an open application process.

The Office would provide all eligible applications to a selection panel consisting of one staff member appointed by each of the following department heads: the Clerk of the Board of Supervisors, the Executive Director of the Ethics Commission, the Controller, the City Attorney, and the Executive Director of the Office of Civic Engagement and Immigrant Affairs (the “Panel”). The Panel would be responsible for reviewing the eligible applicants and selecting 50 of the most qualified applicants for a subpool. From the subpool, the Panel would conduct a random drawing to select eight members of the Task Force, with each of the eight residing in a different supervisorial district.

The initial eight Task Force members would then hold a public meeting where they select the six remaining members of the Task Force and the two alternates based on the applicants’ qualifications and to produce a body that reasonably reflects the City’s diversity, and other factors.

The measure provides that this recruitment and selection process would occur over a fifteen-month period.

Task Force Mapping Process

The measure would require the Task Force to hold meetings at least each month beginning approximately eighteen months prior to adopting a final map. The Task Force must hold six workshops across the City. At least 180 days prior to the deadline to adopt a final map, the Task Force must publish preliminary visualizations of a map that highlight areas of the City with significant population changes and may show the City’s communities of interest. The Task Force must then publish at least two draft maps 90 days prior to the final map deadline. After publishing the two draft maps, the Task Force must hold at least six hearings at locations across the City. The Task Force must adopt a final map no later than March 12 in the year the City will hold an election using the new districts.

In adopting a map, the Task Force must take into consideration the prioritized criteria set forth in Section 21130 of the California Elections Code and must comply with other relevant state and federal laws. The Task Force may only act by the affirmative vote of nine of the fourteen members.

Funding

Subject to the budgetary and fiscal provisions of the Charter, the measure provides that the City shall appropriate sufficient funding to the Department of Elections to pay for staffing of the Office, recruitment and training of Task Force members, consultants and vendors the Task Force will need, public meetings and workshops, stipends for Task Force members for each meeting, and for other operational and administrative needs.

Communications Outside Meetings

The measure restricts communications in the following way: (1) the department heads who select members of the Panel may not communicate with anyone outside of their department concerning the selection of a staff member to serve on the Panel except at a public meeting or by receiving written public comment; (2) members of the Panel may not communicate with anyone outside of a public meeting concerning the process of selecting Task Force members or the applicants except with other members of the Panel, the Office's staff, consultants, vendors, legal counsel, or City staff regarding administrative matters; and (3) members of the Task Force may not communicate with anyone outside of a public meeting regarding redistricting matters, except for communications with other members, the Office's staff, consultants, vendors, legal counsel, City staff regarding administrative matters, or communications in connection with public education and outreach.

Members of the Task Force may not use personal email accounts, phone calls, text messages, or other personal means of communication to conduct Task Force business.

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