

2020-2022

City of Oakland

Independent Redistricting Commission Report

Commissioners

Lilibeth Gangas

Daniel Chesmore

Paul Marshall

Diana Miller

Gloria Crowell

Tracy McKnight

Tejal Shah

Shirley Gee

Bharat Singh

Benjie Achtenberg

Stephanie Goode

Jan Stevens

Amber Blackwell

Masoud Hamidi

Mary Velasco

October 2022

Table of Contents

<u>EXECUTIVE SUMMARY</u>	3
<u>COMMITTEES AND CONSULTANTS</u>	4
<u>OUTREACH</u>	4
<u>BUDGET</u>	6
<u>TRAINING</u>	8
<u>MEETINGS</u>	8
<u>OUTREACH</u>	10
<u>MAPPING</u>	13
<u>REFERENCE LINKS</u>	18
<u>GLOSSARY</u>	18
A PROPOSAL FOR FUTURE COMMISSIONS	18

Executive Summary

In February 2022, the Oakland Redistricting Commission adopted a new district map for the City of Oakland. The new map was adopted after more than a year of training, meetings, and community engagement, in preparation for redrawing the district boundaries for the city's seven city council and school board districts. The new district boundaries are in effect for the city elections in Fall 2022. This is the first Charter Report issued by the first independent Oakland Redistricting Commission.

The Commission's duties and responsibilities are defined in the Oakland City Charter. As mandated by the Oakland City Charter:

"The Commission shall issue a report that explains the basis on which the Commission made its decisions in achieving compliance with the criteria listed above and shall include definitions of the terms and standards used in drawing the final plan."

In addition to the requirements in the city Charter mandate, this report chronicles the timeline of the selection process for the Commission, plans for community outreach and an overview of the mapping process, which culminated in the adoption of the new city map with new district boundaries. The report also describes the challenges faced by the Commission during an unprecedented global health pandemic, which limited public meetings to virtual, video meetings, and directly impacted the Commission's community outreach efforts. Community outreach, ongoing training and learning, and support from city staff are essential for a fair and equitable redistricting process.

The Commission understands the redistricting process is a complex, community effort and should start well ahead of the release of the census data. As the mapping process got underway and as the mandated deadline approached, public comment made it clear there was concern and frustration with the community outreach efforts made by the Commission. The Commission hopes this report addresses the public's comments and concerns as shared during meetings, via written comment, and at community outreach events.

Each section of the report describes the unique and universal challenges the Commission faced during that part of the process. It was important to the Commissioners that identifying challenges was balanced with solutions for addressing those challenges. Therefore, each section includes suggestions and recommendations for future commissions and the redistricting process. It is the hope of this Commission the observations and recommendations offered in this report will be accepted by the next commission, by city staff, and by the people of Oakland.

This Oakland Redistricting Commission is honored to have served the people of Oakland for the past two years. We are a group of Oakland residents who volunteered for work that offers an incredible opportunity to participate as non-politicians, for the first time, in a civic, legal, and politically charged process. Our intent was to conduct a transparent, fair, and equitable redistricting process and to adopt a map that reflected that process. Fortunately, our work required engaging with Oaklanders who live all over the city. However, we acknowledge that many more Oaklanders were needed to participate. For all who did participate, we credit you with enriching our experience. As the report will testify: to serve our city was an honor, a responsibility, a challenge, and an incredible learning experience.

The Oakland Redistricting Commission
Oakland, California, November 2022

Committees and Consultants

Ad-Hoc Committees

Bylaws & Procedures

This Committee, with staff assistance, would be responsible for drafting and proposing bylaws and rules of procedure to the Commission. Examples of items that need to be determined include but are not limited to:

- Speaking time allotment for public comments.
- Setting Agenda posting deadline beyond the 72-hour minimum posting requirements.
- Setting time limits on action item discussion.
- Maximum time for Commission meetings.
- Process for disclosing contact outside of Commission meetings.
- Rotation schedule of Chair and Vice Chair, if rotation is elected.
- Powers and authority to the Chair and Vice Chair.

Consultant Selection

On October 2, 2020, City staff released a Request for Proposals (RFP)¹ to identify consultants that can work with the Commission on finalizing the district maps. Per the City Charter, the Commission is responsible for approving the consultant and therefore, staff requests Commissioners to assist in the interview and selection process. This will result in staff and no more than four (4) Commissioners making a recommendation to the Commission on the consultant that will be hired.

Government & School Board

Outreach/presentations to communities at Mayoral/City Council/School Board meetings.

Outreach

The goal of the Outreach Committee is to assist the Commission in reaching as many Oakland residents as possible, educating them on what the redistricting purpose and process is and what it personally means for them as an Oakland resident. We will create transparency through delivering a clear message that promotes understanding of how redistricting works and benefits both residential and business owners and renters. We will share what redistricting implications will be for residents over the next ten years and what their thoughts, concerns, and hopes are. Identify outreach methods which are a combination of phone banking, survey distribution via email, text, and social media. In person outreach will happen on a limited basis and be conducted by Commissioners

- Get numbers from census to start analyzing the new population demographics
- Create outreach timeline and benchmark activities
- Create final report timeline and benchmark activities
- Create census data analysis timeline and benchmark activities
- Create outreach survey questions and distribution timeline and benchmark activities
- Contact outreach partners to assist in contacting Oakland Residents timeline and benchmark activities
- Create outreach partner contact list with Commissioners at next meeting
- Decide with commissioners how we want to capture and format data analysis at next meeting

Communications

The Communications Ad Hoc Committee is tasked with developing messaging that is widely accessible to the community in a timely and responsive manner. The Committee will work and coordinate with other Committees and Commissioners to help advance the Redistricting Commission's agenda and Charter requirements. The Communications Ad Hoc Committee will prioritize working with underserved Oaklanders, groups, and organizations in bringing awareness to the redistricting process.

- Develop and finalize a communications toolkit (i.e., talking points, flyers, social media posts, etc.) for the Redistricting Commission.
- As materials are created, this Committee will contact organizations of interest and request they share the Commission's marketing materials with their networks. The Committee will also respond to follow up questions from these organizations, should questions be received.
- To coordinate with and support the Community Outreach Ad Hoc Committee.
- To coordinate with City staff in organizing and updating the Commission's website.
- Develop a contact list of organizations for the Commission and categorize groups by communities of interest.

Faith-Based Organizations

ID Oakland Faith-based organizations (FBO)

Community Based Organizations

ID Community-based organizations (CBO)

Consultants Selected

Consultant – Redistricting Partners (Mapping)

Consultant – East Arts Alliance and Outreach by Design (Community Outreach)

Challenges

Some commissioners signed up for numerous Ad-Hoc committees without understanding the scope of work. Meeting attendance dropped off, especially during the spikes in Covid19, and deliverables were often late or incomplete. The commission was confused, and often unsure which maps were working maps. Maps were created on District R, but live mapping district lines were different and supported by different data. The commission couldn't communicate directly with the consultants outside of specific commission meetings and live mapping sessions. Community Outreach was focused on a few populations in Oakland and did not have broad reach to many neighborhoods.

Recommendations

Initially set up general Ad-Hoc committees and have each ad-hoc committee create outline of scope and deliverables. Add potential sub committees as needed to support ad-hoc committee deliverables. Add a training ad-hoc committee to ensure commission remains aware of Charter expectations and compliance. The consultant selection ad-hoc committee could be liaison between the mapping consultant and commission to communicate mapping process and answer questions. Community outreach may require more than one consultant or consultants with broader reach.

Chair and Vice Chair Selection

The roles of the Chair and Vice Chair are as follows:

Chairperson

- Preside at all meetings of the Redistricting Commission, which includes managing and leading discussion.
- The Chairperson is accountable to the Commission in setting policy and shall also perform such duties as may be assigned by the Commission.
- Finalize the Agenda for Commission meetings with the assistance of City staff and Vice Chairperson.
- May call special meetings of the Commission.
- Represent the Commission in meetings or communications with local officials and the public.

Vice Chairperson

- In the absence of Chairperson, or at the Chairperson's request, preside at meetings of the Commission, which includes managing and leading discussion.
- Work with the Chairperson and City staff in finalizing the Agenda for Commission meetings.
- At the request of the Chairperson, may represent the Commission in meetings or communications with local officials and the public.

Challenges

Chairperson and Vice-Chair were volunteer and everyone who wanted to chair was assigned the role for a voted-on period. The bylaws and description of the role functions were not always clear. This was evident when chair-people had their own opinions to share while at the same time were supposed to be objectively facilitating the commission meetings.

Recommendations

Clearly define the expectations for the Chair and Vice Chair roles so that meetings are run without bias for I.e., what agenda items to include or not, the order of agenda items, amount of speaking time, how decisions are made or not, etc.

Budget

City Staff

- Deputy City Administrator - Richard Luna -December 2020 thru December 2021
- Environmental City Planner- Corey Alvin- December 2020 thru October 2022
- Acting Deputy City Administrator- Felicia Verdin– December 2021 thru October 2022
- City Attorney Office- Mitesh Bhakta- December 2020 thru October 2022

City Charter Regulations

The City Administrator or his or her designee shall do all the following:

No later than January 1, 2020, and in each year ending in the number zero (0) thereafter, initiate and widely publicize an application process, open to all residents of Oakland who meet the requirements of subdivision (D)(1), in a manner that promotes a Qualified Commissioner applicant pool that is large and reflective of the geographic, racial, ethnic, and economic diversity of the City of Oakland. This process shall remain open until April 1, 2020, and in each year ending in the number zero (0) thereafter.

Create a reader-friendly application available electronically and in hard copies for prospective commissioners and seek assistance from a broad range of community-based organizations in its outreach efforts. Applicants shall attest on the application, under penalty of perjury, that the information provided is true.

Ensure that the pool has at least three Qualified applicants from each existing City Council district.
Take all reasonable and necessary steps to ensure that the pool has the requisite numbers, diversity, and Qualifications.

The City of Oakland Administrator shall designate staff to support the Commission. The Commission shall approve consultants as needed following a competitive bidding process. Compensation of such persons shall be limited to the period in which the Commission is active.

The City Attorney and the City Administrator, or his or her designee, shall train the Commissioners prior to beginning their work. The training shall cover the open meeting requirements of the Ralph M. Brown Act.

The city staff maintained the Commission's website and managed access to its social media accounts. The city staffs produced the Commission's meeting agendas and meeting minutes.

The city staff hosted the Zoom meetings and provided technical support.

City staff was also responsible for engaging city government authorized vendors for printing and advertising, and for managing contracts with vendors and consultants who performed services for payment. City staff served as a liaison to other departments, agencies, and the City Council.

Challenges

The Commission's budget is determined by the city and is based on a calculation that references the previous redistricting budget (see Charter for the calculation). There were specific number of budget items, with the bulk of the budget allocated to the mapping consultant. The original budget did not include funds for a community outreach consultant. Additional funds were granted by the City Council after formal written requests by the leadership team were sent to City Council members and their key staff members, followed by verbal requests at virtual City Council budget meetings in May and June 2021.

The lack of transparency, resources and information provided on understanding how to request and how much money was allocated for the Commission towards the redistricting process was a challenge. Commissioners were forced to use their own personal money to create outreach materials and left with the responsibility to make request for additional money.

Recommendation

The next commission should be provided a budget list of funds that are allowed to be used. Each subcommittee should be allowed a certain amount of money to be able to use for purposes of outreach, consultants, and other important needs. The commission needs to be provided information on how to request funds from city council. The charter rules clearly state that funds should be set aside for the purpose of outreach.

City staff was provided incorrect information and should be trained on the proper procedure on what is stated in the actual charter. Please read below what is required from the city based on Chapter 220 of the city charter:

“The City Council shall appropriate funds to meet the operational needs of the Commission and any outreach program to solicit broad public participation in the redistricting process of at least the amount spent in 2013 on redistricting adjusted for inflation using the Consumer Price Index. The City Council shall allocate the pro rata

share of the total estimated cost beginning in year 2015 and each year ending in two (2) thereafter, in anticipation of the redistricting year.”

It goes without saying that if the commission is relying on City staff for support, then City staff should be able to provide the necessary information on the budget. Funds should be allocated and provided for flyers and other materials prior to the beginning of the commission. If more funds are needed, it should not be the responsibility of the Commissioners to have to request but of the City Staff. It would be good to create a subcommittee to allocate and understand where funds should be set aside for when the commission begins.

The Commission is a volunteer position and the amount of time and effort that it takes to complete should receive a stipend to the Commissioners. Materials needed to create maps, software that works, and outreach should have funds dedicated towards the effort of drawing a fair map. These are recommendations that will help the next commission in their efforts. The following links below are good points of reference to use as guides.

Training	Date
Brown Act & Sunshine Ordinance	10/14/20
Measure DD & Section 220	10/14/20
Government Ethics Act	11/12/20
Robert’s Rules of Order	11/12/20
Race & Equity Training	12/9/20
Disclosure Requirements by Commissioners – (Rule 13 Rules of Procedure)	12/9/20
California Common Cause Workshop	2/10/21
Public Ethics Training	3/11/21
Redistricting Law & Criteria	7/28/21
Communities of Interest Strategies	7/28/21

Challenges

Training was at the beginning of the Commission’s term and early in the process. Commissioners, who come from various experiences and/or expertise, may not have understood the application of the training.

Recommendation

Repeat training so the Commission’s Charter is clear in practice. Provide additional reminders of the legal and ethical guardrails, either through training sessions or as part of the agenda.

Meetings

The fully formed Commission held regular monthly meetings on the second Wednesday of each month at 5pm, beginning in October 2020. Special meetings were scheduled as needed to accommodate special activities, presentations, workshops and to address additional business. Live mapping was conducted during both general and special meetings. All Commission meetings were publicly held and required a quorum of at least nine Commissioners

for the start and duration of the meeting. Meeting agendas included an Open Forum at the top of the meeting and public input was encouraged for each agenda item. City staff posted the meeting agenda and Zoom link to the Commission's website one week prior to the respective meeting. (Link to meeting agendas, link to meeting minutes)

Each meeting was primarily led by the Chair, along with two co-chairs. City staff members provided the technical infrastructure, administrative support for producing agendas and distributing public comment, and legal counsel. City staff members were available to answer procedural, historical and other types of questions raised by Commissioners and the public. The roles of Chair and Co-Chairs were determined by a simple survey of all the Commissioners, who expressed their individual interest to assume either or both roles during three-month cycles. The schedule for the rotating Chair and Co-Chair was set in November 2020.

Challenges

The public attendance at the meetings was very low in the first several months of 2020. Public attendance significantly increased as the easing of pandemic restrictions allowed for in-person outreach and the outreach consultant officially began their work. As the redistricting process entered the mapping phase, public comment increasingly pointed to a lack of awareness about the redistricting process – what is it, why does it matter, the deadline to produce a new map, and who was involved.

The meetings were facilitated by the active Chair with guidance by City Staff, including the project manager and the city attorney. This balance presented a fair and transparent facilitation and relieved any one person from leading a meeting. The Commission's Bylaws & Procedures defined the role of the Chair and the Vice Chairs as responsible for setting meeting agendas and to manage the meetings. The Chair was the representative of the Commission when interacting with city government, city council, civic organizations, and members of the public.

The Bylaws and Procedures followed a template that is used by other city commissions and boards which did not specifically provide tools for addressing the issues that eventually arose during the redistricting process. These issues were not limited to: anticipating key topics that would later arise during the mapping phase and proactively planning directed discussions; anticipating the need for more live mapping sessions, workshops and training; directing ad-hoc committees to pursue activities as a result of discussion and public comment; and, perhaps most importantly, a mechanism for resolving "worst case scenarios" which occurred when the Commission was divided or deadlocked when trying to reach critical decisions. The Bylaws and Procedures ultimately provided a generic managerial role for the Chair, which allowed for adherence to a strict definition of the role of Chair and Vice Chairs by some who served and allowed for a generous interpretation of their roles by others.

As the charter deadline approached, it became necessary that the Commission conduct more, and frequent, meetings. This was limited by the schedule imposed for setting and distributing the agenda, which in some cases prevented the Commission from conducting business that was urgent and timely, and interfered with the mapping consultant's ability to publish draft maps and the corresponding population analysis in a timely way. When it became known that a new map would not be adopted by the charter deadline of December 31st, the pressure to come to a majority vote on a new map required the Commission to continue meeting in 2022. The Commission lost a voting member and an alternate Commissioner during this time.

Recommendation

The process to produce meeting agendas and to publish the agendas in a timely way for the public should be addressed. For the meeting agendas the Commission recommends: shifting the influence away from city staff to the Commission for agenda development; increasing opportunity for submitting suggestions for meeting agendas; introduce flexibility in the timeline for producing meeting agendas; mapping outreach goals to the meeting schedule.

The role of the Chair and Vice Chairs should be clearly defined with deliberate consideration for the redistricting process and its unique requirements: for the purpose of maximizing open discussion, venturing into historically

contentious and difficult topics, thoughtful decision making, and equal access for all participants to express opinion, comment, and concerns during the meetings. It is critical that the public meetings be conducted objectively, evenly, and fairly, with respect extended to everyone in attendance. All decisions, whether brought by a motion or by the Chair or Vice Chair, should be weighed with these considerations in mind.

Outreach

Initial Commission Outreach

The initial plan was for the Commission to create sub-committees which would focus on different elements of the outreach strategy. This was before the Commission realized a dedicated community outreach consultant was needed. The Commission's original budget, as set by the City, did not include funds for an outreach consultant. The expectation by the Commissioners and city staff was that the Commission would develop and execute its own outreach strategy, with some funds available for printing and advertising costs. The Outreach, Communications, and Government committees each developed strategies, while the committees that targeted Faith-Based and Community-Based Organizations were tasked with generating substantial lists of those organizations and contacting as many as possible.

Though most of these organizations had websites, contact forms and email addresses, many had only phone numbers. Due to the pandemic, many organizations did not have regular office hours, or were understaffed, and were hard to contact. Additionally, given the limitations of social distancing and non-gathering ordinances in place at the time outreach was almost exclusively virtual via email, phone and through video conferencing platforms.

At the time, the main purpose of outreach at this time was to inform the public about the redistricting process that had begun and invite residents of Oakland to weigh in on the process. Commissioners actively sought to engage the Community, despite the constraints of the on-going pandemic, in the process of drawing new Council Districts as much as possible.

Though initial excitement and enthusiasm for community outreach was present, it soon became clear that regardless of the pandemic restrictions, the task of outreaching to 400,000 plus Oakland residents far exceeded the capacity of the 15 Commissioners.

Bringing in Outreach Consultants

The process to find and hire an outreach consultant took much longer than anticipated, which jeopardized the outreach planning leading up to the first mapping sessions. Additional funds were not available for several weeks after the City Council granted the Commission an additional \$40,000, which precluded initiating the process to retain the consultant. In addition, the census data had not yet been released with delays caused by the pandemic and the federal administration. These were unplanned events that occurred during a crucial time in the redistricting process.

Throughout this time, the Commissioners continued to outreach via phone and virtually to different organizations and community groups with the hope that they would in turn reach out to their networks to provide more information about the on-going redistricting process.

Restrictions for in-person gatherings started to lift in Fall 2021, which offered long awaited opportunities to do in-person community outreach. Some of these activities included town halls, farmers markets, festivals, and community organization gatherings. Individual commissioners volunteered to do in-person outreach, meeting Oaklanders, promoting the Commission's work and goals, gathering public comment and signups for Commission news, and answering questions about redistricting. This was successful, albeit on a small scale. The Commission had produced printed materials for tabling at markets and festivals before the outreach consultant was officially under contract.

Although there was enthusiasm from all Commissioners to participate at in-person outreach events, the pandemic remained a threat, hindering the capacity of the Commission to work to full effect.

The welcome addition of the community outreach consultant offered relief and new challenges for the Commission's outreach efforts. Although the three committees dedicated to outreach and communications remained active, there was a transfer of duties and expectations to the consultant, reinforced by city staff. A sense of easing of duties on the committees was simultaneous with the need to ramp up outreach to "catch up" with the previous slow pace of strategy implementation and outcomes. The consultant developed an outreach strategy and a methodology for capturing results and outcomes, and they performed needed services, such as networking, scheduling, active engagement, new content development and design. Outreach, under the direction of the consultant (Outreach by Design and Eastside Arts Alliance) continued throughout the redistricting process and contributed to bringing in more varied voices and perspectives into the process.

Enhanced Outreach

The Commission continued to work towards its outreach goal by contacting and presenting to the public at virtual town hall meetings, which were actively advertised by the outreach consultants. Many stakeholders from across the city participated at various points in time in the process. Those stakeholders included political parties, civic associations, communities of interest, City Regional Service Centers, and Citizens Advisory Boards, and the public. Every member of the Commission participated in virtual townhall meetings and heard the needs, wants, and redistricting desires of the city citizens.

The consultants had posters made in multiple languages as well as a short, animated video, all briefly explaining what redistricting is and how residents could participate in the process. These were shared widely, but mainly through the City of Oakland website and listservs.

Once census data was received and the commission began iterating on maps and talking about actual lines and boundaries and their historic and future implications, many more Oakland residents and stakeholders began to engage in the process. Throughout the process, the Commission received over 500 individual written comments after maps were presented for consideration as well as numerous verbal comments during the virtual meetings.

Several maps drawn by interested citizens were submitted for the Commission's consideration. The breadth of needs, wants expressed by the public was immense. Commissioners realize that tough choices are necessary for any map that divides the city into seven Districts. Over 100 comments were received after a single map was voted upon by the Commission.

Challenges

In the beginning of the process, with census data delayed, outreach was exclusively informative and therefore not very engaging to the public. There were no maps to critique and no way for the public to provide their own maps, yet.

Those the consultants created informative content to share and were out in the field, there was a sense of disconnection between the consultant and the Outreach and Communications committees, and a lack of direction, which may have come from the late entry of the consultant into the process and further misunderstandings about roles and responsibilities. Some outreach projects proposed by the committees and the Commission did not come to fruition, such as billboard, radio advertising and sending a simple informative mailer about the redistricting process to all Oakland residents. It was not clear if the outreach consultant or the City of Oakland did not support these additional methods of outreach, but nonetheless, they did not occur.

Despite all the work of the outreach consultants, the fact that most meetings and communications were virtual left out tens of thousands of Oakland residents, especially those who are most impacted by poverty and lack of high-quality

city services and infrastructure. This was made clear by the lack of diversity in who showed up to Commission meetings and town halls. Only those with consistent internet connections, time, and willingness to sit through hours long Zoom meetings were able to actively participate in the process. Emailed comments, found [here](#) on the Commission's website were received and read by Commissioners but there was no central organizing of the comments, beyond what individual Commissioners did in their own notes. Online survey responses, also found [here](#) on the Commission's website were organized by respondent name and voting district.

There was very little attention paid to the impact of the redistricting process on schools, families, and the school district. Throughout the process, residents and Commissioners were not clear on how the district lines related to, intersected with and were unrelated to school attendance boundaries, which are set by the school district. This led to excessive confusion and misinformation for all. It was left up to individual commissioners with personal knowledge about schools and the district to bring that conversation to the table.

The ad-hoc committees eventually stopped meeting regularly, as they had been since they were formed. Not long after the outreach consultant joined the redistricting process. At the same time, with the census data, the commission shifted its priority to analyzing the census data, proposing new district lines, debating, and discussing their potential implications. This shift in focus further exacerbated the disconnect between the Commission and the outreach consultant. Additionally, the Commission's project manager and lead city staff member left his office in December of 2021. His departure was unexpected and came at a critical time when public awareness of the redistricting process was rapidly increasing. The Commission was entering the mapping phase, and the charter-specified deadline was fast approaching.

Recommendations

The Commission and the ad-hoc committees should identify numerous opportunities and strategies for improving community outreach and all opportunities and strategies must be pursued. **(Link to reports in Appendix?)** In advance of the formation of a new Commission, city staff should have a marketing plan for engaging Oakland residents in the redistricting process. The plan should include minimum requirements for announcing and promoting the upcoming redistricting process, such as:

- Printed postal mailers that are sent to every address in the city
- Billboard advertisements
- Radio public service announcements.

The city should plan to mail at least two informational pieces with the important dates and instructions for participating in the redistricting process to every address.

There should be standardized informational presentations created and used when presenting to all stakeholders both about the redistricting process as well as the current map options at the time. There must also be a way for residents to share their feedback and for it to be accurately collected and organized for the Commissioners to review and consider.

Equal attention must be paid to both the implications of the new district lines on the Oakland School Board and on the City Council. To this end, representatives from both the City and from the Oakland Unified School District must be brought into share about how the district lines impact the work of both entities and thereby impact the lives of all Oaklanders. The differences between the OUSD school attendance boundaries and the district lines are critical to understanding the city's redistricting process. Again, further education for the commissioners about these lines, their impact on Oaklanders' lives must be provided.

An Equity Analysis by the City's Office of Equity should be presented about the current map, so that the Commission and the public can clearly understand the implications of changing district boundaries as the population changes.

Officially submitted public comment should offer more options and not be solely technology-based. The commission's budget should include funds for an expert community outreach consultant and the consultant selection process should be started as soon as the Commission is equipped to select the consultant. This would be a priority for the Commission.

Mapping

On February 23, 2022, the Redistricting Commission adopted Resolution No 22-004 to adopt Draft Map F5 which describes the new district boundaries for the City Council and the Oakland Unified School Board. The final district map was adopted in time for implementation for the Municipal and General elections in November 2022.

The Commission conducted 11 live mapping sessions beginning in November 2021. These sessions occurred during general and special meetings, with guidance by Redistricting Partners, the Commission's mapping consultant. The Commission considered (19) draft district maps before adopting Draft Map F5. Each of the draft maps and the final district map are available on the Commission's website for ten years, until the next redistricting in 2031.

Each map is available in an interactive version and accompanied by a printable "atlas" - an analysis of populations, for each district, for size, race and voting age. Each map is accompanied by a written description of changes in the district boundaries. All analyses and descriptions were prepared by Redistricting Partners.

Legal Framework

The mapping process is guided by federal, state and city laws that require certain criteria be met and prioritized. This legal framework applies whether redistricting is done by an independent commission or by elected officials. The final district map meets each of these legal criteria.

The official descriptions of these criteria are stated in the Oakland City Charter; *ARTICLE II - THE COUNCIL; Section 220. Redistricting of City Council and School Board Districts.* The text as it appears in the city Charter is in italics.

1. Population

Districts shall comply with the United States Constitution. Each council and school district shall have reasonably equal population with other districts, except where deviation is required to comply with the federal Voting Rights Act or permitted by law.

2. Representation

Districts shall comply with the federal Voting Rights Act, commencing at 42 U.S.C. Section 1971, the California Voting Rights Act, commencing at Section 14025 of the Elections Code, and any other requirement of federal or state law.

3. Geographically contiguous

Districts shall be geographically contiguous.

4. Communities of Interest

The geographic integrity of any local neighborhood or local community of interest shall be respected in a manner that minimizes their division to the extent possible without violating the requirements of any of the preceding subsections. A community of interest is a contiguous population that shares common social and economic interests that should be included within a single district for purposes of its effective and fair representation. Communities of interest shall not include relationships with political parties, incumbents, or political candidates.

5. *Geographically*

Geographically compact to the extent practicable, district boundaries shall be drawn to encourage geographical compactness such that nearby areas of population are not bypassed for more distant populations.

6. *Political incumbents*

Districts may not be drawn for the purpose of favoring or discriminating against an incumbent or political candidate.

7. *Additional criteria*

The Commission may establish and consider additional criteria that comply with the above listed criteria and the requirements of federal and state law.

Methodology

The Commission's vote to adopt the final district map was a result of reviewing, discussing, and debating the qualities of each draft map in the context of the legal framework. The Commission applied all the criteria to each draft map and its corresponding demographic analysis, all while acknowledging the priority of the criteria. The context of an independent redistricting process informed the Commission's goals to leverage census data and conduct an open forum for all Oaklanders to participate. Preceding those goals is the legal framework within which the redistricting process must proceed.

Population Size

Focus was placed on population size in each district and the overall population deviation (the average difference in population size across all seven districts). The Commission strived to minimize the overall population deviation, which must be less than 10 percent. Based on the 2020 Census Data, the target population for each of the seven districts was 62,000.

Representation

The Commission consistently evaluated the diversity of each redrawn district, based on the census data, which relied on how individuals self-identified using racial/ethnic categories provided by the census questionnaire. The Citizen Voting Age Population (CVAP) data, also determined by the census data, was always heavily considered. The Commission was insistent on preserving and maximizing Asian, Black, and Latino populations and CVAP in Districts 2, 3, and 5, respectively. The Commission also heavily relied on the input from residents in each district, who offered their stories and experiences living, working, and going to school in their district. Each Commissioner offered stories of their experience living in their respective district. All this data and public input offered unique, qualitative understanding of the impacts of district boundary lines on populations and communities who are historically, racially, and culturally cohesive.

Geographically Contiguous

The boundaries for each district should visually reflect the integrity of communities, which should include, but not be limited to, physical characteristics such as: neighborhoods, Lake Merritt, parks, school campuses, business, and commercial districts. District boundaries should not divide or separate cohesive neighborhoods and communities, nor should boundaries be drawn to bypass an adjacent geographic area for one further away. The shape of a district must reflect boundaries that include whole communities, without arbitrary separation or division of these physical and community characteristics. The Commission acknowledged that some historical district boundaries, such as Highway 580, have contributed to arbitrary divisions of neighborhoods and communities.

Communities of Interest (COI)

The Commission concluded that Communities of Interest (COI) encompassed more than common social and economic interests, and could not necessarily be bound by geographic contiguity, compactness, or proximity. Some COI were clearly identifiable and geographically based, such as business districts, neighborhood organizations, and arts districts. Other COI represented a geographic diversity with community members living all over the city, such as faith-based organizations, cultural organizations, and community activists. The Commission discussed the importance of COI in the prioritization of criteria in the redistricting process and continued to debate the concept throughout the entire process. Ultimately, a final definition was not agreed upon.

Geographically Compact

The physical size of a district is directly related to its density. Therefore District 2 and District 5 are geographically smaller than Districts 4 and 7, which have fewer residents per square area. The Commission's focus on preserving COI within district boundaries resulted in some neighborhoods and business districts being reunited and drawn into the same district (for example, the 23rd Avenue cultural and business district was moved to District 2 from District 5) and resulted in moving well known landmarks from one district to another, such as the new border between District 6 and District 7 which places the Coliseum Complex in District 6.

Political Incumbents

The Commission was not to consider the impact of district boundaries on the incumbency of a city council member or school board director. Individual commissioners were to remain apolitical and independent from any elected official's influence or pressure. Commissioners were required to disclose any contact with elected officials, lobbyists or any organization that had business with the city council or school board. The Brown Act mandated that Commissioners make any disclosures at the start of every public meeting.

Additional Criteria

The Commissioners were trained in their early meetings to understand the laws that make up the legal framework and were introduced to concepts rooted in electoral and social justice. These concepts are critical to understanding public input and how it could be meaningfully applied in the mapping process.

The Commission considered these additional criteria during the mapping process:

- Economic engines
- Parks
- Schools
- Business districts
- Cultural districts
- ...

Public Participation

Public comment during meetings and via written comment was strongly encouraged and dramatically increased in representation and volume as the mapping process evolved. The Commission received over 1,100 written comments (submitted by individuals, groups, and organizations). The public was also invited to submit digitally drawn maps via the web-based District R mapping tool. One hundred twelve (112) District R maps were submitted to the Commission. District R became an essential tool for understanding the impact of drawing district lines because it dynamically adjusted populations for each district (size, race, voting age). Since the tool was web-based, anyone could use it on their own time to prepare for live mapping sessions. The main flaw of the tool was the inaccuracy of the formula which calculated the overall population deviation, which had to be less than 10%. A simple tool for drawing maps by hand

was introduced at the in-person outreach events. These were 11” x 17” color maps of Oakland which showed major roads, streets, and schools. The “placemat” was popular at the in-person events but was not available on the Commission’s website.

Challenges

Although the Commission applied its methodology and incorporated public input throughout the evolution of the final district map, there continued to be key aspects of the mapping process that were either not addressed soon enough or not resolved. The Commission identified goals early on that were intended to shape the process, with focus on equity and fairness. However, the mechanics of live mapping, understanding dynamic demographic data, and making decisions to draw, promote or remove a draft map from consideration were insufficiently addressed before these challenges surfaced. Misunderstandings, disagreements, and conflict could have been mostly avoided if the Commission had developed an emergency plan for advancing the mapping process to a mutually desirable outcome.

The Commission strongly supports tracking and measuring the public comment it received and the effect public participation by COI, group and individual had on the redistricting process. For example, the Commission did not have a methodology for weighing written comment submitted by an individual in comparison to written comment submitted in the form of a letter signed by dozens of individuals.

The mapping consultant was a team of highly professional people, who were clearly experts in the complexities of redistricting. The mapping consultant who led the virtual mapping session for each meeting answered all questions, explained key redistricting concepts, and addressed mapping outcomes that occurred with each change of a district boundary line. The meetings that included mapping sessions were long, often lasting several hours as the deadline approached. This was partly due to the original meeting schedule, which had to be extended with the addition of several special meetings to accommodate live mapping, and partly due to the Commission’s learning curve about setting its meeting agenda. The production of several iterations of maps introduced legal (regarding specificity and transparency) and logistical challenges (the mapping consultant needed a certain amount of time to prepare each map atlas for the next meeting). There was a several week gap early in the mapping phase when the Commission could not discuss previously drawn maps. The delay affected the meeting schedule for the remainder of the redistricting process.

The Commission spent a lot of time early in the process discussing its goals to redraw the districts with focus on equity and fairness. The Commission had discussions about methodology during its early meetings when there was not much public participation. These discussions proceeded after trainings were complete and without the continued aid of guest speakers and experts who could facilitate such discussions. This may have been counterproductive. The Commission acknowledges it did not achieve a clear understanding and agreement on key redistricting concepts and definitions, such as COI. The Commission believes the redistricting process and the people of Oakland would have been better served with more guest speakers, more workshops, more live mapping sessions, and more time spent on training and learning about redistricting before the mapping phase began.

The Commission was unable to adopt a final map by the deadline of December 31, 2021. The Commission was still discussing, and debating, the merits and problems with multiple maps in the last few weeks of December. This delay was causing frustration amongst Commissioners and for the public. The Commission faced increasing pressure from the public to quickly reduce the number of maps under consideration and to come to a consensus on one map. The final map had to be approved by a nine majority of the Commissioners and it was clear the Commission was divided over two different approaches to the maps under consideration. The evolution of the final map exposed divisions in the public comment, which rapidly increased as draft maps were published to the Commission’s website.

The confluence of being unable to come to a consensus on one map with the increasing volume of public discontent with the redistricting process was very challenging for the Commission. One Commissioner with voting privileges resigned during this time, requiring an election to promote one of the alternate Commissioners to take her place. The

pace and decibel of the discussions during the meetings, including public comment, revealed fault lines in the civic discourse. Commissioners felt discouragement while nearing the end of the yearlong redistricting process, with a new map yet to be adopted and the prospect of having a Superior Court County judge decide which map to temporarily adopt while the Commission completed its work.

The unexpected and undesirable prolonging of the Commission's term brought continued challenges, including additional resignations by voting and alternate Commissioners, failure to hold quorum during meetings and failure to schedule new special meetings for the purposes of adopting a final district map. Attempts to meet specifically to discuss the Charter Report were also blocked due to lack of quorum. The Commission succeeded in adopting a new map (F5) for Oakland's seven districts in February 2022 and held one more meeting in April 2022.

Recommendations

- Expert consultants, paid and volunteer, who offer various skills and technologies, and come from fields of scholarship and interests related to redistricting, are needed in the redistricting process. They would offer guidance, perspectives, experience, and support to the commissioners. The commission would collaborate with contracted consultants frequently. Learning and applying new knowledge should be an ongoing activity for the next commission
- The mapping consultant should offer multiple training sessions, including demonstrations, that explain and illustrate the relationship between overall population, voting age population, and population by race/ethnicity.
- The commission should schedule more live mapping sessions and allot enough time in each session to allow for live analysis
- If the online mapping tool, District R, or another similar online mapping tool is used, there should be at least one in-depth training and demonstration session. The public should be allowed to ask questions of the consultant during the demonstration.
- The online mapping tool should be promoted to the public as soon as the census data is available. It could be promoted to teachers and students to understand redistricting.
- Leverage appropriate technology for live mapping, to allow for large screen viewing which could help with seeing map changes at the street level and seeing the demographic data analysis - Public comment should be tracked and compiled to give the Commissioners an accurate count, prevalent topics, and COI, indexed for easy access
- (Methodology) The Commission should determine how to weigh different forms of public comment, to avoid inconsistent treatment of public comment, especially when a highly organized group is better equipped to participate in the redistricting process; historically silent or muted communities and groups must have equal voice
- The role of the Chair and Vice Chairs should be defined in the Bylaws to account for the unique responsibility of managing live mapping sessions, which includes decision making with potentially significant results
- To address the issue of objectivity and the public perception that the Commission suffered from a lack of complete objectivity, a definition for Objectivity could be formalized in the City Charter

A Proposal for Future Commissions

An independent redistricting commission is still a good idea. For this inaugural independent Commission, there were high expectations, hopes and yearnings for a new and different kind of redistricting process – an all-inclusive community-led effort to effect change in our access to political power and traditional, political representation, which could have a positive, long-lasting effect for future generations. It is the hope of this Commission that the experience, observations, challenges, and recommendations shared in this report contribute to the next, new, and different kind of redistricting process.

Reference Links

Final Oakland District Map

<https://www.oaklandca.gov/topics/final-district-map>

Oakland City Charter

Link

The history of the draft maps can be found on the Commission’s website:

<https://www.oaklandca.gov/topics/district-map-proposals>

Glossary

- Federal Voting Rights Act
- California Fair Maps Act
- Redistricting
- Equity
- ...

NOTE

Check that these de-brief items need to be addressed / integrated in the text.

- District R used different data and equations that made it hard to compare, the discrepancies between tool and consultant mapping, Live mapping although hard ended up being needed, perhaps use live mapping earlier in process to understand impact
- Zoom was a very difficult tool to use to do the mapping (commissioners had to reuse their own resources), more city staff support needs to be provided
- How would this process have been done in person?
- How can we utilize tech to our best knowledge and advantage?
- How many maps can we participate in, how to collaborate on drawing maps in groups
- When is a map presented majority rules?
- Districts should comply with the charter. Criteria to follow. Population was priority.
- Regarding timeline, timeline should track comments that are made by the public. Meeting dates, workshops, 1st maps and follow ups – all could be captured on a timeline. How much public comment comes in and from which neighborhoods and districts. Who are we not hearing from?
- Objectivity. Should be clarified and / or written into the charter. Representing the districts where we live or are we advocating for the whole City? Where is the line. Public perception of our work, are we trustworthy?
- No such thing as full objectivity. But we should have criteria to make decisions.



City of Oakland