



Fresno County Advisory Redistricting Commission Meeting

Wednesday, July 7, 2021 @ 6:00 p.m.

Commission Members

District 1:	<u>Katherine Burrows</u>	<u>Ken Abrahamian</u>
District 2:	<u>Elizabeth Kolstad</u>	<u>Lawrence Garcia</u>
District 3:	<u>Patience Milrod</u>	<u>Hugo Morales</u>
District 4:	<u>James Petty Jr.</u>	<u>Glenda Hill</u>
District 5:	<u>Suzanne Motte</u>	<u>Richard Gallegos</u>
CAO:	<u>Jeff Cardell</u>	

IMPORTANT NOTICE REGARDING PUBLIC PARTICIPATION

This meeting will be hosted as a virtual Zoom meeting.

To join the meeting via web browser at:

<https://zoom.us/j/99371524805>

To join the meeting by telephone dial:

US: +1 669 900 6833 or +1 408 638 0968

For English enter Webinar ID: 993 7152 4805

For Spanish enter Webinar ID: 964 1975 3030

Live Spanish language translation services will be available in the Zoom meeting via a web browser or by dialing in and entering the Spanish Webinar ID number.

Servicios de traducción en vivo a español estarán disponibles en la reunión de Zoom a través de un navegador web o marcando e ingresando el número de identificación del seminario web en español.

Public attendees who desire to make general public comment, or comment on a specific item on the agenda, may do so as follows:

Zoom or By Telephone:

Members of the public may make public comment during the meeting using the link provided on the agenda to access the Zoom meeting, or by calling the telephone number provided on the agenda to join the meeting by telephone. Any person addressing the Commission will be limited to a maximum of two (2) minutes each so that all interested parties have an opportunity to speak. County staff will call for public testimony as each item is heard. If making a public comment using the link provided on the agenda, please click on the "raise your hand" icon and the meeting moderator will unmute you at the appropriate time. If making a public comment by telephone, please press *9 to raise your hand and wait until public comment is called and you will then be asked to unmute.

Written Comments

Members of the public may submit written comments as follows: by email to FresnoCounty2021Redistricting@fresnocountyca.gov, by mail to: County Administrative Office, Redistricting 2021, 2281 Tulare Street, Room 304, Fresno, CA 93721, or by hand delivery at the County Administrative Office in the Hall of Records at 2281 Tulare Street, Room 304, Fresno, CA 93721. Comments should be submitted as soon as possible but **not later than 5:00 p.m. the day before the meeting**. You will need to provide the following information:

- Meeting Date
- Item Number
- Comments
- Please submit a separate e-mail for each item you are commenting on.
- Please be aware that public comments received that do not specify a particular agenda item will be made part of the record of proceedings as a general public comment.

Written comments received before 5:00 p.m. the day before the meeting will be provided to the Commission members electronically prior to the meeting and incorporated into the meeting record. Comments received after 5:00 p.m. the day before the meeting, including comments received during the meeting, will be distributed electronically to Commission members after the meeting has concluded and incorporated into the meeting record.

PROGRAM ACCESSIBILITY AND ACCOMMODATIONS: The Americans with Disabilities Act (ADA) Title II covers the programs, services, activities and facilities owned or operated by state and local governments like the County of Fresno ("County"). Further, the County promotes equality of opportunity and full participation by all persons, including persons with disabilities.

Towards this end, the County works to ensure that it provides meaningful access to people with disabilities to every program, service, benefit, and activity, when viewed in its entirety. Similarly, the County also works to ensure that its operated or owned facilities that are open to the public provide meaningful access to people with disabilities.

To help ensure this meaningful access, as a participant at the meeting, if you need additional accommodations, please contact the County Administrative Office at (559) 600-1221 or via email at FresnoCounty2021Redistricting@fresnocountyca.gov. Reasonable requests made at least 72 hours in advance of the meeting will help to ensure accessibility to this meeting. Later requests will be accommodated to the extent reasonably feasible.

The Fresno County Advisory Redistricting Commission welcomes you to this meeting and encourages your participation. The Chairman will call for public testimony as each item is heard. If you wish to provide verbal comments during Public Comments please click on the "raise your hand" icon and the meeting moderator will unmute you for comment, at the appropriate time.

All supporting documentation is available online at:
<https://www.co.fresno.ca.us/resources/redistricting>

Agenda

- A. Call meeting to order and roll call
- B. Introduction of Commission members
- C. Discussion and election of Chair and Vice-Chair
- D. Receive and file meeting schedule
- E. Receive and adopt the proposed bylaws
- F. Brown Act training
- G. Presentation and redistricting overview training
- H. Public Comment *(This portion of the meeting is reserved for persons desiring to address the Advisory Redistricting Commission about matters within the jurisdiction of the Commission, but not listed on this Agenda. Matters presented during the Public Comment Period cannot be discussed or acted upon by the Commission. Comments will be limited to two (2) minutes for each speaker unless non-English translation is needed, in which the speaker will be limited to four (4) minutes, with a total of 20 minutes allotted for the Public Comment Period.)*
- I. Future topics and next meeting
- J. Announcements
- K. Adjournment

Commission Meetings

Date	Time	Meeting	Location
Wednesday, July 07, 2021	6:00 PM	Commission Hearing #1	Virtual (like to be "Teams" or "Zoom")
Thursday, August 12, 2021	6:00 PM	Commission Hearing #2	Fresno County Health and Wellness Center - 1925 E. Dakota Ave. Fresno, CA 93726
Thursday, October 21, 2021	6:00 PM	Commission Hearing #3	Fresno County Health and Wellness Center - 1925 E. Dakota Ave. Fresno, CA 93726
Tuesday, November 02, 2021	1:00 PM	BOS Hearing	Hall of Records, 3rd floor - 2281 Tulare St. Fresno CA 93724
Tuesday, November 16, 2021	1:00 PM	BOS Hearing	Hall of Records, 3rd floor - 2281 Tulare St. Fresno CA 93724

Public Workshops

Date	Time	Meeting	Location
Wednesday, July 14, 2021	6:00 PM	District 4 (BM) - Workshop #1	Riverdale Unified - 3160 W. Mount Whitney Ave. Riverdale, CA 93656
Tuesday, August 03, 2021	6:00 PM	District 1 (BP) - Workshop #2	Gaston Middle School - 1100 E. Church Ave. Fresno, CA 93706
Wednesday, August 04, 2021	6:00 PM	District 3 (SQ) - Workshop #3	Fresno High - 1839 N. Echo Ave. Fresno, CA 93704
Saturday, August 21, 2021	9:00 AM	District 2 (SB) - Workshop #4	Bullard High - 5445 N. Palm Ave. Fresno, CA 93704
Saturday, August 21, 2021	2:00 PM	District 5 (NM) - Workshop #5	Veteran's Memorial - 808 4th St. Clovis, CA 93612

**FRESNO COUNTY
2021 ADVISORY REDISTRICTING COMMISSION
BYLAWS**

Article 1 – PURPOSE AND AUTHORITY

Section A. Formation

The 2021 Advisory Redistricting Commission (“Commission”) was established by Resolution 21-119 by the County of Fresno Board of Supervisors on April 27, 2021.

Section B. Purpose

The purpose of the Commission is to recommend to the County of Fresno Board of Supervisors (“Board”) its findings for the need to change supervisorial district boundaries based on the 2020 Federal decennial census, with such recommendation to be acted upon by the Board after public hearings no later than December 15, 2021. (Elec. Code §§ 21501(a)(2) and 23000(a).)

Section C. Authority

The Commission is advisory to the Board only. The Commission is not empowered by ordinance, establishing authority, or policy to render a decision of any kind on behalf of the County of Fresno (“County”) or its appointed or elected officials.

Article 2 – MEMBERSHIP AND TERM OF OFFICE

Section A. Composition

The Commission shall be composed of a total of eleven (11) members.

Section B. Qualifications

Each member of the Commission must reside in and be registered to vote in the County. Commission members shall not be County elected officials, or family members, staff, or paid campaign staff of a County elected official. (Elec. Code § 23002(c).) “Family member” is defined as a spouse, parent sibling, child, or in-law. (Elec. Code § 23002(b).) “Spouse” is defined as a spouse or registered domestic partner. (Elec. Code § 23002(h).) Any member who ceases to meet these qualifications shall immediately submit written notice to the Chair and County Administrative Officer, or their designee, of their resignation.

Section C. Selection of Members

The application period to serve on the Commission closed on May 14, 2021. Each member of the Board received copies of the applications submitted by the qualified applicants who reside in their respective supervisorial district. Any questions about an applicant’s residency were resolved in accordance with the California Elections Code. At the May 25, 2021 Board meeting, each member of the Board recommended the appointment of two (2) members to the Commission from among all the qualified applicants who reside in their respective supervisorial district (ten (10)

members). At the same Board meeting, the County Administrative Officer recommended one (1) member from the remaining qualified applicants to be appointed as the eleventh member of the Commission.

Each Commission member shall serve at the pleasure of the Board and may have his or her membership terminated at any time and for any reason.

Section D. Vacancies

The occurrence of any of the following events shall cause a vacancy in a position on the Commission:

1. The member's death.
2. The member's voluntary resignation upon submission of a written notice to the Chair and County Administrative Officer, or their designee.
3. The member's automatic resignation due to a member's failure to meet the attendance requirements of Fresno County Ordinance Code Chapter 2.68, Section 2.68.010. Any member who has not complied with the provisions of Fresno County Ordinance Code Chapter 2.68, Section 2.68.010, pertaining to meeting attendance, shall be deemed to have resigned his or her membership, unless the absences are excused by the Chair.
4. The member's automatic resignation due to a member ceasing to be a resident of Fresno County or of the current supervisorial district of residence, or the member's failure to continue to meet the qualifications in Elections Code section 23002, subdivision (c).
5. The member's removal from the position by the Board.

If a position on the Commission becomes vacant, the Chair shall direct the Secretary, or designee, to notify, as soon as possible, the Board to the fact of the vacancy and any reason for it. A vacancy shall be filled by the Board, with the appointee completing the remainder of the term of the vacated position. If possible, the appointee should be selected from the pool of remaining qualified applicants from the Board's initial selection process.

Section E. Compensation

Members of the Commission shall not receive any compensation or per diem for serving on the Commission and shall not be entitled to reimbursement for expenses on behalf of the Commission.

Section F. Term of Membership

The Commission shall dissolve automatically after the Board takes final action on the supervisorial district boundaries no later than December 15, 2021.

Section G. Ethics Training

Members of the Commission shall complete AB 1234 Local Officials Ethics Training offered by the Fair Political Practices Commission located at <https://www.fppc.ca.gov/learn/public-officials->

[and-employees-rules-/ethics-training.html](#) within 90 days of appointment to the Commission and shall provide proof of completion to the County Administrative Officer, or their designee.

Section H. Conflict of Interest

Pursuant to Fresno County Board Administrative Policy No. 35, Conflict of Interest – Board Appointees, located at the following link: <https://www.co.fresno.ca.us/departments/board-of-supervisors/county-s-administrative-policies>, no member of the Commission shall make, participate in making, or in any way attempt to use their position to influence a decision in which they know or have reason to know they, or their spouse, have a financial interest. In all such cases, the affected member shall disclose their interests in the record of the Commission and shall refrain from participating in all discussions and votes concerning the matter in which they or their spouse has a financial interest.

Section I. Attendance

1. Members of the Commission are expected to attend all meetings and public hearings (“meeting” or “meetings”) of the Commission. A member who is unable to attend a given meeting shall give advance notice to the Chair prior to the meeting to report his or her absence. Meetings that are canceled in advance will not be counted as an absence.
2. As provided in these Bylaws, excessive absenteeism may be deemed a resignation. Members are subject to the attendance requirements set forth in Fresno County Ordinance Code, Chapter 2.68, Section 2.68.010, which states that “Except as otherwise specifically provided by this Ordinance Code, a non-elected member of any board, commission, committee or council appointed by the Board shall be deemed to have resigned his or her membership for absences in excess of the following:
 - a. Two regular meetings in a calendar year if the board, commission, committee or council has six or fewer regular meetings per calendar year; or
 - b. Two consecutive regular meetings or three regular meetings in a calendar year if the board, commission, committee or council has from seven to twelve regular meetings per calendar year; or
 - c. Three consecutive regular meetings or five regular meetings in a calendar year if the board, commission, committee or council has thirteen or more regular meetings per calendar year.”
3. The Secretary, or designee, shall give prompt written notice to a member who will be deemed to have resigned his or her membership upon the occurrence of one (1) additional absence. Such notice shall contain a statement advising the member of the absences and the consequences thereof together with a copy of Chapter 2.68 of the Fresno County Ordinance Code. Failure of the Secretary, or designee, to give notice or failure of the member to receive notice shall not alter the automatic resignation provisions of Chapter 2.68, Section 2.68.010 of the Fresno County Ordinance Code.

Section J. Communications

As provided in Article 3, Section B, the Chair is the sole official spokesperson for the Commission unless this responsibility is delegated in writing to the Vice Chair. Except as provided in this Section, no member shall make any statement or take any action on behalf of or in the name of the Commission. This Section is not intended to prevent any member from disseminating

information regarding the date, time, place, or agenda of upcoming Commission meetings. Members are encouraged to use caution when communicating about redistricting on any internet platform or social media website, including the use of any digital icons that express emotion. However, it should be noted commissioners may encourage public participation on social media by posting about upcoming meetings and opportunities for public input. Commissioners who may receive public comment individually (i.e.: personal email address) and not directed to the entire Commission through the established comment procedure, shall direct those comments to the County's redistricting email address and/or forward the original comment to the Secretary.

Article 3 - Officers and Staff

Section A. Selection of Officers

The Commission shall, at its first meeting, elect a Chair and a Vice Chair from among its membership. The election of officers shall be administered by the County Administrative Officer, or designee, and they shall entertain and accept nominations of members to the offices at a Commission meeting. Each member shall have one (1) vote for each officer. To win an election, a member must receive a majority of the votes cast in that election. If no member receives a majority, a last-place candidate shall be eliminated from the election, the previous votes shall be erased, and the members shall cast new votes. In case of a tie, elimination shall be by lot.

Section B. Chair

The Chair provides general supervisory guidance to the Commission, presides over all meetings, may call a special meeting of the Commission as allowed by law when necessary, and performs duties otherwise established by these Bylaws. The Chair shall be entitled to make or second motions and vote on all matters. The Chair is the sole official spokesperson for the Commission unless this responsibility is delegated by the Chair in writing. The Chair assigns coordinating duties to the Vice Chair as necessary. For purposes of these Bylaws, the person presiding over a meeting of the Commission shall be referred to as the "Chair" of the Commission.

Section C. Vice Chair

In the absence of the Chair, the Vice Chair assumes the duties and responsibilities of that office.

Section D. Office Vacancy

If an office is vacated, the Chair may temporarily appoint a member of the Commission to fill the vacancy until a new officer is selected by the Commission at a Commission meeting.

Section E. Secretary

The County Administrative Officer, or designee, shall serve as the Secretary of the Commission. The Secretary, or designee, records the minutes of all Commission meetings, maintains all records of the Commission's business, including managing Commission correspondence. The Secretary keeps the roll, certifies the presence of a quorum, maintains a list of all active members, and keeps records of actions as they occur at each meeting.

Section F. Staff and Consultants

County Administrative Officer, or designee, shall be the County contact for the Commission. Other County staff and consultants working on redistricting shall assist the County Administrative Officer, or designee, and Commission. The County Administrative Officer, or their designee, shall prepare and post notices of meetings as required by law, prepare, post, and distribute agendas and other materials for meetings, and provide other assistance as the Commission may reasonably request. The County Administrative Officer, or designee, shall make its best effort to count the number of members of the public attending a meeting and enter such tally into that meeting's minutes. Commission staff shall also make its best effort to include the number of phone calls, emails, and visits received from the public relating to redistricting in the previous month.

Article 4 – ORGANIZATION PROCEDURES

Section A. Conduct of Business

Business shall be conducted in accordance with the usual semi-formal procedures for a Commission, with a motion for action made by a member recognized by the Chair, a second, and a vote. If any member makes a motion, such motion shall not be debated or further discussed or considered, or voted upon, until after a second to such motion is made by a member.

In addition to these Bylaws, the Commission may establish other rules for the conduct of its business. A technical defect in following the rules governing Commission meetings shall not invalidate any official action taken.

Section B. Agenda

The County Administrative Officer, or designee, in consultation with the Chair shall set the agenda for Commission meetings. The Chair shall place items on the agenda at the request of four (4) or more members of the Commission. Requests for agenda items shall be made no later than 10 days prior to the meeting.

Section C. Quorum

Seven (7) members of the Commission shall constitute a quorum. Seven (7) or more affirmative votes shall be required for any official action, except adjournment of a Commission meeting for lack of a quorum present.

Section D. Voting

Members shall be present, in person or by remote access if applicable, in order to vote. All votes shall be taken on the basis of one (1) vote per member. No proxy or absentee voting is permitted.

Section E. Ralph M. Brown Act

The Commission shall be subject to the Ralph M. Brown Act. As an advisory commission, the Commission is not required to set the time and place for regular meetings. (Gov. Code § 54954.) Even if a meeting is scheduled elsewhere, the agenda shall be posted at the County Hall of Records building.

Section F. Commission Meetings

County Administrative Officer, or designee, shall set the Commission meeting dates, times, and locations for the Commission. A calendar of all meetings shall be posted on the County's redistricting web page, along with the agendas. Meetings shall be recorded and posted on the County's redistricting web page.

Section G. Public Comment

1. Matters not on agenda – Members of the public may comment on any item not appearing on the agenda that is within the subject matter jurisdiction of the Commission. No person shall be permitted to speak unless he or she is recognized by the Chair and given permission by the Chair to speak. Matters presented under public comment that are not on the agenda cannot be discussed or acted upon by the Commission at that time, with the following exceptions:
 - a. The Commission may briefly respond to statements made or questions posed by persons exercising their public testimony rights.
 - b. The Commission may ask a question for clarification, make a brief announcement, or make a brief report of activities.
 - c. The Commission may provide a reference to the County Administrative Officer, or designee, or other resources for factual information, request the County Administrative Officer, or designee, to report back to the body at a subsequent meeting concerning any matter, or take action to direct the County Administrative Officer, or designee, to place a matter of business on a future agenda.
2. Agenda items – For items appearing on the agenda, the public is invited to make comments at the time the item comes up for the Commission's consideration. Upon being recognized by the Chair, such person may speak or present evidence relevant to the matter being heard.
3. Right to speak – No person shall be denied the right to speak because he or she declines to disclose their name, address, or telephone number.
4. Time restrictions – Public comment will be limited to two (2) minutes per person and to a total of ten (10) minutes for the item. The time for non-English speakers shall be doubled if their comments need to be translated. The Chair may increase or decrease the time per person in the exercise of the Chair's discretion based on the number of speakers and the time available. To the extent time is increased or decreased, all persons speaking on a particular item shall be allowed equal time. The Chair may reopen public comment on an item in the exercise of the Chair's discretion.
5. Groups – Whenever a group wishes to address the Commission, it shall be proper for the Chair to request that a spokesperson be chosen by the group. In addition, the Chair may limit the number of persons from a particular group who are allowed to speak if it appears to the Chair that additional data or argument would result in unnecessary repetition.

Article 5. DUTIES OF COMMISSION

Section A. Background

California law requires that, following each decennial Federal census, the Board, using that census as a basis, to adjust the boundaries of any or all the supervisorial districts of the County so that the districts shall be substantially equal in population. (Elec. Code § 21500(a).) When redrawing district boundaries, the Board must comply with the requirements of the U.S. Constitution, California Constitution, the Federal Voting Rights Act of 1965, and the California Elections Code. (Elec. Code § 21500(b).) These authorities require each district to have substantially equal population, generally prohibit using race as a predominate criteria for redrawing districts and prohibit diluting the voting rights of racial or language minority communities. Additionally, the Board shall adopt district boundaries using the following statutory criteria listed in order of priority:

1. To the extent practicable, districts shall be geographically contiguous.
2. To the extent practicable, districts shall respect the geographical integrity of any local neighborhood or local community of interest in a manner that minimizes its division.
3. To the extent practicable, districts shall respect the geographic integrity of a city of census designated place in a manner that minimizes its division.
4. District boundaries should be easily identifiable and understandable by residents. To the extent practicable, districts shall be bounded by natural and artificial barriers, by streets, or by the boundaries of the county.
5. To the extent practicable, and where it does not conflict with the preceding criteria, district boundaries shall be drawn to encourage geographical compactness in a manner that nearby areas of population are not bypassed in favor of more distant populations.

Further, the Board shall not adopt Supervisorial District boundaries for the purpose of favoring or discriminating against a political party. (Elec. Code § 21500(c) and (d).)

Section B. Duties of the Commission

Upon receipt of the census data for the County, the Commission shall work collaboratively with County staff and consultants to redraw the supervisorial district boundaries in order to meet population equality and the other statutory criteria described in Article 5, Section A.

The Commission shall conduct public hearings at which the public is invited to provide input regarding the composition of one (1) or more supervisorial districts. At least one (1) public hearing shall be held before a draft map of the proposed supervisorial district boundaries is drawn. (Elec. Code § 21507.1(a)(1) and (f).)

The Commission may recommend the Board to adopt one (1) of its submitted redistricting plans or may decline to prioritize among multiple submitted plans. The Commission's recommendation shall be advisory only and the Board may adopt, modify, or not adopt any of the recommended plans as the Board determines appropriate.



THE BROWN ACT

Agenda Item #F

FRESNO COUNTY 2021 ADVISORY REDISTRICTING COMMISSION

TRAINING ON THE BROWN ACT

Presented by the
Office of the Fresno County Counsel

Rebekah Eropkin
Deputy County Counsel



PURPOSE OF THE BROWN ACT

- Inform the public about matters under consideration by local legislative bodies.
- Facilitate public participation in local government decisions.
- Generally require that deliberations be undertaken and made at noticed meetings open to the public.
- Basic rule: All meetings of a legislative body of a local agency shall be open and public. There are few, narrowly tailored exceptions.



“LEGISLATIVE BODY”

The Brown Act is applicable to “legislative bodies” of local agencies, which includes:

- The governing body of a local agency. (Example: Board of Supervisors.)
- Commissions, committees, or boards, permanent or temporary, decision-making or advisory, created by law or formal action by another legislative body. (Example: this Commission; Planning Commission; Behavioral Health Board.)
- Standing committees of a legislative body which have a continuing subject matter jurisdiction or a regular meeting schedule.



“MEETING”

- 1) When a majority of the members;
- 2) Are present at the same time and place;
- 3) To “hear, discuss, deliberate, or take action;”
- 4) On any item within the subject matter jurisdiction of the Commission.



BEWARE OF A SERIAL MEETING

Communications can become an invalid serial meeting when:

- The majority of members use a series of communications to discuss, deliberate, or take action on any item of the Commission's business. This is known as a chain meeting. (Example: Member A contacts Member B, and Member B contacts Member C, etc.; "reply all" email conversations.)
- An intermediary contacts a majority of members sharing information between the members.



COUNTY STAFF COMMUNICATIONS

However, County staff may communicate with members of the Commission:

- To answer questions or provide information regarding a matter that is within the subject matter jurisdiction of the Commission,
- ***Only if*** that person does not communicate to a member the comments or position of any other member(s) of the Commission.

These communications do not trigger the Brown Act.



NEW SOCIAL MEDIA RULES

- Members may engage in separate conversations/communications on an internet-based social media platform to answer questions, provide information to the public, or solicit information from the public regarding a matter within the subject matter jurisdiction of the Commission,
- ***Only if*** a majority of the members do not use the platform to discuss among themselves business of a specific nature within the subject matter jurisdiction of the Commission.
- Further, a member cannot respond directly to any communication on a platform regarding a matter within the subject matter jurisdiction of the Commission that is made, posted, or shared by another member.
 - IMPORTANT: This includes comments or use of digital icons that express reactions to communications made by other members. (Example: emojis 😞 👍 .)



NOT A “MEETING”

As long as members do not discuss Commission business:

- Attendance at conferences or meetings open to the public involving topics of general interest.
- Attendance at meetings of other legislative bodies of local agency that comply with the Brown Act.
- Attendance at a purely social or ceremonial occasion.



TELECONFERENCING

Commission may meet by teleconference – through audio, video, or both – for all purposes ***only if***:

- All votes are taken by roll call.
- Each teleconference location identified in agenda; agenda posted at each location.
- Each teleconference location is accessible to the public.
- At least a quorum of the membership participate from within the County.
- The public has an opportunity to address the Commission directly at each teleconference location; statutory and constitutional rights protected.



TELECONFERENCING DURING COVID-19

Executive Order N-29-20 permits meetings to be held by video, teleconference, or other electronic means, and suspends certain teleconferencing requirements:

- Identifying teleconference locations in agenda.
- Posting agenda at each teleconference location.
- Public access at each teleconference location.
- At least a quorum of the membership participate from within the County.

Meetings must still be properly noticed, agendas posted in accordance with Brown Act time frames, and information provided for public to observe, offer comment, and receive reasonable ADA modifications/accommodations.

Executive Order N-29-20 modified on June 11, 2021 by Executive Order N-08-21 to extend Brown Act Covid-19 provisions through September 30, 2021.



REGULAR VS. SPECIAL MEETING

Regular:

- Agenda posted in public place and on website 72 continuous hours before meeting.

Special:

- Called by Chair, or majority of membership, at any time.
- Written notice delivered to members and local newspapers, radio or TV stations requesting notice and posted on website 24 hours before the meeting time specified on the notice.
- Only transact/discuss items on the agenda; items cannot be added to agenda at meeting.



NON-AGENDA ITEMS

Generally, no action or discussion shall be undertaken on any item not appearing on posted agenda.

Issue arises in one of two ways:

- 1) Members start to talk about the item on the agenda but get off topic.
- 2) Members want to add something to the agenda.



ALLOWED NON-AGENDA ITEMS

Exceptions include:

- Briefly respond to public comment.
- Ask a question for clarification.
- Make brief announcement.
- Make brief report on a member's activities.
- Provide reference to staff or other resources for factual information.
- Request staff to report back or place matter on future agenda.



CLOSED SESSION

Exceptions to open meeting rule include the following:

- Personnel matters – performance evaluation, discipline, complaints.
- Real estate negotiations – price and terms.
- Litigation – existing, pending, threatened.
- Labor negotiations.
- Public security threat.



ACCESSIBILITY

- Meetings must be accessible per ADA (“reasonable accommodations”).
- Agendas must be made available in appropriate alternative formats upon request.
- No meetings at a location that is “inaccessible to disabled persons.”



RIGHTS OF THE PUBLIC

- Right to attend meetings without registering name or providing other information.
- Right to record meeting with camera, audio or visual recorder, unless persistently disruptive.
- Right to address the Commission on each item of business on the agenda and any other matter of public interest within subject matter jurisdiction of the Commission.



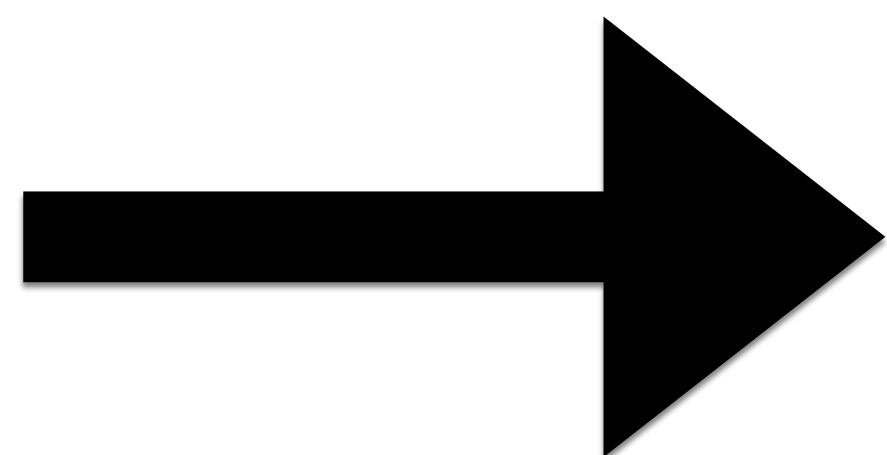
RIGHTS OF THE PUBLIC

- Right to criticize County's policies, procedures, programs, or services, and acts/omissions of the Commission.
- Right to inspect/obtain agendas and any other non-exempt writings made available to a majority of members at the meeting.
- Right to request live translation in an applicable language; request must be made at least 72 hours before the meeting (*special rule for redistricting commissions*).
- If time limits imposed for public comment, right to have at least twice the allotted time to comment if member of public uses a translator unless simultaneous translation equipment system is used by Commission.



BROWN ACT VIOLATIONS

If a majority of members hear, discuss, deliberate, or take action on an item without complying with Brown Act requirements...



Brown Act violation

How might this happen? Serial meetings (chain, intermediary), new social media rules, etc.



ENFORCEMENT OF BROWN ACT

Criminal: Misdemeanor for:

- Any member who attends a meeting where action taken not in compliance with Brown Act,
- where member intends to deprive the public of information to which the member knows or has reason to know the public is entitled.

Civil:

- Commission first given opportunity to cure.
- If no cure, Commission can be sued by any interested person.
- If lawsuit successful - action taken will be declared void and may be required to pay plaintiff's attorneys fees.



THE BROWN ACT

HOW TO AVOID BROWN ACT ISSUES?

Conduct the business of the Commission only at noticed meetings.

Avoid social media interactions with other Commission members regarding Commission business.



FRESNO COUNTY
REDISTRICTING 2021

County of Fresno

Introduction to Redistricting

July 7, 2021

Dr. Jeff Tilton, Senior Consultant
National Demographics Corporation

Redistricting Process

Step	Description
Pre-Draft Public Hearing August 12, 6 p.m. Health and Wellness Center	<ul style="list-style-type: none">• Held prior to release of draft maps• Educate, solicit input on the communities in the Districts
Census Data Release Mid/Late August	<ul style="list-style-type: none">• Census Bureau releases official 2020 Census population data
California Data Release Early October 2021	<ul style="list-style-type: none">• California Statewide Database releases California's official 'prisoner-adjusted' 2020 redistricting data
Engagement Workshops	<ul style="list-style-type: none">• July 14, 6-8 p.m. (Riverdale Unified School District)• August 3, 6-8 p.m. (Gaston Middle School)• August 4, 6-8 p.m. (Fresno High School)• August 21, 9-11 a.m. (Bullard High School)• August 21, 2-4 p.m. (Clovis Veterans Memorial Center)

Redistricting Process (continued)

Step	Description
Pre-Draft Public Hearing October 21, 6 p.m. Health and Wellness Center	<ul style="list-style-type: none">Finalize map recommendations for Board of Supervisors
Draft Map Public Hearing November 2, 1 p.m. Board Chambers	<ul style="list-style-type: none">Board of Supervisors Public HearingDiscuss, revise the draft mapsDiscuss the election sequence
Draft Map Public Hearing November 16, 1 p.m. Board Chambers	<ul style="list-style-type: none">Board of Supervisors Public HearingSelect final map and election sequence

Redistricting Rules and Goals

1. Federal Laws

Equal Population
Federal Voting Rights Act
No Racial Gerrymandering



2. California Criteria for Counties

Geographically contiguous
Undivided neighborhoods and “communities of interest”
(Socio-economic geographic areas that should be kept together)
Cities and CDPs
Easily identifiable boundaries
Compact
(Do not bypass one group of people to get to a more distant group of people)
Prohibited:
“Shall not favor or discriminate against a political party.”

3. Other Traditional Redistricting Principles

Minimize voters shifted to different election years
Respect voters’ choices / continuity in office
Future population growth
Preserving the core of existing districts

Defining Neighborhoods

1st Question: What is your neighborhood?

2nd Question: What are its geographic boundaries?

Examples of physical features defining a neighborhood boundary:

- Natural neighborhood dividing lines, such as highway or major roads, rivers, canals and/or hills
- Areas around parks or schools
- Other neighborhood landmarks

In the absence of public testimony, planning records and other similar documents may provide definition.



Beyond Neighborhoods: Defining Communities of Interest

1st Question: What defines your community?

- Geographic Area, plus
- Shared issue or characteristic
 - Shared social or economic interest
 - Impacted by county policies
- Tell us “your community’s story”

2nd Question: Would this community benefit from being “included within a single district for purposes of its effective and fair representation”?

- Or would it benefit more from having multiple representatives?

Definitions of Communities of Interest may not include relationships with political parties, incumbents, or political candidates.

Public Mapping and Map Review Tools

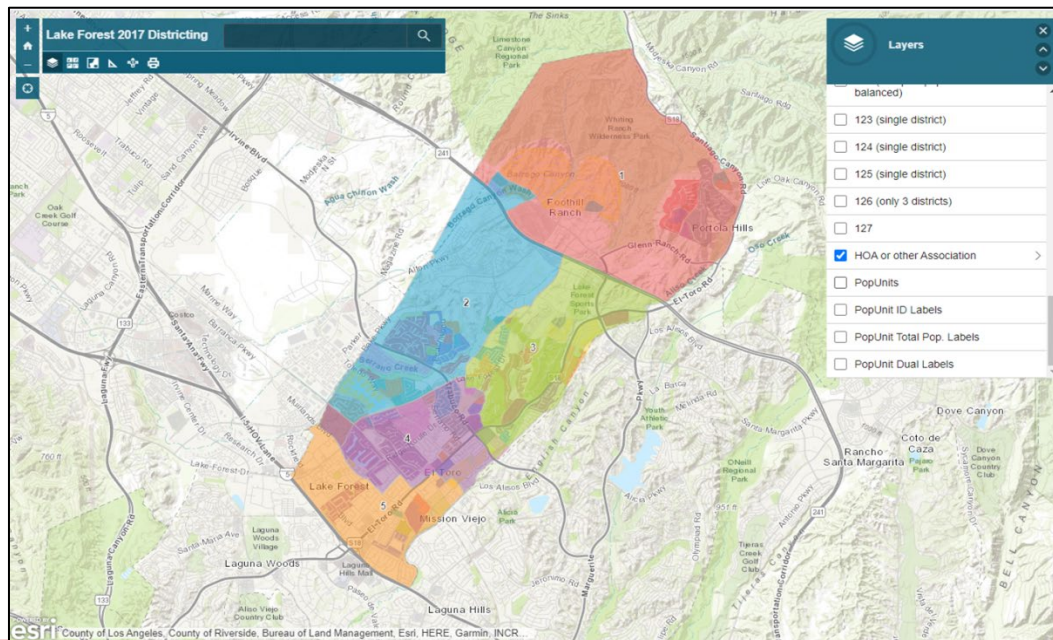
- **Different tools for different purposes**
- **Different tools for different levels of technical skill and interest**
 - Simple “review draft maps” tool
 - Easy-to-use “Draw your neighborhood” tool
 - Paper- and Excel-based simple “Draw a draft map” tools
 - Powerful, data-rich “Draw a draft map” tool

Whether you use the powerful (but complicated) online mapping tool, Excel, the paper kit, or just draw on a napkin, we welcome your maps!

Simple Map Review Tool

Online Interactive Review Map

- ESRI's "ArcGIS Online" – similar to Google Maps in ease of use
- Used to review, analyze and compare maps, not to create them
- Includes overlays of "community of interest" and other Story Map data
- [Sample map from Lake Forest](#)



Simple Map Drawing Tool

Paper “Public Participation Kit”

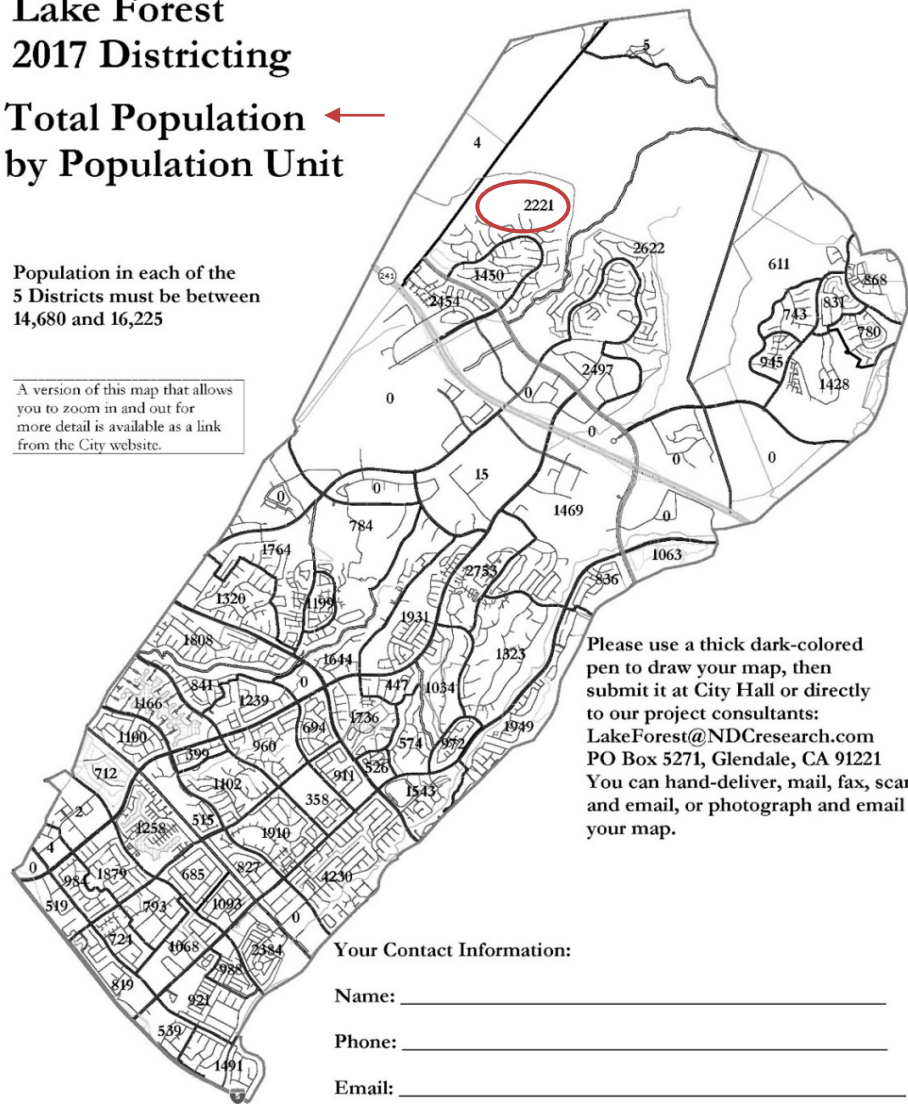
- For those without internet access or who prefer paper
- Total Population Counts only – no demographic numbers
- Geographic units would be tracts, CDP’s and smaller cities

Lake Forest 2017 Districting

Total Population ← by Population Unit

Population in each of the 5 Districts must be between 14,680 and 16,225

A version of this map that allows you to zoom in and out for more detail is available as a link from the City website.



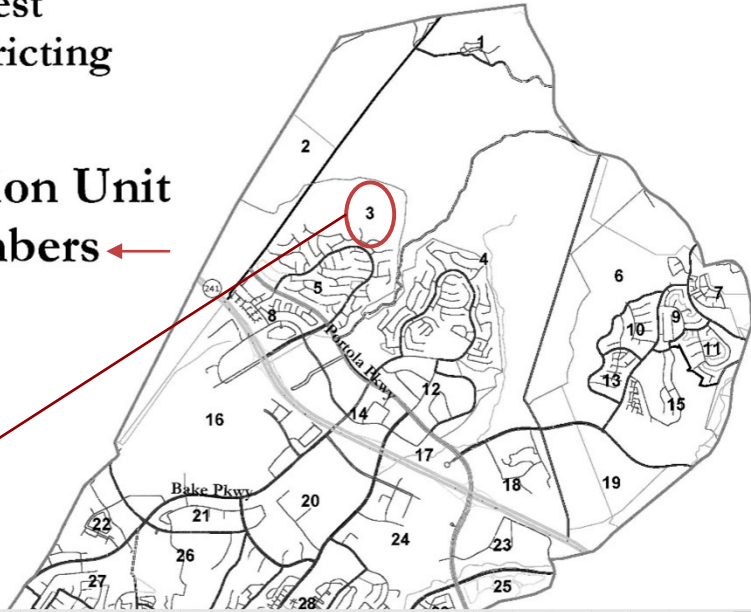
Simple Map Drawing Tool + Excel Supplement

“Public Participation Kit”

- For those who know Excel and do not wish to use online tools
- Adds CVAP data
- Excel does the math
- Geographic units would be tracts, CDP’s and smaller cities

Lake Forest
2017 Districting

Population Unit
ID Numbers ←



		Ideal population: 15,314																									
City of San Buenaventura 2017 Public Participation Kit		enter your name here																									
Group	Category	Counts							Unassigned	Total	Percentages							Unassigned	Total								
		1	2	3	4	5	6	7			1	2	3	4	5	6	7										
Total Population	Tot. Pop.	0	0	0	0	0	0	0	107,197	107,197																	
	Deviation from Ideal	-15,314	-15,314	-15,314	-15,314	-15,314	-15,314	-15,314	0	-100%	-100%	-100%	-100%	-100%	-100%	-100%									0.00%		
	Hispanic	0	0	0	0	0	0	0	34,182	34,182	#DIV/0!	#DIV/0!	#DIV/0!	#DIV/0!	#DIV/0!	#DIV/0!									32%		
	NH White	0	0	0	0	0	0	0	64,294	64,294	#DIV/0!	#DIV/0!	#DIV/0!	#DIV/0!	#DIV/0!	#DIV/0!									60%		
Voting Age Population	NH Black	0	0	0	0	0	0	0	1,919	1,919	#DIV/0!	#DIV/0!	#DIV/0!	#DIV/0!	#DIV/0!	#DIV/0!									2%		
	NH Asian	0	0	0	0	0	0	0	4,530	4,530	#DIV/0!	#DIV/0!	#DIV/0!	#DIV/0!	#DIV/0!	#DIV/0!									4%		
	Total CVAP	0	0	0	0	0	0	0	83,090	83,090	#DIV/0!	#DIV/0!	#DIV/0!	#DIV/0!	#DIV/0!	#DIV/0!									54%		
	Hispanic	0	0	0	0	0	0	0	22,928	22,928	#DIV/0!	#DIV/0!	#DIV/0!	#DIV/0!	#DIV/0!	#DIV/0!									21%		
Citizen Voting Age Population	NH White	0	0	0	0	0	0	0	53,857	53,857	#DIV/0!	#DIV/0!	#DIV/0!	#DIV/0!	#DIV/0!	#DIV/0!									59%		
	NH Black	0	0	0	0	0	0	0	3,401	3,401	#DIV/0!	#DIV/0!	#DIV/0!	#DIV/0!	#DIV/0!	#DIV/0!									2%		
	NH Asian	0	0	0	0	0	0	0	7,063	7,063	#DIV/0!	#DIV/0!	#DIV/0!	#DIV/0!	#DIV/0!	#DIV/0!									3%		
	Total CVAP	0	0	0	0	0	0	0	18,936	18,936	#DIV/0!	#DIV/0!	#DIV/0!	#DIV/0!	#DIV/0!	#DIV/0!									10%		
Nor. 2014 Registration	Hispanic	0	0	0	0	0	0	0	52,843	52,843	#DIV/0!	#DIV/0!	#DIV/0!	#DIV/0!	#DIV/0!	#DIV/0!									49%		
	NH White	0	0	0	0	0	0	0	1,675	1,675	#DIV/0!	#DIV/0!	#DIV/0!	#DIV/0!	#DIV/0!	#DIV/0!									2%		
	NH Black	0	0	0	0	0	0	0	2,630	2,630	#DIV/0!	#DIV/0!	#DIV/0!	#DIV/0!	#DIV/0!	#DIV/0!									2%		
	NH Asian	0	0	0	0	0	0	0	63,996	63,996	#DIV/0!	#DIV/0!	#DIV/0!	#DIV/0!	#DIV/0!	#DIV/0!									60%		
Nor. 2014 Votes	Total Reg.	0	0	0	0	0	0	0	13,574	13,574	#DIV/0!	#DIV/0!	#DIV/0!	#DIV/0!	#DIV/0!	#DIV/0!									9%		
	Latino	0	0	0	0	0	0	0	461	461	#DIV/0!	#DIV/0!	#DIV/0!	#DIV/0!	#DIV/0!	#DIV/0!									3%		
	Asian-American	0	0	0	0	0	0	0	463	463	#DIV/0!	#DIV/0!	#DIV/0!	#DIV/0!	#DIV/0!	#DIV/0!									3%		
	Hispanic	0	0	0	0	0	0	0	30,448	30,448	#DIV/0!	#DIV/0!	#DIV/0!	#DIV/0!	#DIV/0!	#DIV/0!									28%		
Submitter's Comments about the plan:	Total Votes	0	0	0	0	0	0	0	4,317	4,317	#DIV/0!	#DIV/0!	#DIV/0!	#DIV/0!	#DIV/0!	#DIV/0!									3%		
	Latino	0	0	0	0	0	0	0	461	461	#DIV/0!	#DIV/0!	#DIV/0!	#DIV/0!	#DIV/0!	#DIV/0!									11%		
	Asian-American	0	0	0	0	0	0	0	181	181	#DIV/0!	#DIV/0!	#DIV/0!	#DIV/0!	#DIV/0!	#DIV/0!									0%		
	Hispanic	0	0	0	0	0	0	0	164	164	#DIV/0!	#DIV/0!	#DIV/0!	#DIV/0!	#DIV/0!	#DIV/0!									4%		

AutoSave Off Lake Forest 5-district KIT_ENG.xlsx

File Home Insert Page Layout Formulas Data Review View Help Acrobat

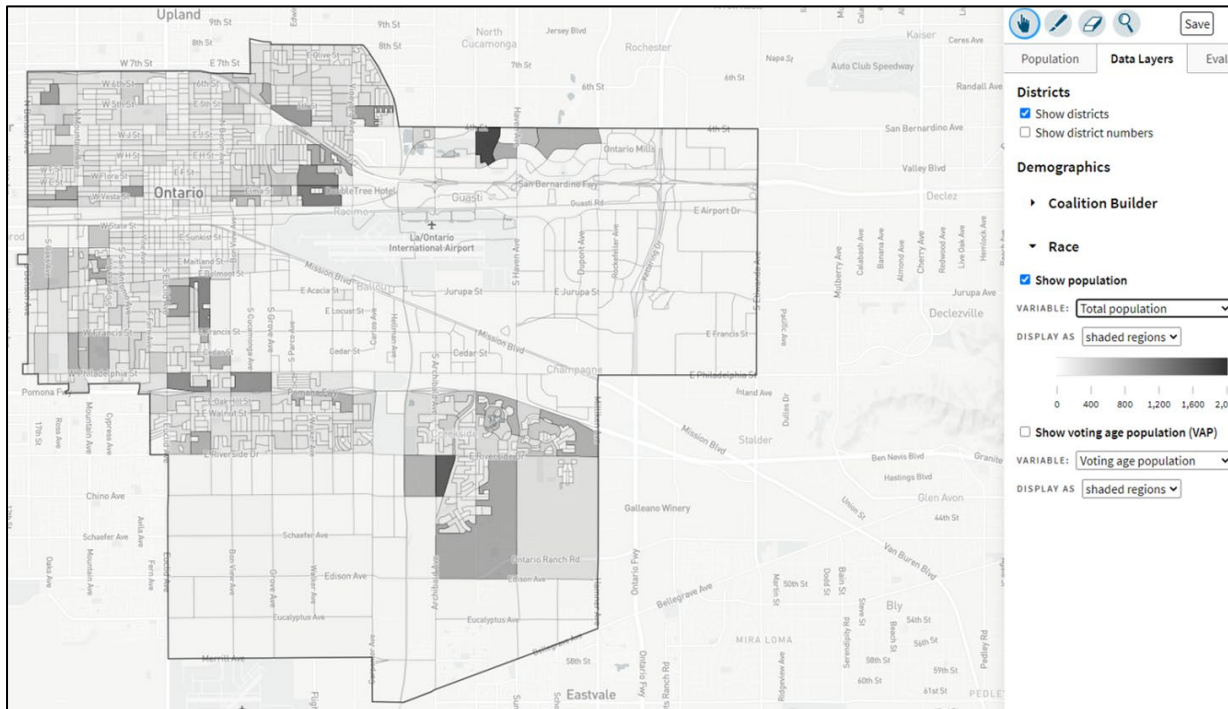
Clipboard Font Alignment Number

District (1-7)	Unit	Total Population					Voting Age Population					Citizen Voting Age Population					Nor. 2014 Registration				
		Tot. Pop.	Hispanic	White	Black	NH Asian	total	Hispanic	White	Black	Asian	tot	Hispanic	White	Black	Asian	tot	latino	asn	fil	tot
1	1	1,216	642	557	18	15	873	397	442	12	831	390	441	0	574	195	7	3	245	63	
2	2	2,367	1,128	1,053	43	96	1,784	741	899	74	1,915	730	1,140	0	45	1,299	435	14	7	555	140
3	3	1,643	768	278	42	25	1,036	741	236	15	400	235	145	0	20	505	286	3	4	161	73
4	4	1,768	734	855	62	84	1,272	464	685	62	1,231	461	639	19	111	1,022	366	11	11	391	89
5	5	2,001	209	1,655	14	79	1,639	144	1,392	64	1,511	88	1,337	12	38	1,776	146	46	7	1,069	67
6	6	612	56	499	4	39	517	37	440	26	471	22	423	3	15	525	38	15	2	337	18
7	7	1,753	1,180	501	20	10	1,945	767	124	10	780	335	440	0	0	777	378	7	4	241	70

DistrictR

“Draw Your Community of Interest” focus

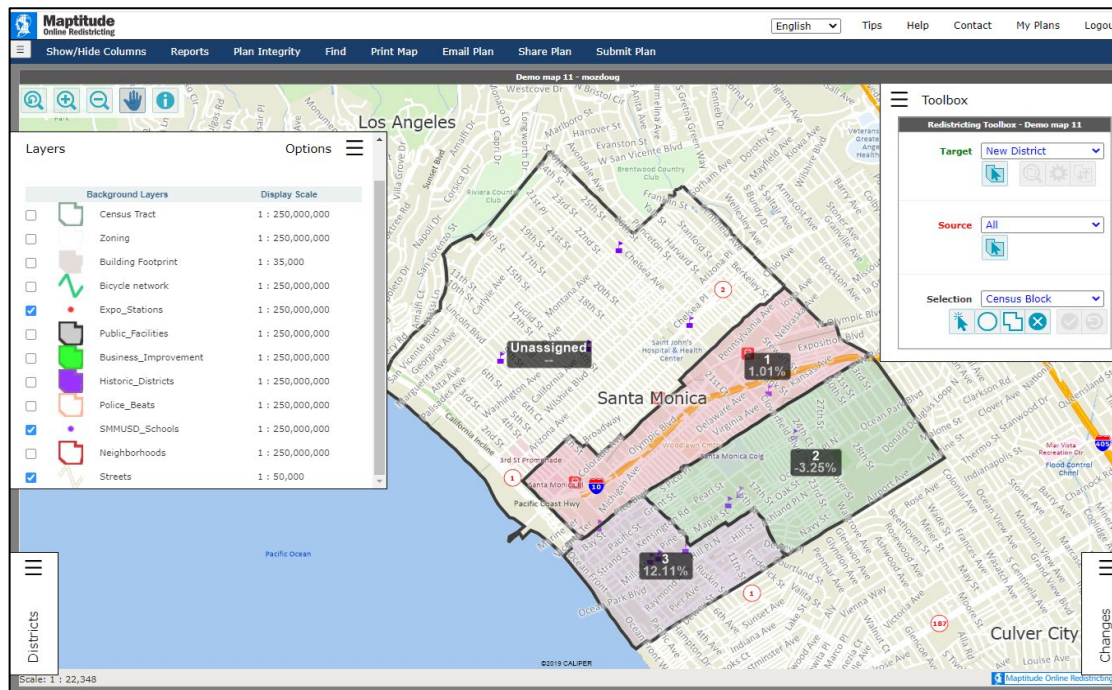
- Also includes simple district-mapping tool
- Only available in English
- Similar external options: [Representable.org](https://representable.org), [DrawMyCACommunity.org](https://drawmycacomunity.org)



Caliper's “Maptitude Online Redistricting”

Full Database, Powerful Online Mapping Tool

- Powerful, common, data-rich online tool
- Six language options: English, Spanish, Portuguese, Vietnamese, Mandarin and Korean
- [Quick Start Guide](#)



Public Hearings & Workshops

- What is your neighborhood and what are its boundaries?
- What other notable areas are in the County and its cities, and what are their boundaries?
- Any questions about the mapping tools?



Share Your Thoughts

HOME COMMISSION MEETINGS REDISTRICTING RESOURCES

 FRESNO COUNTY
REDISTRICTING 2021

The County of Fresno is currently initiating the 2021 Redistricting process.

Applications for membership on the advisory commission to the Board were accepted from April 27, 2021 through May 14, 2021, and the commission was selected by the Board of Supervisors on May 25, 2021.

For more information, please contact FresnoCounty2021Redistricting@fresnocountyca.gov.

Website: www.co.fresno.ca.us/resources/redistricting

Email: FresnoCounty2021Redistricting@fresnocountyca.gov

The following pages include comments
or correspondence received by the
County prior to the July 7, 2021
Commission Hearing.



May 28, 2021

Fresno County Advisory Redistricting Commission
2281 Tulare St., Third Floor
Fresno, CA 93721

via email to S. Buck

Dear Commissioners,

Congratulations on your selection to serve on Fresno County's Advisory Redistricting Commission! We look forward to supporting your work on behalf of all Fresno County residents

The Fair Maps Act of 2019 creates standardized redistricting criteria for keeping communities together and preventing partisan gerrymandering. The public meeting schedule approved by the Board of Supervisors supports public input at every stage of the redistricting process. We trust that robust public notice will precede each of those meetings, and that language support/translation will be provided as needed.

Finally, all communication regarding the redistricting process must be public. Off-the-record discussions between Advisory Commission members and public or private organizations, elected officials and their staff, political parties and their staff, and others with clear preferences for specific redistricting plans must be avoided.

Your commitment to transparency will lend credence to your work and solidify community support for this important process.

Sincerely,

A handwritten signature in black ink, appearing to read "Mkast".

Marianne Kast
President
League of Women Voters of Fresno
fourkasts@gmail.com

From: Kiyana Asemanfar <KAsemanfar@commoncause.org>

Sent: Wednesday, June 30, 2021 9:46 AM

To: Clerk/BOS <ClerkBOS@fresnocountyca.gov>

Subject: Language Access in the Redistricting Process

CAUTION!!! - EXTERNAL EMAIL - THINK BEFORE YOU CLICK

Dear Fresno County,

California Common Cause is a nonpartisan organization that works with local governments and redistricting commissions to create a fair and inclusive redistricting process. We write to share that the Secretary of State of California has recently updated its [local redistricting webpage](#) to provide a list of required languages and translated resources to assist local officials in complying with the language requirements outlined in the FAIR Maps Act of 2019 (*California Elections Code Sections 21508(g)(1), 21508(j), 21608(g)(1), 21608(h), 21608(j), 21628(g)(1), 21628(h), 21628(j)*).

The Secretary of State's webpage includes general information about language access requirements, the list of applicable languages in which language accommodations are required to be offered under the FAIR Maps Act, and translated website templates that cities and counties can use to meet their requirements to provide translated information on their redistricting websites. California Common Cause encourages you to refer to the Secretary of State's webpage when planning your redistricting process. Please note that the language requirements are a floor, and that many local jurisdictions are exceeding the requirements in state law in recognition that there are additional limited English proficient communities that will be engaging in the redistricting process. If you are not already doing so, we encourage you to be responsive to requests from the community for additional language accommodations during the redistricting process.

California Common Cause has compiled various resources to assist local governments in navigating the local redistricting process, which can be found at <https://www.commoncause.org/localredistricting2021/>. The resources include a comprehensive guide and quick checklist for navigating the FAIR Maps Act, guide to redistricting law, a community of interest testimony template, educational flyers, a recording of a redistricting training we held for cities and counties in January 2021, and more. We hope this webpage is helpful to your efforts and that you use it as a resource when planning and executing your local redistricting process. If you have any questions, please feel free to contact us at RedistrictingCA@commoncause.org.

Sincerely,

Jonathan Mehta Stein
Executive Director
California Common Cause
453 S. Spring St, Suite 401, Los Angeles, CA 90013
www.commoncause.org/CA

