



September 14, 2021

City of Bakersfield City Council
1600 Truxtun Avenue
Bakersfield, CA 93301

Transmitted via electronic mail
City_Clerk@bakersfieldcity.us
cc: City of Bakersfield City Attorney
AdmAtt@bakersfieldcity.us

Re: Bakersfield City Council Ward Redistricting

Honorable Mayor and City Councilmembers,

California Common Cause, the Dolores Huerta Foundation, and the ACLU of Southern California¹ are writing to you regarding the City of Bakersfield's ongoing redistricting process. As organizations that care deeply about accessible, inclusive, and fair redistricting, we have concerns about several parts of the City's current process that inhibit public participation and, in some cases, may violate state law.

As the City Council knows, it has a variety of obligations under Assembly Bill 849, also known as the [Fair And Inclusive Redistricting for Municipalities And Political Subdivisions Act](#) (hereafter, FAIR MAPs Act). Similar to all of Council's meetings, its redistricting hearings are also subject to the [Ralph M. Brown Act](#) (hereafter, Brown Act). Because redistricting is a once-in-a-decade process that determines the political future of Bakersfield, the Council should go above and beyond what is legally required of it under these laws.

Below, we raise issues related to 1) your redistricting website, 2) redistricting outreach, and 3) public hearings.

¹ The ACLU of Southern California and the Dolores Huerta foundation sent the City Council a letter on August 18, 2021 raising many of the issues addressed in this letter. The ACLU encourages the Council and City staff to re-review that letter, as many of the issues raised at the time have not yet been addressed.

Redistricting Website

Calendar of Hearings

We wish to draw the Council's attention to the public outreach and participation requirements in the FAIR MAPs Act, specifically California Elections Code Sections 21627.1 and 21628. Election Code Section 21628(g)(3) requires the City's redistricting web page to include a calendar or schedule of all public hearings and workshop dates. As of September 13, 2021, the City's redistricting web page does not have anything of the kind. (See Attachment 1.) We request that the City post a meeting/hearing schedule for its redistricting process as soon as possible, as it is an essential way for members of the public to plan their participation.

Public Participation Instructions and Communities of Interest

Election Code Section 21628(g)(2) requires that the City's redistricting web page explain "[t]he procedures for a member of the public to testify during a public hearing or to submit written testimony directly to the council in English and any applicable language." The City's web page in this regard should be improved. Currently, the web page simply states that residents can email the City Clerk comments and draft maps. There is no information on the process to provide comment in person, whether it is possible to provide comment via telephone or videoconference, or detailed instructions on providing written comment. The page also offers no direction on how to draw a draft map or what types of comments and information are relevant to the redistricting process, such as the cultural, linguistic, ethnic, economic, social, or geographic characteristics of a community or neighborhood, or the housing, development, crime, traffic, employment, environmental, and other political issues that might be relevant to a community or neighborhood's representation on Council. Finally and perhaps most importantly, the City's redistricting web page does not define what a Community of Interest is — a key term in the redistricting process and one that residents must understand in order to give comment and testimony. (See [Elections Code 21621\(c\)\(2\)](#).)

Incomplete Information

Currently, the City's redistricting web page is a copy-and-pasted version of the California Secretary of State's web page template. (See Attachment 2.) Other than inserting the City's ward map, its mapping deadline, and the City Clerk's contact information, City staff have left the wording from the California Secretary of State's template as-is. Ideally, the City's redistricting website would be more specific to Bakersfield, its residential make-up, and the City's redistricting history. While the state's template is useful, it is meant as a starting point for cities to create a more comprehensive space with multiple pages for different aspects of and access points to the redistricting process and public participation. To this point, the City's current redistricting web page has a link at the bottom inviting the public to visit the City's main web page on the redistricting process, but that link simply refreshes the web page it is posted on.

Redistricting Outreach

Public Outreach and Participation

Community outreach is also lacking. As noted by the five public speakers at the August 18, 2021 hearing, most residents appear unaware of the ongoing process to redistrict Bakersfield's seven council wards, suggesting that City Hall's current outreach efforts are not yet effective. This is particularly concerning given the substantial cultural, ethnic, and linguistic diversity of Bakersfield residents and the City's current intent to conduct the minimum of four public hearings required under the FAIR MAPs Act. The City is required by California Election Code Section 21628(a) to make a good faith effort to provide redistricting information to "good government, civil rights, civic engagement, and community groups or organizations that are active in the city, including those active in language minority communities, and those that have requested to be notified concerning city redistricting" and to "media organizations that provide city news coverage, including media organizations that serve language minority communities." City Council should confirm with City staff that these efforts have been made.

Public Hearings

Brown Act Concerns

Regarding the Brown Act, our organizations have concerns about the imposed 15-minute time limit for public testimony at the City's redistricting hearings. Without any change, this creates one of two unacceptable outcomes: (1) all public speakers exhaust their three minutes to speak, as allotted by the City Council, and at most five members of the public are allowed to give public testimony, or (2) a larger number of public speakers are forced to give their public comment on a highly complex, detailed topic under truncated time limits (for example, one minute), in order to fit everyone under the 15-minute limit. Not only will maintaining the limit artificially and unnecessarily limit participation in a once-in-a-decade process, it will also make the public feel that the council is minimizing the importance of the public's voice and thus undermine trust in the redistricting process.

Cities across California are using expanded public comment periods for redistricting hearings that go beyond what they typically permit on other, more standard agenda items. We recommend Bakersfield do the same. The City Council should accommodate every member of the public who wishes to speak at a redistricting hearing, no matter the number.

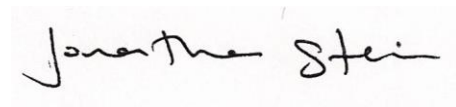
Closing

In closing, all of the above-outlined concerns hinder public participation in Bakersfield's redistricting process. Many of our concerns can easily be remedied with modest improvements to

the City's redistricting web page, increased outreach, increased time for public speaking, and the holding of more than four redistricting public hearings. California Common Cause, the Dolores Huerta Foundation, and the ACLU of Southern California are happy to meet with the City Council and/or City staff to discuss outreach and public participation best practices as well as provide examples of ideal redistricting websites.

We request that the City address the above issues and ultimately go above and beyond the bare minimum required under the law to ensure maximum public access and participation in the redistricting process. We look forward to your response.

Sincerely,



Jonathan Mehta Stein
Executive Director, California Common Cause



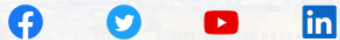
Julia A. Gomez
Staff Attorney, American Civil Liberties Union Foundation of Southern California



Camila Chavez
Executive Director, Dolores Huerta Foundation

[Attachment 1]

City of Bakersfield's Current Redistricting Web Page

- Boards & Commissions
- Elections
- Enterprise System Catalog
- Meetings & Agendas
- Records
- Ward Redistricting

[Feature Links](#) > [Departments](#) > [City Clerk](#) > [Ward Redistricting](#)

Ward Redistricting

City of Bakersfield Redistricting Process

Every ten years, local governments use new census data to redraw their district lines to reflect how local populations have changed. Assembly Bill 849 (2019) requires cities and counties to engage communities in the redistricting process by holding public hearings and/or workshops and doing public outreach, including to non-English-speaking communities.

What is redistricting?

Every ten years, districts must be redrawn so that each district is substantially equal in population. This process, called redistricting, is important in ensuring that each city councilmember represents about the same number of constituents. In Bakersfield, the City Council is responsible for drawing

City Clerk

[Email City Clerk](#)

661-326-3767
1600 Truxtun Avenue
1st Floor
Bakersfield, CA 93301

[Link to Map](#)

8am to 5pm, Monday through Friday (except for holidays)

Select Language 

What is redistricting?

Every ten years, districts must be redrawn so that each district is substantially equal in population. This process, called redistricting, is important in ensuring that each city councilmember represents about the same number of constituents. In Bakersfield, the City Council is responsible for drawing council districts. Redistricting is done using U.S. Census data, which is released around March 31, 2021. For the City of Bakersfield, the redistricting process must be completed by April 17, 2022.

Why does redistricting matter to me?

Redistricting determines which neighborhoods and communities are grouped together into a district for purposes of electing a councilmember.

The City Council will seek input in selecting the next district map for our City Council. You have an opportunity to share with the City Council how you think district boundaries should be drawn to best represent your community.

You can contact the City Clerk at (661)326-3767 to find out more about how the process works.

What do the existing council districts look like?

You can find a map of the City's current council districts here: [City Council Ward Map](#)

What criteria will our City Council use when drawing district lines?

To the extent practicable, district lines will be adopted using the following criteria: (1) geographically contiguous districts (each city council district should share a common border with the next), (2) the geographic integrity of local neighborhoods or communities shall be respected in a manner that minimizes its division, (3) geographic integrity of a city shall be respected in a manner that minimizes its division, (4) easily identifiable boundaries that follow natural or artificial barriers (rivers, streets, highways, rail lines, etc.), and (5) lines shall be drawn to encourage geographic compactness. In addition, boundaries shall not be drawn for purposes of favoring or discriminating against a political party.

How will our City Council notify the public about redistricting?

The City Council will reach out to local media to publicize the redistricting process. Also, we will make a good faith effort to notify community groups of various kinds about the redistricting process. Our public hearings and workshops will be provided in applicable languages if residents submit a request in advance. The City Council will notify the public about redistricting hearings, workshops, post maps online before adoption, and create a dedicated web page for all relevant information about the redistricting process.

How can I get involved?

1st Floor
Bakersfield, CA 93301
[Link to Map](#)
8am to 5pm, Monday through Friday (except for holidays)

[Ver este aviso en español](#)

Documents

- [Redistricting Ward boundary lines and process to follow \(PDF\)](#)
- [Redistricting Presentation August 18, 2021 \(PDF\)](#)

Agendas

- [August 18, 2021 Council Agenda \(PDF\)](#)

Public Hearing Notices

- [Ward Redistricting Notice of Public Hearing \(PDF\)](#)
- [Aviso de Audiencia Publica \(PDF\)](#)

Public Hearing Videos

[August 18, 2021 City Council Meeting](#)



What do the existing council districts look like?

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How can I get involved?

The City Council will be holding hearings or workshops to receive public input on where district lines should be drawn. Those hearings or workshops will be held on: To be determined.

[Date, location, time to be determined]

You can also submit public comments, including suggested draft maps, by emailing: City_Clerk@bakersfieldcity.us

Where can I find out more?

The City maintains a webpage on the city's redistricting process here: [Redistricting Page](#)

Agendas

- [August 18, 2021 Council Agenda \(PDF\)](#)

Public Hearing Notices

- [Ward Redistricting Notice of Public Hearing \(PDF\)](#)
- [Aviso de Audencia Publica \(PDF\)](#)

Public Hearing Videos

- [August 18, 2021 City Council Meeting](#)

There is no hearing or workshop schedule or instructions on how the public can draft maps.

[Attachment 2]

California Secretary of State's Redistricting Web Page Template

City of _____ Redistricting Process

Every ten years, local governments use new census data to redraw their district lines to reflect how local populations have changed. [Assembly Bill 849 \(2019\)](#) requires cities and counties to engage communities in the redistricting process by holding public hearings and/or workshops and doing public outreach, including to non-English-speaking communities.

What is redistricting?

Every ten years, districts must be redrawn so that each district is substantially equal in population. This process, called redistricting, is important in ensuring that each city councilmember represents about the same number of constituents. In [City], the City Council is responsible for drawing council districts. Redistricting is done using U.S. Census data, which is released around March 31, 2021. For the City of [city], the redistricting process must be completed by [date].

Why does redistricting matter to me?

Redistricting determines which neighborhoods and communities are grouped together into a district for purposes of electing a councilmember.

The City Council will seek input in selecting the next district map for our City Council. You have an opportunity to share with the City Council how you think district boundaries should be drawn to best represent your community.

You can contact the City Clerk at _____ to find out more about how the process works.

What do the existing council districts look like?

You can find a map of the City's current council districts here: [link]

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The City Council will reach out to local media to publicize the redistricting process. Also, we will make a good faith effort to notify community groups of various kinds about the redistricting process. Our public [hearings] [or] [workshops] will be provided in applicable languages if residents submit a request in advance. The City Council will notify the public about redistricting [hearings] [or] [workshops], post maps online before adoption, and create a dedicated web page for all relevant information about the redistricting process.

How can I get involved?

The City Council will be holding [hearings] [or] [workshops] to receive public input on where district lines should be drawn. Those [hearings] [or] [workshops] will be held on:

[Date, location, time]

You can also submit public comments, including suggested draft maps, by emailing: [email]

Where can I find out more?

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