



## City of Long Beach

*Working Together to Serve*

### Office of the City Attorney

## Memorandum

**DATE:** June 30, 2021

**To:** Independent Redistricting Commission

**FROM:** Amy R. Webber, Deputy City Attorney

**SUBJECT:** Letters from Common Cause and Equity for Cambodians

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This memo addresses two letters sent to the Independent Redistricting Commission (the "Commission") dated June 16, 2021 from Common Cause and Equity for Cambodians.

At its April 7, 2021 meeting, the Commission received and filed a presentation from the City's redistricting consultant on the redistricting criteria enumerated in the Charter, including the Commission's authority to approve additional criteria not in conflict with the required ranked criteria provided in the Charter. The purpose of the agenda item was for the Commission to receive an explanation of Charter provisions on redistricting criteria and to discuss any additional criteria the Commission would like to consider adopting at its April 21, 2021 meeting, prior to conducting community outreach and obtaining public input on the proposed redistricting criteria and process. During the April 7, 2021 meeting, the Commission provided input on two additional criteria (adjustments for population changes that are not reflected in the census and use of existing districts to preserve their cores) for staff assessment and potential consideration at its April 21, 2021 meeting.

In response to the Commission's input and anticipated deliberations on the proposed additional criteria, the City Attorney's office sent a memo to the Commission recommending using the approach as a starting point for the discussion of mapping as the Charter provides a legal framework which supports using the "cores" of current Council districts as a starting point. The Commission considered and discussed the recommended action at some length, and ultimately voted not to follow the recommendation. Instead, the Commission determined to proceed exclusively with the criteria outlined in the Charter, which was entirely within its discretion and which our office, as Commission legal counsel, will fully support.

The courts have made clear that the voters' intent must be gleaned from the text of the ballot measure and the ballot materials that were before the voters, not by consulting with the drafters. Furthermore, it is important to keep in mind that Common Cause and Equity for Cambodians were not the only drafters of Measure DDD. The measure was placed on the ballot by the City Council, not by an initiative petition circulated to the voters.

June 30, 2021  
Page 2

We hope this information is helpful in addressing your concerns.

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cc: Charles Parkin, City Attorney