



Independent Redistricting Commission

REGULAR HYBRID MEETING AGENDA

Date: 3/3/2022

Time: 6:00 p.m.

Location: [Zoom.us/join](https://zoom.us/join) – ID# 890 1021 4765

City Council Chambers, 701 Laurel St., Menlo Park, CA 94025

NOVEL CORONAVIRUS, COVID-19, EMERGENCY ADVISORY NOTICE

Consistent with Government Code section 54953(e), and in light of the declared state of emergency, and maximize public safety while still maintaining transparency and public access, members of the public can listen to the meeting and participate using the following methods.

- How to participate in the meeting
 - Submit a written comment online up to 1-hour before the meeting start time:
SESandoval@menlopark.org *
Please include the agenda item number you are commenting on.
 - Access the meeting real-time online at:
[Zoom.us/join](https://zoom.us/join) – Meeting ID 890 1021 4765
 - Access the meeting real-time via telephone at:
(669) 900-6833
Meeting ID 890 1021 4765
Press *9 to raise hand to speak
 - Attend meeting in-person at the City Council Chambers

Subject to Change: Given the current public health emergency and the rapidly evolving federal, state, county and local orders, the format of this meeting may be altered or the meeting may be canceled. You may check on the status of the meeting by visiting the City's website menlopark.org. The instructions for logging on to the webinar and/or the access code is subject to change. If you have difficulty accessing the webinar, please check the latest online edition of the posted agenda for updated information (menlopark.org/agenda).

Special Session ([Zoom.us/join](https://zoom.us/join) – ID# 890 1021 4765)

A. Call To Order

B. Roll Call

C. Public Comment

Under "Public Comment," the public may address the Independent Redistricting Commission on any subject not listed on the agenda. Each speaker may address the Independent Redistricting Commission once under public comment for a limit of three minutes. Please clearly state your name and address or political jurisdiction in which you live. The Independent Redistricting Commission cannot act on items not listed on the agenda and, therefore, the Independent Redistricting Commission cannot respond to non-agenda issues brought up under public comment other than to provide general information.

D. Consent Calendar

- D1. Accept the Independent Redistricting Commission minutes for February 24, 2022 ([Attachment](#))

E. Regular Business

- E1. Mapping tool workshop ([Staff Report #22-008-IRC](#))

F. Commissioner Reports

- F1. Commissioner reports

G. Adjournment

At every regular meeting of the Independent Redistricting Commission, in addition to the public comment period where the public shall have the right to address the Independent Redistricting Commission on any matters of public interest not listed on the agenda, members of the public have the right to directly address the Independent Redistricting Commission on any item listed on the agenda at a time designated by the chair, either before or during the Independent Redistricting Commission's consideration of the item.

At every special meeting of the Independent Redistricting Commission, members of the public have the right to directly address the Independent Redistricting Commission on any item listed on the agenda at a time designated by the chair, either before or during consideration of the item.

If you challenge any of the items listed on this agenda in court, you may be limited to raising only those issues you or someone else raised at the public hearing described in this notice, or in written correspondence delivered to the City of Menlo Park at, or prior to, the public hearing.

Any writing that is distributed to a majority of the Independent Redistricting Commission by any person in connection with an agenda item is a public record (subject to any exemption under the Public Records Act) and is available by request by emailing the city clerk at jaherren@menlopark.org. Persons with disabilities, who require auxiliary aids or services in attending or participating in Independent Redistricting Commission meetings, may call the City Clerk's Office at 650-330-6620.

Agendas are posted in accordance with Government Code Section 54954.2(a) or Section 54956. Members of the public can view electronic agendas and staff reports by accessing the City website at menlopark.org/agenda and can receive email notification of agenda and staff report postings by subscribing to the "Notify Me" service at menlopark.org/notifyme. Agendas and staff reports may also be obtained by contacting City Clerk at 650-330-6620. (Posted: 2/24/2022)

Independent Redistricting Commission



REGULAR MEETING MINUTES – DRAFT

Date: 2/24/2022
Time: 6:00 p.m.
Location: Zoom
City Council Chambers, 701 Laurel St., Menlo Park, CA 94025

Regular Session

A. Call To Order

Chair Arellano called the meeting to order at 6:05 p.m.

B. Roll Call

Present: Arellano, Bahles, Erhart, Gilmer, Saad, Wolter
Absent: Hill, Kissel, Marquardt
Staff: City Clerk Judi A. Herren, Administrative Assistant Sarah Sandoval

C. Public Comment

- Katie Behroozi expressed concerns regarding areas of the mapping tool that are not in Menlo Park and encouraged the Commission to embrace change and explore brand new districts as part of the map selection process.

D. Consent Calendar

D1. Accept the Independent Redistricting Commission minutes for February 10, 2022 (Attachment)

ACTION: Motion and second (Erhart/ Saad), to accept the Independent Redistricting Commission meeting minutes for February 10, 2022, passed 5-0 (Bahles abstaining, Hill absent).

E. Regular Business

E1. Mapping tool workshop (Staff Report #22-006-IRC)

Alex Sainz, demographer from GEOinovo, made the presentation.

- Katie Behroozi spoke on concerns regarding populations and census blocks in the District mapping tool.

The Independent Redistricting Commission (IRC) received clarification from GEOinovo on mapping tool capabilities and the backend criteria for processing map submissions.

The IRC discussed potential criteria for the processing and consideration of draft maps that are not formally submitted but may meet districting requirements.

F. Informational Items

F1. Public engagement update (Staff Report #22-007-IRC)



G. Reports and Announcements

G1. Commissioner reports

Commissioner Arellano reported on receiving resident Patti Fry's email.

H. Adjournment

Chair Arellano adjourned the meeting at 6:58 p.m.

Sarah Sandoval, Administrative Assistant



STAFF REPORT

Independent Redistricting Commission

Meeting Date: 3/3/2022
Staff Report Number: 22-008-IRC

Regular Business: Mapping tool workshop

Recommendation

Staff recommends the Independent Redistricting Commission (IRC) receive a mapping tool presentation from the demographer GEOinovo.

Policy Issues

On August 31, 2021, the City Council adopted Resolution No. 6659 (Attachment A) to establish the IRC to redraw district boundary lines, as authorized by state and federal law. These district boundaries shall be used for the establishment of City Council electoral districts as set forth in Menlo Park Municipal Code section 2.04.210 and 2.04.220.

Background

The City's agreement with the demographer, GEOinovo, includes provisions to provide mapping software called "Districtr." The City's redistricting website, which can be found at <https://districtr.org/event/MP-Maps>, provides that as part of the City's effort to provide transparency and meet requirements of the California FAIR MAPS Act, residents are encouraged to submit their draft City Council districts and "Communities of Interest" (COI) using the Districtr.org mapping tool.

A "Community of Interest" is defined by California law as: "a population that shares common social or economic interests that should be included within a single district for purposes of its effective and fair representation."

- Draft districts must be contiguous and maintain equal population size to ensure equal representation between districts.
- Menlo Park redistricting survey (Attachment C)
 - Draw an area of interest.
 - Leave a comment about the area. Is it a community of interest? What would you like to tell the IRC about this location?
 - Fill out your contact information for follow up.

The purpose of the Districtr public mapping tool and redistricting survey is to collect draft maps and public input regarding neighborhoods, communities of interest, and other local factors that should be considered or used as building blocks when the drawing of draft maps begins. While all public input concerning the composition of the city's districts should be considered, all maps must meet the following federal requirements:

1. Population equality across districts.
2. Race cannot be the predominant factor or criteria when drawing districts.

3. Compliance with the federal Voting Rights Act of 1965, which, among other things, prohibits districts that dilute minority voting rights, and encourages a majority-minority district, if the minority group is sufficiently large, and such a district can be drawn without race being the predominant factor.

Additionally, the maps must also meet the following state requirements:

- Maps must be drawn using the following criteria in prioritized order:
 - District boundaries must be geographically contiguous;
 - District boundaries must minimize the division of neighborhoods and communities of interest;
 - District boundaries must be easily identifiable and understandable by residents; and
 - District boundaries must be geographically compact.
- Maps must not favor or discriminate against a political party.

Analysis

Staff recommends that the IRC receive an additional mapping tool presentation from GEOinovo, which discussed the Districtr tool and submission of draft maps for consideration.

Through continuously sharing information on the use of the mapping tools as well as the requirements that draft maps must meet, the Commission will receive more draft maps from the public that meet those requirements and have a better understanding of which maps meet the legal requirements and which ones do not.

Impact on City Resources

There is no impact on City resources.

Public Notice

Public notification was achieved by posting the agenda, with the agenda items being listed, at least 72 hours prior to the meeting.

Environmental Review

This action is not a project within the meaning of the California Environmental Quality Act (CEQA) Guidelines §§ 15378 and 15061(b)(3) as it is a minor change that will not result in any direct or indirect physical change in the environment.

Attachments

- A. Resolution No. 6659
- B. Hyperlink – Districtr public mapping tool: <https://districtr.org/event/MP-Maps>
- C. Hyperlink – Menlo park redistricting survey: menlopark.org/Redistricting

Report prepared by:

Sarah Sandoval, Administrative Assistant

Staff Report #: 22-008-IRC

Report reviewed by:

Judi A. Herren, City Clerk

Denise Bazzano, Assistant City Attorney

RESOLUTION NO. 6659**RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MENLO PARK
CREATING AN INDEPENDENT REDISTRICTING COMMISSION**

WHEREAS, the United States Constitution, as interpreted by the courts, prohibits violations of equal protection, including intentional dilution or abridgement of the right to vote of protected classes, and racial gerrymandering; and

WHEREAS, on October 4, 2017, with the adoption of Ordinance No. 1044, the City Council established five electoral districts for the election of City Councilmembers; and

WHEREAS, Ordinance No. 1044 established five districts from which City Councilmembers would be elected with City Council District Nos. 1, 2 and 4 beginning at the general municipal election in November 2018, and every four (4) years thereafter, and City Council District Nos. 3 and 5 beginning at the general municipal election in November 2020, and every four (4) years thereafter; and

WHEREAS, California Elections Code section 21600 et seq., requires, among other things, that following each decennial federal census, and using that census as a basis, the city council by ordinance or resolution, adopt boundaries for any or all of the city council districts of the city so that the city council districts shall be substantially equal in population as required by the United States Constitution ("redistricting"); and

WHEREAS, California Elections Code section 23000 et seq., governs the formation of local independent redistricting commissions; and

WHEREAS, California Elections Code section 23001 provides that a local jurisdiction may establish by resolution, ordinance, or charter amendment an independent redistricting commission, a hybrid redistricting commission, or an advisory redistricting commission composed of residents of the local jurisdiction to change the legislative body's district boundaries or to recommend to the legislative body changes to those district boundaries; and

WHEREAS, establishing a redistricting process that is open and transparent and allows public comment on the drawing of City Council district boundaries, ensures that the district boundaries are drawn in accordance with state and federal law, and ensures that the redistricting process is conducted with integrity, fairness, and without personal or political considerations, the City Council hereby desires to establish an Independent Redistricting Commission; and

WHEREAS, the City Council has determined that it is in the City of Menlo Park's interest to establish and appoint a seven (7) member Independent Redistricting Commission, to redraw district boundary lines, as authorized by state and federal law.

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Menlo Park finds the foregoing recitals are true and correct, and they are hereby incorporated by reference into this Resolution.

BE IT FURTHER RESOLVED that the City Council of the City of Menlo Park hereby resolves as follows:

1. For the purposes of this Resolution, the following words and phrases shall have the meanings respectively ascribed to them below:
 - a. "Commission" means the City of Menlo Park Independent Redistricting Commission.
 - b. "Consultant" means a person, whether or not compensated, retained to advise the Commission or a Commissioner regarding any aspect of the redistricting process. Consultant excludes outside legal counsel.
 - c. "Family member" means a spouse, parent, sibling, child, or in-law.
 - d. "Federal decennial census" means the national decennial census taken under the direction of the United States Congress at the beginning of each decade.
2. That the Menlo Park Independent Redistricting Commission ("Commission") is hereby established. The exclusive authority to redraw City Council district boundaries shall be vested in the Commission, until such time as the City Council rescinds this Resolution. Accordingly, the City Council shall have no role in developing a redistricting report or map.
3. The Commission shall:
 - a. Be independent of City Council control;
 - b. Conduct an open and transparent redistricting process, enabling full public consideration of and comment on the drawing of City Council district boundaries;
 - c. Comply with the provisions of state and federal law; and
 - d. Conduct itself with integrity and fairness.
4. Duties. The Commission shall, following each decennial federal census, adopt a final map establishing City Council district boundaries and a final report explaining its decision in accordance with this Resolution, within the redistricting deadlines as established by state law. These district boundaries shall be used for the establishment of City Council electoral districts as set forth in Menlo Park Municipal Code section 2.04.210 and 2.04.220.
5. The Commission may adopt for itself rules of procedure that do not conflict with state or federal law or this Resolution.
6. Composition. The Commission shall be comprised of seven (7) commissioners ("Commissioners") and two (2) alternate commissioners ("Alternates"). Alternates may fully participate in Commission deliberations but may not vote and may not be counted toward the establishment of a quorum. Alternates are subject to the same qualifications, restrictions, and standards of conduct as all other Commissioners. At its first meeting, the Commission shall select one (1) Commissioner to serve as Chair and one (1) Commissioner to serve as Vice Chair. The Commission may designate other officers from its membership and may establish subcommittees and ad hoc committees. Subcommittees and ad hoc committees shall report on their actions at the next meeting of the Commission.

7. Qualifications and restrictions.

- a. Qualifications. Applicants shall comply with the eligibility requirements in California Elections Code Sections 23001 and 23002(b), (c) and (d) and shall meet all of the following minimum qualifications at the time an application is filed:
 - i. Be at least eighteen (18) years of age on the date of application; and
 - ii. Be a resident of the City for at least three (3) years immediately preceding the date of application.
- b. A person shall not be appointed to serve on the Commission if any of the following applies:
 - i. If the person or any family member of the person has been elected or appointed to, or been a candidate for, City Council in the eight (8) years preceding the person's application.
 - ii. If the person or the person's family member has done any of the following in the four (4) years preceding the person's application:
 1. Served as an officer of, employee of, or paid political consultant to, a campaign committee or a candidate for City Council.
 2. Served as a staff member or a political consultant to, or who has contracted with, a currently serving City Councilmember or San Mateo County supervisor.
 3. Contributed five hundred dollars (\$500) or more in a year to any seated City Councilmember or current candidate for City Council.
 - iii. If the person or the person's family member served as an officer of, employee of, or paid consultant to, a political party or as an elected or appointed member of a political party central committee in the eight (8) years preceding the person's application.
 - iv. If the person currently serves as a staff member or a political consultant to an elected official holding a partisan office.
 - v. If the person is a paid employee of the City or a current City Councilmember.
 - vi. If the person is a paid employee of any redistricting contractor or consultant.
 - vii. Any other restrictions identified in Elections Code section 23003 applicable to Independent Redistricting Commissions, as may be amended from time to time.
- c. All applicants shall attest to compliance with all of the criteria in subsections 7(a) and (b).
- d. In addition to an application, all applicants shall file a Statement of Economic Interests (Form 700) with the City Clerk.
- e. If an applicant to the Commission currently serves on another City of Menlo Park board or commission, he or she may serve on the Commission if selected, as long as he or she agrees not to serve on another board or commission during his or her term of office on the Commission. Once sworn into office on the Commission, the Commissioner shall be deemed to have forfeited their previous board or commission position.
- f. Commissioners shall serve without compensation.

8. Selection.

- a. The City Clerk shall in each year ending in the number zero initiate and widely publicize an application process, open to all City residents who meet the requirements listed in section 7 above in a manner that promotes a qualified Commissioner applicant pool that is large and reflective of the diversity of the City.

- b. Commissioners shall be selected through an open application process.
- c. The City Clerk shall initiate and widely publicize the Commission application process. To promote a large and diverse applicant pool, the City Clerk shall seek assistance from a broad range of community-based organizations to encourage qualified persons to apply. The application period shall be open for at least one month and shall specify a closing date for submission of all applications.
- d. The City Clerk shall review each submitted application for completeness. If the City Clerk deems an application to be incomplete, the City Clerk shall notify the applicant of such and provide the applicant an opportunity to complete the application. The submittal deadline shall not be extended to allow correction of incomplete applications.
- e. Upon close of the application submittal period, the City Clerk shall review all applications and remove incomplete or untimely applications and remove individuals who do not meet the qualification criteria listed in Sections 7(a) and (b) from among the Commission applicants.
- f. The City Clerk shall attempt to obtain at least twelve (12) qualified applicants during the one-month application submittal period. If the City Clerk receives less than twelve (12) applications upon the close of the application submittal period, the City Clerk may extend the application deadline for a period of two weeks and continue to seek assistance from a broad range of community-based organizations to encourage qualified persons to apply. If at the end of the two week extended application period the City Clerk has at least nine (9) qualified applications the City Clerk may close the application period. If the City Clerk does not have at least nine (9) qualified applications at the end of the two week extended application period, the City Clerk may continue to extend the application period until such time as the minimum of nine (9) applications are received.
- g. The City Clerk shall, at a public meeting, randomly select three (3) names from the pool of qualified applicants. Those three (3) shall serve as Commissioners and shall, by majority vote at a separate noticed public hearing, select the final four (4) Commissioners and two (2) Alternates from the remaining pool of qualified applicants.
- h. The initial three (3) Commissioners should select applicants that are best qualified to carry out the Commission's duties under this Section and that, as a group, reasonably reflect the diversity of the City, provided that no quotas, formulas, or ratios may be applied for this purpose. The initial three (3) Commissioners shall select the additional four (4) Commissioners such that the Commission shall not be comprised entirely of Commissioners who are registered to vote with the same political party preference.
- i. In evaluating applications, the initial three (3) Commissioners shall consider each applicant's:
 - i. Competency to carry out the responsibilities of the Commission;
 - ii. Ability to serve with impartiality in a nonpartisan role;
 - iii. Familiarity with the City's neighborhoods and communities;
 - iv. Appreciation for the diverse demographics and geography of the City.
 - v. Apparent ability to work cooperatively with other Commissioners;
 - vi. Relevant civic and/or volunteer activities.
- j. The Commission shall be fully established no later than December 1, 2021, and thereafter no later than December 1 in each year ending in the number zero, unless otherwise prescribed by the City Council.
- k. If a Commissioner resigns or is removed from the Commission, the next Alternate in line shall fill the vacancy as a voting Commissioner.

- I. For purposes of this subsection, “diverse” means diversity of ability, geography, race and ethnicity, gender, and age.
9. Appeal. There is no right of appeal to a determination by the Clerk or a Commissioner regarding the appointment process or appointment of a Commissioner.
 10. Restrictions after appointment. If appointed to the Commission, A Commissioner or Alternate shall not do any of the following:
 - a. While serving on the Commission, endorse, work for, volunteer for, or make a campaign contribution to, a candidate for City Council.
 - b. Be a candidate for City Council if less than five (5) years has elapsed since the date of the member's appointment to the Commission.
 - c. For four (4) years commencing with the date of his or her appointment to the Commission:
 - i. Accept employment as a staff member of, or political consultant to, a City Councilmember or candidate for City Council.
 - ii. Receive a noncompetitively bid contract with the City.
 - iii. For two (2) years commencing with the date of his or her appointment to the Commission, accept an appointment to the City Council.
 11. Removal. The Commission by a 2/3 vote may remove a Commissioner or Alternate for substantial neglect of duty, gross misconduct in office, or inability to discharge the duties of office, but only after providing the subject Commissioner or Alternate with written notice and an opportunity for response at a public Commission meeting.
 12. Redistricting criteria.
 - a. The Commission shall do the following:
 - i. Following each decennial federal census, and using that census as a basis, shall, by resolution, adopt boundaries for any or all of the City Council districts of the City so that the City Council districts shall be substantially equal in population as required by the United States Constitution.
 1. Population equality shall be based on the total population of residents of the City as determined by that census.
 2. Notwithstanding paragraph (1), an incarcerated person as that term is used in Section 21003, shall not be counted as part of a city’s population, except for an incarcerated person whose last known place of residence may be assigned to a census block in the City, if information about the last known place of residence for incarcerated persons is included in the computerized database for redistricting that is developed in accordance with subdivision (b) of Section 8253 of the Government Code, and that database is made publicly available.
 - b. The City Council district boundaries must comply with the United States Constitution, the California Constitution, and the federal Voting Rights Act of 1965 (52 U.S.C. Sec. 10301 et seq.).
 - c. The Commission shall adopt district boundaries using the following criteria as set forth in the following order of priority in accordance with California Elections Code section 21601:
 - i. To the extent practicable, City Council districts shall be geographically contiguous. Areas that meet only at the points of adjoining corners are not contiguous. Areas that

are separated by water and not connected by a bridge, tunnel, or regular ferry service are not contiguous.

- ii. To the extent practicable, the geographic integrity of any local neighborhood or local community of interest shall be respected in a manner that minimizes its division. A “community of interest” is a population that shares common social or economic interests that should be included within a single district for purposes of its effective and fair representation. Communities of interest do not include relationships with political parties, incumbents, or political candidates.
 - iii. City Council district boundaries should be easily identifiable and understandable by residents. To the extent practicable, City Council districts shall be bounded by natural and artificial barriers, by streets, or by the boundaries of the City.
 - iv. To the extent practicable, and where it does not conflict with the preceding criteria in this subdivision, City Council districts shall be drawn to encourage geographical compactness in a manner that nearby areas of population are not bypassed in favor of more distant populations.
- d. The Commission shall not adopt City Council district boundaries for the purpose of favoring or discriminating against a political party.

13. Adoption of redistricting report and map.

- a. The Commission shall conduct at least two (2) public hearings prior to the drawing of any draft map or maps of the proposed City Council boundaries.
- b. The Commission shall conduct at least three (3) public hearings after drawing of any draft map or maps of the proposed City Council boundaries.
- c. At least one public hearing or public workshop shall be held on a Saturday, on a Sunday, or after 6 p.m. on a weekday Monday through Friday.
- d. Public hearing buildings shall be accessible to persons with disabilities.
- e. The Commission shall, at a minimum, take the applicable steps identified in Elections Code section 21608 to encourage residents, including those in underrepresented communities and non-English speaking communities, to participate in the redistricting public review process.
- f. Prior to adoption of a final map, the Commission shall file a preliminary redistricting plan and draft map with the City Clerk, along with a written statement of findings and reasons for proposed adoption, which shall include the criteria employed in the process and a full analysis and explanation of decisions made by the Commission. The City Clerk shall publish the preliminary redistricting plan and draft map in accordance with Elections Code section 21608(d). After having heard comments from the public on the preliminary redistricting plan and draft map, the Commission shall adopt a final redistricting report and final map. A Commission-adopted final redistricting report and final map has the force and effect of law and shall be effective after it is filed with the City Clerk and shall remain effective until the adoption of new district boundaries following the next federal decennial census. The City Council may not revise the district boundaries adopted by the Commission.
- g. The final redistricting report and final map shall be subject to referendum in the same manner as ordinances.

14. Administration.

- a. The City Council shall appropriate sufficient funds to support the work of the Commission, including funds necessary to recruit Commissioners and Alternates, meet the operational needs of the Commission, conduct any community outreach to solicit broad public participation in the redistricting process, pay for City staff time associated with supporting the work of the Commission, hire any necessary consultants, and obtain any necessary redistricting tools or resources.
- b. The City Manager, City Clerk, and City Attorney shall assign sufficient staff to support the Commission. The City Clerk or the City Clerk's designee shall serve as secretary to the Commission. The City Attorney or the City Attorney's designee shall serve as legal counsel to the Commission.
- c. Subject to funds appropriated to the Commission, the Commission may retain consultants following the City's standard procurement processes and the City Council shall approve any applicable consultant agreements. The Commission shall retain the sole authority for determining the selection criteria for consultants, except however, the Commission shall utilize the consultant, GEOinovo Solutions, Inc., retained by the City prior to the adoption of this resolution for demographic analysis and census mapping services for the City Council 2020 census redistricting process.
- d. The Commission is subject to the Ralph M. Brown Act (Chapter 9 (commencing with Section 54950) of Part 1 of Division 2 of Title 5 of the Government Code), the California Public Records Act (Chapter 3.5 (commencing with Section 6250) of Division 7 of Title 1 of the Government Code), and the Political Reform Act (Chapter 7 (commencing with Section 87100) of Title 9).

15. Dissolution.

- a. The Commission shall cease operations and dissolve on the ninety-first day following approval of a final redistricting report and final map, unless a referendum against the final redistricting report and final map has qualified or a lawsuit has been filed to enjoin or invalidate the final redistricting report and final map, in which case the Commission shall continue operations until a final redistricting report and final map is implemented by the City. Notwithstanding the foregoing, if a lawsuit to enjoin or invalidate a final redistricting report and final map is filed later than the ninety-first day following approval of a final redistricting report and final map, the Commission shall automatically revive and continue operations during the pendency of such lawsuit and until a final redistricting report and final map is implemented by the City.

BE IT FURTHER RESOLVED, if any term, provision, or portion of this Resolution is held by a court to be invalid, void or unenforceable, the remaining provisions of this Resolution shall continue in full force and effect unless amended or modified or repealed by the City.

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I, Judi A. Herren, City Clerk of Menlo Park, do hereby certify that the above and foregoing City Council Resolution was duly and regularly passed and adopted at a meeting by said City Council on the thirty-first day of August, 2021, by the following votes:

AYES: Nash, Wolosin, Taylor

NOES: Mueller, Combs

ABSENT: None

ABSTAIN: None

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the Official Seal of said City on this thirty-first day of August, 2021.

DocuSigned by:


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Judi A. Herren, City Clerk