

RESOLUTION NO. _____

A RESOLUTION OF THE COUNCIL OF THE CITY OF
FRESNO, CALIFORNIA SUBMITTING TO CITY ELECTORS
A CHARTER AMENDMENT CREATING AN CITIZEN
REDISTRICTING ADVISORY COMMISSION AND
PROVIDING FOR THE PLACEMENT OF THE MEASURE
ON THE NOVEMBER 3, 2026, SPECIAL MUNICIPAL
ELECTION BALLOT

WHEREAS, following each decennial federal census, the City of Fresno is required by state law to review and, as necessary, adjust the boundaries of City Council districts to reflect changes in population and to comply with applicable federal and state law; and

WHEREAS, the redistricting process determines the geographic boundaries of City Council districts from which councilmembers are elected and therefore affects representation for residents throughout the City; and

WHEREAS, federal and state law establish legal requirements governing redistricting, including the principle of substantially equal population among districts and compliance with the federal Voting Rights Act and applicable provisions of California law; and

WHEREAS, California law also establishes criteria and procedural requirements for local government redistricting, including public hearings, opportunities for community participation, and consideration of communities of interest and other legally recognized districting principles; and

WHEREAS, public participation and transparency are important components of the redistricting process and may assist decision-makers in understanding neighborhood

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Date Adopted:

Date Approved

Effective Date:

City Attorney Approval: AS

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Resolution No.

WHEREAS, public participation and transparency are important components of the redistricting process and may assist decision-makers in understanding neighborhood boundaries, shared community interests, and local geographic considerations; and

WHEREAS, advisory bodies composed of residents have been established by various local governments to review proposed district maps, receive public input, and provide recommendations regarding redistricting to their governing bodies; and

WHEREAS, an advisory commission may provide an additional public forum for the consideration of district boundaries while preserving the authority of the Fresno City Council to take actions required by law unless otherwise provided by the City Charter or applicable law; and

WHEREAS, the City Council desires to form a Citizen Redistricting Advisory Commission and to define its composition, duties, and procedures

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Fresno as follows:

1. The City Council submits to the electors of the City of Fresno at its special municipal election to be consolidated with the statewide general election to be held on Nov. 3, 2026, a ballot measure ("Measure") proposing to amend the Charter of the City of Fresno as set forth in Exhibit A attached hereto, and incorporated herein by reference.
2. The City requests that the Fresno County Clerk/Registrar of Voters conduct the election and canvass the returns, and the City agrees to pay the proportionate

share of reasonable expenses of said election, said share to consist of all direct costs as determined by the Fresno County Clerk/ Registrar of Voters to be directly related to the conduct of the City of Fresno' special municipal election together with the City's proportionate share of the expenses for election services rendered by Fresno County that are being shared equally with other jurisdictions, if any, by virtue of the consolidation of the City's special municipal election with the elections being held by other jurisdictions, if any, in the City of Fresno on November 3, 2026.

3. At the statewide general election to be held on November 3, 2026, the following question shall be submitted to registered voters of the City of Fresno and shall be printed on the election ballot in the form set forth as follows:

<i>CITY OF FRESNO CITIZEN REDISTRICTING ADVISORY COMMISSION CHARTER CLEAN-UP AMENDMENT: Shall City of Fresno amend § 304.1 to remove incumbency protection provisions in compliance with state law and add §911 to create a citizen redistricting advisory commission to develop, draw, and propose City Council boundaries following publication of the U.S. Census?</i>	YES
	NO

4. The following constitutes the synopsis of the Measure to be voted on for purposes of meeting the publication requirements of Elections Code Section 12111:

MEASURE TO BE VOTED UPON

Notice is hereby given that the following measure is to be voted on at the special municipal election to be held in the City of Fresno, on Tuesday, the 3rd of November, 2026.

APPROVAL OF FRESNO CITIZEN REDISTRICTING ADVISORY COMMISSION CHARTER CLEAN-UP AMENDMENT

The measure proposes amending the City of Fresno Charter to amend §304.1 of the Charter to remove provisions that protect incumbents during redistricting, in accordance with state law, and add §911 to create a citizen-led commission tasked with developing,

drawing, and proposing legislative boundaries for the Fresno City Council following publication of the decennial United States Census.

5. The full text of the ordinance submitted to the voters is attached as Exhibit A and by this reference incorporated herein. The full text of the Measure is not required to be printed in the Sample Ballot and Voters Pamphlet. However, the full text of the Measure shall be made available at the Office of the Fresno County Clerk/Registrar of Voters and the Office of the Fresno City Clerk.
6. The measure shall be designated on the ballot by a letter, as provided in Elections Code Section 13116. This measure shall be designated by letter by the Fresno County Clerk/Registrar of Voters.
7. Passage of the Measure requires a simple majority of votes from qualified voters of the City voting in the election.
8. In all particulars not recited in this resolution, the election shall be held and conducted as provided by law for holding municipal elections.
9. The full text of the Measure submitted to the voters will appear in the sample ballot and voter's pamphlet. The Ordinance to be enacted to implement the Measure, if the Measure is approved by the voters, will not be printed in the sample ballot and voter's pamphlet. However, the full text of the Measure and the full text of the

Ordinance will be made available at the Office of the Fresno County Clerk/Registrar of Voters and the Office of the City Clerk.

10. Arguments in favor or against the proposed measure are permissible and shall be filed with the Fresno County Clerk/Registrar in accordance with Elections Code Section 9281 or as provided for the consolidated election. Councilmembers voting in the majority for this resolution and the Mayor are authorized, but not required, to file arguments in favor of the proposed measure. They are also authorized to provide input to the Fresno County Clerk/Registrar in determining a letter designation for this Measure. Rebuttal arguments shall be permitted pursuant to applicable law.
11. Pursuant to Elections Code section 9280, the City Council hereby directs the City Clerk to transmit a copy of the Measure to the City Attorney, and the City Attorney shall prepare an impartial analysis of the Measure in accordance with Elections Code section 9280 and file it with the Fresno County Clerk/Registrar of Voters.
12. The City Clerk shall file a certified copy of this resolution with the Fresno County Clerk/Registrar of Voters as required by applicable law. The City Clerk is hereby authorized and directed to work with the Fresno County Clerk/Registrar of Voters and take all steps necessary to cause placement of the Measure and any associated arguments, analysis, synopsis, summary, or ballot question on the

ballot.

13. The City Clerk and City Attorney are authorized to make any typographical, clerical, non-substantive corrections to this resolution and the Measure to be placed on the ballot as may be deemed necessary by the Fresno County Clerk/Registrar of Voters.

14. The adoption of this Resolution is exempt from the California Environmental Quality Act, Public Resources Code §§ 21000 et seq. ("CEQA") and 14 Cal. Code Reg. §§ 15000 et seq. ("CEQA Guidelines"). The calling and noticing of a Special Municipal Election for the submission of a ballot measure to voters is not a project within the meaning of CEQA Guidelines Section 15378. The ballot measure submitted to the voters is for a general tax that can be used for any governmental purpose; it is not a commitment to any particular action or actions. As such, under CEQA Guidelines Section 15378(b)(4), the potential tax increase is not a project within the meaning of CEQA because, if approved, the tax increase simply creates a government funding mechanism that does not involve any commitment to any specific project that may result in a potentially significant physical impact on the environment.

15. Severability. If any section, subsection, sentence, clause, phrase or portion of this Resolution or its application to any person or circumstance is for any reason held to be invalid or unconstitutional by the decision of any court of competent

jurisdiction, such decision shall not affect the validity of the remaining portions of this Resolution or its application to other persons and circumstances. The City Council of the City of Fresno hereby declares that it would have adopted this Resolution and each section, subsection, sentence, clause, phrase, or portion thereof irrespective of the fact that any one or more sections, subsections, sentences, clauses, phrases, or portions be declared invalid or unconstitutional and, to that end, the provisions hereof are hereby declared to be severable.

16. This Resolution shall be effective immediately upon adoption.

* * * * *

STATE OF CALIFORNIA)
COUNTY OF FRESNO) ss.
CITY OF FRESNO)

I, AMY K. ALLER, City Clerk of the City of Fresno, certify that the foregoing ordinance was adopted by the Council of the City of Fresno, at a regular meeting held on the _____ day of _____ 2026.

AYES :
NOES :
ABSENT :
ABSTAIN :

Mayor Approval: _____, 2026
Mayor Approval/No Return: _____, 2026
Mayor Veto: _____, 2026
Council Override Vote: _____, 2026

AMY K. ALLER
CITY CLERK

By: _____
Deputy Date

APPROVED AS TO FORM:
ANDREW JANZ
City Attorney

By: _____
ANDREW JANZ Date
CITY ATTORNEY

EXHIBIT A TO RESOLUTION NO. _____

PROPOSED AMENDMENT TO THE CHARTER OF CITY OF
FRESNO TO BE SUBMITTED TO THE CITY ELECTORS AS
A BALLOT MEASURE AT THE SPECIAL MUNICIPAL
ELECTION TO BE HELD ON NOV. 3, 2026

Article III Elective Officers, Sec. 304.1 – “Eligibility, District Residence” shall be amended:

[§ 304.1 – ~~Eligibility, District Residence~~ **Office Eligibility and District Boundaries**

~~Commencing with the 1981 general municipal election, no person shall be eligible to hold elective office as a Councilmember unless that person is, and has been for a period of at least thirty days immediately preceding the filing of nomination papers for such office or appointment to such office, a resident within the Council district corresponding in number to the office to which that person is elected or appointed. Each Councilmember shall, during that Councilmember's term of office, reside within such Council district. The boundaries of such districts shall be determined by the Council by ordinance and shall be redetermined by the Council, by ordinance adopted not later than one hundred and twenty days following the publication of each federal census thereafter; provided that the population disparity between districts shall not exceed ten percent at the time of any such boundary determination or redetermination, and no boundary shall be altered so as to exclude any incumbent from office prior to the expiration of that incumbent's term.~~

a) OFFICE ELIGIBILITY

1) Commencing with the 1981 general municipal election, no person shall be eligible to hold elective office as a Councilmember unless that person is, and has been for a period of at least thirty days immediately preceding the filing of nomination papers for such office or appointment to such office, a resident within the Council district corresponding in number to the office to which that person is elected or appointed. Each Councilmember shall, during that Councilmember's term of office, reside within such Council district.

b) DISTRICT BOUNDARIES

- 1) The boundaries of such districts shall be determined by the Council by ordinance following receipt of final recommended boundary map from the Citizen Redistricting Advisory Commission and shall be redetermined by the Council, by ordinance adopted not later than one hundred and eighty days following the publication of each federal census thereafter, subject to the provisions of §911 of the Charter;**
- 2) Population disparity between districts in the adopted boundaries shall not exceed ten percent at the time of any such boundary determination or redetermination.**

Article IX Boards and Commissions, Sec. 911 – “Citizen Redistricting Advisory Commission” shall be added:

a) MEMBERSHIP

- 1) The Citizen Redistrict Advisory Commission shall consist of seven members, each nominated by an individual member of the Fresno City Council.**
- 2) Commissioners shall be a resident and registered to vote within the boundary of the expiring Council District of the nominating Councilmember.**
- 3) Commissioners shall have voted in two of the preceding three primary City elections or have resided within the City of Fresno for a minimum of ten years preceding their application to serve on the Commission.**
- 4) The Council President and Vice President shall each select one member to serve as an alternate member. Alternate members shall only meet the requirements specified in subsection (3).**

b) MEMBERSHIP INELIGIBILITY

- 1) An applicant to serve on the Commission shall be deemed ineligible to serve if they, their spouse, registered domestic partner, or child, is or has been**

within the four years immediately preceding their application to serve on the Commission was any of the following:

- i. A paid employee of the City;**
- ii. A registered City lobbyist or someone who was required to register as a City lobbyist; or**
- iii. A paid employee of any redistricting contractor or consultant.**

2) An applicant to serve on the Commission shall be deemed ineligible to serve if they, their spouse, registered domestic partner, or child, is or has been within the ten years immediately preceding their application to serve on the Commission was any of the following:

- i. Elected to or a candidate for any City elective office;**
- ii. An employee of, or paid consultant or contractor to, a campaign for City elective office;**
- iii. A paid employee of, a consultant to or someone under contract with any City elected official; or**
- iv. A member of a Fresno County partisan central committee.**

c) MEMBERSHIP REQUIREMENTS AND RESTRICTIONS

- 1) Within 30 days of appointment, Commissioners shall file a Form 700 Statement of Economic Interests with the City Clerk, as required by FMC 2-901.
- 2) Commissioners shall be ineligible, for a period of ten (10) years commencing from the date of appointment, to hold City elected office.
- 3) Commissioners shall be ineligible, for a period of four (4) years commencing from the date of appointment, to be appointed to another City commission, to serve as paid staff for or as a paid consultant to any City elected official, to receive a non-competitively bid contract with the City, or to register as a City lobbyist.

d) FORMATION AND TERM

- 1) The Commission shall be empaneled by Council ordinance no later than December 1 of the year of the federal census, commencing with December 1, 2030.
- 2) Commissioners shall serve for a term of no more than one year, concluding December 31 of the year after the federal census, commencing with December 31, 2031.

e) COMPENSATION

- 1) Commissioners shall be eligible for *per diem* compensation of \$100 for each commission meeting

or educational workshop they attend, with a maximum of \$1,000 to be paid during the entirety of their term.

f) POWERS, DUTIES, AND PROCEDURE. The Citizen Redistricting Advisory Commission shall:

- 1) Review U.S. Census Redistricting Data, in consultation with City-retained Redistricting Consultants, for consideration of quantitative and qualitative distribution of population within City Council districts;**
- 2) Host a minimum of one educational workshop during the development of proposed City Council boundaries;**
- 3) Host a minimum of five public hearings, subject to the provisions of the Ralph M. Brown Act, to review draft boundary options prior to adoption of a final recommended boundary;**
- 4) Adopt, by majority vote, an initial recommended boundary map within one hundred and twenty days following the publication of the federal census, which shall be presented at the next regularly scheduled City Council meeting for a public workshop;**
- 5) Review and consider comments from the City Council and adjust as necessary the initial recommended**

boundary map to form the final recommended boundary map within 30 days of initial boundary map presentation to the City Council;

6) Adopt, by majority vote, the final recommended boundary map;

i. If a majority of the Commission cannot adopt a final recommended map within 30 days of the City Council workshop, up to two proposed boundary maps attaining the largest plurality of votes shall be submitted to the City Council for consideration.

g) MINIMUM BOUNDARY REQUIREMENTS

1) The Commission shall only recommend to the City Council proposed boundaries that meet the following criteria:

i. Council districts within the proposed boundaries are substantially equal in population, with deviation among districts not to exceed ten percent (10%).

ii. The final proposed boundary complies with the United States Constitution; the Federal Voting Rights Act, commencing at 42 U.S.C. 1972; the California Constitution; and any other

requirement of federal or state law applicable to charter cities; and

iii. Each Council district within the final proposed boundary is geographically contiguous, to the extent practicable; and

iv. Each Council district within the final proposed boundary is enumerated in such a manner that, for as many residents as possible, the number of the Council district they reside within remains the same.

2) ADDITIONAL BOUNDARY CONSIDERATIONS

i. In addition of the requirements specified in subsection (g), the Commission shall consider the following criteria when developing draft boundary options for submission to the City Council, in order of priority:

1. Existing neighborhoods and community boundaries;

2. Communities of interest, defined as “a contiguous population that shares common social and economic interests that should be included within a single

district for purposes of its effective and fair representation”;

3. Integrity and compactness of territory;

4. Geography and topography;

5. Natural and artificial barriers and boundaries;

6. Preservation of population cores that have consistently been associated with each council district; and

7. Other commission-adopted criteria that do not conflict with the other requirements and criteria listed in this section or with state or federal law.

3) PROHIBITED BOUNDARY CRITERIA

i. The Commission shall not consider the place of residence of any individual, including incumbent or political candidate, in the creation of proposed boundaries.

h) EXCLUSIONS

1) This Commission shall not be empaneled for district boundary changes required by virtue of court order or resolution of legal claims.]