



Berkeley City Council

ACTION CALENDAR

April 29, 2014

To: Honorable Mayor and Members of the City Council

From: Councilmembers Jesse Arreguín, Kriss Worthington, Max Anderson

Subject: Redistricting Referendum Petition: Repeal Ordinance No. 7,320; and Adopt the First Reading of an Ordinance to Amend City Council District Boundaries from the United Student District Amendment

RECOMMENDATION

1. Adopt an Ordinance rescinding in its entirety Ordinance No. 7,320 N.S. "Authorizing the Adjustment of Berkeley City Council District Boundaries Pursuant to Section 9, Article V of the Berkeley City Charter, to Equalize Population in the Districts as a Result of Population Changes Reflected in the 2010 Decennial Federal Census.", adopted by the Berkeley City Council on December 17, 2013; AND
2. Adopt first reading or a statement of intent to adopt an Ordinance created from the United Student District Amendment Plan adjusting the City Council district boundaries pursuant to Section 9, Article V of the Berkeley City Charter, to equalize population in the districts as a result of population changes reflected in the 2010 Decennial Federal Census (Attachment 2)

FINANCIAL IMPLICATIONS

Rescinding Ordinance No. 7,320 in response to the referendum petition would save potentially hundreds of thousands of dollars in attorney's fees and costs associated with placing a ballot measure on the November 4, 2014 Statewide Election. Adopting the USDA would also save tens of thousands of dollars of staffing time.

BACKGROUND

Under Elections Code Section 9241, if the Council rescinds the ordinance that was the subject of the referendum, it cannot adopt the same ordinance for a period of one year.

If a new ordinance is adopted, under case law it must be "*substantially different*" from the legislation that was rescinded. In re Stratham (1920) 45 Cal.App. 436, 187 P.986 the court concluded: "*when an ordinance which has been suspended by a referendum has been repealed by [a municipal] council, the council cannot enact another ordinance in all essential features like the repealed ordinance The council may, however, deal further with the subject matter of the suspended ordinance, by enacting an ordinance essentially different from the ordinance protested against, avoiding, perhaps, the objections made to the first ordinance. If this be done, not in bad faith, and not with*

intent to evade the effect of the referendum petition, the second ordinance should not be held invalid for this cause.”

Subsequent to this decision several courts have followed or endorsed this “Stratham” rule. In Assembly supra 30 Cal.3d at pp 644-645. 180 Cal.Rptr. 297, 639 P 2d 939, the court stated, *“Since its inception, the right of the people to express their collective will through the power of the referendum has been vigilantly protected by the courts. Thus, it has been held that legislative bodies cannot nullify this power by voting to enact a law identical to a recently rejected referendum measure.”*

Consistent with case law if a new redistricting ordinance is to be adopted it must be “substantially different” from the rescinded ordinance, must not be acted upon in “bad faith, and should respond to the issues raised in the referendum petition. All the referendum petitions explicitly raised the following issues:

“We the undersigned voters of the City of Berkeley protest against the passage of Ordinance No. 7,320-N.S., which adopts the controversial City Council redistricting plan which divides neighborhoods and disenfranchises students, neighborhoods and progressives from having an equitable say in electing their city leaders.”

Some of the specific details repeatedly mentioned by circulators included: 1) the adopted redistricting plan kicked out the majority of Berkeley Student Cooperative houses that were already in the current student district, by removing the Northside blocks from District 7; 2) the adopted plan failed to include a majority of dorms, even though 9 out of 12 dorms are in sufficiently close proximity to easily be included. 3) it needlessly divided neighborhoods throughout Berkeley that did not need to be divided, and failed to respond to the concerns expressed by dozens of neighborhoods in the Berkeley Neighborhood Council. 4) the adopted plan was widely perceived as politically punitive to the chances of a progressive candidate and some described it as a partisan gerrymander.

Therefore any alternative redistricting plan should include the Northside blocks in District 7 and unite neighborhoods that are divided as much as possible.

The United Student District Amendment (USDA), which was the last alternative map the Council considered, united some additional neighborhoods and also included the Northside blocks in District 7. USDA had an equal population deviation per Council District of less than 1%, and uses the following Major Streets and Collector Streets in its boundaries: Sacramento Street, Cedar Street, Spruce Street, Shattuck Avenue, Oxford Street, Hearst Avenue, Bancroft Way, Fulton Street, Centennial Drive, Dwight Way, Telegraph Avenue, Ashby Avenue, University Avenue, Martin Luther King Jr. Way, and Milvia Street. Given that USDA not only complies with Charter requirements, but directly addresses the issues raised in the referendum petition, the Council could consider adopting a first reading of an ordinance approving USDA’s district boundaries.

CONTACT PERSONS

| | | |
|---------------------------------|--------------------|--------------|
| Councilmember Jesse Arreguín | Council District 4 | 510-981-7140 |
| Councilmember Kriss Worthington | Council District 7 | 510-981-7170 |
| Councilmember Max Anderson | Council District 3 | 510-981-7130 |

Attachments:

1. Proposed Ordinance Repealing Ordinance No. 7,320-N.S.
2. Redistricting Ordinance and Map based on USDA Plan

ORDINANCE NO. ##,###-N.S.

REPEALING ORDINANCE NO. 7,320-N.S., AUTHORIZING THE ADJUSTMENT OF BERKELEY CITY COUNCIL DISTRICT BOUNDARIES PURSUANT TO SECTION 9, ARTICLE V OF THE BERKELEY CITY CHARTER, TO EQUALIZE POPULATION IN THE DISTRICTS AS A RESULT OF POPULATION CHANGES REFLECTED IN THE 2010 DECENNIAL FEDERAL CENSUS

BE IT ORDAINED by the Council of the City of Berkeley as follows:

Section 1. Repeal

In accordance with Berkeley City Charter Article XIV, Section 93, Ordinance Number 7,320-N.S., which adjusted City Council District boundaries beginning with the November 2014 election is hereby repealed in light of the referendum measure protesting the passage of such ordinance which has qualified for placement of such referendum on the ballot.

Section 2. Posting.

Copies of this Ordinance shall be posted for two days prior to adoption in the display case located near the walkway in front of Old City Hall, 2134 Martin Luther King Jr. Way. Within fifteen days of adoption, copies of this Ordinance shall be filed at each branch of the Berkeley Public Library and the title shall be published in a newspaper of general circulation.

ORDINANCE NO. <<USDA>> -N.S.

AUTHORIZING THE ADJUSTMENT OF BERKELEY CITY COUNCIL DISTRICT BOUNDARIES PURSUANT TO SECTION 9, ARTICLE V OF THE BERKELEY CITY CHARTER, TO EQUALIZE POPULATION IN THE DISTRICTS AS A RESULT OF POPULATION CHANGES REFLECTED IN THE 2010 DECENNIAL FEDERAL CENSUS

BE IT ORDAINED by the Council of the City of Berkeley as follows:

Section 1. Purpose.

In order that the eight City Council Districts shall continue to be nearly equal in population as may be according to said 2010 Decennial Federal Census, the City Council Districts are hereby adjusted as set forth in Section 2.

Section 2. District Boundaries.

FIRST COUNCIL DISTRICT shall comprise all of that portion of the City of Berkeley included in the following 2010 Census Tract and Block numbers:

Tract 421800

Blocks as follows:

| | | | | | | | | | |
|------|------|------|------|------|------|------|------|------|------|
| 2006 | 2012 | 2013 | 2014 | 2015 | 2016 | 2017 | 2020 | 2021 | 2022 |
| 2023 | | | | | | | | | |

Tract 421900

Blocks as follows:

| | | | | | | | | | |
|------|------|------|------|------|------|------|------|------|------|
| 1002 | 1003 | 1004 | 1005 | 1006 | 1007 | 1008 | 1009 | 1010 | 1011 |
| 2001 | 2003 | 2004 | 2005 | 2006 | 2007 | 2008 | 2009 | 2010 | 2011 |
| 2012 | 2013 | 2014 | 2015 | 2016 | 2017 | 2018 | 2019 | 2020 | 2021 |
| 2022 | 2023 | 2024 | 2025 | 2026 | 3000 | 3001 | 3002 | 3003 | 3004 |
| 3005 | 3006 | 3007 | 3008 | 3009 | 3010 | 3011 | 3012 | 3013 | 3014 |
| 3015 | 3016 | 4000 | 4001 | 4002 | 4003 | 4004 | 4005 | 4006 | 4007 |
| 4008 | 4009 | 4010 | 4011 | 4012 | 4013 | 4014 | 4015 | 4016 | 4017 |
| 4018 | 4019 | 4020 | 4021 | 4022 | 4023 | | | | |

Tract 422000

Blocks as follows:

| | | | | | | | | | |
|------|------|------|------|------|------|------|------|------|------|
| 1000 | 1001 | 1002 | 1004 | 1005 | 1006 | 1010 | 1011 | 1012 | 1013 |
| 1018 | 1019 | 2000 | 2001 | 2002 | 2003 | 2004 | 2005 | 2006 | 2007 |
| 2008 | 2009 | 2010 | 2011 | 2012 | 2013 | 2014 | 2015 | 2016 | 2017 |
| 2018 | 2019 | 2020 | 2021 | 2022 | 2023 | 2024 | 2025 | 2026 | 2027 |
| 2028 | 2029 | 2030 | 2031 | 2032 | 2033 | 2034 | 2035 | 2036 | 2037 |
| 2038 | 2039 | 2040 | 2041 | 2042 | 2043 | 2044 | 2045 | 2046 | 2047 |
| 2048 | 2049 | 2050 | 2051 | 2052 | 2053 | 2054 | 2055 | 2056 | 2057 |
| 2058 | 2059 | 2060 | 2061 | 2062 | 2063 | 2064 | 2065 | 2066 | 2067 |

| | | | | | | | | | |
|------|------|------|------|------|------|------|------|------|------|
| 2068 | 2069 | 2070 | 2071 | 2072 | 2073 | 2074 | 2075 | 2076 | 2077 |
| 2078 | 2079 | 2080 | 2081 | | | | | | |

Tract 422100

Blocks as follows:

| | | | | | | | | | |
|------|------|------|------|------|------|------|------|------|------|
| 1000 | 1001 | 1002 | 1003 | 1004 | 1005 | 1006 | 1007 | 1008 | 1009 |
| 1010 | 1011 | 1012 | 1013 | 1014 | 1015 | 1016 | 1017 | 1018 | 1019 |
| 1020 | 1021 | 1022 | 1023 | 1024 | 1025 | 2000 | 2001 | 2002 | 2003 |
| 2004 | 2005 | 2006 | 2007 | 2008 | 2009 | 2010 | 2011 | 2012 | 2013 |
| 2014 | 2015 | 2016 | 2017 | 2018 | 2019 | 2020 | 2021 | 2022 | 2023 |
| 2024 | 2025 | 2026 | 2027 | 2028 | 2029 | 2030 | 2031 | 2032 | 2033 |
| 2034 | | | | | | | | | |

Tract 422200

Blocks as follows:

| | | | | | | | | | |
|------|------|------|------|------|------|------|------|------|------|
| 1000 | 1001 | 1002 | 1003 | 1004 | 1005 | 1006 | 1007 | 1008 | 1009 |
| 1010 | 1011 | 1012 | 1013 | 1014 | 1015 | 1016 | 1017 | 1018 | 1019 |
| 1020 | 1021 | 1022 | 1023 | 1024 | 1025 | 1026 | 1027 | 1028 | 1029 |
| 1030 | 1031 | 1032 | 1033 | 1034 | 1035 | 1036 | 2000 | 2001 | 2002 |
| 2003 | 2004 | 2005 | 2006 | 2007 | 2008 | 2009 | 2010 | 2011 | 2012 |
| 2013 | 2014 | 2015 | 2016 | 2017 | 2018 | 2019 | 3000 | 3001 | 3002 |
| 3003 | 3004 | 3005 | 3006 | 3007 | 3008 | 3009 | 3010 | 3011 | 3012 |
| 3013 | 3014 | 3015 | 3016 | 3017 | | | | | |

Tract 422300

Blocks as follows:

| | | | | | | | | | |
|------|------|------|------|------|------|------|------|------|------|
| 1000 | 1001 | 1002 | 1003 | 1004 | 1005 | 1006 | 1007 | 1008 | 1009 |
| 1010 | 1011 | 1012 | 1013 | 1014 | 1015 | 1016 | 2000 | 2001 | 2002 |
| 2003 | 2004 | 2005 | 2006 | 2007 | 2008 | 2009 | 2010 | 2011 | 2012 |
| 2013 | 2014 | 2015 | 3000 | 3001 | 3002 | 3003 | 3004 | 3005 | 3006 |
| 3007 | 3008 | 3009 | 3010 | 3012 | 3013 | 3014 | 3015 | | |

Tract 422400

Blocks as follows:

| | | | | |
|------|------|------|------|------|
| 3001 | 3002 | 3003 | 3004 | 3005 |
|------|------|------|------|------|

The foregoing list of Census Blocks in the FIRST COUNCIL DISTRICT is generally located within a boundary line commencing on the point at the intersection of University Avenue and Martin Luther King Jr. Way, thence northerly, along Martin Luther King Jr. Way to the intersection of Martin Luther King Jr. Way and Francisco Street; thence easterly, along Francisco Street to the intersection of Francisco Street and Milvia Street; thence northerly, along Milvia Street to the intersection of Milvia Street and Cedar Street; thence westerly, along Cedar Street to the intersection of Cedar Street and McGee Avenue; thence northerly, along McGee Avenue to the intersection of McGee Avenue and Rose Street; thence westerly, along Rose Street to the intersection of Rose Street and Sacramento Street; thence northerly, along Sacramento Street to the

intersection of Sacramento Street and Ada Street; thence westerly, along Ada Street to the intersection of Ada Street and Ordway Street; thence northerly, along Ordway Street to the northern boundary line of the City of Berkeley; thence westerly, along said northern boundary line to the western boundary line of the City of Berkeley in the San Francisco Bay; thence along said western boundary line to where it intersects with a line which is a direct extension of University Avenue; thence easterly, along said extension line and along University Avenue to the point of the beginning.

SECOND COUNCIL DISTRICT shall comprise all of that portion of the City of Berkeley included in the following 2010 Census Tract and Block numbers:

Tract 422000

Blocks as follows:

| | | | | | | | | | |
|------|------|------|------|------|------|------|------|------|------|
| 1007 | 1008 | 1009 | 1014 | 1015 | 1016 | 1017 | 1020 | 1021 | 1022 |
| 1023 | 1024 | 1025 | 1026 | 1027 | 1028 | 1029 | 1030 | 1031 | 1032 |
| 1033 | 1034 | 1035 | 1036 | 1037 | 1038 | 1039 | 1040 | 1041 | 1042 |
| 1043 | 1044 | 1045 | 1046 | 1047 | 1048 | 1049 | 1050 | 1051 | 1052 |
| 1053 | 1054 | 1055 | 1056 | 1057 | 1058 | 1059 | 1060 | 1061 | 1062 |
| 1063 | 1064 | 1065 | 1066 | 1067 | 1068 | 1069 | 1070 | 1071 | 1072 |
| 1073 | 1074 | 1075 | 1076 | 1077 | 1078 | 1079 | 1080 | 1081 | 1082 |
| 1083 | 1084 | 1085 | 1086 | 1087 | 1088 | 1089 | 1090 | 1091 | 1092 |
| 1093 | 1094 | 1095 | 1096 | 1097 | 1098 | 1099 | 1100 | 1101 | 1102 |
| 1103 | | | | | | | | | |

Tract: 423100

Blocks as follows:

| | | | | | | | | | |
|------|------|------|------|------|------|------|------|------|------|
| 1002 | 1003 | 1004 | 1005 | 1006 | 1007 | 1008 | 1009 | 1010 | 1011 |
| 1012 | 1013 | 1017 | 1018 | 1019 | 1020 | 2000 | 2001 | 2002 | 2003 |
| 2004 | 2005 | 2006 | 3000 | 3001 | 3002 | 3003 | 3004 | 3005 | 3006 |
| 3007 | 3008 | 3009 | 4000 | 4001 | 4002 | 4003 | 4004 | 4005 | 4006 |
| 4007 | 4008 | | | | | | | | |

Tract: 423200

Blocks as follows:

| | | | | | | | | | |
|------|------|------|------|------|------|------|------|------|------|
| 1000 | 1001 | 1002 | 1003 | 1004 | 1005 | 1006 | 1007 | 1008 | 1009 |
| 1010 | 1011 | 1012 | 1013 | 1014 | 1015 | 1016 | 1017 | 1018 | 1019 |
| 2000 | 2001 | 2002 | 2003 | 2004 | 2005 | 2006 | 2007 | 2008 | 2009 |
| 2010 | 2011 | 2012 | 2013 | 2014 | 2015 | | | | |

Tract: 423300

Blocks as follows:

| | | | | | | | | | |
|------|------|------|------|------|------|------|------|------|------|
| 1000 | 1001 | 1002 | 1003 | 1004 | 1005 | 1006 | 1007 | 1008 | 1009 |
| 1010 | 1011 | 1012 | 1013 | 1014 | 1015 | 2000 | 2001 | 2002 | 2003 |
| 2004 | 2005 | 2006 | 2007 | 2008 | 2009 | 2010 | 2011 | 2012 | 2013 |
| 2014 | 2015 | 2016 | 2017 | 2018 | 3000 | 3001 | 3002 | 3003 | 3004 |
| 3005 | 3006 | 3007 | 3008 | 3009 | 3010 | 3011 | 3012 | 3013 | 3014 |

3015 3016 3017 3018

Tract: 424001

Blocks as follows:

| | | | | | | | | | |
|------|------|------|------|------|------|------|------|------|------|
| 1004 | 1005 | 1006 | 2004 | 2005 | 3004 | 3005 | 3006 | 3007 | 3008 |
| 4003 | 4004 | 4008 | 4009 | 4010 | 4020 | 4021 | | | |

Tract: 424002

Blocks as follows:

| | | | | | | | | | |
|------|------|------|------|------|------|------|------|------|------|
| 1000 | 1001 | 1002 | 1003 | 1004 | 1005 | 1006 | 1007 | 1008 | 1009 |
| 1010 | 1011 | 1012 | 1013 | 2000 | 2001 | 2002 | 2003 | 2004 | 2005 |
| 2006 | 2007 | 2008 | 2009 | 2010 | 2011 | 2012 | 2013 | 2014 | 2015 |
| 2016 | | | | | | | | | |

The foregoing list of Census Blocks in the **SECOND COUNCIL DISTRICT** is generally located within a boundary line commencing on the point on the western boundary line of the City of Berkeley in the San Francisco Bay where a direct extension of University Avenue would intersect said western boundary line; thence southerly, along said western boundary line to the southern boundary line of the City of Berkeley; thence easterly, along said southern boundary line to the intersection of said southern boundary line and California Street; thence northerly, along California Street to the intersection of California Street and Ashby Avenue; thence westerly, along Ashby Avenue to the intersection of Ashby Avenue and Sacramento Street; thence northerly, along Sacramento Street to the intersection of Sacramento Street and Allston Way; thence westerly, along Allston Way to the intersection of Allston Way and Acton Street; thence northerly, along Acton Street to the intersection of Acton Street and University Avenue; thence westerly, along University Avenue and along the extension of University Avenue to the point of the beginning.

THIRD COUNCIL DISTRICT shall comprise all of that portion of the City of Berkeley included in the following 2010 Census Tract and Block numbers:

Tract 423400

Blocks as follows:

| | | | | | | | | | |
|------|------|------|------|------|------|------|------|------|------|
| 1005 | 1006 | 1007 | 1008 | 1009 | 2000 | 2001 | 2002 | 2003 | 2004 |
| 2005 | 2006 | 2007 | 2008 | 2009 | 3000 | 3001 | 3002 | 3003 | 3004 |
| 3005 | 3006 | 3007 | 3008 | 3009 | 3010 | 3011 | 3012 | 3013 | 3014 |
| 3015 | 4000 | 4001 | 4002 | 4003 | 4004 | 4005 | 4006 | 4007 | 4008 |
| 4009 | 4010 | 4011 | | | | | | | |

Tract 423500

Blocks as follows:

| | | | | | | | | | |
|------|------|------|------|------|------|------|------|------|------|
| 1006 | 1007 | 1008 | 1009 | 1010 | 1011 | 1012 | 1013 | 1014 | 1015 |
| 1016 | 1017 | 1018 | 1019 | 1020 | 1021 | 2000 | 2001 | 2002 | 2003 |
| 2004 | 2005 | 2006 | 2007 | 2008 | 2009 | 2010 | 2011 | 2012 | 2013 |
| 2014 | 2015 | 2016 | 2017 | 2018 | 2019 | 2020 | 3000 | 3001 | 3002 |
| 3003 | 3004 | 3005 | 3006 | 3007 | 3008 | 3009 | 3010 | 3011 | 3012 |

3013 3014 3015 3016 3017

Tract 423601

Blocks as follows:

1003 1004 1005 1006 1007 2009 2010 2011 2012 2014

Tract 423602

Blocks as follows:

1001 1002 1004 1005 1006 1007 1008 3005 3006
3007 3008 3009 3010 3011

Tract 423901

Blocks as follows:

1004 1010 1011 1012 1013 1014 1015 2000 2001 2002
2003 2004 2005 2006 2007 2008 2009 2010 2011 2012
2013 2014 2015 2016 2017 2018 2019 2020 2021 2022
2023 2024 2025 2026 2027 2028 2029 2030

Tract 424001

Blocks as follows:

1000 1001 1002 1003 1007 2000 2001 2002 2003 2006
2007 3000 3001 3002 3003 3009 4000 4001 4002 4005
4006 4007 4011 4012 4013 4014 4015 4016 4017 4018
4019

The foregoing list of Census Blocks in the THIRD COUNCIL DISTRICT is generally located within a boundary line commencing on the point where the southern boundary line of the City of Berkeley intersects California Street; thence easterly, along said southern boundary line to the intersection of said southern boundary line and Shattuck Avenue; thence northerly, along Shattuck Avenue to the intersection of Shattuck Avenue and Ashby Avenue; thence easterly, along Ashby Avenue to the intersection of Ashby Avenue and Deakin Street; thence northerly, along Deakin Street to the intersection of Deakin Street and Russell Street; thence easterly, along Russell Street to the intersection of Russell Street and Telegraph Avenue; thence northerly, along Telegraph Avenue to the intersection of Telegraph Avenue and Dwight Way; thence westerly, along Dwight Way to the intersection of Dwight Way and Ellsworth Street; thence southerly, along Ellsworth Street to the intersection of Ellsworth Street and Blake Street; thence westerly, along Blake Street to the intersection of Blake Street and Sacramento Street; thence southerly, along Sacramento Street to the intersection of Sacramento Street and Ashby Avenue; thence easterly, along Ashby Avenue to the intersection of Ashby Avenue and California Street; thence southerly, along California Street to the point of the beginning.

FOURTH COUNCIL DISTRICT shall comprise all of that portion of the City of Berkeley included in the following 2010 Census Tract and Block numbers:

Tract 421700
Blocks as follows:
3005

Tract 422300
Blocks as follows:
3011

Tract 422400
Blocks as follows:
1009 1010 1011 1012 1013 1019 1020 1023 1024 1025
2000 2001 2002 2003 2004 2005 2006 2007 2008 2009
2010 2011 2012 2013 2014 2015 2016 2017 3000 3006
3007 3008 3009 3010 3011

Tract 422800
Blocks as follows:
3002 3003 3006 3007 3008 3009 3010 3011

Tract 422900
Blocks as follows:
1000 1001 1002 1003 1004 1005 1006 1007 1008 1009
1010 1011 1012 1013 1014 1015 1016 1017 2000 2001
2002 2003 2004 2005 2006 2007 2008 2009 2010 2011
2012 2013 2014 2015 2016 2017 2018 2019 2020 2021
2022 2023 2024 2025 2026 2027 2028 2029 2030 2031
2032 2033 2034

Tract 423000
Blocks as follows:
1000 1001 1002 1003 1004 1005 1006 1007 1008 1009
1010 1011 1012 1013 1014 1015 1016 1017 2000 2001
2002 2003 2004 2005 2006 2007 2008 2009 2010 2011
2012 3000 3001 3002 3003 3004 3005 3006 3007 3008
3009 3010 3011 3012 3013 3014

Tract 423100
Blocks as follows:
1000 1001 1014 1015 1016

Tract: 423400
Blocks as follows:
1000 1001 1002 1003 1004

Tract: 423500

Blocks as follows:

1000 1001 1002 1003 1004 1005

Tract 423602

Blocks as follows:

1003

The foregoing list of Census Blocks in the FOURTH COUNCIL DISTRICT is generally located within a boundary line commencing on the point at the intersection of Ellsworth Street and Dwight Way; thence easterly, along Dwight Way to the intersection of Dwight Way and Dana Street; thence northerly, along Dana Street to the intersection of Dana Street and Channing Way; thence westerly, along Channing Way to the intersection of Channing Way and Ellsworth Street; thence northerly, along Ellsworth Street to the intersection of Ellsworth Street and Bancroft Way; thence westerly, along Bancroft Way to the intersection of Bancroft Way and Fulton Street; thence northerly, along Fulton Street to where it becomes Oxford Street and continuing northerly along Oxford Street to the intersection of Oxford Street and University Avenue; thence westerly, along University Avenue to the intersection of University Avenue and Shattuck Avenue; thence northerly, along Shattuck Avenue to the intersection of Shattuck Avenue and Cedar Street; thence westerly along Cedar Street to the intersection of Cedar Street and Henry Street; thence northerly along Henry Street to the intersection of Henry Street and Vine Street; thence westerly along Vine Street to the intersection of Vine Street and Milvia Street; thence southerly along Milvia Street to the intersection of Milvia Street and Francisco Street; thence westerly along Francisco street to the intersection of Francisco Street and Martin Luther King Jr. Way; thence southerly along Martin Luther King Jr. Way to the intersection of Martin Luther King Jr. Way and University Avenue; thence westerly along University Avenue to the intersection of University Avenue and Acton Street; thence southerly along Acton Street to the intersection of Acton Street and Allston Way; thence easterly along Allston Way to the intersection of Allston Way and Sacramento Street; thence southerly along Sacramento Street to the intersection of Sacramento Street and Blake Street; thence easterly along Blake Street to the intersection of Blake Street and Ellsworth Street; thence northerly on Ellsworth to the point of the beginning.

FIFTH COUNCIL DISTRICT shall comprise all of that portion of the City of Berkeley included in the following 2010 Census Tract and Block numbers:

Tract 421200**Blocks as follows:**

| | | | | | | | | | |
|------|------|------|------|------|------|------|------|------|------|
| 1002 | 1003 | 1004 | 1005 | 1006 | 1007 | 1008 | 1009 | 1010 | 1011 |
| 2000 | 2001 | 2002 | 2003 | 2004 | 2005 | 2006 | 2007 | 2008 | 2009 |
| 2010 | 2011 | 2012 | 2013 | 2014 | 2015 | 2016 | 2017 | 2018 | 2019 |
| 2020 | 2021 | 2022 | 2023 | 2024 | 2025 | 2026 | 2027 | 2028 | 2029 |
| 2030 | 2031 | 2032 | 2033 | 2034 | 3000 | 3001 | 3002 | 3003 | 3004 |
| 3005 | 3006 | 3007 | 3008 | 3009 | 3010 | 3011 | 3012 | 3013 | 3014 |
| 4000 | 4001 | 4002 | 4003 | 4004 | 4005 | 4006 | 4007 | 4008 | 4009 |
| 4010 | 4011 | 4012 | 4013 | 4014 | 4015 | 4016 | | | |

Tract 421300**Blocks as follows:**

| | | | | | | | | | |
|------|------|------|------|------|------|------|------|------|------|
| 1000 | 1001 | 1002 | 1003 | 1004 | 1005 | 1006 | 1007 | 1008 | 1009 |
| 1010 | 1011 | 1012 | 1013 | 1014 | 1015 | 1016 | 1017 | 1018 | 1019 |
| 1020 | 1021 | 1022 | 1023 | 1024 | 1025 | 1026 | 1027 | 1028 | 2000 |
| 2001 | 2002 | 2003 | 2004 | 2005 | 2006 | 2007 | 2008 | 2009 | 2010 |
| 2011 | 2012 | 2013 | 2014 | 2015 | 2016 | 2017 | 2018 | 3000 | 3001 |
| 3002 | 3003 | 3004 | 3005 | 3006 | 3007 | 3008 | 3009 | 3010 | 3011 |
| 3012 | 3013 | 3014 | 3015 | 3016 | 3017 | 3018 | 3019 | 3020 | 3021 |
| 3022 | 3023 | 3024 | 3025 | 3026 | 3027 | 3028 | 3029 | 4000 | 4001 |
| 4002 | 4003 | 4004 | 4005 | 4006 | 4007 | 4008 | 4009 | 4010 | 4011 |
| 4012 | 4013 | 4014 | 4015 | 4016 | 4017 | 4018 | 4019 | 4020 | 4021 |
| 4022 | 4023 | | | | | | | | |

Tract 421400**Blocks as follows:**

| | | | | | | | | | |
|------|------|------|------|------|------|------|------|------|------|
| 1000 | 1001 | 1002 | 1003 | 1004 | 1005 | 1006 | 1007 | 1008 | 1009 |
| 1010 | 1011 | 1012 | 2000 | 2001 | 2002 | 2003 | 2004 | 2005 | 2006 |
| 2007 | 2008 | 2009 | 2010 | 2011 | 2012 | 2013 | 2014 | 2015 | 2016 |
| 2017 | 2018 | 2019 | 2020 | 2021 | 2022 | | | | |

Tract 421700**Blocks as follows:**

| | | | | | | | | | |
|------|------|------|------|------|------|------|------|------|------|
| 1000 | 1001 | 1002 | 1003 | 1004 | 1005 | 1006 | 1007 | 1008 | 1009 |
| 1010 | 1011 | 1012 | 1013 | 1014 | 1015 | 1016 | 2000 | 2001 | 2002 |
| 2003 | 2004 | 2005 | 2006 | 2007 | 2008 | 2009 | 2010 | 2011 | 2012 |
| 2013 | 2014 | 3000 | 3001 | 3002 | 3003 | 3004 | 3006 | 3007 | 3008 |

Tract 421800**Blocks as follows:**

| | | | | | | | | | |
|------|------|------|------|------|------|------|------|------|------|
| 1000 | 1001 | 1002 | 1003 | 1004 | 1005 | 1006 | 1007 | 1008 | 1009 |
| 1010 | 1011 | 1012 | 1013 | 2000 | 2001 | 2002 | 2003 | 2004 | 2005 |
| 2007 | 2008 | 2009 | 2010 | 2011 | 2018 | 2019 | | | |

Tract 421900

Blocks as follows:

| | | | | | | | | | |
|------|------|------|------|------|------|------|------|------|------|
| 1000 | 1001 | 1012 | 1013 | 1014 | 1015 | 1016 | 1017 | 1018 | 1019 |
| 1020 | 1021 | 1022 | 2000 | 2002 | | | | | |

The foregoing list of Census Blocks in the FIFTH COUNCIL DISTRICT is generally located within a boundary line commencing on the point at the intersection of Spruce Street and Cedar Street; thence northerly, along Spruce Street to the intersection of Spruce Street and Vassar Avenue; thence northerly, along Vassar Avenue to the northern boundary line of the City of Berkeley; thence westerly, and southerly along said northern boundary line to the intersection of said boundary line with Ordway Street; thence southerly, along Ordway Street to the intersection of Ordway Street and Ada Street; thence easterly, along Ada Street to the intersection of Ada Street and Sacramento Street; thence southerly along Sacramento Street to the intersection of Sacramento Street and Rose Street; thence easterly, along Rose Street to the intersection of Rose Street and McGee Avenue; thence southerly, along McGee Avenue to the intersection of McGee Avenue and Cedar Street; thence easterly, along Cedar Street to the intersection of Cedar Street and Milvia Street; thence northerly, along Milvia Street to the intersection of Milvia Street and Vine Street; thence easterly, along Vine Street to the intersection of Vine Street and Henry Street; thence southerly, along Henry Street to the intersection of Henry Street and Cedar Street; thence easterly, along Cedar Street to the point of the beginning.

SIXTH COUNCIL DISTRICT shall comprise all of that portion of the City of Berkeley included in the following 2010 Census Tract and Block numbers:

Tract 421100

Blocks as follows:

| | | | | | | | | | |
|------|------|------|------|------|------|------|------|------|------|
| 1000 | 1001 | 1002 | 1003 | 1004 | 1005 | 1006 | 1007 | 1008 | 1009 |
| 1010 | 1011 | 1012 | 1013 | 2000 | 2001 | 2002 | 2003 | 2004 | 2005 |
| 2006 | 2007 | 2008 | 2009 | 2010 | 2011 | 2012 | 2013 | 2014 | 2015 |
| 2016 | 2017 | 2018 | 2019 | | | | | | |

Tract 421200

Blocks as follows:

| | |
|------|------|
| 1000 | 1001 |
|------|------|

Tract 421500

Blocks as follows:

| | | | | | | | | | |
|------|------|------|------|------|------|------|------|------|------|
| 1000 | 1001 | 1002 | 1003 | 1004 | 1005 | 1006 | 1007 | 1008 | 1009 |
| 1010 | 1011 | 1012 | 1013 | 1014 | 1015 | 1016 | 1017 | 1018 | 1019 |
| 1020 | 1021 | 1022 | 1023 | 1024 | 1025 | 1026 | 2000 | 2001 | 2002 |
| 2003 | 2004 | 2005 | 2006 | 2007 | 2008 | 2009 | 2010 | 2011 | 2012 |
| 2013 | 2014 | 2015 | 2016 | 2017 | 2018 | 2019 | 3000 | 3001 | 3002 |
| 3003 | 3004 | 3005 | 3006 | 3007 | 3008 | 3009 | 3010 | 3011 | 3012 |
| 3013 | 3014 | 3015 | 3016 | 3017 | 3018 | 3019 | 3020 | 3021 | 3022 |

Tract 421600

Blocks as follows:

| | | | | | | | | | |
|------|------|------|------|------|------|------|------|------|------|
| 1000 | 1001 | 1002 | 1003 | 1004 | 1005 | 1006 | 1007 | 1008 | 1009 |
| 1010 | 1011 | 2000 | 2001 | 2002 | 2003 | 2004 | 2005 | 2006 | 2007 |
| 2008 | 2009 | 2010 | 2011 | 3000 | 3001 | 3002 | 3003 | 3004 | 3005 |
| 3006 | 3007 | 3008 | 4000 | 4001 | 4002 | 4003 | 4004 | 4005 | 4006 |
| 4007 | 4008 | 4009 | 4010 | | | | | | |

Tract 422400

Blocks as follows:

| | | | | | | | | | |
|------|------|------|------|------|------|------|------|------|------|
| 1000 | 1001 | 1002 | 1003 | 1004 | 1005 | 1006 | 1007 | 1008 | 1014 |
| 1015 | 1016 | 1017 | 1018 | 1021 | 1022 | | | | |

Tract 422500

Blocks as follows:

| | | | | | | | | | |
|------|------|------|------|------|------|------|------|------|------|
| 1000 | 1001 | 1002 | 1003 | 1004 | 1005 | 1006 | 1007 | 1008 | 1009 |
| 1010 | 2000 | 2001 | 2002 | 3000 | 3001 | 3002 | 3003 | 3004 | 3005 |
| 3006 | 3007 | 3009 | 3012 | | | | | | |

The foregoing list of Census Blocks in the SIXTH COUNCIL DISTRICT is generally located within a boundary line commencing on the point at the intersection of Shattuck Avenue and University Avenue; thence easterly, along University Avenue to the intersection of University Avenue and Oxford Street; thence northerly, along Oxford Street to the intersection of Oxford Street and Hearst Avenue; thence easterly, along Hearst Avenue to the intersection of Hearst Avenue and Scenic Avenue; thence northerly, along Scenic Avenue to the intersection Scenic Avenue and Ridge Road; thence easterly, along Ridge Road to the intersection of Ridge Road and Euclid Street; thence northerly, along Euclid Street to the intersection of Euclid Street and Le Conte Avenue; thence easterly, along Le Conte Avenue to the intersection of Le Conte Avenue and Highland Place; thence southerly, along Highland Place to the intersection of Highland Place and the northern boundary of federal census tract 4226; thence easterly, along the boundary line of federal census tract 4226 to the intersection of the boundary line of federal census tract 4226 and the eastern boundary line of the City of Berkeley; thence northwesterly, along said eastern boundary line to the intersection of the eastern boundary line and Vassar Avenue; thence southerly, along Vassar Avenue to the intersection of Vassar Avenue and Spruce Street; thence southerly, along Spruce Street to the intersection of Spruce Street and Cedar Street; thence westerly, along Cedar Street to the intersection of Cedar Street and Shattuck Avenue; thence southerly, along Shattuck Avenue to the point of the beginning.

SEVENTH COUNCIL DISTRICT shall comprise all of that portion of the City of Berkeley included in the following 2010 Census Tract and Block numbers:

Tract 422500

Blocks as follows:

| | | | | | | | |
|------|------|------|------|------|------|------|------|
| 2003 | 2004 | 2005 | 2006 | 3008 | 3010 | 3011 | 3013 |
|------|------|------|------|------|------|------|------|

Tract 422600

Blocks as follows:

| | | | | | | | | | |
|------|------|------|------|------|------|------|------|------|------|
| 1000 | 1001 | 1002 | 1003 | 1004 | 1005 | 1006 | 1007 | 1008 | 1009 |
| 1010 | 1011 | 1012 | 1013 | 1014 | 1015 | 1016 | 1017 | 1018 | 1019 |
| 1020 | 1021 | 1022 | 1023 | 1024 | 1025 | 1026 | 1027 | 1028 | 1029 |
| 1030 | 1031 | 1032 | 1033 | 1034 | 1035 | 1036 | 1037 | 1038 | 1039 |
| 1040 | 1041 | 1042 | 1043 | 1044 | 1045 | 1046 | 1047 | 1048 | 1049 |
| 1050 | 1051 | 1052 | 1054 | | | | | | |

Tract 422700

Blocks as follows:

| | | | | | | | | | |
|------|------|------|------|------|------|------|------|------|------|
| 2000 | 2001 | 2002 | 2003 | 2004 | 2005 | 3000 | 3001 | 3002 | 3003 |
| 3004 | 3005 | 3006 | 3007 | | | | | | |

Tract 422800

Blocks as follows:

| | | | | | | | | | |
|------|------|------|------|------|------|------|------|------|------|
| 1000 | 1001 | 1002 | 1003 | 1004 | 1005 | 1006 | 1007 | 1008 | 1009 |
| 2000 | 2001 | 2002 | 2003 | 3000 | 3001 | 3004 | 3005 | | |

Tract 423601

Blocks as follows:

| | | | | | | | | | |
|------|------|------|------|------|------|------|------|--|--|
| 1002 | 1008 | 1009 | 1010 | 1011 | 1014 | 1015 | 1016 | | |
|------|------|------|------|------|------|------|------|--|--|

Tract 423602

Blocks as follows:

| | | | | | | | | | |
|------|------|------|------|------|--|--|--|--|--|
| 1000 | 1009 | 2004 | 3003 | 3004 | | | | | |
|------|------|------|------|------|--|--|--|--|--|

The foregoing list of Census Blocks in the SEVENTH COUNCIL DISTRICT is generally located within a boundary line commencing at the point at the intersection of Hillegass Avenue and Russell Street; thence northerly, along Hillegass Avenue to the intersection of Hillegass Avenue and Derby Street; thence westerly, along Derby Street to the intersection of Derby Street and Regent Street; thence northerly, along Regent Street to the intersection of Regent Street and Dwight Way; thence easterly, along Dwight Way to the intersection of Dwight Way and Prospect Street; thence northerly, along Prospect Street to the intersection of Prospect Street and Canyon Road; thence northerly, along Canyon Road to the intersection of Canyon Road and Stadium Rim Way; thence northerly, along Stadium Rim Way to the intersection of Stadium Rim Way and Centennial Drive; thence easterly, along Centennial Drive to the intersection of Centennial Drive and the eastern boundary of the City of Berkeley; thence northerly, along said boundary line to the intersection of said boundary line and the northern boundary of federal census tract 4226; thence westerly, along the northern boundary of federal census tract 4226 to the intersection of the northern boundary of federal census tract 4226 and Highland Place; thence northerly, along Highland Place to the intersection of Highland Place and Le Conte Avenue; thence westerly, along Le Conte Avenue to the intersection of Le Conte Avenue and Euclid Street; thence southerly, along Euclid Street

to the intersection of Euclid Street and Ridge Road; thence westerly, along Ridge Road to the intersection of Ridge Road and Scenic Avenue; thence southerly, along Scenic Avenue to the intersection of Scenic Avenue and Hearst Avenue; thence westerly, along Hearst Avenue to the intersection of Hearst Avenue and Oxford Street; thence southerly, along Oxford Street to where it becomes Fulton Street and continuing southerly along Fulton Street to the intersection of Fulton Street and Bancroft Way; thence easterly, along Bancroft Way to the intersection of Bancroft Way and Ellsworth Street; thence southerly, along Ellsworth Street to the intersection of Ellsworth Street and Channing Way; thence easterly, along Channing Way to the intersection of Channing Way and Dana Street; thence southerly, along Dana Street to the intersection of Dana Street and Dwight Way; thence easterly, along Dwight Way to the intersection of Dwight Way and Telegraph Avenue; thence southerly, along Telegraph Avenue to the intersection of Telegraph Avenue and Russell Street; thence easterly, along Russell Street to the point of the beginning.

EIGHTH COUNCIL DISTRICT shall comprise all of that portion of the City of Berkeley included in the following 2010 Census Tract and Block numbers:

Tract 422600

Blocks as follows:

1053

Tract 422700

Blocks as follows:

| | | | | | | | | | |
|------|------|------|------|------|------|------|------|------|------|
| 1000 | 1001 | 1002 | 1003 | 1004 | 1005 | 1006 | 1007 | 1008 | 1009 |
| 1010 | 1011 | 2006 | | | | | | | |

Tract 423601

Blocks as follows:

| | | | | | | | | | |
|------|------|------|------|------|------|------|------|------|------|
| 1000 | 1001 | 1012 | 1013 | 2000 | 2001 | 2002 | 2003 | 2004 | 2005 |
| 2006 | 2007 | 2008 | 2013 | | | | | | |

Tract 423602

Blocks as follows:

| | | | | | | | | | |
|------|------|------|------|------|------|------|--|--|--|
| 2000 | 2001 | 2002 | 2003 | 3000 | 3001 | 3002 | | | |
|------|------|------|------|------|------|------|--|--|--|

Tract 423700

Blocks as follows:

| | | | | | | | | | |
|------|------|------|------|------|------|------|------|------|------|
| 1000 | 1001 | 1002 | 1003 | 1004 | 1005 | 1006 | 1007 | 1008 | 1009 |
| 1010 | 1011 | 1012 | 1013 | 1014 | 1015 | 1016 | 1017 | 1018 | 1019 |
| 1020 | 2000 | 2001 | 2002 | 2003 | 2004 | 2005 | 2006 | 2007 | 2008 |
| 2009 | 2010 | 2011 | 2012 | 2013 | 2014 | 2015 | 2016 | 2017 | 2018 |
| 2019 | 2020 | 2021 | 2022 | 2023 | 2024 | 2025 | 2026 | 3000 | 3001 |
| 3002 | 3003 | 3004 | | | | | | | |

Tract 423800

Blocks as follows:

| | | | | | | | | | |
|------|------|------|------|------|------|------|------|------|------|
| 1000 | 1001 | 1002 | 1003 | 1004 | 1005 | 1006 | 1007 | 1008 | 1009 |
| 1010 | 1011 | 1012 | 1013 | 1014 | 1015 | 1016 | 1017 | 2000 | 2001 |
| 2002 | 2003 | 2004 | 2005 | 2006 | 2007 | 2008 | 2009 | 2010 | 2011 |
| 2012 | 2013 | 2014 | 2015 | 2016 | 2017 | 2018 | 2019 | 2020 | 2021 |
| 2022 | 2023 | 2024 | 2025 | 2026 | 2027 | 2028 | 2029 | 2030 | 2031 |
| 3000 | 3001 | 3002 | 3003 | 3004 | 3005 | 3006 | 3007 | 3008 | 3009 |
| 3010 | 3011 | 3012 | 3013 | 3014 | 3015 | 3016 | 3017 | 3018 | 3019 |
| 3020 | 3021 | 3022 | 3023 | 3024 | 3025 | 3026 | 3027 | 3028 | |

Tract 423901

Blocks as follows:

| | | | | | | | | | |
|------|------|------|------|------|------|------|------|------|------|
| 1000 | 1001 | 1002 | 1003 | 1005 | 1006 | 1007 | 1008 | 1009 | 1016 |
|------|------|------|------|------|------|------|------|------|------|

Tract 423902

Blocks as follows:

| | | | | | | | | | |
|------|------|------|------|------|------|------|------|------|------|
| 1000 | 1001 | 1002 | 1003 | 1004 | 1005 | 1006 | 1007 | 1008 | 1009 |
| 1010 | 1011 | 1012 | 1013 | 1014 | 1015 | 2000 | 2001 | 2002 | 2003 |
| 2004 | 2005 | 2006 | 2007 | 2008 | 2009 | 2010 | 2011 | 2012 | 2013 |
| 2014 | 2015 | 2016 | 2017 | 2018 | 2019 | 2020 | | | |

EIGHTH COUNCIL DISTRICT shall comprise all of that portion of the City not otherwise described as constituting the First, Second, Third, Fourth, Fifth, Sixth and Seventh Council Districts.

Section 3. Effective date of Adjustments.

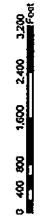
The district boundaries established herein shall govern the election of Councilmembers beginning with the November 4, 2014 General Municipal Election.

Section 4. Posting.

Copies of this Bill shall be posted for two days prior to adoption in the display case located near the walkway in front of Old City Hall, 2134 Martin Luther King Jr. Way. Within fifteen days of adoption, copies of this Ordinance shall be filed at each branch of the Berkeley Public Library and the title shall be published in a newspaper of general circulation.

Attachment 4
**UNITED STUDENT
DISTRICT
AMENDMENT
(USDA)**
STAFF ANALYSIS
**2010 CENSUS
REDISTRICTING**

- Council
 - Mayor
 - District 1
 - District 2
 - District 3
 - District 4
 - District 5
 - District 6
 - District 7
 - District 8
 - 2010 Census Blocks
 - Major Arteries*
- * Major streets and collector streets per General Plan Figure 10, used as boundaries.



This map is for reference purposes only. Cuts were taken in the creation of this map. Please contact the City of Berkeley to verify map information or to report any errors.
November 14, 2013



| USDA Districts | Total Pop. | Deviation | % | Perimeter (miles) |
|----------------|------------|-----------|------|-------------------|
| 1 | 14,060 | -13 | 0.09 | 10.73 |
| 2 | 14,114 | 41 | 0.29 | 8.84 |
| 3 | 14,105 | 32 | 0.23 | 4.67 |
| 4 | 13,957 | -116 | 0.82 | 4.88 |
| 5 | 14,097 | 24 | 0.17 | 6.69 |
| 6 | 13,963 | -110 | 0.78 | 7.83 |
| 7 | 14,195 | 122 | 0.87 | 5.85 |
| 8 | 14,089 | 16 | 0.11 | 6.44 |
| | 112,580 | | | 55.93 |