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November 15, 2021

VIA E-MAIL ONLY (DONNARSIEVERS@YAHOO.COM)

Donna Sievers, President
Bluff Heights Neighborhood Association

RE: Independent Redistricting Commissioners

Dear Ms. Sievers:

This office is in receipt of your request for recusal of members of the Long Beach Independent Redistricting Commission ("Commission") due to alleged bias.

The conduct alleged in the letter, if true, would not support recusal. The Charter has no provisions for recusal and state law requires recusal only when an official has a material financial interest in the underlying decision, which is not the case here.

Further, the allegation that the Commissioners disfavored the interests of Bluff Heights being placed in district C in favor of other redistricting criteria or interests is not actionable under Charter section 2505(i) (removal only in cases of substantial neglect of duty, gross misconduct in office, or inability to discharge duty). The views expressed by Commissioners Beckenhaupt and Lopez at the November 10, 2021 meeting, in context, were neither discriminatory nor inconsistent with Charter section 2506 priorities. Further, no harm has resulted from their comments, as they represent only two of the thirteen voting Commissioners and the Commission has not yet adopted final maps.

Very truly yours,

CHARLES PARKIN, City Attorney

By: **AMY R. WEBBER**
Deputy City Attorney

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cc: Charles Parkin, City Attorney
Michael Mais, Assistant City Attorney
Dawn McIntosh, Assistant City Attorney
Taylor Anderson, Deputy City Attorney
Monique DeLaGarza, City Clerk
Kevin Jackson, Deputy City Manager
Independent Redistricting Commission