

BYLAWS AND OPERATING PROCEDURES
OF THE COUNTY OF SAN DIEGO
INDEPENDENT REDISTRICTING COMMISSION

Date Adopted: _____

ARTICLE I – PURPOSE AND AUTHORITY

Section 1. The purpose and authority for the establishment and operation of the County of San Diego Independent Redistricting Commission (Commission) is set forth in California Elections Code section 21550 through 21553 and Article IV of the Charter of the County of San Diego.

Section 2. On October 13, 2020, at a regular meeting of the Board of Supervisors, the Clerk of the Board of Supervisors (Clerk of the Board) conducted a random drawing to select eight (8) Commissioners from an original pool of sixty (60) qualified applicants.

Section 3. Elections Code section 21550 (g) requires the eight (8) selected Commissioners to review the remaining names in the subpools of applicants and appoint six (6) additional applicants to the Commission. Elections Code section 21550(b)(1) requires the full Commission to be created no later than December 31, 2020.

Section 4. The eight (8) randomly selected Commissioners appointed six (6) additional applicants to the Commission on November 20, 2020, pursuant to the criteria established by Elections Code section 21550(c).

Section 5. The Commission is required to establish single-member supervisorial districts for the Board of Supervisors pursuant to a mapping process using criteria as set forth in Elections Code section 21552 and Article IV of the County Charter.

Section 6. Elections Code section 21552 requires the Commission to adopt a redistricting plan adjusting the boundaries of the supervisorial districts and file the plan with the Clerk of the Board no later than December 15, 2021.

ARTICLE II - COMMISSIONERS

Section 1. The Commission shall be comprised of fourteen (14) Commissioners: the eight (8) Commissioners selected by random drawing on October 13, 2020, and the six (6) Commissioners appointed on November 20, 2020.

Section 2. Commissioners shall receive no compensation, but shall be eligible for reimbursement of pre-approved expenses actually incurred and reimbursement of reasonable mileage for Commission business, if applicable.

Section 3. All Commissioners shall complete the Fair Political Practices Commission training titled AB 1234 Local Officials Ethics Training within six (6) months of selection to the Commission and shall provide proof of completion to the Clerk of the Board.

Section 4. All Commissioners shall file a Statement of Economic Interests (Form 700) upon taking office.

Section 5. Commissioners are expected to attend all meetings.

Section 6. Commissioners shall not communicate outside of a public meeting with any member of the Board of Supervisors or a member's immediate family members or a member's staff regarding redistricting matters. This section shall not restrict the Commission Chairperson from communicating with staff regarding administrative matters of the Commission.

Section 7. Commissioners shall publicly disclose pursuant to Section 8 below all substantive communications (including written, electronic, and oral communications) they have with any member of the public, organizations or interest groups regarding redistricting outside of the public meetings. This provision is not intended to prohibit the discussion of procedural information, such as discussion of the time, place and list of items on the agendas of upcoming meetings.

Section 8. Copies of all written and electronic communications received by a Commissioner regarding redistricting matters shall be forwarded to the Clerk of the Commission for distribution to all Commissioners and posting on the Commission website within 24 hours of receipt. Oral communications received by a Commissioner must be summarized in a writing by that Commissioner and forwarded to the Clerk of the Commission within 24 hours of the communication for posting on the Commission website. The Clerk of the Commission will keep a log of all substantive communications received outside of public meetings. The log will include the name of the person or organization, date of communication, and general description of where the communication can be located on the Commission website. The log will be published on the Commission website.

Section 9. Commissioners shall not communicate on the subject of redistricting on any internet platform or social media website. "Communicate" includes oral or written communication and includes the use of digital icons that express emotion in response to a communication. This section is not intended to prohibit the publication of information regarding the time, place and agendas of upcoming Commission meetings.

Section 10. Except as provided in Article III, Section 3, no statements shall be made, or action taken by, any Commission member on behalf of or in the name of the Commission unless specifically authorized by the Commission.

Section 11. Commissioners shall use the County-provided email address for all communications involving Commission business. Any communications involving Commission business not sent to a Commissioner's County-provided email (e.g. sent to a personal email or by

text or other such electronic means of communication) shall be forwarded to the Commissioner's County-provided email address.

Section 12. Any vacancy on the Commission will be filled by the Commission at a meeting called for that purpose within seven (7) business days. The Commission shall select a commissioner from the remaining eligible applicants.

Section 13. A vacancy shall occur upon the following occurrence:

(a) Death or resignation;

(b) A finding by the Commission that a Commissioner has more than (3) unexcused absences from Commission meetings. An unexcused absence shall mean an absence which is not approved by the Chairperson.

(c) A violation of Section 6, above.

ARTICLE III – OFFICERS AND STAFF

Section 1. The eight (8) selected Commissioners shall select an Interim Chairperson and an Interim Vice Chairperson who will serve in this capacity until the full Commission is selected and seated. Thereafter, the full Commission shall select from its membership a Chairperson and a Vice Chairperson and any other officers it deems necessary. The Commission officers may rotate.

Section 2. If an office is vacated, the Chairperson may temporarily appoint a member of the Commission to fill the vacancy until a new officer is selected by the full Commission.

Section 3. In addition to the authority granted by these Bylaws and Operating Procedures, the Chairperson will convene and preside over regular and special Commission meetings and perform duties otherwise established by these Bylaws and Operating Procedures. The Chairperson is the sole official spokesperson for the Commission unless this responsibility is delegated in writing. Any inquiries will be directed to the attention of the Chairperson. The Chairperson assigns coordinating duties to the Vice Chairperson as necessary.

Section 4. In the absence of the Chairperson, the Vice Chairperson assumes the duties and responsibilities of that office.

Section 5. The Clerk of the Commission will record the minutes of all Commission meetings and handle correspondence. The Clerk of the Commission keeps the roll, certifies the presence of a quorum, and keeps records of actions as they occur at each meeting. The Clerk of the Commission will post notices of meetings as required by law and maintain all records of the Commission's business.

Section 6. Commission staff shall make its best effort to count the number of members of the public attending a meeting and enter such tally into that meeting's minutes. Commission staff shall also make its best effort to include the number of phone calls, emails, and visits staff received from the public in the previous month.

ARTICLE IV - MEETINGS

Section 1. The Commission is subject to the Ralph M. Brown Act.

Section 2. At least nine (9) Commissioners of the 14-member Commission constitute a quorum and are required to take affirmative action. Less than a quorum may adjourn a meeting.

Section 3. Voting is done on the basis of one vote per person. No proxy or absentee voting is permitted. Nine or more affirmative votes shall be required for any official action.

Section 4. Except as otherwise provided by these Bylaws and Operating Procedures, Rosenberg's Rules of Order shall govern the procedure at meetings of the Commission. https://www.cacities.org/Resources/Open-Government/RosenbergText_2011.aspx. The Chairperson or Commission may formulate additional specific procedural rules of order to govern the conduct of its meetings. A technical defect in following the rules governing Commission meetings shall not invalidate official action taken by nine or more affirmative votes.

Section 5. The full Commission, once seated, shall adopt a regular schedule for meeting twice per month. The regular schedule can be modified by the Commission. The Commission may schedule additional meetings.

Section 6. All Commission meeting schedules will be posted online together with the agendas. Meetings will be recorded and posted online.

Section 7. Public comment on non-agenda items will be limited to 2 minutes per person, and public comment on agenda items will be limited to 3 minutes per person. The Commission Chairperson may increase or decrease the time per person in the exercise of the Chairperson's sound discretion, provided, however, that to the extent time is increased or decreased, all persons speaking on a particular item will be given equal time. The Chairperson may reopen public comment on an item on the agenda in the exercise of the Chairperson's sound discretion.

ARTICLE V - ADDITIONAL PROVISIONS

Section 1. These Bylaws and Operating Procedures may be amended by a vote of nine (9) of the fourteen (14) the Commissioners.

Section 2. In addition to the Bylaws and Operating Procedures, the Chairperson or Commission may prepare and establish rules and regulations for the conduct of its business.

These Bylaws and Operating Procedures were approved by the County of San Diego Independent Redistricting Commission on _____.