

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

Date Adopted: November 9, 2020

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. Once a full Commission is seated, 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 5. 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 initially be comprised of the eight (8) selected Commissioners selected by random drawing on October 13, 2020.

Section 2. Once the Commission selects all six (6) additional Commissioners, the Commission shall be comprised of fourteen (14) Commissioners.

Section 3. 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 4. 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 5. All Commissioners shall file a Statement of Economic Interests (Form 700) upon taking office.

Section 6. Commissioners are expected to attend all meetings.

Section 7. Commissioners shall not communicate outside of a public meeting with any member of the Board of Supervisors 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 8. Commissioners shall publicly disclose pursuant to Section 9 below all substantive communications they have regarding Commission redistricting 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 9. Copies of all written and electronic materials received by a Commissioner regarding redistricting matters shall be forwarded to the Clerk of the Board for distribution to all Commissioners and the public. The Clerk of the Board 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 contact, and general description of the communication. The log will be published on the Commission website.

Section 10. 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 11. Except as provided in Article III, Section 2, 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 12. Commissioners shall use the County-provided email address for all communications involving Commission business. Any communications involving Commission business sent to a personal email address shall be forwarded to the Commissioner's County-provided email address.

Section 13. Any vacancy on the Commission will be filled by the Commission within seven (7) business days. The Commission shall select a commissioner from the remaining eligible applicants.

Section 14. 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.

ARTICLE III - OFFICERS

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.

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 Interim Bylaws and Operating Procedures, the Chairperson will convene and preside over regular and special Commission meetings and perform duties otherwise established by these Interim 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 Board will record the minutes of all Commission meetings and handle correspondence. The Clerk of the Board keeps the roll, certifies the presence of a quorum, maintains a list of all active representatives, and keeps records of actions as they occur at each meeting. The Clerk of the Board will post notices of meetings as required by law.

ARTICLE IV - MEETINGS

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

Section 2. When the Commission is initially comprised of the eight (8) selected Commissioners, a majority of the eight (8) selected Commissioners shall constitute a quorum and shall carry any motion. Majority shall mean five (5) Commissioners: the first whole number equaling more than half of the selected Commissioners, regardless of vacancies.

Section 3. When the Commission is fully seated and comprised of fourteen (14) Commissioners, pursuant to Elections Code section 21551 (c) at least nine (9) Commissioners are needed to constitute a quorum and required to take affirmative action.

Section 4. Voting is done on the basis of one vote per person. No proxy or absentee voting is permitted.

Section 5. Except as otherwise provided by these Interim Bylaws and Operating Procedures, when called upon by any member, Rosenberg's Rules of Order shall govern the operation of the Commission. The Chairperson or Commission may formulate specific procedural rules of order to govern the conduct of its meetings.

Section 6. The eight (8) selected Commissioners shall adopt a meeting schedule through December 31, 2020. The full Commission, once seated, shall adopt a meeting schedule beyond December 31, 2020. In either case, the schedule can be modified by the Commission.

Section 7. All Commission meeting schedules will be posted online together with the agendas. Meetings will be recorded and posted online.

ARTICLE V - ADDITIONAL PROVISIONS

Section 1. These Interim Bylaws and Operating Procedures shall be in place until the full Commission is seated and adopts its Bylaws and Operating Procedures.

Section 2. These Interim Bylaws and Operating Procedures may be amended by majority vote of the eight (8) selected Commissioners.

Section 3. 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 Interim Bylaws and Operating Procedures were approved by the County of San Diego Independent Redistricting Commission on November 9, 2020.