



COUNTY OF SAN DIEGO

Independent Redistricting Commission

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AGENDA ITEM

DATE: January 28, 2021

Item 7

TO: Independent Redistricting Commission

**SUBJECT: DISCUSSION AND POSSIBLE FORMATION OF SUBCOMMITTEES
AND/OR AD HOC COMMITTEES**

OVERVIEW:

At the January 14, 2021 (Item 7) meeting, the Independent Redistricting Commission received a presentation from counsel on subcommittees and the Brown Act, and directed staff to provide recommendations for both ad hoc committees and standing subcommittees, through review of other jurisdictions in California and with consideration of Commission resources.

County IRC staff reviewed independent redistricting efforts of a number of cities and counties in California to identify subcommittees that have been formed. As of this writing, many have not taken action to form subcommittees or have no information available including the cities of Berkeley, Escondido, Long Beach, Los Angeles, Moorpark, Roseville, and Sacramento, and the counties of Imperial, Santa Barbara, Los Angeles, and Riverside, and the City and County of San Francisco. The following jurisdictions have formed the subcommittees listed.

- City of Chula Vista: Ad hoc RFP Review, Bylaws Revision
- City of San Diego: Ad hoc Budget, Ad hoc Bylaws, Ad Hoc Hiring for Chief of Staff

Additionally, the California Redistricting Commission has formed 13 subcommittees, composed of 2 Commissioners each, including: Action on Census, Hiring of Deputy Executive Director, Finance and Administration, GANTT Chart, Line Drawers RFP, Voting Rights Act Compliance, Outreach and Engagement, Language Access, Data Management, Community of Interest (COI) Tool, Cybersecurity, Troubleshooting, and Lessons Learned. Important to note is that the California Redistricting Commission is subject to open meeting constraints of the Bagley-Keene Open Meeting Act, which allows a subcommittee of fewer than three members to meet privately. This differs from the open meeting constraints in the Brown Act.

Any standing subcommittees—which are subcommittees that have continuing subject matter jurisdiction and/or a fixed meeting schedule—created by the Independent Redistricting Commission are subject to the Brown Act and must provide public notice and conduct meetings according to its requirements. Accordingly, all standing subcommittee meetings would necessitate additional time for preparation and support of the agendas and meetings by staff and counsel, with associated costs for counsel time. Commissioners named to standing subcommittees would need to be available for meetings in addition to the Commission's regularly scheduled meetings and any special meetings.

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Further, adding standing subcommittees would increase the amount of time and preparation needed by the public to follow the Commission’s business and to attend/participate.

Ad hoc committees would be appropriate to the extent IRC determines, from time to time, that it would be more efficient to assign a smaller group to tackle a discrete issue. These committees exist on only a temporary basis and are dissolved once they have completed their specific task. They do not have to comply with the same Brown Act formalities as standing subcommittees.

Creating standing subcommittees, and/or forming ad hoc committees made up solely of less than a quorum of Commission members, could assist the Commission in accomplishing some of its work. On the other hand, addressing the Commission’s business at its regularly scheduled public meetings would maximize transparency while limiting the impact to the schedule and availability of the Commissioners, the public and other interested parties.

Based on review of the redistricting timeline, research, comments from Commissioners and impacts to the Commission, staff and the public, the following areas may be considered for the specific work of an ad hoc committee:

- **Competitive Procurement Process**
This ad hoc committee was formed by the Independent Redistricting Commission on January 14, 2021 (Item 9) including Commissioners Brown, Larson, Hansen, Inman, Kruglyak and Russ to meet and present a third option for procurement as an actionable agenda item at the January 28, 2021 meeting.
- **Commissioner Training**
This ad hoc committee could further refine and detail the current approved Commission’s list of training topics, including guest speakers, and develop a recommended plan for these to appear on future agendas of the Commission’s regular meetings, in coordination with County staff and counsel, and subject to the approval of the full Commission.
- **Redistricting Outreach and Communication**
This ad hoc committee could address some of the questions that have been raised by Commissioners and the public regarding outreach and communication, specifically in the time period prior to onboarding of a Public Outreach Contractor and before Census data is available. Specific tasks may include review and development of recommendations for the County’s existing process for redistricting communication including website content, requests from the public to make presentations at Commission meetings, and other opportunities for public engagement, subject to the approval of the full Commission.

To the extent the IRC determines that ongoing, regular subcommittee meetings are required on any of these, or other, topics, these committees would be considered standing subcommittees and Brown Act compliance would be required.

RECOMMENDED ACTIONS:

Discuss and consider formation of Independent Redistricting Commission standing subcommittees and/or ad hoc committees.

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ATTACHMENTS:

None