



COUNTY OF SAN DIEGO

Independent Redistricting Commission

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AGENDA ITEM

DATE: February 11, 2021

Item 7

TO: Independent Redistricting Commission

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

OVERVIEW:

At the January 14, 2021 (Item 7) meeting, the Independent Redistricting Commission received a presentation from counsel on committees and the Brown Act, and directed staff to provide recommendations for both ad hoc and standing committees, through review of other jurisdictions in California and with consideration of Commission resources. County staff subsequently prepared a response for the Commission's January 28, 2021 (Item 7) meeting when it was tabled by the Commission and placed on the agenda for today's meeting. Since that time, terminology has been revised to consistently reference "standing committee(s)" and/or "ad hoc committee(s)" of the Commission.

County staff reviewed independent redistricting efforts of a number of cities and counties in California to identify committees that have been formed. As of this writing, many have not taken action to form committees 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 committees 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 committees, 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 committee of fewer than three members to meet privately. This differs from the open meeting constraints in the Brown Act.

Any standing committees—which are committees 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.

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Accordingly, all standing committee 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 committees would need to be available for scheduled meetings in addition to the Commission’s regularly scheduled meetings and any special meetings. Further, adding standing committees would increase the amount of time and preparation needed by the public to follow the Commission’s business and to attend/participate.

On the other hand, ad hoc committees do not have to comply with the same Brown Act formalities as standing committees, and thus may have budgeting efficiencies as compared to standing committees. The IRC may find it useful to form ad hoc committees from time to time when it finds 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 advisory task.

County staff has developed a general estimate of the time and costs to support both ad hoc and standing committees in compliance with Brown Act requirements, as summarized in the following table:

	Standing Committee	Ad Hoc Committee
Preparation of Agenda and Related Materials	Estimated staff time 160–400 hours combined	Estimated staff time 30–100 hours combined
Agenda Distribution	Postage/Delivery \$92 average cost per meeting	N/A
Agenda Posting	72 hours prior to meeting	N/A
During Meeting <i>(estimated two-hour meeting)</i>	<ul style="list-style-type: none"> • Translation of agenda (8 languages required by CA Elections Code) and Counsel representation (1-2 attorneys). Estimated cost for agenda translation and counsel \$1,770–\$3,140 • Live interpretation upon request by public (eight languages required by CA Elections Code and ASL) estimated cost up to \$1,900 <p>Indirect Costs for Staff Time</p> <ul style="list-style-type: none"> • Parliamentarian (1-2 staff) • Executive (1 staff) • Project Managers and Support (6-8 staff) 	TBD as requested
Preparation of Minutes and Meeting Follow-Up	Estimated staff time 10–50 hours combined	N/A

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Creating standing committees, 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 more efficiently. On the other hand, addressing the Commission's business at its regularly scheduled public meetings may maximize public access while limiting the impact to the schedule and availability of the Commissioners, the public, and other interested parties.

The following ad hoc committees have been created by the IRC:

- **Competitive Procurement Process**
This ad hoc committee was formed by the Independent Redistricting Commission on January 14, 2021 (Item 9) including Commissioners Brown, Hansen, Inman, Kruglyak, Larson and Russ to meet and present a third option for procurement.
- **Demographic Services Request for Proposals (RFP)**
The Independent Redistricting Commission determined to create this ad hoc committee at its January 28, 2021 meeting (Item 6), to consist of three Commission members: one (1) with direct RFP experience and two (2) general members, all selected by random draw, to finalize the Demographic Services RFP.
- **Public Outreach and Engagement Services RFP**
The Independent Redistricting Commission determined to create this ad hoc committee at its January 28, 2021 meeting (Item 6) to consist of three Commission members: one (1) with direct RFP experience and two (2) general members, all selected by random draw, to finalize the Public Outreach and Engagement Services RFP.

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:

- **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, particularly in the time period prior to onboarding of a Public Outreach and Engagement 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 Commission determines that ongoing, regular committee meetings are required, on any of these or other topics, these committees would be considered standing committees and Brown Act compliance would be required.

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AD HOC COMMITTEES**

On January 28, 2021 (Item 7) Commissioners were requested to submit their ideas to staff for potential ad hoc committees or standing committees prior to the next meeting. The attached document includes the suggestions for standing and/or ad hoc committees that were received.

RECOMMENDED ACTION(S):

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

ATTACHMENTS:

Attachment 1: Commissioner Suggestions for Committees