



# COUNTY OF SAN DIEGO

## Independent Redistricting Commission

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### AGENDA ITEM

**DATE:** February 25, 2020

**Item 5**

**TO:** Independent Redistricting Commission

**SUBJECT: REDISTRICTING BUDGET STATUS UPDATE**

#### **OVERVIEW:**

On October 13, 2020 (4) the Board of Supervisors established appropriations of \$750,000 of County funds for the Commission's work, as a preliminary budget. On January 28, 2021 (Item 5) the Independent Redistricting Commission approved a line-item budget.

The following report provides a monthly summary of expenditures (actual and projected) as included in the Commission's approved line-item budget. The monthly budget status update is an opportunity for the Commission's ongoing concurrence on the County's administration of the redistricting budget on the Commission's behalf, and a regular opportunity for transparency in reporting to the public and accountability over the use of public funds.

#### **BUDGET STATUS UPDATE:**

As of mid-February, \$1,225 has been expended from the Commission's budget for IT services, as reported by the County's Oracle financial system as of February 16, 2021 and shown in Attachment A. Additional expenditures of \$68,706 are projected through February 2021, leaving a projected balance of \$680,069, as reported in Attachment B. Staffing is projected to increase by 3.00 staff years to support redistricting activities and the Commission's work.

- **Information Technology (IT) Equipment** includes monthly charges from the County's IT contractor for Commissioner laptops, network access and email addresses. Actual amounts in this category reflect only partial charges for December 2020 for laptops only, due to delayed billing. The actual and projected amounts combined represent total monthly charges for December 2020 through February 2021. Actual monthly costs are higher than anticipated when the line-item budget was developed.
- **IT Other** includes the projected monthly charge for the service that enables the Commission to host webinars/virtual meetings. This service had been hosted by the Clerk of the Board of Supervisors. The County recently established a separate account for support of the Independent Redistricting Commission for more efficient administration by redistricting staff and to avoid scheduling conflicts. Monthly charges directly to the Commission begin in February 2021.

**SUBJECT: REDISTRICTING BUDGET STATUS UPDATE**

- **IT Website** budgeted amounts include the minimum requirements for conversion of a County website for the Independent Redistricting Commission. Actual costs may be higher than budgeted depending upon website changes requested by the Commission and through recommendations to the Commission from the Ad Hoc Redistricting Outreach and Communications Committee or the Commission's eventual Public Outreach and Communications contractor.
- **Translation and Interpretation** includes invoice amounts from the County's contractor for translation of Commission meeting agendas up to the Commission's regular meeting of February 11, 2021, and other website content, based on the translation requirements of the California Elections Code. Costs in this category are variable and are influenced by requests from the public for translation and interpretation. Costs in this category could exceed budgeted amounts if additional Commission regular or standing committee meetings are approved, and/or more materials are translated than anticipated.
- **Training** includes a minor amount budgeted in this category for future needs. Actual costs may be higher than budgeted depending upon training requests from Commissioners and staff, and recommendations to the Commission from the Ad Hoc Commissioner Training Committee.
- **Contracted Services** is the largest category of expenditures anticipated for the Commission. Budgeted amounts for individual contracts yet to be issued will be determined through the competitive procurement and contract negotiation processes. Currently, the Commission's Contracted Services category includes only legal services under the County's contract with Nielsen Merksamer Parrinello Gross & Leoni LLP.

The initial budgeted amount for Legal in the Contracted Services category reflects what was anticipated for expert legal services prior to the formation of the full Independent Redistricting Commission. The actual amount for legal services includes invoice amounts for the County's contracted legal services for redistricting from November 2020 through January 2021. Final invoices for these months have been received and are in the payment process.

Since the redistricting budget was established by the Board of Supervisors, the responsibilities of contracted legal counsel have increased significantly from the initial project estimate, notably in the areas of general counsel services and procurement advisory services for the Commission and County staff. It was initially estimated that the County's contracted legal services would include only specialized redistricting counsel, with the other responsibilities addressed internally by County Counsel (general and procurement) at no direct cost to the Commission's budget.

However, recent Commission activities have necessitated additional legal support such as the creation of Subcommittees, to advise the Commission's Committees (Ad Hoc for now but potentially standing Committees) and procurement processes.

**SUBJECT: REDISTRICTING BUDGET STATUS UPDATE**

The following table summarizes the increased responsibilities of redistricting counsel:

<b>Legal Service</b>	<b>Initial Estimate of Responsibilities</b>	<b>Responsibilities as of February 2021</b>
Redistricting General Counsel	Internal	Contractor
Redistricting Specialized Counsel	Contractor	Contractor
Procurement Counsel	Internal	Contractor

Due to the additional responsibilities, the work of redistricting counsel has increased significantly. The legal services agreement specifically contemplates the ability to revisit the general counsel fee for the remainder of the contract to address unforeseen work. County Counsel is working with outside counsel on a revised payment structure through a contract amendment that would better align compensation with the hours required to fulfill increased responsibilities.

As a result of the change in scope of counsel responsibilities, actual costs for contracted legal services are anticipated to increase significantly from initial estimates. Although discussions are ongoing, the preliminary estimate of additional costs for increased responsibilities of redistricting counsel is \$400,000–\$600,000 total through December 2021. If approved by the County with concurrence from the Commission, the increased costs for legal services under an amended contract are projected to exceed the current amount allocated of \$150,000 in the Commission’s line-item budget and would involve a request to the Board of Supervisors for an increase in appropriations.

County redistricting staff will continue to communicate internally with appropriate County Counsel staff and fiscal management regarding an amended contract and the process for making a request for additional appropriations to the Board of Supervisors.

County staff will provide a monthly budget status update to the Commission for review of budgeted amounts, any expenditures incurred in the preceding month, and any projected expenditures. As necessary, the monthly budget status update will include information on any proposed budgetary adjustments, including the status of requests for additional appropriations.

**RECOMMENDED ACTIONS:**

Receive monthly budget status update and approve redistricting line-item budget for February 2021.

**ATTACHMENTS:**

Attachment A: Oracle report: Expenditure and Revenue by Period for Object, FEB-21

Attachment B: County of San Diego Independent Redistricting Commission Fiscal Year (FY) 2020-21 Budget and Actual/Projected Expenditures