



COUNTY OF SANTA BARBARA

CITIZENS INDEPENDENT REDISTRICTING COMMISSION

Summary of Proceedings 2020 Citizens Independent Redistricting Commission

Date: **Wednesday, April 7, 2021**
Time: **6:01 PM – 8:09 PM**
Place: **Remote Virtual Participation Only**

Recordings of the Commission Meetings, Agendas, Supplemental Materials and Minutes of the Citizens Independent Redistricting Commission are available on the internet at:
www.countyofsb.org/redistricting.sbc

BOARD ACTION SHOWN IN CAPS

1. Commission Convened

Roll Call

Commissioners Present: Bradley, Bray, McClintock, Morris (late), Ochoa, Olmedo, Rios, Trosky, Turley, Twibell

Commissioners Absent: Hudley

2. Commissioner disclosure of ex parte communications pursuant to County Ordinance Code Sec. 2-10.9A(5)(h) are posted on the commission website at www.countyofsb.org/redistricting.sbc.

VICE CHAIR TURLEY DISCLOSED A MEETING WITH COMMISSIONER McCLINTOCK ON MARCH 21, 2021 REGARDING DISTRICT TWO OUTREACH EFFORTS, NOT REPORTED ON THE WEBSITE.

3. Public Comment

The Public Comment period is reserved for comments on items not on the Agenda and for matters within the subject matter jurisdiction of the Citizens Independent Redistricting Commission. The Commission may adopt reasonable regulations, including time limits, on public comments. The Commission may not discuss or take action on any matter raised during the public comment section, except to decide whether to place a matter on the agenda of a future meeting.

PUBLIC COMMENT:

LEE HELLER, HEARD REGARDING THE BOARD OF SUPERVISORS CENSUS BRIEFING AND THE OUTREACH STRUCTURE.

SCOTT RAFFERTY, HEARD REGARDING DOCUMENTS RECEIVED, EX PARTE PRACTICES, LACK OF TRANSPARENCY, WRITTEN REMARKS BEING INCLUDED IN THE POSTED AGENDA, AND THE VOTING RIGHTS ACT.

4. Approval of Minutes of March 17, 2021.

MOTION TO APPROVE THE MINUTES OF MARCH 17, 2021.

MOTION CARRIED: 9 AYES 2 ABSENT

5. Introduction of the legal team.

ANDREA ORDIN, LEGAL COUNSEL, STRUMWASSER & WOOCHEER, INTRODUCED SALVADOR PEREZ, COUNSEL, AND IS ATTENDING TONIGHT'S MEETING.

6. Review by legal counsel on the Ralph M. Brown Act, including ex parte disclosures, social media communication, and communications with the press.

CHAIR MORRIS JOINED THE MEETING AT 6:13 PM.

MS. ORDIN GAVE AN OVERVIEW ON THE FOLLOWING:

- EX PARTE DISCLOSURE: DESIGNED FOR REPORTING CONVERSATION RELATED TO THE WORK OF THE COMMISSION, TO USE THE TOOLS AVAILABLE, ADHERE TO THE ORDINANCE TO ENSURE IMPARTIALITY, AND ERR ON THE SIDE OF FULL DISCLOSURE.
- SOCIAL MEDIA: THE LEGISLATION IS DESIGNED TO RESTRICT COMMUNICATION AMONG THE COMMISSIONERS ABOUT MATTERS RELATED TO THE WORK OF THE COMMISSION. SHE COMMENTED THAT "LIKING" ANOTHER COMMISSIONER'S POST CAN BE VIEWED AS HAVING A MEETING. COMMISSIONERS ARE PROHIBITED FROM INTERACTING ON SOCIAL MEDIA.
- SOCIALIZING AMONG COMMISSIONERS: CAUTIONED THAT ANYTHING THAT CAN LEAD TO DELIBERATION OR LOOK LIKE A MEETING, WITH A MAJORITY OF THE COMMISSIONERS PRESENT OR A QUORUM, MAY HAVE THE APPEARANCE OF A MEETING. SHE DESCRIBED A SERIAL MEETING, WHICH IS ALSO PROHIBITED BY THE BROWN ACT, AND ENCOURAGED COMMISSIONERS TO BRING THEIR QUESTIONS AND CONCERNS TO HER ATTENTION.

COMMISSIONER BRAY ASKED IF MENTIONING YOUR APPOINTMENT AS A COMMISSIONER TO SOMEONE AND NO OTHER DISCUSSION, IS CONSIDERED EX PARTE COMMUNICATION. MS. ORDIN STATED IT DOESN'T FIT THE PURPOSE, HOWEVER, IT CAN LEAD TO A MORE INVOLVED CONVERSATION, AND NOTHING IS WRONG WITH IT, AS LONG AS IT IS DISCLOSED.

DR. JOHNSON INQUIRED ONCE THE COMMISSION HAS MARKETING MATERIALS, IF COMMISSIONERS NEED TO DISCLOSE FORWARDING OF OFFICIAL MATERIALS. MS. ORDIN STATED ALTHOUGH IT'S PROBABLY NOT REQUIRED IN THE ORDINANCE, DISCLOSING THE INFORMATION IS A GOOD POLICY AND SHOWS TRANSPARENCY IN TERMS OF OUTREACH.

COMMISSIONER TROSKY ASKED IF HAVING LUNCH WITH ANOTHER COMMISSIONER, AND NO DISCUSSION ABOUT THE COMMISSION, SHOULD BE DISCLOSED. MS. ORDIN AND MR. PEREZ STATED THIS WOULD BE LESS THAN A QUORUM AND DOESN'T NEED TO BE DISCLOSED. DR. JOHNSON SUGGESTED WHENEVER POSSIBLE HAVE A LEGAL TEAM MEMBER ATTEND PUBLIC MEETINGS AND GATHERINGS.

PUBLIC COMMENT:

SCOTT RAFFERTY, HEARD REGARDING EX PARTE LEGAL REQUIREMENTS, THE ORDINANCE AND BYLAWS, AND SUGGESTED PUTTING OUT AND POSTING A PRESS RELEASE.

ANDY CALDWELL, HEARD REGARDING EX PARTE COMMUNICATIONS REPORTING.

VICE CHAIR TURLEY ASKED MR. PEREZ FOR AN APPROPRIATE/INAPPROPRIATE SOCIAL MEDIA POST EXAMPLE. MR. PEREZ EXPLAINED YOU ARE ALLOWED TO ANSWER QUESTIONS AND PROVIDE AND SOLICIT INFORMATION FROM THE PUBLIC. YOU ARE PROHIBITED FROM RESPONDING DIRECTLY TO ANY SOCIAL MEDIA POSTS MADE OR SHARED BY OTHER COMMISSIONERS. YOU CAN'T "LIKE, SHARE" OR IN ANYWAY PARTICIPATE OR DEMONSTRATE INTERACTION WITH ANOTHER COMMISSIONER'S POST. MR. PEREZ ALSO COMMENTED THAT A COMMISSIONER MAY INDEPENDENTLY POST THE SAME COMMISSION RELATED INFORMATION AS ANOTHER COMMISSIONER.

MRS. TILTON ANNOUNCED WRITTEN COMMENTS:

JIM FOX, WROTE REGARDING THE REDISTRICTING PROCESS AND PROVIDED A RESOURCE FOR A GUIDE FOR REDISTRICTING.

CATHERINE OVERMAN, WROTE INQUIRING HOW REDISTRICTING WILL AFFECT CARPINTERIA.

7. Outreach planning including possible formation of a subcommittee to review marketing materials.

DR. JOHNSON INTRODUCED JENNIFER NENTWIG, TRIPEPI SMITH, WHO WILL WORK

CLOSELY WITH THE COMMISSION AND COUNTY ON A GENERAL OUTREACH PLAN, SOCIAL MEDIA (CONTENT, PLATFORMS), PRESS RELEASES (VARIOUS LANGUAGES), POWERPOINT PRESENTATIONS, FLYERS, IN-PERSON FORUMS, AND ASSIST WITH WEBSITE CONTENT AND PLATFORM.

CHAIR MORRIS MENTIONED PREVIOUS DISCUSSION OF A SUB COMMITTEE AND THE APPOINTMENT OF COMMISSIONER BRAY AND HUDLEY, AND VICE CHAIR TURLEY TO THE SUB COMMITTEE THAT WILL BE THE COMMISSION'S CONTACT WITH TRIPEPI SMITH STAFF. DR. JOHNSON STATED THAT TRIPEPI SMITH IS THERE TO SUPPORT THE COMMISSION. MS. DePINTO COMMENTED THE COUNTY WILL WORK IN UNISON WITH TRIPEPI SMITH TO SUPPORT THE COMMISSION.

COMMISSIONER BRAY ASKED ABOUT TRIPEPI SMITH'S FAMILIARITY WITH SANTA BARBARA COUNTY. MS. NENTWIG MENTIONED TRIPEPI SMITH HAS WORKED WITH THE COUNTY IN THE PAST. THEIR RESEARCH INCLUDES UNDERSTANDING DEMOGRAPHIC INFORMATION, PRIOR YEAR ELECTION DATA, ASSESSING THE ENVIRONMENT, AND ENGAGING WITH THE COMMISSION.

COMMISSIONER RIOS COMMENTED ABOUT UNIQUE COMMUNITIES, OUTREACH MATERIALS, AND RECOMMENDED THE SUB COMMITTEE INCLUDE OUTREACH GROUPS THAT CONNECT WITH HARD-TO-REACH COMMUNITIES. MS. DePINTO STATED THE COUNTY HAS MANY RESOURCES AND WILL WORK CLOSELY WITH TRIPEPI SMITH AND THE COMMISSION.

VICE CHAIR TURLEY RECOMMENDED AT LEAST ONE PERSON ON THE SUB COMMITTEE SPEAK SPANISH. COMMISSIONER RIOS VOLUNTEERED AND WAS APPOINTED TO THE SUB COMMITTEE. MS. DePINTO STATED THAT THE COUNTY WILL USE CERTIFIED TRANSLATION. DR. JOHNSON ESTIMATED THE COST WOULD BE UNDER \$50,000 ON A TIME AND MATERIALS BASIS.

8. Training 4: Review of redistricting criteria to be used in drawing maps.

DR. JOHNSON PRESENTED INFORMATION ON THE ELECTIONS CODE SECTION 21500, AND REVIEWED THE FOLLOWING CRITERIA:

- EQUAL POPULATION
- FEDERAL VOTING RIGHTS ACT
- CALIFORNIA VOTING RIGHTS ACT
- COMBINED CRITERION
- CONTIGUOUS
- NEIGHBORHOODS AND COMMUNITIES OF INTEREST
- COMPACT

VICE CHAIR TURLEY ASKED ABOUT INCARCERATED POPULATION DATA. DR. JOHNSON EXPLAINED THE STATE WILL ZERO OUT THE PRISON COUNT AND MOVE INDIVIDUALS TO THEIR LAST KNOWN HOME ADDRESS AND COUNTY JAIL INMATES WILL BE COUNTED. HOWEVER, THERE HAS BEEN NO FINAL DECISION ON FEDERAL PRISONERS IN LOMPOC, AS HOME ADDRESS INFORMATION FOR FEDERAL PRISONERS IS NOT AVAILABLE.

DR. JOHNSON AND MS. ORDIN EXPLAINED THE DIFFERENCE IN THE LANGUAGE CHANGE IN THE ELECTIONS CODE SECTION 21500, FROM “MAY CONSIDER” TO “SHALL CONSIDER”.

COMMISSIONER McCLINTOCK COMMENTED ABOUT THE RULES OR FORMULA FOR MEASURING COMPACTNESS. DR. JOHNSON STATED NDC HAS TOOLS AND CAN ASSIST THE COMMISSION.

COMMISSIONER BRADLEY COMMENTED ABOUT COHESIVENESS AND HOW COMMUTING IS WEIGHED, AS PEOPLE COMMUTE BETWEEN DISTRICTS FROM HOME TO WORK. DR. JOHNSON STATED THE DECISION IS AT THE COMMISSIONERS’ DISCRETION.

PUBLIC COMMENT:

ANDY CALDWELL, HEARD AND ASKED ABOUT THE VANDENBERG AIR FORCE BASE POPULATION (INCLUDING TEMPORARY DUTY, AND MISSION SPECIFIC), AND EXPRESSED CONCERNS ABOUT MILITARY PERSONNEL BEING COUNTED IN THE CENSUS AND BE A REGISTERED VOTER SOMEWHERE ELSE, AND COMMENTED ON MAP DRAWING.

DR. JOHNSON COMMENTED THE COUNT FOR VANDENBERG AIR FORCE BASE SHOULD BE PEOPLE WHO WERE AT LEAST A SEMI-PERMANENT RESIDENT AS OF APRIL 1, 2020. DR. JOHNSON ALSO EXPLAINED THE FAIR MAPS ACT, AND STATED THAT NDC WILL HELP THE COMMISSION JUDGE THE MAPS SUBMITTED BY THE PUBLIC.

COMMISSIONER BRADLEY ASKED ABOUT THE LOS PADRES NATIONAL FOREST, ITS IMPACT ON HOW MAPS ARE DRAWN, AND HOW IT COMPARES TO A GEOGRAPHIC FEATURE. DR. JOHNSON COMMENTED THAT AFTER HEARING PUBLIC COMMENTS, IT WILL BE THE COMMISSION’S DECISION.

9. Discussion and possible action regarding future training sessions and other future agenda items.
 - FEDERAL VOTING RIGHTS ACT (TRAINING #5 ON 4/21/2021 MEETING)
 - DEMONSTRATION AND DISCUSSION OF PUBLIC MAPPING TOOLS AND

RELATED BUDGET ISSUES

- UPDATE ON NDC'S GIS DATA AND MAPS FROM OTHER COUNTY DEPARTMENTS AND CITY GOVERNMENTS
- EXAMPLES OF OTHER COMMISSIONS' PAST EXPERIENCES
- SET MILESTONE DATES FOR DECEMBER DEADLINE

NDC AND LEGAL COUNSEL WILL COLLABORATE AND PREPARE A TIMELINE THAT WILL BE AVAILABLE AT THE FIRST MEETING IN MAY.

RECESS FOR CLOSED SESSION

MS. ORDIN ANNOUNCED THERE IS NO NEED FOR CLOSED SESSION.

10. Conference with Legal Counsel—Existing Litigation
Pursuant to paragraph (1) of subdivision (d) of Government Code Section 54956.9

Name of case: The Coalition of Labor, Agriculture & Business v. Santa Barbara County Board of Supervisors; County of Santa Barbara Citizens' Independent Redistricting Commission; Case No. 21CV01065

11. Conference with Legal Counsel—Anticipated Litigation
Significant exposure to litigation pursuant to paragraph (2) of subdivision (d) of Section 54956.9. A point has been reached where, in the opinion of the legislative body of the local agency on the advice of its legal counsel, based on existing facts and circumstances, there is a significant exposure to litigation against the local agency.

Number of cases: One

12. Announcement of any reportable action taken in closed session.

NO CLOSED SESSION.

ADJOURNMENT – The next meeting is scheduled for Wednesday, April 21, 2021, at 6 p.m.

Agenda Packet Items:

Item 04 Minutes of March 17, 2021

Item 07 Outreach Planning – WeDrawTheLinesCA.org

Item 08 Redistricting Criteria Presentation

Item 09 Proposed Future Agenda Items

Item 10 Mark P. Meuser of Dhillon Law Group Inc., COLAB

Item 11 Charles H, Bell, Jr. Letter Hispanic Chamber Republican Party