



COUNTY OF SANTA BARBARA

CITIZENS INDEPENDENT REDISTRICTING COMMISSION

PUBLIC MEETING AGENDA **2020 Citizens Independent Redistricting Commission**

Date: **Wednesday, April 21, 2021**
Time: **6:00 PM**
Place: **Remote Virtual Participation Only**

Meeting Access:

Zoom: <https://zoom.us/j/97388432474> or call (669) 900-6833 or (253) 215-8782
ID: 973 8843 2474

NOTICE REGARDING PUBLIC PARTICIPATION

Based on guidance from the California Department of Public Health and the California Governor's Stay at Home Executive Order N-33-20 issued on March 19, 2020, to protect the health and well-being of all Californians and to establish consistency across the state in order to slow the spread of COVID-19, the Citizens Independent Redistricting Commission meeting will not provide in-person participation at this time.

The following alternative methods of participation are available to the public. If you wish to make a general public comment or to comment on a specific agenda item, the following methods are available:

- Distribution to the Citizens Independent Redistricting Commission – Submit your comment via e-mail prior to 5:00 p.m. one day prior to the meeting. Please submit your comment to redistricting@countyofsb.org. Your comment will be placed in the record and distributed appropriately.
- Participation via Zoom meeting link listed above. See Instructions on next page.
- Participation via telephone by calling in with the phone number and webinar code listed above.

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

Language interpretation and requests for disability-related modification or accommodation, including auxiliary aids or devices, may be arranged by emailing a request to redistricting@countyofsb.org at least 24 hours prior to the Commission meeting.

Para solicitar traducción del idioma o una modificación por discapacidad, incluso los soportes auxiliares y los dispositivos, se puede mandar un correo electrónico a redistricting@countyofsb.org al menos 24 horas antes de la reunión de la Comisión.

Instructions for Public Comment in Virtual Public Meetings Under current Public Health Officer Order prohibiting indoor gatherings, the Santa Barbara County Independent Redistricting Commission (CIRC) will conduct virtual public meetings using Zoom. Attendees can participate without a Zoom account.

- Attendees can link via computer or smart device, through the Zoom app (available for IOS and Android), or by cell phone or landline.
- Each meeting agenda will be posted 72 hours in advance at www.countyofsb.org/redistricting.sbc (unless greater notice is required by law) and include the Zoom link, phone numbers and the Webinar I.D. to join electronically or by phone. To participate in Public Comment, please refer to directions below.
- Submit comments via e-mail to redistricting@countyofsb.org prior to 5:00 p.m. on the day preceding the meeting. Your comment will be placed in the record and distributed appropriately.

1. Public Comment Via Computer or iPhone/Android App:

- To indicate that you wish to speak during Public Comment, select “raise your hand” feature and staff will know to call on you. When called upon, please state your name for the record. We reserve the right to mute a microphone for profane, harassing or offensive language; or for speaking beyond the time limit set by the Chair.
- Smart phone users with the Zoom app can also select the “raise your hand” feature.

2. Public Comment Via Phone:

- Attendees by phone can “raise your hand” by pressing star-9. When it is your turn to speak, we will announce you by caller I.D. or your phone number. When called upon, please state your name for the record. We reserve the right to mute a microphone for profane, harassing or offensive language; or for speaking beyond the time limit set by the Chair.

For more information about joining a Zoom Webinar, go to <https://support.zoom.us/hc/en-us/articles/201362193-Joining-a-meeting>.

Commission Members: Commissioner Cheryl Trosky, First District
Commissioner Karen Twibell, First District
Commissioner William McClintock, Second District
Commissioner Megan Turley, Second District, Vice Chair
Commissioner Norman “Doug” Bradley, Third District
(Vacant), Third District
Commissioner James Bray, Fourth District
Commissioner Amanda Ochoa, Fourth District
Commissioner Glenn Morris, Fifth District, Chair
Commissioner Jannet Rios, Fifth District
Commissioner Benjamin Olmedo, Member-At-Large

1. Call to Order and Roll Call
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.
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.
4. Approval of Minutes of April 7, 2021.
5. Receive and file letter of resignation submitted by James “Chris” Hudley, Former Third District Commissioner, and possible action regarding filing vacancy.
6. Review by legal counsel on the Ralph M. Brown Act, including ex parte disclosures, social media communications, and communications with the press.
7. Outreach: Update on work on marketing materials.
8. Training 5: Federal Voting Rights Act, by David Becker

David Becker has over two decades of experience in the law of voting rights, election administration, and redistricting. In addition to founding the nonpartisan nonprofit Center for Election Innovation and Research to serve election officials of both parties, he led the Pew Elections team for The Pew Charitable Trusts, and served for seven years as a senior trial attorney in the Voting Section of the Department of Justice’s Civil Rights Division. That service included a redistricting cycle, including DOJ preclearance review under the Voting Rights Act of redistricting plans in multiple jurisdictions, and litigation under the Voting Rights Act in federal court. In this role, he led investigations of potential federal voting rights violations in more than a dozen states, and served as lead trial counsel for the United States in approximately a dozen federal voting rights cases.

9. Discussion and possible action regarding future training sessions and other future agenda items.

ADJOURNMENT

Agenda Packet Items:

Item 04 Minutes of April 7, 2021

Item 05 Commissioner James “Chris” Hudley Letter of Resignation

Item 09 Proposed Future Agenda Items



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

James "Chris" Hudley
District 3 Commissioner
County of Santa Barbara Citizens Independent Redistricting Commission

April 9, 2021

County of Santa Barbara Citizens Independent Redistricting Commission
105 East Anapamu Street
Santa Barbara, CA 93101

Dear Commissioners:

It is with regret that I tender my resignation from the County of Santa Barbara Citizens Independent Redistricting Commission, effective immediately.

I have recently accepted new employment that will require me to relocate outside of Santa Barbara County.

I am grateful for the opportunity to serve on the commission for the past several months, and I offer my best wishes for its continued success.

Sincerely,

James "Chris" Hudley
Former District 3 Commissioner

UPCOMING AGENDA ITEMS (PROPOSED)
2020 Citizens Independent Redistricting Commission

Future agenda items:

- Outreach: Update on marketing materials. Discussion and possible direction to staff regarding scheduling of initial round of public hearings.

6.(a) Before the commission draws a map, the commission shall conduct at least seven public hearings, allowing for public input on communities of interest and other matters that must be considered by the commission, and allow members of the public to present ideas and maps for consideration. These meetings are to take place over a period of no fewer than thirty days, with at least one public hearing held in each supervisorial district.

- Demonstration and discussion of public mapping tools and related budget issues.
- Update on NDC's collection of GIS data and maps from County departments and City governments.