



COUNTY OF SANTA BARBARA
CITIZENS INDEPENDENT REDISTRICTING COMMISSION

Summary of Proceedings
2020 Citizens Independent Redistricting Commission

Date: **Monday, January 11, 2021**
Time: **6:30 PM – 9:49 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, Gray, Hudley, Katz, McClintock, Morris, Murti, Olmedo, Rios, Turley, Twibell

Commissioners Absent: None

2. **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.

LEE HELLER, HEARD REGARDING POSSIBLE LEGAL CHALLENGES FOR PARTY AFFILIATION, SUGGESTED MOVING THE CLOSED SESSION ITEM EARLIER IN THE MEETING, REVIEW OF DEMOGRAPHER AND ATTORNEY SERVICES, AND PREVIOUSLY SUBMITTED WRITTEN PUBLIC COMMENT.

WILLIAM CONLIN, HEARD REGARDING CONCERNS ABOUT LACK OF GUIDANCE FROM ATTORNEY AND DEMOGRAPHER, AND HOW THE COMMISSION SHOULD PROCEED.

LINDSEY BAKER, LEAGUE OF WOMEN VOTERS OF SANTA BARBARA, HEARD REGARDING THE RFP PROCESS FOR LEGAL COUNSEL SELECTION, AND REQUESTED THE RFP PROCESS ALSO BE USED FOR SELECTION OF THE DEMOGRAPHER.

NADIA LEE ABUSHANAB, SBCAN, HEARD REGARDING THE TRANSPARENCY OF THE COMMISSIONER SELECTIONS, THE PROCESS USED BY OTHER GOVERNMENT AGENCIES, EXPRESSED CONCERNS ABOUT NDC, AND SUGGESTED THE RFP PROCESS BE USED FOR SELECTION OF THE DEMOGRAPHER.

GAIL TETON-LANDIS, 2ND DISTRICT, HEARD REGARDING THE LACK OF GUIDANCE ABOUT POLITICAL DIVERSITY FROM THE ATTORNEY AND DEMOGRAPHER, SUGGESTED THE RFP PROCESS BE USED FOR SELECTION OF ATTORNEY AND DEMOGRAPHER SERVICES, AND FAVORED MOVING THE CLOSED SESSION EARLIER IN THE MEETING.

MARC CHYTILO, HEARD REGARDING ITEM 7, THAT IT SHOULD BE GUIDED BY COUNSEL BEFORE A DECISION IS MADE, AGREES THERE SHOULD BE AN RFP FOR LEGAL AND DEMOGRAPHER SERVICES, AND COMMENTED ABOUT FULFILLING VACANCIES AND THE ADEQUACY OF THE ELECTION OFFICIALS ANALYSIS.

WRITTEN COMMENT:

LEE HELLER, WROTE REGARDING DEFICIENCY IN REPUBLICAN REPRESENTATION IN COMMISSION SELECTIONS.

CALIFORNIA HISPANIC CHAMBERS OF COMMERCE AND SANTA BARBARA COUNTY REPUBLICAN PARTY, WROTE PROTESTING COMMISSION SELECTIONS.

LEAGUE OF WOMEN VOTERS OF SANTA BARBARA, WROTE REGARDING SELECTION OF LEGAL COUNSEL AND RECOMMENDS AN RFP FOR THE DEMOGRAPHER.

3. Commissioner Introductions.

LAURA “LOLLIE” KATZ, CARY GRAY, WILLIAM MCCLINTOCK, LARA MURTI, JANNET RIOS, KAREN TWIBELL, NORMAN “DOUG” BRADLEY, BENJAMIN OLMEDO, MEGAN TURLEY, JAMES “CHRIS” HUDLEY, AND GLEN MORRIS GAVE A BRIEF INTRODUCTION.

4. Discussion and decision of staff’s recommendation to continue Interim Chair and Vice Chair for this meeting or nomination and selection of Chair and Vice Chair.

COMMISSION DISCUSSION:

MRS. TILTON RECOMMENDED THE COMMISSION CONSIDER COMMISSIONER MORRIS AND MCCLINTOCK CONTINUE AS INTERIM CHAIR AND VICE CHAIR, DUE TO POTENTIAL ACTION TO ADDRESS THE LETTER RECEIVED FROM THE CALIFORNIA HISPANIC CHAMBERS AND SANTA BARBARA COUNTY REPUBLICAN PARTY.

MOTION FOR COMMISSIONER MORRIS AND MCCLINTOCK TO CONTINUE AS INTERIM CHAIR AND VICE CHAIR FOR THIS MEETING.

MOTION CARRIED: 11 AYES

5. Approval of Minutes of December 8, 9, and 14, 2020 (vote of the initial five commissioners).

MOTION TO APPROVE THE MINUTES OF DECEMBER 8, 9, AND 14, 2020.

MOTION CARRIED: 5 AYES (VOTE OF THE INITIAL FIVE COMMISSIONERS).

6. Disclosure of ex parte communications.

COMMISSIONER MORRIS HAD A BRIEF CONVERSATION WITH ERIN HANKEY REGARDING AGENDA ITEM 7.

COMMISSION DISCUSSION:

COMMISSIONER MORRIS COMMENTED ABOUT CHANGING THE ORDER OF THE AGENDA AND MOVE ITEM 16 TO FOLLOW ITEM 7.

NANCY ANDERSON, COUNTY OF SANTA BARBARA, ANNOUNCED THAT NO PROPOSALS WERE RECEIVED, AND THE RFQ DEADLINE FOR LEGAL COUNSEL SERVICES HAS BEEN EXTENDED TO JANUARY 15. INFORMATION WILL BE PRESENTED AT THE NEXT COMMISSION MEETING.

COMMISSIONER MORRIS STATED SINCE NO ACTION CAN BE TAKEN DUE TO NO PROPOSALS RECEIVED, ITEM 13 BE POSTPONED TO A FUTURE MEETING.

MOTION TO MOVE ITEM 16 TO FOLLOW ITEM 7.

MOTION CARRIED: 11 AYES

7. Discussion of Republican Party / Hispanic Chamber letter and possible related actions.

MR. CHURCHWELL GAVE AN OVERVIEW OF THE LETTER AND THE SUBMITTERS' CONCERN THAT THE ETHNIC MAKEUP OF THE COMMISSION IS UNBALANCED IN HISPANIC REPRESENTATION AND POLITICAL PARTY PREFERENCE. HE PROVIDED LEGAL INTERPRETATION OF THE LAW, CLARIFIED THAT THE COMMISSION DECISIONS FOLLOWED THE LAW, AND THAT THIS IS A LEGAL AND NOT A DEMOGRAPHER ISSUE. IT WAS ALSO MENTIONED THIS IS A DEMAND LETTER AND NOT A LAWSUIT.

PUBLIC COMMENT:

MARC CHYTILO, HEARD REGARDING CONCERNS THAT THE CALIFORNIA HISPANIC CHAMBERS OF COMMERCE DOES NOT HAVE A DIRECTOR OR PRESENCE IN SANTA BARBARA, AND QUESTIONED THEIR INTEREST IN SANTA BARBARA COUNTY POLITICS. HE ALSO EXPRESSED CONCERNS REGARDING COMMISSIONER MORRIS'S COMMUNICATION WITH ERIN HANKEY, AND COMMENTED ABOUT THE DECISION OF APPOINTEES.

WILLIAM CONLIN, HEARD SUGGESTING THIS ITEM BE DISCUSSED IN CLOSED SESSION, AND TO REMEDY THIS ISSUE TO AVOID LITIGATION.

SPENCER BRANDT, HEARD REGARDING THE ORDINANCE AS IT PERTAINS TO RACIAL AND ETHNIC DIVERSITY, POLITICAL PARTY REPRESENTATION, AND POTENTIAL LEGAL LIABILITY.

PHILIP SEYMOUR, HEARD REGARDING THE ORDINANCE INTERPRETATION FOR THE COMMISSION SELECTION PROCESS, CRITERIA, AND LITIGATION RISKS.

CLOSED PUBLIC COMMENT.

THE MEETING WAS RECESSED AT 7:31 PM.

ITEM 16 WAS CONSIDERED AT THIS TIME.

THE CLOSED SESSION WAS CALLED TO ORDER AT 7:35PM.

16. 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

NO REPORTABLE ACTION.

THE CLOSED SESSION RECESSED AT 8:50 PM.

THE MEETING WAS RECONVENED AT 8:55 PM.

8. The Ralph M. Brown Act (Government Code [54950](#) et seq.) training.

ITEM WAS POSTPONED. LATER IN THE MEETING, MR. CHURCHWELL SUGGESTED THE COMMISSION CONSIDER COMPLETING THE TRAINING THROUGH AN ONLINE COURSE OFFERED BY HIS FIRM.

9. NDC discussion of possible Google Doc or other ex parte disclosure form.

MRS. TILTON PRESENTED INFORMATION FOR REPORTING EX PARTE COMMUNICATIONS AND SUGGESTED GOOGLE DOCS OR ANOTHER OPTION FOR SELF REPORTING.

COMMISSION DISCUSSION:

THE COMMISSIONERS SUPPORTED THE USE OF A FORM TO REPORT EX PARTE COMMUNICATIONS INSTEAD OF VERBAL REPORTING, AND NDC WILL WORK ON A FORM AND SUBMISSION PROCESS. SUGGESTED OPTIONS INCLUDE GOOGLE DOCS AND GOOGLE FORMS.

10. Discussion of future Bylaws action.

MR. CHURCHWELL COMMENTED THAT THE BYLAWS (LOGISTICS AND HOW THE COMMISSION SHOULD OPERATE) WILL NOT BE VOTED ON TONIGHT. COMMISSIONERS SHOULD PREPARE WRITTEN QUESTIONS FOR DISCUSSION, INCLUDE SUGGESTED EDITS TO THE BYLAWS, AND SUBMIT TO MRS. TILTON FOR THE NEXT MEETING.

MR. JOHNSON COMMENTED THAT THE VACANCY PROVISIONS IN THE BYLAWS ARE IN THE CHARTER.

11. Discussion of future Conflict of Interest code action.

MR. CHURCHWELL GAVE AN OVERVIEW, AND THAT ACTION WILL BE TAKEN AT THE NEXT MEETING.

12. NDC overview on a typical / sample project timeline with suggested frequency of meetings.

MR. JOHNSON PRESENTED AN INITIAL TIMELINE SCHEDULE, AND COMMENTED ON OUTREACH AND DRAWING MAPS.

COMMISSION DISCUSSION:

COMMISSIONER RIOS COMMENTED ABOUT PUBLIC OUTREACH/PROMOTION AND

ACCESS (WI-FI) DURING THE PANDEMIC. MR. JOHNSON STATED THAT ALL MAPPING TOOLS USED INCLUDE A PAPER AND ONLINE OPTION, AND HE IS AWARE THAT WI-FI QUALITY MAY BE AN ISSUE.

COMMISSIONER BRADLEY EXPRESSED CONCERNS REGARDING COMPLICATIONS OF THE PANDEMIC, SUSPENSION/RESUMPTION OF SOME CENSUS WORK, THE DECEMBER DEADLINE NOT EXTENDED, AND HTC ZONES WHERE FARM AND SERVICE WORKERS WERE POSSIBLY NOT COUNTED. MR. JOHNSON STATED THE DECEMBER DEADLINE WILL NOT BE EXTENDED.

SUGGESTIONS INCLUDED DEFINING COMMUNITIES OF INTEREST EARLY, GATHERING SOME COMMUNITY INPUT, AND COORDINATING OUTREACH WILL BE DISCUSSED DURING THE PLANNING PHASE.

COMMISSIONER OLMEDO INQUIRED ABOUT THE OPPORTUNITY TO LOOK AT THE AMERICAN COMMUNITY SURVEY DATA FROM THE CENSUS. MR. JOHNSON WILL PROVIDE THE INFORMATION, AND CAUTIONED THAT IT'S NOT GOOD FOR TOTAL POPULATION ESTIMATES.

ITEM 13 WAS MOVED TO A FUTURE MEETING.

13. Discussion and decision regarding an extension of the legal services contract termination date and decision on whether to conduct interviews of RFP respondents.

ITEM MOVED TO A FUTURE MEETING.

14. Discussion and possible action regarding future agenda items.

MS. ANDERSON CLARIFIED THE RFQ FOR LEGAL COUNSEL CLOSES JANUARY 15, AND PROPOSALS WILL BE AVAILABLE AFTER THAT DATE.

15. Discussion and possible action regarding scheduling future meetings.

THE COMMISSIONERS DISCUSSED THE NEED FOR AN ADDITIONAL MEETING, AND CONFIRMED THEIR AVAILABILITY TO MEET ON TUESDAY, JANUARY 19, AT 6:30 PM. COMMISSIONER OLMEDO REQUESTED TO MOVE THE CENSUS DATA STATUS UPDATE FROM THE SECOND MEETING ON JANUARY 19, TO THE THIRD MEETING ON JANUARY 25.

ADJOURNMENT – The next meeting is scheduled for Tuesday, January 19, 2021, at 6:30 p.m.

Agenda Packet Items:

Item 05 Minutes of December 8, 9, and 14, 2020

Item 07 Republican Party / Hispanic Chamber letter

Item 10 Proposed Bylaws

Item 11 Proposed Conflict of Interest Code

Item 13 RFP for Independent Legal Counsel for SBCIRC

Item 14 Upcoming Agenda Items