



COUNTY OF SANTA BARBARA
CITIZENS INDEPENDENT REDISTRICTING COMMISSION

Summary of Proceedings
2020 Citizens Independent Redistricting Commission

Date: **Tuesday, January 19, 2021**
Time: **6:30 PM – 9:35 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, Olmedo, Rios, Turley, Twibell

One Vacant: (Fourth District)

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 HER GRATITUDE AND APPRECIATION OF THE CONTRIBUTIONS, REGRETS COMMISSIONER LATA MURTI'S DECISION TO RESIGN, AND COMMENTED ABOUT LATINX REPRESENTATION ON THE COMMISSION.

WILLIAM CONLIN, FOURTH DISTRICT RESIDENT, HEARD REGARDING ITEM 14, AND HIS OPPOSITION TO NDC AS THE COMMISSION'S DEMOGRAPHER.

ANDY CALDWELL, HEARD REGARDING HIS OBJECTION TO A COMMISSIONER

SPEAKING ON AN ITEM (PREVIOUS SPEAKER REGARDING ITEM 14).

COMMISSIONER MORRIS CLARIFIED THAT THE PUBLIC SPEAKER WAS A RESIDENT FROM THE FOURTH DISTRICT, NOT A COMMISSIONER, AND MR. CHURCHWELL COMMENTED IT WAS HANDLED IN ACCORDANCE WITH THE BROWN ACT.

LATER IN THE MEETING MRS. TILTON REPORTED THE FOLLOWING WRITTEN COMMENTS WERE RECEIVED:

JANET BLEVINS, WROTE IN SUPPORT OF REPLACING LATA MURTI WITH JENNIFER HARDIN.

COMMON CAUSE, WROTE INVITING THE COMMISSION TO ATTEND ITS REDISTRICTING WORKSHOP ON JANUARY 28.

3. 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.

NO ACTION TO CHANGE CURRENT INTERIM CHAIR AND INTERIM VICE CHAIR.

4. Approval of Minutes of January 11, 2021.

MOTION TO APPROVE THE MINUTES OF JANUARY 11, 2021.

MOTION CARRIED: 10 AYES

5. Disclosure of ex parte communications.

COMMISSIONER MCCLINTOCK COMMUNICATED WITH MR. CHURCHWELL REGARDING FINANCIAL DISCLOSURES ON FORM 700.

COMMISSIONER TURLEY COMMUNICATED WITH SANTA BARBARA COUNTY CITY COUNCIL MEMBER MEAGAN HARMON AND HOUSING PROGRAM SPECIALIST LUCILLE BOSS REGARDING EXPECTED TIMELINE FOR RECEIVING THE CENSUS DATA NEEDED FOR REDISTRICTING.

THE MEETING WAS RECESSED AT 6:46 PM.

THE CLOSED SESSION WAS CALLED TO ORDER AT 6:48 PM

CLOSED SESSION

6. 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

THE CLOSED SESSION RECESSED AT 7:58 PM.

THE MEETING WAS RECONVENED IN OPEN SESSION AT 8:02 PM.

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

MR. CHURCHWELL REPORTED ON THE COMMISSION'S DECISION TO INTERVIEW THREE (3) APPLICANTS FROM THE CANDIDATE POOL TO FILL THE OPEN SEAT VACATED BY LATA MURTI. THE THREE (3) APPLICANTS ARE THE LATINX AND REPUBLICAN CANDIDATES IN THE DISTRICT 4 POOL. THE INTERVIEWS ARE EXPECTED TO TAKE PLACE ON MONDAY, JANUARY 25, SUBJECT TO THE APPLICANTS ACCEPTING THE INVITATION.

MRS. TILTON READ THE WRITTEN COMMENTS:

JANET BLEVINS, WROTE IN SUPPORT OF REPLACING LATA MURTI WITH JENNIFER HARDIN.

COMMON CAUSE, WROTE ANNOUNCING THEY ARE HOSTING A REDISTRICTING WORKSHOP ON JANUARY 28.

8. Discussion deliberation, and possible action regarding the Republican Party / Hispanic Chamber letter.

NO ACTION TAKEN.

9. Acceptance of Letter of Resignation of Commissioner Lata Murti and possible action regarding filling the vacancy.

COMMISSION DISCUSSION:

WITH TIME CONSTRAINTS IN MIND, THE COMMISSIONERS AGREED TO CONDUCT INTERVIEWS LATER IN THE WEEK, IF AN APPLICANT IS NOT AVAILABLE ON JANUARY 25.

MRS. TILTON ANNOUNCED THAT COMMISSIONER MURTI RESIGNED DUE TO A POTENTIAL CONFLICT OF INTEREST. FROM THE LIST OF PREVIOUSLY INTERVIEWED FINALISTS, AMANDA OCHOA IS INTERESTED IN BEING CONSIDERED, HOWEVER, JENNIFER HARDIN IS NOT INTERESTED IN FURTHER CONSIDERATION.

AMANDA OCHOA IS ONE OF THE THREE APPLICANTS, AND SHE WILL BE GIVEN THE OPTION TO REINTERVIEW OR PROVIDE A LINK TO HER PREVIOUS DECEMBER INTERVIEW.

MOTION TO ACCEPT WITH APPRECIATION, THE LETTER OF RESIGNATION OF COMMISSIONER LATA MURTI.

MOTION CARRIED: 10 AYES

COMMISSIONER MORRIS STATED THE NAMES OF THE THREE (3) APPLICANTS WILL BE INCLUDED ON THE MEETING AGENDA.

10. Discussion, deliberation, and possible action on adopting Bylaws.

MR. CHURCHWELL PROVIDED AN OVERVIEW OF THE BYLAWS, AND THE FOLLOWING RECOMMENDATIONS WERE MADE:

COMMISSIONER OLMEDO RECOMMENDED CORRECTING A TYPOGRAPHICAL ERROR IN ARTICLE IV, SECTION 2.

COMMISSIONER BRADLEY INQUIRED ABOUT ARTICLE II, SECTION 8, AND ASKED FOR CLARIFICATION IF APPROACHED OR QUERIED BY MEMBERS OF THE PRESS. MR. CHURCHWELL CLARIFIED THE INTENT INCLUDES SPEAKING WITH THE MEDIA, AND THAT NO COMMISSIONER HAS AUTHORITY TO SPEAK WITH THE PRESS/MEDIA ON BEHALF OF OR AS AN OFFICIAL SPOKESPERSON FOR THE COMMISSION.

COMMISSIONER KATZ, ASKED FOR CLARIFICATION ON ARTICLE II, SECTION 5, REGARDING THE CHAIR COMMUNICATING OUTSIDE OF A PUBLIC MEETING WITH ANY MEMBER OF THE BOARD OF SUPERVISORS OR MEMBER STAFF REGARDING REDISTRICTING. MR. CHURCHWELL CLARIFIED THAT THE CHAIR'S COMMUNICATION OUTSIDE A PUBLIC MEETING WITH ANY BOARD OF SUPERVISORS MEMBER OR MEMBER STAFF, IS FOR PURELY ADMINISTRATIVE OR LOGISTICAL ISSUES, AND NOT ON SUBSTANTIVE MATTERS. MR. JOHNSON MENTIONED THE BUDGET AS AN EXAMPLE OF AN ADMINISTRATIVE MATTER.

MRS. TILTON COMMENTED THAT LANGUAGE REGARDING COMMISSION VACANCIES AND REMOVALS IS CONTAINED IN THE ORDINANCE.

COMMISSIONER MORRIS RECOMMENDED REVISING ARTICLE II, SECTION 12(b) TO READ: A FINDING BY THE COMMISSION THAT A COMMISSIONER HAS CEASED TO BE QUALIFIED UNDER THE PROVISIONS OF THE ORDINANCE.

MOTION TO ADOPT THE BYLAWS CORRECTING A TYPOGRAPHICAL ERROR TO REMOVE THE WORD “MISSIONERS” IN ARTICLE IV, SECTION 2; AND REVISING ARTICLE II, SECTION 12(b) TO: A FINDING BY THE COMMISSION THAT A COMMISSIONER HAS CEASED TO BE QUALIFIED UNDER THE PROVISIONS OF THE ORDINANCE.

MOTION CARRIED: 10 AYES

11. Discussion, deliberation, and possible action on adopting a Conflict of Interest code resolution.

MR. CHURCHWELL GAVE AN OVERVIEW OF THE CONFLICT OF INTEREST CODE AND RESOLUTION DRAFT. THERE ARE TWO CATEGORIES “ELECTED OFFICIALS” OR “DESIGNATED EMPLOYEES”, AND THE COMMISSIONERS FALL UNDER ELECTED OFFICIALS, CATEGORY 1 – FULL DISCLOSURE.

MOTION TO ADOPT THE RESOLUTION AS DRAFTED.

MOTION CARRIED: 10 AYES

12. Update on NDC’s collection of GIS data and maps from County departments and City Governments.

MR. JOHNSON INTRODUCED DANIEL PHILLIPS OF NDC, WHO PROVIDED DATA COLLECTION INFORMATION TO THE COMMISSION. INFORMATION IS BEING COMPILED FROM INCORPORATED CITIES AND COUNTY DEPARTMENTS. HE IS IN THE PROCESS OF GATHERING DATA, AND HAS REACHED OUT TO DIFFERENT CITIES AND THE COUNTY. LOMPOC HAS ALREADY PROVIDED THE REQUESTED DATA, AND NDC ANTICIPATES RECEIVING DATA FROM GOLETA AND SANTA BARBARA SHORTLY. NO DECISION YET ON WHERE THE DATA WILL RESIDE.

13. Decision on legal assistance contract.

NANCY ANDERSON, COUNTY OF SANTA BARBARA, REPORTED THAT FOUR PROPOSALS WERE RECEIVED, AND THE CONTRACT WITH CHURCHWELL WHITE

EXPIRES ON JANUARY 31. CHURCHWELL WHITE DID NOT SUBMIT A PROPOSAL, THEREFORE MR. CHURCHWELL IS ABLE TO PROVIDE ASSISTANCE.

PUBLIC COMMENT:

LEE HELLER, HEARD REGARDING THE AMOUNT OF TIME TO REVIEW THE PROPOSALS RECEIVED, AND SUGGESTED THE COMMISSION NOT TAKE ANY ACTION TONIGHT.

COMMISSION DISCUSSION:

COMMISSIONER BRADLEY SUGGESTED MOVING THE ITEM TO THE MEETING NEXT WEEK.

COMMISSIONER MORRIS SUGGESTED FORMING A SUBCOMMITTEE OF THREE OR FOUR COMMISSIONERS TO DEVELOP A MATRIX, SIMILAR TO THE PROCESS USED FOR COMMISSIONER APPLICATIONS.

MOTION TO NOMINATE COMMISSIONER HUDLEY, TURLEY, OLMEDO, AND TWIBELL TO A SUB COMMITTEE TO DEVELOP A MATRIX FOR REVIEWING LEGAL COUNSEL APPLICATIONS.

MOTION CARRIED: 10 AYES

MR. CHURCHWELL LEFT THE MEETING.

MOTION TO ASK COUNTY COUNSEL TO NEGOTIATE AN EXTENSION TO MR. CHURCHWELL'S CONTRACT, UNTIL REPLACEMENT COUNSEL IS SELECTED AND THE CONTRACT IN PLACE.

MOTION CARRIED: 10 AYES

MR. CHURCHWELL RETURNED TO THE MEETING.

14. Discussion and possible direction regarding whether to seek alternative demographic and administrative support firm proposals.

MS. ANDERSON COMMENTED THIS ITEM WAS BROUGHT BACK FOR DISCUSSION AT THE COMMISSIONERS REQUEST.

PUBLIC COMMENT:

LINDSEY BAKER, SANTA BARBARA LEAGUE OF WOMEN VOTERS, HEARD REGARDING HER SUGGESTION TO SEEK CONSULTANTS THROUGH AN OPEN PUBLIC PROCESS,

REQUIRE A SCOPE OF WORK AND TIMELINE COMPATIBLE TO THE COUNTY ORDINANCE, COMMISSION NEEDS, AND SECTION 6(c).

SPENCER BRANDT, HEARD REGARDING DRAWING THE LINES, EXPRESSED CONCERNS REGARDING NDC'S DEMOGRAPHY SERVICES, AND ENCOURAGED THE COMMISSION TO USE THE RFP PROCESS.

LEE HELLER, HEARD REGARDING AN OPEN AND TRANSPARENT PROCESS, EXPRESSED CONCERNS REGARDING NDC'S DEMOGRAPHY SERVICES, AND ENCOURAGED USING THE RFP PROCESS.

MS. ANDERSON GAVE AN OVERVIEW OF THE SELECTION PROCESS, AND EXPLAINED THAT COUNTY COUNSEL IDENTIFIED LEGAL COUNSEL THAT MET THE QUALIFICATIONS. THE COUNTY EXECUTIVE OFFICE IDENTIFIED ADMINISTRATIVE AND DEMOGRAPHY SERVICES BY WORD OF MOUTH, AFTER TALKING TO OTHER CITIES AND COUNTIES. NDC WAS RECOMMENDED BY OTHER AGENCIES THAT USED THEIR SERVICES, AND A UNIQUE BENEFIT TO NDC IS THEY OFFER BOTH ADMINISTRATIVE AND DEMOGRAPHY SERVICES.

COMMISSIONER DISCUSSION:

THE COMMISSION CLARIFIED THAT THE COMMUNITY WILL DRAW THE LINES AND NOT THE DEMOGRAPHER.

MS. ANDERSON STATED THE COUNTY'S RECOMMENDATION WOULD BE TO CONTINUE USING NDC, AS LONG AS THE COMMISSION IS SATISFIED WITH THEIR WORK.

ALTHOUGH THE COMMISSIONERS HAVE NO COMPLAINTS ABOUT NDC'S SERVICES, AND TAKING THE PUBLIC'S CONCERNS INTO CONSIDERATION, THEY EXPRESSED INTEREST IN EXPLORING OTHER OPTIONS, HAVING AN ALTERNATE DEMOGRAPHER AVAILABLE IF NEEDED, AND SUGGESTED ISSUING A REQUEST FOR INFORMATION (RFI), RATHER THAN AN RFP.

FOLLOWING COMMENTS REGARDING PUBLIC CONCERNS ABOUT NDC SERVICES, IT WAS SUGGESTED TO ASK THE PUBLIC TO EMAIL THEIR SPECIFIC CONCERNS (AND NOT JUST "GOOGLE THEM" STATEMENTS) ABOUT NDC'S SERVICES. AND A REMINDER THAT STATEMENTS MADE BY THE PUBLIC ARE JUST THAT – STATEMENTS.

MR. JOHNSON COMMENTED THAT NDC HAS PROVIDED SERVICES FOR ABOUT 122 OF 140 CITIES THAT RECENTLY MOVED TO BY-DISTRICT ELECTIONS (AND APPROXIMATELY 300 TOTAL DISTRICTING AND REDISTRICTING PROJECTS), AND NO NDC LOCAL GOVERNMENT DISTRICTING OR REDISTRICTING PROJECT PLAN HAS EVER BEEN OVERTURNED BY A COURT.

MOTION TO TABLE THE DISCUSSION TO CONSIDER REPLACING THE DEMOGRAPHER, AND CONTINUE USING NDC SERVICES.

AMENDED MOTION TO TABLE THE DISCUSSION TO CONSIDER REPLACING THE DEMOGRAPHER, ASK COUNTY STAFF TO BUILD A LIST OF POTENTIAL DEMOGRAPHERS, TO ASK RESIDENTS TO WRITE IN WITH ANY QUESTIONS ABOUT THE DEMOGRAPHER, AND ASK NDC TO ADDRESS THE COMMISSION REGARDING ANY SPECIFIC QUESTIONS RAISED.

MOTION CARRIED: 10 AYES

15. Discussion and possible action regarding future agenda items.

- LETTER/INVITATION FOR THE UPCOMING REDISTRICTING WORKSHOP - MRS. TILTON COMMENTED IT MAY BE RECORDED, AND REGISTRATION MAY BE REQUIRED TO ACCESS THE RECORDED WORKSHOP. NDC WILL REQUEST THE LINK AND PROVIDE TO THE COMMISSIONERS.
- MOVE THE COMPLETE COUNT COMMITTEE PRESENTATION TO FEBRUARY 1 MEETING.

16. Discussion and possible action regarding scheduling future meetings.

NEXT MEETING MONDAY, JANUARY 25. THE SUGGESTED MEETING SCHEDULE WILL BE THE 1ST AND 3RD MONDAY: FEBRUARY 1, AND 22. THERE WILL NOT BE A MEETING ON FEBRUARY 15, DUE TO THE HOLIDAY.

ADJOURNMENT – The next meeting is scheduled for Monday, January 25, 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