



## THE CITY OF SAN DIEGO

---

### OFFICE OF THE INDEPENDENT BUDGET ANALYST REPORT

---

**Date Issued:** October 21, 2016

**IBA Report Number:** 16-38

**Rules Committee Meeting Date:** October 26, 2016

**Item Number:** 3

---

# Comparative Information: Redistricting Commissions in Other Cities

## OVERVIEW

On June 7, 2016, voters approved Measure A, which amended the City Charter by updating the process related to the redistricting of City Council districts. Since Measure A was adopted by voters, modifications to the San Diego Municipal Code are needed to address the approved changes to the Charter. On September 28, 2016, the City Clerk's [Report No. CC-16-05](#) was reviewed by the Rules Committee. The Report requested feedback and direction from the Committee on a number of items, including:

- Whether the City Clerk, in consultation with the City Attorney's Office, should consider specific changes to the application (e.g. is it necessary to require college transcripts or Social Security Numbers on the application); and
- Whether guidance for the development of an adequate initial Redistricting Commission budget should be included in the Municipal Code.

As a result of the Committee's discussion, the Office of the Independent Budget Analyst (IBA) was asked to research redistricting commission application processes and budget process requirements in other jurisdictions. This report responds to that request in advance of the Rules Committee meeting on October 26, 2016, when the Committee will review the proposed Municipal Code changes regarding redistricting.

## FISCAL/POLICY DISCUSSION

In response to the Committee's request for information, our Office examined other cities that utilize independent redistricting commissions similar to the City of San Diego's process. These cities include: Minneapolis, Minnesota; Austin, Texas; Santa Fe, New Mexico; and Sacramento, California

*(pending voter approval in November)*<sup>1</sup>. We also reviewed the City/County of San Francisco since it uses an autonomous redistricting task force, which is composed of members who are appointed by the Board of Supervisors, the Mayor, and the Elections Commission.

## **Applications**

### **San Diego's Current City Charter and Municipal Code Language Regarding the Redistricting Commission's Application Process**

San Diego's current City Charter language, which was approved with the passage of Measure A in June 2016, does not require specific Municipal Code changes regarding applications. However, the current Municipal Code language in §27.1406 includes specific details about what information will be requested from applicants, including transcripts, and the disclosure of the applicant's Social Security Number for the purpose of conducting a background check. Should Council wish to change these requirements, this Municipal Code section will require revisions.

Municipal Code §27.1406 (a)(8) currently asks applicants to disclose:

Educational background including high school and any college credits. Information shall include the name of each educational institution attended and any degree or diploma received. For each college degree or diploma listed, a copy of transcripts or other proof of degree shall accompany the nomination. A contact name and phone number at the college or other educational institution shall also be included for the highest degree received.

Regarding Social Security Numbers, Municipal Code §27.1406 (f) states the following should be filed with the City Clerk: "the date of birth and social security number of the applicant or nominee, for the purpose of conducting the police check pursuant to Section 27.1408(d)."

### **Redistricting Commission Applications in Other Cities**

Our Office was able to locate applications for Minneapolis, Austin, Santa Fe, and two of three groups who nominate task force members in San Francisco (the Elections Commission, and the Board of Supervisors). We were not able to review an application for Sacramento because its Independent Redistricting Commission is still pending approval by voters.

Of the five applications we reviewed, none of them requested Social Security Numbers. However, the City of Austin did request that applicants submit their Voter Registration Numbers.

Additionally, none of the applications we found requested college transcripts, but almost all of the applications included a question about education. For instance, in Minneapolis, applicants were asked to describe their "education, training, employment history, volunteer work, and awards and honors as related to the job description for a member of the Advisory Group." In Austin, applicants were asked to select their education level (e.g. Associate's Degree, Bachelor's Degree, etc.), and list their majors.

---

<sup>1</sup> Measure L on the City of Sacramento's November 8, 2016 ballot proposes the establishment of an independent redistricting commission. For the purposes of our research, we examined the proposed Charter language that relates to the redistricting commission's application and budget.

## **Proposed San Diego Municipal Code Changes Related to the Redistricting Commission Application**

As provided in City Clerk [Report No. CC-16-07](#), the proposed Municipal Code language would no longer include a requirement for transcripts, or contact information for colleges or other educational institutions attended. However, the application will continue to request educational background, including educational institutions attended, and degrees or diplomas received, which is similar to many of the other applications we reviewed.

Additionally, the request for applicants to submit their Social Security Numbers has been modified. The Police Department has informed the City Clerk that complete Social Security Numbers are needed in order to perform the requisite background checks; however, as the City Clerk notes in her report, “the information does not have to be on the application itself. Thus the Municipal Code could reflect the need for the information to be provided to the Clerk as part of the application processing without requiring it on the application itself.”

### **Budget**

#### **Current City Charter and Municipal Code Language Regarding the Redistricting Commission’s Budget**

San Diego City Charter Section 5.1 includes the following budget related requirements:

- The Commission will adopt a budget within 60 days after members are appointed;
- The Commission’s proposed budget will be submitted to the Appointing Authority, and if approved, will be forwarded to the City Council for prompt consideration; and
- The City Council will appropriate adequate funds so the Commission can carry out its duties.

Although the recent changes to the Charter language do not require updates to the Municipal Code, City Clerk Report CC-16-05 suggested that information about the City’s budget timeline and process be included to facilitate the creation and submission of the Commission’s budget.

We also note that the previous Commission’s [Recommendations for 2020 Redistricting Commission](#) made several budget-related suggestions, including:

- Prepare the budget as early as possible;
- Identify priorities and establish a reserve for unanticipated costs;
- Allocate funding so it can be easily carried over from one fiscal year to the next;
- Increase the line item for translation services so simultaneous interpretation services are available at public Commission meetings; and
- Hire a Chief of Staff as soon as possible to help with budget development.

#### **Redistricting Commission Budgets in Other Cities**

In our review of other cities’ Charters, Municipal Codes, and other Redistricting Commission related documents, we found that all included some information about the Redistricting Commissions’ budgets, with varying degrees of specificity.

For instance, there are proposed Charter changes on Sacramento’s November ballot related to the establishment of an independent redistricting commission. This proposed Charter language includes the most specific language of all of the Charters we reviewed regarding redistricting commission budgets. According to proposed Charter Section 178:

- The City Council shall appropriate enough funds to recruit commissioners, meet the operational needs of the commission, and conduct any outreach program to solicit broad public participation in the redistricting process; and
- To calculate the budget, the City Council shall “appropriate at least the amount spent in 2011 on redistricting, adjusted for inflation using the consumer price index.”

Austin’s City Charter Article II Section 3, similarly assigns the task of budgeting for the Commission to the City Council. In addition to providing enough funding for its operational and outreach needs, if the Commission does not have adequate funds or resources, it shall inform Austin’s City Council of its additional requirements. In practice, when the Independent Citizens Redistricting Commission (ICRC) met for the first time in 2013, it had been allocated \$140,000 for its budget by the City Council. Members of the ICRC did not find this amount sufficient, so they requested \$40,000 more from the City Council, which was granted. However, as four of the Commissioners noted in their report for future commissions<sup>2</sup>, the rationale for their original budget was never provided to the ICRC, and its members viewed it as such a low figure that they “felt obliged to perform duties that staff would normally perform.” As a result of this experience, the Commissioners recommended instead that the future Commissions determine their own budget, and lobby the Council for a more appropriate allocation.

Alternatively, Santa Fe’s Ordinance No. 2014-37 provides only minimal guidance regarding the Independent Citizens’ Redistricting Commission’s budget. It states that the City’s Finance Director “shall request that adequate funds be appropriated for the commission to carry out its duties.”

### **Proposed San Diego Municipal Code Changes Related to the Redistricting Commission’s Budget**

Our Office recommends the San Diego Municipal Code be amended to include guidance for the development of an adequate initial budget for the Redistricting Commission. This initial budget could subsequently be modified mid-year if requested by the Commission. The added language would provide guidance to the Financial Management Department in proposing an initial budget, and additionally ensure that the newly appointed Redistricting Commission has a reasonable initial budget to consider.

Our Office worked with the Offices of the City Attorney and the City Clerk to develop the proposed language in the paragraph below, with the goal of incorporating the guidance received at the last Rules Committee and addressing issues raised by past redistricting commissions and staff. This language ensures sufficient funds will be made available for the Redistricting Commission to complete its work. It further provides specificity as to how the budget should be developed for the fiscal years the

---

<sup>2</sup> *Roadmap to Citizen Redistricting: Four Austin Commissioners Point the Way* is available online at <http://1wvaustin.org/publications/Roadmap%20to%20Citizen%20Redistricting.pdf> and outlines a number of budget related recommendations for future Redistricting Commissions.

Commission will be empaneled, while still allowing the Commission to request subsequent amendments if necessary:

The City shall be responsible for ensuring that funds are allocated in the City of San Diego budgets for the fiscal years in which the Redistricting Commission will be empaneled, in amounts sufficient to enable the Commission to carry out its legally required duties, with the budgets to be adjusted as the Commission may require so that it may complete its work. To determine the Commission's initial budget, the City shall consider the total amount spent by the previous Redistricting Commission, any necessary adjustments for inflation, and the potential cost of additional resources and consultants the Commission may require to complete its work.

## CONCLUSION

In response to a request from the Rules Committee, the IBA reviewed autonomous redistricting commissions in other cities to determine what types of information are requested on their applications, and what budgeting information is included in their Charters, Municipal Codes, and other documents. We found that the cities of Minneapolis, Austin, Santa Fe, Sacramento, and San Francisco offered the closest comparisons given the types of redistricting commissions that they employ (or are proposing to use).

Based on our research of these cities, we found that:

- None of the cities we reviewed requested Social Security Numbers or transcripts, but most did request some information about the educational background of applicants;
- Specifics about how redistricting commission budgets are developed varied widely by city, with Sacramento's proposed Charter language including details on how the budget would be set, similar to the City of San Diego's proposed Municipal Code changes.

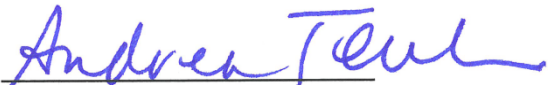
In accordance with Committee direction, we have discussed our findings with the Offices of the City Attorney and the City Clerk. Additionally, we worked with the Office of the City Attorney to develop guiding language for the development of an adequate initial budget for the Redistricting Commission. It is our understanding that the City Attorney's Office will provide a copy of the proposed ordinance, amending applicable sections of the Municipal Code, to the Rules Committee for consideration on October 26, 2016.



Trisha Tacke  
Research Analyst



Jeff Kavar  
Deputy Director



APPROVED: Andrea Tevlin  
Independent Budget Analyst