

**2010 REDISTRICTING COMMISSION
OF THE CITY OF SAN DIEGO**

DATE: October 25, 2011
TO: 2020 Redistricting Commission
FROM: 2010 Redistricting Commission
SUBJECT: Recommendations for 2020 Redistricting Commission

INTRODUCTION

In 1992, voters amended the San Diego City Charter to create an independent Redistricting Commission, which would be vested with sole and exclusive authority to adopt a plan that specifies the boundaries of districts for the San Diego City Council in compliance with the law.

The 2010 Redistricting Commission of the City of San Diego (Redistricting Commission or Commission) has been meeting since October 2010 and recently adopted a plan that specifies new boundaries for the City Council districts. The Commission's task was more complex this year because it was also required to add a new Ninth Council District, as directed by City voters in a Charter amendment enacted in 2010. The boundaries set by the Commission will remain in effect until the next redistricting authorized by the San Diego City Charter.

The Commission adopted its Preliminary Redistricting Plan on July 21, 2011, and its Filing Statement and Final Redistricting Plan (Final Plan) on August 25, 2011. Both plans and additional supporting documents are attached to this memorandum. The Final Plan contains a detailed summary of the Commission's meetings, testimony, public outreach efforts, and the law and principles it used to prepare the plan. The Commission's website contains archives of documents and resources, including proposed maps, legal training presentations, meeting agendas, minutes, and transcripts. The website can be accessed at <http://www.sandiego.gov/redistricting>.

Although the Final Plan contains extremely detailed information regarding the 2010 Redistricting Commission, the Commission wished to prepare this memorandum to provide additional information for consideration by the next panel. The information included in this memorandum compiles comments from individual Commissioners and may or may not represent the views of the Commission as a whole.

RECOMMENDATIONS FOR THE 2020 COMMISSION

At its final meeting on October 25, 2011, the Commission met to discuss the proposed recommendations below:

I. INITIAL TASKS

1. Subcommittees and Early Planning

In addition to selecting a Chair, the Commission should consider establishing subcommittees to analyze the following:

- *Budget* – to work with Commission staff to develop a budget for approval by the Appointing Authority
- *Bylaws* – to review the 2010 Commission bylaws and propose adopting and/or revising them
- *Hiring* – to oversee the hiring process for the Chief of Staff and Executive Secretary
- *Legal* – to work with the City Attorney’s Office to contract for outside, specialized Voting Rights Act counsel to support the City Attorney
- *Mapping Consultant* – to oversee the Request for Proposals process for contracting of a mapping consultant and obtaining redistricting software
- *Outreach* – to create a basic outreach plan and oversee the hiring of a public outreach consultant
- *Timeline* – to draft the initial Commission timeline

The Commission should consider selecting different Commissioners to chair each subcommittee. The Commission might suggest that each subcommittee return with a work plan listing responsibilities and deadlines, and complete as many of those duties as possible early in the process, especially if the Chief of Staff has not yet been hired.

The Commission suggests that regular meetings be held at least twice a month, particularly as start-up tasks are being completed, to keep Commission business moving forward. The Commission suggests that the future Commission reach out to prior Commissioners and staff, if they are available and in accordance with Commission bylaws and the Brown Act, as they can serve as a resource.

One of the Commissioners had a background in City planning and served as a resource as the Commission dealt with technical aspects of the City’s geography. The Commission suggests that the City Planning & Community Investment Department assign a staff member to attend Commission meetings as a similar resource.

2. Budget

The 2010 Commission budget is attached to this memorandum. The Commission suggests that the budget be prepared as early as possible, and that the Commission proactively

identify priorities and establish a reserve amount for unanticipated costs. The Commission suggests that funding be allocated so funds can easily be carried over across fiscal years.

The Commission also suggests that the line item for translation services be increased so that simultaneous interpretation services can be provided for more Commission meetings and public hearings.

3. Bylaws

The Commission Bylaws are attached to this memorandum. The Commission suggests that the next Commission begin with this document and consider whether revisions are needed. The Commission suggests that the next panel retain Article 5, Section 6 of the 2010 Commission Bylaws governing comments between Commissioners and the public, press, and government officials.

In order to maximize public access, minimize outside communications, and provide transparency, the Commission suggests that future Commissions continue to collect and publish communication logs identifying any communications that occur outside of Brown Act-noticed meetings.

4. Timeline and Registrar of Voters Deadlines

The Commission's timeline is attached to this memorandum. The Commission suggests that future Commissions take into account City Charter section 5.1, where it specifies a 30-day period during which the Final Plan is subject to the right of referendum, and consider that timeline along with the deadline set by the San Diego County Registrar of Voters. This year, the Commission committed to complete its Final Plan one month before the Registrar's deadline, to allow the 30-day referendary period to run before that deadline.

The Commission suggests consulting with the Registrar of Voters early and often to determine whether redistricting data may be requested prior to deadlines specified in the City Charter. While the City Charter states that the City shall be redistricted no later than nine months following the receipt of the final Federal Decennial Census information, this year the Registrar requested final redistricting data several months early because of a potential change to the election calendar.

II. CENSUS DATA

The U.S. Census Bureau releases population tabulations no later than April 1 of the year following the year in which the decennial Census is taken, but does not specify an exact release date for each state. This year, the Commission received 2010 Census data in early March 2011. The Commission suggests that future Commission staff identify a Census Bureau contact or other local government liaison familiar with Census data, particularly if the mapping consultant has not yet been hired, so that the Commission can adjust its timeline if needed.

III. MEETINGS, TESTIMONY AND PUBLIC OUTREACH

1. Online Mapping Tool

The Commission provided an online mapping tool as a free resource to the public. The program became a central location where all maps submitted to the Commission and developed by the Commission could be accessed. The Commission suggests that future Commissions continue to provide free access to an online mapping tool and provide training sessions open to the public.

2. Public Hearings

The Commission held far more meetings than the number required by the City Charter and suggests that future Commissions do the same, to ensure access to the proceedings and a full opportunity for people to be heard. The Commission encourages the next panel to hold at least one hearing in each City Council District and one hearing on a Saturday.

The Commission suggests that future Commissions continue to hold meetings in City facilities, such as libraries, Balboa Park meeting rooms, and recreation centers appropriate for public hearings, in order to minimize meeting costs. The Commission did not have to pay to use City facilities.

3. Public Outreach

The Commission and Commission staff benefitted from hiring a public outreach team to assist the Outreach Subcommittee and staff to maximize access to Commission proceedings, particularly for traditionally underserved communities. The Commission suggests that future Commissions continue to engage local professional services or otherwise dedicate a Commission staff person to work on communications and public outreach.

The Chief of Staff made presentations to meetings of approximately 40 neighborhood groups, community planning groups, town councils, and stakeholder committees across the city. The majority of these presentations were made early, prior to pre-map public hearings, in order to encourage early public participation in the redistricting process. The Commission suggests that future Commissions encourage the Chief of Staff and/or an outreach team to continue this type and scale of outreach to the community.

IV. CITY STAFF

The Commission benefitted greatly from using City staff and resources to reduce outside personnel costs. The Commission suggests that future panels continue to use existing City resources to the extent possible to save funds. (For example, the next Commission can also use available City space and furniture for the Commission office.)

The Commission suggests that the City identify a staff liaison in the Business Office or other department who would be fully dedicated to the Commission until the Chief of Staff is

hired, and available on a part-time basis thereafter to assist the Commission and Chief of Staff with administrative and procedural matters.

The Commission recognizes that many City staff took on Commission work in addition to their full workloads, most often without additional compensation. However, discussions of this allocation of City staff and resources occurred prior to the hiring of the Commission's Chief of Staff. The Commission suggests that such discussions occur at the City even earlier in the process, and that expectations regarding City staff time and services be more explicitly set and agreed to at the outset by both the affected department and the Commission. This should be addressed particularly for the following departments: the City Attorney's Office, CityTV, Communications and Purchasing & Contracting.

The Commission suggests that City departments continue to track costs associated with their work completed for the Commission, even if the Commission will not be formally billed, so that an accurate report of all costs can be publicly provided.

V. HIRING AND CONTRACTING

The Commission, Commission staff, and Purchasing and Contracting staff worked under extremely constrained timelines to procure professional services needed to complete the Commission's work. The Commission suggests that the City assign a dedicated staff person from the Purchasing and Contracting Department to the Commission to assist until all procurements are complete, and ensure the staff person does not have to take on Commission work in addition to a full workload. The Commission also suggests that Purchasing and Contracting present the full range of contracting options to the Commission and its sub-committees involved in hiring and contracting, to ensure the parties understand the full range of City procurement options, timelines, and limitations.

For the mapping consultant, the Commission suggests beginning the contracting process as early as possible, recognizing that redistricting is a specialized area, that there are a limited number of professional firms providing this service, and that other jurisdictions undergoing redistricting at the same time will be chasing the same resources.

VI. COMMISSION STAFF

The Commission began meeting in October 2010, but the Chief of Staff began work in February 2011. The Commission suggests beginning the hiring process as soon as possible so the Chief of Staff can more fully participate in Commission start-up tasks, including budget development, the timeline, and discussions regarding City department and staff time.

The position announcement for the Chief of Staff is attached to this memorandum. The Commission took care to avoid hiring any individual too closely tied to local political parties, political officials or organizations. The Commission recommends that the next panel do the same and suggests hiring an individual with knowledge and experience with municipal rules, regulations and procurement procedures.

VII. VOTING RIGHTS ACT COUNSEL

The City Attorney's Office provided legal support to the Commission under San Diego City Charter section 40. The City Attorney's Office assigned a deputy to the Commission, who provided legal guidance throughout the process, conducted numerous training sessions on all aspects of redistricting law for the Commission and the public, and who served as a daily resource to the Commission and staff. The Commission suggests that future Commission continue to work with the City Attorney's Office in this regard.

This year, the City Attorney's Office also contracted with a Voting Rights Act specialist from the Nielsen Merksamer law firm, who provided review of the Commission's preliminary and final plans, was available to consult with the City Attorney's Office, and gave a Voting Rights Act presentation to the Commission and the public. The Commission suggests that future Commissions retain outside counsel for the limited purpose of providing Voting Rights Act guidance, as this is a highly specialized area of law. The Commission suggests that such counsel be from out of town, with as little connection to San Diego as possible, in order to ensure there is no bias or legal conflicts.

VIII. GENERAL COMMENTS

The Commission suggests that the next Appointing Authority consider composing the Commission of members who live in different Council districts, who will know different areas of the City.

The Commission also suggests that an Executive Secretary position be added or otherwise submitted for approval by the City's Civil Service Commission or City Council, so the next Commission has a full range of hiring options available.

IX. ACKNOWLEDGEMENTS

The Commission would like to recognize the following firms, departments, facilities, and staff for their assistance during the 2010 redistricting process.

Consultants Assisting the Commission

A Star Staffing
ESRI
Humanability, Inc.
National Demographics Corporation
Nielsen Merksamer Parrinello Gross & Leoni LLP
SanGIS
Translation Solutions

Departments of the City of San Diego

Business Office
City Attorney's Office
City Clerk's Office
City Planning & Community Investment
CityTV
Communications
Financial Management

IT & IT Web Team
Library
Park and Recreation
Police
Print Shop
Purchasing and Contracting
Real Estate Assets

Facilities Used for Meetings

Balboa Park Club
Bayside Community Center
Forum Hall at Westfield UTC
Jacobs Center for Neighborhood Innovation
Joan B. Kroc Center
La Jolla Woman's Club
Logan Heights Branch Library
Metro Operations Center

Otay Mesa-Nestor Branch Library
Point Loma/Hervey Branch Library
Regional Transportation Center
San Diego Concourse
Qualcomm Headquarters
Tierrasanta Recreation Center
Thurgood Marshall Middle School
Valencia Park/Malcolm X Branch Library

The Commission wishes to acknowledge the Year 2000 Redistricting Commission for its final report, which served as a resource to 2010 Commissioners and staff.

The Commission also would like to thank the many members of the public for their participation and input throughout the redistricting process.

- Attachments:
1. Final Redistricting Plan (adopted August 25, 2011)
 2. Preliminary Redistricting Plan (adopted July 21, 2011)
 3. Redistricting Charter (San Diego City Charter)
 4. Commissioner and Staff Biographies
 5. Commission Bylaws
 6. Commission Budget
 7. Commission Timeline
 8. Position Announcement - Chief of Staff
 9. Public Participation Plan