



THE CITY OF SAN DIEGO

BEHIND OPEN DOORS: Redistricting In Public

The City of San Diego
Year 2000 Redistricting Commission
Final Report and Recommendations



December 2001



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**Ralph R. Pesqueira, Chair
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Marichu G. Magana**

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EXECUTIVE SUMMARY

The members of the Year 2000 Redistricting Commission are pleased to have had the opportunity to serve the City of San Diego as the first citizen Redistricting Commission in our City's history. It was a significant and rewarding experience for each of us.

We believe we were successful in delivering a trustworthy redistricting process to the residents of San Diego, one with the integrity the voters anticipated when they elected in 1992 to give the sole and exclusive authority for setting new City Council district boundaries to a citizen group. We are most proud that we were able to realize our collective vision of making this redistricting more open to the public than ever before. The Commission was deeply committed to increasing and fostering public participation, understanding and trust in the process.

The Commission convened more than 50 public meetings between October 25, 2000, when we were first seated, and September 5, 2001, when the Final Redistricting Plan was adopted. Sixteen (16) public hearings were conducted in various neighborhoods of the city, eight (8) before the preliminary map was developed and eight (8) afterward to receive the public's response to the adoption of the Preliminary Redistricting Plan.

Outreach and education for the public hearings was extensive, including frequent press releases distributed to both major and targeted media. Emphasis was placed on reaching African American, Asian and Hispanic populations as well as other identifiable communities of interest such as planning groups, town councils and neighborhood organizations. More than 14,000 notices and flyers were mailed or distributed to publicize the meetings. Flyers and other materials were translated into Spanish and Tagalog, and Spanish language services were available for three of the public hearings.

A redistricting section was added to the City's web site and publicized widely via media releases and flyers distributed to the public. The Commission web pages listed the names of the seven commissioners, and provided staff contact information, meeting agenda and minutes, criteria the Commission would use in redrawing boundaries, population data, links to sites that contained related information, and redistricting plans that were under consideration at various stages of the process.

In perhaps the most obvious effort to foster an open process, map iterations were developed by the Commission as a whole in public sessions that were broadcast live on City Access Television. These 18 map development sessions, totaling 66 hours, were videotaped for rebroadcast to ensure public access to the

proceedings. The meetings aired a total of 78 times on varying days and times throughout the summer, enabling viewers to watch at their convenience. In addition, 2,500 people attended the public hearings in person.

Whether participating in person or watching on television, city residents were able to witness Commission discussions, decisions and actions as boundary moves were made and alternative redistricting plans evolved. The public response was encouraging and we were surprised at the number of people who “confessed” to watching every session. The Commission was frequently complimented on this real-time mapping process that allowed the public to understand why decisions were made. Apparently, redistricting the city was entertaining as well as educational.

The public was also invited to submit Redistricting Plans for Commission consideration. A “Redistricting Kit” containing all the necessary data, maps and instructions was provided to those who requested it. As well, interested mappers could schedule their own map development sessions using the redistricting software with Commission staff assistance.

And the public participated. More than 450 residents provided public testimony. The Commission received 1800 pieces of correspondence (letters, faxes, e-mail and petition signatures). The redistricting web page received more than 65,000 hits. Copies of the audio and videotapes of the meetings were purchased by some and people complained when meeting minutes were not promptly posted to the web site. The Commission considered 10 maps submitted by the public.

In the end, new City Council district boundaries quietly became effective on October 8, 2001 without a public referendum and with no legal challenges on the horizon.

We achieved many of our goals, but not all of them. Some of the recommendations that follow are aimed at preserving those things that worked well. Many more go to improving future redistricting efforts.

We were most challenged by the time constraints we faced in completing the redistricting tasks. The City Charter requires the adoption of a Final Redistricting Plan within nine (9) months of the receipt of the U.S. Census Bureau population data file for the city. When the Commission was seated in October 2000, we fully expected the target completion date to be December 31, 2001, and we proceeded as if we had a full 14 months in which to do our work. In March, we were abruptly reminded that since the Charter change creating the Commission in 1992, the California Primary had been moved forward from June to March. In a memo dated March 20, 2001, the County Registrar of Voters set a due date of September 12, 2001 for receiving the new Council district boundaries in order for these to be effective for the March 2002 elections. Realizing that there would be elections in

four City Council districts (2, 4, 6 and 8) in March, we suddenly lost three months off our time line.

This change came too late for us to make all the requisite adjustments. As a result, our educational materials were hastily prepared, public outreach for the first set of hearings was abbreviated, and Commission members remained frustrated throughout the process that we did not have sufficient time to compile, analyze and discuss all the information and data we wanted.

Thus, a great many of our recommendations have to do with helping the next Redistricting Commission get off to a faster start. We have suggested things the Appointing Authority, the Offices of the City Clerk and the City Manager, as well as the Commission itself can do earlier in the 2010 redistricting process. The Year 2000 Redistricting Commission did not have the benefit of organizational memory as we were the City's first citizen commission. It is hoped that our experience will assist future Commissions make important decisions and take critical actions much earlier than we knew to do.

Appendix B, an expanded version of the following recommendations, provides the explanation for each. The order of the recommendations is not intended to suggest that one is more important than another. Readers are also cautioned that these recommendations are based on current redistricting law, City and other governmental policies and procedures, and technology, any of which, we understand, could be different in the future.

THE RECOMMENDATIONS

RECOMMENDATION 1: The City Clerk, in cooperation with the City Manager, should prepare a budget for the Redistricting Commission during the City's normal budgeting process.

RECOMMENDATION 2: The Appointing Authority, in cooperation with the City Clerk, should select and seat the members of the Redistricting Commission as early as possible. The Redistricting Commission should immediately after it is seated begin recruitment and hiring of the Commission Director.

RECOMMENDATION 3: A subcommittee of the Redistricting Commission should meet with the City Manager within the first 30 days to establish a working relationship and to ascertain the level of budgetary and staff support the City Manager is willing to commit to the work of the Commission.

RECOMMENDATION 4: The City Manager should appoint liaison staff to assist the Redistricting Commission prior to the hiring of the Commission Director.

RECOMMENDATION 5: The Redistricting Commission should hire its key staff – Director, Technical Specialist and Secretary - as full time employees of the Commission.

RECOMMENDATION 6: Redistricting Commission staff should have unlimited access to office equipment essential to meeting the Commission's timeline.

RECOMMENDATION 7: The Redistricting Commission should hire public outreach and education consultants early.

RECOMMENDATION 8: The Redistricting Commission should hire technical consultants by February 1, make the software purchase decision shortly thereafter, and allow for staff training on the software prior to the onset of the pre-map public hearings.

RECOMMENDATION 9: The Redistricting Commission should hire expert redistricting counsel and not rely exclusively on the Office of the City Attorney for legal advice.

RECOMMENDATION 10: The members of the Redistricting Commission should participate in one or more workshops with technical and legal experts before the onset of the pre-map public hearings.

RECOMMENDATION 11: The Appointing Authority should appoint Alternates to the Commission. The Commission By-Laws should be revised to require Alternate Commissioners to attend certain trainings and legal briefings.

RECOMMENDATION 12: The Redistricting Commission should conduct pre-map public hearings in each of the eight (8) Council districts in April after the Census population data is received, receive maps submitted by the public immediately following the public hearings, and reserve a full two months, May and June, for review of the public maps submitted and development of the Preliminary Redistricting Plan.

RECOMMENDATION 13: The Redistricting Commission should make early decisions on accepting redistricting plans created by members of the public.

RECOMMENDATION 14: The Redistricting Commission should contract for Recorder/Transcription services, particularly at the onset of the map development meetings.

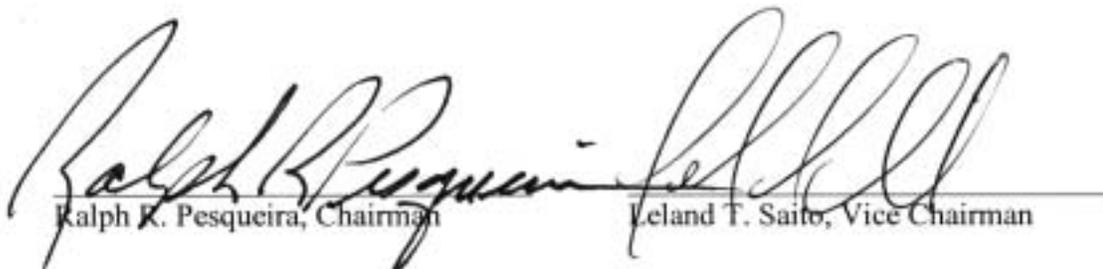
RECOMMENDATION 15: The City's Video Services staff should televise all "map development" meetings following the pre-map public hearings.

RECOMMENDATION 16: The Redistricting Commission should access and analyze socioeconomic and voting data as alternate sources of information to establish identifiable communities of interest; the Redistricting Commission should not rely on public testimony alone.

RECOMMENDATION 17: The City Attorney should give confidential and sensitive advice to members of the Redistricting Commission in private to avoid providing "ammunition" to potential litigants.

RECOMMENDATION 18: In the conduct of the public meetings, the Redistricting Commission should restrict the role of members of the City Council to no more than that of other residents, be mindful of the appearance of conflicts of interest on their own part, and foster a fair and respectful meeting decorum.

Respectfully Submitted,



Ralph K. Pesqueira, Chairman Leland T. Saito, Vice Chairman

Appendix A

Members of the Year 2000 Redistricting Commission

Ralph R. Pesqueira

Commissioner Pesqueira is the owner of El Indio Mexican Restaurant in San Diego. He graduated from San Diego High School, earned his B.S. degree from San Diego State University and did post-graduate work in Religion at Abilene Christian College in Texas. Mr. Pesqueira previously served as Vice Chair of the San Diego City Planning Commission and currently serves on the Board of Trustees of California State Universities and the California Post-Secondary Commission. He is a member of the Mexican American Business and Professional Association and recently completed service on the California Sesquicentennial Commission.



Among his many awards and recognitions are "Citizen of the Year" by the City Clerk of San Diego and the San Diego Junior Chamber of Commerce, "1996 Father of the Year" by the Father's Day Council of San Diego, 1998 "CSU Trustee of the Year" by the California State University Student Association, "Leadership Award" by Boy Scouts of America, and 1998 "Alumnus of the Year" from San Diego State University. Mr. Pesqueira was also the recipient of the annual Community & Justice Award from the National Council of Christians and Jews. He is married to the former Eva Sanchez Gonzales. They have lived in Mission Valley for eight years, have three daughters and six grandchildren. Commissioner Pesqueira is Chair of the Year 2000 Redistricting Commission.

Leland T. Saito

Commissioner Saito was a Professor at the University of California, San Diego until the spring of 2001 when he accepted a professorship at the University of Southern California in Los Angeles. Dr. Saito earned his B.A. degree at the University of California, Berkeley and his M.A. and Ph.D. degrees at the University of California, Los Angeles. He currently sits on the Commission for One California, appointed by Lt. Governor Cruz Bustamante. He is a member of the Asian Pacific Advisory Committee to the San Diego Chief of Police, the Asian Pacific Thematic Historic District Advisory Committee of the San Diego Centre City Development Corporation, and the Japanese American National Museum in Los Angeles.



Dr. Saito is a founding member of the Southwestern Center for Asian Pacific American Law. He is author of a book that was the winner of the 2000 National Book Award, Section on Asia and Asian American, by the American Sociological Association. Dr. Saito maintains affiliation with the American Sociological Association, the Association of Asian America Studies, the National Association for Chicana and Chicano Studies, and is on the Advisory Board of the Social Problems Journal. Commissioner Saito is Vice Chair of the Year 2000 Redistricting Commission.

Mateo R. Camarillo

Commissioner Camarillo is President and Chief Executive Officer of Aztlán & Associates, a telecommunications and organizational development consulting firm. He graduated from Hoover High School in San Diego and earned both his B.A. and M.S.W. degrees from San Diego State University. Mr. Camarillo is currently chairman of the California Public Utilities Commission's Universal Lifeline Telephone Service Marketing Board and a member of the Board of Directors of the Chicano Federation of San Diego County.



He was a former member of the San Diego County Redistricting Committee (1990-91), Vice Chair of the San Diego Convention Center Corporation (1984-90), a past member of the Boards of Directors of the National Council of La Raza, Minority Media & Telecommunications Council, CDC Small Business Finance Corporation and Trabajadores de La Raza. A longtime activist in San Diego, Mr. Camarillo maintains membership in a number of other civic, community and professional organizations. He is the recipient of numerous awards including 1989 "Alumnus of the Year" from San Diego State University, the Mexican American Political Association's "Businessman of the Year", and "Minority Advocate of the Year" awarded by the San Diego Chamber of Commerce and the U.S. Small Business Administration.

Charles W. Johnson, Sr.

Commissioner Johnson is a retired U.S. Navy Master Chief. He graduated high school in Paris, Texas and joined the Navy immediately afterward. The Navy brought him to San Diego where he attended San Diego City College and San Diego Mesa College. Mr. Johnson is currently President of the Linda Vista Civic Association, Chairman of the Linda Vista Boys & Girls Club Advisory Board and a member of the Boards of Directors of Access, Inc. and the Linda Vista Festival of Freedom.



He is also a past member of the Linda Vista Planning Committee and the City of San Diego Citizens' Advisory Board on Police/Community Relations. A longtime activist in the Linda Vista community, Mr. Johnson maintains membership in the American Legion, VFW and the Linda Vista Second Baptist Church, among others. Commissioner Johnson is married and has six adult children.

Marichu G. Magana

Commissioner Magana is an Associate Professor and Counselor for the San Diego Community College District. She graduated from Mira Mesa High School in San Diego and earned her B.A. degree from the University of California, San Diego. Dr. Magana received her M.S. degree from San Diego State University and a Ph.D. in Psychology from United States International University.



She is currently Treasurer of the San Diego High School Parent Teacher Association and is an active member of the American Psychological Association. The City of San Diego Year 2000 Redistricting Commission is Dr. Magana's first public agency appointment.

Shirley ODell

Commissioner ODell is an arbitrator for the New York Stock Exchange. She earned her B.A. degree from the University of Washington, and the M.B.A. and Ed.D. degrees from Pepperdine University. Dr. ODell previously served as Secretary of the California State and Consumer Services Agency and was Chief Executive Officer of Daniel Reeves, Inc. She is a former Professor at California State University at Sacramento and Assistant/Associate Professor at Pepperdine University.



Dr. ODell has served on the Arbitration Board of the National Association of Securities Dealers since 1968. She maintains membership in the Rotary International Foundation, is a past Chair of the Board of Chavis Corporation and member of the Board of Directors of the Federal Retirement Employees Thrift Investment Board. Dr. ODell was also on the Ethical Conduct Committee of the Pacific Stock Exchange and has served on the Board of Directors of numerous other professional, civic and foundational associations. She was honored with the Leagues of Women Voters "Woman of the Year" Award.

Juan A. Ulloa

Commissioner Ulloa is a history teacher for the Sweetwater Union High School District. He graduated from Foothill High School in Bakersfield, California and earned his B.A. degree from California State University at Bakersfield. Mr. Ulloa received his teaching credential from San Diego State University. He is a member of the City of San Diego Human Relations Commission and serves on the Advisory Board of the South East San Diego Community Planning Committee, the San Diego Police Chief's Service Area Advisory Board, the Sherman Heights Revitalization Team and the Sherman Heights Citizen's Patrol.



Mr. Ulloa also maintains membership in the Sweetwater Education Association, the California Teachers Association and the National Education Association. Commissioner Ulloa was recognized in 2001 by the San Diego Metropolitan Magazine as one of "40 under 40" outstanding individuals who make a difference in San Diego.

YEAR 2000 REDISTRICTING COMMISSION STAFF AND CONSULTANTS

Staajabu Heshimu

Staajabu Heshimu served as Chief of Staff/Operations Director of the Year 2000 Redistricting Commission. A Manager with the City of San Diego since 1990, she has been in public administration for the past 16 years. She previously served as Equal Opportunity Contracting Program Manager, Executive Director of the Citizens' Review Board on Police Practices, the City Manager's Liaison to the Citizens' Advisory Board for Police/Community Relations and Manager of the City's Graffiti Control Program.



Before coming to San Diego, Ms. Heshimu was Director and Assistant Director of two nonprofit organizations, the Minority Contractors Association of Los Angeles and the Watts Summer Festival. She also established the first Office of Small Business Development at the University of California, Los Angeles. Ms. Heshimu graduated from Castlemont High School in her native Oakland, California. She earned her B.A. degree from the University of Southern California and the M.B.A degree from the University of North Carolina at Chapel Hill.

Joey Perry

Joey Perry served as Technical Analyst for the Year 2000 Redistricting Commission. She has been Urban Analysis Manager and Senior Planner in the City of San Diego Planning Department for the past 11 years. Ms. Perry was the City's Liaison to the U.S. Census Bureau for the 2000 Census and is intimately knowledgeable about census data and census geography, which formed the basis for the redistricting process. Ms. Perry earned her B.A. and M.S. degrees in Urban and Transportation Geography from San Diego State University. She assisted the Citizen Redistricting Advisory Commission and the City Council as Technical Analyst during the 1990-91 city redistricting.



Lisa Foster

Lisa Foster served as Legal Advisor to the Year 2000 Redistricting Commission. She is a Deputy City Attorney specializing in Public Policy in the City of San Diego Office of the City Attorney. Ms. Foster currently advises the Office of the City Clerk and the Community and Economic Development Department and is the City Attorney's liaison to the Mayor and City Council. In addition, she is the City Attorney's Conflict of Interest Specialist. Her previous assignments include Legal Advisor to the City's Water Department, prosecutor in the Criminal Division and litigator on property related matters in the Civil Division. A native of San Diego, Ms. Foster received her B.S. degree from San Diego State University and the J.D. degree from California Western School of Law. She has been with the City of San Diego for the past 17 years, the last 11 with the Office of the City Attorney.



Carmen George

Carmen George served as Executive Secretary to the Year 2000 Redistricting Commission. Mrs. George has worked in a variety of clerical and administrative support positions over 15 years with the City. She worked in the Personnel and Water Departments before joining the staff of the Equal Opportunity Contracting Program where she has spent the last 10 years of her career. Mrs. George received her Associate Arts Degree from Grossmont College. She brought excellent computer, data processing, office management, purchasing and community outreach skills to the Commission.



JA Consultants

JA Consultants served as Public Education and Outreach Consultants for the Year 2000 Redistricting Commission. Julie Gelfat and Alexandra Hart have over fifteen (15) years experience in the public, private and nonprofit sectors. Ms. Gelfat served as Legislative Aide to former San Diego City Councilmember John Hartley while Ms. Hart served as Legislative Assistant to former San Diego City Mayor Maureen O'Connor. Both have served as government liaisons for several San Diego based nonprofit organizations including the Urban Corps of San Diego and Eureka Communities where their work included community outreach, fundraising, special events coordination, operational oversight, program development, media and legislative/government relations. JA Consultants represents clients



who seek access to elected officials and government staff. JA Consultants also trains community residents, businesses, and nonprofit clients on the fundamentals of working effectively with elected officials and government staff. Their goal is to link community residents with the governmental process to achieve a more informed constituency.



MacDonald and Cain

Mac Donald and Cain served as Technical Consultants to the Year 2000 Redistricting Commission. Karin Mac Donald is the Director of the Statewide Database, Institute of Governmental Studies, University of California, Berkeley. She has previously served as Database Coordinator for PacTech Data and Research in Pasadena, California and as Research Associate/Assistant for UCDA-TA, Survey Research Center at UCB. Ms. Mac Donald attended high school in her native Koblenz, Germany. She received her B.A. (Magna Cum Laude) and M.A. degrees from the University of California, Berkeley where she is currently pursuing a Ph.D. in Political Science. Ms. Mac Donald has a number of published articles and reports, winning the Raymond Vernon Prize in 1998 from the American Association for Public Administration and Management for the best publication in the discipline. She has served as consultant to the City of Modesto on term limits and district elections, the City of Oakland as advisor to the Census Steering Committee, the *Los Angeles Times*, *San Francisco Examiner*, and *Sacramento Bee* as well as a number of nonprofit organizations establishing electoral databases, analyzing election results and designing survey and exit polls.

Bruce E. Cain is Director, Institute of Governmental Studies, University of California, Berkeley where he is also the Robson Professor of Political Science. Dr. Cain, a native of Boston, Massachusetts, received his B.A. degree (Summa Cum Laude) at Bowdoin College in Maine and the Ph.D. from Harvard University. He was a Rhodes Scholar at Trinity College in Oxford, England. The recipient of several major grants, Dr. Cain is widely published on redistricting, reapportionment and American politics. He received the Zale Award for Outstanding Achievement in Policy Research and Public Service in 2000 and was also elected to the American Academy of Arts and Sciences that year. Dr. Cain has served as Special Consultant to the California Assembly Special Committee on Reapportionment, a Redistricting Consultant to the Los Angeles City Council, and as an expert witness in several redistricting lawsuits during the 1990s.

Appendix B

THE RECOMMENDATIONS

RECOMMENDATION 1:

The City Clerk, in cooperation with the City Manager, should prepare a budget for the Redistricting Commission during the City's normal budgeting process.

Currently, City staff begins budgeting 8 months prior to the beginning of a budget year. Anticipating that the Year 2010 Redistricting Commission will begin its work in fall 2010 (fiscal year 2011), a budget must be submitted to and approved by the City Council in spring 2010 for the fiscal year beginning July 1, 2010 and ending June 30, 2011. The Office of the City Clerk should be charged with this responsibility on behalf of the then unseated Redistricting Commission as this is the department responsible for organizing the Commission prior to the hiring of Commission staff. The City Manager is responsible for submitting a balanced City budget to the Mayor and Council for approval. The budget should include a minimum of three full time Commission staff positions, redistricting specialty consultant, public outreach and education consultant, and legal counsel, in addition to office space, furniture, equipment, supplies and printing services.

The City Charter requires the Redistricting Commission to adopt a budget for the approval of the Appointing Authority within 60 days of appointment. However, this is too late in the City's normal budgeting process for such budget to be timely approved by the City Council. Rather, any deviations between the budget submitted by the City Manager in spring 2010 and the budget approved by the Appointing Authority circa December 2010, could be addressed during the City's Midyear Budget Adjustment process, circa January 2011. The Redistricting Commission would also need to prepare and submit a budget for the remainder of its term of existence, i.e., through December 31, 2011, for the first half of the fiscal 2012 budget year.

Because of the importance of the budget to its program, a subcommittee of the Commission or the Commission Chair should present and defend the Commission's budget to the Appointing Authority and, if necessary, to the City Manager and City Council.

In the case of the Year 2000 Redistricting Commission, no budget was approved for fiscal year 2001. As a result, the Office of the City Clerk was charged with

expenses associated with organizing the Commission and the Director of the department that formerly employed the Commission's Director (Neighborhood Code Compliance) generously agreed to assume the Commission's expenses through June 2001. The City Manager did submit a budget on behalf of the Redistricting Commission for the period June 1, 2001 through December 31, 2001 that was approved by the City Council. The 2010 Redistricting Commission should not have to rely for its expenses on the generosity of City Department Directors whose work is unrelated to that of the Commission. Lacking a budget, the Commission is unable to make early and necessary programmatic decisions or to hire and pay staff, which could, and did, negatively impact the program timeline for the duration of the redistricting season.

RECOMMENDATION 2:

The Appointing Authority, in cooperation with the City Clerk, should select and seat the members of the Redistricting Commission as early as possible. The Redistricting Commission should immediately after it is seated begin recruitment and hiring of the Commission Director.

Currently, the California Primary is held in March of each election year and includes City Council district elections. In order to meet the County Registrar of Voters' due date for receipt of the new Council district plan, and in order for the new plan to be effective for the next election cycle, the Redistricting Commission will need to adopt a Final Redistricting Plan some four months earlier than the City Charter deadline of December 31. To allow for a full twelve month redistricting season, the Commission should be appointed, sworn in and convening its first meeting by September 2010. The Commission Director should begin work no later than December.

The Year 2000 Redistricting Commission was sworn in on October 25, 2000. Complying with City Personnel Department advertising, recruitment and hiring guidelines, the Commission was not able to get its Director and staff on board until March 5, 2001.

RECOMMENDATION 3:

A subcommittee of the Redistricting Commission should meet with the City Manager within the first 30 days to establish a working relationship and to ascertain the level of budgetary and staff support the City Manager is willing to commit to the work of the Commission.

Unfortunately, the City Charter does not specifically recognize the role of the City Manager in the redistricting process. As a result, a new citizen commission might not realize the Manager's important role in City government. It is the City

Manager who prepares and submits the City budget for Council approval. The Manager also supervises all City staff. Some departments, especially those that lend significant staff to the Redistricting Commission, will incur extraordinary expenses, including overtime pay, on behalf of the Commission. The Planning Department that loaned a Senior Planner to the Year 2000 Redistricting Commission and the Office of the City Clerk that paid the overtime expenses of the Legislative Recorders incurred unbudgeted expenses approaching \$50,000. Therefore, it is critically important for the Commission to have a good working relationship with the Office of the City Manager and for there to be mutual understanding and advance agreement with respect to the resources the City will provide to the Redistricting Commission.

The City Manager should announce the appointment of the Redistricting Commission and its Director to all City Department Directors, and issue an appeal for City staff to cooperate with Commission requests for assistance during the redistricting process.

RECOMMENDATION 4:

The City Manager should appoint liaison staff to assist the Redistricting Commission prior to the hiring of the Commission Director.

The City Manager's staff could assist the Commission make early operating decisions, including refining its budget, obtaining accounting numbers from the Auditor's Office, securing office space, furniture, equipment and stationary supplies, and making lease/purchase decisions for the temporary offices of the Commission staff. This role for the City Manager becomes less important the earlier the Commission Director is hired.

In the case of the Year 2000 Redistricting Commission, most of this work was postponed until the Commission Director was hired on March 5. In the absence of a budget and accounting numbers (used to pay bills and track expenses), Commission staff was not able to order telephones, computers, supplies or the redistricting software for several weeks. As a result, staff was forced to use equipment and supplies borrowed from other City offices to the detriment of the Commission's programmatic timeline. Again, the Redistricting Commission should not be put in the position of relying on the generosity of other City departments for its operations. Early action on the part of the City Manager's liaison can prevent this negative impact in the future.

RECOMMENDATION 5:

The Redistricting Commission should hire its key staff – Director, Technical Specialist and Secretary - as full time employees of the Commission.

At a minimum, the Commission staff will include a Director (referred to in the City Charter as Chief of Staff), a Technical Specialist and a Secretary. The Commission may also want to hire a community outreach/public information specialist. It will be to the Commission's benefit if each of these employees is thoroughly knowledgeable of City procedures and resources.

The Year 2000 Redistricting Commission's full time staff included a Director of Operations and an Executive Secretary. The Technical Specialist was employed by the City Planning Department as a Senior Planner in Urban Analysis and, by way of an agreement with the City Manager, was loaned to the Redistricting Commission half time. The City Charter requires that the Commission utilize City staff to the extent possible. Unfortunately, when the Redistricting Commission realized that the services of the Technical Specialist were temporarily needed full time, the City Manager and the Planning Department were unable or unwilling to alter the original agreement.

During the 37 weeks between March 5 and October 30 when she returned full time to the Planning Department, the Technical Specialist worked an average of 22 hours per week for the Redistricting Commission. However, during 11 of those weeks, she worked more than 20 hours on redistricting with a high of 42 hours per week during the month of August when the Commission was in the final stages of adopting a Plan. Because she retained her responsibilities in the Planning Department, the Technical Specialist worked more than 40 hours per week on the two jobs together for 32 of the 37 weeks, again, with a high of 65 hours a week for two weeks in August.

While the Commission benefited greatly from the Specialist's willingness to work so much overtime on its behalf, one negative consequence of not having her full time services was that some Commission members were reluctant to ask for data they felt they needed to avoid burdening her more. Further, there were some tasks that simply were not done due to her unavailability full time. The Technical Specialist's contribution to the Redistricting Commission's work is too important and too time sensitive to not have that position filled by staff that can be totally committed. In this case, it resulted in the Commission's being understaffed during the busiest months which exacerbated the time crunch. Employing the Technical Specialist full time will ensure that Commission data needs and program goals are met in a timely manner.

The City Manager should ensure that City employees on special assignment to

the Redistricting Commission are able to return to their previous permanent assignments on City staff or to other commensurate positions.

RECOMMENDATION 6:

Redistricting Commission staff should have unlimited access to office equipment essential to meeting the Commission's timeline.

The Redistricting Commission is a temporary City department that will be in existence for approximately one year. There is, understandably, a reluctance to spend money purchasing equipment for the sole use of Commission staff as well as a temptation to require sharing equipment with existing permanent City departments.

The staff of the Year 2000 Redistricting Commission initially shared a fax machine and copier with the City Transportation Department that occupied next-door offices. This was inconvenient for both staffs especially during the height of redistricting activity:

- Commission staff had the equipment continually in use to the exclusion of others;
- Commission offices and telephones were left unattended while faxing or copying;
- Commission staff could not perform other duties while waiting for faxing or copying processes to be completed, or while waiting for access to the equipment;
- Commission staff could not access fax or copy machines after normal business hours or on weekends when much of the Commission work was conducted.

The Commission staff will need office space and computers for each of its staff. The staff must be in constant contact with one another to maximize efficiency. The computers must be capable of accommodating the redistricting software. Commission staff should also have unlimited access to a plotter as there is a constant need to produce maps in various formats and on short notice.

In recognition of the temporary nature of the Redistricting Commission, the City Manager's Office should provide lease/purchase guidance to the Commission, as well as the Manager's requirements for disposal of the equipment on the closing of the Commission offices.

RECOMMENDATION 7:

The Redistricting Commission should hire public outreach and education consultants early.

Ideally, the public outreach and education consultants should be on board at least three months prior to the first set of public hearings.

The public outreach campaign should be phased in, building on the recently concluded Census campaign to let the public know redistricting is imminent. The Commission should invite community leaders and media representatives to meet with them at the beginning of the process and prior to the onset of the public hearings. Public interest and participation will be increased to the extent the Commission makes sure public opinion leaders are educated about the importance of redistricting to their constituents, solicits their opinions, and obtains their assistance compiling mailing lists, distributing educational materials and generating interest in the public hearings. The public outreach effort must begin early so there is time to identify and contact leaders from the city's many and various communities of interest, and time to develop quality targeted educational and outreach materials.

The outreach consultants could also benefit from early decisions by the Redistricting Commission regarding the number of public hearings the Commission will conduct. Sites should be selected geographically so that no matter where in the city residents live, they will find a hearing nearby. An early start also ensures that the best sites will be available for the Commission's use and that the consultants have time to assess each site for space needs, access for the disabled, convenience to public transportation, adequate parking, accommodation of the City's communication systems, et al.

Working closely with the Commission staff and technical consultants, the outreach/education consultants will be best positioned to develop educational materials and responses to media requests for information. The outreach consultants should utilize all City resources to advertise Redistricting Commission public hearings, evaluate the need to translate materials into Spanish and other languages, and provide language services at the hearings.

In the case of the Year 2000 Redistricting Commission, the outreach consultants were hired only three weeks before the first public hearings. As a result, mailing lists and materials were hastily prepared and distributed at the last minute, which did not allow for maximum public participation. There was little participation on the part of known ethnic organizations. Although staff prepared frequent media releases and sent multiple notices of redistricting activity, most small media failed to cover Commission proceedings. Some of the public hearings sites were less than ideal. Although the consultants and staff did a commendable job of

public outreach, attendance at the later hearings proved that adequate time to plan and publicize the meetings is key and that a more direct and personal approach with public opinion leaders is critical to increasing public participation.

RECOMMENDATION 8:

The Redistricting Commission should hire technical consultants by February 1, make the software purchase decision shortly thereafter, and allow for staff training on the software prior to the onset of the pre-map public hearings.

The technical consultants should be on board early enough to assist with the decision of which software to purchase since the consultants and staff will need to be on the same system in order to transfer data and maps back and forth, and to position the consultant to back up staff in case of an emergency or if, for any reason, staff is not able to perform. The technical consultants will also be needed to support Commission workshops by evaluating available data, explaining how it might be used to augment redistricting decisions, and by compiling and presenting data to the Commission for their early consideration.

The Year 2000 Redistricting Commission's technical consultants were selected in late March 2001. The decision to utilize the redistricting software, Maptitude by Caliper Corp., was collectively made in April and, because of the need to comply with City rules for the purchase of nonstandard software, was not ordered and installed on staff computers until May 1. The Technical Specialist attended the Caliper Corporation's user training session at the first available session in mid-May, but this was just three weeks before the Commission drew its first iteration of the new Council district map. This was too late for staff to be thoroughly familiar with the software before having to perform real-time mapping and there was no time for staff to train on the software with the consultants. Fortunately, the consultants did have experts on their staff and this greatly facilitated the Commission's ability to move forward quickly with the necessary data input and map changes.

The Commission found it greatly helpful to hire a consultant that had the ability to assist them with any and all redistricting tasks but who was willing to work on an as-needed basis so that only those specific services that were needed could be requested.

RECOMMENDATION 9:

The Redistricting Commission should hire expert redistricting counsel and not rely exclusively on the Office of the City Attorney for legal advice.

Commissioners felt the role of the Deputy City Attorney liaison to the Commission was critical to its education and work. Nonetheless, some Commissioners were uncomfortable relying on only one legal opinion and felt that, "for balance", they sometimes needed a "second opinion" to that provided by the Office of the City Attorney. Others felt the City Attorney's role to protect the City and its officials, including City Council members, from legal action introduces a structural bias that potentially conflicts with the work of the Redistricting Commission, a bias that could affect legal opinions offered to the Commission and influence the redistricting process in a non-objective manner.

Commission members were also concerned that the Commission has no control over who the City Attorney appoints to this key role; they do not know how knowledgeable that individual will be or how committed to serving the Commission's needs. The Deputy City Attorney assigned to the Year 2000 Redistricting Commission was a valuable member of the Commission team; her commitment was not in question and the members of the Commission are appreciative of her extraordinary efforts to serve the Commission well. She attended all 50+ of the Commission's meetings, most of which were held after normal work hours and for which she was not compensated; she conducted extensive research in preparation for the many legal presentations she made at the public hearings and in order to respond to complex legal questions posed by Commission members and the public. Nonetheless, Commission members felt that the City's attorneys could not be expected to be "expert" in such a highly specialized field as redistricting law and that the Office of the City Attorney does not have a legitimate reason to develop expertise in redistricting on its staff because of the infrequency of the need, i.e., redistricting only comes up once every ten years.

The Redistricting Commission should continue to rely on the Office of the City Attorney for legal assistance, most especially on issues of municipal law. However, Commission members will be most comfortable with expert redistricting counsel that the Commission itself hires to exclusively serve their needs. Like the technical consultants, legal counsel should participate in the Commission's workshops, assisting the new Commission in understanding the state of applicable redistricting law.

RECOMMENDATION 10:

The members of the Redistricting Commission should participate in one or more workshops with technical and legal experts before the onset of the pre-map public hearings.

The Redistricting Commission will need to accomplish and/or begin a number of organizing tasks immediately after being sworn in:

- Review of City Charter sections relating to the Redistricting Commission;
- Review of Brown Act public meeting requirements;
- Develop Rules of Procedure (By-Laws);
- Elect Chair and Vice Chair;
- Establish Calendar of Meetings;
- Identify staffing requirements and other City resources needed;
- Develop budget based on program vision; submit to Appointing Authority within 60 days, and to City Council via the City Manager during Midyear Budget Adjustment period;
- Develop job description for Chief of Staff (Director);
- Advertise, conduct interviews and hire Chief of Staff;
- Develop Request for Proposals for Technical, Outreach and Legal Consultants;
- Advertise, conduct interviews and hire consultants;
- Make software purchase decision(s).

The Year 2000 Redistricting Commission completed many of the above tasks in a timely manner. In addition, the Commission benefited from hearing from resource people from City staff, the City Attorney's Office and the San Diego Association of Governments.

Members of the Redistricting Commission will always come to the task with different life experiences, skills, and knowledge of redistricting principles. They likely will not know one another and most will not have familiarity with City procedures and resources. They will not have in-depth knowledge of the City's many communities or communities of interest. And, they have only a few short months to discharge their duty to draw new City Council district boundaries. For these reasons, the Commissioners need a vehicle that will assist them in "getting up to speed" quickly.

In retrospect, Year 2000 Redistricting Commission members felt there was much to learn about redistricting principals; they could have benefited from an intense workshop delivered by redistricting experts early on (as opposed to learning much of what they needed to know later and in the midst of making boundary decisions). Such a workshop would have given them a better understanding of

specific concepts and an opportunity for more in-depth discussion among themselves to explore individual philosophies, which would enable them to establish a collective vision before they were thrust into the public to make critical decisions. Among the discussion topics that would be valuable to the decision making process:

- The 1965 Voting Rights Act;
- Recent and relevant legal cases;
- A history of City redistricting issues;
- Explanation of Census Bureau geography and terms;
- Explanation of redistricting terms used in the City Charter;
- Priority of Redistricting Criteria;
- Population deviation standards;
- Thorough understanding of what constitutes a “community of interest”;
- Availability of voting, socioeconomic and other data; explanation of how these might be used to establish “communities of interest”;
- Creating a public participation vision, including how to weigh public testimony relative to other information sources;
- Approach to providing data and information to the public;
- Options for accepting and considering maps developed by public members
- Comparison of software features;
- The advantages and disadvantages of creating a redistricting plan starting with current Council district boundaries vs. starting from scratch

In addition, it is recommended that the 2010 Commission hear from members of the Year 2000 Redistricting Commission and its staff and study purposely the proceedings associated with the 2000 redistricting process.

RECOMMENDATION 11:

The Appointing Authority should appoint Alternates to the Commission. The Commission By-Laws should be revised to require Alternate Commissioners to attend certain trainings and legal briefings.

The City Charter makes no provisions for Alternate members of the Redistricting Commission to be appointed other than in the event of a vacancy on the Commission after it is constituted. The Year 2000 Appointing Authority appointed seven (7) Alternates to fill vacancies on the Commission in the order of appointment. Fortunately, the seven (7) original Commissioners completed their full terms.

Commissioners were concerned that it would have been disruptive to the redistricting process if a vacancy occurred on the Commission and one or more of them had had to be replaced, especially late in the process. Only one of the

Alternate Commissioners regularly attended the Commission's public meetings so it is believed that any of the others would have been ill prepared to assume Commission duties.

Alternate Commissioners should be required at a minimum to attend any workshops and legal briefings convened for the benefit of Commissioners. Moreover, the first two Alternates appointed by the Appointing Authority should sit with the Commission at all times, as alternate jurors do, so they could benefit from hearing all the public testimony and become knowledgeable of other Commission business in the event of a vacancy. Because there is no requirement for such participation on the part of the Alternate Commissioners set out in the City Charter, the City Attorney should work with the Appointing Authority and the Redistricting Commission to put in place procedures to ensure that Alternate Commissioners are well prepared to assume Commission duties if necessary.

RECOMMENDATION 12:

The Redistricting Commission should conduct pre-map public hearings in each of the eight (8) Council districts in April after the Census population data is received, receive maps submitted by the public immediately following the public hearings, and reserve a full two months, May and June, for review of the public maps submitted and development of the Preliminary Redistricting Plan.

The Year 2000 Redistricting Commission began the pre-map public hearings in late April. At two per week, the eight (8) hearings were concluded in mid-May. Although somewhat burdensome for Commission members and not required by the City Charter, most felt the public appreciated the Commission's accessibility in conducting meetings in each Council district; this practice should be continued.

The Preliminary Redistricting Plan was adopted on June 29 but the Commission felt there was inadequate time to fully consider all the public testimony, explore options and develop a well thought-out preliminary plan. There was too little time for compiling and studying data, and for thorough analysis and discussion of the effect of each boundary move on various communities. Further, the Commission will need to allow time between the pre-map meetings and adoption of the Preliminary Plan to conduct specific outreach to nonparticipating sectors of the community if all views are to be considered.

The due date for acceptance of maps created by the public was set in late July after the conclusion of the post-map hearings. Commissioners felt that receiving maps after the adoption of the Preliminary Plan precluded serious consideration

of these maps. Further, since the public had already responded to the Commission-drawn preliminary map, it was too late for public response to any significant deviations between the preliminary and final plans.

RECOMMENDATION 13:

The Redistricting Commission should make early decisions on accepting redistricting plans created by members of the public.

The Commission should make early decisions on whether or not it will consider maps created by the public and, if so, what information, data and assistance will be provided in what formats, when and under what conditions such plans will be received and considered, and whether and how such plans will be made available to the general public.

The Year 2000 Redistricting Commission decided late in the process to receive plans created by the public. A paper "Redistricting Kit" containing all the necessary data, maps and instructions was provided, advertised on the Commission web site and distributed to those who requested it. As well, interested "mappers" were invited to schedule map development sessions using the Commission's redistricting software with staff assistance. Although the scheduling of these sessions proved difficult for the Commission's Technical Specialist who was busy with other redistricting tasks, several members of the public took advantage of this option and the Commission eventually considered 10 redistricting plans submitted by public members.

The Commission considered putting redistricting software on computers in City libraries or Community Service Centers, and also considered purchasing software that would allow public members to create redistricting plans via the internet. However, logistics and cost factors precluded adoption of these methods.

RECOMMENDATION 14:

The Redistricting Commission should contract for Recorder/Transcription services, particularly at the onset of the map development meetings.

The minutes of Redistricting Commission proceedings is an important reference both to Commissioners as they prepare for subsequent meetings and to the public in the preparation of future testimony. Although the City Charter requires the Redistricting Commission to utilize City staff as much as possible, taking the minutes of Commission meetings should be contracted to a firm that can produce transcript quality minutes in a short turn around time.

The Year 2000 Redistricting Commission utilized staff Legislative Recorders from the Office of the City Clerk. There were four Recorders who took turns taking the minutes of Commission meetings and preparing them for Commission approval on an overtime basis. Although the Recorders are to be commended for their exemplary volunteer service, because they retained their normal job responsibilities they were not able to produce the minutes as quickly as needed by Commission members or the public who needed to promptly review the minutes to prepare for the next meetings. During the height of Commission activity when the Commission convened several meetings each week, some minutes were not produced for weeks.

There is also a need for consistency in minute-taking and both Commissioners and the public expressed a need for transcript quality minutes, i.e., more than summaries of what was said but less than court reporter quality where every word is recorded. Again, the Recorders did a commendable job in attempting to meet this need but this requirement overextended the Recorders and was the main cause for the delay in receiving the minutes for Commission approval.

RECOMMENDATION 15:

The City's Video Services staff should televise all "map development" meetings following the pre-map public hearings.

All Year 2000 Redistricting Commission map development meetings were televised live on City Access Television and rebroadcast at various times for the viewing convenience of the public. Commission members felt that televising these meetings was most significant in providing an open redistricting process. As well, public participants felt that televising the meetings was a convenient way for the public to monitor the redistricting proceedings.

RECOMMENDATION 16:

The Redistricting Commission should access and analyze socioeconomic and voting data as alternate sources of information to establish identifiable communities of interest; the Redistricting Commission should not rely on public testimony alone.

Establishing communities of interest is an important concept in redistricting. There are many bases for establishing these as they may be based on public perceptions or grounded in voting pattern or socioeconomic data. To augment public testimony, the Redistricting Commission should examine such factors as median household income, housing values, educational attainment, business counts and other socioeconomic information (that may not yet be available from the Census) as well as election results, political registration and other voting pattern data to establish communities of interest.

Year 2000 Commissioners struggled with the public testimony they heard and with how to value “communities of interest” concepts in making boundary decisions. Some Commissioners believed the process placed too much emphasis on recognizing communities of interest based on traditional planning groups. This may have resulted from staff’s initial choice of Planning Department designated community planning areas and Police Department neighborhood policing areas as educational tools during the initial public hearings. As a result of these choices, other bases for analyzing communities of interest, e.g., school districts and socioeconomic considerations received little attention. Commissioners wondered how much weight to put on public testimony as compared to other information sources, how much of the public testimony was accurate and how much of it skewed by community activists who knew better than others how to “work the system”. They were concerned that planning groups did not represent all interests and asked how much weight should be given to the testimony of organized groups vs. that of individuals, how, even, to know the difference. Several Commissions felt that the term “communities of interest” lost it’s meaning as all speakers eventually claimed to represent one; the differences between “community of interest” and “interest group” became blurred. Finally, some Commissioners felt the public testimony was “overwhelming”, while others said it was “redundant” to hear the same speakers give the same testimony over and over.

In the case of the Year 2000 Redistricting Commission, there was too little time between the pre-map public hearings and the target date for adopting the preliminary map to compile, analyze and discuss alternate sources of information and the effects of boundary changes on all communities. As a result, Commission decisions usually mirrored what the most people said they wanted. While this resulted in a Redistricting Plan that was well received by the activist participants in the process, the Commissioners themselves felt a constant tension between doing what they thought was “right” vs. doing what those providing testimony requested.

Future Redistricting Commissions can better understand what to expect by studying the proceedings of the Year 2000 Redistricting Commission early in the process and by making decisions prior to the public hearings as to what information and data they want to consider.

RECOMMENDATION 17:

The City Attorney should give confidential and sensitive advice to members of the Redistricting Commission in private to avoid providing “ammunition” to potential litigants.

California public meeting law requires that, except under specific circumstances, all business of the Redistricting Commission is to be conducted in public. In an environment where redistricting law is continually evolving, the Commission must establish a legally sound record of its proceedings and strong justification for its decisions. Recognizing that members of a citizen commission may not be accustomed to carefully guarding their words in public, their attorney needs a way to provide counsel without publicly exposing mistakes or flaws to potential litigants. This could best be accomplished by having the City Attorney provide advice individually to Commission members in a manner that would not run afoul of open meeting requirements.

RECOMMENDATION 18:

In the conduct of the public meetings, the Redistricting Commission should restrict the role of members of the City Council to no more than that of other residents, be mindful of the appearance of conflicts of interest on their own part, and foster a fair and respectful meeting decorum.

The conduct of the public meetings is as important aspect in cultivating public trust in the redistricting process and respect for the Commission’s decisions. The Chair can ensure fairness by calling speakers in the order they sign up to speak and by allowing each an equal amount of time.

Both Commission members and the public will recognize that members of the City Council will have great interest in the redistricting process and outcome, and that Council members have valuable and intimate knowledge of their districts. Members of the Redistricting Commission will need to carefully balance the need to solicit the opinions of elected officials against the need to guard against the appearance of undue influence by members of the Council. The Commission can best protect its independence by not allowing Council members more public meeting time or more access to information than other residents.

As well, Commission members must be mindful of the appearance of conflicts of interest on their own parts. Individuals are likely appointed to the Redistricting Commission in part because of their involvement in community activities and organizations. When organizations with which they are involved take positions before the Commission, the Commissioners should clearly declare their involvement to avoid compromising the integrity of the redistricting process. Further, to

protect the impartiality of the process, Commissioners should avoid advocating the positions of the Council districts where they reside.

To maintain appropriate decorum, the Chair should set clear ground rules for those participating in the public meetings. Applause, booing, intimidating or harassing behavior is unacceptable and detracts from the professionalism of the redistricting process.

Appendix C

Recommended Work Program and Timeline

TASK LIST	COMPLETION DATE
City Clerk prepares/submits preliminary Commission Budget to City Manager	Dec. 2009
Census 2010	April 2010
City Clerk Solicits Applications for 2010 Redistricting Commission Members	July
Appointing Authority Selects Commission Members and Alternates	September 1
City Manager Appoints Liaison to Redistricting Commission	September
Commission Organizing Meetings (See Recommendation 10)	Sept., Oct.
Commission Subcommittee Meets with City Manager	October
Recruit, Interview, Hire Commission Director	Oct., Nov.
Director, Manager's Liaison Establish Commission Offices	December
Prepare RFPs for Legal Counsel, Redistricting & Outreach Consultants	December
Commission Director Hires Technical Staff and Secretary	January 2011
Commission Hires Legal Counsel, Redistricting & Outreach Consultants	Jan., Feb
Commission Workshops with City Staff, Legal Advisors, Consultants	Nov. - March
Software Purchasing Decision and Staff Training	Feb., March
Obtain Voting Pattern, Socioeconomic Data for Commission Consideration	February
Schedule, Plan & Community Outreach for Pre-Map Public Hearings	Feb., March
Develop Commission Website	Feb., March
Contract for Transcription Services	March
PL 94-171 City Population Data File Received	April 1
Conduct Pre-Map Public Hearings in Council Districts	April
Obtain, Manipulate Population Data by Council District; Load Data to Computers	April
Due Date for Receipt of Public Maps	June 1
Develop Preliminary Redistricting Plan Options (Televised Meetings)	May, June
Schedule, Plan & Community Outreach for Post-Map Public Hearings	May, June
Adopt and File Preliminary Redistricting Plan with City Clerk	July 1
Conduct Post-Map Public Hearings in Council Districts	July
Final Redistricting Plan Discussions	August
File Final Redistricting Plan and Related Documents with City Clerk & Registrar of Voters	September
End Tasks, Final Report and Recommendations, Close offices	Sept. - Dec.

Appendix D

Results of Redistricting Satisfaction Survey
Number responding = 35

1. Did you attend any Year 2000 Redistricting Commission (Y2kRC) meetings?
[17] at City Hall [19] in your community [9] in another community [11] no

2. Did you provide public testimony for the Y2kRC?
[20] in person [23] by e-mail [7] fax or letter [1] signed a petition [4] no

3. Did you watch Y2kRC meetings on television?
[5] 1-2 times [6] 3-5 times [16] 6 times or more [8] no

4. How did you learn of Y2kRC meetings?
[11] City website [14] direct mail [12] City Council office [11] friend/relative
[16] news media [18] neighborhood/community organization

5. Were there obstacles that prevented your participating in Y2kRC meetings?
[9] time [3] location [4] notice [5] other (health) [16] no
"Notification was extremely poor."

6. Did you utilize Spanish language services or materials provided by Y2kRC?
[1] yes [34] no

7. Did you visit the Y2kRC web site?
[14] for agenda [14] for meeting minutes [21] for other information [11] no

8. Was the information on the Y2kRC website useful?
[7] excellent [10] good [3] fair [2] poor
"Could not get info needed on web site (i.e. TV schedule)"

9. Were the maps and written materials presented at Y2kRC meetings useful?
[18] excellent [11] good [6] fair [0] poor
"Maps looked good. Not detailed enough to see detailed changes. Couldn't tell what the Commission was really trying to do."

10. Were you satisfied with cable tv and other media coverage of the Y2kRC?
[10] excellent [13] good [6] fair [1] poor

11. Did you feel you had a good understanding of the redistricting principles the Y2kRC used in redrawing council district boundaries?
[13] excellent [15] good [3] fair [1] poor

"Principles were ok. Did not appear that the Commission followed them."

12. Did you feel it was a good idea for the Y2kRC to develop the map options in public session?

[17] excellent [15] good [0] fair [0] poor

13. Did you feel the Y2kRC listened to and fairly considered the public's view?

[9] excellent [9] good [12] fair [3] poor

14. Was the time allotted by the Y2kRC for public comment?

[0] too much [6] too little [23] just about right

15. Was the time allotted by the Y2kRC for public comment by elected officials?

[10] too much [2] too little [17] just about right

16. What should the 2010 Redistricting Commission do differently?

- "Create boundaries more reflective of neighborhood communities."

- "Have an impartial chairperson who LISTENS to public testimony but doesn't comment to everything said. No rebuttals from the chair, thank you LISTEN."

- "Make sure City staff is familiar with map software before starting."

- "The procedures of the commission worked well enough, but the political agendas of some of the commission members was a problem, so the next commission should select members who are unbiased and invite applicants with political agendas to present their opinion to them as testimony."

- "Have speakers appear in the order which they signed in."

- "Should make good maps available to the public over the internet, over Access TV, and at the public meetings. It's great that you had 78 TV broadcasts over Access TV, but I didn't know about any of them or I would have watched them. The Redistricting Commission lost credibility at the end, and I felt they were biased and weren't really listening to the public any more. I thought the Commission members were just going to do whatever the consultant in Berkeley told them to do, as there would not be enough time for anyone to counter their findings before the Commission had to make their decision."

- "Nothing, it was a good mixture of talents and expertise."

- "Needs to give the public sufficient time/notice of the agenda. The newspaper is the best way to inform the public. Limit participation of the politicians."

- "It seemed from watching the televised meetings that the Commission was not clear to the charged objectives and what priority to place on directives given to them. I thought it was a scary process to watch a few strong speakers try to dominate the group. It was frustrating to listen to arguments made and later negated as someone would redirect the Commission toward an objective. I do not think the Commission was particularly educated as to their charge. I think they are very dedicated volunteers and their service commendable. At the community meetings, certain individual speakers were favored over others. It was apparent that some speakers had established relationships with Commission

members. In fairness, every organization and individual should have time to speak without limitation other than the same limitations placed on every other organization and individual speaker."

- "The Commission should reflect the ethnicity proportions of the city. The opinion of elected officials should have less effect on decisions."

- "The Commission did a fabulous job, given the vast amount of special interest groups with which they were faced. The only thing that disappointed me was how the boundaries were gerrymandered at the end of the process. I understand the politics surrounding the ultimate decision, but shame on those that forced the decision. If the Redistricting Commission could refuse to bend to the special interest groups intent on creating oddly shaped boundaries to serve their own ends, that would be best for all."

- "Insure that minority group leaders better participate in the public forums."

- "It should be abolished and put back into the hands of the City Council. There were more politics on the commission than could ever be found at City Hall."

- "Make sure all info is posted within 24 hours on the web after any public meeting. The City should have an urgent posting method for the website and key public processes, thus calling short term special meetings should qualify."

"Need a better balance of members. There was only one white woman, with the remainder made up of minorities. This resulted in a heavy slant toward perceived problems rather than actual needs. The minority groups all lobbied for their interests, rather than the city needs. This created unnecessary squabbles."

- "Provide more time for public speakers."

- "Take into consideration all of the various districts' comments and review them all at the same time, as opposed to allowing the comments that are brought in the last meeting to be the final accepted comments."

- "Redistricting staff should present better ideal or draft maps earlier in process."

- "I was satisfied."

- "Contact all Community Councils, Planning Groups and other community groups for a meeting about those communities. They are the best resource for redistricting."

- "Continue to consider the opinions of the council district residents."

- "Encourage more senior citizens to speak and be included."

- "The format was clear. Good for all of us."

17. *What information did you want/need that was not available?*

- "I would like to see a chronological listing of all motions, a reference or link to where on the Web to find the applicable minutes, and how each commissioner voted on those motions."

- "Not any."

- "None."

- "Information on voting patterns and income (HUD CDBG eligible areas) should be presented."

- "Maps. There weren't enough detailed maps to go around that explained for that particular community what the changes were that affect them specifically."

Therefore, we had to always compare one map with another to identify where the changes were made (if any)."

- "None."

"Rapid update of maps & minutes on web site after each meeting."

- "None, everything was clear and concise."

- "Did not understand the reason or justification why Rancho Penasquitos and Mira Mesa were not merged into same district."

- "I would have liked feedback from the Commission as to what they considered relevant and irrelevant. Perhaps at points in the discussion they could address the speaker's comments to that point by referencing comments and stating that those comments were not applicable or were particularly compelling. I think it would eliminate some further commentary on irrelevant issues and would redirect the public to pertinent remarks."

- "The minutes of some of the most important meetings were not made available on the internet. The maps did not show street names and so were extremely hard to interpret."

- "Good reliable TV schedule. Good detailed maps – showing subtle changes. Meeting in MY neighborhood at a reasonable time."

- "We had all the information that we wanted and needed thanks to the various publications and news reports."

- "Real census information. Maps without police beats."

- "Would be good to have a tool to input your zip code and find out if you're impacted by the redistricting. I live right on the boundary of a census tract that did eventually get moved and it was not always easy to determine where the line was being moved around my block."

- "An alternate plan for establishing new districts, etc. What can be done during the next 10 years that would address some of the concerns noted by the commission hearings."

- "Better proposed district maps."

18. Do you think the 2001 redistricting process worked better than past redistrictings?

[20] yes [5] no Why?

- "Yes, more public involvement."

- "I did not live in San Diego at that time."

- "Yes, because it was less political with more citizens involved."

- "Yes, citizens doing it, not elected officials."

- "Yes, more exposure."

- "Yes. The new procedure avoided the Gerrymandering that almost always occurs when politicians create their own districts. In the end, the commission adopted a reasonable plan."

- "The Commission acted politically by attempting to please the public rather than enfranchising the disenfranchised."

- "Cannot comment due to no involvement before."

- "Tough question. 80% of the 2001 redistricting process worked better than past

redistrictings by the way it was organized. 20% of the process was unchanged by the fact that the process still makes allowances for the person or group who gets the last word in at the last meeting to have their position recorded as the final without a means for contacting the opposing view to establish a reasonable agreement."

- "Diligent commissioners, except for some whose biases became so strong that they lost the respect of the average viewer. Very open process allowed for total involvement. No closed doors means never having to be sued."

- "Process was open to the public. More sophisticated software made map changes easier to draw. City council members were not the ones making the changes."

- "I do not think they had the background necessary to tackle this endeavor. I think it is easy to get caught up in the public aspect of this process and look more toward the media (i.e. limelight) and to champion causes to the detriment of the whole. We almost ended up with two Councilmembers representing the same district. The resolution of that conflict could have been burdensome and would wholly disenfranchise voter expectations. It is important to both meet objectives and leave the impression with the public that objective reasoning and practical considerations have contributed to the final analysis. It is unrealistic to act in such a capacity that ignores voter expectations wherein one Councilmember had just taken office in a particularly tight race. There should be both the appearance of objectivity and actual objectivity but that should always be tempered by pragmatic and practical considerations."

- "The Commission finally realized that the residents of the city are the most important people to please. It is our city and the politicians' needs were (after a short hiccup) placed in the background."

- "Because the City Council was kept out of the final decision."

- "No answer. Wasn't here in 1990."

- "There were more politics on the commission than could ever be found at City Hall."

- "The appointee system seems to have gotten the biased political party interests mostly out of direct decision making as happened at the County. The politicians were given the fair chance to make their case and it was responded to."

- "Yes, community considerations were taken into account."

19. Do you think the 2001 redistricting process was too political?

[18] yes [10] no Why?

- "Much LESS political than in the past, but some politicians and the Union-Tribune painted certain very well-thought-out decisions as being "political" when they themselves were doing the mudslinging. Very ugly and unnecessary on the part of the press and the politicians."

- "On several occasions it looked as if steadfast positions were made along political lines without in-depth thought or true understanding of the issues."

- "Some political representatives were wrong in their comments."

- "20% yes for the reason stated above; 80% no."

-“Each council member was given the opportunity to state his/her case. The emphasis was on the working relationship of the district, i.e., how the residents had organized their interests or guarded against infiltration of undesirable venues.”

-“The Redistricting Commissioners placed the views of the already enfranchised voters who have been electing representatives before the principle of increased racial minority voters.”

-“Too much public comment from elected officials while the process was on going. Politicians pushed their personal agenda, not what was in the best interests of the district.”

-“Districts were not drawn to ensure that neighborhood communities were able to exercise their power to secure what they need from the city to thrive.”

-“No. Why? It appeared to me that the Commissioners were sincerely trying to determine what would be best for the communities that comprise San Diego and balance the concerns and needs of the various communities without concern for politics (to the degree possible). It did seem to me that the Commissioners were nearly overcome by an attack of political correctness that would have run counter to the greater good of several communities. However, in the end, they resisted the urge to do something dramatic and instead addressed the simple, clear-cut needs of communities in a straight forward and sensitive manner.”

-“It was political in that Commission members had no experience in addressing the public on such a magnitude and were unable at times to separate themselves from the public aspect of the process.”

-“It began by being too political, but to their credit, the commissioners managed to put things into perspective as time went by.”

-“The Commission bent at the 11th hour, and gerrymandered the boundary. That said, in most areas, the Commission did the right thing and largely refused to bend to special interest groups. Overall, I think they did a great job!”

-“Yes, in a very funny way. It seemed like the commission didn’t listen to anyone during the process and got everyone angry, including the council members. They were very stubborn until the public protest got loud enough for them to hear it.”

-“Not sure. Didn’t seem so but one never knows.”

-“There were more politics on the commission than could ever be found at City Hall. The commission parroted the City Councilmembers’ positions rather than citizen testimony.”

-“Because it’s the ultimate political process.”

20. Do you think the number of city council districts should be increased?

[15] to better represent the city's many communities of interest

[13] to reduce the number of people represented by each council member

[8] to make council districts more geographically compact

[2] for other reasons

[14] no

"No. The City Council already has a hard time making decisions. I think it would be even harder if we increased the number of Council seats."

"Yes, but not to specifically provide a district for one community of interest. I think the number of districts should be increased if the size of the current districts is such that it is difficult for Councilmembers to manage so many constituents. Then, at such time that the number were increased, consideration should be given to representation of various communities of interest."

"Not sure yet – will listen to arguments on each side."

"I believe that the primary purpose of each council member is to represent their district's needs and not cater to "Downtown Goals"."

"More council members means more and larger staff(s). Some 40 years ago council meetings were in the evening which permitted the working people to attend. This should be reinstated for final decisions on important or costly programs that have left the public without major input and resulted in unnecessary cost burdens on the city."

21. What other comments do you have about the 2001 redistricting process?

- "The money used for the process would have been better used to help repair the city's infrastructure."

- "I was satisfied with the results. If we didn't still have Maienschein I may not have been so satisfied."

- "The two ladies on the commission should take political science and civic classes in order for them to understand the dynamics involved in such an important process."

- "Make adequate provision to appoint the members of the survey committee. Arrange for appointments from local community councils. Arrange for candidates to address community groups. Restrict assignments to exclude potential political candidates or persons with dedicated opinions, e.g., B.B.B., CEOs, etc."

- "I felt the Committee (sic) was fair, listened intently, asked citizen leaders about their communities. Did the best job they could do for each community. In the future each Council District should be represented on the Committee (sic) so that they are familiar with the areas being discussed. Thank you for all your work."

- "Although the process was free of the type of politically self-serving problems that we have seen with most other redistrictings, it was far from apolitical. The commission members should be experienced, but unbiased. Most of the commissioners were, but the exceptions were a serious problem. The support staff for the commission was excellent both at providing information to the commission and in communicating with the public."

-“The Commission split City Heights racial minority so that they will be unable to elect a representative. The Commission favored keeping the status quo over empowering San Diego's non-white population.”

-“Do a summary of what happened now, so that ten years from now that redistricting body knows WHY things were done. The remembering of the “why” will be important, since by then there will be new mudslinging about the biases on the past commission. Post that summary on the Web NOW. Always, at the start of every redistricting meeting, post the mission and the legal goals of the redistricting group. At the meetings I went to, it helped keep the target in mind.”

-“The map we ended up with was the right one. Thank heavens the city did not display the same strong political bias as demonstrated by the county.”

-“Very impressed with organizational skills of Staa Heshimu, Director, Year 2000 Redistricting Commission.”

-“I was extremely impressed with the Commissioners; my admiration for them is tremendous. They consistently treated the public with respect, courtesy, and even kindness. They struggled with complex issues for which there was no one right answer. They persisted when the rest of us were too tired to think about these things any longer. The generosity with which they gave of themselves in service to our City is mind-boggling. I hope that the City will do something very special to thank them for their service.”

-“Will you be back to do it again? Thank you for your commitment, assiduousness and time. This was not easy, however, each person on the board showed professionalism and dedication to the job at hand. Thank you again!”

-“It is always hardest to be first. Although I disagree with many things the commission said and did, I think that they used this as a learning experience and flourished as time went by. They were open to discussion, interpretation and were big enough to realize when they needed to change their minds on a subject. They have my respect for a very difficult job well done.”

-“I attended two Redistricting Commission hearings, and spoke at both. The Commissioners were tasked with a HUGE job, and conducted themselves with dignity, fairness and colossal patience. I give them a tremendous amount of credit for a job well done. KUDOS to you all!!!”

-“It was all handled especially well. The Commission was responsive to most speakers' desires and comments.”

-“More local meetings and an accurate TV schedule. More updated web site with accurate and detailed maps. A Commission that listens to people from the beginning and understands what they are trying to do and why. A better organized staff to implement the process. I heard a lot of frustrated citizens complaining about the lack of convenient meetings and that when they did attend they were not listened to. Why hold the public meetings if this commission didn't want the input (this is how it appeared). The City Council members were also complaining. Seems like we need a better commission.”

-“We have no other comments. We were quite satisfied by the entire effort and, in particular, the patience and quality of the commission membership at the meetings.”

-“It would be nice if the Redistricting Commission members weren’t selected based upon race, nationality, and sex. Education and experience are much better attributes for selecting members.”

-“The commission was formed by political appointment. The allegiance of each member was clearly evident. Their unwillingness to give credence to public testimony until it was repeated many, many times at each public meeting was ludicrous. It is a shame that interested people or their friends and cohorts had to attend each meeting regardless of district, place or time in order to get the attention of the commission. However, at each meeting the commission requested that people with the same statements either combine or signal support – and then ignored them. It appeared that finally towards the end – when the commission was baffled by hard facts and still had no idea of who or what comprised existing districts – they had no other choice than to listen to the citizens who lived, worked and played in the districts they were supporting. The technology, or lack of technology used by the commission for maps, etc. was ridiculous. The amount of time wasted trying to bring up census tracts and statistical data related to the census tracts was criminal. It wasted the commission’s time and the public’s. The City obviously was not prepared either financially or technologically to do the job.”

-“All in all, much better than the County’s!”

-“The city effort was far superior to the county redistricting fiasco. The county failed to listen to it’s committee recommendations and voted according to biased, petty political reasons. Do whatever you can to keep the likes of Ron Roberts and Bill Horn out of city politics.”

Appendix E

BYLAWS & OPERATING PROCEDURES of the CITY OF SAN DIEGO REDISTRICTING COMMISSION

ARTICLE I. Name and Purpose

Section 1. The -name of this commission is the CITY OF SAN DIEGO REDISTRICTING COMMISSION, hereinafter referred to as the Commission with each member registered to vote in the City of San Diego. All of the activities of this Commission will be conducted in its official name.

Section 2. The sole and exclusive authority to adopt plans which specify the boundaries of districts for the City Council is vested in the Commission. After the decennial census, the Commission will adopt plans that redistrict the City into eight (8) Council Districts designated by 1 to 8 inclusively. Those districts will be used for all elections of Council Members, including their recall, and for filling any vacancy in the office of members of the Council. No change in the boundary or location of any district by redistricting as herein provided will operate to abolish or terminate the term of office of any member of the council prior to the expiration of the term of office for which such member was elected.

Districts formed will each contain, as nearly as practicable, one eighth (1/8) of the total population of the City as shown by the Federal census immediately preceding such formation of districts.

Section 3. It is the pledge of the Commissioners to perform its duties to ensure fair and equitable Redistricting for all racial, ethnic and language minorities, and be in conformance with the requirements of the U. S. Constitution and Federal Statutes as amended.

Section 4. To the extent it is practical to do so, districts will preserve identifiable communities of interest; be geographically compact, populous contiguous territory will not be bypassed to reach distant populous areas; be composed of whole census units as developed by the United States Bureau of the Census; be composed of contiguous territory with reasonable access between population centers in the district, and not be drawn for the purpose of advantaging or protecting incumbents.

Section 5. Positions and opinions of the Commission will not be established or determined by any other criteria than contained in Section 5. of the San Diego Charter, amended by Proposition C, June 1992.

ARTICLE II . Commissioners

Section 1. Memberships of the Commission will be composed of seven (7) persons who have been appointed by three retired Judges of the Superior Court, San Diego Judicial District, drawn at random by the City Clerk pursuant to the San Diego Charter amended by Proposition C, June 1992.

Section 2. The Judges will appoint women and men who will give the Commission geographic, social and ethnic diversity, and who in their judgment, have a high degree of competency to carry out the responsibilities of the Commission. The appointees will include individuals with a demonstrated capacity to serve with impartiality in a non-partisan role.

Section 3. Any vacancy in the Commission which occurs after the Commission is constituted will be filled within seven (7) calendar days by the same procedure and using the same same criteria as the appointment of the initial Commissioners.

Section 4. Any vacancy created by continuous absences (without approval of the Chair) will not exceed three (3). Upon such occurrence the Commission, by majority vote, can recommend to the appointing authority, removal of the member for cause.

ARTICLE III. Officers

Section 1. Officers will include a Chair and Vice Chair.

Their duties are as follows:

The Chair will convene and conduct regularly scheduled and/ or special Commission meetings, order committee meetings and other activities germane to the Commission.

All public statements will be expressly the responsibility of the Chair and any inquiries will be directed to his attention. The Vice Chair will chair meetings and duties in the absence or instruction of the Chair.

Section 2. The Commission will employ a Chief of Staff by 5 aye votes who will serve at the Commission's pleasure, exempt from Civil Service, and will contract for needed staff, technical consultants and services, using existing City staff to the extent possible.

ARTICLE IV. Meetings

Section 1. Commission meetings will be open to the public and all records and data will be available at no charge to the public for inspection in the office of the City Clerk during normal Business hours. Copies of Records and plans shall be provided, for a reasonable fee, for any interested person.

Section 2. The Chair will establish regular and special meetings according to the requirements of and activities of the Commission and provide notices to the public thereof.

Section 3. The Commission shall make every reasonable effort to have meetings to afford maximum public access to its proceedings. It will solicit public comment and will hold at least four (4) public hearings in various geographic areas of the City before the preparation of a preliminary Redistricting plan.

Section 4. Within sixty (60) days after the Commissioners are appointed, the Commission will adopt a budget and submit it to the Appointing Authority. If it is approved it will be forwarded to the City Council for its consideration. The City Council shall appropriate adequate funds to the Commission and to the City to carry out their duties.

Section 5. At least thirty (30) days prior to the adoption of the final plan, the Commission will file a preliminary plan with the City Clerk, along with a written statement of findings and reasons for adoption which includes notation of all criteria employed in the process and a full analysis and explanation of decisions made by the Commission.

Section 6. During the thirty (30) day period after the filing, the Commission will hold at least three (3) public hearings in various geographic areas of the City before it adopts a final plan. Upon approval of the final plan, the Commission will adjust the boundaries of any or all of the Council districts of the City pursuant to the final plan. This Final Redistricting Plan will be effective thirty (30) days after adoption and will be subject to the right of referendum in the manner as are ordinances of the City Council. If rejected by referendum, the same Commission will create a new plan pursuant to the criteria set forth in Sections 5 and 5.1.

ARTICLE V. Policies

Section 1. Decision for comportment or action of the Commission will be by majority vote of members representing a quorum attending the meeting.

Section 2. Commissioners will request acknowledgment from the Chair to speak to an issue.

Section 3. Commissioners are expected to attend all meetings.

Section 4. Persons who accept appointment to the Commission, at the time of their appointment, shall file a written declaration with the City Clerk stating that within five (5) years of the Commission's adoption of a Final Redistricting Plan, they will not seek election to a San Diego City public office. The members of the Commission will serve until the Redistricting plan is adopted and becomes effective and all legal and referendum challenges have been resolved.

Section 5. To avoid conflict of interests, all Commissioners will be governed by the highest standards of conduct regarding action or decisions on issues of Redistricting matters which may be of personal or financial benefit to themselves, members of their immediate or extended family and associates under California Code of Reg. H 1837., Conflict of Interest.

Section 6. In order to further avoid possible conflict of interest, Commissioners will not engage in independent discussions regarding Redistricting matters with attendees at public hearings at any location.

ARTICLE VI, Amendments

Section 1. These Bylaws may be amended by majority vote of the Commissioners and be submitted to the Chief of Staff to be sent out with regular Commission notices.

These Bylaws were approved at a meeting of the
CITY OF SAN DIEGO YEAR 2000 REDISTRICTING COMMISSION

Appendix F

SAN DIEGO CITY CHARTER, ARTICLE II - NOMINATIONS AND ELECTIONS (only those sections related to Redistricting)

SECTION 4. DISTRICTS ESTABLISHED.

For the purpose of electing members of the Council the City shall be divided into eight Districts as nearly equal in population as practicable. For the municipal primary and general election in 1965, the boundaries of the eight council districts shall be established by the City Council as such Council was elected at the municipal election in 1963. Thereafter the boundaries of such districts shall be subject to alteration and change under the provisions of this Charter.

In any redistricting plan adopted by the Redistricting Commission pursuant to Section 5.1 or ordinance adopted by the Council establishing, changing or altering the boundaries of any Council district, the redistricting plan or ordinance may describe the new boundaries by reference to a map on file in the office of the City Clerk; a metes and bounds description of the new boundaries need not be contained in said redistricting plan or ordinance.

SECTION 5. REDISTRICTING.

In the event that any voting precinct which may be established at the time this Charter takes effect or which may be thereafter established is partly within two or more such districts, said precinct shall be allocated to the District in which a majority of the voters within such precinct resides, and said district boundaries shall be changed accordingly. The City shall be redistricted pursuant to Section 5.1 of this Charter at least once in every ten (10) years, but no later than nine months following the receipt of the final Federal Decennial Census information.

Any territory hereafter annexed to or consolidated with The City of San Diego shall at the time of such annexation or consolidation be added to an adjacent District or Districts by an ordinance of the Council. However, if any territory annexed, deannexed or consolidated upsets the approximate equality of the populations of the established districts, a redistricting shall be conducted pursuant to Section 5.1 of this Charter, except that the nomination period for appointment to the Redistricting Commission shall commence on the July 1 immediately succeeding the annexation, deannexation or consolidation and the Redistricting Commission shall be constituted no later than the next November 1.

In any redistricting, the districts shall be comprised of contiguous territory and made as equal in population as shown by the census reports, and as geographically compact as possible, and the districts so formed shall, as far as possible, be bounded by natural boundaries, by street lines and/or by City boundary lines.

SECTION 5.1 REDISTRICTING COMMISSION.

The members of the City Council shall be elected by districts, as follows:

Subject to the provisions of the City Charter relating to referendum and initiative powers of the people, the sole and exclusive authority to adopt plans which specify the boundaries of districts for the City Council is vested in the Redistricting Commission, to be established by this Section.

Commencing in the year following the year in which the national decennial census is taken under the direction of the United States Congress at the beginning of each decade, the Redistricting Commission shall adopt plans that redistrict the City into eight (8) Council districts designated by numbers 1 to 8 inclusive. Those districts shall be used for all elections of Council members, including their recall, and for filling any vacancy in the office of member of the Council, subsequent to the effective date of this Section (and until new districts are established).

No change in the boundary or location of any district by redistricting as herein provided shall operate to abolish or terminate the term of office of any member of the Council prior to the expiration of the term of office for which such member was elected.

Districts formed by the Redistricting Commission shall each contain, as nearly as practicable, one-eighth of the total population of the City as shown by the Federal census immediately proceeding such formation of districts.

Each redistricting plan shall provide fair and effective representation for all citizens of the City, including racial, ethnic, and language minorities, and be in conformance with the requirements of the United States Constitution and Federal statutes.

To the extent it is practical to do so, districts shall: preserve identifiable communities of interest; be geographically compact--populous contiguous territory shall not be bypassed to reach distant populous areas; be composed of whole census units as developed by the United States Bureau of the Census; be composed of contiguous territory with reasonable access between population centers in the district, and not be drawn for the purpose of advantaging or protecting incumbents.

The Redistricting Commission shall be composed of seven (7) members who shall be appointed by the Presiding Judge of the Municipal Court, San Diego Judicial District. In the event that the Presiding Judge declines to make the appointments, they shall be made by a Municipal Court Judge selected by vote of the Judges of the Municipal Court, San Diego Judicial District. Should the Judges of the Municipal Court decline to so act, then the Redistricting Commission shall be appointed by a panel of three retired Superior Court Judges drawn at random by the City Manager in the fashion described in Penal Code sections 900(a) and 902. In the event that all of the preceding individuals decline to act, then the Redistricting Commission shall be appointed by a majority vote of the City Council in the fashion set forth below. The term "Presiding Judge," as used herein below, shall include any person or any body acting to appoint the Redistricting Commission pursuant to the provisions of this paragraph.

The City Clerk shall solicit nominations for appointment to the Redistricting Commission in accordance with this Section and shall distribute to the news media the announcement of a thirty (30) day nomination period (which shall commence on July 1, 2000, and on July 1 of every year in which a national decennial census is taken) and the guidelines for selection of Commission members.

Individuals or organizations desiring to nominate persons for appointment to the Commission shall do so in writing to the City Clerk within the nominating period. The City Clerk shall transmit the names and information regarding all nominees with the names of nominating individuals and organizations to the Presiding Judge immediately upon the close of nominations. The Presiding Judge shall appoint the members constituting the Commission no later than November 1, 2000, and on November 1 of every year in which a national decennial census is taken. The Presiding Judge shall appoint women and men who will give the Redistricting Commission geographic, social and ethnic diversity, and who, in his or her judgement, have a high degree of competency to carry out the responsibilities of the Commission. The appointees shall include individuals with a demonstrated capacity to serve with impartiality in a non-partisan role.

Each member of the Commission shall be registered to vote in The City of San Diego.

Persons who accept appointment to the Commission, at the time of their appointment, shall file a written declaration with the City Clerk stating that within five (5) years of the Commission's adoption of a final redistricting plan, they will not seek election to a San Diego City public office. The members of the Redistricting Commission shall serve until the redistricting plan adopted by the Commission becomes effective and any and all legal and referendum challenges have been resolved.

Any vacancy in the Redistricting Commission which occurs after the Commission is constituted shall be filled within seven (7) calendar days by the Presiding Judge of the San Diego Municipal Court, San Diego Judicial District, following the same procedure and using the same criteria established with this Section and making the selection from the same pool of individuals given consideration for appointment when the Commission was constituted.

Within twenty (20) days after the membership of the Commission is appointed, it shall hold its first meeting at a time and place designated by the City Clerk.

All Commission meetings shall be open to the public and Commission records, data and plans shall be available, at no charge, for public inspection during normal business hours in the office of the City Clerk. Copies of records and plans shall be provided, for a reasonable fee, to any interested person.

The Commission shall elect a chair and a vice chair and shall employ a chief of staff, who shall serve at the Commission's pleasure, exempt from Civil Service, and shall contract for needed staff, technical consultants and services, using existing City staff to the extent possible.

Aye votes by 5 members of the Commission shall be required for the appointment of its chief of staff, the election of its chair, and the adoption of the final redistricting plan and a majority vote of the Commission shall be required for all other actions. A majority of the entire Commission shall constitute a quorum for the transaction of business or exercise of any power of the Commission.

The Commission shall make every reasonable effort to afford maximum public access to its proceedings. It shall solicit public comment and shall hold at least four (4) public hearings in various geographic areas of the City before the preparation of a preliminary redistricting plan.

At least thirty (30) days prior to the adoption of a final plan, the Commission shall file a preliminary plan with the City Clerk, along with a written statement of findings and reasons for adoption which includes notation of all criteria employed in the process and a full analysis and explanation of decisions made by the Commission.

During the thirty (30) day period after such filing, the Commission shall hold at least three (3) public hearings in various geographic areas of the City before it adopts a final plan. Upon approval of the final plan, the Commission shall adjust the boundaries of any or all of the Council districts of the City pursuant to the final plan. Said final redistricting plan shall be effective thirty (30) days after adoption and shall be subject to the right of referendum in the same manner as

are ordinances of the City Council. If rejected by referendum, the same Commission shall create a new plan pursuant to the criteria set forth in Sections 5 and 5.1.

Within sixty (60) days after the members of the Commission are appointed, the Commission shall adopt a budget and submit it to the Presiding Judge. If he or she approves it, it shall be forwarded to the City Council for its consideration. The City Council shall appropriate funds to the Commission and to the City Clerk adequate to carry out their duties under this Section.

If any part of these amendments to Sections 4 or 5 of the Charter or the addition of Section 5.1 to the Charter or their application to any person or circumstances is held invalid, the invalidity shall not affect other provisions or applications which reasonably can be given effect without the invalid provision or application.

Appendix G

Job Description – Redistricting Commission Chief of Staff

BACKGROUND INFORMATION

San Diego is the sixth largest city in the United States with a population of over 1.2 million citizens. San Diego operates under a Council-Manager form of government. The Council consists of a Mayor elected at large and eight Council members elected from districts.

The Redistricting Commission, subject to the provisions of the City Charter relating to referendum and initiative powers of the people, has the sole and exclusive authority to adopt plans which specify the boundaries of districts for the City Council. The Redistricting Commission must abide by San Diego City Charter, Article II, Section 5.1

THE POSITION

The position reports directly to the Redistricting Commission and will perform the following duties:

- (1) Assist the Redistricting Commissioners and provide technical and demographic assistance to analyze and formulate redistricting plans and maps.
- (2) Compile databases of election returns and demographic characteristics at the precinct/census tract level or other unit of analysis, as needed.
- (3) Compile expert reports, studies and court findings pertaining to redistricting.
- (4) Compile cases, statutes, resolutions, reports, learned treatises, etc. reflecting the existence of past and continuing discrimination related to redistricting.
- (5) Produce informational/educational materials relevant to redistricting.
- (6) Work with the City Attorney's Office to obtain legal assistance where necessary to insure compliance with the Constitution, Voting Rights Act, Brown Act, and City of San Diego Charter.
- (7) Select, train, and supervise subordinate staff.

QUALIFICATIONS

The ideal candidate will have the following:

- 1 . Excellent verbal communication, writing and computer skills.
2. Strong knowledge of the City's budget process.
3. Strong management/supervisory skills.
4. Ability to handle multiple assignments and work well under pressure.
5. Be a self-starter with a high degree of initiative.
6. Good judgement, a high degree of political acumen and effective interpersonal skills.
7. Ability to deal with public officials, community leaders, the general public and others in a tactful manner.
8. A working knowledge of the City of San Diego and it's diverse communities.
9. A strong background in municipal government is highly desirable.
10. Relevant experience, education and training which would provide the candidate with the knowledge, skills and abilities required to perform assigned duties.

COMPENSATION

- 1 . Salary to be negotiated and is contingent on qualifications.
2. Generous benefits package available including various retirement savings, health insurance and life insurance options.

SELECTION PROCESS

Those interested in applying for the position should forward a letter of interest, current resume, three writing samples, and the names and telephone numbers of three professional references to: City Clerk's Office, Attn: Bonnie Stone, Elections Analyst, 202 C Street, San Diego, CA 92101 no later than 5:00 p.m. on Monday January 15, 2001. After a review of the submitted materials, a select number of candidates will be invited to participate in an interview.

Appendix H

National Conference of State Legislatures Ten Things My Mother Didn't Teach Me About Redistricting

By Steve Miller, Chief
Wisconsin Legislative Reference Bureau

Delivered at the NCSL National Redistricting Seminar: Plotting the 00s Maps

Denver, Colorado
March 5, 1999

This paper comes from the point of view of a non-partisan redistricting staff that works for all members of the Legislature. My remarks do not necessarily represent the views of either the Mississippi or Wisconsin Legislatures.

Ten years ago, I had never been involved in redistricting--but I was 15 years younger then. I became staff director for Mississippi's redistricting committee in 1988. I suddenly needed to learn many new things. I started attending the NCSL Redistricting Task Force meetings, where I learned a great deal. The Task Force, through its meetings, network and publications, offers the best source of learning about redistricting. Then I learned even more by doing redistricting. Today, I will share some of the things I learned on the job. I will focus on the ten things my mother didn't teach me about redistricting.

1. Know your Mission.

This will help you stay focused on the real business of redistricting. In Mississippi, the mission is: "Draw a legislative redistricting plan according to constitutional standards by December 3, 2001." Read your statute and your state constitution--everyone else will. For example, the Miss. statute authorizes the committee to commandeer staff from other state agencies. It also limits travel reimbursement for committee members to 30 days.

Does your mission include service to the public? Probably not, but some members will want you to act as a public relations office for the Legislature's redistricting effort. You should consider putting a site on the World Wide Web to disseminate basic Census data, precinct maps, redistricting plans, and information about the Legislature's redistricting process.

As part of knowing your mission, you should understand your history. If you're new to redistricting, it will help you to find out what issues emerged in the 80s and 90s redistricting cycle. You may see these again in slightly altered form.

2. Make Hard Decisions Early.

Our first decision was to write our software locally. We did not start planning our system until Christmas 1988. That was too late. Mississippi faced statewide elections in 1991. Four states, including Mississippi, had elections in 1991, and had to draw their plans during the same year that they received the census data. Mississippi received its census data on January 31, 1991, and we started drawing new districts the next day. We had to design and build the airplane as it taxied down the runway. Due to careful planning, we achieved liftoff.

Time pressures caused a lot of stress. Here are some of the things we did early, that made our job easier:

- * created a large scale map book showing every member's residence (by census block);
- * set up a public-use terminal (which didn't get used very much);
- * printed demographic reports of the 1982 redistricting plan and the current voting precincts;
- * set a cut-off date for adding changes in local precincts to our data base (October 1, 1990);
- * adopted eight criteria to govern drawing of all plans to be considered by the Committee;
- * calculated the actual cost of maps for sales to the public, as required by law;

- * bought an "E" size color plotter and photocopier (we also used small plotters extensively);
- * started a dialog with local officials (we sent out informational memos);
- * worked out a process with local officials for getting digital precinct maps;
- * adopted rules for acceptance of third-party plans;
- * hired outside legal counsel to assist the Committee; and
- * made provisions for members to keep plans on floppy disks.

One useful device is a time line, or a PERT chart.

In 1994, we looked back on our experience and planned our purchases of equipment and software in stages up through the year 2001. We slightly modified this plan each year. We added compactness testing and contiguity testing to our software design. Due to recent Supreme Court decisions, you should consider whether your software will include a "compactness test." Computers can calculate indices of compactness by several recognized methods.

Early on, you should select the features your software will offer, and you will have to pick what data to include in your files. Will you have past electoral behavior of each precinct? For which elections? It seems like just a data problem to the staff, but election history data is very subjective stuff with complex political implications.

A big part of the job is getting data from local governments. You may need current precinct maps and election returns. If you get election data, you must also have precinct maps in effect on the date of the election.

3. Provide Security for Files.

You should secure both your paper and digital files. As a general rule, you should copy all data on a computer disk to backup tapes daily. A disk crash won't hurt too badly if you have yesterday's plan on the tape backup. Redistricting plans generated by legislators are the very essence of the process, and you must treat them as extremely valuable documents.

You should also plan a uniform method for labeling, filing, and indexing plans and maps that you generate and that you receive from others. You can create a form that has the minimum information that should appear on the plans and maps.

4. Redundancy is Good! [Hire lots of good staff]

When you're hot, you're hot--and everybody loves you. Legislators will love you. They'll come to see you every day, all day long. They'll call you at home. You will get to know them well. You will need more staff. We discovered that redistricting resembles "tag-team" professional wrestling. The Legislature's team had 174 members, and the staff's team had about ten.

You need people to gather and edit data, maintain the software and network, draw districts, and keep up with all the collateral files. You should plan a way to get extra terminal operators on short notice. You must train the staff to run redistricting software. Plan for enough staff to cover for illnesses.

5. Redundancy is Good! [Get plenty of good equipment]

Make sure you have enough computer equipment. Never underestimate the need for more terminals, better processor speed, more disk space, faster networks, or color plotters. Equipment will break down.

When legislators take the time to sit at a computer terminal to draw new districts, speed really counts. Spend time early in the project to make sure that equipment you buy will function adequately. How many active terminals will you need at a time? How long will work sessions last? We usually had two terminals going at once, usually for about 12 hours per day. But at times we had four terminals running, and sometimes we worked 16 hours a day for days at a time. You need fast computers and lots of terminal operators to support this effort. Don't forget to buy comfortable chairs.

One day in the office, someone said, "There are a lot of ways to skin a cat," meaning there are an infinite number of ways to draw a district. Legislators will want to see many different plans. We kept our terminals busy most of the time.

6. Separate the Warring Factions.

I don't want to give redistricting a bad name, but redistricting is sort of like war, and war is hell. You should know that doors and windows can cause problems. Separate staff from members--give staff some privacy. You should talk to Capitol Police about security issues.

7. Don't Play on the Railroad Tracks.

My mother probably did tell me to stay off the tracks. The lesson is to take extra care in the vicinity of great forces. No matter how many computers and staff you have, you will use them. In times of crisis, the demand will exceed the supply. Someone must act as gatekeeper to determine who gets to use the machines and the staff. Redistricting can be one of the toughest issues that a legislature has to deal with because it affects every member personally. I heard it said over and over again, "Redistricting brings out the worst in people." At some point, if the politics get too tough, the staff may tend to jump in between the contenders. However, you shouldn't feel the urge to step in between two oncoming trains.

Don't make promises you can't keep. In your eagerness to please and demonstrate competency, don't forget the high stakes involved, and that you lack control over the multitude of players.

8. Learn the New Math.

If you really try to draw minority districts--maximizing them--your minority districts will fall well below the ideal population. If you try to minimize the number of those districts, they will become overpopulated. Therefore, the average (mean) population deviation from the ideal district size for all minority-controlled districts can indicate the effort to create minority districts.

Consider the following equation: $A = B / C$

A = theoretical maximum percentage of minority-controlled districts in the plan

B = minority percentage of the overall population

C = percentage of a minority needed in a district for it to control the district

So, if you have 100 districts, the minority makes up 40% of the population, and it needs 60% of a district to control it, you could draw 66 districts controlled by the minority. This equation assumes an overall deviation of zero percent and ignores compactness. In the real world, you can draw a plan with a 10% deviation overall (for a state legislature), which may make it easier to draw minority-controlled districts. You cannot achieve the maximum because of the dispersion of the minority population, but you can probably do more than you thought possible. This formula explains why plans drawn by human beings tend to gerrymanders rather than compactness.

9. Adopt a Grand Strategy.

Sometimes the staff draws the plan, and sometimes the members do it. But whoever is drawing the plan, it helps to look at the state overall before you start.

In a statewide plan, where you want to make only changes that are absolutely necessary, you can "rubber-sheet" most of the existing plan. In an area experiencing dramatic population gains or losses, you may have to "pop" a district from one part of the state to another. But "popping" a district is a decision that is easier to make on the front end than after the plan is nearly done.

If you are working with a particular criteria in mind, start in the most important place. If you want to create minority controlled districts, you will start with them. Generally, the place where you start will have the most compact districts, and the last area where you work will look the most contorted. You can judge this book by its cover, because oddly shaped districts reveal the stresses of using criteria which conflict. If a district looks like a lizard, it probably is one.

10. The Real Game is Politics.

Never forget that technology is only a tool, and will play a minor part in the real game of deciding the geographical content or shape of districts. Redistricting is foremost a political activity, which is supported and constrained by technology and law.

Even the U.S. Department of Justice has a political agenda. It gathers comments from citizens, keeps them secret, and uses these statements in its analysis.

Summary

To run a redistricting office, you will need to understand the nature of census data, the technology you will use to manipulate the data, the political environment that surrounds redistricting, and the legal restraints upon the process. Add that to the ten things that I learned on the job, and you will succeed in redistricting.