

“You Draw the Lines” Public Independent Redistricting Commission

Santa Barbara County Board of Supervisors

July 3, 2018



Background on Redistricting Commissions

- Proposition 77 (2005) failed – 40% yes votes statewide; 45% of Santa Barbara County voters voted yes
- Proposition 11 (2008) passed – 50.9% yes votes statewide; 53% yes in Santa Barbara County
- Proposition 20 (2010) passed – 61% yes votes statewide; 64% yes in Santa Barbara County



The Nationwide Push for Redistricting Commissions

- In his last State of the Union, President Obama stated his support for redistricting reform. After leaving office, he partnered with former Attorney General Eric Holder to create the National Democratic Redistrict Committee to support initiatives to create independent redistricting commissions in every state.
- The platform of the National League of Women Voters states: “The League of Women Voters believes responsibility for redistricting preferably should be vested in an independent special commission, with membership that reflects the diversity of the unit of government, including citizens at large, representatives of public interest groups, and members of minority groups.”
- Lastly, a nationwide poll done in 2017 by Lake Research Partners and WPA intelligence shows that 71% of likely 2018 General Election voters support the Supreme Court setting new, clear rules for determining when partisan gerrymandering violates the Constitution.



County Redistricting Commissions

- Los Angeles and San Diego Counties have created independent redistricting commissions.

Their commissions:

- Are comprised of 14 members, with at least one member being from each supervisorial district
 - Requires voting in at least one of the last three statewide elections as a qualification to serve on the commission. Also requires applicants to possess analytical skills relevant to redistricting process and voting rights, the ability to be impartial, and demonstrate an appreciation for the diverse demographics and geography of the County.
 - Requires the commission to be as proportional as possible to the total number of voters who are registered with each political party and reflect the county's diversity, including racial, ethnic, geographic, and gender diversity.
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Los Angeles and San Diego Commissions cont.

- Requires the County elections official to create a pool of the 60 most qualified applicants and the Clerk of the County to conduct a random drawing to select the first 8 commissioners (with one coming from each district). Those 8 commissioners select the remaining 6 members based on the qualifications listed.
 - Requires nine votes for any official action – slightly less than 2/3 supermajority
 - Requires seven public hearings before the commission draws a map and two public hearings following the drafting of a map
 - Requires live translation to be offered at the public hearings of the commission
 - Lays out the steps to encourage public participation in the commission process
 - Defines "immediate family member" as a spouse, child, in-law, parent, or sibling.
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“You Draw the Lines” Ordinance

- Comprised of 11 members, with at least two members coming from each supervisorial district and one member being at-large
 - Requires voting in Santa Barbara County in at least one of the last three statewide elections. Also requires applicants to possess analytical skills relevant to the redistricting process and voting rights, the ability to be impartial, and demonstrate an appreciation for the diverse demographics and geography of the County.
 - Adds having a significant financial interest in any company, corporation, or other business entity that has donated \$500 or more in one year to any candidate or political committee as a disqualification
 - Requires the commission to be as proportional as possible to the total number of voters who are registered with each political party and reflect the county’s diversity, including racial, ethnic, geographic, age and gender diversity.
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“You Draw the Lines” Ordinance

- Requires the county elections official to create a pool of the 45 most qualified applicants with a minimum of five applicants from each existing supervisorial district and the District Attorney to conduct a random drawing to select one commissioner from each of district. The five selected commissioners shall appoint the remaining six applicants, with five coming from each district and one at large based on the qualifications listed.
- Includes a process to remove a commissioner from the commission for certain violations.
- Requires seven votes for any official action – slightly less than 2/3 supermajority
- Requires seven public hearings before the commission drafts a map **and** seven public hearings after maps have been drafted.
- Requires live translation to be offered at the public hearings of the commission
- Lays out the steps to encourage public participation in the commission process
- Defines “immediate family member” as a spouse, child, in-law, parent or sibling.



Recommended Actions

- a. Receive and file report on the "You Draw the Lines" County Ordinance to create a County of Santa Barbara Public Independent Redistricting Commission; and
- b. Consider the introduction (First Reading) of an Ordinance of the Board of Supervisors Adding Section 2-10.9-A to the Santa Barbara County Code to Create the County of Santa Barbara Public Independent Redistricting Commission, including the changes shown on slides 10-15; and
- c. Read title: "Ordinance of the Board of Supervisors Adding Section 2-10.9-A to the Santa Barbara County Code to Create the County of Santa Barbara Public Independent Redistricting Commission" and waive reading of the Ordinance in full; and



Recommended Actions

d. Set a hearing on July 10, 2018 to:

i. Consider the adoption (Second Reading) of an Ordinance of the Board of Supervisors Adding Section 2-10.9-A to the Santa Barbara County Code to Create the County of Santa Barbara Public Independent Redistricting Commission; and

ii. Consider the adoption of a Resolution submitting the proposed Ordinance of the Board of Supervisors Adding Section 2-10.9-A to the Santa Barbara County Code to Create the County of Santa Barbara Public Independent Redistricting Commission to the electorate for approval and requesting and ordering consolidation with the November 6, 2018 Consolidated General Election , including the changes on slide 16.

e. Consider appointing member(s) of the Board of Supervisors to author, sign, and submit on behalf of the Board a direct argument in favor of the proposed ordinance and any possible rebuttal; and

f. Determine that the above actions are organization and administrative activities of government that will not result in direct or indirect physical changes in the environment and are not a project under the California Environmental Quality Act (CEQA) pursuant to section 15378(b)(5) of the CEQA guidelines.



Recommended Actions

Recommended Action (b) includes the following:

CHANGE THE TITLE OF THE COMMISSION IN THE TITLE, SECTION 1, SECTION 2-10.9A, SECTION 2-10.9A.010, SECTION 2-10.9A.020 (b), SECTION 2-10.9A.030 TO MAKE THE FOLLOWING CHANGE:

“County of Santa Barbara ~~Public~~ *Citizens*’ Independent Redistricting Commission”



Recommended Actions

Recommended Action (b) includes the following:

CHANGE SECTION 2-10.9A.020(d)(i) TO INCLUDE THE ADDITIONAL WORDS SHOWN BELOW IN ITALICS:

“Ownership or partial ownership, other than through the not more than 5% of the stock of any corporation that is allowed through Section 2-10.9A.020(d)(iv) below, of any for-profit company, corporation or other business entity with gross receipts of over \$100,000 derived from doing business in Santa Barbara County in any of the last five calendar years prior to appointment.”



Recommended Actions

Recommended Action (b) includes the following:

CHANGE SECTION 2-10.9A.040(e) TO INCLUDE THE ADDITIONAL WORDS SHOWN BELOW IN ITALICS:

“An interested person meeting the qualification specified in subdivision (d) may submit an application to the county elections official to be considered for membership on the commission. The county elections official shall review the applications and eliminate applicants who do not meet the specified qualifications and post all applications online for public review.”

REPLACE SECTION 2-10.9A.040(e)(1)(D) TO STATE THE WORDS SHOWN BELOW IN ITALICS:

“Nine (9) applicants from each existing supervisorial district shall be included in the list of most qualified applicants, unless there are less than nine (9) applicants from the district that meet the minimum qualifications set forth in subdivision (d), in which case the total number of qualified applicants will constitute the pool.”



Recommended Actions

Recommended Action (b) includes the following:

CHANGE SECTION 2-10.9A.040(f) TO INCLUDE THE ADDITIONAL WORDS SHOWN BELOW IN ITALICS AT THE END OF THE PARAGRAPH:

“After complying with the above requirements of this subdivision (f), the county elections official shall create a subpool for each of the five existing supervisorial district of the board *comprised of qualified applicants residing in the district corresponding to the subpool to which they have been assigned.*”

CHANGE SECTION 2-10.9A.040(h)(1) TO INCLUDE THE ADDITIONAL WORDS SHOWN BELOW IN ITALICS:

“The five selected commissioners shall review the remaining names in the subpools of applicants and shall appoint six additional applicants to the commission. *In order to be appointed, an applicant must receive the vote of at least four of the five selected commissioners.*”



Recommended Actions

Recommended Action (b) includes the following:

CHANGE SECTION 2-10.9A.040(h)(3) TO INCLUDE THE ADDITIONAL WORDS SHOWN BELOW IN ITALICS AFTER THE THIRD SENTENCE IN THE PARAGRAPH:

“However, the political party preferences of the commission members are not required to be exactly the same as the proportion of the political party preferences among the registered voters of the County.”

ADD SECTION 2-10.9A.040(h)(4) TO INCLUDE THE ADDITIONAL WORDS SHOWN BELOW IN ITALICS:

“The five initial commissioners shall interview finalists for appointment, allow public comment, and make the appointments during a public hearing.”

CHANGE SECTION 2-10.9A.040(i) TO INCLUDE THE ADDITIONAL WORDS SHOWN BELOW IN ITALICS:

“A member of the commission shall not themselves do any of the following:”

CHANGE SECTION 2-10.9A.040(i)(C) TO INCLUDE THE ADDITIONAL WORDS SHOWN BELOW IN ITALICS:

“In their personal capacity, receive a noncompetitively bid contract with the County.”



Recommended Actions

Recommended Action (b) includes the following:

ADD SECTION 2-10.9A.050(h) TO READ AS SHOWN BELOW IN ITALICS:

“At each public meeting of the commission, each commission member shall clearly disclose the sources and summaries of any ex parte communications they have had concerning the redistricting process.”

EDIT SECTION 2-10.9A.060(g) TO READ AS SHOWN BELOW IN ITALICS:

“Each of the public meetings of the commission shall be video recorded and available to the public for review.”

CHANGE THE NUMBERING OF THE SUBSEQUENT PARTS IN SECTION 2-10.9A.060 AS FOLLOWS:

- Former (g) becomes (h)
- Former (h) becomes (i)
- Former (i) becomes (j)
- Former (j) becomes (k)
- Former (k) becomes (l)



Recommended Actions

The Resolution to be considered at the July 10, 2018 hearing in Recommended Action (d)(ii) includes the edits:

- Changes the title of the ordinance from the “County of Santa Barbara Public Independent Redistricting Commission” to “County of Santa Barbara Citizens’ Independent Redistricting Commission.”
- Changes the ballot question to read:
”ORDINANCE TO CREATE A COUNTY OF SANTA BARBARA CITIZENS’ INDEPENDENT REDISTRICTING COMMISSION
Shall the ordinance of the Board of Supervisors to create an eleven-member independent redistricting commission to adjust the boundaries of the County supervisorial districts by adding Section 2-10.9A to the Santa Barbara County Code be adopted?”

