

Independent Redistricting Commission Memorandum

Nov. 18, 2021

To: Honorable Chair and Members of the Independent Redistricting Commission
From: Faviola Medina, City Clerk Services Manager
Via: Sheila Cobian, Director of Legislative & Constituent Services
Re: **Additional Materials Related to the Special Meeting Minutes of Sept. 9, 2021**

This memorandum provides the amended Special Meeting Minutes of Sept. 9, 2021.

On page 4 of the minutes, agenda item 4, paragraph 5 and 6 staff has amended the language to read as follows:

Ms. Kelly responded the Secretary of State determines the minimum of providing information to non-English speaking residents and identifies with the language that is spoken and not a person who may identify with another ethnicity.

Commission Member Ashton commented that the Independent Redistricting Commission is providing language translation items to non-English speaking residents although the Secretary of State declared it is not required for the City of Carlsbad.

Attachment: A. Redline strikeout version of Sept. 9, 2021 Special Meeting Minutes

cc: Cindie McMahon, Assistant City Attorney



INDEPENDENT REDISTRICTING COMMISSION
Special Meeting

Minutes

September 9, 2021, 2:30 p.m.

Amended

Council Chamber
1200 Carlsbad Village Drive
Carlsbad, CA 92008

CALL TO ORDER: 2:35 p.m.

ROLL CALL: Fabiano, Stanley, Ashton, Harris, Sardina, Cadwallader.
Absent: Arndt.

PLEDGE OF ALLEGIANCE: Commission Member Stanley led the Pledge of Allegiance.

APPROVAL OF MINUTES:

Minutes of the Special Meeting held July 29, 2021.

Motion by Commission Member Ashton, seconded by Commission Member Stanley to amend Item No. 4 of the minutes to reflect that the commission requested staff provide the following documents: redistricting process costs, city agreement with NDC, City Council resolutions forming the commission and outreach documents provided to the public; and to approve said minutes once amended. Motion carried, 6/0/1 (Arndt-Absent).

Motion by Commission Member Ashton to approve the agenda at the beginning of the meeting in order to rearrange the order of presentations moving Item No. 3 to Item No. 1, Item No. 5 to Item No. 2 and Item No. 2 to Item No 3.

Ms. Medina explained the commission does have the option to move items on the agenda out of order for discussion. However, any approval required for an item will have to be obtained individually as the agenda is not a consent calendar agenda where the items can be approved as one item.

Motion failed due to a lack of a second.

PUBLIC COMMENT ON AGENDA ITEMS: *(taken during the items)*

NEW BUSINESS:

1. **ROLES & RESPONSIBILITIES OF THE INDEPENDENT REDISTRICTING COMMISSION** – Receive a presentation from staff regarding the roles and responsibilities of the Independent Redistricting Commission. (Staff Contact: Sheila Cobian, City Manager’s Office and Cindie McMahon, City Attorney’s Office)

Legislative & Constituent Services Director Shelia Cobian provided the report and reviewed a PowerPoint presentation (on file in the Office of the City Clerk).

No public comment was received on this item.

2. REVIEW OF REDISTRICTING TIMELINE AND MAJOR MILESTONES – Receive a presentation from staff and National Demographics Corporation on the City of Carlsbad’s redistricting timeline to include major milestones and public hearing format. (Staff Contact: Faviola Medina, City Clerk’s Office)

National Demographics Corporation (NDC) representative Shannon Kelly reviewed a PowerPoint presentation on the redistricting timeline that included public hearings, mapping workshops, and commission meetings. She also provided the commission with an overview of the upcoming September 23, 2021 public hearing that included the commission’s role and goals during the hearing.

Ms. Medina explained that due to the current city health order in place, meetings will be conducted virtually via zoom until the deadline of September 30, 2021. The meetings schedule will be updated if legislation changes or the emergency order is extended.

In response to an inquiry from Chair Fabiano, Ms. Kelly stated that NDC was prohibited by law from providing maps for three weeks following the released census data from the Secretary of State. She continued, stating that information shared with the commission during a public meeting will need to meet the advanced public noticing criteria. Public maps will be available for drawing and viewing on the website.

In response to an inquiry from Commission Member Cadwallader, Assistant City Attorney McMahon explained that the hands-on public workshops are not intended for the commission’s participation and are not scheduled to be noticed as such. The workshops will be streamed and available for viewing.

Commission Member Ashton expressed her concerns regarding the words “City Council” in the title of redistricting documents explaining that it could cause confusion for the public. She also stated she was not aware the commission approved the entire commission schedule at the July 29, 2021 meeting.

Motion by Commission Member Ashton that the commission approve the meeting schedule for all public meetings, all regular commission meetings, all public hearings, and all mapping workshops in its entirety as an independent redistricting commission meeting schedule.

Commission discussion ensued on what was adopted by the Commission at its July 29, 2021 meeting.

Ms. McMahon explained the commission adopted a meeting schedule that included the public hearing schedule at its July 29, 2021 meeting. She further provided that the mapping workshops are required by City Council. The dates and timeline of the mapping workshops are determined when staff believes the census data will be available.

Commission Member Ashton withdrew her motion regarding adopting the meeting schedule.

Commission Member Ashton reiterated her concerns regarding public perception if the title of the meeting schedule and commission presentation documents are not changed to reflect only the Independent Redistricting Commission.

Commission discussion ensued on changing the title on the schedule.

Motion by Commission Member Ashton to change the title of the meeting schedule to the City of Carlsbad Redistricting Meeting Schedule. The commission is responsible for the requirements in meeting the deadline, and to include the distinction in verbal and written presentations made to the commission.

NDC consultant representative Shannon Kelly clarified that elements of NDC documents are intended to provide a generic education to the public in what way state law governs how cities redistrict. She added that NDC will be cognizant of the title of documents going forward.

Motion failed due to a lack of a second.

Motion by Commission Member Cadwallader, seconded by Chair Fabiano, to change the meeting schedule title to the City of Carlsbad Redistricting Meeting Schedule. Motion carried 6/0/1 (Arndt-Absent).

In response to an inquiry from Commission Member Sardina, Assistant City Attorney McMahon explained the process of adopting the final map which will require the commission to adopt a resolution with an affirmative vote of four of the commission members. Once the resolution has passed, the map will take effect immediately.

No public comment was received on this item.

3. PUBLIC ENGAGEMENT IN THE REDISTRICTING PROCESS – Receive a presentation regarding plans to engage the public in the redistricting process and provide feedback as desired. (Staff Contact: Kristina Ray, Communication & Engagement Department)

Communication and Engagement Department Director Kristina Ray and Community Relations Manager Bree Robertoy gave the report and PowerPoint presentation (on file in the Office of the City Clerk).

Ms. Ray asked the commission for its input on groups that should be added to community organizations, for other types of information other than that already produced, and feedback on the website.

Chair Fabiano asked if it was possible to send an information insert in the city's utility bills.

Ms. Ray responded that while possible, it is not included in the redistricting budget. She added that the plan is to put material out at community centers, libraries, and the Carlsbad Senior Center.

Chair Fabiano asked for staff to present a printing cost estimate for a communication document to be inserted in city utility bills at the October 28, 2021 commission meeting.

Commission Member Harris and Chair Fabiano suggested partnering with the school districts in Carlsbad to communicate with parents.

In response to an inquiry from Commission Member Stanley, Ms. Ray confirmed the city was paying for ads.

In response to an inquiry from Commission Member Ashton, Ms. Ray responded that the consultant is contacting leaders of organizations.

No public comment was received on this item.

4. OVERVIEW OF MAPPING TOOLS – Receive a presentation from National Demographics Corporation overviewing the mapping tools to be used in the redistricting process. (Staff Contact: Faviola Medina, City Clerk’s Office)

NDC consultant representative Shannon Kelly gave the overview and PowerPoint presentation to the Commission on using the mapping tools (on file in the Office of the City Clerk).

In response to an inquiry from Commission Member Ashton, Ms. Kelly explained that the first draft maps presented for the public to view at the public hearing on November 13, 2021, will also include a summary of all of the maps that have been submitted to that point. Further maps will be provided at the January 13, 2022 public hearing.

In response to an inquiry from Commission Member Ashton, Ms. Kelly explained that in the materials supplied by NDC, racial gerrymandering is mentioned because it is a federal requirement. State law also requires it to be noted that political gerrymandering is not permitted. NDC will guide and advise the commission to use best practices to avoid all gerrymandering that would intentionally disadvantage anyone. Ms. Kelly further added that everything submitted from the public will be analyzed by NDC considering what it must have to meet legal criteria and that information will be shared with the commission.

Commission Member Ashton asked about providing information to all non-English speaking Carlsbad residents.

Ms. Kelly responded the Secretary of State determines the minimum of providing information to non-English speaking residents and identifies with the language that is spoken and not a person who may identify with another ethnicity. ~~The Secretary of State declared the City of Carlsbad does not have to provide information to non-English speaking residents.~~

Commission Member Ashton commented that the Independent Redistricting Commission is providing language translation items to non-English speaking residents although the Secretary of State declared it is not required for the City of Carlsbad.

In response to an inquiry from Commission Member Cadwallader, Ms. Kelly said districting for the city is based on population. Census bureau data for analyzation is provided by the American Communities Survey based on citizens voting age population (CVAP).

No public comment was received on this item.

5. **PUBLIC INPUT RECEIVED** – Consider input provided by the public. (Staff Contact: Kristina Ray, Communication & Engagement Department).

Communication and Engagement Department Director Kristina Ray explained this item was placed on the agenda for information purposes only. She added, information will be presented on future agendas in this type of format for the commission to view received public input.

In response to an inquiry from Commission Member Ashton, staff explained that emails are reviewed and answered by staff as they are received. Assistant City Attorney McMahan also said emails directed to the City Attorney's office were answered and the information was posted in the commonly asked questions area on the website. An email address has been created for this specific purpose.

Discussion ensued among commissioners and staff regarding the commission's desire to view questions submitted and staff responses about the redistricting process.

Motion by Commission Member Ashton, seconded by Commission Member Sardina, requesting that staff responses to the public's emails on redistricting also be provided in the public input section of the commission agenda packet. Motion carried 6/0/1 (Arndt – Absent).

No public comment was received on this item.

STAFF AND COMMITTEE MEMBER REQUESTS FOR FUTURE AGENDA ITEMS:

In response to an inquiry from Commission Member Cadwallader, City Clerk Services Manager Medina explained she would link the new development projects list and open space map to the redistricting page on the city's website.

ANNOUNCEMENTS: None.

CITY ATTORNEY COMMENTS: None.

ADJOURNMENT: Chair Fabiano adjourned the duly noticed meeting at 5:29 p.m.

Sherry Freisinger
Deputy City Clerk