

**City of Carpinteria
Ad Hoc District Elections Committee
Special Meeting Minutes
Virtual Meeting
October 19, 2020**

1. Call to Order/Roll Call

Vice Mayor Clark called the meeting to order at 3:05 p.m.

Committee Members present:
Councilmember Fred Shaw
Vice Mayor Al Clark

Staff members present:
Dave Durflinger, City Manager
Jena Acos, on behalf of Brownstein Hyatt Farber Schreck, LLP acting as City Attorney of the City of Carpinteria
Fidela Garcia, City Clerk

Consultant:
Paul Mitchell, Redistricting Partners
Evan McLaughlin
Kimi Shigetaini

Members of the Public present:
Lisa Guravitz
Gail Marshall

2. Public Comment: This is a time for public comments on matters not otherwise on the agenda but within the subject matter jurisdiction of the District Elections Committee.

No public comment was heard.

Mr. Durflinger commented with regard to the following agenda items 3 and 4, and said that this was a restart meeting because of having been derailed by this year's pandemic. He said a discussion was held at the last meeting about initiating meeting processes and an initial community meeting to where communities of interest would be identified and said that a discussion would be to talk about resetting the process, the schedule of the districting process, and to review some scenarios of dates that Mr. Mitchell and his team have developed for discussion. He also said that most likely meeting restrictions would continue and that some ideas would be shared on how to get this important work done in order to get the best public input on the district creation process with those meeting restrictions in place.

3. Review the public hearing schedule and process for Transitioning to District-Based City Council Elections and make any adjustments as needed due to the pandemic.

A discussion was held with regard to the five public hearings required and the possible time lines for those meetings to occur.

4. Review of new public outreach options.

Mr. Durflinger mentioned that public meetings could be constrained by the pandemic ongoing. He stated that the City is working on a hybrid public meeting to allow the public to testify in person at public meetings and should be completed by the end of November. For a workshop meeting, the idea, he said, of having people gathered in a room at tables drawing maps with the restrictions in place would be challenging. He offered the suggestion of having the meeting at a park where it is facilitated in smaller groups such as three persons at a table and people could mark some maps. Another suggestion is possibly making mapping packets available for the public to take home and mark up and resubmit to the City. He said these are the kinds of ideas being talked about to get public input. Mr. Durflinger brought up a discussion previously held on the availability of online digital mapping tools. He said it could be used, but that as previously stated they are inherently limiting in terms of who gets to participate because of social economic aspects and technical understanding. Now with the pandemic, the committee may wish to revisit this as an additional tool to be used along with others. He said the idea is to get people to participate in a way that is simple and straight forward.

Mr. Mitchell commented that the best engagement in the mapping process is to strip away the high learning curve that is required in using a GIS mapping program. He said that an in-person map drawing process is much simpler. He gave an example used in the Compton Community College District where they provided laminated maps and had people draw in the district lines. It was an easy hands-on process to do. He said that on-line software becomes a little more challenging, but training could be provided; but for the people who are most likely to participate, it might be a considerable barrier. He said it is possible to provide laminated maps for the public to sign up to receive; a public workshop could be held to show the public how to draw the maps and they could even take a picture with their cell phones and email it to his group. His group could then take those photographs with the drawn districts by the public and input the lines drawn into the districting software and produce the same map from the software for that member of the public. The consultant then could provide a library with all the maps, population breakdowns, and demographic break downs. This kind of hands-on organic process shows that the community engagement was ultimately the thing driving the final plans which is valuable.

Councilmember Shaw stated he is fond of the idea because people will most likely get together with a few friends to figure it out so a wider range of opinions from the community would be arrived at that way.

Mr. Mitchell responded to Vice-Mayor Clark's questions by stating that the deadline for having this all done for the next election would be August of 2022, but that Santa Barbara County Elections would be asking the City to get it done much sooner. He said he believed the County would want the City to be completely done by July 1, 2022.

Mrs. Acos addressed the question brought up by Mr. Mitchell of what requirements are in place based on the agreement with the claimants by stating that the only requirement is that district elections be in place by the November 2022 election cycle and that Mr. Mitchell was on the right track with estimating the dates.

Ms. Garcia stated that the nomination period is mid-July to mid-August so it makes sense that the district maps would need to be in place at the latest by July.

Public comment was heard from Lisa Guravitz who stated she would like to reiterate that she hopes that no gerrymandering is done in order to keep City councilmembers on or off the council. She would like to keep this a clean process and believes that would happen, but wanted to voice her strong feelings about it.

Mr. Mitchell responded by stating the City is doing a project under the California Voting Rights Act Safe Harbor provisions and that there are simultaneously another set of codes that has to do with the redistricting process for California cities and counties called the Fair Maps Act. He said it is up to the City Attorney to decide whether or not the City needs to expressly follow the Fair Maps Act provisions or whether those are essentially guidelines for the City. One difference between the California Voting Rights Act Safe Harbor Provisions and Fair Maps Act are that the Fair Maps Act disallows the use of incumbency or candidate addresses as a community of interest and also disallows the use of partisanship as a community of interest. The Fair Maps Act further states with regard to political parties that one cannot draw lines to hurt or benefit a political party. He said that a best practice is to expressly ask to not know where the councilmembers live to avoid drawing lines for that purpose. In the numbering process there will be some understanding of which districts will come up and which councilmembers might run in which election. Redistricting Partners role is not and can't be one of drawing lines specifically considering partisanship or incumbents or candidate addresses in the process.

A discussion ensued regarding the following election scenario in an attempt to understand how the election would affect a particular district. In a district coming up for election in 2022: if someone who has been elected in 2020 and happens to live in a particular district up for election in 2022 would have two options. They could either run for

that district seat in 2022 (two years prematurely) or could fulfill their four years and if they don't move prior to the next election then they are done with their term and there won't be an election in their area for two more years. They could run again in 2026 and be off the council for two years. This is something that when the lines are drawn the councilmembers will look and be able to see what district they live in and people running for office get to see as well. Once the lines are drawn, requests may come in for how districts are numbered determining when they come up for election as part of the process at the end.

Mrs. Acos agreed with Mr. Durflinger's comments that she believed should a councilmember abandon their 2020 seat to run for and get elected to a 2022 district seat leaving one of the 2020 at-large seats vacant for two years, that the Council would have the usual tools to fill that at-large vacant seat by either appointing or conducting a special election.

Discussion ensued on how the City Council might consider selection of how the districts are numbered and which of those numbers would end up coming up for election first.

Councilmember Shaw raised the question, what happens to the rotating position of Mayor. Mrs. Acos responded that she agreed with Mr. Durflinger that it would not be different from what the Council does now to appoint a Mayor unless that approach was changed.

Mr. Durflinger provided closing comments on outcomes of the meeting as follows:

- Good ideas were heard on scheduling and how that would unfold.
- He liked the idea of Mr. Mitchell's description of the process of getting laminated maps out to those who request for map drawing and having Mr. Mitchell's team load the data into the software to use in their mapping process.
- Anticipate holding in-person workshops out in the park or someplace neutral

5. Scheduling of next meeting.

Next meeting to be scheduled for December 16, 2020 at 4:00 p.m.

6. Adjournment

Vice Mayor Clark adjourned the meeting at 4:03 p.m.



Fidela Garcia, City Clerk