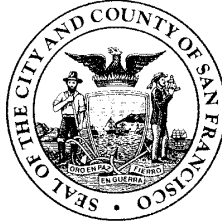


ELECTIONS COMMISSION
City and County of San Francisco



**FAIR, INDEPENDENT, & EFFECTIVE
REDISTRICTING FOR COMMUNITY
ENGAGEMENT (FIERCE)
COMMITTEE**

Cynthia Dai, Chair
Renita LiVolsi
Michelle Parker

John Arntz, Director of Elections
Marisa Davis, Commission Secretary

SPECIAL MEETING MINUTES (FINAL 10-30-23 Dai)

**Fair, Independent, & Effective Redistricting for Community Engagement (FIERCE)
Committee of the San Francisco Elections Commission**

Tuesday, September 5, 2023

6:00 p.m.

City Hall, Room 416

**1 Dr. Carlton B. Goodlett Place
San Francisco, California 94102**

& Remote via WebEx

Order of Business

1. Call to Order & Roll Call

Chair Dai called the meeting to order at 6:06 p.m.

Present: Chair Cynthia Dai, Commissioner Renita LiVolsi, and Commissioner Michelle Parker.

The Chair has excused the Director of Elections from attending the meeting, which is permitted by Article VI of the Commission's Bylaws.

Commissioner LiVolsi stated the Commission's land acknowledgment.

2. General Public Comment

- Alan Burradell referenced an article and quoted a former commissioner at a previous meeting when the Elections Commission was considering what

processes existed for replacing Redistricting Task Force (RDTF) members.

- Jen Tse, League of Women Voters of San Francisco, thanked the committee for this important process of considering redistricting reforms, and said that San Franciscans deserve fair redistricting that prioritizes the needs of the communities, not elected officials.

3. Approval of Previous Meeting Minutes

Chair Dai said this item would be skipped as this was a continuation of the previous meeting and that she would prepare minutes for both parts.

4. Redistricting Initiative

Chair Dai thanked commissioners for meeting right after a holiday weekend and reminded the public of the purpose of the meeting—to identify areas of agreement and those that might require more discussion. She also mentioned the Sunday New York Times article about the gerrymandering scandal in Los Angeles which highlighted the problems with political appointees and quoted past guest speaker Dr. Sara Sadhwani.

Chair Dai provided a brief update on pending state legislation, noting that both AB 1248 and AB 764 have passed out of committee Sept. 1 and are on the Senate floor. A key amendment in AB 1248 now allows more multiple-choice options (without a prescribed order) for the selection body. A new option includes a panel of three with a member each chosen from the Ethics Commission; a committee or commission with a holistic view of the local governance process; the Controller, City Attorney, Treasurer, or City Clerk—as long as they're not electeds; a retired judge appointed by the Superior Court; or the Civil Grand Jury.

The committee then turned once again to the discussion deck. Commissioner Parker did a quick recap of the discussion about the first 3 reform categories from the last meeting. As no written comments were received since the last meeting, the committee paused for public comment.

Public Comment:

- Alan Burradell said it was unfair to compare San Francisco to LA, and said there are no best practices since it's a political matter.

Commissioners then began discussing the remaining 4 areas of reform:

- 4. Redistricting Line-Drawing Criteria**—The committee generally concurred with the ranked criteria in the FAIR MAPS Act, including the constitutional definition of

community of interest, and addition of the prohibition on considering incumbency proposed in AB 764.

- a. **Unique criteria**—Chair Dai provided some context from her California Citizens Redistricting Commission (CCRC) experience. Commissioner LiVolsi expressed the importance of protecting small communities. Commissioner Parker said we should question why before deviating from state law. In keeping with that, Chair Dai suggested it makes sense to be consistent with case law, which could change, rather than an explicit population deviation cap specified in the charter. She also noted that special districts (like cultural districts) could be used by the public as evidence of communities of interest rather than a unique criterion.
 - b. **Ranking**—Chair Dai reiterated past commentary on the discipline ranked criteria imposed on the CCRC, especially given the requirement for a final report that included the rationale for each district against the ranked criteria, a description of communities included, and why any were split.
 - c. **Reducing political influence**—Chair Dai pointed out that AB 764 adds the prohibition on considering incumbency, similar to the CCRC.
 - d. **Final report transparency**—Commissioner Parker said she liked the idea of requiring written rationale for decisions since many do not have time to participate in the meetings. Chair Dai commended past RDTFs for voluntarily providing final reports, but said they omitted justification for why each district was drawn. Commissioner Parker acknowledged that this was extra work and difficult without compensation. Commissioner LiVolsi also noted that this is an important accountability mechanism.
5. **Funding**—The committee agreed that the City must provide equitable stipends that allows for differential effort and reasonable expense reimbursement incurred in the course of IRC duties. The budget should include some dedicated IRC staff, augmentation for supporting departments and include adequate funding for outreach.
- a. **Stipends**—Commissioner LiVolsi suggested stipends might be means-tested. Chair Dai referenced the “Be the Jury” program and the importance of flexibility to recognize different levels of effort, for example, by leadership. Commissioner LiVolsi noted that Clipper cards could be provided in lieu of local transportation reimbursement, and meals should be reimbursed during long working days. Commissioner Parker said caregiving expenses should also be reimbursed for those for whom this would be a barrier.

- b. **Budget**—Chair Dai reminded commissioners that Long Beach’s IRC was funded across three budget years and shared that stipends were a tiny part of the CCRC’s overall budget.
 - c. **Other**—The committee strongly recommends that the Board of Supervisors consider City Clerk’s report recommendations, as well as those in the Promise of Fair Maps report.
6. **Commission Processes**—Many of these are best practices that may not belong in the charter; however, the committee generally concurred with relevant reforms in state legislation.
- a. **Training and support**—Commissioner Parker proposed that training required of permanent commissions should also be required for the IRC and be timely, e.g. map training well before mapping.
 - b. **Including the public**—Commissioners discussed the importance of outreach and providing the public adequate notice and time to consider proposed maps and react. Commissioner LiVolsi said that extending the time makes sense to cope with uncertainties, even though no one could have anticipated a pandemic. The committee also agreed that the IRC should engage with the community to find the best meeting times.
 - c. **Drafting the map**—There was some discussion about the compressed timeframe and the lack of control the last RDTF had over defining the scope of consultants or translation resources, which resulted in issues with outreach and ultimately in meeting the deadline.
 - d. **Decision-making and voting**—Chair Dai shared how the supermajority requirement encouraged collaborative problem-solving among the 2010 CCRC and commented that it was heartening to hear that the 2020 CCRC also operated by consensus. Commissioner LiVolsi agreed that fostering consensus to get rid of factions will give the public confidence in the process. Commissioner Parker pointed out that the difference between a majority (of 14) and a supermajority of 9 is only one vote and still allows for a minority to register their discontent. Commissioners reflected that this also requires certain qualities in IRC members such as an ability to be a good listener, to articulate a point of view, be collaborative, a critical thinker, and a creative problem-solver.
 - e. **Transparency**—Chair Dai noted that disclosure and the prohibition on ex-parte communication are consistent with RDTF members’ request for insulation from political pressure. Commissioner LiVolsi said it’s important for the body’s independence, and Commissioner Parker also recalled RDTF testimony to shield them from inappropriate influence.

- f. **Missed deadline**—Chair Dai mentioned that one of the state bills added more specific recourse if the deadline is missed, which would be preferable to leaving the RDTF to negotiate with the Elections Department on the fly.
7. **Timing**—The committee agreed that the IRC should be seated a year in advance of the mapping deadline and that a draft map should be posted 2-3 months prior to the final map. Any timeline must account for robust outreach and recruitment, vetting and selection to give the IRC a full year to complete their tasks.
 - a. **Seating**—There was general agreement not to make the deadlines Census-dependent but rather based on the mapping deadline. Chair Dai expressed concern that 250 days is too short for a city the size of San Francisco. Commissioner LiVolsi said she liked a year prior for seating. Commissioner Parker noted that asking applicants to plan beyond a year may be problematic, and the City Clerk recommended passing the ordinance to form the RDTF 18 months to 2 years prior to the deadline.
 - b. **Map deadlines**—Chair Dai raised the question of whether SF should conform with the state’s March deadline instead of remaining with the current April 15 deadline. The committee agreed it is critical to have a draft map deadline.

Commissioner Parker pointed out that she wanted to add some additional resources where the public could reference original sources. The committee agreed to defer a formal vote until the next meeting when it could review all of the key reforms as a package, noting the interdependence of many. Chair Dai will summarize our discussions at the next Elections Commission meeting, noting that by the next Commission meeting, there should be an update on state legislation. By the following Commission meeting, we will know what the Governor decided.

Public comment:

- Alan Burradell played a recording of an exchange between President Stone and Chair Dai at the May 17, 2023 Elections Commission meeting and stated that the committee did not deliver what was promised.
- Lauren Girardin from the League of Women Voters San Francisco thanked the committee for a well-informed process and said the League believes San Francisco should use state law: For example, the City Attorney had determined in a 4/19/2022 memo to the RDTF that state remedies didn’t apply due to the charter’s unique mapping deadline.

5. Agenda Items for Future Meetings

The committee agreed to review a package of reform recommendations, discuss and vote on it at the next meeting.

There was no public comment.

6. Adjournment

Meeting adjourned at 8:58pm.