

Date: June 19, 2013  
To: Members of the Independent Citizens Redistricting Commission  
From: Peck Young  
Re: Recommendations on Criterion for Independent Staff

As some of you asked, I am doing this to share my suggestions on ~~what should be~~ some of the criteria that you need to ~~look consider at~~ in hiring your own independent staff. ~~I do this~~ This is based on my work through Austinites for Geographic Representation with the amendment you operate under, and on my experience over 35 years as a redistricting consultant. ~~The ICRC You~~ as a body needs to set the final standards you feel are appropriate to do this job, however there are certain basic points that I think will be helpful to you.

Most fundamentally, you need to remember that the charter amendment prohibits this commission from hiring current or former city personnel for your staff. Realistically you may choose to use city staff for technical functions like computer functions. However, to maintain the independence that is required by the City Charter, ~~you mandates that you~~ cannot have anyone who has or is working for the City working for the ICRC in a position of responsibility. My old friend Steve Bickerstaff has said it most succinctly, "Maintaining the separation of this commission from city employees is required by the wording and intent of Proposition 3" because (t)his commission has no effective control over the timing of their {city staff} work or over the confidentiality of commission affairs or communications".

~~The next~~ Next are my ~~issue is what I~~ recommendation ~~iss you look to for how you to conduct~~ hiring. I suggest the following positions with the following qualifications:

- **Executive Director:** if you are to have a smooth running organization, it will need a manager to coordinate details and implement your needs and directions. This individual should be your first hire. The skills you are looking for are:

- - Ability, if you choose, to hire additional administrative staff and assist in hiring other professionals.
  - Ability to coordinate the work of a staff of at least 2.
  - Ability to ~~assure ensure~~ all needs and instructions of ICRC are carried out promptly with efficiency and integrity.
  - Ability to plan, organize and conduct public hearings.
  - Ability to handle press to extent allowed.
  - Must be willing to be full-time for extent of process probably for rest of year.
  - Ability to keep City staff and Council at arms length while working with them when necessary.

- **Legal Counsel:** I know of a number of distinguished individuals that I hope would apply for this position. As with the Redistricting Technical Consultant, you can't find qualified individuals that have not represented some political party in Texas. However because City of Austin elections are non-partisan, I do not think that makes one bit of difference. I do, however, recommend that there are qualifications that you do need to pay attention to:

- Expertise in all aspects of redistricting law:
  - Up-to-date understanding of Federal Voting Rights Act
  - Understanding of Texas laws dealing with Municipal Districting

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- Experience with requirements of VRA Preclearance and working with Department of Justice (DOJ) on VRA Preclearance if required
- Time to attend meeting and hearings
- No Ties to Austin city Council
- No perceived agenda in City Politics
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• **Technical Consultant:** As I testified this is an area of very special expertise, we are which fortunately we are in a state capital, where we can access a good deal of this expertise. I do not share my friend Steve Bickerstaff's enthusiasm for the Legislative Council system. I have several reasons for this, but one of my most basic reasons is that I do not know how open the State of Texas will be to allowing us to placing our neighborhoods on their computers, as the amendment requires. I also question how flexible they will be to have computers available at ICRC meeting so changes in lines can be made at meetings by Commissioner's and citizen's request. Because the amendment will not allow discussion of changes except at public meetings, this capacity will be critical f. For the ICRC to function. A technical consultant working for no one but the ICRC will have hardware anywhere they are told to. I am not sure the Legislative Council can or will do that.

Here e are my are other recommendations for qualifications:

- State of the art redistricting software that has access to and can handle all pertinent census data to the block level
- Hardware that permits maximum public and commission input and participation
- Software that will allow the addition of a layer of mapping data for City of Austin Neighborhoods for use in analysis as require by amendment
- Expertise with provisions of Federal Voting Rights Act including Preclearance requirements if required
- Expertise with Texas law as applied to Municipal districting
- Expertise in working with public hearings
- No relationship with Austin City Council

I have no recommendations as to whom you choose for these positions. I know there are excellent individuals and firms available. I simply urge you not to delay the overall process by spending too much time on this hiring process. Again, Steve Bickerstaff has in his latest letter has on page 3 laid out the schedule under Subsection 3 (K) (7) for adopting a plan with full public participation. **The amendment requires at least 15 meetings that must be held on the plan by the time a plan is adopted. That is 4 months of hearings, just on plans, if you are to be done by early December. Assuming you stay with Thursday meetings and you want to report by Dec 12, then you should start required hearings on or about Aug. 22rd.**

**This means you need to hire at least Administrative Staff and Legal Counsel by your August 8<sup>th</sup> meeting. This means you need to hire staff in July! The alternative is to have more than one meeting a week in the fall.**

*I strongly recommend you start discussing this as soon as possible.*

Finally, I want to congratulate the new members just selected. You would not have applied had you not known how historic and important this position is. You will not only shape city politics for the balance of this decade, but just as important, your actions will set precedents for future Commissions for decades to come. This is an important responsibility. What we all know

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~~that~~ because of the process that you all went through to be chosen, you are ready and able to handle what I have laid out here. We with AGR look forward to working with you.

