

**WEDNESDAY, NOVEMBER 30, 2011, 4:00 P.M.
CITY COUNCIL CHAMBERS, 2ND FLOOR
CITY HALL BUILDING, 2 CIVIC CENTER PLAZA**

CORRECTED

Members Present: 5

Gene Finke (Chair), John Karlsruher, David Thackston, James L. Graham, Alisa Jorgensen

Members Absent: 4

Francisco X. Dominguez (Vice-Chair), Gilbert A. Mendez, Jr., Oscar Silva, Rodolfo Troncoso

Vacancies: 0

Planning and Economic Development Staff:

David Coronado, Executive Secretary, Lead Planner; Todd Taylor, Planner; Mariano Soto, Planner, GIS; Marissa Monroy, Economic Development Coordinator

Others Present:

Marie Taylor, Assistant City Attorney, City Attorney's Office

1. Meeting Called to Order

Chair Finke called the meeting to order at 4:17PM.

2. Establish Quorum

Quorum established.

3. Discussion and action on:

a. Approval of Minutes: November 2, 2011 Meeting

Chair Finke asked Commissioners if they had any additions, corrections and/or revisions.

Regarding the votes, Commissioner Jorgensen asked if Commissioners who were missing from the votes, should they be listed **ABSENT** or is that just at the beginning.

Staff explained absent Commissioners are listed as **NOT PRESENT FOR THE VOTE**.

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Prior to the vote, Chair Finke requested that Staff clearly identify the PowerPoint slides and who it was that presented them. (Mr. Rojas)

MOTION:

Motion made by Commissioner Graham, seconded by Commissioner Thackston and UNANIMOUSLY CARRIED TO APPROVE THE NOVEMBER 2, 2011 MEETING MINUTES.

CHANGES TO THE AGENDA

At this time, Chair Finke requested Commissioners move to item 4.a. Discussion and Information: Guidance Concerning Redistricting Under Section 5 Voting Rights Act

b. Drafting and selection of Districting Plans

Mr. Coronado explained the step-by-step process how Staff and Commissioner Graham prepared the spreadsheet and map. However, the deviation total was 12.7%, over the 10% maximum allowed. Staff then asked Commissioner Graham to edit the CD-1a Draft Plan, which Staff labeled Cd-1b Draft Plan. The deviation total was 3.5%, below the 10%.

Commissioner Karlsruher stated that he was opposed to any plan that moves Kern Place out of District 1. It was his opinion that the numbers associated with the SD-5 proposed plan are favorable.

Commissioner Thackston noted that CD-1b Draft Plan had created, in Northeast El Paso, a non-contiguous precinct. Mr. Coronado explained that the non-contiguous precinct is Precinct 61 with over 3,000 voters.

Commissioner Jorgensen had concerns with SD-5 in terms of the growth to the west. She felt that by growing District 8 to the west; that would dilute the effectiveness of the voter block in the Downtown area. Additionally, she felt there could be other variations that would allow Kern Place to remain in District 1, for example, working on the boundary with Districts 2 and 3.

Commissioner Karlsruher stated that, per the goals and guidelines of the Commission, Commissioners were not going to change a District by moving a precinct into another District in which a sitting Council Representative resides. He was referring to District 1 City Council Representative Ann Lilly. He added that that was a major concern with CD-1a and Cd-1b. He felt that big adjustments have to come from District 2, and it would make more sense to grow District 8 by going into District 2.

Commissioners and Staff discussed District 1 City Council Representative Ann Lilly residing in Kern Place, her eligibility to run for office, precincts and continuity of the neighborhoods, where voters are accustomed to voting and where they feel they belong. Commissioner Graham stated that he felt the discussion would be a moot point if Representative Lilly was able to serve out the remainder of her term as the District 1 Representative and was unable to run again due to term limits. Commissioner Karlsruher felt Commissioners would be violating the Guideline by moving a precinct, with a sitting City Council Representative, into another District and by breaking up neighborhoods. He explained that by moving Kern Place to District 8, Commissioners would be cutting off a whole community and forcing them into another community whereby there would be no physical connection.

Ms. Taylor apprised the members of the audience regarding the nine redistricting Guidelines that the Commissioners should follow. Additionally, Ms. Taylor clarified the optimal numbers Commissioners are trying to achieve in order to balance each of the Districts.

Chair Finke commented on those Districts at the outer limits of the City cannot expand further out. He noted that the focus should be on the Central area where Districts 1, 3 and 8 meet.

Commissioner Thackston noted that moving Kern Plan to another District; does not preclude the current Representative from continuing to serve on City Council.

Commissioner Thackston stated that the intent of the change to the Kern area was to fix the sliver of District 8 by UTEP. He also stated that he spoke with District 4 City Council Representative Karl Robinson and Representative Robinson expressed an interest in not losing precinct 57. However, Commissioner Thackston noted that should the Congressional maps come into play, the Representative's request would be moot. Commissioner Thackston felt CD-1b Draft Plan numbers worked very well, numbers wise.

Commissioner Jorgensen stated that she would like to see CD-1b and SD-5 move forward for public comment. She felt these two draft plans would provoke strong discourse and comment from the members of the public. Commissioner Graham responded he would go as far as making that a motion. He explained that Draft Plan SD-5 clearly represents the concerns of Commissioner Karlsruher. Additionally, Draft Plan CD-1b addresses previous Public Comment concerns, in addition to, Mr. Artalejo's letter to the Attorney General.

1st MOTION

Motion made by Commissioner Graham, seconded by Commissioner Jorgensen **THAT CD-1b AND SD-5 MOVE FORWARD FOR PUBLIC COMMENT.** No vote was taken.

Ms. Taylor requested Commissioner Graham clarify the motion language.

Commissioner Graham clarified that the motion language is for Commissioners to focus on Draft Plans CD-1b and SD-5 for public comment. He suggested that the previous Draft Plans SD-1, SD-2 and SD-3 be dismissed.

Mr. Coronado reminded Commissioners that the precinct lines for Draft Plans CD-1b and SD-5 will change, per the County. Before the next meeting, Staff will revise the Draft Plans. If however the precinct lines are substantially changed, Staff would like to bring the two revised Draft Plans back to the Commission.

1ST MOTION AMENDED

Motion made by Commissioner Graham to allow for Staff input based on changes to County precincts. No vote was taken.

FOR THE RECORD

Commissioner Graham stated for the record that he is hopeful that the Commission can look at nice, clean demographic lines and those lines that CD-1b represents. Commissioner Graham added Commissioner Karlsruhe's comments blindsided him with regard to SD-5 and maintaining the existing boundary lines for District 1. Regarding District 1, Commissioner Graham realizes there is a geographic plateau and that the geography should be considered; however, the southern and southeastern portions of the sausage link of District 8 is of an entirely different socio-economically makeup from the northwestern portion on the other side of the isthmus. Commissioner Graham then pointed out the similarities between Districts 1 and 8. He hoped Commissioners are able to come up with a clean, new redistricting map that makes sense for all the citizens of El Paso.

Chair Finke commented on Commissioner Graham's intent to keep the Tigua Nation together is not unlike what Commissioner Karlsruhe is proposing for his neighborhoods. Commissioner Graham felt there was quite a big difference between the Tigua's and Kern Place or Country Club Drive. He believed the Tigua's would take exception to the Chair's statement.

FOR THE RECORD

Commissioner Karlsruhe noted there was a motion on the floor. Commissioner Karlsruhe explained that, having grown up on the Westside of El Paso, in the 1960's most of the Upper Valley was cotton fields; Kern Place was developed in the 1930's. We are not comparing apples to apples. Most of the population growth in Districts 8 and 1, in the Upper Valley and along Country Club Road, has occurred since 1970. The ages of the structures, people, etc. are quite different. El Paso is not flat, round or square with the Franklin Mountain run through the middle of town. Setting the record straight, Commissioner Karlsruhe was firmly in favor of going forward with Draft Plans CD-1b and SD-5.

Regarding Draft Plan SD-5, Commissioner Jorgensen noted that District 8, which needs to grow, would be losing some neighborhoods to District 1. Additionally, the Pasadena Neighborhood would be moved from District 8 to District 3. She hoped that, as the discussions progress, Commissioners would not weigh the voices of Rim, Robinson and Kern Place Neighborhoods versus the Upper Valley Neighborhood Associations differently.

Commissioner Thackston stated that he understood that the previous concerns stated regarding Kern Place, Sunset Heights, UTEP areas was not what District they were in, but that those areas stay together due to the closeness/continuity of the neighborhoods.

FOR THE RECORD

Commissioner Karlsruhe concurred and stated for the record that District 1 City Council Representative is opposed to those three precincts leaving the District. He felt it was a fair point to make, in terms of the guidelines, that Commissioners have at least two Draft Plans with which to move forward on.

RESTATE THE MOTION

At this time, Mr. Coronado requested Commissioner Graham restate the motion, for the record, and have someone second that motion. He asked that, prior to the vote, Commissioners take public comment.

Commissioner Graham requested Commissioner Jorgensen restate the motion.

1ST MOTION RESTATED

Motion that the Commission move forward considering that CD-1b, which does a strong job of meeting the population targets that Commissioners are required to make, and SD-5...

Ms. Taylor interjected ... *with any revisions that are necessary to correct the voting precincts that Staff is waiting for from the County.*

Commissioner Graham added ... *revisions that Staff may feel necessary based on those revisions which may occur before the next meeting.*

Chair Finke explained the motion will remain on the floor until after the Public Comment. (For Public Comment see Item 5 below)

1. January 2012 meeting schedule

City Council Representative Karl Robinson has requested that Commissioner Thackston be his guest speaker for the January 13, 2012, community meeting. Commissioner Thackston will be reporting on the progress of the Districting Commission meetings. Commissioner Thackston suggested the Northeast Districting Commission Community meeting be held at the Denny's Restaurant, 7:30 a.m., Friday, January 13, 2012; in conjunction with the City Council Representative's Community meetings.

Ms. Taylor explained, Staff would like to hold the community meetings in a public setting, for the benefit of the public. She recommended the other Commissioners not attend the January 13, 2012 community meeting for District 4.

Mr. Coronado stated that he would be willing to attend the January 13th community meeting.

The following item was discussed prior to item 3.b. Discussion and Action on: Drafting and selection of Districting Plans.

4. Discussion and Information:

2. Guidance Concerning Redistricting Under Section 5 Voting Rights Act

In the Commissioners packets, Staff provided copies of the Department of Justice, Guidance Concerning Redistricting Under Section 5 of the Voting Rights Act; Notice. Ms. Taylor explained this material was covered, as part of the Commissioner's orientation to the Voting Rights Act requirements, during the first Districting Commissioner meeting. Ms. Taylor commented on "**The Section 5 "Benchmark", "Analysis of Plans", Discriminatory Purpose and Retrogressive Effect**". Ms. Taylor read into the record excerpts from within the *Retrogressive Effect* and clarified the intent of the passages.

Ms. Taylor also updated Commissioners on the status of the State of Texas redistricting process. She explained that the County of El Paso and State of Texas will be proceeding with the court ordered interim maps; therefore, the County of El Paso will have to make adjustments to voting precincts that the Commissioners have previously used when drafting proposed maps. She noted that by the next Districting Commission meeting the County will have finalized their voter precinct map. Ms. Taylor presented a map of the County of El Paso's proposed voter precinct changes.

Mr. Coronado explained that, as soon as the County provides the new voter precincts, Staff will rerun the census block groups with the new precinct lines. The analysis, from that point on, will reflect the new precincts.

For Chair Finke, Ms. Taylor explained "*packing minorities into one district*", voter strength and the configuration of districts. Staff will run numbers to analyze "*packing*" and present that information at the next meeting.

Per Mr. Rojas' PowerPoint presentation, Mr. Coronado explained, Mr. Rojas discussed Districts 8, 1 and 3, specifically four precincts, roughly 20,000 people. Mr. Rojas has requested a meeting with Mr. Coronado to draft a plan for the entire City. After that meeting, Staff will do the analysis and bring that information to Commissioners.

5. Call for Public Comment

Commissioner Jorgensen requested that, in addition to identifying their name for the record, members of the public identify the neighborhood and District they live in.

1. Ms. Laurie Cooper, District 7 resident, representing residents residing within the Alameda Corridor project. Ms. Cooper read from a prepared statement. She stated that the residents residing within the Alameda Corridor project are opposed to all Draft Plans except for Draft Plan SD-1. Within the statement, Ms. Cooper commented on voter packing and dilution. She respectfully requested Commissioners include Draft Plan SD-1 in the motion language. Additionally, she requested Commissioners postpone their motion to allow individuals within the neighborhoods of the Alameda Corridor to prepare a different map.

Commissioner Graham was concerned with Ms. Cooper's comment regarding voter dilution. For Ms. Cooper, Commissioner Graham explained the evolution of the different Draft Plans.

Ms. Cooper briefly explained the Alameda Corridor project for Commissioners, Staff and members of the public. She explained that Draft Plans CD-1a, CD-1 b, and SD-5 reduced the number of representatives accountable to the Alameda Corridor project, south of I-10.

FOR THE RECORD

Mr. Coronado stated for the record that there is still time for Staff and members of the public to meet and draft new Draft Plan maps/tables. Mr. Coronado added Staff will meet with Ms. Cooper to prepare a new map and tables.

Chair Finke explained the Districting Commission is charged with redistricting the City within the present City boundaries and based on the 2010 census.

Ms. Taylor explained Commissioners are trying to balance the current imbalance regarding boundaries, open boundaries in several Districts, equal populations in the Districts, etc. Additionally, she encouraged members of the public to submit their maps for consideration.

Ms. Cooper asked for clarification regarding the justification in changing District 7 boundary lines and reducing the number of representatives on City Council.

~~Commissioner Jorgensen would like to meet with Ms. Cooper.~~ Commissioner Jorgensen explained, per the Guidelines, Commissioners cannot anticipate growth but must adhere to the 2010 Census numbers only.

Commissioner Thackston felt the numbers Ms. Cooper used in her discussions were accurate.

1ST MOTION SECOND AMENDMENT

Motion made by Commissioner Thackston, seconded by Commissioner Karlsruher *and UNANIMOUSLY CARRIED TO INCLUDE DRAFT PLAN SD-1 AS ONE OF THE THREE MAPS THAT COMMISSIONERS SHARE WITH THE PUBLIC FOR CONSIDERATION AND DISCUSSION.*

Commissioner Graham asked Chair Finke if Commissioners would be voting on the amendment to the motion, to also allow SD-1, in some shape or form, to re-emerge for consideration.

Chair Finke responded Commissioners had voted on the amendment to the motion, not the motion itself.

Mr. Coronado suggested, with Commissioners approval, Staff meet with Ms. Cooper and create a second version of SD-1, per Ms. Cooper's instructions. Staff will then bring that version to Commissioners prior to any community outreach meetings.

Commissioner Graham noted Draft Plan SD-1 moved the Tigua Reservation, by one precinct, to District 7. He noted that Commissioners were united in maintaining the Tiguas in their current District, for continuity.

Mr. Felipe Luna, private citizen and Political Science Instructor at El Paso Community College, noted he had previously attended several of Chair Finke's classes. To the Commissioners, this is not an easy task. He felt that some Commissioners may already have an agenda, an agenda given to them by their City Council Representative. He asked Commissioners to allow the process to be open and unbiased.

Mr. Anthony Crespo, EPCC Political Science student, stated people should be 'hands on' with this stuff because it does affect them, their day to day lives, and affect what political party represents their district.

Commissioner Thackston explained the City districting and voting process is non-partisan.

Mr. Crespo understood the intention was to not be biased and partisan; however, as evident by Commissioners comments and tone of voice previously, Commissioners may be under the direction/influence of their City Council Representative.

Mr. Ray Mancera, representing LULAC (League of United Latin American Citizens), commented on the meeting time change. Mr. Mancera requested Commissioners not revert to old Draft Plans (SD-1) as this will create confusion; however, he felt that CD-1a, CD-1b and SD-5 were moving in the right direction. He had full confidence that

Commissioners will do what is right and fair for the citizenry of El Paso, independent of City Council Representative. He congratulated Commissioner Graham on creating Draft Plan ~~SD-5~~ CD-1 and noted that the numbers are coming down. He asked Ms. Taylor, if it was by City statute or any other ordinance, that Commissioners cannot base their decisions on future growth projections.

Ms. Taylor explained Commissioners are not in the position to consider future growth data and analysis.

Chair Finke understood that the fundamental mandate of the Commission was to equalize population among city Districts based upon the 2010 census, period. He added the city has the capability to redistrict in between censuses, based upon census projections. He asked Legal Staff to research and provide the appropriate reference, be it Federal, State or local statute, and present that information at the next meeting.

Mr. Mancera stated the issue is moving forward and gathering public input. At this time, LULAC does not want to submit a Draft Plan; however, LULAC will not hesitate in submitting a Draft Plan should the Commission go a different route.

At this time, Chair Finke stated Commissioners have an amended motion on the floor and called for the vote.

1ST MOTION

Motion made by Commissioner Graham, seconded by Commissioner Jorgensen and **UNANIMOUSLY CARRIED THAT THE COMMISSION MOVE FORWARD CONSIDERING THAT CD-1B, WHICH DOES A STRONG JOB OF MEETING THE POPULATION TARGETS THAT COMMISSIONERS ARE REQUIRED TO MAKE, AND SD-5 WITH ANY REVISIONS THAT STAFF MAY FEEL NECESSARY BASED ON THOSE REVISIONS WHICH MAY OCCUR BEFORE THE NEXT MEETING.**

AMENDED MOTION VOTE:

AYES: Commissioners Karlsruher, Thackston, Graham, and Jorgensen

The Motion passed.

FOR THE RECORD

Mr. Coronado stated that next thing for Staff to do is look at CD-1b, SD-5 and another version of SD-1 to be presented at the December 14th meeting, here in Council Chambers.

Commissioner Thackston suggested Commissioners not schedule any public input meetings until after the December 14th meeting when Commissioners are presented the revised Draft Plans.

Chair Finke requested the December 14th meeting time be scheduled either earlier or later, he has a conflicting meeting to attend. Mr. Coronado explained that Staff has a

conflicting Board meeting on both December 7 and December 21, 2011. Staff requests Commissioners adhere to the December 14th meeting schedule, place and time.

Ms. Taylor also reminded the Commission that Vice-Chair Dominguez could cover the meeting until Chair Finke's arrival and reiterated Staff reserved Council Chambers for Districting Commission meetings due to the video stream equipment. She requested Commissioners not change the December 14th meeting date but either move the meeting time later or have the Vice-Chair cover the meeting.

Mr. Coronado clarified that Staff would have to post the agenda tomorrow if the meeting was moved up by one week.

Mr. Mancera explained that the revised maps do not have to be available at the time of posting. However, Ms. Taylor responded, for proper discussion, Commissioners would like to have that information to review prior to the meeting.

In light of the difficulties presented, Chair Finke requested Commissioners and Staff leave the schedule as is.

Commissioner Graham encouraged Staff to make sure that all Commissioners are aware of all meeting dates and times.

6. **Adjournment**

MOTION:

Motion made by Commissioner Thackston to adjourn the meeting.

POINT OF ORDER

Prior to adjourning, Commissioner Karlsruher asked if the Commissioners were going to set the January 2012 meeting schedule.

Mr. Coronado responded, at this point, Commissioners could schedule the January 2012 meeting schedule after the December 14th meeting.

MOTION:

Motion made by Commissioner Thackston, seconded by Commissioner Graham and **UNANIMOUSLY CARRIED TO ADJOURN THE MEETING AT 6:26PM.**

From: Laurie Cooper [mailto:laurie.a.cooper@att.net]
Sent: Wednesday, December 14, 2011 1:12 PM
To: Coronado, David A.
Cc: arlinapalacios@gmail.com
Subject: Request for Revision of 11-30-11 Redistricting Commission Meeting Minutes

Dear Mr. Coronado,

I realize that the written version of the Redistricting Commission meeting minutes are a very abbreviated synopsis of the meeting due to the availability of the full meeting recording. However, after review of the Public Comment section of the written meeting minutes and meeting audio, the written meeting minutes do not accurately reflect my response to Commissioner Graham's question regarding whose interest I was representing.

I respectfully request that the abbreviated representation of my statement at the 11/30/2011 Redistricting meeting on page 7 item 1 paragraphs 1 and 3 of the written meeting minutes contained in the 12-14-2011 Redistricting Commission meeting agenda be revised to read:

Paragraph 1:

Ms Laurie Cooper, District 7 resident, representing some of the residents, neighborhoods, and part of the Alameda Corridor project. Ms Cooper read from a prepared statement. She stated that some of the residents residing within the corridor south of I-10 found all Draft plans except for SD-1 to be unacceptable.

Paragraph 3:

Additionally, she requested Commissioners postpone their motion to allow individuals within the corridor south of I-10 to prepare a different map.

Ms. Cooper briefly explained the Alameda Corridor Project for Commissioners, Staff, and members of the public. She explained that except for SD-1 the Draft Plans reduced the number of representatives accountable to the corridor south of I-10.

Additionally, I did not hear a statement on the audio from Commissioner Jorgensen requesting to meet with me.

Thank you for your consideration.

Sincerely,
Laurie Cooper