

City of Santa Fe, New Mexico

LEGISLATIVE SUMMARY

BILL NO. 2014-33

Redistricting Commission

SPONSOR(S): Councilors Dominguez, Trujillo and Ives

SUMMARY: The bill relates to redistricting and proposes to:

- create a new Section 6-18 SFCC 1987 to establish an Independent Citizens' Redistricting Commission ("Commission");
- amend the Santa Fe Election Code, Section 9-1 SFCC 1987 to require that the Commission review and revise the City of Santa Fe district boundaries at least every ten years; and
- make such other changes as are necessary to carry out the purpose of the ordinance.

The bill has been reviewed by the Public Works and Finance Committees. Both committees recommended approval of the bill, however, the Finance Committee recommended amendments to bill which are acceptable to the primary sponsor of the legislation. Additionally, the sponsor has requested that additional amendments to the bill be made. All amendments are referenced on the attached amendment sheet.

PREPARED BY: Melissa Byers, Legislative Liaison

DATE: November 6, 2014

ATTACHMENTS: Committee Action Sheets
Amendment Sheet
Bill
FIR

ACTION SHEET
CITY COUNCIL COMMITTEE MEETING OF 11/12/14
ITEM FROM FINANCE COMMITTEE MEETING OF 11/03/14

ISSUE:

13. Independent Citizens' Redistricting Commission. (Councilors Dominguez, Trujillo and Ives) (Zachary Shandler)

A. Request for Approval of an Ordinance Relating to Redistricting; Creating a New Section 6-18 SFCC 1987 to Establish an Independent Citizens' Redistricting Commission; Amending the Santa Fe Election Code, Section 9-1 SFCC 1987 to Require That the Independent Citizens' Redistricting Commission Shall Review and Revise the City of Santa Fe District Boundaries at Least Every Ten Years; and Making Such Other Changes as are Necessary.

B. Request for Approval of a Resolution Directing Staff to Provide Outreach and Education to the Public Regarding the City of Santa Fe Independent Citizens' Redistricting Commission ("Commission") and Call on Interested Persons, Who Meet the Qualifications for Commission Membership, to Apply for a Position on the Commission.

Committee Review:

Public Works Committee (approved)	10/27/14
City Council (request to publish)	11/12/14
City Council (public hearing)	12/10/14

Fiscal Impact – Yes

FINANCE COMMITTEE ACTION: APPROVED AS DISCUSSION ITEM

FUNDING SOURCE:

SPECIAL CONDITIONS OR AMENDMENTS

Approved A & B with amendments. Add Councilor Maestas as co-sponsor.

STAFF FOLLOW-UP:

VOTE	FOR	AGAINST	ABSTAIN
COUNCILOR TRUJILLO	X		
COUNCILOR RIVERA	X		
COUNCILOR LINDELL	X		
COUNCILOR MAESTAS	X		
CHAIRPERSON DOMINGUEZ			

**ACTION SHEET
ITEM FROM THE
PUBLIC WORKS/CIP AND LAND USE COMMITTEE MEETING
OF
MONDAY, OCTOBER 27, 2014**

ITEM 11

INDEPENDENT CITIZENS REDISTRICTING COMMISSION

- REQUEST FOR APPROVAL OF AN ORDINANCE RELATING TO REDISTRICTING; CREATING A NEW SECTION 6-18 SFCC 1987 TO ESTABLISH AN INDEPENDENT CITIZENS' REDISTRICTING COMMISSION; AMENDING THE SANTA FE ELECTION CODE, SECTION 9-1 SFCC 1987 TO REQUIRE THAT THE INDEPENDENT CITIZEN'S REDISTRICTING COMMISSION SHALL REVIEW AND REVISE THE CITY OF SANTA FE DISTRICT BOUNDARIES AT LEAST EVERY TEN YEARS; AND MAKING SUCH OTHER CHANGES AS ARE NECESSARY
- REQUEST FOR APPROVAL OF A RESOLUTION DIRECTING STAFF TO PROVIDE OUTREACH AND EDUCATION TO THE PUBLIC REGARDING THE CITY OF SANTA FE INDEPENDENT CITIZENS' REDISTRICTING COMMISSION ("COMMISSION") AND CALL ON INTERESTED PERSONS, WHO MEET THE QUALIFICATIONS FOR COMMISSION MEMBERSHIP, TO APPLY FOR A POSITION ON THE COMMISSION (COUNCILORS DOMINGUEZ, TRUJILLO, AND IVES) (ZACHARY SHANDLER)

PUBLIC WORKS COMMITTEE ACTION: Approved

FUNDING SOURCE:

SPECIAL CONDITIONS / AMENDMENTS / STAFF FOLLOW UP:

VOTE	FOR	AGAINST	ABSTAIN
CHAIRPERSON TRUJILLO			
COUNCILOR BUSHEE	X		
COUNCILOR DIMAS	Excused		
COUNCILOR DOMINGUEZ	X		
COUNCILOR RIVERA	X		

CITY OF SANTA FE, NEW MEXICO
PROPOSED AMENDMENT(S) TO BILL NO. 2014-33
Independent Citizens' Redistricting Commission

Mayor and Members of the City Council:

I propose the following amendment(s) to Bill No. 2014-33:

1. On page 2, *delete* lines 8 and 9 and *insert* the following in lieu thereof: "by using data, including census data."
2. On page 2, line 15, *delete* "establish a" and *insert* in lieu thereof "adopt a final"
3. On page 3, *delete* lines 14 through 18 and *insert* the following, in lieu thereof:

"E. The commission may assign appropriate weight to:

 - (1) Geographical boundaries;
 - (2) Minimizing the splitting of precincts;
 - (3) Minimizing the splitting of political boundaries;
 - (4) Minimizing the need for additional polling locations;
 - (5) Minimizing voter confusion in switching elected officials into different districts; and
 - (6) Establishing districts that have a fairly regular shape."
4. On page 5, line 5, after "statistician" *insert* ", except that if a city resident is not available, then a resident of Santa Fe county may be appointed"
5. On page 5, line 7, after "cartographer" *insert* ", except that if a city resident is not available, then a resident of Santa Fe county may be appointed"
6. On page 5, line 19, after "commission" *insert* ", unless otherwise provided for in this Ordinance"
7. On page 6, line 5 after "candidate" *insert* ", as defined in §9-2.3(G) SFCC 1987"
8. On page 6, line 11, after "who" *insert* "is or has registered as a lobbyist with the New Mexico secretary of State; and a person who"
9. On page 6, lines 24 through 25 and on page 7, line 1, *delete*:

"(i) A person who, at any time within the five (5) years immediately preceding the date of their application for selection to the commission, has contributed more than five dollars (\$5.00) to the campaign of a city elected official."
10. On page 8, *delete* lines 4 and 5 and *insert* in lieu thereof:

"The first commission shall be established no later than February 1, 2015, so that the initial districting plan shall be final by June 1, 2015."

11. On page 8, *delete* lines 11 and 12 and *insert* the following text in lieu thereof:

“6-18.6 [NEW MATERIAL] Budget. The city finance director shall request that adequate funds be appropriated for the commission to carry out its duties.”

Respectfully submitted,

Carmichael Dominguez, Councilor

ADOPTED: _____

NOT ADOPTED: _____

DATE: _____

Yolanda Y. Vigil, City Clerk

1 CITY OF SANTA FE, NEW MEXICO

2 BILL NO. 2014-33

3 INTRODUCED BY:

4 Councilor Carmichael Dominguez

5 Councilor Ronald Trujillo

6 Councilor Peter Ives

7 AN ORDINANCE

8
9
10 RELATING TO REDISTRICTING; CREATING A NEW SECTION 6-18 SFCC 1987 TO
11 ESTABLISH AN INDEPENDENT CITIZENS' REDISTRICTING COMMISSION;
12 AMENDING THE SANTA FE ELECTION CODE, SECTION 9-1 SFCC 1987 TO REQUIRE
13 THAT THE INDEPENDENT CITIZENS' REDISTRICTING COMMISSION SHALL
14 REVIEW AND REVISE THE CITY OF SANTA FE DISTRICT BOUNDARIES AT LEAST
15 EVERY TEN YEARS; AND MAKING SUCH OTHER CHANGES AS ARE NECESSARY.
16

17
18 BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF SANTA FE:

19 Section 1. A new Article 6-18 SFCC 1987 is ordained to read:

20 6-18 [NEW MATERIAL] INDEPENDENT CITIZENS' REDISTRICTING COMMISSION.

21 6-18.1 [NEW MATERIAL] Creation; Purpose.

22 A. The creation of an independent citizens' redistricting commission ("commission")
23 was approved by the electorate of the city of Santa Fe on March 4, 2014 when the electorate approved
24 an amendment to Section 6.03 of the Santa Fe Municipal Charter ("Charter").

25 B. As required by the Charter, the purpose of this section is to establish a procedure for

1 the appointment and deliberations of the commission.

2 **6-18.2 [NEW MATERIAL] Independent Districting Consultant.**

3 A. Prior to the establishment of the first commission and every commission thereafter,
4 an independent districting consultant shall be acquired through the city procurement process. The
5 consultant shall be experienced and competent in the skills necessary for the districting work to assist
6 the commission in developing the districting plans detailed in this Section.

7 B. The consultant shall provide professional and technical assistance to the commission
8 and use data, including census data, to create four (4) dual member districts for the consideration by
9 the commission.

10 C. The consultant, along with the city attorney, shall ensure that the districting plans
11 comply with state, federal and local laws including the Federal Voting Rights Act of 1965 and the
12 City of Santa Fe Municipal Charter. The creation of districts shall be done in such a way as to avoid
13 splitting precincts.

14 **6-18.3 [NEW MATERIAL] Powers and Duties of Commission.**

15 A. The first commission established under this Section shall establish a districting plan
16 for adjusting the boundaries of the four (4) city council districts in a timely manner, but no later than
17 June 1, 2015, for use in the 2016 regular municipal election.

18 B. Future commissions shall establish a districting plan, if necessary, for adjusting the
19 boundaries of the four (4) city council districts:

20 (1) Within one (1) year of receipt by the city of the final federal decennial census
21 information for use commencing with the next scheduled general municipal election
22 occurring at least three (3) months after adoption of the final districting plan; or

23 (2) When the governing body adopts a resolution expressing the need for
24 convening a commission to establish a districting plan.

25 C. Pursuant to 6-18.2 SFCC 1987, the commission shall rely on the professional and

1 technical assistance of the independent districting consultant when considering and establishing the
2 final districting plan.

3 D. In establishing the district boundaries, the commission will, to the maximum
4 practicable extent, ensure that the commission's decisions will be based exclusively on the following
5 principles in the following order of priority:

6 (1) Each district shall contain as nearly as possible substantially the same
7 population based upon the most recent federal census;

8 (2) Districting plans must avoid dilution of minority voting strength;

9 (3) Communities of interest, including those based upon ethnic and economic
10 factors, shall be preserved within a single district whenever reasonable;

11 (4) Each district shall be formed of compact, contiguous territories. The total
12 length of all district boundary lines shall be as short as possible;

13 (5) Districting plans shall compensate for U.S. census undercount of minorities.

14 E. The commission may assign appropriate weight to:

15 (1) Minimizing the splitting of precincts;

16 (2) Minimizing the need for additional polling locations; and

17 (3) Minimizing voter confusion in switching elected officials into different
18 districts.

19 F. The commission shall conduct a series of public hearings.

20 (1) The commission shall conduct a minimum of one (1) public hearing for
21 organizational purposes in order to select a chairperson and a vice-chairperson and to
22 coordinate with the independent consultant.

23 (2) The commission shall conduct a minimum of one (1) public hearing to
24 provide instruction to the consultant for the development of a preliminary districting plan or
25 plans.

1 (3) The commission shall conduct a minimum of four (4) public hearings to
2 receive oral and written comments on the preliminary districting plan or plans.

3 (4) The commission shall conduct a minimum of one (1) public hearing to vote
4 to adopt a final districting plan.

5 G. In addition to considering districting plans prepared by the commission in
6 coordination with the independent consultant, the commission may consider districting plans
7 submitted by the general public that are consistent with the requirements of the laws of the city of
8 Santa Fe and the state of New Mexico.

9 H. The commission shall conduct the public hearings in an open and transparent manner,
10 in accordance with the New Mexico Open Meetings Act, Sections 10-15-1 through 10-15-4 NMSA
11 1978.

12 I. Any member of the commission shall not communicate with any interested parties
13 outside of the public meeting and hearing concerning the merits or substance of any item coming
14 before the commission, except in writing filed with the city clerk.

15 **6-18.3 [NEW MATERIAL] Membership**

16 A. *Definitions.* As used in this subsection:

17 (1) *Cartographer* means a person who makes maps and has a minimum of three
18 years of work experience as a cartographer.

19 (2) *Geographer* means a person who specializes in geography and has a
20 minimum of three years of work experience as a geographer.

21 (3) *Statistician* means a person who is versed in or engaged in compiling
22 statistics and has a minimum of three years of work experience as a statistician.

23 B. *Membership.* The commission shall consist of seven (7) members who shall be
24 selected and appointed in the manner provided for in 6-18.4 SFCC 1987.

25 (1) One (1) member shall be a resident of city council district 1;

1 (2) One (1) member shall be a resident of city council district 2;

2 (3) One (1) member shall be a resident of city council district 3;

3 (4) One (1) member shall be a resident of city council district 4;

4 (5) One (1) member shall be a resident of the city of Santa Fe, who is a
5 statistician;

6 (6) One (1) member shall be a resident of the city of Santa Fe, who is either a
7 geographer or cartographer; and

8 (7) For the first commission, one (1) member shall be a resident of the city of
9 Santa Fe and reside in the newly annexed area of the city that became effective on January 1,
10 2014. For future commissions, the one (1) member shall be a resident of any city council
11 district.

12 Should the city not receive applications from interested persons for the membership positions
13 described in subparagraphs (5) and (6), above, then those positions may be filled by interested
14 persons of any city council district who have applied for and were not selected for the other
15 membership positions.

16 **6-18.4 [NEW MATERIAL] Eligibility; Selection; Chairperson; Term.**

17 A. *Eligibility to serve on the commission.*

18 (1) Only persons who are both residents and registered voters of the city are
19 eligible to apply for and serve on the commission.

20 (2) Notwithstanding that a person may be a resident and registered voter of the
21 city, the following persons are ineligible to apply for and serve on the commission:

22 (a) Any elected official; or

23 (b) A relative by blood or marriage within the second degree, or any
24 domestic partner, within the meaning of Subsection 19-3.8 SFCC 1987, of any
25 elected city official; or

1 (c) A person who, at any time within the five (5) years immediately
2 preceding the date of their application for selection to the commission, has served as
3 an elected city official; or

4 (d) A person who, within the last five (5) years immediately preceding
5 the date of application for selection to the commission, has been a candidate to
6 become an elected city official; or

7 (e) A current employee of the city or a current employee of any
8 organization representing any employee bargaining unit for employees of the city; or

9 (f) A person who, at any time within the five (5) years immediately
10 preceding the date of their application for selection to the commission, has worked as
11 a lobbyist. For purposes of this provision, the term "lobbyist" means a person who,
12 for compensation, has direct communication with an elected official, including any
13 elected city official, for purposes of influencing a municipal decision; or

14 (g) A person who is currently an officer in any non-profit organization
15 that participates in the electoral process through endorsements of candidates.

16 (h) A person who is currently an officer in any political committee, as
17 that term is defined in 9-2.3(M) SFCC 1987; or

18 (i) A person who is currently an officer in any qualified political party,
19 as that term is defined in 1-1-10 NMSA 1978, including, an officer of any county
20 political party; or

21 (h) A person who, at any time within the five (5) years immediately
22 preceding the date of their application for selection to the commission, has served as
23 a paid campaign worker or paid campaign consultant for an elected city official; or

24 (i) A person who, at any time within the five (5) years immediately
25 preceding the date of their application for selection to the commission, has

1 contributed more than five dollars (\$5.00) to the campaign of a city elected official.

2 C. *Selection of commission members.*

3 (1) The city clerk shall set a reasonable period for an application submittal
4 period.

5 (2) Any person desiring to serve on the commission shall apply by submitting an
6 application to the city clerk during the application submittal period. The application shall be
7 on a form prepared by the city clerk and approved by the city attorney.

8 (3) The city clerk shall conduct a ministerial review of each submitted
9 application for completeness. All applications shall be submitted to the city clerk by the close
10 of the application submittal period in order to be considered.

11 (4) Upon close of the application submittal period, the city clerk shall count all
12 applications submitted and determine the number of complete applications that will be
13 available for the drawing. If the city clerk determines that less than three (3) complete
14 applications, per membership position, have been submitted, the city clerk shall extend the
15 application period, if doing so will not interfere with applicable deadlines for the redistricting
16 process. The city clerk extended application period shall be no more than one-half the length
17 of the initial application period.

18 (4) The city clerk shall set a date, time and place for the members to be selected
19 by means of a drawing by lot, so that (1) member for each position, described in 6-18.3 SFCC
20 1987, is selected, along with one alternate, in the event the member resigns in writing prior
21 to the end of the term of the commission. An alternate shall be subject to the same
22 requirements of a member. An alternate is not required to attend commission meetings;
23 however, if an alternate is called upon, then the alternate shall be required to become familiar
24 with the minutes and actions of the commission, prior to voting on any items.

25 D. *Chairperson.* The chairperson and vice-chairperson shall be elected by members of

1 the commission.

2 E. *Term.*

3 (1) The members of the first commission shall be selected as soon as practicable.
4 For the first commission, the goal is to have the commission members determined by no later
5 than February 1, 2015 so that the initial districting plan shall be final by June 1, 2015.

6 (2) Members of each commission shall serve from the time they are appointed
7 until after the vote on the final redistrict plan, or unless ordered otherwise by a court.

8 **6-18.5 [NEW MATERIAL] Meetings.** Each commission shall establish its regular meeting
9 day, time and location and shall publish notice of each meeting with the city clerk, in accordance with
10 the New Mexico Open Meetings Act, , Sections 10-15-1 through 10-15-4 NMSA 1978.

11 **6-18.6 [NEW MATERIAL] Budget.** The city finance director shall ensure that adequate
12 funds are appropriated for the commission to carry out its duties.

13 **6-18.7 [NEW MATERIAL] Staff.** The city attorney shall be the staff liaison to the
14 commission.

15 **Section 2. Subsection 9-1.4 SFCC 1987 (being Ord. #1985-60, §4, as amended) is**
16 **amended to read:**

17 **9-1.4 Districting.**

18 A. In establishing the district boundaries, [~~the governing body~~] the independent citizens'
19 redistricting commission, established by Section 6-18 SFCC 1987, shall consider the following
20 principles in the following order of priority:

21 (1) Each district shall contain as nearly as possible substantially the same
22 population based upon the most recent federal census;

23 (2) Districting plans must avoid dilution of minority voting strength;

24 (3) Communities of interest, including those based upon ethnic and economic
25 factors, shall be preserved within a single district whenever reasonable;

1 (4) Each district shall be formed of compact, contiguous territories. The total
2 length of all district boundary lines shall be as short as possible;

3 (5) Districting plans shall compensate for U.S. Census undercount of minorities.

4 B. District boundaries shall be reviewed and revised, if necessary, following each
5 decennial federal census.

6 C. Revisions to the district boundaries [~~in existence on the date of adoption of this~~
7 ~~ordinance~~] shall be effective beginning with the March[~~, 2012~~] 2016 regular municipal election.

8 **Section 3. Subsection 9-1.4.1 SFCC 1987 (being Ord. #2002-7, §§4,5, as amended)**
9 **is amended to read:**

10 **9-1.4.1 Incorporation by Reference.**

11 The approved redistricting plan and plan documents (subsections 9-1.3 and 9-1.4) presented
12 to [~~and utilized by the governing body at the August 1, 2011 meeting~~] the independent citizens'
13 redistricting commission, in the course of revising the boundaries of the four (4) city council districts
14 are incorporated by reference. A true and correct copy of said plan and plan documents shall be
15 retained by the municipal clerk and made available for inspection by the public.

16 **Section 4. Review.** This Ordinance shall be reviewed by the governing body no later
17 than one year from the date of adoption.

18 **Section 5. Effective Date.** This Ordinance shall become effective immediately upon
19 adoption.

20 APPROVED AS TO FORM:

21 
22 _____

23 KELLEY A. BRENNAN, CITY ATTORNEY

24
25 *M/Melissa/Bills 2014/Redistricting Commission*

**City of Santa Fe
Fiscal Impact Report (FIR)**

This Fiscal Impact Report (FIR) shall be completed for each proposed bill or resolution as to its direct impact upon the City's operating budget and is intended for use by any of the standing committees of and the Governing Body of the City of Santa Fe. Bills or resolutions with no fiscal impact still require a completed FIR. Bills or resolutions with a fiscal impact must be reviewed by the Finance Committee. Bills or resolutions without a fiscal impact generally do not require review by the Finance Committee unless the subject of the bill or resolution is financial in nature.

Section A. General Information

(Check) Bill: X 2014-33 Resolution: X
(A single FIR may be used for related bills and/or resolutions)

Short Title(s):

Relating To Redistricting:

- An Ordinance Creating an Independent Citizens' Redistricting Commission; Amending the Santa Fe Election Code to Require the Commission to Review and Revise the Council District Boundaries At Least Every Ten Years.
- A Resolution Directing Staff to Provide Outreach and Education to the Public Regarding the Commission and Call on Interested Persons, Who Meet the Qualifications for Commission Membership, to Apply for a Position on the Commission.

Sponsor(s): Councilors Dominguez, Trujillo and Ives

Reviewing Department(s): City Attorney's Office

Persons Completing FIR: Melissa Byers Date: 10/27/14 Phone: 955-6518

Reviewed by City Attorney: Kelly A. Brennan Date: 10/29/14
(Signature)

Reviewed by Finance Director: Theresa Gura Date: 10/30/14
(Signature)

Section B. Summary

Briefly explain the purpose and major provisions of the bill/resolution:

The purpose of the bill is to establish an independent citizens redistricting commission pursuant to Section 6.03 of the Santa Fe Municipal Charter. The purpose of the resolution is to direct staff to provide outreach and education regarding the commission and call on members of the public who meet the qualifications of membership, to apply for a position on the commission.

Section C. Fiscal Impact

Note: Financial information on this FIR does not directly translate into a City of Santa Fe budget increase. For a budget increase, the following are required:

- a. The item must be on the agenda at the Finance Committee and City Council as a "Request for Approval of a City of Santa Fe Budget Increase" with a definitive funding source (could be same item and same time as bill/resolution)
- b. Detailed budget information must be attached as to fund, business units, and line item, amounts, and explanations (similar to annual requests for budget)
- c. Detailed personnel forms must be attached as to range, salary, and benefit allocation and signed by Human Resource Department for each new position(s) requested (prorated for period to be employed by fiscal year)*

1. Projected Expenditures:

- a. Indicate Fiscal Year(s) affected – usually current fiscal year and following fiscal year (i.e., FY 03/04 and FY 04/05)
- b. Indicate: "A" if current budget and level of staffing will absorb the costs
"N" if new, additional, or increased budget or staffing will be required
- c. Indicate: "R" – if recurring annual costs
"NR" if one-time, non-recurring costs, such as start-up, contract or equipment costs
- d. Attach additional projection schedules if two years does not adequately project revenue and cost patterns
- e. Costs may be netted or shown as an offset if some cost savings are projected (explain in Section 3 Narrative)

Finance Director: _____

_____ Check here if no fiscal impact

Column #:	1	2	3	4	5	6	7	8
	Expenditure Classification	FY 14/15	"A" Costs Absorbed or "N" New Budget Required	"R" Costs Recurring or "NR" Non-recurring	FY _____	"A" Costs Absorbed or "N" New Budget Required	"R" Costs - Recurring or "NR" Non-recurring	Fund Affected

Personnel*								
Attorney	\$ 750.00	A	NR	\$ _____				12005
City Clerk	\$ 900.00	A	NR					12006
Fringe**	\$ _____			\$ _____				
Capital Outlay	\$ _____			\$ _____				
Land/ Building	\$ _____			\$ _____				
Professional Services:								12005
Redistricting Consultant	\$25,000	N	NR	\$ _____				12006
Stenographer Services	\$ 2,100	N	NR	\$ _____				
Precinct /District Maps	\$ 1,000	N	NR	\$ _____				12006
Total:	\$29,750			\$ _____				

* Any indication that additional staffing would be required must be reviewed and approved in advance by the City Manager by attached memo before release of FIR to committees. **For fringe benefits contact the Finance Dept.

2. Revenue Sources:

- a. To indicate new revenues and/or
- b. Required for costs for which new expenditure budget is proposed above in item 1.

Column #:	1	2	3	4	5	6
	Type of Revenue SOURCE HAS NOT BEEN IDENTIFIED	FY 14/15	"R" Costs Recurring or "NR" Non-recurring	FY _____	"R" Costs - Recurring or "NR" Non-recurring	

_____	\$ _____		\$ _____			
_____	\$ _____		\$ _____			
_____	\$ _____		\$ _____			
Total:	\$ _____		\$ _____			

3. Expenditure/Revenue Narrative:

Explain revenue source(s). Include revenue calculations, grant(s) available, anticipated date of receipt of revenues/grants, etc. Explain expenditures, grant match(s), justify personnel increase(s), detail capital and operating uses, etc. (Attach supplemental page, if necessary.)

There is currently not a revenue source identified for the legislation, however, City Attorney staff has a request in to the Finance Department to identify funding to carry out the purposes of the legislation. Once the funding source is identified, a budget adjustment request will be prepared to transfer:

\$25,000 into the City Attorney's budget for the redistricting consultant; and
\$ 3,100 into the City Clerk's budget for the stenographer services and precinct/district maps.

Personnel costs identified will be absorbed in the current budget and include salary for attendance at commission meetings (approximately 14 staff hours each for an assistant city attorney and the city clerk).

Section D. General Narrative

1. **Conflicts:** Does this proposed bill/resolution duplicate/conflict with/companion to/relate to any City code, approved ordinance or resolution, other adopted policies or proposed legislation? Include details of city adopted laws/ordinance/resolutions and dates. Summarize the relationships, conflicts or overlaps.

The proposed legislation relates to §6.03 of the Santa Fe Municipal Charter which mandates that the Governing Body adopt an ordinance to establish the independent citizens' redistricting commission. Additionally the legislation relates to Ordinance No. 2013-36 which authorized the Phase 2 annexation that annexed approximately 4100 acres, primarily on the southern and western borders of the City, into the City limits. The annexation incorporated at least 13,250 new residents into the City limits.

2. Consequences of Not Enacting This Bill/Resolution:

Are there consequences of not enacting this bill/resolution? If so, describe.

The residents that have been annexed into the City will not be equally absorbed into the City's four Council Districts and the consequence is possible legal challenge because the Municipal Charter Section 6.03A states "each district shall contain as nearly as possible substantially the same population...."

3. Technical Issues:

Are there incorrect citations of law, drafting errors or other problems? Are there any amendments that should be considered? Are there any other alternatives which should be considered? If so, describe.

None that staff is aware of

4. Community Impact:

Briefly describe the major positive or negative effects the Bill/Resolution might have on the community including, but not limited to, businesses, neighborhoods, families, children and youth, social service providers and other institutions such as schools, churches, etc.

The voters of the City of Santa Fe mandated that an independent citizens' redistricting commission be established. By establishing the commission, the Governing Body is complying with such mandate and the residents of the city of Santa Fe will be equally represented and absorbed into the four Council districts.

Form adopted: 01/12/05; revised 8/24/05; revised 4/17/08

City of Santa Fe, New Mexico

LEGISLATIVE SUMMARY

Resolution No. 2014-____ Redistricting – Call for Members

SPONSOR(S): Councilor Dominguez

SUMMARY: The resolution directs staff to provide outreach and education to the public regarding the city of Santa Fe Independent Citizens' Redistricting Commission ("Commission") and calls on interested persons, who meet the qualifications for commission membership, to apply for a position on the Commission.

The resolution has been reviewed by the Public Works and Finance Committees. Both committees recommended approval of the resolution, however, the Finance Committee recommended amendments which are acceptable to the sponsor. Additionally, the sponsor has requested that additional amendments to the resolution be made. All amendments are referenced on the attached amendment sheet.

PREPARED BY: Melissa Byers, Legislative Liaison

FISCAL IMPACT: No

DATE: November 6, 2014

ATTACHMENTS: Amendment Sheet
Resolution
FIR

CITY OF SANTA FE, NEW MEXICO
PROPOSED AMENDMENT(S) TO RESOLUTION NO. 2014-____
Independent Citizens' Redistricting Commission

Mayor and Members of the City Council:

I propose the following amendment(s) to Resolution No. 2014-____ :

1. On page 2, line 13 after "about" *insert* "such things that include, but are not limited to, demographics, statistics,"
2. On page 2, line 21, after "that" *insert* "between December 15, 2014 and January 15, 2016,"
3. On page 2, line 24, after "about" *insert* "such things that include, but are not limited to, demographics, statistics,"
4. On page 3, line 5, after "statistician" *insert* ", except that if a city resident is not available, then a resident of Santa Fe county may be appointed"
5. On page 3, line 6, after "cartographer" *insert* ", except that if a city resident is not available, then a resident of Santa Fe county may be appointed"
6. On page 3, line 16, *insert* the following:

"Applications for membership on the Commission shall be received by the City Clerk between December 15, 2014 and January 15, 2015. No later than January 30, 2015, the City Clerk shall select the members of the Commission in accordance with the procedure established in Ordinance No. 2014-____."

Respectfully submitted,

Carmichael Dominguez, Councilor

ADOPTED: _____
NOT ADOPTED: _____
DATE: _____

Yolanda Y. Vigil, City Clerk

1 CITY OF SANTA FE, NEW MEXICO

2 RESOLUTION NO. 2014-__

3 INTRODUCED BY:

4
5 Councilor Carmichael Dominguez

6
7
8
9
10 A RESOLUTION

11 DIRECTING STAFF TO PROVIDE OUTREACH AND EDUCATION TO THE PUBLIC
12 REGARDING THE CITY OF SANTA FE INDEPENDENT CITIZENS' REDISTRICTING
13 COMMISSION ("COMMISSION") AND CALL ON INTERESTED PERSONS, WHO MEET
14 THE QUALIFICATIONS FOR COMMISSION MEMBERSHIP, TO APPLY FOR A
15 POSITION ON THE COMMISSION.

16
17 WHEREAS, on March 4, 2014, the voters of Santa Fe approved an amendment to Section
18 6.03 of the of *Santa Fe Municipal City Charter* ("Charter") that mandated the Governing Body to
19 establish, by ordinance, a procedure for the appointment and deliberations of an Independent
20 Citizens' Redistricting Commission ("*Commission*"); and

21 WHEREAS, on December 10, 2014, the Governing Body adopted Ordinance No. 2014-__
22 to create a new section 6-18 SFCC 1987 to establish the Commission; and

23 WHEREAS, the Commission is charged with reviewing and revising, at least every ten
24 years, the four dual-member council districts in the city of Santa Fe; and

25 WHEREAS, currently there is a need to redistrict the four council districts because on

1 January 2, 2014, the City of Santa Fe annexed approximately 4100 acres, primarily on the southern
2 and western borders of the City, into the City limits; and

3 **WHEREAS**, the annexation incorporated at least 13,250 new residents into the City limits;
4 and

5 **WHEREAS**, because of the areas in which they lived, those residents are not equally
6 absorbed into the four City Council Districts; and

7 **WHEREAS**, Santa Fe is a diverse community that embodies a rich history, melding
8 Hispanic, Anglo and Native American cultures; and

9 **WHEREAS**, the people of Santa Fe derive invaluable benefits from our multi-cultural
10 heritage and multi-ethnic and multi-racial residents who have made their homes in Santa Fe over the
11 centuries have each left their unique cultural mark on our city; and

12 **WHEREAS**, the Governing Body desires for residents of Santa Fe, who are registered
13 voters, and are knowledgeable about the history, geography, governmental structure and community
14 dynamics of the city of Santa Fe to apply for membership on the Commission; and

15 **WHEREAS**, time is of the essence for establishing the Commission because the next regular
16 municipal election is set for March 1, 2016.

17 **NOW, THEREFORE, BE IT RESOLVED BY THE GOVERNING BODY OF THE**
18 **CITY OF SANTA FE** that in order for redistricting to be finalized prior to the beginning of the
19 campaign cycle for the 2016 election, the Commission members shall be selected by February 1,
20 2015, pursuant to the mandate in Ordinance No. 2014-____.

21 **BE IT FURTHER RESOLVED** that staff, using existing city resources, is directed to
22 provide outreach and education to the public regarding the City of Santa Fe Independent Citizens'
23 Redistricting Commission and call on residents of Santa Fe, who are registered voters, and are
24 knowledgeable about the history, geography, governmental structure and community dynamics of the
25 city of Santa Fe to apply for one or more of the following membership positions on the Commission:

- 1 (1) One resident of city council district 1;
- 2 (2) One resident of city council district 2;
- 3 (3) One resident of city council district 3;
- 4 (4) One resident of city council district 4;
- 5 (5) One resident of the city of Santa Fe, who is a statistician;
- 6 (6) One resident of the city of Santa Fe, who is either a geographer or cartographer; and
- 7 (7) One resident of the city of Santa Fe who resides in the newly annexed area of the city
- 8 that became effective on January 1, 2014.

9 For purposes of membership on the Commission:

- 10 (1) *Cartographer* means a person who makes maps and has a minimum of three years of
- 11 work experience as a cartographer.
- 12 (2) *Geographer* means a person who specializes in geography and has a minimum of
- 13 three years of work experience as a geographer.
- 14 (3) *Statistician* means a person who is versed in or engaged in compiling statistics and
- 15 has a minimum of three years of work experience as a cartographer.

16 PASSED, APPROVED AND ADOPTED this _____ day of _____, 2014.

17
18 _____
19 JAVIER M. GONZALES, MAYOR

20 ATTEST:
21
22 _____
23 YOLANDA Y. VIGIL, CITY CLERK

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APPROVED AS TO FORM:



KELLEY A. BRENNAN, CITY ATTORNEY

M/Melissa/Resolutions 2014/Redistricting_Call for Members