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CITY OF SANTA FE  
INDEPENDENT CITIZENS' REDISTRICTING COMMISSION**

**TUESDAY, APRIL 23, 2015**

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**MINUTES OF THE  
INDEPENDENT CITIZENS' REDISTRICTING COMMISSION**

**SANTA FE, NEW MEXICO**

**Listening Session, District 4**

**Thursday, April 23, 2015**

A scheduled meeting for District Four of the Independent Citizens' Restricting Commission was called to order by Karen Heldmeyer, Chair, on this date at approximately 5:30 p.m. at Genoveva Chavez Community Center, Classroom I, 3221 W. Rodeo Road, Santa Fe, New Mexico.

**1. PROCEDURES:**

a) Roll call indicated a quorum as follows:

**Members Present:**

Karen Heldmeyer, chair  
Lillian J. Montoya, vice chair  
Steven M. Bassett  
Erin McSherry  
Roderick E. Thompson

**Members Absent:**

William Beardsley  
Elizabeth West

*Alternates Present: Neva Van Peski. Alternates excused: Suzanne Ronneau and Jody Larson. Peggy Vasquez was absent.*

**Staff Present:**

Zachary Shandler, Assistant City Attorney

**Others Present:**

Brian Sanderoff, Research & Polling, Inc.  
Michael Sharp, Research & Polling, Inc.  
Elizabeth Martin, recorder for Charmaine Clair

b) Approval of Agenda

**Ms. Montoya moved to approve the agenda as published. Ms. McSherry seconded the motion and the motion passed unanimously by voice vote.**

c) Approval of Minutes of March 24, 2015

Page 8, last paragraph before Public Comments: Chair Heldmeyer said *"the maps and tables are so data heavy that it made sense to have them on the website... should be corrected to: "... are so data heavy that it made sense to have them on the website."*

Page 6: *"Ms. McSherry asked if her desire for the potential growth would outweigh keeping it with its current district"* was clarified by Ms. McSherry to read: *"... asked if her desire addressing potential growth would outweigh keeping it with its current district'.*

**Mr. Thompson moved to approve the minutes as amended. Mr. Bassett seconded the motion and the motion passed unanimously by voice vote.**

Chair Heldmeyer said the purpose of the Redistricting Commission is to redraw four City Council districts with two Councilors in each so that the population is relatively equal. She said after annexation, District Three has twice as many people as the other districts. She explained there have been Listening Sessions in each district and this is the third session.

She asked if anyone wanted to say something prior to the consultant's presentation. She said there will be another opportunity for the public to comment after the presentation.

## **2. OPENING PUBLIC COMMENT**

**Ms. Susan Kreiner** asked what part of the City was annexed. Mr. Sanderoff replied he would point that out in his presentation.

## **3. OLD BUSINESS**

### a) Standing Item-Legal Issues Surrounding Redistricting

Mr. Shandler said there were no new legal items surrounding redistricting.

### b) Informational Item - League of Women Voters Study on Mail Ballot Elections-

Chair Heldmeyer said this issue came up at a Listening Sessions and the position of the League of Women Voters on a Mail Ballot Election is included in the packet. She said Mail Ballot Elections are legal in New Mexico if the rules are followed, but the City has never done one.

### c) Informational Item – Newspaper Article on Alabama Redistricting Case-

Mr. Shandler said this article is in the packet, but does not affect New Mexico.

### d) Informational Item - Precinct Total Population Map-

Chair Heldmeyer said a map was requested and is included in the packet that shows population precinct by precinct. She said the Commission was given a hierarchy of things to consider when redistricting and not splitting existing precincts if possible, is one. She said it helps to know how many people are within a

precinct when moving precincts around. A precinct with very few people could be put wherever you want, but a precinct with a couple of thousand people would limit the degree of freedom in what could be done.

#### 4. NEW BUSINESS

##### a) Independent Consultant Presentation

Mr. Sanderoff introduced himself and explained the Precinct Map. The top number is the precinct number and the bottom number is the population; the darker the color the more people within that precinct.

**Pat Collins** 1053 Calle don Roberto asked about the difference in her handout and the map in the book.

Mr. Sanderoff said the maps are the same. He pointed out the massive size of the precincts in the area by Tierra Contenta and immediately east and north. He said Precincts 67 and 75 are almost half of a City Council district and the size makes it harder in terms of flexibility, to deal with those precincts.

Chair Heldmeyer noted that the City does not draw the precincts, the County draws them.

Mr. Sanderoff said the precincts are the building blocks for districts. He reviewed the current City Council boundaries. He said the annexed area of the city is in yellow and generally fell into District Three and caused the district to be 47% larger than the ideal population of a district (the population of the city divided by four). To reach the ideal population the district will have to shed 9,600 people.

He said the primary objective of redistricting is to adjust the boundaries to equalize the population. The City Charter says to make the districts '*substantially*' as equal as possible and District Three has to shrink and all other districts will have to increase. He said District Four, where they are today is 19% too small and is over represented. He said they can equalize the population by expanding the boundaries of District Four, shrinking the boundaries of District Three and doing the same with Districts Two and One. The City Charter and the United States Constitution says not to dilute minority voting strength and to keep districts compact and contiguous and they must work with the compactness within the City boundaries.

Mr. Sanderoff explained you don't divide Hispanic neighborhoods into three or four different districts in such a way that they might not be able to elect the candidate of their choice; you do not want to "*pack them or crack them*". He said in Santa Fe that is less of an issue, which has a long and proud history of electing Hispanics in non-Hispanic districts.

He said District Three will always have a high Hispanic population, because that is where they live. He said starting in the corner to build a plan and assuming you build a compact and contiguous District Three and keep the airport and Tierra Contenta together, as well as some of the historic neighborhoods north and south of Airport Road; it is obvious that the neck of District Three has to be shed.

Mr. Sanderoff said District Four under Plan A picks up the excess population of that neck on both sides of Cerrillos Road and many of the older neighborhoods and mobile home parks and communities of interest. Plan A crosses Cerrillos Road to pick up excess population making District Three tight and compact and in this case Precinct 67 would go into District Four. Districts One and Two are divided by Canyon Road, East Alameda and Cerrillos Road up to Siler Road, which goes into District One. He said no plan is perfect and all plans have warts, because the City is forced to make them equal in population, relatively compact and totally contiguous.

Mr. Sanderoff pointed out the deviations under the current plan. He said under Plan A none of the deviations will exceed plus or minus 5 percent. That keeps District Three on the low end of plus or minus 5% anticipating the area will grow more than the others.

Mr. Sanderoff said under Plan A-2 the only difference from Plan A is Precinct 76, because the rationale was to shift Precinct 76 to District Two to anticipate that future growth. He added that the whole process would be done again in 5 years, because normally this is done after a census.

Mr. Sanderoff explained Plan B. The excess population from District Three went into District One. District Four is bound by Cerrillos, St. Francis and I-25 and Precinct 67 is in a northern district. Under Plan B the excess population goes into District One and District Two is mostly everything east of St. Francis and District Four is compact from I-25 to Cerrillos onto St. Francis.

Mr. Sanderoff said Plan C is a whole different perspective. District Three is not kept compact and uses Rodeo and Airport Roads as a boundary line and everything else goes into one district. He said District Three becomes south of Rodeo and Airport Roads and District Four is north of those roads. Districts One and Two take on more of a north Santa Fe and west side down to Siler Road. District Two is mostly the east side.

Mr. Sanderoff said Plan D was a request by the Commission for a different approach. Districts Three and Four are identical to Plan A. Districts One and Two are more of an east-west configuration that uses St. Frances Drive as the primary boundary between them. The biggest difference between the plans is how District Three and District One is handled because of the excess population in District Three.

*Ms. Kreiner* asked if population growth is a consideration in the plans or is something the City does not want to consider. She added that Precinct 67 has become very dense in 10 years and will get more so and District Three will become more dense. She said not much will happen in District Two and maybe not even in District One.

Mr. Sanderoff said where possible population was taken into account in districts. He explained that in Plan A, District Three is at minus 3.3% less than the ideal for the population of a district to provide room to grow. He said they have to use census figures as they are today. He said District Four is on the high end of 4% and tensions occur in all of the principals. He explained that if one of the principles is to avoid splitting precincts, the precincts have to be used as building blocks and that creates issues. He said another rule is to keep the districts compact and if they start splitting precincts they could equalize the population even more than plus or minus 3% or 4%, but the Commission leaned against that because the ordinance says to minimize precinct splits.

Chair Heldmeyer said one of the positive things is that redistricting will happen five years from now and if there is explosive growth anywhere that can be taken care of in a shorter period of time.

Mr. Sanderoff said for now they are avoiding splitting precincts, which could create voter confusion.

Chair Heldmeyer opened the floor to public comment. She recognized former City Councilor Frank Montano who had joined the meeting.

b) Listening Session – Public Comment

**Mr. Mike Harris** asked the timeline for the implementation of the redistricting.

Mr. Shandler said under the City Council Ordinance that created the Independent Redistricting Commission, the Commission must be done by June. He explained that will allow the City Clerk to get all of the districts approved by City Council for the September election resolution, which would be effective for the March 2016 Municipal Election.

*Mr. Harris* said he is on the Planning Commission and has a sense of where growth is occurring. He said Mr. Sanderoff's point is valid to keep District Three low. He said from his perspective that is what is likely to happen in Las Soleras. He said to him, Plan A-2 made the most sense because that holds Districts Three and Four a little below the median [plus or minus 5%]. He said they tried to balance the demographic criteria having to do with ethnicity. He asked if ever balanced for age or any other criteria.

Mr. Sanderoff said population is definitely the biggest criteria with neighborhood cohesion next. He said they overlay the homeowners and neighborhood associations on some maps and the neighborhoods in most circumstances are intact between the districts. He said age is not taken into account, but when looking at the minority voting strength that would be affected, adult population is considered.

Mr. Sanderoff said federal law is clear that when creating equal populations you look at total population regardless of whether people are registered /unregistered, property owners or not, people in prison, dormitories, etc. He said wherever people are counted by the census is taken into consideration when equalizing the total population. He said total population is first, then neighborhoods; compactness; contiguity; and age only as it relates to minority voting strength.

Mr. Harris asked if it is too early to factor in Phase 3 of the annexation.

Mr. Sanderoff said the courts ruled that we must work off of the census population at the time the census was done and the only time anticipated growth could be considered is by playing with the plus or minus 5% leeway. He said redistricting will be done again after the next census in five years.

Chair Heldmeyer said the consultants found that there are only 640 people that will be annexed in that area [in the next phase of annexation]. She said also the traditional Village of Agua Fria is in the next annexation area and that will never be annexed.

Mr. Sanderoff noted that anything in white on the map is not within the City limits.

Mr. Harris asked what the Commission heard from the other districts.

Chair Heldmeyer said the last session was District Three and was well attended, but almost everyone had a different opinion of how to redistrict. She said they also heard comments on what people would like to see in their districts in terms of things like a grocery store, which is not the job of this Commission. She said people were told once redistricting takes place, to learn who their City Councilor is and ask them for what they need. Chair Heldmeyer said the Commission's position is not to make comments until all of the Listening Sessions are over.

**Frank Montano**, former City Councilor said having gone through this process three times. He has learned that the main objective is to create one vote one person and to make sure that like neighborhoods are kept together where possible. He thought Plan B does that best. He said District Two, which is east of St. Francis goes through compatible neighborhoods for the most part and District Four and the old Belamah/Candelero area is south. He said District Three does allow for growth, but there is not much in District Four. He thought that Las Soleras would not develop in five years before the City is redistricted again. He said District One allows Agua Fria, for the first in a long time for many of the Santa Fe neighborhoods created after World War II, to be together. He said Plan B is as close to perfect as you could get in terms of criteria.

**Ms. Mary Schruben** said she is in District Four and a question came up at a previous meeting. She asked if anyone could explain if any of the maps displace an existing City Councilor that may not run for reelection in 2016 and also, which of the maps provides opportunity for a new district or newly drawn district, to elect two City Councilors in the 2016 election.

Mr. Sanderoff said regarding the last question on the election of two City Councilors in a newly drawn district, there will always be four districts with two Councilors per district running staggered terms in all of these plans and under the city of Santa Fe system. He said there will always be one City Council district up in a given election and one that is not. He said there are times where a current City Councilor could be districted out of his/her districts and typically if that happens, the Councilor is allowed to finish out their four year term from which they were elected.

He said he has been told that a number of City Councilors have said that Plan A and Plan A-2 does not displace any Councilor from their current district. He said he was not sure, but thought that Plan C and D could possibly displace a City Councilor.

Mr. Thompson said he asked that question at the last 2 meetings and in District One, Councilor Signe Lindell said Plan D will definitely displace her. He said in the District Three meeting Councilor Rivera said he would not be displaced. He thought that Mr. Sanderoff is correct that there will never be an arrangement where a City Councilor could not end up on "*the raw end of the stick*", although they are safe with Plan A for now.

Chair Heldmeyer noted that all of the City Councilors were invited and were specifically invited to their district meeting. She said both Councilor Dominguez and Councilor Rivera were there for District Three and Councilor Lindell was present in District One, but Councilor Bushee was not.

**Mr. Montano** said for the record that the issue is the lowest of importance.

Chair Heldmeyer said Mr. Sanderoff had mentioned the four issues the Commission must look at and not only those issues that the courts tell them are the most important, but there are issues in the City Charter and the ordinance that created the Commission.

**Ms. Melissa Holik** in Precinct 67 said that all of the plans affect her. She said this is not scientific, but as far as "neighborhood feel" and the areas she considers her neighborhood and what she has the most in common with; she is heartbroken that it is being broken up. Ms. Holik said the two plans that make the most sense to her from an intuitive standpoint, are Plan B or Plan C.

Ms. Holik said she also likes the percentage deviations in Plans B and C, because they are even for the most part. She said in Plan C the breakdown of Hispanic voters is a little more even than the other plans.

Mary Schruben said to follow up with Mr. Montano's comment, her concern was not so much about displacing a City Councilor, but giving people in the newly drawn districts an opportunity to vote for someone else. She said that may not be something people are aware of. She said making clear that a Councilor who is displaced will have an opportunity to fill the remaining years of their term and represent a district they no longer live in, is an important factor.

She said people will want to know if they can vote for two people; do they get to start over; will they have to realign themselves with people that they have not interacted with before. She said more people are aware of the interests of the City Councilors and how that interest relates to them and how they have opportunities to express ideas for their neighborhoods and their district through their representatives. She said this is also a voting opportunity as well as mixing things up.

Chair Heldmeyer thought that one District Four Councilor said he will not run for reelection. Mr. Shandler confirmed that Councilor Bill Dimas has announced publicly in Council meetings that he will not run again. His term expires in the next election.

Susan Kreiner said, *"Speaking visually, the current visual is nice. I do not like the lines in Plan A and it is just a visual and has nothing to do with more important issues."* She thought Plan C is nice looking and likes Plan D as well. She said Plan D makes a big change in Districts One and Two and they have been that way for a long time and Plan D keeps that. She said, *"Visually I like Plan C best and I do not like Plan B. I don't like Plan B shapes and with Precinct 67 being in District One at all."* She said District One is a weird shape. She said, *"Also Plan B and Plan D change District One and Two and they have been around longer than anything else, if you are trying to keep neighborhoods."*

Mr. Montano said there have been four districts since 1986 and all have been in existence since. Ms. Kreiner replied that Districts One and Two populations have been more than Districts Three and Four.

Ms. McSherry explained that the four districts have always had to be equal [in population].

Mr. Sanderoff clarified that it might be accurate to say there has been less change in those districts, but all of the districts have been in existence.

Chair Heldmeyer said she thought that Commissioner McSherry was saying that at the time the districts were formed they had to follow the rules of equality. She said the concentration of older neighborhoods is in Districts One and Two.

Ms. Kreiner said right. She said and the ones in Districts Three and Four were annexed and were not part of the City until later. She said they may be older, but they were not part of the City.

Chair Heldmeyer said there have also been annexations in District One and Two and Phase One of the annexation was called the *"doughnut hole"* and was surrounded 360° by the City. She said there has been annexation all over.

*Ms. Collins* in District 67 said in terms of balanced population she was definitely against Plan C, it is 79% Hispanic to 18% Anglo. She thought in terms of balanced population, some of her concerns would not be addressed.

*Mr. Harris* said he had given his perspective in response to Mr. Sanderoff in terms of keeping below the median for those two districts. He said as a family man who has lived in Precinct 29 for 26 years he does not like Plan C at all. He said he relates to neighbors and neighborhoods; where Ms. Schruben lives in Rancho Siringo and the Candelaro areas. He said the term *radical* was used and that Commissioners wanted to see something different. He said they are certainly getting that in Plan C and Plan C does not work.

He said in many ways he agrees with Mr. Montano that Plan B keeps a cohesive group for District Four. He said he thought there will be growth and the plan pushes them over the median, but he personally favors Plan B.

*Justin Irwin* said he is in Precinct 67. He asked if they knew the growth potential in District Four around Precincts 56 and 70. He said he sees a lot of new construction projects happening in that direction.

Chair Heldmeyer said some plans have been approved and one has been approved for a very long time, but construction has never been pursued; although they may. She said she did not know the status and the laws were changed to extend the period of time without building. She said as Mr. Harris pointed out, there has been one preliminary development plan for Las Soleras.

Mr. Harris explained that would be the north entrance into Ross Peak Subdivision for about 220 lots. He said Pulte Homes, one of the largest home builders in the country, is looking closely at a large purchase in Las Solaris.

Chair Heldmeyer said Del Webb has looked at the area as well. She said they have an idea of where the land is empty and people have talked about development, but we do not really know where and when that will occur. She said in the hierarchy it is further down the list of priorities to look at.

Ms. McSherry said to clarify on Precinct 70; a portion within the City boundary currently has zero people. She thought that fewer than 150 houses were built in the past year.

Chair Heldmeyer said the hope is from an economic point of view, more building will be done, but that is not something the Commission can give a high priority.

*Mr. Irwin* said that being said, he likes Plan B.

*Ms. Holik* said after hearing the gentleman from District Four and his concern, she sees his point, but where he is from a neighborhood standpoint does not match; it doesn't feel like it goes together. She said after what Mr. Montano said about Agua Fria being surrounded by one district, she is now leaning toward Plan B. She said those of us who live in Las Acequias work with people in the traditional Village of Aqua Fria and feel a lot of camaraderie and we take their concerns into account. She said she likes keeping that together.

Mr. Harris thanked the Commission for their work.

Chair Heldmeyer thanked everyone for coming and for representing their areas. She said there is one more District meeting on May 7<sup>th</sup> at the Public Schools Administration Building and there will be at least one more work session (tentatively scheduled May 14) where the Commission may, or may not make a decision. She said everyone is welcome to attend and the Commission will take public comment at all of the meetings and feels it is important to get this right. She said people can make suggestions about moving a precinct or drawing up the districts and send that information to Mr. Shandler. She said the Commission will take that into account.

*Ms. Kreiner* said before the meeting started they were saying that political orientation is not part of this consideration, but she would like to see that demographic. She said you should be able to match the database of whether you're a Republican a Democrat or an Independent and she wants to see that.

Chair Heldmeyer explained that is not part of the census figures.

Ms. McSherry said the data exists and was used in the State redistricting, but is not in the Commission's list of criteria.

Mr. Montano said on the issue raised, he has done redistricting three times; two when on City Council and once on the school board. He said at the school board there was a situation where the plan that was chosen put one of the members out of the district he served. The individual still had the opportunity to run regardless and finished out his term, even though he was redistricted. He said even if that becomes an issue here, people can run again and will have the opportunity to serve out their term. He said that is not supposed to be given a lot of weight.

Chair Heldmeyer she said there have been some cases where people have moved and that is without taking the district into account.

Mr. Sanderoff said it is very different in Santa Fe because the City has dual members and four districts with two City Councilors in each. He said if a City Councilor with two years left on their term is redistricted to a new district, the State statute says they serve from the district from which they were elected. They might serve for two more years and finish out their term and at then run in the new district in which they now reside, because every two years a seat comes up in each City Council District.

Chair Heldmeyer said that was a matter of discussion during the last redistricting. A City Councilor was districted out his district and ran for County Commission instead and won.

## **5. CLOSING PUBLIC COMMENT- None**

## **6. BOARD MATTERS**

Chair Heldmeyer said the next meeting is May 7 at 5:30 -7:00 pm at the Public School Administration Building (District Two).

Chair Heldmeyer asked Commissioners if there was information they would like at the next meeting and especially at the work session that they currently do not have.

Ms. McSherry said Mr. Sanderoff was to bring the current City Councilor locations. She said also the Commission had asked for a perimeter number. Mr. Sanderoff replied the perimeter number had been provided to the Commission at the last meeting.

Ms. McSherry and Mr. Sanderoff discussed the requests. Ms. McSherry clarified what she was seeking.

Mr. Sanderoff said he could provide the perimeter of the outside City with no problem.

**7. ADJOURNMENT:**

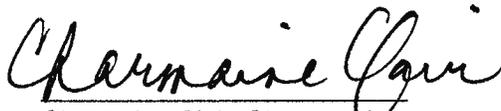
*Having completed the agenda and with no further business, the chair adjourned the meeting at 7:00 p.m.*

Approved by:

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Karen Heldmeyer, Chair

Submitted by:

  
Charmaine Clair, Stenographer