

**SUMMARY INDEX
CITY OF SANTA FE
INDEPENDENT CITIZENS' REDISTRICTING COMMISSION**

TUESDAY, APRIL 7, 2015

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

SANTA FE, NEW MEXICO

Listening Session, District 3

Tuesday, April 7, 2015

A scheduled meeting for District Three of the Independent Citizens' Restricting Commission was called to order by Karen Heldmeyer, Chair, on this date at approximately 5:30 p.m. at Southside Library, 6599 Jaguar Drive, Santa Fe, New Mexico.

1. PROCEDURES:

a) Roll call indicated a quorum as follows:

Members Present:

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

Members Absent:

Alternates Present: Suzanne Ronneau; Neva Van Peski; Jody Larsen and Peggy Vasquez

Staff Present:

Zachary Shandler, Assistant City Attorney
Yolanda Y. Vigil, City Clerk

Others Present:

Councilor Carmichael Dominguez
Councilor Rivera
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. West seconded the motion, which passed by unanimous voice vote.

c) Approval of Minutes of March 19, 2015

Mr. Thompson moved to approve the minutes of March 19, 2015 as presented. Ms. Montoya seconded the motion, which passed by unanimous voice vote.

2. OPENING PUBLIC COMMENT- None

3. OLD BUSINESS

a) Standing Item-Legal Issues Surrounding Redistricting

Mr. Shandler said he had no other items than the email he handed out. (Exhibit #1)

4. NEW BUSINESS

a) Independent Consultant Presentation

Mr. Brian Sanderoff explained Research & Polling is the independent consultant hired to provide professional technical services to the Commission.

He passed out a summarization of the plans (contained in the Commission's packet) and an updated form that includes small copies of maps. He explained that every 10 years cities, counties and the legislature need to adjust their boundaries to account for population shifts. The City recently annexed 13,000 people and City Council decided to readjust the boundaries mid decade. Most of the people added by the annexation are in District Three and that district, more than the others will see the biggest change.

He said certain principals have to be followed that are set out in the City Charter and in state and federal law. The primary objective is to have substantially equal populations among the districts so each district has equal representation. Also taken into consideration is not diluting the voting strength of ethnic or minority groups; keeping the districts compatible and the precincts contiguous and taking into account the communities of interest. Sometimes to keep the district population equal or the district contiguous may mean that some precincts end up with a district that is not ideal. There are certain tensions among all of the principles that have to be taken into account.

Mr. Sanderoff showed a map of the current district boundaries set in 2011 by City Council prior to the annexation. He noted that District Three is now 47.5% larger than the ideal population of a district and the boundaries of District Three have to shrink and all other districts have to grow some, which creates a domino effect.

Mr. Sanderoff pointed out that District Three starts by the airport and goes up to Osage. He said one approach to build the district is to cut off the neck by Osage and shrink the district until you have the ideal population of the district. That was the approach taken on Plan A.

He said he would liked to have left Precinct 67 and 75 together, but they are the two largest precincts in population in Santa Fe and together make up 45% of the City Council District. Putting Precinct 67 into District Three would still make the district 20% too large and gets into legal problems if the district is

anything more than plus or minus 5% of the ideal population. Mr. Sanderoff said the Commission could choose to reduce the plus or minus to a smaller range if they choose.

Mr. Sanderoff summarized the plans:

- Plan A takes the excess population in District Three and shifted District Four across Cerrillos Road. Districts One and Two are compact. Under the current plan that uses the 2010 census there is one Hispanic district and under Plan A there are two majority adult Hispanic districts. The adult Hispanic population count ensures a solid Hispanic district to avoid dilution. District One is basically the north side of Santa Fe and the west side of Santa Fe up to Siler Road. District 2 runs into District Four.
- Plan A-2 -the only difference between Plan A is that Precinct 76 switches from District Four to District Two to keep the population in District Four on the low end of the plus or minus 5%, because the belief is that there will be new development soon and the district will grow quickly.
- Plan B is not dramatically different for District Three, but all of the excess population from District Three in the Cerrillos Road neighborhoods goes into District One and stretches from the north end of Santa Fe down to Jemez Road. The other three districts are less compact. Plan B creates three Hispanic districts.
- Plan C is offered because the Commission wanted to show the public something very different. Airport and Rodeo Roads become the boundaries between Districts Three and Four. A lot of the old neighborhoods in the southwestern part of town stay together; however Districts Three and Four have to cross Cerrillos Road to make it work. Districts One and Two are pretty compact, but Districts Three and Four have a dramatically different look.
- Plan D is also to provide a different configuration, and Districts One and Two run in a north /south configuration. Districts Three and Four are the same as Plan A.

Chair Heldmeyer said she was asked if when the maps are drawn, it is taken into consideration that some neighborhoods in District Three vote and some do not vote. She asked him to explain why that is considered or not considered.

Mr. Sanderoff said ~~we do not take that into consideration. We take what the City Charter and the United States Supreme Court says should be considered regarding population, which is when you build districts of substantially equal populations, you have to look at the total population. Taken into account is; children, property owners, non property owners, registered and unregistered voters and even prisons.~~

He explained when protecting the voting rights of minorities, the total percent Hispanic population is looked at of the adult Hispanic population. He said a district that might be 50% Hispanic for total population might only be 45% in Hispanic adult population.

Chair Heldmeyer opened the floor to public comments at this time.

b) Listening Session – Public Comment

Ms. Bridget Wolfe, 4417 Contenta Ridge said she feels that Plan B best represents District Three. She said for the health of the City, Plan B will provide more City Councilors for people with the least amount of equity in the City and the whole City would benefit. She said Plan B would give more representation to bring in the needed services to the area.

Mr. Russ Moss Teller 325 E. Berger said he noticed that every plan has one district where the Hispanic voting population exceeds 70 percent. He asked if that is a concern or if that falls within the guidelines.

Mr. Sanderoff said the short answer is that the courts look at whether Anglo block voting exists to a point where Hispanics cannot elect a candidate of their choice. They look at things like Santa Fe is about half Hispanic and whether they can elect a Hispanic mayor and if districts that are non majority Hispanic can elect a Hispanic City Councilor. He said looking at the plan, the answer is yes, they can. He said we tried to create plans that keep communities of interest intact, because other districts that might be 35% or 40% Hispanic have a long history of electing Hispanic.

Mr. Fabian Trujillo 1157 Volta Las Acequias thanked the Commission for their hard work. He said he likes Plans A and C. He said Plan C keeps the neighborhoods that have common interest together. He is in Precinct 67 and many of his neighbors are in Precincts 64 and 80 and he thought that a good representation. He said Plan A is very similar, but he likes Plan C best, because it brings in a lot of people from across Cerrillos Road, which is good.

He said he is not crazy about Plan B because of the long neck. He said the people do not have a lot of common interest and there could be someone on the south side that is up in the north that represents them.

Mr. Vince Kadlubek, 2451 Veriva Incanto, said he grew up in Precinct 76 and his parents still live in that area and he still considers that his neighborhood. He said in talking with his parents and neighbors, the neighborhood identity is definitely aligned more with District Four than District Two. He said in regard to all of the plans, Plan A maintains the neighborhood identity better. He thought Plan B, District One is out of whack. He said Plan D is a better version of Plan B in a socioeconomic representation.

Mr. Kadlubek said his big interest is Precinct 31 that would get cut out of the Siler Road development. He said a lot is happening on Siler Road and he has a business on Rufina Circle. He considers from Rufina to Siler to Calle de Comercio to be an emerging neighborhood. He said the east side of Siler has a lot of industrial buildings and potential for future art studios, etc. and it would be more difficult to develop the area if Precinct 31 is split from Siler Road.

Mr. Kadlubek said he has crunched some numbers that involve pulling Precinct 31 back into District Four.

Chair Heldmeyer suggested he send the information to Mr. Shandler to distribute to the Commissioners.

Mr. Sanderoff asked if Mr. Kadlubek had used Plan A as his base.

Mr. Kadlubek said he did and to compensate, if you pull a precinct from District Four over to District Two, Precinct 29 then makes the most sense. He said it is the non development on the south side of Rodeo Road. He offered to send that to Mr. Shandler.

Mr. Sanderoff asked if Mr. Kadlubek then tried to account for what would happen to the ripple effect.

Mr. Kadlubek replied he did and everything stays pretty much in line. The lowest total and the highest in the districts have a 10% discrepancy between the two districts. He said his interest is in protecting Precinct 31.

Mr. Thompson asked Ms. Pfeiffer where the location of her new co-op will be.

Ms. Pfeiffer said she is looking at four acres of the former Santa Fe Greenhouses and she has a backup Plan B and both are located in the new District Four.

Chair Heldmeyer asked the Commission members for their comments.

Ms. West thanked the public. She said it is really a help for the Commission to hear the public comments and something valuable comes up at each meeting. She said she now realizes that the times participated in public comments were important. She added that Research & Polling has helped the Commission make things clearer and she also appreciated that. She said none of the plans will be perfect.

Ms. McSherry said to put some things into context; earlier it was said that some people are currently divided from the other half of their neighborhood in the Casa Alegre area and are not happy with the break at Siler and Osage. She said on one side the Rufina district is broken out and on the other side is Siler and concern from the other side of Osage. She said it is a really difficult district going in either direction.

Ms. Flatt said along with that there is a problem because our neighbor is Jemez Road. She said she brings that up because it is a small historical road and one of the original roads and families have been split down the center. Half are in Precinct 67 and the other half in the District next to them. She said that seems strange, because the neighborhood has been there longer than Las Acequias or Airport Road.

Mr. Sanderoff explained that Jemez Road is a precinct boundary.

Chair Heldmeyer said the County draws the precincts and the Commission has tried not to split precincts. She said theoretically it is possible to do and is one of the charges of the ordinance that established the Commission.

Mr. Kadlubek said to respond to Osage; he thought Precinct 31 cuts off at Maclovía and does not affect the Osage neighborhood.

Mr. Trujillo said Jemez Road is an historic area. He said that is the reason he likes Plan C is it keeps Jemez Road with Precincts 66 and 67 and is more continuous with the neighborhood.

Ms. Wolfe said instead of thinking of neighborhoods and boundaries think of people living in the same city and underserved that need more representation in City Council. She said whether she is in District Three or Four she would still be friends with her neighbors in the other district. She said she will still be concerned if they can't take a bus from one side of the City to the other, or if they don't have enough food or a grocery store. She said the more City Councilors they have to represent them... She said the underserved is the goal.

Mr. Beardsley said we ran into a similar situation along the Santa Fe River. The concern there was there were three councilors in the area and each councilor had a different perspective and a different agenda.

Ms. Wolfe said it takes a strong community and that is beginning to happen in our area; we are called One Santa Fe, a grassroots organization. She said we are building from the ground up.

Chair Heldmeyer said the Commission has had that political discussion and the question of whether you are better served has gone both ways.

Mr. Brian Gutierrez 7625 Baca Lane asked if the City Charter doesn't state regarding the City Councilors, that there should be two per district and you cannot have three, etc.

Chair Heldmeyer said the Charter may be changed; a group is talking about changing the Charter to have 10 councilors rather than eight. She said some feel because this large group of people has been added to the City that perhaps more representation is needed and some talked about having only one City Councilor per district and having 5 or 6 districts.

She said all of that has to happen first as a change to the Charter and a Charter change has to be approved by the majority of voters in a City election. She said odds are that will probably not be in 2016; possibly in 2018.

Mr. Gutierrez confirmed that all of the redistricting plans would have two City Councilors per district. He asked if the Charter Commission would meet again in 2018 and if the Redistricting Commission will take that into consideration when making their decisions now.

Chair Heldmeyer said there will be two City Councilors per district, but that may not have an effect on the individual councilor. She said the Commission is not taking that into account, because it is speculative. She pointed out that a Charter issue could be put on the ballot not just as a recommendation from the Charter Commission, but a City Councilor could also put a Charter amendment on the ballot. She said any or all of those things might occur, but the Commission is dealing with the reality they have in front of them.

Ms. Flatt asked what comments District One made in the first meeting and which plan they liked best. She asked if the Commission thought one plan was stronger than another.

Chair Heldmeyer said there were people from all four districts and they made general comments, not district against district. She said there is no consensus on the plans.

Ms. Montoya said she has heard about Precinct 31 around the area of entrepreneurship and job creation. She asked what the top three things are that describe the community of District Three that the district would want to retain through this process; what does their District Three community look like.

Ms. Wolfe said we have a lot of growth and a lot of future growth and most of the children live here, but we don't have adequate grocery stores or enough schools. She said their multipurpose bike trail is not even connected to the rest of the City and their teenagers need services; there is no teen center. She said we are underrepresented as far as the equity issue. She said also there are a lot of people who do not vote because they are undocumented immigrants.

She said she is very entrenched in this community and has lived in Tierra Contenta for 12 years and the community is getting to know each other and banding together. She said they will ask for these things and she doesn't care who the councilor is, they will have to listen.

Chair Heldmeyer said there are two members on the Commission from District Three.

Mr. Beardsley said he understands completely. He said he has been hounding the City to build grocery stores for about four years, but redistricting will not help the grocery store situation. He recommended the group start mailing letters to people [City Councilors].

Ms. Wolfe said a lot will be happening soon.

Ms. McSherry said she is in an area of District Three that will be cut off in the neck from District Three in all of the plans.

Peggy Vasquez 6357 Milagros Luna said she has lived in District Three for 18 years and has been an activist about 20 years working on parks and open space and the library. She said we are a district that is underserved and the district is going to grow in ways where the people will tell the councilors what they need. She said it will not matter who their City Councilor is, they will have to listen.

Ms. Vasquez said she likes Plan B where Districts One, Three and Four all have to deal with the undocumented. She asked Mr. Sanderoff if he counted everyone; the undocumented, etc. She said the undocumented cannot vote and that has to be taken into consideration.

Mr. Sanderoff explained when calculating equal population among the districts, the undocumented people are counted and included within the numbers. He explained that when he says that each district has the same amount of people, the undocumented workers who do not vote; the children that cannot vote and often out of town students all are counted. He said the Supreme Court is very clear when it comes to populations among the districts that everyone is counted.

Ms. Pfeiffer noted that there are many children in District Three.

Mr. Sanderoff said if a district has four children it will have fewer adults, but the courts have been clear to count everyone. He said on the other hand, if you count all the children and you build a District Three that is underserved and has narrower boundaries that allows for another underserved area next to it to be in another district and possibly they can elect a councilor of their choice. He said if you only count the adults, District Three boundaries will grow and grow and it will become harder for you to elect the City Councilor who might serve a neighboring area that is also underserved.

Ms. Bette Booth 1370 Ferguson Lane said she is currently part of District Three and might become part of District One. She said she understood that *only* adults were counted.

Mr. Sanderoff said when trying to calculate equal population among the districts; you count *total* population. He said when making sure they do not dilute minority voting strength, you look at the percentage of adults and count only adults to avoid diluting the Hispanic voting strength. He said the total population of any district is going to appear to have a higher Hispanic population than the adult population, so when it comes to making sure we create a solid Hispanic district; we only take into account the adults of voting age.

Ms. Booth thanked the Commission for their work. She said she understood the arguments for Plan A, but was intrigued with Plan C when looking at how the neighborhoods function. She said Plan C almost represents the neighborhood better, because of the huge difference in Cerrillos and Rodeo.

Ms. Montoya asked what Ms. Booth identifies as her community.

Ms. Booth said District One now. She said they did fit with District Three until Tierra Contenta and now it is a different game. She said it is very different than her neighborhood along the river and on the other side of Cerrillos. She said with respect to Mr. Kadlubek, Precinct 31 is a neighborhood and Maclovía is part of Casa Alegre, not perhaps legally, but in its use of services and neighborhood concept.

Mr. Gutierrez asked Mr. Sanderoff his opinion of the map that would help get more District Three people out to vote, seeing that the district has more population and a fewer percentage of people voting.

Mr. Sanderoff said I don't think I can answer that question. He said wearing his other hat as a Political Analysis, he personally feels that a lot of things enter into the process of getting people to participate in the system; to register and feel that their vote counts and that they have quality candidates and enough of a difference between the candidates that they feel their vote could make a difference. He said it is not just in the city and county, but also in presidential elections. That is part of the process and getting organized and getting people to register.

Mr. Sanderoff said the boundaries of the district will not get at the voter participation levels. He said there is a much bigger issue that deals with society and efficacy and people thinking that their vote really makes a difference.

Mr. Gutierrez said in past elections there are decent numbers of voters in the City Clerk's office on some of the more established neighborhoods where the older population comes out to vote; opposed to Riverside Mobile Home Park. He asked the Commission to consider those issues and try to get District Three on the higher end of voter population.

Chair Heldmeyer said you also have people registered to vote from those traditional homes that may not be where they actually live. She said in past elections some candidates have tried to get people to switch their registration to where they actually live rather than the homestead, but that has not been very successful.

Mr. Gutierrez said, "To his point, the thought is that some history will help them get a higher vote population for less district."

Mr. Trujillo said regarding the community and sense of the community, he agrees with some of what has been said. He said we are a community of working people. We provide a lot of the people at the State, City and County government and we also don't have a lot of these services; hiking trails that are not connected and a teen center.

He thought that one of the biggest things that could help voting is an early voting station on the south side. He said the only early voting station here for the elections is on the north side of City Hall and is not open during the weekends or after five o'clock. He said a lot of people work and like in his family, his grandchildren live with him. He said coordinating three grandchildren to get to school is difficult and then on a day when we have to vote, it is even more stressful. He said we like to vote early and go on weekends and that makes a big difference, particularly in municipal elections.

Chair Heldmeyer said we are lucky to have the City Clerk, Yolanda Vigil with us.

Ms. Vigil said one thing she plans to propose to the Governing Body is an offsite early voting at Genoveva Chavez Community Center (GCC).

Mr. Beardsley asked if anyone had thought about the Oregon method of mailing the ballots.

Ms. Vigil said we have thought about that and part of the problem is many people don't change their registration. She said if you mail the ballot a lot of people will not get them.

Chair Heldmeyer said the League of Women Voters studied that a few years ago and Jody Larson, one of the alternates chaired the study. She asked Ms. Larson if the study was on their website. Ms. Larson replied that she did not know. She offered to get the information by the next meeting.

Chair Heldmeyer said the Commission has no authority over where the voting sites are located. She said some of this could be done through the City Clerk's office, but some may require a change to the Charter.

Mr. Kadlubek said Plan C would radically shift the neighborhood identity and flip-flops Districts Three and Four. He said Plan C also splits up Belamah and St. Mike's and the center of town and the crux of Plan C where Districts Two, Three and Four meet, is extreme and Plan C makes the least sense.

Mr. Gutierrez said he thought Plan C would bring a larger turnout of voters and some of the older established neighborhoods would help get the voters in the district out.

Ms. Wolfe said as a person in District Three she likes Plan B, but Plan C is her second choice.

Ms. West addressed Mr. Gutierrez and Ms. Wolfe. She said she lives in District Two and worked at the libraries downtown and pushed for the Southside library. She said speaking as an ex-librarian, although there are a lot of young people in a certain district, the young will grow up and services such as the library, connected bike paths and grocery stores; the basic things, will have to happen. She said having a flagship such as this library is terrific.

She said she has a lot of friends who do not live in her precinct and she hoped that what the Commission is being asked to do is also what City Councilors will be asked to do; to represent everybody. She thanked the public for their comments.

Ms. McSherry said in districts where there are more nonvoters, whether undocumented or children, the people who *do* vote have more of a voice than voters in other districts. She said there are fewer voters per City Councilor in that type of a district and once someone is a voter they have more power.

She said in regard to splitting the districts in order to gain more power, the potential risk is that you could end up with a minority of that population in several districts such that people who are not your intended audience would be the ones that have to hear the voice in all of those districts. She said that is why gerrymandering in certain racial districts is not allowed, because it splits up the minority voter. She said splitting a district up into two different districts might make sense because you still have a strong voice in both districts, but once you start splitting it up more you become powerless in all districts.

Chair Heldmeyer said Mr. Sanderoff has pointed out that Santa Fe is not that kind of town.

Ms. McSherry asked about the Alabama case regarding a voting redistricting case. She said it is more about racial redistricting.

Mr. Shandler said he would research that and have the information at the next meeting.

Chair Heldmeyer thanked everyone for coming. She said they are getting a lot of different opinions and a look at different issues. The Commission will put everything in a basket and decide what will take precedence. She said at the top are the issues that are mandated in the Charter and by the City Council. She acknowledged Councilor Dominguez of District.

Councilor Dominguez said he wanted to thank the Commission for all of their work and to thank the public for coming tonight.

Chair Heldmeyer said the Commission has held two district meetings and has two more and anyone from any district can attend any of the meetings. She said they could make comments by emailing Mr. Shandler or writing the Commission at the City post office box number or coming to another meeting. Chair Heldmeyer said we are trying to get as much input as possible from as many people as possible from people all over the City.

She said the Commission will not vote until all four districts have been visited. She said they have looked at the issue of growth and right now District Three is the growth district. The Commission has discussed the numbers and plans to have District Three somewhat below the target number, because of the growth that will take place. She said they also know that growth will take place in District Four in the Las Soleras area, which appears to be an issue in the 2020 census. She explained that at every census redistricting will occur again and the growth issues will be revisited.

Chair Heldmeyer said some people will get moved out of District Three, but whatever district you are in you should get involved in the elections; find out who the candidates are. She said for people that get transferred to a different district, find out who the City Councilors are and tell them your concerns and what you would like them to do for you. She said most of them have some knowledge of Citywide and district issues and the issues that border their district. She said they are there to serve you.

Chair Heldmeyer thanked everyone for coming. She noted that the next meeting is April 23 at the GCC.

5. CLOSING PUBLIC COMMENT. None

6. BOARD MATTERS

- a. Next meeting on April 23, 2015 at 5:30 pm – 7:00 pm at the GCCC, Room 1 (Dist 4)

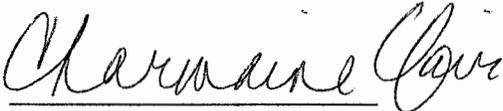
7. ADJOURNMENT:

Having completed the agenda and with no further business, the chair adjourned the meeting at 7:05 p.m.

Approved by:

Karen Heldmeyer, Chair

Submitted by:

A handwritten signature in cursive script that reads "Charmaine Clair". The signature is written in black ink and is positioned above a horizontal line.

Charmaine Clair, Stenographer