



AGENDA

REGULAR MEETING OF
THE INDEPENDENT
REDISTRICTING
COMMISSION
JUNE 30, 2022
3:00 PM
CITY COUNCIL CHAMBERS
200 LINCOLN AVENUE

PROCEDURES FOR INDEPENDENT CITIZEN'S REDISTRICTING COMMISSION MEETING

Written Public Comment: Members of the public may submit written comments on legislation by clicking on the comment bubble to the right of the meeting on the public portal at <https://santafe.primegov.com/public/portal> three hours prior to the start of the meeting.

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1. **CALL TO ORDER**
2. **ROLL CALL**
3. **APPROVAL OF AGENDA**
4. **APPROVAL OF MINUTES**
5. **MATTERS FROM STAFF**
6. **ACTION ITEMS: DISCUSSION**
 - a. Final Decision on Redistricting Map Concepts
7. **PUBLIC COMMENT**
8. **MATTERS FROM THE COMMITTEE**
9. **MATTERS FROM THE CHAIR**
10. **NEXT MEETING: No Meeting Scheduled**
11. **ADJOURN**



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Persons with disabilities in need of accommodations, contact the City Clerk's office at 955-6521, five (5) working days prior to meeting date.

**INDEPENDENT CITIZEN'S REDISTRICTING COMMISSION
PUBLIC HEARING
City Council Chambers
June 30, 2022
3:00 PM**

1. **CALL TO ORDER**

Chair Lilliemae Ortiz Called this Public Hearing to order at 3:00 p.m.

2. **ROLL CALL**

Members Present:

Lilliemae Ortiz, Chair, District 4
Gary Donato, District 2
Gail Rekers, Statistician
Berl Brechner, Vice-Chair, At-Large
Jeffrey Weber, District 3
Christopher Graeser, District 1
Carmela Quintana, Cartographer [Remotely]

Members Excused:

None

Others Attending:

Brian Sanderoff, Research & Polling, Inc.
Brad Larson, Research & Polling, Inc.
Carl Boaz, Stenographer
Numerous Members of the Public

3. **APPROVAL OF AGENDA**

Vice-Chair Brechner requested a change in the agenda to hear Public Comment before Commission Discussion. So Public Comment would become Item 6 and Discussion would become Item 7.

The maker and seconder of the motion accepted that change as a friendly amendment.

MOTION: Commissioner Graeser moved, seconded by Commissioner Donato, to approve the agenda as amended with items 6 and 7 swapped.

VOTE: The motion was approved on the following voice vote:

For: Commissioner Donato, Chair Ortiz, Commissioner Rekers, Vice-Chair Brechner, Commissioner Quintana, Commissioner Graeser and Commissioner Weber

Against: None.

Abstain: None

4. **APPROVAL OF MINUTES**

There were no minutes ready to approve. Chair Ortiz asked the City Clerk to advise the Commission how those minutes would be approved.

Ms. Cardenas said she contacted the City Attorney for advice and once she knows what to do, will advise Chair Ortiz. Since the Commission will have finished their work, both June 28 and June 30 minutes will be presented to the Governing Body.

Chair Ortiz was confident the City would work out the process.

5. **MATTERS FROM STAFF**

Ms. Cardenas had nothing to report at this time.

6. **PUBLIC COMMENT**

Mary Schruben had a question about adding more districts to the City of Santa Fe and amending the City Charter. She requested the Chair put in her notes for the next Redistricting Commission, whether the Commission would want to see the distribution of commercial areas, vacant land, and special designated districts that have already been made by the Planning Commission, or Council – such things as the Airport Overlay District, and perhaps in ten years, the City might have something in the St. Mike's/Midtown Campus Overlay, and other things like that – certainly the Downtown Historic District and the downtown area, and all the Capitol Overlay Districts. That would be one map, and usually our RTIS Office keeps track of that. It is not up to date currently but is something the Commission might consider. All of these would make a big difference. And if there was any open space left, undeveloped tracts that were in the City limits and not about to be annexed from the County, would be a good one for the Councilors to know. It is a question that comes up frequently at Planning Commission meetings and other places like that.

The third on is the Commercial Districts and this one will be a lot more difficult because we don't have a way to define commercial districts except for the special overlay zones. All of Cerrillos Road will be a commercial district, even though there are still one or two houses that front on it. But it brings into question things like where there once was commercial zoning that have now been converted to multi-family housing. Those won't be reflected in the zoning maps and would not be a good map to look at. That map is not updated as frequently as it should be. If ever there is a Long-Range Planning Committee, that might happen, but she was not holding out for that.

The last one would be Governmental Institutions – federal, state, county, and city lands within the City limits. It would be good for the Councilors to be aware of that as candidates consider running for Councilor positions and for the public.

Chair Ortiz thanked her for those comments and assured her they would forward those notes to the appropriate committee to consider.

Commissioner Donato asked Ms. Schruben for the district where she lived. Her answer was District 4.

There were no other public comments.

7. **ACTION ITEMS: DISCUSSION**

a. Final Decision on Redistricting Map Concepts

Chair Ortiz observed that over the past seven meetings of the Commission since April 7, 2022, Commission members and consultants from Research & Polling, have worked diligently in compliance with the Charter mandate, to establish a district plan to set the boundaries for the four City Districts based on the final 2020 census. The Commission's decision would be based on the five redistricting principles. The consultants from Research & Polling have attended all Commission meetings and provided the Commission with six different concepts to choose from.

At their last meeting on June 28, 2022, a new version emerged, called "Modified Concept A-3" and the Commission voted to move that forward for discussion at this meeting.

Chair Ortiz asked the Consultant to provide details of that concept to further address the conversations and any other data he felt was necessary.

Mr. Sanderoff thanked her. He introduced his associate, Michael Sharp. He said Brittany Poss was still hospitalized but getting better each day. In response to Chair Ortiz's request, he shared a summarized version of the five principles to be used in redistricting. He noted the current districting includes the recent annexation.

He went to the new plan that emerged on June 28th called A-3 and modified it to avoid precinct splits. It was called A-3 Modified and he shared his screen to show it to the Commission and public. It showed higher negative deviations on Districts 3 and 4 to accommodate for higher future expected growth and increase the positive deviations in Districts 1 and 2, all within the allowable deviations. He pointed out some specific changes in this version. Only one small neighborhood association (Roadrunner) was split with this concept.

Chair Ortiz invited discussion and action from the Commissioners.

Vice-Chair Brechner pointed out the Roadrunner area is a homeowners' association and not a neighborhood association.

Mr. Sanderoff stood corrected. He agreed that has more impact on public policy.

Commissioner Donato had five questions.

1. What impact does Concept B have on Roadrunner?

Mr. Sanderoff said B did not split the Roadrunner association but did split Candlelight.

2. Commissioner Donato asked if Concept A-3 kept the other neighborhood associations north of Airport Road similarly to Concept B.

Mr. Sanderoff said all neighborhood associations north of Airport Road were intact in Concept B.

Commissioner Donato asked to see the City Planning Roadmap overlaid on the A-3 Modified plan. He explained he was interested in future growth in Districts 1 and 2.

Mr. Sharp explained the blue and green areas were construction in progress areas.

Commissioner Donato said when the Commission discusses growth, he saw in B a deviation in District 3 of 0.22% negative and in A-3 a deviation of 3.5% positive.

He asked how that would translate to number of adult citizens with those percentages.

Mr. Sanderoff said it would be a difference of 5% of the ideal population.

Mr. Sharp said roughly 150 people.

Vice-Chair Brechner said Commissioner Donato's questions had him wondering. The percentage of growth estimated now would be entirely new numbers based on the new population from the 2030 census and could be very different than our projections.

Mr. Sanderoff agreed.

Vice-Chair Brechner said he would make a motion. He preferred the A-3 Modified to the other concepts.

MOTION: Vice-Chair Brechner moved, seconded by Commissioner Graeser, to approve Concept A-3 Modified as the established districting plan pursuant to City Ordinance 6-18.

Discussion on the Motion:

Commissioner Donato asked if this was the point where the motion would move forward or a challenge on the motion to bring up another option.

Chair Ortiz clarified the motion was to approve A-3 Modified as the approved redistricting plan. The Commission can vote yea or nay on the motion. If it passes, that is the Commission's final decision and the Commission will have the consultant certify that A-3 Modified meets all the requirements before it is voted on.

Commissioner Rekers thought it was a great job on A-3 Modified. It met a lot of objections by keeping precincts together. She guessed it didn't present much of a challenge. It was pretty much a status quo and guessed there was nothing wrong with that. But she felt there was nothing wrong with change either. "Change often helps us move into a different place. But I don't see a lot of that." Her preference for B was that there would be Commissioners moved into one area, one district, and District 4 would be left with no representation. So the City would have to get two new people on Council. She preferred that – preferred to see "new blood." She felt Santa Fe was on the cusp of a great deal of change. She said that was evidenced in the map showing approved construction and

construction waiting for approval. Ms. Schruben had asked when we would get another district and that was a reasonable question. At some point, the Charter may need to be changed.

Commissioner Weber said, based upon the public comments that Concept B concerned a lot of the residents and preferred a N/S division of District 3 and 4 which he also preferred. He felt that A-3, or A-3 Modified were the best options for districting. He based that on the belief that they would best account for minorities with minimum deviations required by the City Charter and for future population growth within the districts. The North/South orientation best reflects the wishes of the residents. Between A-3 and A-3 Modified, he would probably choose A-3 because it sticks to the neighbor's streets a little better, represents the least amount of change from current districts, and didn't see a downside to splitting a precinct.

Vice-Chair Brechner echoed Commissioner Weber's comment that at the last meeting, one member of the public used the word "nightmare" regarding Concept B. A number of other comments were in opposition to Concept B and in support of A-3. He felt A-3 also reduced voter confusion and also kept the structures similar to where we are now. He pointed out that the Commission is building on what the Commission before them in 2015. He felt A-3 and A-3 Modified best represented where they should go.

Commissioner Graeser said he was a bit cautious by nature. "If it ain't broke, don't fix it." He appreciated Commissioner Reker's comments but was not sure if he agreed that in the context of the plan development in the City that Concept B particularly addresses that development better than Concept ... any of them, really. But A-3 Modified adequately addresses the concerns the Commission was looking at such as minority voting rights and communities of interest, compact, contiguous districts, etc. "It is better than it was, and it works for me."

Commissioner Quintana said she would agree with A-3 Modified just because it doesn't split the precinct.

Chair Ortiz said the Consultant had said the A concepts were built on the 2015 redistricting, built upon past conversations, and she respected the wisdom of that Commissions. She pointed out the citizens of Santa Fe have lived with that concept for five years now and we didn't hear anyone at the meetings expressing concerns with that. That meant a lot to her. She liked A-3 and suggested not splitting precincts. This plan would keep precincts complete in every area, and if they need to split them in ten years the City has that prerogative.

Commissioner Donato said he spent the last two days going over the differences of A-3 and B and wanted to share what he saw. In favor of B, it splits one association, rather than three. It puts forth a significant reorientation which he liked. He liked change. B did two things which were important to him. It keeps the high number and the low number much lower – from 7.5% difference to 4.16% difference, which allows for high growth in Districts 3 and 4, especially in 3, but also allows for growth in the northeast section of District 1 and the southeast section of District 2. He also agreed with Commissioner Brechner that in ten years, it would be totally different. The voter confusion issue was not as important for him since voters can vote anywhere in the County, but he did appreciate keeping the precincts together and that was much more important than associations. He also noted that in all scenarios, Midtown stayed in District 4.

He also acknowledged a couple of points against B, including moving an incumbent from one district to another. That didn't concern him at all and was a non-consideration. But another was the citizens' comments which were significant against B. But it was a small number of people. He still leaned toward B but a little less compared to A-3 Modified.

Chair Ortiz agreed that the numbers of public were low and that was disappointing. However, their points were strong, and they had spent research time on the choices. We always need to listen to the community.

Commissioner Rekers agreed the members of the public were very passionate. Although important, the Commission should not overrate them.

Before the Commission voted, Chair Ortiz asked the Consultant to respond to five "confirming questions" regarding compliance with redistricting requirements; questions which were also asked by the 2015 Commission; for the record to demonstrate the 2022 commission also performed their due diligence and complied with all requirements.

Chair Ortiz asked the questions one by one and Mr. Sanderoff responded to each.

Chair Ortiz "does plan A-3 Modified meet the requirement "each district shall contain as nearly as possible, substantially the same population"?"

Mr. Sanderoff "they are substantially equal in population being that they stayed within the state law of deviations of no greater than plus or minus 5 percent so it's a yes".

Chair Ortiz asked, “does Plan A-3 Modified satisfy that the districting plan must avoid dilution of minority voting strengths”?

Mr. Sanderoff replies yes.

Chair Ortiz asked “does Concept Plan A-3 Modified satisfy communities of interest, including those based on ethnic and economic factors shall be preserved within a single district whenever reasonable”?

Mr. Sanderoff responds yes.

Chair Ortiz asks “does A-3 Modified satisfy that each district shall be formed of compact contiguous territories and the total length of all boundary lines shall be as short as possible”?

Mr. Sanderoff’s response is “they are compact and contiguous”.

Chair Ortiz says “and the last one Mr. Sanderoff, does Concept A-3 Modified ensure that the districting plan shall compensate for U.S. Census undercount of minorities”?

Mr. Sanderoff responded “the Census Bureau has not released a report on undercounting. The Census Bureau has informed us that Hispanics were undercounted nationwide. The two districts that are a majority Hispanic adult voting age population are on the lower end of the population higher negative deviation which would tend to then support that position that if Hispanics were undercounted and if there are truly more Hispanics in those districts then it’s better to keep the districts on the lower end of 5 percent so that you don’t have more Hispanics in those districts then meets the eye due to the undercount so I would say to the extent possible, yes”.

Chair Ortiz thanked him for the assurance that if the motion passed, it is a choice based on the five districting principles.

Commissioner Donato asked if the answers for the five principles would also be answered in the affirmative for Concept B.

Chair Ortiz responded that if the Commission gets to that point, Mr. Sanderoff would answer that question.

Commissioner Donato accepted that.

VOTE: The motion was approved on the following 5-2 roll call vote:

For: Chair Ortiz, Vice-Chair Brechner, Commissioner Graeser, Commissioner Quintana, and Commissioner Weber

Against: Commissioner Donato and Commissioner Rekers.

Abstain: None

8. **MATTERS FROM THE COMMISSION**

Commissioner Graeser thanked the Commissioners for their work on this matter.

Commissioner Donato agreed. He said this was the most congenial of the three Commissions he has served on. He also thanked the City Clerk's Office and the fine work of Research & Polling and the quick turnaround to data sets.

Vice-Chair Brechner stated for the minutes and public that because of some confusion in the newspaper and later correction that this is the decision of the Commission and implemented by the City Council. This is the only City in New Mexico where the Commission makes the final decision. He thanked everyone who helped the Commission make that decision.

Commissioner Weber thanked Research & Polling for helping him get up to speed. He was very impressed with the work of the Chair and hard work of the other Commissioners.

Commissioner Rekers thanked everyone – the City for fine cooperation and Mr. Sanderoff for their fine work and wished full recovery for Ms. Poss. She also thanked everyone from the public who participated.

Commissioner Quintana thanked all City Clerk Staff, Research & Polling and for allowing her to be here via Zoom

9. **MATTERS FROM THE CHAIR**

Chair Ortiz reminded everyone that the Governing Body would hold their meeting on July 13 at 5:00 p.m. where they would hear the Commission Presentation.

She read from the Scope of Work that the Commission must finish the redistricting process by July 1, 2022, including but not limited to the delivery and acceptance by the City of all the delivery set forth in Paragraph F and Exhibit A and all the attachments – documents that Mr. Sanderoff has prepared for the

Commission. The Commission has completed the process by July 1. And she, as Chair, will be present at the July 13 meeting and make the presentation. She hoped Mr. Sanderoff and his staff would be there too. She invited each Commissioner to be there also so she could introduce them to the Councilors. She also thanked City Staff for making this run seamless and quite smooth.

She also thanked the volunteer citizen Commissioners who volunteered and provided so much time and thought to this process. She said Mr. Sanderoff and his organization made the process work so well.

Mr. Sanderoff thanked her and said he appreciated the opportunity to work with them on redistricting.

10. **NEXT MEETING: No Meeting Scheduled**

12. **ADJOURN**

The meeting was adjourned at 4:14 p.m.


Carl Boaz (Sep 26, 2022 14:09 MDT)

Carl G. Boaz, Stenographer


Lilliemae G. Ortiz (Oct 1, 2022 07:45 MDT)

Chair