

1 the commission in developing the districting plans detailed in this Section.

2 B. The consultant shall provide professional and technical assistance to the commission
3 by using data, including census data.

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

8 **6-18.3 [NEW MATERIAL] Powers and Duties of Commission.**

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

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

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

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

19 C. Pursuant to 6-18.2 SFCC 1987, the commission shall rely on the professional and
20 technical assistance of the independent districting consultant when considering and establishing the
21 final districting plan.

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

25 (1) Each district shall contain as nearly as possible substantially the same

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population based upon the most recent federal census;

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

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

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

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

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.

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

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

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

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

(4) The commission shall conduct a minimum of one (1) public hearing to vote

1 to adopt a final districting plan.

2 G. In addition to considering districting plans prepared by the commission in
3 coordination with the independent consultant, the commission shall consider districting plans,
4 including maps, submitted by the general public that are consistent with the requirements of the laws
5 of the city of Santa Fe and the state of New Mexico.

6 H. Districting plans prepared by the consultant shall be made immediately available for
7 public review on the city website or by request to city staff.

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

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

14 **6-18.4 [NEW MATERIAL] Membership**

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

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

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

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

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

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

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

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

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

3 (5) One (1) member shall be a resident of the city of Santa Fe, who is a
4 statistician, except that if a city resident is not available, then a resident of Santa Fe county
5 may be appointed;

6 (6) One (1) member shall be a resident of the city of Santa Fe, who is either a
7 geographer or cartographer, except that if a city resident is not available, then a resident of
8 Santa Fe county may be appointed; and

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

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

17 **6-18.5 [NEW MATERIAL] Eligibility; Selection; Chairperson; Term.**

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

19 (1) Only persons who are both residents and registered voters of the city are
20 eligible to apply for and serve on the commission, unless otherwise provided for in this
21 Ordinance.

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

24 (a) Any elected official; or

25 (b) A relative by blood or marriage within the second degree, or any

1 domestic partner, within the meaning of Subsection 19-3.8 SFCC 1987, of any
2 elected city official; or

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

6 (d) A person who, within the last five (5) years immediately preceding
7 the date of application for selection to the commission, has been a candidate, as
8 defined in §9-2.3(G) SFCC 1987, to become an elected city official; or

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

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

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

15 (h) A person who is currently an officer in any qualified political party,
16 as that term is defined in 1-1-10 NMSA 1978, including, an officer of any county
17 political party; or

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

21 C. *Selection of commission members.*

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

24 (2) Any person desiring to serve on the commission shall apply by submitting an
25 application to the city clerk during the application submittal period. The application shall be

1 on a form prepared by the city clerk and approved by the city attorney.

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

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

12 (5) The city clerk shall set a date, time and place for the members to be selected
13 by means of a drawing by lot, so that (1) member for each position, described in 6-18.3 SFCC
14 1987, is selected, along with one alternate, in the event the member resigns in writing prior
15 to the end of the term of the commission. An alternate shall be subject to the same
16 requirements of a member. An alternate shall be required to attend commission meetings;
17 however, an alternate shall not be allowed to participate in the meetings unless they are called
18 upon to fill the term of a vacant member position.

19 D. *Chairperson.* The chairperson and vice-chairperson shall be elected by members of
20 the commission. The chairperson shall provide direction to the consultant and staff.

21 E. *Term.*

22 (1) The members of the first commission shall be selected as soon as practicable.
23 The first commission shall be established no later than February 1, 2015, so that the initial
24 districting plan shall be final by June 1, 2015.

25 (2) Members of each commission shall serve from the time they are appointed

1 until after the vote on the final redistrict plan, or unless ordered otherwise by a court.

2 F. *Eligibility to run for office.* Members of the commission are ineligible to become a
3 candidate for an elected official in a regular municipal election for two (2) years following the
4 expiration of their membership term.

5 **6-18.6 [NEW MATERIAL] Meetings.** Each commission shall establish its regular meeting
6 day, time and location and shall publish notice of each meeting with the city clerk, in accordance with
7 the New Mexico Open Meetings Act, , Sections 10-15-1 through 10-15-4 NMSA 1978.

8 **6-18.7 [NEW MATERIAL] Budget.** The city finance director shall request that adequate
9 funds be appropriated for the commission to carry out its duties.

10 **6-18.8 [NEW MATERIAL] Staff.** The city attorney shall be the staff liaison to the
11 commission.

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

14 **9-1.4 Districting.**

15 A. In establishing the district boundaries, the independent citizens' redistricting
16 commission, established by Section 6-18 SFCC 1987, shall consider the following principles in the
17 following order of priority:

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

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

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

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

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

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

3 C. Revisions to the district boundaries shall be effective beginning with the March 2016
4 regular municipal election.

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

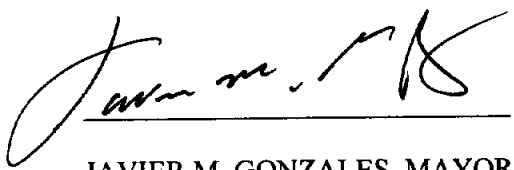
7 **9-1.4.1 Incorporation by Reference.**

8 The approved redistricting plan and plan documents (subsections 9-1.3 and 9-1.4) presented
9 to the independent citizens' redistricting commission, in the course of revising the boundaries of the
10 four (4) city council districts are incorporated by reference. A true and correct copy of said plan and
11 plan documents shall be retained by the municipal clerk and made available for inspection by the
12 public.

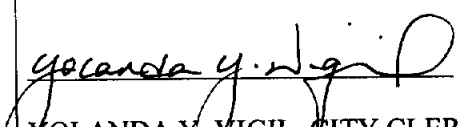
13 **Section 4. Review.** This Ordinance shall be reviewed by the governing body no later
14 than one year from the date of adoption.

15 **Section 5. Effective Date.** This Ordinance shall become effective immediately upon
16 adoption.

17 PASSED, APPROVED and ADOPTED this 10th day of December, 2014.

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19 _____
20 JAVIER M. GONZALES, MAYOR

21 ATTEST:

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24 YOLANDA Y. VIGIL, CITY CLERK

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1 APPROVED AS TO FORM:

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KELLEY A. BRENNAN, CITY ATTORNEY

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M/Melissa/Ordinances 2014/2014-37 Redistricting Commission Ordinance