

**MONDAY, OCTOBER 3, 2011, 5:30 P.M.
CITY COUNCIL CHAMBERS, 2ND FLOOR
CITY HALL BUILDING, 2 CIVIC CENTER PLAZA**

Members Present:

Gene Finke, John Karlsruher, Francisco X. Dominguez, Gilbert A. Mendez, Jr., David Thackston, Oscar Silva, Rodolfo Troncoso, James L. Graham, Alisa Jorgensen

Members Absent: 0

Vacancies: 0

Planning and Economic Development Staff:

Philip Etive, Development Review Manager; David Coronado, Districting Commission Executive Secretary, Lead Planner; Todd Taylor, Planner; Mariano Soto, GIS Planner; Marissa Monroy, Economic Development Coordinator; Donna Martinez, Senior Secretary

Other Staff Present:

Marie Taylor, Legal Advisor, Assistant City Attorney, City Attorney's Office, Sylvia Firth, Assistant City Attorney, City Attorney's Office

1. Meeting Called to Order

Mr. Coronado called the meeting to order at 5:31 p.m.

2. Establish Quorum

Quorum established; all Commissioners present.

3. Discussion and Information: Welcome and Staff and Commission Introductions

Mr. Coronado welcomed everyone to the first meeting of the Districting Commission. Staff and Commissioners introduced themselves.

4. Discussion and Action on:

a. Nominations for Chair

MOTION:

Motion made by Commissioner Thackston, seconded by Commissioner Jorgensen and
UNANIMOUSLY CARRIED TO APPOINT GENE FINKE AS CHAIR OF THE DISTRICTING COMMISSION.

ABSTAIN: *Commissioner Finke*

b. Election of Vice-Chair

Chair Finke nominated Commissioner Thackston as Vice-Chair.

Commissioner Dominguez expressed his interest in serving as Vice-Chair.

MOTION:

Motion made by Chair Finke TO APPOINT COMMISSIONER THACKSTON VICE-CHAIR OF THE DISTRICTING COMMISSION.

The oral vote was unclear; Staff took a roll call vote.

AYES: Commissioners Karlsruher, Thackston, and Chair Finke

NAYS: Commissioners Mendez, Jr., Silva, Troncoso, Graham, and Jorgensen

ABSTAIN: Commissioner Dominguez

Motion failed.

POINT OF ORDER

Following Chair Finke's vote, Commissioner Graham called for Point of Order. He questioned the voting process and clarified Commissioners would be voting on each nomination individually.

Mr. Coronado concurred and explained should there be a majority vote on the first motion, it would not be necessary to vote on Commissioner Dominguez' nomination.

Commissioner Jorgensen clarified Commissioners will first vote on the nomination of Commissioner Thackston as Vice-Chair.

POINT OF ORDER

After the voting process, Commissioner Thackston called for Point of Order. He stated if there are two people nominated there should not be two separate motions. He suggested Staff put the names forward and let Commissioners vote.

NOMINATION OF COMMISSIONER DOMINGUEZ AS VICE-CHAIR

MOTION:

Motion made by Commissioner Dominguez TO APPOINT COMMISSIONER DOMINGUEZ VICE-CHAIR OF THE DISTRICTING COMMISSION.

Ms. Firth suggested Commissioners do anonymous paper ballots; each Commissioner will have one vote.

Ms. Firth read each vote into the record. The votes were as follows:

COMMISSIONER DOMINGUEZ

6 votes

COMMISSIONER THACKSTON

3 votes

Commissioner Dominguez is the Vice-Chair.

c. Rules of Order

Ms. Taylor explained these are the same Rules of Order used by the 2001 Districting Commission, no changes have been proposed.

RECOGNITION

Chair Finke recognized former distinguished City Council Representative Elvia Hernandez.

MOTION:

Motion made by Commissioner Karlsruher, seconded by Commissioner Thackston and
UNANIMOUSLY CARRIED THAT THESE RULES OF ORDER BE ADOPTED FOR THE PURPOSE OF THIS COMMISSION.

d. Meeting Schedule

Commissioners Karlsruher and Mendez, Jr. noted the meeting dates they would not be able to attend.

In the future, Chair Finke explained, Commissioners may have other scheduling conflicts; however, as long as there is a quorum and Commissioners are not at a crucial point in deliberations, Commissioners will move forward with our mandate.

MOTION:

Motion made by Commissioner Thackston, seconded by Commissioner Karlsruher and
UNANIMOUSLY CARRIED THAT THE SCHEDULE BE ADOPTED FOR THIS COMMISSION.

5. **Discussion and Information on:**

- a. City's 2011 Redistricting process, census data, and the City Council resolution establishing the redistricting criteria for 2011 Redistricting.

Ms. Taylor and Mr. Coronado gave a PowerPoint presentation, the same presentation provided to City Council at the August 30th City Council meeting.

Ms. Taylor elaborated on the legal principles applied to the redistricting process. She reiterated that the redistricting process is based on the current population, not future projections.

Mr. Coronado elaborated on the goal of the Commission – dividing the districts evenly, below 10% deviation, and balancing the current population, 81,140, equally per district.

b. Texas Open Meetings Act

Via the PowerPoint presentation, Ms. Taylor briefed Commissioners on the Open Meetings Act. She stated that pursuant to City Council determination this Commission is subject to the Open Meetings Act.

c. Draft Illustrative Districting Plan options

Mr. Coronado provided a brief presentation on all three Staff Draft Illustrative Districting Plans options provided for this meeting.

The following members of the public commented:

1. Mr. Ray Rojas reserved comments for later in the meeting;
2. Mr. Ray Mancera, representing the League of the United Latin American Citizens (LULAC). For the record, Mr. Mancera stated, he had signed himself and Ms. Elvia Hernandez, LULAC representative, for public comment prior to the meeting. For the record, Mr. Mancera presented to the Chair and Staff a letter from LULAC. (copy of letter on file);
3. Ms. Elvia Hernandez, representing LULAC

ILLUSTRATIVE MAPS – COMMISSIONERS REQUESTS/QUESTIONS/COMMENTS

1. In addition to posting the illustrative maps online, Staff will email and/or provide a link to the .pdf files to Commissioners;
2. Change colors for District 3 and District 5;
3. For the next meeting, Staff will have large printed maps for Commissioners to review including parks and neighborhood association overlays;
4. For future meetings, Staff will provide large printed maps to include parks and neighborhood association overlays, etc.
5. Staff will show the deviation table (lower right hand corner) for each map, in addition to the tables shown on back side;
6. Redistricting Process: Nine Principles and Criteria, item 2. Maintaining communities of interest and neighborhoods. Ms. Taylor explained the goal is not to split up neighborhoods in residential subdivisions. The functional dimension, when drawing for compactness and contiguousness is to be cognizant of voting patterns, income, education, home ownership, availability of transportation and communication, the existence of a common social and economic interest and the ability of constituents to relate to one another

7. Maintaining current City Council Representatives in their existing districts is one of the components when considering the boundaries;
 8. **POINT OF OBSERVATION** Commissioner Karlsruher noted the boundaries on the east side are basically fixed, with very little chance of significant annexations, due to ETJ's for Socorro and Horizon. Additionally the economics of infill development eventually will come back into the community via SmartCode, SmartGrowth.
 9. District 6 – possibly given more of an east/west orientation
 10. District 5 – is the largest district and the biggest challenge. Once you change the boundaries for one district, other district's boundaries will also change, achieving the 10% deviation balance can be challenging
 11. Discussion amongst Commissioners and Staff regarding Downtown as an at-large district. Ms. Taylor gave legal advice regarding single member versus at large districts and added that was not part of the mandate for this Commission.
 12. Next DC meeting Staff will provide Commissioner Thackston the following information:
 - a. Precinct 157 population numbers
 - b. What would the population numbers be if Precinct 157 moved from District 4 to District 2
- d. Guidelines for Persons Submitting Specific Redistricting Proposals

Ms. Taylor noted, in the Commissioner's packets, Staff provided a copy of the proposed City Council resolution and guidelines for Commissioners to review and ultimately approve, at a later date.

6. **Call for Public Comment**

The following individuals commented:

1. Ray Mancera
 - a. Opposed to at-large representation
 - b. Staff make information presented to Commissioner available to the public, to include census tract information, ensure street names identified
 - c. Principles and Criteria item 7.
2. Ray Rojas, Immigration Attorney
 - a. Asked Commissioners to keep in mind the large number of undocumented immigrants living in El Paso unable to vote;
 - b. Regarding District 8 proposed boundaries, he asked Commissioners to keep in mind Segundo Barrio poverty and voting power issues and concerns

7. **Adjournment**

MOTION:

Motion made by Commissioner Thackston, seconded by Vice-Chair Dominguez and UNANIMOUSLY CARRIED TO ADJOURN THE MEETING AT 7:12PM.

DISTRICTING COMMISSION

GUIDELINES FOR PERSONS SUBMITTING SPECIFIC REDISTRICTING PROPOSALS

In order to make sure that any plan that might be submitted is of maximum assistance to the City Council and to the Districting Commission in the decision-making process, the Districting Commission hereby sets the following guidelines:

1. Plans should be submitted in writing. If a plan is submitted orally, there is significant opportunity for misunderstanding, and it is possible that errors may be made in analyzing it. The Commission wants to be sure that all proposals be fully and accurately considered. Your cooperation in submitting any plan in writing will be of great assistance.
2. Any plan should show the 2010 federal census total population and voting age population by race/ethnicity for each proposed District. If a plan is submitted without a population breakdown, the Commission may not have sufficient information to give it full consideration.
3. Plans should be submitted a minimum of one week prior to a regularly scheduled Districting Commission meeting. As all meetings are open to the public, public comments shall still be heard and accepted at all meetings properly constituted under the Texas Open Meetings Act.
4. Plans should redistrict the entire City, i.e., contain proposed boundaries for all Districts within the City. The Commission, of course, will be considering the affect of any plan on the entire City. Also, the City and the Commission are subject to the Voting Rights Act, which protects various racial and language minorities. Thus, as a matter of federal law, it will be required to consider the affect of any proposal on multiple racial and ethnic groups. If a plan does not redistrict the entire city, it may be impossible for the Commission to assess its impact on one or more protected minority groups. The requirement that any plan redistrict the entire City does not preclude members of the public from proposing that particular voting precincts, neighborhoods, or locations be included in a specific council district.
5. Plans should conform to the redistricting criteria the Commission will be using in drawing the Districts, which was adopted by City Council resolution on August 31, 2011.

All members of the public are welcome to speak on any agenda item at public meetings of the Districting Commission conforming to the Texas Open Meetings Act. Further information is available in the Planning Division, Planning and Economic Development Department, 5th Floor City Hall, 915-541-4632

APPROVED AND ADOPTED BY THE DISTRICTING COMMISSION this ____ day of _____, 2011.

Chair, Districting Commission