



## **DISTRICTING COMMISSION MEETING**

**February 23, 2022**

**4:00 P.M.**

### **MINUTES**

The meeting was called to order at 4:00 p.m.

#### **COMMISSIONERS PRESENT:**

Col. Bob Burns

D. Michiel R. Noe - online

Christopher Villa

Joshua Fematt - absent

Martin Bartlett

Daniel Anchondo – arrived 4:07 pm

Isabel Carrillo

Cynthia Renteria

Gilbert Esparza III

#### **COMMISSIONERS ABSENT:**

NONE

#### ***City Staff:***

*Karina Brasgalla (online), Assistant Director Economic and International Development; Kevin Smith, standing in as Secretary, Planning and Inspections Assistant Director; Russell Abeln, Assistant City Attorney, City Attorney's Office; Mariano Soto, Planning and Inspections GIS Specialist*

### **I. CALL TO THE PUBLIC – PUBLIC COMMENT**

Call to the Public will begin at 5:00 p.m. Members of the public will be allowed 5 minutes to present, with additional time granted at the discretion of the presiding officer.

1. Ms. Judy Ackerman – Commented on Precinct 60, believes it does not belong in district 4
2. Mr. Jesus Valdez – noted that the maps with the new districts are not correct – the deviations are not equal to the initial submissions. Argued that the original maps should not be deleted until they are equal. Also raised an issue with how the top maps are filtered, and argued that maps submitted by others should not be modified. Voiced support for the League's first map submitted.
3. Ms. Beverly Clevenger – President of Mountain Park Community Association. Noted that the Northeast area is very distinct and that the East and West mountain district are very unique. Also commented on the active and retired

military population in the Northeast. Stated that property values are higher on the West side than the East side

4. Ms. Rosa Dominguez Morales – commented that the state of Texas is in the news for gerrymandering and that El Paso’s redistricting should be an example to stand against that. Also noted that the City should triple check new maps so the changes can be equitable and fair for all.
5. Mr. Ed Telemantes – commented regarding I-10 as a barrier, expressed a wish for better representation south of I-10
6. Ms. Sylvia Carreon – Mission Valley Civic Association. Agrees with Ms. Ackerman’s objection. Feels that the maps being redrawn wrong could be called illegal. Expressed dissatisfaction with District 6’s commissioner’s meeting attendance and involvement. Felt that the “battle” to decide would be between commissioners rather than constituents

Mr. Smith noted that no more public comments were forthcoming.

***CHAIR BARTLETT ASKED FOR A MOTION TO RETURN TO THE AGENDA.  
COMMISSIONER RENTERIA MOVED, VICE CHAIR CARRILLO SECONDED.  
MOTION PASSED UNANIMOUSLY.***

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**REGULAR AGENDA – DISCUSSION AND ACTION:**

1 Discussion and Action: Changes to the Agenda

Kevin Smith notes no changes from staff  
No changes from the Commission

2 Information and Discussion: Updates on Board administration and Public Comment submitted electronically.

Mr. Smith turns time over to Russell Abeln and outside council Mr. Bob Heath.  
Russell Abeln shared a change to the schedule for city council to adopt the districting plan due to a six-month requirement for district residence for those running for office. Set new goal for April 6.

Chair Bartlett clarified the requirement in the City charter for residence

Mr. Abeln and Mr. Heath confirmed the Chair’s assessment

Chair Bartlett asked if this required action from the Commission

Mr. Heath answered affirmatively

Chair Bartlett asked if any other Commissioners had questions for Mr. Heath

Commissioner Renteria asked to confirm that the new deadline will be April 6.

Mr. Smith answered yes, proposed scheduling emergency meetings if necessary to meet the new deadline

Chair Bartlett asked to clarify whether the deadline to submit maps set at the last meeting would be affected

Mr. Smith answered that that deadline would not change

Dr. Noe asked if action was required on this Item

Mr. Abeln responded no, action was not needed

Mr. Smith reiterated the possibility for emergency extra meetings, suggesting late afternoon timing

Mr. Smith stated that City staff are working with redrawn maps with new precincts to bring them in line with the spirit of the maps originally submitted. Also that deviation numbers had been brought down.

Vice Chair Carrillo asked how long to do the remainder of submissions

Mr. Smith stated that they had converted up to Commissioner Draft #6, as well as numerous public submissions. Asked Mr. Mariano Soto to respond

Mr. Mariano Soto responded that all the maps were corrected to include any intentional precinct splits

Chair Bartlett noted that Commissioner Anchondo was now present, recognized Commissioner Renteria

Commissioner Renteria stated that her question had been answered

Chair Bartlett recognized Dr. Noe

Dr. Noe had no statement

Chair Bartlett asked for any further questions/comments/concerns on the maps using the 2022 precinct lines

None raised

Mr. Kevin Smith shared a public comment verbatim from favoring Public Draft #4, the map proposed by the League of Women Voters

Chair Bartlett asked for questions for staff from the Commissioners

Commissioner Esparza asked when the redundant maps with old precincts would be removed from Sharepoint

Mr. Smith asked to clarify which maps were to be removed

Commissioner Esparza clarified which ones he meant – the original drawn using the old precincts

Mr. Smith noted that there were some submittals that would not match the new precincts, as they were intentionally split. Also noted that the redundant maps could be removed quickly, asked Mr. Mariano Soto how many submittals of the 10 under consideration matched the 2022 precincts

Mr. Soto responded that he didn't know but there were a couple. Also responded that the redundant maps could be removed quickly.

Mr. Smith noted that there were some submittals that they did not want edited

Chair Bartlett clarified the motion that had been made to remove those maps that had been drawn using old census data in favor of those drawn using the 2022 precincts, while respecting the intent of what the map submitter had drawn with respect to split precincts

Vice Chair Carrillo commented on maintaining intentionally split precincts

Mr. Abeln confirmed the content of the motion

Mr. Smith reiterated that it could be done fairly quickly

Chair Bartlett asked to make sure that the website was updated as well to accurately reflect the options

Mr. Smith asked how quickly the maps could be removed

Mr. Soto say he could have it done in 15 minutes

Commissioner Esparza noted that Vice Chair Carrillo's map online was missing road overlay and that it would be helpful to have those added in.

Mr. Smith was unable to replicate the problem

Problem was determined to be a glitch

Commissioner Villa noted that there were discrepancies between the map he had submitted and the updated version, asked for the intentional precinct split that he had originally drawn

Commissioner Burns asked if any maps had higher deviations as they were revised  
Mr. Smith responded that many were high when originally converted, but as they were revised to be in line with the original submittal the numbers for the deviations dropped  
Commissioner Burns asked to confirm that all maps are now below the deviation standard  
Mr. Soto confirmed that they were all below 10%

Mr. Smith noted that the Commission was starting into Item 3

### 3 Information, Discussion, and Action: Drafting and Selection of District Plans.

Chair Bartlett stated that if the Commission is to stick to its deadline, they must start cutting maps. Targeting 1-3 maps to later fine-tune

Commissioner Renteria clarified that they were maintaining the deadline of March 2 for submissions

Commissioner Esparza voiced concern over cutting maps before all were submitted

Commissioner Renteria responded that they were only looking to cut maps that were very similar

Commissioner Esparza agreed with staying within that scope

Commissioner Anchondo asked if the maps were being "closed" on the second, would they still have to go through the deviation process?

Mr. Smith responded that they would still be evaluated and brought forward to the districting commission whether above or below 10%. Also noted that those above 10% would not be recommended by staff due to Dept. of Justice issues

Commissioner Anchondo asked if that would take additional time to do?

Mr. Smith responded that they should be able to be presented at the March 9 meeting

Commissioner Anchondo asked if that would be the meeting where maps were selected  
Chair Bartlett responded that the commission would have a working session the next week (March 2) to work on refining maps with a consensus and that the March 9 deadline was correct.

Commissioner Anchondo asked if the commission would still be able to meet the deadline?

Chair Bartlett noted a timeline squeeze

Mr. Smith reiterated the deadline, noted that 10 submittals remained and recommended no more than three be presented to council, with a clear frontrunner. Also recommended that fewer be brought to the next meeting for the working session

Chair Bartlett recognized Vice Chair Carrillo

Vice Chair Carrillo commented that the deadline for submittals was March 2, noted the need for an emergency meeting, proposed March 3 as the date for that meeting

Mr. Smith asked Mr. Soto how long it would take for submittals to be evaluated and prepared for consideration by the Commission

Ms. Karina Brasgalla (attending virtually) noted that new submissions submitted before the March 2 deadline were to be heard at the March 9 meeting, recommended that the emergency meeting would have to be after March 9

Mr. Smith reiterated the post-March 9 requirement

Commissioner Anchondo asked if there was a proposal as to how to start selecting for "tweaking", suggested the Commissioners work amongst themselves

Mr. Smith noted that all 10 maps can still be "tweaked", and that many maps are similar

Chair Bartlett commented that the purpose of the working session was to have the refining conversations be public

Commissioner Renteria noted that the idea for the March 9 meeting was for a large “cushion” before the deadline, and that they were only losing some of the cushion and that there was still time for another meeting between the 9<sup>th</sup> and the 23<sup>rd</sup>

Mr. Smith noted that emergency meetings could be called as needed

Vice Chair Carrillo agreed with Commissioner Renteria about the timeline. Noted that she had received an email from Mr. George Ibara asking about the city’s conversion process to the new precincts and expressing concerns about converts maps being correct

Mr. Smith responded that the new maps should be correct with new precinct boundaries, except where they were intentionally split

Chair Bartlett suggested “as robust a QA/QC process as possible”

Ms. Brasgalla clarified re: precinct splits and related corrections, noted that they should now be correct

Chair Bartlett encouraged the commission to check their own maps as well

Chair Bartlett recommended moving as quickly as possible to identify very similar maps and being discussing which to advance to the discussion next week

Commissioner Renteria asked if there would be a presentation from Commissioner Esparza

Mr. Smith confirmed that Commissioner Esparza had submitted a new map

Commissioner Esparza asked to present his map, noted that it was a deviation of one from the League of Women Voters with input from Colonel Burns

Mr. Smith brought up the map on display

Commissioner Esparza discussed his map re: geographical boundaries, income levels. Gave credit to the League of Women Voters for backup data

Commissioner Renteria asked about feedback from the community meeting in the Northeast, commented on the distribution around Ft. Bliss, as well as precinct in 5 sticking into 6

Commissioner Esparza responded that his deviation was high and moving that precinct made sense numerically, noted that otherwise would have had to split precincts

Commissioner Renteria asked about District 7, the Mission Valley. Asked if it was the same as the League’s map

Commissioner Esparza confirmed that it was the same, noted that the highest population in that districts still came from south of I-10 and that the south would have 3 representatives

Commissioner Renteria asked about more representation on one side – similar question on the Northeast.

Commissioner Esparza responded that he was curious to see Commissioner Renteria’s map, as she brought up the possibility of splitting a district and having two representatives in the Northeast. Noted that a big takeaway from his map was regarding the attendance in the District 4, and the consensus that they did not want to be represented in a district that went over the mountain past Ressler and Red, and that many maps did not take that into account. Reiterated that the districts should be fair to all. Also noted that the concerns of Districts 1 and 4 are very different.

Commissioner Renteria asked one more question about District 3 – south central El Paso often gets pulled very far west or east. Noted that they are willing to go north of the freeway. Suggested District 3/South Central on Commissioner Esparza’s map goes too far into the Mission Valley.

Commissioner Esparza acknowledged Commissioner Renteria’s input, noted his concern about geographic boundaries such as the mountains over boundaries such as roads.

Chair Bartlett asked for further questions

Chair Bartlett asked if Commissioner Esparza would be open to adjustments along Rt. 54  
Commissioner Esparza responded that he would be, noted that he was open to tweaks and that he welcomed input

Chair Bartlett asked if this map was the one to carry forward, asked for a motion

Commissioner Renteria asked Commissioners Esparza and Burns if this map worked for the Northeast neighborhoods

Commissioner Esparza responded that the map works if the focus is on precinct 60 and keeping those who live on the east side of the mountain from being represented by the west side.

Commissioner Burns responded that he was prepared to remove his submission in favor of Commissioner Esparza's map

Commissioner Anchondo asked to move that Commissioner Draft #6 (revised) be placed on the list to move forward to be considered. Commissioner Burns seconded, motion passed unanimously.

Commissioner Esparza asked to do Public Comment and then return to considering this map along with the three other similar maps and eliminate down from 4 to 1

Commissioner Burns noted that he agreed with Commissioner Esparza, and that more representation is always better.

Commissioner Villa asked Commissioner Esparza why he did not consider putting Precinct 60 into District 2?

Commissioner Burns noted that that option should be considered, and that multiple options should be presented along with the recommended option

Commissioner Esparza responded that Precinct 60 is a mountain community and shared more in common with other mountain communities

***CHAIR BARTLETT ASKED FOR A MOTION TO MOVE ON TO PUBLIC COMMENT. COMMISSIONER RENTERIA MOTIONED, COMMISSIONER VILLA SECONDED. MOTION PASSES UNANIMOUSLY.***

Return from Public Comment

Chair Bartlett noted that one map had been moved forward to the working session next week. Asked if there was a motion to advance or discussion to advance other maps

Vice Chair Carrillo commented on the public comment from Mr. Valdez regarding the "tweaking" of maps. Agrees that once it has been tweaked it becomes a new map.

Mr. Smith responded that the original versions of tweaked maps would not be deleted and would still be in consideration. Revisions would be named separately.

Chair Bartlett clarified that if the commission liked a map it could be sent forward for consideration without tweaks

Mr. Smith responded that the commission is a recommending body to city council. Compared to city planning commission where recommendations are made with conditions. Sometimes city council accepts it, sometimes change it

Vice Chair Carrillo argues that this is different from the commission changing submissions on the submitter's behalf

Ms. Bragalla commented that while maps have been removed from the online viewer, all maps are still retained permanently. They are labeled when they have been touched by staff to clarify when precincts have been updated/converted. Reminded the commission that those updates were a request from the commission. Expanded on the process for the conversions.

Vice Chair Carrillo responded that any altered maps must be labeled as such, as “commission maps”

Mr. Smith responded that they can work on appropriate labeling. Also commented that maps are submitted by individuals but it will be a city council map. It can be adjusted by those representing the City Council, i.e. the Commission

Commission Esparza commented that regarding those maps that have been redrawn with the new precincts, if a submitter feels as though the intent was not matched by the conversion that they had until the March 2 to submit a new map based on the new districts. Commissioner Renteria asked how the Commission’s workshop session would be different from maps that have been altered and resubmitted up until now. Not sure where the issue is

Ms. Brasgalla responded that it was the same, but collaborative among the Commission. Said that maps can be labeled descriptively or simply as numbers.

Chair Bartlett reiterated the need for as transparent a process as possible.

Chair Bartlett asked for motions or discussion for further maps to advance to the working session.

Commissioner Esparza asked to bring up Commissioner Map #4, Commissioner Villa’s.

Mr. Smith noted that this map had been updated.

Commissioner Villa commented on strengths and weaknesses of the map – shapes of Districts 8 and 3, planning for growth with District 5, incorporation of neighborhood associations to keep them from crossing districts.

Commissioner Anchondo commented on maps that are similar to Commissioner Esparza’s map, Public Drafts A1 and 1B by the League of Women Voters, how there is very little difference between the two. Asked if it was appropriate to bring those forwards with Commissioner Esparza’s and eliminate others.

Chair Bartlett commented on trying to bring down the number of maps, noted that Commissioner Esparza’s had been moved forward. Asked the Commission if they wanted to pick up similar ones to move forward.

Commissioner Burns commented on Commissioner Map #4 expressed support for Commissioner Map #4

Vice Chair Carrillo noted that the deviation at 9.3 was high on Commissioner Map #4, expressed concern about that version of District 7 being split by the freeway, and asked about growth on the outskirts and asked if the deviation came from those districts being reduced, with the exception being District 4.

Commissioner Villa responded that yes, District 4 had more people, and the largest deviation was in District 5. Reiterated the guideline of less than 10% for the deviation

Vice Chair Carrillo asked Mr. Russell Abeln if there was a concern of litigation

Mr. Russell Abeln stated that there was no risk of litigation if the deviation was below 10%

Mr. Smith commented on the growth comment – pushing up against city limits in Districts 6 and 5, that there was more space in Districts 1 and 4.

Chair Bartlett commented regarding the intent of the deviation

Commissioner Villa responded about the effect of moving some precincts with respect to the deviation and keeping neighborhood associations together

Commissioner Esparza commented that he’d like to make a motion to advance that map.

**COMMISSIONER ESPARZA MOTIONED, DR. NOE SECONDED THE MOTION TO ADVANCE COMMISSIONER DRAFT #4. MOTION PASSES 5-3 WITH COMMISSIONERS ANCHONDO AND RENTERIA, AND VICE CHAIR CARRILLO VOTING NO.**

Chair Bartlett recognizes Commissioner Renteria  
Commissioner Renteria opted to save questions for the work session  
Chair Bartlett asked for any more motions to advance more maps to the work session  
Vice Chair Carrillo expressed a desire to move to advance Public Draft #4 by Ms. Carmen Rodriguez from the League of Women Voters, due to how different it was from other currently advanced maps.

**VICE CHAIR CARRILLO MOTIONED TO MOVE PUBLIC DRAFT #4 FORWARD. COMMISSIONER RENTERIA SECONDED. THE VOTE WAS TIED, CHAIR BARTLETT ASKED MR. ABELN IF THE MOTION HAD DIED. MR. ABELN REPLIED THAT IT HAD. MR. SMITH NOTED THAT AS THE MOTION HAD DIED, DISCUSSION COULD RESUME.**

Chair Bartlett recognized Commissioner Renteria  
Commissioner Renteria asked if it was possible to see maps side by side – Commissioner Burns' and Ms. Carmen Rodriguez's submissions. Commented with respect to coming back to the public comment on what folks in central and south-central want. Listed neighborhood associations at one of the meetings, reiterated their comments asking for a central district that isn't "chopped up". Asked if one of the two maps (Public Draft #4 and Commissioner Draft #5) could be advanced to the March 9 meeting/work session.  
Chair Bartlett responded that there had already been a motion on Public Draft #4  
Mr. Smith stated that that motion had failed  
Commissioner Renteria asked if the same motion could be made  
Mr. Abeln noted that there could be further discussion and then the same motion  
Commissioner Renteria asked for the Chair to go over the differences between the two maps  
Chair Bartlett agreed, but recognized Commissioner Esparza and then the Vice Chair  
Commissioner Esparza explained that he voted no due to the need for discussion, noted that they were similar enough that they could advance one and could always tweak. Agreed that one of the two maps should be advanced  
Vice Chair Carrillo agreed that they should advance one of the two, voiced concern over the deviation in Commissioner Draft #5 and preference for Public Draft #4.  
Commissioner Renteria asked about the difference in the two versions of Commissioner Draft #5 with respect to deviation discrepancy before and after conversion  
Vice Chair Bartlett answered his preference as the author was the version that had been revised to fit the 2022 precincts. Noted that there were other revisions to keep down the deviation. Also noted that the greatest change from the previous version was within District 5 and that there was a precinct split between Districts 3 and 7. Asked for further questions on his map.  
Commissioner Renteria asks to examine the boundaries of precinct 2 on both maps  
Commissioner Bartlett narrated the boundaries of District 2 on his map  
Mr. Smith narrated the boundaries of District 2 on Public Draft #4  
Commissioner Renteria noted that the greatest difference between the two was on the west side of the district  
Mr. Smith pointed out a couple of other small differences  
Chair Bartlett asked for more questions  
Commissioner Burns asked, using the mountain as a geographic boundary, what is the population split in District 8? Also commented about Bassett Middle School, noted that it is called a Northeast middle school, but also that it's being replaced and may not be relevant shortly



Commissioner Esparza commented that one of the two maps would be moved forward, wanted to point out on Commissioner Draft #5: Alabama as the border with several blocks on the mountain in District 8

**COMMISSIONER VILLA MOTIONED TO MOVE CHAIR BARTLETT'S MAP (COMMISSIONER DRAFT #5) FORWARD, SECONDED BY COMMISSIONER BURNS, MOTION CARRIES (7-1)**

Chair Bartlett asked for more map discussions or motions to move other maps forward.  
Vice Chair Carrillo asked for discussion between Public Draft 1-A Revised and Public Draft 1-B. Asked for explanation of difference between the two re: precinct splits  
Mr. Smith clarified that 1-A had no precinct splits, 1-B had precinct splits  
Vice Chair Carrillo asked to go around the border of District 3  
Mr. Smith narrated the boundaries of District 3 on Public Draft 1-A  
Vice Chair Carrillo asked about the northeast boundary of District 5 on the same map  
Mr. Smith described the boundary  
Commissioner Villa noted that he disliked Districts 2 and 8: does not feel that 2 is contiguous. Also expressed concern about the edges of District 8 and Precinct 60  
Chair Bartlett responded that it created three District 2s, getting pulled in every direction

**VICE CHAIR CARRILLO MOTIONED TO CARRY PUBLIC DRAFT 1-A FORWARD, GIVEN THAT IT WAS A BASIS FOR MANY MAPS. COMMISSIONER RENTERIA SECONDED. MOTION DIED (3-5).**

Commissioner Esparza commented that 1-A was very similar to a map that had already been forwarded, that they were trying to narrow the field down to different concepts  
Ms. Bragalla noted that no maps were being eliminated from consideration yet, that they were simply advancing maps to the working meeting  
Commissioner Renteria asked if the maps that had been moved to the work session could be reviewed.  
Mr. Smith listed Commissioner Draft #4, Commissioner Draft #5, and Commissioner Draft #6  
Chair Bartlett asked for any other discussion or action. No answer, the Chair thanked the Commissioner and staff for their work

Mr. Smith recommended moving to Item 4  
Chair Bartlett agreed

#### 4 Discussion: Identify Items for Future Agendas

Mr. Smith noted that the next meeting would be a working session  
Commissioner Villa asked to see where borders of community block grants were for next session  
Mr. Soto confirmed that those data were available, as well as the opportunity zones  
Mr. Smith asked to confirm the opportunity zones  
Mr. Soto answered that he was fairly sure they were available  
Commissioner Renteria asked for school districts  
Chair Bartlett asked for an overlay with recognized community association  
Mr. Smith noted that this was with the precincts as well  
Chair Bartlett asked if they would be able to see numbers add up in real time as they worked

Mr. Smith confirmed generally real time with staff analysis. Requested that they work on one map at a time to accommodate technical limits

Commissioner Burns asked for population splits over the mountain and over the freeway in the Mission Valley

Mr. Smith asked where to set the boundary for those splits

Commissioner Burns asked for the line down Alabama

Mr. Smith asked for the boundary to the south – around the Cotton area? Asked Mr. Soto if that information was available

Mr. Soto confirmed that it was

Chair Bartlett asked for further discussion, with none asked for a motion to adjourn

## 5 Adjournment

***MOTION FROM COMMISSIONER ANCHONDO, MULTIPLE SECONDS, MOTION PASSES UNANIMOUSLY.***

Meeting adjourned at 6:34 pm