



CITY OF SAN JOSE, CALIFORNIA

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Minutes of the Redistricting Advisory Commission Regular Meeting March 14, 2011

The 2011 Redistricting Advisory Commission of the City of San José convened in regular session on March 14, 2011 in the San José City Hall Committee Room 120 at 6:34 p.m.

ROLL CALL

Present: Commissioners De La Rosa, Cobb, Williams, Schoennauer, Flaughner, Shelton, Schumb, De Rollo, Mace, Chirco and Fadness
Absent: None

ORDERS OF THE DAY

By motion unanimously adopted, the Orders of the Day were approved.

CONSENT CALENDAR

By motion unanimously adopted, the Consent Calendar was approved.

1. The following minutes were deferred:
 - a. February 7, 2011

END OF CONSENT CALENDAR

4. Discussion and Adoption of Prioritized Guidelines and Criteria

Documents Filed: Memorandum from City Clerk Dennis D. Hawkins dated March 7, 2011 regarding Guidelines/Criteria Prioritization Exercise.

City Clerk Dennis Hawkins gave a brief presentation on prioritization of guidelines, he explained that there are certain non-negotiable mandatory guidelines which are charter required and also that the Commission needs to be in compliance with the Federal Voting Rights Act, lengthy Commission discussion ensued. Sr. Deputy City Attorney Lisa Herrick clarified the Charter mandatory guidelines which must be met.

Motion: Commissioner Fadness moved adoption of the Guidelines. Commissioner Chirco seconded the motion.

Commissioner Mace requested a friendly amendment to Commissioner Fadness to make the two guidelines that are mandatory and everything else as discretionary.

Commissioner Fadness clarified that his motion is to strike items in the other guidelines category that are already dealt with in the mandatory.

Action: The Commission voted 3 to 6; motion failed.

Substitute Motion: Commissioner Mace moved to take the first (Make the Districts as nearly equal in population as may be practicable - Charter) and last of the mandatory guidelines (Comply with Federal Voting Rights Act - Federal Law and Prop. 11) and make them mandatory as legal counsel stated and everything else becomes discretionary, in which case the Commission discusses the parameters of what is discretionary. Commissioner Fadness seconded the motion.

Commissioner Fadness suggested to Commissioner Mace that she add to her motion direction to staff to return to the next meeting with a cleaned up and consolidated the list with the ones that are identical to reflect the two mandatory with all the others listed underneath and then the commission can agree to do that what they please. The motion was modified as suggested.

Action: On a call for the question, the substitute motion, as revised, carried.

Public Comment: Ty Greaves, Berryessa Citizens Advisory Council, urged the Commission to take 3 factors as key as they move boundaries (1) empowering minorities (2) respect communities of interest (3) please keep Berryessa Union school districts within Council District 4.

Jacquelyn Maruhashi with the Asian Law Alliance outlined her thoughts of what the priorities should be: equalize population within the City Council District within 10%; comply with the Voting Rights Act; minimize the dilution of votes and avoid fragmentation or over compaction of ethnic communities; do not fragment communities of interest including neighborhoods and neighborhood associations; try not to divide school districts; and at the bottom of the list would be avoid unseating current Councilmembers and also income diversity.

5. Presentation Regarding 2010 Census Data

Documents Filed: Powerpoint Presentation by Senior Planner Michael Bills (Census Data Tables 1-5 (1) City of San Jose 2010 Population Variation Among Existing Council Districts; (2) City of San Jose Redistricting Implications of 2010 Population Data Using 10% Deviation from Mean (Plus or Minus 5%); (3) City of San Jose Population and Housing Growth by Existing Council District, 2000-2010; (4) City of San Jose 2010 Population by Race and Ethnicity (Hispanic Inclusive) by Existing Council District; (5) City of San Jose 2010 Population by Race and Ethnicity (Hispanic Exclusive) by Existing Council District.

Senior Planner Michael Bills gave a brief Powerpoint presentation which was presented at the February 7, 2011 meeting now including updates resulted from the 2010 Census data. Sr. City Attorney Lisa Herrick answered the question to where the 10% deviation comes from she explained that the majority of the case law focuses on 10% deviation and that is the standard of being constitutionally sound. Commission questions and discussion followed.

Deputy City Manager Deanna Santana mentioned that there are maps that were used to help identify potential "hard to count" neighborhoods, which directed targeted outreach efforts to secure an accurate count. She said the maps could be provided for context as the Commission works toward redistricting.

Commissioner Schumb requested that staff do an assessment and go back 2 or 3 election cycles to see the turn out in number of votes cast and voter registration. Laurel Prevetti, Assistant Director of Planning, Building, and Code Enforcement mentioned that she could appreciate the interest in voter registration but commented that the census data released is limited to very few factors, so while it would be interesting to get information from the Registrar Of Voters and to look at actual voting rates, that gets the commission further from the main task at hand and from some of the guidelines mentioned earlier.

6. Commissioner Workplan

A. Discussion of Potential Bus Tour

Motion: Commissioner Mace motioned to having some sort of walking tour annotated by staff so that commissioners can go out in the neighborhoods by themselves or collectively to see the affected transfer areas. Commissioner Fadness seconded the motion.

Laurel Prevetti mentioned that they have a redistricting website that is live and has information regarding the characteristics of the City of San Jose and available to the public to view. She encouraged the commission as well as the public to become familiar with San Jose especially those neighborhoods that they don't frequent so that as they have further conversations in the process they have a common base of understanding things like school district boundaries, placement of community centers, library's, parks, major community facilities, etc.

Action: The Commission approved to have an annotated walking tour.

Commissioner Schoennauer commented that he would like to see more community engagement at the community meetings where there is a format to have a more extended dialogue with the community members that attend the meetings especially those that are outside of City Hall. Dennis Hawkins said staff will come back with a suggested process at the next meeting to work with the commission to come up with a format that meets their interest. Sr. Deputy City Attorney Lisa Herrick reminded the Commission that they need to work within the constraints of the Brown Act; they need to make sure that the meeting is entirely accessible to the public.

7. Future Agenda Items

Discuss possible population transfer zones which would achieve a 1% and 5% variance between the population of each Council District; Add an agenda topic: Commissioner Reports, during which each Commissioner could discuss their outreach efforts, results and other matters.

8. Public Comments

None.

9. Adjournment

Motion: Commissioner Fadness moved to adjourn the meeting. Commissioner Cobb seconded the motion.

Action: The Commission adjourned at 8:29 p.m.



RICHARD DE LA ROSA, CHAIR
REDISTRICTING ADVISORY COMMISSION

ATTEST:
REDISTRICTING ADVISORY COMMISSION
DENNIS D. HAWKINS, CMG, CITY CLERK


Nora Pimentel, CMC, Sr. Deputy City Clerk