

**CITY OF ALBUQUERQUE
2010 REDISTRICTING COMMITTEE**

**SUMMARY MINUTES
JULY 20, 2011**

Voting Members Present:	District 1	Linda Lopez
	District 2	Bernadette Miera
	District 3	Phillip Baca
	District 4	Bob Gurule
	District 5	Sander Rue
	District 6	Michael Montoya
	District 7	Janice Arnold-Jones
	District 8	Hal Stratton
	District 9	Mickey Barnett
Alternate Members Present:	District 1	Vanessa Chavez
	District 3	Claudia Isaac
	District 5	Betty Valez
	District 6	Sandra Ortsman
	District 7	Wayne Johnson
	District 8	Barbara Morgan
	District 9	Bob Martinez
	Others Present:	Jon Zaman, Council Staff
		Sandy Chavez, Council Staff
Luis Stelzner, Stelzner Law Firm		
Robert D. Kidd, Interim City Attorney		
Amy Bailey, City Clerk		

Call to Order and Approval of Agenda

The meeting of the Redistricting Committee was called to order at 6:08 p.m. by Chairman Arnold-Jones.

Chairman Arnold-Jones announced that Vice Chair, Roberta Rael, voting member for District 2 and alternate member, Lissa Knudsen also from District 2 will not be able to continue to serve committee.

Chairman Arnold-Jones also stated that she will be running for Congressional District 1 and to avoid the appearance of impropriety has decided to step down from this committee. She asked the Committee to strike the selection of a new Vice-Chair from this agenda and proposed the election of new officers at the next meeting.

Chairman Arnold-Jones proposed change to the agenda was unanimously accepted.

Approval of Minutes of December 2, 2010 Meeting

Chairman Arnold-Jones stated that there were no additions or corrections to the December 2, 2010 minutes and approved them as presented.

Public Comment

Roger Mickelson, Sterling Fluharty, Carole Eberhardt, and Art Gonzales expressed their interest and concerns regarding the process of the Redistricting, the election, under representation, and the difficulty in locating information on the website. There was a request for better communication to inform the public of times, dates and locations of meetings, with a request for posted signs in City Hall, also accessibility if maps, data, and any other documents related to this process.

Update on ruling re: Redistricting litigation

Luis Stelzner of the Stelzner Law Firm gave an overview of Judge Nash's ruling in the lawsuit brought by the ACLU against the City of Albuquerque (City). Judge Nash ruled against the motion for preliminary injunction against the City, which means the October 4th, 2011 election will go forward as planned, under the current district lines.

The Judge found that the City's plan for redistricting is a "rational approach to readjustment" and thus it is unlikely Plaintiffs could show that the plan is unconstitutional.

Most courts have refused to enjoin impending elections in similar circumstances, finding that a temporary departure from the one-person-one-vote standard due to the timing of redistricting may be constitutional.

Granting an injunction would be contrary to the public interest, due to the disruption, delay, confusion and expense of redistricting before the impending election.

While Judge Nash concluded that Plaintiffs' City Council districts (1 and 5) are significantly underrepresented, she found that they failed to satisfy all the factors necessary to obtain a preliminary injunction.

Mr. Stelzner stated, in his opinion Judge Nash was extremely thorough and thoughtful, and clearly listened to all evidence presented from both parties.

Key to this case is the creditability of the witnesses of the council; Councilors Trudy Jones, Debbie O'Malley, City Clerk, Amy Bailey, Redistricting Committee Vice Chair, Roberta Rael, and Research and Polling, Brian Sanderoff.

Judge Nash was clearly interested and asked great questions and was fair to both the Plaintiff and Defendants.

There were four points the plaintiffs had to show in order for the preliminary injunction to be granted.

1. that there was irreparable injury to the plaintiffs.
2. that the threat and injury to the plaintiffs out weighted any harm that the injunction would cause to the defendants.
3. that the injunction did not cause adverse to the public interest
4. that they had a substantial likelihood of having success on the merits.

Judge Nash found there would be injury to the Plaintiffs living in the two Westside districts by living in under represented districts. She also found that there would be serious injury to the Defendants and found the threat of injury to the Plaintiffs outweighed injury to the Defendants and that an injunction would be contrary the public's best interest.

Mr. Stelzner also stated that the Plaintiffs can appeal or seek a Rite of Mandamus from Supreme, but does not believe that further action will be taken by the Plaintiffs.

Discussion of Redistricting process-e.g. frequency of meetings, public participation

The Committee discussed and asked questions of Mr. Stelzner and Mr. Kidd as to the affects of creating a district that would not have Council representation. It was decided that at this stage there were not any clear answers and the Committee will attempt to redistrict without creating that situation, but should it occur a clear answer will follow.

Senator Lopez stated the importance of sharing the conceptual maps that are being considered by the Committee with the pubic in the upcoming community meetings to be held on the Westside and Eastside of the river.

Mr. Zaman recommended that the committee submit a list to him in the next two days of concepts they would like to see created by Research and Polling to be discussed at the next meeting. He also stated that because of Michael Sharp's schedule it will take about two weeks to create the requested maps.

Ms. Isaac recommended that all data, maps, and tables be sent by email as soon as they are available and also post to the Redistricting website.

Ms. Miera asked if there was a clear process in which the public and neighborhood associations would be notified of the available information and data produced by the Committee. Mr. Zaman explained that Council staff will be working with the Office of Neighborhood Coordination (ONC) to distribute information to over six hundred contacts and also place articles in the ONC newsletter, staff will also post conceptual maps, documents and meeting agendas on the Redistricting website.

The Committee stated that they would like to preserve the Historic areas as they now stand, not to split established traditional neighborhoods, and would like continuity in the demographic shift. They would like informational and directional signs around City Hall to inform the public of Redistricting meetings and to also notify the media, 311, and the neighborhood and homeowner's associations.

Other business

The next meeting of the Redistricting Committee will be Wednesday, August 3, 2011 from 6:00 p.m. to 8:00 p.m. in the Vincent E. Griego Chambers.

Adjourn

There being no further business before the Committee, Mr. Gurule made a motion for adjournment and was confirmed at 8:55 p.m.