

**MINUTES
FOR THE REDISTRICTING COMMISSION
OF THE CITY OF SAN DIEGO
FOR WEDNESDAY, AUGUST 1, 2001 AT 4:00 P.M.
CITY COUNCIL CHAMBERS
202 C STREET, 12TH FLOOR
SAN DIEGO, CALIFORNIA**

ITEM-1: CALL TO ORDER

Chairman Pesqueira called the meeting to order at 4:06 p.m. Chairman Pesqueira announced that this meeting was a continuation of last Wednesday's meeting trailed to today. The Commission would be working off that agenda, and Item Number 6 which is the review of the maps. Item Number 5 will be taken up at tomorrow's meeting.

Chairman Pesqueira adjourned the meeting at 7:40 p.m. to the next scheduled meeting at 4:00 p.m. August 2, 2001, in the Council Chambers, 12th floor, City Administration Building.

ITEM-2: ROLL CALL

Operations Director Staajabu. Heshimu called the roll:

- (C) Chairman Ralph R. Pesqueira-present
- (VC) Vice Chairman Leland T. Saito-present
- (M) Mateo R. Camarillo-present
- (M) Charles W. Johnson-not present
- (M) Marichu G. Magaña-present
- (M) Shirley ODell-not present
- (M) Juan Antonio Ulloa-present
- (EO) Deputy City Attorney Lisa Foster-present

REDISTRICTING COMMISSION ACTION (Tape location: A012-020.)

ATTENDANCE DURING THE MEETING:

- (C) Chairman Ralph R. Pesqueira-present

- (VC) Vice Chairman Leland T. Saito-present
- (M) Mateo R. Camarillo-present
- (M) Charles W. Johnson-not present
- (M) Marichu G. Magaña-present
- (M) Shirley ODell-not present
- (M) Juan Antonio Ulloa-present
- (EO) Deputy City Attorney Lisa Foster-present

ITEM- 3: Non-Agenda Comment

This portion of the agenda provides an opportunity for members of the public to address the Redistricting Commission on items of interest within the jurisdiction of the Commission.

Comments are limited to no more than two minutes per speaker. Submit requests to speak to the Commission's Operations Director prior to 4:00 p.m. Pursuant to the Ralph M. Brown Act, no discussion or action, other than a referral, shall be taken by Redistricting Commission on any issue brought forth under "Non-Agenda Comment."

PUBLIC COMMENT:

PC-1:

Courtney Coyle: I was a two-term President of the La Jolla Town Council and had the privilege of serving on the County of San Diego Redistricting Advisory. You may recall I spoke in front of you when you were in the University City Area. I'd like to speak specifically to the two census tracts on the south east slope of Mt. Soledad. Those are 83.01 and 83.10 that are proposed to be moved from District 1 into District 2. There hasn't been much in the papers, but this is certainly important to our community. Now that I see the consultant's Alternative plans two and three; it looks like those further serve to divide our community. I understand the need to equalize our population, so I guess at this point my comments may be more for the record and what happens ten years from now when the new round of people are here to try and do the same job that you did — wondering did the community care that they

were going to be divided? The answer to that is yes, the community did care. The two tracts share a Community Planning Group, Zip Code, topography, geography, shopping, schools, parks, coastal and other infrastructure issues. From a La Jolla leadership perspective, it would be difficult if not impossible for me to tell the residents from these two tracts that they in essence are not part of La Jolla, and that they should have separate Council persons representing them; one whose District includes the many projects that are downtown right now. La Jolla looks to the north to Torrey Pines State Reserve; La Jolla looks to the south to north P.B.; we look to the east over to University City. It appears that with the changes on the County and the City level on Redistricting this year, we can expect an awful lot of changes to our community. On the other hand, we have worked well with the current Council District 2 Member and expect that the future two Reps will share and serve our communities well. Good luck and thank you.

PC-2:

Deputy Mayor Stevens: Thank you Mr. Chairman and members of this great Commission. Mr. Chairman and members of this most distinguished Commission, I appeal to your judgment of justice and fairness. On July 19, 2001, I spoke about former City Council Member John Hartley who represented District 3 where Oak Park was located in 1980. He advised me that College Grove Shopping Center was in his District as part of Oak Park. However, College Grove did not go with Oak Park into the 4th District in 1990 — Oak Park went into District 4. This is where the discrimination started. They gave Council District 4 the residents of Oak Park, but not the economic benefits of College Grove. This is where Gerrymandering started, and District 4 lost its eastern boundary of College Avenue — that is the natural boundary. I want to commend the Commission Members who voted to correct what the City Council did in 1990 by using College Avenue as a natural boundary, to separate District 4 from 7 as stated at your July 29, 2001 meeting. Natural boundaries should take precedence over a census tract boundary when there is no population involved, as is the case in the College Grove Center census tract 27.03. At your last meeting testimony was given by an Oak Park resident stating that the Oak Park Community Council withdrew their support for College Grove remaining in District 7, and instead took a neutral position. Do not continue to deny the residents of the 4th District, a much deserved revenue — as they have been denied for the past ten years. We have a 90-acre park of open space to develop, and Chollas ballfield. I urge you to adopt the alternative map of July the 6th, 2001. I have submitted over 400 signatures to the Redistricting Commission from community residents supporting this. This map shows that the College Grove Shopping Center is in the 4th District, and it also shows that Webster should be in the 4th District. Thank you.

PC-3:

Benjamin Smith: I'd like to encourage you to incorporate the entirety of Hillcrest and University Heights into the same District. I'm a resident of the tract north of University between Highway 163 and Dale Street. I would like to make sure that remains along with all the other tracts in Hillcrest. I have lived there for over three years, and as a Gay San Diegan, I would like to ask that our community has its own "Home District." Even though currently I live in District 2, I shop at the supermarket in District 3; the restaurants in District 3; I go to the bars and clubs in District 3; so I think it fits that my home should be in District 3. Currently, I share a District with residents of Crown Point and Point Loma, and I am flattered, but I'd rather be in a District that is closer to my community. My District should include areas such as Normal Heights, North Park; the home of the Lesbian/Gay, Bisexual, Transsexual community. I think you should consider that there should be a Gay/Lesbian District. You have been making a good faith effort to keep our community together — I do appreciate that.

PC-4:

Travis Stone: I completely agree with the proposition of the previous speaker — we also want to be in District 3. There is just a little bit more of City Heights that needs to be protected under the Voting Rights Act. What my speaker slip was concerning Mr. Chairman, whether or not Item 5...

Chairman Pesqueira: I'm not sure I understand what you just said. You would like City Heights in District 3?

Travis Stone: Yes, of course. All of City Heights in District 3, and all of Hillcrest too. My speaker slip concerned a request for continuance or trailing and it is just a suggestion to the Chair. On today's agenda, Item 5 is before you for consideration for receipt of all the alternative maps, and I think before the Commission really finishes all of its questions, they should receive all of the data. What I am suggesting is that you have Item 5 -- the finishing of how the data works for City Heights until after you have received all of the alternative maps that have been submitted to you. That's a trailing item. Thank you Mr. Chair.

Chairman Pesqueira: The Commissioners asked to jump over Item 5 at the last meeting to go to the maps first because people were here waiting to present their maps. We did that, so we are still technically on Item 6. The plan right now is to go to item 5 tomorrow to allow the Consultant to be here.

PC-5:

Byron Slater: As a resident of Pacific Beach and more specifically Crown Point, I am very deeply concerned about what happens to Mission Bay. I served on the Master Plan Citizens Committee to help determine several years ago the Master Plan for Mission Bay. The people of Pacific Beach are very concerned about sewage spills, parking, gangs, and many other problems that occur. By splitting Mission Bay we will lose a great degree of accountability. Mission Bay has long been a “honey pot” for everyone to dip into whenever they want to raise money. There is presently as you may be aware a initiative being circulated to put all of the revenue from leaseholds of Mission Bay into the specific purpose it was intended — under the Tidelands Act — that all that money stay in Mission Bay for maintenance and additional facilities. The point is that we do not want to see Mission Bay split into different Districts, because it would greatly reduce the accountability. We have major problems there. I strongly urge you that you keep Mission Bay in one District alone, and not split it. Under the Tidelands Act, the idea was that Mission Bay leaseholds would stay in Mission Bay to offset any needs of the Bay and to reduce taxpayer — or raising taxes to support Mission Bay. The leaseholds were designed to support the Bay for public use.

Staa Heshimu: I’d like to introduce, Mr. Chair, the Alliance for African Assistance. There is a whole team of them visiting with the Redistricting Commission this afternoon. Would you all just stand — welcome, welcome.

Chairman Pesqueira: Thank you for being here, and we hope you enjoy the proceedings, and take something back with you about the way we are conducting this particular portion of Government.

PC-6:

Charles McKain: I think some Commissioners seem to be proceeding under misconceptions about the history of Supreme Court jurisdiction, or jurisprudence bearing on the Voting Rights Act and Redistricting. In the 1996 case called Bush against Vera, the Texas Legislature intentionally created three majority/minority Congressional Districts as a remedy for perceived Voting Rights Acts violations. However, the Supreme Court struck down those majority/minority Districts as violating the constitutional equal protection rights of other voters, apparently whites, because race was the predominate factor considered by the Legislature in drawing the Districts. The Court also stated the existence of a bazaar shaped District was not necessary to trigger such strict constitutional scrutiny. So, even if District 3 were required to be reconfigured to remedy some Voting Rights Act violation, which it is not, the reconfigured District might arguably be vulnerable to a constitutional challenge, because race would have been the predominate factor you considered in creating the new District. However, you could and should avoid any such potential constitutional problems by adopting your preliminary map

with perhaps a few minor adjustments as you have repeatedly told the public you would do unless your Consultant concluded the Voting Rights Act compelled remedial reconfiguration of District 3. The Supreme Court has stated that the government in this case, that's you, needs to have a strong basis in the evidence before finding the existence of a Voting Rights Act violation embarking upon remedial action. This record does not come close to containing such necessary strong evidentiary basis. There is no showing that any Court has every found a Voting Rights Act by this City; no witness has testified here to any occurrence of any specific act of voting discrimination. Although your Consultant indicated his data might suggest some polarized voting in the City as a whole, he expressly stated that he could not say it rises to the Voting Rights Act level. Finally, with respect to District 3, your Consultant concluded there was no racially polarized voting in the white majority census tracts containing high concentrations of LGBT votes. On the contrary there appeared to be a voting cohesion which I think we should strive to maintain among White LGBT voters, African Americans, and Latinos.

Commissioner Saito: I agree with you to a certain extent. We have certain criteria that we have to follow. We have the Supreme Court decisions, so we have to follow what is legal; we have to follow what is in the Charter. Then there is also something that we as a Commission collectively come up with, and that is we have to do what we think is right. Because if we consider the history of the Supreme Court decisions — Shaw versus Reno is highly controversial as a 5-4 vote. Many people believe that ignores the history of discrimination in the United States. If we consider other things that are legal in this society, for instance the Supreme Court affirmed segregation; the Supreme Court also declared Asian immigrants could not become naturalized citizens of the United States. We can go on and on. There is what I think is legal, and what the Supreme Court says, and what is right. The two may not coincide. I think you and others have made a very strong case for explaining why this group is a community of interest for many, many different reasons. So, when we consider something such as City Heights, or as people have talked about, the Asian-Pacific Islander community in the north part of the City — I think we are not just considering race as a predominant factor, but are trying to consider a range of factors.

When you talk about the Gay and Lesbian community, this is something we do not have any data on. This is something that is not on the census. In some ways it may be helpful for us in the next week or two as we actually get down to the “nitty gritty” and decide on these borders — if you could provide us with some of the information that you have gathered. You mentioned that you have gathered certain kind of data to help you determine which census tracts have high levels of Gays and Lesbians. So, if you could provide us with that information, and also if you could give us a list at the finest level you can, either at the census tract level, or the block level — if you could give us a level of variables that you think are very important to the Gay and Lesbian Community — personally that will be a great help to me as I work with

the others to create a final map.

Chairman Pesqueira: Leland, they did present that almost at the first or second day. I think Kevin brought it in and presented it to us.

Commissioner Saito: I'm not really sure where that data came from.

Chairman Pesqueira: As I recall, the comment was made that they did a house to house, block to block survey. Kevin brought us copies and passed those out.

Commissioner Camarillo: Charles, you also took magazine subscriptions correlated to zip codes so you knew where...

Charles McKain: Yes, that's part of a mailing list.

Commissioner Camarillo: I wanted to touch on a statement you made. I agree, we obviously cannot use race as a basis for unifying City Heights. However, the testimony we have heard is a very mixed record. For example, most recently we have a letter from the President of Fox Canyon who makes two basic messages. One is that the community of which he is the President of in City Heights is made up of low and moderate income. They are economically challenged, so forth, and so on. At the same time making the statement — you know — don't mess with our boundaries; we like it the way it is.

Charles McKain: Well, I think the current District 3 reflects the diversity that most of us would like to see throughout the whole City. It is just economically, racially, ethnically, and socially a mix, and it seems to be working well.

PC-8:

Patty Vaccariello: You have heard consistent testimony from City Heights in favor of keeping the current boundary lines intact. They have talked about forming relationships, and how we are more effectively represented by three Council Members than with one. I want to speak about a more recent network that has developed over the past 3 years — that has to do with the Euclid Avenue Revitalization Action Program. Euclid Avenue besides being the dividing line between Council Districts, serves as the front door to seven of the 16 neighborhoods in City Heights. In the successful grass-roots efforts, our diverse neighborhoods came together and spoke with one voice to say we will no longer tolerate the conditions on this street and in our neighborhood. We have been working with the City in partnership through the Euclid route to

change this area and make it a livable community, and I see it getting better. We have been able to use the current political system to our advantage, by obtaining funding from a variety of sources. Staff support has helped us to interact with City Departments on several different projects. Some of the successes include the acquisition and rehab of Winona Gardens — a joint effort between the City Heights Community and District 7 to provide decent affordable housing to the Somalian population living in census tract 27.09. Funding for new street lights and sidewalks especially in areas that have gone without sidewalks for 70 years. A community gateway project; reconstructing a dangerous intersection; neighborhood clean up and facelifts; new sewer and waterlines. I would like to make the point that the Euclid route brought us together — people from different backgrounds and neighborhoods. Both tenants and homeowners to work on how to make the place, we call home, safer and more attractive to live in. But what united us was our common issues and concerns. Many who had not been active in the community before participated because of those issues and the outreach by the neighborhood.

PC-9:

Theresa Quiroz: I do apologize for being White. The question has been asked why should we listen to what the leaders of City Heights have to say? The Asian-Pacific leaders were praised for coming before you to speak, and we have been scorned and abused. In City Heights the community leaders actually speak to and listen to the residents before making decisions. Those people you so desperately want to hear from, we have heard from. We have solicited their opinions, and they have been given to us unsolicited. We spent hours on committees and in the audience of other groups listening to the very people you say you want to hear from. They come to us for help. Let us take for example the new schools. The School Board presented a preferred and two ultimate sites for each school. Residents in all races came to the meetings to express their ideas, feelings, emotions, wants, and needs. As you can imagine, it was a very emotional meeting. But they gave the leaders the ability to look at the site through the eyes of the residents, and determine which sites the community preferred, and which they would not accept. That information was passed on to the School Board. It gave the leaders the additional knowledge they needed to be able to look for alternatives, such as the America School House Project. That replaces a large amount of housing that is lost to the school and creates job-based programs. That is what we have done. We are not the tyrants that you make us out to be. We are not a bunch of racists that you seem unfavorably to believe us to be. Unlike you, the leaders do not think that because people are poor they cannot speak for themselves — they can. When they don't want to — they don't. But when issues like the school come up that affects their homes, they are more than capable of making their feelings heard. Why should you listen to us? I would suggest that between us we know and understand more about the area and its residents than you could ever hope to, despite the Consultants. We understand the wants and the needs of the people that you profess to want to

help. We have fought long hard battles along side them. Lastly, unlike most of the people who seek to change the boundaries of City Heights, we live there — these are our neighborhoods.

PC-10:

Bobbie McManus: I'm proud to say I work very closely with the Hispanics in my area on the alternative sites. We went around to all the residents to get a petition signed, and I have never seen so many turn out. They do turn out when they want to be heard, and I was so very glad to see them come. Thank you very much.

PC-11:

Jose Lopez: The package that is coming to you and is going to be distributed has a newsletter with the notice of the Redistricting Committee. Thank you for sending it to me; it has been published. Also, a flyer in Spanish and e-mail responding to a notice on the newsletter about the Redistricting Commission. I'm sorry that I am not a tall dark handsome guy that my name says it is. I think in certain instances I must apologize for being or looking White. Although Fox Canyon has some pockets of highly educated, well to do people, the majority of homeowners and tenants are transient in nature. They come to Fox Canyon with the idea of moving on to a better life somewhere else. The permanent population is an ever growing group of absentee landlords, intelligent and challenged people; retired people; disabled; single parents; working for our refugees. In Fox Canyon 71.64% is of low to moderate income means and in census tract 27.04 such challenged population lacks the transportation means and ability to attend meetings because they might hold two jobs, attend ESL classes, and provide home services to their families in the evenings to survive in their new country, culture, and city. The residents of Fox Canyon founded the Neighborhood Association as a vehicle to franchise themselves to network and to have a voice in their destiny. Our 16 neighborhoods are diverse of different color, irregular in shape, highly independent, and with different governing bodies. None the less, we are united in the totality of pieces, and the totality of pieces form the whole picture of City Heights. Yes, we are equal, but we are separate, and we want to remain that way.

PC-12:

Peter Bryan: Mr. Bryan read into the record a letter from Council Member Wear. "I appreciate the time and effort you have put into the difficult task of redrawing District boundaries for the City of San Diego. I have been watching the proceedings closely, trying to make comments

only when it would help the Commission fulfill their mandate. The Commission may be contemplating placing a portion of Mission Bay Park within the 6th District boundaries. While there are some arguments that may support this decision, I would like to give you information that may illuminate why I feel Interstate 5 makes an appropriate, easily identifiable, and legally justifiable boundary between District 2 and District 6. Paramount in my mind is the legitimacy of any final map adopted by the Commission. I must add that it is important for all Council Members to work across District lines for the benefit of the City as a whole. Particular where it involves public health and safety, and in this case a regional asset such as Mission Bay Park. I have selected some of the main arguments the Commissioners have used to justify extending the 6 Council District boundaries across the railroad and I 5 to include a portion of Mission Bay. One of the points was watersheds entering Mission Bay originate in District 6, so, therefore, placing Mission Bay in District 6 will allow one Council person to see both the beginning and end of those watersheds.”

PC-13:

Elana Tyler: I want to thank you very much as Americans, as refugees being new in the United States. This is such an honor to be able to be part of what our future will be, not only for me but for my children and for a whole community of African refugees. We all live in the 3rd District, and we all like being represented by three different people. If you look at us, we all look different. We're not a one size fits all, we are very diverse. We need all the help and we want to be meaningful citizens, but in order to do that we need our concerns to be heard not only for one direction, but for many directions as possible within the 3rd Districts. I may not be as eloquent as others, but I can tell you that the impact that we are looking at is going to be great. Thank you very much, but we would like to remain as we are with three representatives in the District.

PC-14:

Andrew Shogren: Last week we presented you with a map that joined Mira Mesa and Rancho Penasquitos in one Council District. I'm gratified to see that many of these maps join. In drawing District lines it is important not to geographically isolate communities within Districts. Currently, Rancho Penasquitos is geographically isolated from other communities of District 1. You must pass through District 5 to reach other parts of District 1. You have an opportunity to unit Rancho Penasquitos with other geographically linked communities. You can establish a fair opportunity for Asian-Pacific Americans to participate equally in the political process by joining Mira Mesa and Rancho Penasquitos. You can respect the Asian-Pacific communities, and the communities interest that exist in the City by not dividing the Asian-Pacific vote. Finally, please

unite the cohesive communities of Mira Mesa and Rancho Penasquitos in one Council District.

PC-15:

Claudia Unhold: I'm past Chair of the Miramar Ranch North Planning Committee. From our perspective the preliminary map that you adopted June 29th looks very fair. It keeps the Districts compact and achieves the goals of equalizing the Districts population wise, and keeps change to a minimum. We have many commonalities with our north I 15 Corridor neighbors including traffic and new development review. We need the continuity of being able to continue reviewing these projects and keeping our current Council Member who has worked so well with us on all of these issues. Some of the maps take us out of District 5 and put us in District 7 which we are very isolated from because of Miramar Marine Base. In closing, please keep us in District 5 rather than adopt a map that would disenfranchise us.

PC-16:

Pam Montanile: I too support the Preliminary Redistricting Plan that we have seen, and we came and presented to you when you came out to our community. We have heard recently of all the other maps, and had heard that much of San Diego is not that interested. We wanted you to know how important it is to stay in District 5 as Claudia mentioned. I 15 and the traffic are common interests that impacts our lives daily. We appreciate all the efforts that you have gone to. Thank you.

PC-17:

Definia Lopez Woolly: Last time when I spoke, somebody from the Town Council came. Everything they say right here is not really true because they contradict themselves by their own writing. Just to let you know what I say is true, I can give you a page from the members of the Town Council — there is only one that is Spanish speaking. The reason I complain is that I had a personal problem. I don't have a personal problem, but I say what — the people are being relocated. The same trouble that is going on right now, I went through in 1995. So, I'd like you to take consideration that it may be a lot of nonprofit entities, but they don't really help for what they ask the money for.

PC-18:

Cesar Portillo: I want to commend the Commissioners — for those of you who attended the majority of the meetings in the various Districts — I know that was a very grueling schedule, and a very grueling process. I want to commend those who came to the majority of them, and were actually able to hear testimony from the community. I'm here speaking on behalf of myself and I'm a Latino Gay male, and inquiring whether or not you had an opportunity to attend our Pride Celebration that just took place. If you did, you obviously had a chance to see the diversity of our community. It's not only White, it is very diverse. People from all over the world are represented in my community, and actually live in that District. With that said, I again want to emphasize my support of the preliminary map which was adopted June 29th. Thank you.

PC-19:

Robert Sargent: City Heights has been a stranger to money, and I know that Redistricting is not supposed to have anything to do with money, but lets face it, that's where we get our money from; our Council people. We have had a good working cooperation with three different Council Districts. We now have a new police station, branch library, recreational facilities, swimming pool, tennis courts, and more. We are all very proud of that. If you want to see quote "people of color," just drop by our new library and see who participates in that. Without 7 and 3, we would have never had that. Euclid Avenue. I used to work on Euclid Avenue in 1952, and there is not much change — there is no sidewalk, no infrastructure as you want to call it. But we have through 7 and 3 and 4 — we've got us some money now, and we've got to start going, we've got a first leg coming. This is by the way, the entrance to seven communities in City Heights. We need three Council Members to give us money, or we're not going to make nothing. As far as College Grove goes, I saw it in its conception, I've seen it fall, and I don't know whose District it was all this time, but I know that it came back under 7. Please, move carefully when you try to separate City Heights.

PC-20:

Linda Pennington: I support the preliminary map with corrections — the LGBT recommendations. I strongly ask that you respect the current boundaries of City Heights, the 16 neighborhoods of City Heights. Azalea Park is a very unique neighborhood. We have strong boundaries — a huge canyon on the north, I 5 on the west, Hollywood Park on the south. We have done an outreach to the Gay community since 1993, and that has been highly successful. In fact, we were at the Gay and Lesbian Pride Parade — we had 80 people on the float, and we won an award. Each of our neighborhoods are very different, and very distinct. Just wanted to let you know that we are working hard in City Heights, and thank you for your work.

PC-21:

Bob Dingeman: I'm here as a representative of the Scripps Ranch community. Before I start out, I think I'd like to compliment you on your perseverance, your attention, and your listening to what people have said. Certainly you have a daunting task, and you are doing it well. You have our confidence that you will come up with a fair and equitable plan. I think you have about nine different plans, and you're receiving a awful lot of assistance, and an awful lot of advice. You have to have dedication to the legal requirements, to the principals, and for the Charter. Stay focused, listen to the citizens, apply the principles, and we have confidence that you will come up with the best possible plan. We feel District 5 is a cohesive community, we urge you to retain it. Retain District 5 as it is, protect our rights, and stay with the preliminary plan and your very high principle actions so far. Thank you so much for all your dedicated efforts, and we are looking forward to the best plan for San Diego City.

PC-22:

Donna Frye: Thank you very much for all the hard work everybody has done. I just wanted to make sure everybody had received the packet we had submitted on July 23rd regarding our map, and to make sure if you had any questions that we were available to answer them. We believe that the factors needed to be considered for this particular map are consistent with the findings that would be necessary for Redistricting. There is also a map — I believe it was the Madaffer map.

Chairman Pesqueira: What we have been doing — the person who has drawn the map — when they come up on the screen, we have allowed them to present those maps. So, when we get to your map, if you'd like to send a representative to talk to us more about the details of your map — you're welcome to be here.

Donna Frye: Okay, I appreciate that. I was not here on the Madaffer map. I just wanted to make sure that the natural boundaries of the San Diego River were included for the boundary between 6 and 7. Again, if anyone has any questions, we'd be more than happy to answer them.

Commissioner Camarillo: Are you referring to the boundary between 6 and 7?

Donna Frye: Right. The boundary on the original map included the Mission Valley Community Plan which is bounded on the east by the San Diego River. The other part of that moving into District 7, because it seems to be part of another community plan. If that is moved — that's fine. We would suggest to make sure that the Mission Valley community stay together and intact. In one of the maps it did not do that.

PC-23:

Bernie Sosna: I complained about the plan that was adopted on June 29th. The reason being is that Redistricting should be along decent planning guidelines, rather than political ones. I'm President of Pacific Beach Tennis Club. In order to get more expansion from youth members — we have a lot of youth activities at the Tennis Club — youth under 19 play free. We are very active in youth activity both at the soccer field, and the softball field, as well as the Tennis Club. We feel that taking any part of that into a different District where you have no people — in other words — in Pacific Beach everybody impacted by the entire youth field area lives in Pacific Beach. If we are looking for more money, why would voters in the Clairemont District for example be interested in putting more money in parks in Pacific Beach? Just doesn't make any sense. Pacific Beach and all of Mission Bay Park should stay intact regardless of which District you put them in.

PC-24:

Clive Richards: I wanted to actually speak to you about the process itself. I have concerns with taking what was supposed to be a non-political process, and turning it into what has become a political process. Of course, that's not really difficult to understand because you're drawing boundaries for political districts. I see that as a concern. But I do think there are some careful things that you have to do, and number 1 is you have to go back to where you were in June. I think about why you got to there in June. The original preliminary map was pretty much what you had been hearing, and pretty much what I know I heard. I know I have tried drawing maps — I found myself coming up with a map that was remarkably similar to June 26. I thought — it must be great minds working the same track, or at least we're all hearing the same things. Then, I think we got off track. We started hearing Council Members tell you what they would envision a brighter future to look like. I appreciate Council Members speaking to you, because they are citizens just like we are, and that's the thing that we all have to acknowledge.

PC-25:

Michael Sprague: Has the report from the Consultant been received yet?

Chairman Pesquiera: That is to be discussed tomorrow. We got the narrative.

Michael Sprague: At not one single meeting has the Redistricting Commission suggested someone should register to vote, and make available the voting registration form. Going through each of the changes, where I found looking at the census tracts, and how many registered voters there are per census tract. I see some very dramatic things. I see that any economic decision that has been made based on no population has been moved to a redevelopment area — from a Republican and given to a Democrat. Every single time you have moved populations supposedly for (inaudible) — you have taken more people who are protected, and taken them out, and put fewer people who are protected in. If you wanted to take a look at the Census Bureau information, I think you would find it not only interesting, but perhaps it would be (inaudible.)

PC-26:

Alex Sachs: Thank you Mr. Chair and Members of the Commission. I understand from the newspaper article that the Voting Rights Renaissance group would make a presentation, and in event of that I wanted to give some comments regarding Voting Rights and the Renaissance proposal on behalf of the LGBT Voting Rights Coalition. Let me say that I do so somewhat reluctantly, and I am a firm believer in the Voting Rights Act. I believe that the Court actions over the last ten years have narrowed the jurisdiction of the Voting Rights Act. Generally, my understanding of them — I do not necessarily agree with them. I think I also am of the same makeup as Commissioner Saito regarding efforts to empower minorities and under represented communities. There could be a majority/minority District created in San Diego. However, the plan as presented by the Voting Rights Renaissance Coalition is unacceptable to the LGBT Voting Rights Coalition. The District 3 would be carved up, and the community of interest — the uptown community of interest would be added to Mission Valley areas north of Interstate 8, to the east including Del Cerro. As well, the Voting Rights Renaissance map cuts out areas of City Heights and North Park Communities that are heavily diverse, and are increasingly LGBT communities. Also, communities of Azalea Park would be cut out of District 3. I would urge the Commission to go back to the preliminary plan, tweak it appropriately as you have heard testimony out in the communities, and adopt the preliminary plan.

PC-27:

Paul O' Sullivan: My charge as Aide to Council Member Byron Wear — my responsibility among other things is to help communicate with the Commission and gather information from the Commission staff. I didn't have the opportunity to hear what the other staff member on Byron's staff had stated, so I apologize if I repeat anything. I would just like to make two very

quick points. One, and it has to do with whether District 6 — the line in District 6 is extended across the railroad tracks and I 5 and over into Mission Bay. I think he gave you a point relative to the watershed — that the majority of the water that comes into Mission Bay actually originates from District 5. I would just like to point out that if the goal of the Commission is to apply the watershed argument towards extending District 6 — another approach that you could take would be to extend District 2 up the River Valley and unpopulated areas to the source of the watershed. I mean that's an alternative. You can also do that with District 1, and as far as that goes — District 5. To come down and touch Mission Bay so that you do have — to my knowledge you haven't considered that. So, I'll point that out. The other is — one of the Commissioners, or several have stated it would be to the benefit of Mission Bay and the City to have two Council Members representing that body of water. Yet, the same argument hasn't been made relative to other very valuable assets in the City such as Balboa Park, Mission Trails Park, and what have you. I just wanted to point that out and leave with you the letter that Council Member Wear wrote.

PC-28:

Kevin Davis: I wanted to comment on one of the maps that was presented this evening by Mr. Stump. I believe that the figures that he gave you were inaccurate regarding the dilution of the non-white population in District 3. If you remember under the preliminary plan census tracts 4 and 5 are added to unify University Heights and Hillcrest, but census tracts 59 and 60 and the Cortez part of 56 were removed. But, by my calculations that was removing 6,000 White people, and adding 5,000 White people. In addition to that, the Commission decided to add the part of Talmadge that is in District 7 at the present time. I don't have the exact ratio figures on that portion, but we are talking about 3,000 total people, and the census tract as a whole is 60 percent of White population; 60 percent of 1,800 would be — or 60 percent of 3,000 is 1,800, so you are talking about adding at most 800 more White people to the District. So, it is not fair to say there is a dilution of the minority population in the District. Additionally, he made reference to a document that was provided to the Commission by one of the consultants, Karin, and said there was some data in that he should have presented, but didn't. I believe this Commission has requested some input, and we have given input to the best of our ability, we don't have any more data than that has been presented to you.

Chairman Pesqueria: Let me ask you a question. From what you have said, it is a manual presented by one particular group — that's their particular idea the way things should be measured — right?

Kevin Davis: I believe so. I didn't read it throughly, but it was presented by Karin. As I said, I don't exactly know what the requirements are in that document.

REDISTRICTING COMMISSION ACTION (Tape location: A089-B630.)

ITEM-4: Approval of Commission Minutes

Approval of Commission Minutes for the Meeting of July 18, 2001

MOTION BY COMMON CONSENT TO APPROVE THE MINUTES OF JULY 18, 2001. Unanimous; Commissioner Johnson and ODell not present.

ACTION ITEMS

Item 5. Consultant's Report and Analysis of Voting Pattern Data

Commissioners will continue discussion trailed from the meeting of July 25, 2001, relating to the report and analysis presented by Consultant Bruce Cain, Cain and Mac Donald, on the question of whether the Preliminary Redistricting Plan affords members of protected classes, particularly the City Heights area of the city, an equal opportunity to participate in the political process and to elect representatives of their choice in accordance with Section 2 of the Voting Rights Act. Possible action relating to the analysis and/or the Preliminary Redistricting.

! This item was trailed to tomorrow's meeting of August 2, 2001.

REDISTRICTING COMMISSION ACTION (Tape location: A006-012.)

Item 6. Receipt of Redistricting Maps Submitted for Consideration by Commission

Commissioners will continue to receive redistricting plans submitted by members of the public who did not have the opportunity to present when this item was trailed from the meeting of July 25, 2001. The Commission may also reconsider plans submitted by the consultant or others. Possible action and direction to staff relating to one or more of the plans.

! The Coffee Map was presented and discussed by Mr. J.W. Stump.

Chairman Pesqueira asked for legal advise from Deputy City Attorney Lisa Foster regarding the discussion of Mr. Stump's map.

Lisa Foster: I don't equate protected class with people of color under this legal scheme. A protected class is when you have a group who meets all the criteria of the Thornberg versus Gingles test that we have talked about, and not simply people of color. I know we sort of simplify that concept by talking about the racial and ethnic groups as protected classes, but I think that is not a very precise statement to make. Additionally, we also have talked about this concept of dilution. Certainly, moving any people who are not of color into a diverse area can be called dilution in a general sense. Dilution does not necessarily equate to a Voting Rights Act violation. What you need to have to make a Voting Rights Act violation legally significant dilution is again — you need to be moving enough people who meet the criteria of the Thornberg versus Gingles test that you make a difference between whether or not they are a majority/minority in a District. So, to say that moving some people who aren't people of color into a diverse District is dilution — again, I can't agree with that statement. You need to have all of the aspects of the Thornberg versus Gingles test, including the numerosity, the political cohesiveness, and the polarization. You just can't look at moving people, and what color they are, and get to a result that way. Again, that is talking about whether or not you have a Voting Rights Act violation. I won't comment on the policy decision of whether or not that is a good thing to do. That is something for the Commission to decide as a discretionary decision.

Chairman Pesqueira: I recommend that we accept Mr. John Stump's map as presented.

! The Renaissance map was presented by Dee Dee McClure and discussed.

Chairman Pesqueira: I will indicate we have accepted this map. Also, we will accept the San Diego Fair Plan map and indicate it was the "tinkering" map.

Chairman Pesqueira: Although Council Member Frye isn't here to present her map, we can accept Council Member Frye's map, and we can review it during deliberations as we move on in the next couple of days.

Commissioner Marichu Magaña: I wanted to mention that Council Member Frye's map is exactly like our preliminary map except for the Mission Bay area.

! Commissioner Mateo Camarillo's map was presented and discussed.

Commissioner Camarillo stated it was just an exercise to see if it was doable, and would not advocate for this map.

Chairman Pesqueira: I'd like for Staa to put on the next agenda, or Friday, a time for us to have a philosophical discussion — we need that. We need to get things out about what we are thinking about, and what we would like to see.

REDISTRICTING COMMISSION ACTION

(Tape location: C004-D620.)

Item 7: Discussion os Post-Preliminary Map Public Hearings

Discussion and possible action related to comments received at the recently concluded public hearings, identification of additional communities from which the Commission would like to hear, and identification of additional information needed to move forward to the Final Redistricting Plan.

Chairman Pesqueira: Remember back many weeks ago, I made the comment that we want to try to put a human face on this — we'll follow the law, but we want to also keep in mind the human element. We have to recognize that we have heard a lot of pleas from all kinds of people, many of them were not legal pleas, they were merely human pleas — they are going to be difficult. That is going to be our hardest task — try to takes those all into consideration. As Dee Dee said earlier, our job here is equalizing people. Sometimes when you do that, you tend to draw away from human element. That is what I want to spend time on talking about. This is not the right time — but let us think about it before we draw our final map that we will be considering. We have been bending over backwards on the African American community and the Hispanic community because they are upper most on the minds of a awful lot of people around this nation. In doing so we have in affect ignored the growth of the API. I think they presented to us a case. It is a very good case. I think we need to weigh that case. That case will make significant changes to the appearance of the map if we were to do that. I think we can do that. It will cause an awful lot of people to be upset because it will require the movement of some of the lines — especially what the north asked us to consider. Just as we are doing with City Heights, we need to apply that same criteria to the northern part of the City — the API — a community of influence up there. I have no doubt that they will be influential.

Commissioner Ulloa: I think the idea of thinking out loud is a good idea. I think doing it in relation to a map that we are looking at that time will be helpful too. At that time it would be appropriate to discuss that particular philosophy or view. At some point a number of us may agree to disagree on some issues — that is part of the process too.

Chairman Pesqueira: I think the value that we are going to present to the City should be unanimous. We should not try to have a 2/5 or 4/3 type of vote. We all kind of feel like we have an idea of where each of us are moving by what has been said. If we can get that all out — the strength of our map will come from unanimity. I think it will be fair. It may not be fair to individuals, but it will be fair to the City of San Diego. If the map is challenged, it will give the City Attorney's Office a good defendable position.

Operations Director Staa Heshimu: Regarding next week's meeting we were bumped by Public Safety and Neighborhood Services Committee who is hearing the Police Department's "Use of Force" Task Force Report and are expecting a large crowd. Therefore, we have been moved to the Committee room. We should be in the Committee Room next Thursday as well. We should be back here in the Council Chambers on Friday.

Chairman Pesqueria: If we possibly can start earlier in the day on Thursday and Friday — that way we can hopefully have a good chance of getting a finalized map out before midnight on August 10th. Tomorrow, hopefully, Mr. Cain will be here. As we deliberate, we are not going to bring the public into our deliberations. We will start at 4:00 p.m. on August 8th, and on the 9th we will start at 2:00 p.m., and on the 10th we will start at 2:00 p.m. if necessary.

Commission Camarillo: I will support the extended hours to get the job done.

! Director Heshimu presented the City Heights District map.

Chairman Pesqueria: Again, this was an exercise, and I remember when this was drawn, not by me, but I remember when it was drawn. It had some interesting concepts.

REDISTRICTING COMMISSION ACTION (Tape location: E015-224.)

Item 8: ADJOURNMENT:

The meeting was adjourned by Chairman Ralph Pesqueira at 7:40 p.m.

REDISTRICTING COMMISSION ACTION: (Tape location: E225.)

Ralph Pesqueira, Chairman
2000 Redistricting Commission

Peggy Rogers
Legislative Recorder II