

**MINUTES
FOR THE REDISTRICTING COMMISSION
OF THE CITY OF SAN DIEGO
FOR WEDNESDAY, AUGUST 22, 2001 AT 5:00 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 5:10 p.m.

Chairman Pesqueira adjourned the meeting at 10:40 p.m. to the next scheduled meeting at 4:00 p.m. September 5, 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-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: A012-042.)

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-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 the Redistricting Commission on any issue brought forth under "Non-Agenda Comment."

PUBLIC COMMENT:

PC-1:

Comment by Helen McKenna regarding living by the Bay, and that she would like to see two different Council Districts because the people in Bay Park and Clairemont use the Bay a lot. Ms. McKenna stated that they hear that I-5 should be a boundary because it is a physical boundary, but feels there is more to it than what is physical or geography. Ms. McKenna expressed there are common interests that hold people together, not just freeways.

PC-2:

Comment by Steven Otto regarding wishing to read into the record a statement by a San Ysidro business man. "I am the owner of several businesses in San Ysidro including the Frontier Motel, and the La Nola Hotel. I'm affiliated with the San Ysidro business Association as Board President and the San Ysidro Chamber of Commerce as Board Director. I have been following with interest the Redistricting hearings the past few months. As I understand it, the argument is being made that Mission Bay is so important

to the City that it needs two separate City Council Representatives. Well, we in south San Diego would make the same case. Currently, south San Diego completely cut off from the rest of the City does have two voices on the Council. But this is proposed to change to a single Council District. Indeed, south San Diego has such extraordinary needs, it is so blighted, yet so unique a community that two voices on the City Council are needed. After all, what other community in the City can say that it borders a foreign country? How can a body of water be more important to justify two Council Representatives, than the approximately 60,000 people who live in south San Diego? Mission Bay would have two representatives and south San Diego one. How can this be right? Accordingly, please consider retaining the two current seats for south San Diego when you vote on the final map.” Mr. Otto wished to say again his own statement from May at Scripps Ranch. Mr. Otto stated that he works in San Ysidro as the Executive Director of the San Ysidro Business Improvement District, and that he wished to urge the Redistricting Commission to maintain the current District 8 City Council boundaries in as far as they affect the District 2 boundaries. Mr. Otto stated this was because the needs of South San Diego border community are so great, two voices are needed on the City Council.

PC-3:

Comment by Jim Berg regarding asking what is the purpose to dividing the Bay up? Mr. Berg stated he could see no purpose in dividing the Bay up. “What is the goal in mind that the Committee has when you divide this contiguous Bay up?” Mr. Berg urged the Commission not to divide the Bay up.

PC-4:

Comment by Claudia Jack regarding working in Ocean Beach, and asked that the Commission respect their voice in District 2 regarding Mission Bay Park and the Sea World decision.

PC-5:

Comment by Mignon Scherer regarding living in Point Loma, and that 30 years ago she was part of a group of people who obtained signatures for the 30-foot height limit for which the voters overwhelmingly voted. Ms. Scherer stated that although South Clairemont is not in the parameters of the 30-foot height limit, it definitely benefits the residents because they have an unobstructed view of the Bay. Ms. Scherer expressed that with views being threatened, Mission Bay waters being very polluted, and freeways over

loaded and congested, stewardship of Mission Bay needs to have a broader and more fair base of governments and representation. Returning to District 6 would be beneficial for East Mission Bay. Ms. Scherer expressed this would not only benefit all the residents of South Clairemont, but also all the residents of San Diego and the tourists.

PC-6:

Comment by Christopher Ward regarding coming from an academic background having graduated from John Hopkins with a Bachelor Degree in neuroscience, and performing very high on board exams. Mr. Ward explained that he likes to solve puzzles and stated that for the last ten months that is exactly what the Commissioners' task has been. Mr. Ward expressed that the Commission has done a very commendable job and reached very logical conclusions and compromises. Mr. Ward stated that he thought he might have a different insight and new evidence to present which might answer or comfort doubts that some have had in their decisions to reject a map based on the sole basis that District 6 reclaimed East Mission Bay.

Mr. Ward stated that the City Charter says "Districts so formed shall as far as possible be bounded by natural boundaries, by street lines, and by city boundaries." Mr. Ward stated he felt there was a reason the authors mentioned natural boundaries first. Previous speakers to come who are experts in watersheds, a true natural boundary, will testify convincingly to that end. Mr. Ward suggested that it makes a whole lot of sense to consider the testimony with weight when you are talking about the one Council District primarily responsible for control of pollution into Mission Bay. Mr. Ward noted that secondly, we are to provide fair and effective representation for all citizens of the City, and have heard quite a bit from the seniors from the De Anza community that they have been neglected. Mr. Ward stated that it was hard to blame the 2nd District when they have the City's major redevelopment project and tourism to worry about. Mr. Ward also stated that the De Anza community only asks to allow them to rejoin with an area which they feel they relate, and have a history of relating with them, and will not violate the spirit of compactness.

Mr. Ward addressed Commissioner Magaña and said, "You mentioned that you could not approve the map because there are no people in the Bay. You asked whom they would most affect. I think the testimony you will hear will overwhelmingly show that it is all about the De Anza seniors and their community. It has to lead you to that conclusion. The fact that you did not remember them as part of the area in question last time is only further evidence of how you neglect them. Because they show that they share substantial cultural, economic, and social ties with District 6, and relate far better as a community to that of Clairemont over Pacific Beach; they have defined their community of interest. Even better, they will define themselves for the record tonight. Another criterion dictates

that communities of interest must be easily accessible with each other in the District, and that's true for both maps — but look at the relative distances. Because the road to De Anza leads you down here at the point of District 2 — surprisingly shopping centers and population are of equal distance and community facilities such as the libraries are further away in Pacific Beach. Commissioner Saito said he would like to look back at all the good that would come out of this map's decisions, for example, City Heights. Mr. Chairman you responded with pride, and deserved pride — that was complying with what the residents wanted. You acknowledged that three Council people could — in sharing an area and working together to make sure that progress got done, and got done faster. Couldn't you apply that reasoning for your satisfaction to the present needs of the Bay? Would not two Council Offices get more done and force each other to focus and cooperate? Also, Mr. Chairman, you mentioned in the discussion of Barrio Logan's claim to San Diego Bay, why shouldn't District 8 or any District that has the water contiguous, why should they not be able to control the water?"

Mr. Ward gave a power point presentation stating he hoped that he alleviated the Commissioner's concerns so they could accept the map with pride.

PC-8:

Comment by Dave Wilhite regarding watching the meeting last week on the City Access Channel, and he felt compelled to come and speak because the Commission had closed their meeting searching for a compelling reason for which one of the members might change their vote. Mr. Wilhite wished to express that he supported Mission Bay in District 6. He also felt that threats of lawsuits were out of order and the Commission can support any boundaries they choose to make. Mr. Wilhite also stated that as a Clairemont resident, he used Mission Bay, and that when he looks at the community of interest for the people in Clairemont — it is East Mission Bay. Mr. Wilhite expressed that he doubted that there are many people in the Pacific Beach area that have a community of interest in East Mission Bay.

PC-9:

Comment by Jim Lewan regarding being the Vice President of the De Anza community, and that he represents what may be the last road block in completing the final map. Mr. Lewan stated that they were the only census tract in question and as a community of a thousand plus are here to say that the circumstances of the population have caused them to be disenfranchised from the other communities they are so closely aligned with in Council District 6. Mr. Lewan expressed they were not a part of the Pacific Beach Community Plan, and that no map the Commission could draw would put them in there because they mandated that Pacific Beach ignore them due to geographic boundaries. Mr. Lewan stated they established the De Anza community in 1953, and was a contiguous

part of Clairemont and Bay Park then. For 40 years not even the construction of a man-made Interstate 5 presented a barrier until Gerrymandering and politics went out, and for the first time in history placed them in District 2. Mr. Lewan stated that they have been disenfranchised ever since, their voices ignored. Mr. Lewan requested that the Commission reunite them with the District they have always been with, and with whom they share so much in common.

PC-10:

Comment by Ed Cramer regarding being the Chairperson for the Linda Vista Community Planning Committee, and that they are very thankful for all of the hard work which the Commission has put in. Mr. Cramer stated that most of them appeared before the Commission at Bayside in July. Mr. Cramer stated they are very much in favor, and that they voted unanimously to endorse the plan for which most of the Commission has voted. Mr. Cramer stated that the 50,000 residents in Linda Vista, and the 80,000 in Clairemont use Mission Bay extensively, and it is a big part of their lives. Mr. Cramer expressed that they have a huge community of interest with 6,000 students at the University of San Diego overlooking Mission Bay. At the top end of their Planning area they have 25,000 students at Mesa College. Mr. Cramer stated they need help, and they don't have any interest beyond the end of their District which right now ends with the Bay. Lastly, Mr. Cramer stated that they earnestly solicit the Commission's help in doing that.

PC-11:

Comment by Dave Potter regarding being at the meeting as the Chair of the Clairemont Mesa Planning Committee; he wishes to thank the Commission for their hard work. Mr. Potter wished the Commission to recognize Clairemont Mesa's community of interest in the Eastern Mission Bay. Mr. Potter referred to his letter and asked that the Commission note the existing Land Use Plan — everything on that plan is clearly within the boundaries of the community with one exception which is Mission Bay. Mr. Potter noted that the second page of that is a table that addresses recreation areas that serve Clairemont, and it identifies Mission Bay as serving the Clairemont area. From the commercial element of the plan there is a proposal that they establish a visitor oriented commercial services particularly along Morena Boulevard that would compliment Mission Bay. They called out this area because they felt there would be easy access into the Bay because of the interchanges at Tecolote Road and Clairemont Drive. Mr. Potter stated he felt that clearly showed Mission Bay was serving them, but they were serving the Bay.

PC-12:

Comment by Dan Beeman regarding being a District 3 resident and that he has great concern about more encompassing representation for all citizens of the Bays -- especially Mission Bay. Mr. Beeman stated his District is ever increasing in Hispanic population, making up more than 40 percent and other lower income minorities. Mr. Beeman stated they needed better representation. Mr. Beeman expressed his concern regarding Gay people having more political power within his District.

PC-13:

Comment by Robert Ruffato regarding living in the De Anza community for 30 plus years. Mr. Ruffato stated he realized that though San Diego has changed, his area has not, and it is still as beautiful and community oriented as it was 30 years ago. Mr. Ruffato stated it was a great feeling to be in a community where they know the people, and would like to keep the area as it is today with their connection between their community and the community of Clairemont.

PC-14:

Comment by Bob Williams regarding approving the Redistricting Plan and giving the neighborhoods back to the neighbors. Mr. Williams stated there are many reasons why they must include East Mission Bay in District 6, and that they are too numerous to mention in two minutes. Mr. Williams stated that historically it has been considered a portion of Linda Vista, Bay Park, and Clairemont since they developed the Bay many years ago. For the last few years the Linda Vista Community Planning Committee has been providing ideas to the Metropolitan Transit Development Board, and the City of San Diego Planning Department is encouraging them to develop a plan that would ease entry into East Mission Bay for community residents and MTDB rider-ship at the future Pacific Highway, Tecolote Road station. Mr. Williams stated that without the Community of Linda Vista's intervention and insight, they would have seriously compromised future pedestrian access to the Bay.

PC-15:

Comment by Reggie Smith stating that she hoped the Commission had the opportunity to read Peter Rose's article in the Sunday edition of the Union Tribune regarding visiting Tecolote Canyon, and his concern for the oil, pesticides, and other pollutants found in the Tecolote creek as it flows into East Mission Bay. Ms. Smith stated that voters in Clairemont, Linda Vista and Bay Park shares his concern, and are actively engaged in the

clean up of Tecolote Canyon, and the San Diego River basin — both watersheds flowing into East Mission Bay. Ms. Smith stated that they should have a voice regarding the governing of East Mission Bay, an area that they so integrate into their everyday living. Ms. Smith expressed that most of the Commission understands the importance of District 6 and Mission Bay, and that they have a living partnership existing together. Ms. Smith requested the Commission give them back their De Anza neighbors.

PC-16:

Comment by Jim Kidrick stating that he was the Director for the San Diego Bay Fair, and the annual power boat races on Mission Bay. Mr. Kidrick stated that as the largest annual sports competition and family festival, they work closely with the staff of Council District 2 during their annual planning, and found their stewardship of Mission Bay Park to reflect the high standards of community government and citizen concern to be exemplary. Mr. Kidrick stated that the fact is — if it isn't broke, don't fix it. During the many years of planning Bay Fair and ensuring good community relations, they have worked closely with residents of Ocean Beach, Pacific Beach, and Crown Point that every City Planner, Law Enforcement Agency, and community activists acknowledged, to be the areas most affected by Mission Bay Park activities. Mr. Kidrick stated that over the years they have solved any community concern over the staging of the wonderful event. Most significantly they wished to note that no one east of Interstate 5 has approached them with event concerns. Mr. Kidrick stated that one Park and one Council Office was the only sound approach.

PC-17:

Comment by Jack Stevens regarding De Anza being the only residential area that actually has people living on the Bay. Mr. Stevens stated that they own their own homes and are part of the greater communities of De Anza, Clairemont, Bay Park, and Linda Vista. Mr. Stevens felt their portion of the Bay is safe - the children, disabled, seniors, are safe. The community of interest is with District 6, and Mr. Stevens said he called it a small piece of Shang-ra-la. Mr. Stevens stated together they shared their views; watched the sunset at Fiesta Island, watched the campfires light up, and go to bed after the beautiful fireworks from Sea World. Mr. Stevens stated his community was like love and marriage — you can't have one without the other.

PC-18:

Comment by Paul Ross regarding being here to support the alternative preliminary plan, and that he believes the East Bay area is properly the front yard of Bay Park. The alternative boundary does not diminish Pacific Beach, and Mr. Ross thinks there is no special reason that Ingrahm Street as a boundary is less valid than the freeway. Mr. Ross wished to clarify that the Commission received a map that called the ball fields the

Pacific Beach Community Athletic Fields, and actually they are the Mission Bay Youth Fields. The organizations that play there are the Mission Bay Little League, the Pacific Youth Soccer, and Mission Bay Adult Softball League. The population that participates in those leagues from Mission Bay Little Leagues currently come from Districts 1, 2, and 6. Mr. Ross stated that the users of the field come from several different Districts. Mr. Ross expressed he felt that Mission Bay is a regional facility. The East Bay has a visual, social, infrastructure, and a natural connection to Bay Park. The boundary proposed is a legitimate, appropriate, and a desirable one.

PC-19:

Comment by Father Joe Carroll regarding wanting to be a part of District 2. Father Joe Carroll stated that Friday the Commission surprised those who live on the south side of Imperial, and that he represents 80 to 90 percent of the residents there. Father Joe Carroll stated that the little sliver the Commission gave away to District 8 -- they wished to protest that. Father Joe Carroll stated that the majority of people who live there happen to be residents of Saint Vincent De Paul, legal residents, and voters. They took out eighty to 90 percent of them in one sudden decision on late Friday of the District that they thought they were in. Father Joe Carroll stated that their area of influence is the Ballpark -- East Village, and that they had been meeting with them for years. "That's the area that they are in, and suddenly they are being disconnected from it." Father Joe Carroll stated that most of East Village is going to be in District 2, and that they prefer to stay in District 2 and keep the entire Ballpark District together. Father Joe Carroll stated that District 2 will work with them, and will continue solving problems for their neighbors in need, and that if they stay in District 8 they would go with the Council Member that would put them out of business. Father Joe Carroll stated that East Village is their neighbor, they are suddenly separated from them, and in that little sliver they are the primary property owners as well.

PC-20:

Comment by Pam Glover regarding understanding how compassionate the people from De Anza are, but that ten years ago they told them that Proposition C would take politics out of the Redistricting process. If they took the politicians out of the process, and placed it in the hands of the independent citizens' commission, they would remove the political taint. Ms. Glover stated that by the Commission's actions in regard to Mission Bay -- that was a joke, and that she feels they put politics back into the process. Ms. Glover stated that the impact on Mission Bay Park, on Mission Beach, Pacific Beach, and Ocean Beach is heartfelt. Ms. Glover complained that she cannot get to Interstate 8 or Interstate 5 without being impacted by traffic. Ms. Glover expressed that her concern was that if the Commission divided Mission Bay Park at Ingrahm, then they will have taken away Mission Bay Youth Field.

PC-21:

Comment by Ethel Murphy regarding the De Anza Community and from experience living there she had far better representation under District 6. Ms. Murphy referred to today's newspaper and that it was the 16th consecutive day that the beach at De Anza Cove and the Visitors Information Center were closed due to pollution. Ms. Murphy asked that the Commission understand that this is too much for one Council Member to handle alone, and it has not worked.

PC-22:

Comment by Norma Milnes regarding living at De Anza and being blind. Ms. Milnes stated that she was surprised when moving to De Anza from Pacific Beach that she changed Council Districts. Ms. Milnes stated she felt there is such a natural barrier and difference in the two areas that these are clear to her. Ms. Miles expressed that she looks up at her neighbors at Bay Park every night and every morning, and that it is like you are kind of married. Ms. Miles stated they surprised her when she heard it was separated, because De Anza had been in District 6 for 40 years.

PC-23:

Comment by Michael Akey regarding being a 20-year volunteer of the peninsula and that he feels that the peninsula, as well as Mission Bay, have many similar problems that they have been working out over the last ten years. Mr. Akey stated he felt they really need to stay together and that District 2's boundaries should not be changed.

PC-24:

Comment by Gerie Trussell wishing to thank the Commission for the diligent effort and for calling the extra meeting. Ms. Trussell stated that the set up of an independent Redistricting Committee was to ensure that politics and power grabbing are kept out of the process. Ms. Trussell stated that she works at Ocean Beach as the Executive Director there, and that there are not any Ocean Beach residents that are not up to date on the issues of Sea World. Regarding De Anza, Ms. Trussell stated the big guy on the block is Sea World and there needs to be some representation from Ocean Beach. Ms. Trussell expressed Redistricting should be a matter of population and representation, and not politics.

PC-25:

Comment by Amelia Brown regarding living and working in Ocean Beach for seven years, and that she believes Sea World is a great concern to the people who live there.

Ms. Brown felt as a resident of Ocean Beach, and being so close to Sea World, she should be able to call her Council person directly regarding Sea World issues.

PC-26:

Comment by Dorcas Turoski regarding living at De Anza Cove for 13 years, and it being the only community located directly on East Mission Bay. Ms. Turoski commended the Commission for handling a very difficult assignment with compassionate professionalism. Ms. Turoski expressed that there were two reasons why the Commission should return East Mission Bay to District 6; the residents of Clairemont and De Anza share a unique relationship, and the folks in Clairemont come down the hill regularly to participate in the many activities in De Anza. East Mission Bay Park is used almost exclusively by the local citizens and their families. Ms. Turoski's second concern is how the beloved Bay has deteriorated over the past ten years, and that the residents want District 6 to share in the stewardship of Mission Bay.

PC-27:

Comment by Benjamin Leaf regarding favoring the new map because sharing responsibility for the park is good government. Having more than one voice on the Council can only lead to more lively discussions of the issues which concern the park, more public awareness of those issues, and most importantly, more vigorous fact-finding. Mr. Leaf stated that Mission Bay Park is simply too large, too valuable, and too troubled to be the responsibility of one Council person.

PC-28:

Comment by Cynthia Conger regarding favoring keeping the new plan together. Ms. Conger stated that the present Bay was a false Bay in the old days. It is not a natural boundary. Ms. Conger stated she encouraged the sharing of Mission Bay in the restructuring process. Ms. Conger also stated that Mission Bay and Pacific Beach comprise many out of town property owners. Without local involvement, to what expense to residents' quality of life does development or lack of natural resource protection occur? Ms. Conger expressed that without a vested oversight of those who live there, inadequate research is done before giving away precious disappearing public assets.

PC-29:

Comment by Gina Costi regarding reminding the Commission that the proposed

Redistricting goes against a legal mandate by the City Charter, goes against solving the need to gain population in District 2, and goes against the autonomy of Mission Bay residents. Ms. Costi stated that Mission Bay is a single entity with common goals, issues and economic ties, and it doesn't make sense to split the single entity into separate Districts.

PC-30:

Comment by Tony Williams regarding urging the Commission not to decide on a short term basis to split Mission Bay. Mission Bay has one circle around it called a shore line. Mr. Williams stated that Ingrahm does not create a boundary between the two — there are two bridges and he sails underneath them on a regular basis. Mr. Williams expressed that on the eastern side you have Highway 5, and that is the most logical one to do. Mr. Williams stated the Commission should not consider the issue of politics, and De Anza is at the end of its throw; therefore, the Commission should not make decisions based upon 900 people.

PC-31:

Comment by Diana Alexander regarding Loma Rivera community, and her feeling that they are the other men and women who haven't had many people talking to the Commission about where they live, and how close they are to the area the Commission is dividing up. Ms. Alexander stated that their condominium association has 264 units in it, and it is just off West Point Loma Blvd. Ms. Alexander stated her community was very active during the Sea World Phase I planning, and often people took off work to be involved. Ms. Alexander expressed that she understands the De Anza Community, but that they are not coming and saying to the Commission, "you are taking away our vote." Ms. Alexander stated that if the Commission moves that District now, they will take away the vote from the people in Loma Rivera who need to vote on the Sea World issues, and were guaranteed both by Sea World and City Council that they would be given an opportunity to vote on different things.

PC-32:

Comment by Jane Hewitt regarding the De Anza community and the Clairemont community, and that at one time it was all one family. Ms. Hewitt wished to express that the De Anza community has two activity centers opened to all communities, and has served them for 40 years. Ms. Hewitt wished to share a special invitation that she received from the Clairemont Town Council, inviting her to a special party on the 25th of August, and that all she has to bring is her blood.

PC-33:

Comment by Ryan Levinson regarding his feeling that East Mission Bay is a part of District 6, just the same way that all the coastal beaches are a part of their adjacent Districts. Mr. Levinson stated that East Mission Bay is essentially the District 6 coastline, and the nearby residents overlook it from their homes, as well as having the closest beaches for them to go to. Mr. Levinson stated that they also share the same watershed, and that they are deeply concerned about the same issues affecting the East Bay. Mr. Levinson expressed that they do not unify the ocean coastline in one District; it is split so the coastal districts are united with their adjacent watersheds and beaches.

PC-34:

Comment by Nicole Lippert regarding references to portion of East Mission Bay as a “pregnant bulge.” Ms. Lippert stated this has caused some concern whether this “pregnancy” violates the spirit of compactness described in the Charter. Ms. Lippert expressed her thinking that understanding that compact does not equate to straight edged was important, and according to Webster it means, “closely or firmly packed, or put together.” Ms. Lippert stated that just as a pregnant woman could argue that her bulging mid-section is actually quite compact despite its obvious protrusion, Districts can be compact by the shape of their boundaries since the communities of interests are “closely or firmly put together,” the District is compact. Lastly, Ms. Lippert stated that when De Anza, a community of interest is heard, the choice is clear. They are one pregnant bulge that wants to stay compact with their Mother.

PC-35:

Comment by Sam Parisa regarding that while watching T.V. he heard the Chairman state that you may not hear legal reasons for changing your vote regarding Mission Bay. Mr. Parisa stated he may not have legal reasons, but he wanted to give some common sense reasons. Mr. Parisa stated that the contract for the residents in the De Anza Trailer Park terminates in 2003, and they must move, by that date, leaving no votes inside Mission Bay Park. Mr. Parisa stated that should remove all concerns from the Committee as to votes in Mission Bay — there will be none in approximately a year and a half. Ballot approved Mission Bay Regional Park and must be 25% commercial and 75% open park. Mr. Parisa stated that the City spent thousands of dollars this year confirming compliance with that ratio, and that Mission Bay is not over commercialized, and does comply with the law.

PC-36:

Comment by Al Strohlein stating, “In the beginning God created the heavens and the earth. A few days later he said let the waters be gathered into one place, and let the dry land appear. He called the watery place Mission Bay. Then he said, whoops, I guess I better create a natural boundary between the bay and the land — I’ll call that I-5. God

saw that it was good.” Sometime later in Philadelphia some men wrote, when in the course of human events it becomes necessary for the people to dissolve the political bands which have connected them with another, the separate and equal station to which laws of nature and of nature’s god entitle them a decent respect of the opinions of mankind (including voters) requires that they declare the causes which compel them to the separation of Council Districts, or words to that effect.” Mr. Strohlein stated that later in a place called Gettysburg, these words echoed across the land. Mr. Strohlein also stated that the UT referred to I-5 as a natural boundary, and Mission Bay as an artificially created and pregnant Council District. “Surely God, our Founding Fathers, and Mr. Lincoln can’t all be wrong or confused. Surely this Commission with a unanimous and courageous vote could honor God, the Constitution and Mr. Lincoln by securing the blessings of liberty and Mission Bay to us and our prosperity, including the residents of District 6.”

PC-37:

Comment by Catherine Strohlein regarding that some are worried that District 6 will not be compact, but after having three babies Ms. Strohlein wished to assure the Commission there is nothing as compact as a pregnancy. Ms. Strohlein expressed she felt the only Districts that are compact were 3, 4, and 6 which are nearly a perfect square except the pregnant bulge. Ms. Strohlein stated regarding the boat races and as a resident of Crown Point, they have had problems with the races since the onset, they get worse every year, and she feels District 2 has done nothing about them. The noise, traffic, and disruption are so horrible, Ms. Strohlein stated they leave the area every year to get peace. Ms. Strohlein stated that District 2 has never done anything for them, they don’t expect anything in the future, therefore, they would very much like the Commission to adopt the map.

PC-38:

Comment by Susan Orlotsky regarding Mission Bay being a valuable regional resource, and that she thinks it is essential there is shared watershed stewardship. Ms. Orlotsky expressed two Council Members would probably do a better job. Ms. Orlotsky wished to note that the District 6 Council person was the only one who voted against the fireworks at Sea World.

PC-39:

Comment by Scott Andrews regarding representing Save Everyone’s Access, and that he has been a Mission Bay activist for approximately 12 years. Mr. Andrews stated to the Commission that they have not represented their views for the last two Council people, and that it was extremely frustrating. Mr. Andrews stated that not only Sea World is

scheduled for expansion, but also the Dana Inn; they have proposed two more resort hotels for Queirva Basin; two more resort hotels for De Anza; the Hilton probably wants to expand as well as the Bahia.

PC-40:

Comment by Mshinda Nyofu regarding the hard and tiring work the Commission had done throughout the City of San Diego, and wishing to thank them for that. Mr. Nyofu stated he still has concern about City Heights although the major issue today is Mission Bay. Mr. Nyofu stated he was still asking for reconsideration of that decision, and that obviously the Commission knows that the Voting Rights Act talks about the protected groups, and that he doesn't feel that decision protects those groups. Mr. Nyofu stated that the Commission based their decision on the consultant Mr. Cain's evidence, and in the next ten years they will see a rolling back. Mr. Nyofu expressed how does City Heights get fair representation when you have three Council Districts in one area, and asked that the Commission reconsider their decision.

PC-41:

Comment by Don Mullen regarding being an Officer of the Pacific Beach Town Council, and a 20-year business owner. Mr. Mullen stated that regarding Mission Bay's addition into Council District 6, that the battle line seems to be drawn between compactness and communities of interest. Mr. Mullen stated his feeling was that they have not violated the compactness, and that District 6 is more compact than any other District in the City of San Diego. Mr. Mullen expressed that there simply is not a case to support removing Mission Bay from District 6. Mr. Mullen stated the Commission has done a great job so far and thanked them for their contribution to the City of San Diego.

PC-42:

Comment by Michael Zucchet regarding being a four-generation resident of Council District 2, and that he comes again to support the division of Mission Bay between the two Council Districts. Mr. Zucchet expressed that the statement "those people who advocate splitting Mission Bay are just being political" bothers him a lot. Mr. Zucchet stated that one thing in the Charter that is a little more specific besides the population, and that is when the Charter says Districts should be geographically compact — they shall not bypass populous, contiguous territory to reach distant populous areas. That is the purpose of geographically compact. Mr. Zucchet stated that the Commission is not violating the Charter by expanding an area if you are not doing it for bypassing one population to get to another — it is providing more representation to a regional resource.

PC-43:

Comment by Bruce Reznik regarding being the Executive Director of San Diego Bay Keeper, and that the Commission has heard from the communities that are asking for East Mission Bay to be included in District 6. Mr. Reznik stated he was speaking on behalf of the Environmental Community and the Clean Water Community by asking for the same thing. Mr. Reznik stated that it is important to recognize that pollution up land does impact the Bay. Mr. Reznik expressed that throughout the nation everyone is looking at regional watershed planning as the way to address clean water issues in their jurisdiction. Mr. Reznik stated that the reality is we have failed today, Mission Bay is heavily polluted, and is an embarrassment. They have written it up in Forbes, etc., and have failed because there are too many development projects in one District. Mr. Reznik stated that it is time that those things get shared by two Districts, 2 and 6.

PC-44:

Comment by Clive Richard regarding being concerned about what we mean by community of interest, and what is it we are really trying to accomplish? Mr. Richard stated that the very minimum the water line should be a boundary. Mr. Richard stated that as voters they decided that Redistricting was far too important an issue to leave to the City Council, and that now maybe they are learning that it is too important to leave to an independent Citizens' Commission.

PC-45:

Comment by Roz Acierno regarding being President of Mission Bay Little League, and that they have given inaccurate information to the Commission. Ms. Acierno stated that everyone that plays at the Mcavoy field is from a 92109-Zip Code. Ms. Acierno expressed that all of her volunteers are from District 2. Ms. Acierno expressed that they have worked very hard in the last few years to develop the ball park — that it is truly a community ball park, and that she hopes it will stay in District 2.

PC-46:

Comment by Mary MeHon regarding Mission Bay Little League, Mission Bay Youth Field Association, and the P.B. foundation, and her concern about Bob Mcavoy Youth Field. Ms. MeHon stated the people of Pacific Beach developed those fields in 1956 and they continue to be used almost exclusively by the citizens and children of Pacific Beach. Ms. MeHon expressed that, to her, to place the fields in District 6, while the rest of Pacific Beach is in District 2, would disenfranchise those who use the fields.

PC-47:

Comment by Greg Lutz regarding wishing to clarify that the ball fields are a Pacific Beach Community asset. The children who use the fields, the volunteers who are putting their blood, sweat, and tears into those fields are from Pacific Beach. Mr. Lutz stated there is no Little League in this country that would not make an exception from time to time, e.g., if parents are separated and one happens to live in Clairemont, or Bay Park. However, all of the effort from volunteers, all of the funding comes from the Pacific Beach community. Mr. Lutz stated that if they don't have a Council Member that is directly accountable to the voters, the ball fields will cease to exist.

PC-48:

Comment by Chris Gallup regarding the soccer league that plays on the Bob Mcavoy fields in Pacific Beach, and that his league is an area league because they don't have District Boundaries. However, 85 percent of the players are from the Pacific Beach area. The other 15 percent are from Point Loma, La Jolla and some from Clairemont. Mr. Gallup stated that 95 percent of his volunteers are Pacific Beach residents, and they are the ones that put in the time and effort to improve the fields. Mr. Gallup wished to state that the Commission was taking voters that live on the West side of the Bay, at Crown Point, putting them in District 6, and he feels that is against all the policies the Commission tried to enforce during deliberations. Mr. Gallup stated they could not get block grant monies from District 2, Pacific Beach, if they were in District 6 — they need to be in District 2. Mr. Gallup expressed that Clairemont over the last ten years has had six of their parks improved, yet Pacific Beach can't get the money to grass one elementary school because they are in a split community.

PC-49:

Comment by Paul O' Sullivan regarding Council Member Wear believing that the ideal boundary for the Commission to adopt is the current boundary using Interstate 5. The further you extend District 6 into unpopulated areas currently in District 2, the greater the likelihood they will mount a legal challenge. Mr. O' Sullivan stated that the map is less likely to be challenged the more compact it is with I-5 being the ideal boundary between the Districts. This is what the City Attorney's Office stated to the Council Member. Mr. O'Sullivan expressed that Commissioners have voiced their concerns. Commissioner Saito has stated that he considered I-5 an artificial boundary, and that District 6, an artificial manmade entity itself, to be naturally connected with the Bay. Mr. Sullivan noted that Commissioner Ulloa stated that the watershed that comes out of 6 and enters the Bay should be in District 6, and by expanding the boundary the Commission addresses a concern of a community of interest of environmentalists. Mr. O' Sullivan noted that Commissioner Camarillo has stated that the Commission's job is to get down to as close to zero (referring to population deviation) as possible and that

Commissioner Camarillo was concerned about the ultimate placement of De Anza residents to ensure equity. Mr. O'Sullivan stated that Commissioner Johnson is very much interested in addressing the testimony of the District 6 residents who have stated that they would like Mission Bay Park to be part of their Council District. Mr. O'Sullivan stated that it seems they pit the legal argument against what some believe to be the greater social good — a political argument. Being a political office that listens carefully to the City Attorney's advise, Mr. O'Sullivan stated that they have created redistricting plans that both comply with a legal mandate of the Commission for compactness, while also resolving the political concern presented on the public record. Mr. O'Sullivan expressed that the map they are presenting draws part of Mission Bay, and the Eastern part of Mission Bay Park into District 6 — yet does not significantly increase the Commission's exposure to litigation by expanding it beyond. It uses the natural boundary of the Bay allowing one Council Member to see both the beginning and the end of the watersheds, and by that addresses the concerns of a community of environmental interest. Mr. O'Sullivan stated that it balances the populations by leaving De Anza and the athletic fields that serve primarily Pacific Beach children in District 2, but allows two Council Members to claim responsibility and authority on all Mission Bay issues. Mr. O'Sullivan noted that it addresses Commissioner's Johnson concern by placing Mission Bay Park back into District 6 as some residents have asked the Commission to do. Also, if the testimony is convincing that De Anza is an important asset to District 6 rather than 2, they don't necessarily buy into that argument, but they are trying to look for what would please the Commissioners and address their concerns the greatest. Lastly, Mr. O'Sullivan said, "You would be able to take De Anza road — the concern is that District 2 residents serve the athletic fields and they would have less political access to the funding mechanism — you can draw from De Anza Cove down through Rose Canyon Creek."

PC-50:

Comment by Steve Lord regarding Bay Park being naturally meshed with East Mission Bay, and that they have already addressed the issue that Interstate 5 is an artificial barrier. Mr. Lord stated that when they built I-5 his family and friends were still able to get to what he considered his backyard, and that Bay Park is his home. East Mission Bay is still his playground. Mr. Lord stated that he would like to point out that it seems like District 2 has its hands full with the redevelopment downtown, and issues in the Midway District. Mr. Lord stated he felt it was time that they bring in another Council person as an advocate for the interests in East Mission Bay. Mr. Lord also stated that Mission Bay is a jewel, but a tarnished jewel, and that it makes perfect sense to return East Mission Bay to District 6, and to bring another advocate to those problems.

PC-51:

Comment by Deborah Green regarding wishing to commend the Redistricting Commission tonight for having the evening meeting. Ms. Green stated that she does support the proposed plan, and that her only comment is that the Redistricting Commission has no problem supporting the Division of San Diego Bay, which too is a shoreline. District 2 and 8 represent it, is divided by the Coronado bridge. Ms. Green stated that she thinks Ingrahm is a good boundary, and to take it a step further, you could say that the Ocean is also a boundary of water in several different Districts. Ms. Green stated that two representatives would be two brains and two hearts, and they need that now.

PC-52:

Comment by Dorie Offerman wishing to state that after watching the Redistricting on T.V., the residents of De Anza have nothing but the utmost praises for what the Commission has accomplished. Ms. Offerman thanked the Commission last week for their vote of 4 to 3 for reuniting them with District 6. Ms. Offerman stated that after living in the De Anza community for some years, she has been dismayed at the lack of representation by the District 2 office. Ms. Offerman stated that De Anza is primarily a community of senior citizens, and they do not feel they are welcome in Pacific Beach. For more than 40 years they were part of District 6, and that is where their roots are. Ms. Offerman expressed that they are at home with their eastern friends and neighbors, and feel comfortable with the community of Clairemont.

PC-53:

Comment by Shelley Miller regarding representing Discover Pacific Beach; she appeared before the Commission last Friday, and there was some confusion. Ms. Miller handed out a letter to the Commission and read it into the record asking them to disregard the previous letter from Discover Pacific Beach dated August 9, 2001, and to accept the unanimous vote from their Board of Directors to keep Mission Bay Park in its entirety within City Council District 2.

PC-54:

Comment by Michael Sprague regarding wishing to reinforce that City Heights Town Council elections are in October, and the project area for redevelopment elections are in November; and the other parties are in March. Mr. Sprague asked the Commission if they knew anybody in the City Heights area that would like to get involved in the Town Council, to call 563-0671, and for the Redevelopment Agency call Jim Labue. Mr. Sprague stated there is always a desperate need in all communities for more involvement, but this is coming up soon.

PC-55:

Comment by Mark Conlan regarding following the Redistricting Commission, and he is very pleased with the resolution for his community of City Heights. Mr. Conlan wished to remind the Commissioners of one remark the Chair made a few weeks ago, which was that redistricting is about people, about voters, and it is not about water molecules. Mr. Conlan stated that Commissioner ODell made a remark Friday and spent a great deal of time regarding the immense economic contributions of Sea World, then said that the people who wanted to put Sea World and other parts of East Mission Bay in District 6 rather than District 2 were doing so for political and economic reasons. Mr. Conlan stated he hoped there was a compromise position available that five Commissioners could agree on, and that they can finish the process. Mr. Conlan expressed that he does not want to see this long, and until now quite successful process, snatch defeat from the jaws of victory. Lastly, Mr. Conlan stated that he hoped there was a reasonable compromise, and asked the Commission to please finish tonight.

PC-56:

Comment by Marco Gonzales representing the San Diego Surfrider Foundation, that they are dedicated to clean water and public beach access. Mr. Gonzales expressed that Commissioner Magaña noted that “why would we want to put District 6 in charge of a portion of Mission Bay when the watershed issues extend into various other watersheds as well?” Mr. Gonzales stated that it comes under one single issue, and that is geographical proximity. Mr. Gonzales stated that when you go to the State and try to do projects that deal with water quality, it is all about the receiving waters — the impacted water body — which is Mission Bay. Mr. Gonzales expressed the State will pay for the City to find out the source of the bacteria in the Bay, but once they do that it is up to the City to fix it. Mr. Gonzales stated that if the District 2 representative does not have control over the source, it’s very likely money that they get to fix Mission Bay is going to be allocated to another District. Lastly, Mr. Gonzales stated that for the good of the Bay and the people, we must unite the watershed with the receiving waters if for no other reason than to allow that Representative to work with District 2 to get the problems solved.

PC-57:

Comment by Stephanie Pacey regarding her support for including Mission Bay Park in District 6, and that she believes Redistricting should follow watershed lines. Ms. Pacey stated that effective management of water resources is important and will be best handled if they follow watershed lines. Ms. Pacey expressed that if Mission Bay Park was split, water quality would be the concern of two Council Members increasing the attention it would receive. Keeping Mission Bay Park together in the past has done nothing for water quality, which has worsened during that time. Ms. Pacey stated they have labeled

Mission Bay “the sewer spill capital of the world.” Ms. Pacey expressed that they should include Mission Bay Park in District 6 so that they do not locate all of San Diego’s major redevelopments in a single District, and that could be overwhelming for one Council Member.

PC-58:

Comment by Arlene Alemar regarding being a parent with four children and living in Pacific Beach for 17 years. Ms. Alemar stated her children play for Mission Bay Little League and that she lives right off Rose Creek. Ms. Alemar expressed that since she has lived there she has never seen any support from District 6 in cleaning up the waste coming in from the creeks. Ms. Alemar stated that it is she and her community doing the clean up. Lastly, Ms. Alemar stated the ballpark should stay within the hands of District 2.

PC-59:

Comment by Ellis Rose regarding his personal concern that one issue prevented the Redistricting Commission from approving the map — that being the issue of whether to place parts of Mission Bay Park in District 2 or District 6. Mr. Rose stated he was here to recommend that there are both the need and the room for the Commission to compromise on the issue. Mr. Rose stated that it is false to believe that Interstate 5 forms a boundary that all can agree upon, and that there is adequate access from Bay Ho, Bay Park, Clairemont, and the other neighborhoods to reach Mission Bay Park. There is a population of almost 1,000 people on the northeast side of the park, and its needs must be considered — the community known as De Anza Cove. Mr. Rose stated that De Anza Cove is a community of interest with well-known needs, desires, and issues. Mr. Rose stated that he felt that most people in San Diego believe that 2004 will remove the community from that location, but the reality is that it exists there now and must be taken into account. Mr. Rose noted that the Chair has stated before that the Commission must deal with the statistical facts as they are now, and not speculative projections for the future.

PC-60:

Comment by Richard Miner regarding urging the Commission to give each Council District their contiguous shore, and that they could use North Mission Bay Drive as a northern edge of the eastern shoreline which would give the baseball and the golf course to the Pacific Beach area. Mr. Miner suggested taking the center line of Rose Creek, from that point south until they are as far south as De Anza point; and from there to the antenna on Federal Island; and from there to a point one hundred feet offshore of Stoney Point; and from there, a hundred feet offshore around Fiesta Island — in other words,

give Fiesta Island and the east side of Mission Bay to District 6. Also, Mr. Miner stated the Commission could divide the Harbor in a similar way if they wanted to give the shoreline of the Harbor to District 8 where they are contiguous.

PC-61:

Comment by Billy Paul stating that his concerns are so great, he is starting a group called, "The Friends of Mission Bay." Mr. Paul stated that he was the person that originally presented the map to incorporate a portion of Mission Bay into District 6, and that the new map with all of East Mission Bay being in District 6 makes more sense. Mr. Paul wished to point out that Mission Bay is not a baby that would die if cut in half, but a recreational area that could be better served by the custody of Mission Bay belonging to two separate Council Districts. Mr. Paul wished to point out that the ballfields that have created all the problems are not in the Pacific Beach Community Plan, but are in Mission Bay Park which is a regional park. Lastly, Mr. Paul stated that the area of influence of the watershed in Clairemont needs to be protected, and to make sure that the people do not continue to be disenfranchised.

REDISTRICTING COMMISSION ACTION (Tape location: A089-E180.)

ACTION ITEM

ITEM-4: Development of Final Redistricting Plan

Commission Members will continue the map development process with staff assisting using the Maptitude Redistricting software. Maptitude will also be used to analyze the effects of the proposed boundary changes on protected groups and communities of interest. Commissioners may also present alternate maps and receive presentations from City staff or other individuals from whom they have asked to hear. Possible action relating to Final Redistricting Plan adoption.

! Commissioner Camarillo: I'd like to make a statement to help clear the record with regard to some statements made Friday. In reference to the boundary discussion that we had last Friday over the water, that discussion was left ambiguous, the decision fuzzy. I wanted to

revisit that. Last Friday I was not making a recommendation, just identifying the situation. I would like to put forth a recommendation. My recommendation is basically that the boundary of the Districts, between 8 and 2, follow the land into the Bay. Mr. Chairman, in your discussion about who can implement any imaginary, not visible line on the water, you talked about the Coast Guard having the capability of putting in light beams, and so forth. My recommendation where the orange on District 8 goes straight to Coronado, over the water and then we ask — we don't ask the City Council — but we do ask the Coast Guard to in fact implement the methodology of having that line being identified which could be two beams on the land side with a straight line going through, as opposed to the bridge. That should not cause any problem because the population would stay in tact in District 2.

- ! Chairman Pesquera: Mateo is asking that the Commission consider meeting the line that is now in the Bay that is using the bridge — be moved north so that it is in line with that piece that is on the land. That way it allows District 8 to have more control over what happens along the water and the shoreline — especially out into the water — which I think is a very good idea.
- ! Commissioner Ulloa: I think overall the whole argument that the area that is on the water line and the Bay that is adjacent to it should have control of the water line. So, I agree with Mateo to allow District 8 to have influence in that area.
- ! Commissioner Marichu: I also agree that if District 8 has the shoreline, that it should extend all the way into the water. I'd like to know if we are going to do anything about the testimony given by Father Carroll, or if we have already settled on this issue. I would agree that the dividing line between 2 and 8 should be wherever the land ends.
- ! Analyst Joey Perry brought up the map for further discussion of this area.
- ! Chairman Pesqueira: Okay, I think it is the consensus of this Commission that the final map reflects that we have the division line between 8 and 2 on the water, no population is involved here, and it does give influence from District 8 to that portion of the Bay as District 2 now has the influence to the north. In reality, the line would only go out to the middle of the Bay simply because Coronado would influence that western half of the Bay. The imaginary line would technically go out to the middle of the Bay.
- ! Commissioner Camarillo: For the record I'd like to make a statement. We get a lot of input, recommendations, and suggestions, and we speak instantaneously. Sometimes we make statements that our personal observations, our own personal conclusions, perspectives — that we preference the statement with “we” -- which gives the impression that it is a reflection of the whole Commission. For the

record, I would just like to bring that out so we are more conscientious when we make statements that reflect our personal conclusions or our views, and not gratuitously give credit to those who have not concurred. I think the record should just reflect that the conclusion of this Commission is our vote. That is the voice, and that is what reflects what we have done as a group.

! Commissioner Saito: Just in the spirit of dialogue that we have had with the community that has come here to our hearings, and when we have gone out into the public hearings into the other Council Districts, our City newspaper is also a community member. I would just like to respond for the record for their editorial that was in today's newspaper in the San Diego Tribune, entitled, "The Pregnant Bulge." I just have three points I'd like to make. In the first sentence of the second paragraph it says "that is the concern raised by Council Woman Donna Frye's bid" — this is very misleading. The proposal to add the eastern part of Mission Bay to District 6 was made to this Commission first, and then Donna Frye responded to that proposal, and began to support it. So, the Commission did it first, not Donna Frye. The second point, later in that paragraph it talks about Interstate 5 which "for the last decade has served as a natural boundary between the two Council Districts." Well, that is incorrect. As the Council Districts now stand you can see part of Pacific Beach is part of Council District 6, and Interstate 5 bisects that community. So, that is not correct. Finally, the editorial talks about that the proposal clearly runs counter to this legal mandate. They mentioned in the editorial three things. Contiguous territory — well as you can see from our proposal this is contiguous territory — Mission Bay is contiguous with District 6. Geographically compact — compactness is a matter of interpretation. Natural Boundaries — well, I would say that I-5 is no more a natural boundary than Ingrahm.

! Commissioner ODell: Since our last meeting we have given a lot of thought as to how we can take care of our family. I have taken the liberty to put some thoughts down which I am going to read to you so they all can come out in one piece, and so that you can understand them. These are my opinions of course, even when I say "we."

We have — sometimes in our thoughts we have divided in the name of community of interests different items. I know that we have thought wrong. It's not about justification for our actions, and Mateo has referred to legal items. It wasn't the definition that concerns me, but it is how it has been used in the process. First of all, as we progress through the months we begin to expand its use in what I believe is intended. We have ended up using community of interest as a manipulation to create something that we do not have available to us to provide. After considering, and considerable testimony, and effort, we found that we could not make it work. For example, Penesquitos and Mira Mesa. However,

without any real clamor by residents of Districts 6 at the beginning, we turned around and applied “community of interest” to just about everything in Mission Bay. Even though, item 1, there was not adequate population being threatened to lose voting rights — VAP, or otherwise. That is one of more critical regulations by the Federal Government. 2. There is no significant area to make contiguous. 3. There was no need to create compactness, and there was no significant population to make cohesive. What did we do? On the contrary, we decided to reduce the compactness of District 6, and wind it around the bulge. That made District 2 less compact. That’s what happened. We split the community of interest of District 6 neighbors, we moved the control of a major economic unit from a neighboring District just because it seemed to be a nice thing to do. We didn’t do this for another Council District — District 4. They have asked us to deal with De Anza and preserve their property concerns. Believe me, I surely understand and have a great deal of compassion for the position they find themselves in. This is something we have no control over. This is a City Council issue, not a Redistricting Commission issue. We have acted in so many ways on a community of interest, where it is political. We know that ultimately everything we do is political. But, the matter in which we do it to meet our mandate of the charter and the legal restrictions of federal regulations is very important — certainly important to me. I find myself in the position of having to choose between to confirm something that would be nice to do, but purely discretionary, and the choice of breaking the law. I respectfully say that I cannot do something that I believe is constitutionally breaking the law. I agree with you Leland that this action is definitely not as significant as City Heights, or the other requests of the Asian community. The very fact that we have tried to follow the criteria in working through that — it didn’t work. That verifies our decision, but at the same time shows how weak our decision is on Mission Bay. It should be corrected, and not left to taint our final map and risk referendum. Now, I do hope there is a compromise.

- ! Lisa Foster: Okay. I can talk about the map as a whole and I can talk about the Mission Bay alternatives. I consider the statement breaking the law a strong statement. I haven’t seen any alternatives on Mission Bay — whether it is to leave it alone, whether it is to move a part of it, whether it is to move the whole eastern half — I don’t consider any of those alternatives something that breaks the law. I’ll try to explain why I feel that way. I think pure and simple this is a discretionary decision for the Commission to make, and I don’t think there is anything about any of those alternatives that I would use the statement “breaking the law” in conjunction with. This Mission Bay issue doesn’t involve any issue regarding population, because none of those alternatives change our total variation. It doesn’t involve any issues under the Voting Rights Act that I am aware of, and it doesn’t involve any issue of racial Gerrymandering. So, what we are really talking about is our Charter criterion. There are two mandates in the

Charter out of all the criteria. One is that we have eight Districts. The other is that we equalize population to the extent possible, going back to the constitutional issue again. The rest of them are laundry lists of factors that the Commission is given the discretion to balance. We're not given any order of priority, and I wanted to comment on the statement made by a gentleman earlier on that — that he thought that the first one that appeared on a list of factors in the Charter — and I think he was talking about the list of the different kind of boundaries — should be given precedence. That is not a principle of statutory interpretation. When there is a list given of items — unless there is some more specific language, there is no order of priority. In this provision of the Charter there is no given order of priority between compactness, communities of interest, continuity, using census geography, and using certain types of boundaries. The qualifying language that applies to all those factors is that the Commission shall to the extent practical to do so — and then these things are listed. My interpretation of the Charter with these factors — after the ones that there must be eight Districts and equalizing the population, is that you are given the discretion to use your judgement to balance those factors. You have done that all over this map. There are other areas of the map where you have balanced these factors in different ways, depending on the facts of what you were looking at in a particular part of the City. You have come to different conclusions in different areas. There may be areas where we have decided something is more important than compactness. Or something is more important than honoring the wishes of a community of interest, whatever that something might be. You have to use your judgement to balance these factors. So, I go back to the Mission Bay alternative. All of these are alternatives that you can justify one way or another balancing the Charter factors. So, the law doesn't really help to make your decision any easier, you have to use your judgement. As far as the map as a whole, this issue as I just stated — because I see it as a discretionary decision — I think can be justified by the arguments we have heard on both sides either way. I don't think it affects my overall opinion that the map is solid under the law, and I think we have met all the criteria that we have to meet, and where you have had discretionary factors — you have balanced those. You stated reasons on the record for your individual decisions on the parts of the map. I don't have any serious legal concerns with the map -- no matter what you do with Mission Bay

- ! Chairman Pesqueira: There are speakers that have said we have been inconsistent — this is true. We have to be inconsistent, because we are taking each part of the map as a separate issue. What decision we make on one part of the map, does not mandate us to use the same logic on another part of the map. I think inconsistency is not a valid argument.
- ! Commissioner Magaña: I want to first thank the audience for hanging in there with us — it is late. I want to get this done. There have been some suggestions

on how we can compromise. There has been a lot of testimony here — we don't want to take away the ballpark, we don't want to take away this interest or that interest, so we need to work it through. I think with some suggestions that have come forward, and now that we don't have to sit in the box, and we can cut those census blocks in half — let's do it.

! Commissioner Johnson: Mr. Chairman, at the very beginning of this process, I stated for the record, after I had gone through a mile high stack of literature that staff had mailed to me — I clearly stated for the record that this whole process from my point of view was about dealing with people and numbers. I think you have repeated that time and time again. One person, one vote, is calling to the constitution. As for the numbers, my task, or our task has been to balance each District according to the latest census numbers. Also, to protect the protected classes, i.e., the African American community, the Latino community, and the community of other languages — we have done that. Mr. Chairman, as you well know, this Commission and staff under your leadership have worked extremely hard to get to the point where we are today. Our charge has been decided a long time ago of what we had to do. We were tasked with holding four meetings if my memory serves me right. Four meetings in the community. This Commission decided to hold eight. After we had gone out into the community eight times, we came back to these Chambers, and this Commission decided to go back to the Districts and communities again and hold eight more -- a total of 16 meetings. Keep in mind we were required to do four. The reason we went back to the community the second time — this Commission felt that there were some people out there in the Community from whom we hadn't heard. So, we changed the agenda, and we went into different areas of the Districts. We listened to those people. We came back and we made some decisions on the input that we had gotten from the communities. We have had people come in and bring us different maps from the community. We have tried to be an open body and listen to everyone. Mr. Chairman, I think the people of District 6 has spoken very clearly. I think they should be listened to as well as we have listened to others in the community. I support this map 100%. I think it is a good map. Our Council has stated several times that this map is a legal map. We have done nothing illegal. I personally have no political agenda. I want to retire and go cat fishing down in Texas as soon as I can get out of here. Thank you Mr. Chairman.

! Commissioner Camarillo: Again, I just want to clarify for the record — I just want to make the statement that touches on some — we keep hearing comments not only from a variety of sources including tonight a number of speakers in terms of the warnings in using race, making decisions that are political, taking the economics into account. In order to touch on this briefly in terms of what Redistricting is all about. I want to start with quoting from the last Supreme Court decision which is on April 18, 2001 — headlines in the Los Angeles Times

— “Justices Back Race Base Redistricting.” The San Diego Union — “Use of Race in Drawing District Upheld by the Court.” The Constitution requires that we consider and take into account the background of communities to identify whether the Voting Strength is being enhanced or diluted in drawing District lines. That’s a requirement, not something to avoid. It is something to be aware of and take into account. It cannot be the sole criteria or the only reason that we have to take that into account. So, I wanted to clarify to people that admonish us for looking at race, ethnicity as a factor. Then, the editorial in the newspaper says — be careful of being political. What do you think Redistricting is? If not political redrawing of political boundary lines. It’s all about political redistribution. It’s how to decide where the political boundaries are going to be for public officials to represent the people in a jurisdiction. Jurisdiction is political. Let me go back to the Supreme Court decision that they did not base on race, but based on political affiliation. The author of the majority statement was Supreme Court Justice Bryer, and his opinion. We don’t avoid politics — we understand it and the consequences of that. That is what Redistricting is all about. Economic considerations — should be avoided. Whether the social economic considerations of the disenfranchised, if it is not for economic circumstances, whether they are homeowners, whether they are renters, whether they are an employee, whether they are not employed, their educational attainment, all of those social factors that affect their voting participation — their voting understanding. All that relates to, are impacted by the economic considerations. We have to take those things into account.

- ! Commissioner Ulloa: Okay. I want to address some of the concerns that were brought up tonight. Also, concerns brought up at the last meeting. The first one is the issue of compactness. I’d like to think that most of us are in agreement that District 6 is the most, if not one of the most compact Districts that we have here currently. So, I’d like to vote that if there are any questions about how valid that statement is — that we would discuss that here again tonight. I think for the record, the testimony, plus just the fact of how this map looks, District 6 is extremely compact. I would hope the argument would no longer be used to reject this particular map. There are other arguments — that’s fine. We should discuss those. I think in terms of compactness — it is extremely compact, relevant to all the Districts and including the mathematical analysis made by the young man earlier in the testimony. Also, another issue is, does the community that is adjacent to the water — should they have a right to influence what happens in that Bay Front area? We agreed that should happen in District 8. I think most of us agree that should happen here too. I think we should recognize that the folks in District 6 have a legitimate interest in knowing what occurs in the Bay. What happens there impacts them, and maybe also Ocean Beach. It seems to me from the record that Ocean Beach is not happy with what is occurring with the Sea World impacts on their community, and the arguments that folks have made that

maybe two representatives would be better. In this case, having a Representative — whether it is Donna Frye or someone else in March of 2002 — the fact that they represent such a large residential area — make portions of them to have to represent the residential interest almost over any other interest. I think in District 2, that individual also has a large residential population. Nevertheless, they have an extreme pressure from the development that occurs throughout District 2 — they have to try to balance out with the residential interests — or it may overwhelm that individual, and cause them to ignore some of the residential interests. That seems to me what has occurred in the recent past. Again, it doesn't matter who is there, whoever the next Representative for District 2 is, they are going to fall under this political geography. There will be a lot of political development interests that will pressure that individual to go a certain way. I think by having two individuals represent the Bay, you have a better balance between the interest of developing in a certain way, and the interests of the residents in developing in another way. All this really does by including the Eastern Mission Bay in District 6 — it allows the residents of District 6 to get in on the ground floor. When the development is going to occur, the Planning Groups, the Town Councils, ordinary individuals can call up the Council Office and say “can we talk about this?” I think it is a really strong argument to have two Council Members represent the Bay which is a regional asset. The other major point here — the majority of the testimony — just from a glance at my notes — about 90 percent of the testimony tonight has said that they like the map as we have drawn it — East Mission Bay in District 6. When we were in City Heights, I had my personal views of what I thought the situation was, and I continued to look at rational for resisting the testimony that occurred in City Heights. In the final analysis, I had to put aside what I personally thought was the right thing to do and look what was in fact the testimony, and to look what was in fact in front of us. At this point I would hope that at least five of the Commissioners would take a look at what the testimony has been in front of us. I think it has been very strong testimony. Recognizing that should in fact be an overriding factor that influences our decision tonight. Community of interest — well we go back and forth whether or not there is population in Mission Bay. As you have seen here tonight, there are about a thousand folks that live in De Anza, they are a community, and they have said over and over in the testimony and the letters that they have strong connections with Clairemont in all respects. They want to go back to where they were before. In some instances we have a short memory when we think that De Anza was always in District 2. Well, prior to the last ten years it was in District 6. That is where they made that connection and they continue to try to keep that connection. All they are asking us is to recognize that connection. They do have a tie with Clairemont. These are communities of interest. They are asking us to reunite that relationship. They are the only community that actually lives in Mission Bay, and if we want to listen to groups that have standing — they have the true standing in saying where they should belong. They said clearly they want

to be in District 6. I hope we respect their wishes on that point. I think going back to the argument “does District 2 have the ability to respond to the residents in Ocean Beach in terms of Sea World?” It seems to me that naturally the development interest will always have stronger influence over the District 2 person — whoever it is, where, in District 6, that individual will always in my opinion have to listen more to the residents than anybody else. So, if OB is concerned about the noise, firecrackers, other impacts — I think the Representative of District 6 — whoever it is — will be able to do a better job of representing that interest, rather than a Representative from District 2. Looking overall, there is a very strong case that we need to put East Mission Bay in District 6 as the map shows here today. If there is some area of minor compromise, I’m willing to look at that. I think the public has spoken out strongly on where they stand on this issue.

- ! Chairman Pesqueira: I want to remind the Commission, that when something is going to happen in an area — let’s say it’s the new Hotel that is going into De Anza. You can bet your bottom dollar that the entity that is responsible for land use, which is the City Council, is going to hear from every single Community Planning Group that is around there — whether they be in District 6, or in District 2. So, I think that you can be assured that the Council who has the final decision making, not one individual Council person is going to hear. Then the Council will make that decision on land use. Let’s be careful that we don’t try to make decisions on land use when it comes to that.
- ! Commissioner Magaña: There have been other Planning groups that have come forward. From the notes that I have, we do have the Mission Bay Park Commission, the Mission Bay Planning Commission, we have the PB Town Council — they all said to keep Mission Bay whole, and to keep it in District 2.
- ! Commissioner ODell: I wanted to clarify my statement that seems to have been taken personally by the Commissioner. I worded it very carefully to include just me. Because that is the way I felt — that I felt that is the way that I was acting — the way that I was breaking the instructions of the Constitution. I wanted to show how strongly I felt that we had problem, and that my problem was trying to decide how to compromise.
- ! Analyst Joe Perry enlarged Mission Bay area to discuss a compromise.
- ! Commissioner Ulloa: What I wanted to take a look at is — Commissioner Magaña mentioned she had a concern — actually two. One was the folks there in Crown Point, and the other seems to be the athletic fields. If she has to recommend addressing those two issues, I’d like to look at that first.

- ! Commissioner Magaña: I want to research my notes first. I am concerned about the people on Crown Point. We inadvertently choked some apartments that we didn't mean to. We can correct that.

- ! Commissioner Ulloa: In terms of this map, I would be willing to look at the issue of Crown Point in terms of those issues. I do not recall hearing any testimonies from Crown Point saying there were some problems there. In terms of the ballpark on top, again I agree with one of the speakers that said that is a regional park. It seems to be more politics of why things don't work with the two Districts. So that goes back to what we said with Father Joe and District 8. Those are issues those offices need to work out in some way. If those two areas can be accommodated such that would allow us to approve the final map, I would be willing to move in that direction.

I think that District 6 residents need to have influence over what happens in most of East Mission Bay that has impacts on their neighborhoods. For that reason I would include the whole East Mission Bay except for those two specific areas that Marichu had a concern about. The folks in Ocean Beach — I think if I look back — half said, put it in District 6 — half said keep it in District 2. I would concentrate for myself on those areas that we had the specific concerns about the ballparks up in the north — then Marichu's concern about the folks in Crown Point.

- ! Chairman Pesqueira: I agree with Marichu in that area, because to clip the line on the street that separates the bluff of Crown Point from the Bay — in effect — people's front porch that looks out onto the Bay really have nothing to say about the Bay that immediately touches them. That's one reason I would really like to see the line moved back and further to the East — even if the line came along the eastern side of Fiesta Island — all of that water mass would then be put into District 6. I understand the people who live in that area — yes, the people who live in that area are negatively impacted by the cigarette boats that run up and down the area that is to the west of the Bay. I live in Mission Valley which is some distance away, but I can still hear the noise. I would like to at least give some consideration to those families so that when something happens in the Bay — immediately to their east -- they can pick up the phone and call their representative and say "do something about this." Rather than to say to another Council person — "look, I don't live in your District."

- ! Commissioner Camarillo: Regarding the ballfields. I think that the ballfield issue is a strong man argument. I have four daughters, one of them is 12, and plays soccer in District 3. They practice at Morley Field. Teammates come from District 8, District 4, and District 3, and practice in North Park. They play teams in Serra Mesa and others throughout the City. The ballparks are supported by

Parks and Rec. Morley field is a Regional Park, very similar to this issue as well as issues raised regarding maintenance and upkeep. Those issues — that political representation despite what District the ballfields are in — it doesn't change anything about the ballfields or operations. That is political leadership.

- ! Commissioner Johnson: I concur Mr. Chairman. I made several inquiries to different speakers, particularly those concerned with the athletic programs in that area. The Parks and Rec Department is supported by the Park and Rec General Fund. Those are regional fields out there. I'd like to see those go with District 6.
- ! Commissioner Magaña: I agree. It is a Park and Rec issue. When you compare it to District 2 — we can only go by what we hear, I don't know about all the ballfields or all the Rec centers around the town, I just know what people tell me. So, if this one gentleman from the Little League is saying well, he only has to compete against himself to get money to improve his ballpark versus having to compete against six other ballparks for the same amount of monies -- I would think they would want to stay in the District that is going to have less competition. That's why it makes sense to leave the ballpark within the area that is going to do the most fund raising.
- ! Chairmen Pesqueira: The point is that the neighborhood that is immediately surrounding the ballparks and the golf course, but the ballparks specifically they're the ones that have the emotional attachment to the ballparks themselves. I think I heard because of that emotional attachment there is a greater desire by the residents to want to keep the park in tip top shape, and be able to go to their respective Councilman and get the funding that is necessary to do that.
- ! Analyst Joey Perry was asked to show the ballpark areas on the map. Discussion was held regarding that.
- ! Commissioner Ulloa: If at least five Commissioners agree that if we split a census block, and give this little section to District 6, taking into consideration the concerns of the testimony, and including the Crown Point issues; would that allow at least five Commissioners to support the final map so that we can move forward?
- ! Chairman Pesqueira: Commissioners, what is your feeling about drawing the line north of De Anza Park, all the way across the slew, and that everything north of that line would be in District 2?
- ! Commissioner Ulloa: I'm okay with that if it leads to an agreement of five Commissioners.

- ! Commissioner Magaña: Restating my position, I think Mission Bay should stay intact as a whole. Because our job is to draw the lines, and to get this map passed. Because of the — I don't know what the divider is between how many people came, and how many did this or that. My thing has always been — if there is somebody not wanting the change, then okay, we keep it the same. But, I am willing to compromise and I think by putting — for the De Anza Cove area — because we did hear so much testimony — yes, lets put the line there and put De Anza Cove in District 6.

- ! Chairmen Pesqueira: The line would follow the Street that goes into De Anza Park. Right now it comes in from District 2 — follow the line there, and then it continues on across so it connects right there with that part of District 6.

- ! Analyst Joey Perry brought the map out in order to see all of Mission Bay. Further discussion was held regarding that area, including Crown Point — and Vacation Island.

- ! Chairman Pesqueira: Start at the bridge, follow the shoreline of that part — move directly over to the western side of the Island, then go up on the western side of the FAA island -- now go up to the slew. Commissioners, I think that is an acceptable compromise, and it would give the Crown Point population at least some say so of 50% of the water. There is nobody on Fiesta Island, so it really doesn't make any difference. Going up to the slew allows De Anza to stay in District 6. It lets the ballpark go into District 2. It lets District 6 have whatever control that they want over the water fall out from the various outlets, and gives them the authority to take care of that. It also puts into that area Sea World.

- ! Commissioner Camarillo: Mr. Chairman I will make a motion for that.

- ! Commissioner Ulloa: I will second that.

- ! Commissioner Johnson: I will support that move.

- ! Chairman Pesqueira: Let's discuss for a moment whether or not Sea World — that entire area there from Sea World — from Ingrahm Street where it goes down to the water there. From that area all the way over to 5, whether or not that should be included in District 6 — the idea that Juan is talking about. Or whether that should be put into District 2.

- ! Commissioner Ulloa: I think the testimony is clear in that District 6 wants to have some influence over the impact that development occurs in the whole East Mission Bay. That influence needs to start at ground zero, and I would hope that at least five Commissioners would agree with that, and we could move on.

! Commissioner Saito: I agree with Juan. The issue here --- and the editorial and others have personalized this — it has nothing to do with the current Council Member. It is looking at this as community of interest, and the kinds of interests each Council Member would respond to. I think District 2 and District 6 are very different Districts, so I would support keeping the southern part the way it is so those interests would respond to that Council District at it is suggested here.

! Commissioner ODell: I could not vote for this with Sea World there.

! Commissioner Magaña: If you look to the west of where Sea World is — I know there are not any people that live there. In terms of geography — getting back and forth — my vote would be for that entire area to be in one Council District, and that would be District 2.

! Commissioner Johnson: I would support the compromise that has already been made. I feel strongly that this is a community of interest we are talking about here.

! Chairman Pesqueira: The motion and second is that the line would come down from the slew, and would go to the western side of the two larger of the three islands, swing across and pick up the northern part of the eastern side of Vacation Village to Ingrahm bridge.

Motion by Camarillo to approve the map with the compromise. Second by Ulloa. Yeas-Chairman Pesqueira, Saito, Ulloa, Camarillo, Johnson. Nays-ODell, Magaña.

! Chairman Pesqueira: I'd like to finish this tonight, and then to vote on the entire map. I will ask each one of you a question, and then we will vote and see if we can say that's it and send out for the thirty day review. I will ask one question, and that question is this. Is Sea World to stay in the District 6 area as is drawn by Juan? Yes or no.

! Commissioner Ulloa: Yes, it is.

! Commissioner Saito: Yes.

! Commissioner ODell: No. I'd like to have some rationale on this. I want to understand what benefit that will give them.

! Chairman Pesqueira: You would want to take Sea World out of District 6?

- ! Commissioner ODell: Yes, because I really don't understand it.
- ! Commissioner Magaña: No. I do not vote for Sea World being in District 6 because I feel that the people most impacted by the noise, etc., is the surrounding area.
- ! Commissioner Johnson: I support the entire map with the compromise. I feel the people in District 6 have spoken very clearly, and I support them 100%.
- ! Commissioner Camarillo: I support the entire City-wide map with the compromise.
- ! Chairman Pesqueira: What I am going to ask here is a motion on the entire map as it now reflects the compromise in Mission Bay. I see no real value in District 6 having Sea World village and area for the reasons I stated a minute ago. The vote is not a District vote, it's a Council vote. The Council has spoken already that they are going to let Sea World build itself out. I feel what is more important here is that this map be moved on. I think this fulfills our obligation to get this map out to the thirty day review by the public. The public must look at it so they have the opportunity to either bring a lawsuit or a referendum. I would still like us to have this map finalized in time for the County Office of Registrar to be able to get the paper work, so that people who want to run for office in 2, 4, 6 and 8 will know exactly what their boundaries are. Therefore, I am going to vote with the majority on the map, so the map will move. I'm going to ask all the Commissioners to consider the things I have just said so that the City, the population, can now say what they want to say about the map. If the City chooses not to create a suit or referendum, then more power to them. If they choose to create a referendum which would bring us back again for those ten days, then that referendum may cause some of us to change our minds. If there is a lawsuit, well, the lawsuit, we have nothing to say about that — that goes to the Court, and then it's up to the Court to make the decision as to whether or not we have committed a very gross area in judgement here — that there is extreme un-repairable damage if the map goes out the way it is. With that in mind, I will vote for the map which means that the area of Mission Bay would be drawn as per the compromise that Juan has recommended.

MOTION BY COMMISSIONER ULLOA TO ACCEPT THE MAP WITH THE TWO COMPROMISES AS THE FINAL MAP. Second by Commissioner Johnson. Passed by the following vote: Chairman Pesqueira-yea, Saito-yea, Ulloa-yea, Camarillo-yea, Johnson-yea, ODell-nay, Magaña-abstain.

Chairman Pesqueira: If there are any of you here today, because many of you have been with us every step of the way, I speak for the Commission as a whole, that if any of you that would like to submit, or be here to offer suggestions — you'd be more than welcome to come and offer your suggestions of things we need to put in our recommendations to the City Manager, and the City Council for ten years from now, or if there is a Charter change that Charter change would obviously require a new Redistricting whether it is this Commission, or a brand new Commission.

Once again I'd like to thank everybody who has come to our Redistricting meetings, who came into these chambers, who have written in, who have made phone calls — we have piles and piles of paper work. I want to thank them. What this Commission has done for this City has shown that in some respects the Town Hall concept is alive and well. I'd like to congratulate the citizens of this City for taking such an active part in the drawing of this map, and participating in a very democratic forum.

Commissioner Ulloa: I'd like to adjourn the meeting in the memory of Joey's Mom, and Staa's Aunt who passed away recently. It was an incredible effort on their part to be able to continue to assist us in light of those circumstances.

REDISTRICTING COMMISSION ACTION

(Tape location: E182-H220.)

Item 5: ADJOURNMENT:

The meeting was adjourned by Chairman Ralph Pesqueira at 10:40 p.m.

REDISTRICTING COMMISSION ACTION:

(Tape location: H225.)

Ralph Pesqueira, Chairman
2000 Redistricting Commission

Peggy Rogers
Legislative Recorder II