

**MINUTES
FOR THE 2010 REDISTRICTING COMMISSION
OF THE CITY OF SAN DIEGO**

THURSDAY, JULY 21, 2011

**SAN DIEGO CONCOURSE – SILVER ROOM
202 C STREET, SAN DIEGO CA 92101**

CHRONOLOGY OF THE MEETING:

The meeting was called to order by Chair Dalal at 4:05 p.m. 35 persons were observed to be in attendance. The meeting was adjourned by Chair Dalal at 6:01 p.m. to the next scheduled Public Hearing on Tuesday, July 26th, 2011 at the Logan Heights Branch Library.

ATTENDANCE DURING THE MEETING:

(C) Chair Anisha Dalal
(VC) Vice Chair Carlos Marquez
(M) Ani Mdivani-Morrow
(M) Frederick Kosmo
(M) Arthur Nishioka
(M) David Potter
(M) Theresa Quiroz

ROLL CALL:

Chair Anisha Dalal called the roll:

(C) Chair Anisha Dalal – present
(M) Ani Mdivani-Morrow – present
(M) Theresa Quiroz – present
(M) Frederick Kosmo – present
(M) Arthur Nishioka – present
(VC) Vice Chair Carlos Marquez – present
(M) David Potter – present

NON-AGENDA PUBLIC 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 Midori Wong, Redistricting Commission Chief of Staff, before the item is called. 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.

Comment 1: Michael Sprague stated that he received notification of today's meeting two hours prior. He received the back-up materials for this meeting today. He received the agenda for July 19, along with this meeting's agenda via mail today. He stated that he's chaired Brown Act committees before and the Commission is not meeting Brown Act requirements.

COMMISSION COMMENT:

Chair Dalal reflected on the Commission's processes and progress to date. She provided data on the number of speakers heard and correspondence received. She noted the Commission's continued commitment to drawing a fair map, representative of the public. She mentioned the upcoming public hearings and how to obtain dates and location information. She thanked the public for their involvement.

Commissioner Nishioka gave background on current Districts 1 and 5, as well as the Asian communities influence in those areas. He stated that he regrets not being able to satisfy all requests but his decisions were governed by laws and regulations.

CITY ATTORNEY AND CITY STAFF ASSIGNED TO REDISTRICTING COMMISSION COMMENT:

None.

ACTION ITEMS

ITEM 1: DEVELOPMENT AND ADOPTION OF PRELIMINARY REDISTRICTING PLAN

Mr. Johnson reiterated that the split Census block that includes USD cannot be shown on the online Esri system, which only shows whole blocks. The maps in the agenda packets reflect the changes and the demographic spreadsheets comment on how they handled the population numbers. Census Bureau group quarters data to determine how many people are in the dorms that were moved into District 2. It's only total population, however, with no ethnic data. The total population does reflect the shift, but the ethnic data does not. The total moved is 249 people, and therefore will not significantly affect ethnic percentages. He reiterated that the changes are reflected in the maps, data and Filing Statement.

Mr. Levitt showed the split Census block on the screen. He also detailed the minor edits done, including making sure the district lines that follow freeways are smooth; it did not affect population. He also noted that Little Italy has been moved back to District 3.

Chair Dalal introduced Ms. Spivak to present the Filing Statement.

Ms. Spivak stated the Redistricting Plan is not only a map, but also includes the Filing Statement. It was completed this afternoon and made available to public at this meeting. She explained the significance of the Filing Statement and the processes in creating, finalizing, and filing it. She walked through each section of the Filing Statement. She stated that the plan has a total population

deviation of 3.24%. The largest district has a population of 147,375 which is 1.19% over the goal. The smallest district has 142,711 which is 1.33% less than the goal. She stated the ethnic and CVAP numbers are included with the Filing Statement in an attachment prepared by NDC. She further outlined what information is included in the Statement, including data and findings.

Ms. Spivak stated that she can take and incorporate any edits and revisions the Commission finds today; however, if the Commission approves the plan today, staff is prepared to file the statement tomorrow, so they are looking for corrections only.

She noted some errors she'd identified, including:

- On page 5, under Continuity, the street *Balboa* needs to be *Balboa Avenue*
- On pages 11 and 12, under 5th and 7th bullet points under Findings and Reasons for Adoption, there are four instances of *Scripps Ranch* that should be *Miramar Ranch North*.
- The word *unit* needs to change to *unite*.
- Under District 9, the community of Bay Ridge needs to be added to the neighborhood list on page 17.

She asked that any other changes or corrections be submitted to her after public comment.

Comment 1: Rick Bussell, a 20-year resident of Linda Vista, spoke in opposition of splitting Linda Vista into three districts as drawn in the preliminary map. He referenced the progress by Linda Vista to rid itself of gangs and crime and to become an involved community. He asked the Commission to reunite Linda Vista.

Comment 2: Jorge Riquelme with the Bayside Community Center spoke against the division of Linda Vista amongst three districts. He stated that they are a community of interest and quoted Ms. Spivak and the City Charter's definition of a community of interest and the requirement to preserve them. He stated that splitting Linda Vista into three districts makes them politically irrelevant and disenfranchises them. He stated that no population deviation can justify splitting up a true community.

Comment 3: Dr. Allen Chan stated that in Chair Dalal's earlier comments, she mentioned correspondence and speakers, but didn't mention the petitions with over 2,000 signatures submitted by APAC. He read a statement from APAC addressed to the Commission. APAC is disappointed with the district lines as drawn. They ask that Mira Mesa, Rancho Peñasquitos, and North University City be united in a district. He asked that the water tower area be placed with Mira Mesa and Miramar on the west side of 805, instead of District 1.

Comment 4: Aurora Cudal stated that she is disappointed with the district lines as drawn. She feels the Commission did not hear the API community after all their efforts. She asked that the Commission recognize that the Asian American community exists in San Diego and they need representation.

Comment 5: Jay Wilson with the Del Cerro Action Council stated that he supports the Preliminary Plan as it relates to keeping the Navajo communities together. He also stated that a straw poll of the Board of Directors of Mission Trails Regional Park Foundation found them to also be in support. The Navajo Community Planners Board is also in support of the District 7 drawn by the Commission. He thanked the Commission.

Comment 6: Laura Riebau with the Eastern Area Planning Committee stated that the Committee submitted a map to keep their neighborhoods together. Oak Park and Webster stated they wanted to remain in District 4 as they are now, but the other communities want to remain together in District 7, including the College Grove shopping center. She says the Commission has disregarded their communities. She stated that UCSD and USD were treated as communities of interest, but SDSU and its surrounding communities were not.

Comment 7: Judy McCarty thanked the Commission for keeping the Navajo communities together. She feels the Commission has listened and incorporated public input.

Comment 8: April Boring believes that volunteers in San Diego are not given enough credit and are criticized too much. She is a member of the Navajo community and feels the map is reasonable. She is a lifelong resident of the Navajo area and testifies that it is all one community brought together by Mission Trails Regional Park. She thanked the Commission for recognizing the wholeness of their community.

Comment 8: John Pilch, president of the San Carlos Area Council, thanked the Commission for their work and for keeping the Navajo areas together. He's reviewed the findings in the Filing Statement and it seems to be in line with their testimony. He asked the Commission that they adopt District 7 as shown. He clarified that Lake Murray is a lake, not a community. He stated that area is San Carlos East.

Comment 9: Jolaine Harris stated that her community is not underprivileged as a previous speaker stated. She said her community chose to stay with District 4 because they do good things there. She stated that she was on the planning group ten years prior to the other speaker and was involved in bringing about the creation of the Kroc Center. She stated they have a 25% Asian population that is affluent. She thanked the Commission for keeping her community in District 4 and asks that the College Grove shopping center be included in District 4.

Comment 10: Joost Bende with the Rancho Peñasquitos Planning Board stated that they are mostly happy with the map, except that the area south of 56 needs to be reunited with Rancho Peñasquitos. He stated that the Peñasquitos Preserve is a natural boundary dividing Rancho Peñasquitos and Mira Mesa, making the district not contiguous. He stated that the Pomerado Health District and PUSD has been split. He asked that Rancho Peñasquitos be united and Linda Vista be added to District 6 to make up for population, that Scripps Ranch be split along Pomerado Road and Rancho Encantada be put into District 7. He stated that District 7 does not meet the definition of compact.

Comment 11: Larry Baza asked the Commission to put Shelltown in the new District 9. He cited contiguity and connections to Southcrest, which is currently in District 9.

Comment 12: Carolina Ramos asked the Commission to keep Shelltown with Southcrest in the same district. She stated that as a child she didn't know the two were separate. She talked about the shared schools and parks.

Comment 13: Charles Latimer, an Allied Gardens resident, stated that he doesn't believe Allied Gardens is part of the Navajo Planning Group. He stated that they are close but they gave them the Grantville redevelopment area through their Business Association, which he is against. He stated that many people in Allied Gardens are unhappy with what Navajo Planning Group has been doing. He stated that Matt Adams who has spoken before the Commission as a member of the Navajo Planning Group is also a lobbyist for Building Industry Association and a vice-chair for the Republican Party. He also stated that Judy McCarty is a former Republican City Council member. Jay Wilson with the Mission Trails Regional Park was a political aide for Judy McCarty and Republican Jim Madaffer. He said these groups are trying to control their neighborhoods, but Allied Gardens does not want to be with Tierrasanta or the northern part of Navajo. They'd like to be with the College area and Grantville.

Comment 14: Michael Sprague stated that the Commission has created a new Latino district in District 4, but that District 9 is not a Latino district because the Latino CVAP is 26%. He stated the LGBT neighborhoods in District 9 would like to stay in District 3. He mentioned their voting behaviors and contiguity as reasons to keep them with District 3.

Comment 15: Cindy Chan, a Rancho Peñasquitos resident, advocated for the APAC plan and asked that the Commission recognize the API community as a community of interest. She referenced the Asian population numbers, the signed petition submitted, and the large amount of public testimony and emails. She stated that the three communities with the largest Asian populations are contiguous: Rancho Peñasquitos, Mira Mesa, and University City.

Comment 16: Waskah Whelan, a Point Loma resident, thanked the Commission for listening to their concerns and keeping Point Loma with the airport. She stated that community interests have to do with problem solving; she stated that grouping residents with shared concerns is a good principle.

Comment 17: David Moty, chair of Kensington-Talmadge Planning Group, asked the Commission to list under their findings in the Filing Statement specifically why Redwood Village and Rolando Park are in District 4, especially since there was public testimony in opposition.

Comment 18: Dr. Pat Washington spoke on behalf of the API community, because she feels they need an empowerment district and she defers to them where that district should be. She is distressed that they do not feel the final map reflects the hours and hours of work they have invested. She asked that the Commission ensure that this community is represented in the map.

Comment 19: John Keating with Rancho Peñasquitos Planning Group asked that the entire planning group be kept together. He referenced the last bullet of the ten redistricting principles, which is recognizing well-organized planning groups.

Comment 20: Leon Wu, a Rancho Peñasquitos resident, spoke as a petitioner for the APAC community. He asked the Commission to discuss the merit of uniting the three most Asian populated areas of the city: Mira Mesa, Rancho Peñasquitos, and University City. He asked that the district be numbered 9. He stated that he doesn't hear their testimony or their petition discussed.

Comment 21: Janet Kaye spoke on behalf of Tom Cleary with the USD Planning Group who was en route, and on behalf of her husband Tom Kaye with the Linda Vista Town Council. She asked that USD be kept in Linda Vista, that the border be drawn at Genesee and that the Chesterton Navy housing north of Genesee be ceded to the MCAS Miramar district, where it belongs.

Comment 22: Dennis McNaney thanked the Commission for their hard work and praised them for coming close to the 144,000 population per district goal. He stated that the high percentage of minorities in certain districts can yield the desired results if the people become mobilized. He stated that the map is fair and achieves the one person, one vote concept.

Comment 23: Anne Schoeller, a Rolando Village resident, is not in favor of being moved into City Heights. She is also upset that Rolando Park and Redwood Village are in District 4. She cited the public testimony. She stated that she hasn't heard a serious conversation about moving them into another district together.

Comment 24: Remigia Bermudez stated that her main concern during this process was to see a district created south of the 8 and the 94. However, the Latino Redistricting Commission's proposal has been tweaked so much that it now dilutes communities of interest. She stated that Kensington, Talmadge, El Cerrito, and those communities to the east are not aligned with the communities of interest in the heart of the district. She asks that if Shelltown and Southcrest are added into District 9, that a portion of Golden Hill be returned to District 8. She alternatively suggested bringing back the portion of Mountain View that was put back into District 4 and adding to it. She stated the map does not represent what the people have worked for.

Comment 25: Eric Germain with the Tierrasanta Foundation thanked the Commission for keeping Tierrasanta whole. He apologized to Commissioner Marquez for remarks at a previous meeting and commended Commissioner Potter and the Commission for doing good work.

Comment 26: Bari Vaz thanked the Commission for keeping Mira Mesa whole.

Chair Dalal called for Commissioner comment and discussion.

Commissioner Morrow stated she was not in favor the proposed preliminary plan for many reasons, including the inclusion of Redwood Village and Rolando Park in District 4, the failure of the Commission to recognize the Asian community, and the division of Linda Vista.

Commissioner Quiroz stated that the neighborhood lines for Linda Vista will remain the same; it's their representation that will change. She thanked Ms. Spivak and NDC for their quick work. She stated that the neighborhood list on the Filing Statement is outdated.

Ms. Spivak asked for corrections. Mr. Levitt stated that the updated list was provided with the maps today.

Commissioner Quiroz also asked that Lake Murray be changed to Lake Murray/East San Carlos according to public testimony from its residents. She also stated that the API community is a community of interest, but she considers University City a very important part of the city and would not consider splitting that. She asked the Commission to revisit the northern part of the city and consider what the API community is asking.

Commissioner Marquez thanked the public for attending the meeting. He stated that the Commissioners as individuals all had to make concessions because they are committed to serving San Diego as a whole. He is disheartened by comments that state the Commission is disenfranchising groups which they believed they were enfranchising. He is sensitive to the API community's concerns and that is why he advocated splitting Rancho Peñasquitos and including a portion of it with Mira Mesa, as well as including a portion of Linda Vista. He stated that the CVAP in District 6 is around 25%, similar to the African American and Latino empowerment districts. The LGBT empowerment district does not reach 25%. He would like to look at District 9 again, because there is new testimony about the inclusion of Shelltown. He also sees the merit and connectivity in including Golden Hill with District 8. He is ready to approve the preliminary map today and to make these changes before final adoption.

Commissioner Nishioka thanked Commissioner Marquez and stated that he aligns with much of what he said. He stated that he is ready to approve the preliminary map as proposed, but is aware of its flaws. He mentioned the four universities in San Diego and stated that he considers them all communities of interest. He recognized that SDSU is a vital part of the community. He advocates for the unification of SDSU and its surrounding neighborhoods. He also thanked Ms. Spivak for her excellent work on the Filing Statement.

Commissioner Kosmo stated that he agreed with a lot of what Commissioners Marquez and Nishioka. He stated that he knows the map is not perfect, but feels it was drafted fairly and in good faith. He knows the Commission took into consideration the API community, as well as all communities of interest. He understands there is an outstanding issue regarding SDSU and he is willing to look at that during the next step of the process and make any necessary changes before final adoption.

Commissioner Potter addressed Ms. Kaye's questions during public comment by explaining the timeline towards final adoption. He addressed APAC, stating that he understands their position but the map they proposed was problematic; it showed a 13% deviation. He stated that District 4 has an 18% African American population and they have consistently elected African American representatives. He stated that Tom Hom, an Asian councilmember in the 60s, was elected from a citywide vote, once with 86% of the vote.

He suggested some corrections to the Filing Statement, including on page 4, under Reasons for Adoption, the fifth bullet says “zero population.” He believes there to be two people living in that block.

Mr. Levitt stated that there are two people living in that Census block.

He stated that on page 3, the fourth bullet under Reasons for Adoption, it should say “Torrey Pines community.” He also asked that on page 17, that the line connecting the southern and northern parts of District 8 be referred to as a corridor.

Commissioner Nishioka asked Ms. Wong where the draft filing statement could be found online.

Ms. Wong stated that it is posted in the July 21st agenda packet. The complete preliminary plan, including filing statement, will be posted on the home page, once changes are made.

Commissioner Quiroz stated that she thinks the Commission did an excellent job adhering to the redistricting principles, laws, and requirements while incorporating public testimony with Districts 1, 2, 3, 4, 8, and 9. However, she cannot in good conscience vote to adopt this plan because she feels the API community’s vote was diluted in favor of uniting Rancho Peñasquitos with other communities in the same school district, which she feels is irrelevant to redistricting.

Chair Dalal thanked Ms. Spivak and NDC for creating the Filing Statement and supporting the Commission. She also thanked Ms. Wong for her excellent work and support in various areas. She stated that all emails, correspondence, as well as the petitions submitted by APAC, were provided to the Commission and the Commissioners have reviewed it and all the maps on Esri. She stated that the Commissioners have all received training on the legal requirements regarding redistricting, including the Voting Rights Act. She feels the preliminary plan is a good draft but it can still be changed after the post-map public hearings. She also acknowledged and thanked the API community for their involvement since the beginning of the process. She noted that on page 16 of the Filing Statement, the Commission does acknowledge the API community as a community of interest.

Ms. Spivak thanked outside counsel, Marguerite Leoni, for her work on the Filing Statement, as well as the Commissioners for their input. She added that the Commission is under a very strict deadline from the Registrar of Voters. She stated that at this time, a final vote may be made on or around August 25th. The final hard deadline from the Registrar to provide the redistricting plan is September 15th.

Motion by Commissioner Potter: To approve the Preliminary Redistricting Plan, including the Filing Statement as modified. Seconded by Commissioner Kosmo.

Commissioner Marquez ensured the public that this is not a final map; this vote is to move the process forward, but changes can still be made to the final redistricting plan. He encouraged the public with outstanding issues with the map to continue providing input and attend the upcoming public hearings.

Commissioner Nishioka asked the Chair to provide details to the public regarding the post-map hearings.

Chair Dalal referred the public to the flyers at the back at the room and the website for dates, times, and locations. She went over what to expect at each meeting and encouraged the public to attend.

Motion to approve the Preliminary Redistricting Plan, including the Filing Statement as modified this day, passed 5–2. Commissioners Dalal, Kosmo, Nishioka, Marquez, and Potter are in favor. Commissioners Morrow and Quiroz are opposed.

ITEM 2: APPROVAL OF MINUTES FORM THE JULY 9TH REDISTRICTING COMMISSION MEETING

Comment 1: Michael Sprague stated that he'd like specific questions made during public comment to be answered in the minutes.

Commissioner Potter noted that in the fifth paragraph on page 16 of the minutes, the first instance of Commissioner Potter should be Commissioner Kosmo.

Commissioner Morrow asked that in the last paragraph on page 2 of the minutes, the words "she felt" be removed.

Motion by Commissioner Nishioka: To approve the Minutes for July 9, 2011, as amended. Second by Commissioner Quiroz. Motion passed unanimously 7-0.

STAFF REPORTS

ITEM 3: MIDORI WONG, CHIEF OF STAFF

Ms. Wong thanked her staff and the City staff that helps run the meetings, including CityTV, Communications Department, IT department, City Clerk's office, Purchasing and Contracting, Parks and Recreation, Libraries, Business Office and Financial Management, as well as the outreach team, Humanibility.

She stated that for the five post-map hearings, with the Commission's approval, she can bring on additional temporary help to transcribe the public comments so that the minutes can be made available before the next set of meetings starting August 9th. The Commission approved Ms. Wong's request for additional temporary help.

Commissioner Nishioka stated that he would not be attending the public hearings but will view the taped meetings prior to deliberations.

Commissioner Marquez stated that he will not attend the July 26th hearing but will view the taped meeting.

Commissioner Morrow will not attend the July 30th hearing but will view the taped meeting.

Chair Dalal also thanked all the support staff and Ms. Leoni.

Commissioner Nishioka stated that he hasn't viewed a budget review in some time.

Ms. Wong stated that the Commissioners received a fiscal year end projection report at the June 25 meeting, and the actual expenditure report will be provided as soon as it is available. The regular budget report will be provided after the end of the month.

ADJOURNMENT:

Chairperson Dalal adjourned the meeting at 6:02 p.m.

Julie Corrales, Executive Secretary
2010 Redistricting Commission

**Written Comments Received
July 19, 2011 Redistricting Commission Meeting**

Comment 1: Paul Webster, San Diego Regional Chamber of Commerce

The San Diego Regional Chamber of Commerce supports the proposed preliminary plan. It is a fair and equitable division of San Diego into council districts. It also keeps business and commerce regions intact within each council district. This is important as it does not split business areas but allows each business area to be represented by their respective councilmember's. Because the city addresses so many matters that affect business and commerce, the Chamber feels that business areas must be kept whole and not split by district boundaries. The SDRCC feels that the proposed plan accomplishes this as well as creating fair, equitable and well divide council districts. The SDRCC supports the proposed plan.

Comment 2: Phillip

I want to express gratitude to all commissioners for the openness and inclusive way you allow all community members to participate. I hope that when the final map is drawn you will come back to various communities and present to as many San Diego city residents as possible. With regards to District 4, the Malcolm X Library is not large enough. I strongly recommend that Lincoln High on Imperial Avenue is the venue that is used for the 4th District. Thank you.