

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

**TUESDAY, AUGUST 9, 2011**

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

**CHRONOLOGY OF THE MEETING:**

The meeting was called to order by Chair Dalal at 4:08 p.m. 30 persons were observed to be in attendance. The meeting was adjourned by Chair Dalal at 7:56 p.m.

**ATTENDANCE DURING THE MEETING:**

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

**ROLL CALL:**

Commissioner Quiroz called the roll:

(C) Chair Anisha Dalal – present  
(M) Ani Mdivani-Morrow – present  
(M) Frederick Kosmo – present  
(M) Theresa Quiroz – present  
(VC) Vice Chair Carlos Marquez –present  
(M) David Potter – present  
(M) Arthur Nishioka – not 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: Joost Bende, Rancho Peñasquitos Town Council, stated that communities are not made up by race, but by recreation centers, farmers markets, town councils, planning groups, sports leagues,

school districts, neighborhoods and neighbors. He asked all racial and ethnic groups to build relationships with other groups within their communities.

Comment 2: Michael Sprague stated that although the Commission has made outreach efforts, he and many others have not been receiving vital information on a timely basis. He thinks fewer meetings with more time to distribute information would have been more beneficial.

**CITY ATTORNEY AND STAFF ASSIGNED TO REDISTRICTING COMMISSION COMMENT**

None.

**INFORMATION ITEMS**

**ITEM 1 – REDISTRICTING LAW BRIEFING BY DEPUTY CITY ATTORNEY SHARON SPIVAK**

Ms. Spivak acknowledged that many people have just shown up at Commission meetings for the first time and may not have had the benefit of hearing the legal presentations from the City Attorney's Office. She gave a brief "refresher" on key redistricting principles and law. Ms. Spivak said the Commission has heard public testimony at about three dozen hearings, testimony on the preliminary plan in the last five, and only has a few hearings left before it is scheduled to vote on a final plan. Before starting to discuss potential changes to the preliminary map, she asked the Commission to focus on the legal parameters of what it is to do.

Ms. Spivak said the redistricting plan must comply with the United States Constitution and principle of One Man/One Vote, and make a very good effort to equalize the population of the nine districts. She said the Preliminary Plan does that. She said the Commission must comply with City Charter sections 5 and 5.1, and the Federal Voting Rights Act of 1965. She reminded the Commission the districts are to be geographically compact – not sprawling out of control; be composed of contiguous territory; preserve, to the extent possible, identifiable communities of interest, which has been the subject of most of the public testimony; have reasonable access between population centers; and be bounded by natural boundaries, street lines, and or City boundary lines. She said U.S. Census data and public testimony are to be used. She said the Commission has done a good job not drawing lines for the purpose of advantaging or protecting an incumbent (as the Charter directs).

Regarding the Voting Rights Act of 1965, she encouraged Commissioners to review the tape of Marguerite Leoni's July 9, 2011 presentation. She said that for a group to be entitled to Section 2 protection under the VRA, a minority group must be able to show that it can form a majority of the eligible voters in a reasonably compact single-member district. She reminded the Commission that it must not draw lines that could be considered "packing" or "cracking," when they result in vote dilution under the totality of the circumstances test. She said that she could provide more VRA advice in the process. Ms. Spivak said the bottom line is that the Commission needs to avoid diluting the voting strength of protected classes as set forth in the Voting Rights Act, but accomplish this without race being a predominant motive and without it being more important than, or subordinating, the redistricting principles set forth in the Charter and the Constitution.

Ms. Spivak also noted the Commission's own stated goal of keeping communities and community plans united in its preliminary plan.

Ms. Spivak made four key points: First, she said the Preliminary Map has deviation at about 3.2%. She said there is room to increase deviation if the Commission can still comply with redistricting principles and law. She said the Commission will need to justify in good faith any deviation from districts having equal population.

Second, she stated the preliminary plan is legally defensible, and has been reviewed by the City Attorney's Office and outside counsel. If the Commission makes changes to the plan, they will need to re-review it in its entirety and cannot be certain it will remain legally defensible. She said the lawyers need sufficient time to conduct that analysis.

Third, Ms. Spivak noted the Commission made legal findings in the preliminary plan, and read the related portion of Charter section 5.1. She noted that if the Commission makes changes to the map, it needs to explain the change and the deviation from those findings.

Fourth, Ms. Spivak said that some members of the public may be relying on the preliminary map as close to the end product. If the Commission makes changes that are extensive or substantive, she said the Commission might consider scheduling more hearings so the public is informed. She said that the Commission is not required to have additional hearings.

She also reminded the Commission that the Registrar of Voters needs the map on September 15.

**ACTION ITEMS:**

**ITEM 2 – APPROVAL OF MINUTES FROM THE JULY 14, JULY 16, JULY 19, AND JULY 21 REDISTRICTING COMMISSION MEETINGS**

Comment 1: Michael Sprague stated that he'd read over the minutes and was able to get an overview of the meetings he had missed; however, he did notice mistakes and would like more attention paid to details.

Commissioner Quiroz thanked the staff for creating the minutes. She stated that when making a motion to approve the minutes, she'd like to enter a statement into the record that she has read through the minutes but has not compared them to the taped meetings to verify if in fact all the text is accurate.

**Motion by Commissioner Quiroz: To approve the Minutes for the July 14, July 16, July 19, and July 21 meetings, with accompanying statement on the record. Seconded by Commissioner Potter. Motion passed unanimously 6-0; Commissioner Nishioka was not present.**

**ITEM 3 – DEVELOPMENT OF FINAL REDISTRICTING PLAN**

Chair Dalal read a list of topics that the Commission will discuss. She reminded the Commission that any changes need to consider the overall map and the findings already made. She reiterated the deadlines for a final Redistricting Plan.

Comment 1: Anne McMillian Eichman, president of the Little Italy Residents Association, thanked the Commission for putting Downtown in District 3. She asked the Commission to put the small area of East Village currently in District 8 into District 3 with the rest of Downtown.

Comment 2: Joost Bende with the Rancho Peñasquitos Town Council stated that the data used in their original proposal was the best available data at the time and that the SANDAG information presented last week is also only an estimate. He stated that the current proposed District 6 is an API-influenced district with a 32% API population, as are District 1 with 26%, District 5 with 29% API populations. He reiterated the town councils and planning groups that support the Rancho Peñasquitos Inland proposal. He stated that District 7 is not compact. He stated that the while City Heights has been unified, Linda Vista has been split causing the same problem elsewhere. He'd like to see Linda Vista in District 6 and Park Village in District 5.

Comment 3: Charles Sellers, a Rancho Peñasquitos resident, stated that he'd been insulted on APACs website since his last appearance before the Commission. He stated that he'd also seen disparaging remarks aimed at the Commission on APACs website. He stated that unifying communities in PUSD made sense because of their shared focus on their families and children. He asked that Park Village be reunited into District 5 and stated that reuniting Linda Vista into District 6 would allow this.

Comment 4: Jay Wilson with the Del Cerro Action Council stated that his community is satisfied with the current proposed District 7 as it unites the Navajos communities.

Comment 5: Dennis Spur stated that Peñasquitos Canyon is a huge natural boundary and works as a divider for the school districts. He stated there is very little connection between Peñasquitos and Mira Mesa besides the canyon and Black Mountain Road. He asked that Park Village be returned to District 5.

Comment 6: Brian Pollard encouraged the Commission to focus on minor adjustments to the preliminary maps, as opposed to large changes. He'd like to see the districts south of 8 remain as is in the current preliminary plan, but something more like Plan 3 implemented for the districts north of the 8. He stated that significantly changing the map south of the 8 would undermine hour and hours of input, discussion, and work of many people over eight months. He urged the Commission to adopt the District 4 in the preliminary plan, and consider Plan 3 north of Interstate 8.

Comment 7: John Pilch with the San Carlos Area Council asked the Commission to keep the Navajo communities together as drawn in the preliminary plan. He stated that I-8 is a natural boundary between the Navajo area and the College area and that these two areas are not one community of interest. He presented the Commission with Facebook posts from people both in Rolando and in Del Cerro that he feels highlight their differences. He cited their differing redevelopment areas. He asked the Commission to adopt the map as is now.

Comment 8: Christopher Macaraeg with the legal team for APAC commended Commissioner Quiroz for her recently submitted map.

Comment 9: Laura Riebau asked the Commission to keep the areas around SDSU together because of the SDSU influence, common interests and common demographics. She cited the neighborhoods of Allied Gardens, San Carlos, Del Cerro, Grantville, Rolando, Rolando Park, Redwood Village, El Cerrito, College East and West, and the College Grove Shopping Center as the communities of interest. She stated that Tierrasanta and San Carlos are not connected and can only access each other by freeway. She stated that Mission Trails Park is a divider between the two.

Comment 10: Michael Sprague stated that he hasn't heard the term "Hispanic surname" used; he stated that NDC has tried to use it but was stopped. He also stated that the audience jokes about a "Barrio Kensington" and referenced the many Kensington residents that have been elected into office. He stated that is strange to hear that when they "grow up they might too have a Councilmember." He stated that City Heights is not one neighborhood but 16 communities. He stated that religion or church attendance should not be the factor for dividing communities; he stated that the perception is that churchgoers will vote against gay marriage. He also stated that he doesn't think Commissioners can vote to approve the minutes by video.

Comment 12: Joe LaCava thanked APAC for agreeing that the UCSD campus should remain whole and in District 1, and for clearing up confusion regarding an APAC map recently posted to Esri that had the previous boundaries. He also thanked the Commissioners and Chair for creating a list of topics to discuss arising from the recent public hearings. He asked that when incorporating the most recent public input into the final map, the criteria and findings used to create the preliminary map not be disregarded.

Comment 13: Cindy Chan stated that the APAC map recently posted on Esri with the previous boundaries was erroneously posted. Their original map is in the process of revision for technical reasons, not advocacy reasons. She commended Commissioner Quiroz for her latest map. She urged the Commission to consider APAC's requests submitted since the beginning of this process. She reiterated that Mira Mesa and Peñasquitos should be united as a community of interest into one district and mentioned their previously submitted supporting data. She also asked that the Commission reunite the two parcels of land east of 805 where Miramar and Mira Mesa Road is. She read an excerpt from an article about Asian American and Latino political participation or lack of due to government not addressing the issues important to these groups. She addressed the Rancho Peñasquitos Town Council previous comments by saying she stands by what she says, however, if she didn't say it, she didn't say it.

Comment 14: Staajabu Heshimu suggested that going forward after each discussion, the consultant post the most recent version of the map that reflects the most current thoughts and decisions by the Commission so that the public is not surprised by a final map. She stated that she thinks Kensington should be moved into District 3 and that would leave room to move Redwood Village and Rolando Park into District 9 with the other College communities. That would then leave room to reunite Mountain View and Lincoln Park. She suggested looking into Grant Hill and Golden Hill to round out the population into District 9, stating that those two communities are similar and have coexisted productively in District 8 for many years.

Comment 15: Dr Chan commended Commissioner Quiroz for submitting her latest map. He stated that the reasons for grouping together Mira Mesa and Rancho Peñasquitos have nothing to do with raising home values in either location and stated that the Rancho Peñasquitos Town Council's recent comments to that respect were insulting. He presented data to support creating an API influence district. He asked the Commission to recognize Mira Mesa and Peñasquitos as a community of interest, return the two parcels of land along Miramar Road and 805 freeway to District 6, and adopt District C of Plan 3 and adjust districts surrounding it.

Comment 16: Anne Schoeller stated that she has received criticism for opposing the Commission's preliminary map, specifically the 9<sup>th</sup> District, but it is her community's right to voice their opposition. She feels the current configuration is unfair to her community. She'd prefer to make District 9 and 4 smaller in population and possibly make changes to the placement of Tierrasanta. She stated that splitting her community of Rolando Village and surrounding College communities from their sister communities north of the 8 is detrimental to their stability and progress. She asked that all the College communities be put into District 7.

Comment 16: Deborah Knight thanked APAC for their decision to keep University City whole. She asked that clarification be provided regarding the outdated APAC map's recent upload onto Esri. It's confusing and she thinks it would be beneficial to provide an explanation to the public as to the circumstances of its upload. She stated that the parcels of land east of the 805 have always been in the University City's planning area and the planning group has always addressed issues regarding this land. She also stated that this area was a part of the planning area before the 805 was created.

Comment 17: Bari Vaz thanked the Commission for keeping Mira Mesa united in one district. She stated that Mira Mesa will refrain on commenting on the debate about which communities to include in its district with Mira Mesa. Their concern is that Mira Mesa remains united. If a reason impacting Mira Mesa arises in the debate, they will address it then. She asks that the Commission keep Mira Mesa whole in one district as it is now.

Comment 18: Lee Rittiner stated that he would like to see more interactive dialogue at the meetings between the Commission and the public, as well as amongst the members of the public. He stated that in District 4 the Community Planning Groups of the Eastern Area and Southeastern Area. Mountain View is being split. He stated that SDSU should be considered a community of interest, as are USD and UCSD. He felt that "latecomers" to the process can be explained by the fact that people don't come to these meetings when they are happy. He stated that making only the easy changes after the post-map public hearings is wrong.

Ms. Wong clarified that APAC requested changes be made to their original map posted on the Esri site. The changes were submitted, reviewed, and approved by Vince Vasquez of APAC before being made publicly available on the Esri site. For purposes of maintaining the public record, both versions remain available on Esri. The latest version is titled "APAC August Version."

Chair Dalal thanked the speakers and asked the Commissioners for any additions to the topics for discussion list.

Commissioner Kosmo did not have anything to add but stated that he will not attend the next meeting on August 15. He will try to make all his comments today and apologizes for any inconvenience.

Commissioner Quiroz stated that after so many hours of public testimony, she wants to review the fundamentals. She stated that a 9<sup>th</sup> district was necessary because of a vote of the people; no one, in adding a 9<sup>th</sup> district, could've assumed their district would remain untouched. Therefore, she believes that arguments based on residents' long-time association to and affiliations with a particular district are not for the Commission to consider. She stated that since every district has 144,000 people; no one can expect an entire district to be a community of interest. She stated that the Commission has intended to keep each community of interest whole within one district, not that there be only one community of interest per district. She also stated that communities of interest are for the purpose of City Council representation; communities of interest are those affected by the representation. She stated that one of the Commission's first decisions was to keep neighborhoods whole and intact.

Commissioner Marquez asked that moving Golden Hill into District 8 be added to the list of topics for discussion, as well as uniting the Navajo region with communities to the west in order to reunifying Linda Vista. He stated that some of the changes on the list will cause ripple effects in the east and it's not necessary to list each, but he asked the Commission keep in mind that some decisions might require larger changes.

Chair Dalal began the discussion with Rancho Peñasquitos.

Mr. Levitt provided data regarding the proposed District 5. He stated that nearly 11,000 Rancho Peñasquitos residents are in the proposed District 6. He stated that the challenges in this district include large-population census blocks that cross CPA and neighborhood lines.

Commissioner Quiroz stated that she drew a map that fulfilled the wishes of the API community and she'd like to review it now with NDC. She stated that this map respects the API community of interest, solves the Rhodes Crossing issue, and unites Linda Vista into one district. The only issue remaining is that District 7 becomes very long, but it'd have to be so to keep the Navajo communities united. She stated that her map is a demonstration to show the other Commissioners that there can be a map that unites Linda Vista and adheres to the wishes of APAC, while respecting input from other communities.

Commissioner Potter asked to view detail regarding the Tierrasanta area. He also asked about the amount of population removed from Serra Mesa.

Mr. Levitt stated that in NDC's Plan 3, which is very similar, NDC took population from Clairemont rather than Serra Mesa and that they needed approximately 5,000-6,000. Deducing from the deviation in Commissioner Quiroz's plan, it looks like approximately 3,000 people were ceded from Serra Mesa.

Commissioner Potter asked about swapping out the northern area of Linda Vista for Stonecrest towards the east of Serra Mesa, in the Kearny Mesa Community Plan. He asked if Stonecrest were included in District 5 in Commissioner Quiroz's plan, would that sever District 7.

Mr. Levitt stated that he believes it would sever it.

Chair Dalal asked Mr. Levitt to provide data on deviation and Asian CVAP numbers.

Mr. Levitt stated that Commissioner Quiroz's plan would create a District 5 with 38.4% API population, and 30.4% API CVAP.

Commissioner Quiroz asked for clarification on the designator "Asian\_P" because her data differed.

Mr. Levitt stated that it is a statistical issue having to do with people marking off more than one race or just one race and also marking Hispanic origin. The Department of Justice recognizes this and counts the races differently. NDC is using this data in their spreadsheets. He noted that the Census can reclassify people who mark more than one race or "other," accounting for slight differences in percentages.

Chair Dalal restated that in Commissioner Quiroz's version the API influence district has 38.4% API population with a 30.4% CVAP, and that in the preliminary plan there is 33% API population in the API district.

Mr. Levitt stated that in the preliminary plan, District 6 has 33.4% API population and 25.8% CVAP.

Commissioner Potter asked if these proposed changes are being driven solely by the desire to increase the API population within this district, without regard to traditional redistricting principles.

Commissioner Kosmo thanked Commissioner Quiroz for her map and the public for providing input. He stated that to implement the changes in this map, the Commission would have to move 50,000–60,000 people into different districts in the north, as well as another 50,000–60,000 to the south, north of the 8. That would be a dramatic enough change that he feels would necessitate going back out into the community with the revised map. He does think that District 7 in Commissioner Quiroz's map stretches too far north-south, from San Pasqual into Serra Mesa. He is also uncomfortable with the "L" shape of District 7 in this map. He also stated he has heard residents from Districts 1,2,3,4,5,7,8, and largely 9 state they are pleased with the preliminary plan. This proposal would impact a lot of people that have already expressed support of the preliminary map.

Commissioner Morrow stated that the Asian community had been involved in the process of redistricting since the first meetings, that 16% of the population of San Diego is API, and that this is an immigrant population who came to the United States to pursue the American dream, assimilated into the culture, and learned English. She apologized for not making the decisions necessary to create an Asian district towards the beginning of the process, but stated that at this point, implementing their map would alter too many other communities of interest. She agrees with Commissioner Kosmo that making sweeping changes now would be detrimental.

Commissioner Quiroz answered Commissioner Potter's question, stating that she did not draw her map with the intent to increase the Asian population numbers within one district but to unite a community of interest. In doing so, she feels she also kept together every other group who'd asked to remain united, including keeping Scripps Ranch united, Rhodes Crossing with communities to the north, uniting Linda Vista, and keeping the Navajo communities together.

Commissioner Potter stated he didn't recall Tierrasanta saying they wanted to be tied with Scripps Ranch, but instead recalls they approved of the map uniting them with Navajo because of Mission Trails Regional Park. He stated that in Commissioner Quiroz's map, Linda Vista is still not totally united.

Commissioner Quiroz stated that she was not making an effort to include Morena into Linda Vista. She stated that she read through every document regarding Tierrasanta and found that there was substantial testimony asking to be united with Scripps Ranch.

Commissioner Potter stated that he believes those were the older comments, not the most recent testimony.

Chair Dalal stated that she also heard testimony from Tierrasanta residents that they were happy to be aligned with Serra Mesa and the Navajo communities. She heard at the last meeting that they weren't opposed to going towards the north, but that they were happy with the proposed District 7. She stated that she also struggled with this issue, but does believe the Commission tried to accommodate the Asian community's requests. Currently, Mira Mesa, Kearny Mesa and Miramar are in different districts. She believes the Commission made a conscious effort to unite these communities into one district to bring together the API community. She stated that that incorporating Rancho Peñasquitos into District 6 would leave Black Mountain Ranch isolated from other northern communities, as well as create an incompact District 7 that would stretch 30 plus miles. She noted that incorporating the southern part of Rancho Peñasquitos into District 6 was done in part to acknowledge testimony from the API community. They also had to consider the large amount of testimony coming from Rancho Peñasquitos asking to remain united with other communities in the north.

Commissioner Marquez stated that he appreciates the communities coming out in force during the recent public hearings and thanked Commissioner Quiroz for creating a map that shows APAC's ideal API-influenced district. However, this ideal district creates other problems citywide. He stated that the community of interest in District 5 of her map is obvious and asked her what the communities of interest in District 6 of her map are.

Commissioner Quiroz stated those would be the Navajo area, Clairemont, Linda Vista, Mission Valley, and Fashion Valley along the 8 that goes all the way into Navajo.

Commissioner Marquez asked Commissioner Quiroz if she kept Serra Mesa tied with Tierrasanta because of public testimony.

Commissioner Quiroz stated that it was because of Tierrasanta's request to remain with Serra Mesa, coupled with the fact that she couldn't extend the district south without splitting the Navajo communities, so she went west to Serra Mesa.

Commissioner Potter concurred with Commissioner Quiroz's statement that more than one community of interest can exist in one district. To unite Linda Vista, he suggested moving the area northeast of Genesee Avenue into District 7 and taking population from the southern Rancho Peñasquitos area to supplement. It would result in a deviation in District 5.

Chair Dalal asked Mr. Levitt to demonstrate the changes.

Mr. Levitt made the changes. He stated that removing the portion of Linda Vista from District 6 is not dependent on finding something to replace it because it results in a deviation of only 1.9% in District 7, which is similar to Districts 1 and 3. It leaves District 6 just over 2% under-populated. It would be the most under-populated district but not significantly. To implement the swap, District 6 deviation would come down to 188 people, but District 5 would have a deviation of -3%.

Mr. Levitt stated that Commissioner Potter's first alternative – removing Linda Vista and adding that portion of Rancho Peñasquitos into District 6 – would give D6 an API population percentage of 33.2%, 25.6% CVAP.

Commissioner Potter presented his second alternative, which would take population from another part of District 7, from the area of Stonecrest.

Mr. Levitt stated that Commissioner Potter's second alternative – removing Linda Vista from District 6 and adding in Stonecrest – would leave District 6 at 1% under and District 7 at 3% over. District 6 would have 33.23% API population with 25.8% CVAP. Either swap would decrease the API CVAP slightly.

Chair Dalal stated that she prefers to leave Stonecrest in District 7.

Mr. Levitt stated that just removing Linda Vista from District 6 without adding anything else back into it would slightly increase the API percentage.

Commissioner Kosmo is in favor of reuniting those portions of Linda Vista in District 7 and correspondingly increasing the API population percentage in District 6.

Commissioner Morrow asked about the placement of USD.

Mr. Levitt stated that USD is in District 2, and that moving all of USD into District 7 would increase the population substantially.

Chair Dalal asked what the deviation would be if all of USD were in 7.

Commissioner Morrow asked Mr. Levitt to pull up her map to show how all of USD can be in District 7.

Commissioner Kosmo stated that his recollection of the testimony by the USD representative was that USD blends into the Morena District and to protect USD parts of Morena need to be kept with it.

Commissioner Morrow presented the area as shown in her map. She explained that Linda Vista is joined in her map, and USD is in District 7.

Commissioner Potter asked to see these changes as they relate to the Preliminary Plan.

Mr. Levitt showed both Commissioner Morrow's plan and the Preliminary Plan.

Chair Dalal asked Commissioner Morrow to walk through her changes in the Preliminary Plan.

Commissioner Morrow stated that her map splits Linda Vista into two districts and joins all of Morena with Linda Vista. She placed the Linda Vista area east of the 805 into District 6.

Mr. Levitt provided the demographics from Commissioner Morrow's map. He said the deviations are all less than 1%. District 6 in Commissioner Morrow's map has a 34% API population with a 26.9% CVAP.

Commissioner Potter stated that he'd have liked the Linda Vista residents to be here, because he doesn't think they'd be okay with the split as shown in Commissioner Morrow's map. He asked Mr. Levitt to open a file map showing neighborhoods in Linda Vista. He stated that the split as shown in Commissioner Morrow's map would cut right through the heart of Linda Vista, through a historical area called Central Linda Vista built during World War II.

Commissioner Morrow stated that Linda Vista is already unhappy being split into three districts. She thinks they'd rather to be split into two than three.

Commissioner Potter stated that his proposed change would also split them across only two districts, but across in a different area.

Commissioner Morrow stated that her map includes USD with Linda Vista, which was a large concern for Linda Vista residents.

Commissioner Kosmo stated that of these two options and based on his experience, he believes the natural breaking point is along the Morena area, because Morena and USD look down onto Mission Bay and share in the Bay culture.

Commissioner Marquez agreed that the Morena area border makes more sense. He asked how Commissioner Morrow got the CVAP to 27%.

Commissioner Morrow stated she only took a portion of District 1 east of 805, Sorrento Valley and that is not really residential.

Mr. Levitt clarified that in Commissioner Morrow's map, an area in north Clairemont was added to District 2.

Commissioner Quiroz asked what the deviation would be in Districts 6 and 7, if Linda Vista was reunited.

Mr. Levitt stated that if the northeast section was reunited into District 7 it would give it a deviation of over by 1.89%. District 6 would be under by 2.69%.

Commissioner Quiroz stated that 2.69% would be too large a deviation for her and that she'd like to add population from the Serra Mesa area back into District 6.

Mr. Levitt agreed that is an option; however, it's possible that these deviations are within an expectable range. He asked Ms. Spivak to comment.

Ms. Spivak stated that Mr. Levitt is correct and there is room for additional deviation; what matters is the plan's total deviation, which is currently at 3.2%.

Commissioner Marquez stated that because of the increase to the API CVAP, adding Serra Mesa is negligible. Also, Serra Mesa would be cut off from Tierrasanta if a piece of Kearny Mesa is included in District 6 as Commissioner Potter suggested. He stated that one compelling problem with Commissioner Quiroz's District 7 was that separation of Serra Mesa and Tierrasanta; so if the Commission is considering moving forward with a separation, then they should revisit and consider Commissioner Quiroz's plan. If they want to make sure Serra Mesa and Tierrasanta stay together, then they should retain the current configuration.

Commissioner Quiroz stated that she still feels uncomfortable with a deviation that large, but will attempt to come to terms with it.

Chair Dalal asked Commissioner Marquez to clarify his previous comment.

Commissioner Marquez stated that the main issue for him in Commissioner Quiroz's proposed District 7 is the connectivity with Serra Mesa and Tierrasanta. It seems like that is no longer a concern since the Commission is considering taking a piece of Kearny Mesa that would separate Tierrasanta and Serra Mesa. If it is indeed still a concern, the Commission should consider accepting the deviation. If it is no longer a concern, the Commission should revisit Commissioner Quiroz's proposed District 7.

Commissioner Potter is comfortable with the deviation if the northeast portion of Linda Vista is added to District 7. He would like the Commissioners to keep his previous suggestions in mind should need for population adjustments arise in the future.

Chair Dalal is also comfortable with the deviation, as are Commissioners Kosmo and Marquez.

Ms. Spivak asked Mr. Levitt to be more explicit about what the exact changes are because people who aren't present could review the taping later and have a hard time understanding what exactly shifted since they are not looking at the map. She asked he that verbally outline what areas are being moved and state demographic data for the record and for the benefit of the legal analysis.

Mr. Levitt stated that the change would move 3,361 residents in the community planning area of Linda Vista that live northeast of Genesee Avenue between Mesa College and the 163, from District 6 into District 7.

Commissioner Quiroz stated that Linda Vista should be whole in that manner; whether she agrees with the rest of the map is a different matter, but she agrees to bringing Linda Vista together.

Mr. Levitt stated that this proposed change would be implemented into a test map that can be reviewed at the next meeting for approval or disapproval.

Commissioner Marquez asked Mr. Levitt to provide the population data if an area of north Clairemont were moved into District 2 as Commissioner Morrow suggested, and if the District 6 northern boundary to Rancho Peñasquitos Boulevard as Commissioner Potter had suggested.

Mr. Levitt stated that there are 3,700 residents in the area between Rancho Peñasquitos Boulevard and Salmon River Road south of the 56, of which 790 are Asian. If that section was added into Commissioner Morrow's map there would be a 25% Asian population; that would be lower than the current CVAP.

Commissioner Marquez asked that Mr. Levitt work off the preliminary map that incorporated the changes to Linda Vista; he asked that the District 6 border be moved to Rancho Peñasquitos Boulevard and that north Clairemont be moved into District 2 on that map. He wants to see the effect on District 6 deviation and if it increases the Asian CVAP.

Mr. Levitt asked for a few minutes to create the changes.

Commissioner Morrow stated that she does not know how she reached the population number in her map, because she hasn't touched Rancho Peñasquitos in her map.

Commissioner Marquez stated that his suggestion is to incorporate the best parts of Commissioner Morrow's proposal and Commissioner Potter's proposal as it relates the maximizing the API empowerment district, without going further into the north than is comfortable.

Mr. Levitt stated that the changes requested by Commissioner Marquez would still result in a District 6 that is underpopulated by 9,500 residents with a deviation of 6.6% percent. It would have an Asian population of just under 35% and 26.9% CVAP. The section of north Clairemont is not particularly an Asian neighborhood or at least not as predominantly Asian as parts of Rancho Peñasquitos might be.

Chair Dalal asked what the difference would be if the portion of northern Clairemont was put back in. She asked if that helps the deviation.

Commissioner Marquez stated that wouldn't help the goal of maximizing the API population.

Mr. Levitt stated that this configuration has a 33.2% API population which is very similar to the current preliminary plan.

Commissioner Quiroz stated that she feels uncomfortable splitting a neighborhood in order to increase a racial number; at this point, she feels the predominance factor comes into play, especially when one of the Commission's requirements is to keep neighborhoods together.

Commissioner Marquez stated that he is not suggesting to take it up for a vote; he is curious about the numbers only. He also referenced Clairemont residents stating that they would like to remain united with Bay Ho, so he feels there are other reasons for considering the change. He is attempting to determine whether the district's API CVAP can be maximized while adjusting the northern border of District 6.

Chair Dalal asked Mr. Levitt to next review the area east of I-805.

Mr. Levitt stated that the water treatment facility is currently in District 5 and traditionally, redistricting has followed the Census tract boundary which runs along 805. It is in the University City Planning Area and therefore was included in the proposed District 1.

Chair Dalal stated that she is comfortable leaving it in District 1 with the remainder of the UC Planning Area.

Commissioner Quiroz agreed with Chair Dalal and pointed out that the wastewater treatment facility regulations are administered by the State, so safety regulations would not be an issue for the City Council.

Commissioner Potter stated that when Dr. Chan brought up the odor pollution concerns about the plant, he requested a response from the Wastewater Department on that issue. The Wastewater Department stated that it doesn't matter what district the facility falls into; they will be responsive to any complaints or concerns brought to them. He stated that this area has been part of the UC Community Plan and is joined to University City by Miramar Road and Eastgate Mall, as well as Nobel Drive. It is separated from Mira Mesa by Rail Road which passes through the deep Soledad Canyon. For these reasons, eh recommends that this area stay within District 1.

Commissioner Kosmo agreed with Commissioner Potter and believes it should stay in District 1.

Commissioner Morrow disagreed.

Chair Dalal stated that consensus is to keep it in District 1.

Mr. Levitt asked for direction regarding Rhodes Crossing. It is in the current District 1 and the proposed District 6. Per public testimony, there is a development in that area. Based on the aerial photography, it will be in Torrey Highlands south of 56. Camino Del Sur will be extended to connect with its southern portion. The request is to move the part of Rhodes Crossing in the Torrey Highlands Planning Area back into District 5. There is no Census tract boundary along the Community Planning Area, so the Commission would have to justify splitting a census tract.

Commissioner Potter stated he would be comfortable with it in either district; however, to move it into District 5, because of the Census tract they'd have to move another pocket of developed areas into it as well. He'd prefer to leave it in District 6.

Commissioner Kosmo feels comfortable either way, but he stated that they just decreased the population in District 6 and he wouldn't like to decrease it further. He understands the commenter's concerns, that he'd like to keep his development property united, but that is not the Commission's largest responsibility. He'd rather keep it in District 6.

Commissioner Quiroz asked for additional clarification.

Mr. Levitt stated that to include all of the property into District 6 you'd have to include the three Census blocks that are encompassed by the large Census block, or divide the large Census block. In order to split this block, the Commission would need to deem this area a community of interest.

Commissioner Quiroz stated that she'd prefer to leave it as is in the preliminary plan. Given that there is no population in the area now, she believes that this is an area better suited for the next Redistricting Commission to consider ten years from now once the area has been developed.

Chair Dalal asked to discuss the Kensington area.

Commissioner Morrow would like to see Kensington and Talmadge to remain united in District 9. She recalled extensive public testimony during the pre-map hearings to that regard. She is against splitting the historical marriage of Kensington and Talmadge, and the map that Kensington residents presented is not acceptable to her because of the split of Golden Hill and the movement of Shelltown.

Commissioner Potter suggested putting a portion of Normal Heights from El Cajon Boulevard north to Monroe Avenue into District 9, and moving Kensington into District 3. He provided a handout with graphics and population data. He stated that this move also unites the El Cajon Boulevard planning area.

Commissioner Marquez understands why Kensington residents did not become as involved earlier, stating that many San Diegans were not involved in the process until it directly affected their community as it has with Kensington. He is in agreement to move Kensington into District 3, but is not comfortable with Commissioner Potter's plan. He stated that there has been public testimony to unite Shelltown and Southcrest in one district. He also mentioned public testimony from Golden Hill residents that it was acceptable to place them back into District 8.

Commissioner Kosmo stated that he is not uncomfortable with moving Kensington, but he would first need the Commission to look at Rolando Park and Redwood Village and possibly moving them into District 9 with SDSU. He realizes that could trickle down and force changes in Districts 4 and 9, and possibly 8 with Shelltown, but he would first like to look at that area.

Commissioner Marquez stated that to implement some of the requests from the College communities would require fundamental changes to the citywide map, because they want to be joined with not only SDSU but the Navajo area as well. He stated that the changes in Southcrest and Shelltown do not require such widespread changes to the citywide map and are therefore more feasible. He reiterated reasons to reunite Kensington with other Adams Avenue neighborhoods in District 3. He also stated that including Shelltown and Southcrest into District 9 would create a 55% Latino majority in that district, while moving Redwood Village and Rolando Park would decrease it to 49%, which he opposes. He'd like to keep that percentage at 50% or increase it.

Commissioner Kosmo clarified his comments and stated that he agrees with most of Commissioner Marquez's comments. He stated he is also unwilling to unite the College communities with areas north of I-8, but he does feel Rolando Park and Redwood Village made compelling arguments that their community of interest is the SDSU area and that they should be included in District 9. He is also very sensitive to the Hispanic issues and doesn't want this population to go below 50% either.

Commissioner Quiroz stated that she is very uncomfortable with moving Kensington into District 3, because the move would split the CPA and neighborhoods. She stated that some residents from Azalea Park and Fairmount Park also asked to be moved into District 3 for the same reasons, yet the Commission is not discussing their requests. She is uncomfortable with treating neighborhoods differently. She referenced the testimony of president of the Kensington-Talmadge Planning Group, as well as the official letter from the planning group read by their secretary. She doesn't feel that they were misled. She feels that while Redwood Village might share some issues related to SDSU, its commonality with District 4 should not be overlooked. When looking at demographic data, it is very similar to other communities in District 4 and when Redwood Village is removed from District 4 the African American percentage drops significantly. For these reasons, she is uncomfortable with either move.

Commissioner Morrow stated that the simple solution is to keep 8,400 residents of Mountain View in District 4 in exchange for the Redwood Village and Rolando Park populations, but that this option was rejected because it would decrease the Hispanic population. However, she found that it in fact increases the Hispanic population in District 4 from 41.47% to 43.72% and it would also increase the population of African Americans in District 4.

Commissioner Marquez stated that to go further into Mountain View would make District 9 less compact. The only way he would feel comfortable taking more of Mountain View out of District 9 is if Shelltown was included with Southcrest in District 9. He discussed the pros and cons of moving Kensington out of District 9, but stated that ultimately he is most comfortable moving Kensington into District 3 and that he would like the Commission to consider moving Shelltown into District 9.

Mr. Levitt stated that swapping just Shelltown and Kensington would leave District 3 about 5.8% overpopulated and District 8 about 2.7% under. The Latino population in District 9 under this configuration would increase to 52.7% with the CVAP at 28.6%; the district would be balanced in population.

Commissioner Potter asked if removing the area south of Monroe in Kensington and adding it to District 3 would balance the population.

Mr. Levitt stated that would put District 9 3.1% over and District 3 at 1.3% over. It would create a Latino population 52.2% with a 28.2% CVAP.

Chair Dalal felt comfortable with moving Kensington into D3 with Commissioner Potter's suggestion, along with Shelltown.

Commissioner Kosmo did not feel comfortable with the move until he seeing what other changes can be made. He is in agreement with Commissioner Quiroz regarding the Kensington-Talmadge Planning Group testimony. If he can move Kensington over, he will; however, he feels the testimony is conflicting, that I-15 is natural boundary, and that planning groups should remain united. He is uncomfortable splitting both Kensington and Normal Heights just to move the northern part of Kensington over. He stated that the parts proposed to be in District 3 are the more affluent areas of both Normal Heights and Kensington; he is not comfortable separating the more disadvantaged areas of both neighborhoods and putting them into District 9.

Commissioner Marquez asked if it would be appropriate to take a straw poll on the Kensington issue.

Chair Dalal stated that most Commissioners are in favor of keeping it as is in the preliminary plan.

Mr. Levitt stated that Shelltown is an independent discussion. Moving Shelltown into District 9 would leave District 9 at 3.15% overpopulated and District 8 at 2.7% under populated.

Commissioner Quiroz stated that to have such a deviation there'd have to a very good reason and she is not sure that there is.

Commissioner Marquez stated that the move makes District 8 more compact, increases the Latino population, and the people in Shelltown and Southcrest want to be united.

Chair Dalal asked for the demographics if the move were made.

Mr. Levitt stated that without Shelltown, District 9 is 50.4% Latino and 26.3% by CVAP. With Shelltown, District 9 is 51.4% Latino and 27.4% by CVAP.

Chair Dalal stated that for her, this would justify the deviation.

Commissioner Kosmo stated that he was uncomfortable with the deviation. His recollection from the District 8 testimony is that the residents are happy with the way District 8 is currently configured and Shelltown has been part of District 8 for ten years. Keeping Shelltown in District 8 still leaves District 9 at over 50% Latino.

Commissioner Potter would be comfortable with the deviation, partially because of the natural boundary of I-5. In terms of neighborhoods, Shelltown relates more to Southcrest than to Barrio Logan on the other side of the freeway. Because of this and the increased Latino population percentages, he can support the larger deviation.

Chair Dalal stated that the Commission is split on this issue; there is no consensus.

Mr. Levitt stated that this change could also relate to other changes being proposed and they can come back around to it.

Commissioner Marquez mentioned Golden Hill and asked that they take a look at moving Golden Hill to District 8.

Mr. Levitt stated that if Shelltown is removed from District 8 and Golden Hill is placed in, it leaves District 8 at 4% overpopulated.

Commissioner Potter supports keeping Golden Hills in District 3; he referenced recent public testimony.

Mr. Levitt gave an overview of the Rolando Park and Redwood Village neighborhoods that are in the Eastern Area Planning Group. There is total combined population of 8,400.

Chair Dalal asked to see Rolando Park and Redwood Village in District 9 and population taken from the southeastern area of District 9.

Commissioner Kosmo proposed following Boundary Street down.

Mr. Levitt stated that this configuration gives District 4 a deviation of -2.5% and District 9 a deviation of +4.4%. Mr. Levitt drew the boundary even further to the west and stated that this configuration would leave District 4 under by 0.4% and District 9 over by 2.2%. The Hispanic population would be at 49% with CVAP 26.2%.

Commissioner Marquez stated that it would also cause connectivity issues.

Commissioner Quiroz is also concerned about connectivity and compactness. She suggested just grabbing the southernmost part of District 9 and rejoining it with District 4.

Commissioner Kosmo agreed with Commissioner Quiroz's suggestion of taking the southernmost part of District 9 and stated he would not like the District 9 eastern border to move beyond Boundary Street. He suggested that going up to Mount Hope and coming down along Home Avenue would get the population numbers right in a practical way, but it would lower the Latino percentage to below 50%.

Mr. Levitt indicated that this would decrease the total African American population in District 4, but increase the CVAP.

Commissioner Kosmo stated that although he is not comfortable with this, moving Shelltown into District 9 with this configuration would bring the Latino population back up to above 50%, but you'd have to accept the deviation in District 8.

Chair Dalal asked Mr. Levitt for the data on that move.

Mr. Levitt stated that moving Shelltown into District 9 in this configuration would make the Latino population 49% and 26.15% by CVAP.

Commissioner Morrow asked Mr. Levitt to pull up her plans for this particular area.

Mr. Levitt stated that Commissioner Morrow's District 9 has a 48.1% Latino population and 25.2% by CVAP.

Commissioner Potter also expressed a concern of connectivity in the southern portion of District 9.

Commissioner Marquez stated that with these configurations, District 9 looks more racially gerrymandered but is less of an empowerment district. He is not comfortable with this configuration.

Chair Dalal stated that more Commissioners are uncomfortable with the changes and there is consensus to keep it the same.

Chair Dalal asked the Commissioners for input regarding moving the area in the Centre City Community Planning Area that is also in the Barrio Logan neighborhood, into District 3.

Commissioner Potter provided a handout detailing the areas he proposed adding into District 3. Mr. Levitt stated that Commissioner Potter's proposal is that five Census blocks on the east side of Harbor would be moved to District 3, and the blocks to the west of Harbor would remain in District 8.

Commissioner Potter stated that his proposal gives East Village what they wanted – the triangular piece of their planning area – and adding the trolley marshalling yards.

Commissioner Quiroz stated that she does not want to place East Village into Barrio Logan, but realizes that that area really impacts the Barrio Logan neighborhood. She feels that this is a good compromise for now, at least until they hear public feedback.

Chair Dalal asked if this area is completely part of the East Village Business Improvement District.

Commissioner Potter stated that the Business Improvement District is larger but that not all of it may need to be incorporated into District 3 to satisfy the needs of the East Village residents.

Commissioner Marquez stated that he is concerned about moving this part of Barrio Logan into District 3 but he feels this is a good compromise.

Commissioner Morrow is comfortable with the change as well.

Mr. Levitt gave an overview of the Pacific Highway Corridor area. The considered change is to move it into District 3 because of future residential redevelopments.

Commissioner Quiroz stated that she is comfortable making the change.

Commissioner Potter stated that he prefers the area remain in District 2 because it is in a coastal zone area and in the Midway Pacific Highway Corridor Community Planning Area, and because of its relationship to the airport.

Commissioner Kosmo stated that he lives in Point Loma, works Downtown, and passes through this area daily. He is in agreement with Commissioner Potter that it should remain in District 2.

Commissioner Morrow agrees as well.

Chair Dalal stated that there have been requests to remove Downtown from District 3 and possibly make it its own district. However, there is not enough population to make downtown its own district.

Commissioner Potter concurs.

Commissioner Marquez stated testimony indicates that no resident really wants Downtown in their district, but there aren't too many other options for Downtown at the moment. Some residents from District 3 did originally express desire to have Downtown in their district.

Chair Dalal brought up Azalea Park and Fairmount Park's desire to be in District 3. She also asked about the Ridgeview boundaries.

Commissioner Quiroz stated that the Community Plan does expand past the border shown, but the Ridgeview neighborhood is correctly bordered as shown in the Preliminary Plan. She is open to changing the border if the Commission desires, but she'd prefer to leave it as is.

Chair Dalal asked Mr. Levitt to review the topics and changes discussed.

Mr. Levitt noted that the Commission provided the following direction:

- Keep the Rhodes Crossing area in District 6
- In Linda Vista, move the area northeast of Genesee Avenue from District 6 to District 7
- Keep the North City Water Reclamation Plant in District 1
- Keep Rolando Park and Redwood Village in District 4
- Maintain the Ridgeview boundary as is (follow Chollas Creek)
- Keep Azalea Park and Fairmount Park in District 9
- Keep Kensington and Talmadge in District 9
- Keep Golden Hill in District 3
- Keep Shelltown in District 8
- In East Village, move the area south of Commercial Street and east of Harbor Boulevard in the East Village Business Improvement District from District 8 to District 3
- Keep the area along Pacific Highway and bordered by SPAWAR, MCRD, the airport, and Laurel Street in District 2

Commissioner Marquez stated that he recalls there was a split on Shelltown.

Mr. Levitt stated it was a 3-3 split on whether to move it, with Commissioners Marquez, Potter, and Dalal in favor, and Commissioners Kosmo, Quiroz, and Morrow opposed.

Commissioner Quiroz asked the City Attorney to ask the outside counsel to look at the compactness of Districts 6 and 7 of her map.

Ms. Spivak stated she would do so.

Commissioner Quiroz asked that NDC provide the numbers for both Shelltown scenarios at the next meeting so the Commission can decide then.

Mr. Levitt confirmed that NDC will provide those maps and data.

**ITEM 4 – STAFF REPORTS**

Chief of Staff Wong stated that the monthly budget report has been distributed to the Commissioners. She stated that it is still missing a few of the 2011 fiscal year end expenses that are still being processed by the City.

Commissioner Kosmo asked for an update on the budget and on the outside counsel compensation possibly on Thursday.

Ms. Wong stated she could provide an update of the projected reserves at that time.

Ms. Spivak stated that she will be providing a report regarding the outside counsel compensation at the August 18<sup>th</sup> meeting and will be requesting for reimbursement for some of Ms. Leoni's costs.

**ADJOURNMENT:**

Chair Dalal adjourned the meeting at 7:56 p.m.

---

Julie Corrales, Executive Secretary  
2010 Redistricting Commission

**Written Comments Received  
August 9, 2011 Redistricting Commission Meeting**

**Comment 1: Joost Bende**

My name is Joost Bende, I am before you as a friend of the Commission on my own behalf.

I want to again thank the Commissioners for the important job you are doing for our City, as a fellow volunteer on other boards, I know this good deed is not going unpunished. I also want to thank the Commission staff, a more diligent and responsive staff you could not have had. My interactions with the staff have been the best of any City staff over my 14 years being involved in BIDs, and planning groups, having chaired my fair share of each of them.

I am disappointed, but not surprised that the politics of personal destruction, anger and racial divisiveness has reached these grassroots of politics. We should focus on all that unites us and what we have in common and not what divides us.

Race alone does not make a community of interest. It makes a narrow interest group.

Communities are united by their farmer's markets, town councils, planning groups, recreation councils, PTAs, chambers of commerce, sports leagues, after school athletics and other activities, school districts and boards, recreation center, your neighborhoods and most importantly your neighbors.

All interest groups should more broadly participate across the entire community in the true grassroots of the San Diego political machinery such as chambers of commerce, town councils, rec. councils and planning groups. These for better or worse are the stepping stones to higher office in our city, unless you are a Councilmember's Chief of Staff. These groups are all open to everyone's participation.

Build bridges, not walls. Build bridges like the LGBT, African American and Hispanic interest groups have done and participate in your community, not merely your group, and this experience will enrich you even more.

Thank you for your time and consideration.