

VALENCIA COUNTY BOARD OF COMMISSIONERS

WORKSHOP

AUGUST 6, 2001

The Meeting was called to order by Chairman Alicia Aguilar.

PRESENT	ABSENT
Alicia Aguilar, Chairman	
Aurelio H. Padilla, Vice-Chairman	
S. T. Frank Pando, Member	
Gary Daves, Member	
Helen Baca, Member	
James Fernandez, County Manager	
Thomas Garde, County Attorney	
Tina Gallegos, County Clerk	
Press and Public	

Francisco Apodaca, from Productive Data Solutions (PDS), told the Commission they are an information company that does information technology and data dissemination and aggregation. This company does a lot of computer work and local area networks and has now gotten into data accumulation and dissemination. By that, they take census data or survey data, conduct surveys and disseminate the data they get. Productive Data Solutions helps public and private entities to get the data they need. Productive Data Solutions has been doing this for 14 years, and Mr. Apodaca has personally been doing redistricting for 30 years.

Every 10 years, the United States Census Bureau conducts a census and counts every person in the United States. The purpose of the count is to reapportion congress, at the state and local level that is called redistricting. Mr. Apodaca said the principal behind this is "One man one vote". The purpose for redistricting is so the County Commission districts are equal in population. Mr. Apodaca said according to the Supreme Court, the County can have a difference of plus or minus 10% population between the districts. Mr. Apodaca is going to strive for 5% here. One of the things the Supreme Court has recognized about redistricting is that it is a political process. The two political processes the Supreme Court recognizes are elections and redistricting. Mr. Apodaca said that in redistricting, the Commission is going to shape the political nature of a district for the next 10 years. According to Mr. Apodaca, the Supreme Court has said the Commission can look at things such as incumbencies and said it wouldn't be fair to redistrict a Commissioner out of their district. The redistricting process will go into effect by the next election. According to Mr. Apodaca, the Supreme Court has said a Commissioner can't be redistricted out of their district, in other words they have to create a district that would include the Commissioner because he is the incumbent. Mr. Apodaca said once a political or racial group is split, the Commission will expose itself to a court action. Mr. Apodaca would like to maintain communities of interest and assure everyone equal representation. NMSA4-38-3 says, "Each County having a population greater than 13,000 shall be divided by a Board of County Commissioners into as many compact single number districts as there are Board Members to be elected and which shall be as equal in population as possible and numbered respectively to correspond to the number of Board Members. One Commissioner shall be elected from each district by the voters of the district and he/she a resident of the district from which he is elected. If any Commissioner permanently removes his residence from, or maintains no residence in the district from which he is elected, he shall be deemed to have resigned. The division of the County to single member districts shall be made once after each federal decennial census." Mr. Apodaca said that population equality shall be as equal in population as possible and overall population deviation should be less than 10% and PDS will try to go to 5% to have districts as accurate as they can. Districts will be designed to provide appropriate minority participation in the electoral process in accordance with the U.S. Constitution and federal voting rights legislation. Districts will be designed to comply with respect to minority voting rights and PDS will avoid "packing", which is when a racial group, political party, or a community interest is put together into one district. PDS will also avoid "cracking", which is when a community of interest is split four ways to dilute their voting strength. PDS will avoid gerrymandering, which is when districts are designed intentionally to give one group or party advantage over another or drawing boundaries to secure an advantage for one race or party.

Mr. Apodaca said redistricting plans would comply with established standards of "compactness", which is having the minimum distance between all parts of a district. Mr. Apodaca said everything has to be contiguous and all parts of a district will be connected at the same point to the rest.

Mr. Apodaca said census geography dictates how things are broken up. There is the State of New Mexico, then the County, then census tracts, which are made up of census blocks. Census blocks are defined by geography, things that can be distinguished on the ground, such as a mountain, river, railroad track, or power lines. Census geography and federal law does not permit the Commission to split a block, but a census track can be split. A census block is based on population. Another thing that can't be split is a precinct as it is very costly for the County Clerk's Office when they are getting ready for the election.

Commissioner Daves said he will take a lead in the redistricting process and said he rejects the philosophy of redistricting in favor of a party or race. Commissioner Daves thinks the Commission should look at an east mesa district in terms of a community of interest that would include the El Cerro Mission area and Meadow Lake area. Commission Chair Aguilar said all the Commissioners are planning on taking a lead on this equally.

Mr. Apodaca said he would like to preserve readily recognizable neighborhoods, cultural or historic areas, high growth areas, urban/rural areas, and politics, a residency of incumbents. Commissioner Daves feels the Commission should not look at their own personal interests in terms of carving out precincts.

Nick Petrilyak asked what is the major end result, regardless of what party affiliation, do the constituents or citizens have. Mr. Petrilyak had concerns about the people themselves and told the Commission, "Do not bring politics into the peoples lives that are uninterested in politics". Mr. Petrilyak would like to know where the money is going regardless of who represents who. Mr. Petrilyak said he doesn't understand why he has to go from Rio Communities to Grants within his district and said the people do not get the representation or the money that are due for the services that the people deserve. Commission Chair Aguilar asked Mr. Petrilyak to attend a redistricting meeting in Albuquerque on August 23, 2001 at 10:00 A.M. at the Albuquerque City Council Chambers. This meeting will involve magistrate, senate, legislative, and congressional districts.

Mr. Apodaca said he has to create five districts with roughly about 13,000 people each, he has to maintain precinct boundaries, maintain communities of interest, and have the most compact and contiguous districts. Mr. Apodaca would like to create five districts that are readily recognizable. Commission Chair Aguilar disagreed with Commissioner Daves on putting Meadow Lake and El Cerro into a district, as there needs to be a balance. Commissioner Daves said the Commission should not split the money for roads by district but by priorities.

Mr. Apodaca said the next step would be to schedule the public hearings. Mr. Apodaca suggested the Commission conduct a public hearing separate from a regular Commission meeting. Mr. Apodaca recommended two public hearings to actually present plans and then vote on them. Commission Chair Aguilar said it would be nice to have a public hearing on the southern end of the County where people can come to that to raise issues and concerns, and maybe another one that would be accessible to the northern end, and also within the agenda item a couple of hearings so people from Los Lunas and Bosque Farms can attend. Commission Chair Aguilar also said they could have a meeting somewhere for the east or west mesa to serve those citizens. Commissioner Pando felt that when there are such meetings they might get into a lot of issues that have no relation but has no objection to it. Commissioner Daves feels the County is small enough that it is not unreasonable to hold public meetings at the Courthouse but has no major objection.

Mr. Apodaca asked the Commission to identify within their districts places where people go so he can post the plans. There will be three different plans that can be posted in a public place prior to the hearings. Commission Chair Aguilar suggested to post plans at the banks. Commissioner Padilla suggested advertising meetings well ahead of time to draw the attention of the public. Mr. Apodaca said he will get together with the County Manager and decide where to put the large format maps and will give the Commissioners each a few smaller maps. Commissioner Daves told Commission Chair Aguilar, "I suggested looking at the east mesa district and you suggested that might be inappropriate. I think it will be a disservice to the process unless you do that." Commissioner Daves feels that will be a disservice to the concept of a fair districting for their not being do consideration given in terms of the community of interest and contiguity to not include that as one of the alternatives. Mr. Apodaca said he would definitely look at all options. The next step is, Mr. Apodaca will decide public hearings and prior to that he will disseminate large format maps and smaller maps to each of the Commissioners. The deadline for this project to be done is December 31, 2001.

William Brown asked Mr. Apodaca what the process is for splitting a precinct. Mr. Apodaca said a block cannot be split but would split a precinct if he had to. The process is analyzing the census maps, which are the basis for all redistricting. Mr. Brown asked if the Commission has to have the authority to re-precinct. Mr. Apodaca said it's not re-precincting, it's splitting. The precinct will remain in tact, but the district line would split.

Mr. Apodaca will give the first draft of the proposals to the Commissioners by Wednesday August 15, 2001. Mr. Apodaca will post three scenarios for the public to look at. Mr. Apodaca gave his phone number to the Commission, which is 875-1270 or cell number is 681-8539. Commission Chair Aguilar recommended that Mr. Apodaca be at the public hearing a half an hour before the meeting so people can ask questions before the meeting.

The next Regular Meeting of the Valencia County Board of County Commission will be held on August 7, 2001 at 10:00 A.M. in the County Commission Room at the Valencia County Courthouse.

ADJOURNMENT

This meeting adjourned at 11:50 A.M.

NOTE: All proposals, documents, items, etc., pertaining to items on the agenda of the, August 6, 2001 Workshop Meeting (presented to the Board of County Commissioners) are attached in consecutive order as stated in these minutes.

VALENCIA COUNTY BOARD OF COMMISSIONERS

**ss/
ALICIA AGUILAR, CHAIRMAN**

**ss/
AURELIO H. PADILLA, VICE-CHAIRMAN**

**ss/
S. T. FRANK PANDO, MEMBER**

**ss/
GARY DAVES, MEMBER**

**ss/
HELEN BACA, MEMBER**

ATTEST: ss/

TINA GALLEGOS, COUNTY CLERK

DATE: August 21, 2001

For an official signed copy of these minutes and attachments see Book 41 Page 605.