



City of Escondido

Independent Districting Commission

**201 North Broadway
Escondido, CA 92025
Council Chambers**

**Sunday, October 27, 2013
6:00 p.m.**

AGENDA

The Brown Act provides an opportunity for members of the public to directly address the legislative body on any item of interest to the public before or during the Commission's consideration of the item. If you wish to speak regarding an agenda item, please fill out a speaker's slip and give it to the Minutes Clerk who will forward it to the Chair. If you wish to speak concerning an item not on the agenda, you may do so under Oral Communications.

The City of Escondido recognizes its obligation to provide equal access to services to those qualified individuals with disabilities. If you need special assistance to participate in this meeting, please contact our ADA Coordinator at 839-4641. Notification 24 hours prior to the meeting will enable the City to make reasonable arrangements to ensure accessibility.

1. Roll Call

2. Oral Communications

"Under State law, all items under Oral Communications can have no action and will be referred to the staff for administrative action or scheduled on a subsequent agenda."

This is the opportunity for members of the public to address the commission on any item of business within the jurisdiction of the commission. State law prohibits the Commission from discussing or taking action on items not on the agenda, but the matter may be referred to staff or scheduled on a subsequent agenda.

- #### **3. Approval of Minutes:**
- a. October 3, 2013 Public Meeting
 - b. October 10, 2013 Public Hearing
 - c. October 12, 2013 Public Hearing
 - d. October 17, 2013 Public Hearing
 - e. October 19, 2013 Public Hearing
 - f. October 24, 2013 Public Hearing

4. Line Drawing – Preliminary Districting Plan

Discussion of the basic districting requirements and drawing Preliminary Districting Plan with consultant.



5. Commission Budget

Discussion of budget expenditures and future anticipated expenditures.

6. Public Meeting and Hearing Planning

Planning of public meetings and hearings, including discussion with consultant.

7. Media Coverage

Review of media contacted.

8. Community Outreach

Community outreach planning.

9. Use of Technology

Discussion of Mapping Software.

10. Future Agenda Items

The purpose of this item is to identify issues presently known to staff or which members of the Commission wish to place on an upcoming Commission agenda. Commission comment on these future agenda items is limited by California Government Code Section 54954.2 to clarifying questions, brief announcements, or requests for factual information in connection with an item when it is discussed.

11. Adjournment

Upcoming Districting Commission Meeting Schedule				
Date	Day	Time	Meeting Type	Location
October 29	Tuesday	6:00 p.m.	Meeting	Council Chambers
November 7	Thursday	6:00 p.m.	Meeting	Council Chambers
November 21	Thursday	6:00 p.m.	Public Hearing	Hidden Valley Middle School
November 23	Saturday	9:00 a.m.	Public Hearing	Mission Middle School
November 24	Sunday	3:00 p.m.	Public Hearing	Center for the Arts, Escondido
November 24	Sunday	6:00 p.m.	Meeting	Council Chambers
December 5	Thursday	6:00 p.m.	Meeting	Council Chambers

AVAILABILITY OF SUPPLEMENTAL MATERIALS AFTER AGENDA POSTING: Any supplemental writings or documents provided to the Districting Commission regarding any item on this agenda will be made available for public inspection in the City Clerk’s Office located at 201 N. Broadway during normal business hours, or in the meeting room while the meeting is in session.



IDC Agenda Item No.: 3
Date: October 27, 2013

APPROVAL

OF

MINUTES

**CITY OF ESCONDIDO
MINUTES OF THE MEETING OF THE
INDEPENDENT DISTRICTING COMMISSION**

October 3, 2013

The meeting of the Independent Districting Commission was called to order at 6:00 p.m. by Chairperson Nuesca in the City Council Chambers, 201 North Broadway, Escondido, California.

Commissioners Present: Commissioner Anderson, Commissioner Carey, Commissioner Cruz, Commissioner Flores, Commissioner Ramirez, Vice-Chairperson Valdez, and Chairperson Nuesca.

Staff Present: Diane Halverson, City Clerk; Allegra Frost, Deputy City Attorney; Eva Heter, Assistant City Clerk; and Livier Valenzuela, Interpretation Services.

Oral Communications: - No public comments to consider.

Minutes: September 19, 2013 Meeting

Moved by Vice-Chairperson Valdez, seconded by Commissioner Ramirez, to approve the minutes of the September 19, 2013, meeting. Motion carried unanimously.

Commissioner Requested Agenda Items

a. Introduction of Leslie Devaney, Attorney at Law

Leslie Devaney, Attorney at Law gave an introduction of herself; briefly reviewing what she understood regarding the consent decree. She reviewed her qualifications, fees, and welcomed questions or comments.

Commissioner Anderson questioned if Attorney Devaney would require a retainer or fee.

Leslie Devaney, Attorney at Law stated that a fee would only be required in the event that she was needed.

Commissioner Anderson stated that the Independent Districting Commission had a restricted timeline which may require immediate assistance.

Leslie Devaney, Attorney at Law stated that she was very familiar with meeting the immediate needs of her clients; she reviewed her staff, and their abilities to deal with emergency situations.

Commissioner Flores questioned Attorney Devaney's experience working with legal ethics commissions.

Leslie Devaney, Attorney at Law reviewed her experience working with, and developing various ethics commissions.

Chairperson Nuesca questioned if between the years of 2009 and 2012, Attorney Devaney was retained by the City of Escondido.

Leslie Devaney, Attorney at Law indicated that she was retained as Special Council on call.

Commissioner Flores questioned if there would be any conflict with working with the City of Escondido on behalf of the Commission.

Leslie Devaney, Attorney at Law stated that there would be no conflicts.

Commissioner Flores stated that he was in favor of retaining Leslie Devaney as legal representation.

Chairperson Nuesca called for a motion.

ACTION:

Moved by Commissioner Anderson, seconded by Commissioner Carey to approve retaining Attorney Devaney's Firm for legal counsel, as needed in the future, to be acted upon at a future meeting.

Vice-Chairperson Valdez thanked Commissioner Flores for his effort in locating Leslie Devaney, Attorney at Law.

Commissioner Flores discussed the need to have a clearer motion; he requested to amend the motion. Amending the motion: Should the need arise that counsel is needed, the Commission would retain Attorney Devaney by a majority vote of the Commission that independent counsel is needed.

Leslie Devaney, Attorney at Law stated that the Commission would make the decision to retain her services in order to enter into a contract, at a future date and determined by the Commission.

Commissioner Ramirez questioned the ability of the Commission to enter into a contract.

Commissioner Anderson stated that he believed that Commission was able to enter into a contract; due to the fact that the Commission entered into a contract with Q2.

Allegra Frost, Deputy City Attorney stated that the contract was with the City, contracting with Q2 on the Commission's behalf.

Commissioner Anderson clarified that the circumstances in the case of contracting with Attorney Devaney would be the same.

Allegra Frost, Deputy City Attorney confirmed that the circumstances for contracting with Attorney Devaney would be the same.

Amended Motion: Moved by Commissioner Anderson, seconded by Commissioner Carey to approve entering into a contract with Attorney Devaney for legal counsel, and would retain Devaney's Firm in the event that legal counsel was needed in the future, to be executed at a future meeting by a majority vote, at no cost until services are needed. Motion carried unanimously.

Public Meeting and Hearing Planning

Ana Henderson, Q2 Data & Research, LLC (Telephonically Appearing) reviewed the Escondido Districting Public Input Hearing Planning Set sheets (On File in the Clerk's Office).

Commissioner Carey questioned if the City had been given enough time to complete their assigned task.

Diane Halverson, City Clerk stated that the assigned tasks had already been completed. She reviewed her assisting staff, and stated that the only variation from the plan would be the use of speaker slips, that would then be numbered, for those members of the public who would wish to speak.

Vice-Chairperson Valdez questioned if the speaker slips were in Spanish.

Diane Halverson, City Clerk stated that the speaker slips were not printed in Spanish; however, staff would be available to assist public when completing the form.

Ana Henderson, Q2 Data & Research, LLC (Telephonically Appearing) continued to review the Escondido Districting Public Input Hearing Planning Set sheets. She also questioned the approval of minutes at the public hearings.

Diane Halverson, City Clerk stated that minutes would not be on the hearing agenda for approval. Timing of the meetings and the completion of minutes was an essential

question, and she was not certain that minutes for the previous hearings would be available at each hearing for approval.

Chairperson Nuesca questioned the time the Commissioners should arrive.

Ana Henderson, Q2 Data & Research, LLC (Telephonically Appearing) stated that Commissioners were welcome to arrive at any time.

Diane Halverson, City Clerk stated that her team would be onsite an hour prior to the meeting, setting up and providing assistance to the public.

Commissioner Anderson questioned oral communications being on the agenda.

Diane Halverson, City Clerk stated that oral communications was required to be on the Agenda for the public meeting.

Commissioner Flores suggested that oral communications be moved to the end of the meeting, after the public hearing, in order to differentiate between the two sections.

Allegra Frost, Deputy City Attorney stated that staff would consider the option, create a draft agenda, and provide a revised agenda to the Commissioners for review.

Commissioner Carey suggested that the Commission provide a little direction to the public as to what they can expect from the outline of the meeting; explaining the difference between the public hearing section, and the oral communications section.

Diane Halverson, City Clerk questioned if the Commission wanted the agenda translated into Spanish.

Commissioners were unanimously in favor of the agendas being translated into Spanish.

Ana Henderson, Q2 Data & Research, LLC (Telephonically Appearing) clarified that the Public would need to speak during the public hearing, and/or submit their comments in writing in order for their concerns to be entered into the record.

Commissioner Carey requested that the "public" be defined. He stated that he felt that "public" should be defined as those living in Escondido; stating that those were the individuals that the Commission was intended to serve.

Allegra Frost, Deputy City Attorney clarified that the public hearing must be open to all members of the public, with no exclusions from giving public testimony.

Ana Henderson, Q2 Data & Research, LLC (Telephonically Appearing) reminded the Commission that all testimony should be valued.

Diane Halverson, City Clerk stated that all written oral communications, and or documents should be given to her for preservation. She reviewed the overall plan for the meetings, and the progress made on the City's assigned tasks.

Community Outreach

Ana Henderson, Q2 Data & Research, LLC (Telephonically Appearing) reviewed the community outreach flyer (On file in the Clerk's Office).

Diane Halverson, City Clerk stated that no direction was given regarding the flyer; she requested direction from the Commission on how to handle the flyer.

Chairperson Nuesca called for a motion.

ACTION:

Moved by Commissioner Flores, seconded by Commissioner Anderson to direct the City Clerk to make an appropriate number of flyers so that school children at the particular venue can take the flyers home.

Diane Halverson, City Clerk stated that she would have to contact the schools and research the school district policy for distribution of the flyer. She also reviewed that she had organized with the school district for robotic-calls to go out to all parents of the attending children, and that the site marque would include an electronic message about the upcoming public hearings.

Amended Motion: Moved by Commissioner Flores, seconded by Chairperson Nuesca to direct the City Clerk to make 5000 flyers for all future meetings, both in English and Spanish (front-to-back), so that school children at the particular venue can take the flyers home, and distributed at various Community facilities. Motion carried unanimously.

Consuelo Martinez, Escondido, ACLU, shared materials being utilized by the ACLU for Community Outreach.

Pat Mues, Escondido, stated that for Community Outreach various resources can be used; such as, school Facebook pages, passing out flyers and making announcements at various athletic events, social media sites, as well as local grocery stores, and laundry mats. She suggested that the Commission pay someone to assist.

Chairperson Nuesca stated that in order to reach neighbors within her area she had posted the flyer on a Free Website: nextdoor.com.

Commissioner Ramirez stated that he participated in a radio interview to get the word out about the public hearings.

Commissioner Carey suggested that the Commissioners distribute the flyers in their own neighborhoods individually.

Vice Chairperson Valdez stated that he felt the radio interviews were very valuable in getting the word out to the public.

Commissioner Ramirez requested that the flyers be provided to various churches in the area.

Vice-Chairperson Valdez suggested that flyers be provided to the Center for the Arts as well.

Use of Technology – No comments to consider.

Future Agenda Items

Chairperson Nuesca requested a review of the Commission's budget at the next business meeting.

Commissioner Carey requested that Items 4, 5, and 6 be repeated for the next agenda.

Commissioner Anderson requested a status report on the Commission's budget.

Chairperson Nuesca requested a discussion item pertaining to the Federal Voting Rights Act on the next agenda, preferably at the beginning of the meeting.

Vice-Chairperson Valdez stated that he would like a report identifying who had been contacted, and what kind of outreach had been done where the media was concerned.

Diane Halverson, City Clerk stated that all the public hearing notices were translated into the various languages and published in the appropriate newspapers.

Adjournment –Chairperson Nuesca adjourned the meeting at 7:43 p.m. The next hearing was set for October 10, 2013 at 6:00 p.m.

Chairperson Nuesca

Eva Heter, Assistant City Clerk

REPORTER'S TRANSCRIPT

IN RE:

DISTRICT LINES IN ESCONDIDO FOR THE CITY'S ELECTIONS

OCTOBER 10, 2013

ESCONDIDO, CALIFORNIA

REPORTED BY KRISTY A. MONTALBAN, CSR NO. 13551

1 Transcript of Public Hearing taken at the request of
2 Diane Halverson, CMC, commencing at the hour of
3 6:07 p.m. on Thursday, October 10, 2013, at 3003 Bear
4 Valley Parkway, Escondido, California, before
5 Kristy A. Montalban, Certified Shorthand Reporter
6 No. 13551, in and for the State of California.

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10 APPEARANCES:

11

12 For the City of Escondido:

13 CITY OF ESCONDIDO
14 BY: DIANE HALVERSON, ESQ.
15 201 North Broadway
Escondido, California 92025
760.839.4560

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1 DANA NUESCA: We are going to call this meeting
2 to order. We are going to follow the agenda. The first
3 thing that we have on the agenda is roll call. I'm
4 going to go ahead and go through the roll call and call
5 out commissioners.

6 Well, at first we were going to have limited
7 mic use, but we now have mics, but I'm going to go ahead
8 and stick to the plan.

9 I am Dana Nuesca. I'm the chair for the
10 redistricting commission.

11 At my left is John Valdez, Jack Anderson.
12 Andrew Carey is not present. I'm sure he's probably on
13 his way. Doris Cruz, Bill Flores and Roberto Ramirez.
14 And so we are all here.

15 I do want to give you guys just a little
16 overview on the hearing and how it's going to work so
17 that you're -- if you haven't actually been to a public
18 hearing before, you will understand.

19 We are going to start -- you have an agenda.
20 You picked up an agenda at the beginning.

21 First thing, if you do want to speak, make sure
22 that you fill out a speaker form so that during the
23 public hearing you can speak and, you know, that's why
24 we are here. We do hope that you are going to be
25 willing to get up there and speak.

1 And just some -- just a couple things.

2 Restrooms are outside the door here and make a right and
3 they're, I believe, outside at the far end of the
4 building or somewhere right there outside.

5 One other thing. After the workshop, after the
6 Q2 workshop, she's going to kind of go over what
7 redistricting or what districting, for that matter, is.

8 And then we are going to take about a 20-minute break
9 from the actual meeting and allow you to go around and
10 look at the maps after she's given her workshop.

11 If you decide to draw on the map, we have -- we
12 will take pictures of it, but we need your idea of a
13 district to be actually in writing or speaking here at
14 the microphone. So you have the two options. If you
15 are terrified to speak, we do have a form that you can
16 fill out for your community of interest and you can let
17 us know how you want that to be drawn or you can come to
18 the microphone.

19 So please, if you write on the map, I just want
20 to reiterate that, make sure that you do fill out a
21 piece of paper or actually come and speak at the mic.

22 The other thing is the commissioners will be
23 walking around and we will be talking to you. If you
24 give us an idea, you still need to do what I just said.
25 Fill out a piece of paper or come to the microphone,

1 because at that point we need to have it -- we need to
2 have it on public record, okay? I hope that makes
3 sense. If you guys have any questions, please feel free
4 to see any of the commissioners.

5 FEMALE: I have a map.

6 DANA NUESCA: Perfect.

7 FEMALE: So I don't need to draw one or --

8 DANA NUESCA: If you already have a map, you
9 can feel free to turn that in tonight. And then also if
10 you would like to speak at the public -- you know,
11 during the public hearing portion, you can do that too.

12 FEMALE: Do I give that to you?

13 DANA NUESCA: Yes. You can give that to Diane
14 Halverson, city clerk. When you take a break, you can
15 do that. That's fine.

16 FEMALE: Okay.

17 DANA NUESCA: All right. So we are going to --
18 they are rebooting a computer. Unfortunately, when you
19 have meetings, things go awry. And technology, although
20 we all love it, it tends to let us down in the most
21 important moments. And so they had to go and get a new
22 computer because the computer somehow on the transit
23 here decided that it didn't want to work.

24 So we do have Q2 here. That's the consultant,
25 the expert consultant. They are from the Bay area. And

1 Anna Henderson is the one that will be conducting this
2 portion of the meeting.

3 EXPERT CONSULTANT: Hi. How are you guys
4 doing? I sound so loud.

5 Okay. So Nicole is working on the computer
6 right now. In the meantime, these packets that you saw
7 when you came in, they actually have printed the
8 PowerPoint presentation I'm going to give, so I'll go
9 ahead and start with the paper. If you guys have a
10 copy, if you need a copy, they will give you one. Just
11 so it won't be you guys sitting there watching us doing
12 the computer. It's not that interesting.

13 Okay. So on the first page here, you have
14 districting in Escondido, how it works and how to
15 participate. And our first questions people ask
16 sometimes is what is districting.

17 Let me move a little bit. One moment.

18 Okay. We're good. I'm going through the paper
19 a little bit longer because now the computer is frozen.
20 We need to adjust it, not a replacement.

21 Okay. So in a district-based electoral system,
22 representatives are elected from districts. Currently,
23 up until now, and it's Escondido, everyone -- the city
24 council members are elected by everyone in the whole
25 city. What the commission will be doing is dividing the

1 city up into four districts and people that want to be a
2 city council member will run for each of those
3 districts.

4 So the districting process is the process of
5 dividing up that population into the different
6 districts. Here we will have four.

7 Okay. On the next page, the first one is
8 saying the names of our lovely commissioners here and
9 then asking some questions about what the commission
10 will actually be doing. As it was, I think you probably
11 all know the commission has been -- was put together
12 after a lawsuit, and there are certain things that the
13 commission needs to do.

14 First I need to uphold six public input
15 hearings, and those will all be held during the month of
16 October. After these are concluded, they will be having
17 two line drawing meetings in October as well. And
18 that's when they'll be taking all the testimony that
19 they hear from you guys during the hearings and using
20 that to make district map, a district plan.

21 We'll be collecting data through community
22 input, and that's hearings like tonight but also other
23 ways of getting input, either by sending a letter to the
24 city clerk's office, giving written testimony in an
25 e-mail, different ways to get your voice heard.

1 Next there will be constructing and approving a
2 preliminary districting plan, and that will be done
3 after the line drawing meeting that will be held on
4 October 29th.

5 After that they will be holding three feedback
6 meetings on the preliminary plan, and that will be an
7 opportunity for people to come in and say, I like what
8 you did, I don't like what you did, I would change this,
9 I would change that, thumbs up, thumbs down, things like
10 that.

11 And then next also approve a recommended
12 districting plan and submit that to the city council.

13 There's different types of meetings that the
14 commission is holding. Up until now, the commission has
15 been holding public meetings or business meetings. They
16 are scheduling -- it all included -- but the next one
17 will be on October 27th. And then also the public input
18 hearings. And this is just some of the dates, times and
19 locations of the upcoming hearings.

20 And then, again, the line drawing meetings that
21 I mentioned on October 27th and October 29th. Please
22 note that the one on October 27th will be held
23 immediately after the public input hearings, so if you
24 want to do an all-day districting marathon, you can go
25 to both.

1 And then the preliminary plan hearings are so
2 scheduled for November 21st, November 23rd and
3 November 24th. And the preliminary hearing will be held
4 on November 24th. So that will be after the first
5 preliminary plan meeting.

6 Other meetings may need to be scheduled. There
7 is a website here, escondido.org, where you can look at
8 and see if there's anything else going on. Also a lot
9 of the information that I will be talking about tonight
10 is also online, so if you know people who weren't able
11 to be here tonight, you can share that information with
12 them. There is a lot of information in there.

13 Okay. So we know what the commission is going
14 to be doing, all the things they'll be having, but the
15 big question is how are they going to draw district
16 lines.

17 In the consent decree with the litigation with
18 the City of Escondido, it has criteria that the
19 commission needs to use to draw districts. So they
20 don't just get to go in and say, I think we should draw
21 districts like this. There's really specific rules that
22 they need to follow for this.

23 And the criteria appear in ranked order. So
24 the Number 1 criteria is the most important one.
25 Number 2 criteria is the second most important and so

1 on.

2 So the first criteria is that districts shall
3 comply with the constitution, including reasonably equal
4 population, and I'll talk a little bit more about that,
5 but I just want to go through the list first.

6 The second is that district shall comply with
7 the Federal Voting Rights Act.

8 The second [sic] is that the district shall be
9 contiguous and drawn to encourage compactness.

10 The fourth is that district shall respect the
11 geographic integrity of neighborhoods and communities of
12 interest.

13 And the fifth is that incumbents or candidates,
14 people that want to run for city council, their places
15 of residence will not be taken into account when drawing
16 districts and the districts are not supposed to be drawn
17 so that they discriminate against or favor any political
18 party, incumbent or candidate for city council.

19 Okay. So turning to the first criterion, U.S.
20 Constitution and equal population. There's too many
21 parts of the U.S. Constitution that pertain to
22 districting. The 14th Amendment, the main part of that
23 being worried about equal protection. It's been
24 interpreted to require reasonably equal district
25 populations. You may have heard the term one person,

1 one vote or one man, one vote. And that basically means
2 that districts should have about the same population.

3 It also -- it also prohibits intentional
4 discrimination because of race, so that's another item.
5 And the 15th Amendment to the Constitution also bans
6 racial discrimination in voting.

7 And then if you are following along, on Page 5,
8 this one cell -- I know that it's not so much fun to
9 look at paper, but this one is actually really
10 important. So Number 9. So it's the first cell on this
11 page.

12 Because one of the questions is what should the
13 population of each district have. So one of the things
14 that we talk about, redistricting is kind of jargonizing.
15 There's words that you don't use every day. One of them
16 is called ideal population. And the ideal population is
17 if you were able to divide the population completely
18 equally, that's the ideal population.

19 So you have the total population of the city
20 divided by the number of districts equals the ideal
21 population. So the -- and the data that we use for that
22 is the census data for 2010. So the total number of
23 people that was in the census in 2010 in Escondido
24 divided by four, which is the number of districts we are
25 looking at.

1 So the census population was 1004 -- 143,911.
2 I'm not very good at reading numbers. Sorry. As you
3 will notice, you can't divide one person into four, so
4 that's why you say that's as equal as possible because
5 we can't be coming back to split people up.

6 So we -- you would divide that by four. You
7 are looking at about 35,000 people per district.

8 But then another question comes up is how equal
9 is equal. Do you have to have absolute equality or a
10 little bit less? And it really depends on which type of
11 jurisdiction you are looking at. If you are looking at
12 Congressional districts for the U.S. House of
13 Representatives, the courts have said that you have to
14 have absolute equality, and that means to be within one
15 person. And those districts are really big. So drawing
16 those districts to be within one person of each other is
17 pretty hard.

18 In local jurisdictions like Escondido, there is
19 a little bit more wiggle room, and so the courts say
20 that it doesn't have to be absolutely equal like the
21 Congressional districts, but you should try to be as
22 equal as you can or reasonably equal. So some deviation
23 above or below that ideal population of about 35,977 is
24 allowed.

25 And in the context of the Voting Rights Act

1 compliance, usually about 5 percent over and 5 percent
2 under is okay. But you want to keep it as equal as you
3 can.

4 Okay. Our computer is very unhappy.

5 Okay. So Section 2 of the Voting Right Act.
6 The Voting Rights Act is a federal law. You guys may
7 have heard that the lawsuit that was involved in
8 Escondido was under the California Voting Rights Act. A
9 little different law.

10 The Section 2 of the Voting Rights Act involved
11 here prohibits the denial or abridgement of voting
12 rights on the basis of race or language minority status.
13 And it has to have a very specific definition of
14 language minority status in the law itself. And any
15 Asian, Native American, Alaskan Native or Spanish
16 heritage language. So it doesn't apply to other
17 language groups like Burmish, for example.

18 It prohibits practices that have the purpose or
19 effect of discrimination -- discriminating on the basis
20 of race or language, minority status. And that applies
21 nationwide to all jurisdictions.

22 In the context of districting or drawing
23 districts, it comes into play because the way that
24 elections are conducted can be discriminatory even if
25 it's not on purpose. So -- but that is called vote

1 dilution. Electoral systems can limit the ability to
2 elect candidate choice by protecting a class of voters
3 because it makes it impossible.

4 So one way that makes it impossible is by
5 at-large election systems that used to exist in
6 Escondido. It can make it impossible even for a large
7 minority group to elect a candidate of their choice if
8 the majority group doesn't go along with their
9 interests.

10 And then single-member districts can also be --
11 can also cause dilution if they split a population up,
12 so say it was possible to draw a district that was
13 65 percent Asian American, for example, but if that
14 population was split into two districts where the Asian
15 population is 25 percent each, then that would be the
16 minority voting strength would be limiting their
17 abilities to elect candidate choice. So systems like
18 this -- minority voting strength are being diluted.

19 The rule of thumb for this is called the
20 Gingles test. It's named after a Supreme Court case.
21 And if you want to look at just preliminarily to see if
22 it's possible to draw a district that's in California
23 50 percent or more citizen voting age population of a
24 particular minority group.

25 Then there also must be evidence of racially

1 polarized voting. And what does that mean? That means
2 that the minority group tends to vote cohesively or
3 together on the same candidate. And so the majority
4 group tends to vote against the minority voting
5 preferences.

6 Okay. That's a lot of talking.

7 And I will also answer questions at the end,
8 so --

9 The third criterion that we are going to be
10 looking at is contiguity, which is not a word you see
11 every day. And it basically means that all parts of the
12 district are connected in some way. You can go from one
13 part of the district to another part of the district
14 without going into another district. I always say that
15 my son can skateboard from, like, one side to the other
16 side without going through another district and then
17 it's contiguous.

18 In Escondido we have an interesting situation
19 because there is parts of the city that aren't actually
20 connected to any other parts of the city, so there will
21 be some districts that are not contiguous, but you have
22 to do it that way, because we can't just draw part of
23 the land that's not part of the Escondido district.

24 Okay. Now, we have pictures. Pictures, look
25 it. So on Page 9 here, here is some examples of

1 contiguity. On the top one here, you guys have been to
2 San Francisco. This is San Francisco. You have the
3 city here with all the little piers sticking out. And
4 then Treasure Island that's out in the middle there.
5 And it's connected by a bridge. So this is called
6 bridge contiguity.

7 And then down in the bottom, we have a little
8 picture of Escondido noncontiguous area. So if you look
9 here over in the top right-hand corner, there is a
10 little black dot, and that's a little piece of Escondido
11 that's not connected to the rest of Escondido.

12 The other thing that you will see here is there
13 are some orange dots inside the large black area, and
14 those are parts of the county that are actually not part
15 of Escondido but are kind of those little pieces of
16 county inside of Escondido.

17 Okay. And the second part of the third
18 criterion is compactness, and that addresses the
19 geography of the districts. In particular, the consent
20 decree says the district should be drawn to encourage
21 geographical compactness. There is many, many ways to
22 measure compactness. There is, like, a whole subfield
23 of political science that tries to think of different
24 ways to measure how compact a district is or isn't.

25 But in the course often it seems to be

1 something like an eyeball approach that appearances do
2 matter, and that comes from Shaw v Reno, a Supreme Court
3 case and a bunch of other cases that went after it.

4 The idea about compactness is that it assumes
5 to guard against all types of gerrymandering, because
6 drastic departures from compactness are a signal that
7 something may be amiss.

8 What's important to keep in mind, though, is
9 that appearance is not everything. So sometimes there
10 might be a district that doesn't look particularly
11 pretty, but there is a reason why it looks like that.
12 It might not necessarily be gerrymandering or something
13 bad. So you need to take kind of everything into
14 account and not base too much -- don't put too much
15 weight on how things look.

16 The fourth criterion is the criterion that the
17 commission most needs to hear from you guys back, it is
18 neighborhoods and communities of interest. The criteria
19 for that district should not divide neighborhoods or
20 communities of interest.

21 So what is community of interest? Basically,
22 it's a group of people with a specific common interest
23 or an actual shared interest that can be geographically
24 defined. So you actually have to be someplace on the
25 map together and have an interest.

1 We also need to keep in mind that in Escondido
2 we know what communities of interest are not. The
3 consent decree specifically states that they shall not
4 include relationships with political parties or
5 incumbents or political candidates.

6 So even though you and all your neighbors maybe
7 love a certain candidate or a certain incumbent, that
8 can't be the basis of your community of interest. The
9 commission will not consider it.

10 Oh, my gosh. The computer is working. Okay.
11 I'm going to keep on going.

12 So -- so community of interest as defined by
13 those familiar with the community because you guys that
14 live in the community, you know the most about the
15 community. I can look at a map and really fancy
16 software and see a lot of interesting information about
17 Escondido and different areas, but I don't really know
18 the community just from looking at a computer. So
19 that's what you really need community testimony about.

20 The law does not limit the kind of interest
21 that may bind a community. The consent decree does
22 state that they may include racial, ethnic or language
23 minorities, but that's not all that can be included.
24 It's really up to those who live and work in
25 communities, you guys, to define and identify and

1 establish what those interests are that ignite you.

2 Your interests may not be limited to current
3 situations. They may be aspirational. So, for example,
4 if you're trying to work on economic development --
5 economic development, even though you may not have
6 developed everything right now, the fact that you are
7 working on it and it's a goal, can be something that
8 binds your community together.

9 The other part that's really important for the
10 commission is that we need to document your communities
11 and where they are. So where they are is huge. You can
12 get up and tell us all the great information about your
13 communities and how wonderful it is and all that binds
14 you together, but if you don't tell us where it is, we
15 won't be able to do very much with that information.

16 So when you are talking to the commission or
17 submitting written testimony or talking to your friends
18 and neighbors, you might want to do so, make sure that
19 you tell them you need to say what you the community is,
20 what binds you together and what it is. Where it is is
21 key.

22 So there's different ways you can do this. You
23 can create a map of the boundaries, and this packet and
24 online we have a work sheet that talks you through how
25 to use equal maps to do that if you so wish. But even a

1 map that's written on the back of a napkin can be
2 helpful as long as it has that information that we need.
3 So we would need, like, the streets or different areas,
4 if there is a river or a shopping center, something that
5 shows boundaries of that community are.

6 Okay. So just some examples of communities of
7 interest definitions. Organizing around schools or
8 school districts, transportation hubs, community
9 centers, dog parks, which is my partner's current
10 favorite thing. Dog parks are important. So
11 definitions of that may include race and ethnicity,
12 shared experiences or history, access or lack thereof of
13 education. Sometimes there is things that people have
14 in common, like having more children or extended family
15 living in a household, also shared languages and
16 cultures.

17 And then the fifth criterion is to ignore
18 politics. The commission should be drawing districts
19 without regard for where candidates or incumbents live.
20 So they shouldn't be taking into consideration where the
21 current city council members live or someone who may
22 want to be a council member in the future. And the
23 districts are not supposed to be drawn for the purpose
24 of favoring or discriminating against a candidate or
25 incumbent or any political party.

1 Okay. So why should you participate in the
2 districting? It's your choice to give your community a
3 voice. It's your chance to give a voice to your
4 community and to make sure there's equal access to the
5 political process.

6 It can also encourage citizens to register and
7 vote or remain politically engaged. It can be a
8 motivating factor in getting more involved in the
9 political system in the city. It can help to shape a
10 districting plan that provides communities a meaningful
11 opportunity to elect candidates to represent their
12 interests on issues that are important to their lives,
13 and to take advantage of opportunities to participate in
14 all phases of the districting process.

15 By being involved, you get to help shape how
16 the districts are going to be drawn and that will shape
17 the -- the city council ultimately can be elected.

18 And then just those -- that final note here
19 about how to get involved and how to learn more. To
20 participate, testify, give written testimony, send
21 supporting information to the independent districting
22 commission, please provide information about your
23 community of interest and neighborhood as soon as
24 possible. This is important. The deadline for
25 submitting this information is October 31st, 2013, so we

1 have a couple weeks. Definitely get that information in
2 as soon as you can. Even better if you don't wait until
3 the 31st. As soon as you can.

4 And there is information here about how you can
5 submit information. You can do it at hearing like
6 today, you can mail or drop off some written testimony
7 at the clerk's office or by e-mail to
8 districting@escondido.org.

9 And please check the city's website
10 escondido.org. It has a lot of good information. It
11 has this PowerPoint. It has a lot of other handouts you
12 can use and you can print out and share with your
13 friends and family.

14 Thank you for participating.

15 So does anyone have any questions? I know I
16 just threw a ton of information at you, so I appreciate
17 your sitting through it, especially through our
18 technical issues which won't happen again.

19 As Commissioner Nuesca mentioned, we have these
20 maps that are here on the sides of the room and they are
21 the same. There is one set over here on your right and
22 there is one set over here on your left. And that
23 really shows some different information about the city.

24 What we'd like you to do is, if you want to,
25 you can submit any form that you want. But after -- in

1 this packet of information that you picked up, after the
2 PowerPoint printing, there is a flyer here that says,
3 "Escondido Districting Criterion 4, Communities of
4 Interest."

5 And the third page of that, that will give you
6 more information about community -- COI. It's a lot
7 easier to say COI instead of communities of interest.

8 You'll see there's a paper called define your
9 community of interest form, and that gives, you know,
10 just kind of use the questions or the information that
11 the commissioner will need to hear from you.

12 The first one is what bonds your community?
13 What do you see as common interests or links in your
14 community?

15 And the second question, where is your
16 community located? Which for us members is really
17 important to know. What are the boundaries of your
18 community? Are there streets, railroad tracks, shopping
19 center, a park or a trail or something that kind of
20 tells us where it is?

21 Preferably, we'd like to get, you know, the
22 exterior boundaries, you've got four streets or five
23 streets depending on how the streets are. So these maps
24 can be helpful if you wanted to go look at them. We are
25 trying to put together some information to give to the

1 commission. Please feel free to take a look at them.
2 Feel free to mark on them if you want to. But as
3 Commissioner Nuesca mentioned, you really need to submit
4 your information you want to have on the record directly
5 during testimony.

6 So if you come and talk to me privately or talk
7 to the commissioners privately, that won't get into the
8 record. You need to make sure that you say it during
9 the public hearing portion of the meeting.

10 Yeah?

11 FEMALE: Yeah, I have a question. Regarding
12 the public input hearings, there is five more hearings
13 that are going to be held. Are they basically the same
14 as what you're covering today or at -- or at each of
15 these input hearings, will you be giving an update of
16 what's happening, or are they basically all the same?

17 EXPERT CONSULTANT: So the question was are --
18 will the format at each of the hearings, the public
19 input hearings be the same, and yes, they will be the
20 same.

21 No questions?

22 So either I did an amazing job or I did an
23 amazing job confusing everyone. So the main thing to
24 keep in mind, though, is that the commissioners really
25 need to hear from you is that community of interest from

1 your neighborhood. That's the main thing that's the
2 most helpful and most vital thing you have to be
3 providing tonight.

4 And I want to thank you all for being here.
5 It's the first hearing. You guys are trailblazers.

6 And with that, I'll hand it back to
7 Commissioner Nuesca.

8 DANA NUESCA: Okay. We are going to take, like
9 I said, about 20 minutes. Feel free to walk around. We
10 will be walking around with you, should you have any
11 questions. So look at the maps, and then we will come
12 back again in about 20 minutes and start the public
13 hearing. Thank you.

14 (Recess taken.)

15 DANA NUESCA: We are going to call the meeting
16 back to order. Start making your ways back to your
17 seats, please.

18 Okay. I'm going to turn the meeting over to
19 Ms. Halverson.

20 DIANE HALVERSON: I will be calling the names
21 of those of you that turned in a speaker slip. You will
22 be given three minutes to address the commission.

23 Our first speaker is Jerry Swadley.

24 JERRY SWADLEY: Hello members of the
25 commission. My name is Jerry Swadley. And I'm

1 president of Escondido Country Club Homeowners
2 Organization and otherwise known as ECCHO, E-C-C-H-O,
3 and we are a nonprofit corporation. We have a board of
4 directors that were elected. We serve a community of
5 about 2100 residents in the northwest quadrant of the
6 city. It's been there for 50 years, as long as the
7 Escondido Country Club has been there and the golf
8 course we live near. It's really a landmark an iconic
9 place within the northwest quadrant of Escondido.

10 ECCHO has permission of the grounds of
11 Escondido Country Club as open space for the Escondido
12 community. And in the course of pursuing that mission,
13 ECCHO drafted a citizens' initiative measure to preserve
14 the open space. In less than half the time allotted,
15 ECCHO volunteers, not paid signature gatherers,
16 volunteers obtained more than 9,000 signatures, well
17 over the 6,000 threshold needed.

18 The initiative was, in fact, verified by the
19 registrar, and the city council adopted the measure as
20 an ordinance. The golf course is now designated as open
21 space.

22 The initiative campaign was a unified factor of
23 the residents of north of Escondido. While we obtained
24 signatures throughout the city, many were concentrated
25 in the communities that benefited from the open space.

1 Hundreds of volunteers were brought together in the
2 effort. We have a community of interest unique in this
3 city. Essentially that community of interest lies north
4 of 78, west to the city boundary, north to the city
5 limits on both sides of I-15. It is this northerly
6 quadrant that voters responded most enthusiastically to
7 our campaign.

8 My request of the commission is this:

9 Establish a district boundary that honors the
10 eco-community of north Escondido. Do not bisect this
11 region which has recently demonstrated its unity.

12 Thank you.

13 DIANE HALVERSON: Our second speaker is
14 Paul DeLaurentis.

15 PAUL DeLAURENTIS: Members of the commission,
16 my name is Paul DeLaurentis, and I live in the country
17 club neighborhood also, 1531 David Drive. I have been
18 in Escondido for about ten years. Moved from
19 San Marcos.

20 I know it sounds great to say I come from the
21 country club area, but realistically it's a blue collar
22 area, people work there and there's a tremendous amount
23 of retired people who have lived there 40, 50 years.

24 And as Mr. Swadley already described with this
25 initiative it's such a unique community, the consultant

1 said you will never get that many signatures of
2 registered voters of Escondido, but we did ranging from
3 the San Marcos line north of 78 clear over to the line
4 on the east, Escondido Hills, Reedy Creek area,
5 throughout all that area.

6 So the point is what we feel what we are asking
7 for, what I'm asking for now is when you draw your
8 lines, we would like it to include that north part as it
9 works out to the population, of course, and everything
10 else because we share a common interest there. We work
11 there. We shop there. We have one high school. And we
12 would love to have one city official that we can go to
13 and represent us and not have it all fragmentized and
14 everything else.

15 Thank you.

16 DIANE HALVERSON: Joanne Tenney.

17 JOANNE TENNEY: Good evening. I'm short. My
18 name is Joanne Tenney. I live over on El Norte Parkway
19 in Morning View. And I did turn in a map that gives a
20 little bit more specific boundaries.

21 Basically where I live is senior citizens and
22 apartments, and so I tried to follow your outline here,
23 and what I see is common interests or lanes in my
24 community would be concerns about social security and
25 medicare, senior housing, public assistance programs,

1 rent control, public transportation, access to shopping
2 and medical, and that's basically all I -- all I think.
3 But I think that is the common interest for our group.
4 Thank you.

5 DIANE HALVERSON: Jose Castro.

6 JOSE CASTRO: Good evening. My name is Jose
7 Castro. Unfortunately, I haven't had the pleasure of
8 most of you to see the community. But I do see it in a
9 different way as I ride around in my truck and hear the
10 children play and listen to the voices of the people
11 gathering at the bank and grocery stores and all just
12 mingling and talking are the pride of owners and car --
13 as you cruise down and walk down Grant Avenue during
14 cruise night.

15 And the pleasure of my favorite, you know,
16 walking through the farmers market and hearing and
17 smelling the voices and the aroma in the aromatics, the
18 fruits and vegetables that come in that are just freshly
19 picked, you know, throughout our community and
20 supported.

21 I basically have chosen geographical boundary
22 to create what I call a Broadway corridor, and I
23 submitted that map which starts off south on Second
24 Avenue going as far north as geographically possible for
25 the city boundaries and bordering the I-15 on the west

1 end and going as far east as the geographical borders
2 will allow.

3 I stopped at Rose Avenue, but I never
4 understood where the country club was and I think that,
5 you know, I would probably modify my map to bring that,
6 incorporate it into it, because we are a community of
7 blue collar, white collar, professionals, seniors,
8 disabled, students, the youth, all multiple ethnic
9 diversities and classy people all in one area, and we
10 all celebrate and take pride in who we are.

11 Whether you live in a residential home or
12 you're an apartment dweller or a condominium co-op, we
13 are all part of a vast community and hopefully that --
14 the commission will take into effect that geographical
15 boundaries and the multiple array of citizens within our
16 community.

17 Thank you for your time.

18 EXPERT CONSULTANT: Can I ask a clarifying
19 question of this witness, please.

20 Can you restate the boundaries? You just went
21 a little fast.

22 JOSE CASTRO: Oh, okay. I started with Second
23 Avenue to the south. As far north as possible of the
24 geographical will allow, I believe I went up to --
25 because I don't know the area myself. I went as far as

1 I knew which would be El Norte and above. I tried to
2 border it with Interstate 15 on the west and I stopped
3 at Rose Avenue because I'm actually not sure how far
4 east it goes. I don't have the advantage to take a view
5 of it. But hopefully those will help -- with the map
6 that I submitted will help give a basic geographical
7 location.

8 EXPERT CONSULTANT: Thank you very much.

9 JOSE CASTRO: Thank you.

10 DIANE HALVERSON: Laura Kohl.

11 LAURA KOHL: I'm in between. I'm a teacher at
12 Hidden Valley. I have also taught at Orange Glen
13 Elementary, and I think that there is a perfect
14 community bonded together in the area that's northwest
15 corner is El Norte and Ash, and then it would include
16 everything to the city limit going to the northeast and
17 the southeast to the city limit too. But, anyway,
18 everything from Ash kind of north, northeast and
19 southeast. So that whole area.

20 It's an obvious place because there are feature
21 schools that all fit into the high school area there,
22 Orange Glen Elementary, Oak Hill, Lincoln Elementary all
23 feed into Hidden Valley Middle School and there is
24 also -- then they go into Orange Glen High School. So
25 you have this whole community of kids, of families that

1 are already engaged in that community spirit.

2 Also it includes the community center of Valley
3 Parkway, and part of my reason in saying this is a block
4 is that at this point, these people have been under
5 served in the city of Escondido, and that's why they
6 were able to decimate the East Valley Library.

7 If they had had somebody on the city council
8 who could protect them, they would never have taken out
9 the city library. So the other parts of the parks and
10 transportation.

11 DANA NUESCA: Thank you.

12 DIANE HALVERSON: I have no more speakers.

13 DANA NUESCA: Okay. At this point, if you
14 haven't gotten your speaker and you still want to speak
15 during the public hearing, I need that right now. If
16 not, we are going to move into what's called an oral
17 communication. And I'm sure you're probably wondering
18 what's the difference between the public hearing and the
19 oral communication. Oral communication would be
20 something that we haven't discussed that is not part of
21 the public hearing, something you would just like to get
22 up and speak about. So if you do want to speak during
23 the oral communication, do we have anything?

24 DIANE HALVERSON: I have no speakers.

25 DANA NUESCA: No speakers. Okay. I don't see

1 anybody moving towards the table.

2 CONSUELO MARTINEZ: Should I fill out a form?

3 Good evening. My name is Consuelo Martinez. I
4 just wanted to take this opportunity to inform the
5 public that I work for the ACLU, and I'm an Escondido
6 resident. But we are hosting office hours every
7 Wednesday this month from 4:00 to 7:00 at our Escondido
8 office. And we have been doing this for two weeks, and
9 yesterday we had eight people that came and people who
10 wanted to learn how to back their communities of
11 interest and also to start -- had a lot of questions
12 about what are the community of interest.

13 And I have found that some young people
14 especially thought, oh, well, I don't really know my
15 community, and then they just kind of started talking in
16 conversation and all of a sudden they just said all
17 these detailed things about their community that I had
18 never heard about.

19 So I think, you know, this is a good
20 opportunity and a good resource for the community to
21 come and really learn how to talk about their
22 communities of interest and we are happy to help with
23 that and we have volunteers at our office as well.

24 So I just wanted to extend the invitation to
25 the public, 4:00 to 7:00 every Wednesday in Escondido.

1 The address is 260 South Orange Street, Number 9,
2 Escondido 92025. And then we have, if you go on our
3 website, nuestrovotoescondido.org in Spanish. So thank
4 you.

5 DANA NUESCA: Okay. Since we have no further
6 speakers, the next item on --

7 MALE: Can I make a comment?

8 DANA NUESCA: Do you want to make -- he would
9 need to fill out another --

10 MALE: That's fine. Thank you.

11 DANA NUESCA: Okay. Stick to the rules here.

12 So the next item on our agenda is adjournment,
13 and so we are officially adjourned. Thank you very much
14 for coming. We really appreciate it.

15 (Proceedings concluded at 7:17 p.m.)

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1 I, KRISTY A. MONTALBAN, Certified Shorthand Reporter for
2 the State of California, do hereby certify:

3

4 That the foregoing proceedings were reported by me
5 stenographically and later transcribed into typewriting,
6 under my direction, and that the foregoing is a true
7 record of the proceedings taken at that time.

8

9 Dated: This 23rd day of October, 2013,
10 at San Diego, California.

11

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KRISTY A. MONTALBAN

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C.S.R. NO. 13551

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REPORTER'S TRANSCRIPT

IN RE:

DISTRICT LINES IN ESCONDIDO FOR THE CITY'S ELECTIONS

OCTOBER 12, 2013

ESCONDIDO, CALIFORNIA

REPORTED BY: JENNIFER G. GIBSON, CSR NO. 12802

1 Transcript of Public Hearing taken at the request
2 of Diane Halverson, CMC, commencing at the hour of 9:03 a.m.
3 on Saturday, October 12, 2013, at Hidden Valley Middle
4 School, located at 2700 Reed Road, Escondido, California,
5 before Jennifer G. Gibson, Certified Shorthand Reporter No.
6 12802, in and for the State of California.

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8
9

10 APPEARANCES:

11 EVA HETER, Assistant City Clerk
12 DANA NUESCA, Chair
13 JOHN VALDEZ, Vice-Chair
14 JACK ANDERSON, Commissioner
15 ANDREW CAREY, Commissioner
16 DORIS CRUZ, Commissioner
17 BILL FLORES, Commissioner
18 ROBERTO RAMIREZ, Commissioner
19 ANA HENDERSON, Q2 Expert Consultant

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2 PROCEEDINGS

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4 DANA NUESCA: Okay. We're going to go ahead
5 and call this meeting to order. First, before I do roll
6 call, I just want to thank you for attending our second
7 public hearing. We, the Commission, are actually really
8 excited that you're here. There are a few of you, and we're
9 happy that you're here. We want to hear your ideas on
10 redistricting. For roll call we are all here again --
11 Nuesca, John Valdez, Jack Anderson, Andrew Carey, Bill
12 Flores, Roberto Ramirez and Doris Cruz. And so thank you,
13 each one of you guys for being here. And hopefully as time
14 goes on, a few more people will come in.

15 I just want to go over the basics of the Agenda
16 for you so that you kind of know where we're going. Q2 is
17 our expert consultant. They're going to give you some
18 background on the districting process. And then after the
19 Q2 workshop, we're going to take about a 15, 20-minute break
20 and give you the opportunity to look at the maps. The
21 commissioners will come down, we'll talk to you, you know,
22 hear some of your ideas.

23 One thing I do want to express, I guess I
24 should say, is if you give us an idea, make sure that you
25 also put that idea in writing or that you come during the

1 public hearing portion, that you come up and speak about the
2 idea that you've just shared with us. Because if you share
3 it one-on-one, it's not recorded and then therefore Q2 won't
4 be able to utilize that information. So just make sure that
5 you either do it in writing, or come up and speak through
6 the -- you know, if you're not really fond of speaking, make
7 sure you get it in writing.

8 And then after the public hearing portion,
9 which you'll be able to speak for three minutes, one thing
10 that I do want to make sure that you know is when you get up
11 to the microphone, if you have specific boundaries, make
12 sure you give street names, boundary markers like the 15 or
13 the 78, something like that. Because they're going to
14 physically draw the map for you while you're speaking. So
15 just make sure that you have, you know, some boundaries, if
16 you do have those.

17 And then after public hearing will be oral
18 communications. And you're probably wondering why we have
19 that. But oral communications gives you the opportunity to
20 express an idea or an opinion on any item of business within
21 the jurisdiction of the Commission. And then at that point
22 we'll adjourn the meeting. So I will go ahead and turn the
23 meeting over to Q2.

24 ANA HENDERSON: Good morning. How are you guys
25 doing? I like the early morning people. Excellent.

1 Excellent.

2 Okay. So I'm just going to give a little
3 presentation about the districting process in Escondido,
4 just to give you an idea of the way the Commission will be
5 like drawing the lines, and information will be really
6 helpful for the Commissioners to hear from you. I'm going
7 to have Nicole, my assistant, help with my PowerPoint today.
8 And before I forget, after I give my presentation, we're
9 going to have a chance for you to take a look at the maps
10 that we have in the back. You can also come and ask Nicole
11 and myself questions, if you'd like.

12 Okay. So what is districting? In a district-
13 based electoral system, representatives are elected from
14 different districts. Up until now in Escondido, the City
15 Council has been elected at large. That means that everyone
16 in the City voted for all the candidates, regardless of
17 where they lived. What the Commission is going to be doing
18 is drawing the City into four electoral districts. And
19 starting next year in 2014, all candidates will have to run
20 from individual districts.

21 So the districting process is the process of
22 dividing up the population of the City into the four
23 districts. Next slide please.

24 Okay. So this is just a slide reiterating your
25 commissioners who are sitting before you today. Next slide

1 please.

2 And what does the Commission do and when? So
3 this hearing is happening in Escondido as a result of a
4 consent decree from litigation. And so the consent decree
5 really lays out what the Commission needs to do and when.
6 And so this is just going through that.

7 So the first is to hold public hearings, like
8 the one that you're at today. There are going to be six of
9 them that are going to be held during October, 2013.

10 And then after these hearings are done and the
11 Commission has had a chance to hear from you guys, there'll
12 be two line drawing meetings. During those meetings, the
13 Commission will be drawing the lines for the district. And
14 I've had a couple questions about how that actually is going
15 to happen. The Commission will tell us, Q2, where to draw
16 the lines. And we have some mapping software that has not
17 only a map of Escondido, but all sorts of population
18 information that we can use. And we'll be taking direction
19 from the Commission and using that to draw lines using the
20 software that we use.

21 Okay. The Commission will be collecting data
22 for that through public input like we're hearing today, but
23 also through written testimony. So if you know someone that
24 can't make it to a hearing or maybe doesn't want to get up
25 and talk at a hearing, they can send it in to the city

1 clerk's office, and that will be transmitted to the
2 Commission.

3 Also, the Commission must construct and approve
4 a preliminary districting plan. Kind of like a first draft
5 of the map. That is going to be done after the line drawing
6 meeting, and it will be done on the meeting on October
7 29th.

8 And then after that, the Commission needs to
9 hold feedback hearings to hear what the public thinks about
10 that preliminary districting plan or first draft. There
11 will be three of those that are going to be held in November
12 to get comments from the public about what they think about
13 those first draft maps.

14 And then after that, they need to approve what
15 will be called a "Recommended Districting Plan," and that
16 will be sent over to the City Council for approval.

17 All right. And then here's the schedule for
18 the public hearings. We held one on Thursday, the one
19 today. And what I want to point out for you is right here,
20 there's going to be this -- this meeting is a public hearing
21 on October 27th at 3 p.m. at the City Council Chambers. And
22 immediately following that one at 6:00 p.m. on October 27th,
23 will be the first line drawing meeting that will be held.
24 So if you want to do redistricting all day that day, you can
25 come at 3:00 and then stay until the line drawing is done

1 that day. And then the second line drawing meeting will be
2 on the following Tuesday.

3 And then the preliminary -- the feedback
4 hearings for the preliminary plan, they are scheduled for
5 November 21st, 23rd and 24th. And let me just say that all
6 this information is also on the City's website and also in
7 the materials that are available right here on the stage if
8 you want a copy.

9 And again, kind of similarly, on the last
10 feedback hearing on the 24th, it's at 3:00 p.m., and
11 immediately following that at 6:00 p.m. will be an
12 additional hearing to make any modifications that the
13 Commission needs to make modifications to the plan and to
14 approve the recommended districting plan that will be sent
15 on to the City Council.

16 And here, there may be other meetings that are
17 scheduled. So stay tuned. There's information on the
18 City's website about that.

19 Okay. So we know the Commission's going to
20 draw the lines, but one of the questions is, "How are they
21 going to draw the lines?" They're not going to be able to
22 just draw the lines wherever. The consent decree has very
23 specific criteria that the Commission need to use to draw
24 the lines. And this criteria is laid out in rank order.

25 So the first criteria is the most important,

1 the second is the second most important, and so on down the
2 line. The criteria that are set forth in the consent decree
3 are, first, that the district shall comply with the
4 constitution, including reasonably equal population.

5 Second, the district shall comply with the
6 federal Voting Rights Act.

7 Third, that the districts shall be contiguous
8 and encourage compactness.

9 The fourth is that the districts shall respect
10 the geographic integrity of neighborhoods and communities of
11 interest.

12 And the fifth is that -- it basically says that
13 the Commission shall not be taking into account where any
14 incumbents or current city council members or where any
15 potential candidates live when they're drawing districts.
16 And also that the district is not supposed to be drawn to
17 favor or discriminate against any party or incumbent city
18 council member.

19 Okay. I'm going to go through that in a little
20 more in depth. So let's get into this.

21 Okay. So the first criterion, the U.S.
22 Constitution & Equal Population. Sorry, our slide got a
23 little bit wonky. It gave us the second part before the
24 first part. Sorry about that.

25 Okay. So there's two main areas of the

1 Constitution that are involved in local redistricting. The
2 first is the 14th Amendment to the Constitution, or
3 particularly, the Equal Protection Clause. The Equal
4 Protection Clause has been interpreted to require reasonably
5 equal populations in districts. You guys may have heard the
6 term, "One person, one vote," or "one man, one vote." The
7 idea being that if one district has 10 people but another
8 district has 100 people, the people that live in the
9 district with 100 people, their vote is worth less than the
10 people who live in a district with only 10 people.

11 The other aspect of the 14th Amendment, Equal
12 Protection Clause, that's really involved is a prohibition
13 on intentional discrimination on the basis of race.

14 The other main aspect that's involved from the
15 Constitution is the 15th Amendment to the Constitution. And
16 that bans racial discrimination in voting.

17 Okay. So one of the questions, of course, is
18 how many people should be in each district. So in the
19 redistricting world, or the districting world, we call this
20 an ideal population. What would be the ideal number if
21 every single district had exactly the same number? And the
22 way you find this out is the total population of the
23 jurisdiction that you're looking at divided by the number of
24 districts. So in Escondido what we used for that is the
25 2010 census data, so the census data that was collected in

1 2010. In Escondido, the 2010 census said that there were
2 143,911 people. So divide that by four districts and you
3 get about 35,977 as your ideal population. But what does
4 that mean? So one of the questions also is how equal is
5 equal. Because, obviously, since we have one person, we
6 can't divide one person into four pieces and have, you know,
7 one-fourth of a person in each district. And so you need to
8 know how equal do these districts have to be. And there's
9 two really different standards.

10 For congressional districts, such as the U.S.
11 House of Representatives, the courts have said that equal
12 means equal, that all the districts have to be within one
13 person of each other. And that's a big job because the
14 populations are very, very large. And drawing those
15 districts to be within one person of each other, it
16 causes -- it's a lot of extra time to equalize those
17 populations.

18 For local jurisdictions like Escondido, though,
19 the courts are more forgiving, and the standard is that it's
20 reasonably equal population. So it doesn't have to be
21 within one person of each other. It's good to have those
22 districts as equal as possible, but you don't have to have
23 perfect equality. In the Voting Rights Act context,
24 generally, courts accept a cushion of 5 percent above the
25 ideal population or 5 percent below, within that range.

1 Okay. So the second criterion is the Voting
2 Rights Act. And in particular, we're looking at Section 2
3 of the Voting Rights Act. Okay. Section 2 of the Voting
4 Rights Act prohibits the denial or abridgement of voting
5 rights on the basis of race or language minority status.
6 And the statute actually defines what "language minority
7 status" means. And that means Asian, Native American,
8 Alaskan Native or Spanish heritage languages. So it doesn't
9 include every single language group, just those four
10 groups.

11 So for those who came in late, there's a copy
12 of the PowerPoint on here. We have it in English, Spanish,
13 Chinese, Tagalog, and Vietnamese. So feel free to come up
14 and grab a copy, if you'd like. You can feel free to do
15 that while I'm talking. I won't be upset if you're walking
16 around.

17 So Section 2 of the Voting Rights Act prohibits
18 practices that have the purpose or effect of discriminating
19 on the basis of race or language minority status. And it
20 applies nationwide to all jurisdictions that conduct
21 elections. There's some portions of the Voting Rights Act
22 that only applies to certain jurisdictions, but this portion
23 applies to the whole nation.

24 Okay. So when you're looking at the Voting
25 Rights Act and districting, what you hear a lot is the term

1 "vote dilution." It's another jargony term that we use in
2 the voting rights world. But here's what it really boils
3 down to. Electoral systems are the way that you elect your
4 representatives, can dilute of the voting strength of
5 minority voters by -- and that affects their ability to
6 elect a candidate of choice. For example, an at-large
7 electoral system, like Escondido used to have, can make it
8 very difficult or impossible for a minority group to elect a
9 candidate of choice if the majority group votes against
10 their interest.

11 Another example is, single-member districts can
12 also dilute voting too. It divides -- or combines a
13 minority population a certain way. So, for example, if you
14 had a jurisdiction that was -- had a population that was 50
15 percent or 51 percent African American in one area, but that
16 area was drawn into two districts, splitting that population
17 into two different districts where there was 25 percent to
18 two different districts. Instead of being able to have that
19 population in one district, they are then divided. And that
20 can dilute their voting streak. Anyway, so the big -- that
21 term that you hear a lot in this act, in this portion of
22 voting rights law is "vote dilution."

23 And in Section 2, you might also hear the term
24 "Majority-Minority District." And one of the ways -- there
25 was a Supreme Court case back in the '80s that interpreted

1 what vote dilution meant. And the first step when a body is
2 drawing districts, they need to determine as soon as
3 possible, draw a majority-minority district. So the first
4 step in looking at this is what a -- a minority group must
5 be large and compact enough to constitute a majority in the
6 district. In California that means a majority of its
7 citizens are voting age population, so a majority of
8 citizens that are age 18 or older.

9 In addition, there must be evidence of racially
10 polarized voting. And what does that mean? First, it means
11 that the minority group votes cohesively or together on the
12 same candidate. And the second prong of that is that the
13 majority group tends to vote against those minority
14 interests. So that's a little kind of overview of the
15 Voting Rights Act as it pertains to districting.

16 A third criterion is "Contiguity." It's a
17 weird word. You don't hear it every day. It's a district
18 in which all parts are connected to each other. They can go
19 from one part of a district to another without going through
20 another district. In other words, you don't want a polka
21 dot district. If you were doing the State of California, if
22 you had one district that's half in San Francisco and half
23 in Escondido, that would be a non-contiguous district. I
24 always say, a contiguous district is one that my son can
25 skateboard from one side to the other without going through

1 other districts. And some jurisdictions have non-contiguous
2 areas. Escondido actually has a little portion of the city
3 that's not connected to the rest of the city by any way.
4 That's okay. It can still be part of a district. It won't
5 look contiguous if you didn't know that was going on. But
6 usually a non-contiguous area, the city will be placed in
7 the district that's very close by.

8 Okay. So here's an example of contiguity. We
9 have San Francisco here and Treasure Island, and these two
10 brown areas are in the same district. And it's connected
11 because you have a bridge here. So this bridge contiguity
12 -- If there wasn't a bridge there and there was an island,
13 you still need to have it attached to a district. That's
14 okay. So you have the island attached to this district even
15 though it's not contiguous in terms of land.

16 And then here we have Escondido. And right
17 here, there's the little non-contiguous area that I was
18 talking about. So -- and then also in addition in
19 Escondido, you have several portions of land that actually
20 aren't part of Escondido that are inside the boundaries of
21 Escondido. So this here is county land. County land, right
22 here. I joke -- this is not a term, but I say "pond." So
23 we have islands and ponds. But I'm hoping that will catch
24 on eventually because I think that's really witty, but so
25 far no. Anyway, so that's what we'll be doing with this.

1 Even though this isn't attached, it will still be considered
2 to be contiguous.

3 All right. And the second half of the third
4 criterion is "Compactness." It addresses the geography of
5 the district or how the district appears. The consent
6 decree states that the district shall be drawn to encourage
7 geographical compactness. There's many different approaches
8 that have been developed to gauge whether and how much a
9 district is compact. Several court cases seem to rely on
10 the eyeball approach or the beauty pageant approach, really
11 what the district looks like. The Shaw v Reno case, it
12 mentions that appearances do matter.

13 The compactness criterion is assumed to guard
14 against all types of gerrymandering. Because the idea is
15 that if there isn't a reason why a district is very
16 non-compact, it might be because of something bad like
17 gerrymandering. But there's also a lot of different --
18 something to keep in mind is that appearances don't tell you
19 everything about a district and how compact it is. For
20 example -- can you go back to the slide before? So the
21 outside of the border's here in Escondido. They look pretty
22 non-compact. If you had a district that was here, you might
23 say, "Oh, that district looks really ugly. What's wrong
24 with that district?" But then you realize that the reason
25 the district looks like that is because you have to follow

1 the outside borders of the city. You can't just cut a
2 square and make it look pretty, you include the lot of land
3 that isn't part of the city. So the thing with the eyeball
4 test for compactness is really -- you know, I say, you can
5 look at it, but take it with a grain of salt and try to
6 figure out what's going on because there may be other
7 reasons why the district doesn't look so beautiful.

8 All right. "Neighborhoods and Communities of
9 Interest." This is the fourth criterion of Escondido, but
10 it's the most important thing for you to help the Commission
11 figure out. The district lines should not divide
12 neighborhoods or communities of interest. So what's a
13 community of interest? Well, it depends. The broad
14 definition, it's a group of people with a specific common
15 interest or an actual shared interest, is what the court has
16 recognized. And that can be defined geographically. So,
17 you know, you might have a common interest with a bunch of
18 people, but if you don't live in the same area, if it's not
19 geographically attached, then it's not community
20 districting. For example, if you're a part of an online
21 forum that loves cat videos, because who doesn't love cat
22 videos, that's a community of interest but it isn't a
23 geographical one that we can use in districting. So the
24 Commission really needs to hear from you about what your
25 community -- where your community is and where it's

1 located.

2 In Escondido we also know what communities of
3 interest are not allowed to be. They are not allowed to be
4 relationships with political parties or incumbents or
5 political candidates. So if you -- so the Commission is not
6 going to look at communities that are based on everyone here
7 is a member of the Green Party, for example. That would be
8 something the Commission would not be looking at.

9 Okay. So it's also good to know that the law
10 doesn't limit the kinds of interest that can bind a
11 community. The consent decree does recognize that racial,
12 ethnic or language minorities can be a community of interest
13 that can be considered by the Commission. But it's really
14 up to those who live and work in the community to tell the
15 Commission what the community is and where it's located.

16 And I also want to note that communities of
17 interest don't need to be limited to the current situation.
18 It could be something that your community is aspiring for.
19 So if the community is very interested in reducing crime,
20 for example, or increasing community economic development,
21 even though that may not be something that is currently
22 being achieved, working together can form the basis for the
23 community of interest.

24 So how can you tell the Commission about your
25 community of interest? So you can create a map that shows

1 the boundaries of where your community of interest is. We
2 have a handout in the packet that talks about using Google
3 maps as a tool to show where your community is. You can use
4 something as fancy as a GIS system. But a piece of paper
5 that shows where your community is or a road map with a
6 highlight showing what the outside boundaries of your
7 community is also something that we can work with very well.
8 You can you also just write down the boundaries. You can
9 say, "My community starts on the west side of town, goes up
10 to ABC Street." As long as we have the boundaries and can
11 identify where your community is located, we can use that in
12 our mapping software. And then what is the -- you know,
13 outline what defines your community of interest.

14 Also in the packet, we have a handout that
15 talks about community of interest more in depth. And it
16 also has a worksheet that'll help you provide information to
17 the Commission. Feel free to use that worksheet and fill it
18 out and give it to the Commission or just use it to give you
19 guidance on what you need to be telling the Commission.

20 Okay. So just some examples of community of
21 interest -- organizing around schools or school districts,
22 transportation hubs, bus groups, community center, my
23 partner's current favorite, dog park, as a community of
24 interest. Race and ethnicity are additional things to think
25 about there, shared experience or history, access or lack

1 thereof to education, a higher number of kids per household
2 or a younger overall population, shared languages and
3 cultures -- just things to think about.

4 Okay. And the fifth criterion of the
5 Commission is going to be charged with respecting is that
6 you really ignore politics throughout this process. The
7 district needs to be drawn without regard to where a
8 candidate or incumbent lives, so the Commission will not be
9 looking at drawing the district to fit whoever is currently
10 in office or who might be running. And also the district
11 shall not be drawn for the purpose of favoring or
12 discriminating against an incumbent, political candidate or
13 political party.

14 So why should you participate in districting?
15 It's an opportunity to give your community a voice, to make
16 sure that your community has equal access to the political
17 process. This is really important. This is how the City
18 Council is going to be elected and how to make the
19 redistricting happen. And you're giving the Commission
20 information that will help them draw districts that will
21 be a -- a fair representation is very important. It can
22 also encourage citizens to vote -- register, vote and remain
23 politically engaged. In some cases we find that
24 participating and districting is kind of a gateway activity
25 to greater political involvement in the jurisdiction. It

1 will help make sure that the districting plan that is --
2 that is ultimately passed, provides a meaningful opportunity
3 to elect candidates who represent their issues -- their
4 interests on issues that are important to their lives. And,
5 you know, take advantage of the opportunity to participate
6 in all phases of the districting process.

7 And how to get involved, how to learn more. To
8 participate, you need to testify either orally at one of the
9 hearings or provide written information to the Commission.
10 You can also send supporting information. So if you get up
11 and you talk today, and then later on you decide you want to
12 send in a map, you can send the map in as well. Please
13 provide information about your community of interest, your
14 neighborhood and the topics as soon as possible, but no
15 later than October 31st to be considered.

16 You can submit your information by, you know,
17 orally or by email. You can send a letter or drop off
18 something in writing to the city clerk's office. The email
19 address is districting@Escondido.org. And there's also a
20 lot more information on the city's website, Escondido.org.
21 That includes information materials, the PowerPoint from
22 today, as well as some handouts that you can use in your
23 community to encourage your friends, family, neighbors to
24 get involved as well.

25 So before we move on to the next phase, I just

1 want to point out something around the room here. In the
2 back you'll see that we have six maps. There are two sets
3 of three maps. They're out there for you to take a look at
4 if you want to help prepare your testimony or what you'll be
5 talking about. One of the maps has the blocks, census
6 blocks with the population of each census block. One of
7 them shows the block groups that's -- the census that they
8 take block groups -- they have to take census blocks and
9 move them into block groups. And the other one is a map of
10 the streets. So feel free to mull about, look at them. We
11 have markers out on the floor in front of all of them. One
12 important note, if you do mark on the map, we'll take a
13 picture of that and we will save that, but if you want to be
14 sure that it's in the official record that the Commission
15 will be using for drawing lines, you need to either fill out
16 a form or submit a piece of paper or talk about that during
17 the testimony portion of this hearing. Just writing on the
18 map and walking away from it isn't necessarily going to get
19 into the record, so make sure that it's either, you know,
20 submitted in writing or orally during testimony. And
21 likewise, feel free to come talk to myself or to Nicole. We
22 have our mapping software up and running today, so if you
23 have questions that you'd like us to take a look at, or if
24 you'd like to see something on the map, we can help show you
25 that during the intermission period. But, again, if you say

1 something to me or something to Nicole or something to one
2 of the commissioners, you know, in passing, that's not going
3 to get it on the record. You need to go back and say it
4 during the testimony portion or in writing just to make sure
5 that everything gets in the record.

6 So if there's questions, I'm happy to answer
7 questions, either in public or during the intermission
8 period.

9 DANA NUESCA: Thank you, Ana. That was a lot
10 of information for everybody. We're going to give you about
11 20 minutes or so to kind of process and talk to one another,
12 talk to us and ask questions. If -- Eva, if you could set
13 that time -- last time I think I lost complete track -- on
14 there just for 20 minutes so that we have at least a frame
15 of reference. That would be great.

16 EVA HETER: Okay.

17 DANA NUESCA: So go ahead, look at the maps,
18 and we'll reconvene in 20 minutes.

19 (Recess taken.)

20 DANA NUESCA: We'd like to call this meeting
21 back to order, please. Okay. If you have not submitted a
22 form and you would like to speak during the public hearing,
23 the forms are available right over here, so please come and
24 submit a form. Put your name on it, and then your name will
25 be called in the order that it was received. Okay. Do you

1 want to call the first person?

2 EVA HETER: Okay. My first speaker is Connie
3 Siano-Smeyres.

4 CONNIE SIANO-SMEYRES: Good morning.

5 THE COMMISSION: Good morning.

6 CONNIE SIANO-SMEYRES: Thank you for the
7 opportunity to speak with you this morning. My name is
8 Connie Siano-Smeyres. I serve on the Board of Directors of
9 the Escondido Country Club Homeowners' Organization, also no
10 known as ECCHO. It's the neighborhood association that
11 recently has been active in gathering signatures to protect
12 the opened space of the golf course. As the Information
13 Technology Director, I can speak with first-hand experience
14 about the great number of people who volunteered for our
15 organization and gathered signatures for our initiative.

16 The Escondido Country Club is a strong cohesive
17 area with a very clear identity. That's why we were able to
18 gather over 9,000 signatures in about one-third of the time
19 allotted by law. It's important to note that those
20 signatures were all gathered by volunteers. That indicates
21 the depth of community support and the definite community of
22 interest. Our community of interest lies in the city north
23 of Highway 78, west to the city boundary, and north to the
24 city limits on both sides of I-15. It is in this area that
25 Escondido residents joined together to protect our

1 neighborhood.

2 I urge the Commission to respect our community
3 of interest and to keep our neighborhood entirely contained
4 within one city council district. Thank you.

5 DANA NUESCA: Ana, were you able to get the
6 boundaries with that?

7 ANA HENDERSON: Yeah. Can I just tell them
8 what we're doing?

9 Okay. So just to let you guys know what
10 Nicole's doing right now, she's etching the areas that the
11 speaker was talking about in our mapping software. And
12 we'll be able to get some more information about the area.

13 So a follow-up question for the speaker. What
14 was your eastern boundary?

15 CONNIE SIANO-SMEYRES: Sorry. I'll just read
16 it again and see if that helps.

17 ANA HENDERSON: Thank you.

18 CONNIE SIANO-SMEYRES: Our community of
19 interest lies in the city north of Highway 78, west to the
20 city boundary, and north to the city limits on both sides of
21 the 15. So the east -- so the eastern -- let me picture it
22 here.

23 JACK ANDERSON: Not to put words in your mouth,
24 but it could be Broadway or Center City Parkway or Ash?

25 CONNIE SIANO-SMEYRES: Right. It will probably

1 be Broadway because that's where Country Club starts, West
2 Country Club. Does that help?

3 ANA HENDERSON: Yes. Thank you.

4 NICOLE BOYLE: Very helpful. Thank you.

5 ANA HENDERSON: Okay. And I also just want to
6 note that this is just a rough draft, so we're using -- so
7 we're using block groups for this mapping right now. And
8 we're highlighting it just to make sure for the speaker's
9 sake and for the Commission, that we're getting the
10 information right. So as we put something up, if you could
11 take a look and if you see something wrong, please let us
12 know. Thank you.

13 EVA HETER: Okay. My second speaker is Betty
14 Ferrell.

15 BETTY FERRELL: Good morning. I am Betty
16 Ferrell, and I'm here to speak on the same area that Connie
17 was speaking about, so you can get your map going. I'm a
18 member of the Board of Directors of the Escondido Country
19 Club Homeowners' Organization. I'm a realtor and a resident
20 of the Escondido Country Club community for 35 years. I,
21 too, was deeply involved in the signature-gathering effort
22 intended to protect our neighborhood. I was very involved
23 in organizing the community meetings for the effort and can
24 tell you that we had 5 to 600 people attend each meeting.
25 That level of intensity surrounding the issue was a clear

1 indication that we represent a definite community of
2 interest.

3 Additionally, as a realtor in Escondido, I can
4 speak to the strength and cohesiveness of the neighborhood.
5 There's a strong sense of identity in the Escondido Country
6 Club area, and a definite sense of history. Multiple
7 generations of Escondido families have marked important
8 occasions at the Country Club, a venue that has been opened
9 to the general public for many large events.

10 I ask that you keep intact the neighborhoods
11 north of 78, west to the city boundary, and north to the
12 city limits on both sides of I-15. That area meets the
13 legal definition of a community of interest, and we want to
14 stay within one council district. Thank you very much for
15 allowing us to come today.

16 DANA NUESCA: Thank you. Did you have any
17 questions for her?

18 ANA HENDERSON: I'm sorry, just to verify the
19 eastern boundary, is that Broadway, in your opinion?

20 BETTY FERRELL: I would say yes.

21 ANA HENDERSON: Okay. Thank you.

22 DANA NUESCA: Okay. Eva?

23 EVA HETER: Luz Villafana.

24 LUZ VILLAFANA: Good morning, everyone. My
25 name is Luz Villafana, and I'm just going to be talking

1 about my immediate community. This is the first time that I
2 participate in the process of districting. I live in north
3 Escondido between El Norte Parkway, the freeway. I drew the
4 line there, but, you know, I realize now that it can go even
5 farther than that. And my other cross street would be
6 Morning View Drive. So I live in El Norte Parkway, and the
7 thing that I have identified in my community, it's a very
8 active community with dense population. There are a lot of
9 apartments. The things that I identified, we have three --
10 I live in Escondido, and there are three other apartment
11 complexes that are seniors. We have very large low income
12 apartments on Morning View Drive, and about three of them
13 that are, you know, regular family apartments that I
14 identify to be senior or any other, you know, class of
15 people.

16 What I notice as I have lived there for about
17 23 years in that same area, is that a lot of the elderly
18 people that do not have a car or cannot drive anymore, they
19 cross the street between Morning View Drive and El Norte
20 Parkway. I see a lot of children walking to school. There
21 is a school there on the other side of 15. And I don't have
22 the -- since I don't have children in school, I don't have
23 the name of that school. A lot of younger -- I mean, older
24 kids that walk to the high school, Escondido High School,
25 and I see a lot of grandparents walking with the children,

1 probably the apartments where the low income people live and
2 the younger tenants are. They do the babysitting which is
3 very common these days, that the grandparents are taking
4 care of the grandchildren. And they also walk to the
5 shopping mall which is just around the block just to, you
6 know, exercise. And the thing that concerns me very much is
7 the traffic. Since we're on the -- very close to the 15,
8 people get off of that freeway, and they think that El Norte
9 Parkway is a continuation of the freeway. And people
10 crossing the street to go shopping or, you know, just to
11 exercise, there's not enough time on the lights to cross.
12 And like for myself, I'm very aware of all those things, but
13 when I am on Center City Parkway trying to turn west to El
14 Norte Parkway, if somebody with a high vehicle, say a truck
15 or an SUV, is right next to me, I cannot see people crossing
16 the street. And when they are close to a green, I'm very
17 aware that if I don't watch if somebody's walking, it's a
18 very wide street, they don't have enough time to make it to
19 the middle or to the other side. There's going to be an
20 accident there. So those are my concerns right now. Like I
21 said before, this is the first time I'm involved with the
22 districting. I am planning to be at the other meetings
23 again and have a better picture of what I'm talking about so
24 it can help the Commission to draw the lines. Thank you.

25 DANA NUESCA: Thank you. Ana, the lines that

1 you're drawing, they're based on what she's talking about?

2 ANA HENDERSON: Yes, they are.

3 If you'll look at the map. I know you gave us
4 a map that had a portion of San Marcos in it. On the map
5 that we've done to draw your lines, we only include the
6 Escondido portion because we're only doing Escondido. I
7 don't know if you can -- if you can see it from back there,
8 but if you can take a look at that. Does it look okay?

9 LUZ VILLAFANA: Yes. I didn't realize -- I
10 guess I was thinking that there's another school, but it's
11 in San Marcos, and I see people walking.

12 ANA HENDERSON: That's fine. And also, I want
13 to clarify a question about the northern border that you
14 would use. I know that you said that you would go north of
15 El Norte Parkway, but I'm wondering how far. So Nicole is
16 showing you El Norte Parkway right there.

17 NICOLE BOYLE: How far? Up to Rincon Avenue?

18 LUZ VILLAFANA: What's the name?

19 ANA HENDERSON: Rincon is the next major street
20 that you'll see.

21 LUZ VILLAFANA: That's El Norte Parkway,
22 right?

23 ANA HENDERSON: Yes.

24 JACK ANDERSON: I have a question. The number
25 represented in the middle of the map down at that box, is

1 that population?

2 ANA HENDERSON: Yes.

3 JACK ANDERSON: And it looks like there's two
4 numbers. What are the differences --

5 ANA HENDERSON: Yes. The top number is the
6 population within that yellow area. And then the second one
7 is the deviation. That's how many more people you would
8 need to add to have your ideal population.

9 JACK ANDERSON: Oh. Okay. Thank you.

10 ANA HENDERSON: Yeah. So that's the population
11 in that area subtracted from our 35,977 ideal population.

12 So you'll see that now we've put it back down
13 to the northern border, back to El Norte Parkway, that that
14 number changed because we removed the population that was
15 north of El Norte Parkway.

16 JACK ANDERSON: I had the chance to speak with
17 her before. And she lives on El Norte, I think. And so,
18 actually, I think her interest is north of El Norte as
19 well. Because --

20 ANA HENDERSON: Right.

21 JACK ANDERSON: -- because they cross El Norte
22 to go shopping and that kind of thing, so I think that's one
23 of your concerns, wasn't it? North of El Norte as well?

24 LUZ VILLAFANA: Center City Parkway?

25 JACK ANDERSON: Center City would be on the

1 right.

2 LUZ VILLAFANA: On the right, so -- I'm not --
3 I mean, I know the city. I don't look at streets because I
4 know it so well.

5 JACK ANDERSON: Because that area just colored
6 in has a shopping center, and many of the people south El
7 Norte will go there on foot.

8 LUZ VILLAFANA: Yes.

9 NICOLE BOYLE: But don't go up to Rincon? Some
10 of these -- these are single census blocks, so they're
11 units.

12 EVA HETER: I think it's really important to
13 mention at this time that this section of the meeting is to
14 take public comments, and it's not a collaborative session
15 so --

16 JACK ANDERSON: We're just trying to clarify.

17 EVA HETER: Right.

18 ANA HENDERSON: So this now includes the
19 shopping center area, and it stops at I-15.

20 LUZ VILLAFANA: Okay.

21 EVA HETER: Okay. So our forth speaker is
22 Robroy Fawcett.

23 ROBROY FAWCETT: Good evening. My name is
24 Robroy Fawcett. I reside in the Oak Hill neighborhood.
25 It's impossible for you to protect the community of interest

1 in my neighborhood because of what the census has done and
2 how they form the blocks. I live by Oak Hill and Rose, and
3 it's near Oak Hill and Grand. There's like three
4 megablocks. So if you go to the downtown area, the blocks
5 are what you would normally think is a block -- corner to
6 corner to corner. The block I live on is between Oak Hill,
7 Rose, Ash and Grand. And so she'll click on it. It's Block
8 Group 3.

9 And what happens is my block -- not my block
10 group -- my block goes from Ash to Rose from Oak Hill to
11 Grand. I live three lots from the next block group which is
12 in the census track 20207, block groups 1. And that block
13 group, there's a block in there that goes from Grand to Rose
14 to Oak Hill to Midway. It's got 1600 people. It's very
15 heterogeneous. There's no way to divide that block using
16 the census. You're going to have errors. Yeah, if you
17 highlight 20211, block 3,000. It's in Block Group 3.
18 Across the street from me, it's 3,007. But my block,
19 because I'm right there between Katella and Rose near the
20 corner of Oak Hill and Rose, goes all the way over to Ash
21 and Grand. And my neighborhood is block groups in the
22 20705.2 and 20705.1, those block numbers just south of Oak
23 Hill. And the people on the south side of the hill that's
24 between Grand and Oak Hill -- if anybody's been in that
25 neighborhood, there's a sizable hill there. And one side is

1 all apartment complexes, and the other side is -- towards
2 the end -- and I'm not counting the mobile home park and the
3 condos at the end -- but everything south of the aqueduct --
4 well, south of the hill and pretty much east of the
5 aqueduct, the California Aqueduct comes down through
6 Hardy -- is my neighborhood. Yet, the school district loves
7 to use Rose -- and then if you look at the block groups just
8 below where your hand is -- click on that.

9 NICOLE BOYLE: This one?

10 ROBROY FAWCETT: Yeah. If you'll notice, that
11 tract is divided by block group along the street over from
12 Rose. That's a neighborhood street. That's in the center
13 of the neighborhood. The school district I think in one
14 district used that as the dividing line. Just obliterated
15 our neighborhood. Came down Rose, went over. And then the
16 other difficulty is my track goes from Oak Hill up to
17 Mission, the 20211 tract. That's the tract I live in. My
18 voting precinct is about the same. Oftentimes I vote up on
19 Washington and Harding. And there's a tendency to divide
20 through the commercial area to get to -- and just kind of
21 leave us to the side and say, "well, since no one lives
22 there, it doesn't affect the population." And so it's this
23 way of gathering things, usually the commercial areas.

24 So three things. One is that area has major,
25 big giant blocks with 1600 people in them. My tract goes

1 all through the central part of town, and same with my
2 precinct. Am I out of time? I didn't know there was a
3 time -- I'll send you a whole bunch of written comments.
4 Thank you.

5 ANA HENDERSON: Just a follow-up question,
6 please. Sir, can you tell us if we have -- are these the
7 boundaries of the blocks that you're having issues about?

8 ROBROY FAWCETT: I also discussed the 20207
9 because those have megablocks in them too. And the 20207.1
10 block group has part of the Oak Hill neighborhood in it,
11 between the school, which you can't see, but it's right
12 where your cursor is.

13 NICOLE BOYLE: This is the 1600 block, this
14 one. See how it's shaped --

15 ROBROY FAWCETT: If you move your -- yeah, if
16 your -- not your cursor. If you move to where Oak Hill and
17 Rose is, there's about four streets that go up from -- to
18 the east. Yeah, right in there. Those are part of the Oak
19 Hill neighborhood. Oak Hill isn't a big dividing line.
20 It's part of the neighborhood, plus my street which is
21 Katella --

22 ANA HENDERSON: Okay. So does this capture
23 what we were talking about, this area?

24 ROBROY FAWCETT: Yes. So I talked about my
25 tract, I talked about the megablocks, and I talked about my

1 neighborhood.

2 ANA HENDERSON: Okay. We just want to make
3 sure we have that for the record.

4 ROBROY FAWCETT: Okay.

5 ANA HENDERSON: Thank you.

6 EVA HETER: Okay. Our next speaker is Patrick
7 Drinan.

8 PATRICK DRINAN: Drinan.

9 EVA HETER: Drinan.

10 PATRICK DRINAN: My name is Patrick. I'm as
11 retired educator. I live in the northwest edge of
12 Escondido. But I wanted to make some preliminary comments.
13 First of all, to get on the record what a couple of people
14 on the Commission told me as we were looking at the maps.
15 And that is that for the process of community of interest,
16 we can speak to communities of interest even if we're not
17 geographically part of them; that is, my wife and I live in
18 the northwest edge, and the community of interest extends to
19 the Country Club area naturally, geographically, and the
20 like. But I really wanted to, in a sense, make sure that we
21 can speak to the issues of other communities of interest to
22 the Commission.

23 My wife and I are very involved as retired
24 educators. And in terms of the school districts in
25 Escondido, the K through 8 in particular last year went

1 through a redistricting, and I wanted to speak today not of
2 the specific boundaries because I know that the staff does
3 not have a district one K through 8 boundaries in front of
4 them now. But I would like to argue today without
5 specificity that we should try to establish the urban core
6 as a community of interest roughly around the K through 8
7 boundaries.

8 Community of interest is defined by the
9 downtown business community, workers in that community, and
10 the largest man population and school district that exists
11 in that area. I will have suggestions on lines later, but I
12 wanted to really establish that it's possible for us to
13 speak to communities of interest other than those in our
14 immediate geographic area. Thank you so much.

15 EVA HETER: I have no more speaker cards.

16 DANA NUESCA: Do we have any for oral
17 communications?

18 EVA HETER: I do not have any oral
19 communication sheets.

20 DANA NUESCA: Okay. And again, just to remind
21 you, this is not regarding line drawing. It would just be
22 regarding the process in general.

23 EVA HETER: Okay. I have oral communications
24 for Robroy Fawcett.

25 ROBROY FAWCETT: Good morning. I wanted to

1 spend some time to talk to you about terminology. So in the
2 lawsuit we had the protected class called "Latinos." Census
3 data, they tend to use "Hispanic." And then if you look at
4 the statute, it talks about "race, color, or language
5 minority group." And then under language minority group,
6 for this issue, it talks about Spanish heritage. And so
7 sometimes I see data and it has Latino. Sometimes I see
8 data, it has Hispanic. Sometimes I see data -- it's usually
9 those two, but it says different things. So part of my
10 background is, I'm married to a Brazilian. I think my
11 children are Latino. I think Brazil is part of Latin
12 America. And some departments of the federal government
13 also think that. The census doesn't. And it's -- it's
14 really kind of like grading to hear people say, "Oh.
15 Latinos are people who speak Spanish," because half of the
16 continent of South America does not speak Spanish; they
17 speak Portuguese. So I would like you to use the language
18 of the statute. Now, one of the things that's been unclear
19 and I've asked this many times, is what is the protected
20 class? Is it a race, is it a color, or is it a language
21 minority group? My opinion, and I believe I'm correct on
22 this, is that it's a language minority group. Language
23 minority group, based on the Spanish language, defined as
24 people of Spanish heritage. And in the 1970's census, the
25 Census Department defined that as people having a Hispanic

1 or Spanish surname, people of Spanish mother tongue in the
2 southwestern United States. In the East, it was people with
3 Spanish mother tongue and people born in Puerto Rico. And
4 in the rest of the country, it's just people of Hispanic
5 mother tongue.

6 So if the protected class here is people of a
7 Spanish language minority group, then we should use that
8 terminology and put either "SP," or we should put "SPH" if
9 it's Spanish heritage or whatever. But to use "Latino,"
10 which is a -- kind of a grading definition that excludes a
11 large number of people from Latin America, or use
12 "Hispanic," which a lot of people who are natives of this
13 country, weren't too happy with what the Spain -- Spanish
14 did to native culture. And so I think if Congress has
15 defined it as "Spanish language," we should use that as the
16 terminology and get rid of these other terminologies that
17 are racially charged.

18 The other thing is, if you look at the data
19 they handed out, they sort it out by race and then there's a
20 little carrot next to whites and blacks, and they say,
21 "excludes Hispanics." So I'd like to know how many
22 Hispanics are of the several race category. Thank you.

23 ANA HENDERSON: Thank you. No further oral
24 communications --

25 EVA HETER: I have one more oral communication.

1 Laurie Resendiz.

2 LAURIE RESENDIZ: I'm Laurie Resendiz, and I
3 just wanted to communicate to everybody that we're holding
4 open office hours at the ACLU office. We're holding open
5 office hours from 4:00 to 7:00 every Wednesday for anyone
6 who needs help drawing a map in their district or
7 identifying their communities of interest. We're having
8 open office hours, and we can help anybody there. Thank
9 you.

10 EVA HETER: And that concludes the speaker
11 cards.

12 DANA NUESCA: Okay. I just want to make sure
13 that everybody is aware that our next meeting will be next
14 Thursday night at the -- hold on. I think it's the -- I
15 have it written down.

16 JACK ANDERSON: Church of the Resurrection.

17 DANA NUESCA: Thank you. Church of the
18 Resurrection, 6:00 o'clock. And please, again, tell your
19 neighbors. If you've come to this and you want to come
20 again, we'd love to have you. But please share with your
21 friends that we are -- you know, we do have these hearings,
22 and we would love for you to be there. Thank you. This
23 meeting is adjourned.

24 (Whereupon, the proceedings concluded at 10:24 a.m.)

25

1 REPORTER'S CERTIFICATE

2 STATE OF CALIFORNIA)
)
3 COUNTY OF SAN DIEGO)

4 I, Jennifer Gibson, a Certified Shorthand Reporter
5 for the State of California, CSR No. 12802, do hereby
6 certify:

7 That the proceeding was reported by me
8 stenographically and transcribed through computer-
9 aided transcription under my direction; and that the
10 foregoing is a true record of the testimony elicited and
11 proceedings had at said proceeding.

12 I do further certify that I am a disinterested person
13 in no way interested in the outcome of this action or
14 connected with or related to any of the parties or to their
15 respective counsel.

16 In witness whereof, I have hereunto set my hand this
17 12th day of October, 2013.

18 _____
19 JENNIFER GIBSON, CSR NO. 12802

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**CITY OF ESCONDIDO
MINUTES OF THE PUBLIC HEARING OF THE
THE INDEPENDENT
DISTRICTING COMMISSION**

October 17, 2013

The meeting of the Independent Districting Commission was called to order at 6:07 p.m. by Chairperson Nuesca at the Church of the Resurrection, 1445 Conway Drive, Escondido, California.

Commissioners Present: Chairperson Nuesca, Commissioner Cruz, Commissioner Ramirez, Commissioner Flores, Vice-Chairperson Valdez, and Commissioner Anderson, Commissioner Carey (arrived at 6:20 p.m.)

Commissioners Absent: None.

Staff Present: Diane Halverson, City Clerk; Ty Paulson, Minutes Clerk; Eva Heter, Assistant City Clerk; Megan Grimm, City Clerk Staff; and Livier Valenzuela, Interpretation Services.

Workshop by Q2 – Workshop by Expert Consultant, Q2, regarding districting process and public input.

Chairperson Nuesca provided an overview of protocol for the meeting.

Karin MacDonald and Jamie Clark, Q2 Data & Research, LLC, provided the presentation. (Presentation available at City Clerk's Office.)

Commissioner Carey entered the meeting at 6:20 p.m.

Chairperson Nuesca recessed the meeting at 6:49 p.m. for the purpose of reviewing the maps with the public.

Public Hearing – Public consideration of and comment on the drawing of district lines; Public input regarding their Community of Interest (COI).

Jim Ahler, Escondido, Member of the Escondido Community Country Club Homeowners Association, noted that when Escondido Country Club was threatened by an outside developer over 9,000 votes were collected by volunteers from the area for an initiative that was provided to City Council and then passed. He stated that his community of interest (COI) dealt with the most northern boundary of Escondido, down Highway 78 from north to south, and from the westerly boundary of Escondido to Ash Avenue. He stated that the first COI had to do with the National Little League, which had Escondido High School as its central

point, which included Rock Springs Elementary and Rincon Middle School. The area was comprised of modest middle class homes, restaurants, and grocery stores. (Provided map to staff)

Don Greene, Escondido, president of the Coalition of Escondido Mobile Home Voters, noted that his focus was on the mobile home parks in the east and west areas of the City. He asked that the districts take into consideration the six (6) mobile home parks in east part of the City and the seven (7) mobile home parks in the west side of the City. (Provided map to staff)

Luis Romero, Escondido, Country Club, noted that his community of interest was the Country Club area of which the western boundary was the City of San Marcos, eastern boundary being the City limits, and southern boundary being El Norte Parkway as well as a small area off North Broadway and Interstate 15. He stated that his neighborhood was comprised of working class and retired middle class residents.

Laurie Resendiz, Escondido, noted she lived off of El Norte Parkway on the east side of Escondido. She stated that her entire family lived on the east side of Escondido with her parents originating from Mexico. She stated that the area was family oriented due to the number of schools, residences, stores, restaurants, and mobile home parks. She felt the east side of Escondido was being neglected and asked that this area be kept together as one district.

Jose Castro, Escondido, noted that he had drawn maps that he felt would preserve open space and be fair to the citizens. He noted that the maps were developed out of talking to the community. He indicated that everyone wanted equal and fair representation and a voice to be heard. (Provided maps to staff)

Deloris McQuiston, Escondido, stated that her COI started at East Valley Parkway and Ash to Grand Avenue, east on Grand Avenue to Bear Valley Parkway and Citrus, across Citrus to East Valley Parkway and Valley Parkway to El Norte Parkway, down El Norte Parkway to Washington and west from Washington back to Ash. She noted that this area included six mobile home parks. She also stated that the area had stores, mobile home parks, medical services, and grocery stores and was very diverse.

Patricia Borchmann, Escondido, noted that her neighborhood was near Rock Springs, which included multi-family apartments and condominiums with a mixture of income groups. She felt these neighborhoods were underserved and deserved more funding. She felt having a voting support base would help the population in the subject areas.

ORAL COMMUNICATIONS:

Robroy Fawcett, Escondido, stated that he wanted to discuss the protected class

who this process was about. He stated that the statute in codes mentioned Spanish Heritage as a language minority group, noting it did not mention Hispanic, Latino, nation of origin, or ethnicity. He referenced California Election Code 14026 and the Federal Voting Rights Act, and 1970 census data. He noted that the Register of Voters had a list of all the voters registered in the City but did not include non-registered voters. He also stated that the 2010 census data did have a question on citizenship, noting that the margin of error had to be taken into consideration.

Diana Bailon, ALCU, noted that they were holding office hours on Wednesday from 4:00 p.m. to 7:00 p.m. at the 260 South Orange Street, Escondido, to answer questions about districting.

Adjournment: Chairperson Nuesca adjourned the meeting at 7:38 p.m. The next meeting was set for October 19, 2013 at 9:00 a.m. at Mission Middle School.

Chairman Nuesca

Ty Paulson, Minutes Clerk

**CITY OF ESCONDIDO
MINUTES OF THE PUBLIC HEARING OF THE
THE INDEPENDENT
DISTRICTING COMMISSION**

October 19, 2013

The meeting of the Independent Districting Commission was called to order at 9:07 a.m. by Chairperson Nuesca at Mission Middle School, 939 East Mission Avenue, Escondido, California.

Commissioners Present: Chairperson Nuesca, Commissioner Ramirez, Commissioner Flores, Vice-Chairperson Valdez, Commissioner Anderson, Commissioner Cruz, and Commissioner Carey.

Commissioners Absent: None.

Staff Present: Ty Paulson, Minutes Clerk; Eva Heter, Assistant City Clerk; Megan Grimm, City Clerk Staff; and Livier Valenzuela, Interpretation Services.

Workshop by Q2 – Workshop by Expert Consultant, Q2, regarding districting process and public input.

Chairperson Nuesca provided an overview of protocol for the meeting.

Karin MacDonald and Jamie Clark, Q2 Data & Research, LLC, provided the presentation. (Presentation available at City Clerk's Office.)

Chairperson Nuesca recessed the meeting at 9:50 a.m. for the purpose of reviewing the maps with the public and reconvened the meeting at 10:11 a.m.

Public Hearing – Public consideration of and comment on the drawing of district lines; Public input regarding their Community of Interest (COI).

MaryAnn Drinan, Escondido, noted that during her 18 years in Escondido she had actively walked over half of the community registering voters. She stated that her COI boundaries included Lincoln to the north, following I-15 to 9th Avenue to 15th Avenue over to Chestnut and eventually to Midway to the far east. She stated that this area was compact, encompassed numerous Hispanic majority schools and businesses, recreation parks, and health care clinics. She noted that she had all of the census block group information and would submit this to the City next week. She felt further study of the registered voters was needed for this area, feeling the area had a younger population that was not accounted for.

Jennie McFarling, Escondido, stated that her COI involved the Orange Glen High School area which comprised Citrus north from the county line up to Flood Control District or Washington Avenue, over to El Norte Parkway and comprised everything east. She was concerned with the amount of crime occurring in the subject area. (Boundaries shown after meeting)

Don Greene, Escondido, presented a map of the concentration of mobile home parks on both the east and west boundaries of the City and asked that they both be included in separate districts.

Gina Gillie, Escondido, thanked the Commission for their work. She wanted to have a City representative who lived in her district, which included the Mission Middle School District. She was concerned for public safety in her community.

Nova Morgan, Escondido, noted that she lived in the Del Dios area. She then thanked the Commission for their service and noted that she appreciated the fact that the Commission approved their own demographer. She was in favor of districts. She felt the Commission needed to take into consideration the income and education levels when forming the districts.

Carolina Terror, Escondido, (Interpreted) thanked the Commission for allowing her to express her views. She stated that her COI was in the area of Del Dios and 11th Avenue. She noted that she had participated in the North County Transportation meeting, noting that a large number of southwest routes were left without transportation, noting this was based on census data and due to some problems in the community. She stated that her community had several mobile home parks with handicap individuals who were left without transportation. She indicated that the area had a high contrast in income levels. She also elaborated that the area had very few parks. She also felt the area needed a dog park.

James Gillie, Escondido, stated that his COI encompassed the Mission Park area. He thanked the Commission for their services. He expressed concern with elections being based on the amount funds a politician had for signage. He felt representatives should live in their district, suggesting that said representative should be required to sign an affidavit of residence. He also noted that public safety was a concern in his area.

Tom Clark, Escondido, noted that his COI involved Ash Avenue to Lincoln Street down to Boyle Avenue, noting this would encompass the high school districts. He stated that Lincoln North from east to west would take care of the north side of the City and Country Club.

Luis Villafana, Escondido, noted that she lived on El Norte Parkway. She suggested extending the district to North Broadway to Broadway High School and Rock Springs Road and including the Country Club area. She stated that her neighborhood had all levels of income. She was concerned for the safety of the

students and parents at Rock Springs Middle School walking to school without proper sidewalks. She was concerned with individuals crossing El Norte Parkway to access the grocery stores. She also suggested using the Country Club Golf Course as open space parks for the community.

ORAL COMMUNICATIONS:

Robroy Fawcett, Escondido, provided the Commission with a database from the Register of Voters and one from the American Community Survey. He then referenced the citizenship estimate for each block group and the margin of error, Hispanic citizenship and the margin of error, citizen voting age population estimate, and Hispanic citizen voting age population. He was concerned with the margin or error, noting that 95% of the time the number would be inaccurate. He stated that he opposed using the National Demographics Corporation due to feeling that their citizen voting population age was inaccurate. He felt the Register of Voters data was more accurate.

Jose Castro, Escondido, asked the attendees to get the word out about these meetings in order to better represented.

Adjournment: Chairperson Nuesca adjourned the meeting at 10:52 a.m. The next meeting was set for October 24, 2013 at 6:00 p.m.

Chairman Nuesca

Ty Paulson, Minutes Clerk

**CITY OF ESCONDIDO
MINUTES OF THE PUBLIC HEARING OF THE
THE INDEPENDENT
DISTRICTING COMMISSION**

October 24, 2013

The meeting of the Independent Districting Commission was called to order at 6:02 p.m. by Chairperson Nuesca at Felicita Elementary School, 737 W. 13th Avenue Escondido, California.

Commissioners Present: Chairperson Nuesca, Commissioner Flores, Vice-Chairperson Valdez, and Commissioner Cruz.

Commissioners Absent: Commissioner Ramirez, Commissioner Anderson, and Commissioner Carey.

Staff Present: Diane Halverson, City Clerk; Eva Heter, Assistant City Clerk; Megan Grimm, Executive Office Coordinator; Ty Paulson, Minutes Clerk; and Livier Valenzuela, Interpretation Services.

Workshop by Q2 – Workshop by Expert Consultant, Q2, regarding districting process and public input.

Chairperson Nuesca provided an overview of protocol for the meeting.

Karin MacDonald and Nichole Boyle and Jamie Clark, Q2 Data & Research, LLC, provided the presentation. (Presentation available at City Clerk's Office.)

Chairperson Nuesca recessed the meeting at 6:42 p.m. for the purpose of reviewing the maps with the public and reconvened the meeting at 7:06 p.m.

Public Hearing – Public consideration of and comment on the drawing of district lines; Public input regarding their Community of Interest (COI).

Robert Fawley, Member of the Escondido Country Club Homeowners Organization, noted that they had collected 9,360 signatures by 360 volunteers in 60 days regarding the Country Club initiative. He asked that the area bordering the Escondido Country Club area and east to Dixon Lake, north to the City Limit, and south to El Norte and Highway 78 be kept in one district. (Map provided)

Jerry Swadley, Escondido, President of the Escondido Country Club Homeowners Organization, noted that they had developed their map with the combined help of consultants. He stated that their community of interest included the Escondido Country Club area with Escondido High School being in the middle

of the district, with the northern and western boundaries being the City limit. He stated that they were within 28 people of the stated ideal district population. He also indicated that they took special care not to encroach on the central portion of the City, eastern portion area, or mobile home parks. (Map provided)

Kevin Svetich, Escondido, noted that his business was located in the heart of the City. He stated that the Grand Avenue business district helped bring the area together for over a century. He felt the business center of the City extended east to Ash Street and west to Quince Street and beyond. He stated that the long-standing business area had grown and the historic recognition of the downtown and its residences had been formalized by the creation of Historic Escondido with this area being governed by a special set of land-use and architectural standards that did not apply to anywhere else in the City. He felt this area was uniquely bound together by its history and the regulations passed to preserve history. He asked that special attention be paid to this area and as such this area should have its own representative.

James McNair, Escondido, noted that his community of interested involved the eastern part of the City. He stated that it would be a mistake to split up the Eastern citizens of Escondido given its unique characteristics. (Map provided)

Brian Murphy, Escondido, stated that the eastern part of the City, where he lived and where the cemetery was located, had a unique character, as it was rural in nature. He also noted that the housing subdivisions had a non-City flavor due to the agriculture in the areas. He asked that the eastern portion of the City be kept as one district.

Pat Mues, Escondido, stated that her community of interest (COI) boundary for the north was Escondido Creek, east being Ash, South being 15th Avenue, and west being Centre City Parkway. She stated that her COI included the library, Grand Avenue Retail District, City Hall, Center for the Arts, Grape Day Park, Central Elementary School and numerous residential neighborhoods. She was in favor of her COI being a walkable community, noting that more sidewalks, streetlights and improvements were needed to reach this goal. She was in favor of the representative living in the district they represented.

Kimber Allison, Escondido, expressed concern with her Homeowners Association not being represented, noting she lived on Charise Street. She suggested using the City Police Department's beat map as a guide for creating the districts.

Luz Villafana, Escondido, stated that her community of interested involved the area from El Norte Parkway to Nutmeg, Country Club Lane to North Broadway, and Lincoln to the south. She stated that this was a very populated area and was very diverse. She noted that most of the individuals in the area were young. She expressed her concern with the excessive traffic in the area creating safety issues

with the residents and students in the area. She felt mitigation measures needed to be implemented such as longer traffic signals and street markings in order to ensure safety for pedestrians and students in the area. She also felt sidewalks were needed in the area surrounding Rock Springs Middle School.

Nidya Ramirez, Escondido, referenced the area around 15th Avenue Community housing Co-Ops where the majority of residents were Latino immigrant working class communities with Spanish being their main language. She stated that she attended San Pasqual High School, noting that she felt a sense of marginalization due to the school not being as diverse as the other schools in the City. She also stated that her Community of Interest surrounded Interfaith, which was located on Quince and Washington Avenue.

Patricia Serano, Escondido, stated that her community was 90% Hispanic who were united by their language and culture. She stated that they had numerous Mexican businesses. She indicated that her son attended Oak Hill School, Hidden Valley Middle School, and Orange Glen High School that were categorized as less fortunate schools, noting her son was accepted to an Ivy League College. She stated that it was very important that this community remain together as one district. She stated that this community felt it was marginalized by the closing of the library and budget cuts.

Mark Skok, Escondido, stated that his community of interest involved Broadway and Lincoln to the northeast, following Lincoln out to El Norte Parkway south to Valley Parkway and Valley Parkway west to Broadway. He stated that this area had common factors with ethnicity and traffic issues along Mission, Lincoln, and Washington Avenue. He also noted that the area encompassed the Escondido Creek.

ORAL COMMUNICATIONS:

Robroy Fawcett, Escondido, referenced a handout he had provided to the Commission and staff. He made special reference to a link regarding an overview of race and Hispanic origin, noting his view that there was a huge misunderstanding regarding what is a race, origin, or ethnicity. He then referenced Questions 5 and 6 as outlined in the Hispanic Origin and Race from the 2010 Census and noted that this did not take into account last name or whether the person spoke the language outlined. He referenced Question 6 (race) of his outline, and asked that the Commission consider having two columns, one being Hispanic or Latino, and one being non-Hispanic and non-Latino.

Adjournment: Chairperson Nuesca adjourned the meeting at 7:42 p.m. The next meeting was set for October 27, 2013 at 3:00 p.m.

Chairman Nuesca

Ty Paulson, Minutes Clerk

Independent Districting Commission
Itemized Expenses 2013

DATE	ITEMIZED LIST	AMOUNT	HOURS
TRANSLATION SERVICES			
9.18.13	6 Pre-Map Public Hearing Notices – 4 Languages	\$760.00	
9.18.13	3 Post-Map Hearing Notices – 1 Language	\$157.00	
10.1.13	Q2 Documents for Public Hearing – 4 Languages	\$6,183.70	
10.4.13	PH Hearing Agendas	\$266.56	
TOTAL through October 22, 2013			\$7,367.26
Anticipated October 23-December 15, 2013			\$266.56
INTERPRETATION SERVICES			
9.9.13		\$148.88	4 hrs.
9.20.13		\$151.90	5 hrs.
10.3.13		\$108.86	3 hrs.
10.10.13		\$111.66	3 hrs.
10.12.13		\$111.66	3 hrs.
10.17.13		\$111.66	3 hrs.
10.19.13		\$111.66	3 hrs.
TOTAL through October 22, 2013		\$856.28	21 hrs.
Anticipated October 23-December 15, 2013		\$1,302.70	35 hrs.
PUBLICATIONS			
9.20.13	PH #1-6 – UT	\$932.62	
10.1.13	PH #1-6 – La Prensa	\$1,728.00	
10.4.13	PH #1-6 – Epoch Times	\$1,404.00	
10.23.13	PH #1-6 Tieng Viet San Diego	\$360.00	
TOTAL through October 22, 2013			\$4,424.62
Anticipated October 23-December 15, 2013			\$2,900.00
PUBLIC HEARING RESERVATION FEES			
9.19.13	Church of the Resurrection	\$200.00	
9.19.13	CCAЕ	\$200.00	
TOTAL through October 22, 2013			\$400.00
Anticipated October 23-December 15, 2013			\$1400.00
STAFF COMP TIME			
7.29.13		\$33.74	1 hr.
8.5.13		\$33.74	1 hr.
8.12.13		\$33.74	1 hr.
9.19.13		\$16.87	.50 hr.
10.10.13		\$84.35	2.5 hr.
10.12.13		\$101.22	3 hrs.
10.17.13		\$101.22	3 hrs.
10.19.13		\$101.22	3 hrs.

TOTAL through October 22.2013		\$506.10	15 hrs.
Anticipated October 23-December 15, 2013		\$506.10	15 hrs.
MISCELLANEOUS			
9.17.13	Maps – Foam Backing/Laminating	\$162.00	
9.26.13	Public Hearing Supplies	\$94.94	
10.4.13	Public Hearing Supplies	\$24.32	
10.8.13	Microphone Cables for PH	\$134.95	
10.15.13	Street Fair Sign	\$97.20	
TOTAL through October 22.2013			\$513.41
Anticipated October 23-December 15, 2013			\$1600.00
PRINTING SERVICES			
10.4.13	Meeting Agendas	\$224.48	
10.4.13	Hearing Documents	\$1,593.66	
10.4.13	Hearing Agendas	\$96.00	
10.4.13	Flyers - 5000	\$800.00	
10.15.13	Flyers - 1000	\$160.00	
TOTAL through October 22.2013			\$2,874.14
Anticipated October 23-December 15, 2013			\$215.00
EXPERT CONSULTANT			
Q2		\$65,000.00	
TOTAL through October 22.2013			\$65,000.00
Anticipated October 23-December 15, 2013			
TOTAL THROUGH OCTOBER 22, 2013			\$81,941.81
ANTICIPATED EXPENSES OCTOBER 23 – DECEMBER 15, 2013			\$8,190.36
TOTAL			\$90,132.17



MEMORANDUM

OCTOBER 27, 2013

TO: DISTRICTING COMMISSIONERS
FROM: DIANE HALVERSON, CITY CLERK
SUBJECT: DISTRIBUTION OF INFORMATION

The following is a list of Public Noticing, following regulations as required by Brown Act, State Law and as requested by Commission:

- ◆ All meeting agendas posted on City Website and in Council Chambers Lobby
- ◆ All public hearing notices published in the following newspapers:
 - English - Union Tribune
 - Spanish – La Prensa
 - Chinese – Epoch Times
 - Vietnamese – Tieng Viet San Diego
 - Filipino – The Filipino Press
- ◆ All public hearing agendas posted in English and Spanish at location of hearing, Council Chambers Lobby, City Website, Library and East Valley Community Center
- ◆ City website posted Public Hearing information and Q2 documents in English, Spanish, Vietnamese, Filipino and Chinese
- ◆ City provided flyers in English and Spanish for distribution at school sites

The following is a list of additional distribution of information

- ◆ Channel 19 posted Public Hearing information in Spanish and English during the month of October
- ◆ School sites displayed hearing dates and times on digital marquees
- ◆ City provided “robo-call” message in English and Spanish to school district for phone call distribution of information to all parents
- ◆ City staff distributed flyers in English and Spanish to Neighborhood groups
- ◆ City sent email with districting information to all local newspaper, radio and Television media (see attached)
- ◆ City provided booth space to commission at the Escondido Street Faire on Oct. 20 along with flyers, Q2 documents and maps
- ◆ City Facebook page posted Public Hearing and Public Meeting information
- ◆ City website posted Districting Commission information via “Letter from the Mayor” on July 11, August 29 and October 17, 2013
- ◆ City provided information via “Letter from the Mayor” for publication in “The Paper” (see attached)

Joyce Masterson

From: Joyce Masterson
Sent: Monday, September 23, 2013 5:52 PM
To: Alison St John (astjohn@kpbs.org); America Barcelo Feldman; Brad McLellan KGTV; Candice Nguyen; Carlos Gonzales; Chamber of Commerce; Chris Nichols; Daily Transcript; Dan Forster; David Garrick (david.garrick@utsandiego.com); Diana Guevara; Dick Daniels; Ed Sifuentes; El Latino; Elena Gomez; Elliot Spagat; FOX 5 TV; Heather Petrek; Hispanosnews; J Harry Jones; Jessic Rodgers 2-1-1 San Diego; John Loch, KFSD AM 1450; John Weil; Joyce Masterson; Katherine Zimmer; KBNT - TV; KGTV (virginia_creighton@10news.com); KMFB TV; KNSD TV (nbcсандiegodesk@nbcuni.com); KUSI TV; La Prensa; Leo Rommel (editor@industrytoday.com); Les Abshire; Lyle Davis; Melissa Alexander (melissa_alexander@10news.com); Michelle Breier; Rachel Stine, Coast News; SD Business Journal; Sen. Mark Wyland; Think Grand (Dave@thinkgrand.org)
Cc: Diane Halverson
Subject: Independent Districting Commission

All,
As you know, Escondido is in the process of establishing voting districts which are being developed by an Independent Districting Commission (IDC). All information about this is available on the main page of our website, www.escondido.org. It is updated regularly as new information is developed and should provide you with all the information you need regarding upcoming community meetings, regular IDC meetings, etc.

If you have any questions, you may contact Diane Halverson, City Clerk, who is assisting the IDC.
-Joyce

*Joyce Masterson
Director of Economic Development and Community Relations
City of Escondido
201 N. Broadway
Escondido, CA 92025
Phone: 760-839-4621
Fax: 760-739-7003*



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Sen. Mark Wyland	senator.wyland@sen.ca.gov
Think Grand (Dave@thinkgrand.org)	Dave@thinkgrand.org

A LETTER FROM THE MAYOR

By Sam Abed

FOR PUBLICATION – July 11, 2013

Independent Districting Commission

You may recall that Escondido will be divided into four voting districts. The districts will be determined by a Districting Commission consisting of 7 members. The members will be chosen by a Selection Panel of retired San Diego County judges.

The Escondido City Clerk's Office received 31 applications/nominations for the Independent Districting Commission during the specified nomination period of June 3 – 28, 2013. The applications have been posted to the City's website at <http://www.escondido.org/>.

The Selection Panel has determined that they will hold a Public Meeting on Thursday, July 18, 2013 at 9:00 a.m. in the City Council Chambers to provide an opportunity for each applicant/nominee to make a brief presentation to the Panel. It is anticipated that the Selection Panel may appoint the seven members to the Independent Districting Commission at the close of the meeting. The agenda for this public meeting will be posted on the City's website no later than 72 hours before the meeting.

If you have any questions, please contact the City Clerk's Office at 760-839-4617.

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A LETTER FROM THE MAYOR
By Sam Abed

FOR PUBLICATION - August 29, 2013

Independent Districting Commission

In compliance with the Voting District Consent Decree which was a part of the lawsuit settlement agreement, a selection panel of retired San Diego County judges has appointed the following people to serve on the Independent Districting Commission:

Jack Anderson
Andrew Carey
Doris Cruz
William Flores
Dana Nuesca
Roberto Ramirez
John Valdez

With the assistance of staff from the City Clerk's Office and City Attorney's Office, as well as an expert consultant, the Commission must adopt plans that divide the City into four Council districts. These districts will be used for future elections of Escondido City Council members and for filling any vacancy in the office of the member of the Council. The districting plan shall comply with the United States Constitution, including containing reasonably equal population; shall comply with the federal Voting Rights Act; shall be geographically contiguous and drawn to encourage geographic compactness; shall be drawn with respect for geographic integrity of any neighborhood and any community of interest, including racial, ethnic, and language minorities; and shall not be drawn for the purpose of favoring or discriminating against an incumbent, political candidate, or political party.

For more information, including meeting agendas and minutes, please visit <http://www.escondido.org/independent-districting.aspx>

A LETTER FROM THE MAYOR
By Mayor Sam Abed

FOR PUBLICATION October 17, 2013

City Council Districts Are Being Drawn And Your Input Is Needed

The Escondido City Council is changing how its members are elected. Starting next year, four Council members will be elected from individual districts. This Fall the Escondido Independent Districting Commission will decide where these four districts will be located. The Commission needs to hear from you about your neighborhood and communities of interests and where they are located to help the Commission draw districts for the 2014 November election.

You can tell the Commission about your community at a public hearing. Translation services will be available at the hearings. The following are the remaining hearings:

Saturday, October 19 – 9 am at Mission Middle School, 939 E. Mission Ave.

Thursday, October 24 – 6 pm at Felicita Elementary School, 737 W. 13th Ave.

Sunday, October 27 – 3 pm at City Council Chambers, 201 N. Broadway

The deadline to submit information to the Commission is October 31, 2013. You can give written information by email (districting@escondido.org) or by mailing or dropping off to the City Clerk's Office:

Escondido Independent Districting Commission
c/o Escondido City Clerk's office
201 N. Broadway
Escondido, CA 92025

For the most updated schedule and information, please check the City's website, www.escondido.org. If you have questions, please call 760-839-4617.