



---

## Special Issues: Redistricting Committee Summary Minutes

---

**Monday, April 09, 2012**

**3:00 PM**

**City & County Building, Room 391**

**Committee Members:** López, Chair; Herndon, Co-Chair; Brooks; Brown; Faatz; Kniech; Lehmann; Montero; Nevitt; Ortega; Robb; Shepherd; Susman

**Committee Staff:** Gretchen Williams

---

**Members Present:** López; Herndon; Brooks; Brown; Faatz; Kniech; Lehmann; Nevitt; Ortega; Robb; Shepherd; Susman

**Members Absent:** Montero

---

### **1 Introduction of map amendments and / or new maps**

#### **Map D Amended**

Councilman Lopez presented his Map D Amended and reviewed the changes he had made to his Map D at the request of some Council members. Map D Amended:

- Splits City Park between CD 9 and 8;
- Puts all of the Lower Highlands neighborhood in the same district;
- Moves E. Washington Park neighborhood back to CD 6 from CD 10;
- Moves Belcaro neighborhood from CD 6 to CD 10;
- Puts Precinct 509 in CD 9 with the east half of Sunnyside and Chaffee;  
and
- Keeps Union Station whole and in CD 9 with Lower Highlands.

Councilwoman Kniech noted that the West Colfax neighborhood wants to be kept together in one district. Councilman Lopez said he tried but could not accomplish that goal is due to the high population. Over 10,000 people live in West Colfax, with 3,800 in one precinct alone.

Councilman Brooks strongly opposed City Park being split between districts 8 and 9, saying we have not listened to the neighbors. For example, Auraria wants to be

in the same district with Downtown. Chaffee Park wants to be whole and in District 9. All of City Park should be in 9.

Councilwoman Ortega said Chaffee Park and Sunnyside were vocal at the public meetings that they want two council people rather than being in only one district. The precincts are bigger this time so it is harder to manipulate the numbers.

Councilman Nevitt said that at the last meeting, Committee narrowed the field from six to two maps but also recognized there would be amendments. The Chair (Lopez) and Co-chair (Herndon) have tried to accommodate their colleagues by making amendments. Map D Amended is preferable to Map D. He added he wants no more than two maps to move out of Committee.

A motion offered by Councilmember Nevitt, duly seconded by Councilmember Kniech, to replace Map D with Map D Amended carried by the following vote:

AYES: Lopez, Faatz, Lehmann, Nevitt, Robb, Kniech, Ortega(7)  
NAYS: Brooks, Herndon, Susman, Brown(4)  
ABSENT: Shepherd, Montero(2)  
ABSTAIN: (None)

### **Map F Amended**

Councilman Herndon presented his Map F Amended, drawn on the principle that neighborhoods should be kept whole as much as possible. He received 139 emails on redistricting, and of the ones that mentioned Chaffee Park and Sunnyside, most wanted to keep them whole in one district. Most of the comments at public meetings that mentioned them wanted them whole. His Map F Amended:

- Keeps Chaffee Park and Sunnyside whole in District 1;
- Puts Auraria in the same district with Downtown;
- Puts the northern part of University Hills neighborhood back in District 4; and
- Puts Belcaro back in District 10.

Councilman Brooks asked if Councilman Herndon did not put Precinct 509 in District 9, as requested by Councilwoman Montero, because of his principle of not splitting neighborhoods.

Councilman Herndon replied that the numbers just do not work, but yes, he thought the Highlands community should be kept whole.

Councilman Lopez said the issues with Chaffee Park, Sunnyside and Precinct 509 are not just racial dynamics. It is about the Voting Rights Act. We have to look at voting age population distribution and communities of interest. He heard more support for keeping Chaffee Park and Sunnyside split. Most districts have to change some. District 3 will probably include Sun Valley and Lincoln-LaAlma for

the first time ever, and it lost Athmar Park and part of Ruby Hill. There is just as much change west of the river as east.

Councilwoman Ortega said that in the 2002 redistricting, Council factored in areas expected to have high growth. Districts 7 and 9 are at the high end of the range and both have great growth potential and opportunities.

Councilman Herndon said this is not an exact science. We tried to find the delicate balance between leaving room for growth and not creating other districts that have too much population.

A motion offered by Councilmember Nevitt, duly seconded by Councilmember Herndon, to replace Map D with Map D Amended carried by the following vote:

AYES: Lopez, Faatz, Lehmann, Nevitt, Robb, Kniech, Ortega(7)  
NAYS: Brooks, Herndon, Susman, Brown(4)  
ABSENT: Shepherd, Montero(2)  
ABSTAIN: (None)

## **2 Discussion of delaying map adoption beyond April 30**

Councilwoman Ortega said we need to allow more time for this process, especially based on the public meeting last week in the African-American community.

Councilman Herndon said this was a long process with lots of public information and input. Delaying for 60 or 90 days will not resolve the issues.

Councilman Brooks said that is a fair point, but he was at the public meeting last week and heard from several of the leaders in the African-American and Latino communities. He was asked to support a delay, and he asked them for a detailed plan for what would happen during that delay. So far, he has not received a plan. He can support a delay if we can come up with a plan that everyone supports. We need to listen to the community.

Councilman Nevitt said he understands that not one of these maps is perfect, but he is skeptical there is a better map out there, and there probably is not one map all 13 Council members would like better than the two in front of us. Both of these have been vetted by the attorneys and pass legal considerations. If we delay past the ten-year mark, we are open to legal challenge.

Councilman Brooks asked if the ten year requirement is in Charter, and if Council actually can be sued for missing the date.

David Broadwell, Assistant City Attorney, replied that yes, the requirement to redistrict once every ten years is in the Charter, which is silent on what happens if

it is not accomplished within ten years of the previous redistricting ordinance being adopted.

Councilman Brown said he does not support delay because there will never be enough time for everyone.

Councilwoman Faatz agreed, adding that the precinct size is the struggle and that is not going to change in 30 days. We need to move ahead with one or the other of these two maps.

Councilwoman Ortega moved for executive session based on attorney/client privilege.

Before the Executive Session, Mr. Broadwell said Council's resolution stated this project would be completed by the end of April based on the fact that Council adopted the current plan in April 2002. The City Attorney Office's legal advice all along has been to adopt a map within that timeframe. It becomes a question of how much longer do you need.

Executive Session was held and the Committee reconvened in open session.

Councilwoman Ortega said she was at the public meeting last week in North Denver where the African-American and Hispanic communities made a strong push for postponement. Her concern is that these are clearly communities of interest. If we have not addressed their issues and there is a legal challenge, the City will have to spend time and money defending the map.

Councilman Herndon said we started this process in September (*first meeting of the Redistricting Committee was Aug. 8*), and we have had several Committee meetings, seven public meetings, an informative website, and a redistricting email address for public comment. We should also recognize that there may still be amendments on the floor.

Councilwoman Ortega asked if there was any consensus that we should delay based on input from community.

Councilwoman Kniech said she has great respect for the work that has been done. But some of community anger is from the lack of an organized process. It would be appropriate to consider best practices from other large cities and to have some analysis. Council should work with the Clerk on re-precincting. We could have done better. I hear the frustration, and we should be productive and future-oriented. We should be better prepared in 2022.

Councilwoman Robb said lots of people have been considering lots maps. It might be appropriate to study redistricting processes later in the year, but right now, we have other important city issues that need our attention. We need to move

forward.

Councilwoman Ortega said there were some very thoughtful comments made at the community meeting last week on our process and the maps. The increase in precinct size created most of the problems, and changes to precincts should be made as quickly as possible.

Councilman Brooks said he wants to get this right, and he wants some consensus on a delay. There is an opportunity for us to submit something brand new on the floor. After this is completed, we need to look at best practices and put something in place for 2022.

Councilman Lopez noted that redistricting is always a contentious process, and it is always a hard road. He drew 27 maps, trying very hard to meet all needs. He was at every public forum, and at each one, at least one map got ripped to shreds. We have to commit to a balance. The map should be a mirror reflection of our City so that all people have a voice.

There was neither consensus nor motion for delay.

### **3 Select number of map(s) to be filed**

Councilman Herndon said as this is a Committee of the Whole, we should be able to move one map forward to the Council floor.

Councilwoman Ortega noted that ten years ago, two maps were moved out of Committee, allowing for community input.

Councilwoman Susman stated that if only one map is moved out of Committee, the community can still make suggestions for amendments to that map.

Councilman Lopez said two maps should move out of Committee.

A motion offered by Councilmember Nevitt, duly seconded by Councilmember Susman, to report out only one map carried by the following vote:

AYES: Brooks, Herndon, Lopez, Shepherd, Susman, Brown, Faatz, Lehmann, Nevitt, Robb, Kniech, Ortega(13)

NAYS: (None)

ABSENT: Montero(1)

ABSTAIN: (None)

### **4 Selection of district numbering plan**

Councilman Nevitt said the Committee earlier bifurcated the geography of the map from the numbering plan. There are three options for numbering, or naming, the districts:

1. Use existing pattern 1, 9, 8, 11 across the top of the map.
2. Respect the members likely to run for re-election in 2015 by renumbering so they are in the same district number
3. Reorder all of the districts sequentially, starting 1, 2, 3, 4 across the northern tier of the city.

Councilwoman Ortega said we should completely change the numbers because the perception is that the redistricting is designed to protect incumbency. We need to get away from that perception, and Option No. 2 just adds more fuel to the fire.

Councilman Herndon advocated for numbering the districts sequentially from left to right, as we read text. It would be nice, he said, to run again in the same numbered district, but sequential numbering is more logical, and District 9 will not be moved to the far northeast.

Councilwoman Robb said she did not want District 9 to become the far northeast district.

Councilwoman Lehmann said when the district numbers changed on the drafts, Council was confused. If we have all new district numbering, the public hearing will be very confusing to the public and Council.

Councilman Brown said it is very presumptuous to think everyone knows their council district numbers or who their Council representative is.

Councilman Lopez feels strongly about keeping the district numbers as they have been for years in order to represent history. That is bigger than our indecision about the numbers.

Councilwoman Kniech disagreed with Councilman Lopez. She said it is unfair to have two members who have to go through the confusion of changed district numbers when other incumbents do not. Anything that tends to make people not vote in low-voting areas is a problem. We should renumber all districts so it is even.

Councilman Brooks said he is standing up for the small percentage of Denver's African-American history that came out of District 8. The community is very sensitive to this, and it makes the most sense to reorder the numbers.

A motion offered by Councilmember Herndon, duly seconded by Councilmember Brown, to number the districts sequentially failed by the following vote:

AYES: Herndon, Susman, Brown, Lehmann, Kniech, Ortega(6)  
NAYS: Brooks, Lopez, Faatz, Nevitt, Robb, Shepherd(6)  
ABSENT: Montero(1)  
ABSTAIN: (None)

## Bill Requests

### **BR12-0286 Approves a new Council District map to be effective for the 2015 municipal election.**

Councilman Herndon said he believes neighborhoods should be kept together. City Park should not be split.

Councilwoman Kniech said she will support D because it is incrementally better than F. It is not perfect, noting the split of City Park. Map F does not do harm to any community. D is more of a compromise.

Councilman Brooks said he could not support Map D Amended, splitting City Park. We will have to figure it out on Map F.

Councilwoman Robb said she wanted to move only one map because it is a cleaner process, but she could be convinced otherwise. She likes Map F, and compromise is in the eye of the beholder. We need to think about the citizens of Denver over the next 10 years. Regardless of what community of interest you represent, you need to be clear about which councilperson to contact.

Councilwoman Susman said District 5 has not changed significantly on any map. She believes a neighborhood association is a community of interest. When we were planning the Auraria campus, we did it with Downtown as a very important connection. She favors Map F Amended because it provides ability to grow and is more forward-looking.

Councilwoman Faatz said Map F Amended most meets her criteria. She knows that Auraria and Downtown is a united area. City Park needs to be whole. She knows that Councilman Lopez wanted Valverde, but she does not see how to make that happen.

Councilman Lopez said Map D Amended is the original compromise map. The neighborhoods deserve to have a voice. The Auraria area was part of the LaAlma and Lincoln neighborhoods for decades, but today it is ruled by the Higher Education Center. Splitting neighborhoods is generally not desirable unless those neighborhoods want to be split. This map is balanced. It allows for growth in the growth areas.

A motion offered by Councilmember Herndon, duly seconded by Councilmember Brown, to file Map F carried by the following vote:

AYES: Brooks, Herndon, Robb, Lehmann, Susman, Faatz, Brown, Kniech(8)  
NAYS: Lopez, Shepherd, Nevitt, Ortega(4)  
ABSENT: Montero(1)  
ABSTAIN: (None)