

Final
STAFF SUMMARY OF MEETING

COLORADO REAPPORTIONMENT COMMISSION

Date: 08/31/2011

ATTENDANCE

Time: **05:10 PM to 08:45 PM**

Place: SupCt

This Meeting was called to order by
Webb

This Report was prepared by
Jessika Shipley

Atencio	X
Berry	X
Carroll	X
Jones	X
Loevy	X
Nicolais	X
Salazar	E
Tool	X
Witwer	X
Webb	X
Carrera	X

X = Present, E = Excused, A = Absent, * = Present after roll call

Bills Addressed:	Action Taken:
Discussion of process for meeting in September	-
Public Testimony	-

Note: This meeting summary is not an official record of the commission or of the meeting. It is not intended to serve as a transcript or minutes of the commission meeting. The audio recording of the meeting is the official record of the meeting. This summary may be used as a guide to the audio recording. To access the audio recording of a commission meeting, visit the Colorado Joint Legislative Library located in the State Capitol, Room 048 (basement/ground floor level). You will need to note the date, time, and location of the meeting to access the audio recording. Copies of the audio recordings may be obtained at the library if you bring with you blank, recordable compact discs or a flash drive. Librarians are on site and available to assist you with accessing an audio recording.

05:10 PM -- Discussion of process for meeting in September

Commissioner Webb explained that he would be chairing the meeting. Jeremiah Barry, Colorado Reapportionment Commission Staff Director, laid out a time line and the process for commission business during the month of September. In response to questions from the commission, Mr. Barry discussed the procedure for submitting amendments to the proposed final plan. He also explained House rules concerning limiting testimony and discussion during commission meetings (Attachment A). Additionally, he spoke about motions to reconsider. Finally, he discussed technical matters pertaining to the final plan (Attachment B)



Attachment A.pdf Attachment B.pdf

BILL:	Discussion of process for meeting in September	
TIME:	05:17:40 PM	
MOVED:	Carrera	
MOTION:	Allow staff to make technical changes to sliver districts where lines do not match up, not to exceed 75 people. Staff is required to provide lists of any such changes to the entire commission. The motion passed without objection.	
SECONDED:	Tool	
		VOTE
	Atencio	
	Berry	
	Carroll	
	Jones	
	Loevy	
	Nicolais	
	Salazar	Excused
	Tool	
	Witwer	
	Webb	
	Carrera	
Final YES: 0 NO: 0 EXC: 1 ABS: 0 FINAL ACTION: Pass Without Objection		

05:19 PM

Mr. Barry continued to discuss technical revisions to the preliminary plan that are submitted by various parties. He asked how the commission wants staff to handle such submissions. Discussion ensued about potential problems identified by county clerk and recorders that might require clean up.

05:25 PM

Discussion continued on this subject.

05:31 PM

Discussion continued. Commissioner Carroll expressed concern about the level of changes that are to be made by staff. Commissioner Webb asked Mr. Barry if any county clerk and recorders who want to request changes can do so by the September 12 meeting of the commission. Commissioner Witwer suggested a way of handling requested changes by clerk and recorders after the final plan is submitted to the Colorado Supreme Court. Discussion ensued.

BILL:	Discussion of process for meeting in September	
TIME:	05:38:01 PM	
MOVED:	Jones	
MOTION:	Enter into executive session for the purpose of receiving legal advice from outside counsel. The motion passed without objection.	
SECONDED:	Loevy	
		VOTE
	Atencio	
	Berry	
	Carroll	
	Jones	
	Loevy	
	Nicolais	
	Salazar	Excused
	Tool	
	Witwer	
	Webb	
	Carrera	
Final YES: 0 NO: 0 EXC: 1 ABS: 0 FINAL ACTION: Pass Without Objection		

05:38 PM

The commission recessed for an executive session.

06:22 PM -- Public Testimony

The meeting came back to order. Commissioner Webb welcomed the audience and the members of the commission introduced themselves.

06:25 PM

Mr. Barry provided an overview about redistricting, including the history, legal requirements, and standard operating procedure. He took questions from the audience. The following individuals testified:

06:38 PM -- Thyria Wilson, representing herself, discussed the splitting of Denver precinct 206, in the Baker neighborhood. She talked about the history of the Baker neighborhood. She distributed a map of Baker and asked that her precinct remain in House District 2 (Attachment C).



Attachment C.pdf

06:41 PM -- Representative Jim Kerr, representing House District 28, spoke about a portion of Ken Caryl Ranch that is not included in House District 28 under the preliminary plan. He asserted that this particular piece of Ken Caryl Ranch is a community of interest. In response to questions from the commissioners, Representative Kerr suggested alternate boundaries for House District 28. Discussion ensued about

06:49 PM -- Craig Jameson, representing himself, spoke about competitive districts. He explained to

the commission that it is not their place to decide the best balance for a competitive district. He expressed his opinion that the boundaries of a number of the districts that split counties and cities are illegal. He continued to speak about an illegal ideological left-wing agenda.

06:54 PM -- Joel Judd, representing himself, discussed the precinct in his neighborhood of Jefferson Park in Denver in House District 5. Representative Judd submitted a letter from his neighborhood association requesting that Jefferson Park be kept whole, remain in House District 5, and not be divided along the diagonal (Attachment D). He responded to questions from the commissioners.



Attachment D.pdf

06:57 PM -- Andrew Romero, representing the Jefferson Park United Neighbors, reiterated the testimony of Representative Judd. He provided additional information about the Jefferson Park neighborhood. Mr. Romero responded to questions from the commissioners about the best way to create districts that will ensure minority representation in the legislature. Discussion ensued about the importance of minority representation.

07:04 PM -- Michelle Schoen, representing the Westwood Residents' Association, asked that her neighborhood not be split among House Districts 1 and 4. She responded to questions from the commission.

07:06 PM -- Daniel Willis, representing himself, provided information about his professional background. He submitted a short list of proposed changes in Denver districts (Attachment E) and explained his proposals. Mr. Willis continued to walk the commission through his proposed changes step by step.



Attachment E.pdf

07:19 PM -- Mark Ver Hoeve, representing himself, discussed the Corey Merrill neighborhood. He expressed a desire for his neighborhood to be kept whole.

07:21 PM -- Brian Ahern, representing himself, discussed his experience as a resident of Telluride. Mr. Ahern expressed his opinion that San Miguel County should be split as proposed by the commission. He spoke about the institutional boundaries of the R-1 school district in San Miguel County. He indicated that it makes more sense to split San Miguel County along a geographic boundary.

07:25 PM -- Mateos Alvarez, representing himself, discussed his experience as the acting president of the Services Employees International Union, which has a large Latino membership. He expressed his opinion that voting-age Latino population should be considered when drawing districts that will result in minority representation in the legislature.

07:29 PM -- Paul Linton, representing himself, expressed his opinion that individuals of a common race, ethnicity, religious background, or creed do not necessarily identify as a unified group. He suggested, however, that individuals who choose to live in a particular neighborhood do tend to have common beliefs, interests, and values. He suggested changes for the proposed House Districts 2 and 9, especially in the area of the University Park neighborhood. Mr. Linton responded to questions from the commission.

07:37 PM -- Dr. Reo Leslie, representing himself, spoke about his experience in the Human Services field. He expressed his concern with the proposed split in House District 42 and about the dilution of African-American representation in the legislature.

07:40 PM -- Wendy Warner, representing herself, provided a chart pertaining to neighborhood splits (Attachment F). She explained her chart.



Attachment F.pdf

07:49 PM -- Ruth Prendergast, representing herself, expressed her opinion that too many communities of interest in Denver are split by the preliminary House map.

07:51 PM -- Grace Lopez Ramirez, representing Mi Familia Vota, spoke about the mission of Mi Familia Vota. She provided general remarks about the desire of the Latino community to remain competitive. She responded to questions from the commission about the importance of competitive districts.

07:59 PM -- Gino Furzi, representing himself, spoke about the proposed split of the Westwood neighborhood by House Districts 1 and 4. He suggested making Alameda Avenue the southern border of House District 4. He also suggested moving the district to the east in order to pick up sufficient population.

08:02 PM -- Isabelle DeSilver, representing herself, spoke about the proposed House District 4.

08:04 PM -- Michael Wiltberger, representing himself, asked the commission to respect major boundaries, such as I-25. He responded to questions from the commission.

08:07 PM -- Danny Stroud, representing the Denver County Republican Party, commended the commission for its work. He acknowledged that district boundaries in the City and County of Denver must be moved in order to account for population change. He expressed general support on the part of the Denver Republican Party for the proposed House districts in Denver, with some exceptions. He spoke about the legal criteria for redistricting, including the Colorado Constitution and the federal Voting Rights Act. He reiterated the testimony of prior witnesses with regard to the importance of neighborhoods as communities of interest in Denver. Mr. Stroud expressed his opinion that the proposed Denver Senate districts should not go into Arapahoe County. He provided alternate suggestions for the southwest Denver Senate districts including Grant Ranch, Governor's Ranch, and parts of Pinehurst that are southwest of Sheridan. He spoke about the annexation of those areas, which share a lot in common with portions of Jefferson County. Discussion ensued about the commonalities between south west Denver and eastern Jefferson County. Mr. Stroud responded to questions from the commission.

08:27 PM -- Denise Myrup, representing herself, spoke about Glendale. She expressed her opinion that there should be more more multi-county House districts. She proposed that the northern boundary of House District 9 should go along Mississippi Avenue. She indicated that everything south of Cherry Creek Drive South should be included in House District 9.

08:31 PM -- Sue Johnson, representing herself, spoke about the importance of cohesive and politically active neighborhoods.

08:35 PM -- Randle Loeb, representing himself, discussed the disenfranchisement of homeless individuals in Denver.

08:38 PM -- Thad Tecza, representing himself, objected to the executive session during which the commission received legal advice. He stated his opinion that the commission has an obligation to develop a plan that is likely to be approved. He indicated that many courts have ruled against the idea of majority-minority districts.

08:42 PM

A written statement from Sallyanne Frances Ofner was submitted (Attachment G). Commissioner Webb made closing remarks in response to Dr. Tecza's testimony.



Attachment G.pdf

08:45 PM

Commissioner Webb adjourned the meeting.

25. Committees

(j) All committees of reference, as listed in (a) above, shall observe the following rules of procedure:

...
(E.2) ***Discretion of chairman to limit testimony and discussion.*** The chairman of each committee of reference may limit testimony and discussion on a measure to that which is adequate, in the chairman's discretion, to enable the committee to consider the measure on its merits. In particular, the chairman may limit the length of testimony and discussion and may exclude testimony or discussion which the chairman determines to be repetitious or irrelevant.
...

(l) Reconsideration in a committee of reference shall be governed by the provisions of Rule 35 (e) and (f).

35. Reconsideration

(e) After a question has been decided by a committee of reference, any member having voted on the prevailing side may move to reconsider. A motion to reconsider shall require the affirmative vote of two-thirds of the members of the committee and no further motion to reconsider in the committee shall be in order; but during the last two days of a session, such a motion shall require only a majority of the members of the committee. Such a motion may be made at the meeting at which the decision was made by the committee or at the next meeting of the committee. However, such a motion may not be made if a committee report regarding the decision of the committee has already been signed by the chairman of the committee and delivered to the chief clerk. Notice of intention to move to reconsider a question decided by a committee shall not apply.

(f) When there has been a tie vote on a question decided by the House for purposes of the making of a motion to reconsider, a member who voted "no" shall be deemed to have voted on the prevailing side. In a committee of reference, a tie vote on a motion that would constitute final action on a bill does not decide the question. Such a bill remains in the committee and subject to any further motions.

Technical Matters

The software used by the Commission was called "Maptitude for Redistricting," a product of the Caliper Corporation. It is a specialized version of Maptitude, Caliper's all-purpose geographic information system (GIS) software. It enabled users to assign census geography to districts while viewing the district under construction and running totals of population, racial and ethnic data, and political data on the screen. The software accommodated the importation of plans drawn on other systems, and the exportation of plans drawn using the Commission system to other interested parties. It also had broad thematic mapping capability.

The Commission's data base consisted of the Census Bureau's TIGER map ("TIGER" is an acronym for the "Topologically Integrated Geographic Encoding and Referencing" system), the 2000 census population data (the P.L. 94-171 data), and voter registration information and election returns from the 1998 and 2000 general elections. Since population data was associated with census blocks as shown on the TIGER map, the Commission had to rely on census geography in order to demonstrate compliance with federal and state equal population requirements. This meant using a map that was at least two years old and that did not reflect annexations and new development occurring after the map was finalized. It also meant that current precincts could not always be reflected on the map, since the Census Bureau requires that block boundaries be "visible features" and precinct boundaries are not always visible features.

The Commission's task was complicated by the creation of the City and County of Broomfield on November 15, 2001. The boundary of the new city and county was larger than that of the city as shown on the TIGER map, but smaller than the maximum boundary authorized by the constitutional amendment approved by the voters in November, 1998. When the boundary became final, it actually split several census blocks. The Commission adopted as much of the actual, official boundary of Broomfield as it could in its Revised Final Plan, and it passed the Resolution found at Attachment J to assist county clerks and recorders in the affected area.

The Commission recognized that when county clerks and recorders redrew precinct boundaries following the 2001-02 round of reapportionment, they might encounter tiny areas with insignificant populations that would have to be in separate precincts, because of the requirement that no precinct include more than one house, senate, or congressional district. See section 2-2-506 (1) (a), C.R.S. Accordingly, the Commission directed the staff to adjust house and senate boundaries to eliminate these "sliver" areas insofar as possible, so long as no adjustment moved more than 75 people (after the first Final Plan) or 125 people (after the Revised Final Plan). The staff used the computer system to overlay the Revised House Final Plan, the Revised Senate Final Plan, and the congressional plan approved by the Denver District Court on January 25, 2002, and eliminated approximately 55 "slivers."



Jefferson Park United Neighbors
2001 Eliot Street
Denver, Colorado 80211
www.jpun.org

July 24, 2011

The Honorable Mario Carrera
Chairman
Colorado Reapportionment Commission
1313 Sherman St., #122
Denver, CO 80203

Re: Jefferson Park, Denver

Chairman Carrera:

On behalf of the JPUN Board I want to thank you and the other members of Commission for your service to the People of the State of Colorado.

The Commission recently granted provisional approval to a House redistricting plan that adversely affects the Jefferson Park neighborhood in North Denver.

Jefferson Park is bounded by Speer Boulevard, Federal, Colfax and I-25 with about 1,200 residents in both single family and multi-family residences, both owner occupied and rental. The most prominent landmark is Invesco Field at Mile High, a football stadium. Jefferson Park's been recognized as a distinct neighborhood since before Denver became a City and County. Additional landmarks include our eponymous park, Jefferson Park, Children's Museum and the Riverside Baptist Church. We are proud of our neighborhood's diverse culture and strategic and affordable infill growth.

Historically, Jefferson Park has been treated as a single community of interest for re-districting purposes. For the past several re-districting cycles it has been in HD 5, a central Denver district that includes downtown and the lower Highlands.

The provisional plan proposes splitting Jefferson Park diagonally between HD 5 to the east and HD 4 to the west. This adversely impacts the residents of Jefferson Park, reducing resident's ability to identify a State Representative and diminishing already low voter turnout.

We request the Commission keep Jefferson Park intact and prefer remaining in HD 5. At a meeting July 23, 2011 the Board so resolved by a vote of 7 - 0 and instructed me to convey this resolution to you.

Thank you in advance for your careful consideration of our request. If you need any additional information please do not hesitate to contact me.

Michael Guietz Co-President
Zoid4@comcast.net
719-210-9643



HD
4

HD 5

W. Colfax

Preliminary Approved Plan

Proposed Changes:

Change 1:

Border between HD2 and HD5:

From I-25, follow 3rd Ave. east to Broadway, Broadway north to Speer Blvd, Speer southeast to Downing.

Population shift from HD2 to HD5: approx. 910

Population shift from HD5 to HD2: approx. 926

Change 2:

HD's 2, 6, and 9 exchange:

Border between HD2 and HD6:

Follow Downing south to Alameda, Alameda to University, University south to Mississippi, Mississippi east to Colorado, Colorado north to adopted boundary line.

Border between HD6 and HD9:

Follow Cherry Creek (the water not the street) southeast from Glendale to City Limit (approx. Evans & Syracuse).

Border between HD2 and HD9:

Colorado Blvd from Alameda south to the City Limit (Hampden)

Net population change to HD2: +134

Net population change to HD6: +33

Net population change to HD9: -167

Attachment F

Proposed Changes for Neighborhood Integrity

Neighborhood	Boundaries	Dist. 6	Dist 2	Dist 9	Dist 8	Remedy
Neighborhood Splits						
ry Creek	N-6th Ave, E-Colo Blvd, S. Cherry Creek, W-University	622, 623, and all but a few blocks of 613, 615 and 616			13 blocks between 5th & 6th	Move 13 blocks back to Dist. 6, exchange for area between 6th & 7th
Washington Park	N-Cherry Creek, E-University, S-125, W-Downing	632, 1/2 of 633, 620	1/2 of 633, 635, 636, 637, 641, 643			Move precincts from 6 to 2; boundary between 6 and 2 is Alameda
Bonnie Brae/Belcaro/ Polo Club	N-Alameda, E-Colo Blvd, Mississippi, W-University	634	638, 639	640		Move Precincts from 9 and 2 to 6; Boundary between 2 and 6 is Mississippi
Cory/Merrill	N-Mississippi, Colo Blvd, S-125, University		642, 644, 1/2 of 646	645, 1/2 of 646		Move precincts from 9 to 2; Boundary for 2 is Miss. On north and Colo Blvd on east
University Park	N-125, E-Colo. Blvd, Yale, W-University		326, 327, 1/2 317, 1/2 318, 1/2 328	319, 319, 1/2 317, 1/2 318, 1/2 328		Move precincts from 2 to 9; Boundary between 2 and 9 is University (north of Yale)
Cook Park	N - CC, E-Quebec, Evans, W-Holly	1/2 913, 916, 1/2 905		1/2 913, 916		Move precincts from 6 to 9; Boundary between 6 and 9 is Florida
Minimize Disruption						
Indian Creek			906, 907, 908			Move to Dist 9
Glendale/Glendale area & south along Colo Blvd				129 & 130 (Arapahoe), 647, + 909 for balance		Move to Dist 6
Summary of Proposed Precinct Shifts						
Washington Park	District 2	District 6	District 9			
	3.0	-3.0				

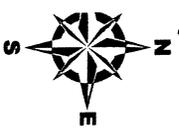
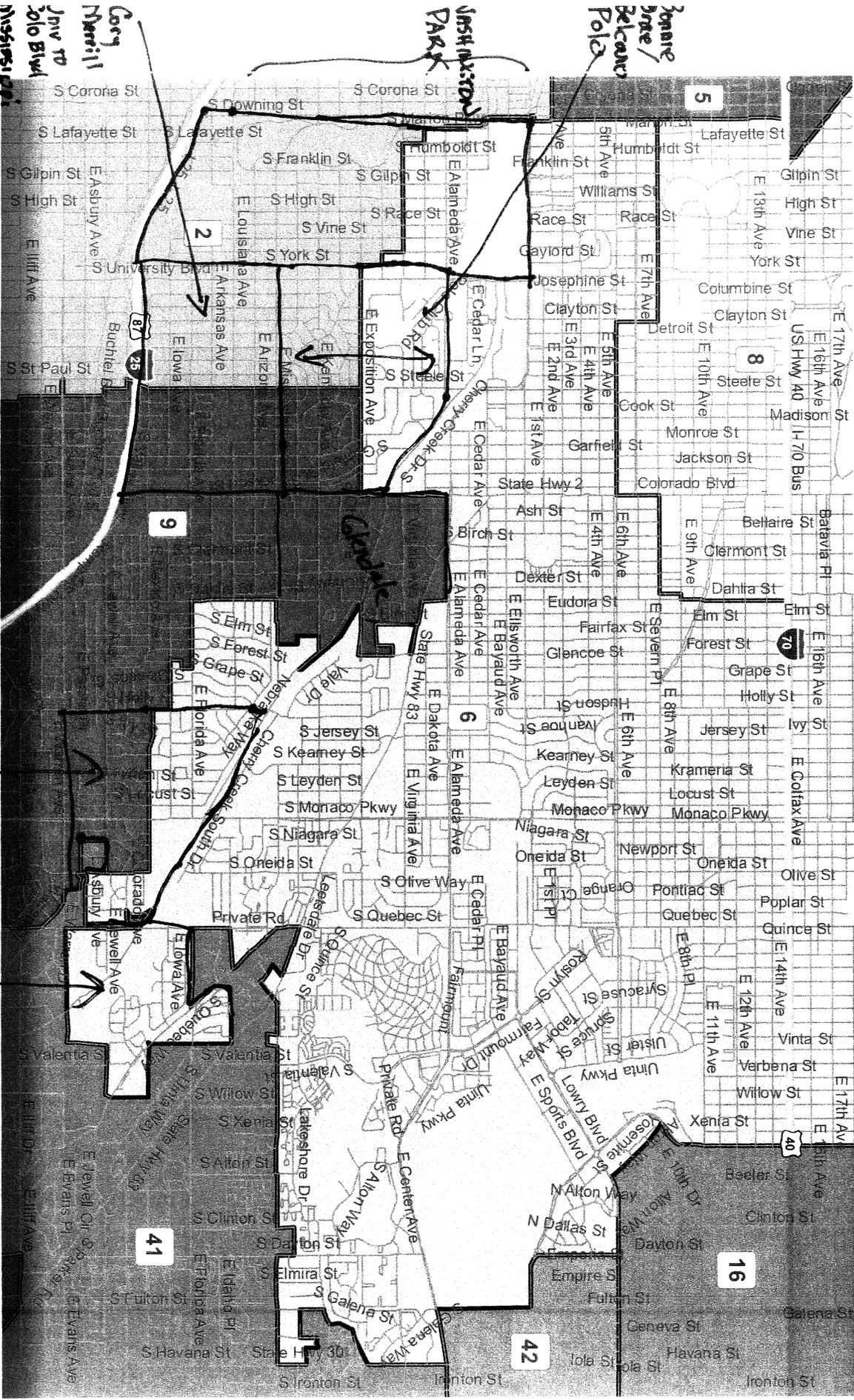
Proposed Changes for Neighborhood Integrity

Bonnie Brae/Belcaro	-1.5	3.0	-1.5			
Cory/Merrill	1.5		-1.5			
University Park	-3.5		3.5			
Cook Park		-1.5	1.5			
Indian Creek		-3.0	3.0			
Glendale/Glendale Area & S. Colo. Blvd		5.0	-5.0			
Net Change in Precincts	-0.5	0.5	0.0			

Statewide Preliminary Adopted House Plan

Map #1

District 6



2011 Colorado Reapportionment Commission
 1313 Sherman Street
 Room 122
 Denver, Colorado 80203

Map prepared by Reapportionment Commission Staff, August 12, 2011.

SALLYANNE OFNER

31 October, 2011

COLORADO REAPPORTIONMENT COMMISSION
1313 Sherman St.
Denver, CO 80203

SUBJECT: Proposed Lines, Marion Street from 1st to 4th Avenues in Proposed House District 6
Petition to Modify to Downing Street from 1st to 4th Avenues

Gentlemen:

I am a voting citizen of Denver with numerous contacts in the Country Club Historic District of Denver and have advised several members, including Christiane Citron, who is a long time resident at 373 Marion Street in that neighborhood which is walled but not gated. The proposed border of House District 6, the east side of Marion, splits this district and removes approximately 31 households and 121 voters from that neighborhood. In order to keep an historic area whole, I support and appeal to the Commission to modify this proposed line from Marion to Downing which would keep it whole and would add 121 voters to the 75,457 voters proposed. This would continue to be far below the 77,300 voters for an average House District and would maintain a coherent neighborhood.

It is , therefore, requested that the Commission consider modifying House District 6 to begin at the East side of Downing from 1st Avenue to 4th Avenue, move east to Marion Street and, thence, north as planned.

Sincerely,


Sallyanne Frances Ofner