



Meeting Minutes

City of Tucson Redistricting Advisory Committee (RAC)

DATE: **Monday, October 7, 2024**
TIME: 5:00 p.m.
LOCATION: City Hall
255 W. Alameda Street
Mayor and Council Chambers, 1st floor
Tucson, Arizona

1. Roll Call

The Redistricting Advisory Committee (RAC) meeting was called to order at 5:00 p.m. by Chair Ed Hendel.

Upon roll call, those present and absent were:

<u>Present:</u>	<u>Appointor:</u>
Maribel Alvarez	Mayor
Tre'Davon Rhodes, Vice Chair	Ward 2
Ed Hendel, Chair	Ward 3
Robert Jaramillo	Ward 5
Raquel Abel	Ward 6

<u>Absent:</u>	
Vanessa Gallego	Ward 1

Staff Present:
Suzanne Mesich, City Clerk
Yolanda Lozano, Chief Deputy City Clerk
Maria Talamante, Assistant City Clerk
Jesus Acedo, City Clerk's Office
Shawna Lee, City Clerk's Office
Zach McGovern, City Clerk's Office
Randy Hammel, City Clerk's Office
Robert Hunter, City Clerk's Office
Dennis P. McLaughlin, Principal Assistant City Attorney

2. Approval of Minutes from September 23, 2024

It was moved by Committee Member Alvarez, duly seconded, and carried by a voice vote of 5 to 0 (Committee Member Gallego absent), to approve the Minutes from the meeting of September 23, 2024.

3. Call to the Audience

There were no speakers.

4. Continued Discussion and Possible Action regarding RAC's Recommendation to Mayor and Council

Chair Hendel reviewed the draft Recommendation prepared for the Committee's consideration.

Committee Member Alvarez had a question on the meaning of the word "marginally."

Dennis P. McLaughlin, Principal Assistant City Attorney, stated he did not believe it was defined in the Tucson City Code, and was being used in the capacity of its common meaning.

Discussion ensued related to the inclusion of additional language in the Committee's Recommendation to Mayor and Council.

Vice Chair Rhodes stated he believed the Recommendation was accurate as it stood, and any wordsmithing would not provide the desired outcome.

Discussion ensued.

It was moved by Vice Chair Rhodes, duly seconded, that no changes be made to the Recommendation.

Committee Member Alvarez offered a friendly amendment to add the following additional language to Section II, bullet point 2 of the Recommendation:

"In 2024, the rough proportionality principle indicates that roughly 42.2% of the City wards should be majority-minority, meaning two (2) majority-minority wards is a slight under-representation and three (3) majority-minority wards would be a slight over-representation by a roughly equal amount, hence the rough proportionality principle is satisfied at the moment. If the voting age minority percentage increases in future years, the principle could indicate that we should strive for a third majority-minority ward."

The amendment was accepted by the motion-maker.

Dennis P. McLaughlin, Principal Assistant City Attorney, explained Tucson Code § 10A-43(g), regarding Committee members disqualification from running for office for four years, could be eliminated with a Tucson Code amendment or a retroactive amendment.

Committee Member Abel offered a friendly amendment to add the following additional bullet point to the end of Section II of the Recommendation:

“The Committee recommends that Mayor and Council consider granting the 2024 RAC Members a waiver to Tucson Code § 10A-43(g), which states that “Committee members shall be disqualified from election to the office of councilmember for a period of four (4) years from December 31st of the potential redistricting year in which the Committee is appointed.” The Committee believes this clause is meant to prevent RAC Members from making or preventing redistricting proposals that would provide them a personal advantage in an imminent city council election. Avoiding such conflict of interests is a reasonable policy. However, the 2024 RAC was instructed by the City Attorney, based on prior Mayor and Council action, not to make any redistricting proposals this year and is therefore only making process-related suggestions for 2028, so that logic does not apply this year.”

The amendment was accepted by the motion-maker.

It was moved by Vice Chair Rhodes, duly seconded, and carried by a voice vote of 5 to 0, (Committee Member Gallego absent) to accept the Recommendation as presented with the inclusion of the language from the two friendly amendments.

Dennis P. McLaughlin, Principal Assistant City Attorney, recommended two additional wording and grammar amendments.

It was moved by Committee Member Abel, duly seconded, and carried by a voice vote of 5 to 0, (Committee Member Gallego absent) to accept the additional wording and grammar amendments.

5. Future Agenda Items

There were no future agenda items.

6. Adjournment

The meeting was adjourned at 6:20 p.m.

Upon roll call, those present and absent were:

<u>Present:</u>	<u>Appointor:</u>
Maribel Alvarez	Mayor
Tre'Davon Rhodes, Vice-Chair	Ward 2
Ed Hendel, Chair	Ward 3
Robert Jaramillo	Ward 5
Raquel Abel	Ward 6

Absent:
Vanessa Gallego Ward 1

Staff Present:
Suzanne Mesich, City Clerk
Yolanda Lozano, Chief Deputy City Clerk
Maria Talamante, Assistant City Clerk
Jesus Acedo, City Clerk's Office
Shawna Lee, City Clerk's Office
Zach McGovern, City Clerk's Office
Randy Hammel, City Clerk's Office
Robert Hunter, City Clerk's Office
Dennis P. McLaughlin, Principal Assistant City Attorney

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- 1 CHAIRMAN HENDEL: All right everybody. Let's get started.
- 2 It's 5 o'clock and we do have a quorum, so, I will call the meeting to
- 3 order. Thank you all for coming. I think this'll be a faster meeting
- 4 than our previous ones. So, we'll start with roll call, please.
- 5 CLERK: Maribel Alvarez?
- 6 DR. ALVAREZ: Present.
- 7 CLERK: Vanessa Gallego is absent. Tre'Davon Rhodes?
- 8 VICE-CHAIR RHODES: Present.
- 9 CLERK: Ed Hendel?
- 10 CHAIRMAN HENDEL: Present.
- 11 CLERK: Robert Jaramillo?
- 12 MR. JARAMILLO: Present.
- 13 CLERK: Raquel Abel?

1 MS. ABEL: Present.

2 CLERK: You have a quorum, sir.

3 CHAIRMAN HENDEL: Thank you very much. And next we will
4 do the approval of the Minutes, which we have printed out here. Do
5 we have a motion to approve?

6 DR. ALVAREZ: So move.

7 CHAIRMAN HENDEL: Thank you. Do we have a second?

8 MR. JARAMILLO: Second.

9 CHAIRMAN HENDEL: Okay. We have a motion and a second.

10 Any discussion or changes that we need to make? Okay. All in favor?

11 (Affirmative.)

12 CHAIRMAN HENDEL: All opposed? Motion passes. Thank you.

13 Okay. Item 3. Call to the Audience. Once again, I don't see

14 anybody. So, we'll move on to Item 4, which is the Continued

15 Discussion and Possible Action of our Recommendations. So, we do have
16 a draft of the letter.

17 I had proposed some changes over the weekend, and I believe
18 those have been included in this copy of the letter. Nothing - it was
19 just changes to account for a few things that we had agreed on the
20 previous meeting, but didn't make it into the first draft, so, I think
21 that's accounted for. So, I guess I'll just open it up if anyone has
22 comments on the letter.

23 MS. ABEL: I thought it was very well done, very nicely
24 written.

25 MS. MESICH: Thank you.

1 MR. ACEDO: Thank you.

2 MS. ABEL: To whoever.

3 CHAIRMAN HENDEL: Did you write that, Jesus? It was great.

4 MR. ACEDO: (Inaudible)

5 CHAIRMAN HENDEL: Okay. Nonetheless, thank you all.

6 MR. ACEDO: (Inaudible)

7 CHAIRMAN HENDEL: Yes. Thank you all so much for your
8 great work.

9 MR. ACEDO: (Inaudible)

10 CHAIRMAN HENDEL: Oh, good. (Inaudible) Okay.

11 MR. ACEDO: I can attest to that.

12 CHAIRMAN HENDEL: Yeah.

13 DR. ALVAREZ: Yeah. Excellent.

14 (Inaudible comments.)

15 CHAIRMAN HENDEL: Did anyone have any changes or additions
16 they would propose? We can just take a minute. I think we got this
17 on Saturday, and it's been busy. So, why don't we just -

18 MR. ACEDO: (Inaudible)

19 CHAIRMAN HENDEL: Yeah. And, and this is the updated
20 version. So, why don't we just take a couple of minutes and we all
21 just -

22 DR. ALVAREZ: Okay.

23 CHAIRMAN HENDEL: - look through it and, and we'll
24 reconvene in a couple minutes. (After a short pause.)

25 VICE-CHAIR RHODES: It looks good, yeah.

1 DR. ALVAREZ: My, my only comment is in this, it's not
2 a request include, it's on the findings of the Committee, first
3 paragraph. It states the currently 2.9% is well below 10% is very
4 measurable. And then it says it "marginally" satisfies the rough
5 proportionality consideration.

6 And I was wondering if there should be a sentence that
7 followed that that explains why marginally in, in simple, plain terms
8 said, you know, rough proportionality based on minority voting would
9 require (inaudible)

10 We're at two or, you know, something, whatever the, the
11 appropriate language is because of the word marginally could just be,
12 again, a source of misinterpretation. But, again, I don't want to get
13 into the (inaudible) too much and (inaudible)

14 CHAIRMAN HENDEL: No. It's okay. I actually had the
15 exact same comment. I highlighted that in my document, the word
16 "marginally". I guess I'm not - does that word have a specific legal
17 meaning that we might not be aware of, like a marginal satisfaction of
18 the condition?

19 MR. McLAUGHLIN: Mr. Chair, Members of the Committee. I
20 don't think it is defined in the Code as any particular thing which
21 would say that it would have its common, ordinary meaning. But, but I
22 don't know if that's very helpful here.

23 CHAIRMAN HENDEL: Yeah. Normally, I would think of that
24 word to mean like just a little bit, -

25 DR. ALVAREZ: Yeah.

1 CHAIRMAN HENDEL: - which, which I'm not sure that makes
2 perfect sense in this context. I mean, to me, we - well, there's two
3 - that, that sentence is something I thought we would probably talk
4 about, partially for the word "marginally", and partially because
5 that's not really the reason that we're not recommending
6 redistricting.

7 I mean, it is true, and we could discuss that but, but
8 we're - but even before we talked about that at all, we had already
9 decided not to do redistricting because the City Attorney instructed
10 us that based, I believe solely on the MPD, that we, we should not
11 redistrict this year.

12 DR. ALVAREZ: Which is stated before then.

13 CHAIRMAN HENDEL: Right.

14 DR. ALVAREZ: Uh-huh. It's a "furthermore".

15 CHAIRMAN HENDEL: Right.

16 DR. ALVAREZ: Uh-huh.

17 CHAIRMAN HENDEL: So, I'm not sure it's quite accurate to
18 say that the Committee acknowledged that, that, that - to imply that
19 the satisfaction of rough proportionality is one of the reasons we're
20 not proposing redistricting, 'cause again, while that is true, I'm not
21 sure that actually came up in our discussions.

22 I think if we put that in the letter, we need to explain
23 it, because I believe it is true. Like rough proportionality means,
24 as defined, the percent of voting age minority population should be
25 roughly proportional, so the number to the percentage of majority-

1 minority seats in the City Council. Right now, there's two, which is
2 33%. If we bumped it up to three, it'd be 50%, and the actual number
3 of minority voting age people in Tucson is 42%, which is right smack
4 in the middle of those two.

5 DR. ALVAREZ: Could something with that kind of detail be a
6 footnote? Is that allowed?

7 MR. McLAUGHLIN: Mr. Chair, Members, I don't see why not.
8 That's fine.

9 CHAIRMAN HENDEL: Yeah.

10 MR. McLAUGHLIN: You draft it as you wish.

11 CHAIRMAN HENDEL: But also like this isn't part of the
12 reason we're not proposing redistricting. So, I'm not even sure
13 this really needs to be in a the letter at all.

14 MR. JARAMILLO: (Inaudible)

15 CHAIRMAN HENDEL: Is your mic on?

16 MR. JARAMILLO: (Inaudible)

17 DR. ALVAREZ: Turn your mic on.

18 MR. JARAMILLO: I believe it's pretty self-explanatory with
19 the, with the current ratio being 2.9, which is acceptable and well
20 below the, the target mark. That, that's why -

21 CHAIRMAN HENDEL: Right.

22 MR. JARAMILLO: - we're recommending that be changed at the
23 present time.

24 CHAIRMAN HENDEL: Yeah.

1 MR. JARAMILLO: 'Cause say we leave it as is with maybe
2 excluding the marginal or, or putting it -

3 CHAIRMAN HENDEL: Or just take out that sentence
4 altogether. I mean, again, it is true. We are currently satisfying
5 the rough proportionality principal because number 42 is right in the
6 middle.

7 MR. JARAMILLO: Right.

8 CHAIRMAN HENDEL: Right now, we're, we're - minorities
9 are under-represented by nine percent. If we give a - if we created a
10 third majority-minority seat, they would be over-represented by eight
11 percent. And those numbers, nine and eight, are almost the same and,
12 therefore, roughly proportional I would say.

13 DR. ALVAREZ: I think we could re-write the sentence, and
14 to be truthful to the record, had we had a discussion where we would
15 have said, "Okay. Two point nine is well below, and that's enough."
16 But as it turns out, even with 2.9, there's, you know, 22%, you know,
17 the proportionality is like instead of two wards, there's one ward.
18 So, it's really lopsided.

19 If we had had that discussion, then that would have been a
20 compelling factor on the criteria. You know what I'm saying? But we
21 never had that discussion, which is what Ed is saying. So, maybe the
22 sentence can stay, but stated in a, in a different way.

23 Furthermore, the Committee did not find that the rough
24 proportionality question, you know, was compelling enough to tip, you

1 know, to, to add additional arguments to the - something like that is,
2 is, is a, -

3 CHAIRMAN HENDEL: Yeah.

4 DR. ALVAREZ: - is a question in - it's a statement in the
5 negative. So, maybe that's not so good, but -

6 CHAIRMAN HENDEL: But, no, that's a good point.

7 DR. ALVAREZ: - is more accurate to what we discussed.

8 CHAIRMAN HENDEL: Yeah. If we had found that we had only
9 one majority-minority seat, we might have said, "We're not even close
10 to rough proportionality. We need to do something."

11 But since we're already, again, roughly proportional, the
12 fact that we only have six wards makes it impossible to get exactly
13 42% of the seats being any particular way, yeah, I think that makes
14 sense.

15 DR. ALVAREZ: Something like that would say, not that it's
16 marginally okay, just to say that it was - it did not rise to the ch-
17 -- that the Committee did not find it rose to the challenge that it
18 compelled being addressed as a sole criteria, you know? Something to
19 that effect.

20 CHAIRMAN HENDEL: Right.

21 DR. ALVAREZ: But the attorney's consulting with the City
22 Manager, so, maybe we're way off.

23 CHAIRMAN HENDEL: No, that's fine. But let's give them
24 a minute to hash this out. 'Cause even so, we were told not to
25 redistrict regardless of that. So, like the real reason is -

1 DR. ALVAREZ: But we could -

2 CHAIRMAN HENDEL: - the MPD, right?

3 DR. ALVAREZ: Could we have disagreed with, with that?

4 CHAIRMAN HENDEL: Yeah.

5 DR. ALVAREZ: We could have said as citizens that we wanted
6 to (inaudible)

7 CHAIRMAN HENDEL: Yeah. We can do what we want.

8 DR. ALVAREZ: So, -

9 MR. JARAMILLO: That's why we're here.

10 DR. ALVAREZ: We could have disagreed with that. All
11 right.

12 CHAIRMAN HENDEL: Okay.

13 DR. ALVAREZ: So, -

14 MS. ABEL: Instead of "furthermore", we could just - we
15 could move the Committee has concluded no redistricting options will
16 be recommended, although the Committee does acknowledge that the
17 current demographic constitution of the wards satisfies the rough
18 proportionality consideration, that is not a basis for, for
19 redistricting.

20 CHAIRMAN HENDEL: Well, you would -

21 DR. ALVAREZ: It would not -

22 CHAIRMAN HENDEL: You -

23 DR. ALVAREZ: - be completely true either, right?

24 CHAIRMAN HENDEL: Right. You, you wouldn't want to say -
25 I want to just reword that, but I think we're on the right track here.

1 DR. ALVAREZ: Uh-huh.

2 CHAIRMAN HENDEL: Well, also, it's mentioned twice.

3 So, it's also mentioned at the end of the letter in the final
4 recommendation in the same context. It's kind of repeating the same,
5 you know, as, as you should in a letter, you kind of state your main
6 point at the beginning and the end. So, that makes sense, but -

7 DR. ALVAREZ: Where, where do you see it in -

8 CHAIRMAN HENDEL: In section three.

9 DR. ALVAREZ: Oh, okay.

10 CHAIRMAN HENDEL: In the first sentence of section three.

11 I want to change that one for sure because that implies - I, I guess
12 I - I don't want to be too nitpicky here, but I think that kind of
13 implies that that's part of why -

14 DR. ALVAREZ: Yes. That, that one needs correction because
15 it's, it's, it's not quite accurate that we are roughly proportional.
16 It's with - we have to explain the, the margins.

17 CHAIRMAN HENDEL: Well, I actually think it is accurate
18 that we are rough, rough, roughly proportional, but it's not accurate
19 to say that that's why we aren't recommending redistricting 'cause we
20 didn't even really talk about that. So, it could be thrown in as a
21 mathematical fun fact, but it's not like really part of why we made
22 our decision.

23 DR. ALVAREZ: But we didn't, we didn't make it, we didn't
24 make it an issue because it is roughly proportional. Marginally
25 proportional.

1 CHAIRMAN HENDEL: Right.

2 DR. ALVAREZ: You know what I'm saying? Like we didn't
3 make it an issue because it's marginally proportional.

4 CHAIRMAN HENDEL: Yeah.

5 DR. ALVAREZ: But it's not really completely rough
6 proportionality as defined by the concept. It's a, it's a play
7 of words.

8 CHAIRMAN HENDEL: I mean I guess it depends on the
9 definition of the word "roughly", but right now, we are fully
10 satisfying the rough proportionality condition.

11 But you're right that the fact that we, like the fact that
12 that condition is already satisfied is part of why we didn't choose to
13 redistrict, because if it wasn't satisfied, we might have said, "Hey,
14 look. We're like way off here. It's -," you know.

15 "We've got one out of six seats. The math says it should
16 be roughly halfway between two and three seats should be majority-
17 minority. And we're at one, so, we've gotta fix this." The fact that
18 that's not the case is indeed part of why we didn't change anything.

19 DR. ALVAREZ: Could we turn - could we add the statement
20 that we (inaudible) a judgment just making it a plain fact?
21 Furthermore, in the current state of the city, you know, state the
22 numbers, like rough proportionality would mean 42%, yeah. And we are
23 at such and such, you know, so that -

24 CHAIRMAN HENDEL: Uh-huh.

1 DR. ALVAREZ: - I wonder if just stating the facts as a
2 statement versus saying, "We found, we felt, we determined," which we
3 really didn't tackle that directly, only by default.

4 MR. JARAMILLO: And, and, and we're going with what's
5 current. Now that might not be the case -

6 DR. ALVAREZ: Right.

7 MR. JARAMILLO: - in a year or so.

8 DR. ALVAREZ: Yeah.

9 MR. JARAMILLO: So, that's when they're gonna have to
10 determine what changes they're gonna make at the, at the time.
11 But, but (inaudible) understands that's what we are recommending.

12 CHAIRMAN HENDEL: You know what? That's a great point.
13 And I just had an idea related to that which is one of the additions
14 that I proposed which is now in here, on the second bullet point of
15 page two of the second full bullet point mentions the percentage,
16 the 42.2%, -

17 MR. JARAMILLO: Uh-huh.

18 CHAIRMAN HENDEL: - that would be a good place to put this.
19 Let's take it out of the intro and the conclusion because it really
20 wasn't like a key driver of our decision-making process, evidenced by
21 the fact that we only really started talking about it today. But it
22 is worth -

23 DR. ALVAREZ: Okay.

24 CHAIRMAN HENDEL: - throwing it in there, and that would be
25 a good place to put it.

1 DR. ALVAREZ: I like your suggestion. I think we take it
2 out from the first page and from the last page and include it here on
3 this bullet at, at the moment and we state the numbers of what it
4 would - and you can restate that (inaudible)

5 CHAIRMAN HENDEL: Yeah. I can propose some language.

6 DR. ALVAREZ: I think that would cover it without us giving
7 it - putting our thumb -

8 CHAIRMAN HENDEL: Yeah.

9 DR. ALVAREZ: - on either way.

10 MR. JARAMILLO: I agree.

11 CHAIRMAN HENDEL: Yeah. 'Cause the fact that it might
12 change in 2028, or some other year in the future, is kind of a
13 extremely key point. I'm glad you brought that up, yeah. Because -
14 yeah.

15 VICE-CHAIR RHODES: I personally think the letter is
16 accurate as it stands. I feel any wordsmithing that we try to do, I
17 don't think it will necessarily -

18 CHAIRMAN HENDEL: (Inaudible)

19 VICE-CHAIR RHODES: Yeah, I don't think it'll provide the
20 outcome that we're thinking right now. I think if we change and move
21 around, move the last couple of sentences to that second full bullet
22 point, I don't really think it makes too much of a difference. But
23 that's just me personally. I think the letter is -

24 CHAIRMAN HENDEL: And a fair point.

25 VICE-CHAIR RHODES: - accurate as it is.

1 DR. ALVAREZ: True.

2 CHAIRMAN HENDEL: Yeah.

3 VICE-CHAIR RHODES: (Inaudible) your guys' concessions with
4 the, with the term "marginally", so, I can understand where you guys
5 are coming from. So, if we do want to make change, I can - I'm not
6 opposed to it completely.

7 CHAIRMAN HENDEL: Uh-huh. No, you're right. Tiny
8 wordsmith changes in this document that's proposing a process for four
9 years from now is not -

10 MR. JARAMILLO: Yeah. That, that's (inaudible)

11 CHAIRMAN HENDEL: - a ground-shaking thing probably.

12 MR. JARAMILLO: But what I'm saying is based on what's
13 happening now. And, and the figure that we place, put in place years
14 from now, they're the ones that are gonna determine which way they
15 want to go.

16 VICE-CHAIR RHODES: Absolutely. They'll make their own
17 tweaks -

18 MR. JARAMILLO: Yeah. (Inaudible)

19 VICE-CHAIR RHODES: - and adjustments, you know, just as we
20 have, so, -

21 CHAIRMAN HENDEL: Yeah.

22 MR. ACEDO: Just a reminder. Speak into your microphones,
23 please. Thank you.

24 DR. ALVAREZ: If it was up to me, this is what I will do,
25 if it was - I was the sole author. I would delete the sentence on

1 page one. "Furthermore." After that, I would delete that. I would
2 add factual information on the second bullet on page two about the
3 numbers now, just like it is 42.2, 42.2. I would also say, "Current
4 rough proportionality would mean three districts majority-minority at
5 the moment is -," and I would, I would just add those numbers that the
6 - specifically the percentages that you have told us, you know. We're
7 like a little below, but if we go to three, we will be above -

8 CHAIRMAN HENDEL: Uh-huh.

9 DR. ALVAREZ: - where we'd proportional. I would, I would
10 include that. And then I would finally, this would be my, my third
11 change, would leave the, the last page, final recommendation.

12 The reason for, the reason for that is that the number of
13 minority-majority wards being roughly proportional to the percentage
14 of minority, or that's where I would insert the word "marginally", you
15 know?

16 I would do a little musical chairs because then by that
17 time, by the time you get to the third page, marginal makes sense
18 because now you have explained in page two the actual percentages
19 that you're talking about. Three districts, three wards versus two.
20 But that's just a proposal so that we can decide and move on.

21 CHAIRMAN HENDEL: That makes sense. I'm still a little
22 unclear on what marginal means in this context. Like the word
23 "rough", to me, kind of covers that already. Rough proportionality
24 means, you know, approximate. And so, -

25 DR. ALVAREZ: Uh-huh.

1 CHAIRMAN HENDEL: - conceptually, I don't quite understand
2 the idea of marginally rough.

3 MS. ABEL: Seems like "marginally" means "minimally".

4 CHAIRMAN HENDEL: Yeah. I think the word "rough" is
5 already doing the job of the word "marginally".

6 DR. ALVAREZ: Yes and no, because minimally, marginally -
7 minimally satisfy the, in quotations, "rough proportionality". So,
8 that the standard is rough proportionality. We're not saying it's
9 "roughly proportional". We're saying it's "minimally roughly
10 proportionally". Does that make sense? This is, we're quoting,
11 that's why it's in quotes, uh-huh.

12 CHAIRMAN HENDEL: But, but the rough proportionality
13 principal uses the word "roughly". I mean maybe we're going too
14 far down the rabbit hole here, but -

15 MR. JARAMILLO: I think we're, I think we might digging
16 too, too far deep into the future. And I think what - as it's
17 presented to us, I feel it's, it's done well, and I'm sure they, they
18 went over the whole process prior to putting it in writing.

19 VICE-CHAIR RHODES: I propose no change be made.

20 CHAIRMAN HENDEL: Is that a motion?

21 VICE-CHAIR RHODES: That's a motion.

22 CHAIRMAN HENDEL: Okay.

23 VICE-CHAIR RHODES: (Inaudible)

24 CHAIRMAN HENDEL: Okay. We have a motion on the table.

25 Do we have a second?

1 MR. JARAMILLO: I second.

2 CHAIRMAN HENDEL: Okay. Now we have discussion. That's
3 kind of where we are (inaudible)

4 DR. ALVAREZ: I, I accept that, but I would like to - if,
5 if it's okay with everybody, that (inaudible) bullet be footnoted or,
6 or, or added in bullet two on page two. I think it would be helpful
7 for the public who reads this in the future to know what, what that
8 meant in this particular time.

9 VICE-CHAIR RHODES: Yeah. I think that's reasonable.

10 DR. ALVAREZ: Thirty-three percent versus fifty percent,
11 and the range is 42. So, I think that would be just my only amendment
12 if it is - can I make an amendment -

13 CHAIRMAN HENDEL: Yeah.

14 DR. ALVAREZ: - to the motion?

15 CHAIRMAN HENDEL: You, you can amend with a footnote or to
16 change that second bullet point on the second page.

17 DR. ALVAREZ: To add, uh-huh.

18 CHAIRMAN HENDEL: And then if you want to make that an
19 amendment, whichever one of those can be an amendment.

20 DR. ALVAREZ: What, Madam Clerk, what, what makes more
21 sense?

22 MS. MESICH: To make a friendly amendment to the motion,
23 the maker of the motion and the seconder have to approve that friendly
24 amendment. You can also make a substitute motion which needs to be
25 discussed first before the first motion.

1 DR. ALVAREZ: Who was - who made the motion? Tre', would
2 you accept an amendment to the motion to add a sentence that explains
3 the 33 to 50 range?

4 VICE-CHAIR RHODES: Yes.

5 DR. ALVAREZ: Would you second?

6 MR. JARAMILLO: Second. Second.

7 DR. ALVAREZ: And that sentence (inaudible) would just be
8 that, just explaining that, by definition, rough proportionality now
9 stands at 33%, or -

10 CHAIRMAN HENDEL: Yeah. Maybe I should - should I write up
11 a sentence and propose it?

12 DR. ALVAREZ: Yeah. Maybe, maybe he should write it.

13 CHAIRMAN HENDEL: Yeah. Let me, let me do that real quick.

14 DR. ALVAREZ: The ranges and we're - yeah.

15 CHAIRMAN HENDEL: Hmm. This is a little harder than I
16 thought to phrase it properly. I need another minute.

17 (After a pause.) Okay. Here's what I have so far.

18 "In 2024, the rough proportionality principle indicates
19 that roughly 42.2% of the City Council seats should be majority-
20 minority, meaning two is a slight under-representation and three seats
21 would be a slight over-representation by a roughly equal amount.
22 Hence, the rough proportionality principle is satisfied at the moment.
23 If the percentages in future years, the principle might indicate that
24 we should add a third majority-minority seat."

1 Not the most graceful word, words, nothing I've ever done,
2 but is that more or less what we want to say here?

3 VICE-CHAIR RHODES: Yeah. I think that's good.

4 DR. ALVAREZ: Yeah. That's good.

5 CHAIRMAN HENDEL: Okay.

6 DR. ALVAREZ: Can I also say that if, if when, when you -
7 when the clerk and the City Staff transcribes it, that they can do a
8 little bit of wordsmithing, if necessary. (Inaudible)

9 CHAIRMAN HENDEL: But actually we have to - you're right.
10 That would be good, but we do have to like finalize this today before
11 they leave. (Inaudible)

12 DR. ALVAREZ: (Inaudible) Got it. So, it's good.

13 CHAIRMAN HENDEL: So, I, I have to dictate that as you type
14 it in there, fortunately. My preference would be to put this in that
15 second bullet point on the second page because that's where the 42.2%
16 number -

17 DR. ALVAREZ: Yeah.

18 CHAIRMAN HENDEL: - is introduced in the letter.

19 DR. ALVAREZ: Yeah.

20 CHAIRMAN HENDEL: And so, it'll make more sense if we put
21 it there as opposed to a footnote on page one, but -

22 DR. ALVAREZ: Yeah, yeah. I agree. That will work.

23 VICE-CHAIR RHODES: Yeah. That sounds good. Yeah, for
24 sure.

1 CHAIRMAN HENDEL: Okay. So, who is typing today? Should I
2 - okay. Shall I read that again?

3 MR. ACEDO: Or if you have internet on your laptop, you
4 could e-mail it to me as well and I could paste it in there, but -

5 CHAIRMAN HENDEL: Oh, yeah, let's do that.

6 MR. ACEDO: And then we could clean it up.

7 CHAIRMAN HENDEL: Let me - yeah, yeah. That'll be faster,
8 except I'm not connected to the internet. Hang on. (After a pause.)
9 Trouble connecting to the internet. Maybe it would actually just be
10 faster to read it to you.

11 DR. ALVAREZ: If he reads it, it would be entered into the
12 record, right? So, maybe just read it.

13 CHAIRMAN HENDEL: Okay. Should I read it like really slow
14 so you can type it? Okay. Let's do that. And can we get the screen
15 so we can watch as you're typing?

16 MR. ACEDO: Is that large enough for you guys to see, or -

17 CHAIRMAN HENDEL: Yeah. Okay. So, just at the end of that
18 bullet point after the word "clear", new sentence.

19 "In 2024," comma, "the rough proportionality principle, -"

20 MR. ACEDO: Close, right?

21 CHAIRMAN HENDEL: And no hyphen actually, I think.

22 DR. ALVAREZ: Now Jesus is on the, -

23 CHAIRMAN HENDEL: I know.

24 DR. ALVAREZ: - on the hot seat.

1 CHAIRMAN HENDEL: I don't envy you, Jesus. I always make a
2 million typos.

3 MR. ACEDO: (Inaudible) people are watching.

4 MR. JARAMILLO: (Inaudible) an e-mail?

5 CHAIRMAN HENDEL: I just can't -

6 (Multiple speakers - inaudible discussion.)

7 CHAIRMAN HENDEL: " - indicates that roughly 42.2% of the
8 City Council seats should be majority," hyphen, "minority," I think
9 there's a hyphen in there. Yeah. Comma, "meaning two majority,"
10 hyphen, "minority seats is a slight under-representation and three
11 majority," dash, "minority seats -," --

12 DR. ALVAREZ: My, my minority-majority was transposed on
13 the first one. Minority -

14 CHAIRMAN HENDEL: It looks okay to me.

15 DR. ALVAREZ: Two.

16 CHAIRMAN HENDEL: Oh. Oh, yeah. The second one should be
17 majority," dash, "minority, right?

18 DR. ALVAREZ: Uh-huh.

19 CHAIRMAN HENDEL: "- would be a slight over-representation
20 by a roughly equal amount." I don't know if we want to like do the
21 math for them and say like eight percent versus nine percent. They
22 can figure that out.

23 MR. JARAMILLO: They can figure it out.

24 CHAIRMAN HENDEL: Comma, "- hence the rough proportionality
25 principal is satisfied at the moment."

1 DR. ALVAREZ: Principal, not principle.

2 CHAIRMAN HENDEL: Oh, yeah, yeah. Good catch. "- is
3 satisfied at the moment." We're almost done. Okay. One last
4 sentence here.

5 "If the voting age minority percentage increases in future
6 years," comma, "the principal could indicate that we should add a
7 third majority," dash, "minority seat."

8 Okay. Great. Thank you, Jesus. You just did my worst
9 nightmare which is typing live in front of a whole bunch of people.
10 So, thank you for doing that. Let's look that over, make sure we like
11 it.

12 MS. MESICH: Mr. Chair, I just want to confirm what you
13 mean by the term "seat", because you can't add a seat. That's gotta
14 be an election, so, are you talking a ward?

15 CHAIRMAN HENDEL: Yeah.

16 DR. ALVAREZ: Ward.

17 MS. MESICH: Ward.

18 CHAIRMAN HENDEL: Yeah. And, and we should clarify - yeah.
19 Add a seat. You're right. We're not adding a seat. We should -

20 MS. MESICH: Ward.

21 CHAIRMAN HENDEL: But it's not really adding a ward,
22 either. It's changing a ward from -

23 DR. ALVAREZ: Yeah. Changing the boundaries and
24 composition of a ward.

25 CHAIRMAN HENDEL: Right.

1 DR. ALVAREZ: Uh-huh.

2 CHAIRMAN HENDEL: So, how do we, -

3 DR. ALVAREZ: (Inaudible)

4 CHAIRMAN HENDEL: How do we say that in a clean way?

5 Principal could indicate that we should -

6 DR. ALVAREZ: (Inaudible) It's not 42% of the City Council
7 seat, but a 42.2 of the City's, -

8 MR. JARAMILLO: (Inaudible)

9 DR. ALVAREZ: - of the City wards, right?

10 CHAIRMAN HENDEL: Yeah. The City wards.

11 DR. ALVAREZ: The City wards.

12 CHAIRMAN HENDEL: Right. Yeah. Not seats. You're
13 completely right.

14 DR. ALVAREZ: Of the, -

15 CHAIRMAN HENDEL: Good catch.

16 DR. ALVAREZ: - the City wards.

17 CHAIRMAN HENDEL: City wards, yeah. Technically, that's
18 only among voting age population, but I, -

19 DR. ALVAREZ: The minority (inaudible)

20 CHAIRMAN HENDEL: - I think we don't need to (inaudible)

21 DR. ALVAREZ: The minority - majority-minority wards.

22 CHAIRMAN HENDEL: Yeah. Change seats to wards. Yeah, good
23 catch.

24 DR. ALVAREZ: Just slight under-representation and three
25 majority-minority wards would be a slight over-representation.

1 CHAIRMAN HENDEL: Yeah. And then at the end, also change
2 that last word in the whole paragraph to "wards". But, but also, we
3 need to change the word "add", 'cause you're right. That's ambiguous.
4 We should -

5 DR. ALVAREZ: Modify, alter, redistrict?

6 CHAIRMAN HENDEL: Yeah. We, we should redistrict -

7 DR. ALVAREZ: We should redistrict -

8 CHAIRMAN HENDEL: To -

9 DR. ALVAREZ: - to achieve a third majority-minority,
10 uh-huh.

11 MS. MESICH: Strive for.

12 DR. ALVAREZ: Or "strive"?

13 CHAIRMAN HENDEL: Yeah. Strive for -

14 DR. ALVAREZ: Redistrict to strive for the major- -- uh-
15 huh.

16 CHAIRMAN HENDEL: We should maybe just take out
17 "redistrict", too? I mean that obviously is the whole point of
18 (inaudible)

19 DR. ALVAREZ: Yeah. We should strive.

20 CHAIRMAN HENDEL: We should strive for.

21 DR. ALVAREZ: And we should strive.

22 CHAIRMAN HENDEL: That works.

23 MR. JARAMILLO: (Inaudible)

24 CHAIRMAN HENDEL: So, take out the word "two"? Yeah.

1 DR. ALVAREZ: And then the sentence, the, the line above
2 that, "minority-age percentage", right?

3 CHAIRMAN HENDEL: No. It's the voting-age minority.

4 DR. ALVAREZ: Oh. The voting age - never mind.

5 (Inaudible)

6 CHAIRMAN HENDEL: Technically every time we say -

7 DR. ALVAREZ: You gotta do that again.

8 CHAIRMAN HENDEL: Technically, we should be peppering this
9 paragraph with "voting age, voting age, voting age", but I feel like -

10 DR. ALVAREZ: Yeah, that's (inaudible)

11 CHAIRMAN HENDEL: - that's too wordy, and they, they wrote
12 the principal. They'll know that, hopefully. I think that's good.

13 DR. ALVAREZ: I think that's really good because we're
14 saying what we mean and we mean what we say.

15 CHAIRMAN HENDEL: Yeah. And we all agree and it's clear.
16 Yeah, that's, that's good. The next bullet point is like a three-part
17 bullet, it's like subparagraphs. The third one of those addresses
18 that scenario that we talk about at the -

19 DR. ALVAREZ: Yeah.

20 CHAIRMAN HENDEL: - end of the previous bullet point. We
21 could move those around, but I would say that's diminishing marginal
22 returns and we should probably call it - did we want to change the
23 word "minimally" or, or "marginally", or anything on, on the other two
24 times this is mentioned or just -

25 DR. ALVAREZ: No. The motion is to accept (inaudible)

1 CHAIRMAN HENDEL: Okay. So, does your motion include this?

2 DR. ALVAREZ: Yeah.

3 VICE-CHAIR RHODES: Yes. (Inaudible)

4 DR. ALVAREZ: They accepted it.

5 CHAIRMAN HENDEL: That was the, that was your amendment?

6 DR. ALVAREZ: Uh-huh.

7 CHAIRMAN HENDEL: And that was a friendly amendment which
8 was accepted and -

9 VICE-CHAIR RHODES: Seconded.

10 CHAIRMAN HENDEL: - seconded.

11 VICE-CHAIR RHODES: Right.

12 CHAIRMAN HENDEL: Which means we don't have to vote
13 separately on the amendment, which means we can now vote on the
14 motion. And I think this would be the final motion, right? 'Cause he
15 said, "Keep the letter as if except for -," so, any thoughts? Yeah.

16 MR. McLAUGHLIN: Mr. Chair, Members of the Committee.
17 Grammar police. I just noticed that in some cases ward is capitalized
18 and some cases it's not.

19 CHAIRMAN HENDEL: Ahh.

20 MR. McLAUGHLIN: Just mention that -

21 CHAIRMAN HENDEL: Good catch.

22 MR. McLAUGHLIN: - for consistency.

23 CHAIRMAN HENDEL: Yes. Thank you. Is that just in that
24 bullet point or, or throughout the letter?

1 MR. McLAUGHLIN: Just in that bullet point as opposed to
2 what Jesus just typed where he was capitalizing. I don't know about
3 the whole letter.

4 CHAIRMAN HENDEL: Okay. I'm searching through the letter.
5 I actually do see it not capitalized several times in other places.
6 It is slightly inconsistent.

7 MR. McLAUGHLIN: (Inaudible) You'll be -

8 CHAIRMAN HENDEL: I guess we should just put in lower case
9 in that -

10 MR. McLAUGHLIN: You'll be legally fine either way. Just,
11 just be consistent.

12 CHAIRMAN HENDEL: They might disregard the whole letter
13 because of that. Okay. Let's go to that bullet point that we just
14 edited, and just make the word "ward" lower case so it matches all the
15 other parts of the letter.

16 Or, yeah, that. Okay. And one more at the end. Okay.
17 The only other thing I saw was that we had talked about engaging
18 youth through the University, and we thought maybe high schools
19 probably wouldn't be that interested, but that's not very - I think
20 it's fine to include it.

21 DR. ALVAREZ: Think it's -

22 CHAIRMAN HENDEL: Yeah.

23 DR. ALVAREZ: Yeah.

24 VICE-CHAIR RHODES: Yes.

1 CHAIRMAN HENDEL: So, high schools and colleges. That's
2 fine, though. That's a tiny pedantic thing. So, let's leave that.
3 I didn't see any other issues. Does anybody else have thoughts?
4 Okay.

5 MR. McLAUGHLIN: Mr. Chair, I will have one answer for you
6 that may lead to a recommendation.

7 CHAIRMAN HENDEL: Okay. Please.

8 MR. McLAUGHLIN: So, do you want me to go ahead?

9 CHAIRMAN HENDEL: Yeah. Because I think this motion is
10 like the final motion, so, please do.

11 MR. McLAUGHLIN: I don't want to get in the way of your
12 thoughts.

13 CHAIRMAN HENDEL: No, no, this is a good time. Yeah.
14 Thank you.

15 MR. McLAUGHLIN: The question had come up, I believe it
16 may have been through the Chair, as to whether - well, what the, the
17 question was about what is 10-43(g), disqualification -

18 CHAIRMAN HENDEL: Hmm.

19 MR. McLAUGHLIN: - from office for four years. That is in
20 the Code, not in the Charter. So, it could be a recommendation of the
21 Committee that that disqualification be eliminated with the current
22 Committee because of the formation under current law.

23 In theory, you are, you are still disqualified. We
24 wouldn't need a Charter amendment, though, to change that. You could
25 add - you could suggest a Code amendment. And if - I don't, I don't

1 say that the Mayor and Council would do this, but in theory, also
2 because it is in the Code, if you wanted to seek a retroactive
3 amendment to say this provision does not apply to the 2024 Committee,
4 you could raise that with Mayor and Council. I don't know what they
5 would do. But, -

6 CHAIRMAN HENDEL: Right.

7 MR. McLAUGHLIN: So, you going - you could recommend going
8 forward, that that be removed.

9 CHAIRMAN HENDEL: Uh-huh.

10 MR. McLAUGHLIN: And then you could also separately or
11 together seek to have it retroactively removed for you.

12 CHAIRMAN HENDEL: Okay. Thank you for that. To give a
13 little context, as when we signed up for this, we all agreed that
14 we're not allowed to run for City Council for a four-year period,
15 which I think is fair because we learned last time from Robert about
16 the, the lawsuit that happened when people were, you know, being moved
17 right before a primary election that they would have been able to vote
18 in.

19 And so, I actually think that's a very fair clause. I, I
20 had asked Staff to clarify, given that since we were told this time
21 not to redistrict up front by the City Attorney, I wasn't sure that
22 logic still applied. But it is in the Code, so, -

23 MR. McLAUGHLIN: And, but, Mr. Chair, that could be a
24 reason to ask for a waiver -

25 CHAIRMAN HENDEL: Right.

1 MR. McLAUGHLIN: - also. It's -

2 CHAIRMAN HENDEL: Yeah.

3 MR. McLAUGHLIN: (Inaudible)

4 CHAIRMAN HENDEL: Yeah. To me, the logic behind the rule
5 doesn't apply in our particular case because we were immediately told
6 not to redistrict. I personally would probably want to keep it as a
7 rule going forward for future RAC's.

8 But I just think for this one in particular, the logic
9 didn't apply. I mean I don't feel super strongly about this, I just
10 had that thought, but -

11 VICE-CHAIR RHODES: I think, yeah, logistically, it doesn't
12 apply. I think it could be waived and then for moving forward, I
13 think it should still apply, but I mean -

14 CHAIRMAN HENDEL: Yeah.

15 DR. ALVAREZ: Because we can do it retroactively, I think
16 we can wait and see. And if there's one of us here who feels like
17 they will be running for office, we can retroactively come back.
18 That person can petition.

19 MR. JARAMILLO: I think -

20 VICE-CHAIR RHODES: I think we should -

21 (Inaudible comments.)

22 DR. ALVAREZ: Should do it?

23 VICE-CHAIR RHODES: I think we should do it now.

24 DR. ALVAREZ: Do it now? Okay.

1 CHAIRMAN HENDEL: Yeah. I guess we - you're right, we
2 could do it retroactively. But our influence diminishes substantially
3 after we disband, because we're no longer -

4 VICE-CHAIR RHODES: It would just be, it would just make
5 the most sense to just do it now, personally.

6 MR. JARAMILLO: Uh-huh. Well, I agree.

7 VICE-CHAIR RHODES: Yeah.

8 CHAIRMAN HENDEL: Okay. So, -

9 DR. ALVAREZ: But it is a request to Council, right? Is,
10 is - that's all it is?

11 MR. McLAUGHLIN: Yes. You - you're reco- --

12 DR. ALVAREZ: Yeah.

13 MR. McLAUGHLIN: You're recommending going forward, and
14 then if you wanted to ask that it be waived for you, in effect, that
15 would be a request to Council.

16 But it would be, probably need to be separate from any
17 recommendations about going forward. I don't know if that made that
18 clear.

19 CHAIRMAN HENDEL: In other words, do, do you think it
20 should be part of this letter, or like a completely separate thing?

21 MR. McLAUGHLIN: I would defer to the Committee on that,
22 whatever you want to do.

23 MR. JARAMILLO: (Inaudible)

24 MR. McLAUGHLIN: And I don't think there's a right or
25 wrong.

1 MR. JARAMILLO: (Inaudible) I think it should be part of
2 the recommendation.

3 CHAIRMAN HENDEL: Yeah. This letter is the, the whole
4 culmination of our work.

5 DR. ALVAREZ: Uh-huh.

6 CHAIRMAN HENDEL: If we're gonna do anything, I think it
7 probably makes sense to put it in here.

8 VICE-CHAIR RHODES: Yeah.

9 CHAIRMAN HENDEL: This doesn't mean they're going to do it,
10 but it will hopefully at least flag it for their attention. Okay.

11 DR. ALVAREZ: We, we will reflect for sure.

12 CHAIRMAN HENDEL: Yeah. Again, I, I don't feel super
13 strongly about this, but if someone wants to - it sounds like people
14 want to do this. Do we want to make -

15 VICE-CHAIR RHODES: Yeah, I'll make the motion. Yeah.

16 CHAIRMAN HENDEL: Okay. I guess we'll need to torture
17 Jesus again here. Should we have this as a supplement, section five,
18 or something?

19 DR. ALVAREZ: Where would it go?

20 MR. JARAMILLO: (Inaudible)

21 VICE-CHAIR RHODES: As a bullet of section two?

22 DR. ALVAREZ: Yeah. It could be the last bullet of section
23 two, right? Because -

24 CHAIRMAN HENDEL: But it's more of a recommendation than a
25 finding.

1 DR. ALVAREZ: It's more of a recommendation? (Inaudible)

2 CHAIRMAN HENDEL: I think it would either be in section
3 three because it's part of our recommendation or, -

4 DR. ALVAREZ: Yeah.

5 VICE-CHAIR RHODES: That makes sense.

6 CHAIRMAN HENDEL: - or somewhere after that as a separate
7 thing.

8 VICE-CHAIR RHODES: Yeah. I think section three makes
9 sense.

10 CHAIRMAN HENDEL: Okay. So, a third paragraph of section
11 three. Okay. Let's wordsmith this, but why don't I - when I e-mailed
12 this question to the Staff, I already like wrote it in sensible
13 English. So, maybe we can borrow from that.

14 DR. ALVAREZ: You know, on section two, a lot of things
15 are the Committee recommends, the Committee recommends. So, there's
16 recommendation language there, too, in section two.

17 CHAIRMAN HENDEL: Actually, you're right. In fact, every
18 single bullet point stresses that. So, okay. That's a good point.

19 DR. ALVAREZ: So, -

20 CHAIRMAN HENDEL: Well, I'd be fine with putting it as the
21 last bullet of section two. I don't have a strong preference on that.

22 VICE-CHAIR RHODES: Whatever works. Do you have the
23 wording for it (inaudible)

24 CHAIRMAN HENDEL: Let me look through my -

25 DR. ALVAREZ: Yeah. In the bullet (inaudible)

1 (Inaudible comments.)

2 CHAIRMAN HENDEL: Okay. We can make it a bullet point.

3 DR. ALVAREZ: You have language?

4 CHAIRMAN HENDEL: I have the e-mail I wrote, so, I can
5 adapt that. Before we do that, does anyone think this is like a bad
6 idea or like any kind of ethical problem? I, I don't want to, you
7 know, if anyone has concerns. Okay.

8 Okay. So, in my e-mail to the Staff, I wrote, "In our
9 binder it says Committee Members shall be disqualified from election
10 due to the office of - from election to the office of Council Member
11 for a period of four years from -,"

12 Okay. This is gonna be too annoying for Jesus to type it
13 out. I should just e-mail this to him. But what it says is - and we
14 should get the, the Charter, the, the Code number. I think, Dennis,
15 you had that.

16 MR. McLAUGHLIN: Mr. Chair, Members, 10-43(g). Ten, excuse
17 me, 10A-43(g).

18 CHAIRMAN HENDEL: 10A-43.

19 MR. McLAUGHLIN: It's under Tab 2.

20 CHAIRMAN HENDEL: Okay.

21 MR. McLAUGHLIN: And it's about the eighth page in.

22 CHAIRMAN HENDEL: Okay. Well, I think I had written it up
23 in my e-mail. So, the language would be - do you want to start typing
24 this, Jesus, or should I say a proposal first and - let me just read
25 it and you guys can tell me what you think.

1 "According to City Code 10A-43(g), Committee Members shall
2 be disqualified from election to the office of Council Member for a
3 period of four years from December 31st of the potential redistricting
4 year in which the Committee is appointed." End quote.

5 Then what I wrote is, "My guess is that this clause is
6 meant to prevent RAC members from making redistricting proposals that
7 would provide them a personal advantage in an imminent City Council
8 campaign."

9 "Avoiding such conflicts of interest is a very important,
10 is a very reasonable policy. However, since we were instructed by
11 City Attorney Mike Rankin not to make any redistricting proposals this
12 year, and we are only making process-related suggestions for 2028, I
13 think that particular line of reasoning no longer applies. Can you
14 please look into whether we can be granted a waiver?" So, we could
15 adapt that language or write something new. What do you think?

16 VICE-CHAIR RHODES: Yeah. I think that sounds good as
17 a base. Maybe just adapt it to be more general. "The Committee
18 recommends that this," you know, "action be waived," or whatever.

19 CHAIRMAN HENDEL: Yeah. That works. Okay. Let me draft
20 that.

21 MS. MESICH: Excuse me, Mr. Chair. Tre', can you repeat
22 that more closely into the mic? It didn't catch you.

23 CHAIRMAN HENDEL: Yeah, yeah. That was, that was not the
24 exact words that we want in the letter. That was just to - that we're

1 on the right track here. So, now, let me wordsmith that and repeat it
2 more slowly.

3 DR. ALVAREZ: I think maybe, maybe it's, to use a
4 consistent language here, Ed, maybe you should just say, "The
5 Committee recommends that Council consider granting a waiver to the
6 members of this RAC."

7 VICE-CHAIR RHODES: Uh-huh.

8 DR. ALVAREZ: Based on the, you know, like use the more
9 affirmative part first that is the standard here. "The Committee
10 recommends that Council consider," 'cause that's really what it is.
11 It's not like, you know, -

12 VICE-CHAIR RHODES: Uh-huh.

13 DR. ALVAREZ: - consider granting a waiver to the members
14 of the current 2024 RAC.

15 VICE-CHAIR RHODES: Yeah.

16 DR. ALVAREZ: In light of the fact that -

17 CHAIRMAN HENDEL: Yeah. That makes sense.

18 DR. ALVAREZ: Something like that.

19 CHAIRMAN HENDEL: I like that. I'm typing that up pretty
20 much like you said, I think. Okay, hang on just a minute.

21 DR. ALVAREZ: Waiver from provision blah, blah, blah, blah,
22 blah.

23 MS. MESICH: And just a housekeeping thing. We had the
24 motion which, the original motion, which was to keep the
25 recommendation as is with the friendly amendment -

1 DR. ALVAREZ: Uh-huh.

2 MS. MESICH: - to add to the second bullet point. Think
3 we'll need a second friendly amendment, or another motion to consider
4 this language that we're adding to the conclusion.

5 CHAIRMAN HENDEL: Thank you very much.

6 DR. ALVAREZ: Very good.

7 CHAIRMAN HENDEL: That's a good point. So, let me
8 wordsmith this, I'll read it aloud. Then someone can make a friendly
9 amendment to include what I read aloud.

10 VICE-CHAIR RHODES: Yes.

11 CHAIRMAN HENDEL: Then you guys can accept if you so
12 choose, and then we'll vote. And then I'll read it again more slowly
13 so Jesus can type it out. Does that sound good?

14 VICE-CHAIR RHODES: Yes.

15 CHAIRMAN HENDEL: Okay. Okay, just a moment.

16 (After a pause.) Okay. Let me read this, and then if
17 we like it, we can - someone can say, "I move that we include this
18 language as a friendly amendment."

19 "The Committee recommends that Mayor and Council consider
20 granting the 2024 RAC Members a waiver to City Code 10A-43(g) which
21 states that," quote, "Committee Members shall be disqualified from
22 election to the Office of City Council Member for a period of four
23 years from December 31st of the potential redistricting year in which
24 the Committee is appointed," end quote.

1 "We believe this clause is meant to prevent RAC Members
2 from making redistricting proposals that would provide them a personal
3 advantage in an imminent City Council campaign. Avoiding such
4 conflicts of interests is a reasonable policy."

5 "However, the 2024 RAC was instructed by the City Attorney
6 not to make any redistricting proposals this year, and is therefore
7 only making process-related suggestions for 2028, so, that logic does
8 not apply this year."

9 MS. ABEL: If I may just note that in the statute or, or
10 ordinance, it doesn't say "Office of City Council Member". It just
11 says "Council Member, Office of Council Member".

12 CHAIRMAN HENDEL: Oh, yeah. Did I get the quote wrong?
13 Oh, thank you. Okay. And he just handed you the paper with the Code,
14 so, that, that part you can -

15 MR. ACEDO: That part's on the screen already.

16 CHAIRMAN HENDEL: Actually, we've already written that.
17 Great. Thank you.

18 CHAIRMAN HENDEL: Okay. So, we'll start - shall we do it
19 like I said, or should we start with, "According to -, " dot, dot, dot.
20 What I propose is, "The Committee -, "

21 DR. ALVAREZ: "The Committee recommends."

22 CHAIRMAN HENDEL: "- recommends." Yeah. Just to fit
23 the format. So, at the beginning of this bullet, yeah. Great.
24 "Recommends that Mayor and Council consider granting - consider

1 granting the 2024 RAC Members a waiver to -," and then delete

2 "according to -," yeah.

3 Okay. And then at the - then that - the rest of it's good.

4 And then new, new sentence at the end of that bullet. "We believe -,"

5 actually, is the word "we" ever used in this document? Or is it like

6 third person?

7 DR. ALVAREZ: I think it's third person.

8 CHAIRMAN HENDEL: Let's say, "The Committee believes - the

9 Committee believes this clause is meant to prevent RAC Members from

10 making redistricting proposals that would provide them a personal

11 advantage in an imminent City Council campaign - election. City

12 Council election." Yeah.

13 DR. ALVAREZ: Period.

14 CHAIRMAN HENDEL: New sentence. "Avoiding such conflicts

15 of interest as a reasonable policy." New sentence. "However," comma,

16 "the 2024 RAC was instructed by the City Attorney -," should we say

17 "Mike Rankin" or just - the "City Attorney" is fine.

18 "By the City Attorney not to make any redistricting

19 proposals this year and is, therefore, only making process-," dash,

20 "related suggestions for 2028," comma. So, that - comma there, "So,

21 that logic does not apply this year." Okay. "This year."

22 Okay. So, the next step now would be for someone to say,

23 "I make a friendly amendment to add that bullet point to the end of

24 section two."

25 MR. McLAUGHLIN: Mr. Chair?

1 CHAIRMAN HENDEL: Yeah.

2 MR. McLAUGHLIN: Sorry. You have "making redistricting
3 proposals". Might you say "making or preventing"? There's, there's
4 a concept -

5 CHAIRMAN HENDEL: Oh, yeah. Yeah, yeah. Good point.

6 MR. McLAUGHLIN: You might not, they might not want to
7 redistrict to their advantage.

8 CHAIRMAN HENDEL: Yes. Absolutely. That's half the -
9 yeah. Great point. So, in - around halfway into the paragraph, it
10 says, "from" - it says, "RAC Members from making -." Put "making or
11 preventing"?

12 DR. ALVAREZ: "Preventing."

13 MR. McLAUGHLIN: I had used "preventing". I'm - that's
14 just my word.

15 CHAIRMAN HENDEL: I like that. Yeah. "Making or
16 preventing."

17 DR. ALVAREZ: Yeah. That's right.

18 CHAIRMAN HENDEL: Yeah. That's, that's good. Great.
19 Great point. Thank you. Okay. So, if someone wants to make a
20 friendly amendment to include this in Tre's motion.

21 VICE-CHAIR RHODES: (Inaudible)

22 CHAIRMAN HENDEL: You can't, you can't do it.

23 VICE-CHAIR RHODES: (Inaudible)

24 CHAIRMAN HENDEL: Yeah.

1 MS. ABEL: I make a friendly amendment that we add this
2 language to the recommended proposal.

3 DR. ALVAREZ: Second.

4 CHAIRMAN HENDEL: Okay. Thank you. And Tre', do you
5 accept the friendly amendment?

6 VICE-CHAIR RHODES: I accept.

7 CHAIRMAN HENDEL: And does the seconder accept the friendly
8 amendment?

9 (No response.)

10 CHAIRMAN HENDEL: (Inaudible) you would say you accept this
11 friendly amendment.

12 MR. JARAMILLO: I accept, I accept this friendly amendment.

13 CHAIRMAN HENDEL: Thank you. Because you're the seconder
14 on Tre's original motion which we've now amended. Okay. So, I
15 believe we're now all square with the motion and we can just - let's
16 do discussion.

17 We've already discussed, but any last thoughts and this
18 is last, this is the end, right? After this, we vote. The letter's
19 done. We sign it or something and send it out, so, any last thoughts?

20 VICE-CHAIR RHODES: It's good. I think it's good.

21 CHAIRMAN HENDEL: Great. Okay. All right. All in favor?

22 (Affirmative.)

23 CHAIRMAN HENDEL: All opposed? Motion passes. Thank you.
24 Okay. So, now, do we need to sign this or something? What's the -
25 how do we - I guess it has to be printed and signed?

1 MR. ACEDO: Yes. We're working on getting it printed.

2 CHAIRMAN HENDEL: Excellent. Thank you. Okay. So, we can
3 just pause for a minute here.

4 MR. McLAUGHLIN: Mr. Chair, Members. The clerk has rightly
5 asked me about whether I'm concerned, and I am a little bit about
6 saying that the City Clerk directed you not to make proposals.

7 CHAIRMAN HENDEL: The City Attorney.

8 MR. McLAUGHLIN: Yes. The City Attorney had directed.

9 MS. MESICH: Yes.

10 MR. McLAUGHLIN: That he was kind of the messenger. But
11 the Mayor and Council were saying don't make proposals.

12 VICE-CHAIR RHODES: Could we say something like "suggested"
13 instead of -

14 CHAIRMAN HENDEL: Actually, -

15 DR. ALVAREZ: I think the action came from the Council.
16 They discussed it and said (inaudible)

17 MR. McLAUGHLIN: Right.

18 DR. ALVAREZ: Right.

19 MR. McLAUGHLIN: Right.

20 CHAIRMAN HENDEL: I didn't know that, but that makes sense,
21 yeah.

22 MS. MESICH: Based on Mayor and Council action, -

23 MR. McLAUGHLIN: Uh-huh.

24 MS. MESICH: - the City Attorney (inaudible)

1 CHAIRMAN HENDEL: Okay. I'm fine with changing that. I
2 guess we need like a new motion.

3 DR. ALVAREZ: (Inaudible)

4 CHAIRMAN HENDEL: That's fine.

5 (Inaudible discussion.)

6 MR. McLAUGHLIN: I think it would be as simple as saying,
7 "Instructed by the City Attorney based on prior Mayor and Council
8 action, -"

9 DR. ALVAREZ: (Inaudible)

10 MR. McLAUGHLIN: "- not to make any redistricting."

11 DR. ALVAREZ: Uh-huh.

12 CHAIRMAN HENDEL: It's fine with me.

13 DR. ALVAREZ: Excellent. Thank you for that.

14 MR. McLAUGHLIN: Sure.

15 CHAIRMAN HENDEL: Yeah. Thank you very much.

16 MS. ABEL: Put a comma after "City Attorney" and
17 (inaudible)

18 MR. McLAUGHLIN: And a comma after action.

19 CHAIRMAN HENDEL: Yeah. Yeah, let's, let's pause for 30
20 seconds. I want to read this and make sure, after dictation it still
21 works. And let's give Staff a couple of minutes to think of other
22 possible issues that have come up.

23 MR. McLAUGHLIN: And I'll be glad to add or - act or not
24 act as the grammar police on a couple of things.

25 CHAIRMAN HENDEL: Well, if you see anything, please. Yeah.

1 MS. ABEL: Item D under section one also states - oh, never
2 mind.

3 MS. MESICH: That's just the presentation by the City
4 Attorney.

5 MR. McLAUGHLIN: Mr. Chair, Members. Two things that
6 juttet out at me. Second line of that bullet point. There you have a
7 comma after "G". And I, if it were me, I would put a colon, or I
8 would put, "Which states that," after the comma.

9 CHAIRMAN HENDEL: Yeah.

10 MR. McLAUGHLIN: Either of those things.

11 MS. MESICH: Yes.

12 CHAIRMAN HENDEL: Yeah. Let's say "which states that". I
13 like -

14 MS. MESICH: Yeah.

15 CHAIRMAN HENDEL: So, comma, "which states -." We'll keep
16 the comma -

17 MR. McLAUGHLIN: Keep it?

18 CHAIRMAN HENDEL: Yeah. That's good. Yeah.

19 MR. McLAUGHLIN: And in - fifth line, I, if it were me, I
20 would put the period inside the quotation mark after "(inaudible)
21 appointed". I always joke that it was part of the Treaty of Paris
22 when we got our independence that we didn't have to put it outside
23 like they do in Britain.

24 CHAIRMAN HENDEL: Another good history lesson for the RAC
25 this year. I'll have to check out that treaty.

1 MR. McLAUGHLIN: Yeah. That's obvious I'm joking.

2 CHAIRMAN HENDEL: I like it. Have we made this
3 sufficiently clear that we're not saying that they should remove it
4 forever, but specifically just for this year? I think that's clear.

5 Okay. Do we need a little more time or any other issues
6 come to mind? Okay. So, we do now need one more motion because we've
7 tweaked it again. So, if someone wants to make a motion to include
8 the wording changes that we just made to indicate that the, that the
9 instruction to us came as a result of Mayor and Council action, as
10 well as cleaning up some grammar, please say, "So moved."

11 MS. ABEL: So moved.

12 CHAIRMAN HENDEL: Thank you. Do we have a second?

13 VICE-CHAIR RHODES: Second.

14 CHAIRMAN HENDEL: Okay. Last chance for anymore - anything
15 else come to mind? Staff, any other issues? Okay. No, this looks
16 great. Thank you so much. Okay. So, let's go ahead and vote. All
17 in favor?

18 (Affirmative.)

19 CHAIRMAN HENDEL: All opposed? Motion passes. I've never
20 seen such an eager vote. Okay. So, we're done with that. We can -
21 Item 5 is Future Agenda Items, but this is our last meeting. So, this
22 will be the conclusion of 2024 RAC.

23 We do still need to sign it, so, I can't call us to
24 adjournment quite yet. We'll just wait 'til it's printed out.
25 We can sign it and then I will call to adjourn.

1 MR. McLAUGHLIN: Mr. Chair, I don't know - I didn't read
2 honestly everything in the, the proposal. Do you have in there that
3 you might wish to continue, or that they could extend your time?

4 CHAIRMAN HENDEL: No. We -

5 MR. McLAUGHLIN: Okay.

6 CHAIRMAN HENDEL: - decided that since this group of
7 particular people had committed to a particular timeline, -

8 MR. McLAUGHLIN: Okay.

9 CHAIRMAN HENDEL: - that it should be a new group. I'm
10 sure some of us would (inaudible)

11 MR. McLAUGHLIN: Would like include some of you, yeah.

12 CHAIRMAN HENDEL: But we also proposed the start in 2026
13 with a task force.

14 MR. McLAUGHLIN: Okay.

15 CHAIRMAN HENDEL: Which would either be appointed by the
16 City Manager or run by City Staff directly to run a series of town
17 halls, listening sessions, education, things like that.

18 MR. McLAUGHLIN: Great.

19 CHAIRMAN HENDEL: We recommended that that start in early
20 2026 and extend through late 2027. So, they have a two-year window,
21 plenty of time, no rush. And then the, the RAC should begin in early
22 2028, and have the report that was generated by the aforementioned
23 task force. And then the RAC would have, again, like ten months
24 instead of two.

25 MR. McLAUGHLIN: Right.

1 CHAIRMAN HENDEL: So, -

2 MR. McLAUGHLIN: Okay.

3 CHAIRMAN HENDEL: - that's what we proposed.

4 MR. McLAUGHLIN: Thank you.

5 CHAIRMAN HENDEL: Yeah. Yeah. So, we're just sitting
6 tight while we get the paper printed up.

7 MS. MESICH: While we're waiting, I just would like to
8 thank you for your service, and I know this is not an easy topic,
9 never has been, but - especially for those of you that returned, thank
10 you very much.

11 CHAIRMAN HENDEL: Well, -

12 MS. MESICH: Did great work in a short period of time.
13 So, we do appreciate it.

14 DR. ALVAREZ: Same. I want to appreciate City Staff for
15 all the service, assistance, communication and kindness.

16 CHAIRMAN HENDEL: Yeah. I, I really want to thank all the
17 members of our Staff, especially for, you know, spending your Monday
18 nights with us. Could be watching football or any other number of fun
19 things these last few weeks.

20 So, thank you so much, and for writing the letter and this
21 great history presentation we got, all the research. Everything's
22 been beautifully organized and you certainly made my job easy as
23 Chair, you know, everything. You, you did the Minutes for us, you did
24 the Legal Action Reports.

1 I, I'm the President of another organization, and I have
2 to do a lot of that stuff myself. So, here, it just comes right to
3 the desk. It's great. So, thank you so much.

4 MS. MESICH: Pleasure.

5 MR. McLAUGHLIN: So, and on behalf of the City Attorney, I
6 also want to thank all of you, particularly since given the direction
7 (inaudible) from Mayor and Council. It wasn't a lot of fun you were
8 given being offered, and you guys did a great job. And we appreciate
9 all the proposals. Thank you.

10 CHAIRMAN HENDEL: Thank you. Yeah. I think it was more
11 relaxed this time. It was, you know, different, very different from
12 last time. Definitely a surprise to me, at least, when that came
13 through. But, but it certainly - it was nice to have a chance to
14 focus on study session, and the process and we didn't have quite so
15 much pressure and public outrage and things like that to, to deal with
16 this time around.

17 DR. ALVAREZ: And I think we've done a service for the
18 next commission in terms of outlining some very specific metrics,
19 definitions, process that I think it will just amplify the - it, it -
20 the sentiments may still be there of the people who just are gonna
21 feel the way they do. But the framework is better.

22 CHAIRMAN HENDEL: Yeah. I agree. And we - and I want to
23 thank all of you because we had great teamwork, I think. We - I'm -
24 actually, I think every motion of our entire time was unanimous,

1 right? Yeah. That's amazing. I'm not sure I've ever seen anything
2 like that before, so, it was a pleasure to be a part of that.

3 (Inaudible comments.)

4 CHAIRMAN HENDEL: Yeah. Yeah. I hope we do. Absolutely.

5 MS. MESICH: Mr. Chair, our City Attorney has brought up a
6 very good point. If we find - we're going to print out a copy for
7 each of you, before you sign, if you want to take one last look at it.

8 But if after you sign, we find a typo or some other other
9 type of minor error, what we call a "Scribner's error", if we could
10 have a motion to, for your approval, to correct those. We would, of
11 course notify you right away. But that's just something that will
12 help all of us timewise -

13 CHAIRMAN HENDEL: Yeah.

14 MS. MESICH: - and keep things moving.

15 MR. McLAUGHLIN: And no substantive changes, obviously.

16 CHAIRMAN HENDEL: Yeah. No. I like that, 'cause we don't
17 want to have to meet again just to say, "Okay. All in favor of
18 changing this comma to a semicolon, say aye."

19 (Inaudible comment.)

20 CHAIRMAN HENDEL: Yeah.

21 MS. MESICH: Yes, please.

22 MR. McLAUGHLIN: Especially with me reading it.

23 CHAIRMAN HENDEL: Yes. Okay. So, do we - someone want to
24 make that?

1 DR. ALVAREZ: I make a motion that we grant that space for
2 the - any typographical corrections without our vote.

3 VICE-CHAIR RHODES: So moved.

4 CHAIRMAN HENDEL: Okay. Well, she made the motion. So, if
5 you'd like to second.

6 VICE-CHAIR RHODES: I'm sorry. Second.

7 CHAIRMAN HENDEL: Second. Okay. We have a motion and a
8 second. Any discussion? All in favor? All in favor say "aye".

9 (Affirmative.)

10 CHAIRMAN HENDEL: All right. All opposed? Motion passes.
11 All right. So, you have, -

12 MS. MESICH: Thank you.

13 CHAIRMAN HENDEL: - you have the green light to correct any
14 minor non-sensitive issues. If there's any other periods outside the
15 quotation marks, you can, you can clean that up. Thank you.

16 Okay. Let's - why don't we take a couple of minutes to
17 just skim it and make sure we all like this, and then we will - you
18 can sign your copy. Wait. Is there one copy that we all need to
19 sign?

20 (Inaudible comment.)

21 CHAIRMAN HENDEL: Is there - there's one copy we all need
22 to sign, right?

23 MR. ACEDO: (Inaudible)

1 CHAIRMAN HENDEL: Okay. So, let's take a minute to just
2 reread and then we'll all - as you finish reading, please feel free
3 to go up and sign. (After a pause.)

4 CHAIRMAN HENDEL: Yeah. And it looks good to me. Anybody
5 see any problems?

6 (Inaudible comment.)

7 CHAIRMAN HENDEL: Yeah.

8 (Inaudible comment.)

9 CHAIRMAN HENDEL: Okay. So, we do have to sign and then
10 I'll call us to adjournment.

11 MR. McLAUGHLIN: Mr. Chair, did you take "marginally" out
12 or not? Did -

13 CHAIRMAN HENDEL: We didn't.

14 MR. McLAUGHLIN: Okay. Thank you.

15 CHAIRMAN HENDEL: Yeah. I could go either way on that, but
16 we did end up explaining it, so, I think it's fine either way. Yeah.
17 Thank you. (After a pause.)

18 Thank you. And we'll receive an e-mail copy of this I
19 assume? Or that would be great if you -

20 MS. MESICH: Yes.

21 CHAIRMAN HENDEL: - don't mind, please. Thank you.

22 MS. MESICH: We will also notify you if and when the Mayor
23 and Council discusses.

24 CHAIRMAN HENDEL: Oh, that would be great. Yeah. Oh, to
25 present the findings?

1 (Inaudible comments.)

2 CHAIRMAN HENDEL: Like a Call to the Audience? We could.

3 (Inaudible comments.)

4 MS. MESICH: I'm thinking November. They meet on the 7th
5 and the 19th. So, I will talk to the Mayor's Office tomorrow about
6 scheduling.

7 CHAIRMAN HENDEL: Okay. Could - yeah. Do they ask us
8 things, or do we just - okay. Yeah, I'm open to that. I guess - is
9 that common for these committees, for the Chair and Vice-Chair to
10 present the findings?

11 MS. MESICH: Yes, it is on something like this.

12 CHAIRMAN HENDEL: Oh, okay.

13 MS. MESICH: Yeah.

14 (Inaudible comments.)

15 CHAIRMAN HENDEL: Oh, okay.

16 MS. MESICH: The Mayor and Council may just ask you a
17 couple of questions or ask you to explain your thoughts behind the,
18 the recommendation on those kinds of things. It's, -

19 CHAIRMAN HENDEL: Okay. Yeah.

20 MS. MESICH: - it's pretty clear cut, but they may want to
21 hear from you.

22 CHAIRMAN HENDEL: Yeah. Well, thank you, Dr. Alvarez, for
23 bringing that up. I'd be happy to do that if I'm, if I'm around. So,
24 just let me know, and Tre' as well as the Vice-Chair. And, of course,

1 you guys are all welcome to come. Just let us know when they're gonna
2 do that and I'll try to make it. Okay. Everyone signed?

3 MR. ACEDO: Yes.

4 CHAIRMAN HENDEL: Okay. I'll call the meeting to
5 adjournment. Thank you all so much. Great stuff. Have a good one.

6 (Meeting was adjourned.)

I hereby certify that, to the best of my ability the
foregoing is a true and accurate transcription of the original tape-
recorded conversation in the case reference on page 1 above.

Transcription Completed: 10/14/2024

/s/ Kathleen R. Krassow
KATHLEEN R. KRASSOW - Owner
M&M Typing Service