



**OFFICE OF THE CLERK/TREASURER**

City of Burlington

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**REDISTRICTING COMMITTEE**

**TUESDAY, DECEMBER 11, 2012**

**MINUTES**

**PRESENT:** Mayor Weinberger; City Council President Shannon; Councilors Bushor, Siegel, and Decelles.

**ALSO PRESENT:** City Attorney Eileen Blackwood; Jay Appleton, Planning and Zoning; ACAO Scott Schrader

**1. Agenda**

City Council President Shannon requested that a discussion about the timeline be included in item 5.

The committee unanimously voted to adopt the agenda as presented.

**2. Public Forum**

Tiki Archembeau, Ward 2 Resident, stated at his NPA meeting there was a sentiment that the timeline should be slowed down.

Jane Knodell, Ward 2 Resident, spoke in favor of keeping the Old North End intact.

Kevin Worden, Ward 1 City Councilor, spoke in favor of having consistent representation and collaboration. Small wards are more likely to need to be redistricted in the future. He also expressed concerns that if wards are too large, it will be more difficult to collaborate with Councilors from other districts. He spoke in favor of staying close to the current map.

Patrick Wood, Ward 2 Resident, spoke in favor of slowing the process and keeping neighborhoods intact.

Jim Holway, Ward 4 Resident, spoke in favor of slowing the process, making a good faith effort by building consensus, creation of a non-political panel to make recommendations, and reaching out to constituents.

Kurt Wright, Ward 4 Resident, spoke in favor of slowing the process. He spoke against enlarging the Council.

Gary Dion, Ward 7 Resident, inquired why redistricting needs to be done. He stated that college

students are not residents of Burlington and should not be allowed to vote. He spoke about development in the New North End and ambulance service in the New North End. City Attorney Eileen Blackwood stated this is being done because of the 2010 census. Constitution law states that population numbers, not numbers of voters, must be used to determine voting districts. There is a chart showing population deviations and shows some wards are over- and under- represented. There is no specific deadline that the law sets. However, there needs to be a good faith effort and a good reason why it is not being done. The City is way behind because the census was done in 2010. The State has already finished their redistricting process on a much larger level. If there is not a plan for the March election, it creates a problem for the City and everyone's right to vote would be delayed for another year, which would leave the City open to a legal challenge. It is important that the City move forward to have a plan for the March election.

Councilor Siegel inquired if there has ever been a constitutional challenge based on numbers in Burlington or elsewhere and what the resulting action was. City Attorney Blackwood stated she is unsure if there has been one in Burlington or Vermont, but there are challenges all over the country in areas that are too slow in moving forward. The resulting action is that they are brought to court and forced to do it right away. The risk is an equal protection challenge. A citizen living in an underrepresented ward could bring an action saying this is a violation of the constitution and order them to redistrict now. The court could then have input in the plan.

Councilor Bushor inquired if they have begun the process but extended the timeline, would that be considered the same as if the process had not yet begun. City Attorney Blackwood stated it would not be looked at the same way. However, this process was started very late and there was an opportunity to move within a time frame that would allow voters their rights. She is unsure how that would be looked upon. Councilor Bushor stated the voters are asking for an extension to have more input in the process. The committee spoke about involving people, and citizens were not involved as soon as they could have been. Her ward is currently underrepresented, and there is new housing on campus for students. They have worked hard to get that housing built, but this is the result. Some students are represented elsewhere, but others are not. Young people are much more engaged than they were in the past. Many of them do register and vote, and they are also entitled to that representation.

City Council President Shannon stated that the timeline should be discussed at the end of the meeting. The point of the meeting is to make some progress and decide what they would like to put forward.

City Attorney Blackwood stated if they do come out with a proposal tonight, it then goes through two public hearings. It can be changed based on those public comments. If the committee moves forward tonight, the map is not set in stone.

Bram Kranichfeld, Ward 2 City Councilor, spoke against increasing the size of the Council stating that adding members would negatively impact their ability to do business. Councilor Bushor inquired how he views increasing the size as weakening the Council. Councilor Kranichfeld stated if they cannot do business or have a quality debate then it is a weaker Council.

### **3. Approval of the Redistricting Committee Minutes**

#### **a. November 19, 2012**

City Council President Shannon noted a correction to the spelling of a name in the minutes.

City Council President Shannon and Councilor Decelles made a motion to adopt the minutes as amended. The motion passed unanimously.

### **4. Continued Discussion of Redistricting Alternatives**

Mayor Weinberger stated they adopted principles to guide the discussion at the first meeting. They goals were that wards would be equal in size, the Council would remain roughly the same size, there would be some acceptable deviations, neighborhoods would remain intact, it would be in place for the 2014 election cycle, and the public would be engaged. Public engagement intensified during the last few meetings, but this compares well with past redistricting efforts. Materials have been available online, there have been postings on Front Porch Forum, and members of the public have been allowed to draw their own maps.

Councilor Decelles stated this process has been frustrating. When this was done for the House, they were told definitively how many seats they would have. This is different because there is grey area about how many Councilors there could be. There has not yet been one map that there is close to a consensus with. The work session was interesting in that there was not a strong consensus. People from the public did not attend meetings at first but they have been coming out now. There is not one map that will result in a unanimous vote, which will be needed to sell to the Council and the voters. The simplest would be to choose the plan closest to the existing map, but that has problems and would not pass. The eight ward map has too many Councilors and would raise problems with having at large members. There would also be questions about how Councilors are paid. Whatever is put forward, the voters will not support it if they see the Committee taking this much time. It would be better to slow the process now than to have it fail later. He hopes to defer action and figure out how to move forward. The public does need to be included because if they do not buy in, it will not pass on Town Meeting Day.

City Council President Shannon stated they should get to the business of selecting a proposal rather than debating the process. There are two feasible proposals. One is the four ward-twelve councilor model. It keeps neighborhoods intact, makes equal sized wards, keeps the Old North End and the New North End separate, and keeps the size of the Council in range. This plan falls short for the Councilors because it results in them having to campaign and knock on more doors. This would enlarge wards significantly. Serving on the City Council should be something people want to do. When people consider running, they do not seem daunted by knocking on doors, but at attending meetings. People could still be recruited under this format. This plan falls short because it is a lot of change and would be hard for people to digest. The other plan that is worth consideration is the seven ward- fourteen councilor plan. This has too much deviation in a few areas, but this was done intentionally to account for new development and to account for student neighborhoods. This plan does mix the Old North End and the New North End, but that exists today. It creates voting blocks so that someone could get elected from either area. It is an

improvement over the current system. It has worked for the legislative districts.

Councilor Bushor stated the four ward model works. She has not totally embraced it because she does have concerns about people having the resources or ability to run in those wards. They would like to continue to have a Council that is as diverse as possible. It is important to have that reflected in the Council and would not like to diminish it in any way. When the Old and New North Ends are mixed for the state legislative districts, they are representing State issues. It does not work as well for the City because Councilors represent neighborhood issues. It is important to recognize differences in lifestyle. Looking at these maps, she likes the eight ward scenario because it keeps the neighborhoods intact by using natural boundaries. She does not like the idea of sixteen Councilors, but the rest of the map meets the Committee's goals.

Councilor Siegel stated that public input is important content to the meeting. She stated she is interested in finding out more about four and eight ward models before she can say if she is willing to support them. She would like to know more about cumulative voting. She would feel very supportive of it in that format because it would not make Councilors have to knock on so many doors. If everyone were to get three votes, candidates could lobby certain neighborhoods to attract people with similar interests. It is not realistic that Councilors could be elected in large wards without having a lot of money. The 8 ward model could interest her if they had at large councilors. There could be one councilor for each ward and an additional councilor in sets of two. Eight councilors is not enough and sixteen is too many. However, this can create a complicated power dynamic. She is curious how much change will be possible if it is approved by City Council. If the public wanted a major change, it could not happen after the Council approves it. City Attorney Blackwood stated that there would have to be a justifiable reason. After the public hearing process, it would have to go to the City Council to put it on the ballot. City Council President Shannon stated that legally they would be able to make changes, but practically it would be hard to do. All previous public comment would not apply if a major change was made. People who are against the proposal are the ones who are going to come out to speak. Councilor Siegel stated there is an idea that since part of the Old North End- Lakeview Terrace- is included in the New North End, the problem would be expanded. She does not support this idea. The only plan she feels supportive of is a four ward model with cumulative voting.

Councilor Decelles stated he understands the idea behind cumulative voting. If you were to pick a ward and target a neighborhood to knock on doors, he would have concerns for the voters that may feel two of their Councilors alienated them. He believes that you should knock on every door, though doubling the size of the ward would make it nearly impossible.

City Council President Shannon stated her point was not to expand the problem with Lakeview Terrace or to limit public comment. Having lived on Lakeview Terrace, she feels she has a perception of it. It is not a matter of expanding the problem, but is an imperfect solution to the problem. With the Old North End and New North End combined, the voting place could be placed somewhere more centrally located. That would create a voting block. Her street was very politically active at that time, but everyone knew they could never get elected in that ward. The way that Ward 7 has been changed would allow someone from the Old or New North End to be elected. It is a good test to see if people who live in each section of the ward could get elected.

She does not object to cumulative voting, but does have an objection to electing all three councilors in one year. It is important to have councilors elected in each cycle because it draws people to the polls. It would put March ballot questions at risk. The people who would turn out would be those motivated to vote against ballot questions. Councilor Siegel requested the numbers of the Old North End versus the New North End in the seven ward model.

Mayor Weinberger stated he feels there are plans that the Council could support. He takes seriously the City Attorney's concerns about inaction. It is a difficult choice and there are pros and cons to each plan. They should find a way to move the conversation back to the Council. He stated he could support the least change plan and the four ward twelve councilor plan, but would have concerns about the other plans.

Jay Appleton, Planning and Zoning, stated in the proposed Ward 7 there are 1,600 people in the Old North End out of 6,005 total. Councilor Siegel stated that is a lot more people.

A member of the audience, Mr. Dion, stated it is not fair to use these numbers and allow college students to vote. Mayor Weinberger explained that the law requires them to use census numbers and they committee is taking new development into consideration.

Councilor Siegel inquired if all Councilors in the four ward model would be elected at the same time. Mayor Weinberger stated they have not decided this. The transition would have one election where everyone is elected at the same time. The terms of those elected would be staggered and so eventually they would all be three year terms. Councilor Bushor inquired if that would require another Charter Change. Mayor Weinberger stated it would. Councilor Siegel inquired if there have been situations where populations that had changed since the census have been used. If this were allowable, the additional growth in the New North End could be accounted for. City Attorney Blackwood stated if deviations are within 10%, any of those things could be considered. However, the two plans do not stay in this range and Burlington would have to argue that population growth has occurred. Councilor Siegel stated that is interesting and she would be interested in the exact numbers. Mayor Weinberger stated they have deliberated on that. City Council President Shannon stated the change is not that large. They have a rough idea of what the numbers are. She requested they project the new seven ward plan with smaller deviations. Mr. Appleton stated that the new development at the Ethan Allen Shopping Center is projected to have about 300 units. That increase would bring the deviation up to 11.2% - about 5 percentage points.

Councilor Bushor stated the conversation has focused on four wards, seven wards, or eight wards. Each one of them comes with some issues and she would like to figure out which has the least issues. The four ward model puts the educational institutions in one large district. That creates challenges and should be looked at more carefully. For her, that is a downside, although otherwise it keeps neighborhoods intact with natural boundaries. It is important to note that this brings a large portion of Ward 6 into Ward 1. She is unsure how people will feel about the changes in the Old North End, or how the South End would feel about Wards 5 and 6 being merged. It is important to know why each model is put forward beyond making the numbers work. She hopes residents will speak to this if a scenario is put forward.

City Council President Shannon stated in the four ward scenario the wards will not be homogenous, but they are not homogenous today. She stated she lives lakeside and their issues are unique to their area. Part of that neighborhood is the rail yard and there are a number of issues related to this and the Southern Connector plan. These issues really only affect this neighborhood. The City Councilor representing them at the time helped the neighborhood even though he disagreed. There will always be representatives representing opposing viewpoints. Having a broad view is a good thing.

Councilor Decelles stated he is most concerned with covering the ground in four wards, which seems nearly impossible. Anyone who wants to campaign needs to figure out where to find that money. This may make it more difficult for independents or fourth party candidates. It may mean that people with money and retirees would be on the Council. It would be difficult for a single mother to run.

Mayor Weinberger stated they presented four plans to the City Council Work Session. He inquired if the Committee is ready to narrow it down to two. Councilor Bushor stated she feels the four or eight ward model could be moved forward. Each does have issues. The drawback with the seven ward model is the Lakeview Terrace issue. Mayor Weinberger stated he does not feel that can be ruled out yet because it was supported at the work session. He inquired if anyone cares to support the thirteen councilor seven ward model. Councilor Bushor stated she does not feel that is viable.

A member of the audience, Kurt Wright, stated his least favorite model is the seven ward model that takes more of the Old North End into the New North End. It is not about whether someone could get elected. People are not happy with this arrangement for the State Legislative districts. The Old and New North Ends are as different as two areas can be. That will create a battle at the polls. He hopes they will focus on four wards. There are drawbacks to each proposal. He also suggested they consider the 8 ward model with one Councilor per ward and some at large members. There are drawbacks to that, but there are also significant upsides. He hopes that politics can stay out of line drawing as much as possible. He spoke in favor of further considering the 8 ward model more closely. Mayor Weinberger stated a number of concerns have been raised about at large members. The biggest was that with two year terms, there could be a year where no Councilors would run. Mr. Wright stated he believes that with further consideration they could determine a way to solve this issue. The Mayor's race in itself would drive interest.

A member of the audience, Mr. Hilliard, stated he would like to see a seven ward, fifteen councilor map, but understands that the variances do not allow it. He is alarmed by the suggestion of four wards and the ability of representatives to connect with neighborhoods. One ward would contain all of the institutions which get little support from the City. If the size were to increase, that part of the City would be even more underrepresented. The current configuration works well. Having eight wards with sixteen Councilors would also work well. Something like that would serve the City well and have the best chance for success. Councilor Bushor inquired how he envisioned the seven ward fifteen councilor model. Mr. Hilliard stated he has not figured it out exactly, but had hoped Ward 1 could be reduced in size to allow for two councilors and have Ward 6 with three councilors. It seems like the numbers are close to working, particularly

considering future developments in Ward 1. Councilor Bushor inquired if those numbers would work to add a Councilor. Mr. Appleton stated he has been using the New North End as a test because there are 10,000 people living there. If you divide the City's population by fifteen Councilors, there would be 2,800 per Councilor. That would only allow for 3.6 Councilors in the New North End, which probably would not work. The four and eight ward scenarios work very well to address the New North End.

Councilor Siegel stated a number of Old North End residents do not have cars and making them vote in the New North End may reduce voter turnout. With cumulative voting and three year terms, they could stagger the School Board, the Mayor, and the City Council so that at each election cycle there would be a compelling reason to vote. She is unsure if they should really plan ward redistricting based on gaining turnout for ballot questions.

City Attorney Blackwood stated the number of wards would not necessarily equal the number of polling places. If there was a ward that encompassed both the Old and New North Ends, there could be a separate polling place in each. Councilor Siegel stated that going to the polls is a great community event.

A member of the audience, Jim Holway, stated he has a number of unresolved questions that he would like to ask. There is a Charter Change question that will determine how voting will go, but it is too early to decide this while lines are still being drawn. There are a number of great ideas that will continue to come to the table. The map tool that is supposed to allow the public to interact easily with maps is difficult to use. Public engagement has been limited. He does not like the idea that the process started late so it needs to be brought to the voters quickly. There is a case in front of the Supreme Court that may resolve questions about redistricting. There have been comments that only the 2010 census can be used, but there have also been comments about including new development. He understands the Committee is working hard and is well intentioned, but would prefer to slow down the timeline for more public engagement. There are additional questions that will need to be addressed through Charter Changes. He inquired about the timing of the public hearings and if they will be dedicated to this issue. Mayor Weinberger inquired if the City Council were to move forward with one of these proposals, would there be two public hearings and then a vote, or an additional meeting after the public hearing. City Attorney Blackwood stated there would be an additional City Council meeting in early February. The first public hearing could be on January 11 and the second would be January 28.

Councilor Bushor inquired if they could have the first public hearing at the first January meeting. She does not want to move forward a proposal she does not believe in or one that is just a placeholder. She would prefer to have a good sense of how the public feels before it is moved forward. She would like there to be agreement on a proposal that has merit.

City Council President Shannon stated that the placeholder idea is not necessarily a bad idea in terms of satisfying the legal requirements. Although she is not totally comfortable with the process, putting something forward would show more of a good faith effort should they decide to hold back. It will be difficult to get consensus on this. There are hard decisions that need to be made and there is no perfect plan. She has actively been drawing plans and new ideas will have to be brought forward. They have continuously talked about the existing plans but not brought

many new ones forward. They could draw lines all day and night and still might not come up with something they could agree on. She suggested moving something forward to see what the Council supports. Many are second guessing what the New North End or Old North End will support. She attended a New North End NPA meeting and did not hear the objections that it was suggested they would have. They could have a straw poll to see if there is a plan that would have consensus and then move that forward.

Mayor Weinberger stated it is hard to know what will happen on Election Day. All of these plans have pros and cons and there is no way to project what the public will accept. That will still be the case if this is delayed a year, and they will have missed the opportunity to present something that may be acceptable. It would extend the process.

Councilor Bushor stated she would be willing to move two proposals to the Council. She still believes that if there is no agreement at the Council level, and is not interested in moving it forward for a public hearing. She is willing to move it forward with fewer choices for the Council.

Mayor Weinberger inquired if the Committee would be comfortable agreeing on two proposals and moving them forward. He inquired if that would be fulfilling the required tasks of the Committee. Councilor Siegel stated she would agree with that if they can agree on which two plans will be brought forward. Councilor Bushor stated that the last Redistricting process did not go smoothly either. There was controversy among both Councilors and citizens. There was no perfect solution but they moved something forward and the legislature made some further changes.

City Council President Shannon stated she envisions that at City Council they would put two plans forward. If the first plan failed, they would go to the second plan. Both could fail. There can be conflicting resolutions on the table. City Attorney Blackwood stated if they do not warn a public hearing tomorrow, they will not be able to get the public hearings done without adding additional City Council meetings. City Council President Shannon inquired if they can warn two plans. City Attorney Blackwood stated her inclination is to say no, but would need to do further research. Mayor Weinberger inquired if the warning needs to include the specific plan. City Attorney Blackwood stated the warning needs to include an outline of the proposed changes. There is time to do the Public Hearings, but they City Council meeting schedule would need to change. City Council President Shannon inquired if they were to warn two proposals, could they withdraw one of them. City Attorney Blackwood stated the warning would say that the Charter will be changed to one of two things. A member of the audience, Mr. Holway, stated that only five people have weighed in on this and ideas are not exhausted. He stated that looking at more options will allow public support and not just consensus among five people. He has heard suggestions that would answer some of the concerns. He would like the Committee to be representing the public and to be allowed the opportunity to weigh in. He spoke against the idea of having a place holder and stated it is not in the interests of the City. City Attorney Blackwood stated it would be difficult to warn a public hearing with two versions. City Council President Shannon suggested they see if they can support two proposals and then decide if they can settle on one.

Councilor Siegel stated that they have given the impression that inclusiveness and transparency are not part of the process. They have not had extensive discussions at NPA meetings. She hopes in the future this is not done by elected people. Even with more citizen input, there will be no perfect plan, but there will be transparency. She requested research on how minorities would be affected by larger wards. She would support the four ward model 100% if cumulative voting were used. She inquired how others feel about that. It meets the goals that the committee set.

Councilor Bushor stated she would like to understand cumulative voting better. When different types of voting have been tried, it matters how the voters feel about it and how much they understand it. She is unsure how she would function during a race with this type of voting. She does not know enough about it to determine whether or not she is on board. Mayor Weinberger stated that is a dramatic change in the way that voting is done and it is unlikely that there will be a consensus. He stated that for discussions sake, they should assume traditional voting methods would be used.

City Council President Shannon stated she was a supporter of IRV and is open to other voting methods, but does not think the majority of the voters are. That could bring down the proposal put forth to the voters.

Mayor Weinberger suggested going through the plans and doing a straw poll to see who would support each plan. He would like to narrow it down to two, which would require a change to the City Council meeting schedule. City Attorney Blackwood clarified the schedule that would be needed to accomplish this before March. City Council President Shannon noted that one of the proposed plans has a large deviation and suggested they use a revised map. Mr. Appleton stated the revised map has very small deviations. City Council President Shannon stated the lines change slightly, but the concept does not. Councilor Bushor inquired if the revision dips into the Old North End more than the previous version. City Council President Shannon stated it does.

Councilor Siegel inquired if they will consider bringing cumulative voting to the full Council. Councilor Decelles stated that outside the box thinking would be needed, but feels the voters are exhausted with different voting systems. He does not fully understand it and it would be difficult to sell this late. Councilor Bushor stated she does not know enough about it and is reluctant to bring it forward, although she does understand the point. Mayor Weinberger stated they could hold the straw poll with both traditional and cumulative voting. City Council President Shannon inquired how many proposals they can vote for. Mayor Weinberger stated in round 1 they will have unlimited votes. He inquired if the plan can be changed between the two hearings. City Attorney Blackwood stated it would have to be done at a City Council meeting, but they will not have time for major changes. Councilor Bushor stated the point of the public hearings is to hear comments from the public and potentially act on them. She cannot recall making a change between the public hearings. City Attorney Blackwood stated drafts could be presented at the next public hearing. Councilor Decelles stated this is very difficult and does not support any of them. The Committee is conflicted on how to move forward. He feels confused and that this needs to be slowed down. He does not like the concept of having a placeholder.

Councilor Siegel stated she could live with the 7 ward - 13 councilor model, but there is an idea that it would not pass in March. She is not sure how to vote on that. City Council President

Shannon suggested she vote on a plan she is willing to bring to the Council and the ballot.

Mayor Weinberger requested a straw poll on the 8 ward – 12 councilor plan. Councilor Bushor voted in favor of the plan.

Mayor Weinberger requested a straw poll on the 8 ward – 16 councilor plan. Councilor Bushor voted in favor of the plan.

Mayor Weinberger requested a straw poll of the 7 ward – 14 Councilor plan. Mayor Weinberger and City Council President Shannon voted in favor.

Mayor Weinberger requested a straw poll of the 7 ward – 13 councilor plan. No one supported this plan.

Mayor Weinberger requested a straw poll of the 4 ward – 12 councilor plan with a traditional voting mechanism. Mayor Weinberger; City Council President Shannon, and Councilor Bushor voted in favor.

Mayor Weinberger requested a straw poll of the 4 ward – 12 councilor plan with cumulative voting. Councilors Bushor and Siegel were in favor of this plan.

Councilor Bushor stated the 7 ward – 13 councilor plan had no votes and will be eliminated. The 8 ward models each received only one vote. Mayor Weinberger stated these should be eliminated leaving the 7 ward – 14 councilor plan and the two 4 ward models.

Mayor Weinberger inquired why Councilor Bushor had supported the cumulative voting. Councilor Bushor stated she does not fully understand it, but does not want to eliminate it without knowing more. She is unsure how easy it would be to understand as a voter or a candidate. The people who came to speak were not in favor of moving forward quickly.

Councilor Siegel stated one way to cumulative vote is to list the names of each candidate on the ballot and say that voters can vote three times. They can then vote for three different candidates or the same candidate three times. The voters could understand this. IRV may not have gone well, but that is different.

City Council President Shannon stated she campaigned for IRV and it passed, then was repealed. She also campaigned for the 50% requirement. She does not object to cumulative voting, but has a sense that is not what the voters are interested in.

A member of the audience, Jake Rawlings, Ward 7, stated that if a four ward scenario with twelve councilors was chosen, he would like to see one election where three people were elected all at once. They would all have different term lengths so one would be finished in a year, another in two years, and another in three years. Voters would be more comfortable using that traditional method. Those in Ward 7 he has spoken with want a traditional voting method. They would be okay having one less councilor and fewer wards, but definitely want traditional voting. He prefers more representation and smaller wards, which makes the eight ward model more

appealing to him.

Mayor Weinberger stated for the cumulative system to work all three seats would be up at the same time. Councilor Siegel stated that is correct and you would need 1/3 + 1 vote. City Council President Shannon stated the top three would win.

A member of the audience, Mr. Holway, stated there are letters that have been sent to the Committee that should be considered before a vote is taken. Councilor Decelles stated he received a letter from the Ward 4 Democratic Caucus saying they would like to slow the process. City Council President Shannon stated she would like to slow down as well, but they also need to respect the legal opinion. The Committee has an obligation to meet legal commitments and this should continue to move forward tonight. Mayor Weinberger stated they are not good at predicting what voters will do. To delay is to miss the opportunity for a vote in March and dramatically disempowers voters. If the plan does not garner consensus, it will be defeated, but the City will have made its best faith effort. It should not be assumed that the voters will not approve it and put the City at constitutional risk.

Mayor Weinberger conducted a straw poll on the 7 ward - 14 councilor model. Mayor Weinberger and City Council President Shannon voted in favor of the plan.

Mayor Weinberger conducted a straw poll on the 4 ward - 12 councilor plan with traditional voting. Mayor Weinberger, City Council President Shannon, and Councilor Bushor voted in favor of the plan.

Mayor Weinberger conducted a straw poll on the 4 ward - 12 councilor plan with cumulative voting. Councilor Siegel voted in favor of the plan.

Councilor Bushor stated some important questions were raised about the electability of minorities in larger wards and feels they need to find those answers. The only reason she is uncomfortable is because there are questions that remain unanswered. She liked the eight ward scenario best, but it was not perfect. She would like to have those answers for Monday night.

Councilor Siegel inquired how it will go over if a plan is brought to the Council by three members of the committee, while two members of the committee say they would prefer to wait. City Council President Shannon stated they need eight votes from the Council to put it on the ballot. Councilor Decelles stated when the versions are moved, there will be an opportunity as a committee member to talk about how they voted and why. After that it will just be a traditional Council vote. Councilor Siegel stated they are losing the chance to slow the process. City Council President Shannon stated there is a good chance the Council may not support the plan with eight votes. There are Democrats who do not like this plan. There is a theory that Democrats will support this because they are the largest party, but in her experience the party has not provided a significant amount of money. Councilor Siegel inquired if she had been provided with data. City Council President Shannon stated she has received lists. Councilor Siegel stated that is critical. The Democratic Party has an office and staff that the Progressives and Republicans do not. City Council President Shannon stated Democrats do not see this as easier. Councilor Siegel stated it will be easier for Democrats. City Council President Shannon stated

those advantages exist in any configuration. There will not necessarily be eight votes to pass this.

## **5. Committee Recommendation to City Council**

City Council President Shannon and Councilor Bushor made a motion to recommend the 4 ward – 12 councilor model.

Councilor Bushor stated she does not want to change her vote and feels that this is the best plan of the worst choices. She will second the motion because she feels the Council should be allowed to weigh in.

Mayor Weinberger inquired how many people are currently living in the Old North End portion of Ward 7. Mr. Appleton stated there are 276. Mayor Weinberger inquired if the new seven ward plan would expand this to 1,600. Mr. Appleton stated it would. The reason the four or eight ward plans work well is because the numbers work well with 10,200 people living in the geographic area of the New North End.

Mayor Weinberger inquired if the Council would be precluded from overruling the committee and selecting another plan during their meeting. City Attorney Blackwood inquired if they will be warning a public hearing tomorrow on the recommendation. Councilor Siegel stated her understanding was that they were moving two plans forward to the Council and would rearrange the City Council meeting schedule for January to accommodate this. City Attorney Blackwood stated the legislative body must warn the public hearing. After City Council votes they would have to warn the public hearing. Mayor Weinberger stated it would require adding an additional City Council meeting. City Attorney Blackwood stated when it is brought to the Council, they can do whatever they want with it.

City Council President Shannon requested clarification of the changes to the meeting schedule. Mayor Weinberger stated there would need to be two meetings between the January 17 and 28.

Mayor Weinberger inquired if there is an appetite to send the 7 ward - 14 councilor model as well. Councilor Bushor stated she does not want to do that.

The motion passed by a vote of 3-2 with Councilors Siegel and Decelles voting against. Councilor Bushor requested that the communications sent to Committee members also be included in the packet for the rest of the Council. It is important that they see that.

## **6. Any Other Business**

n/a

## **7. Adjournment**

Without objection, Mayor Weinberger adjourned the Redistricting Committee meeting at 8:53 pm.