



OFFICE OF THE CLERK/TREASURER

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REDISTRICTING COMMITTEE MONDAY, NOVEMBER 19, 2012

MINUTES

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

ALSO PRESENT: Interim CAO Sisson; Assistant City Attorney Eugene Bergman; Bill Morris, BTVvotes

1. Agenda

City Council President Shannon requested adding an introduction to the proposals to help those who are just starting to participate in the process. Mayor Weinberger added this as item 1.5.

On a motion by Councilor Bushor and City Council President Shannon, the agenda was adopted unanimously as amended.

1.5 Introduction to Proposed Plans

Councilor Decelles requested an explanation of the legal reasons for this process. Assistant City Attorney Bergman stated this is being done because legally, each person must have one vote. This needs to be examined every ten years with the census. Currently, there are a couple of wards out of kilter. A deviation of 10% or less is required to meet constitutional requirements.

Mayor Weinberger displayed a model that is similar to the existing model. It has seven wards and fourteen councilors. The boundaries are similar in most of the City. Ward 1 expands in area in this proposal. Wards 4 and 7 must expand in area to capture the correct number of voters. In this scenario, Ward 7 extends into the Old North End. The details about where the cutoffs are have not been discussed yet. These maps are conceptual and none of them have been examined at the street level. The purpose of this meeting is to gauge how voters feel about each of these concepts. Mayor Weinberger discussed an alternative seven ward proposal that would have thirteen councilors. The thinking behind this is to separate the Old North End from the New North End. It reduces the size of the Council. The rest of the City remains similar to the current plan.

Councilor Bushor stated the Committee has tried to utilize natural boundaries to define wards.

The seven ward scenario blends the Old and New North Ends. They have very different issues in those areas, so this would acknowledge those differences and attempt to avoid them. The thirteen seat scenario attempts to address this.

Mayor Weinberger stated the percentage of deviation is listed on the maps. Most of them are fairly close. He next outlined a six ward version which matches the state legislative districts. The legislature recently redistricted. Not all of the wards are the same size under this scenario. Some would only have one Councilor while others would have two. There would have to be an adjustment to how many Councilors are in each ward. Councilor Siegel stated this model would have ten Councilors. Mayor Weinberger stated a positive feature of this is that there would be less confusion at the polls with different ward and district combinations. There were twenty four ward and district combinations during the last election which can get confusing. He next showed a map with four districts that map consistently with the different areas of the City. There are districts for the New North End, the South End, and Center City. They are big districts and would likely have three Councilors per district.

Mayor Weinberger inquired if there are any clarifying questions that need to be answered before opening Public Forum. A member of the audience inquired when a Councilor was added to the New North End. Assistant City Attorney Bergman stated that happened in 1992 and a seventh ward was created. There were previously three New North End Councilors.

2. Public Forum

Ron Ruloff, Ward 3 resident, spoke about problems in his ward with homeless shelters and stated these issues should be considered during the redistricting process.

Matt Krop, Ward 6 resident, spoke about the impact of consolidating wards to make them larger with fewer Councilors. He stated he would prefer a dispersion of power and a larger Council. He proposed separating the New North End from the government of the rest of the City.

Terry Bouricius, Ward 2 Resident, stated this is a process of gerrymandering so that elected officials are selecting their voters rather than the other way around. He stated he is a proponent of IRV and discussed different voting method options. He stated he would prefer fewer wards with more Councilors.

Wendy Coe, Ward 2 resident, stated that one of the proposed maps divides the Old North End into three sections rather than two. She would prefer the greatest possible number of City Councilors.

Judy Stephany Ahearn, Ward 4 resident, stated it is important to consider one person and one vote, as well as the changes happening in the New North End. There have been new developments in the New North End that have increased the population, though the numbers were not captured in the census.

Richard Hilliard, Ward 1 resident, inquired if wards can be expanded to account for pending development projects, as there are several in Ward 1. He noted a large amount of tax money is

spent on the School Department, and inquired why they are not being represented. Councilor Bushor stated that representatives from the School Board have been attending meetings. There have been discussions about the size of the Council and the School Board. The number of Wards will impact the School Board members and they will be weighing in.

Jim Holway, Ward 4 resident, stated he would like to slow the timeline of this process. He stated the process is moving too quickly for public engagement. This process will not happen again until 2022 and it is more important to have a good outcome than an expedient result.

Diana Carlisle, Ward 7 resident, stated that her street is included in Ward 7 which is different than many other people in her neighborhood. Her area of town may have more in common with Wards 2 or 3. She would like this to be regarded when new lines are drawn. She requested more information about the process. Mayor Weinberger inquired how she feels about the seven version model which includes Lakeview Terrace in the New North End. Ms. Carlisle stated she is more comfortable with that than the existing wards. Councilor Siegel stated that when she spoke with Ms. Carlisle the seven ward model with thirteen Councilors was her preference. Ms. Carlisle stated that is correct and noted that there will be housing developments in her neighborhood that should be accounted for. Assistant City Attorney Bergman stated that ward boundary changes require a Charter Change which is why the City Council is making the decision. This will bring ward lines into constitutional conformity and voters will have to approve them. After this, the changes will be sent to Montpelier for review and have the authority for final approval. Mayor Weinberger stated there is no obligation to pick the same model as the State legislative districts. It is presented as an idea, but is not required in any way.

Kurt Wright, Ward 4 resident, stated he would like to see the committee find a better solution. It is important to avoid someone from the New North End representing someone from the Old North End because they are very different areas. He also encouraged the Committee to consider new development projects. Councilor Siegel inquired who he had spoken with that told him it was acceptable to include known and measurable standards in addition to census numbers. Mr. Wright stated it was an individual he had spoken with. City Council President Shannon stated she served on a Blue Ribbon Committee on Governance and there were several discussions about the size of the Council. She has concerns about the timeline because once it is publically warned it is more difficult to make changes. It is rare that changes are made after a public hearing. It would not feel good to a person living in an area affected by a change after the public hearing. The Council has had reservations about the four ward scenario, but it does make the most sense in terms of how the public feels about their neighborhoods. Councilors are concerned about the expense of campaigning and difficulty in speaking with residents in such a large district. Every plan will have significant drawbacks, but from a public standpoint the four ward model may make the most sense.

3. Approval of Minutes

a. November 8, 2012

Councilor Bushor noted some errors in the minutes that required corrections.

On a motion by Councilors Bushor and Decelles, the minutes were adopted unanimously as amended.

4. Committee Discussion on Four Ward Redistricting Alternatives

Councilor Bushor inquired if the timeline that was distributed to the Committee is accurate. Assistant City Attorney Bergman stated it has been adjusted to deal with practical considerations. Councilor Siegel inquired what needs to be accomplished at this meeting to be ready for the March election. Mayor Weinberger stated the goal is to come out of this meeting with a recommendation to the Council.

City Council President Shannon stated that she has a proposal that she would like to put forward. It is another seven ward version that made an effort to make Wards 1 and 6 larger since many people vote out of state in those districts. She attempted to draw lines on major roads. Councilor Bushor inquired if the existing map could be displayed with proposals overlaid. Bill Morris, BTVvotes, displayed the map. City Council President Shannon stated she would like to include the projects that have already been completed in the numbers when considering deviations. Councilor Bushor requested an explanation of how this differs from the existing wards. It is important to see where the boundaries are. A goal of the committee has been to use natural boundaries. It is a disruptive process to change people's wards. City Council President Shannon stated that in her scenario, Ward 4 is smaller than the others, but if you consider the additional 200 units it would be more acceptable. She outlined the numbers of people living in each ward. More of the Old North End was included in Ward 7 so that there is more than one neighborhood from the Old North End in this ward. The other major change was to spread out the students more between Wards 1 and 6. She included Living and Learning in Ward 6. Councilor Bushor inquired if University Heights and University Terrace were included in Ward 1. Councilor Decelles inquired what those two places are. Councilor Bushor stated University Terrace is a small dead end street with single family homes. University Heights is a new student dorm. City Council President Shannon stated she included University Terrace and Robinson Parkway in Ward 1. Mr. Morris stated darker colors reflect higher population blocks. Mayor Weinberger thanked Mr. Morris for his volunteer work in setting up the website and attending meetings. Mayor Weinberger inquired what the biggest difference between this and the other seven ward models are. City Council President Shannon stated the other models had the bare minimum of deviation. This uses the maximum for a better outcome. It also does a slightly better job of keeping neighborhoods intact.

Councilor Decelles stated he understands the issues for people on Lakeview Terrace and North Avenue who are physically removed from Ward 7. There is no cohesiveness between the Old and New North Ends. He understands the logic of including a few more streets in Ward 7 to spread the pain, but that is not necessarily the best solution. He stated he currently likes the four ward version the least. Anyone running for these seats would have to make a significant investment. Mayor Weinberger inquired if he has any preference within the seven ward models. Councilor Decelles stated he does not. No matter which scenario is chosen, the voters will have to approve this. It may be a hard sell if an entire neighborhood in the Old North End is unhappy. He inquired how quickly they will need to put forward a new proposal if voters were to reject the proposal. Assistant City Attorney Bergman stated they will have to move as quickly as possible.

Mayor Weinberger inquired how City Council President Shannon feels about the models. City Council President Shannon stated she spoke with Councilor Hartnett about the idea of having three Councilors in the New North End and he felt it would not be a popular proposal. The options are to use the Old North End to make the numbers work, or to have three Councilors in each ward so that all areas of the City have the same number. His feeling was that if everyone had three Councilors it could be sold. She also spoke with him about the North Avenue division line and whether or not it had to be divided in that way and he felt it did not necessarily need to be. There is something wrong with each plan. However, developing more plans is not going to solve the problem. The four ward model is the one that makes the most sense in terms of the public feeling they are being divided fairly. The version that would make the fewest changes would be the plan she created. This plan is not balanced perfectly, but its imbalance can be justified. Mayor Weinberger inquired if the deviations are available for her plan. Mr. Morris displayed the deviations. City Council President Shannon stated that Ward 4 is one that is off target, but there is additional housing there now. Mr. Morris stated that would bring it close to inline.

Mayor Weinberger inquired if Councilor Siegel had thoughts on the maps. Councilor Siegel stated she has no interest in preserving individual Councilors seats. There are some positives to gerrymandering in that lumping people into areas with similar issues and cultural backgrounds allows them to be represented. Plurality is important and makes government work better. There are people with all different political views who should be represented. Adding more of Ward 3 into Ward 4 is not a great idea. It might make Lakeview Terrace neighborhood feel better, but does not make sense overall. Having three councilors in the New North End would ensure people are represented by someone who shares their political opinions. The four ward model makes sense. There could be various political groups representing the same Ward because you can target who you campaign toward. The most concerning piece is that all of UVM would be in the same ward. She stated her preference is the thirteen councilor model.

Councilor Bushor stated she values diversity in Burlington and wants to preserve it as much as possible. She would prefer a larger Council or at least a comparable one. The four ward version is challenging for representatives that would encompass Wards 1 and 6. The numbers are inflated because the people that actually call that ward their home are fewer than in the New North End or the South End. That district finds itself as home to all of the institutions which is challenging. She is not so warm to the four ward version and will continue to ask for input from residents in her ward. None of these models are perfect. Everyone came into this process with the hope that something better could be drawn, but so far that has not been done to the extent that everyone hoped. If the people from Wards 4 and 7 will consider the three seat option, she would like that proposal because it keeps neighborhoods intact and splits the institutions between Wards 1 and 6. Her preference is the seven ward version with thirteen Councilors, but has difficulties with it knowing the New North End is not supportive of it. She would like to hear more from them. Mayor Weinberger inquired if she has a second choice. Councilor Bushor stated she does not, but definitively does not like the State district model.

Mayor Weinberger stated Councilors Bushor and Siegel like the thirteen Councilor model. Councilor Siegel is open to the four ward model. City Council President Shannon's first choice is

the four ward model and the second is her own seven ward model. Mayor Weinberger inquired if there is anything Councilor Decelles does not like. Councilor Decelles stated no one is considering how to draw these lines because they want to keep their seats. There is a strong feeling in the New North End that UVM students should not be allowed to vote. Councilor Decelles stated he does not know how to sell a thirteen councilor model to people in the New North End based only on census data. It will be voted down if it is put forward. Many people in his community feel that the Council is too large. His preference would be to tweak the existing seven ward model to make the numbers work. There are issues with each of these.

A member of the audience, Mr. Bريس, stated that the four ward model would only be acceptable to the public and the Council if the system were different from winner take all. Winner take all would require a majority in a huge area which would make campaigning expensive. If there are three seats, a person would only need a third of the votes to gain a seat and could campaign in a targeted way. The New North End is a logical chunk. It would make sense to figure out what percentage of the City population that is and then determine how many City Councilors it can have. Fourteen Councilors is how things have ended up, but it would make more sense to be flexible in numbers. Mayor Weinberger stated they have stayed open to the possibility of changing the numbers.

A member of the audience, Mr. Wright, inquired if the four ward model would have three Councilors per ward. Mayor Weinberger stated that is the assumption, though it could be done differently. Mr. Wright stated that changes were last made after the 1990 census and no changes were made as a result of the 2000 census. He inquired what happened to make these changes necessary now. Assistant City Attorney Bergman stated there is new UVM housing and better counting from the census. In 2000, there was an argument with the census about their numbers. Mr. Wright stated this change is because of greater student population. He has talked to people in the New North End extensively, and reducing the New North End is not going to be acceptable.

Tom Derenthal, Ward 1 resident, stated the four ward model seems logical. He questions the notion that you would be able to target a population in the ward. Council elections are staggered. If all of them were concurrent, a candidate could appeal to a group in the ward. However, with staggered elections it will be necessary to earn 50% + 1 of the votes to win. Councilors put in a substantial amount of work and it would be difficult if there were less people on the Council. The four ward model breaks the City in a way that seems natural, and having all of the institutions in Ward 1 does not concern him.

A member of the audience, Ms. Coe, spoke about the population in the New North End and stated that they could remain two wards. This would leave six wards for the rest of the City. The resulting model is similar to the four ward model with each ward divided in half. There would then be sixteen people on the Council allowing for more representation rather than less.

A member of the audience, Mr. Hilliard, stated that it may be worth expanding the Council since a goal of the City is growth. The population has expanded. This may satisfy the selfish constituencies.

Councilor Decelles inquired if it would be possible to quickly draw a map with fifteen or sixteen

Councilors. Mr. Morris stated it is and suggested that members of the public can also draw their own maps.

Councilor Bushor stated she is interested in thinking more broadly about the number of wards. The deviation needs to be 10% from the smallest ward to the largest. She inquired if the deviation was 15% at the state level and why that would be acceptable.

Councilor Siegel stated she likes the idea of doing eight wards and drawing a map. They could look at the four ward model and divide those in half. Mr. Morris stated that the application is not designed to go about eight, but he can configure it to do that after tonight.

A member of the audience stated he appreciates the Committee's efforts, ability to explain their reasoning, and efforts to keep neighborhoods intact. His preference would be the four ward map, but there would have to be a mechanism to keep bigger interests and money out of the Council and allow for targeted campaigning.

A member of the audience, Mr. Holway, stated that all maps will have problems. Looking at map possibilities is exhausting. Every map has been crafted only by City Councilors, and only previous City Councilors have had comments published in the newspaper. To sell this, voter input is necessary. He noted that there can be advantages to gerrymandering.

The committee recessed for a ten minute break.

Councilor Bushor stated it would be helpful to have population data on the maps so that they can be distributed to community members. There has been an offer for people to design their own maps, but it is not that easy to do.

Mayor Weinberger stated that there does not seem to be consensus for any one plan at this time. He inquired if the committee feels they can eliminate any maps. Interim CAO Sisson stated the more combinations of legislative districts and ward boundaries that there are, the greater the room for error there is. In the last election there were 26 different combinations.

Mayor Weinberger requested an overview of the new plans drafted during the break. City Council President Shannon stated she changed her plan to put Robinson Parkway and Henderson Terrace into Ward 6. To balance the numbers, a block of Ward 6 was put back into Ward 1. The biggest change from the current map is that Living and Learning would be moved to Ward 6 rather than ward 1. Councilor Bushor inquired what streets were moved to Ward 1. City Council President Shannon stated it was the block between Main to Maple Streets and Summit to South Willard Streets. Councilor Bushor inquired if that block is all housing or if it is institutional. City Council President Shannon stated it is mixed. Mr. Morris outlined the numbers of people living in those blocks.

Mayor Weinberger inquired how many people are in Ward 7 that live on Lakeview Terrace. Mr. Morris stated there are 126 people in one portion and 82 in another. The deviation without this population is 17%. Ward 3 could absorb them without affecting their deviation. There is no way to stick with seven wards and have enough people in the New North End. The others may be able

to be very close to the mean. That would mean an overall deviation of about 20%. That might or might not withstand a legal challenge, and may need to be redone in ten years.

Councilor Bushor stated a public forum speaker noted the new buildings in Ward 4 need to be considered and that residents on Battery Street could be included because that area is not traditionally part of the Old North End. Councilor Bushor inquired if that would help or hurt the Old North End. City Council President Shannon stated in her scenario, Lake Street was brought into the New North End, but not Battery Street. There is a Battery Street historic district which includes the King Street District. It is an important integrated area. Councilor Bushor stated she is unsure if there are neighborhoods off of Battery Street that would be appropriate to include in the New North End. Councilor Siegel stated the high rises on Battery Street could be put into Wards 4 and 7, but that would not be very contiguous. City Council President Shannon stated the changes are minor in her map, but the major difference is bringing Living and Learning into Ward 6. Councilor Bushor stated a neighborhood is being relocated and it is unsure if it is necessary. City Council President Shannon stated some people will need to be moved.

Councilor Siegel stated she did not understand that the cumulative deviation is more important than the deviation in each ward. Mr. Morris stated that it is not the cumulative difference, but the deviation between the largest and smallest wards. Councilor Siegel stated she is concerned about this process. The resolution requested that the public be engaged in the decision making process. Since this is the only meeting that was fully advertised and this is Thanksgiving week, many members of the Public were not able to make it and do not feel they have been involved. She has concerns that there will not be a solution that people like before it is sent to City Council. She stated this is doing a disservice to the City and it seems worth slowing down.

Councilor Bushor stated she is more concerned about the end product than being expeditious. She is not ready to support a proposal and make a recommendation to the full Council. It may be possible to meet a timeline to make it to the March ballot. It will be difficult, but not impossible. There is no plan that stands out. It would make sense to eliminate those that no one likes, and to consider new proposals that the public may come forward with. It would be helpful to have comments and suggestions. Some hard choices will have to be made. She suggested having another meeting before bringing a scenario to the full Council.

Mayor Weinberger inquired if Monday, December 17 is the last date that the Council can vote on a proposal. Assistant City Attorney Bergman stated it is the last practical date, but special meetings could be called. Assistant City Attorney Bergman outlined the dates that a warning would need to be done and stated that having the exact language is not necessary. Mayor Weinberger stated they could warn the public hearing in advance of having a map prepared.

Councilor Decelles stated the citizens had a petition to repeal IRV a few years ago and the deadline was in January. That also requested a Charter Change. He inquired why this timeline is so much shorter. Assistant City Attorney Bergman stated it has to do with the statutory structure about where the change originates. Mayor Weinberger stated changes can continue to be made into January. February 13 is the last day to make changes as a result of the public hearings. Assistant City Attorney Bergman stated February 13 is the day that the ballots have to be ready, so practically speaking, the date is earlier.

Councilors Siegel stated that they should schedule another meeting or two before December 17. A lot more work could be done on this to have a better outcome. It would allow people to have more input in the process.

Mr. Morris outlined an eight ward model that would be within 10% deviation. The New North End would be divided at North Avenue. The Old North End remains intact. The University is divided along Williston Road. The most difficult portion was the South End because of the Redstone Campus block. Councilor Bushor requested that the streets be made visible. Mr. Morris outlined the divisions. Councilor Bushor stated she is interested in this idea but would like to hear from other Councilors and residents.

Councilor Decelles stated it solves an issue in the New North End and solves the Lakeview Terrace problem. He inquired how people from the rest of the City feel about it. This the best model so far. Councilor Siegel inquired if he likes an eight councilor scenario or a sixteen councilor scenario. Councilor Decelles inquired if there is enough time to determine how an eight seat council will run. Meetings often take a long time, and he is unsure how adding Councilors would affect that.

City Council President Shannon stated she has some concerns about how the student areas would be divided and this gives a lot of power to areas where people are not residents. She does not object to it as an eight councilor plan, but does at a sixteen seat council. The idea of lengthening meetings by two councilors is daunting. Being a City Councilor should not be a full time job, although there is room to increase the pay.

Mayor Weinberger stated it is a balanced plan. It does address the New North End issue. He stated he could support an eight member district, but would have concerns about a sixteen person Council.

Councilor Bushor stated sixteen sounds like a lot of Councilors, but eight seems too few. There is a natural division of labor between Councilors. It would be difficult to put all of that work on an individual Councilor who presumably works full time as well. She stated she does not support shrinking the Council because you lose diversity and the ability to attract working people.

5. Committee Recommendation on Redistricting for City Council

Mayor Weinberger stated the plans that have continued support are the thirteen councilor model, the seven ward-fourteen council model, a four ward model with twelve councilors, and an eight ward model. The State District model has been eliminated. He stated he is reluctant to wait until December 17 to present something to the full Council. He understands concerns about the timeline. There are more opportunities for public comment. He suggested presenting a couple of plans to the Council to begin the discussion.

Councilor Bushor stated it may be difficult to meet again before December 3. She suggested presenting the minutes and the status of each scenario. There could be a synopsis of the plans and the concerns that arise from each. That would start the dialogue and prepare them for the

following meeting.

City Council President Shannon stated there could be a work session on December 3 to discuss the plans. The committee itself could submit their views of the pros and cons to each plan. Councilor Bushor stated she likes that idea.

Mayor Weinberger inquired if the committee is ready to narrow the conversation down from four plans. Councilor Bushor stated she would not have time for another meeting. She would prefer to send a list of pros and cons for each meeting to have a work session. City Council President Shannon suggested refining the maps further. Councilor Decelles stated the newest version is the most appealing to him. Mayor Weinberger stated there are a lot of similarities between the four and eight ward models, but the four ward model would have twelve councilors. Councilor Siegel stated she likes the idea of having a work session, but would like to remain open to new ideas and to reach out to constituents. There may never be a map that people like completely, but it may be possible to come up with something better. Mayor Weinberger stated there are concerns about the political viability of the thirteen councilor model. He inquired if they would like to keep it on the table. Councilor Siegel stated she would. Councilor Bushor stated she understands the desire to narrow this down, but would like to look more closely at the eight ward model. Mayor Weinberger stated there can be a draft document of the pros and cons distributed. The goal coming out of the work session will be to get feedback and direction to refine one or two of the maps. The committee discussed the date of the next meeting.

6. Adjournment

Without objection, Mayor Weinberger adjourned the meeting at 7:49 pm