CITIZEN REDISTRICTING COMMITTEE

Meeting Minutes of July 2, 2021 | 3:00PM-5:00PM
Virtually Via Zoom
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[SUBJECT TO RATIFICATION BY COMMITTEE]

Chair Chávez called the meeting to order at 3:01 p.m. The roll was called; the following Committee Members were present:

Hon. Edward L. Chávez, Chair
Ryan Cangiolosi, Member
Hon. Lisa Curtis, Member
Robert Rhatigan, Member
Joaquín Sanchez, Member
Hon. Michael Sanchez, Member
Christopher Saucedo, Member

Justice Chavez briefly reviewed the creation of the Citizen Redistricting Committee ("CRC"). The Chair and Members provided brief biographies and noted their respective appointing authorities. New Mexico Supreme Court Chief Justice Michael Vigil administered the oath of office to the Committee members and then to the Chair.

1. APPROVAL OF AGENDA

Chair Chávez sought a motion to approve the agenda. Committee Member Rhatigan moved to approve the agenda; Committee Member Curtis seconded. Hearing no discussion, Chair Chávez conducted a roll-call vote. All Committee Members voted in the affirmative, and the agenda was approved unanimously.

2. ONLINE PORTAL FOR SUBMISSION OF PUBLIC MAPS AND TESTIMONY

Dr. Moon Duchin and Luis Delgadillo of the Metric Geometry and Gerrymander Group, Tisch College, Tufts University provided an overview of Districtr, the online portal to be used for public submission of maps of communities of interest, district plans, and public comment. Chair Chávez opened the floor to comments from members of the public. The following comments were received:

- Mario Jimenez, Common Cause New Mexico: public has shown increased interest in redistricting, and he supports adoption of online portal.
- Richard Mason, Chair, Action Committee, League of Women Voters of New Mexico: Public input is very important and supports adoption of the online portal.

- Member Michael Sanchez: not all tribes speak Navajo. Dr. Duchin: Districtr does build in language differences
- Antony Aemisegger: Question on tool and gerrymandering, Dr. Duchin: nothing is built in to Districtr for gerrymandering.
- Cosmic Marrauder 33: districts in past around Albuquerque how to get more fair participation in counties outside central area. Dr. Duchin: the CRC will get out into rural areas at rural meetings, process does not favor central area, also submissions to portal are available; Member J. Sanchez: role of CRC should also be educational.
- Mike Daly: spoke of a software program for mapping can program boundaries would take work of Committee; Dr. Duchin: part of function of Districtr is to understand what is possible; Luis Delgadillo: challenge is to use information; Member Rhatigan: process is a way to make sense of information from NM
- Member Rhatigan: Commented on Tribal areas and differences in NM, precincts are building blocks; Dr. Duchin: traditionally the gap has been in form the information comes in and how to use it and make it visible.
- Member Curtis: recommended that use of portal in certain areas so information into portal pertains to that area.

Chair Chávez sought a motion to approve use of Districtr for public submission of maps and comment to CRC. Member Michael Sanchez moved to approve; Member Curtis seconded. Hearing no discussion, Chair Chávez conducted a vote. All Committee Members voted in the affirmative, and the motion was approved unanimously.

3. NOTICE OF PUBLIC MEETING DATES, VENUES, AND TIMES

Chair Chávez provided an overview of the proposed dates, venues and times for the public meetings required to be held by the CRC, as mapped in spreadsheet. Chair Chávez recommended scheduling meetings to begin at 3:00pm. Chair Chávez proposed meetings during August 2-13, then September 23-October 7, and venues at the Capitol; New Mexico Highlands University in Las Vegas; facilitates at either Acoma Pueblo or Laguna Pueblo; San Juan College in Farmington; Eastern New Mexico University at Roswell; New Mexico State University in Las Cruces; and University of New Mexico Science and Technology Park in Albuquerque. Chair Chávez noted that in mid-August, Research and Polling will receive data from the Census, after which the CRC will conduct the second round of public meetings. Chair Chávez then heard public comment:

- Richard Mason (League of Women Voters): attended 2011, consider public transportation,
- Chloe Jake: need location convenient to public for Navajo and Pueblo such as Indian Pueblo Cultural Center.
- Charlotte Little, NAVA Education Project: consider northern area of NM and northern Pueblos such as Espanola.
- Jesse (gave no audible last name), NAVA Education Project intern: proposes location close to mountain tribes such as Mescalero mountain tribe.
- Ahtza Chavez: would appreciate having additional community meetings on sovereign tribal land, each tribe is a sovereign group.

- Joseph Hernandez, Shiprock, NAVA Educational Project: appreciates in person meetings recommends to come out to Navajo tribal communities such as Dine College in Shiprock.
- Amber Carrillo: hope for greater engagement in tribal venues especially Indian Pueblo Cultural Center; transportation is very difficult for Native Americans as well as the digital divide.
- San Juan Dems administration (gave no audible name), San Juan Democrats Chair: echoes other speakers for meeting on tribal land.
- Member Curtis: it is important to hear testimony from tribal Governors, will Governors do a CRC presentation, would this happen at the four quadrant meetings as well as the designated tribal meetings? Suggested split committee meetings. Also suggested that initial meetings occur through two weekends. Follow up, Amber Carrillo: would be great to undertake, possibly with all Pueblo and Indian Pueblo Culture Center and council of governors.
- Lauren (no audible last name), Navajo Life Commission: Navajo redistricting meeting would be welcome.
- Ahtza Chavez: Yes it would be welcome, the redistricting coalition also would be available to help.
- Casey Douma: would be important for communities of interest, speaking of Pueblo of Laguna.
- Member Saucedo: I like idea of video stream sub-meetings, possibly meetings with split committee; Chair Chávez answered that split CRC meetings would raise a problem with quorum requirement and problem having staff. Better to use satellite streaming option.
- Member Joaquín Sanchez: disapproved of splitting committee meetings and consequent loss of hearing comments first-hand; noted approval of idea of streaming video from satellite sites.
- Joann Vullo: likes idea of satellite for example Mescalero and small communities. Lives distant from Sunland Park and further from Las Cruces, distances are a problem, also the Mescalero people.
- Member Michael Sanchez: would like to see one more meeting on tribal land.
- Member Rhatigan: appreciates Native American input but the Committee must make initial decision on meetings.
- (Brief loss and return of remote signal from Chair 4:45)
- Member Curtis: would like an additional tribal meeting within law and practical limits.

Chair Chávez sought a motion to affirm schedule, plus a second tribal land meeting with tribal leadership. Committee Member M, Sanchez so moved; Committee Member Lisa Curtis seconded. After a discussion of scheduling and adding meeting through August 15 with subsequent exact dates and times contingent on meeting-site availability (with the preference that they be in the later afternoons and evenings), Chair Chávez conducted a vote. All Committee Members voted in the affirmative, and the motion was approved unanimously.

4. RULES OF PROCEDURE

Chair Chávez provided an overview of the proposed rules of procedure for the Citizen Redistricting Committee. After introducing the proposed rules, Chair Chávez noted that members should complete a substitute W-9 before requesting per diem an mileage reimbursements. Chair Chávez also noted that no attorneys submitted a proposal to provide legal services, and that the Harvard Law School Election Law Clinic has offered to provide legal counsel to the CRC pro bono. The CRC then received public comment on the proposed rules of procedure:

- John Block: opposed proposed rule prohibiting ex parte (outside of CRC meetings or CRC online portal) communications between CRC members and others. Advocated that only New Mexicans should comment on district plans.
- Oriana Sandoval, Director, Center for Civic Policy: opposed proposed rule prohibiting ex parte (outside of CRC meetings or CRC online portal) communications between CRC members and others.
- James Povijua, Center for Civic Policy: proposed rule prohibiting ex parte (outside of CRC meetings or CRC online portal) communications between CRC members and others.
- Paul Mitchell, Redistricting Partners: supported proposed rule prohibiting ex parte (outside of CRC meetings or CRC online portal) communications between CRC members and others.
- Keegan King, All-Pueblo Council redistricting committee: opposed proposed rule prohibiting ex parte (outside of CRC meetings or CRC online portal) communications between CRC members and others.
- Susan Boe, President, New Mexico Foundation for Open Government: supported proposed rule prohibiting ex parte (outside of CRC meetings or CRC online portal) communications between CRC members and others.
- Mary H. Smith, League of Women Voters: supported proposed rule prohibiting ex parte (outside of CRC meetings or CRC online portal) communications between CRC members and others.
- Richard Mason, Chair. Action Committee of League of Women Voters: supported proposed rule prohibiting ex parte (outside of CRC meetings or CRC online portal) communications between CRC members and others.
- Kathleen Sabo, Director, New Mexico Ethics Watch: supported proposed rule prohibiting ex parte (outside of CRC meetings or CRC online portal) communications between CRC members and others.
- Michaela Gallegos, New Mexico Working Family Party: opposed proposed rule prohibiting ex parte (outside of CRC meetings or CRC online portal) communications between CRC members and others.
- Kayla (no audible last name): opposed proposed rule prohibiting ex parte (outside of CRC meetings or CRC online portal) communications between CRC members and others.
- Jacob Vigil, New Mexico Voices for Children: opposed proposed rule prohibiting ex parte (outside of CRC meetings or CRC online portal) communications between CRC members and others.
- Amber Carrillo: opposed proposed rule prohibiting ex parte (outside of CRC meetings or CRC online portal) communications between CRC members and others.

- Chloe Jakes, Native Redistricting Coalition: opposed proposed rule prohibiting ex parte (outside of CRC meetings or CRC online portal) communications between CRC members and others.
- Uriel Rosales: opposed proposed rule prohibiting ex parte (outside of CRC meetings or CRC online portal) communications between CRC members and others.
- Mario Jimenez, Common Cause New Mexico: supported proposed rule prohibiting ex parte (outside of CRC meetings or CRC online portal) communications between CRC members and others.
- John Daniel, Center for Public Policy: opposed proposed rule prohibiting ex parte (outside of CRC meetings or CRC online portal) communications between CRC members and others.

Member Lisa Curtis recommended the following amendments to the rules: (1) limiting Chair's authority to enter contracts for the CRC as to legal services; (2) striking the rule prohibiting ex parte (outside of CRC meetings or CRC online portal) communications between CRC members and others. Member Michael Sanchez supported the amendments of Member Curtis and proposed an amendment that CRC should allow hand-drawn maps.

Chair Chávez sought a motion to pass rules. Member Lisa Curtis moved to pass the rules as amended above; Committee Member Christopher Saucedo seconded. After discussion, Chair Chávez conducted a roll-call vote:

Ryan Cangiolosi: Yes
Hon. Lisa Curtis: Yes
Robert Rhatigan: No
Joaquín Sanchez: Yes
Hon. Michael Sanchez: Yes
Christopher Saucedo: Yes
Edward L. Chávez: abstain

The motion passed on a vote of 5-1, with the Chair abstaining. The CRC adopted the proposed rules of procedure, as amended.

5. BUDGET, FISCAL AGENT, AND RATIFICATION OF FISCAL ACTIONS

Chair Chávez and Raúl Burciaga, Director, Legislative Council Service, provided an overview of the projected $400,000 budget for the Citizen Redistricting Committee. Director Burciaga explained that Legislative Council Service will serve as the CRC's fiscal agent. Chair Chávez reviewed the line items of the CRC's budget. The following line items were discussed in depth:

- Raul Burciaga provided an overview of the contracted demographer, Research and Polling, which was already contracted and appropriated. From July 1, 2021 to October 23, 2021, Research & Polling will work only with the Committee and not with the Legislature; after October 23, 2021, Research & Polling will be available only to the Legislature.

- Chair Chávez provided an overview of the request for proposals for legal services to the CRC and explained that the CRC received no proposals in response. Chair Chávez further noted that Harvard Law School's Election Law Clinic offered to provide legal counsel to the CRC pro bono.
- Chair Chávez provided an overview of the contract with Realtime Solutions to develop the Committee's website.
- Chair Chávez provided an overview of the contract with the State Bar Center for office space.
- Jeremy Farris, Director, State Ethics Commission, provided an overview of the W-9 and mileage reimbursement forms for use by Committee members or staff, related to their duties in support of the Citizen Redistricting Committee. Signed and completed W-9's can be sent to the State Ethics Commission and will be forwarded LCS.
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Chair Chávez sought a motion to approve the budget. Member Lisa Curtis moved to extend recruitment of an attorney for one week and otherwise approve budget; Committee Member Michael Sanchez seconded. On discussion of the motion, Chair Chávez offered reasons why no proposals were received in response to the CRC's request for proposals for legal services and noted that he would begin to discuss a scope of work with Harvard Law School's Election Law Clinic for services to the CRC. The need for a associate local counsel as also observed. Chair Chávez conducted a vote on the motion, and the motion was approved unanimously.

6. PENDING CONTRACTS AND AUTHORIZATIONS OF CHAIR

Chair Chávez provided an overview of the pending contract between the Citizen Redistricting Committee and the State Ethics Commission. Chair Chávez also noted that the Committee, in approving the rules of procedure, authorized him to enter contracts on behalf of the Committee, except as to contracts for legal services.

7. PRINCETON WEBINARS

Chair Chávez provided an overview of the webinars to be offered by the Princeton Gerrymander Project at Princeton University.

8. **PUBLIC COMMENT**

Members of the public were invited address the CRC:

- Richard Mason, League of Women Voters: expressed his thanks that the Chair and Members are participating on the Committee; suggested a limited rule prohibiting ex parte communications between CRC members and members of the Legislature.
- Ahtza Chavez: reiterated her concern for the lack of diversity of CRC members and expressed thanks to the Committee for the access provided.
- Charlotte Little: reiterated concern about access to the redistricting process.
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9. ADJOURNMENT

Chair Chávez moved to adjourn. Hearing no discussion or opposition, the CRC unanimously voted to adjourn at about 7:30 p.m.

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