

COUNCIL PRESENT: Bruner, Dunagan, Wangemann, Hamrick, Figueras
STAFF PRESENT: Padgett, Sheppard, Palmour, Jordan, Grayson
OTHERS PRESENT: Whalen

Mayor Bruner called the meeting to order.

SPECIAL SESSION - REDISTRICTING PROJECT:

City Attorney Palmer reviewed the public hearing process.

City Clerk Denise Jordan gave an overview of the Redistricting Project. She noted the project team members were from the Board of Education, the Community Development Department, the Hall County Elections Office, and Legal Counsel. She touched on a few items pertaining to the project goals which included fairness, avoid discrimination/bias, same boundaries for Council and Board of Education, adopt a plan before November, transparency, and successful preclearance. She was hopeful the City Council and Board of Education would adopt the same map.

Mrs. Jordan stated it was recommended that Council adopt a map using the Home Rule Powers. This requires six to nine weeks to complete and the ordinance can't be amended once the advertising begins. She noted the importance of following the adoption process when considering a Home Rule Ordinance.

Mrs. Jordan gave a summary of the prior meetings regarding this subject (July 20th, July 28th, August 4th and August 8th). She discussed deviations, percentages, the existing and proposed map, the timeline for adoption and updated statistics.

Attorney Whalen discussed the analysis of the proposed map and gave an overview of the process of redrawing boundaries. He commented on the need to consider the consequences of the impact of the Federal Voting Rights Act. He discussed the Voting Age Population (VAP) and how it is used for analysis. He stated the 2003 map using 2010 Census data serves as the benchmark for the Voting Rights analysis. His review indicated there were no true majority-minority districts created in 2003. He also stated there were no requirements to consider the Hispanic population until the law changed in 2006.

Mr. Whalen reviewed the individual wards referencing the benchmarks which included the total population, deviations, Black VAP and Latino VAP in each. He stated the exercise performed by Consultant Linda Meggers attempted to redraw the map to improve the Black VAP in Ward 3 but was unsuccessful without further diluting the black voter strength. The voter registration information for Ward 3 indicated there was black voter strength. He noted Ward 5 represented a true majority-minority Hispanic district under the proposed plan. The overall review of the proposed map represented a total deviation of 1.98% which is very close to the preferred zero deviation. The law allows some flexibility with deviation but it is important to be able to justify them.

Mr. Whalen commented on the adoption process and stated he was hopeful that after the next public hearing, Council would be able to give staff direction in regards to moving forward.

Mr. Whalen stated there had been some discussion about the newly proposed plan devised by Ms. Meggers. He received the completed PROP3 map shortly before this meeting. He was unable to display or print the information but felt it was important to give the map consideration along with any other alternative plans regardless of when they were submitted throughout the process indicating the Department of Justice would inquire about all plans when conducting their evaluation.

NOTE: Dr. Dyer provided copies of PROP3 marked "Draft – Not Complete".
This information was distributed to the Council.

Plan comparison information was distributed. Mr. Whalen reviewed the information. He noted the differences/shifts between the proposed maps and indicated the PROP2RE map creates one majority-minority Latino district in Ward 5 and the PROP3 map creates two Latino districts. PROP3 didn't affect black voters. The biggest change was where the Ward 3 boundary line crossed Jesse Jewell Parkway. Mr. Whalen felt it was important to note District 4 was a high growth area with potential for growth over the next 10 years. Sudden growth in a district that already had a high deviation increases the chances for a challenge. Mr. Whalen closed by stating it was important to listen to the public and hoped there would be some input during this meeting.

City Manager Kip Padgett commented on an area that could be developed in the near future noting this could increase the deviation percentage close to 5%.

City Attorney Palmour opened the floor for discussion.

Dr. Merrienne Dyer, Superintendent of Gainesville City Schools, stated her role as Superintendent was to facilitate the Board of Education through the process. She felt the Board of Education Members received more concerns from the citizenry than the City Council because they are elected by district. She stated the School Board's goal was to have a good map that allows representation for all walks of life from all parts of the city.

Dr. Deloris Diaz, Ward 4 Board of Education Member, stated her comments represented her personal feelings and opinions. She didn't think PROP2RE was a bad proposal. She stated she had reviewed all the numbers and felt the Hispanic population in Ward 4 would drop over 8% under the PROP2RE map noting Ward 4 is currently a majority-minority district for Hispanics. She felt this would be a concern for the Department of Justice. She hoped the Council and Board of Education could work together before presenting the plan to the Department of Justice. She felt PROP3 would improve the numbers to provide a fair representation of Ward 4. Dr. Diaz stated she was well aware of the voting statistics and wanted the Hispanics in her ward to maintain a voice whether they vote or not. She also wanted to maintain the majority minority Hispanic Ward. She asked Council to consider PROP3 as a blended map which she thought would work for both elected bodies.

Maria Duarte, Georgia Association of Latino Elected Officials (GALEO), read a letter prepared by Jerry Gonzalez, Executive Director. Ms. Duarte indicated she was a program coordinator and a lobbyist for the organization. The letter indicated GALEO had been following the City's redistricting efforts and briefly commented on the organization as well as its opposition to the proposed redistricting plans for the following reasons:

1. Election of the Council Members is determined by an “at-large” election.
2. The City is within a County that is enrolled in the Federal 287(g) program. There are questions as to whether law enforcement officials have abused the agreement with a noticeable increase in racial profiling activity against the Latino community.
3. The State of Georgia recently passed HB87 “Illegal Immigration Reform and Enforcement Act of 2011” to enact statewide immigration enforcement. The bill has created a hostile environment against Latinos and immigrants.

The letter also proposed the elimination of the “at-large” election process for City Council Members. GALEO believes the current and proposed election process diminishes and dilutes the Latino community’s ability to elect candidates of their choice and disenfranchises their ability to influence the outcome in the City Council elections.

There were no other comments. The hearing was closed.

City Clerk Denise Jordan stated the next meeting to discuss the redistricting project would be at the One Community Meeting on Saturday, August 13th at 9:30 AM at the Civic Center followed by the regularly scheduled Council meeting on Tuesday, August 16th at 5:30 PM in the Municipal Court Room.

Mayor Bruner stated no action would occur today. Council would review the PROP3 map and would continue discussion at the next meeting.

Council Member Dunagan expressed his disagreement that officials elected by district are closer to the people than those elected at-large. He also expressed his preference for at-large voting.

Council Member Figueras agreed with Mr. Dunagan and shared her reasoning. She also stated it was our moral and civic duty to encourage everyone to go to the polls. The problem is not the redistricting. It’s getting people to go to the polls to vote.

ADJOURNMENT: 9:40 AM

The Work Session began immediately thereafter.

/ag

Ruth H. Bruner, Mayor

Denise O. Jordan, City Clerk