

Private
STAFF SUMMARY OF MEETING

OTHER COMMITTEE COMMITTEE ON INDEPENDENT LEGISLATIVE REDISTRICTING COMMISSION

Date 05/07/2021
Time 01:02:09 PM to 03:49:17 PM
Place SCR 354
This Meeting was called to order by Carlos Perez
This Report was prepared by Elizabeth Burger

Attendance	
Hunter Barnett	X
Heather Barry	X
John Buckley	X
Samuel	X
Greenidge	X
Constance	X
Hass	X
Gary Horvath	X
Aislinn Kottwitz	X
Amber	X
McReynolds	X
Blanca Uzeta	X
O'Leary	X
Robin	X
Schepper	X
Kevin Fletcher	X
Carlos Perez	X

X = Present, E = Excused, A = Absent, * = Present after roll call

Hearing Items	Action Taken
Approval of the agenda and minutes	Committee Discussion Only
Unfinished Business	Various Actions Approved
Subcommittee Reports	Subcommittee Authorized to work with Counsel
Commissioner Communications	Committee Discussion Only
Topics for Future Meetings	Committee Discussion Only

Expand All Items

Collapse All Items

Approval of the agenda and minutes - Committee Discussion Only

01:03:56 PM Chair Perez called the meeting to order. Meeting materials are available online here:<https://coleg.box.com/s/tqeyxgod2b93nesiimt65k7lfj75znku> (https://coleg.box.com/s/tqeyxgod2b93nesiimt65k7lfj75znku).
The agenda was approved by acclamation.

01:04:25 PM The minutes of the April 30 meeting were approved by acclamation.

01:04:41 PM Ms. Julia Jackson, Independent Redistricting Commissions Staff, explained that no individuals or groups had registered to offer public comment at the meeting.

Unfinished Business - Various Actions Approved

01:05:46 PM Chair Perez turned the discussion to the proposed timeline on redistricting activities. Under the proposal, the preliminary map is due June 28. Commissioner Schepper commented on the timing of the public hearings.

01:07:31 PM The Outside Legal Counsel and Legislative Affairs Subcommittee began discussing their recommendation for outside counsel and explained that the subcommittee is recommending that the commission retain Kaufman and Odil. Commissioner Uzeta O'Leary discussed the experience of the attorneys with elections issues. Commissioners Buckley, Kottwitz, and Barry commented on the recommendation. Jeremiah Barry, Independent Redistricting Commissions Staff, noted that the commission would be retaining two law firms under this selection. Commissioner Uzeta O'Leary discussed the retention letter for the counsel.



01:24:19 PM Motion Retain Kaufman and Odil (seconded by Kottwitz)
 Moved Blanca Uzeta O'Leary
 Seconded

Hunter
 Barnett
 Heather
 Barry
 John
 Buckley
 Samuel
 Greenidge
 Constance
 Hass
 Gary
 Horvath
 Aislinn
 Kottwitz
 Amber
 McReynolds
 Blanca
 Uzeta
 O'Leary
 Robin
 Schepper
 Kevin
 Fletcher
 Carlos
 Perez

YES: 0 NO: 0 EXC: 0 ABS: 0 FINAL ACTION: Pass Without Objection

- 01:24:54 PM Chair Perez discussed the selection of alternative data sources to build maps. He explained that, together with Louis Pino, Independent Redistricting Commissions Staff, he had explored four different data sources to draw the preliminary maps. He explained that each set has positives and negatives and there is no perfect data. He reviewed the difference between census blocks, block groups, and census tracts.
- 01:28:58 PM Chair Perez described the alternative datasets. Alternative dataset A, which includes data from the 2019 American Community Survey (ACS) and State Demographer's Office (SDO) data. The maps would be based on 2010 geospatial data, and the data would be to the block level. Alternative dataset A2 involves the use of 2020 geospatial data, but this data can not be loaded into the ESRI redistricting application, so the staff would have to use ArcGIS Pro. The commission discussed the process of loading data into the mapping software, and how that process has been affected by the census delay.
- 01:38:07 PM Alternative dataset B is sourced from 2019 ACS and SDO, and it would include tract level data. This option does not require ESRI to load any data. Alternative dataset C would use ESRI demographic projection data, which is down to the block level. Chair Perez said that the commission would have to purchase the product, and he is unsure about the confidence level in the data.
- 01:42:15 PM Chair Perez said that waiting until August 16 to use the legacy census data to draw the preliminary maps is not feasible. Jessika Shipley, Independent Redistricting Commissions Staff, commented on the timeframes to load data into the mapping software and for staff to draw maps. She discussed the differences between using the ArcGIS tool versus the Redistricting tool, and commented that the Redistricting tool makes it possible for members of the public to draw maps. Commissioner Horvath noted that the preliminary maps would be drawn on 2010 data, and Commissioner Perez commented on alternative dataset A. Mr. Pino commented on how the incorporation of address data may help increase confidence in the use of alternative dataset A.
- 01:52:48 PM Mr. Pino commented on his methodology for using the data. Ms. Shipley noted that staff is recommending alternative dataset A and stated that the staff could deliver a preliminary map by June 28 using the methodology. Commissioner O'Leary asked how the approach would work with the federal Voting Rights Act requirements, and Mr. Pino responded.
- 02:04:55 PM Chair Perez described the next steps, and stated that he would write a memo to staff directing them to use alternative dataset A to draw the preliminary map. Commissioner Horvath noted that the quantitative methods committee supports using alternative dataset A.



02:05:09 PM Motion Use alternative dataset A to draw the preliminary map (second by Barnett)
 Moved Samuel Greenidge
 Seconded

Hunter
 Barnett
 Heather
 Barry
 John
 Buckley
 Samuel
 Greenidge
 Constance
 Hass
 Gary
 Horvath
 Aislinn
 Kottwitz
 Amber
 McReynolds
 Blanca
 Uzeta
 O'Leary
 Robin
 Schepper
 Kevin
 Fletcher
 Carlos
 Perez

YES: 0 NO: 0 EXC: 0 ABS: 0 FINAL ACTION: Pass Without Objection

Subcommittee Reports - Subcommittee Authorized to work with Counsel

- 02:05:43 PM The Outside Legal Counsel and Legislative Affairs Subcommittee asked for discussion related to Senate Bill 21-247 and the interrogatories submitted by the General Assembly to the Colorado Supreme Court. Commissioner Buckley expressed concerns regarding the General Assembly's actions. Mr. Barry asked how the commission's outside counsel will receive direction from the commission. He explained the timeline for filing briefs and arguments on the interrogatories.
- 02:11:39 PM Chair Perez discussed the language of Senate Bill 21-247 and the commission's position on the bill. Commissioner Buckley commented on the bill and said that the commission should not support the bill any longer. Chair Perez stated that because the interrogatories are before the Supreme Court, the commission could take a position on the bill at a later date. Commissioner Kottwitz asked about the possibility of the legislature passing a resolution, and Mr. Barry clarified the process. Commission discussion continued.
- 02:27:55 PM Commissioner Kottwitz returned to the discussion about whether the Outside Legal Counsel and Legislative Affairs Subcommittee and Chair Perez are authorized to make decisions with outside counsel on behalf of the full commission. Mr. Barry shared the language of the interrogatories and discussed the issues involved.
- 02:38:25 PM The committee discussed other avenues to submit interrogatories to the Colorado Supreme Court. Mr. Barry returned to a discussion of how to give direction to the commission's outside counsel regarding briefs and oral arguments on the interrogatories. The commission added Commissioner Fletcher to as a member of the Outside Legal Counsel and Legislative Affairs Subcommittee.



02:52:04 PM Move that the commission give authority to the Outside Legal Counsel and Legislative Affairs Subcommittee and the chair to work with outside counsel to craft a response to the interrogatories to the Colorado Supreme Court (seconded by Uzeta O'Leary).

Motion

Moved Aislinn Kottwitz

Seconded

Hunter

Barnett

Heather

Barry

John

Buckley

Samuel

Greenidge

Constance

Hass

Gary

Horvath

Aislinn

Kottwitz

Amber

McReynolds

Blanca

Uzeta

O'Leary

Robin

Schepper

Kevin

Fletcher

Carlos

Perez

YES: 0 NO: 0 EXC: 0 ABS: 0 FINAL ACTION: Pass Without Objection

02:52:05 PM Commissioner Schepper gave a report from the Public Comment and Outreach Subcommittee, and discussed a memo that the subcommittee drafted on the issue. She discussed the public hearing location recommendations for each congressional district. Commissioners commented on the proposed locations. Commissioner Schepper commented on the Congressional Redistricting Commission's public hearing process, and Ms. Shipley responded. Commissioner Schepper said she would reach out to the Congressional Redistricting Commission to coordinate schedules.

03:05:06 PM The commission recessed briefly.

Commissioner Communications - Committee Discussion Only

03:15:49 PM The commission reconvened. Commissioners Kottwitz, Buckley, Uzeta O'Leary, and Schepper shared comments.

Topics for Future Meetings - Committee Discussion Only

03:38:10 PM Commissioner Barnett discussed a request from Reasonable Districts Colorado to present to the commission at a future meeting.

03:39:14 PM Ms. Shipley commented on the possibility of the commission developing a policy to govern which organization are invited to present to the commission. Commissioner Barnett discussed the letter Reasonable Districts Colorado provided to the commission.

03:46:20 PM Chair Perez noted that the future agenda item on "necessary census data" was decided by the commission's earlier vote, and he removed the item from future meeting agendas.

03:46:58 PM The commission discussed adding a presentation on redistricting criteria to a future meeting.

03:49:17 PM The committee adjourned.

