

MINUTES

LANCASTER CITY COUNCIL MEETING OF OCTOBER 3, 2011

The City Council of the City of Lancaster, Texas, met in Special session in the Council Chambers of City Hall on October 3, 2011 at 7:00 p.m. with a quorum present to-wit:

Councilmembers Present:

Mayor Marcus E. Knight
 Walter Weaver
 Stanley Jaglowski
 Marco Mejia
 Mayor Pro Tem Clyde Hairston
 Deputy Mayor Pro Tem Nina Morris

Councilmember Absent:

James Daniels

City Staff Present:

Opal Mauldin Robertson, City Manager
 Alicia Oyedele, Assistant to the City Manager
 Angie Arenas, Assistant City Secretary
 Dolle Downe, City Secretary

Call to Order:

Mayor Knight called the meeting to order at 7:00 p.m. on October 3, 2011.

- 1 **Receive a presentation from Bickerstaff Heath Delgado Acosta LLP and conduct a Public Hearing on the proposed City Council redistricting plan [Illustrative Plan 1].**

Recibir una presentación de Bickerstaff Heath Delgado Acosta LLP y llevar a cabo una audiencia pública sobre la propuesta de redistribución de distritos del Consejo de la Ciudad [Plan Indicativo 1].

2. **Discuss the proposed City Council redistricting plan [Illustrative Plan 1] and provide direction to Bickerstaff Heath Delgado Acosta LLP regarding the proposed plan, if any.**

Discutir la propuesta de plan de redistribución del Consejo de la Ciudad [Plan Indicativo 1] y proporcionar orientación a Bickerstaff Heath Delgado Acosta LLP en relación con el plan propuesto, en su caso.

John Long with Bickerstaff Heath Delgado Acosta LLP commented that Bickerstaff is the outside law firm assisting the City Council with redistricting and that the purpose of the meeting is to receive public comment regarding the proposed redistricting plan. Mr. Long preceded the public hearing with a brief presentation regarding the redistricting process and legal standards. He noted that information was available both at this public hearing and on the City's website including: 1. Illustrative Plan 1 [proposed redistricting plan]; 2. Summary of 2010 Census data for the Illustrative Plan 1; 3. Public hearing notice; 4. Resolution 2011-07-61 [criteria for redistricting]; 5. Resolution 2011-07-62 [guidelines for redistricting plan submissions]; and 6. Summary sheet for the City of Lancaster Redistricting 2011.

Mr. Long noted there is a sign-in sheet for those wishing to make comments, as well as a Public Hearing Comment form for oral and written comments, requesting that all comments be submitted in writing. Mr. Long stated that for purposes of the public hearing, councilmembers are observers and in general, will not make comments.

Mr. Long explained that the City's Initial Assessment Benchmark data from the 2010 Census indicated a deviation in all districts with population growth of approximately 40.28% (from 25,894 on April 1, 2000 to 36,323 on April 1, 2010). The ideal City councilmember district should now contain about 6,054 persons (total population divided by 6 districts).

In order to obtain the necessary preclearance from the Department of Justice (DOJ), Mr. Long indicated the City must show that adoption of the redistricting plan presents no discriminatory purpose (denying or abridging the right to vote) or retrogressive effect (whether a proposed plan reduces minority voter's ability to elect a candidate of their choice). Mr. Long stated that Section 2 of the Voting Rights Act prohibits election practices that discriminate on the basis of race or language minority status, emphasizing the need to avoid "cracking or fracturing" (dividing a geographically compact group of minority voters to fragment their voting power) and "packing" (concentrating minority voters in a single district when dividing them would permit the group to elect their candidates of choice in more than one district).

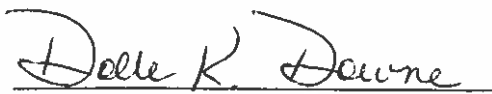
Mr. Long indicated that Council districts 1, 2, 3 and 6 are all under populated; district 4 is overpopulated and district 5 is near ideal. In accordance with the criteria and guidelines set by Council Resolutions 2011-07-61 and 2011-07-62 respectively and in individual meetings with councilmembers, Bickerstaff formulated the proposed redistricting plan (Illustrative Plan 1).

Mr. Long reviewed the proposed redistricting plan noting that the total African American population decreases from the benchmark of 45.62% to 41.27% in district 1 and from the benchmark of 84.45% to 69.89% in district 6. There are changes of 2% to 4% in the other four districts. Mr. Long stated the total Hispanic population went up slightly from the benchmark in districts 1 and 2, and up from the benchmark of 9.86% to 23.31% in district 6. Districts 3, 4 and 5 decrease from the benchmarks of 21.89%, 18.92% and 11.21% to 18.41%, 9.22% and 9.38% respectively.

Mayor Knight opened the public hearing.

Melissa Carson, court reporter, prepared the attached transcript [29 pages] for the public hearing and the remainder of the City Council meeting.

ATTEST:


Dolle K. Downe, City Secretary

APPROVED:


Marcus E. Knight, Mayor

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

SPECIAL MEETING
OF THE
LANCASTER CITY COUNCIL
Held at the
Municipal Center, City Council Chambers
211 North Henry Street
Lancaster, Texas

On
Monday, October 3, 2011 at 7:00 P.M.

COUNCILMEMBERS:

- Marcus E. Knight, Mayor
- Clyde C. Hairston, Mayor Pro Tem
- Nina Morris, Deputy Mayor Pro Tem
- Walter Weaver, Councilmember District 1
- Stanley M. Jaglowski, Councilmember District 2
- Marco Mejia, Councilmember District 3
- James Daniels, Councilmember District 4
- Opal Mauldin Robertson, City Manager
- Dolle Downe, City Secretary

Taken By:
Melissa J. Carson, CSR

ORIGINAL

P R O C E E D I N G S

07:00PM 1
07:00PM 2 MAYOR KNIGHT: Good evening. The
07:00PM 3 Special Meeting of the Lancaster City Council is called
07:00PM 4 to order at 7:00 p.m. on Monday, October 3rd, 2011, in
07:00PM 5 accordance with the Texas Openning Meetings Act and the
07:00PM 6 Lancaster Home Rule Charter, Article 363.10.

07:00PM 7 Couple of things. Councilman Daniels has
07:00PM 8 had a death in the family, so he will not be here this
07:00PM 9 evening and potentially some other upcoming meetings,
07:00PM 10 so we want to keep him in our -- in our thoughts and
07:00PM 11 prayers.

07:00PM 12 I'm sure our Manager is here somewhere,
07:00PM 13 but we will -- we'll go ahead and proceed with our
07:00PM 14 first order of business, which is to receive a
07:00PM 15 presentation from Bickerstaff, Heath, Delgado, Acosta,
07:01PM 16 LLP, and conduct a public hearing on proposed City
07:01PM 17 Council Redistricting Plan, otherwise known as
07:01PM 18 Illustrative Plan Number One. So I will -- I'll turn
07:01PM 19 it over to John Long and John --

07:01PM 20 MR. LONG: Okay.

07:01PM 21 MAYOR KNIGHT: -- if you will conduct our
07:01PM 22 presentation and then we'll open the public hearings.

07:01PM 23 MR. LONG: Glad to do that. Thank you.

07:01PM 24 (Presentation by Mr. Long from 7:01 to
07:18PM 25 7:18 p.m.)

07:18PM 1 MR. LONG: With that I will call Vic
07:18PM 2 Buchanon. Mr. Buchanon.

07:18PM 3 MAYOR KNIGHT: Just as a reminder to all
07:19PM 4 of our speakers, if you will state your name and
07:19PM 5 address for the record.

07:19PM 6 MR. BUCHANON: Vic Buchanon, 1243
07:19PM 7 Margaret Court.

07:19PM 8 Mayor and City Council, I'm kind of
07:19PM 9 confused by some of the numbers that was just presented
07:19PM 10 by the gentleman, because I have a preliminary
07:19PM 11 demographic report from the census from 2000 and some
07:19PM 12 of the numbers that he quoted do not reflect on this
07:19PM 13 particular report. So I don't know what numbers he is
07:19PM 14 quoting from or what the difference is. So you know,
07:19PM 15 I -- I think we need to get something straight there,
07:19PM 16 first of all, see what's right and what -- where he's
07:19PM 17 pulling his numbers from.

07:19PM 18 Second -- second of all, when you mention
07:19PM 19 District 6, there's a substantial decrease in the
07:19PM 20 African American population in District 6 and that is
07:20PM 21 only caused by taking away part of the district to the
07:20PM 22 south and then adding a part of the -- adding a new
07:20PM 23 portion to the district to the north. Had District 6
07:20PM 24 remained as it was and then just add population by
07:20PM 25 census tracks, I do not think you would have the -- the

07:20PM 1 deviation in the demographics. I think that they would
07:20PM 2 be quite different.

07:20PM 3 When you look at this, as he stated, you
07:20PM 4 have three districts that have substantial increase in
07:20PM 5 African American population; while District 6 has
07:20PM 6 substantially decreased and it's about 15 percent,
07:20PM 7 which is more than the 10 percent that the Justice
07:20PM 8 Department usually uses as a guideline with variations
07:20PM 9 and deviations in percentages in districts in terms of
07:20PM 10 its change in demographics and population.

07:21PM 11 So I think that someone needs to go back
07:21PM 12 and really look at census tracks and not look at the
07:21PM 13 wishes of particular City Councilmembers, because
07:21PM 14 redistricting has nothing to do with the wants and
07:21PM 15 desires of the City Councilmembers. It has everything
07:21PM 16 to do with how the population of this city has grown
07:21PM 17 and how you come out to providing equal districts as
07:21PM 18 much as possible.

07:21PM 19 The other thing is is that if the ideal
07:21PM 20 target is -- is 6054 individual citizens, we have three
07:21PM 21 districts that are substantially under that; while we
07:21PM 22 have three districts that are substantially a little
07:21PM 23 bit more than that. And I think that could be balanced
07:21PM 24 out again more by going back and looking at census
07:21PM 25 tracks in terms of population, as opposed to dealing

07:22PM 1 with, you know, I'm going to talk to each individual
07:22PM 2 Councilmember and we're going to kind of divide it up
07:22PM 3 to their liking, because that's not what -- that's not
07:22PM 4 what this is about.

07:22PM 5 I spoke with two individuals at the
07:22PM 6 Justice Department today and of course they're not
07:22PM 7 going to give you an opinion on anything that is in
07:22PM 8 progress, but as I related to them what I saw in these
07:22PM 9 documents, they did have concerns. And they're not
07:22PM 10 going to say again, they're never going to say anything
07:22PM 11 one way or another in any kind of preliminary
07:22PM 12 situation, but there are still concerns, particularly
07:22PM 13 in terms of how these districts are drawn about.

07:22PM 14 I would ask that you go back to the
07:22PM 15 drawing boards and come up with some equitable
07:22PM 16 districts based on census tracks, based on population
07:22PM 17 growth, and based on keeping these districts as near as
07:22PM 18 possible to what was presented in the 2000
07:23PM 19 redistricting plan. I'm not saying that you're going
07:23PM 20 to come out and get anything perfect, but I think you
07:23PM 21 could come out with a lot better than what was --
07:23PM 22 what's being presented here tonight.

07:23PM 23 Thank you.

07:23PM 24 MR. LONG: The next person is Ray
07:23PM 25 Williams.

07:23PM 1 MR. WILLIAMS: I was just signing up,
07:23PM 2 she told me just in case you had a question. I'm -- I
07:23PM 3 didn't come prepared to speak.

07:23PM 4 MR. LONG: Okay. You don't wish to
07:23PM 5 speak. Let me check outside and see who else we have
07:23PM 6 signed up. Nancy Moffett.

07:24PM 7 MS. MOFFETT: Nancy Moffett, my
07:24PM 8 Lancaster address is 2105 North Houston School Road.

07:24PM 9 I know that each one of you take this job
07:24PM 10 very seriously, as we citizens also assume that you do,
07:24PM 11 and sometimes we get kind of in a groove and it's hard
07:24PM 12 to get out of it and maybe that's the position that I'm
07:24PM 13 taking tonight. However, I've always observed, since
07:24PM 14 we've had single member districts in this town and I've
07:24PM 15 been here that long to be able to tell you that, that
07:24PM 16 the people who represent us are generally the closest
07:25PM 17 to the area that may be developing.

07:25PM 18 And consequently in District 4, north of
07:25PM 19 Wintergreen is a very volatile area in terms of the
07:25PM 20 future development with trucks and other issues. And
07:25PM 21 the people who are being impacted the greatest are
07:25PM 22 those persons who live north of Pleasant Run and would
07:25PM 23 be affected; therefore, I'm a little bit -- I live just
07:25PM 24 south of -- my property is just south of West
07:25PM 25 Wintergreen there.

07:25PM 1 I don't mind coming out and you can take
07:25PM 2 the apartments out and give them to Stanley, that's
07:25PM 3 fine, but the other area that is the industrial zoning
07:26PM 4 at 20 and Houston -- and 35, I believe should be under
07:26PM 5 the leadership of the Councilperson who is within that
07:26PM 6 boundary. And north of West Wintergreen there is very
07:26PM 7 little population. Very little population. It is
07:26PM 8 transitioning out, the houses are coming down and so
07:26PM 9 therefore I do not believe it will impact those numbers
07:26PM 10 significantly and some of Mr. Daniels' numbers are
07:26PM 11 still off somewhat in terms of some of the other
07:26PM 12 districts. That would be an area that I wish that you
07:26PM 13 would look at.

07:26PM 14 I'm sure that Mr. Jaglowski can handle
07:26PM 15 it, but it -- it's still a situation where I believe
07:26PM 16 that the people in that area that will have to deal
07:26PM 17 with whatever is developed in that area would be best
07:27PM 18 to serve that area.

07:27PM 19 I've also noticed as I've gone down this
07:27PM 20 journey, most of the Councilpersons who are north of
07:27PM 21 Pleasant Run have a tendency, not speaking about any of
07:27PM 22 you, have a tendency to forget about us on the north
07:27PM 23 end and that is another issue that I think that is
07:27PM 24 something that just generally happens. I don't care if
07:27PM 25 it's Lancaster or Dallas. So that is another concern

07:27PM 1 that I have.

07:27PM 2 And I appreciate your due diligence on
07:27PM 3 this and this public hearing so we can begin to get
07:27PM 4 involved. I know that each of you have had an
07:27PM 5 opportunity to speak to our leader here who's going to
07:27PM 6 set this plan in motion for ten years, but we the
07:27PM 7 public has not had such an opportunity.

07:27PM 8 Thank you, Mayor.

07:27PM 9 MAYOR KNIGHT: Go ahead, Mr. Long.

07:27PM 10 MR. LONG: I have the sign-in sheet and
07:28PM 11 other persons signed in, but we did not have other
07:28PM 12 persons that had indicated that they wanted to speak,
07:28PM 13 but I will open it. Did anyone sign this and want to
07:28PM 14 speak that has not been called yet? Okay.

07:28PM 15 One thing I did want to briefly address
07:28PM 16 just as a point of clarification. There was mention
07:28PM 17 made of the 10 percent rule and so that the numbers are
07:28PM 18 that -- that I've read numbers, we've discussed a lot
07:28PM 19 of numbers. The 10 percent rule is important in terms
07:28PM 20 of the big consideration of the complete population of
07:28PM 21 the largest to smallest district and that's where the
07:28PM 22 10 percent number applies.

07:28PM 23 If, for example, from -- from one plan to
07:28PM 24 another there's a drop in the Anglo community, the
07:28PM 25 African American community, or Hispanic community, I

07:29PM 1 won't say that does not matter, but that's not
07:29PM 2 something the Department of Justice looks at, except to
07:29PM 3 the extent that it would affect the civil rights, it
07:29PM 4 would affect the ability of the population group to be
07:29PM 5 able to elect a candidate of their choice.

07:29PM 6 And so in consideration of District 6,
07:29PM 7 which I think had the drop of about 15 percent in
07:29PM 8 population, it dropped from, I think, about 83 or 84
07:29PM 9 percent to about 69 percent and the number is still
07:29PM 10 well above 50 percent and still is a majority African
07:29PM 11 American district. And -- and the fact that it drops
07:29PM 12 15 percent will not subject it to any scrutiny on its
07:29PM 13 face.

07:29PM 14 That being said --

07:29PM 15 MAYOR KNIGHT: Yeah, I think considering
07:29PM 16 there -- there are no other people in the audience that
07:29PM 17 have a desire to speak, that would -- that would
07:29PM 18 necessitate a motion to close the public hearing.

07:29PM 19 MS. MORRIS: I move to close the public
07:30PM 20 hearing.

07:30PM 21 MR. HAIRSTON: Second.

07:30PM 22 MAYOR KNIGHT: So it was a motion made
07:30PM 23 by Deputy Mayor Pro Tem Morris and a second by Mayor
07:30PM 24 Pro Tem Hairston to close the public hearing at this
07:30PM 25 time. All those in favor, please signify by saying

07:30PM 1 aye.

07:30PM 2 COUNCILMEMBERS: Aye.

07:30PM 3 MAYOR KNIGHT: Any opposed? Okay.

07:30PM 4 Motion passes unanimously.

07:30PM 5 So the companion item, John, is that we

07:30PM 6 have the opportunity to discuss as a body questions

07:30PM 7 that were raised during public hearing comment

07:30PM 8 portion --

07:30PM 9 MR. LONG: Okay.

07:30PM 10 MAYOR KNIGHT: -- of the meeting and I

07:30PM 11 think for -- for purposes of clarification, there was a

07:30PM 12 question raised as to baseline numbers as relates to

07:30PM 13 the data from the 2000 census versus the data from 2010

07:30PM 14 census, so would you speak to clarify for those --

07:30PM 15 MR. LONG: Yes, sir.

07:30PM 16 MAYOR KNIGHT: -- in the audience on that

07:30PM 17 matter?

07:30PM 18 MR. LONG: The redistricting is done

07:30PM 19 according to where we stand in the 2010 census and so

07:31PM 20 the -- the districts that you have now, and I'll show a

07:31PM 21 color map that was part of our preliminary report. Let

07:31PM 22 me find it.

07:31PM 23 This is, as -- as the Council knows is --

07:31PM 24 is a map of -- of where things stood in 2001, in 2001

07:31PM 25 rather, and it was based on the 2000 census. The

07:31PM 1 analysis that we do is taking the numbers from the 2010
07:31PM 2 census, as we're required to do, and then working the
07:31PM 3 math on that and then we look at the districts that
07:31PM 4 were drawn ten years ago and see how that fits. And
07:31PM 5 based on that from the preliminary report, that's where
07:31PM 6 we came up with the overpopulation in -- in one
07:32PM 7 district and -- and the significant underpopulation in
07:32PM 8 several other districts. So that's the number that we
07:32PM 9 use.

07:32PM 10 And -- and no disrespect now, but we
07:32PM 11 don't even look back to the year 2000 except that's how
07:32PM 12 the districts were drawn then and we have to fix it as
07:32PM 13 of 2010, rather than 2000. Does that answer your
07:32PM 14 question?

07:32PM 15 MAYOR KNIGHT: Yes. Yes, sir.

07:32PM 16 MR. LONG: Okay.

07:32PM 17 MAYOR KNIGHT: Council, any other points
07:32PM 18 that you-all think need to be clarified based on what
07:32PM 19 you've heard from the public comments portion?

07:32PM 20 MS. MORRIS: I have. The District 6
07:32PM 21 majority African American, by what percentage is it
07:32PM 22 leading with African Americans versus in 2000, do you
07:32PM 23 know?

07:32PM 24 MR. LONG: Compared to 2000?

07:32PM 25 MS. MORRIS: Yes, with the growth since

07:33PM 1 then.

07:33PM 2 MR. LONG: We may have that in one of
07:33PM 3 our tables from the preliminary assessment. I don't
07:33PM 4 know, off the top of my head, but I can...

07:33PM 5 MAYOR KNIGHT: I don't know -- I don't
07:33PM 6 recall that the document you're looking at, John, was
07:33PM 7 presented to Council. I -- I don't think --

07:33PM 8 MR. LONG: That there's any reference to
07:33PM 9 the --

07:33PM 10 MAYOR KNIGHT: -- there's reference --

07:33PM 11 MR. LONG: -- 2000 --

07:33PM 12 MAYOR KNIGHT: I don't think there's --

07:33PM 13 MR. LONG: -- census.

07:33PM 14 MAYOR KNIGHT: -- reference to the 2000
07:33PM 15 census.

07:33PM 16 MR. LONG: We -- we may have it
07:33PM 17 somewhere. I don't -- I don't see it in -- in -- in
07:33PM 18 this document, so I can't tell you what it was in 2000.
07:33PM 19 I could get that information for you.

07:33PM 20 MS. MORRIS: Okay.

07:33PM 21 MAYOR KNIGHT: So specifically you --
07:33PM 22 you want to know --

07:33PM 23 MS. MORRIS: I want to know the
07:33PM 24 comparison from then to now with the growth that -- the
07:33PM 25 current growth that we have, really how much has it

07:33PM 1 changed, the African American community versus then
07:33PM 2 with our current growth.

07:34PM 3 MAYOR KNIGHT: In District 6?

07:34PM 4 MS. MORRIS: In District 6.

07:34PM 5 MR. LONG: In District 6. Okay. I'll
07:34PM 6 try and obtain that by tomorrow and send something to
07:34PM 7 you.

07:34PM 8 MS. MORRIS: Thank you.

07:34PM 9 MR. LONG: Okay.

07:34PM 10 MAYOR KNIGHT: Okay. Any other
07:34PM 11 questions for Mr. Long, Council?

07:34PM 12 MR. HAIRSTON: Can we ask a question
07:34PM 13 about the maps? The maps?

07:34PM 14 MAYOR KNIGHT: Yes, this would be the
07:34PM 15 time to ask.

07:34PM 16 MR. HAIRSTON: Okay. I wasn't sure if
07:34PM 17 it was one where we discussed that. The maps --

07:34PM 18 MR. LONG: Yes.

07:34PM 19 MR. HAIRSTON: -- the City -- City of
07:34PM 20 Lancaster draft plan one.

07:34PM 21 MR. LONG: Yes, sir.

07:34PM 22 MR. HAIRSTON: Is that the map that we
07:34PM 23 adopted?

07:34PM 24 MR. LONG: The one that the -- the
07:34PM 25 Council adopted was --

07:34PM 1 MR. HAIRSTON: Was it the --

07:34PM 2 MR. LONG: -- was titled City of

07:34PM 3 Lancaster Illustrative Plan 1 --

07:34PM 4 MR. HAIRSTON: Okay.

07:34PM 5 MR. LONG: -- and -- and all --

07:34PM 6 MS. DOWNE: It was actually titled Draft

07:34PM 7 Plan 2 Revised.

07:34PM 8 MR. LONG: Yes. In -- in terms --

07:34PM 9 MR. HAIRSTON: For the --

07:34PM 10 MS. DOWNE: That's the one that City

07:34PM 11 Council adopted at the meeting.

07:35PM 12 MR. LONG: If I may explain the

07:35PM 13 confusion and the confusion is -- is --

07:35PM 14 MR. HAIRSTON: Yes, because it is to me,

07:35PM 15 that's what -- because I'm looking at this and I

07:35PM 16 thought this was the plan that we drafted compared to

07:35PM 17 this one here. Now, I'm -- just for clarification,

07:35PM 18 that's -- that's what I --

07:35PM 19 MR. LONG: Here -- here's --

07:35PM 20 MR. HAIRSTON: -- established.

07:35PM 21 MR. LONG: There -- there's no legal

07:35PM 22 distinction between the words, it's for convenience of

07:35PM 23 our firm. Within our firm we refer to a draft plan as

07:35PM 24 something that we drafted and perhaps the client has

07:35PM 25 not seen, but the public has not seen. Then once it

07:35PM 1 goes to the public to signify internally that it's gone
07:35PM 2 public, so to speak, we call it Illustrative Plan 1 or
07:35PM 3 Illustrative Plan 2 or whatever the number may be.

07:35PM 4 And so as a result, we may present a
07:35PM 5 draft plan to you and the moment it's presented, we'll
07:35PM 6 start calling it Illustrative Plan 1 or 2 or whatever
07:35PM 7 number, however many we present. So I think it was
07:36PM 8 called Draft Plan 2 Revised when it's presented and
07:36PM 9 y'all adopted it as Illustrative Plan 1. That is one
07:36PM 10 in the same. It's simply our -- it goes from our
07:36PM 11 internal designation to a public designation. We
07:36PM 12 didn't change the map any.

07:36PM 13 MR. HAIRSTON: I guess what I was
07:36PM 14 looking at, when we revised -- I mean, when we
07:36PM 15 adopted --

07:36PM 16 MR. LONG: Yes.

07:36PM 17 MR. HAIRSTON: -- I'm looking at plan 1
07:36PM 18 instead of the Draft Plan 2 revised.

07:36PM 19 MS. MORRIS: Plan 1 was not --

07:36PM 20 MR. HAIRSTON: Well, I'm just saying
07:36PM 21 what I'm -- what I'm looking at when -- when the
07:36PM 22 decision was made. And then I see the two maps
07:36PM 23 together and I --

07:36PM 24 MR. LONG: Can -- can I --

07:36PM 25 MR. HAIRSTON: -- I just --

07:36PM 1 MR. LONG: -- can I see what you're --

07:36PM 2 MR. HAIRSTON: Right here. See this 5 --

07:36PM 3 MR. LONG: Okay.

07:36PM 4 MR. HAIRSTON: It's the same map here.

07:36PM 5 MR. LONG: The -- the --

07:36PM 6 (Everyone talks simultaneously.)

07:36PM 7 MAYOR KNIGHT: It's the same map.

07:36PM 8 MR. HAIRSTON: You see the difference?

07:37PM 9 MR. LONG: Draft Plan 1 would have been

07:37PM 10 the document that our firm drew up and was not

07:37PM 11 submitted to the -- to the City.

07:37PM 12 MR. HAIRSTON: Oh.

07:37PM 13 MR. LONG: Draft Plan 2 --

07:37PM 14 MR. MEJIA: That was submitted.

07:37PM 15 MR. LONG: This -- this one was the one

07:37PM 16 that was submitted and was reviewed in --

07:37PM 17 MAYOR KNIGHT: Draft Plan 2 is the one

07:37PM 18 that Council --

07:37PM 19 MR. HAIRSTON: Oh, this one here?

07:37PM 20 MAYOR KNIGHT: -- considered.

07:37PM 21 MR. LONG: That's right.

07:37PM 22 MR. HAIRSTON: This is the one we have?

07:37PM 23 MR. LONG: That's right.

07:37PM 24 MR. HAIRSTON: Okay.

07:37PM 25 MR. LONG: Draft Plan 2 Revised became

07:37PM 1 Illustrative Plan 1. The -- the other plan was
07:37PM 2 something that within our firm we were working
07:37PM 3 through --

07:37PM 4 MR. HAIRSTON: Okay. Well, that's --
07:37PM 5 that's what threw me off.

07:37PM 6 MR. LONG: -- and -- and -- and we
07:37PM 7 thought that Draft Plan 2 Revised was --

07:37PM 8 MR. HAIRSTON: Okay.

07:37PM 9 MR. LONG: -- was perhaps a better plan,
07:37PM 10 so --

07:37PM 11 MR. HAIRSTON: I --

07:37PM 12 MR. LONG: -- I'm sorry for the
07:37PM 13 confusion.

07:37PM 14 MR. HAIRSTON: That's what threw me off
07:37PM 15 was the --

07:37PM 16 MR. LONG: It -- it is confusing. It --

07:37PM 17 MR. HAIRSTON: Okay.

07:37PM 18 MR. LONG: -- it's confusing to us till
07:37PM 19 we realized --

07:37PM 20 MR. HAIRSTON: All right. Thank you.

07:37PM 21 MR. LONG: You bet.

07:37PM 22 MAYOR KNIGHT: So to be clear,
07:37PM 23 there's -- there has only been one map that has been --
07:37PM 24 or map/illustrative plan that has been put before this
07:38PM 25 body for consideration.

07:38PM 1 MR. LONG: That's correct.

07:38PM 2 MAYOR KNIGHT: And this is, in fact,
07:38PM 3 what you have on display here is representative of what
07:38PM 4 the county has had to consider.

07:38PM 5 MR. LONG: That's correct.

07:38PM 6 MAYOR KNIGHT: So at this point in time,
07:38PM 7 there is only one plan that Council has for
07:38PM 8 consideration. Now --

07:38PM 9 MR. LONG: That's correct.

07:38PM 10 MAYOR KNIGHT: -- that being the case,
07:38PM 11 there is an option for an individual to submit a --
07:38PM 12 a -- a separate plan for this body to consider.

07:38PM 13 MR. LONG: That's correct.

07:38PM 14 MAYOR KNIGHT: And there are criteria
07:38PM 15 laid out in the resolution that you reference, which we
07:38PM 16 can certainly make sure everyone has access to to
07:38PM 17 understand what the process is to present another plan
07:38PM 18 for consideration by this body.

07:38PM 19 MR. LONG: That's correct. It doesn't
07:38PM 20 have to be in color, but it would have to include all
07:38PM 21 the districts. It would have to break down the
07:38PM 22 population and it would have to fall under the 10
07:38PM 23 percent.

07:38PM 24 MAYOR KNIGHT: Sure.

07:39PM 25 MR. LONG: So...

07:39PM 1 MR. HAIRSTON: So, you know, why was
07:39PM 2 this map presented? Tonight I'm talking about, I mean,
07:39PM 3 in the package.

07:39PM 4 MR. LONG: There --

07:39PM 5 MR. HAIRSTON: This was the only map.
07:39PM 6 I'm just trying to get a --

07:39PM 7 MAYOR KNIGHT: Again, there was a request
07:39PM 8 under open records of the first map that we discussed,
07:39PM 9 right?

07:39PM 10 MR. HAIRSTON: This one right here --

07:39PM 11 MR. LONG: Yes, because of our --
07:39PM 12 because of our numbering, because of our firm's
07:39PM 13 numbering.

07:39PM 14 MAYOR KNIGHT: So to be clear --

07:39PM 15 MR. HAIRSTON: Okay. That's what I
07:39PM 16 wanted to know.

07:39PM 17 MAYOR KNIGHT: -- there -- there was --
07:39PM 18 it was -- it was recognized at the -- the last Council
07:39PM 19 meeting where we had the presentation that there was a
07:39PM 20 difference in the descriptor of the maps.

07:39PM 21 MR. HAIRSTON: Okay.

07:39PM 22 MAYOR KNIGHT: As a result of that, an
07:39PM 23 open records request was made and a response was
07:39PM 24 provided by our -- John and his firm explaining the
07:39PM 25 difference between the internal document that they use,

07:39PM 1 which they refer to as a draft, and the document that
07:39PM 2 was presented to this body, which is referred to as an
07:40PM 3 illustrative plan.

07:40PM 4 So in fact, it's the same map, has always
07:40PM 5 been the same map, but there was a memo sent to this
07:40PM 6 body, basis the open records request, to clarify that
07:40PM 7 it's always been the same map and you essentially have
07:40PM 8 an internal descriptor for the document used by the
07:40PM 9 legal firm versus the plan for consideration, which has
07:40PM 10 another designation; i.e., illustrative plan. Does
07:40PM 11 that -- does that clarify for you and for everyone in
07:40PM 12 the audience?

07:40PM 13 MR. HAIRSTON: Since you put it like
07:40PM 14 that, I guess it --

07:40PM 15 (Everyone speaks simultaneously.)

07:40PM 16 MAYOR KNIGHT: I just want to --

07:40PM 17 MR. HAIRSTON: I hate to be --

07:40PM 18 MAYOR KNIGHT: No, it's important that --

07:40PM 19 MR. HAIRSTON: -- repeating myself, it's
07:40PM 20 just that I guess what I heard, and what have you, and
07:40PM 21 what I thought as far as District 5 is concerned, that
07:40PM 22 this was the map. Now, I --

07:40PM 23 MAYOR KNIGHT: That is the map.

07:40PM 24 MR. LONG: The -- what -- the map --

07:41PM 25 MR. HAIRSTON: -- because --

07:41PM 1 MR. LONG: -- the map that is before you
07:41PM 2 as Illustrative Plan 1 is the same as --
07:41PM 3 MAYOR KNIGHT: The same --
07:41PM 4 MR. LONG: -- Draft Plan 2 Revised,
07:41PM 5 that's correct. And the first page is something that
07:41PM 6 the Council has not seen or has been submitted until
07:41PM 7 now and that's because that's something that -- that --
07:41PM 8 that our firm just worked the map on and we looked at
07:41PM 9 it and then we drew up another map, which was Draft
07:41PM 10 Plan 2 Revised and -- and we thought the numbers were
07:41PM 11 better, that -- that it made --
07:41PM 12 MR. HAIRSTON: This one here --
07:41PM 13 MR. LONG: -- a little bit more sense.
07:41PM 14 MR. HAIRSTON: -- is better; is this what
07:41PM 15 you're saying?
07:41PM 16 MR. LONG: Oh, we can --
07:41PM 17 MR. HAIRSTON: I'm just trying to get an
07:41PM 18 understanding.
07:41PM 19 MR. LONG: It's completely up to the
07:41PM 20 Council, but --
07:41PM 21 MR. HAIRSTON: I know.
07:41PM 22 MR. LONG: -- but we -- we drew both
07:41PM 23 maps.
07:41PM 24 MR. HAIRSTON: Yeah, I know you did
07:41PM 25 that.

07:41PM 1 MR. LONG: But -- but Draft Plan 1 is
07:41PM 2 something we sat around on a Saturday and figured out,
07:41PM 3 then we --

07:41PM 4 MR. HAIRSTON: This one here?

07:41PM 5 MR. LONG: -- said -- that's correct.

07:41PM 6 And we did not show that at the last meeting. We
07:41PM 7 showed the other map because we thought it was -- it
07:41PM 8 was a better reflection of the different comments we'd
07:42PM 9 heard.

07:42PM 10 MR. HAIRSTON: Now, I'm just going to be
07:42PM 11 upfront here with you --

07:42PM 12 MR. LONG: Okay.

07:42PM 13 MR. HAIRSTON: -- because if I had the
07:42PM 14 choice of maps, all right, I would choose this one
07:42PM 15 here, you just -- you -- this extra map that you just
07:42PM 16 presented.

07:42PM 17 MR. LONG: Okay.

07:42PM 18 MR. HAIRSTON: If I had a choice.

07:42PM 19 MR. LONG: Okay.

07:42PM 20 MR. HAIRSTON: Because this is the only
07:42PM 21 one I see, but this map here to me, because I notice
07:42PM 22 that we did have a boot on it, on District 5 that's
07:42PM 23 taken away that's given to, I think, District 3. But I
07:42PM 24 also see that another portion of District 5 as being,
07:42PM 25 you know, and I thought we were going with this here

07:42PM 1 versus this one here.

07:42PM 2 MR. LONG: Okay.

07:42PM 3 MR. HAIRSTON: And that's -- and

07:42PM 4 that's -- I'm --

07:42PM 5 MR. LONG: So your statement to me is

07:42PM 6 that you like what you see in Draft Plan 1 --

07:42PM 7 MR. HAIRSTON: This one right here.

07:42PM 8 MR. LONG: -- for -- for your district

07:42PM 9 more than --

07:42PM 10 MR. HAIRSTON: Than this one here.

07:42PM 11 MR. LONG: Okay.

07:42PM 12 MR. HAIRSTON: I don't mind losing that

07:42PM 13 boot.

07:42PM 14 MR. LONG: Okay.

07:43PM 15 MR. HAIRSTON: But -- and when we talked,

07:43PM 16 and we talked about this square, that being square and

07:43PM 17 all that, I'm just --

07:43PM 18 MR. LONG: Okay.

07:43PM 19 MR. HAIRSTON: -- you know, and --

07:43PM 20 because I noticed that not only did I lose the boot,

07:43PM 21 but I also lost the east section of District 5 as

07:43PM 22 well --

07:43PM 23 MR. LONG: Okay.

07:43PM 24 MR. HAIRSTON: -- which I wasn't, you

07:43PM 25 know, I guess it wasn't clear on me in my mind on that.

07:43PM 1 So when I seen this, you know, I'm thinking that this
07:43PM 2 is what we adopted, but it actually is this one here.

07:43PM 3 MR. LONG: That's correct. That's
07:43PM 4 correct.

07:43PM 5 MR. HAIRSTON: But you brought this one.
07:43PM 6 Why did you bring this one for?

07:43PM 7 MR. LONG: Because there's an open
07:43PM 8 records request --

07:43PM 9 MAYOR KNIGHT: The memo --

07:43PM 10 MR. HAIRSTON: Okay.

07:43PM 11 MAYOR KNIGHT: The memo attached --

07:43PM 12 MR. HAIRSTON: No, I was just -- I -- I
07:43PM 13 understand. I'm just --

07:43PM 14 MAYOR KNIGHT: Okay.

07:43PM 15 MR. LONG: No, but Councilmember, I'd be
07:43PM 16 glad to discuss this with you later and -- and we
07:43PM 17 could --

07:43PM 18 MR. HAIRSTON: Okay. No problem.

07:43PM 19 MR. LONG: -- discuss the --

07:43PM 20 MR. HAIRSTON: I just -- I just noticed
07:44PM 21 something, that's all.

07:44PM 22 MR. LONG: No, I'm -- no, we want to do
07:44PM 23 what y'all want to do, that's --

07:44PM 24 MR. HAIRSTON: Oh, I understand.

07:44PM 25 MS. MORRIS: I know that we kind of

07:44PM 1 talked about this map before as well, but I want to go
07:44PM 2 back to the illustrative plan map. I wanted to know in
07:44PM 3 regards to the African Americans in District 6, taking
07:44PM 4 away Alissa, Tracy, and the others that form ours to be
07:44PM 5 like it is in this map versus that map where we --
07:44PM 6 we're getting some of District 4 and District 3 is
07:44PM 7 getting some of ours at the bottom, well I want to know
07:44PM 8 how many African Americans are we taking away or is --
07:44PM 9 is there a difference? I'm sure that you can include
07:44PM 10 that in the e-mail that you're going to send me about
07:44PM 11 the other question, but I want to know is there a big
07:44PM 12 difference in the amount of African Americans --

07:44PM 13 MR. LONG: The --

07:44PM 14 MS. MORRIS: -- persons, actual persons,
07:45PM 15 actual voting persons.

07:45PM 16 MR. LONG: Oh, the number of persons?

07:45PM 17 MS. MORRIS: Yes.

07:45PM 18 MR. LONG: Okay. As -- well, on the --
07:45PM 19 this handout that y'all have of Illustrative Plan 1
07:45PM 20 shows the total population that -- that would be in
07:45PM 21 your district and under 6, the African American
07:45PM 22 population would be 69.89 percent and you -- you would
07:45PM 23 have 4276 African Americans under this plan. As it
07:45PM 24 currently stands, let me see if I can -- in 6 you have
07:45PM 25 3872.

07:45PM 1 MS. MORRIS: What -- what was the
07:45PM 2 number?

07:46PM 3 MR. LONG: The -- the number that you
07:46PM 4 currently have is 3872. It grows to 4726. But -- but
07:46PM 5 because you're taking on more population period --

07:46PM 6 MS. MORRIS: Right.

07:46PM 7 MR. LONG: -- the percentage shrinks, so
07:46PM 8 you're -- you're -- you're getting more African
07:46PM 9 Americans but the percentage shrinks. Does that make
07:46PM 10 sense?

07:46PM 11 MS. MORRIS: It does make sense, but I
07:46PM 12 also want to know is it because we're losing those
07:46PM 13 certain areas that we took -- took away.

07:46PM 14 MR. LONG: Yes. Yes. There -- there
07:46PM 15 was not a design of -- in -- in your area the Hispanic
07:46PM 16 population increases quite a bit, it's driven by the
07:46PM 17 areas, it's driven by the geography. I don't think we
07:46PM 18 have, when we discussed it or when we were thinking
07:46PM 19 about it, a specific desire of let's lose African
07:46PM 20 Americans or let's pick --

07:46PM 21 MS. MORRIS: Right.

07:46PM 22 MR. LONG: -- up Hispanics, so --

07:46PM 23 MS. MORRIS: Right.

07:46PM 24 MR. LONG: -- if we did, I was not aware
07:46PM 25 of it, but I don't think we did.

07:46PM 1 MS. MORRIS: We -- we weren't.

07:46PM 2 MR. LONG: We -- we were --

07:46PM 3 MS. MORRIS: We weren't.

07:46PM 4 MR. LONG: -- we were trying to add

07:46PM 5 population and -- and so that was the way we did that.

07:47PM 6 MAYOR KNIGHT: So then does that -- does

07:47PM 7 that clarify your -- your previous question?

07:47PM 8 MS. MORRIS: No, because I still want to

07:47PM 9 know.

07:47PM 10 MAYOR KNIGHT: Oh, okay, 2000. All

07:47PM 11 right. Okay. All right. Fair enough.

07:47PM 12 MR. LONG: Yeah, 2000 I do not know,

07:47PM 13 but -- but...

07:47PM 14 MAYOR KNIGHT: Okay.

07:47PM 15 MR. LONG: Okay.

07:47PM 16 MS. MORRIS: That's it.

07:47PM 17 MR. LONG: Other questions, comments?

07:47PM 18 MAYOR KNIGHT: Any other questions,

07:47PM 19 Council? Okay.

07:47PM 20 So that concludes our business this

07:47PM 21 evening. And again, you know, we -- we are set to

07:47PM 22 address the final plan at -- well, we are set to adopt

07:47PM 23 the plan at our October 10th, October 10th Council

07:47PM 24 meeting. So again, if there are people that would like

07:47PM 25 to submit another plan for consideration, just want to

07:47PM 1 make them mindful that there is a specified process by
07:48PM 2 which you can do so and that would obviously need to
07:48PM 3 take place prior to the posting of our next Council
07:48PM 4 meeting; is that -- is that accurate?

07:48PM 5 Okay. Council, that concludes this
07:48PM 6 business of this special meeting, so I will entertain a
07:48PM 7 motion to adjourn.

07:48PM 8 MS. MORRIS: Move to adjourn.

07:48PM 9 MR. HAIRSTON: Second.

07:48PM 10 MAYOR KNIGHT: I believe Deputy Mayor
07:48PM 11 Pro Tem got the motion in, so I will take a second by
07:48PM 12 Mayor Pro Tem Hairston. All those in favor of
07:48PM 13 adjournment, please signify by saying aye.

07:48PM 14 COUNCILMEMBERS: Aye.

07:48PM 15 MAYOR KNIGHT: Any opposed? Okay. We
07:48PM 16 are adjourned, 7:48.

17 (Meeting adjourned at 7:48 p.m.)

18

19

20

21

22

23

24

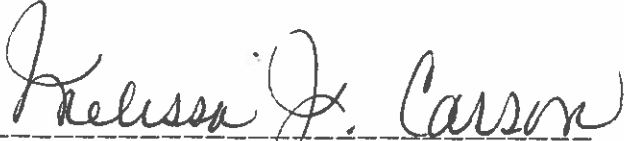
25

1 STATE OF TEXAS)

2 COUNTY OF DALLAS)

3 THIS IS TO CERTIFY THAT I, MELISSA J. CARSON,
4 a Certified Shorthand Reporter in and for the State of
5 Texas, reported in shorthand the proceedings had at the
6 time and place set forth in the caption hereof, and
7 that the above and foregoing 29 pages contain a full,
8 true, and correct transcript of the said proceedings.

9 Certified to on this the 6th day
10 of October, 2011.

11
12 
13 _____
14 MELISSA J. CARSON, Certified
15 Shorthand Reporter in and for
16 The State of Texas

17 Certification No. 1737
18 CRCB Firm Registration #489
19 Expires December 31, 2011
20 CARSON REPORTING & ASSOCIATES
21 Post Office Box 551628
22 Dallas, Texas 75355-1628
23 Telephone 214.346.3434
24
25