

El Paso County Commissioner Redistricting

Tuesday, April 18, 2023



Agenda

- Background
- County Responsibilities
- Criteria for Plan Development
- Recommended Deadlines
- Recommended Staff Responsibilities
- Clerk and Recorder Statement
- Questions





Background

Background

- House Bill 21-1047 was passed by the Colorado General Assembly and signed into law in 2021.
- Legislation requires El Paso County to engage in a new redistricting process at least once upon the second odd year following the federal decennial census.
- Deadline to complete the process is September 30.
- Generally speaking, the Bill requires appointment of a Redistricting Commission, allows for appointment of an Advisory Committee, and requires a number of meetings be held throughout the county.
- The Bill also sets forth the process and procedure for plan developments and adoption.



Background

The Board has three options

1

BOCC as County Commissioner
Redistricting Commission

2

An outside group as County
Commissioner Redistricting
Commission

3

Either options 1 or 2 with an
advisory committee



Background

1

BOCC as County Commissioner
Redistricting Commission

If Board chooses this option:

- County Commissioner Redistricting Commission would consist of five members – the Board of County Commissioners.
- The Board would also designate staff to carry out direction as provided in a publicly noticed meeting.



Background

2

An outside group as County
Commissioner Redistricting
Commission

If Board chooses this option:

- Only direction is that appointed members are “person who accurately reflect the political affiliations of the county, including unaffiliated residents.”
- The Board would also designate staff to carry out direction as provided in a publicly noticed meeting.



Background



Either options 1 or 2 with an advisory committee

If Board chooses this option:

- Adds an advisory committee to either of the proceeding two options.
- Advisory committee must include an equal number of people Republicans, Democrats, and unaffiliated voters.
- The Board would also designate staff to carry out direction as provided in a publicly noticed meeting.



Background

- Regardless of the option selected, the County Commissioner Redistricting Commission is subject to the same anti-bribery and abuse of public office provisions, open meeting, and open record requirements as other elected officials.
 - The County Commissioner Redistricting Commission is strictly prohibited from having any communication with duly appointed support staff regarding the content or development of any plan outside of public hearings.
 - Except for public input and comment, members of the public are likewise strictly prohibited from having any communication regarding the content or development of any plan outside of public hearings.
 - Anyone compensated for advocating to the County Commissioner Redistricting Commission is considered a lobbyist and must disclose details to the Secretary of State.
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Background

- One or more staff members also may be designated to communicate with both members of the County Commissioner Redistricting Commission and the duly appointed designated staff regarding only administrative matters.
- The definition and scope of such administrative matters will be determined by the County Commissioner Redistricting Commission.





County Responsibilities

County Responsibilities

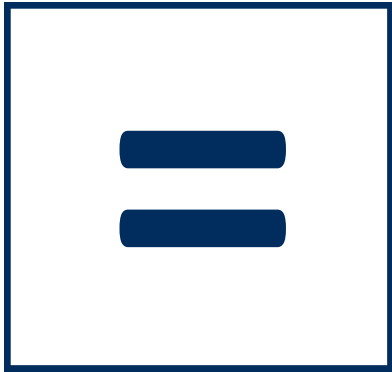
- Board of County Commissioners establish County Commissioner Redistricting Commission.
- Create and house website to gather community input and map suggestions.
- Advertise and broadcast County Commissioner Redistricting Commission meetings.
- Create maps and measure competitiveness based on County Commissioner Redistricting Commission as directed in properly noticed and public meetings.
- Meet deadlines as outlined in proposed resolution.
- Provide administrative support for County Commissioner Redistricting members and staff.





Criteria for Plan Development

Criteria for Plan Development



Mathematical population equality within 5% deviation



Compliance with “Voting Rights Act of 1965”, 52 U.S.C. sec, 10301, as amended



As much as possible, preserve whole communities of interest and political subdivisions



Thereafter, to the extent reasonably possible, maximize number of politically competitive districts



Criteria for Plan Development



- Recommend sensitivity related to the number of voters switched between County Commissioner election cycles.
- Commissioner districts 2, 3, and 4 elected on Presidential cycles.
- Commissioner districts 1 and 5 elected on Gubernatorial cycles.
- Moving people between districts and cycles could create “super voters” or disenfranchise other voters.



Criteria for Plan Development



- Example 1: Moving a voter from Commissioner District 1 into Commissioner District 3
- Voter cast a vote for Commissioner in 2022 and would cast a vote again in 2024.



Criteria for Plan Development



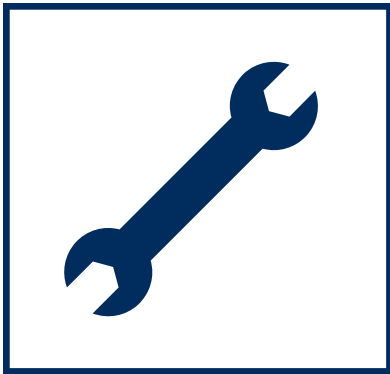
- Example 2: Moving a voter from Commissioner District 2 into Commissioner District 5
- Voter cast vote for Commissioner in 2020 and wouldn't cast a vote again for Commissioner until 2026.





Recommended Deadlines

Recommended Deadlines



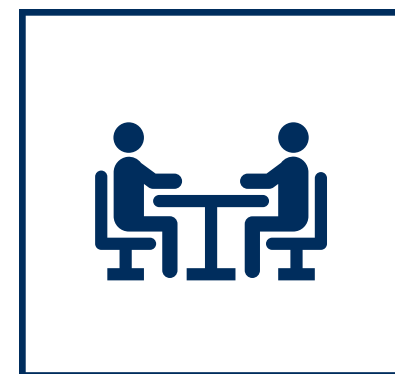
May 12, 2023

Create website for residents to submit testimony & proposed maps



July 14, 2023

Last day for public to submit plans via website



Aug 4, 2023

All five public hearings held (one in each Commissioner district)



Recommended Deadlines



August 8, 2023

Deadline for additional plans
by redistricting commission



August 11, 2023

Last date for written public
comment on proposals



August 15, 2023

Proposed date of
final adoption of plan





Recommended Staff

Recommended Staff

- Staff appointed would be responsible for developing maps as directed by the County Commissioner Redistricting Commission in public meetings.
- Staff appointed would also be ensuring proposed maps meet the legal requirements.
- Staff would be prohibited from discussing plan development with Commission, other non-appointed staff, and the public, outside of public meetings. Likewise, the Commission would have the same prohibitions outside of public meetings.
- Staff would complete administrative tasks such as coordinating calendars, advertising meeting locations, dates, and times, etc.



Recommended Staff

From the Clerk and Recorder's Office:

- Steve Schleiker, Clerk and Recorder
- Angie Leath, Director of Elections
- Karl Nordstrom, IS Manager
- Kristi Ridlen, Chief Deputy Clerk and Recorder
- Sydney Nelson, GIS Technician

From County Administration

- Mike Duysen, IT GIS Manager

Designated to Communicate with Both Redistricting Commission and Appointed Staff:

- Ryan Parsell, Government Affairs

Legal Support to Redistricting Commission

- Kenny Hodges, County Attorney
- Lori Seago, Senior Assistant County Attorney

Legal Support to Clerk & Recorder

- Steven Klaffky, Chief Deputy County Attorney
- Steve Martyn, Assistant County Attorney





Clerk & Recorder Statement

Clerk & Recorder Statement

- Clerk and Recorder's Office is heavily contemplated throughout this presentation and would have a large role in translating the Redistricting Commission's direction to create maps.
- The Clerk and Recorder's Office has the staff, resources, time, credibility, and experience to complete this task.
- Office also has the data necessary to calculate current population figures, past election results, and otherwise carry out direction received.





Recap

Recap - Resolution

- Establishes the Board of County Commissioners as the County Commissioner Redistricting Commission.
- Does not establish an optional advisory committee, instead puts more responsibility on the Redistricting Commission itself to hold meetings and solicit feedback.
- Recommend the Board appoints the staff from slide 23 to serve as the “walled-off” staff to create plans as directed in public meetings and carry out administrative functions.
- Recommend the Board adopt the deadline dates from slides 19 & 20.

- If adopted, next step would be for the Redistricting Commission to hold its first public meeting and provide direction as to beginning the redistricting process.



Recommended Motion

- "I move to approve the resolution to appoint county commissioner redistricting commission and staff, and to set deadlines regarding the 2023 El Paso County Board of County Commissioner redistricting process, with the designated staff outlined on slide 23 and with the deadlines outlined on slides 19 and 20 to be reflected in the resolution."
- Clerk to the Board will make the necessary edits to reflect the Board's action.



Questions?

