

Sayers, Margery

From: joel hurewitz <joelhurewitz@gmail.com>
Sent: Monday, July 6, 2020 1:35 PM
To: CouncilMail
Cc: Kuc, Gary; Jones, Diane
Subject: Amendment 1 to CR93-2020 Is Counterproductive and Extremely Flawed

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Dear Council,

Amendment 1 to CR93-2020 is extremely flawed, counterproductive, potentially dangerous, and may create a scenario which is not legally sufficient.

The deadlines in the Charter for the redistricting process serve in part to force the Council to act or cause consequences to occur if they fail to act. It removes some of the politics involved in voting on the maps by specifying a date on which they become law without Council action.

The stated alleged purpose of the Amendment is that it "specifies when a Redistricting Commission shall be appointed and provides that the Council shall set certain deadlines." It actually un-specifies when a Redistricting Commission is appointed; the phrase "after each decennial census" is vague and subject to interpretation. Especially, with the COVID-19 delayed 2020 Census, this might become problematic.

It has been pointed out that the deadlines in the Charter run into the deadlines for the 2022 election. As Diane Jones told the Council, if the Charter amendments are not passed, then the Council will act in advance of the specified dates in the Charter. So if Amendment 1 is designed to give the Council flexibility, it is not needed; the Council is free to act well in advance of the specified deadlines.

The amendment removes the March 15 or December 31 deadline where the maps become law without a Council ordinance. Instead, it substitutes "the date that the Council sets by resolution". This means that the Council could by politics or whim pass multiple resolutions to extend or shorten the deadline as the majority see fit. It is questionable why such a scenario would be legally sufficient for the maps to become law without Council action after the so-called deadline in the Charter has been manipulated by the Council.

I also note that Amendment 1 is in conflict with CR95-2020. Disappointingly, there seems to have no attempt to pre-file amendments which would merge CR93, CR94, and CR95 together or deal with the potential for the passage of all three Charter amendments with conflicting provisions.

Furthermore, during the work session Guy Mickley pointed out how the primary was moved from September to June. Yet, no mention was made that this was not an issue after the 2010 Census, because 2012 was not a Councilmanic election year. There was no immediate deadline prior to the Councilmanic election in 2014. Similarly, 2032 will not be a Councilmanic election year. However, with the Board of Education elections piggybacking on the Councilmanic districts, the districts will need to be determined for the School Board in 2032. Thus, any changes to the redistricting process must take into account the potential for political interference and manipulation of the non-partisan Board of Education election process.

Sincerely,

