

June 30, 2013

Magdalena Blanco	T.J. Costello	Mariano Diaz-Miranda
Rachel Farris	Stefan Haag	Harriett Harrow
William Hewitt	Henry Johnson	Carmen Llanes Pulido
Arthur Lopez	Ryan Rafols	Anna Saenz
Maria Solis	Catherine Cocco	

Dear Independent Citizens Redistricting Commissioners:

In follow-up to my spoken comments toward the end of your last meeting in response to questions that one of the Commissioners may not be able to attend your meetings in person until the end of August, I would like to clarify with additional written points.

By the language of the Charter, it is our understanding that the first 8 Commissioners' selection of the later 6 were the 'appointments' to the Commission of the last 6 Commissioners [See Charter Art. II, § 3, (I)(9)]. Ms. Cocco is a Commissioner, but she would still need to be properly sworn in and able to fully take part in more than half of the Commission meetings in the next three month period of the Commission's activities [See Charter Art. II, § 3, (A)(7)]. If Ms. Cocco cannot be properly sworn in and 'attend' a majority of the Commission's meetings over the next few months via the State's recently amended [[HB 2414](#)] teleconferencing code [[TX Govt. Code § 551.127](#)], then the present Commissioners (13) with 10 votes would need to remove her from the Commission with written notice, providing her with an opportunity for a response [See Charter Art. II, § 3, (J)(1-2)]. We believe that this scenario is properly addressed in our Charter Amendment, regardless of swearing in, and that recent changes to the existing State teleconferencing code were not required to enable this particular scenario [See [HRO Report on HB 2414](#)].

Should Ms. Cocco not be able to perform the duties of this Commission, we would like to offer some additional insights on the priorities of possible replacements. As some of the Commissioners noted at the last meeting, there is not another applicant in the remaining pool who is all three of these: from TC Pct. 3, female, and an Asian or part Asian. At this point the best that you will be able to do is select 2 out of 3 of those characteristics. It should also be noted that there were a total of 5 self-identified Asian or part Asian applicants in the final pool of 60.

It was City staff that applied an arbitrary 'standard' one-word race descriptor to two of those calling them 'Other' and to a third calling him 'White.' The 5 Asian or part Asians in the pool of 60 are: Ryan Rafols; Catherine Cocco; Gilbert Martinez, JD (Pct. 3); Maria Person, Ph.D. (Pct. 2), and Pradeep Kumar, MD (Pct. 2). Additionally, there are 2 females in Pct. 3 (NW) and 4 females in Pct. 3 (SW) that may be considered, but none of whom are Asian. It should also be noted that South Austin is about 40% of the City's population, which would merit 6 of 14 Commissioners, while there are currently 5 Commissioners from South Austin. Should this selection change take place the Charter-based priority of requirements for the new Commissioner should be: 1. From Pct. 3; 2. Female; and 3. Asian. Keep in mind that any one of those three characteristics can and will have to be set aside. It is up to you 13 to select the best that you can "to the extent feasible" [See Charter Art. II, § 3, (I)(9)].

On a final note, we hope that one or more of you are taking the individual initiative to prepare draft RFP's for the Commission's Executive Director, Legal Counsel, and Mapping Consultant to give the Commission drafts to start with at the coming meeting. Also, in light of surprises late in the meeting last week, it is worthwhile to note that [the posted Agenda for next week](#) can be 'taken up' by the Chair in a different order of priority than the printed order. In the future, the Commission might want to request the order of Agenda items such that the highest priority items are taken up early rather than late, and that City staff seek permission before adding items to the agenda that the Commission has not requested.

We're off to a good start, Commissioners. Let's keep the ball rolling.

Sincerely,

Peck Young

*Austinites for Geographic Representation*

512-422-8191 \* 512-692-7644