

City of Everett
Districting Commission Special Meeting
Monday –January 6, 2020

Location: Everett Council Chambers Time: 6:00 p.m.

Everett Council Chambers – 3002 Wetmore Ave – Everett WA

AGENDA

- **District Commission Roll Call**
- **Approve minutes (edits and new) 11.04.19, 11.18.19, 12.02.19**
- **Staff Comments: note change in meeting rules and procedures**

Item 1: Redistricting 101 – Tony Fairfax

- What, When, and Why
- Plan Development
- Key Concepts in Redistricting
- Recent Redistricting Concepts
- Redistricting Data & Software

Item 2: Development Process Discussion – Tony Fairfax

- Plan Development Choices
- Public Input Process
- Public Dissemination of Plans
- Solidify Districting Criteria
- Selecting Initial District Cores

City of Everett Districting Commission

Meeting Date and Time: November 04, 2019 6:00 PM

District Commission Roll Call

In Attendance: Simone Tarver, Chris Geray, Ethel McNeal, Benjamin Young, James Langus, John Monroe, Mary Fosse, Kari Quaas, Julius Wilson

Not in Attendance:

City Staff in Attendance: Nichole Webber, David Stalheim, Flora Diaz

Approve minutes: Minutes to be approved on 11.18.19

Chair Comments: Excited about the process and good attendance

Vice Chair Comments: None

Item 1: Districting Master Interview with Tjalling Ypma (TJ).

Simone Tarver asked Mr. Ypma the attached questions. Once finished, TJ asked the commission what issues they see in the community that need to be addressed..

1. Disparity between north, south, east, west- The north west leads Everett and districts will help with the distribution of power.
2. The commission has not had a full discussion about the issues because the 90 day deadline to hire a master has been the priority.
3. Special interests in the community.

TJ replied: Each District will be about 20,000 people and that might make special interests influence difficult. He also inquired about the Everett Districts Now work, their master and the Silverlake Neighborhood lines and unincorporated Everett. Conversation around Everett Dist Now material and process on hold until after the appointment of a master.

Jim Langus referred to a memorandum produced by Hough Spitzer and COE Legal Department to ensure TJ had seen it.

TJ reiterated his belief in a very open and involved process.

Flora Diaz clarified the 6 public meeting process for TJ and the commission. The six required meetings are for the community once the commission feels they have a finished product. There can still be edits made but the commission should feel confident in the product before they begin this final phase. The commission can have as many meetings as they like leading up to this point.

Tony Fairfax Census Chanel LLC – Short conversation on the difference in price because Tony is out of state. Discussion of Tony's resume is on hold until we can video conference him or have heard from all candidates. This way all candidates can be evaluated at once on the 18th in a more fair manner.

The commission also asked to have all candidates submit their answers in writing to help with there discussion.

Clarification from the Planning Department: Shape files, census blocks, subdivision of blocks, the difference between having a master who does their own GSI work vs the Planning Department, city's responsibility to check the work.

Benjamin Young expressed concern around the City of Everett Planning participating too much and the perception that might create in the community. There was also concern around communication between staff and the master. Having Simone or other commissioners cc'd would be helpful and will continue transparency moving forward.

Commission discussed the length of the next meeting; the start time will stay 6:00 and meeting will run until there is a final decision on the master appointment.

Jim Langus express confidence in city staff to support the commission in an honest and independent way.

Item 2: Discussion Items - non

Materials Provided:

- Interview packets from Ypma Tjalling and Tony Fairfax
- Districting Master Roles and Responsibilities

Next Meeting: 11/18/19 at 6:00 PM

Adjourned: 7:06 PM

Everett Districting Commission, District Master Interview Questions

Nov 4th and 18th 2019

1. Please introduce yourself and provide a brief overview of your background and familiarity with Everett.
2. Have you ever worked for a districting commission or like body? Please explain. If not, what background do you have that might be similar?
3. Please explain how you view the role of district master.
4. How would you keep open communication and the districting commission informed?
5. What is the biggest problem that you would expect to face when creating a district map?
6. What familiarity do you have working with shape files?
7. How do you plan to understand and ensure communities of mutual interest are not separated? What does the term "communities of mutual interest" mean to you?
8. There are two key tactics used in gerrymandering; Cracking and Packing. How would you prevent this from happening?
9. How would you suggest presenting the Districting Map to the people of our city?
10. What assistance do you expect or need from City staff to support your work?
11. Are you willing to attend community meetings once we have a draft map(s) ready for the community to provide input on?



11.04.19

1. Please introduce yourself and provide a brief overview of your background and familiarity with Everett.

I'm Tjalling Ypma, I am Dutch, and Chair of the Math Department at Western Washington University. I believe you have all seen the materials I provided so I am not going to drag you through more of that. Regarding what I know of Everett, other than the traffic jams on I-5: I've Google-earthed, I've looked at the school district maps, I've looked at some of the things that are on various districting websites, like Everett Districts Now, and so on. I have a reasonable overview of the geography, and maybe of some of the concerns. But I have a lot of questions I want to ask you, and if we do things how I'd prefer to do them, you'd be helping me out a lot with figuring out what makes sense and what doesn't make sense.

2. Have you ever worked for a districting commission or like body? Please explain. If not, what background do you have that might be similar?

I have served as the District Master for Whatcom County Council twice, once in the 2010 census and a few years ago when the council districts changed from 3 to 5, which was an extremely politically hot situation. I developed a process there, which was previously very ill-defined in the Charter, a process I found to be efficient, effective, and straightforward. If I were to help you out with your challenge, I would probably use that process again. That process seems to be different than how your questions seem to expect I would proceed; the questions are framed in a way I would not proceed. In particular, I would be looking for a much more interactive and iterative process than seems to be assumed. I would provide drafts that would be discussed here by the committee, open to public input, at which point I would go away and draw up another draft; as opposed to here where it seems to be assumed that I would go away and just draw up a single map and then let people argue over it. That is not the way I intend to proceed.

In my work with Whatcom county I reported to a committee of two democrats and two republicans. It was very clear what the issues were and what the factions were. If I were to work here I'd ask you those questions: what are the issues and factions. In those cases I managed to navigate the various issues successfully in each case, and my final proposals were unanimously adopted.

3. Please explain how you view the role of district master.

You work for the committee, but you also do some leading of the committee; there is committee management involved. The way I work is I take the input I get from the committee and from the public, and try to incorporate that into a new version of the map which responds to some of the issues or concerns I've heard, and turn that in for further discussion. Drawing up the maps is a big part of the role, as well as keeping the process moving forward at a reasonable pace.

4. How would you keep open communication and the districting commission informed?

You have a website. I would think anytime I produce a draft map, which I assume would be every 2 or 4 weeks or however frequently you meet, you would post the map and it would be open for discussion. We can invite everyone to speak up and let them argue about things they like and what they don't like. I would assume an extremely interactive and open process between the committee and myself.

5. What is the biggest problem that you would expect to face when creating a district map?

That I don't have an intimate knowledge of how Everett works. In Whatcom county I've ridden my bicycle in pretty much every corner there, I know how it works and I've lived there for years, I know how the county works and what the issues are. I don't have that kind of connection or knowledge of the lay of the land in Everett, and so that is a situation I'd be extremely dependent on input from the public and the committee members to help me figure out what makes sense and what doesn't make sense. As the Math Department Chair, I'm used to putting out a draft proposal and letting faculty rip it apart and telling me what they don't like, and then fixing it until we settle on something that works, so that's the way I would see things happening over here: my draft maps will probably be full of stuff you don't like, and I will then massage it into something that people are happy with in response to your input.

6. What familiarity do you have working with shape files?

None, and I don't intend to acquire any knowledge of that at all because the way I work would be with the GIS department of the city, they would do all the work on the city data and maps. I would strongly recommend that whoever you have do the job work that way, because that way you know the numbers they're working with and the maps that they're working with. Also, my communication would be all on the public record, I prefer it that way.

7. How do you plan to understand and ensure communities of mutual interest are not separated? What does the term "communities of mutual interest" mean to you?

Well like I said I don't have firsthand knowledge of the exact lay of the land in Everett, so I would be to a significant extent dependent on the input from the people here, for example telling me that some boundary I propose cuts right through a neighborhood that shouldn't be split in that way. I did see in some of the online materials that neighborhoods were the entity the public wanted to see preserved, and districting should thus be centered around neighborhoods. That makes sense, neighborhoods do typically represent certain communities of interest. A community of interest is people with similar geographic factors, economic factors, ethnic factors, all those issues are there. Typically, not always, neighborhoods kind of designate areas of mutual interest, but again there I would be very much subject to input from the locals who know what the issues are in particular areas. For example, one issue I noticed looking at the ethnic distribution, was that Casino Corner I think it's called, seems to have a very strong Hispanic presence, which would influence where I would draw a border line. Ethnicity is certainly something I would have to take into account, and I assume there are other factors that are important to the community here. One of the questions I have for you is what are those issues ?

8. There are two key tactics used in gerrymandering; Cracking and Packing. How would you prevent this from happening?

Both of these are hard to define, as is gerrymandering in general, you know it when you see it. I'll take the example of what I did with Whatcom County, the city was Democrat, the farmlands are Republican, is it packing Democrats when you form two districts purely out of Bellingham city? No, because it's where people live. Sometimes to avoid something that would seem like packing, you would have to do some gerrymandering, you might have to force something that is 50% Republican and 50% Democrat. I didn't do any of that, I did what made sense in terms of the geographic distribution and communities of

interest, which were pretty clearly defined in that context. So, when you do things in a public setting like Everett proposes to do, I don't think that these are going to be problematic issues.

9. How would you suggest presenting the Districting Map to the people of our city?

As I've said before, you've got a website. Every time I put out a draft map it should be posted right there, open to input, and I assume the public is invited to these meetings. I don't know to what extent they're invited to provide input, but I would be totally open to doing that. I've proposed a process in which successive maps are put out and refined, in fact what I've done in the Whatcom County context is that I had two parallel streams, with plan A which kept getting refined and another plan B which kept getting refined, and eventually we had to make a decision as to which of the two routes we were going to adopt in the end. But all that was up front at every step, with printed copies of the maps available for anybody coming to the committee meeting, and all will be available on the website in as much detail as anybody wants to see.

10. What assistance do you expect or need from City staff to support your work?

The GIS support I previously mentioned, as well as a clear line of communication between the committee and myself. I don't want to be dealing with individual committee members and I don't want anybody to think that anybody else has any influence on me. In the case of Whatcom County, I worked with the county clerk, here I imagine I would work with the committee chair or Nichole, one designated person in charge of communication between myself and the committee and who is also responsible for posting things on the website.

11. Are you willing to attend community meetings once we have a draft map(s) ready for the community to provide input on?

Certainly yes. I kind of think we may want to rethink some of the procedures I've seen outlined, which seem to suggest it would be A, I produce a map, and then B, a series of community meeting with each of the 5 districts. I wonder if we could redo some of that, with perhaps some initial meetings with the draft maps. The screens in this room will facilitate exploring the options. But yes, it makes total sense that once we settle on something, subject to further refinement, at some point you have to go out to the districts, and it'd make sense that I go there and hear what the locals have to say.

City of Everett Districting Commission

Meeting Date and Time: November 18, 2019 6:00 PM

District Commission Roll Call

In Attendance: Simone Tarver, Chris Geray, Ethel McNeal, Benjamin Young, James Langus, John Monroe, Mary Fosse, Kari Quaas, Julius Wilson

Not in Attendance:

City Staff in Attendance: Nichole Webber, Jamie Smith, David Stalheim, Flora Diaz

Approve minutes: Minutes to be approved on 01.06.2020

Chair Comments: none

Vice Chair Comments: None

Staff Comments:

Item 1: Q&A with Sammamish Data Systems

(please note that because of technical difficulties items 1 and 2 were flipped)

Simone Tarver asked Tony Fairfax the following questions:

1. Please explain how you view the role of the District Master for this Commission.
2. What familiarity do you have with shape files?
3. What assistance do you expect or need from city staff to support your work?

Questions from the commission members follow.

Item 2: Q&A Conference with Tony Fairfax (15min) – clarifying question to previously submitted written answers.

Simone Tarver asked Tony Fairfax

1. Please explain how you view the role of the District Master for this Commission.
2. What familiarity do you have with shape files?
3. What assistance do you expect or need from city staff to support your work?

Questions from the commission members follow.

Tony gives a closing statement.

Item 3: District Master Discussion and Appointment

Discussion on narrowing the options from three candidates to two.

Dialog around different models – potentially having two consultants with different roles.

Simone proposes to remove TJ as an option, Ben seconds motion, and all are in favor.

Simone puts forward a vote between Bob Schweizer and Tony Fairfax.

Jim, Ethel and John vote for Bob Schweizer;

Julius, Ben, Simone, Chris, Kari, and Mary vote for Tony Fairfax.

Simone puts out another vote to finalize Tony as District master and move on.

All are in favor.

Staff requests to document each member and their official vote.

John Monroe and Ben Young object and suggest the group stick to the adopted meeting rules.

Commission supports this point.

Legal clarifies next steps in the appointment process.

Item 4: Meeting schedule

Placeholder for December 2nd meeting.

Ben proposes having Tony's presence at all community meetings, and all are in favor except Chris, who abstains.

Definition of present: as requested by the commission – conference call, video call, in person

Staff will work with legal to get contract information about Tony and will cc commission on details.

John moves to end meeting, all are in favor.

Simone adjourns meeting.

Next Meeting: 12/02/2019 at 6:00 PM

Adjourned: 7:50PM

11.18.19

Districing Masters Role and Responsibilities

The role of the Districing Master will be to use Census data, Geographic Information System (GIS) files (such as shape files), and software to create proposed districing plans that contain five districts. The Districing Master will be responsible for:

Obtaining current Census data and drawing district boundaries to ensure that each district contains approximately the same total population within a +/- 5% threshold of the mean.

Obtaining shape files of the city limits and ensuring that the boundaries are compact and contiguous.

Avoiding splitting (or "cracking") concentrated populations of racial or ethnic minorities into more than one district.

Drawing district boundaries that follow existing voting precinct boundaries and obtaining shape files from Snohomish County that contain the city's voting precincts.

The Districing Commission will conduct public hearings, and provide the Districing Master with the following information:

The location of existing recognized natural boundaries.

The location of existing communities of related and mutual interest.

Whether the Districing Master should attempt to draw districts to minimize the instances of more than one incumbent residing in the same district, or whether the Districing Master is free to ignore incumbency.

The Districing Master will incorporate; location of existing communities of related and mutual interest into proposed maps, location of existing recognized natural boundaries and information gathered from public/community hearings. The Districing Master may also consult with the city's special outside legal counsel on applicable legal requirements.

City of Everett

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11.18.19

Everett Districting Commission, District Master Interview Questions

Sammamish Data Systems

1. Please introduce yourself and provide a brief overview of your background and familiarity with Everett.

I have been with SDS since 1987. I was a support person on implementing GIS systems to Government, Political parties, and other interested groups for the 1991 redistricting season, directly supporting the current Districting Master and learning from him. For the 2001 and 2011 I worked as the full time Districting Master completing hundreds of adopted plans throughout the state. I have been elected to my condominium's Board and worked as an Officer overseeing a budget of 3.5 million and special assessment of over 4 million. I have had to make some very unpopular decisions to significantly raise dues to stop deferred maintenance. I have also volunteered advice to my local School District on projecting growth and planning. I am also a Veteran. I have served in the US Army Reserves, AZ National Guard, and WA National Guard. I have received honors for volunteering to be activated for fighting forest fires.

As a child, I recall the days of the wood pulp mills in Tacoma and Everett. I always like going to Everett and enjoy sports/recreation in your fine city. The traffic to, from, and through Everett can be a bit of a challenge. I have previously listed some of note in your area. Often, I like the AFK Tavern, and I have visited businesses up and down Broadway, but I am not a big fan of the slow downs on I-5 through town.

2. Have you ever worked for a districting commission or like body? Please explain. If not, what background do you have that might be similar?

I have been with SDS since 1987. I was a support person on implementing GIS systems to Government, Political parties, and other interested groups for the 1991 redistricting season, directly supporting the current Districting Master and learning from him.

You can make any guidelines the whole council wants, but I will make suggestions on your guidelines, such as "No" on Precinct boundaries being used as the basis for a plan. That is an outmoded basis of districting used by jurisdictions that make it harder to adhere to RCW 29A.76.010 (3e) "existing recognized natural boundaries" since Precincts are made up of population numbers and not following natural boundaries.

3. Please explain how you view the role of district master from the districting commission. N/A
4. How would you or did you, keep open communication and the districting commission informed?

I will present my work to staff and answer all questions to the best of my abilities. I will provide maps and reports in PDF along with an interchange file in dBase (.DBF) format for the GIS department to import my Census Block assignments in the local GIS system. When a plan that I

present is ready to move forward with final acceptance, I will create a Metes and Bounds legal description.

5. What is the biggest problem that you would expect to face when creating a district map?

I do not have any problem doing this work. I rather enjoy doing it. I designed the software to do what I want it to do.

6. What familiarity do you have with shape files?

N/A

7. How do you plan to understand and ensure communities of mutual interest are not separated
What does the term communities of mutual interest mean to you?

That is for you to decide. In the case of Pierce County, communities of interest were defined to me as whole cities or Census designated places. In the case of large rural school districts, whole towns can be communities of mutual interest.

The Port of Everett used communities of common interest of whole Precincts, when drawing their districts, but that was their history to use whole Precincts. It is very rare to draw boundaries using Precincts now. They can be limiting and the County no longer requires it.

Legally, it is the lowest on the list of requirements and does not trump other aspects of the law. That has been my experience so far

8. There are two principal tactics used in gerrymandering; Cracking and Packing. Can you provide a plan to prevent this from happening?

Cracking and Packing what? I do not recall there being a large dense minority area to water down or to pack, forcing an over consolidation. The PL 94-171 only has racial data and population counts. I do not look at any other data while doing this.

I try to not create any boundary that intentionally favors any party other than the intention to keep any members in their existing district.

9. How would you suggest presenting the Districting Map to the people of our city?

I will present my work to staff and answer all questions to the best of my abilities. I will provide maps and reports in PDF along with an interchange file in dBase (.DBF) format for the GIS department to import my Census Block assignments in the local GIS system. When a plan that I present is ready to move forward with final acceptance, I will create a Metes and Bounds legal description.

10. What assistance do you expect or need from City staff to support your work?

N/A

11. Are you willing or able to attend community meetings once we have a draft map(s) ready for the community to provide input on?

As a Redistricting Master, I am currently doing this part time. Even though the 2011 season is long since over, people still need redistricting or districted plans for the first time. When 2021 comes around, I will be working full time, and fully expect to be 'over-worked' getting all the redistricting plans completed on time.

11.18.19

Everett Districting Commission,
District Master Interview Questions
Nov 4th and 18th 2019

Tony Fairfax, CensusChannel LLC Responses

1. Please introduce yourself and provide a brief overview of your background and familiarity with Everett.

My name is Anthony Fairfax; however, I usually go by my nickname of Tony. I am the CEO and Principal Consultant for CensusChannel LLC, a demographic and mapping consulting firm.

I began my career as an electrical engineer working for a manufacturing company and then a government engineering consulting firm. However, after working several years as an engineer, and following a brief stint at co-owning a computer training business in the late 1980s, I began to provide consulting services on my own. After consulting for a year or so, I obtained a contract at Norfolk State University working on their Redistricting Research Project as their GIS consultant which dramatically change the course of my career.

Hence, twenty-eight (28) years, three (3) redistricting cycles, a variety of clients, and nearly one thousand redistricting plans later brings me to this point in my life. During that period of time, I started my business (CensusChannel LLC 10 years ago), obtained my Master's in Geospatial Information Science and Technology (MGIST), and reached a level in my profession where I have developed expert reports, provided depositions, and testified in state and federal court as a redistricting expert witness.

I have a basic familiarity with Everett. I know that Everett is a midsize city with approximately 110,000 persons and is located about 25 miles north of Seattle, WA. I know that the city has voted on and approved a 5-2 districting plan scheme and the utilization of a District Commission to develop the plan.

2. Have you ever worked for a districting commission or like body? Please explain. If not, what background do you have that might be similar?

I have not worked for a districting commission. However, I have always developed a plan with the input from one or more persons. In some cases (e.g. the recent Bethune Hill Virginia court case's remedial plan for the NAACP), there could be suggestions from multiple or dozens of persons at meetings.

3. Please explain how you view the role of district master.

I view my role as District Master as an advisor and an implementer. I am an advisor to provide insight into the development of a legal and fair redistricting plan. And I am an implementer in the sense that I will use my technical skills and knowledge to accomplish the goals and objectives of the District Commission and the citizens of Everett, WA. It is important to note that I believe that the districting plan is not my plan, but the city's plan. I am just a conduit to ensure that the city achieves its objectives.

4. How would you keep open communication and the districting commission informed?

As I mentioned in the RFP response, I will respond to communications (via telephone or email) from the District Commission within one business day. Of course I understand certain situations, thus in emergencies, I will respond throughout the weekend and holidays as well. In addition, I will submit regular status on the development process of the plan.

5. What is the biggest problem that you would expect to face when creating a district map?

The biggest problem that I expect is that there will be no way to implement 100% of everyone's desires. Inevitably, there will be District Commissioners who will not be 100% satisfied and citizens that feel the same way. That said, the Districting Commission and citizens should be satisfied greater than a simple majority and more like a super majority.

6. What familiarity do you have working with shape files?

I have extensive experience working with shapefiles. I use shapefiles regularly in my normal work routine and my master's required the use of shapefiles extensively throughout many of the courses.

7. How do you plan to understand and ensure communities of mutual interest are not separated? What does the term "communities of mutual interest" mean to you?

First, communities of mutual interest or communities of interest, refers to a common interest or even concern shared by a voting group within defined geographic areas. One of the keys to communities of mutual interest lies with the geographic areas. In essence, if there is a mutual interest that is scattered throughout the city, there will be no way to ensure that this population group can be contained within a district. Thus, there has to be a way to defined the geographic areas as well as the mutual interest.

Understanding communities of mutual interest, is best achieved by querying local community organizations. These entities are in the best position to understand the interests of the communities that they represent. Finally, mutual interest could refer to almost anything that a particular community shares a concern or interest around (e.g. education, crime, poverty, race/ethnicity, language, geography, etc.).

8. There are two key tactics used in gerrymandering; Cracking and Packing. How would you prevent this from happening?

The way to prevent packing and cracking is to not unduly separate (crack) or excessively cluster (pack) a racial minority voting group (to include ethnic minorities) into one or more districts. This dilutes the population group's voting strength. Determining whether cracking or packing has occurred varies depending upon the jurisdiction's demographic makeup and geographic dispersion of the voting group (as well as considering turnout percentages, specifically for packing). When drawing plans in a jurisdiction with significantly populated racial groups (to include ethnic minorities), care must be given to not crack or pack the group and yet at the same time not have race predominate.

To prevent cracking from occurring, attention should be given to preserving whole neighborhoods or communities, regardless of their racial makeup. In addition, although race can not predominate plan development, there is nothing wrong with placing communities with similar commonalities (communities of interest) that happen to have similar racial makeup into the same district in a compact manner.

To avoid packing during any plan development, the use of minority percentage targets and splitting areas such as precincts (or VTDs) along racial lines should be eliminated. Second, including majority minority areas in a non-compact fashion should also be avoided. Third, viewing racial percentages of the districts, especially “near the end” of plan development, is a useful check to ensure that an excessive amount of minority voters have “not” been placed in a particular district. Once again, “excessive” depends upon the specific jurisdiction and specific minority voting group.

9. How would you suggest presenting the Districting Map to the people of our city?

The final map should be presented online as well as at a public meeting. That said, the public should be kept informed of prior draft versions of the map. I noticed that Everett has launched a new “open data portal” this year. This portal may be perfect for disseminating district maps and reports.

10. What assistance do you expect or need from City staff to support your work?

I expect that I need assistance from the city by providing shapefiles reflecting neighborhoods, communities, critical subdivision areas as well as precincts. If the District Commission desires to consider major landmark areas, such as malls, parks, etc., those shapefiles will be necessary. Also needed would be a shapefile or the addresses of the current incumbents. Finally, if staff can provide background insight into various communities and their commonalities (or lack thereof), that would be helpful as well.

11. Are you willing to attend community meetings once we have a draft map(s) ready for the community to provide input on?

Yes, I am willing to attend community meetings.

City of Everett Districting Commission

Meeting Date and Time: December 02, 2019 6:00 PM

District Commission Roll Call

In Attendance: Simone Tarver, Chris Geray, Ethel McNeal, Benjamin Young, James Langus, John Monroe, Mary Fosse, Kari Quaas, Julius Wilson

Not in Attendance:

City Staff in Attendance: Nichole Webber, Jamie Smith, David Stalheim, Flora Diaz

Approve minutes: Minutes to be approved on 01.06.2020

Chair Comments: none

Vice Chair Comments: None

Staff Comments: Agenda has been updated

Item 1: Dist. Master Scope of Work

Before item was discussed, John Monroe read the attached letter as a point of order.

Nichole responded and clarified – Flora also commented and will provide a response after review. (*John Monroe's letter was reviewed and legal provided attached comments*).

Motion to accept scope of work with suggested edits: motion made by John Monroe, second by Ethel McNeal, all in favor.

Item 2: Voting Process

Motion to begin recording individual votes by name: motion made by Ben Young, second by John Monroe. All are in favor except Simone and Julius who abstained.

Motion to go back to 11.04.19 and record individual votes: motion made by John Monroe, second by Ben Young. In favor: Simone, Jim, Ethel Chris, Ben, John, Karri, Mary. Abstain: Julius

Next Meeting: 1/06/2020 at 6:00 PM

Adjourned: 7:10PM

Attached 12.02.19 meeting

Current Status of Districting Master Selection

I would ask for a point of order as I believe we may be in violation of the City of Everett, Purchasing Guidelines, Section 11.2 – Fairness to Vendor rules. I would ask for you to bear with me for a few minutes.

1. In mid-October RFP's were sent out to those that we were aware of for the position of Districting Master. To support that request and for interviews to follow, the Districting Commission was asked to submit any questions that they might have for the Districting Master. I do not know how many questions in total were submitted by the Commission members.
2. On 10/31 in preparation for the 11/4 Commission meeting Nichole sent the Commission resumes from TJ Ypma and Tony Fairfax.
3. In a second e-mail on 10/31 Nichole also forwarded a third package from a Bob Schweitzer of Sammamish Data Systems. That package included copies of the work Bob had done for the Port of Everett. Bob agreed to join the 11/18 Commission meeting.
4. On 11/4 just prior to the Commission meeting, Nichole forwarded the written responses to the 11 questions from Tony
5. On 11/4 TJ appeared before the Commission and answered the 11 questions in person. He did not submit a written response to the questions and as TJ spoke with quite an accent, it sometimes was difficult to understand him. As such with one well written and thought out response to the 11 questions from Tony and one verbal response to the 11 questions from TJ, it was very difficult to compare one candidate with the other. As such, we all agreed that Tony would need to appear in person (video conference) at the 11/18 Commission meeting. We also asked Nichole to, using the video from TJ's 11/4 appearance, to transcribe his responses to the 11 questions such that we would have written responses for both candidates.
6. On 11/15 Nichole provided Bob's response to 28 questions. After reading through his responses, I was concerned about his response to one of the questions: Has any of your previous work ever been challenged (in court) and if so, were you successful in that challenge. As Bob was the only one asked this question, and because of his honest answer, at least for me, that began to firm up my thoughts on him. Based on the response to questions that the other

candidates had not been asked, I unfortunately was left with a less than ideal opinion of Bob.

7. At the 11/18 Commission meeting Bob appeared in person and responded verbally to the 11 questions. Unfortunately, Tony, while unable to see our Commission meeting, was able to hear Bob's response to the 11 questions and any follow-ups, putting him (Tony) at an advantage over Bob. Tony then came into view and answered the 11 questions. Because Tony was able to hear the discussion we had with Bob, he was able to take advantage of that in his responses.

I do not know where we go from here but I believe we have at least three instances where at least two of our candidates were not treated fairly.

1. We had difficulty understanding TJ's verbal responses to the 11 questions. Then comparing what we remembered of TJ's responses to the written responses of Tony, it just didn't feel right. Disadvantage TJ
2. Bob was given 28 questions for respond to (and I read all 28 responses) with TJ and Tony only given 11 to respond to. The seventeen additional questions Bob answered delved much more deeply into his operations than that of the others. Disadvantage Bob
3. Tony was able to listen to all of Bob's responses and then incorporate those as lessons learned when he made his own responses. Advantage Tony

Summary

This is not about having Tony, Bob or TJ sue us for bias or discrimination or not being in compliance with the City's Fairness to Vendor rules, it is about having a fair, level playing field and total transparency, where we decide who will help us with this most difficult task going forward.

In closing, I am not comfortable either with our selection process or of moving ahead with our final candidate.

Attached 12.02.19 meeting.

Nichole Webber

From: Flora Diaz
Sent: Friday, December 6, 2019 10:05 AM
To: simone.tarver@gmail.com; chrisgeray@gmail.com; emcneal68@yahoo.com; ben@c3coalition.org; jwl@westminster61.com; jamonroe@msn.com; marypfosse@gmail.com; kari.quaas@gmail.com; julius914@yahoo.com
Cc: David Hall; Nichole Webber
Subject: Districting

Commission Members,

Following last week's meeting, I discussed Mr. Monroe's concerns about the purchasing process with the City's Purchasing Manager, Deputy City Attorney and City Attorney. It is clear that the process followed by staff was appropriate and complied with applicable law. The City's administrative purchasing guidelines do not apply for two reasons: the selection of a districting master is controlled by the City Charter; and the districting master is engaged via a Professional Services Agreement (this type of PSA is not governed by the administrative purchasing guidelines).

Thank You,



Flora E. Diaz

Assistant City Attorney | Everett City Attorney's Office

Criminal: 425.257.8658 | Civil: 425.257.7012 | 2930 Wetmore Ave, Everett, WA 98201

everettwa.gov | [Facebook](#) | [Twitter](#)

Note: Emails and attachments sent to and from the City of Everett are public records and may be subject to disclosure pursuant to the Public Records Act.

Attached 12.02.19

SCOPE OF WORK

The Service Provider will use appropriate data and input to create initial draft concept plan that follows the City's charter and relevant City, state and federal laws; work with the commission to adjust the initial draft concept plan and create a version ready for the public comment; be present at community meetings; and keep the commission informed and work with City staff to create an accurate complete map pertaining to district boundaries and communities of mutual interest data.

The Service Provider will also provide the following:

- Redistricting Advice, Consultation, and Mapping Services
 - Provide ongoing consultation and advice via telephone, email, online conference, or face-to-face meeting.
 - Provide districting plan development services to include attending select District Commission meetings (up to 15 commission meetings and 7 community meetings). Most of these meetings will be via video conference.
 - Provide offsite districting plan development services.
 - Work with the Districting Commission to interface with Planning Dept. Staff to provide relevant data (e.g. neighborhoods) and information.
 - Work with the Districting Commission to obtain information obtained from community organizations and the public pertaining to district boundaries and communities of mutual interest data.
 - Work with City Staff and the Districting Commission to answer community questions and inquiries.
 - Work with City Staff to create updates as needed to keep the community and other interested parties informed.

- Draft Maps and Written Descriptions
 - Provide maps (pdf format) of plans in letter size (8.5" x 11") and large size (36" x 44") format (large size upon request) for the entire districting plan.
 - Provide zoom of district areas for draft plans. Include additional zoom areas (upon request).
 - Provide Maptitude districting plan reports for draft plans on population statistics, contiguity, compactness, political subdivision splits, and communities of mutual interest (upon request).
 - Provide draft reports (pdf format) that includes maps, Maptitude plan reports (see list above), and a clear narrative describing each district contained within the final plan.
 - Provide digital census block assignment list and digital "shapefile" of final districting plan (upon request).

- Final Maps and Written Descriptions
 - Provide maps (pdf format) of plans in letter size (8.5" x 11") and large (36" x 44") format for the entire districting plan.
 - Provide zoom of District areas (pdf format) for draft plans. Include additional zoom areas (upon request).
 - Provide Maptitude districting plan reports for draft plans on population statistics, contiguity, compactness, political subdivision splits, and communities of mutual interest.

- Provide final report (pdf format) that includes final maps, Maptitude plan reports (see list above), and narrative describing each district contained within the final plan.
 - Provide digital census block assignment list and digital “shapefile” of final districting plan.
- Online Mapping
 - Work with the City staff to provide necessary data to create online accessible maps and reports for the public.
 - Provide ArcGIS online web mapping application(s) depicting draft and final map plans for District Commission access as well as separate public access (upon request).
- Compliance and Research
 - Become familiar with and follow the Everett City Charter concerning districting.
 - Become familiar with follow Washington’s RCW 29A.76.010 and other applicable laws.
 - Become familiar with and follow all Federal laws and guidelines concerning districting.
 - Understand Everett’s natural, neighborhood and other social boundaries.
- Eligible Expenses:
 - Rental car.
 - Meals while in Everett up to the City of Everett’s peridium amount.
 - Breakfast \$16
 - Lunch \$20
 - Dinner \$30



Districting Commission Basic Rules of Procedure

Overview: These rules were created to provide a clear process for proposing, amending, and approving motions during Everett Districting Commission Meetings. The City expects all Boards and Commission members/community participants to follow the Civil Discourse Guidelines.

Basic Rules:

Only one subject may be before the group at one time.

All agenda items will have an approximate time allowance for conversation.

In order to extend that time, the chair can call a vote to continue discussion.

Only one person may speak at a time and should keep their comments to less than 2 min.

All members have equal rights. Each commissioner is entitled to one vote, including the chair.

There must be a quorum at each meeting. A quorum is defined as having 5 commissioners present.

Members are expected to attend all meetings in person (understanding there are exceptions).

Each item presented for consideration is entitled to discussion.

The commission can ask for a "feel vote." If there is a majority, the chair will allow for those in disagreement an opportunity to speak (up to 2 minutes per speaker). If this sparks more discussion the conversation will continue. Otherwise, the item will go up for a final vote.

A majority of the commission is required to call a vote.

You must have 5 "yes" votes to pass any motion before the commission.

Commissioners may submit items to the Chair two weeks prior to each meeting (unless meetings are less than 2 weeks apart).

At the end of every agenda, there will be an opportunity for commissioners to bring forward items for discussion. These items are open for conversation but cannot be voted on (unless all commissioners are present) until they become official agenda items.

Motions:

A commissioner must make a motion and get a second (from another commissioner) to act.

All votes will be individually recorded excluding adjourning a meeting

An item may be tabled and therefore discussion will be postponed.

If an item is tabled, it will be added to the agenda for the next meeting (unless there is a reason to postpone further, IE: staff needs more time to research, etc.)

The commission may amend motions. Amendments must not defeat the main motion.

The chair may exercise discretion as needed to maintain civility and productivity.