

City Council Ad Hoc / Committee Of the Whole
Reapportionment
Wednesday, July 5, 2023

Call To Order:

Mr. DiGilio called the Committee of the Whole meeting to order at 7:05 p.m.

NOTICE:

Mr. DiGilio read the meeting notice.

Roll Call:

COUNCIL MEMBERS PRESENT: Buzaid, Eriquez, Knapp, Levy, DiGilio, Rotello, Esposito, Esposito III, Fox, Masi, Henry, Merchan, Chianese, Cammisa, Tomchik.

COUNCIL MEMBERS ABSENT: Putnam, Visconti, Halas, Palma, Britton, Perkins

PRESENT: 15, ABSENT: 6

ALSO PRESENT: Bob Yamin, Corporation Counsel; Les Pinter, Deputy Corporation Counsel; Dan Casagrande, Outside Counsel; Joseph Mortelliti, Outside Counsel; MaryAnn Doran, Registrar of Voters (R); Jan Giegler, Town Clerk; John Kleinhans, Mayor's Office; Elisa Etcheto, Legislative Assistant.

1. Reapportionment

Mr. Casagrande (Outside Counsel) provided an overview of the process and purpose of reapportionment. He discussed a draft complaint/pending lawsuit and noted the legal issues that need to be addressed; Sec. 2 Voting Rights Act of 1965 (Majority Minority Districts: minority groups need to be able to vote for a minority candidate of their choice), and the 14th Amendment Equal Protection Clause (voting districts must be substantially equal; rule of thumb is about 10%).

He noted that Dr. Morrison was hired to review the 2 plans presented out of the Reapportionment Ad Hoc and their compliance with the Sec. 2 Voting Rights Act. The result was that both plans could violate Sec. 2, and his suggestion was to keep the existing wards map. Concerns regarding population growth were noted in the draft complaint and the existing map was reviewed by Dr. Morrison for the Equal Protection Clause (10% variation between wards). The map was found to violate the threshold. A new map/plan is presented.

Dr. Morrison explained that his goal with the new wards plan was to fulfill the threshold requirements by making minimal changes to the existing map because the existing plan has produced minority candidates to represent minority populations. The new plan rebalances wards to within 7.5% and addressed irregularities in the boundaries of the wards.

*Joan Bielizna, Registrar of Voters (D) arrived at 7:26pm.

Mr. DiGilio asked Mr. Casagrande regarding deadlines. Mr. Casagrande noted three deadlines; Self Imposed deadline: Plaintiff asked for a map to be chosen prior to political caucuses which are mandated to take place by July 18, 2023. State Mandated deadline: August 7, 2023, per General Statutes 9-169, requires all redistricting to be approved 90 days prior to the upcoming election. Registrars deadline: October 6, 2023, per General Statutes

9-168 & 9-169, requires identification of polling locations for the upcoming election. He noted that only the plan must be in effect by August 7th, the new Ordinances can go into effect after the plan is approved.

He suggested two action plans; the first is to recommend the new plan, subject to a Public Hearing before final action, on or before July 18th. The second option is to continue working on the plan/map for the 2025 election, which will most likely result in litigation.

Mr. Rotello discussed the need to thoroughly review the plan, and noted his reservations with the process, and the recommendations of Dr. Morrison. He clarified the purpose of the Public Hearing/s.

Mr. Chianese noted that Dr. Morrison's new plan is close to the original Plan A, however, the new plan proposes a majority of changes to the downtown area. Mr. Morrison noted that the plans need to comply with both Sec. 2 and the Equal Protection Clause. He pointed out a variation in the downtown population with regards to population totals and the portion of that population that can vote.

Ms. Merchan asked what sources were used to establish the Latino population. Dr. Morrison explained that the 2020 Census only provides for a Hispanic Category. He noted that the American Community Survey does help determine Hispanic populations that are not yet citizens. He noted that a thorough analysis is needed to make further recommendations regarding downtown wards.

Mr. Fox asked about discrepancies in Dr. Morrison's last recommendation. He asked if the council had participated in the new plan, and asked why changes were made to downtown boundaries. Dr. Morrison noted time constraints, and explained that he moved some boarder irregularities that would not affect incumbents.

Mr. Rotello asked why the majority of changes occurred in the downtown area that would move 400 Hispanics from the 6th Ward to the 7th. Dr. Morrison explained that he needs to know the voting status of the Hispanics he is referencing and would need more time to process the data.

A motion was made by Councilman Knapp, seconded by Councilman Levy, that the Committee recommend to the City Council that the Council approve the modified redistricting plan presented by Dr. Morrison, and accordingly modify the plan approved by the Council on April 4, 2023, subject to a public hearing to be held at 6:00PM on July 17, 2023, followed by a special meeting of the Council on that night to take final action on the modified plan, provided that (1) Registrars of Voters timely review the modified plan to determine consistency of the modified ward boundaries with precinct boundaries and to make changes as required by state law; (2) the modified plan shall be effective as of August 7, 2023 (as per state statute); and (3) the Council shall proceed to consider amendments to the Code of Ordinances Sections 8-1 and 8-2 to adjust the boundaries of wards and voting precincts in accordance with the modified plan. 13 Yes, 2 No (Rotello, Fox) Motion Carried.

Mr. Chianese asked Corporation Counsel to confirm that the timeline presented will fulfill the requirements. Mr. Pinter noted that this item can go straight to a Public Hearing. Mr. Rotello noted his discontent with the flawed process that will continue to affect the city into the future. Mr. Fox noted his concern over the process, and Mr. Levy discussed the need to revise the Charter and suggested that experts will need to be consulted to meet both Sec. 2 and the Equal Protection Clause. Mr. DiGilio asked for a Roll Call Vote.

ADJOURNMENT

A motion was made by Councilman Levy, and was seconded by Councilman Masi, to adjourn the meeting. Motion carried unanimously. The meeting adjourned at 8:47 p.m.

Respectfully Submitted,
Elisa Etcheto, Legislative Assistant
Attest: Vinny DiGilio, City Council President