

BoCC

RESOLUTION NO. 23-124

**BOARD OF COUNTY COMMISSIONERS
COUNTY OF EL PASO, STATE OF COLORADO**

**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**

WHEREAS, pursuant to C.R.S. §§ 30-11-103 and 30-11-107(e), the Board of County Commissioners of El Paso County, Colorado ("BoCC"), has the legislative authority to manage the business and concerns of the County to ensure the welfare and interests of the County and its inhabitants; and

WHEREAS, pursuant to C.R.S. § 30-10-306, boundaries for county commissioner districts must be established, revised, or altered after each federal census of the United States; and

WHEREAS, the United States Census Bureau completed the 2020 decennial census and the redistricting population data has been prepared by the staff of the Colorado Legislative Council and Colorado Office of Legislative Legal Services; and

WHEREAS, on April 29, 2021, the Colorado Legislature passed HB 21-1047 concerning the drawing of voting districts by county governments, which set forth a new process for conducting county commissioner redistricting and requires that the redistricting process be completed by September 30 of the second odd-numbered year following the federal census; and

WHEREAS, pursuant to C.R.S. § 30-10-306.1, the board of county commissioners in each county that has any number of its county commissioners not elected by the voters of the whole county must designate a county commissioner district redistricting commission in order to adopt a plan to divide the county into as many districts as there are county commissioners elected by voters of their district; and

WHEREAS, pursuant to C.R.S. 30-10-306(6)(b), a county commissioner redistricting commission can be made up solely of the members of a county's board of county commissioners; and

WHEREAS, pursuant to C.R.S. § 30-10-306.2(1), the board of county commissioners shall appoint staff as needed to assist the redistricting commission; and

WHEREAS, pursuant to C.R.S. § 30-10-306.4(1), the board of county commissioners shall establish deadlines to ensure that the redrawing of county commissioner districts is accomplished by no later than September 30 of the redistricting year; and



WHEREAS, pursuant to C.R.S. § 30-10-306.4(1)(d), the board of county commissioners as the redistricting commission may provide direction for the development of plans for county commissioner districts through the adoption of standards, guidelines, or methodologies to which staff shall adhere; and

WHEREAS, the El Paso County Board of County Commissioners desires to adopt this resolution for purposes of establishing the El Paso County Redistricting Commission, to designate the nonpartisan county staff who are appointed to assist the Redistricting Commission, and to satisfy all other statutory duties and responsibilities to ensure timely completion of the county commissioner redistricting process for El Paso County.

NOW, THEREFORE, BE IT RESOLVED by the Board of County Commissioners of El Paso County, State of Colorado, that the El Paso County Redistricting Commission ("Redistricting Commission") is hereby created and established, which is to be made up solely of the members of the El Paso County Board of County Commissioners.

BE IT FURTHER RESOLVED that the Board of County Commissioners hereby appoints the following staff to assist the Redistricting Commission:

- El Paso County Clerk and Recorder's Office:
 - Steve Schleiker, El Paso County Clerk and Recorder
 - Angie Leath, Director of Elections
 - Karl Nordstrom, IS Manager
 - Kristi Ridlen, Deputy Clerk and Recorder
 - Sydney Nelson, GIS Technician

- El Paso County Administration:
 - Mike Duysen, IT GIS Manager

BE IT FURTHER RESOLVED that the Clerk and Recorder and County Administration staff shall abide by the requirements prohibiting certain communications as set forth in C.R.S. § 30-10-306.2, except that Ryan Parsell, Governmental Affairs Executive Director, shall be specifically designated by the BoCC to communicate with both staff and the Redistricting Commission concerning administrative matters, such as agenda development, meeting times and locations, and other matters necessary for the Redistricting Commission to hold public hearings effectively, but shall not communicate with the Redistricting Commission concerning the content or development of any plan outside of a public meeting held for those purposes.

BE IT FURTHER RESOLVED that the Board of County Commissioners hereby appoints the following staff from the El Paso County Attorney's Office as follows:

- To provide legal advice and support to the Redistricting Commission:
 - Kenny Hodges, El Paso County Attorney
 - Lori Seago, Senior Assistant County Attorney

- To provide legal advice and support to the assigned El Paso County Clerk and Recorder and El Paso County Administration staff:
 - Steven Klaffky, Chief Deputy County Attorney
 - Steven Martyn, Assistant County Attorney

BE IT FURTHER RESOLVED that the El Paso County Attorney's Office shall establish an appropriate firewall within the office to ensure that the attorney(s) representing the Redistricting Commission are not communicating with the attorney(s) representing the staff regarding the content or development of any plan and vice-versa; however, the attorney(s) representing the staff may provide legal advice to the staff on the content or development of any plan to ensure the staff is receiving legal guidance on the requirements of HB 21-1047.

BE IT FURTHER RESOLVED that nothing in this Resolution shall restrict any staff within the El Paso County Attorney's Office from continuing to communicate with and provide routine legal advice and support to the BoCC or any other staff that is wholly unrelated to the content or development of any plan provided for under HB 21-1047.

BE IT FURTHER RESOLVED that the Redistricting Commission shall conduct its work to ensure that it holds separate public hearings in each commissioner district, and that staff in drafting of proposed plans shall consider the current county commissioner boundaries as a starting point for initial analysis, and that the staff shall comply with any other standards, guidelines, or methodologies to be issued by the Redistricting Commission.

BE IT FURTHER RESOLVED that the Redistricting Commission and staff shall conduct its work to ensure that it completes the following items by no later than the deadlines established by the BoCC to ensure the timely completion of the county commissioner redistricting process and the adoption of a final plan:

- May 12, 2023 – the creation of a website and a method for County residents to present testimony.
- July 14, 2023 – last date for the public to submit proposed plans through the County's website.
- August 4, 2023 – deadline for the Redistricting Commission to have held at least five public hearings (one in each commissioner district) to receive public feedback, and to have created, presented and published online three plans for consideration by the Redistricting Commission at future meeting(s).
- August 8, 2023 – deadline for any member of the Redistricting Commission (as a group or individually) to request additional plans or amendments to proposed plans.
- August 11, 2023 – last date for the public to submit written comments through the County's website.

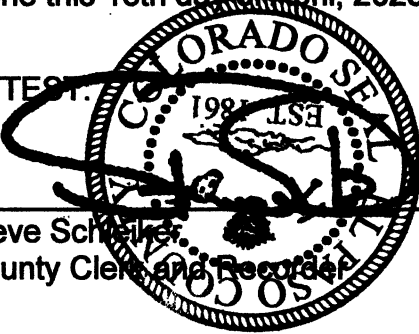
- August 15, 2023 – deadline for the adoption of a final plan by the Redistricting Commission.

BE IT FURTHER RESOLVED that the Board of County Commissioners wishes this process to be conducted in a respectful, fair, and impartial manner to all parties involved and is grateful for the active participation of the El Paso County community in the redistricting process.

Done this 18th day of April, 2023 at Colorado Springs, Colorado.

ATTEST.

Steve Scheeler
County Clerk and Recorder



BOARD OF COUNTY COMMISSIONERS
OF EL PASO COUNTY, COLORADO

Cami Bremer
Cami Bremer
Chair