



# LANE COUNTY INDEPENDENT REDISTRICTING COMMITTEE

Agenda for November 1, 2021

6:00 p.m. – 8:00 p.m.

*During the COVID-19 global pandemic, the Independent Redistricting Committee will be hosting their meetings remotely. The Chair will provide the opportunity for speakers during the public comment portion of the meeting. If you would prefer to give written public comments, please send to [Judy.Williams@lanecountyor.gov](mailto:Judy.Williams@lanecountyor.gov) and clearly indicate it as such.*

**Please join us from your computer, tablet or smartphone:**

<https://us06web.zoom.us/j/87643163701?pwd=NlBtdlJRSWplWVpXeTRoOHpmazk3Zz09>

Meeting ID: 876 4316 3701

Passcode: 444492

**Join us via phone at:** +1 (253) 215 8782 Meeting ID: 876 4316 3701

The following acts as a mechanism for conducting roll call and as a credentialing tool to identify how many of the 15 Regular members are present. In the case of an absence by one of the 15 Regular members, an Alternate would stand in, seated in the order they were ranked by the selection committee with all of the rights and privileges of a Regular member.

Regular Members:			Alternate Members:	
Jennifer Waggoner (District 1)		Stefan Ostrach (District 4)		1. Ellen McKean (District 5)
Alan Laisure (District 1)		Linda Hamilton (District 4)		
LaRece Rivera (District 1)		Madison Newell (District 4)		
Natalie Fisher (District 2)		Laura Fenimore (District 4)		
George Grier (District 2)		Tony Corcoran (District 5)		
Morgan Munro (District 3)		Ashley Pelton (District 5)		
Natalie Dybens (District 3)		Kevin Cronin (District 5)		
James Torrey (District 4)	<b>15</b>	<b>Total Regular Members</b>		<b>Total Alternates as Regular</b>

Staff:

Judy Williams, IRC Liaison	Cheryl Betschart, County Clerk	Steve Dingle, County Counsel
Laura Holtgrieve, Minutes	Kyle Overstake, LCOG GIS	Bob Denouden, LCOG GIS

## AGENDA

- 1) Call meeting to order
- 2) Introductions and credentialing (eligibility for rights and privileges of Regular member)
- 3) Public Comment (15 minutes: 3 minutes per person unless more than 5 people total)
- 4) Approval of Draft Minutes for October 25th
- 5) Staff Updates
- 6) Staff Review of Maps, J, Q and C
- 7) Question: Do we have any concerns that proposed maps do not comply with the factors at play (State and Local requirements)?
- 8) Memorandum to the Board
- 9) Process Improvements for Next Time
- 10) Items for Next Agenda (No additional meetings unless additional time is needed)



INDEPENDENT REDISTRICTING COMMITTEE  
Minutes – October 25, 2021

Regular Members:				Alternate Members:	
X	Jennifer Waggoner (District 1)	X	James Torrey (District 4)		1. Ellen McKean (District 5)
X	Alan Laisure (District 1)	X	Stefan Ostrach (District 4)		
X	LaRece Rivera (District 1)	X	Linda Hamilton (District 4)		
X	Natalie Fisher (District 2)	X	Madison Newell (District 4)		
X	George Grier (District 2)	X	Tony Corcoran (District 5)		
X	Morgan Munro (District 3)	X	Ashley Pelton (District 5)		
X	Natalie Dybens (District 3)	X	Kevin Cronin (District 5)		
X	Laura Fenimore (District 4)	<b>15</b>	<b>Total Regular Members</b>		<b>Total Alternates as Regular</b>

Staff:

X	Judy Williams, IRC Liaison	X	Cheryl Betschart, County Clerk		Steve Dingle, County Counsel
	Laura Holtgrieve, Minutes	X	Kyle Overstake, LCOG GIS		Bob Denouden, LCOG GIS

1. Call to Order:  
Chair Munro called the meeting to order at 6:00 p.m.
2. Introductions and Credentialing:  
Vice Chair Dybens led introductions.
3. Public comment:  
Public comment suggestions were made requesting the county to: 1) make it easier to find the redistricting maps on the county website; 2) Enlarge the maps so they are easier to read; 3) add a link on front page of the website to access them (instead of having to navigate to the IRC page).
4. Approval of Draft Minutes:  
Chair Munro asked if there was any discussion or adjustments on the draft committee minutes from October 18, 2021. The minutes were unanimously approved among voters present.
5. Staff Updates:  
Ms. Williams reported that she updated the website (map organization, naming) per the committee's request last week.
6. Conflict of Interest Discussion:  
Chair Munro reported that County Counsel sent the committee a memorandum explaining what constitutes a conflict of interest (Attachment A) and that she sent the committee a FAQ sheet (Attachment B) on the subject. Chair Munro led a conversation with the committee requesting disclosure of any potential conflicts of interest.

Member Torey: He has donated to the campaigns of two of the Board of County Commissioners (BCC) and worked on campaigns as a volunteer.

Member Hamilton: She has volunteered for commissioners; is a County employee; and is President of a union. She has never had money transactions with the BCC.

Member Corcoran: He has contributed time to one current commissioner. No money transactions.

Member Newell: She has volunteered and worked on commissioner campaigns as a union staffer. She negotiated the last LCOG Senior and Disabled Services contract for the union.

Member Rivera: She is a County employee; President of AFSCME; and worked on three of the current commissioner's campaigns. No money transactions personally, but AFSCME has donated financially to the commissioners.

Member Cronin: He has a company called, Emerald Empire Consulting, which produces mail, radio and television ads and digital media for candidates. He worked with three of the current commissioners, Bozievich, Berney, and Buch in 2018 and 2019. He contacted the Oregon Government of Ethics Commission (OGEC) to see if this is a conflict of interest. The written opinion is attached to these minutes (Attachment C). OGEC informed him to disclose this information as a potential conflict of interest. Member Cronin is married to Ellen McKean (IRC committee alternate). Since being on this committee, Member Cronin has accepted a position with Housing Oregon, which is a non-profit, based out of Portland. He no longer work at Homes for Good.

Member Pelton: She made a monetary donation to a current commissioner prior to working on this committee.

Member Laisure: He is a friend of one of the commissioners and hasn't discussed the details of this committee work with them.

Member Grier: He was appointed to the Lane County Planning Commission four years ago. Previously, he made donations on behalf of non-profits for two of the current commissioners.

Member Fisher: She worked for a previous commissioner, Pete Sorenson. She has made monetary donations to several candidates.

Alternate Member McKean: She is connected to Emerald Empire Consulting via her marriage to Member Cronin. She has previously volunteered for commissioners.

Member Ostrach: He has previously contributed monetarily to commissioners.

Member Hamilton asked if anyone on this committee is gaining financially (personal or business) from current commissioners. Chair Munro stated that conflict of interest is about future financial gain (not past gain). No committee member has stated they will be receiving financial gain from the commissioners in the future.

Member Waggoner: She has contributed and volunteered for campaigns and was a political consultant for 20 years, but not for the commissioners.

Chair Morgan: She has contributed and volunteered for campaigns. She serves on the KLCC Public Radio Foundation Board and doesn't have any editorial say or influence over the news team. She volunteers to raise money for the station.

Member Dybens: Her employer is boarded partially by the current BCC.

7. Review Newly Adjusted Maps (R&S)

**Map R – Member Dybens**

- Map R is a revised version of Map N.
- Realigned the border between District 1 and District 5 East
- This concept aligns districts based on charter descriptions

Member Rivera asked if Member Dybens had a preference between her Map R and Map H. Member Dybens prefers Map R.

**Map S (previous Map O) – Member Pelton**

- Only one neighborhood split, Churchill
- Keeps River Road, Santa Clara, and Bethel together in one district
- Harlow is in one district
- Springfield doesn't cross into Eugene area
- Provides the most access to political power amongst all of the neighborhoods

Member Rivera asked if Member Waggoner had a preference between her Map P and Map C. Member Waggoner stated that she dropped Map P.

Member Corcoran asked Member Pelton why she included Junction City in District 5. It is because the map follows the new state senate lines.

Member Cronin asked if Map P can be reconsidered since it's been withdrawn? Member Waggoner is willing to bring Map P back and requested that it be added back to the map options to vote on.

8. Winnnow Down Maps:

Chair Munro requested the public to send their questions to her via chat. He asked the committee if they wanted to have a discussion on the maps. Member Torrey suggested asking this question after the first round of voting. The committee agreed. Ms. Williams presented an Excel sheet for voting purposes.

**Map Voting - Round 1:**

- The committee members voted for their first round of map choices. After voting, Map K was eliminated and the committee discussed the pros and cons of each map. Member Ostrach asked to withdraw his Map L. A screenshot of the voting outcome is shown here:

Maps	1st Choice = 3 points			2nd Choice = 2 points			3rd Choice = 1 point			Maps that get 1 point or less get eliminated						Count
	Jennifer	Alan	LaRece	Natalie F.	George	Morgan	Nat D.	Jim	Stefan	Linda	Madison	Laura	Tony	Ashley	Kevin	
Map J			1	3	3	3			3		3		2		2	20
Map C	3	3						3		3		3				15
Map P	2		3	1		2		2			2			2	1	15
Map Q		2		2	1				2				3		3	13
Map S	1	1						1		2				3		8
Map H					2		2			1		1				6
Map R							3				1	2				6
Map L			2						1				1			4
Map K							1									1

Member Torrey asked what makes Map P stronger than Map C. Member Waggoner stated that Map C stronger and it received local support from the League of Women Voters. Clarification regarding public comment noted that the League of Women Voters did not make public comment in support of any maps. The support was from a specific individual, not the League of Women Voters.

Member Ostrach motioned to proceed with Round 2 voting. Member Laisure seconded the motion. The motion was unanimously approved among voters present.

## Round 2:

Maps	Jennifer	Alan	LaRece	Natalie F.	George	Morgan	Nat D.	Jim	Stefan	Linda	Madison	Laura	Tony	Ashley	Kevin	Count
Map J		1	3	3	3	3			3		3		2	2	2	25
Map Q		2	2	2	2		1		2				3		3	17
Map C	3	3						3		3		3				15
Map R							3				2	2	1			8
Map H					1		2	1		1		1			1	7
Map S	1									2				3		6
Map P	2			1		2										5

Member Rivera motioned for the committee to vote on the top three maps, J, Q, and C. Member Torrey seconded the motion. Member Newell stated that the motion is too overbroad. Member Corcoran motioned to amend the original motion to state, “vote on the top 4 maps.” Member Rivera seconded the motion. The motion was unanimously approved among voters present. The map selection vote is included as Attachment D.

Chair Munro explained the process for the October 28, 2021 committee meeting. The committee’s task is to send three maps to the BCC with written rationale describing each map’s pros and cons and to rank them in the committee’s order of preference.

Member Laisure asked about the process for technical adjustments to the maps. Ms. Bestchart shared that the County Clerk’s office would need 1-2 days to review the final maps for technical adjustments prior to being referred to the BCC. She will ask Mr. Overstake if it’s possible to complete the review prior to the October 28 committee meeting and will advise.

Mr. Ostrach would still like to have some debate on the pros and cons of the remaining maps and asked if the committee would want to allow a process to make adjustments. Chair Munro explained that it’s late in the process to make changes. She requested the committee to email the map author if there is something in particular they wanted changed and to copy Chair Munro and Ms. Williams on the inquiry. The committee will discuss the pros and cons of current maps on October 28, 2021.

## 9. Items for Next Agenda

- Public comments (15 minute total limit)
- Authors to write descriptions of maps (pros and cons) and submit them by Tuesday night 10/26.
- Map Voting

The meeting adjourned at 8:00 p.m.

## Attachment A

DATE: October 23, 2021  
TO: Independent Redistricting Committee Members  
From: Stephen Dingle, County Counsel  
SUBJECT: Conflict of Interest Question

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### Issue:

An IRC Member, Linda Hamilton brought up the question about what constitutes a conflict of interest as she understood that a committee member has received funds from two specific commissioners.

In terms of the background from all of the listening sessions and work sessions on the creation of the IRC, the Board specifically discussed and considered whether individuals involved in commissioner's campaigns or their family members should be disqualified from serving on the IRC. The Board ultimately decided NOT to exclude these folks. The Board has stated throughout, that the main goal of this process has been to have as much transparency as possible in order for the public to have confidence in the process and ultimately in the decision. In lieu of excluding folks from serving on the IRC that may have ties to commissioner's campaigns, the Statement of Economic Interest (SEI) Form became part of the application process with the goal to have transparency and to have disclosures of such ties. A recommendation from staff would be that this form may not be the best method moving forward as it doesn't quite get to the question of disclosing just that. It is worth noting that the applicants' addresses were verified in order to determine which district they were in as well and if they were a registered voter in Lane County. There was no other approval or acceptance of application material, such as the SEI. It is also worth noting that the application and all material including the SEI form were redacted in order to achieve anonymity in the selection processes. This redaction effort could have impacts on getting the anticipated information to be disclosed.

I consider members of the IRC as "public officials" as that term is defined in ORS 244.020(15) as they are acting as "agents" of the Board. That means they have ethical obligations/exposure, the county has no ability to change the Oregon Government Ethics Act.

I am unable to provide an individual any individual ethics advice, other than in my opinion they are covered by the ethics law, and should know the OGEC is available to provide advice to any of them. I am willing to be the conduit for anyone with the OGEC as I can often expedite the process.

It is my personal opinion that it would be prudent for anyone to at least disclose and declare their relationship with any of the commissioners. It can protect a member and the process if something is questioned at any point in the future.

If there was a question about how to put parameters around what types of disclosures may be necessary, one might consider disclosing if they had financial interactions with commissioners while they have been running for office or in office.

Since the IRC by-laws do not define "conflict of interest" I would say it definitely would include conflicts as defined by state ethics law. I would personally declare anything that someone might say should have been disclosed if it comes out later. For example, I have been lifetime friends with commissioner x and we have named the commissioner in our will as taking custody of our children if my spouse and I are both deceased.

If anyone is interested in contacting the OGEC, I really encourage you to contact me because I can make sure you provide all of the relevant information. But you can always do it yourself by going to that website and sending them an e-mail ([ogec.mail@oregon.gov](mailto:ogec.mail@oregon.gov)). Here is an example of what that e-mail might look like:

*"I am a member of the Lane County Independent Redistricting Committee (IRC). This is a committee appointed by the Lane County Commissioners and consists of their appointees and then their appointees appointed the remainder of the IRC. The IRC is tasked with presenting the Lane County Board of Commissioners with multiple potential new maps for commissioner districts.*

*I have [insert what their specific potential financial information-be very complete don't leave anything out]*

*I am asking what my obligations are under the Oregon Government Ethics Act? Can I vote on the maps? Do I need to declare a potential conflict and then vote? I am asking for your guidance."*

## **Conflict of Interest FAQ - Lane IRC**

Committee participants will engage in conflict of interest disclosures at our upcoming meeting. This document is a FAQ for the committee about conflicts of interest, the Oregon laws on this topic for public officials, and the last question in this list includes information about what committee members should consider when we have the option to declare or disclose any potential conflicts of interest we may have.

### **Q1. What do our committee bylaws say about conflicts of interest?**

A1. The IRC bylaws include Article 7 - Conflicts of Interest. They read,

"Committee members shall comply with ORS 244, in determining whether or not to participate in a Committee decision, based on the member or their relative actual or potential conflicts of interest. All Regular and Alternate Committee members shall complete an Oregon Government Ethics Commission Public Official Disclosure form.

In situations which a conflict of interest exists for a Regular or Alternate member, the member shall declare and explain the conflict of interest. No member of the Committee shall vote in a situation in which a conflict of interest exists for that member."

### **Q2. Are there other governing documents for our committee related to conflicts of interest?**

A2. Yes, under Oregon Government Ethics laws committee members are likely considered "public officials" (as defined in ORS 244.020(15) as we are acting as "agents" of the Board of Commissioners. This means that we have ethical obligations and exposure. If committee members are so inclined, they are encouraged to read ORS 244.020 as it goes into great detail on conflicts of interest, roles, and potential issues. Later in the statute you'll find section 244.120 that goes into more detail on how to handle potential and actual conflicts of interest.

### **Q3. What is a conflict of interest?**

A3. The ORS laws around ethics and conflicts of interest for public officials are specific and differentiate between "potential conflicts of interest" and "actual conflicts of interest."

An actual conflict of interest is described in [ORS 244.020](#) (1) as,

"(1) "Actual conflict of interest" means any action or any decision or recommendation by a person acting in a capacity as a public official, the effect of which would be



to the private pecuniary benefit or detriment of the person or the person's relative or any business with which the person or a relative of the person is associated unless the pecuniary benefit or detriment arises out of circumstances described in subsection (13) of this section."

A potential conflict of interest is described in [ORS 244.020](#) (13) as,

"(13) "Potential conflict of interest" means any action or any decision or recommendation by a person acting in a capacity as a public official, the effect of which could be to the private pecuniary benefit or detriment of the person or the person's relative, or a business with which the person or the person's relative is associated, unless the pecuniary benefit or detriment arises out of the following:

- (a) An interest or membership in a particular business, industry, occupation or other class required by law as a prerequisite to the holding by the person of the office or position.
- (b) Any action in the person's official capacity which would affect to the same degree a class consisting of all inhabitants of the state, or a smaller class consisting of an industry, occupation or other group including one of which or in which the person, or the person's relative or business with which the person or the person's relative is associated, is a member or is engaged.
- (c) Membership in or membership on the board of directors of a nonprofit corporation that is tax-exempt under section 501(c) of the Internal Revenue Code."

**Q4. Why do we disclose potential conflicts of interest?**

A4. We disclose potential conflicts of interest to support transparency within our work. Were a potential conflict of interest to rise to the level of an actual conflict of interest, the public official would need to recuse themselves from the discussion and any decisions made related to their conflict.

**Q5. What would be examples of an "actual conflict of interest" and a "potential conflict of interest" for our committee?**

A5. If one of our committee members was the majority owner of the company that makes ESRI and we were deciding whether to buy that software license, that would be a very clear actual conflict of interest. The ESRI owner would directly experience a private pecuniary (financial) gain that stemmed from our decision to use ESRI.

A potential conflict of interest that would likely not rise to the level of an actual conflict of interest would be if one of us had made a campaign contribution to a county commissioner (or their opponent). This likely doesn't rise to the level of an "actual" conflict per ORS because the contribution was made in the past (ORS is concerned about future financial benefits) and because the contributor was one among many other people (a whole class of people).

**Q6. Did the Board of Commissioners discuss whether previous campaign involvement should disqualify someone from serving on this committee?**

A6. Yes, in terms of the background from all of the listening sessions and work sessions on the creation of the IRC, the Board specifically discussed and considered whether individuals involved in commissioner's campaigns or their family members should be disqualified from serving on the IRC. The Board ultimately decided NOT to exclude these folks. The Board has stated throughout, that the main goal of this process has been to have as much transparency as possible in order for the public to have confidence in the process and ultimately in the decision

**Q7. What are the methods currently included in our IRC process to support transparency?**

A7. In lieu of excluding folks from serving on the IRC that may have ties to commissioner's campaigns, the Statement of Economic Interest (SEI) Form became part of the application process with the goal to have transparency and to have disclosures of such ties.

**Q8. Committee members filled out applications to join this committee, how were those applications vetted or verified?**

A8. The applicant addresses were verified in order to determine which district they were in and if they were a registered voter in Lane County. There was no other approval or acceptance of application material, such as the SEI. It is also worth noting that the application and all materials, including the SEI form, were partially redacted in order to achieve anonymity in the selection processes.

**Q9. We are going to have an opportunity for all committee participants to disclose any potential conflicts of interest in our committee meeting. What kinds of things could be included in a disclosure?**

A9. A good rule of thumb for disclosing potential conflicts of interest is to include anything that could raise questions if discovered later.

In Oregon, conflicts of interest are considered by households. If a member of your household (such as your partner, spouse, or child) has a potential conflict of interest you will need to include them in your disclosure.

Things to disclose as potential conflicts include previous campaign involvement with commissioners, any financial interactions with commissioners while they were running for office or in office, any long term personal connections with commissioners, and any business relationships you or a member of your household has or previously had with any commissioner, the county, and/or this committee.

\*\*\*This document summarizes information from ORS 244, as well as including material provided by county counsel and opinions of the committee chair and committee staff. It is not intended as and does not constitute legal advice. For specific legal advice and opinions, please consult the [Oregon Government Ethics Commission](#).\*\*\*

Attachment C

----- Forwarded message -----

From: **GOULD Diane \* OGEC** <[Diane.GOULD@ogec.oregon.gov](mailto:Diane.GOULD@ogec.oregon.gov)>  
Date: Mon, Oct 25, 2021, 12:52 PM  
Subject: RE: Lane County Redistricting Commission - Conflict inquiry  
To: [kevin\[REDACTED\]](mailto:kevin[REDACTED]@ogec.oregon.gov) <[kevin\[REDACTED\]](mailto:kevin[REDACTED]@ogec.oregon.gov)>  
Cc: HUNTER David \* OGEC <[David.HUNTER@ogec.oregon.gov](mailto:David.HUNTER@ogec.oregon.gov)>

Dear Mr. Cronin,

It was nice speaking with you on the phone earlier. I understand that you would like a written answer to your question from me, as well. As I understand it, you have been appointed to the Lane County Redistricting Commission to redraw boundaries for the county electoral districts, which is done every 10 years. This Commission was selected to be non-partisan and therefore the identities of the applicants was not disclosed during the selection process. The task of the Commission is to draw three maps to recommend to the current County Commissioners for adoption.

You are inquiring about possible conflicts of interest you as a Commission member could have due to the fact that your previous media business had a few County Commissioners or their campaigns as clients in approximately 2018. As we discussed, circumstances alone do not create a **statutory** conflict of interest. A conflict of interest only occurs when you take an action, or make a decision or recommendation in your official capacity as a redistricting commissioner that would or could financially impact you, a relative, or a business with which you or a relative is associated. For example, If you participated in a decision as a commissioner to solicit bids from local cartographers to aid you in drawing the maps and you or your relative was a cartographer, you would be met with a conflict of interest because that action **could** financially impact you or your relative. This would be a **potential conflict** only as described below. Also described below is the prohibited use of office statute.

#### CONFLICT OF INTEREST

ORS 244.020(1) defines an actual conflict of interest and ORS 244.020(13) defines a potential conflict of interest. A public official is met with either an actual or potential conflict of interest when participating in an official capacity, in any action, decision, or recommendation, if the effect would or could be to the private pecuniary benefit or detriment of the public official, the public official's relative, or any business with which either are associated.

The difference between an actual and potential conflict of interest is determined by the certainty of the private financial impact. An **actual conflict** of interest occurs when a public official participates in an official action that **would** have a direct financial impact on themselves, a relative, or any business with which they or a relative is associated. A **potential conflict** of interest occurs when a public official's action, decision or recommendation **could** have a financial impact on themselves, a relative, or any business with which they or a relative is associated.

ORS 244.120 directs public officials how to resolve a conflict of interest, depending on the type of public position they hold. A public official who was elected or appointed to a governing body, board, or commission, when met with a conflict of interest, must on each occasion, publicly announce the nature of the conflict, regardless of whether the conflict is actual or potential. Then, if the conflict is actual, the official must also refrain from any discussion, debate or vote on the issue giving rise to the conflict. If the conflict is potential, the official may participate in official actions following their public disclosure. [ORS 244.120(2)]

#### Prohibited Use of Office

ORS 244.040(1) prohibits public officials from using or attempting to use their official position to obtain a financial gain or avoid a financial detriment for themselves, a relative or household member, or a business with which they or a relative or household member are associated, if the financial benefit would not have been available but for holding their official position. This prohibition applies regardless of whether a conflict of interest is disclosed. [ORS 244.040(7)]

It does not appear from the information you have provided, that you would be met with a conflict of interest or a prohibited use of office in working on the Redistricting Commission, but every situation is very fact-specific. Every public official must decide if they have a conflict of interest or if their official actions would place them in jeopardy of using their public office for personal financial gain, but if you run into a specific question as you begin your work on the commission, please contact our office again. We are available by phone at 503-378-5105 or by email at [mail@ogec.oregon.gov](mailto:mail@ogec.oregon.gov) Good luck and thank you for this valuable service for the citizens of Lane County.

Best,

Diane Gould  
Compliance and Education Coordinator  
Oregon Government Ethics Commission  
3218 Pringle Rd. SE, #220, Salem, OR 97302  
Ph: 503-378-6806

\*\*\*\*\*DISCLAIMER\*\*\*\*\*

This staff advice is provided under the authority given in ORS 244.284(1). This opinion offers guidance on how Oregon Government Ethics law may apply to the specific facts described in your request. This opinion is based on my understanding and analysis of the specific circumstances you described and should not be applied to circumstances that differ from those discussed in this request.

**From:** HUNTER David \* OGEC <[David.HUNTER@ogec.oregon.gov](mailto:David.HUNTER@ogec.oregon.gov)> **On Behalf Of** OGEC Mail \* OGEC  
**Sent:** Monday, October 25, 2021 8:55 AM  
**To:** GOULD Diane \* OGEC <[Diane.GOULD@ogec.oregon.gov](mailto:Diane.GOULD@ogec.oregon.gov)>  
**Subject:** FW: Lane County Redistricting Commission - Conflict inquiry

David R Hunter

Oregon Government Ethics Commission  
3218 Pringle Rd SE STE 220  
Salem OR 97302-1680  
Direct 503-378-5105  
Fax 503-373-1456

**From:** Kevin Cronin <[kevin\[REDACTED\]](mailto:kevin[REDACTED])>  
**Sent:** Monday, October 25, 2021 8:54 AM  
**To:** OGEC Mail \* OGEC <[OGEC.Mail@ogec.oregon.gov](mailto:OGEC.Mail@ogec.oregon.gov)>  
**Subject:** Fwd: Lane County Redistricting Commission - Conflict inquiry

Hi there,  
Please send this to Diane Gould. I spoke with her on the phone and apparently I keep messing up her email.

Thanks!  
-Kevin

----- Forwarded message -----

**From:** Kevin Cronin <[kevin\[REDACTED\]](mailto:kevin[REDACTED])>  
**Date:** Mon, Oct 25, 2021 at 8:37 AM  
**Subject:** Lane County Redistricting Commission - Conflict inquiry  
**To:** <[diane.gould@ogec.or.gov](mailto:diane.gould@ogec.or.gov)>

Hi Diane,

Thank you for helping me work through this and consider things carefully.

Myself and my wife applied to the County's redistricting commission. The commission was selected in a double blind process, with the commissioners picking 5 members and those five picking two members each plus three alternates, for a total of 15 members and 3 alternates.

In my economic disclosure statement, my wife and I reported that I owned a business that does digital media and advertising contracts for political candidates. I've worked on projects with 3 of the current 5 commissioners. None in the last 2 years.

Our committee is tasked with recommending 2-4 maps to the board of county commissioners, which they will adopt one map.

Do me or my wife have a conflict of interest?

Sincerely,

Kevin Cronin  
[REDACTED]

## Attachment D

### Independent Redistricting Committee: Winnow Down Maps

Monday, October 25, 2021

1st Choice = 3 points

2nd Choice = 2 points

3rd Choice = 1 point

Maps that get 1 point or less get eliminated

Round 1:

Maps	Jennifer Waggoner	Alan Laisure	LaRece Rivera	Natalie Fisher	George Grier	Morgan Munro	Natalie Dybens	Jim Torrey	Stefan Ostrach	Linda Hamilton	Madison Newell	Laura Fenimore	Tony Corcoran	Ashley Pelton	Kevin Cronin	Count
Map J			1	3	3	3			3		3		2		2	20
Map C	3	3						3		3		3				15
Map P	2		3	1		2		2			2			2	1	15
Map Q		2		2	1				2				3		3	13
Map S	1	1						1		2				3		8
Map H					2		2			1		1				6
Map R							3				1	2				6
Map L			2						1				1			4
Map K							1									1

\*\*

\*

\* Map K was eliminated per committee vote to eliminate maps with 1 point or less.

Result: Top 7 maps move to Round 2

\*\* Map L was removed after the Round 1 vote by the map maker

Round 2:

Maps	Jennifer Waggoner	Alan Laisure	LaRece Rivera	Natalie Fisher	George Grier	Morgan Munro	Natalie Dybens	Jim Torrey	Stefan Ostrach	Linda Hamilton	Madison Newell	Laura Fenimore	Tony Corcoran	Ashley Pelton	Kevin Cronin	Count
Map J		1	3	3	3	3			3		3		2	2	2	25
Map Q		2	2	2	2		1		2				3		3	17
Map C	3	3						3		3		3				15
Map R							3				2	2	1			8
Map H					1		2	1		1		1			1	7
Map S	1									2				3		6
Map P	2			1		2										5

Result: Top 4 maps moving forward to a vote on October 28th

## **DRAFT IRC Report to the Lane County Commissioners**

### **Charge to the Committee**

Per the Lane Code Chapter 21 - Redistricting the duties of this committee are (Lane Code 21.001.001-D):

#### D. Duties of the IRC.

1. The IRC will prepare at least two (2) but not more than four (4) proposed redistricting plans in ordinance form for adoption by the Lane County Board of Commissioners as required by the Lane County Home Rule Charter Chapter III, section 3 subsections (d) and (e); and,
2. The proposed plans must comply with the relevant law relating to redistricting, voting rights and all applicable local, state and federal requirements; and,
3. The proposals must be ranked by the IRC in the order of its preference and the IRC must report to the Lane County Board of Commissioners the strengths and weaknesses of each proposal.

Per our committee bylaws, the Lane County Independent Redistricting Committee was assigned the following responsibilities by the Lane County Commissioners,

The 2021 Independent Citizens Redistricting Committee is an advisory committee created by the Lane County Board of Commissioners with the authority granted in Lane Manual section 3.505. The purpose of the Committee is to create options for the Board to comply with its obligation imposed by the Lane County Home Rule Charter Chapter III, section 3 subsections (d) and (e) to not less than every 10 years review and modify the boundaries for commissioners. The redistricting options must comply with the relevant law relating to redistricting, voting rights and the applicable local, state and federal legal requirements.

In addition the Committee also has the following responsibilities:

- A) The Committee will prepare at least two (2) but not more than four (4) proposed redistricting plans in ordinance form for adoption by the Lane County Board of Commissioners as required by the Lane County Home Rule Charter Chapter III, section 3 subsections (d) and (e); and,
- B) The proposed plans must comply with the Lane County Home Rule Charter and all applicable federal and state law governing redistricting; and,
- C) The proposals must be ranked by the Committee in the order of its preference and the Committee must report to the Lane County Board of Commissioners the strengths and weaknesses of each proposal; and,
- D) The Committee shall report to the Lane County Board of Commissioners monthly on the progress of the Committee.



ORS 188.010 describes the criteria used for creating legislative and Congressional districts in Oregon.

As nearly as practicable, each district shall:

- be contiguous
- utilize existing geographic or political boundaries
- be of equal population
- not divide communities of common interest; and
- be connected by transportation links.

The commissioner districts must be in accordance with the Lane County Home Rule Charter, Chapter 3, Section 10 which reads:

#### Section 10. MEMBERSHIP, ELECTION AND TENURE

(1) The board of commissioners shall consist of five county commissioners.

(2) Except as this charter provides to the contrary, each commissioner shall be elected by district for a four-year term.

(3) The board of county commissioners shall be elected as follows.

(a) At the November general election the commissioners shall be elected as provided for in this charter. Commissioner position numbers 3 and 4 shall be elected at the November general election of presidential election years and commissioner position numbers 1, 2, and 5 shall be elected at the November general election of non-presidential election years.

(b) At the election the candidate for each position who receives the highest number of votes cast shall be entitled to a certificate of election to office.

(c) The following election districts shall be established from which the commissioners shall be elected:

(i) The West Lane County District, generally comprised of western Lane County outside the metropolitan area. Except as otherwise provided in this charter, the commissioner elected from this district shall fill Position No. 1.

(ii) The Springfield District, generally comprised of the Springfield metropolitan area. Except as otherwise provided in this charter, the commissioner elected from this district shall fill Position No. 2.

(iii) The South Eugene District, generally comprised of the southern Eugene metropolitan area. Except as otherwise provided in this charter, the commissioner elected from this district shall fill Position No. 3.

(iv) The North Eugene District, generally comprised of the northern Eugene metropolitan area. Except as otherwise provided in this charter, the commissioner elected from this district shall fill Position No. 4.

(v) The East Lane County District, generally comprised of eastern Lane County outside the metropolitan area. Except as otherwise provided in this charter, the commissioner elected from this district shall fill Position No. 5.

(d) In accordance with Federal, State, or County census figures, the boundaries of the five districts shall be drawn by the board of commissioners so as not to deny any person equal protection of the law. The board of commissioners shall, not less than every 10 years, initiate review of the population densities of each district and modify boundaries when necessary. No boundary creation, position designation or boundary change shall disqualify a commissioner from completing the term of office to which that commissioner was elected or appointed

## Map Report

Our committee was charged with the task of preparing between 2 and 4 maps for the County Commissioners.

In doing so, a primary objective for our work was creating districts that had populations that were as equal as practicable. To evenly divide our county population among five districts would result in districts with 76,594 residents in each. Our committee decided that a 1% variance was acceptable<sup>1</sup>, thus commissioner districts on the proposed maps have populations that range from 1% less than 76,594 residents and 1% more than 76,594 residents. This range is from 75,828 to 77,360 residents.

The process of creating a commissioner district map is a series of contingent decisions, trade offs, and consequences. When boundaries are drafted for one district, those residents are excluded from neighboring districts. A seemingly great idea about how to set the boundary for one district may create such chaos in other districts that the idea must be set aside. Balancing the considerations required of the redistricting effort is complex, nuanced, and challenging.

Our committee proposes three maps for the commissioners' consideration. These maps make different choices in how they respond to the task given to this committee.

Our committee was asked to rank the proposed maps in order of preference. Our committee proposes the following maps (in preference order): Map J, Map Q, and Map C.

Our committee was asked to include the strengths and weaknesses of each map. As the commissioners will note, the strengths and weaknesses are often related.

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<sup>1</sup> A 1% variance was also applied in the 2011 map process.

**Map J** (please find attached detailed pdfs of this map in Appendix \_\_\_\_)

Strengths:

1. This map strives to unify the Bethel area within one district.
2. This map strives to unify the River Road/Santa Clara neighborhoods within one district.
3. This map strives to maintain Districts 1 and 5 as primarily outside of Eugene and Springfield city limits, excepting the River Road/Santa Clara neighborhoods which are placed in District 1 and the Churchill region which was placed in District 5 in the 2011 maps and remains in District 5 in this map.

Weaknesses:

1. In the 2011 map, the Bethel area was split between Districts 1 and 4. This map places the majority of the Bethel School District within District 4. In doing so, this map proposes extending District 4 northwest into an area previously included in District 1.
2. In the 2011 map, the River Road/Santa Clara area was split between Districts 1 and 4. This map places the majority of the River Road/Santa Clara area within District 1. In doing so, this map proposes extending District 1 into an area previously included in District 4. The District 1 boundaries in the River Road/Santa Clara area follow the Willamette River for the eastern boundary and the school district boundary between 4J and Bethel for the southwestern boundary.
3. Like another map from this committee, this map would have the District 2 western boundary extend across I-5. This map places the Laurel Valley area just west of I-5 within District 2.

**Map Q** (please find attached detailed pdfs of this map in Appendix \_\_\_\_)

Strengths:

1. This map strives to maintain transportation corridors within districts.
2. This map strives to unify the Churchill neighborhood within one district.
3. This map strives to unify the River Road/Santa Clara neighborhoods within one district.
4. This map strives to unify school districts and 4J catchment areas within commissioner districts.
5. This map maintains I-5 as the western boundary of District 2.

Weaknesses:

1. This map extends the northern boundary of District 2 north to the county line. This places Marcola and adjoining areas to the southwest of Marcola in District 2 and removes them from District 5; Many people in that area work in Springfield. This shift places communities that are outside of the Springfield Urban Growth Boundary within the district that is described in the County Charter as, "generally comprised of the Springfield metropolitan area."
2. This map extends the southern portion of District 3 to include Pleasant Hill, Creswell, and Dexter; Many people in these areas work in South Eugene. These communities had previously been included in District 5. This shift places communities that are outside of the Urban Growth Boundary within the district that is described in the County Charter as, "generally comprised of the southern Eugene metropolitan area."
3. This map extends the northern boundary of District 4 north to the county line. This places the city of Coburg and adjoining areas in District 4 and removes them from Districts 1 and 5; Many people in the Coburg area work in North Eugene. This shift places communities that are outside of the Eugene Urban Growth Boundary within the district that is described in the County Charter as, "generally comprised of the northern Eugene metropolitan area."
4. This map reconfigures the Bethel area. In the 2011 map, the Bethel area was split between Districts 1 and 4. This map places the majority of the Bethel School District within District 1. In doing so, this map proposes extending District 1 southeast into an area previously included in District 4. On this map the eastern boundary of District 1 follows the Bethel School District boundary and the southern boundary of District 1 follows the City of Eugene Ward 6 boundary along Royal Avenue. This places the section of Bethel south of Royal Avenue into District 5.
5. In the 2011 map, the River Road/Santa Clara neighborhoods were split between Districts 1 and 4. This map places the majority of the River Road/Santa Clara neighborhoods within District 4. In doing so, this map proposes extending District 4 into an area previously included in District 1. The District 4 boundaries in the River Road/Santa Clara area would follow the school district boundary between 4J and Bethel for the southwestern boundary.
6. This map divides the Marcola / Mohawk Valley area between Districts 2 and 5.

**Map C** (please find attached detailed pdfs of this map in Appendix \_\_\_\_)

Strengths:

1. This map strives to make as few changes to the 2011 districts as possible. Of the three maps presented to the commission, this map moves the fewest residents out from their 2011 commissioner district and into a different district.
2. This map strives to maintain Districts 1 and 5 as primarily outside of the city limits of Eugene and Springfield, excepting the Churchill region which had previously been part of District 5 in the 2011 maps and remains part of District 5 in this map.

Weaknesses:

1. This map divides the Bethel area between multiple districts. This division carries over from the 2011 maps and is maintained in this map.
2. Like another map from this committee, this map would have the District 2 western boundary extend across I-5. This map places the area of Game Farm Road just west of I-5 within District 2. The transportation corridor of Game Farm Rd links this area with District 2.

## **IRC Report Contents**

- Charge to the committee / Underpinning documents for this committee (Lane Code, Lane Charter, Committee Bylaws, relevant ORS)
- Map report
  - Map strengths and weaknesses
- Committee Participants (listed in a way that shows when people left the committee or were "promoted" from alternate to regular member)
- Committee Process (general description of process/work, meeting dates and times)

## **Possible Appendices:**

Map J

Map Q

Map C

School District Boundary Map

City Limits Map

UGB Map(s)

Transportation corridors

2011 Commissioner Map (*What about other previous maps?*)

City of Eugene Councilor Ward Map

Lane County Charter (chapter 3, section 10)

Lane Code - Chapter 21 - Redistricting

ORS 188.010 (*What about including the State of Oregon Background Brief on Redistricting?*)

ORS 244 (relevant conflict of interest information from 244)

OGEC email

County Counsel memo

Conflict of Interest FAQ (*Is this needed or does the memo from counsel cover it?*)

## **Questions to the committee:**

1. When referencing the Bethel, River Road/Santa Clara, and Churchill - shall we refer to them as areas, neighborhoods, regions or something else? Should one be a "neighborhood" while another is an "area?"
  - a. Consistent use of terminology between map reports is desirable
  - b. Is there a way to define or describe these areas/neighborhoods that would be informative for the commissioners?