

Voting is a fundamental right.

This message focuses less on right versus wrong and more on the importance of facts over opinions. Ordinance 129-2025 is not about fairness or legitimate legal challenges; rather, it reflects the City Council's apparent attempt to arrogate unto itself the people's power to elect their own representatives. The City Council's actions, including substituting councilors' judgment for that of the voters and remaining silent during clearly contrived public confusion, amounted to more political theater—the fictional kind—than genuine mapping oversight. There was no evidence of equal protection or voting rights violations, racial or other discrimination, nor charter breaches; and at times wild claims supporting the ordinance lacked any factual grounding. When, as here, the question is one involving a political dispute versus an actual legal dispute, heightened scrutiny of the history and motives is necessary to ensure fairness to all. I did that; it was revealing.¹

According to the Alexandria Home Rule Charter, the city's government is divided between an elected council and mayor, with a clear separation of powers and duties. The mayor is required to ensure *all* laws are faithfully executed. In short, I have to follow the law and ensure all other city officers do as well.

The mayor shall be the chief executive officer of the city. All executive and administrative authority shall be exercised by and through the mayor except as set forth in this charter." Section 3-01. "All divisions, departments, offices and agencies shall be under the direction and supervision of the mayor." Section 4-01(A). The mayor shall [d]irect and supervise the administration of all divisions, departments, offices and agencies of the city except as otherwise provided by this charter or by law. . . . And he shall [s]ee that *all laws*, provisions of this charter and acts of the council, subject to enforcement by him or by officers subject to his direction and supervision, *are faithfully executed*. Section 3-07(2)-(3).

In the absence of equal protection, discriminatory practices, or charter issues, my decision falls under the category of what actually motivated the City Council majority to enact an instrument that truly redefines what a district is—i.e. the essence of the community of interests or ensuring minimal disruption to such areas having common social, cultural, historical, or economic interests. Having disposed of the constitutional questions because no evidence was presented after ample opportunity, we turned to the Home Rule Charter question.

At least one year prior to the first primary election for council members following each federal census, the city council shall, by ordinance, alter, change or rearrange the five (5) council districts so that each council district shall contain, as near as can be determined, the same number of people. Section 2-03(C).

In no way does any common reading under the "rules of statutory construction" indicate this may occur only once—as J. Goins, city attorney, properly explained. Rather, it sets forth the minimum requirement of at least the one required time it shall occur. And even if that construction is wrong, what no one seemed to grasp was that the City Council *failed to adopt an ordinance* of any semblance complying with that provision *on time*—so it is moot. Two councilors qualified and ran under the 2011 districts; and it *was only after their qualifications under the existing boundaries* did a former duo of councilors enact a map carving the qualifiers out, with the central one at issue here, Ms. Felter's district, involving supported claims by her of purposeful political retaliation.

With no legal violations even marginally demonstrated, the real issue becomes the City Council's motivation, as well as the challenging member's position, for redefining district boundaries, which always should "as near as can be determined," reflect community interests and minimize disruption to such areas having common social, cultural, historical, or economic interests. The Felter plan splits no precincts and better keeps intact communities of interest by far—e.g. the Garden District, South Alexandria, and City Park—while remaining with one-person, one-vote maximum percentage deviations. The Davidson-Porter plan disrupts these communities of interest without legitimate basis.

As Daniel Patrick Moynihan admonished, while we are entitled to our own opinions, we are not entitled to our own facts. The awesome power held solely by the people to elect their candidate of choice must be safeguarded by the City Council, not twisted into a false narrative spun from whole cloth right before our eyes while we were told you are not seeing this ("trust us not your lying eyes and ears"). Ironically, the City Council seeks to decide who should serve with them not by election but by legislative fiat, substituting their judgment for the people's. The elected office of councilor is not properly an appointed post. Given a full opportunity, there was no evidence of a violation of one person, one vote; there was no evidence of a voting rights or racially discriminatory process (an admission by the original authors of the claim); and there is no way to fabricate these facts into a charter violation. Not one substantive claim, by one person, testifying in favor of the ordinance, was grounded in a factually correct rendition—and so it is of no surprise the conclusions drawn were non sequiturs. Having disposed of the nonexistent legal issues surrounding the purported need to enact Ordinance 129-2025, the rest of the exercise here becomes one of *realpolitik*.

The politics are well documented by this more complete record and the common knowledge of those holding local office—and those politics, I note, are quite permitted in this case. Regarding a former councilor's attempts to "legacy control" her former district, help install the next seat holder, exact revenge for a "friend" who purposefully fomented frivolous litigation to unseat Ms. Felter, all the while maintaining a hidden hand, the base, even rank, motivations of others compels that their gambit be stopped.

Thus, we are left with, as the community, the exercise of an eighth vote in the form of veto. We do not face an equal protection, racial disparity, illegality, or other serious question. We are left with the political motivations of two desires: protecting an incumbency and creating protection of a desired incumbency, with the key difference being the latter involved subterfuge, vituperation, misleading and cherry-picked constructions of law, and a totally false proposition we were returning to some already-relied-upon district. The constant drumbeat of the return to the only proper district is as specious, or outright false, as the constant claim this same former duo did not violate the charter when they passed an imbalanced budget, necessitating another quite appropriate veto by Mayor Hall.

When the aims of the plan are moderately analyzed, the disputes reveal their purely political nature masquerading as legal ones. It becomes a simple choice when the facts get in the way of the story. Therefore, in and as required by the public interest, to avoid improper use of public proceedings for purely political purposes, and considering the due respect, comity, deference and respect for the City Council, holding those members to their chosen declared "reasons" for adoption of the Davidson-Porter plan as the re-adopted Larvadain-Perry Ordinance 129-2025, the instrument is hereby *vetoed* in whole.

¹ The Felter plan already has been used in an election. The Davidson-Porter Plan has not. While it is of no moment that a citizen would argue we want a new choice, so re-district this person out—as such is a question for the ballot box, not a Council meeting—the taking away of an incumbency is a different question when it occurs at the City Council meeting and not the ballot box.

