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STATE OF ARIZONA
ARIZONA INDEPENDENT REDISTRICTING COMMISSION

P U B L I C

REPORTER'S TRANSCRIPT OF PROCEEDINGS

PUBLIC SESSION

Tempe, Arizona
April 2, 2004
8:58 a.m.

CERTIFIED
TRANSCRIPT
(COPY)

PREPARED FOR:

ARIZONA INDEPENDENT
REDISTRICTING COMMISSION

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1 The Arizona Redistricting Commission
2 convened in Open Public Session on April 2, 2004, at 8:30
3 o'clock a.m. at the Wyndham Buttes Resort, 2000 Westcourt
4 way, Tempe, Arizona, 85282, and went on the record at
5 8:58 a.m. in the presence of:

6

7 APPEARANCES:

8

CHAIRMAN STEVEN W. LYNN

9

VICE CHAIRMAN ANDI MINKOFF

10

COMMISSIONER JAMES R. HUNTWORK

11

COMMISSIONER JOSHUA M. HALL

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COMMISSIONER DANIEL R. ELDER

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ADDITIONAL APPEARANCES:

- LISA T. HAUSER, AIRC Counsel
- JOSE de JESUS RIVERA, AIRC Counsel
- ADOLFO ECHEVESTE, AIRC Executive Director
- KRISTINA GOMEZ, AIRC Staff
- DOUGLAS JOHNSON, NDC VICE PRESIDENT,
AIRC Consultant
- MARGUERITE MARY LEONI, NDC Counsel
- FLORENCE ADAMS, Ph.D., PRESIDENT NDC,
AIRC Consultant
- MICHAEL P. McDONALD, Ph.D., Competitiveness Expert
George Mason University
- LISA A. NANCE, RPR, CCR, No. 50349, Court Reporter

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REPORT OF EXECUTIVE DIRECTOR:

Adolfo Echeveste

--

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NO. DESCRIPTION

- 1 March 1 Adopted Plan Conversion from Letters To Numbers.
- 2 4-2-04 Testimony of Karen Cooper, Councilor, City Of Flagstaff and 4-2--04 Testimony of Liberato Silva, Vice Mayor, City of Flagstaff.
- 3 Resolution No. 2004-23 Adopted by the Flagstaff City Council with Certificate.
- 4 4-2-04 Testimony of Joseph C. Donaldson, Mayor of City of Flagstaff.
- 5 3-26-04, Letter from Fed Holz to IRC with Attachments.
- 6 Residential Districts Phoenix Historic Property Register.
- 7 Public Comment re Mohave County.

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NO. DESCRIPTION

8: Speaker Slips Filled Out For The Following
Individuals:

- F. Ann Rodriguez
- Tom Carter
- Mayor Joseph Donaldson
- Karen Cooper
- Liberato Silva
- Jonathan Paten
- Ruth Ann Marston, Ph.D.
- Lorraine Newman
- Rev. Oscar Tillman,
- Paul McCormick
- Cathy Ott
- Daniel V. Kincaid
- Mayor Lester Byram
- Mike Flannery
- Matt Ryan
- Helen Purcel
- Lisa Krueger
- Alberto Gutier
- Milton Wheat
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- Don Sullivan
- Stephanie McKinny
- David Maurer
- Mitch Strohman
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Public Session
Tempe, Arizona
April 2, 2004
8:58 o'clock a.m.

P R O C E E D I N G S

CHAIRMAN LYNN: The Commission will come to order.

CHAIRMAN LYNN: Mr. Elder?

COMMISSIONER ELDER: Present.

CHAIRMAN LYNN: Mr. Huntwork?

COMMISSIONER HUNTWORK: Present.

CHAIRMAN LYNN: Ms. Minkoff is in traffic, slightly delayed.

Mr. Hall?

COMMISSIONER HALL: Present.

CHAIRMAN LYNN: Chairman is present along with legal counsel, with consultants, along with our competitive consultant, Dr. McDonald, and the Commission staff.

Ladies and gentlemen, to summarize where we are and where we still need to go, the Commission, as most of you know, has been working for the last month in response to a court order from Maricopa County Superior Court asking us to go back to the grid and recreate Legislative Districts based on a scenario that the Court

1 instructed us to use which includes a base level of seven
2 competitive districts in any map that we might submit and
3 includes a methodology for devising those districts that
4 has been specifically outlined by the court.

5 On or about March 1st we created a map
6 which we submitted to the court. The Court accepted that
7 map as the Commission's work product and at our
8 suggestion and our pleading, actually, put the map out
9 for 30 days of public comment as is the requirement of
10 the Constitution. We are nearing the end of that 30-day
11 public comment comment period. And I can assure you that
12 there are many people in the state that are still engaged
13 in this process. The amount of -- we may have solved the
14 forest fire problem this summer by cutting down all the
15 trees and using them to have public comment. We have a
16 box literally of public comment, normally contains 10
17 reams, now of public comment.

18 In the last month people have certainly
19 reacted to the maps. Our purpose today in responding to
20 the court's order, we are doing so under protest.
21 Understand the Commission has and will continue, has
22 continued and will continue to pursue an appeal of the
23 court's order through the appellate process. That appeal
24 is ongoing, will be persued later this year, will not be
25 heard in time for the 2004 election cycle, so there

1 certainly is work left to be done. What we must do
2 between now and the 15th of April is finalize the map for
3 the Court and present it to the court formally, we expect
4 on the 15th and 16th, two days set by the court for
5 hearing that they will hopefully accept the map that we
6 produce, secondly they will order it sent to the
7 Department of Justice with request for expedited
8 consideration for it to be reviewed for preclearance, and
9 the court will also likely ask us to certify the map to
10 the Secretary of State.

11 (Commissioner Minkoff arrives.)

12 CHAIRMAN LYNN: When that occurs the clock
13 will start on review and the Department of Justice will
14 have an issue in 60 days to review the map and may take
15 as much as hundred 20 days if they have questions or if
16 they need additional information. So that's sort of
17 where we are in this process.

18 Ms. Hauser?

19 MS. HAUSER: Just a quick correction.
20 There will be no certification. We don't anticipate
21 certification by -- certification by the Commission. The
22 Court wants -- if the Court approves the map we present
23 to it, then we anticipate the Court will order to
24 implement for this election.

25 CHAIRMAN LYNN: Thank you. Appreciate that

1 correction.

2 The purpose of the meeting today is to
3 further refine the map with respect to public comment
4 that has already been received and to take any additional
5 public comment that may be present in the room today. We
6 will get to public comment in a moment.

7 What I'd like to do in order to place our
8 deliberations today in context, without objection, is
9 take a couple items out of order and hear from the
10 consultants.

11 What the consultants have been doing is
12 monitoring public comment today. They have kept track of
13 who has written in and what their concerns are. They
14 also have a report with respect to numbering of the
15 districts.

16 So without objection, what I'd like to do
17 is ask the consultants, under item three, item four, and
18 item eight, if we could combine those and ask, and we'll
19 return to item eight later in the meeting, for purposes
20 of our early discussion, ask NDC to comment with respect
21 to those three items on the agenda without objection.

22 Mr. Johnson.

23 MR. JOHNSON: Mr. Chairman, good morning.

24 As you mentioned, we have been following
25 all the comments that have come in.

1 CHAIRMAN LYNN: Mr. Johnson, I don't mean
2 to interrupt. Let the record indicate Ms. Minkoff has
3 joined us and we have a full Commission present.

4 MR. JOHNSON: As NDC did in earlier rounds
5 of redistricting we have been monitoring the public
6 comment and prepared a summary for the Commission on the
7 comment, essentially the topics.

8 What I have for you at this time a quick
9 summary of the March 1st map and a little walk-through of
10 the public comments. First, as you mentioned, the
11 district labels have switched from letters to numbers.
12 The way we did this is following final adoption of March
13 1st, or adoption, not necessarily final, we went through
14 in most of the districts there were a corresponding
15 district from IRC's original plan for 2004 that was --
16 clearly say they were enlarging the same areas. So we
17 used that same number and tried to match up so numbering
18 followed the same approach in 2004. This had two
19 beneficial effects. One simplifies the analysis of
20 changes, implementing changes, media, and voters,
21 potential changes. The district numbers did not randomly
22 change. Also kept the north, south, west, east approach
23 the district also suggested be used numbering, with one
24 variable, Prescott is also District 1.

25 That's the approach. Lines did not change,

1 labels did. Those labels and the chart of which letter
2 went to which number was posted on the IRC website March
3 3rd or 4th, posted right after that meeting, and has been
4 there the whole time. A quick walk through the map to
5 bring us all up to the same page.

6 This will just take a quick moment while I
7 bring up the map. I'll start up in the north. As you
8 may remember, the far Northern District underwent
9 significant change with two different goals: one,
10 creation of a competitive district in that area, and the
11 other was the request of the Flagstaff area to be united.
12 I'll just go through the map fairly quickly. We
13 obviously covered this all March 1st. The colors are the
14 map as adopted on March 1st with the numbers on them.
15 The black lines overlaid the former district lines.

16 Old District 2 included Navajo and Hopi
17 reservations and the neck other reservations and neck to
18 Flagstaff. New District 2, Navajo, Hopi, Arizona strip,
19 these reservations come together in the wing map.

20 Flagstaff is now out, what has been
21 referred to as the Flagstaff MPO, Flagstaff MPO,
22 Flagstaff Mountaineer, all united. That one end that is
23 competitive by JudgeIt districts goes over into Mohave
24 County.

25 Districts two, three, significant change.

1 In Yavapai as we come down, the Tri-Cities remain united
2 an expanded area a little bit Central Yavapai. The
3 Central Planning Area is all unified as in the former
4 plan all with the former Verde Valley now to go into
5 former Coconino County unincorporated areas southeast of
6 the Flagstaff metropolitan area.

7 Other districts we have walking south, EACO
8 district is unchanged. Went through various tests on
9 that.

10 Came back to other districts that for
11 reasons went through in February, March. District 4 is a
12 relatively new district taking in the Southwest corner of
13 Yavapai County, southern end of Mohave County, 5,000
14 people Lake Havasu and going down into La Paz County down
15 to but not into Wenden and Salome over into the west
16 valley ending up in the Surprise, Peoria area. That's
17 the northern section of the state.

18 Before I go into Maricopa let me jump into
19 south. First the picture. District 24 is also
20 essentially unchanged, but, I think less than 10 people
21 moved in the far east corner of that in order to improve
22 compactness of 24. 24 is essentially unchanged. 25 is,
23 the border district, is unchanged from the previous plans
24 as 23.

25 Pinal County for, urban tribes district.

1 And then down in Tucson, 29 and 27, which are both voting
2 rights age or total minority voting age majority
3 districts, are unchanged. You can see the differences.
4 26 has less of the Foothills and more of Tucson. 28 has
5 given up part of Tucson and picked up the Rita Ranch,
6 Vail area.

7 30 previously had Rita Ranch, Vail, gets
8 around and picks up the Foothills.

9 Those are the biggest changes down there.

10 Finally, in Maricopa County, the Phoenix
11 area, we start in the East Valley. You can see the black
12 lines, old districts there. There are small changes
13 along the 19 and 22, 18 and 19, 21 and 19. Those are,
14 lead to smaller population changes compared to the 2000
15 plan. Chandler borders 22 and 21. Differences are both
16 to reduce deviation from 2004 plan, unite a housing
17 development from the 2004 plan. As we come over to
18 Phoenix, Scottsdale, the West Valley area, you see the
19 far north previously split between one, two, three, four,
20 districts now united in District 6.

21 Then we have the Fountain Hills, South
22 Scottsdale, Central Scottsdale. Zoom in. Bigger
23 changes, used to be split into six districts, black lines
24 coming through here. Now split into three districts, one
25 goes from the far western end all the way to the Phoenix

1 border. One kind of Sun City, Southern Peoria, Central
2 neck of Glendale, and portion of it north with
3 neighboring portions of Phoenix.

4 Other big changes are the configuration of
5 13, 14, 15, and 16 went through considerable detail this
6 time shifts happened here reconfigure the judge's order
7 go through more districts and accommodate Voting Rights
8 Act concerns in that area.

9 That's a quick walk through of the map,
10 Commission members.

11 Any questions of this before I go on with
12 public comment?

13 Mr. Chairman, we have received a
14 considerable amount of public comment. Our review has
15 come up with 450 e-mails, actually more than that, some
16 were duplicate, 450 single time sent e-mails, 2,200
17 comments by letter, fax, also by phone, and some of those
18 were petitions.

19 NDC has gone through all these almost 2,700
20 comments.

21 What I have on the following side is a
22 breakdown by issue addressed.

23 There were about 52 of them either personal
24 concerns, questions, or miscellaneous single issue items.
25 I didn't list all 52 of them, if something was addressed

1 by two or more people, it's listed in the following
2 slides. One thing noted Tim Johnson issuing the
3 Commission's website, Arizona.org, pull up address zoom
4 in out, over four million maps looked at on that website.
5 One thing, zoom, zooming in, that's a new map.

6 Even if someone were looking for maps,
7 400,000 visits, there's phenomenal outreach accomplished
8 by that website.

9 First I have supportive comments,
10 supportive of the March 1st map.

11 52 people were supportive of the map,
12 didn't state the reason they did encourage it. Two
13 people specifically called out that live in Mohave County
14 trying to differentiate their protest from Mohave, not
15 included in 52, separate counts, 59 people contacted
16 support unification of Flagstaff plan, seven supported
17 changes in Glendale, one letter, all six council members
18 and the Mayor signing it, 65 people expressed March 1st
19 plan, specifically more competitive districts than the
20 previous plan.

21 Opposition comments, unsurprisingly people
22 get fired up, write in opposition. Somewhat surprising
23 was the volume received, letters, petitions, phone calls
24 opposing generally districts in Mohave, some specific to
25 Lake Havasu, some specific, with going with Navajo, some

1 all three opposing the issue. Essentially 1,700 people
2 signed letters, made phone calls or e-mails opposing
3 configuration of Mohave County, 400 letters, e-mails, or
4 phone calls opposing were letters or lines regarding the
5 Foothills, some Casas Adobas, Sierra Vista, with, the
6 Foothills, generally.

7 Six, unification of the Scottsdale high
8 growth areas in one district. Some didn't want a
9 district south of the 101 Loop, merge those. Separation
10 of the Northern Phoenix-South 101 Loop, north of Phoenix,
11 South of 101.

12 Some said they don't like the March 1st
13 plan, go back to the 2004 plan.

14 310 comments wanted Cochise County, opposed
15 removal of Sierra Vista, would rather Sierra Vista be
16 part of the border, or border.

17 Finally, as of the midnight last night,
18 time for all of these comments, two people wanted the
19 Biltmore, 2 be with the with downtown area, opposed
20 separation of the two areas.

21 One final note, you did receive a number of
22 maps as well, I can show you as well, Pima County, turns
23 out their precincts in the Tucson Foothill border area do
24 not follow the city line as the Commission followed city
25 border for it's districts, end up sending in precincts,

1 asked for precincts to be unified.

2 Maricopa County has gone through done, sent
3 in a request for fine tuning changes in different areas.
4 I think it only once involved with populations, a city's
5 annexed a particular area, Chandler, particularly the
6 Gilbert area followed the Gilbert city line, Gilbert
7 annexed the city area. Arizonans for Fair and Legal
8 Redistricting described reducing the deviations between
9 the districts statewide and request from.

10 Just calling the Encanto State's request,
11 most comment in their letter, three district letter, all
12 March 1 except Districts 10, 14, and 15 were changed.
13 Those have been sent in your box if you to want that to
14 show up as well. You may not have had time to go through
15 everything in your box.

16 Would you like me show each of those at
17 this point or --

18 CHAIRMAN LYNN: What is your pleasure, like
19 to see them?

20 COMMISSIONER HALL: I've seen them.

21 COMMISSIONER HUNTWORK: I haven't.

22 CHAIRMAN LYNN: Very quickly, Mr. Johnson.
23 Start first with Arizonans for Fair and Legal
24 Redistricting, black lines, Arizonans for Fair and Legal
25 Redistricting, the small changes in two, three shift

1 here, one through five shift here, twenty-five, four, in
2 each case it's small change. What ended up is the with
3 districts have total deviation of .5, 0.5 percent. Some
4 of impact of that, see there's additional split Glendale
5 took end of Glendale off to balance those districts, see
6 small notches here, resplit housing development Chandler
7 balance here, small notches each seven, eight, 11.
8 Throughout the map there a number of those changes.

9 Down in Tucson are somewhat larger changes,
10 Rita Ranch, Vail, back into District 30, 28 back into
11 Tucson, and 26 and back up north.

12 MR. JOHNSON: Dr. McDonald has run this
13 through JudgeIt. District 26 goes from competitive to
14 not competitive, does reduce deviations. The Other thing
15 I should note, small changes in 27, 29, 25, 27 and
16 Hispanic voting districts in Maricopa. Each one is a
17 couple down, small fractions, to three-twenty-seven
18 point. Those are offsets made in plan does end up
19 reducing total deviation zero point five percent. Native
20 American percentage District 2 voting age drops three
21 tenths of percent there as well.

22 COMMISSIONER MINKOFF: Ah --

23 CHAIRMAN LYNN: Ms. Minkoff.

24 COMMISSIONER MINKOFF: You said their
25 deviation point is five percent.

1 MR. JOHNSON: Yes.

2 COMMISSIONER MINKOFF: March 1st plan.

3 CHAIRMAN LYNN: March 1st plan had total
4 deviation of 3.5 percent.

5 COMMISSIONER MINKOFF: Thank you.

6 MR. JOHNSON: Just came in last night,
7 don't have a full spread sheet, but we haven't been able
8 to look at all the spreads in Maptitude. Ms. Leoni just
9 reminded me.

10 MS. HAUSER: Is he awake?

11 CHAIRMAN LYNN: Let me ask a question of
12 Dr. McDonald.

13 I know you only came in yesterday.

14 Other than the statement made about the
15 districting in Tucson, have you looked at that map, with,
16 with respect to any other competitive losses?

17 DR. McDONALD: Let me bring up the map and
18 I can answer with more analysis.

19 MR. JOHNSON: We'll do a tag team.

20 You also checked compactness of Arizonans
21 for Fair Redistricting. Districts 4, districts 12,
22 District 23, and District 25 all are below .172 had the
23 compactness schedule.

24 DR. McDONALD: I haven't done a
25 district-by-district side-by-side analysis to see exactly

1 how it's affected but overall there are seven competitive
2 districts in this map compared to with with eight under
3 the adopted.

4 CHAIRMAN LYNN: Thank you, Dr. McDonald.
5 Comments or questions from the Commission
6 on Mr. Johnson's report?

7 MR. JOHNSON: I can bring up the Encanto
8 estates map. This only changes three districts. All
9 focused in the District 10, 14, 15. You can see
10 Commission's districts, black lines, started here new 14
11 starts, but instead of stopping in here on Glendale
12 Avenue went all the way up to Thunderbird. They've taken
13 north part of that put with areas over to north mountain
14 preserve and other preserves half of the screen new
15 District 10. They also split, previous 15 was Hispanic
16 majority district, now 14 is a Hispanic majority
17 district. The letter described this particular
18 neighborhood -- using Encanto Village, blanking on the
19 name.

20 MS. LEONI: Encanto Village.

21 MR. JOHNSON: Wanting to be West Valley
22 neighbors, putting this area over with of west.

23 March 1st plan, it obviously was with the
24 areas over to 51st. Now it's with areas over to 59th.
25 And it obviously is with areas further north instead of

1 going just far north to Indian School. This district
2 also looked compactness of the plan.

3 District 14 is much less compact than the
4 previous 1.17 which is the same, I guess, definition was
5 below .17, so right at that plan. Dr. McDonald looked at
6 competitiveness of these and in the March 1st plan 14,
7 and 10 were both competitive, and in this one --

8 DR. McDONALD: This plan we have 15 as a
9 competitive district and District 10 is a competitive
10 district, and then District 14 is not a competitive
11 district, it's a Democratic district.

12 MR. JOHNSON: Any questions about this --

13 Should note Hispanic percentages are very
14 close if not identical between old 14 and new 15.
15 Configurations of the neighborhood are very different.
16 One question, hopefully during public comment, the
17 Commission worked closely with the with Coalition and
18 local Hispanic leaders not only as to which percentages
19 to hit, what neighbors. Don't know how closely that
20 corresponds to what neighbors you wanted involved.

21 CHAIRMAN LYNN: Other than neighborhoods
22 10, 14, 15, any other neighbors involved in this map?

23 MR. JOHNSON: No. Only three
24 neighborhoods.

25 CHAIRMAN LYNN: Any other questions for

1 Dr. Johnson or Dr. McDonald?

2 If based on public comment to date, my
3 sense would be, in all likelihood, a protracted public
4 comment period.

5 I have a number of those that wish to speak
6 and I'm sure others will be coming as the day goes on.
7 What we might do is based on public comment, based on
8 this point, there are a number of areas with points that
9 wish the consultants' comments, possibilities, wish
10 directions.

11 Now, if during the comment period, if there
12 are motions, I'd be willing to entertain those.

13 Mr. Elder.

14 COMMISSIONER ELDER: Mr. Elder. Based on
15 input, two focus areas, one, Mohave, Havasu, Kingman
16 area, other Tucson. We had several maps submitted in
17 Tucson, as to the effect of the Tucson area. I would
18 like to see if the consultants would go ahead and take a
19 look at what was proposed as well as based on what the
20 gist of the impact is and how it would affect our
21 competitiveness as well as other redistricting. I think
22 my comments from the last meeting will still hold. I'm
23 concerned about how districts have been laid out in
24 Tucson. A lot of it was from personal knowledge,
25 personal knowledge and the area.

1 When we spoke of this area, where we are
2 have gone this date, major concerns were the community in
3 Tucson, how to influence, how to plan doing substantial
4 harm, the way the valley and area functions.

5 With and that, I'd like to take a look at
6 any of the adoptions we've had to see if we can correct
7 problems in the Tucson area.

8 CHAIRMAN LYNN: Motion?

9 COMMISSIONER ELDER: I thought direct.

10 CHAIRMAN LYNN: Test by motion.

11 COMMISSIONER ELDER: So moved.

12 CHAIRMAN LYNN: Second?

13 COMMISSIONER HUNTWORK: Second.

14 CHAIRMAN LYNN: Discussion on the motion.

15 COMMISSIONER MINKOFF: Mr. Chairman, I
16 understand the comment all Commissioners are making is we
17 would like to be able to accommodate as many people as we
18 can. My concern is the court mandated we make a map by
19 mandate. I hope whatever shifts are looked at not to do
20 anything to make the map less competitive. We have three
21 now.

22 MS. LEONI: Two.

23 COMMISSIONER MINKOFF: I want to make sure
24 this is accommodating the people of Tucson on the map but
25 any shifts proposed don't diminish significantly any of

1 competitive districts we currently have.

2 CHAIRMAN LYNN: I think Ms. Minkoff's
3 comments references the court's order which does two
4 things. It gives us new methodology and it sets a bench
5 mark. The bench mark is seven competitive districts.
6 The current map we are looking at had placed out for
7 comment has eight competitive districts. In effect there
8 is one district that could be reduced if we made a
9 finding of significant detriment under our own
10 definition. That's a possibility.

11 The intent of Mr. Elder's motion is to
12 explore what might be done in the Tucson area. When we
13 look at it we'll be able to make the judgment whether or
14 not it comports not only on our own as to what Tucson
15 ought to look like but comports to the court's order.

16 Further discussion on the the motion?

17 If not, all in favor signify "Aye."

18 COMMISSIONER HALL: "Aye."

19 COMMISSIONER ELDER. "Aye."

20 COMMISSIONER HUNTWORK: "Aye."

21 COMMISSIONER MINKOFF: "Aye."

22 CHAIRMAN LYNN: Chair votes "Aye."

23 Mr. Johnson, understand the order of the
24 Commission on that?

25 Any other order?

1 COMMISSIONER HUNTWORK: As I was looking at
2 public comment, Mohave, the bulk of public comment, a lot
3 talked about Lake Havasu City not wanting to be a
4 district inland. What I understand, there are 5,000
5 people in Lake Havasu split off and put with a major
6 city. I understand population equalization issues deal
7 with with.

8 I'd like to ask NDC to explore if there is
9 any way to bring those people in with with the rest of
10 Havasu City, if other population shifts allow us to to
11 still maintain the limits of population deviation
12 allowable and try to soothe half the people in that area.

13 I'd put that in the form of a motion.

14 CHAIRMAN LYNN: Is there a second?

15 COMMISSIONER ELDER: Second. I believe
16 that's part of my motion.

17 CHAIRMAN LYNN: Want to take one at a time,
18 so very specific tests, look at it that way, we'll adopt,
19 reject each specific test. I appreciate that.

20 Mr. Lytle.

21 COMMISSIONER MINKOFF: To clarify. Say
22 unify Lake Havasu City? Is that the sense?

23 COMMISSIONER HUNTWORK: Yes.

24 The voluminous response we've had from
25 rural Arizona, for the record, I feel the way some of my

1 fellow Commissioners, if not all, do and recognize in my
2 opinion the formal map which we adopted which in my mind
3 respected communities of interest, is much better
4 throughout the whole northern territories, if you will.
5 The fact we're under court order required us to favor
6 competitiveness has caused had the division in Mohave
7 County. By creation of competitive district in
8 competitive district in Northern Arizona, that's what has
9 put us on the with the map where we have, I'm empathetic
10 of feedback we received prior to receiving comment we
11 know we get. It's important to understand as you look to
12 earlier, we made changes only because instructed to do
13 so.

14 I was perfectly happy with the with map,
15 with in respect to Mohave. You know, the former
16 configuration adopted in the map clearly was better
17 representation for Mohave County. But there was no
18 competitive district in the northern area.

19 I just wanted to reemphasize that point
20 prior to hearing that.

21 CHAIRMAN LYNN: Mr. Huntwork.

22 COMMISSIONER HUNTWORK: Mr. Chairman, I
23 agree about with and with Mr. Hall's comments. I would
24 like to add, however, if -- as you do say, we do have one
25 competitive district more than we are required to by the

1 order of the court. I feel very strongly about what has
2 happened in Mohave County in previous meetings as well.
3 I won't belabor that as I did before. I feel strongly
4 what happened there destroyed the community of interest
5 in effect, completely destroyed the community interest of
6 Mohave County in this state legislature, utterly absurd,
7 utterly undeniable except for the fact we have to produce
8 seven competitive districts. We're going to look at
9 Tucson and I think we ought to look at Mohave County as
10 well. I think the motion on the floor is not the one we
11 need to focus on. I think we need to look at how to
12 enact change if we reunited Mohave County and went back
13 to as close as possible to the configuration we had
14 previously in Arizona. If we can't, if we can't do that,
15 if we, for example, feel that the situation in Tucson is
16 worse even though the situation in Mohave County is
17 terrible, then I guess that we would also want to see the
18 smaller, simpler issue Ms. Minkoff has raised. Bottom
19 line: I'll expect there to be another one, I'll make
20 another one go north.

21 CHAIRMAN LYNN: The two are not mutually
22 exclusive. I agree. We need to run this test in case we
23 cannot do what Mr. Huntwork is proposing for the rest of
24 Mohave County.

25 I understand the point he's making about

1 the community of interest in Mohave County. When we
2 first started the process, the first public interest was
3 Pinal County. We presented a good map for the district
4 in Pinal County, they went up to a person and presented
5 it to us and said in very, very effective presentation,
6 they hope they got 29 just like it, and all mesh, but I
7 recognized realistically and I'm not going to ask.
8 That's why we're dealing with with and some of the issues
9 we're dealing with.

10 The community interest in Kingman, Bullhead
11 City, is unhappy with us, this map. The last map did
12 similar damage to Flagstaff area. Many of us in
13 accepting that map expressed damage what had been done to
14 community of interest. We have lots around the state
15 going to be impossibility to give every community of
16 interest sent of is that it was because map isn't going
17 to lay out that way. In light of the court's mandate,
18 other communities that exist, I encourage my fellow
19 Commissioners to keep an open mind and not focus, too
20 much, on one particular area of the map fixing that may
21 cause damage someplace else.

22 CHAIRMAN LYNN: Further discussion on the
23 motion?

24 Mr. Hall.

25 COMMISSIONER HALL: With respect to

1 Ms. Minkoff's comment, the two maps, as the populations
2 appear pursuant to 2000 Census, it is what it is: And
3 you are absolutely right. There was some, some horror
4 caused to Flagstaff under the other map. In my opinion,
5 Flagstaff has more in common with the Navajo Nation than
6 Kingman. Nevertheless to the reemphasize point: We now
7 in northern and eastern Arizona have two competitive
8 districts where previously we had one. And it's an ease
9 or situation. Pursuant to court order we must favor
10 competitiveness, and that's why we're at where we're at.
11 And I think it's either/or. So I vote and support you.
12 I think there may be a way, hoping there may be a way
13 minimize to harm to Lake Havasu the minute they unify the
14 city.

15 If you unite, you lose the competitive map.

16 CHAIRMAN LYNN: Uniting is not on the
17 motion. Debate if subsequent debate.

18 Debate is a test to unite Lake Havasu City.
19 If not all favor motion signify motion.

20 COMMISSIONER HALL: "Aye."

21 COMMISSIONER ELDER: "Aye."

22 COMMISSIONER MINKOFF: "Aye."

23 COMMISSIONER HUNTWORK: "Aye."

24 CHAIRMAN LYNN: Chair votes "aye."

25 Mr. Huntwork.

1 COMMISSIONER HUNTWORK: As the fact of the
2 matter is that we made a judgment how best to lay out the
3 communities of interest in Northern Arizona when we
4 adopted the 2004 maps. Our judgment was my judgment
5 continues to be best representation of communities of
6 interest is represented by that map. I did not feel when
7 we adopted that map Flagstaff was a city with separate
8 surrounding area. Bear in mind, we had separate process
9 at that time. Many factors ran into the judgments less
10 articulated than this process. Speaking for myself, I
11 had no doubt we were choosing between splitting up EACO
12 on one side, Mohave County on the other side, Yavapai
13 County to the south or putting City of Flagstaff with the
14 Navajo Nation. It seems to me then and seems to me now
15 to make most sense from political science perspective.
16 Those are groups of people with more income than belong
17 together more than putting Kingman in with Window Rock.
18 I submit to you that district makes no more sense than
19 putting Kingman in with Cochise County. They are not
20 much further apart purely political science Kingman
21 belongs more with Window Rock and Navajo Nation. The
22 utterly absurd thing is putting Flagstaff with the Navajo
23 Nation. It makes some sense and satisfies the necessary
24 concern.

25 I apologize for going back into all that.

1 But the -- we can't hide behind the Court order if we end
2 up with eight competitive districts. We still have the
3 right to make own judgment about less reflection of
4 communities of interest in Northern Arizona. And so
5 obviously we're very close to the line. Obviously if we
6 make a decision to eliminate competitive district in
7 Tucson in order to better reflect communities of interest
8 there we're left with no choice, if we don't make that
9 decision, I submit to you it's utterly illogical to try
10 to say I'm compelled to do this violence to Northern
11 Arizona by virtue of the judge's order. That's not the
12 case. Without knowing the answer to the question of some
13 I feel you need to understand how this map could be
14 affected if we were to go back to something closer. Not
15 trivial question, we have reassigned -- everything would
16 change, flows to everywhere else. We have relatively
17 balanced in interests in the valley as well. I am
18 concerned we might have some impact on that if we were to
19 change that. It's not a trivial matter.

20 We need to see it on map before we make a
21 judgment.

22 Pardon my long-windedness. I move we
23 consult the consultants that puts the City of Flagstaff
24 back with the Navajo Nation and reunites Mohave County as
25 much as possible with the 2004 road.

1 CHAIRMAN LYNN: Do we have a second?

2 COMMISSIONER ELDER: Discussion without a
3 second?

4 CHAIRMAN LYNN: No.

5 COMMISSIONER HALL: I'll to second for
6 discussion.

7 CHAIRMAN LYNN: Thank you.

8 COMMISSIONER HALL: Are you thinking to
9 take the metropolitan planning area total move to Navajo
10 or split as in the 2004 type map?

11 COMMISSIONER ELDER: I'm looking as was in
12 the 2004 map. That's really, as far as I know, the only
13 way to achieve a district that includes the Navajo Nation
14 with the necessary number of people and the necessary
15 demographics.

16 CHAIRMAN LYNN: Ms. Minkoff.

17 COMMISSIONER MINKOFF: Thank you.

18 I'm not an attorney, although there are
19 enough around the table.

20 My understanding is the judge is going,
21 Judge Fields' order resulting in Prop 106, encouraged 106
22 lumping of communities of interest together to create
23 homogenous districts. Exactly what he did not find in
24 favor with in our earlier maps.

25 Discussions of the community of interest in

1 Flagstaff has more in common with the interests of the
2 Navajo Nation community of interest. The Navajo Nation
3 doesn't comport.

4 People are not saying Flagstaff and Navajo
5 Nation are the same. They are not.

6 I would encourage my fellow Commissioners
7 to keep in mind, lumping this and everything less else
8 together in the map, the less competitive the map
9 becomes. We're under a mandate to create a more
10 competitive map than our earlier map. Putting Flagstaff
11 with the Navajo Nation, I don't think anybody, Flagstaff
12 doesn't want to go there. They have more in common than
13 Kingman. However, in complying with the order, I'm not
14 sure that is a consideration we should put high priority
15 on the list.

16 I'll vote in favor of the motion. I think
17 there is a list that's reasonable. We shouldn't shy away
18 from it and look at it. I want to remind my fellow
19 Commissioners we are not supposed to lump communities of
20 interest together.

21 CHAIRMAN LYNN: If my fellow Commissioner's
22 would indulge me, I'd like to comment on the motion then
23 take comment before we vote.

24 The difficulty of the Commission is we're
25 working under court order which is clearly articulated.

1 It is important to note without the benchmark of seven
2 competitive districts, it is my firm belief we'd be
3 complying with the Court's order. Without the benchmark,
4 it would have resulted in a map very similar to the 2004
5 map, because we would have been able to weigh all of the
6 criteria appropriately and come to determinations about
7 communities of interest and other criteria and balance
8 all six. I believe, have always believed the 2004 map
9 does better than any other map we've seen to balance all
10 the 2004 map.

11 The Commission should be commended for that
12 work. The fact the Judge imposed for this seven
13 districts, changes that, creates a situation for the
14 Commission which in committee, it's a motion of Hobbesian
15 choice, in that there are no good choices. I wouldn't
16 know as a Commissioner that Flagstaff is more or less
17 important than Kingman. I wouldn't, don't think any of
18 us can say Flagstaff is more or less than Sierra Vista.
19 I don't think any of us would say we have to make not
20 only the criteria in law that causes us to create
21 detriment all over the state in places where it should
22 not be created. I'd be willing to bet without that
23 floor, even using the methodology implied with the court
24 order, we'd probably end up with three to five
25 competitive districts in this map were it not for the

1 requirement to have seven. What does that do to us? It
2 makes us make very tough, unpopular choices. Whether the
3 choices end up hurting Kingman, Mohave County, Flagstaff,
4 is for our judgment to determine. We're not able to
5 create the map we wish to create. Matter of fact, we did
6 that in 2004. Whether or not it will be used for the
7 remainder of the decade.

8 I, too, will support the motion. We need
9 to look at all feasible solutions of the problem.
10 Frustration needs to be high.

11 Mr. Elder then Mr. Chairman.

12 COMMISSIONER ELDER: Mr. Chairman, I tend
13 to take from that comment that he was no, take the 2004
14 to Flagstaff as, you know, a way of doing, accomplishing
15 detriment to the Mohave, Havasu City area.

16 If we're going to give direction to NDC to
17 do as little harm to the planning area, only modify five
18 percent, does some marginal but not substantial. If it
19 makes the goal attainable, say yes, do that. If you take
20 Flagstaff, move two Navajo, the Navajo's district or
21 split the area in half, I can't agree with that. If you
22 intend to do --

23 I could support the motion, if not, I'd
24 have to say could not support the motion.

25 CHAIRMAN LYNN: Mr. Huntwork, Mr. Hall.

1 COMMISSIONER HALL: Firstly, you explained
2 what I thought. I complained bitterly about what I
3 thought. I don't have a computer. I can't play around
4 with things to the extent when we went through the real
5 process. I can't -- you guys wouldn't let me ask a
6 question last time this came up, nor can you, by the way.
7 The only way is to get three Commissioners to order a
8 test. There is no way to do it or not. I was taking my
9 best guess in the dark what the map would show as little
10 harm to all communities of interest, including Mohave
11 County.

12 Do the tests, including the issue of how
13 legally to do this, and defer to the court's order. I
14 prefer not to deal with it that way if not necessary.

15 CHAIRMAN LYNN: Mr. Hall, I think it's
16 important to remind us of -- you wanted to remind us of
17 one of our definitions.

18 COMMISSIONER HALL: The issue, as you know
19 it, Mr. Chairman, is causing significant detriment. I
20 concur to some degree with your analysis, if we were able
21 to employ even our own definitions, they'd probably be
22 lower than, quote, the bench mark. The --

23 I had counsel pull up.

24 MR. RIVERA: Thank you.

25 COMMISSIONER HUNTWORK: Significant.

1 COMMISSIONER HALL: I'll read: Significant
2 detriment, or, B, detriment that is not minimal or
3 immaterial to a portion of.

4 That material clearly, in my mind, in
5 respect to the Mohave plan, this causes significant
6 detriment.

7 Clearly in my mind this map causes
8 significant detriment in Tucson.

9 So based upon that analysis, if we were to
10 fix both those, we'd have six competitive districts, one
11 beneath the bench mark.

12 To reemphasize, if we only go with seven, I
13 agree with the motion, know what we will do, we'd lose a
14 competitive district.

15 I agree, no what it will do, it will leave
16 a competitive motion.

17 What it boils down to are areas, forgetting
18 the rest of the state, we have suggestions in Maricopa
19 County. It's one or the other.

20 Stating the obvious, that's more for the
21 benefit of the public.

22 CHAIRMAN LYNN: Ms. Minkoff.

23 COMMISSIONER HALL: I'd like to remind my
24 fellow Commissioners, we're attempting to create a map of
25 any community of interest. I think that's probably an

1 impossibility. If you look at our previously adopted
2 map, we did, according to their testimony, very clearly
3 cause significant detriment of Flagstaff, Cochise County.

4 Public testimony, those areas were
5 extremely unhappy with the adopted map.

6 Whatever map we adopt this time, there's
7 going to be a number areas of the state extremely unhappy
8 that maintain we caused significant detriment to their
9 community of interest.

10 Community of interests are in competition
11 with one another.

12 Number two, five, other criteria, we also
13 need to apply to any districts we create. So when we say
14 that a particular configuration causes detriment to a
15 particular community of interest, we have to understand
16 alternative configurations to another community or
17 competitiveness or compactness or any of the others.
18 Yes, let's look very, very carefully at any community of
19 interest, try not to cause significant detriment, and
20 realize we cannot cause no significant detriment.

21 COMMISSIONER HUNTWORK: Since you are
22 reminding of us things, and learned counsel is not
23 listening to anything I'm saying, you will correct me if
24 I'm wrong, someone will correct me.

25 The business of correcting Mr. Hall.

1 MR. RIVERA: A full-time job.

2 COMMISSIONER HUNTWORK: The point I'd like
3 to make, in our adopted map we did not do significant
4 detriment to the community of interest in order to
5 achieve competitiveness. What people of Arizona are
6 guaranteed is by the State of Arizona we will not do
7 significant detriment in order to achieve
8 competitiveness. We are ordered by the court to do
9 exactly that thing. Before we were balancing one
10 community of interest against another. We were trying
11 achieve both communities of interest and competitiveness.
12 That's not prohibited by the Constitution, it's required
13 by the nature of the task.

14 What you are saying, the judge is saying,
15 that's prohibited by the State of Arizona. I find that
16 extremely distasteful. We're ordered to do it by the
17 court, all of us, to comply with the order of the court.
18 I felt, as much as I would like to call the question,
19 felt I'd correct that.

20 CHAIRMAN LYNN: Further discussion on the
21 motion?

22 COMMISSIONER HUNTWORK: Since we had
23 discussion on motion.

24 CHAIRMAN LYNN: To resummarize it, which is
25 quicker than trying to find it, the motion is to attempt

1 to, for the configuration for Northern Arizona that
2 exists in the 2004 map, doing as little damage as
3 possible to the areas around Flag as it is being returned
4 to a district that would be with the Navajo.

5 That's not verbatim, Mr. Huntwork. Does
6 that summarize where we're going?

7 COMMISSIONER HUNTWORK: Yes.

8 CHAIRMAN LYNN: Further discussion on the
9 motion.

10 If not, all those in favor say "Aye."

11 COMMISSIONER MINKOFF: "Aye."

12 COMMISSIONER HUNTWORK: "Aye."

13 COMMISSIONER HALL: "Aye."

14 COMMISSIONER ELDER: "Aye."

15 CHAIRMAN LYNN: Chair votes "Aye."

16 It is so ordered.

17 Are there other tests we wish to order?

18 COMMISSIONER ELDER: Mr. Chairman, one of
19 the items brought out in the map, deviation three, 3.2
20 percent, a map that showed a deviation of point five. I
21 don't know if it's a motion or direction that NDC by
22 option reduce the deviation selection, a way to organize
23 things, or taking ideas presented in the map by
24 deviation. I'd like take advantage at the same time.

25 Motion?

1 CHAIRMAN LYNN: I think it's always
2 included in our instructions as we go through tests when
3 options appear we'd want those options to in effect
4 either reduce deviation or reduce noncompactness, or
5 those kind criteria.

6 Mr. Johnson, it always makes sense, on that
7 basis, if those do not affect major criteria. Is that
8 clear, Mr. Johnson, in terms of instruction?

9 MR. JOHNSON: That's always the goal. If
10 violate in the order, to achieve instruction of the test
11 to that, the goal is not violate any criteria when doing
12 a test.

13 CHAIRMAN LYNN: Ms. Minkoff.

14 COMMISSIONER MINKOFF: One other test I'd
15 like to propose. Looking at material we got in the
16 Central Phoenix area, reconfiguring districts 10, 14, 15,
17 I, like Commissioner Huntwork, am frustrated. I don't
18 have my computer. It looks to me like it might more
19 accurately reflect a community of interest in the
20 Historic Districts, some Historic Districts, north of
21 Osborn, to cut out of that districter earlier, which seem
22 to be part now. I'd like to ask NDC to analyze either
23 the map they sent to us, which would be very easy to do
24 or if that map not accurately analyze unification of
25 Historic Districts analyze the alternative to it in order

1 to create reconfiguration of the Historic Districts in
2 Central Phoenix.

3 CHAIRMAN LYNN: Motion?

4 COMMISSIONER HUNTWORK: Yes. Somewhat
5 skeptical.

6 I'd like to really have the districts,
7 district encompassed by all Historic Districts as adopted
8 geographically. Some, not part of the west, if so, I'd
9 like to know that. They ironically just became a
10 historic district and the change would exclude us.

11 COMMISSIONER HUNTWORK: Let's look at it.

12 I'd like to see that.

13 CHAIRMAN LYNN: Mr. Hall?

14 COMMISSIONER HALL: We had a test before.
15 The motion is redundant.

16 I get real skeptical of feedback with minor
17 changes to very specific districts being motivated by
18 things. Other than the minority district, we heard from
19 people after the East Valley voted against restoring the
20 community, all the feedback pursuant to incumbency
21 feedback specific on this case.

22 I'll vote against.

23 CHAIRMAN LYNN: Further discussion on the
24 motion?

25 All in favor of the motion say "Aye."

1 COMMISSIONER ELDER: "Aye."
2 COMMISSIONER HALL: "Aye."
3 COMMISSIONER MINKOFF: "Aye."
4 CHAIRMAN LYNN: No?
5 COMMISSIONER HUNTWORK: "No."
6 CHAIRMAN LYNN: Chair votes "No."
7 Marguerite, clarify the Marston one.
8 I can't bring up an issue. Clarify the
9 issue, the last one covered. Not numbers, the situation
10 in East Maricopa County is, I think, down in the Gilbert
11 area where in terms of precincts it is laid out as a
12 small group of people, essentially you have to drive 50
13 miles to vote. I may have the numbers wrong. Refresh me
14 on that.
15 MR. JOHNSON: Pinal County east, Apache,
16 Mr. Johnson asked for a change in the border between 26
17 and 23. They -- I haven't looked at specific numbers.
18 It's a move of one development currently, people had to
19 drive 50 miles to a precinct.
20 CHAIRMAN LYNN: Something which in your
21 opinion is closely, easily done, not affecting the other
22 things you might find troublesome.
23 CHAIRMAN LYNN: Easy tested.
24 I ask it be tested.
25 COMMISSIONER ELDER: So moved.

1 COMMISSIONER HALL: Second.

2 CHAIRMAN LYNN: All those in favor of the
3 motion?

4 COMMISSIONER HUNTWORK: "Aye."

5 COMMISSIONER ELDER: "Aye."

6 COMMISSIONER HALL: "Aye."

7 COMMISSIONER MINKOFF: "Aye."

8 CHAIRMAN LYNN: Chair votes "Aye," and the
9 motion is so ordered.

10 MS. LEONI: I hate to backtrack.

11 Commissioner Minkoff, in the prior motion,
12 in testing the districts, received a cover letter from
13 Dr. Marston.

14 COMMISSIONER HALL: Yes.

15 CHAIRMAN LYNN: Other tests you wish at
16 this time, not other opportunities, I suspect, at this
17 time?

18 MR. JOHNSON: The only other two, just to
19 clarify, I don't know if you want to order tests or not,
20 the Maricopa County technical and Pinal request, the
21 precinct orders instead of city order.

22 CHAIRMAN LYNN: I hope to the extent we
23 could, correct me if you have a different opinion, the
24 Hopi could be different. You'll go to the election
25 officials in both counties as you run the test, to the

1 extent you can comply with their request to do so, and
2 make their job so much easier. And if it doesn't create
3 a problem otherwise can you incorporate those changes as
4 you move through the test or are they different enough
5 you need a separate order to do that?

6 MR. JOHNSON: Pima County, you probably
7 want a separate request. Tens of thousands of people
8 were involved in changes. It's essentially splitting,
9 redefining a community of interest.

10 CHAIRMAN LYNN: I'd like to hear from
11 Anthony Rodriguez out of order. I'd like to order a test
12 or not depending on it.

13 Have you filled out a form to speak? Come
14 forward. I'll take your comment out of order.

15 State your name and title for the record.

16 MS. RODRIGUEZ: Good morning. F. Ann
17 Rodriguez, Pima County Recorder.

18 I'd like to thank you for allowing me to
19 address this body.

20 This is a hard task. Unfortunately what
21 we'd ask of you, the elections people realize on
22 elections day. One thing I must state, and I apologize,
23 I did not hear the first motion, whatever was decided
24 about the Tucson area. Some comments may reflect
25 agreement or disagreement with the issue that was

1 discussed.

2 I have been working with your two experts,
3 Tim Johnson and Doug Johnson, and we've issued 23
4 precincts in Pima County regarding reductions in other
5 districts.

6 This is Doug.

7 Some precincts, we gave you overlays for
8 precinct lines, insignificant amounts of people were left
9 in a certain pocket we'd have to create a new precinct.
10 Then other areas were larger precincts that were divided
11 going into one Legislative District, one to another.

12 It's my contention, back to May 2nd, 2002,
13 until January 22nd, 2004, I have always stressed to the
14 Commission the orders the State of Arizona election
15 officials have been ones of due process, submitting to
16 the Board of Supervisors then approving them and making
17 preclearance through the United States Department of
18 Justice Process.

19 My personal viewpoint, and the point of the
20 Department which put the Legislative Districts, put the
21 precincts in, my only contention is leave that whole,
22 united, simple, so we would not have to go back to the
23 Justice Department.

24 If you do don't think that's humanly
25 possible, the 34 Navajos in Legislative 38, do start put

1 in breaking districts, talking a few days.

2 If you say few weeks, can't make it, can't
3 make the deadline, keep the precincts whole, you gave
4 them to Tim and Doug, which precincts we outlined, agree
5 to some larger than others as far as population, have
6 done an overlay for the area.

7 The other thing we heard we want to
8 reiterate, we can't meet filing at the deadline, cannot
9 move the filing deadline past June 9th, all the ripple
10 effects to candidates and the deadlines.

11 Community lines: Ajo never feels part of
12 Pima, period.

13 Talk community of interest, and questions
14 ot citizens. One, Catalina Foothills and Casas Adobas
15 areas, both areas were created new city; both are fair --
16 Casas Adobas went to the election, Casas Adobes did not
17 get through the election. They had maps submitted
18 brought down by people in the area that felt connected
19 and CD, if you want to analyze, see what was submitted on
20 behalf of citizens in areas. We have that information on
21 a disk.

22 CHAIRMAN LYNN: Something submitted to the
23 Commission as well?

24 MS. RODRIGUEZ: No, just brought today.

25 CHAIRMAN LYNN: Questions, if you wouldn't

1 mind.

2 MS. RODRIGUEZ: I can comment on 10,000
3 people. Now that seems to be a high enough number well,
4 let's look at the possibly of splitting a precinct. Is
5 time line increased to split two, three, four precincts?

6 The time line increases as process of
7 precincts develops. We gave an overlay of the impacts on
8 3, 4 Legislative Districts, if you move these to here,
9 this is the number here. It's a chess game. Keep the
10 precinct going into District 26, or moving into 30, and
11 what are options.

12 COMMISSIONER ELDER: If you submit the
13 process, it's the Board of Supervisors, then Justice. A
14 mass submittal or sequential, time line problems?

15 MS. RODRIGUEZ: Yes and no. Precincts,
16 have whole few days. We start going through the process
17 of breaking up precincts, then we start the process of
18 taking it the board, doing a submittal. That's not
19 practical for recorders to do. It's easier if you keep
20 precincts whole as you currently have done.

21 Precleared, the Board of Supervisor lines
22 are adjusted and everything else needs to be arrested.
23 The tool you need to look at each, precinct being
24 compact, 23 precincts, whittle to five, not days, weeks,
25 not six weeks, did all 23. That we cannot do.

1 CHAIRMAN LYNN: Ms. Minkoff then Mr. Hall.

2 COMMISSIONER MINKOFF: I suppose the
3 question to Ms. Rodriguez, as well as Doug, we were told
4 earlier in the mapping, Precinct Dos, two people in it,
5 the way lines, Congressional and Legislative lines were
6 laid out.

7 Looking at Legislative Districts, fixed,
8 approved, that have been approved by Justice, the Court,
9 those are not going to change when proposed Legislative
10 Districts drawn. I suppose, Ms. Rodriguez, you are
11 familiar Maricopa County, not the rest of map.

12 Are we taking lines number Dos, Tres, or
13 Cincos Districts?

14 MR. JOHNSON: Commissioner Minkoff, we've
15 been trying to keep an eye on that. Maricopa County
16 county went through, double checked that. Pinal, that's
17 one of the limitations on our fix to their request as
18 they acknowledged the Congressional line there causes a
19 problem as much as limits fixes.

20 Traps are what we are watching for within
21 the larger picture of our criteria and the judge's order.

22 CHAIRMAN LYNN: Mr. Hall and Huntwork.

23 COMMISSIONER HUNTWORK: Thanks for the
24 information.

25 I'm not sure you have been through, not

1 only in an official capacity and personal capacity, are
2 you recommending Casas Adobas and Catalina Foothills
3 would be united pursuant to the maps you are submitting?

4 MS. RODRIGUEZ: Not at all. We deal with
5 these. It's your job which areas the communities are in.
6 It's my job, as to the Casas Adobas and Catalina
7 Foothills discussions, the constituents, what areas we
8 are talking about, the Casas Adobas Foothills north of
9 Rita River, most don't live that way. To help along, I
10 brought maps. I live in the areas, went through the
11 petition process to create the city, towns.

12 COMMISSIONER HUNTWORK: Not in an official
13 perspective, you indeed feel the division in Casas Adobas
14 would inhibit or cause significant detriment to their
15 ability to be represented?

16 MS. RODRIGUEZ: People in the Foothills,
17 not Casas Adobas, flatlands, the Foothills and flatlands,
18 Oracle Road is dividing it.

19 CHAIRMAN LYNN: Mr. Huntwork.

20 COMMISSIONER HUNTWORK: I want to
21 acknowledge what you do. I want to understand. Is this
22 something your computer does quickly, then it's a
23 perspective of going to your Board of Supervisors in a
24 day, or figure out carefully how does that work.

25 MS. RODRIGUEZ: Precinct lines work like

1 this. We go by hundred blocks. I'll take a hundred
2 blocks, 500 block and 1,800 block, manually reaching
3 1,800. If Broadway, even numbers go one precinct and odd
4 numbers go another, cut up a neighborhood, go by each
5 particular street subdivision. That's the tedious task
6 with that. Once that's completed, go through audit and
7 make errors, the audit process, and then go to the Board;
8 board approves it, and then the Justice Department.

9 COMMISSIONER MINKOFF: How long staff time
10 does each precinct take?

11 MS. RODRIGUEZ: No set time, precinct, some
12 take five days. Depends on what kind of problems,
13 especially some legal descriptions.

14 COMMISSIONER MINKOFF: I'm trying to get at
15 whether oral technique, hundred new precincts, and 20
16 really significant, really significant.

17 MS. RODRIGUEZ: More precincts, more
18 significant.

19 COMMISSIONER HUNTWORK: Takes weeks just to
20 draw a precinct?

21 MS. RODRIGUEZ: Yes.

22 COMMISSIONER HUNTWORK: Not just Pinal,
23 every county is the same for us to solve the problem on a
24 statewide basis. You have to do the same thing
25 everywhere in the map.

1 MS. RODRIGUEZ: Correct. Every county
2 putting up for elections, staffing requirements, Pima,
3 Maricopa County, we have additional staff, maybe some
4 rural areas, all have reflected the amount of work done.
5 The work force changes drastically there. It is one
6 funded by mandate on the counties to go back to do this.
7 That's another criteria. I obviously don't care about
8 our budgets.

9 COMMISSIONER HALL: We care about our
10 budget.

11 CHAIRMAN LYNN: This is a court, unfunded
12 mandate.

13 MS. RODRIGUEZ: Not such a burden, a
14 hardship forming borders where people actually live, who
15 is their proper Legislative District, that keeping whole
16 in the biggest push.

17 CHAIRMAN LYNN: When we completed the 2004
18 map, I assume the county at that time went through every
19 precinct process to do that.

20 MS. RODRIGUEZ: Legislative lines, did a
21 submittal, went to the board. All the counties went to
22 the board. That's how we're doing it now.

23 CHAIRMAN LYNN: Your concern is this map,
24 whichever gets adopted, does not take into account
25 whichever precinct lines we have to do again.

1 MS. RODRIGUEZ: Yes.

2 CHAIRMAN LYNN: You expect any map, this
3 one, any other, would most likely need to go through that
4 reprecincting process, correct?

5 MS. RODRIGUEZ: Would, not current
6 precincting lines.

7 CHAIRMAN LYNN: All right. For that
8 purpose, around the state everywhere where this map does
9 not respect older precinct lines drawn, where it does it
10 comply with the 2004 map, we have the same problem,
11 Mr. Rodriguez, correct?

12 CHAIRMAN LYNN: Mr. Elder, Ms. Hauser has
13 questions.

14 COMMISSIONER ELDER: Thank you,
15 Mr. Chairman.

16 Looking at the map here, I had to find out.
17 Probably three, four districts there, precincts, look at
18 the split and what happen. Could be split in half. Some
19 a little bit. Maybe that's where first question. If you
20 take to 29, looks like a fifty-fifty split. That may be
21 hard to move one way or another, probably quite a little
22 population occurs one 26 have you no pretty good run of
23 population there. So those seem to be more problems you
24 communities of interest, city towns borders those type
25 things coming down can't read 56 there looks like could

1 be a couple blocks would make that precinct whole. I
2 guess where make all marginal precincts whole still end
3 up three, example Tucson, ends up around state, three six
4 as opposed to 18 before. Still have to go before the
5 Board of Supervisors, still go to Justice, and how much
6 of that time it was there as opposed to how much time to
7 redraw precincts, 50-50 on, a two-week, eight-week
8 process? What is time line there? Rodriguez zero in the
9 precinct to 30 in the state precinct to 30, that's --

10 COMMISSIONER ELDER: This one, down --
11 right --

12 MR. RIVERA: Can Dan have the pointer?

13 MS. RODRIGUEZ: That impacts 26 voters.
14 Used the City of Tucson jurisdictional lines. As you
15 climb up River Road, get into the Catalina Foothills,
16 there is open, space vacant, land. I'd indicate going on
17 there, there is a strip going up, one, one thirty, a
18 commercial entity, that one would take very little time,
19 maybe a max of a day two complete. If we had to do a new
20 precinct right now, we'd take the precinct to 30, move it
21 into Legislative 30, type in 30, and it's done, keep it
22 entirely as Legislative 30. That one is a fairly easier
23 one. As you get into a precinct to 10, the precinct up
24 north where he's at, maybe two, three days of the current
25 configuration. I personally would not follow the City of

1 Tucson lines, look back at Census numbers, how many they
2 impact. Really, it's a hundred people, an insignificant
3 number for some other areas.

4 CHAIRMAN LYNN: That's your time. Rest of
5 process still the same whether little time or a lot still
6 goes to the Board and is still correct.

7 COMMISSIONER ELDER: That's what I was
8 going to get to, the process with the Board of
9 Supervisors, the process with the Department of Justice,
10 what does that take to do?

11 CHAIRMAN LYNN: Keep in mind the Board of
12 Supervisors don't meet all time in the summer months, can
13 call a special session, then there is the time to get all
14 the documentation from the different departments, staff
15 members, legal counsel, that gets in the submittal, past
16 Board of Supervisors. Who knows what there criteria may
17 may be, want public process. They may want to know are
18 they impacting any supervisor lines to get past that one.
19 The submittal to the Justice Department has 60 days.
20 Today is April 1st?

21 CHAIRMAN LYNN: Second.

22 COMMISSIONER HALL: No fooling.

23 COMMISSIONER ELDER: Two weeks', clerk's
24 agenda, study session, another -- we have about a month.
25 Then 60 days for Justice, now three months, if we change

1 even one precinct. Is that what I'm? Hearing.

2 MS. RODRIGUEZ: That's correct.

3 MS. HAUSER: Ms. Rodriguez, that's correct.

4 We don't change precincts, affect them,
5 don't change them.

6 COMMISSIONER ELDER: They are in the hot
7 seat with us.

8 MS. HAUSER: I have a couple questions for
9 you.

10 When this map blown up a minute ago, your
11 precincts do not follow municipal boundaries.

12 MS. RODRIGUEZ: No.

13 MS. HAUSER: You end up with a mixture of
14 Tucson non-Tucson voters.

15 MS. RODRIGUEZ: Yes.

16 MS. HAUSER: You do splits.

17 MS. RODRIGUEZ: Split splits.

18 Part of the city are out, part of the
19 people, I have the Northwest Fire District Fire
20 Department, multiple-level jurisdictions at the next
21 point.

22 MS. HAUSER: Your office?

23 MS. RODRIGUEZ: We provide voter
24 registration data base.

25 MS. HAUSER: The one thing I wanted to

1 point out, also, the Constitution requires us "to the
2 extent practicable." It doesn't mention anything about
3 increasing boundaries, that that presents us with
4 additional challenges. A lot of ground has been covered
5 here to implement precinct changes. One question I
6 wanted to ask you is how long does it take to reassign
7 voters to new precincts.

8 MS. RODRIGUEZ: After the initial work,
9 it's all done by a mapping system, would the voters be
10 in, by law are they required to notify them if there is a
11 change to anything, a precinct voter changed, if the
12 Governor wants to notify a change for anything, a couple
13 weeks.

14 MS. HAUSER: Begin that process until
15 precinct lines precleared?

16 MS. RODRIGUEZ: A people process in the
17 process of Legislative changes made. We are mandated by
18 law to go ahead, do that, as things occur through
19 process. Some maps, the City of Phoenix boundaries not
20 changed, small annexations, they don't change Tucson,
21 smaller areas compared to what we found the present map
22 is using. Keep in mind.

23 CHAIRMAN LYNN: Understand we're using 2000
24 Census data.

25 MS. RODRIGUEZ: Right.

1 MS. HAUSER: When you start to reassign
2 voters, will you implement -- start use it this way.

3 If you have to that re voting change, you
4 better preclear before implement, reassign prior to
5 reassigning --

6 MS. RODRIGUEZ: Not until precleared.

7 MS. HAUSER: How sequential or how much all
8 at once? Do you have the ability in Pima County for a
9 dual system or when you reassign voters over an
10 individual, existing system.

11 MS. RODRIGUEZ: Our system is not same or
12 the system as --

13 MS. HALL: It's a complete override?

14 MS. RODRIGUEZ: Right.

15 CHAIRMAN LYNN: A similar question on the
16 preclearance issue. Of course, we'll be submitting
17 whatever map the Commission adopts and finally ordered by
18 the Court, anticipate in mid April -- we'll be back in
19 front of Judge Fields April 15th. Shortly after, we'll
20 submit that map to DOJ. You pointed out they have city
21 days until they preclear that map, of course, certainly
22 we have every reason to think they would, sometimes DOJ
23 surprises you, are you going to be beginning this process
24 of changing the precinct boundaries prior to, prior to
25 the commission receiving preclearance of the court

1 adopted map. How far can you go --

2 MS. RODRIGUEZ: In other words, can we
3 start doing preliminary work?

4 MS. HAUSER: How much of the time line by
5 the Commission can you be working on without having
6 implemented one precleared change?

7 MS. RODRIGUEZ: We can start the process,
8 which are the hardest outlining, in effect, the overlay
9 system, of that one which is easier to implement if in
10 fact is given preclearance of that time. Will I wait for
11 preclearance? The answer is there is no time line and we
12 have to start work ahead of time in order to make any
13 reasonable deadline.

14 CHAIRMAN LYNN: Will the Board of
15 Supervisors be asked to adopt the precinct changes, vote
16 changing the precinct changes in the court adopted map?

17 MS. RODRIGUEZ: Can't attempt to adopt --

18 CHAIRMAN LYNN: Can you be responsible for
19 scheduling.

20 MS. RODRIGUEZ: Unlike Maricopa County we
21 don't do division elections, that's Joe Huckleberry.
22 That question will need to be addressed to him.

23 MS. HAUSER: I've communicated some
24 questions to Brad Nelson. You've been down there a long
25 time. I thought you might have insight on answers.

1 In terms of time line, election officers
2 are always asked to come up with dates. What is your
3 best guesstimate of the last date Pima County would need
4 to know the finality, I guess, of a new map in order to
5 be able to use that map in 2004 elections?

6 MS. RODRIGUEZ: I want -- mean to get my
7 crystal ball out. That's Chris Rhodes. Early voting
8 begins August 2nd.

9 Before early voting begins August 2nd --

10 MS. HAUSER: Would you have to start to
11 begin --

12 MS. RODRIGUEZ: Start preliminary,
13 finalized in our system approved, have in our system.
14 Whether we can conduct, this voter, you requested a
15 ballot, it was to give you a ballot that contains the
16 Legislative District 28 or 30.

17 MS. HAUSER: You need all the work
18 finalized what date then?

19 MS. RODRIGUEZ: August 5th -- August
20 second.

21 MS. HAUSER: You'd have to have -- okay.
22 You'd have to find out our map is final sometime in a
23 period before that.

24 MS. RODRIGUEZ: Correct.

25 MS. HAUSER: The reason for asking

1 questions, when we submit for the Department of Justice,
2 we're asking be expedited in consideration which is
3 important to let them give us an answer so we can let
4 them move on to counties to implement. In that vein I'm
5 asking questions.

6 MS. RODRIGUEZ: We all know what Pima
7 County preclearance zoning is, 45 days. Mass mailing
8 prior to general election took 45 days for one simple
9 question. We stated we were not going to be sending to
10 those voters that requested an early ballot primary early
11 balloting people, not general people, early balloting.
12 That was the only question and that took 45 days.

13 MS. HAUSER: They are what they are.

14 MR. JOHNSON: As a point of information,
15 other counties, agreeing with Ms. Rodriguez says,
16 Maricopa County in their submission said they've
17 completed the technical work for March 1st map,
18 highlight, not gotten approvals, she described.

19 CHAIRMAN LYNN: Ms. Rodriguez, thank you
20 very much.

21 MS. RODRIGUEZ: With your permission, would
22 you like me to leave a CD.

23 CHAIRMAN LYNN: We're over time to take a
24 break.

25 COMMISSIONER HALL: Could we close this

1 portion of the meeting with Mr. Johnson and Dr. McDonald
2 starting their work on the studies or tests we'd like
3 them to run?

4 CHAIRMAN LYNN: I don't want to go very
5 much over time.

6 Five minutes is okay.

7 What I need to do is ask, first, if there
8 are any the other tests we wish to run at this time.
9 Understand when we come back from the break we will begin
10 public comment.

11 If not, Mr. Johnson, a guesstimate to be
12 given to date how long testing will take?

13 MR. JOHNSON: One question. Do you want
14 discussion incorporating the Pima County request earlier
15 test ordered, a decision --

16 CHAIRMAN LYNN: Just a comment at this
17 point.

18 MS. RODRIGUEZ: Okay.

19 MR. JOHNSON: Probably looking at two
20 hours, very ballpark.

21 COMMISSIONER HALL: I would like to see the
22 information, if possible, for him, with Ms. Rodriguez on
23 Casas Adobas and the Foothills.

24 CHAIRMAN LYNN: Two maps in the Foothills
25 and Casas Adobas bear on the test we've asked you to take

1 a look at.

2 MS. RODRIGUEZ: I'll import them for --

3 CHAIRMAN LYNN: Without somebody objecting
4 to our consult, our process, we'll take a 20-minute
5 break, come back, take public comment at that point and
6 take public comment as much as we need to at that period.

7 MS. LYTTLE: Laura Dean-Lytle, Pinal County
8 recorder, voters of Pinal County.

9 I Want to make sure because of the comment,
10 we're not requesting those voters be moved out of a
11 Congressional District.

12 CHAIRMAN LYNN: Okay. That's with that
13 error in -- near Apache Junction.

14 MR. JOHNSON: Suggesting the Congressional
15 line nearby.

16 CHAIRMAN LYNN: Without objection, a
17 20-minute recess, back and reconvene for public comment.

18 (Recess taken.)

19 CHAIRMAN LYNN: The Commission will come to
20 order. For the record, all Commissioners are present,
21 along with legal counsel and representatives of NDC.
22 Before we move to public comment, I want to ask for a
23 clarification, if I can have my Commissioners' attention
24 and indulgence.

25 In the instruction given to NDC with

1 respect to looking at Tucson, I think we may be more
2 specific as to the outcome we are trying to achieve in
3 that test. And I wonder if, I believe it was Mr. Elder's
4 motion, certainly we all concurred in the test, I wonder
5 if we might for the record clarify the things of things
6 you were trying to achieve in that test with specific
7 regarding either unifying communities of interest or
8 increasing representation in a number of districts or
9 whatever the intent was. Certain aspects of that portion
10 of the map certainly need to be rectified. I wonder if
11 we can clarify instruction to consultants.

12 COMMISSIONER ELDER: I'll make an attempt
13 here. Series of deficiencies I looked at when I looked
14 at the final results of the map of March 1st, one being,
15 and I mentioned in motion or discussion on the motion we
16 have a section of the Foothills north of the river in
17 Tucson that is functionally noncontiguous with balance of
18 the district no way getting to all parts of the district,
19 have to get through hiking trails national forest before
20 you get to any other part of the district, in particular
21 to putting Central Phoenix Moon Valley, 14 districts all
22 way in between where you vote, how you vote campaign. No
23 problem, definition, community of interest, that went
24 from the eastern portion of the Foothills to include
25 Casas Adobas. What came out because of the judge's

1 order, we had to split the Casas Adobas area which split
2 that community of interest. My sense is we're going to
3 split community of interest, had all of it as one, if we
4 bring over to what Ms. Rodriguez mentioning, somewhere,
5 first Oracle majority Casas Adobas over, Foothills
6 contiguous, some relationship to, would be beneficial.
7 The third part might resolve some Ms. Rodriguez comments,
8 we have that central part of Tucson that we got a long
9 almost -- call non compact pauper Paul's be rules
10 compactness say that it is, to go down freeway back in
11 through Amphitheatre pick up part University just doesn't
12 make sense from standpoint how function, how socialize,
13 where businesses are, where they live, where any of those
14 types things go on, not compact. All in all, take look
15 those three factors, including make taking Foothills
16 combining part of city gets edge River Road or river
17 jurisdictional boundary, preferable to almost
18 gerrymandering going on in current division of districts
19 in March 1st.

20 CHAIRMAN LYNN: Mr. Huntwork?

21 COMMISSIONER HUNTWORK: Mr. Chairman, in
22 supporting motion I had one other thought as well just
23 focusing on the City of Tucson. It had seemed to me, and
24 as you know I've tried to be quote vocal about this
25 before, too, seemed to me we identified something like

1 220,000 voters in the Tucson who were not in one of the
2 minority districts. And that was enough for Tucson
3 essentially to control two additional districts. I'm
4 very concerned we've taken a huge hunk out of Tucson and
5 put it up with the growth areas in the north but not a
6 big enough chunk to control the district. And it's just
7 almost by definition we've done detriment to the
8 community of interest that consists of the City of
9 Tucson. That was, at least in my thinking, in addition
10 to all detriment we today due to surrounding communities,
11 in order to do that detriment to City of Tucson.

12 CHAIRMAN LYNN: Ms. Minkoff.

13 COMMISSIONER MINKOFF: I had questions for
14 Mr. Elder I'll pose to you. You certainly know far more
15 about Tucson. Is Casas Adobas a separate community from
16 the Foothills?

17 COMMISSIONER ELDER: Commissioner Minkoff,
18 Chairman Lynn, it is. As Ms. Rodriguez stated, the
19 traditional Foothills is flatland, still rolling
20 characteristics, also something developed evolution
21 growth north real flatlands, agricultural areas, used to
22 be agricultural areas, now subdivisions to the east, that
23 met right around that Oracle, first, where they've coming
24 to very similar to where Marana, Oro Valley are annexing,
25 and trying to control land in between philosophy

1 different, philosophy of Oro Valley, Casas Adobas law in
2 place four, five years ago to try to incorporate. Most
3 of the impetus, they don't care where we are as long as
4 not with the City of Tucson. Put us with Oro Valley,
5 City of Tucson. And comments you made at the last
6 meeting will make alliances, are able to control the
7 district they're in, address City of Tucson and Casas
8 Adobas, populations, quantities, or magnitude
9 incorporated into a district, Tucson, want to fight Casas
10 Adobas, probably three-one ratio alliance with the City
11 of Tucson, Oro Valley, against Casas Adobas. Animosity
12 is critical to Tucson Valley.

13 COMMISSIONER MINKOFF: That I understand.

14 Foothills, Casas Adobes, we need to be
15 consider. Foothills community of interest, Casas Adobas
16 separate some unity of interest.

17 COMMISSIONER ELDER: Correct statement.

18 Only reason took that and wrestling with it, Judge
19 required come up final boundaries communities of
20 interest. I believe looking at it I made motion included
21 Casas Adobes and Foothills together because more similar
22 by far than areas to the south or north than the national
23 forest on the north and east, freeway on the west, and
24 areas where Foothills, Oro Valley and Marana coming down,
25 City of Tucson, made geographical area as well as

1 functional area. But if competitiveness, community of
2 interest, the way people function and feed down through
3 Foothills River Road up to Skyline as opposed to
4 East-West configuration, is my sense of things, or
5 essentially. What happens is you look at the vertical
6 split.

7 COMMISSIONER MINKOFF: Could be split.

8 COMMISSIONER ELDER: Yes.

9 COMMISSIONER MINKOFF: One other question
10 on the comments you made a couple minutes ago.

11 Understanding the situation that have to be
12 very, very careful sacrificing other things wherever we
13 might be, you said something about the Foothills bringing
14 in more of a piece, Mr. Huntwork mentioned your comment
15 as well, another district City of Tucson had significant
16 influence. If in order to create a competitive district
17 they need to look at that configuration, I don't know
18 what that does to the rest of it, northern part of Pima
19 County, trying to bring them in -- may bring the reverse
20 of C, something like that. Would something like that
21 work in terms of creating a bi-level district?

22 COMMISSIONER ELDER: That and part of
23 Tucson?

24 COMMISSIONER MINKOFF: Yes.

25 COMMISSIONER ELDER: Look at that and

1 vertical configuration, input of a map last time somewhat
2 did that different areas, didn't fit what my criteria
3 was. Went back to Tucson, seemed I spent almost as much
4 time in clubs or groups and the sense was also preferable
5 from their standpoint, too.

6 CHAIRMAN LYNN: Mr. Huntwork.

7 COMMISSIONER HUNTWORK: Mr. Chairman, I,
8 taking a quick step back, when we adopted our definition
9 of communities of interest, the focus was on what things
10 had in common, wanted to include a clause what
11 differences they had. That really wasn't included.
12 Definition things in common benefit from common
13 representation. Wasn't when we voted to create a single
14 community of interest, wasn't because all pieces
15 identical in all respects share one thing very important,
16 not in Tucson, and they resisted being annexed into
17 Tucson and worked together to revisit and get all that
18 history in place. To take that one step further, if you
19 divide that, weaken it to some extent, there may be a big
20 enough area to control without all of it being intact and
21 so you look at the significance detriment factor. But to
22 take part of that and put with City of Tucson in order to
23 create a competitive district, we don't have to put
24 people together with people that are the same. It just
25 seems to me it would be, do violence to the very reason

1 why this is a community of interest to take part of it
2 and put it with the very community they don't want to be
3 a part of, the very thing that defines them as a
4 community of interest. That's A different order of
5 magnitude and I don't think the judge ordered us to do
6 that.

7 CHAIRMAN LYNN: I want to go back to a
8 comment Mr. Huntwork made earlier with respect to
9 appropriate representation for the City of Tucson. I
10 think it's a very important comment, want to echo what he
11 said, draw the consultant's attention to memo did come in
12 from the Mayor and Vice Mayor and member of the City of
13 Tucson in Tucson with respect to Tucson and numbers into
14 which that population could go to make influential the
15 cities' agenda in the Legislative Districts, I'm thinking
16 would be appropriate representation to have four
17 districts which they would either total part of the
18 district or very influential part of the district, that
19 seems appropriate in respect to Southern Arizona
20 clarification. Other clarifications for the consultants?

21 If not, Ms. Leoni, sufficient for direction
22 to Doug Johnson and Dr. McDonald?

23 MS. LEONI: Yes.

24 CHAIRMAN LYNN: Ladies and gentlemen, thank
25 you for patience. Normally for call to the public we

1 want to make it the most efficient time available and ask
2 consultants to move forward and do some testing while we
3 take additional comment.

4 This is time consideration comments and
5 complaints from public. Those requesting to address the
6 Commission shall ask permission to do so by filling out a
7 yellow speaker slip. Action taken shall be limited to
8 asking staff to study the matter or rescheduling for
9 consideration at a later date unless it would be a
10 subject on the agenda. I'd ask following caveat because
11 of the number. The Commission is asking speakers be as
12 concise as possible. If you have written remarks you
13 wish to make, we'll accept them and make them part of the
14 record.

15 Groups of speakers on the same issue, we
16 appreciate you designating an individual to represent you
17 or two individuals to represent you rather than having
18 each individual come up and essentially make the same
19 comment on the same subject.

20 If you can, please provide the Commission
21 enough copies of written statements. If you don't have
22 enough copies, we'll get them made and distributed.

23 With that caveat in mind let me take
24 speakers for whom I've got speaker slips. We'll move
25 through as expeditiously as possible.

1 First speaker is Mr. Tom Carter I believe
2 is the name, vice president of development for Long
3 Mountain Development in Kingman.

4 Mr. Carter.

5 MR. CARTER: Thank you, Mr. Chairman,
6 Commissioners, appreciate it.

7 First of all, I'd like to thank you and
8 commented to you on the thoughtful deliberation and weeks
9 preparing for this, anticipated a far different
10 discussion. I am very grateful to hear the deliberation
11 that has taken place.

12 I didn't read your name. Huntwork?

13 COMMISSIONER HUNTWORK: Yes.

14 MR. CLARK: One of the discussion items
15 we've had for some time was emphasized earlier by
16 Mr. Huntwork. We feel it is absolutely unconstitutional
17 what is taking place. We feel that the Court has
18 delivered an he district that is contrary to the
19 Constitution of Arizona. And we suggest to you that that
20 line of thinking is appropriate. To December mate Mohave
21 an existing balanced history is reprehensible and
22 indefensible to separate Lake Havasu four, five thousand
23 people is entolerable. I heard that sentence. I'd like
24 to see some emphasis put on the request made to the
25 consultants to come up to reunite our county. For the

1 first time in many, many years, as you all know, just
2 recently united, have a Coalition in Mohave County that
3 exists of the Chambers from Bullhead, Lake Havasu, and
4 Kingman which have worked together for a year and a half
5 on common issues to deliver Legislative agendas to
6 legislators, and so forth. I'll digress a that it. I'm
7 also a native Arizonan, have been around here, born in
8 Prescott, remember many, many years back, going through
9 the Navajo reservation, Colorado, things like that, how
10 charming it was seeing Navajos selling wares at the side
11 of the road, seeing the proliferation and preponderance
12 in Flagstaff. We understand the dilemma that Flagstaff
13 faces.

14 MR. CARTER: It has been quite apparent to
15 anybody that has been in Arizona a number of years,
16 number one, some inalienable facts, number one a
17 sovereign nation, agents at federal level, not state
18 level, although comprised state level, mandate federal
19 level and they coexist, if you will, with the State of
20 Arizona. I felt still feel they're entitled to own
21 Legislative bodies. I think denying them that right,
22 which is an inalienable right they have, I think is a
23 miscarriage of justice regardless of what if any
24 knowledge they may say. At a federal level they may find
25 some agreement.

1 Whether or not they want to say those
2 things on their behalf or not doesn't matter. They stood
3 at the last hearing, 2004, and we heard their
4 representative say they didn't want Kingman to be part of
5 the district, they don't like it, had no commonalty,
6 don't have religious backgrounds similar, don't have
7 political allegiances similar. Well-known leadership of
8 the Navajo Nation calls upon people to support leaders.
9 If in fact leadership happens to be Democratic, so be it,
10 that's what they call upon to support. It denies them
11 their right to have identity, they wished to have, so not
12 be in that district. That, in a sense, on behalf of
13 Flagstaff as well, I believe is the duration of my
14 comments.

15 Any questions?

16 One more. I'm sorry. Is this process
17 static? Is this a snapshot we're doing now. Look at
18 Surprise, for example, 500,000 people year 2010.

19 CHAIRMAN LYNN: Now, I understand your
20 question. For purposes of our deliberation, under the
21 Constitution, we are require to use 2000 Census data,
22 only, don't update as move forward. As having said that,
23 I don't believe any of us, were we betting people, would
24 have bet we'd be doing redistricting three-and-a-half
25 years after we were impaneled. That is the residue of

1 the legal challenges that have been made against the
2 Commission. We're simply responding to those as we move
3 forward. We're not able to go back and update
4 information beyond 2000 Census for our purpose.

5 MR. CARTER: I guess this seems pretty
6 week. The composition of Mohave --

7 CHAIRMAN LYNN: Follows --

8 MR. CARTER: Flaws, obvious flaws in the
9 way comprised.

10 Thank you again. You are doing a
11 deliberate job here, trying to do the best you can to do
12 a good job.

13 CHAIRMAN LYNN: Thank you.

14 Next speaker, Mr. Donaldson, a stranger to
15 none of us, Mayor of Flagstaff.

16 Good morning, Mr. Donaldson.

17 MAYOR DONALDSON: Good morning,
18 Mr. Chairman, Commissioners. Joseph Donaldson, Mayor of
19 Flagstaff.

20 Thank you for letting me speaking before
21 you on behalf of Flagstaff.

22 I recognize your difficult tasks in
23 considering decisions and application 106 criteria.
24 While I understand the importance of each criteria, the
25 challenge of respecting many communities of interest is

1 significant. I -- understanding the difficult decisions,
2 I respect yours is important maintaining the Flagstaff
3 environs entirety, the Flagstaff Metropolitan
4 Organization, FMPO as a whole one in district.

5 I believe from your discussions, adopt a
6 definition, FMPO clearly constitute definition interest.
7 FMPO took formal federal action supporting the action of
8 the Governor as an entity, the transaction has
9 unincorporated centers and the county within its
10 boundaries. Maintaining the FMPO entity of interest,
11 focus entity of interest, citizens public agencies within
12 FMPO health vitality, watch when planned eight
13 competitive districts one which FMPO is placed.

14 The March 1 plan states a competitive
15 district other Prop 106 criteria makes this best plan of
16 all those Commission considered since Judge Fields March
17 six order. Should the Commission depart from the March 1
18 plan its inevitably result is one fewer competitive
19 district. As you have noted, this would not be
20 consistent requirement competitiveness be considered at
21 all stages and honored wherever feasible without
22 significant detriment.

23 As a Commission, consider Flagstaff's first
24 priority to respect FMPO community of interest maintain
25 FMPO whole community of interest. At this time I submit

1 resolution support resolutions adopted unanimously in
2 adopting these principles.

3 CHAIRMAN LYNN: Thank you, Mr. Mayor.

4 COMMISSIONER HUNTWORK: We're working 2000,
5 can you give me city Flagstaff FMPO at that time,
6 roughly? Flag Flag Flagstaff city proper 53,000, FMPO
7 1820, 18220 thousand.

8 COMMISSIONER MINKOFF: These are 2000
9 Census figures?

10 MAYOR DONALDSON: Yes.

11 CHAIRMAN LYNN: Next is Karen Cooper.

12 MS. COOPER: Good morning. Karen Cooper,
13 City of Flagstaff Council member.

14 I recognize the endless of your staff's
15 task service to the state. Thank you for recognizing
16 Flagstaff Metropolitan Planning Organization, FMPO, as a
17 community of interest.

18 As we testified, the boundaries of the FMPO
19 Flagstaff land use regional use plan, the Flagstaff
20 regional counsel Coconino planning supervisors
21 overwhelming land use transportation plan year-long term
22 development land use zoning parks recreation and
23 transportation policies. Respecting FMPO public agencies
24 withing geographic boundaries benefit regional parties as
25 well.

1 CHAIRMAN LYNN: Thank you, Ms. Cooper.

2 Next speaker, Liberato Silva, Vice Mayor,
3 City of Flagstaff.

4 MR. SILVA: I'll take advantage to save
5 time, and, of course, that's to your schedule that you
6 have, today. I will echo the support of Councilperson
7 Cooper just said and I support that. We're hoping that
8 you maintain the FMPO whole and as a 100 percent
9 community interest and district.

10 Thank you very much and I'll leave the
11 paper here. Thank you.

12 CHAIRMAN LYNN: Thank you, Mr. Vice Mayor.

13 Next speaker, Jonathan Paten. He's
14 representing himself as I hope all of us do.

15 MR. PATEN: Mr. Chairman, members, Jonathan
16 Paten. I also want to past on some information. I have
17 another capacity which is involved with Southern Arizona
18 Home Builders Association, the Government Affairs
19 Committee. That organization voted to oppose the current
20 lines for a variety of reasons, the bulk of the comments,
21 what I personally feel, land planning that echos the
22 sentiment as well.

23 CHAIRMAN LYNN: March 1st, 2004 -- Patton
24 that is correct.

25 Which?

1 MR. PATEN: Last iteration.
2 Basic comments of the Southern Arizona
3 March 1st map if you look at the east side of Pima County
4 you have what I call, don't know what -- mid town area of
5 Tucson all the way -- a number of land planning problems
6 exist, to separate areas exist mid town area Tucson,
7 static area Tucson remained many years, collection of
8 people, many of whom are Tucson natives, as compared with
9 the Haughton Corridor dynamic area slated for much
10 growth. The home builders' plats, subdivisions, and will
11 explode in growth in the next few years.

12 The issue that brings up creates conflicts
13 are issues of the State Legislature not only in past this
14 very year are following, annexation, incorporation,
15 school impact energies, municipal versus current funding
16 and currently a bill state trust funding covered that
17 portion unincorporated Pima funding. Those communities
18 not represented by one person also represented mid down
19 area. I believe that creates a huge conflict of interest
20 for that person. I feel if divided single allegiance for
21 their community allegiance incorporation. No accident in
22 past representatives of areas represented east side
23 northwest side no longer legislature those are ones
24 incorporation lots opposed annexation lots Casas Adobas,
25 variety communities of interest, primary communities of

1 people, not saying annexation incorporation, could be
2 people concerned there constituents not divided loyalty
3 in Tucson, Vail area in particular affected by this.
4 Vail school district would be split. Vail has more
5 common mid town area Tucson, mid town area, traditionally
6 part Santa Cruz, was true calls city, now stuck together
7 mid down parts together on, old school District 4 example
8 exploding growth not same problems TSD, school impact
9 fees affected by not affecting TUSD. Secondly we talked
10 about Casas Adobas, gone over battles existed
11 incorporation Casas Adobas, question brought up Casas
12 Adobas, should be linked, life long resident --

13 COMMISSIONER ELDER: Just a young buck.

14 MR. PATEN: Relatively young. Have lived
15 most my life in East Tucson. Three distinct, northwest
16 side, Casas Adobas, Catalina Foothills in the middle,
17 Catalina Foothill. Middle area Catalina Foothills had
18 traditionally a link city Tucson, Catalina Foothills
19 valley did not. Most competitive re old, District 13.
20 Encompassed that went down. Many North-South corridors
21 through there. Casas Adobas fought to the nail for
22 annexation purposes, Tanque Verde own purposes. One area
23 if separate districts had to have competitive district if
24 brought Catalina Foothills down mid down Tucson, satisfy
25 that without impacting Casas Adobes or strange

1 configurations, that in mid town area Tucson. Look maps
2 problems contiguous lines, problems districtings Vail
3 area all way to mid town area. Finally one mandates
4 competitiveness. I can tell you that the growth going to
5 occur in these areas, in this Vail area, how the 10
6 corridor, not going to be Democratic, Republican, will
7 mirror what happened Rita Ranch. Something you'll be
8 creating a Republican district of future not keeping
9 competitive district. Might not be mandate keep in mind
10 as you go forward my recitation, trying to make as fast
11 as I could.

12 CHAIRMAN LYNN: Thank you very much.

13 Questions for Mr. Paten?

14 Thank you for coming up.

15 Next, Ruth Ann Marston, Ph.D.:

16 DR. MARSTON: Twin occupations. A twin
17 plan, the plan labeled, for reasons that escape me,
18 Encanto, up?

19 CHAIRMAN LYNN: We don't have the capacity,
20 tests. We have schematic.

21 DR. MARSTON: It shows changes in three
22 districts, central district, 14, 15, and 10. I should
23 probably qualify myself, most never seen me before. I
24 did testify you once before. I've been a life-long
25 educator, and currently serve on the Phoenix Unified

1 School Board, real estate interest, seeing communities of
2 interest within the school district, the old school
3 district in Maricopa County and old as any district in
4 the state, are served. I'm currently the chairman of the
5 Phoenix historic neighborhood Coalition, Chair of Encanto
6 Village Planning Committee when we recommended Commission
7 Huntwork's Historic District, and I'm still on that
8 committee, and resident of the Willow Historic
9 Neighborhood and have lived there since 1965 have also
10 been a Republican committee precinct committeeman almost
11 since 1965.

12 You know what interests are, where I'm
13 coming from. I think only fair to tell you those things.

14 After all of the issues of competitiveness
15 whether or not we're having equalness, all those things
16 addressed, issue comes down to my mind, most minds
17 testifying, are these districts creating, really
18 districts which have a continuity of interest. I'd like
19 to talk about that in terms of -- you have a letter for
20 me I've listed out the issues of competitiveness, and
21 balance, and all of those things. But let me just talk
22 about the neighbors being impacted and why I'm suggesting
23 the changes and aching the step of putting step my name
24 on this map. Historic neighborhoods may be different
25 Historic District. It has to be a district that was, for

1 the most part, prior to the second world war. That's our
2 test of how Historic it has to be. The neighborhood has
3 to be substantially intact. And it has to be significant
4 for both the City of Phoenix and the State of Arizona.
5 So there were, as of December 3, 36 designated in City of
6 Phoenix, map I submitted, 31 of them, in District 15. I
7 don't think Commissioner Huntwork's counts, throughout of
8 37. It's not on the map yet. I do have that overlay,
9 and I will leave it with you. I want to tell you that
10 the neighborhood that become Historic Districts have gone
11 to a great deal of work to do that. There's neighbors a
12 lot of economic development going on, neighbors organized
13 well enough to organize, know who they are and where
14 going on. Once left off map, also historic district, I
15 can list for you, once stay in District 14, Garfield
16 Place, Oakland, Roosevelt Park, way down on Southern
17 Park, and Woodland. They are significantly different
18 from the neighbors that would stay in District 15. The
19 part of the Roosevelt neighborhood, first designated
20 district remain in District 15 would be to, essentially
21 two things, the salvation Army's silver crest, and the
22 hotel Westward Ho not really part of historic
23 neighborhoods and significantly different in impact. I
24 really believe this change to the map would be a real
25 common interest for the Historic Districts. I meet with

1 them on regular district. I sent information ought to
2 all Historic Districts, no distinction, Ann George,
3 President of the Roosevelt Historic District asked me to
4 speak on his behalf say he agrees to parts of Roosevelt
5 district would be in 14 would properly belong in 14. You
6 can see the balance better, more competitiveness in
7 change.

8 As a member of the Phoenix Elementary
9 School District Board, and with plans to live in the
10 school District for almost 40 years, I really believe
11 that this change would be in the best interest of school
12 district neighbors, school districts, and they would all
13 be represented in the Legislature.

14 Thank you for your attention.

15 CHAIRMAN LYNN: Thank you.

16 DR. MARSTON: Thank you.

17 CHAIRMAN LYNN: Ms. Lorraine Newman,
18 President of the African American Community Coalition.
19 Welcome back.

20 MS. NEWMAN: Thank you and good morning.

21 I'd like to preface what I have to say with
22 this note: Oscar Tillman who is the state president of
23 the NACP had to leave to attend a hearing, and so I am
24 also speaking on his behalf.

25 As president of the African American

1 Community Coalition, I have come simply to say that we
2 are indeed appreciative of your decision to extend the
3 western boundary in the District J, the adjustment plan
4 impacting the South Phoenix Village. We applaud your
5 efforts in keeping with your mission in determining
6 boundaries for your state that are both competitive and
7 communities of interest. We are confident and trust this
8 prestigious body of public service will continue to
9 listen and hear the voices of people who have a sincere
10 and all encompassing need to redefine our boundary lines
11 in various Legislative and Congressional Districts.

12 Our Coalition is now comprised of 422
13 members. When we started we have 60. So we have grown
14 considerably. We can now go forward our community has at
15 least a possibility of African American representation in
16 our state and local government. Thank you.

17 CHAIRMAN LYNN: Thank you, Ms. Newman.

18 Previous City Councilmember of the City
19 Council of Kingman, Mohave Highway Commissioner, Paul
20 McCormick.

21 MR. McCORMICK: It's a very arduous task
22 trying to come together with new districts. Trying to be
23 short. Also with the Realtor Association from Kingman.

24 What I'll be speaking on is changing of
25 what we call commonalty. The commonalty as far as

1 Kingman county geographically commonalty geographically
2 different new districts Kingman, Bullhead, and Lake
3 Havasu. We have no commonalty with the other part of the
4 district as presented. The other aspect is
5 competitiveness.

6 I was made aware by our county recorder
7 that as far as ratio Democratic people registered to vote
8 fairly close. If this fits the term of competitiveness,
9 were we competitive in these two parties, yes, we feel so
10 and we don't feel we need to change that.

11 The other thing that I would like to point
12 out, as was pointed out by Mr. Carter, when I was on
13 counsel to gentleman from Navajo reservation made all way
14 over. At that time sat up, we don't have any commonalty
15 with you, either, we don't want you. They come to
16 realize, too, that due to the cultural differences,
17 differences of lifestyle, and so on, this was not for
18 them, either, and they expressed that point of view. The
19 other thing I would like to bring out is we feel if this
20 is done under new proposal Mohave County and county seat
21 will be torn apart. We need to stay together. Why
22 separate us into three areas.

23 Last of all I look at our constitution and
24 things that really strikes me about one of those basic
25 say goes, I feel we should be governed by the people of

1 the people and by the people. Please don't separate us.

2 COMMISSIONER HUNTWORK: I'd like to ask a
3 question.

4 CHAIRMAN LYNN: Mr. McCormick would you
5 entertain a question?

6 MS. MCCORMICK: Yes.

7 COMMISSIONER HUNTWORK: How fast is Mohave
8 County growing?

9 MR. MCCORMICK: Being I'm a realtor in
10 Kingman, consistent basis five to six percent. Up to
11 eight percent.

12 COMMISSIONER HUNTWORK: A year?

13 MR. MCCORMICK: I'm telling -- can't get
14 house on market, sold next few days. The dust blowing,
15 all kinds of industry going into town Kingman never the
16 same. Go down to Bullhead, all way down Mohave Valley,
17 it is exploding.

18 COMMISSIONER HUNTWORK: Thank you.

19 COMMISSIONER MINKOFF: I have a question.

20 CHAIRMAN LYNN: Yes.

21 COMMISSIONER MINKOFF: You said you had
22 some voter registration figures that indicated
23 competitiveness.

24 MR. MCCORMICK: yes.

25 COMMISSIONER MINKOFF: Yes.

1 MR. McCORMICK: 40/60, somewhere in that
2 area, McCormick 40, 45/60, we feel that's fairly
3 competitive, hate to see that upset, is no
4 competitiveness, one of the main goals trying to
5 redistrict for, along with commonalty.

6 CHAIRMAN LYNN: Kathy Ott, also a realtor
7 in the City of Kingman with the Kingman Chamber of
8 Commerce.

9 MS. OTT: In the interest of time, I'd
10 defer to comments Mr. McCormick made.

11 CHAIRMAN LYNN: Ms. Ott, say that.

12 Ms. Kincaid, Encanto Homeowner Estates,
13 City of Phoenix.

14 MR. HOLZ: I'm here, Mr. Ed Holz, has a
15 letter, very brief.

16 During the 2001-2002 map drawing
17 specifically at the September 12, 2001, IRC meeting our
18 neighborhood and neighborhood of Greenway Terrace
19 submitted a petition saying we supported a Legislative
20 District that maintained neighborhoods and traditional
21 ongoing West Valley ties.

22 My understanding is some west historic
23 neighborhoods not only addresses their needs, also hours.
24 I reviewed the proposed map, believe it does address our
25 needs in the community of interest. I give full support

1 to the proposed Map 4 District 14, 15, ask you include
2 our neighbors in District 14 as the proposed map. Signed
3 Fred Holtz Encanto states homeowner association, give
4 that, some attachments indicate testimony given September
5 12, 2001, and also a short Power Point presentation,
6 explains traditionally Encanto Estates and Greenway part
7 of West Valley Fair Grounds, et cetera, et cetera,
8 separate us, also Encanto golf course and 19th Avenue
9 separate us.

10 Appreciate you allowing me provide that.

11 CHAIRMAN LYNN: Thank you.

12 Mayor Byram. Mr. Mayor, welcome, City of
13 Kingman. You are the last speaker to whom I will say
14 good morning. The rest will have to live with good
15 afternoon.

16 MR. BYRAM: Mr. Chairman, I am Less Byram,
17 thank you.

18 You have a big job. Thank you for the
19 opportunity to speak, I came before you Kingman and
20 Bullhead to keep Mohave together. Three, four
21 configurations were being considered. Came about and
22 Mohave County is, at this time, one. For the first time
23 in a long time we are together. We have representation
24 in the Legislature, and we're just tickled to death to
25 have the district we have. This is a successful

1 district. We have great commonalities. We have a
2 situation of Mohave County, one of the fastest growing
3 counties in state, three cities, Havasu, Kingman, three
4 fastest growing cities, retirees, reverse migration, are
5 becoming distribution center west coast, manufacturing,
6 17 industries 2000 workers at the airport, other many
7 other commonalities politically. One in a Congressional
8 District. One, the Western Council of Governments, one,
9 Yuma District 6 for the State Transportation Board.

10 We are one with Yuma, La Paz County to
11 solve sewer problems on Colorado river problems, one with
12 Mohave River authority determines water for entire
13 county, great commonalities, as fast growing many
14 problems to solve together. And we hope we can remain to
15 go to do that. I'd like to say good friend Mayor Joe
16 Donaldson, you are abutting that reservation, common
17 trade areas, cultural areas, and areas should keep you in
18 that area, and as I Navajos prefer you, love you much
19 more than Mohave. We hope you can retain that marriage
20 with them rather than Mohave County.

21 Seriously, to think about putting Kingman,
22 45,000, with 100,000 Navajos completely disenfranchises
23 us, disenfranchising at its worst, gerrymandering at its
24 worse. Takes Mohave County, uses a hatchet and chopping
25 block, disenfranchising 175,000 people.

1 Think of Mohave County as one of the
2 successful things you've done. You held three cities
3 along the Colorado River pleased to be together, want to
4 stay together look within yourself and do what you know
5 is right as far as this district is concerned. You
6 listen to the pleas of 1,700 people who have taken the
7 time to correspond with you, keep us together and hope
8 you'll give us opportunity to speak with you. If any
9 question I can answer for you.

10 CHAIRMAN LYNN: Thank you for making the
11 trip.

12 Next question is Helen Purcel.

13 MS. PURCEL: Only available to answer
14 questions or make statement.

15 CHAIRMAN LYNN: Thank you. There may be
16 some as we get those tests back.

17 Next speaker, Mike Flannery, Mr. Flannery
18 representing the Tri-City areas.

19 MR. FLANNERY: You might expect what I'd
20 say so I'll waive my time to somebody else.

21 CHAIRMAN LYNN: Your position is
22 well-known.

23 Next speaker, Mr. Matt Ryan. Mr. Ryan,
24 Chairman of the Coconino County Board of Supervisors.

25 MR. RYAN: Mr. Chairman, Commissioners,

1 I'll likewise defer. My only one point of emphasis, it's
2 a very difficult task you do have before you, but you did
3 create a competitive district in Northern Arizona, two
4 competitive districts, and it is appreciated. You did
5 respect communities of like interest. As stated before
6 on record, I'll keep it nice and short wait see if you
7 have any comments or questions for the future.

8 CHAIRMAN LYNN: Next speaker, Lisa Krueger;
9 speaker COE Lake Havasu Chamber of Commerce, representing
10 Mayor Bob Whelan.

11 MS. KRUEGER: Our Mayor Bob Whelan couldn't
12 be here.

13 Water, sewer, transportation, and economic
14 development are local regional issues in Mohave
15 community, Kingman, the county and areas in immediate
16 proximity. You have recognized this for areas such as
17 Flagstaff and recognized in the past for Lake Havasu
18 City, Bullhead City, and Kingman I ask you do again in
19 addition devastating city put part in District 4. City
20 Lake Havasu must be placed one designated slip. Two
21 slips.

22 CHAIRMAN LYNN: Yes. Chamber of Commerce,
23 Chamber Coalition.

24 MS. KRUEGER: On behalf of our membership
25 2,500 businesses in Lake Havasu City oppose proposed

1 redistricting Mohave County. Independent Redistricting
2 Commission fair balanced redistricting Congressional
3 Districts for State of Arizona. Chamber members across,
4 Lake Havasu, Kingman to Quartzite, tirelessly over the
5 past few years develop cohesiveness -- to develop
6 cohesiveness partnering solidarity proposed new districts
7 worth effort effective districts business residents
8 Northwestern Arizona including industries to make greater
9 Mohave region economically strong. Symbol strength light
10 manufacturing tourism industries in part attributable to
11 region. From our communities in tune with the needs of
12 this important part of Arizona. Proposed district Navajo
13 Nation geographic 250 miles completely geographic nation,
14 Kingman county seat different geographic district than
15 that of Kingman. Also splits portion geographic District
16 4 portion Phoenix Metropolitan area geographic today
17 miles nonsimilar demographic. As a remainder, Flagstaff
18 is geographically and demographically different from the
19 needs and will of the very few. No will or common
20 interest, will taxpayers Northwestern Arizona.

21 Thank you for running tests Lake Havasu and
22 Kingman. It's a much more favorable situation for all of
23 Arizona.

24 You already have a packet of these from us.
25 These are actual originals of -- like two have these.

1 COMMISSIONER ELDER: I didn't know Mohave
2 County had trees.

3 CHAIRMAN LYNN: Next is Alberto Gutier,
4 here representing himself as he always does.

5 MR. GUTIER: Alberto Gutier. I'm Alberto
6 Gutier, used to in live 18, 19, now possibly 10. I
7 haven't moved 36 years. Give me a district. I'll stay
8 longer.

9 A couple things. Thank you for the March
10 1st change in maps. I testified keeping South Mountain
11 intact, appreciate very much, critical been involved
12 South Mountain many years, something you did very
13 commendable. The other part, see the map, looking over
14 the map in the Phoenix area, it was tweaked some places,
15 numbers were fine, overall represents Phoenix community
16 very well. Don't like to see any tinkering, seeing for
17 example that my new, supposed district I live in,
18 District 10 March 1st map now wants to be changed around
19 especially going southbound and go all way down,
20 incumbants, same district. District 10 as is, three
21 things, compact, similar interest, competitive.
22 Testimony 2001, Moon Valley, District 10 suffers purpose
23 don't know why all sudden change around putting map
24 Historic Districts which I live close to come don't think
25 a need especially since District 10 you created March 1st

1 population represented 23.2 Hispanic, immigrant myself
2 Hispanic reflects rest state, good, less one part
3 government complies some things you trying to do ordered.
4 Urge you, fix a fine, a lot a headaches, don't envy you,
5 heard comments Mohave County Flagstaff. I think you have
6 bigger fish to Friday than Phoenix area.

7 CHAIRMAN LYNN: Thank you, Mr. Gutier.

8 Next, Milton Wheat. He's with District 15,
9 Republican party.

10 MR. WHEAT: Good afternoon, Mr. Chairman,
11 Commissioners.

12 District 15 has been rearranged three, four
13 times in redistricting. I've been in much of my District
14 for the last three elections. It has been what is known
15 as a swing district, competitive district. New proposed
16 map it will be a safe district with Democrats voting. I
17 agree with Dr. Marston should try to keep historic areas
18 same Legislative district they have community interest.
19 I'd like to see the freeway has become a natural boundary
20 for that district on both sides, State Route 51 and
21 Interstate 17. I propose you leave the natural
22 boundaries North-South. Dr. Marston's South Roosevelt,
23 not sure what population, somewhere north, Glendale or
24 Northern, Gutier 10 District, I'm sure adjusted
25 accordingly, do that. District 15 is a very densely

1 populated area of the City of Phoenix, probably in the
2 State of Arizona, and it would meet compactness also
3 comply with community of interest issue you are up
4 against, also the racial, ethnic interests there, and
5 social economic there.

6 Central Phoenix is one of Legislative
7 importance to everybody that lives there.

8 Thank you guys for all you've done and the
9 heat you have to take over this. I imagine like
10 three-and-a-half years ago you not imagine it like this.

11 Somebody has to do it, and we appreciate
12 your hard work and for effort as you've handled the
13 issues that have come up.

14 Thank you.

15 CHAIRMAN LYNN: Thank you, Mr. Wheat.
16 Thank you for being here.

17 CHAIRMAN LYNN: There are several speakers
18 left. Without objection, we'll take a 15-minute break
19 and finish call to the public without objection.

20 (Recess taken.)

21 CHAIRMAN LYNN: All five Commissioners are
22 present with legal counsel and NDC representation.

23 We'll complete call to the public at this
24 time.

25 Next speaker is W. Kent Foree. Mr. Foree

1 is the Assistant City Attorney for Lake Havasu City.

2 Mr. Foree, good, afternoon.

3 MR. FOREE: Good afternoon, Mr. Chairman,
4 Commissioners, I'll try to make this as brief as I can.
5 Lake Havasu City is in agreement. Lake Havasu City's
6 position, you have immediate area impact needs to be kept
7 together. Lake Havasu's case take further primarily
8 water, sewer, regional planning issues. The Mayor is
9 accepting forward, state portion financing assistance 463
10 million sewer, land, election approved basically twice
11 now in that community, talking very substantial issues
12 need effective representation at the state level to
13 extent you recognize community interest in tax Flagstaff,
14 area, not to do it for Havasu, carve off on top of that,
15 5,000 population, not treating us the same. In order to
16 do that you need a clear reason stated for doing that.
17 Otherwise you may be violating other portions of Judge
18 Fields order as far as equal protection, is our official
19 position. I need to make that for the record for
20 presentation, I think, to the trial court. Equal
21 protection argument is what I need to make.

22 CHAIRMAN LYNN: Thank you Mr. Foree.

23 Mr. Sullivan, Vice Mayor of Bullhead City.
24 Good afternoon, Mr. Sullivan, thank you for making trip.

25 MR. SULLIVAN: Won't take a whole lot of

1 time, you've already heard from most of Mohave County.

2 They are more eloquent than I am.

3 Personally deliver, communities of interest
4 of river, whether refer to it as Mohave County, river
5 cities or old District 3, we have a community interest.
6 After conversation, pretty much acknowledge that, issue
7 in front of you is pretty dogmatic, no win. Somewhere
8 else. I'm here to urge, personally, try to keep river
9 cities together, integrities those communities of
10 interest. One other issue wanted to bring to you. We
11 Mohave County, old District 3 circulated Pete, resolution
12 among cities, elected cities, counsels, and that was
13 passed by seven -- six cities and Mohave County
14 supervisors, and forwarded already as input. I wanted to
15 make you aware Mohave County supervisors, city Kingman,
16 city Lake Havasu, city page, town, board of local city,
17 town of Quartzsite, all, exception of Kingman unanimously
18 passed resolutions opposition of March 1st map urging you
19 to please continue to respect communities of interest
20 that you acknowledge exist along the river and keep us in
21 one Legislative District however possible that can be
22 done. That's extent of what I today say.

23 CHAIRMAN LYNN: Next speaker, Stephanie
24 McKinney, president, CEO, greater Flagstaff Council.

25 MS. MCKINNEY: Good afternoon. Good

1 afternoon Commissioners, thank you for allowing us to
2 speak today. I'm here for the Regional Economic
3 Development Agency for the Greater Flagstaff Area, not
4 just City of Flagstaff.

5 Economic development contractual services
6 of Coconino City has a membership base of approximately
7 120. Not here to tell you whether Flagstaff more common
8 with neighbors to east, west, or south, or anything of
9 that matter. What I'm here to tell you today how
10 important it is for you to continue to recognize
11 boundaries Flagstaff metropolitan organization no matter
12 what district you decide to put us in. This district so
13 much important to Flagstaff than just legal boundary
14 issue. Flagstaff surrounding bedroom communities,
15 unincorporated area speaking of here, interest dependent
16 on each other, Flagstaff employment center for
17 communities, regional tread center, health care center,
18 boundaries for school district fairly well match second
19 PR district. So important to keep this group of folks
20 together as a common interest area, regardless of what
21 other communities we have more in common with than
22 others. I think Flagstaff has more in common than
23 Prescott with Williams, Payson, than any other areas
24 looking up. That's not what it's about. It's keeping
25 FMPO whole.

1 It's also important to consider Northern
2 Arizona. To remain competitive district anyway you do
3 the separating bedroom communities from Flagstaff is the
4 same thing as separating Pinetop, Show Low, or Golden
5 Shores from Bullhead or Chino from Prescott.

6 FMPO has unique features common. Dealing
7 public safety, forest, common transportation. We're
8 landlocked as you know only so much land greater
9 Flagstaff growth next 20 years, not like we can annex
10 50,000 acres include area. Have to be smart planning
11 together, have to be smart about working together bedroom
12 communities dependent for economy, not just City of
13 Phoenix. Thank you very much for time. Hard work you
14 guys are having to do.

15 Please, please, I employ you, keep FMPO
16 local state representation if at all possible to maintain
17 the competitive district. Thank you.

18 CHAIRMAN LYNN: Mr. Huntwork has a
19 question.

20 COMMISSIONER HUNTWORK: Do you happen to
21 know how fast the Flagstaff planning area is growing?

22 MS. MCKINNEY: Average two, two-and-a-half
23 percent per year.

24 CHAIRMAN LYNN: Thank you, Ms. McKinney.

25 Next David Maurer, Flagstaff Chamber of

1 Commerce.

2 MR. MAURER: Chairman, Members of the
3 Commission, thank you for work doing, very brief, heard
4 already number Flagstaff speakers, simply want to report
5 to you genuine sense of our community, as you adopted
6 most recent map, definitely feeling in town of we're
7 back. Flagstaff is back in terms of representation at
8 the capitol. We ask you to acknowledge that.

9 We don't have hundreds of letters to
10 represent to you, can tell you many, many companies
11 businesses deal with Chamber of Commerce that would be
12 glad to hear the news, had it broadcast as quickly as you
13 took the action, ask you not to take a step backwards at
14 this point and keep the map you have in front of you at
15 this point.

16 CHAIRMAN LYNN: Thank you, Mr. Maurer.

17 Richard Strohman also representing
18 Flagstaff Chamber of Commerce.

19 MR. STROHMAN: Thank you, Mr. Chairman and
20 Members of the Commission. Thank you Mr. Chairman and
21 members to be able to speak before you. I'm respectful
22 of what you and your staff have also done to reach the
23 point where you are today. We do not envy your job. The
24 Flagstaff Chamber and it's 1,068 members continues to
25 support earlier findings metropolitan, placing Flagstaff

1 FMPO single FMPO district. Respectfully strongly urges
2 maintain to issues. Significant detriment, very powerful
3 words, both in this context and in any context.
4 Commissioner Hall spoke earlier today about the
5 definitions of significant detriment. With the first
6 issue he spoke of relating to the ability to have
7 effective representation. Carving up or shaving off
8 pieces of the FMPO also mean by the way carving up or
9 pieces Flagstaff unified school district any reasonable
10 chance having effective representation Legislature.
11 Flagstaff has had representation way personal one person
12 at the Legislature I'm told since state hood. That is
13 not the case presently situation ended last Legislative
14 cycle. Your March 1st map took great time effort to
15 adopt gives Flagstaff a chance to have representation to
16 elect don't force our opportunity 70,000 people in FMPO
17 back into a situation to community, keep FMPO whole
18 single representative district as you've done in March
19 1st map. Thank you Mr. Chairman, Members of the
20 Commission.

21 CHAIRMAN LYNN: Thank you, Mr. Strohman.

22 Next speaker, Michael Mandell, attorney
23 representing the Arizona Minority Hispanic Coalition.

24 MR. MANDELL: Michael Mandell, Arizona
25 Minority Hispanic Coalition, comments on the AFLR map

1 received submitted didn't get anything, districts 23, 25,
2 27, 29 all minority districts changed I understand point
3 of map is try to bring population deviations down as much
4 possible and done to I heard point five percent some
5 population deviations in districts mentioned done
6 specifically to insurance minorities electability choice
7 those populations deviations for those purposes need to
8 remain should be, should remain unchanged. In addition,
9 knowing that AFLR exactly has information on where
10 incumbents live and reside, identify probably submit
11 Mr. Mills drew the map, no he has the information,
12 something Commission should consider went to look at map
13 test Tucson examples, bear in mind, those are replete of
14 where incumbents live.

15 CHAIRMAN LYNN: Thank you, Mr. Mandell.

16 Now to answer the question where true
17 affections truly lie, north, south, east or west.

18 COMMISSIONER HALL: Ah, Leonard.

19 CHAIRMAN LYNN: Mr. Leonard, Chief of
20 Staff, Navajo Nation, welcome.

21 MR. GORMAN: Our attorney says don't answer
22 that question.

23 Mr. Chair, Members of the Commission, good
24 afternoon, name Leonard Gorman, chief staff Navajo Nation
25 government in which there are a number of organizations

1 set up to address this particular issue, and one of them
2 is the office of the speaker working with the
3 subcommittee on redistricting. With that I'll come
4 before you representing the Navajo Nation to present
5 comments and recommendations of Navajo Nation regarding
6 redistricting activities. We thank you for the
7 opportunity to address this Commission on several
8 occasions we came before you to state our positions and
9 recommendations. The Navajo Nation finds itself in a
10 situation where I don't know if proper word is trapped,
11 engaged in a situation where there are very little wiggle
12 room, if you will, as far as the redistricting issues is
13 concerned. What I mean by that is that to the south, we
14 have the EACO. It has been demonstrated and believe the
15 Commission agrees that is a community of interest. We
16 have the FMPO that has also been determined to be a
17 community of interest. We have the Tri-City area further
18 to the south, that has also been demonstrated to be a
19 community of interest. And you receive, as stated by
20 your consultants, several comments and recommendations
21 from March 1st, to last night, midnight, as to folks
22 positions, west, as to where they believed they should be
23 located in next redistricting, and that's what I mean by
24 fact Navajo Nation feels very awkward under present
25 circumstance at this time. However Navajo Nation will

1 continue to seek your indulgence to insure that where the
2 Navajo Nation is located, that there would be a robust
3 Native American voting age population. In the previous
4 map adopted by the Commission approved by the DOJ
5 included Native American voting age population of 62.1
6 six percent, Legislative District to. Legislative
7 District to adopted by the Commission on March 1st
8 included Native American voting age population of 61.3
9 percent. The Navajo Nation continues to believe any
10 reduction in the Native American voting age population
11 will affect ability of Native American to elect
12 candidates of choice. Therefore, the Navajo Nation
13 continues to respect fully consider adoption of district
14 highest Native American voting age population as
15 possible. Further, in the past presentations while prior
16 speakers in today's session and prior presenters had
17 pointed out that certain members of the Navajo Nation
18 specifically made statements that they rather not be a
19 certain part of a district in the State of Arizona, for
20 the record, the Navajo Nation has not made any statement
21 before this Commission as to which community of interest
22 it rather not be a part of. It has not made any
23 statement at all. The Navajo Nation finds itself in a
24 position where now back in June, 2001, we probably were
25 the first Native American nation to submit a specific

1 plan to the Commission and pursuing that plan now, on the
2 other side of the spectrum, wrestling with statements
3 that are made, we'd rather not be part of district which
4 Navajo Nation is located. That is often very difficult
5 to fathom in this day and age. I don't think the Navajo
6 Nation wants to apologize to anyone in the state and
7 along the world the rate of growth and impact it is
8 making in the State of Arizona. We have no law in our
9 nation to stop the growth in Arizona part of Navajo
10 Nation, so for that I am in no position to apologize for
11 the increase in numbers in the State of Arizona.
12 However, the Navajo Nation wishes to continue the long
13 term efforts that it has strived for since this proud
14 state of Arizona became a member of the union and when
15 Native Americans were authorized, allowed to vote in this
16 state, and that is we have some long term issues to
17 address. In the surrounding communities around the
18 nation, Flagstaff, Winslow, Holbrook, page. We have a
19 lot of ties that we need to continue to build upon and I
20 truly respect on behalf of Navajo Nation the City of
21 Flagstaff in regards to long-term efforts to continue the
22 work that has to be done. To point out some of those
23 issues, Navajo Nation impact in these surrounding cities
24 is tremendous on a daily basis. It's retail economy in
25 these surrounding cities are severely influenced by the

1 Peeples from the rest nations, if you will, the Navajo
2 Nation, Hopi people. So -- and that's what I mean with
3 we're left with at the end of the spectrum trying to
4 figure out what to do next when those circumstances
5 exist, Navajo Nation recognizes land directly north of
6 land, Isabel Ranch, Navajo ranch directly north or within
7 city limits of city Flagstaff, land directly north of
8 city north of Winslow, land directly north of Seligman,
9 town of Seligman, I'm raising those points because those
10 are long term issues, regardless, irregardless of the
11 situation we find ourselves communities all do respect
12 make points we'd rather have outside districts Navajos
13 indicated. We have those issues to address. With that,
14 I would just like to point out some population areas in
15 which there could be some adjustments made.

16 We realize in the City of Flagstaff there
17 are, as stated earlier, close to 53 counted within the
18 City of Flagstaff, and 5,284 within that city limit. In
19 the area west of the Navajo Nation, including page,
20 Arizona, and north of the Grand Canyon, a total
21 population of 8,929 of that 2,169 Native American,
22 Hualapai, Havasupai, Grand Canyon corridor back to Grand
23 Canyon west side total population 268 of that 2,021
24 Navajo population, south of Interstate 40 Winslow and
25 Holbrook, population is fifteen thousand 70038, of that

1 3,800 to are Native American population. West of
2 Flagstaff to Mohave County line Interstate 40, south of
3 the area I mentioned earlier, population 2,407, Indian
4 Hopi Nation of only 121. These are some ideas as to
5 where to turn around as far as Navajo interests are
6 concerned as far as threshold that we have insisted on
7 with the last redistricting plan adopted, used, ski
8 percent plus and in the past it's been beyond that. So
9 we've come down to within plan submitted now asking form
10 61 percent. That is the message from the Navajo Nation.
11 Again, thank you for your efforts and we look forward to
12 the decision you will be making soon and decision for the
13 State of Arizona.

14 Thank you, Mr. Leonard.

15 COMMISSIONER ELDER: I have a conversation,
16 named off Navajo within areas stayed. I believe stayed
17 look for areas here or some of them. I don't think any
18 went above 25 percent seem dilute if include areas dilute
19 62 or 61 three last map of March 1st. I'm not sure why
20 going might include populations, seem it would affect
21 percentages you did not want to go below.

22 MS. LEONI: Mr. Chair, Commission, I
23 believe there was a map submitted last come seven,
24 percentage ski percent believe that went down, down south
25 side Apache percent, ski percent margin and I realize

1 what you are saying as far as numbers giving, some pocket
2 areas I'm fifth go out have native American population in
3 contrast to areas now the March 31st map.

4 COMMISSIONER ELDER: Thank you.

5 CHAIRMAN LYNN: Mr. Huntwork.

6 COMMISSIONER HUNTWORK: Yes. I was just
7 going to say it dilutes less than a population 50,000 no
8 Native Americans versus one has 5,000. But I have a
9 question for you and if you could, we received quite a
10 bit of input at one point in this process about I think
11 the interest of Northern Arizona University, the
12 important of Northern Arizona University and the Native
13 American populations in Northern Arizona. Can you
14 comment on whether significant positive relationship,
15 does Native Americans comment on that as resource? I'm
16 just curious.

17 MR. GORMAN: Mr. Chair, Mr. Huntwork, while
18 my wife is director at the scholarship office, I'm trying
19 to be concerned about student population in Arizona.
20 Navajo Nation has relationship with all three
21 universities in State of Arizona. We see Arizona,
22 Arizona State University and Northern Arizona University.
23 However, three universities, NAU has the highest number
24 of Navajos going to that school. On a given year, you
25 could have 10,000 if I recall, record I received last

1 senior year 17,000, that dropped to about 16,000 this
2 school year. Navajo Nation has arrangement as far as on
3 reservation satellite instructions that are offered by
4 the University of Arizona on the Navajo Nation. So in
5 that respect, Navajo people send a large number of our
6 kids to Northern Arizona University.

7 COMMISSIONER MINKOFF: Thank you.

8 CHAIRMAN LYNN: Mr. Gorman, always good to
9 here from the Nation, keep you updated from goods and
10 concerns, very difficult to make these choices and
11 appreciate your choices very much.

12 One more speaker slip this session, if
13 others intending to speak, please fill out speaker slip,
14 last speaker slip John Mills representing AFLR.

15 MR. MILLS: Good afternoon, Commission
16 members, policy director for Arizonans For Fair and Legal
17 Redistricting. We submitted a map and the letter that
18 went along with it. It pretty much speaks for most of
19 what I wanted to say. I wanted to add a couple comments.
20 First of all I think first problem one has is the number
21 17,102. Most of you will have that memorized for the
22 rest of your life, the magic number for a district size
23 in the State of Arizona. And with cases both Georgia and
24 in Alaska that have recently been decided, I know some of
25 these cases were done after Commission took first set of

1 maps according to Judge Fields he in his order must think
2 you are clairvoyant he thinks you must be able to
3 understand these orders of these cases before they were
4 even decided. But that being the case, that number is
5 very important to get it as close to ideal as possible.
6 Now, 10 or 20 years ago we didn't have the computer
7 capacity and other things we do today. We can get much
8 closer. We can get down to exact population, which is
9 what we have to do at the federal level, the
10 Congressional. And the Arizona Constitution seems to say
11 that both the state and the federal, it describes
12 populations using the same words. So there is some
13 argument, that says if not very close to zero, as close
14 as possible. We submit the three-and-a half percent with
15 this Commission decided I instead of this new map go
16 process was quite wide. We submitted our map not as
17 something we wanted the Commission to adopt, only laying
18 out the possibility that this was very possible to do.
19 We also made some changes in the Tucson area. We went
20 back to one of your older maps and used that as kind of
21 the basis. We reason we did that, it kept the Casas
22 Adobas area in one district and whole and Catalina
23 Foothills in another district whole. That's reason we
24 used that happen hearing from number of people down in
25 Tucson they thought the Casas Adobas slip not to there

1 liking. They wanted something different than what we
2 came up. As far as what you do in Northern Arizona
3 versus Kingman area, unfortunately the Navajo Nation not
4 close to 171,000 people we wouldn't nearly have this
5 problem you do face. Since it's only somewhat less than
6 171,000, we have to put something somebody else in that
7 district, whether it be Kingman, one district is going
8 to -- one area is going to be put in their. And that's
9 just a determination that the Commission is going to have
10 to make. Other than that. If there was any further
11 questions on either our map that we submitted, I would be
12 happy to answer those.

13 One final thing. Mr. Mandell said the
14 population deviation had to be maintained because of
15 Voting Rights Act I submit 14th which said equal
16 protection would trump the Voting Rights Act we need to
17 get the equal Voting Rights Act down.

18 COMMISSIONER MINKOFF: Mr. Mills,
19 Mr. Mandell said something else to he said you took into
20 consideration residency of incumbents.

21 MR. MILLS: Yes.

22 COMMISSIONER HUNTWORK: He was not under
23 oath making that statement, you are not under oath, this
24 process somewhat ridiculous court considered what people
25 stand up to say evidence nobody under oath would you

1 comment on whether that statement was true or not.

2 MR. MILLS: I do know where incumbents
3 live, I could just by memory point out where every single
4 incumbent lives. In Tucson there are not that many of
5 them, but it was not done to protect any incumbents, done
6 for equal protect, equal for protection and work on
7 Foothills area. They did have a problem with incumbent
8 around, but all in all, that was not the plan. We didn't
9 submit a plan to you to say this is what we want you to
10 adopt. We wanted to submit a plan and this is what our
11 Legislative because of certain rulings in the Alaska case
12 we wanted to show it was possible to get a population
13 down to a half of percent. There was a couple of issues,
14 split of Glendale we had to create. That split of
15 Glendale split that only only occurred because Glendale
16 did a lot of strip annexation hundred five foot strip
17 around county portion we moved county portion to equalize
18 population we had to cut through small county split to
19 equalize population.

20 CHAIRMAN LYNN: Ms. Minkoff.

21 COMMISSIONER MINKOFF: Thank you. Confess,
22 we were advised early in the process that court opinions
23 allow deviations of up to five percent in Legislative
24 Districts when there was a good reason for the
25 population. You have cited a couple of receipt cases. I

1 want to know that you maintain those cases that have
2 changed that standard, now the Court has said you can't
3 go up to five percent.

4 MR. MILLS: Not sure if court cases but
5 technology. A lot of cases plus minus five percent were
6 decided early to late '80s and '90s. As we all know, the
7 computer Ms. Hauser is sitting at right now probably has
8 more capacity than the mainframe in seventies and
9 definitely has more capacity than we went to moon with.
10 We also know the rulings, Georgia, where they thought
11 they were in a safe harbor plus minus five percent done
12 strictly on that harbor. All Republican districts were
13 overpopulated, Democratic underpopulated, and there was
14 not proper use of the deviation, deviation as with
15 technology should be considered a lackage, US population,
16 federal, state, using the same state.

17 COMMISSIONER MINKOFF: Technology aside,
18 recognized such as respecting the community of interest
19 or by the federal courts Voting Right Act implications,
20 does the AFLR maintain those are not legitimate reasons
21 for population deviations and still have to be as equal
22 as possible even if it means compromising community of
23 interest or minority population in a voting rights
24 district?

25 MR. MILLS: I'm not a lawyer so I'm not

1 sure I can submit that personal opinion. I will find out
2 and get back to you.

3 MS. MINKOFF: My other question is have you
4 done an analysis of until new map in terms of how it
5 affects competitiveness.

6 MR. MILLS: I don't have figures, our
7 opinion is we'd lose one district in Tucson
8 competitiveness. Did maintain other changes small
9 enough -- we don't have access to JudgeIt, we felt the
10 way the registration numbers, looking just registration
11 numbers we didn't change the makeup of districts enough
12 we felt that was going to affect competitiveness. Except
13 as to Tucson.

14 CHAIRMAN LYNN: Thank you, Mr. Mills.
15 Other members of the public wish to be heard at this
16 time.

17 Have you filled out a form?

18 Your Honor?

19 Mr. Echeveste.

20 Come up to the podium.

21 JUDGE FLOURNEY: J. Michael Flourney.

22 It was raining very hard this morning.

23 Didn't want to miss this meeting. Won't comment, sent
24 you each a letter extensive should be in the district
25 other than with the Navajo tribe, why I felt you should

1 keep the community of interest together for Flagstaff,
2 one of comments made by Mr. Gorman, with all due respect,
3 I called the registrar, there are 18,824 students at NAU,
4 1,169 was the figure, it may be a few off of that, the
5 registrar said six percent are Native American at NAU. I
6 wanted to correct the record in that regard.

7 CHAIRMAN LYNN: Are there other members of
8 the public that wish to be heard at this time?

9 If not, we'll recess public comment until
10 letter in the process, recess the public process at this
11 time.

12 My intent is to recess for a lunch break.
13 I'd like to recess for one hour, reconvene at 2:20, and
14 hear a report from consultants.

15 Without objection, we'll recess for one
16 hour.

17 (Recess taken.)

18 CHAIRMAN LYNN: The Commission is back in
19 session, a quorum present.

20 (Mr. Rivera and Ms. Leoni are not present.)

21 CHAIRMAN LYNN: I've been informed by the
22 consultants in order to complete the tasks given this
23 morning, they need the better part of one hour to
24 complete their work. So we are going to continue to
25 recess for as much as an hour. But as soon as the

1 consultants are ready, we will try to reconvene. I'd ask
2 everybody to stick around the general area. Soon as
3 they're ready, we'll get started.

4 Without objection.

5 COMMISSIONER ELDER: Thank you, Lisa.

6 (Recess taken until approximately
7 3:51 p.m.)

8 CHAIRMAN LYNN: Commission will come to
9 order. For the record, all five Commissioners are
10 present along with legal counsel, NDC, and
11 competitiveness consultant, and IRC staff.

12 Mr. Johnson, a report?

13 MR. JOHNSON: Mr. Johnson, when we went
14 away at the break, I guess long ago, there were a number
15 of tests we were asked to go through and present to
16 Commission, to restate, first was looking at the Tucson
17 area LDs to reflect various public comment that has come
18 in, had second look at Lake Havasu how unify Lake Havasu,
19 third larger, Lake Havasu, unified, 10 14, 15, and also
20 look at opinion all county precinct request. We have
21 information all of those, some cases more than one test
22 for you. Starting off with Tucson, black lines you see,
23 March 1st adopted plans, you see how District 30 had
24 Tucson, District 6 had Tucson, and then -- I'm sorry,
25 District 30 did not have Tucson, Foothills, going around

1 outside of town, 28 a had Tucson and 28 had Tucson.
2 Changes made to this in this first one, to versions I'll
3 show you, District 26 portion came down into Tucson is
4 now out. District 26 stops at the south edge of Flowing
5 Wells there. There is a small portion, Tucson has a neck
6 stretches around Flowing Wells and 500 people, that's
7 still there, weird shape, all sounds complicated, other
8 than 500 people District 26 is out of Tucson. What that
9 does is allows us as Maricopa requested to make to go on
10 majority four district, solid majority of three of them,
11 so we have district 28, which also addresses issue of
12 the, both Casas Adobas, that is now unified 26 and
13 eastern portion of Foothills unified in either 26 or 28,
14 comes down in Tucson and all portions 28 gave up are now
15 unified. District 30 is much more like what it was in
16 previous maps, IRC's 2004 map, comes down Sierra Vista,
17 gets Vail, Rita Ranch, and eastern Tucson and comes over
18 somewhat over to what some may consider central Tucson,
19 Tucson 51 percent of District 30, going down Sierra
20 Vista, and then it's 68 percent or roughly of district 28
21 and it's -- dominates districts 17, 29, the majority of
22 all four of those. Deviations, impact deviations of this
23 test, see they go up slightly in 28 and 28 from about
24 seven-tenths to less than a point. Just for clarity,
25 reflects difference there and difference goes down.

1 Competitiveness, though, District 26 has dropped out of
2 the competitive range, down from 27, .22; 44, .2. 48
3 remains competitive, all by JudgeIt scores, 52.6.

4 And District 30 remains outside of the
5 JudgeIt competitive range. We've gone this version of
6 this test two to March 1st map competitive by this
7 version. Compactness wise it's roughly the same, all
8 above 1.7 rather than District 30, 1.9; district 28, 1.8;
9 all above 1.17. What we did, took this step, seemed to
10 address concerns public addressed, looked said 30 just
11 one percent outside the JudgeIt competitive range
12 Dr. McDonald I worked to go to see if we get into
13 competitive range, were able to do, able to test do. The
14 difference, though, is that District 30 in this, rather
15 than coming up to the city line, doesn't go up as far and
16 it extends further over to central Tucson. As you know,
17 this area more heavily Democrat, this area more heavily
18 Republican we had to make get to 30 into competitive
19 range we did at 46 .8 percent, see similar compactness
20 scores similar to the previous map. The deviations
21 closer to negative five point three negative 5.74. Both
22 of these maps did, Pima County split precinct issue, once
23 along Tanque Verde Catalina Foothills area addressed,
24 that is clarified. The ones along the border of 26 and
25 28 are still there. I did some quick looks number people

1 have to move to adjust those arranged, one new one over
2 here that is about -- almost 1,300 people, definitely the
3 largest. Then they range from 26 hundred people to 2,700
4 Pima long Foothills border. I haven't made map address
5 changes. Really looking, eight key precincts involved at
6 this point. Only thing didn't doing look new split
7 precincts along 28, 30, not time for that. Those are
8 Tucson tests.

9 Want me to stop at this point and discuss
10 those or run through all tests first?

11 CHAIRMAN LYNN: Maybe questions. Why don't
12 we ask questions each test move on and sort of come back
13 over whole landscape when seen all, questions either test
14 one or test to, Ms. Minkoff Mr. Huntwork.

15 COMMISSIONER MINKOFF: Same question both
16 test one test to, a lot concern Casas Adobas and
17 Foothills. Are they same district or different
18 districts? I realize neither each have to areas.

19 MR. JOHNSON: Casas Adobas united each to
20 cases. The line in the Foothills is unchanged between
21 the two tests as well.

22 COMMISSIONER MINKOFF: Casas Adobas 26
23 Foothills --

24 MR. JOHNSON: Foothills split 26, 28 in
25 both tests.

1 CHAIRMAN LYNN: Mr. Huntwork.

2 COMMISSIONER HUNTWORK: I'm curious to
3 understand how, difference between to tests, 28 and 30;
4 correct?

5 MR. JOHNSON: Yes.

6 COMMISSIONER HUNTWORK: Okay. So, showing
7 in the competitiveness analysis it appears as though,
8 maybe I'm misreading this completely, appears four-tenths
9 change in 28 and 2.7 percent change in 30.

10 MR. JOHNSON: Yes.

11 COMMISSIONER HUNTWORK: Yes.

12 Wasn't -- how did that happen, or those
13 changes also reflex changes in 26 as well.

14 MR. JOHNSON: Two things at play one thing
15 changes at play 26 as well. Other is differences intern
16 out as well.

17 COMMISSIONER HUNTWORK: These tests
18 anything like one looking at a month ago where we had a
19 number of different configurations in Tucson or is this a
20 new, whole new effort to divide Tucson?

21 MR. JOHNSON: These are actually new. This
22 one, second one I showed, District 30 some we looked at
23 nine and 12 months ago. But these are not, not very
24 comparable to once looking at in February, March.

25 COMMISSIONER HUNTWORK: Did anyone's

1 looking at in February, March, contain the appropriate
2 division in the City of Tucson?

3 MR. JOHNSON: Look back at one had three
4 competitive districts. For obvious reasons one jumped
5 straight through I had Tucson dominating only 27, 29,
6 minority portion of 26, 27, 30, not dominant of comments
7 received. I did not look detail received.

8 COMMISSIONER HUNTWORK: Half dozen.

9 MR. JOHNSON: I can look up if like to look
10 at them. None had specifically the goal of having Tucson
11 strengthened considered. May coincidentally had. Not
12 something doing at that point. Don't think it did.

13 CHAIRMAN LYNN: Just for information
14 purposes. What identify call central contradict portion
15 test to. What is northern southern boundary of that?

16 MR. JOHNSON: Northern Speedway and over to
17 Alvernon way, stepping down, Harrison and going down to
18 Broadway. Main stretch is Speedway to -- let me just
19 confirm. Yes. Speedway at 22nd going over to Alvernon.

20 CHAIRMAN LYNN: You go back to first tests.
21 Give me some idea how far District 30 goes into the city
22 on that.

23 MR. JOHNSON: Sure.

24 MR. JOHNSON: Will not road.

25 CHAIRMAN LYNN: The western boundary.

1 MR. JOHNSON: Ray Croft and Swan.

2 CHAIRMAN LYNN: Ray Croft south of the
3 river and west to Swan?

4 MR. JOHNSON: Yes, and up to Sunrise,
5 northern border there.

6 CHAIRMAN LYNN: So I understand, 28 lease
7 compact represented lighter purpose up that goes from the
8 west, sort of down into Tucson pack up to Foothills back
9 up to Tanque Verde valley.

10 CHAIRMAN LYNN: Western edge bit unusual
11 shape follow been city border of Tucson and then down too
12 old District 27 border. Yeah. It has kind of no, sir
13 underneath Flowing Wells and under unusual city border.

14 CHAIRMAN LYNN: Heard from Mr. Paten might
15 be competitive combined central Tucson with what would be
16 considered the Central Foothills, in other words, in this
17 configuration it would be going further east before it
18 heads north. Would be kind of the heart of 28 combined
19 with the Central Foothills. Did you run that test? I
20 mean was that part of your deliberations go in go
21 through?

22 MR. JOHNSON: Talking essentially Catalina
23 Foothills with central Tucson?

24 CHAIRMAN LYNN: Yes.

25 MR. JOHNSON: Test we hooked at March

1 meeting similar meeting. Did come out competitive at
2 that point. Question had Foothills split three pieces
3 cast us united, Catalina Tucson and Catalina Verde,
4 Central Tucson not one I looked at today. That was --

5 COMMISSIONER HUNTWORK: Is that something
6 you could call up quickly?

7 CHAIRMAN LYNN: Yes.

8 MR. JOHNSON: One version, Catalina
9 Foothills, 27, 29 unchanged, those borders are the same,
10 most of Catalina Foothills Census place, central place.

11 CHAIRMAN LYNN: This, too, the
12 configuration in effect reduces number of competitive
13 districts in Tucson from two to one; is that not correct?

14 MR. JOHNSON: Yes.

15 CHAIRMAN LYNN: I see a JudgeIt score that
16 confirms that central district would, in this
17 configuration be listed as 21 as competitive.

18 MR. JOHNSON: Yes. And in this one Tucson
19 is probably majority of -- experience on this, not
20 measuring it, majority of what they call 21, 23, 20, and
21 minority of 22, and 25, in this version.

22 CHAIRMAN LYNN: Is it easy for you to
23 figure out what the percentages are in influence
24 districts or is that difficult.

25 MR. JOHNSON: I can do it in a couple

1 minutes.

2 CHAIRMAN LYNN: Only if we are going to
3 care. Occurs to me if you look at the configuration of
4 this map and contrast it with test one that you just
5 completed, the districts -- again, we're talking about to
6 tests that have one competitive district each. This one
7 seems far more compact in its district configuration and
8 it also seems to make more sense in terms of testimony
9 we've heard in terms of people in Foothills has distinct,
10 Casas Adobas west, Casas Adobas in center, this instance
11 dividing along those lines each communities seem to be
12 more with like areas of Tucson.

13 Mr. Elder.

14 COMMISSIONER ELDER: Yes, Mr. Chairman.
15 Another factor, the Pima association government Tanque
16 Verde, Alga Verde separate entity, Tanque Verde Central
17 Foothills, and Casas Adobas. Other thing nice about this
18 along eastern side central district, Pantana Wash barrier
19 there, distinct time east side Pantana West side that
20 district, and the same thing occurs further north bear
21 canyon coming down divides the Verde place and the
22 district. It appears as though recognizable identifiable
23 areas easier to campaign easier for people to know where
24 to participate and work with the system. As far as other
25 ones we have major streets but those major streets are

1 collectors of Pima long those as opposed to divisions.
2 All in all I'm tempted if don't have difference
3 competitiveness one to one this configuration almost
4 seems to be preferable to once we've received to date.

5 CHAIRMAN LYNN: Ms. Minkoff.

6 COMMISSIONER MINKOFF: Thank you, Chairman.
7 I'm wondering, Doug, when pulling percentage of Tucson
8 and Phoenix districts I think would be helpful to compare
9 to test one if we see same kind of numbers. All we know
10 here is 21 is competitive. Helpful same tests,
11 understanding numbers, competitiveness and compactness
12 numbers. Is that a major job or pull that up fairly
13 quickly?

14 MR. JOHNSON: We can put it together. It's
15 just a matter of pulling together several tests.

16 CHAIRMAN LYNN: Let's go through several
17 tests. Some may warrant no further consideration, others
18 more information.

19 MR. JOHNSON: Next set hooking Lake Havasu.
20 First map show you Lake Havasu united no trade-offs, tiny
21 change 5,000 people District 4 and put them with rest of
22 the city in District 3. What this in does increases
23 deviation three one and a half percent five percent four
24 and essentially balanced under three to under eight and a
25 half percent. Competitiveness in seven and a half

1 percent JudgeIt range do this and compactness unchanged
2 from that shift. Next shift offset help reduce
3 population deviations. What we did is, or I did, is
4 split. As you know looked extensively other meetings
5 balancing all long border to ends of district without
6 finding one that would work for deviation and
7 compactness. So what we're left with is trading that off
8 with areas in Flagstaff metropolitan planning area. To
9 balance them, essentially -- yeah, this is three way
10 trade between District 1, District 3, District 4. Still
11 uniting Lake Havasu. District 3, loses population from
12 essentially outside of Flagstaff, Flagstaff city border
13 and everything north -- sorry, then everything north of
14 Flagstaff N PO stays in, Kachina village, Mountaineer,
15 other south Flagstaff village go into District 1. Last
16 step rotation areas to west of the Tri-Cities and that
17 planning area go into District 4. So the Tri-Cities
18 still united all Census places between Tri-Cities freeway
19 still District 1 do lose I think Wilhoit, town Wilhoit
20 down here unincorporated west Tri-Cities after three
21 district rotation, District 1 unchanged plus 1, 3 quarter
22 percent District 1, same in District 3, District 1 short
23 one and a half percent. Change go to balance more,
24 District 4 come in pick up some towns south of the
25 Tri-Cities. Competitiveness, District 3 does stay within

1 the competitive range. Started March one 47 .1 percent,
2 gone down to 48.6, 6.8 spread just within seven .8,
3 compactness up to .1 nine and District 4 .923, District 1
4 okay compactness, too.

5 CHAIRMAN LYNN: Questions on compactness of
6 Lake Havasu portion of the test? Ms. Minkoff.

7 COMMISSIONER MINKOFF: Area south of
8 Flagstaff, FMPO you pulled out, do you know approximately
9 what population of area.

10 MR. JOHNSON: Going to be give take 5,000,
11 same number Havasu, split was in Havasu.

12 COMMISSIONER MINKOFF: Although -- well,
13 the blue is District 3?

14 MR. JOHNSON: Yes.

15 COMMISSIONER MINKOFF: And it goes up a bit
16 in population.

17 MR. JOHNSON: Give take come hundred.

18 COMMISSIONER MINKOFF: Okay.

19 CHAIRMAN LYNN: Other questions on Havasu.

20 Just so I have the numbers correct I'm
21 looking over for Flagstaff folks confirmation, did I have
22 someone indicate planning area population is 70,000 in
23 total.

24 MAYOR DONALDSON: Seventy-one
25 seventy-three.

1 CHAIRMAN LYNN: This is reduction five,
2 give take.

3 MR. JOHNSON: One point, something we did
4 measure, this area Mohave portion District 3 171,000 Pima
5 cord go to Census, Flagstaff has updated figures for
6 Census, 70,000 people in the Yavapai Coconino. Almost
7 all that unpopulated except Flagstaff MPO. Census tend
8 to match what the Mayor just said.

9 CHAIRMAN LYNN: Other questions comments
10 Havasu.

11 MR. JOHNSON: Next looked at things address
12 Mohave.

13 MS. HAUSER: Finished Tucson.

14 MR. JOHNSON: Mohave not fully united
15 instead of three districts now just to districts.
16 Essentially Northern District, District 2 unchanged.
17 What we do rotate between 3 and 4. Goal unite all Mohave
18 still trying to keep District 3 competitive. Show this
19 to you because test we ran. One thing, deviations came
20 out, same as other tests, switched. District 3 balanced
21 less than half percent off. District 3 had same
22 deviation as District 4 beforehand. Competitiveness wise
23 compactness wise ran into issues here. District 3 did
24 not stay compact, purge Republicans, purge Republicans in
25 Mohave. We wanted to show you we were making effort

1 would take a lot more work to see if we could get scores
2 into non significant competitive ranges and not
3 competitive. One attempt we made great hope didn't end
4 up where we thought it might.

5 Next step whole Flagstaff FMPO putting that
6 with Navajo Nation rather than just city, whole FMPO in,
7 even just FMPO Navajo Hopi, population overpopulated
8 almost 5.2 percent. Traded. This did however unite
9 Mohave County District 3 ends up native 1.66 deviation,
10 might imagine District 3 no longer competitive, drops
11 outside competitive range compactness for all three go
12 up.

13 CHAIRMAN LYNN: Mr. Huntwork.

14 COMMISSIONER HUNTWORK: Did you calculate
15 Native American population?

16 MR. JOHNSON: Yes.

17 Drops down to 57.2 percent in that
18 district.

19 CHAIRMAN LYNN: Other questions for
20 Flagstaff on that test?

21 Mr. Huntwork.

22 COMMISSIONER HUNTWORK: Don't know if made
23 sufficiently clear or not.

24 Don't know if 2004 map could be plugged
25 into rest state map for Mohave County.

1 MR. JOHNSON: Just good lead in for the
2 next line. Started looking to see if just city Flagstaff
3 and work some other lines came up new plan as did this
4 work quickly evolved directly back to the 2004 plan, one
5 and a half by, District 3 up north, District 3 Mohave.
6 Only one -- didn't fine-tune all way area strain black
7 lines, highlight little bit. To thoughts for the plan
8 initially adopted, the border comes through here through
9 Phoenix, Black Canyon freeway, new plan, March one plan
10 comes over to Peoria city line changes in Glendale. If
11 this area balances area red black line here, we keep this
12 all, go back to 2004 plan up north rotating among four
13 districts I think would work. Didn't get chance draw
14 whole thing should work without feeding across 26 other
15 districts. Should be contained within those four. So
16 essentially going back to here, District 2 could actually
17 pick up reservations before IRC's original plan and just
18 City of Flagstaff and District 3 just Mohave County
19 coming around the north and going down into La Paz and
20 District 1 go back to shape 2001, I'm sorry 2004 plan.
21 It would look the same except District 4 came down here
22 to Maricopa and that would be a little shift in those two
23 areas in the West Valley.

24 I think it would indeed work.

25 COMMISSIONER HUNTWORK: Doug, in this

1 configuration do we lose a competitive district up north?

2 MR. JOHNSON: Yes. No competitive district
3 up there up north.

4 CHAIRMAN LYNN: Mr. Hall.

5 COMMISSIONER HALL: Can you put this to the
6 side? You are saying this represents the 2004 plan to
7 north?

8 MR. JOHNSON: No. Using this four
9 illustration because I didn't have a larger one.

10 CHAIRMAN LYNN: Okay.

11 COMMISSIONER MINKOFF: In this plan is the
12 whole FMPO united.

13 CHAIRMAN LYNN: The questions: Options for
14 the FMPO.

15 Mr. Johnson, move on.

16 The next area, you did testing of what is
17 called Encanto Estates. The question, for lack of a
18 better name, let me walk up here, it's hard to do. The
19 map is showing two things. One is a March 1 map as
20 adopted by the Commission. The next thing is the
21 attorney proposal, what -- on top is communities of
22 interest. The black running through the middle Hispanic
23 community of interest. Up here, along the, what the
24 Commission termed western Phoenix community of interest
25 and the dark Phoenix Historic, in middle cuts through

1 West Phoenix homeowners association and takes to corners
2 off historic interest, looked at question I believe
3 looked at as well other Historic Districts got map last
4 meeting Historic Districts changed locations, all whether
5 moved in or out of 15 where our community of interest
6 located and whether in or out of -- I think 15 as well.
7 Comments wind sore and medical lock, Roosevelt and
8 wedlock moved out of 15. Looking at the statistics, what
9 we get deviation wise, is that the deviation District 10
10 is reduced by seven-tenths of a percent. Deviation in 14
11 goes up by eight hundreds of a point and 15 it goes goes
12 up, flips from negative to positive and ends up .44.

13 Competitiveness District 10 remains in the
14 JudgeIt competitive range, closer to balance. District
15 14 goes from competitive leaning Democrat to Democrat and
16 split of that is District 15 goes from Democrat to
17 competitive leaning Democrat, keep same competitive
18 leaning Democrat. Compactness might be expected looking
19 District 14 .32, .17. District 7, .7, hundred point, .57
20 to .14; 53.27 instead of 33.212 to 53 -- 33.28.

21 CHAIRMAN LYNN: Comments or questions on
22 the Encanto Estates test?

23 COMMISSIONER HUNTWORK: Mr. Chairman.

24 CHAIRMAN LYNN: Mr. Huntwork.

25 COMMISSIONER HUNTWORK: Homeowner

1 association split right next to it seems to be an area
2 approximately equal size, seems to be, to be taken up
3 further and brought down further and make another
4 district. Are those roughly equal population areas do
5 you think or need to figure that out?

6 MR. JOHNSON: I'd have to think density
7 fairly strong unless park, other question would be impact
8 on compactness as well.

9 COMMISSIONER HUNTWORK: Does look
10 relatively compact compared to some --

11 MR. JOHNSON: It is .17, if dropped down --

12 COMMISSIONER HUNTWORK: Number 7.17.

13 Oh. Because of their.

14 MR. JOHNSON: Letter attached mainly
15 focused letter concerns, historic district. There
16 desire, concern in this plan is right here wanted to be
17 located West Valley areas, didn't specify what areas
18 exactly what areas instead of coming hearing go to 51st
19 now go over to 59th in district and much further north
20 than previous one did.

21 CHAIRMAN LYNN: Ms. Minkoff.

22 COMMISSIONER MINKOFF: Comment, a question.
23 Phoenix Historic District, the area in back you
24 identified.

25 MR. JOHNSON: Yes. Two pieces one you

1 identified, and --

2 COMMISSIONER MINKOFF: Rectangle, what is
3 northern boundary?

4 MR. JOHNSON: Let me bring it up.

5 Yes, that's Thomas road.

6 COMMISSIONER MINKOFF: All right. Thank
7 you.

8 MR. JOHNSON: Other comments or questions
9 on Encanto?

10 Next we looked at the area in question with
11 request from Pinal County about -- they had issue
12 development outside of Gold Canyon, people had to drive
13 50 miles to vote. So the area, black line you see around
14 edge of Gold Canyon March 1st border, District 22. Area
15 northeast of that shown green circled red area requested
16 moved into District 22. We tested that only, don't
17 remember number, hundred people or so at the most.
18 Deviation shift for hundreds percent petition for
19 post-conviction relief population deviation, went from 23
20 to 22, improved deviation in two districts, brought
21 closer to ideal. Competitiveness scores Dr. McDonald
22 changed from that small change in people. Compactness
23 wise District 22 unchanged .24 but District 23 may
24 remember four urban districts dropped .18, .16 below .17
25 tax level. Increased Hispanic voting age to hundreds of

1 percent similar increase total minority percent District
2 23 already just barely majority minority population 23.

3 COMMISSIONER MINKOFF: You are saying 23
4 that's 22.

5 MR. JOHNSON: Population out of 23. This
6 area was in 23. I'm sorry.

7 COMMISSIONER MINKOFF: That is error isn't
8 it.

9 MR. JOHNSON: Yes. 23 is Gilbert Mesa
10 area. Not majority minority district. Should be 23.

11 One additional split Pinal County rather
12 than being linked straight across comes down Maricopa
13 County back into Pinal same district doesn't add
14 districts splitting Pinal County. Let's change.

15 The Other question I wonder that about,
16 representative Pinal count deep still here, looking at
17 this, seems this area question could possibly be put in
18 precinct to west why solve question in house --

19 CHAIRMAN LYNN: I think she's gone.

20 She was here, ask question interim, more
21 appropriate solution, change --

22 CHAIRMAN LYNN: Question lengthy drive
23 polling place reprecincting portion Pinal County as
24 opposed to redistricting area in order to make it worse:

25 COMMISSIONER HUNTWORK: Hundred, that large

1 area.

2 MR. JOHNSON: Reason Pinal brought up,
3 built new census. More than few people, time of Census.
4 According to Census.

5 COMMISSIONER HUNTWOR: Precinct other size?
6 Big enough, precinct themselves.

7 CHAIRMAN LYNN: Is that last test,
8 Mr. Johnson?

9 MR. JOHNSON: Yes.

10 CHAIRMAN LYNN: Well, it appears there are,
11 as we might have suspected, to areas of the state where
12 changed made to 2004 test or 2004, March 1st map, would
13 result in changed in competitiveness. And we obviously
14 can't do both, make sure to do neither note note may
15 shoes to do neither, and comply with court's order. I'm
16 wondering how you would like to proceed. There are other
17 tests that don't affect competitiveness might want to
18 deal with first and then get down to buns sort of offset
19 one another.

20 Mr. Hall?

21 COMMISSIONER HALL: Well, Mr. Chairman, I
22 think all of us feel a cognitive distance, if you will,
23 to try and solve everybody's problems. For the purposes
24 of why we're meeting again, I think it's important
25 briefly where we've been and where we are. Pursuant

1 court's order we are required to adopt specific
2 communities of interest and then review the maps and
3 insurance there is no significant detriment to those
4 adopted communities of interest. As I stated previously,
5 I want to all of what we have had, with respect to
6 specific areas of concern to the north and Tucson, may be
7 you prudent what those adopted communities of interest
8 are. They are the Flagstaff Metropolitan Planning area,
9 the adopted Yavapai County, adopted metropolitan areas
10 central Yavapai metro planning area, adopted cities as
11 community of interest, Tucson Foothills, Tucson barrios,
12 the Tucson retirement communities. So as we consider
13 that, while I am empathetic, and then we were to favor
14 competitiveness that did not cause significant detriment
15 to other goals. Right or wrong, I don't know, I'm not
16 sure it matters at this point, right or wrong we did not
17 adopt Mohave County as a specific community of interest.
18 And my -- so based upon that, given the test that
19 respects a community interest City of Lake Havasu and
20 simultaneously respects almost totally the Flagstaff
21 metropolitan area, it seems to me that that configuration
22 best represents the test that still does not cause
23 significant detriment to our quote unquote adopted
24 community of interest, that doesn't mean certainly Mohave
25 has similarities and interests as other communities.

1 Simultaneously, or in addition, it seems to me Summit
2 region with respect to Tucson respect and while they may
3 cause detriment to, for example, Tucson Foothills from
4 what I've hearing feet back public and hearing fellow
5 Tucson Tucson Commissioners while cause some detriment to
6 Foothills efforts we made may not rise to level of
7 significance. I guess I'm asking a question I think it's
8 important as we move forward, in my opinion we do not
9 have option to test against communities of interest this
10 Commission has not formally adopted.

11 CHAIRMAN LYNN: Mr. Huntwork.

12 COMMISSIONER HUNTWORK: Mr. Hall, I agree
13 with you up to a point. I agree that in compliance with
14 the court's order we would have to recognize Mohave
15 County as a community of interest before we could do the
16 analysis of whether there was significant detriment.
17 What I do not agree with is that the Court said you
18 cannot after putting a map up for further comment and
19 after receiving thousands of comments from obviously very
20 concerned citizens that we could not recognize that we
21 had made a mistake. The Court never said we couldn't. I
22 know the Commission has been very reluctant to, in fact
23 the Commission has not been willing to recognize
24 additional communities of interest before we had this
25 input. I would have been willing to do so. I did not

1 see any court order or prohibition to do so. I know we
2 were chided for being opportunistic, using, suddenly
3 Court's position, absolutely deny this factual
4 Commission, pulling communities out of air without having
5 mapped or defining I know community of interest here. I
6 believe personal and mathematical diversity on
7 Commission, I do not believe without overwhelming public
8 input recognizing overwhelming community of interest
9 input without it this input would process would be
10 completely bogus illegitimate if we couldn't receive this
11 kind of input and then act on it.

12 COMMISSIONER HALL: As you alluded to, the
13 many judge used word pretextual. That's a concerning
14 area for me.

15 COMMISSIONER HUNTWORK: Rest.

16 COMMISSIONER HALL: The reason of othe
17 whole issue of competitiveness, if follow and respect
18 Mohave community of interest we haven't adopted or don't
19 lose a competitive district. The court's perception,
20 they'd say after the fact of public input, or whatever we
21 then decided to adopt community of interest and not favor
22 competitiveness, and so I'm very concerned about that.

23 CHAIRMAN LYNN: Ms. Minkoff.

24 COMMISSIONER HUNTWORK: Thank you,
25 Mr. Chairman. If the Commission decided in its wisdom it

1 wanted to maintain Mohave united, I don't see problem
2 with it because geographical areas are also to be taken
3 in consideration under 106.

4 I'm concerned about the city implication
5 and county is also a political subdivision of the state.
6 It seems to me, though, very simply we have a few issues.
7 Number one what we want to do with Pinal County precinct,
8 we'll decide that, unrelated to anything else. Number
9 two, what we want to do Central Phoenix decide on that
10 unrelated to anything else doesn't relate competitiveness
11 or any of other criteria. Other issue is since only have
12 one competitive District 2 play with we have to decide
13 about the change in Tucson and/or change in Northern
14 Arizona cannot do both, that's situation decision one
15 area will impact other area. I don't think we have
16 problem if we decide we want to unify Mohave County. I
17 don't think the judge will see we've overreached on that.
18 However if we decide we want to do that, it impacts what
19 we can and cannot do in Tucson, once again, we're back to
20 30 districts don't fit perfectly deciding what we think
21 works best as a match for the total best of Arizona, have
22 to understand will make some people unhappy whether
23 Northern Arizona, Tucson, Phoenix, whatever, will make
24 some people unhappy difficult decisions to make. Big
25 decision is the Northern Arizona Tucson relationship.

1 CHAIRMAN LYNN: Why don't we same moving
2 forward deal with issues don't impact competitiveness and
3 get those off our plate. Seems to me, I'll take a motion
4 to the contrary, seems to me with respect to the Pinal
5 situation, we're e-mailing county recorder to see if that
6 situation can be corrected without a change in our map
7 and rather than doing by reprecincting Pinal County,
8 unless I here affirmative motion different I'll suggest
9 take hoe no objection. Mr. Huntwork.

10 COMMISSIONER HUNTWORK: Test 41 goes to
11 compactness test. I suggest ignore test. See if other
12 solution or tweak somewhere, for example, may be most of
13 that area is one pop laid and part heavily populated and
14 we can perhaps accommodate area that has the most people
15 and past the test. But the way it stands right now I
16 think we're just out of luck.

17 CHAIRMAN LYNN: Mr. Minkoff.

18 COMMISSIONER HUNTWORK: Seems solution
19 proposed doesn't meet standards doesn't mean we have to
20 tell have to travel 50 miles to vote. If can workout
21 great if not simple way achieve it. Ought to do is wait
22 to here it from the County Recorder. If they say that
23 solution fine. If they say doesn't work hopefully they
24 can do something else. Clearly we can't do what they
25 suggested.

1 CHAIRMAN LYNN: I apologize. I know
2 explain to us simple words we can understand why they
3 can't reprecinct it. They come all way here to say they
4 have a problem but we don't understand what it is. You
5 have problem, say yes. We understand.

6 I think we're asking them to take
7 affirmative problem toward solving problem themselves and
8 what they would entail.

9 COMMISSIONER HUNTWORK: Okay.

10 CHAIRMAN LYNN: Next area nonimpactful of
11 competitiveness would be the Central Phoenix test. I
12 want to -- I was trying to follow Mr. Johnson's very Dan
13 Elder like weatherman approach to explaining these to
14 versions of the test. Well, you know, if you can't keep
15 sense of humor.

16 COMMISSIONER ELDER: When you have an
17 ability, have you to use it.

18 CHAIRMAN LYNN: Absolutely.

19 COMMISSIONER HALL: Channel 12, Dan,
20 channel 12.

21 CHAIRMAN LYNN: Explaining communities
22 various interests defined by Commission I thought I heard
23 you say that what is embodied there what we call Encanto
24 estates test cuts right through to existing recognized
25 communities, pardon me, one directly and impacts fringes

1 of the second, that is to say historic district outlined
2 on left March one test is is not kept whole test on right
3 southern portion light blue district shown on map and
4 West Phoenix homeowner association block, if you will, is
5 cut essentially in half on the test on way. Both
6 accurate?

7 MR. JOHNSON: Historic district out of
8 that, and everything Southwest of that plan is taken out
9 of that.

10 CHAIRMAN LYNN: Ms. Minkoff earlier today
11 from residents of those districts were taken out stating
12 they were comfortable with the switch. I don't have
13 problem with the historic district. As matter of fact,
14 the character of those particular districts, Roosevelt
15 district larger one I'm more familiar with seems to fit
16 better 14 than it does other Historic Districts
17 demographic makeup of the district. No problem at all.
18 In terms of West Valley districts, like to see if some
19 way without sacrificing competitiveness scale right on
20 border we can deal with them. I will tell you, I lived
21 in that area for a good portion of my life as a child and
22 young adult. The proposal that has been brother to us
23 people reside in those districts seems to me to represent
24 character of those neighbors better than the March 1st
25 map even though we try to keep those districts intact.

1 What they brought to us is there input and they are
2 telling us which Historic Districts they feel belonging
3 to. Medical lock district Willow District left out March
4 1st map much more alike other historic districts place
5 with had with, Roosevelt taken outlet like the Encanto
6 Palmcroft, story, Willow, et cetera. And Mr. Huntwork's
7 Alvarado historic district. I think the map brought to
8 us by citizens input from those Historic Districts moving
9 out makes a lot of sense.

10 CHAIRMAN LYNN: Mr. Huntwork.

11 COMMISSIONER HUNTWORK: Mr. Chairman, it's
12 good to have Ms. Minkoff back, not be the only Phoenician.

13 COMMISSIONER MINKOFF: Yes, how many
14 years -- don't need to tell us. Many, many years.
15 Explain to the outlanders, are communities of interest
16 inside Phoenix and really do mean something, not all one
17 vast one differentiated population one and a half million
18 people or however many it is. So, yes, March 1 map,
19 quite a part from the issues we're talking about, March 1
20 map did terrible job of representing communities of
21 interest, especially big purple district left side, so
22 far north to south. That district cuts across, divides
23 up, and divides up people should be together, cuts people
24 together have no business being with each other in first
25 place, now we have something shortens that tremendous

1 more south distance and I think that's the a step right
2 direction. I think we could easily find the harm done to
3 the historic community of interest as we define is it not
4 significant if we were inclined to do so. I too have a
5 lot of trouble finding that cutting that homeowners'
6 association right in half is not significant detriment if
7 there's no way to fix that without breaking the
8 compactness test, this cannot happen under the rules
9 we're applying right now, if there were way to fix that,
10 I think as look at it, there should be a way to possibly
11 work with this. I'm also very concerned however we're
12 affecting the, if not mistaken, affecting one minority
13 district very profound way and we work worked very hard
14 want to admonish myself you, Commissioner Minkoff as
15 desirable, working Georgia vs. Ashcroft standards, going
16 that direction requires support of the minority
17 community. We had representatives here helping us in
18 behind another detail to craft those lines now we are
19 taking, you know, a machete and just chopping them to
20 pieces putting them back together. If going to do that
21 have to be very sensitive bit and almost start from
22 scratch with input from the minority community. It is my
23 understanding that there has been no discussion with the
24 Coalition regarding the impact on minority communities in
25 this map; is that correct? Does anybody know?

1 CHAIRMAN LYNN: Question whether or not had
2 occasions with the Minority Coalition at this period or
3 not.

4 CHAIRMAN LYNN: While waiting, question
5 about this, as I understand it difference March 1st plan
6 this plan minority district, still essentially same
7 minority population; is that correct?

8 MR. JOHNSON: That's why different
9 percentages.

10 COMMISSIONER MINKOFF: Didn't lose it.

11 CHAIRMAN LYNN: Wonder if answer
12 Mr. Mandell.

13 Mr. Mandell, I don't think you heard
14 question out of room. To tests considering, districter
15 left, districter right. Reconfiguration of those
16 districts. Doing so if adopt Encanto Estates test
17 exchanging to minority -- majority -- boy,
18 majority-minority districts, one below midpoint and one
19 above. Have you had any opportunity to look at this
20 proposal, it's acceptability on basis of minority voting?

21 MR. MANDELL: Mr. Chairman, Members of the
22 Commission, did this morning after presented to
23 Commission, doctor -- can't remember her name, person
24 presented.

25 COMMISSIONER MINKOFF: Marston.

1 MR. MANDELL: She had handout data and
2 picture of the map. Clearly from the data and then Doug
3 provided other Hispanic voting age perspectives, clearly
4 need three Hispanic voting ages, whether 14 or 15 not
5 really issue for us one way or other. From looking at
6 what Dr. Marston presented it does go, District 14 does
7 go up half percent so Hispanic voting age, something
8 Coalition support, maintains to Hispanic Coalition voting
9 age, we'd support.

10 Foot here and core here is area Coalition
11 is concerned I -- whether it be 14 or 15. This looks
12 very similar to what 2004 had, that piece going down and
13 picking up 14 above. I wouldn't have -- can't say we
14 wholeheartedly support it but we don't oppose it. Seems
15 to make some sense.

16 CHAIRMAN LYNN: When you say foot so to
17 speak and core should remain a single district, both
18 those representations, that is accomplished.

19 MR. MANDELL: Here and here. It's there.
20 Maintained. That perspective we'd be happy either
21 configuration. One has higher minority percentage and
22 keeps same number competitive districts obviously be in
23 favor of that as well.

24 CHAIRMAN LYNN: Mr. Elder and then
25 Mr. Huntwork.

1 COMMISSIONER ELDER: Things concern me
2 about Encantos Estates option or test, connection point
3 and harping functional compactness and how people no and
4 deal with the district. Right in that neck and foot, the
5 quarter-mile wide and done secretary go the balance over
6 there. Also looking fairly compact District 15, fairly
7 defined nitches, the canal length, and the third, and
8 fourth to the west, moving on the west not sure the
9 west -- does 14 past compactness west.

10 MR. JOHNSON: Zero test .17.

11 COMMISSIONER ELDER: Right on money.

12 It appears to me an awful lot of effort to
13 accomplish one of this quarter mile shift in whole
14 district, affecting people looking at the maps, got a
15 district, have a whole bunch of relationship to them, and
16 to make that change based on a district that I lived in
17 Phoenix my mother Willow District, I dated a young lady
18 in Encanto once passed 15th to west, whole different
19 area. I don't understand the emphasis here why we'd want
20 to make this change.

21 CHAIRMAN LYNN: I believe Mr. Huntwork was
22 next.

23 COMMISSIONER HUNTWORK: Well, I just --
24 again, I think, I -- based on -- Mr. Mandell I want to
25 ask you a question.

1 CHAIRMAN LYNN: My fault.

2 COMMISSIONER ELDER: Can't get out this
3 question.

4 COMMISSIONER HUNTWORK: Address you. I
5 want to understand thinking. We were concerned the Judge
6 seemed to order us to reduce the minority population
7 figures in these districts in order to make the rest of
8 the map more competitive. And even though we may have
9 the same number of competitive districts, they are less
10 competitive, if we have, you know, if we keep --
11 concentrate minority more in that district. If you say
12 such certainty from one perspective minority voting age
13 population age gone, make sure on same page. My reaction
14 to that was I was concerned the Judge would find
15 objectionable. He was trying to get us to bring it down.

16 MR. MANDELL: Bring down so have more
17 influence other districts. Percentage whatever District
18 14 March 1st map or District 14 estates map, both had
19 through, 33 percent Hispanic voting age percentage. It
20 looks as though -- which --

21 MR. JOHNSON: Bottom right hand --

22 COMMISSIONER HUNTWORK: 14 higher than 15
23 was.

24 MR. MANDELL: 33 .12 to 53.78.

25 COMMISSIONER MINKOFF: Configuration March

1 1 map we had representatives of community here looking at
2 it magnifying glass very concerned about this
3 neighborhood belongs here, this neighborhood belongs
4 there, and would you need to -- wouldn't you need to get
5 this with those same people in order to be certain passes
6 more specific detail examination or do you feel you can
7 say confidently paced on what you have been able to do
8 would be acceptable.

9 MR. MANDELL: Based what I no, foot main
10 area at the core that is really concern of the community
11 long as that is in the same district Coalition has no
12 problem with it.

13 CHAIRMAN LYNN: Mr. Hall.

14 COMMISSIONER HALL: Mr. Chairman, for the
15 record, I voted against even running these tests, as you
16 did. And one I'm very concerned in general about
17 hand-delivered tests that tweak specific corners and
18 boxes of certain boxes and districts, concerned about
19 real motivations of those in general to. , obviously
20 compactness of those districts is significantly less.
21 Three, we've adopted the districts adopted districts I
22 want to say significant, that's determination of this
23 Commission. Is and four, pursuant to two Mr. Huntwork's
24 questions right on point, we have, by specific
25 representatives relative to these majority-minority

1 districts and there configuration bowed well in effort
2 when we go before party justice affirmatively support
3 this Mr. Mandell's comments notwithstanding may have a
4 rogue candidate out there may have a different candidate.
5 I guess what I'm saying not willing to support those
6 changes. If I didn't make that clear.

7 CHAIRMAN LYNN: Ms. Minkoff.

8 COMMISSIONER MINKOFF: Could you put maps
9 back up.

10 CHAIRMAN LYNN: Other questions four
11 Mr. Mandell.

12 COMMISSIONER MINKOFF: Not for Mr. Mandell.

13 COMMISSIONER ELDER: Late for that. I
14 wanted to address issues of compactness. To
15 Commissioners who live in Maricopa County who probably no
16 this area best. We are from to separate political
17 parties and we both think makes sense. I think that says
18 something. In terms of compactness, I recognize that,
19 14, in Encanto estates map, has, what Mr. Mandell calls
20 foot particular go out to the east. It may not look as
21 pretty, but honestly functions better because that's the
22 way neighbors have disbursed themselves in this area.
23 Blue area immediately to north of that very different in
24 character than that little strip. That little strip more
25 in common green area below it. That district already

1 approved by this Commission. Don't think anybody
2 proposing changing this Commission. Part District 14
3 immediately to north of that doesn't have a lot in common
4 with the blue area to north of it. So because that's
5 where people have chosen to live and because they told us
6 out of public comment that they are comfortable with this
7 change, we have testimony both from the people who would
8 be in the blue district and people in the Golden district
9 they are both comfortable in that placement, seems to
10 work for them, better historic neighborhoods, more
11 historic neighborhoods, medical lock and wind sore square
12 neighbors a lot in common, and -- it honestly seems to
13 work better way for people live and associate within this
14 area. I recommend its adoption.

15 CHAIRMAN LYNN: Is that a motion.

16 COMMISSIONER MINKOFF: I will move we adopt
17 the Encanto estates test as a part of our map.

18 CHAIRMAN LYNN: Is there a second?

19 COMMISSIONER HUNTWORK: Second.

20 CHAIRMAN LYNN: Discussion on the motion.

21 I'd just offer this. I think if we
22 deliberate interior workings in Phoenix in order to get
23 to the March 1st map from significant amount of testimony
24 from a significant number of people, both legislators and
25 others about the inner workings of inner city and how

1 these particular districts fit together, never mind the
2 esoteric nature of whether or not the district, I guess
3 it's 14 on the left which is tall and thin versus the
4 esoteric nature of District 14 on the right which is
5 barely compact, we're talking about an area that appears
6 to be less than a square mile and we're making
7 significant changes to three districts to accommodate an
8 area of less than a square mile. We're violating one
9 area square mile to do so not fully violating other
10 community in process. Mr. Hall is correct I didn't vote
11 for test and can't vote for motion.

12 COMMISSIONER ELDER: Mr. Chairman enlist,
13 they were not homogenous from standpoint not 30
14 subdivisions, districts that were predominantly Hispanic,
15 districts predominantly, you know, I call them developer
16 developed, sense of place at the time. They were
17 conducted. And again, I'm having hard time, you know,
18 Steve, or Mr. Lynn commented a square mile, talking more
19 like 160 acres, quarter square mile, one district that, I
20 don't know demographics in Phoenix are, 5,000 people
21 square mile 17, 16 hundred in quarter square mile area,
22 and we had almost that many people in in on that last
23 meeting and discuss the edges as make comment have you
24 looked at edges square mile edge by edge by edge to
25 determine was the type of community and interest they had

1 and I'd like have another five minutes before vote on it,
2 right now I don't understand why we're doing this and
3 we're getting closer and closer to our non compact area,
4 quarter mile connection points. When you look at it,
5 actually longer from the east end, much mustard orange
6 area, 10 on right-hand side to north to side, increase
7 the length, seemingly more difficult to negotiate where
8 you are in the district, and I -- I don't understand why
9 we would want to do that.

10 CHAIRMAN LYNN: Mr. Hall.

11 COMMISSIONER HALL: Mr. Elder, I feel like
12 I'm beating a drum over and over. What is the
13 Constitutional basis for this change? In other words, we
14 are attempting to accomplish what constitutional
15 criteria? By affecting other, less compact? What is it
16 for.

17 COMMISSIONER MINKOFF: Let me respond for
18 that. Constitution responds to public comment. Proposed
19 change reaction public comment. I'd like to suggest
20 communities of interest were adopted. Had I been here
21 adopting historic boundaries wrong, two very significant
22 districts to north, and secondly, really, isn't one
23 community of interest in greater Phoenix area, very, very
24 different. Some of districts, Roosevelt district and
25 some districts supposed to be put District 14 are

1 essentially middle to lower income minority districts
2 whereas many of the other districts to north are becoming
3 regent tree-fied and very, very different and had very
4 different characteristics. Secondly I think they did
5 themselves disservice it by way named it, named Encanto
6 estates plan, because that's a very, very small portion
7 of it, Dr. Marston who presented this does not live
8 either areas represented in Encanto green way estates
9 terrances want to be put to west, totally different --

10 MR. JOHNSON: That was name I gave it, they
11 didn't have title.

12 COMMISSIONER MINKOFF: Not being done --
13 not good service, focus Mr. Elder says hundred 60 acres,
14 much more than that, doctor mark us says shift meets
15 needs many thousands people many square miles really fits
16 the character of neighbors much better.

17 COMMISSIONER MINKOFF: Well, public comment
18 was.

19 COMMISSIONER ELDER: Specific criteria
20 absent of.

21 COMMISSIONER MINKOFF: Don't think. What
22 Constitutional criteria are you trying to make?

23 COMMISSIONER ELDER: Missdefined community
24 of interest.

25 COMMISSIONER HALL: Whether we did or

1 didn't not define pursuant to court order not related to
2 specific adopted community of interest where specific
3 changes are community of interest, second, the person
4 prepared this, their interest makes the information more
5 suspect.

6 COMMISSIONER MINKOFF: No, she does not,
7 she lives in an area, gave her name to the test, not that
8 she doesn't live in the area, right heart and center.

9 COMMISSIONER HALL: Thought I
10 misunderstood.

11 COMMISSIONER MINKOFF: Remind you
12 Mr. Huntwork miss defined community of interest and don't
13 correct it, not doing people of service mistake.

14 COMMISSIONER HALL: We were ordered to
15 define the communities of interest while you were in
16 Vietnam. We adopt communities of interest. That not on
17 the agenda.

18 COMMISSIONER HUNTWORK: Mr. Chairman, I
19 agree wholeheartedly with everything everybody saying.

20 CHAIRMAN LYNN: Just vote, what you think?

21 I do want to defend the Maricopa County
22 Commissioner here. Any way you look at it is we're doing
23 a better job of applying common sense to this area
24 without violating the criteria. That's the only
25 justification for it. The fact we're doing a little bit

1 of -- we are dividing the community of interest,
2 historical community of interest, yes, different
3 character it takes to become, one thing in common,
4 historic interests benefit state legislation and city
5 programs build on it and federal programs support provide
6 money tax relief so on for Historic Districts. So,
7 that's why they were put together one thing first place.

8 Commissioner Minkoff is correct, some were
9 omitted, remote omitted. The fact may ommit some more
10 doesn't mean we haven't captured the essence of it.
11 That's why I was trying to say we can probably do this
12 not do significant detriment. Making argument done
13 significant detriment other one isn't way fix it right at
14 borderline I couldn't vote for this either. Have to add
15 that caveat to motion before I could vote for it myself.

16 COMMISSIONER MINKOFF: What?

17 CHAIRMAN LYNN: Compactness.

18 COMMISSIONER HUNTWORK: Homeowner
19 association way up northwest corner, 55th line goes right
20 through the middle of it, being at, .17, if you were to
21 balance population in order to square that off, you are
22 likely to flunk, point .169, to flunk the test, right at
23 the edge.

24 CHAIRMAN LYNN: I'm intrigued at the amount
25 of on conversation this particular issue, can't wait for

1 something that has a competitive issue.

2 COMMISSIONER HUNTWORK: Done.

3 CHAIRMAN LYNN: With all due respect, this
4 is a useful discussion. Everything that could be said
5 has been said. Unless there is something brand-new to
6 bring up.

7 Question: Question to adopt the Encanto
8 estates test part of our draft map. All those in favor
9 of the motion, signify by saying "Aye."

10 COMMISSIONER HUNTWORK: "Aye."

11 COMMISSIONER MINKOFF: "Aye."

12 CHAIRMAN LYNN: Opposed, "No."

13 COMMISSIONER ELDER: "No."

14 COMMISSIONER HALL: "No."

15 CHAIRMAN LYNN: Chair votes "No."

16 (Motion fails.)

17 CHAIRMAN LYNN: We have an answer from
18 Pinal through the magic of e-mail.

19 Let's get answer through the magic of
20 e-mail and take a break.

21 Ms. Hauser.

22 MS. HAUSER: I have to pull it up. Pardon
23 me.

24 Let's do it after the break.

25 To clarify, she asks if only discussing a

1 portion of precinct 28, a portion of Highway 60 in
2 precinct 48 and east of the Congressional District
3 boundary. Is that right, Doug?

4 MR. JOHNSON: Yes.

5 MS. HAUSER: Require a Legislative split
6 precinct if add to precinct 48 directly north of subject
7 precinct seems an area too small to warrant their own
8 precinct. They are not chose to any other area Gold
9 Canyon is really the community they are part of.

10 That's really all she reports.

11 MR. JOHNSON: Mr. Chairman.

12 CHAIRMAN LYNN: What?

13 MR. JOHNSON: North of precinct north
14 Maricopa County. Not sure what she says precinct north
15 of the area.

16 CHAIRMAN LYNN: There needs to be ongoing
17 discussion Pinal County and need to do that before the
18 next time we meet.

19 MS. HAUSER: Let's take a 15-minute break.

20 (Recess taken.)

21 CHAIRMAN LYNN: Call the Commission come to
22 order, along with legal counsel and.

23 MR. RIVERA: Need Doug.

24 CHAIRMAN LYNN: And most of the
25 consultants. Mr. Johnson will be back with us

1 momentarily. And there he is.

2 Okay. What is your pleasure with respect
3 to any of the other tests that we have looked at.
4 Mr. Elder,

5 COMMISSIONER ELDER: I'd like to take a
6 look at the Havasu river communities and areas to the
7 north for next run through?

8 Said no, offset, all doing said add in
9 5,000 to south make Havasu whole and that's only change
10 in this district. Is that what my understanding is?

11 MR. JOHNSON: Precisely.

12 CHAIRMAN LYNN: Gives us population
13 deviation over five percent.

14 COMMISSIONER ELDER: I guess my question,
15 seems like 5,000, and you've been around the edge, asking
16 redundant questions, been around the edge, any
17 combinations 500, 8,000, pick up another district or take
18 through. Is that right?

19 MR. JOHNSON: That's right.

20 COMMISSIONER ELDER: Appears only areas
21 have left is areas around Flagstaff or -- have you looked
22 at Kingman, areas to south of highway there you take out
23 and make ding man more whole to make Havasu more whole.

24 MR. JOHNSON: Trading wrong way.
25 Population needs to together the south, District 4 is

1 where the populations end up. So stuff on the north side
2 doesn't help us.

3 COMMISSIONER ELDER: Tell me what areas to
4 the south side of Flagstaff represent. Are we talking
5 about Mountainaire and Munds Park. Is furthest one
6 mounds out and if so what is population through that
7 area, same thing Mountainaire, what do we have to clip
8 off. Doing so we're taking community of interest that is
9 about 72,000, thereabouts, from this morning's testimony
10 and pulling out 3, 4 thousand those things three percent
11 deviation range, anywhere Flagstaff, that's only place
12 left, to get that kind of number.

13 MR. JOHNSON: Munds Park not FMPO area,
14 already District 1 not moving. Mountainaire Kachina
15 area, is area trading here, to balance out uniting area.
16 Those two areas plus essentially the rest of FMPO at the
17 city border or south.

18 COMMISSIONER ELDER: What is in Kachina
19 Village.

20 MR. JOHNSON: How many people?

21 COMMISSIONER ELDER: Population of Kachina
22 Village. That was a Census place?

23 MR. JOHNSON: Yes. 26 hundred people. And
24 Mountainaire is 1,000 people.

25 COMMISSIONER ELDER: 3,600, plus change to

1 make connectivity there, what the place of deviation is
2 at. Put deviation down two to, three, if we only move 36
3 as opposed to full 36,000 between Havasu and Flagstaff?
4 Doug --

5 COMMISSIONER ELDER: One percentage point
6 37 people, 37 three, pull that down to something we are
7 to, is that a reasonable analysis?

8 MR. JOHNSON: I'm not sure I follow.

9 COMMISSIONER ELDER: If you took Kachina
10 Villagaire 3,627 people out of Flag FMPO, 37,000 or
11 4,200, three percent of district 17,021. With that, then
12 it seems as though the deviation would come down by
13 rotating that population through to where we would have
14 instead of a five .06 it would get us down to somewhere
15 in the to range. I'm just trying to see we get deviation
16 down, still give a power structure to the FMPO Flagstaff,
17 also make Havasu whole, that's the goal of my questions.

18 MR. JOHNSON: Commissioner Elder, we could
19 do that. Not come -- when did tradeoff 1.7 oh percent
20 populated leave it higher percent overpopulated, one
21 Flag. Flag -- definition significant detriment,
22 competition, and --

23 CHAIRMAN LYNN: As much as little damage in
24 that area possible, trade 5,000, better to trade 5,000.

25 Mr. Hall then Ms. Minkoff.

1 COMMISSIONER HALL: We've adopted seven
2 community of interests, unify urges, we, this test
3 unifies Lake Havasu. And cities our adopted unified,
4 cities, adopted Flagstaff MPO community of interest, does
5 cause detriment to it in my mind. It's not significant.
6 Still maintain competitiveness in this district which is
7 important, and, therefore, Mr. Chairman, I move we adopt
8 this test as part of our map.

9 CHAIRMAN LYNN: Is there a second?

10 COMMISSIONER HUNTWORK: Second.

11 CHAIRMAN LYNN: Discussion on the motion.

12 Ms. Minkoff.

13 COMMISSIONER MINKOFF: Thank you,
14 Mr. Chairman.

15 We adopted cities as community of interest.
16 Also adopted Flagstaff metropolitan planning area as a
17 community of interest. I think based on the testimony
18 heard from them, in fashion from them please keep area
19 united in single interest, if asked cause significant
20 detriment, resounding yes. What we have here is a
21 situation where we have a city which has not been adopted
22 as specific community of interest but just becomes
23 community of interest as city, every community of
24 interest we have identified where we have a whole raft of
25 testimony police, please, please do, not split us up.

1 CHAIRMAN LYNN: Further discussion on the
2 motion?

3 Mr. Elder.

4 COMMISSIONER ELDER: Mr. Chairman, I look
5 at some of the decisions we've made in the past in trying
6 to determine what is a significant influence and what is
7 a significant detriment. Part of the goals of Flagstaff
8 for defining that community of interest with the FMPO was
9 because that gave them the additional 18,000 in FMPO
10 outside the corporate limits of Flagstaff. It does not
11 give them the majority of the district, the 171,000
12 change. To drop the 5,000 at this .2 where we have other
13 sort of continuous mountain communities and areas of the
14 Sedona's, various other things down through valley go
15 through Cottonwood Prescott things sort of that, sort of
16 same sort of community. By taking 5,000 people out of
17 southern half of Havasu City thereby themselves and
18 connected Phoenix. Communities of interest, rural to
19 urban, other things based a lot of decisions on, don't
20 know significant detriment by break that community of
21 interest while maintaining a competitive interest. I
22 believe that's the crux of what I look at for the change.

23 CHAIRMAN LYNN: Ms. Minkoff.

24 MR. HUNTWORK: Mr. Chairman, we heard
25 testimony earlier today didn't relate to population

1 figures, doesn't have population any respect except one
2 significantly underpopulated, heard testimony Flagstaff
3 school district covers entire Flagstaff metropolitan
4 planning area, issues involving water, issues involving
5 forest lands, issues involving conservation, issues
6 involving transportation, and clearly by taking Kachina
7 Village, honestly you can walk from there to Flagstaff
8 other communities outside Flagstaff metropolitan area, do
9 do significant detriment to that particular planning
10 area, Kachina does not sit down Verde Valley plan for the
11 future, sit down with Flagstaff, I think there is
12 significant detriment done.

13 CHAIRMAN LYNN: Mr. Huntwork.

14 COMMISSIONER HUNTWORK: Once again, I agree
15 with both of you. Significant detriment done both ways
16 and I think that talking about that significant detriment
17 insignificant compared to the detriment that this whole
18 map does to Mohave County which is absolutely devastating
19 to Mohave County. But, you know, given the fact that we
20 haven't yet addressed the major issue, which is, you
21 know, can we do anything about Mohave County, just
22 looking at the issues that are involved in this
23 particular switch, it's my opinion that the detriment to
24 the Flagstaff area by taking out approximately 5,000 out
25 of 70,000 people is less than the detriment done to Lake

1 Havasu City by taking 5,000 out of 50,000 people. So I
2 am just in those limited terms we're talking about in
3 those -- map I'm in favor of the change.

4 CHAIRMAN LYNN: Further discussion on the
5 motion?

6 If not, all those in favor of the motion,
7 signify by saying "Aye."

8 COMMISSIONER ELDER: "Aye."

9 COMMISSIONER HUNTWORK: "Aye."

10 COMMISSIONER HALL: "Aye."

11 CHAIRMAN LYNN: Chair votes "aye."

12 COMMISSIONER MINKOFF: "No."

13 CHAIRMAN LYNN: Ms. Minkoff is "no."

14 Passes four-to-one.

15 If we may move to another part of the
16 state.

17 COMMISSIONER HUNTWORK: I'd like to go to
18 Tucson.

19 COMMISSIONER MINKOFF: Can't imagine why.

20 CHAIRMAN LYNN: I plan not to go to Tucson.

21 That aside, let's go to southern part of the state.

22 MR. JOHNSON: I do have numbers asking
23 earlier District 21 and Tucson plan.

24 In terms of the percentage that Tucson what
25 constitute of each district, 27, 29 unchanged, voting age

1 sensitive districts, at 68 and 88 percent, where Tucson
2 constitutes 68 and 88 percent of each district. So those
3 are unchanged in any of these tests.

4 Let me bring this up so you can follow.

5 CHAIRMAN LYNN: Anyway to renumber those
6 districts so they compare favorably with other one?

7 MR. JOHNSON: I can --

8 CHAIRMAN LYNN: Talk through it.

9 MR. JOHNSON: 22 on the map, we'd consider
10 26 --

11 CHAIRMAN LYNN: Uh-huh.

12 MR. JOHNSON: 19,000 -- just over 19,000
13 Tucson residents in there, make up essentially 11 percent
14 of that district. What is labeled 21, but we would call
15 28, Tucson 131,000 people in that district, or 77
16 percent. And then what is labeled 25 but we would call
17 30, there are 69,741 people or just under 41 percent in
18 that same district. So Tucson would be 68 percent or
19 higher of three districts, almost 41 percent before and
20 11 of a fifth.

21 CHAIRMAN LYNN: And with respect to
22 competitiveness, again, what is JudgeIt score,
23 Dr. McDonald what is represented on this map as District
24 21?

25 This is the Tucson.

1 MR. JOHNSON: I'll find it faster.

2 DR. McDONALD: I believe this is right,
3 since there are so many maps we looked at for Tucson, for
4 that green district 51, 52.3, for this map.

5 CHAIRMAN LYNN: 52.3.

6 COMMISSIONER HALL: This way.

7 DR. McDONALD: Democratic.

8 COMMISSIONER MINKOFF: They call 21 we call
9 28.

10 CHAIRMAN LYNN: 28 our numeralogy?

11 MR. JOHNSON: Yes, it would.

12 CHAIRMAN LYNN: Okay. Mr. Hall.

13 COMMISSIONER HALL: Mr. Chair, keep in mind
14 per the court, I welcome, I would like to know you,
15 Mr. Elder, this map, to me, for lack of a better word,
16 seems very tight. It seems all of discussion I've heard
17 from Dan with whether map and you relative to Tucson, it
18 seems to do what I think I've heard you say you want map
19 to do. I guess I'm asking now, is that an accurate
20 assessment from a mountain boy?

21 COMMISSIONER ELDER: An outside.

22 CHAIRMAN LYNN: Mr. Elder.

23 COMMISSIONER ELDER: Mr. Chairman,
24 Mr. Hall, if we look at things have gone on in the Tucson
25 Valley, Pima Association of Governments, it does

1 recognize three areas within the Foothills. This map
2 here, which is called Tucson 21, whatever JudgeIt,
3 competitive, appears to follow those designations between
4 association of government's fairly closely. Maybe a few
5 aberrations there, for the most part, Casas Adobas,
6 Catalina Foothills, RinCon, or Tanque Verde area. Other
7 thing does one my perspective, eastern part Tanque Verde,
8 eastern northern, tied with areas to east, and heading on
9 toward Vail, it's rural, low density, seems to fit better
10 with the rest of rural areas of the county. And,
11 probably more compatible with -- in Sierra Vista all the
12 way up through. That, combative less than 21, keeps
13 Casas Adobas whole, issues are beat to death, don't want
14 anything besides adjoining or annexed City of Tucson so
15 with that said, I think the balance between Casas Adobes,
16 Oro Valley, tort ah lien ah to small to consider
17 influence, all considered equal population, they will be
18 able to function whole Legislative. Central Foothills
19 city Tucson, as mentioned before, circulation comes down
20 ridges vallies North-South so ridges somewhat dictate
21 where the circulation and where the social interaction
22 is, ways to from work, work places, so that seems to
23 benefit his plan. It does help Ms. Rodriguez some extent
24 all areas River Road and river -- can't say all of them,
25 most part, precincts may be affected are lessened, and

1 that central core is active. They get out, vote, and
2 should be very interesting race in those areas. So for
3 those reasons I'm very pro this plan.

4 COMMISSIONER MINKOFF: Is that -- much.

5 CHAIRMAN LYNN: Is that --

6 Ms. Minkoff is the chair.

7 Is there a motion while talking so that the
8 discussion can be more pointed.

9 COMMISSIONER ELDER: Mr. Chairman, I move
10 we adopt Tucson Judge It competitive 21 as an amendment
11 to our March adopted plan or proposed -- what is term --

12 COMMISSIONER MINKOFF: Draft.

13 COMMISSIONER HALL: Draft.

14 COMMISSIONER MINKOFF: Suggestion.

15 Second time. Different numbering of
16 districts. I presume this did not come from you but an
17 outside source. Who presented it and what other
18 information came from the source?

19 MR. JOHNSON: To be honest, I don't
20 remember who spoke at the meeting. Equivalency files
21 were John Mills. I don't remember who spoke, presented
22 it.

23 John Mills could clear that up in the
24 record, don't remember who presented it at the time.

25 COMMISSIONER MINKOFF: Is Mr. Mills still

1 here? Maybe we can ask if he presented it.

2 MR. MILLS: Mr. Chairman, Mr. Minkoff, so
3 long ago not sure where came from. I'd have to look at
4 my notes.

5 COMMISSIONER MINKOFF: You brought it in --

6 MR. MILLS: At this point I'm not sure. I
7 don't know. I don't know.

8 CHAIRMAN LYNN: Mr. Huntwork.

9 COMMISSIONER HUNTWORK: I'd like to ask
10 Mr. Johnson about the test you did today. Had to do with
11 the competitiveness of that Central Phoenix District and
12 the test you did today. I know you did two different
13 tests.

14 CHAIRMAN LYNN: Tucson.

15 COMMISSIONER HUNTWORK: Central Tucson.
16 Test one is the one I'm thinking about.

17 MR. JOHNSON: Test one central Tucson test,
18 test one had score 58.2 percent.

19 COMMISSIONER HALL: Comparable to this.

20 What was the Tucson population in that
21 district. Actually both 28 and 30.

22 MR. JOHNSON: Test one I presented earlier?

23 COMMISSIONER HUNTWORK: Yes. Where he said
24 Central Tucson. Test one is the one I'm thinking about.

25 MR. JOHNSON: I can calculate it. Let me

1 just do that.

2 COMMISSIONER HUNTWORK: While you are doing
3 that, I want to make a note, another comment.

4 The -- I would just like to point out that,
5 you know, if we do this, if we adopt this resolution, it
6 means that under the court's order we cannot make the
7 change in Northern Arizona because this map will
8 eliminate one competitive district from Tucson. And I --
9 it's almost an impossible choice to make because both
10 areas of the map have horrendous difficulties associated
11 with them. I would like to have an opportunity to talk
12 about Mohave County before or part of the discussion of
13 this, because even though this is type of change that
14 needs to be made in Tucson, we have to be mindful in
15 Tuesday go this we will be precluding ourselves from
16 making a change in Mohave County.

17 MR. JOHNSON: Mr. Chairman.

18 CHAIRMAN LYNN: Mr. Chairman.

19 MR. JOHNSON: I have numbers asking for.
20 Tucson population 2,831,543, just 500 higher than numbers
21 earlier, right about 76 -- right around 77 percent of
22 that district in Tucson.

23 COMMISSIONER HUNTWORK: Thank you.

24 MR. FOREE: Question.

25 CHAIRMAN LYNN: What. City attorney. Kent

1 Foree, Lake Havasu City. He just said that.

2 MR. JOHNSON: Yes. Changes we did were
3 only Lake Havasu change, Commissioner Huntwork talking
4 about larger state Mohave County.

5 COMMISSIONER HUNTWORK: Since I had the
6 floor last, radio silenced my opinion, significant
7 detriment to communities of interest, and further,
8 without any doubt, without any question in my mind there
9 is --

10 Well, Lisa is listening and making a
11 transcript --

12 CHAIRMAN LYNN: Sorry, Mr. Huntwork.

13 COMMISSIONER HUNTWORK: -- without any
14 doubt in my mind there is also significant detriment in
15 Mohave County. And even though we failed to adopt Mohave
16 County as a community of interest, my opinion is
17 forcefully reminded of the fact that it is a community of
18 interest and no one -- which no one can possibly deny.
19 So we are now forced by the order of the court to do
20 significant detriment to one of those communities of
21 interest in order to achieve the Court's required minimum
22 number of competitive districts. And again,
23 Mr. Chairman, you were tuned out a little bit, but all
24 I'm saying is we need to be mindful of that in voting on
25 this resolution this resolution it also disposes of any

1 possibility of fixing Mohave County.

2 CHAIRMAN LYNN: Thank you. I appreciate
3 your view.

4 I think I am now of the opinion there may
5 have been some confusion in terms of instructions given
6 earlier. For that reason I'd ask maker and seconder of
7 motion on floor to withdraw there motions and to give me
8 an opportunity to determine whether or not there was
9 confusion in terms of the instruction given and we can
10 reconsider this when we -- after a short break.

11 COMMISSIONER ELDER: Instructions given --

12 CHAIRMAN LYNN: Earlier today about tests
13 on tests.

14 COMMISSIONER ELDER: I'd withdraw my
15 motion.

16 CHAIRMAN LYNN: Second was Mr. Hall.

17 COMMISSIONER HALL: All right.

18 CHAIRMAN LYNN: I think your comments on
19 point Mr. Huntwork. Wonder if we could, Mr. Huntwork,
20 coming up on a break. Determine what may have or may not
21 have been the slip between the lips and the computer over
22 the day. But let's, without objection, take a 15-minute
23 break.

24 (Discussion off the record.)

25 (Recess taken.)

1 CHAIRMAN LYNN: TThe Commission will
2 come to order.

3 For the record, all five Commissioners
4 are present along with five Comissioners and counsel and
5 consulants. In terms of instructions, partial results
6 but not the results we were looking for. To that point I
7 want to ask my fellow Commissioners the same questions as
8 I have on my mind. The testimony both written and
9 testimony today, and in the record, the Mayor from Tucson
10 as well as on other things, on the dominant influential
11 for districts, and secondly, an just as importantly, that
12 if the Foothills community of interest was to be split,
13 that it be split in a way that is appropriate for that
14 community to be split. The appropriate split is to have
15 the western portion of the Foothills, which is Casas
16 Adobes in the main, remain together and remain whole,
17 that the Central Foothills, might you'll area of the
18 Foothills, be kept together and most probably linked with
19 central Tucson as a competitive district that does make
20 sense in a variety of ways in terms of both the testimony
21 we heard and what we know about Tucson, and eastern
22 Foothills Tanque Verde so on be linked eastern Foothills
23 and so on. Tests came back accomplished one of goals but
24 not both. I ask we reinstruct the consultants to try to
25 achieve balance of both of those objectives and show us a

1 result. I hope somebody make that in the form of a
2 motion.

3 COMMISSIONER ELDER: I'd make that in the
4 form of a motion and I'd like to discuss instructions,
5 which map start from and start test to, test one --

6 COMMISSIONER HALL: Second.

7 CHAIRMAN LYNN: We should start with April
8 2nd test on the screen at the moment?

9 MR. JOHNSON: Sure.

10 COMMISSIONER MINKOFF: To April 2nd.

11 CHAIRMAN LYNN: Little notch, in Tucson,
12 probably more promise to achieve a result may be looking
13 for. Start this test, if that's that's acceptable to
14 maker second and follow to instructions as outlined.

15 Is there discussion on the motion?

16 COMMISSIONER ELDER: My only reason asking
17 question what start with what I saw from other test being
18 objectionable. I wanted to make sure pros cons were out
19 when make this test don't come back in, hour, whatever
20 takes to do say that's not, still inherent problems. In
21 previous test one to mile strip running all way along
22 southern city Tucson, then Tucson divided horizontally to
23 area from southern part River Road down. Do I get to
24 point or --

25 CHAIRMAN LYNN: It's okay. --

1 Give him a map and he's on.

2 COMMISSIONER ELDER: City of Tucson is
3 divided here believe Broadway. Speedway from 22nd, and
4 then this strip along here run mile ride runs around
5 David Monthan Air Base, divided city horizontally very
6 long. I'd like other one to start from it, at least more
7 compact and we don't have long arms. We've agreed 28
8 don't want to change pre approvals things like that, live
9 with area 22nd Street, don't want to parallel edge, goes
10 through Tucson, not a link from community of interest,
11 mixture of housing, economics, so not like say here, here
12 is real well either area, seems like homogeneous there,
13 and not so sure I don't know that whole area is probably
14 got a Democratic sway to the district where if you take
15 horizontally tie Republican areas no differently tie
16 vertically tie Republicans. My primary objections to
17 this test starting point, you know, it's -- the arm
18 coming in are not that functional with the way the city
19 works.

20 CHAIRMAN LYNN: Mr. Hall.

21 COMMISSIONER HALL: Will it rain tomorrow?

22 COMMISSIONER ELDER: In the style, around
23 Tucson.

24 CHAIRMAN LYNN: Further instruction on
25 Tucson?

1 Is the instruction clear?

2 MR. JOHNSON: I think so.

3 COMMISSIONER HUNTWORK: How differ from map
4 a minute ago, not that -- so I instruct instructing what
5 to do, didn't that map closely resemble --

6 CHAIRMAN LYNN: It has elements in it that
7 are appropriate. Other parts of it aren't appropriate.
8 Instructions in it quite clear I'd use template any map
9 start with that will achieve goals and the caveats
10 Mr. Elder added to them.

11 MR. JOHNSON: Mr. Chairman I use one other
12 starting points each achieve one goal other three way
13 split Foothills, not Tucson majority four districts.
14 Each one had one to goals instruction not both.

15 CHAIRMAN LYNN: Maybe blending of two.

16 MR. JOHNSON: Right.

17 CHAIRMAN LYNN: Question for that how long
18 might take to complete this task.

19 MR. JOHNSON: Hope 40, 45 minutes, probably
20 an hour.

21 CHAIRMAN LYNN: Wonder if split difference
22 hour 15 minute dinner break hope you get done hour 15
23 minutes.

24 MR. JOHNSON: Best effort.

25 CHAIRMAN LYNN: On motion. Further

1 discussion.

2 All in favor of the motion, signify "Aye."

3 COMMISSIONER ELDER: "Aye."

4 COMMISSIONER MINKOFF: "Aye."

5 CHAIRMAN LYNN: Motion carries so ordered.

6 COMMISSIONER HUNTWORK: "Aye."

7 COMMISSIONER HALL: "Aye."

8 CHAIRMAN LYNN: Is there -- is there

9 anything we can do in the interim, probably not, until we
10 see this test, also impacts what may be able to do rest
11 of state. Without objection -- Mr. Hall.

12 COMMISSIONER HALL: My question, maybe
13 multi task a bit, send them away, I'm sure there may be
14 some public comment relative to changes made in north,
15 here those when we came back additional public comment
16 out. Just an idea: Or not . . .

17 CHAIRMAN LYNN: Well, why don't --

18 Let me see show hands of people in the
19 audience that wish to address the Commission at this
20 point.

21 I see one. At least that to that extent
22 we're happy to hear Mayor Donaldson while the consultants
23 off on task, whatever time remaining, we will break for
24 an hour and hours 15 minutes.

25 Mr. Mayor, please state for the record your

1 name, since I don't have slip this portion of public
2 comment.

3 MAYOR DONALDSON: Joe Donaldson. Thank
4 you, Mr. Chairman, Commissioner. Going back and
5 discussing Northern Arizona map, I would like to have had
6 discussions occur, like opportunity to come back after
7 anything occurs to change from what it is at this moment.
8 I'd like to reiterate on behalf city Flagstaff important
9 of our FMPO, you've heard this important and over again,
10 the FMPO, and this extremely important to us. It's our
11 power base. It's federal designated, it's accepted by
12 the State of Arizona in terms of transportation training,
13 and also reinforced by our overwhelmingly adopted county
14 and city regional land use and transportation plan. If
15 the maps should stay as it is at this point we would have
16 further comment.

17 CHAIRMAN LYNN: Thank you, Mr. Mayor.

18 MAYOR DONALDSON: Thank you.

19 CHAIRMAN LYNN: Quite reminiscent of
20 counter points we had at the first hearing between
21 Maricopa and Sierra Vista that became clear where they
22 could not keep Sierra Vista and Cochise County including,
23 whether it was better he been split along city and
24 boundary lines or whether some other split was
25 appropriate. And given the horrible choice he took the

1 better of two poor choices. It's unfortunate when faced
2 with a somewhat poor dilemma here. Is FMPO more
3 important in keeping City Lake Havasu City whole? We
4 don't want to put you and Lake Havasu in competitive
5 positions but as you realize we must do what we can to
6 satisfy as many of the needs as we have in state while
7 trying to comply with the court's order. Given all of
8 those things we are juggling please understand we are
9 sympathetic to all issues must final analysis make
10 choices.

11 MAYOR DONALDSON: Fully understand given
12 opportunity reference once decision made to adjust
13 populations FMPO and Lake Havasu City, it sounded like
14 you folks going to revisit that decision in light of
15 things might do with Tucson.

16 CHAIRMAN LYNN: We certainly not finished
17 work this evening I invite you stick with us.

18 Mr. Hall.

19 COMMISSIONER HALL: Mr. Donaldson has been
20 referencing back to 2004 map in northern area of Arizona.
21 My question to you would be given choice between current
22 representation of Flagstaff and portion of FMPO being
23 split and maintaining Lake Havasu whole or representation
24 of Northern Arizona under 2004 nap, what would be your
25 preference.

1 MAYOR DONALDSON: As you just recently
2 adopted.

3 COMMISSIONER HALL: Thank you.

4 CHAIRMAN LYNN: Other members of public
5 wishing to be heard at this time. Please, for the
6 record.

7 MR. FOREE: Kent Foree on behalf of Lake
8 Havasu City.

9 I apologize having approached earlier at
10 one point, secondly, under fear of over reaching, I did
11 put in written submittal as part of that, I -- there
12 is -- city had election approved general plan map
13 approves planning area of city. I suggest boundary
14 follow planning map I think as to the 2003 population,
15 perhaps, but a lot more sensible line. The way the line
16 is currently drawn comes in current boundary of city on
17 eastern border, comes straight down and intrudes on quite
18 a bit of the city, may intrude on the city. Before You
19 next your go around may, you may see it expand the
20 district now planning boundary of city helpful future
21 next Commission as well.

22 CHAIRMAN LYNN: Long up there. Mr. Hall's
23 question. Not planning area in, city boundaries.

24 JUDGE FLOURNEY: Absolutely.

25 CHAIRMAN LYNN: We'll take an hour and 15

1 minute break without objection.

2 (Recess taken.)

3 CHAIRMAN LYNN: For the record, all five
4 Commissioners are present, along with legal counsel,
5 consultants, and NDC and IRC staff. Mr. Johnson.

6 MR. JOHNSON: Mr. Chairman, the map right
7 now is our starting point, from the test. But what we
8 encountered is we weren't able to do is draw a map
9 precisely as the map requested. So I want to walk you
10 through the problem we ran into and show you a possible
11 alternative we came up with to see if that would meet the
12 goals in a different way. The challenge we ran into is
13 that to meet the instructions, there were to parts, one
14 to get for districts majority population from Tucson and
15 to was to identify the Foothills as they somewhat
16 naturally divide into three different areas. To meet the
17 first part of that, we needed to get District 30 to be a
18 majority Tucson district. So the first part of this is
19 just starting no Tanque Verde population, keeping Tucson
20 and then the Sierra Vista and half Santa Cruz County all
21 those parts together. We end up with your thousand
22 people from Tucson in that district. That's what we need
23 to make it a majority Tucson district. Once we get all
24 the Sierra portions, Sierra Vista southern portions, '85,
25 your author thousand people, almost full district, 84,000

1 people from Tanque Verde. So that is the first one I
2 have to show you. Essentially, all you get, keeping this
3 at majority Tucson district, all you add in is 1,500
4 people right along the edge, nowhere in adding in Tanque
5 Verde in this district. Put in adding Tanque Verde add
6 in tan key Verde border districts, District 29 no longer
7 majority border district. That's the challenge we
8 encountered. We did run this map showing the 1,500 we
9 could put in and keeping it majority Tucson district and
10 did come out to this 28 competitive district and 26 and
11 30 are not. I did want to show you that. That obviously
12 only accomplishes one piece goal one piece of goal not
13 other piece.

14 CHAIRMAN LYNN: For the record Mr. Johnson
15 what happens this configuration district 28 on
16 compactness.

17 MR. JOHNSON: It does still past the test.
18 I don't remember exactly what the score was. I think I
19 have it here.

20 Yes. Here we go.

21 So it's a .32. Let's see. Four, four,
22 twenty-eight.

23 CHAIRMAN LYNN: How does that compare with
24 the original 28 you started with?

25 MR. JOHNSON: Let's see. We do have an

1 alternative approach to that. Let's see. 28. So it was
2 a .1 --

3 CHAIRMAN LYNN: Okay. So it improved.

4 MR. JOHNSON: No. I'm sorry. This is the
5 two districts cutting across. No, I brought up the wrong
6 one.

7 Go to -- I'm not sure. I'll have to find
8 that.

9 But I think it is slightly more compact.
10 It is roughly the same district.

11 CHAIRMAN LYNN: Okay. The alternative
12 approach we came up with, okay, to keep for majority,
13 majority districts, population districts won't let us put
14 Tanque Verde, Verde into 30, still Tanque Verde with
15 Tucson district if we put Tanque Verde into 26. So this
16 is the other map we have to show. In this case, the 30
17 is just, it doesn't have any of the Foothills, and it's a
18 majority Tucson district, 28 also majority 20 district,
19 Catalina Foothills, goes from Campbell over to -- that's
20 a road over there, to Harrison, road, so it has
21 North-South roads running the length of it on both sides,
22 and we end up with Tucson being at 52 percent of District
23 30, 72 percent of district 28, and then there is 9,000
24 people in Tucson in district 26th. I don't know if this
25 meets the goals you had in mind but it was what we could

1 have that three way split of Foothills. Obviously Tanque
2 Verde is not really road connected to west, but it does
3 do that.

4 CHAIRMAN LYNN: Mr. Johnson, if you can
5 concentrate on the northern end of district 28.

6 MR. JOHNSON: Uh-huh.

7 CHAIRMAN LYNN: What is northern boundary.
8 Is that Skyline or sunrise.

9 MR. JOHNSON: Up here?

10 MR. JOHNSON: Northern end.

11 COMMISSIONER ELDER: Forest.

12 CHAIRMAN LYNN: It's the forest.

13 MR. JOHNSON: Yes.

14 CHAIRMAN LYNN: Mr. Elder.

15 COMMISSIONER ELDER: Mr. Chairman, I have
16 the same concerns with this one I had on our March 4th
17 here we have Tanque Verde equivalent March 4th Foothills
18 separated 15, 17 miles before you get back into the
19 district attached to, hearing go up to natural forest
20 attacking oral valley Casas Adobas not so sure gained
21 anything by this map other than the Chair is on the deck,
22 or the steam liner, or both.

23 CHAIRMAN LYNN: Titanic.

24 COMMISSIONER ELDER: March 1st.

25 CHAIRMAN LYNN: Mr. Johnson, would you just

1 refresh our memory, go back to the March 1st test?

2 CHAIRMAN LYNN: Let's take one more look at
3 April 2nd tests and test two.

4 MR. JOHNSON: This one or --

5 CHAIRMAN LYNN: Two earlier tests that you
6 developed.

7 MR. JOHNSON: Okay.

8 This is one we looked at earlier today.
9 And we have April two, test three, which is the first
10 part I showed you just now with the 1,500 Tanque Verde
11 people.

12 CHAIRMAN LYNN: Okay. Go back to the
13 previous one just prior.

14 In this particular test, the northern
15 boundary of district 28,

16 MR. JOHNSON: Is Sunrise.

17 CHAIRMAN LYNN: Now this particular test,
18 Mr. Johnson, if I recall correctly, 28 is competitive,
19 and Tucson is a majority district and four is majority of
20 four districts?

21 MR. JOHNSON: Yes, that's correct.

22 CHAIRMAN LYNN: Does it unite the Vail
23 school district? It appears to.

24 MS. LEONI: Yes.

25 MR. JOHNSON: Yes, it has the same borders

1 down there as the 2004 plan. It addresses concerns
2 raised in the March 1 plan.

3 The black line overlaid is March 1 plan
4 used to come down to Vail and Rita Ranch is now in.

5 CHAIRMAN LYNN: Well, okay.

6 I mean -- that may be the best of the bad
7 lot all do respect. We have a very difficult dilemma. I
8 don't know if three votes for any of these plans to be
9 very honest with you, can be very honest various plans
10 these plans due to area some advantages to plan over
11 others. At least this iteration of the plan we do
12 essentially meet the four district influence goal, or
13 majority foal for Tucson, which certainly was one of the
14 major objectives of the test. It does mean that District
15 26 is at least drivable and comprises most of the
16 Foothills above -- I should say around that central
17 portion that goes up to skylight. You can at least get
18 there.

19 I just wish there was some way to make 28
20 more compact at the same time. It's just not feasible
21 and keeping PB eight competitive.

22 Ms. Minkoff.

23 COMMISSIONER MINKOFF: Not sure I recall
24 Tucson's request. Did they say majorities of four
25 districts or at least majorities three significant

1 influence in court.

2 CHAIRMAN LYNN: Mayor's letter dated 3-31
3 indicates that -- well, his language is significant
4 representation in at least four districts, at least four.

5 MR. JOHNSON: One thing I can say, in
6 looking at this, it is possible to put Tanque Verde
7 District 30, and then Tucson makes up 40 percent District
8 30, largest single entity in district, twice size Sierra
9 Vista, not majority of that Dick, that's tradeoff we
10 face, a lot us to do other half of the goals there.

11 So 30 could pick up Tanque Verde give up
12 areas of Tucson, roughly 40 percent of Tucson.

13 CHAIRMAN LYNN: Would that maintain 28 as
14 competitive?

15 MR. JOHNSON: Probably.

16 COMMISSIONER HUNTWORK: Getting to be very
17 much like map 21 earlier, no there's a way --

18 CHAIRMAN LYNN: Closer.

19 COMMISSIONER ELDER: If maintain --

20 CHAIRMAN LYNN: Go ahead.

21 COMMISSIONER ELDER: Maintains
22 competitiveness in that central district, the contextual
23 portions of Tanque Verde valley and area south of Tanque
24 Verde and east of pan tan oh are very similar in nature.
25 And I would -- I will support that move. We just can't

1 lose that competitive district.

2 CHAIRMAN LYNN: Concern I have in terms of
3 the task we have in front of us is if we are going to
4 reduce overall competitiveness of the map by one
5 district, we are going to have to be very clear about the
6 advantages of doing so. I want to be clear about a
7 comparison. If I mean, Mr. Johnson, concentrate to maps.
8 One is March 1st map. With respect to the City of
9 Tuesday ounce involvement in as many districts as there
10 are, characterize that map and characterize the map you
11 just suggested might be drawn.

12 MR. JOHNSON: Let me run the numbers.

13 MR. JOHNSON: In the March 1 map District
14 30 does not come into Tucson as all, so Tucson is, still
15 majorities of 28, 29, and 27, and then there is, I
16 believe, I'm not sure how much of 26 it is.

17 CHAIRMAN LYNN: Majority three districts
18 and some percent of a fourth.

19 MR. JOHNSON: I believe so.

20 Let me just confirm how much it is of that
21 fourth.

22 MR. JOHNSON: It is 33 percent of -- of 26.
23 They are all crisscrossing in my mind.

24 CHAIRMAN LYNN: With respect to the
25 district you thought you could draw by moving Tanque

1 Verde into District 30 and trading it for population in
2 Tucson, I know you don't have exact figures, but -- just
3 for comparison purposes, how would that compare to the
4 March 1st map?

5 MR. JOHNSON: It would switch Tucson
6 portion from 26 to 30, and it would be about 40 percent.

7 CHAIRMAN LYNN: So if I understand you
8 correctly, majority three districts and fourth district
9 increase from 33 percent to 40.

10 MR. JOHNSON: Yes.

11 CHAIRMAN LYNN: I don't know about anybody
12 else, identify sure like to see that.

13 COMMISSIONER ELDER: Mr. Chairman, as would
14 I. I would like to see that. To verify we do have a
15 competitive district there.

16 CHAIRMAN LYNN: In fairness, we are going
17 to have to meet on the 12th. Though way we cannot meet
18 until the 12th. My suggestion be we order that test,
19 that we continue with our discussions this evening about
20 other parts of the state, make any other decisions we
21 need to make, and I would suggest we get the results of
22 that on the 12th, if we can.

23 Ms. Hauser.

24 MS. HAUSER: How many Commissioners can
25 attend in person on the 12th. It's difficult to deal

1 maps telephonically and I believe some people planned to
2 do that telephonically.

3 CHAIRMAN LYNN: Let's find out. Anyone
4 cannot attend in person 12th?

5 CHAIRMAN LYNN: Monday after Easter.

6 COMMISSIONER ELDER: I can.

7 CHAIRMAN LYNN: Mr. Huntwork?

8 Ms. Minkoff?

9 COMMISSIONER HUNTWORK: I can.

10 COMMISSIONER MINKOFF: Yes.

11 CHAIRMAN LYNN: Four. Four, maybe.

12 Mr. Johnson, how long take you to draw the
13 suggested change.

14 MR. JOHNSON: It's going to be fairly
15 similar to tests we've done. Fairly quick.

16 (Discussion off the record.)

17 MR. JOHNSON: I can take off screen do
18 it --

19 MS. LEONI: Save some time.

20 CHAIRMAN LYNN: Half hour. We need you
21 four other things as discuss other parts of the state.

22 Well -- Mr. Hall?

23 COMMISSIONER HALL: I'm not sure I
24 understand the difference between the requested test and
25 map we had a motion three hours ago.

1 MR. JOHNSON: Map is majority came from
2 Tucson, also Tanque Verde District 30, Catalina Foothills
3 in 28 and Casas Adobes united in 26 and essentially
4 Tanque Verde into 30 makes it impossible to put majority
5 population from Tucson into 30.

6 COMMISSIONER HUNTWORK: He means test map
7 21.

8 COMMISSIONER HALL: My question, Doug, how
9 does what you just said map had motion on three hours
10 ago?

11 COMMISSIONER HUNTWORK: Motion withdrawn to
12 go back do more tests.

13 COMMISSIONER HALL: Seems like a month ago,
14 but three hours.

15 MR. JOHNSON: Very similar.

16 COMMISSIONER HUNTWORK: Almost identical,
17 actually, get down to it.

18 COMMISSIONER HALL: I mean we have no less
19 than eight maps from Tucson. I don't know tally now.
20 Mr. Chairman, I'm open -- I don't know how many more ways
21 we can slice it. Seems to me we have a map before us
22 that at least simply represents what my perception of
23 what we're asking for. Am I wrong?

24 CHAIRMAN LYNN: Well, I think the issue is
25 we're not -- I don't think we're completely sure of the

1 engine cyst of that map. I want to maintain the
2 integrity of the Commission in terms of maps we have
3 adopted have been our maps, maps we have created through
4 instruction to the consultants. So we are trying to get
5 to the place where an acceptable map Tucson area is
6 product consultants to meet certain goals and at that
7 point and at that point act on that map.

8 Mr. Huntwork?

9 COMMISSIONER HUNTWORK: You are right. I
10 was going to say something probably consistent with that.
11 You are correct.

12 CHAIRMAN LYNN: Mr. Elder.

13 COMMISSIONER ELDER: Mr. Chairman, during
14 that run through that we had, you know, looking at
15 different alternatives, coming back the next day, we had
16 a whole series of people handing maps to various and
17 sundry people around that room. It took time and
18 direction from you that they had to go to the Commission
19 before they could be discussed, modified, or whatever, by
20 the consultant, our consultant. The map that, the,
21 whatever we call it competitives 21, map up three hours
22 ago by Mr. Hall in my mind was to close to maps that we
23 had not given direction to look at. As -- conceptual
24 Lee, looking 21 conceptually I like. Is it totally our
25 map I don't know. I got a nickname in court, whatever it

1 was now eight months I don't know, dead on arrival Dan we
2 had a map delivered to us, by a political party. We have
3 testimony by the public said this map protects every
4 single personal one party to other party as far as
5 incumbency if that is indeed that map should be dead
6 arrival I take that feeling concept philosophy if to
7 close something we received by vested interest, I did not
8 want to support that plan. Plan we see up in 21, as I
9 remember all different things came across my test, not
10 same maps we had from those vested interests. So how far
11 different, how much different do we have to be to have
12 the map have our fingerprint on it said we did it, direct
13 consultant to do it this way. It seems as though this
14 map coming back very close we tabled three hours ago. I
15 don't know we generate any difference to where we study
16 it, analyze it, may very well be appropriate to take a
17 look at that map decide it does what we need to do in the
18 region.

19 CHAIRMAN LYNN: Mr. Hall then Ms. Minkoff.

20 COMMISSIONER HALL: I'm rather in the
21 simplistic thought process, existing map table March one
22 iteration represents to competitive tests March one in
23 order for us, those on this Commission that are
24 continuing, if my understanding correct, current
25 representation causes significant detriment to

1 communities of interest, so if that is the case, any
2 amendments, regardless of source of ore again, that
3 respects the proper communities of interest, and
4 eliminates significant detriment, are people we want to
5 pursue. So -- I couldn't tell you the origin of any of
6 my maps. I know we have several. And some are
7 iterations of others. There's been a long evolution of
8 this process. My point is either my opinion we should
9 stay with existing map of March 1 because it doesn't
10 cause significant detriment or identify where there is
11 significant detriment, fix it and adopt a representation
12 of what fixes the significance detriment to any of the
13 goals proposed in the constitution map. Am I wrong in my
14 summary or what am I missing.

15 CHAIRMAN LYNN: Ms. Minkoff and
16 Mr. Huntwork.

17 COMMISSIONER MINKOFF: Mr. Chairman I
18 concern any map be our map rather than our accepting map
19 came from outside source possibly partisan source this
20 case source not sure we can identify all we know we have
21 a map talks about Tucson 21 competitive. Mr. Johnson
22 said he believed the back-up information came from John
23 Mills. John Mills isn't sure whether he provided that
24 map so long ago. I really believe that map, unless we
25 can determine it's origin, and unless that origin does

1 not have a highly partisan or origin that benefits
2 certain incumbents, certain groups of people, et cetera,
3 that is not our map we can't go ahead with it. We know
4 certain things we want to achieve if Mr. Johnson can help
5 us achieve those through a test map, terrific. Otherwise
6 I don't think accept map outside source even one we can't
7 identify.

8 CHAIRMAN LYNN: Mr. Huntwork, Mr. Elder.

9 COMMISSIONER HUNTWORK: I agree with that.
10 I would like to articulate the test map I want to see,
11 first, then, agree that this is the test map we want to
12 see take another test map 21 see if already been done to
13 save us sometime not because this is what map shows this
14 is what I want to see at this point. What I want to see
15 Tanque Verde put into District 30. I want to see
16 District 30 moved a little bit out of the center of
17 Tucson, in other words, a straight swap between those
18 districts. I think I want to see that middle district,
19 which one is that, 28, go north all the way to the Forest
20 Service line, and then I want to see where the western
21 boundary of district 28 ends up. And that to me is the
22 map that we're going to do. If that map is not
23 competitive, then I want to see what the minimum
24 adjustment to that map would have to be in order to make
25 it, 28 a competitive district. Whether or not that's

1 what map 21 did is irrelevant. If it just so happens
2 that is what 21 did, at this point I wouldn't object to
3 using it, because that's the map I want to see. And if
4 somebody has already drawn it for us, then thank
5 goodness.

6 CHAIRMAN LYNN: I think -- Mr. Elder.

7 COMMISSIONER ELDER: Mr. Chairman, one of
8 our problems seems like we're wrestling with, seems like
9 lock into the Pinal County line, locked into 25, 29, I
10 think it is, with the precleared districts and the areas
11 on the west and to the south, there are just so many ways
12 we can rotate population through and have even three
13 districts and out of the nine maps we may have looked at
14 all the permutations there is. A new map we come up with
15 will look like one of them no matter what. I hate to
16 throw out something may very well be the best solution to
17 the problem by virtue we don't know origin of the map.
18 Been, what I can tell, been managed to some extent by NTD
19 to move things because I don't remember seeing, that's
20 why I made the motion looking at, boy, made conceptual
21 alignments and appeared as though had a winner, then,
22 don't know, seems like there's -- solution, keep moving
23 around edges, doesn't seem as though have something work
24 as well as that map.

25 CHAIRMAN LYNN: To be very clear, the fact

1 we looked at so many maps and fact they had a variety
2 configurations in central Tucson districts in them in my
3 mind the instructions that were given, not once but twice
4 to the consultants, in my mind they were trying to draw
5 map I think Mr. Huntwork wants to draw based on his
6 description of what that map is supposed to be. He may
7 or may not have been influenced map has that
8 configuration. That map met criteria Tucson influence
9 districts B did what supposed to do Tucson separation was
10 be acceptable map. I don't know influence. That's what
11 I thought trying to get at. However get there, nice to
12 get there soon, move on.

13 COMMISSIONER HUNTWORK: I hope Mr. Johnson
14 been working on it while talking, direct Mr. Johnson do
15 test right now as soon as possible moves Tanque Verde as
16 we define it, into District 30, trades equal amount of
17 population from central Tucson, more or less trade
18 North-South orientation as closely as possible, and let's
19 the western boundary of that district fall where it may
20 more or less on its North-South orientation as possible
21 and determine whether that is a competitive map or not
22 and if it's not adjust it in minimally possible until it
23 is.

24 CHAIRMAN LYNN: Second to motion?

25 COMMISSIONER MINKOFF: Second.

1 CHAIRMAN LYNN: Discussion on the motion?
2 All those in favor, signify "aye."
3 COMMISSIONER MINKOFF: "Aye."
4 COMMISSIONER HUNTWORK: "Aye."
5 COMMISSIONER HALL: "Aye."
6 COMMISSIONER ELDER: "Aye."
7 (Motion carries.)
8 CHAIRMAN LYNN: Do you have a motion?
9 MR. JOHNSON: Somewhat anticipating that
10 might happen, we're running it in JudgeIt.
11 See, I can start --
12 CHAIRMAN LYNN: Mr. Hall.
13 COMMISSIONER HALL. Mr. Chairman, for my
14 benefit, it's been a long day. My -- I need
15 clarification of several terms. The proposed test,
16 "likely reduce," the benefit, we as a Commission have
17 adopted the Foothills, and as we adopt communities, and
18 retirement community, and there are others in Tucson, to
19 be primarily affected by reason of these tests, so what I
20 need clarification on is, one, what does our current map,
21 how does our current map have significant detriment to
22 those goals, the significant goals in the proposition,
23 and, two, how does the proposed test fix or repair that
24 significant detriment?
25 CHAIRMAN LYNN: Mr. Huntwork?

1 COMMISSIONER HUNTWORK: Mind you, I don't
2 know whether I'm going to vote in favor of this map or
3 not until I see it and see what it does, but there are a
4 couple of issues that, you know, we have to determine,
5 once we have defined communities of interest we have to
6 determine what does significant detriment, whether
7 something constitutes significant detriment. The piece
8 of Tucson that has been carved off on the west side in
9 order to make our current plan is, is, in my mind, is a
10 wasted test, 30 percent put in communities nothing in
11 common Tucson amenable, that part Tucson, 30 percent
12 Tucson essentially based completely. In addition, we
13 have taken the western most portion of that Foothills
14 area, Casas Adobas area, which is the evidence seems to
15 suggest is one of the most sensitive areas, one of the
16 areas most need being separated from Tucson, and putting
17 it, dividing it right in half putting portion in with
18 significant portion Tucson, here alternative map appears
19 alternative map number one splits Foothills district in a
20 different way evidence seems to suggest does not do as
21 much damage to the Foothills district, per se. Number
22 two, equally important, maybe more important, really,
23 looking at this like looking like photograph negative,
24 focusing on what it does to the Foothills not focusing to
25 Tucson, here what we much more substantial piece of

1 Tucson also I think being put at least too large extent
2 that portion Tucson, western part Tucson adjoining areas
3 much more in common, granted center part of Tucson,
4 Tanque Verde in there coming further out center part
5 Tucson, reduce go that conflict to even that extent. I
6 think this does less damage to all these communities of
7 interest than our March 1 test map. Does it do it
8 perfectly. No. Absolutely not. Map we adopted 2004
9 test map my view far away unquestionably best
10 representation representation test maps Tucson.
11 Mathematically we know we have to have one competitive
12 map Tucson order comply court's order. This is now
13 question of -- and even if we have one, we know we're
14 going to be doing significant detriment to Mohave same
15 time. At this point, we're doing significant detriment
16 to communities of interest. But we're going to come up
17 with seven competitive districts and do as little
18 detriment as we can.

19 CHAIRMAN LYNN: Mr. Hall?

20 COMMISSIONER HALL: Make sure I understand,
21 you are saying, is that the test up there?

22 MR. JOHNSON: Yes.

23 COMMISSIONER HALL: Just make sure I
24 understand. You are saying because, by reason of our
25 current map current detriment to the ability of the

1 components of the Foothills, properly adequately
2 represented and that this test, I need to understand --

3 COMMISSIONER HUNTWORK: And City of Tucson.

4 COMMISSIONER HALL: Right. And so this
5 test, anyone's opinion increases the effectiveness of
6 representation of these communities of interest?

7 COMMISSIONER HUNTWORK: Well, Tucson, it
8 seems obviously to do so.

9 CHAIRMAN LYNN: I think the numbers will
10 show that it does.

11 MR. JOHNSON: Mr. Chairman.

12 CHAIRMAN LYNN: Why don't we look at the
13 test.

14 MR. JOHNSON: The map we see up here,
15 District 30 coming up, Tanque Verde over to Harrison
16 Road, then the remainder what the Census calls Tanque
17 Verde over to Campbell Foothills 38 over essentially
18 central Tucson, 28 pick up bit Tucson population west of
19 Campbell Avenue. One thing I note, because all three
20 districts come across the river across the River Road and
21 city border, virtually all the Pima County precinct
22 issues go away this issue as well, side note. Tucson
23 percentages different districts, 27, 29 unchanged, Tucson
24 72.55 percent of 28 and Tucson is actually 48.9 of 30, 10
25 percent better than in our March 1 plan and 13 percent of

1 26. That small small area up there, up north.

2 COMMISSIONER HALL: And 28 is better?

3 MR. JOHNSON: As I speak finishing.

4 DR. McDONALD: District 28, 51.9

5 competitive Democratic district, the other two are

6 uncompetitive Republican districts.

7 CHAIRMAN LYNN: I think, based on the

8 rational that I heard expressed both by Mr. Huntwork and

9 other Members of the Commission for running the test, I

10 mean -- I think the test does what we had anticipated

11 that it might do and hoped it would do, and that is to

12 satisfy five both of the goals and goals really do make a

13 difference in terms of significant detriment.

14 The Chair maintain support for the motion.

15 MR. JOHNSON: I'd make one note. Given the

16 speed at which we performed this test, if there is a

17 request for the motion, I'd ask technical review of small

18 error blocks that we report to you on 12th, certainly

19 something we could do by telephone.

20 CHAIRMAN LYNN: Absolutely.

21 Would you, just for everybody's purposes

22 Mr. Johnson, zoom out, to show the configuration of

23 Tucson? We're looking at colors as opposed to black

24 lines.

25 MR. JOHNSON: Yes.

1 So the city, -- it's a little hard to make
2 out, it's this portion, Rita Ranch, in the far
3 southeastern portion of Tucson, coming up the side east
4 Tucson District 30, central area down to 22nd, and then
5 the far Northwestern corner of the city is in 26.

6 CHAIRMAN LYNN: It is very clear to me that
7 this representation, particularly of the Foothills
8 community of interest, is far better than March 1 map.
9 And I know this may be a difficult distinction to make I
10 need to make it on the record for any community of
11 interest that we have identified, if we split, it does
12 detriment to that community of interest. In this
13 instance and because of to very important factors, one,
14 the size of the district, and to the fact that district
15 is almost exclusively a Republican dominated area, in
16 order for us to in order to even consider a competitive
17 district in Tucson that district has to be split. Given
18 that it has to be split, which does detriment to that
19 district, there is a right way, so to speak, and wrong
20 way to split this district. This representation in this
21 particular test map is the correct way, in my opinion,
22 for that community of interest to be split with the eye
23 tee ah if you are going to have to split it should keep
24 Casas Adobas whole central portion and central portion
25 relate well to central portion Tucson and eastern portion

1 of Tucson, far better representation of Tucson and it in
2 crease the predominance of the City of Tucson in the
3 districts that are specifically therein Tucson itself, so
4 it does, in both instances, better achieve the goals that
5 were originally intended. I think for that reason it is
6 a preferable choice.

7 COMMISSIONER ELDER: Mr. Elder.
8 Mr. Chairman, Mr. Johnson, can you give me better idea
9 what population is in certain areas. What I'm looking
10 for is district portion of 28 that is to the east of Bear
11 Canyon Tanque Verde and north of the river, Doug?

12 The reason for my question is that we have
13 had geographic features as an edge that we can respect
14 and should respect because we don't have any linkages
15 across there. It is fair size area but density is fairly
16 low. I was thinking in terms of that one corner that is
17 just notched out along 22nd Street it's a higher density
18 area does it equal this area again can we make it more
19 compact, more contiguous get edge over to Tanque Verde
20 that's where peg, Pima Association of Governments has
21 edge, that's where Pima government's, schools, planning
22 unit, are, benefits doing it, if it doesn't balance out,
23 this is maybe as close as we're going to get. Is there a
24 trade can be made.

25 MR. JOHNSON: Commissioner Elder, area in

1 question, 3,800 people.

2 COMMISSIONER ELDER: Half square mile
3 higher density portion of Tucson not affect -- 3,000
4 probably not affect percentages influenced by Tucson in
5 28?

6 Zoom back out and --

7 I was looking densities this area this
8 traded out or over, populations traded over, does it
9 change populations densities or competitiveness?

10 MR. JOHNSON: Almost 2,000 people, so about
11 half the size of the other one. If we came -- the first
12 notch --

13 CHAIRMAN LYNN: Now we're into an interior
14 neighborhood and away from major streets.

15 COMMISSIONER ELDER: No. Never mind.

16 CHAIRMAN LYNN: Mr. Huntwork.

17 COMMISSIONER HUNTWORK: Mr. Chairman, I
18 would like to make a motion. The this is one I -- this
19 is the motion I really feel very bad about making,
20 because we are about to violate the Constitution of the
21 State of Arizona, in my opinion, and I would like it to
22 be reflected the motion, so what I'm going to move is say
23 that despite the fact that this configuration contains to
24 do substantial detriment to communities of interest in
25 the Tucson area and despite the fact it precludes us from

1 correcting the significant detriment that our current map
2 does to communities of interest in Mohave County along
3 the Colorado River, that we should adopt this
4 configuration in Tucson as part of the map that we will
5 present to the court.

6 CHAIRMAN LYNN: Is there a second?

7 COMMISSIONER ELDER: Second for discussion.

8 CHAIRMAN LYNN: Discussion on the motion?

9 Ms. Minkoff.

10 COMMISSIONER MINKOFF: I have a question
11 for the motion, question for Mohave, Northern Arizona.

12 What significance detriment in these
13 communities of Arizona in Tucson, Arizona, do you feel
14 this does?

15 COMMISSIONER HUNTWORK: The ideal
16 configuration of the communities of interest in Tucson
17 was represented better by our original map.

18 CHAIRMAN LYNN: Discussion on the motion?

19 Mr. Elder.

20 COMMISSIONER ELDER: I don't have any
21 further discussion. I guess the reason I made the caveat
22 of the discussion is that we have the issue of the
23 Northern Arizona Mohave County lines up there. I think
24 we should at least look at that one more time, you know,
25 holding this, table it a few more minutes, look at the

1 detriments or substantial detriment we may have affected
2 there leaving it the way it is and looking what
3 alternatives are and come back voting on motion.

4 CHAIRMAN LYNN: I only suggest look at this
5 motion look at Northern Arizona and make a determination,
6 we're at the point now we really need to move ahead. It
7 doesn't preclude reconsideration of Northern Arizona.
8 I'd like to get this on the record and move forward.

9 MR. JOHNSON: Mr. Chairman, a technical
10 note.

11 CHAIRMAN LYNN: The issue we are dealing
12 with here specifically in Tucson, from the beginning,
13 when you talk about community of interest, or talk about
14 the City of Tucson, has to do with ability to have
15 effective representation in Legislature whether or not
16 configuration we consider enhances ability or causes
17 detriment to ability to be considered this configuration
18 of map as it is in the motion is far better in terms of
19 it's ability to provide effective representation than the
20 maps we have previously discussed from Tucson
21 configuration.

22 Mr. Johnson.

23 MR. JOHNSON: The motion is contingent upon
24 NDC's technical review should we find something errant.

25 COMMISSIONER HUNTWORK: There would be a

1 subsequent motion on that. Obviously anything we do at
2 this point --

3 CHAIRMAN LYNN: Any changes today are
4 subsequent to anything we discover. Specific
5 instructions we give you, subsequent to that this edge.

6 Further discussion on the motion?

7 Hearing none.

8 All those in of the favor motion, say
9 "aye."

10 COMMISSIONER ELDER: "Aye."

11 COMMISSIONER HALL: "Aye."

12 COMMISSIONER MINKOFF: "Aye."

13 COMMISSIONER HUNTWORK. "Aye."

14 CHAIRMAN LYNN: Chair votes "Aye."

15 Motion carries.

16 Northern portion of the state, specifically
17 Mohave County.

18 We earlier in the day ordered tests that
19 would have attempted either to try to unify Mohave County
20 or to have gone back to a previous maps configuration of
21 the part of the state and heard a report on those. What
22 is your pleasure, Mr. Hall.

23 COMMISSIONER HALL: Well, I want to
24 probably -- says a week ago this morning I stated our
25 previous map, 2004 adopted map more effectively

1 represented communities northeastern Arizona, reality
2 favoring competitiveness District 3 handcuffed us if you
3 will what we can do in that respect I think in light of
4 the fact we were able to at least unite city Lake Havasu
5 while it did cause division in Flagstaff metropolitan
6 area maintain unity of that city I think this is best
7 scenario we can find given constraints under the court
8 order.

9 CHAIRMAN LYNN: Thank you.

10 Mr. Huntwork.

11 COMMISSIONER HUNTWORK: Mr. Chairman, I
12 agree under court order we are now down to seven
13 competitive districts. Unless we can find another
14 competitive district somewhere that does not do
15 significant detriment or does less significant detriment,
16 or whatever, we now have no basis for correcting the
17 significant detriment that we have caused to occur in
18 Mohave. We cannot do it because of the court's order and
19 solely because of the court's order that there must be a
20 minimum of seven competitive districts. I think, in my
21 opinion, the situation that we face right now is the
22 factual representation of the premise of the court's
23 order. In order to create seven competitive districts in
24 the State of Arizona, in my opinion, in order to create
25 six and order to create five, you have to do significant

1 detriment to communities of interest in the State of
2 Arizona. And -- we, whatever the Court believes we did,
3 we know that we did our best first time to find
4 competitive districts while simultaneously respecting
5 communities of interest and not causing significant
6 detriment communities of interest. We spent days going
7 through that process and did our best. Here, whether you
8 are than talking, believe only four, believe you can find
9 five or six, here is a problem that is obvious, manifest,
10 undeniable. And we can no longer solve solely because of
11 the arbitrary number of competitive districts ordered by
12 the court.

13 CHAIRMAN LYNN: Mr. Elder.

14 COMMISSIONER ELDER: Mr. Chairman, I guess
15 I need to burn everybody into the same dilemma I've been
16 dealing with, and it was restated and clarified during
17 the break in a discussion I had, because I was asked, and
18 I had been mulling and fighting the battle with myself of
19 looking at the Foothills district in Tucson under our
20 March 1st map, or whatever it was, saying it was
21 disenfranchised from any other segment of the community,
22 or district we've put it with, and, from the time we
23 adopted map, I had looked at the area around Kingman and
24 said is it any different because there are no roads that
25 run-down middle Grand Canyon and tie back in with other

1 portions of the district that it is in. The rationale
2 that I've used in trying to make my decision there
3 somebody, you know, the community of interest from the
4 rural to urban, we've got really a rural context or
5 construct in Arizona, we have 40,000 people in Kingman
6 that makes it urban. By definition rural areas are only
7 those around contiguous around City of Phoenix and City
8 of Tucson. So I waffle back and forth no matter which
9 way I analyze doing detriment to one of the communities
10 and with the analysis or with the thought process that
11 brings me back to why we're here and what we do, I
12 believe we do do less harm by making the decision we've
13 just made in the areas of dues on, it does, I want it on
14 the record, we don't have anyway around it with the way
15 the Court order was written we do detriment and
16 substantial areas of Kingman, county seat, river area,
17 river area, with said anybody see parallels with that
18 issue or parallels with that issue or any other issue
19 with Kingman?

20 COMMISSIONER HUNTWORK: I don't think
21 should have made community of interest, it is community
22 of interest. We have thousands of people testifying
23 community of interest, said so first went up there, said
24 so all along, we ourselves recognized it was a community
25 of interest. My opinion at least it is a community of

1 interest, period. And, you know, the irony of all this
2 is that in order to overturn our original maps the Court
3 found we were subject to a standard of strict scrutiny.
4 Here we are making a decision that wouldn't pass, you
5 know, it wouldn't pass any standard of scrutiny. This a
6 obvious blatant failure to protect a community of
7 interest from significant detriment yet we can't do
8 anything about it because of other portions of the order
9 of the court. I don't see anyway around it. We are
10 stuck with the requirement that we have seven competitive
11 districts. We are down to seven. And again, unless you
12 can find another one somewhere, we have to forego
13 changing this one.

14 CHAIRMAN LYNN: Let's just remember the
15 definition of the map we are working with at the moment.
16 This was a map ordered by the court and we started with a
17 grid and created as many competitive district as possibly
18 could. That number 23 if I remember correctly. 23
19 competitive districts immediately quickly went down to
20 five when we applied voting rights criteria to the map.
21 We in fact had to rehabilitate districts to get enough
22 districts to be able to work through any of the other
23 criteria and had them to the map. That alone should tell
24 you that there is an he normal conflict between
25 competitiveness and voting rights, not the lease of the

1 conflict that exists with other interests that the
2 constitution dictates we should consider in our
3 deliberation. So we are unfortunately where we are. We
4 are, but for a floor of seven competitive districts,
5 unable at this point to make any other decisions that
6 would affect the map in a positive way and make it much
7 more of a map that we would be able to live with, proud
8 of, happy to implement and so on. We are, however, at
9 this point. My question is are there any other motions
10 relative to the map we are currently considering.

11 Mr. Hall?

12 COMMISSIONER HALL: No motion. One
13 comment. My frustration with this is that after, with
14 the speed at which we had to proceed, and after scores
15 and scores of hours, and literally hundreds and thousands
16 of dollars spent of taxpayers' money to go through this
17 process, which, frankly, has just begun, and in the event
18 we're able to get through DOJ, and have all the
19 amendments made and all the things from records and
20 election officials, et cetera, and have this map
21 implemented in an election, my feeling is all the hoopla,
22 all the effect on the Legislature is probably minimal.
23 In fact, it's well all of us would desire the greatest
24 competitive contradictory is the overall impact is
25 probably minimal, in my opinion, and that is, that is

1 excess. In my opinion it is a situation of judicial
2 effectivism nationwide. Subsequently, we are having
3 communities suffer, by my opinion lacking the most
4 effective representation they could have four minimal
5 gain in any respect.

6 CHAIRMAN LYNN: Any further comment?

7 I believe we do need a motion this evening
8 for tentative adoption with the notion that, as we always
9 do, to instruct the consultants to double-check all of
10 the boundaries for traps for any of the anomalies that we
11 normally try to get rid of before we past the map through
12 to the court.

13 So is there a motion with respect to the
14 map we currently have under consideration?

15 Mr. Huntwork.

16 COMMISSIONER HUNTWORK: Mr. Chairman, quote
17 unquote, adopted March 1, the carefully worded motions,
18 if I could, I'd like to make motion under the same terms,
19 three motions, three related motions.

20 Could our counselor possible to resurrect
21 that language so that we could have the benefit of it at
22 this time?

23 CHAIRMAN LYNN: I think those motions would
24 need to be modified as a result of public comment.

25 COMMISSIONER HUNTWORK: Yeah.

1 CHAIRMAN LYNN: The March 1st map
2 adjustments made pursuant thereto.

3 COMMISSIONER HUNTWORK: Yeah.

4 CHAIRMAN LYNN: While that is being
5 resurrected, let me go through some of the other agenda
6 items.

7 Mr. Echeveste report from Executive
8 Director?

9 MR. ECHEVESTE: Not at this time.

10 CHAIRMAN LYNN: Thank you.

11 Is there -- just for purposes of making
12 sure that people understand when we will next meet, we
13 will next meet on the 12th. That meeting will commence
14 sometime in the morning, don't know exactly what time --
15 no, probably -- probably mid-morning. I won't know until
16 I get back. You'll have to leave me a message. I won't
17 be here until then. I'll show whenever you show me.

18 COMMISSIONER ELDER: 10:00 o'clock.

19 CHAIRMAN LYNN: I like that number. Tell
20 me.

21 MR. ECHEVESTE: This room is available if
22 you want this room.

23 COMMISSIONER HUNTWORK: Lucky room.

24 CHAIRMAN LYNN: Just a fine room.

25 Are there members of the public wish to be

1 heard at this time before final adoption, tentative
2 adoption. Reserve final adoption for the 12th.

3 MR. MILLS: John Mills for AFLR. There
4 were no slips.

5 We thank the Commission for the amount of
6 work done for the past six weeks, eight weeks, however
7 long, three years. Three years, not three months.

8 We still feel that the Commission, we'd ask
9 the Commission should to try to reduce the population
10 deviation at the current population deviation of three
11 and a half percent. We feel that would be ripe for a
12 court challenge from somebody out there.

13 We would ask that the Commission work for
14 and continue to make the changes necessary to reduce
15 those population deviations. Other than that, the map
16 we've seen is much better than what we saw on March 1st
17 and again, thankfully, thank the Commission for the hard
18 work.

19 CHAIRMAN LYNN: Thank you, Mr. Mills.

20 Other members of the public wish to be
21 heard?

22 Any words of wisdom, Mr. Mandell?

23 MR. MANDELL: No.

24 CHAIRMAN LYNN: Speechless.

25 If not.

1 Ms. Hauser, are you prepared to assist us
2 with --

3 Mr. Johnson, what is the title that we
4 would give the map we just considered, was the map,
5 Tucson portion in a, in the map had all other changes in
6 it, or -- need a map reference to essentially adopt it?

7 MR. JOHNSON: Not one map includes all the
8 different changes. Safest approach, refer to the March 1
9 map modified by changes adopted today.

10 CHAIRMAN LYNN: Get that, Mr. Huntwork?

11 COMMISSIONER HUNTWORK: Okay, Mr. Chairman.

12 CHAIRMAN LYNN: Mr. Huntwork.

13 COMMISSIONER HUNTWORK: I move that we
14 adopt the March 1 map as modified by the changes adopted
15 today solely for purposes of submitting that map to Judge
16 Fields in compliance with his most recent order and with
17 the understanding that by doing so, we are not repealing
18 the final 2002 Legislative redistricting plan currently
19 enjoined by the trial court in order to continue our
20 appeal of the trial court's decision.

21 CHAIRMAN LYNN: Is there a second?

22 COMMISSIONER ELDER: Second.

23 CHAIRMAN LYNN: Discussion on the motion?

24 All those favor of the motion, signify by
25 saying "Aye."

1 COMMISSIONER ELDER: "Aye."

2 COMMISSIONER HUNTWORK: "Aye."

3 COMMISSIONER HALL: "Aye."

4 COMMISSIONER MINKOFF: "Aye."

5 CHAIRMAN LYNN: Chair votes "Aye."

6 It is so ordered.

7 Mr. Huntwork.

8 COMMISSIONER HUNTWORK: I have a question
9 for our counsel.

10 On March 1 we adopted the motion that the
11 map be subject to public comment. At this point, do you
12 feel that there is, that the Constitution requires public
13 comment on this map, with the changes we have made?

14 MS. HAUSER: The Constitution requires
15 public comment on a draft map part of our question to the
16 court was if the Court viewed the March 1 as a draft.
17 Then we felt the constitution required there been a
18 comment period. But a new draft, it's a process we used
19 2001 we have one draft map. We changed in October,
20 changed in November, but didn't generate new comment
21 period 30 taste every time subsequent change so no.

22 CHAIRMAN LYNN: Ms. Minkoff.

23 COMMISSIONER MINKOFF: Mr. Chairman that
24 interpretation certainly seems to make sense but I would
25 assume that as soon as this map is made public there is

1 still going to be reaction to it.

2 MS. HAUSER: Yes.

3 COMMISSIONER MINKOFF: I hope as Commission
4 not close our eyes to it something occurs between now
5 April 12 that is significant enough we reserve the right
6 to react to that comment by changing the map if
7 necessary.

8 CHAIRMAN LYNN: Mr. Huntwork -- Ms. Hauser.

9 MS. HAUSER: Let me point out, the public
10 comment period even though we adopted the draft on March
11 1st way judges order read public comment period was 30
12 days from March eight. So, we're doing --

13 CHAIRMAN LYNN: Few days left.

14 MS. HAUSER: Recent additional public
15 comment in like to take look at.

16 COMMISSIONER MINKOFF: I'd suggest public
17 comment on April 12, persuasive enough, we'd be foolish
18 to say sorry nautilus end to you, because you are to
19 late.

20 COMMISSIONER MINKOFF: My point was we have
21 to keep --

22 CHAIRMAN LYNN: Keep it open.

23 MS. HAUSER: -- keep things open.

24 COMMISSIONER HUNTWORK: Another question.

25 March 1 we adopted a resolution when so

1 ordered by the court our counsel was instructed to submit
2 the Map for preclearance. I would view that as including
3 this map and any further iteration of this map and that
4 we do not need any further motion to that effect. Do you
5 agree, counsel?

6 MS. HAUSER: Yes.

7 COMMISSIONER HUNTWORK: In that case I have
8 no further motions.

9 CHAIRMAN LYNN: Are there any further
10 motions from the Commission?

11 Mr. Johnson are you sufficiently clear in
12 terms of your instructions to proceed so on the 12th we
13 have a tentative map to consider that has been, that has
14 gone through the same kind of technical clean up, so to
15 speak, that all of the maps received prior to final
16 adoption?

17 MR. JOHNSON: Yes.

18 CHAIRMAN LYNN: Any further business to
19 come before the Commission?

20 Mr. Hall.

21 COMMISSIONER HALL: I want to thank our
22 Executive Director, Lou, NDC, and their staff, counsel
23 and their staff, for all the hard work and all that they
24 do.

25 CHAIRMAN LYNN: Any further discussion or

1 statements by the Commission?

2 Anything from counsel?

3 Ladies and gentlemen, the Commission will
4 stand adjourned until 10:00 a.m., this room, on the 12th
5 of April.

6 Thank you all for being here.

7 (Whereupon the Arizona Independent
8 Redistricting Commission adjourned at
9 9:47 p.m. to reconvene upon proper notice
10 on March 12 at 10:00 a.m.)

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STATE OF ARIZONA)
) ss.
COUNTY OF MARICOPA)

BE IT KNOWN that the foregoing Arizona Independent Redistricting Hearing was taken before me, LISA A. NANCE, RPR, CCR, Certified Court Reporter in and for the State of Arizona, Certificate Number 50349; that the proceedings were taken down by me in shorthand and thereafter reduced to typewriting under my direction; that the foregoing 226 pages constitute a true and accurate transcript of all proceedings had upon the taking of said hearing, all done to the best of my ability.

I FURTHER CERTIFY that I am in no way related to any of the parties hereto, nor am I in any way interested in the outcome hereof.

DATED at Phoenix, Arizona, this 16th day of April, 2004.

LISA A. NANCE, RPR, CCR
Certified Court Reporter
Certificate Number 50349

