

ARIZONA INDEPENDENT REDISTRICTING COMMISSION

Thursday, December 15, 2011
1:11 p.m.

Location

**Fiesta Resort - Fiesta I Ballroom
2100 South Priest Drive
Tempe, Arizona 85282**

Attending

Colleen C. Mathis, Chair
Jose M. Herrera, Vice Chair
Scott Day Freeman, Vice Chair
Linda C. McNulty, Commissioner
Richard P. Stertz, Commissioner

Ray Bladine, Executive Director
Buck Forst, Information Technology Specialist
Kristina Gomez, Deputy Executive Director
Stu Robinson, Public Information Officer

Mary O'Grady, Legal Counsel
Joe Kanefield, Legal Counsel

Reported By:
Marty Herder, CCR
Certified Court Reporter #50162

1 Tempe, Arizona
2 December 15, 2011
3 1:11 p.m.

4
5 P R O C E E D I N G S

6
7 (Whereupon, the public session commences.)

8 CHAIRPERSON MATHIS: Good afternoon. This meeting
9 of the Arizona Independent Redistricting Commission will now
10 come to order.

11 Today is Thursday, December 15th. The time is
12 1:11 p.m. -- I mean, a.m. -- p.m.

13 Let's begin with the Pledge of Allegiance.

14 (Whereupon, the Pledge of Allegiance was recited.)

15 CHAIRPERSON MATHIS: We'll begin with roll call.

16 Vice-Chair Freeman.

17 VICE-CHAIR FREEMAN: Here.

18 CHAIRPERSON MATHIS: Vice-Chair Herrera.

19 (No oral response.)

20 CHAIRPERSON MATHIS: Commissioner McNulty.

21 COMMISSIONER McNULTY: Here.

22 CHAIRPERSON MATHIS: Commissioner Stertz.

23 COMMISSIONER STERTZ: Here.

24 CHAIRPERSON MATHIS: We do have a quorum. And we
25 do expect Vice-Chair Herrera to be joining us shortly.

1 Other folks at the table include our legal
2 counsel, Mary O'Grady and Joe Kanefield.

3 Our mapping consultant today, Willie Desmond.

4 We have our staff, chief technology officer Buck
5 Forst.

6 Our executive director Ray Bladine. Glad you're
7 back, Ray.

8 And Kristina Gomez, our deputy executive director.

9 Our public information officer, Stu Robinson.

10 And our court reporter, Marty Herder, is taking an
11 accurate transcript of today's proceedings.

12 So, since our meeting Monday, the next two items
13 on the agenda have been the same for the last few meetings
14 at least. We'll go to item two.

15 Discussion, direction of mapping consultant and
16 possible action regarding adjustments to draft congressional
17 districts and possible action regarding adoption and
18 certification of final congressional districts.

19 So, it looks like Mr. Desmond was very busy over
20 the last couple days.

21 We have a stack in front of us of different change
22 reports for both the congressional and working map and
23 legislative working maps.

24 So, we'll start with congressional. And I'll let
25 Mr. Desmond decide what he'd like to cover first.

1 WILLIE DESMOND: Okay. If you give us just one
2 second. We're trying to make sure that we're able to
3 broadcast to the TriCaster. It should be loading right now.

4 It is. Okay.

5 All right. There are, I believe, ten different
6 change reports for you to look at today.

7 The first one you have for the legislative and
8 congressional are both just showing you the draft map
9 compared to the current working map. So that you can kind
10 of see the progress we've made as we've, as we've come
11 along.

12 Continuing on with the congressional. We have
13 change maps for a map that Commissioner Stertz had put
14 together. Also he asked that I make a full packet of, like,
15 the splits reports and the components reports. So that's
16 been included as well.

17 There's a change report for Commissioner McNulty's
18 second draft of her congressional map.

19 Basically what I did there was just take the
20 changes she had looked at last week, but overlaid them onto
21 the new working map, so that they fit within the context of
22 what's already been done.

23 And after that we go to the legislative.

24 So we're going to -- if you guys want to start
25 with congressional, we can go through the working map again,

1 or else you can just reference this document if you have any
2 questions of what, what has been done to affect all the
3 different districts.

4 CHAIRPERSON MATHIS: Let's go through the working
5 map just to refresh everyone and get us on the same page.

6 WILLIE DESMOND: Okay.

7 And I believe these are either on the website or
8 going to be up in a little while.

9 If there's anyone in the room who would like a
10 copy, I think I have them on a thumb drive, and we can pass
11 it around.

12 (Brief pause.)

13 CHAIRPERSON MATHIS: So the draft plan is the red
14 line here, the darker brownish black line behind it is the
15 working map.

16 The only changes that have been accepted for
17 analysis so far are some that the Hispanic Coalition for
18 Good Government has asked for. Those happened in District 3
19 and District 7 are two voting rights districts.

20 In District 3, a slightly larger portion of Tucson
21 was added to the district. And to compensate, some of the
22 unincorporated area between Tucson and Marana was taken out
23 of the district.

24 This, this now runs up Alvernon, over on Aviation.

25 It used to run, I guess, down Interstate 10 and up

1 at Campbell. That's the change there.

2 Over here there's not really streets. This runs
3 along now it's just unincorporated area, with some
4 population to balance.

5 In District 7, there's been some population swap
6 with District 6 and 9. The district goes a little farther
7 here, out to Priest, over on Van Buren, over on McDowell,
8 and then over on Thomas.

9 I can tell you specifically what north-south roads
10 these are here. But I believe that this is like 47, and
11 this one is -- I don't recall, but -- I'll change this.

12 Okay. The other changes then have been it grabs a
13 little more population here. Instead of coming over to
14 7th Avenue and Indian School, it comes up north of
15 Camelback.

16 It goes up Central Avenue a little bit further.

17 As a result of adding this population, some of
18 it's been removed. It's gone to both Districts 6 and 9.

19 The district used to run along Northern Avenue
20 until it hit 7th Avenue. Now it goes up to Glendale Avenue,
21 takes that over to 43rd, and then meets up with Northern.

22 And those have been the only changes that have
23 been made so far in the congressional draft map -- to the
24 congressional draft map.

25 Are there any questions about that?

1 CHAIRPERSON MATHIS: Any questions?

2 COMMISSIONER McNULTY: Those changes are all
3 Voting Rights Act changes; is that correct?

4 WILLIE DESMOND: Correct.

5 COMMISSIONER STERTZ: Madam Chair.

6 CHAIRPERSON MATHIS: Mr. Stertz.

7 COMMISSIONER STERTZ: Just checked with
8 Strategic Telemetry and where are we -- or with legal
9 counsel where are we with review of the, of the
10 majority-minority districts? What's the status of the
11 analysis?

12 WILLIE DESMOND: We've been working with Dr. King
13 and his graduate students. We have gotten some information
14 back, but at this point we're not ready to present anything.
15 We're still going back and forth trying to figure out some
16 last-minute questions that I have.

17 COMMISSIONER STERTZ: Are there any --
18 Madam Chair, are there any red flags that are being sent up
19 in your discussions, or does -- is the -- is the opinion
20 right now that these two districts are going or are designed
21 in the right direction and feel fairly confident in their
22 work?

23 WILLIE DESMOND: Not right now with the
24 congressional maps, no.

25 COMMISSIONER STERTZ: I'm sorry?

1 WILLIE DESMOND: Not with the congressional maps,
2 no, no red flags.

3 COMMISSIONER STERTZ: Okay. Thank you.

4 CHAIRPERSON MATHIS: Any other questions?

5 VICE-CHAIR HERRERA: Madam Chair.

6 CHAIRPERSON MATHIS: Mr. Herrera.

7 VICE-CHAIR HERRERA: Whose map are we reviewing
8 right now?

9 CHAIRPERSON MATHIS: Sorry. We're just looking
10 at the congressional working map as it stands today. And
11 then Mr. Desmond is going to walk us through the different
12 change reports that he prepared.

13 VICE-CHAIR HERRERA: Thank you.

14 CHAIRPERSON MATHIS: I think we're ready to do
15 that now.

16 WILLIE DESMOND: Okay.

17 Well, the first of the, of the congressional
18 changes to look at today, there's one by
19 Commissioner McNulty and one by Commissioner Stertz. Up to
20 you guys where you start, but I'll leave it to you.

21 If it's all right, we'll start with
22 Commissioner Stertz then.

23 CHAIRPERSON MATHIS: Sure. If that's what you
24 want to do.

25 COMMISSIONER STERTZ: Madam Chair.

1 CHAIRPERSON MATHIS: Mr. Stertz.

2 COMMISSIONER STERTZ: At our -- a week and a half
3 ago I presented a map that was, that was -- had what was
4 considered to be by some of the commissioners substantive
5 changes. And there was a desire to -- and there was a lot
6 of feedback and conversation about how substantive some of
7 those changes are.

8 We also this past Monday, at our hearing,
9 determined that we were going to fix the boundaries of two
10 of the legislative districts, Districts 3 and 7, fix them in
11 a temporary sense so that they could move forward upstream
12 for analysis.

13 The map that I had prepared affected -- the map
14 that I prepared and presented a week and a half ago had
15 affected Congressional District 3.

16 So going down the path and trying to work under
17 those parameters, I had to revisit.

18 So, what I've done -- and I also heard a lot of
19 testimony and reflecting back and there's some issues that
20 are, are areas that led to a higher level of discussion that
21 there was a lot of passion about, specifically in regards to
22 the city of Flagstaff and their placement into -- with the
23 First Nations, the -- so -- and also into the effective --
24 effectively looking at what we call the CD 9 district, or
25 the district that's in the Maricopa area.

1 So what I chose to do for the purposes of today,
2 at the request of some of the other commissioners, was to
3 take a very simple walk-through approach.

4 And there are six -- there's simply just six steps
5 that took place.

6 And if you want to, you can pass those down.

7 These are very simple congressional map
8 modifications, and I can walk you through each one of them
9 and show you where -- effectively what I was trying to
10 achieve.

11 So, again, because Santa Cruz County could not be
12 bifurcated based on the fact that Congressional District 3
13 is now a place holder district for the majority-minority
14 district, and Congressional District 7 as well, there was a
15 lot of commentary, in fact, there was a recommendation by
16 Commissioner McNulty, regarding keeping Cochise County
17 whole.

18 So I began first with keeping Cochise County
19 whole. And simultaneously in one approach that was taken by
20 Commissioner McNulty, she had added that to the urban Tucson
21 area.

22 We've heard a tremendous amount of testimony
23 regarding, and I've brought this up multiple times before,
24 regarding Oro Valley, Saddlebrooke, and Marana, and their
25 relationship with the urban Tucson area.

1 So what -- so the approach that I've taken was
2 quite simple.

3 I have under the first item, which is moving the
4 population of CD 2 -- or CD 1. It's actually going in
5 two directions here.

6 I'm adding, I'm adding the 123,715 people that are
7 in this district from CD 2 into CD 1.

8 Making Cochise County whole, and making that
9 entire district Cochise County part of the eastern rural
10 district.

11 I then to -- an effort to -- I did not, again,
12 based on the place holder district of majority-minority
13 district of CD 3, I did not make the change that I was
14 recommending earlier that we heard testimony on and that has
15 been historically a connection between the greater Tucson
16 urban area and Sierra Vista, I have eliminated that and gone
17 and collected the 123,715 population from CD 1. And which,
18 if you can see by this green line here, this is -- thank
19 you, Willie, for boosting that up.

20 That line right there identifies where the current
21 draft map line shows.

22 So I am capturing this southern part of
23 Pinal County, and Marana, Oro Valley, and the areas that
24 had penetrated down into the Casas Adobes area, and as well
25 as Saddlebrooke, and include those into the greater metro

1 area.

2 So I had a simple exchange of -- from CD 2 to CD 1
3 of 123,715, and from CD 1 to CD 2 of 123,715.

4 This keeps Cochise County whole. It keeps Marana,
5 Oro Valley, Saddlebrooke together with Tucson. And also it
6 enhances the Interstate 10 corridor, which comes through
7 right through here.

8 The third move that I've made is CD 4 to CD 6.
9 This was a request that has come up at multiple meetings,
10 which is the attempt to keep Fountain Hills with Scottsdale.

11 So what I've done is I have taken that divot out
12 and filled the divot in. I have -- by taking it out of CD 4
13 and adding it into CD 6. That was a population exchange of
14 27,605.

15 So this line now becomes the border of CD 6.

16 And we'll see when we get into the splits report,
17 the competitiveness reports, the -- that essentially I've
18 been -- these moves have become relatively lateral, meaning
19 that there was a -- not a large net effect.

20 We've created compactness and solved other of the
21 six criteria that we've been trying to -- we've heard
22 testimony on and wanted to make modifications without
23 significantly bringing detriment to, to the, to the other
24 criteria.

25 Now, if we want to move over, we have a small area

1 that we needed in south -- there's a population set off that
2 needed to be moved from CD 4 to CD 5 of 6610. That is a
3 population center from the southeast corner of CD 5.

4 There's a couple things that occurred. That was
5 a -- it's in that corner right there, which was a population
6 set off just to balance the districts.

7 If you look at the underlying, there is some --
8 there are neighborhoods that were also connected as well.

9 Now, Willie, if we can move up to CD 8 to CD 4,
10 the west side of CD 8, it was -- and I think, Madam Chair,
11 you characterized this as the rural urban district at one
12 time where there's a large urban population -- or a large
13 rural population on the west side.

14 What I've done is to, is to accumulate that area
15 and add that to the rural district of CD 4, extracting it
16 out of CD 8, making eight more compact, making eight more
17 urban, and allowing that urban part of the west side of
18 CD -- of the current CD 8 to be integrated into CD 4.

19 And then out of CD 4 we've -- and that was a
20 population exchange of 32,185.

21 And then from CD 4, what we've been trying to do
22 is to try to accumulate and to keep Anthem, New River
23 together, along with the extension of the I-17 corridor.

24 So that line was the current line of the, of the
25 map, and now I've just scooted it over to be able to pick up

1 New River and Anthem, and include it into the extension of
2 CD 8.

3 And now you look at -- on the splits report, we
4 now have one less split county.

5 In the competitiveness analysis, you'll see that,
6 that it has been a series of for all intents and purposes
7 lateral changes.

8 CD 1 actually becomes a, a slightly, slightly more
9 Democrat.

10 CD 2 has a slight, by a half percent, to
11 Republican.

12 CD 3 was unchanged.

13 It does show in one of the areas both in CD 3 and
14 CD 9 -- or, excuse me, in CD 3 and CD 7, as well as CD 9,
15 that there might have been population adjustments.

16 I'm not sure whether or not that was a -- just a
17 pickup that when Strategic Telemetry was making the
18 adjustments they might have picked up a block one way or the
19 other.

20 But the intent was to not touch three, seven, or
21 nine, and to make modifications to -- that we have heard
22 from public comment.

23 We've now completed fixing the Fountain Hills
24 area.

25 We've completed keeping Cochise County whole.

1 We have completed the relationship between
2 Saddlebrooke, Oro Valley, Marana, being contiguous with the
3 greater Tucson area.

4 As you can see there is no longer two border
5 districts or even any small part of the district touching
6 the border.

7 Three has remained intact. Seven has remained
8 intact. Nine has remained intact.

9 There's been no bifurcation of the First Nations
10 mapping as it occurred.

11 That I was looking at earlier in a attempt to get
12 a higher level of competition between four and one, we were
13 able to -- one is actually slightly more competitive on
14 the -- to -- being a little -- it's almost a 50/50 district.

15 Two is almost a 50/50 district.

16 Nine is almost a 50/50 district.

17 And, of course, three and seven are
18 majority-minority districts.

19 So any questions?

20 CHAIRPERSON MATHIS: Thank you for that
21 comprehensive presentation. That was very helpful.

22 I noticed that we're losing the third border
23 concept idea.

24 COMMISSIONER STERTZ: Well, Madam Chair, the -- to
25 keep Cochise County whole and to keep the Santa Cruz and

1 that border line whole, it becomes -- the only way to try to
2 do it -- and I actually tried to create this little sliver
3 here, and it became, again, almost the same style that we
4 had occurred before, which was an attempt to touch the
5 border for touching the border's sake rather than for
6 actually having an impact.

7 CHAIRPERSON MATHIS: Thank you.

8 Any questions for Mr. Stertz? Comments?

9 VICE-CHAIR FREEMAN: Madam Chair.

10 CHAIRPERSON MATHIS: Mr. Freeman.

11 VICE-CHAIR FREEMAN: Mr. Desmond, could you focus
12 in on the urban Maricopa County area, please?

13 I'd like to look at the map.

14 One thing, I mean, there are a number of things
15 that jump out at me, but one thing that comes to me right
16 now is a concern I have is with -- I have many concerns with
17 the proposed CD 9, but the one in particular is that there's
18 a strong community of interest with Paradise Valley, the
19 Biltmore area, the Arcadia area, Camelback corridor, and
20 sort of the Madison School District area of north central
21 Phoenix.

22 Paradise Valley is not densely populated. I
23 believe it's only about 10,000 people.

24 Just thinking out loud on possible refinements is
25 I could see that going in -- I'm not sure if --

1 Commissioner Stertz, if you know offhand the population of
2 the New River, Anthem area.

3 I have a feeling it exceeds the PV area.

4 COMMISSIONER STERTZ: It does.

5 WILLIE DESMOND: I believe it's about 36,000.

6 VICE-CHAIR FREEMAN: It's actually too much.

7 All right.

8 Well, that's one thing I would like to look at is
9 maybe an exchange there. That would underpopulate six and
10 we would need to get population somewhere.

11 I was thinking that make you could get it from
12 eight, which would allow you to grab more Peoria.

13 Nine would then have to shed a little population,
14 and five would have to pick up, and we'd have to look at it
15 to see if it made sense in terms of whether it introduced
16 any, any splits.

17 That was just one thought.

18 VICE-CHAIR HERRERA: Madam Chair.

19 CHAIRPERSON MATHIS: Mr. Herrera.

20 VICE-CHAIR HERRERA: Mr. Stertz --

21 Commissioner Stertz, the -- this -- the deviation from ideal
22 population, I mean, there's some -- I think most of them are
23 a little off with the exception of three.

24 Any ideas how you would address the deviation for
25 population in the eight and nine districts?

1 COMMISSIONER STERTZ: Well, the -- Madam Chair.

2 CHAIRPERSON MATHIS: Mr. Stertz.

3 COMMISSIONER STERTZ: The deviation population is
4 plus or minus single neighborhoods potentially. For
5 example, on District No. 2, it's a deviation of 41.

6 In district number -- in an adjacent district, it
7 is a deviation of 39.

8 So we know that we're going to be able to make
9 subtle adjustments from one to the other.

10 Because this was the map that -- and let me just
11 share this with you.

12 There is, there is nothing about -- this was the
13 map that I created looking at, looking at this in, in an
14 entirely -- in a different light.

15 We've been arguing about, about competitiveness.
16 We've been arguing about compactness. We've been arguing
17 about certain things.

18 But what I've heard come through is that three and
19 seven were fixed districts, and nine was really a district
20 that, that, that three of these commissioners are really
21 fixed on.

22 And if, if fixing the other parts of the map and
23 fixing the other parts of the state mean compromising to be
24 able to get those fixes, that's going to be a compromise
25 that is going to have to take place or else we're just going

1 to have a map that is going to not meet with the overall
2 objectives that we have been continually hearing across the
3 state.

4 So if it means that a district like nine -- and I
5 would -- I would continue to like to, as
6 Commissioner Freeman had alluded to, look at some of the
7 edges of nine. But in respect to Commissioners Herrera and
8 McNulty, nine was a district that they felt very passionate
9 about.

10 I chose to not touch the edges of that map in this
11 analysis.

12 There are aspects of it that, again, of this map
13 that can be improved.

14 And there are aspects of these small adjustments
15 that we can make.

16 But we are meeting through this map many of the
17 objectives that we have heard through public testimony.

18 We've created a -- it is more compact in our, in
19 our urban areas. We are having -- we now have two truly
20 urban -- or rural districts. And we, and we are meeting
21 with the objective of urban Tucson being connected with its
22 growth corridor up into Pinal County.

23 So I am open for, open for, open for continued
24 discussion on this. Hopefully that this is a -- that I
25 presented this in such a way as that it's comprehensive

1 enough to clearly understand, and that there's aspects of
2 this map that could be moved forward.

3 VICE-CHAIR HERRERA: Madam Chair.

4 CHAIRPERSON MATHIS: Mr. Herrera.

5 VICE-CHAIR HERRERA: Yeah, I do appreciate this.
6 I think this is -- the steps that you provided were easy to
7 follow. I can understand where you took some population out
8 of one and put it into another. I do appreciate that.

9 I, I also appreciate that you didn't mess with
10 three and seven. I think those are things that we, I think,
11 we all agreed on until we get the analysis back.

12 So I appreciate the changes you made. I think you
13 went in a different direction than I would. With further
14 analysis, I definitely may consider. So thank you so much.

15 CHAIRPERSON MATHIS: Thank you.

16 Any other comments or questions?

17 (No oral response.)

18 CHAIRPERSON MATHIS: Okay. Hearing none, so,
19 do -- Mr. Freeman, on your, your question earlier, did you
20 want to see some kind of change then explored by
21 Mr. Desmond?

22 VICE-CHAIR FREEMAN: Well, I don't know how
23 productive it would be at this point in the game to go
24 through it live, but certainly that was one thought that
25 came to mind to respect that community of interest, and it

1 would require -- I mean, there might be other ways to make
2 adjustments. Again, thinking out loud, perhaps if six gets
3 underpopulated but takes population from New River or
4 Anthem, perhaps then this, this chunk of Mesa gets put back
5 in it, that's a possibility, which would clean that up.

6 I think that would be a good change. Perhaps more
7 Peoria could be grabbed.

8 I mean, there's going to be a series of
9 adjustments there to make that happen. It's something that
10 I could certainly look into.

11 COMMISSIONER STERTZ: Madam Chair.

12 CHAIRPERSON MATHIS: Mr. Stertz.

13 COMMISSIONER STERTZ: If it would please you, I
14 would be more than happy to work with Commissioner Freeman
15 in trying to adjust some of these areas so that we can get
16 those changes over to Mr. Desmond in a like format for
17 presentation.

18 CHAIRPERSON MATHIS: If that's the direction that
19 Mr. Freeman would like to go and explore, that's fine.

20 Why don't we all talk -- why don't we talk about,
21 before we give directions to Mr. Desmond, the other
22 congressional change reports that he's prepared, and we'll
23 talk about those, and then maybe at the end talk about what
24 we want to have him do next.

25 Do we want to go to the next change report?

1 WILLIE DESMOND: Okay.

2 CHAIRPERSON MATHIS: And you'll have to refresh my
3 memory at least on some of the directions we gave you.

4 COMMISSIONER McNULTY: Mine too.

5 It has my name on it, but I have no idea what it
6 is.

7 WILLIE DESMOND: So at the last meeting you had
8 asked that I go ahead and take any of the changes that were
9 still kind of undecided out there, and see how I could work
10 them in with the new working map, so that, you know, we're
11 not trying to go back to something that doesn't necessarily
12 fit anymore.

13 So for this map, what I did was I took the, I took
14 the McNulty map that I believe was on the 5th and laid it
15 over the top of the working map and adjusted some population
16 there.

17 There were some small shifts that had, you know,
18 affected this map from Districts 3 and 7, and kind of
19 applied it again, so that, so that if it was something that
20 you wanted to explore again, we were able to look at that
21 based off of what we have so far.

22 So I'd be happy to go through some of the changes
23 that happened from the draft map, and kind of retrace our
24 steps.

25 The first one was, again, to keep Cochise County

1 whole.

2 In this case, Cochise County was incorporated into
3 District No. 2.

4 District 2 then had some population switches with
5 District 3.

6 We'd have to look and make sure that those don't
7 undue some of the changes from Hispanic Coalition for Good
8 Government, but I believe that's the case, but I could be
9 wrong.

10 Going back out to the rest of the state,
11 District No. 1 needs to pick up a little population. It
12 does that in the Verde Valley.

13 It -- instead of -- it basically moves the
14 Village of Oak Creek into the rest with Sedona and
15 Camp Verde and Lake Montezuma.

16 As a result, District No. 4 is a little
17 underpopulated.

18 District No. 4 then picks up some population here,
19 keeping District 8 going back to the county line.

20 And also in, in the New River and Anthem area, it
21 keeps -- it, it takes a little bit more population here.

22 District 6 is then underpopulated, so it balances
23 its population with number eight.

24 Also District 6, the Paradise Valley area -- or
25 Fountain Hills, excuse me, is put in with Scottsdale.

1 So what this does is it incorporates
2 Fountain Hills with Scottsdale, it keeps Cochise County
3 whole, and it moves Oak Creek into District 1 with the rest
4 of the Verde Valley.

5 COMMISSIONER McNULTY: Madam Chair.

6 CHAIRPERSON MATHIS: Ms. McNulty.

7 COMMISSIONER McNULTY: Mr. Desmond, are the
8 districts now all balanced on that map?

9 WILLIE DESMOND: I believe so, yes.

10 The biggest deviation is negative 23 people in
11 District 8. So it's not perfectly balanced. There will be
12 a little tweaking at the end.

13 COMMISSIONER McNULTY: The one thing I like about
14 this map is that it reduces the huge size of CD 1, which I
15 think is one comment that we heard more than anything else.

16 And of course public comment, it was that CD 1 was
17 so huge, it was unrepresentable.

18 I think that Marana, Oro Valley, and Saddlebrooke,
19 we heard a lot of comments, at least from folks in
20 Saddlebrooke, and to a lesser extent Oro Valley and to a
21 much lesser extent Marana, about the relationship of those
22 communities.

23 And this map does keep them together in what is by
24 and large a rural district. I think less than 30 percent of
25 that district is urban, although there are three sort of

1 centers of community denser population. One would be that
2 Pinal County area. One would be the sort of central part of
3 the district. And the third would be Flagstaff.

4 So I think each of those areas would have a strong
5 voice in the district with the other rural communities.

6 I think I'd like to use this opportunity to just
7 talk about my perspective on community of interest.

8 I know we don't have a definition that we've
9 adopted as a Commission, and I think one of the reasons for
10 that is because we felt it would be difficult to arrive at a
11 consensus definition.

12 And I know we each have our own perspective on
13 what communities of interest are. And so I'd like to expand
14 on what mine is. I've talked about this a little earlier,
15 but I'm going to say this again.

16 I've spent a lot of time thinking about it and
17 kind of wrote out the way I view it.

18 I think it's a group of people residing in a
19 specific locale who have common cultural or historic
20 heritage which defines them that and which transcends their
21 political party affiliation and who draw together to an
22 advocate on behalf of their community on issues that are
23 within the purview of representatives elected from the
24 districts whose boundaries are being drawn.

25 So, I see a community of interest as a fairly

1 small group of people that come together to take civic
2 action with regard to the kinds of issues that the
3 representative of the district that we're considering would
4 be concerned about.

5 I see some folks here today in the audience from
6 Guadalupe, or -- I would think of Guadalupe as a community
7 of interest.

8 I think of Saddlebrooke as a community of
9 interest.

10 I don't think of Saddlebrooke, Oro Valley, and
11 Marana together as a community of interest. Although we
12 worked extremely hard in drawing these maps to develop
13 districts, we know that makes sense from a community
14 perspective.

15 When I think of a community of interest and not --
16 and respecting it, my perspective is we don't take a town
17 like Guadalupe and draw a line down the middle of that.

18 I don't think a community of interest is a
19 network.

20 I don't think a community of interest should be
21 used for the purpose of promoting any political party.

22 And I don't think it's an exclusionary device.

23 I don't think it's a reason to say we're different
24 from those people and we don't want to be with them.

25 And I think congressional and legislative

1 districts are compilations of different communities and
2 different communities of interest.

3 Our job isn't to ensure that any community, any
4 community of interest has a certain type of representation.

5 I think it's our job to respect to the extent
6 practicable the ability of communities of interest to draw
7 together and have their voices heard as communities with
8 other voices within their district.

9 So, Madam Chair, I apologize for taking this time,
10 but I know it's important that we do have these things in
11 our record.

12 And that's been my perspective as I've looked at
13 pulling these districts together throughout the state about
14 what a community of interest is.

15 So having said that, I -- we've heard a lot of
16 comment, as I said, particularly from Saddlebrooke, on the
17 Marana, Oro Valley, Saddlebrooke area. And a lot of
18 conflicting comment.

19 I was looking through my notes over the last
20 couple days, and, for example, on September 27th, 2011,
21 Ms. St. Angelo, who's been a political consultant, who's
22 attended many, many, many of our meetings, testified that
23 Casa Grande was much more similar to their community and
24 that all the growth was north along the Tangerine corridor
25 and into Pima County and along the Picacho Peak

1 transportation corridor.

2 So I just raise that because there are very
3 different ways of looking at all these communities and how
4 it worked together.

5 We've got 120,000 people in that part of the
6 state. And I think it makes sense for Tucson at this point,
7 by Tucson I mean the southern Arizona metropolitan area, to
8 have another congressional representative.

9 So I don't find that as concerning as some do.
10 And I do find -- I do like the idea of reducing the size of
11 CD 1 given all the comments that we heard about that.

12 Thank you.

13 CHAIRPERSON MATHIS: Thank you.

14 Other comments or perspectives?

15 COMMISSIONER STERTZ: Madam Chair.

16 CHAIRPERSON MATHIS: Mr. Stertz.

17 COMMISSIONER STERTZ: The, the concept of
18 representative government is, is really the crux of what
19 we're talking about in these redistricting and creating
20 these maps. And that's that not only were we given the, the
21 context of the requirements of the six criteria given to us
22 by the, by the people of the state of Arizona through their
23 voting for Proposition 106, but also that, that with that I
24 believe that they were trying to craft, craft it in such a
25 way such as to give representatives a -- that have got broad

1 discretion in what -- how they're representing the people in
2 their districts in Washington, but there's some commonality
3 in what those issues are.

4 For example, in, in, in Congressional District 1,
5 we've got everything from mining to -- there's three large
6 reservoirs in the -- aquifers, I should say, in the south,
7 the southeast part of the state. We've got ranching.
8 We've got forestry. We've got public enjoyment, public
9 lands.

10 We've got a large quantity of First Nations that
11 have been combined together.

12 So, as a representative going to -- and we've also
13 got the Pinal County connection, which is a combination of,
14 of a -- of rural that is emerging into, into urban.

15 So Cochise County has got approximately
16 130,000 people living in it.

17 There's a -- we've reduced, by the nature of this
18 design, we've reduced the quantity of representation of
19 Pinal County.

20 We've maintained the representation up in the
21 northeast, in one, in how I've described it.

22 So I think that there could be a representative
23 that could be elected from anywhere from Flagstaff to
24 Pinal County to Cochise County to represent District 1.

25 I think that's a very good balance, and someone

1 that has got a clear understanding of all those issues would
2 make a great representative in, in Washington.

3 Likewise, in the new CD 4, the western side of
4 what was -- what we've got in our draft maps in draft eight,
5 those are, those are rural areas that are now combined with
6 the rest of the rural part of the ranching side, everything
7 from north Pima County, to La Paz County and Mohave County.

8 Those are -- there's a -- there's transportation
9 and, and history that are all wound nicely together.

10 I'm still not comfortable on how four hooks around
11 to pick up the east side of the growing metro Maricopa area,
12 but that's something that, again, we've been going back and
13 forth on this ad nauseam and trying to get to a place where
14 we can get to a map that we can forward on to DOJ.

15 And as Commissioner Herrera has put forward a
16 number of times, this is all about, about looking at it and
17 compromising.

18 And that's the reason why I put the map together
19 the way that I have today.

20 There are aspects of it that, that I believe in
21 all four corners meet with the objectives that we've been
22 looking to do, even though we're -- it's not the map that I
23 put forward a week and a half ago, which I love. This is a
24 map that is -- that marries a lot of those together into
25 one.

1 I find that this probably is as close as I can get
2 to, with a few tweaks on the edges, a few adjustments as I'm
3 sure as will be suggested, as close as we can to being
4 something that we can move forward.

5 So, the concept of communities of interest,
6 Commissioner McNulty's right. We left that to our own
7 personal discretion. And there has been commentary about
8 that.

9 But I think when we look at representative
10 government, it is how they can represent a group of -- that
11 has something in -- a series of things that they have in
12 common when they go back to Washington.

13 And the two rural districts make a ton of sense
14 for that reason.

15 The urban districts make a lot of sense for that
16 reason.

17 And the areas of greatest level of expansion,
18 which is the northwest side of Tucson and the connection up
19 the I-10 corridor, makes a -- makes all the sense in the
20 world that somebody going back to Washington is going to
21 have a clear and concise understanding of what those, what
22 those needs of his or her constituents are going to be.

23 CHAIRPERSON MATHIS: Thank you.

24 Other comments?

25 VICE-CHAIR FREEMAN: Madam Chair.

1 CHAIRPERSON MATHIS: Mr. Freeman.

2 VICE-CHAIR FREEMAN: Excuse me.

3 With respect to communities of interest, I am not
4 going to be able to speak with the eloquence
5 Commissioner McNulty just did, but I have addressed that
6 issue before.

7 I think it's incumbent upon the Commission,
8 whatever it does, to apply standards evenly, fairly,
9 consistently across the state.

10 We may not be able to do that in the voting rights
11 districts, because obviously federal law governs and trumps
12 what we're trying to do.

13 But in the rest of the state we need to be even
14 and fair.

15 And during my time on the Commission I've heard
16 various rationales for including various communities with
17 other communities.

18 Inconsistent rationales at times.

19 I've heard a thousand points of light, it doesn't
20 matter as long as we don't split the small community, we can
21 assemble them however we want.

22 But also heard, well, this community doesn't fit
23 with the other districts, so let's not put those communities
24 there.

25 I've also heard rationale supporting the large

1 rural districts.

2 I believe there is a rural community of interest
3 that creates a very large district.

4 I don't think we've had concerns about both sets
5 of maps we've looked at so far today whether that community
6 of interest has been respected.

7 I think there's more with than one way a community
8 of interest can be disrespected.

9 I think you obviously can disrespect it by
10 splitting it. Splitting the town or the city or splitting
11 the groups of communities with a line down the middle.

12 I think you can also disrespect a community of
13 interest by placing the community, although whole, with a
14 radically -- a completely different community that has
15 conflicting different interests.

16 A community of interest is a group of people that
17 can be defined by a contiguous geographic area that, that is
18 looking to have a voice in the legislature.

19 And obviously we split the community by drawing a
20 line down the middle of it. You inhibit that voice because
21 you decrease the effectiveness of that voice. Because
22 you've split the community. And now that community
23 represents a much smaller segment of the districts or
24 multiple districts in which it finds itself.

25 But you can also take a community and place it,

1 keeping it whole, and place it in another -- with another
2 part of the state that has radically different interests and
3 that overwhelms that community such that once again that
4 community of interest, its voice has been stifled in a way.

5 And I think we hear a lot of that with the rural
6 community of interest.

7 They -- there is the concern and I've heard that
8 if you include -- it doesn't take much of an urban area to
9 include with a rural district before the urban interests
10 predominate.

11 It doesn't have to be 50 percent plus one. I
12 think the concern is even if you've got 20, 15, maybe even
13 10 percent an urban population in a district -- an otherwise
14 rural district, that urban voice speaks much loudly,
15 clearly. It's where people are concentrated. They're easy
16 to reach.

17 Perhaps there's more money there. Perhaps that's
18 where the candidate comes from.

19 And the rural community is -- their interests are
20 not heard quite as clearly.

21 So -- and that's why, you know, there are
22 certainly aspects of this particular map that I think are
23 helpful.

24 I still have concerns about, in particular, that
25 rural community of interest.

1 We've got parts of Tucson suburbs included in a
2 eastern rural district.

3 We've also got that arm coming over from the west
4 that's including, you know, San Tan Valley and
5 Apache Junction, and Florence even, with that so-called
6 river district.

7 And then you've got District 8, which is a mixture
8 of rural and some urban areas in western Maricopa County.

9 You know, I've got concerns about that, at least
10 hitting on the rural versus urban interest, that rural
11 community of interest is being disrespected.

12 And, you know, I think there are ways -- I think
13 Commissioner Stertz tried out a map on Monday, which in many
14 respects comported with, with ways that I was looking at
15 addressing the congressional map such that I didn't think it
16 was necessary for me to roll out my map. There were
17 differences.

18 I think, you know, I'm interested in what he's
19 proposed today. It's the first time I've seen it.

20 So, you know, perhaps there are ways that it could
21 be adjusted and fine tuned and better meet -- to better meet
22 all six of the goals.

23 CHAIRPERSON MATHIS: Thank you.

24 Other comments?

25 COMMISSIONER McNULTY: Mr. Desmond, could we

1 look at the -- what are the number splits in Pinal County on
2 the -- these two maps?

3 (Brief pause.)

4 WILLIE DESMOND: So, the, the only real difference
5 is that Marana, Oro Valley, and Catalina go to District 2 in
6 Commissioner Stertz's map. That's the green line.

7 There is a split of Eloy that happens there.

8 But that's the only split.

9 COMMISSIONER McNULTY: The only new split.

10 WILLIE DESMOND: The only new split in
11 Pinal County, I believe.

12 Actually, no. There is a small portion of, of the
13 San Tan that goes into District 5.

14 But that's the only new split.

15 COMMISSIONER McNULTY: So do we have the report of
16 how many total splits there are in each county now?

17 We're not including that in these summary reports;
18 is that right?

19 WILLIE DESMOND: That's not in the summary
20 reports.

21 COMMISSIONER McNULTY: Good.

22 WILLIE DESMOND: What I could do is run the full
23 set of reports for --

24 COMMISSIONER McNULTY: That's okay. That's all
25 right. I was just curious.

1 The other thing I see about this, about the
2 movement of Cochise County back into -- the whole of
3 Cochise County into CD 1 is that it degrades the
4 competitiveness of Congressional District 2.

5 Under index two it says the difference is
6 1.8 percent.

7 Republican leaning nature of the district is
8 increased.

9 Democratic nature is decreased. Democratic
10 performance is decreased.

11 It looks like that's true under all of the
12 indices.

13 I would, I would be concerned about that also.

14 CHAIRPERSON MATHIS: Any other comments or
15 questions?

16 COMMISSIONER STERTZ: Madam Chair.

17 CHAIRPERSON MATHIS: Mr. Stertz.

18 COMMISSIONER STERTZ: In regards to the proposed
19 degradation of competitiveness in Congressional District 2,
20 it's a, it's a half of, half of a percent swing to point --
21 to .6 percent of a swing in -- actually bringing -- it's
22 very close to being a 50/50, even in registration.

23 There was a slight increase in the ability or in
24 the competitiveness on the -- it's 50.9 percent to 49.1
25 percent in index two.

1 50.9 percent to 49 percent in index three.

2 53.1 to 46.3 in index four, and so on and so
3 forth.

4 It was very close -- very, very, very, very close
5 to what it was previously.

6 Unlike interest in District 1, it's gone in
7 the district -- it has gone to the improvement of the
8 electability of Democrats. It's gone from, index two, from
9 a 40 -- 50.1 to 49.9, from 49.4 to 50.6.

10 So there's a -- there was a give and take.

11 Again, looking at the relationships of -- and how
12 representatives would be working in these districts.

13 The cleaning up of the split of the town of Eloy,
14 Commissioner Herrera had alluded to that there was some
15 cleaning up that needs to be done regarding some deviance --
16 some very miniscule deviation of population.

17 There's probably also some, some community splits
18 that were, that were unnecessarily made, or unintentionally
19 made, I should say, that could be, that could be cleaned up
20 by just getting down to the detail and the block level.

21 So, I just wanted to make sure that we had
22 clarification of those points.

23 COMMISSIONER McNULTY: Madam Chair, just one
24 additional point on Mr. Stertz's comment.

25 The -- it's five percent on each side. So it's a

1 total of one percent, and it's one percent farther from
2 50/50 than it was.

3 And we have, we have four solidly Republican
4 legislative -- congressional districts and two solidly
5 Democratic voting rights districts.

6 So my goal would be not to degrade the
7 competitiveness on the remaining competitive congressional
8 districts.

9 COMMISSIONER STERTZ: Madam Chair.

10 CHAIRPERSON MATHIS: Mr. Stertz.

11 COMMISSIONER STERTZ: Again, the degradation is
12 not five percent. It's half of a percent. So I'm not
13 sure if --

14 COMMISSIONER McNULTY: I misspoke. I thought I
15 said .5 percent --

16 COMMISSIONER STERTZ: .5

17 COMMISSIONER McNULTY: -- each way for a total of
18 a percent.

19 COMMISSIONER STERTZ: Yeah, and in the, in the
20 Democrats, it's .8 percent for a total of 1.6 percent swing
21 to the improvement of Democrats in the Congressional
22 District 1.

23 These are, these are -- we've actually improved
24 the registration -- the two-way registration in, in -- from
25 the new plan to the old plan in registration alone in

1 District 1 from 43.2 percent Republican and 56.8 percent
2 Democrat, to 40 -- from 43.2 down to 42.4.

3 And for Republicans up from 56.8 to 57.6 in
4 Democrats.

5 So, just by looking at registration, also looking
6 at competitiveness.

7 One becomes a, a -- and, again, looking at
8 minor -- at the, at the mine inspector race, we've got -- we
9 now have got -- are looking at one, two, and nine being
10 competitive districts.

11 There are four -- there are two solid Democratic
12 districts and four districts that are, in my opinion, solid
13 Republican districts.

14 At the same time we are meeting with the criteria
15 of all of the other aspects of the -- of our constitutional
16 criteria, or getting as very close to them as we can,
17 so. . .

18 VICE-CHAIR HERRERA: Madam Chair.

19 CHAIRPERSON MATHIS: Mr. Herrera.

20 VICE-CHAIR HERRERA: Are the maps, the maps that
21 Mr. Stertz, Commissioner Stertz, presented, and as well as
22 the change reports, are they available online for the public
23 to review?

24 CHAIRPERSON MATHIS: I would have to ask.

25 WILLIE DESMOND: Buck just gave me the thumbs up

1 that they are up. The change reports are all up.

2 This whole packet from Commissioner Stertz is not
3 up right now.

4 But there is a map, the Google map, the block
5 Google equivalency file and the change report for each one
6 of these is now web site.

7 VICE-CHAIR HERRERA: Thank you.

8 COMMISSIONER McNULTY: Madam Chair, Mr. Desmond,
9 have you been able to determine the number of splits in
10 Pinal County?

11 WILLIE DESMOND: The number of splits to the
12 county or the number of splits -- census splits?

13 COMMISSIONER McNULTY: The number of splits to the
14 county.

15 WILLIE DESMOND: I believe it's five.

16 COMMISSIONER McNULTY: What is our working map?

17 WILLIE DESMOND: I believe it's three.

18 COMMISSIONER McNULTY: I just don't want to lose
19 sight of some of the things that we worked so hard to
20 accomplish as we were developing the working draft, because
21 we spent, as I recall, a long days listening to folks from
22 Pinal County being concerned about those splits.

23 So, and we worked hard to come up with a working
24 draft that minimized those splits, so I just don't want to
25 lose sight of that.

1 COMMISSIONER STERTZ: Madam Chair.

2 CHAIRPERSON MATHIS: Mr. Stertz.

3 COMMISSIONER STERTZ: One of the reasons for the
4 added, for the added splits was actually creating a
5 community that is growth -- that grows from south side of
6 Pinal County into, into, into the north side of Pima County,
7 which is, which is the creation of that split.

8 It's a logical split.

9 It -- there are some other areas that are natural
10 because of, of First Nations. And that's where -- and then
11 there's one other small split that I think we could actually
12 accommodate by clipping out of that. It doesn't necessarily
13 need to be there.

14 So, it's a split in one direction versus another.

15 In other words. Pinal was split to keep from Pima
16 being split.

17 So, in my opinion it's a, it's an appropriate
18 tradeoff of, of the splits.

19 We've also gone from seven unsplit counties now to
20 eight unsplit counties.

21 Commissioner McNulty had that as well in her, in
22 her map of the -- of Cochise County connecting to
23 Maricopa County, but again -- or to, to leave urban Tucson
24 area, but I've let the map stand on its own.

25 Commissioner Herrera alluded to the public has got

1 full view of this. I look forward to hearing any comments
2 coming from the public on, on, on this new approach.

3 This is a -- trust me, this is a, this is a high
4 level compromised map.

5 We want to go back to the map we presented, that I
6 presented last Monday, which, which there's a lot of areas
7 that make a lot more sense than this does from my
8 perspective.

9 But I've looked at this as being a map of
10 compromise.

11 And the resistance that I'm feeling right now
12 immediately from Commissioner McNulty is one that I am
13 really hoping we can overcome pretty quickly.

14 Because this is a map that's -- that I'm working
15 diligently to compromise to have work.

16 If not, I'm going to go back to the map from a
17 week and a half ago and start pressing that forward real
18 hard.

19 This map is a map of compromise.

20 This is looking at some communities and some
21 representatives and public that came out and spoke to us.
22 And whether or not you have something on some date where
23 Lynne St. Angelo came and gave one piece of testimony, we've
24 got volumes and volumes and volumes of folks that say that
25 they want to be kept connected together.

1 And Lynne St. Angelo came out and spoke at one
2 time and said that they want to keep themselves together as
3 a group.

4 So, we keep hanging ourselves back on that, so,
5 enough said on that.

6 CHAIRPERSON MATHIS: Any other thoughts, comments?

7 COMMISSIONER McNULTY: I have two thoughts. One
8 is that we also, you know, received dozens of letters from
9 folks in that area who said they looked north and never
10 visit Tucson, so -- or almost seldom visited Tucson. So we
11 have received conflicting comments.

12 The other thing I'd point out while we're having
13 this conversation, because I know we're going to be getting
14 to the issue of, quote, transparency, closed quote, later in
15 the meeting, is that all of this is happening, you know,
16 right here in this meeting. And folks are watching online,
17 and people are sitting in the room watching.

18 And, you know, Mr. Stertz has put together his
19 proposed changes, and they're all here for everyone to see.

20 And it doesn't really matter who he talked to, you
21 know, who he got ideas from. His, his ideas are here, and
22 they're fully analyzed, and they're presented, and data that
23 Strategic Telemetry has given us, and the consequences of
24 the changes that he would propose to make have been set out
25 for all of us to look at and study.

1 So I just want, I just want to make that point
2 when we get to it later. Because the proof is in the
3 pudding.

4 And this is the pudding. You know, what
5 Mr. Stertz has laid out here is what he would like to do.
6 And everybody has the ability to look and see how that would
7 work in the state.

8 So it's a very transparent process, and I think
9 this just demonstrates that.

10 VICE-CHAIR HERRERA: Madam Chair.

11 CHAIRPERSON MATHIS: Mr. Herrera.

12 VICE CHAIR HERRERA: I agree. This has -- I think
13 even when we get the information, I think we've gotten
14 already, from our executive director how transparent we've
15 been in terms of the meetings we've had in the public, how
16 easy it is for us to access the Commission, and being able
17 to view this information online or streaming.

18 So we have been extremely transparent. And I'm
19 proud of that.

20 And that's why I've asked the executive director,
21 as often as he can, preferably at every meeting, mention
22 that and talk about the statistics and how we've been able
23 to reach out to the public, not only in public hearings,
24 but, again, through these meetings, online streaming, our
25 website.

1 So, again, I agree with Commissioner McNulty on
2 those comments about transparency.

3 But I also want to talk about, you know,
4 compromise, you know. We're always going to be
5 compromising. The maps aren't done yet.

6 I felt like I've compromised, and especially
7 Commissioner McNulty.

8 And so have you, Commissioner Stertz.

9 And we'll continue to compromise until these maps
10 are done.

11 And the way things are going now, I'm very pleased
12 that we've taken a different approach, as opposed to what
13 we've done in the past, especially recently.

14 This is definitely something that I'm -- you know,
15 to be honest, I was dreading this meeting, because I -- of
16 what was happened in the past, in the recent past.

17 But today is a completely different tone, and I am
18 hoping that it stays that way, that we stay cordial and work
19 on compromise and continue to work on compromise.

20 So I'm appreciative of Commissioner McNulty and
21 you, and hopefully we can stay this way and work on ways
22 that we can agree on.

23 CHAIRPERSON MATHIS: Thank you. I would echo
24 those sentiments.

25 Any other thoughts?

1 (No oral response.)

2 CHAIRPERSON MATHIS: I would like to talk about
3 Congressional District 8. Just in looking at Mr. Stertz's
4 map, and I know it's really hard to look at these things in
5 isolation, and you really can't, because as we know any
6 changes anywhere affect everything else.

7 But, nonetheless, I really do like his
8 Congressional District 8, just in terms of the compactness
9 and his ability to keep the rural in the rural and the urban
10 in the urban.

11 And I am just wondering what other commissioners'
12 thoughts are on that.

13 VICE-CHAIR FREEMAN: Madam Chair.

14 CHAIRPERSON MATHIS: Mr. Freeman.

15 VICE-CHAIR FREEMAN: I agree it's an improvement.

16 I would like to see now some efforts to see
17 further refinement or iterations whether we could capture
18 more of Peoria.

19 I don't know what the density population there is
20 that is being excluded, but that's -- if it's slightly
21 populated, it's probably an area that's -- it's unpopulated,
22 so it's -- okay. I got my answer.

23 But, anyway, that could be an area that could be
24 cleaned up easily if it's an unpopulated area.

25 COMMISSIONER McNULTY: Madam Chair.

1 CHAIRPERSON MATHIS: Ms. McNulty.

2 COMMISSIONER McNULTY: I agree. I think there
3 hasn't been that much -- it looks good. I would like to
4 understand what the implications are as it works around the
5 map, but I do think it's certainly an improvement in look,
6 in concept.

7 VICE-CHAIR HERRERA: Madam Chair.

8 CHAIRPERSON MATHIS: Mr. Herrera.

9 VICE-CHAIR HERRERA: As I said before, just
10 looking at what Commissioner Stertz has presented, this
11 looks good.

12 I would love to have some time to analyze it
13 further and see what effect it has on the other districts,
14 especially on the competitiveness of District No. 2.

15 Which I agree with Commissioner McNulty that we
16 only have three competitive districts. Let's not take away
17 any of the competition for any of these three competitive
18 districts.

19 CHAIRPERSON MATHIS: Okay.

20 Were there other change reports we wanted to go
21 over, Mr. Desmond, in terms of the congressional map?

22 WILLIE DESMOND: No, that was it for
23 congressional.

24 CHAIRPERSON MATHIS: Okay.

25 WILLIE DESMOND: Just the three. The one that

1 compared change to draft and then the two that, the McNulty
2 and Stertz, to the working.

3 CHAIRPERSON MATHIS: So what I'm hearing from
4 commissioners is we would like to look at what Mr. Stertz
5 created in terms of different districts and do some deeper
6 analysis on this very thick change report we have in front
7 of us to kind of see what that means vis-a-vis the working
8 map.

9 VICE-CHAIR HERRERA: Madam Chair.

10 CHAIRPERSON MATHIS: Yes, Mr. Herrera.

11 VICE-CHAIR HERRERA: I would also -- I have a
12 chance -- I haven't had a chance to look at the changes that
13 Commissioner McNulty had proposed, but I would also like to
14 review them a little bit further and compare them to the --
15 Commissioner Stertz's changes, and compare them side by
16 side.

17 So I would like to review both again, hopefully
18 tonight.

19 CHAIRPERSON MATHIS: Is there anything that
20 Mr. Desmond can do to make that analysis easier?

21 I'm just thinking out loud.

22 I'm just wondering if there's anything -- I know
23 Ms. McNulty proposed changes last week. Mr. Stertz had
24 presented this information.

25 Would it make any sense to do any side by side

1 analysis or comparison of anything with regard to that? Or
2 could it even --

3 WILLIE DESMOND: What we could do is we could run
4 the same change report, using the two maps, and you'd see
5 the differences between the two, I guess.

6 The two change reports are both run off of the
7 same, you know, base working map.

8 So comparing them is a pretty fair comparison.

9 But if there -- if you have ideas, I'm sure we can
10 put something together that might facilitate it.

11 Perhaps it would be good to just run the full set
12 of reports. Commissioner McNulty's, I can do that
13 opportunity and e-mail that around so you guys have it
14 tomorrow morning to analyze.

15 I'll bring copies, hard copies to tomorrow's
16 meeting.

17 CHAIRPERSON MATHIS: That sounds good.

18 VICE-CHAIR HERRERA: Madam Chair.

19 CHAIRPERSON MATHIS: Mr. Herrera.

20 VICE-CHAIR HERRERA: I did receive a text from a
21 couple friends who are watching the -- this just online, and
22 they -- I was told that they weren't able to find the, the
23 data for Commissioner Stertz's changes. The map they did,
24 but they weren't able to find the data.

25 BUCK FORST: Everything is up.

1 VICE-CHAIR HERRERA: Again, this is a text. I'm
2 just the messenger.

3 BUCK FORST: I'll look again.

4 VICE-CHAIR HERRERA: Please. Thank you.

5 CHAIRPERSON MATHIS: Actually, if Mr. Stertz is
6 amenable, the congressional map modification table that you
7 prepared, is that something that can go on the Internet too?

8 I think that would be helpful for the public to
9 see the map improvements step by step.

10 WILLIE DESMOND: So --

11 CHAIRPERSON MATHIS: If you have that.

12 WILLIE DESMOND: I don't have that.

13 Commissioner Stertz, if he has that
14 electronically, he can probably give that to Buck to update.

15 VICE-CHAIR HERRERA: Madam Chair.

16 CHAIRPERSON MATHIS: Mr. Herrera.

17 VICE-CHAIR HERRERA: The information is up. Do
18 you mind, for people that are watching, point where they can
19 find that information.

20 WILLIE DESMOND: Yes.

21 So, if you -- you're at the home page, you click
22 on the map section, you have the changes from 12-15.

23 First of all, on the top you have the two working
24 maps.

25 So if you're interested in seeing the working

1 maps, those are both here. But then dated by date are all
2 the changes that the Commission has looked at.

3 So from today, there is changes from 12-15.
4 CD McNulty version two. CD Stertz V2.

5 And then there's five legislative changes that
6 we'll look at.

7 So if you click on the Google maps, that will take
8 you to a map of the state of Arizona.

9 Again, the color is the districts as changed.

10 There's a faint green outline that shows what the
11 old border was. So you can kind of compare.

12 But those are available.

13 You also have a JPEG. And that's just kind of a
14 statewide in most cases, but in some cases where there's
15 very specific changes, a more zoomed in map to see what
16 changes look like.

17 There's a PDF, and that is the change report that
18 the commissioners received. It's exactly the same.

19 And then there's the DBF. I won't click on that,
20 but that's the block equivalency file for those people that
21 have mapping software and want to load the plans on their
22 own software.

23 CHAIRPERSON MATHIS: Thanks for walking us through
24 that.

25 And thanks for getting them posted to the website,

1 Buck.

2 Do commissioners have any other things they'd like
3 to mention on the congressional map or any changes that
4 you'd like to explore with -- have Mr. Desmond explore?

5 (No oral response.)

6 CHAIRPERSON MATHIS: Okay. Hearing none.

7 Do you have what you need, Mr. Desmond, and you'll
8 create.

9 WILLIE DESMOND: Yes, I'll run the rest of the
10 reports for this.

11 CHAIRPERSON MATHIS: Okay.

12 WILLIE DESMOND: And we will have those available
13 for you guys tomorrow, tomorrow at the meeting. I'll try to
14 e-mail those out ahead of time so you can study those if you
15 have a chance.

16 CHAIRPERSON MATHIS: Great.

17 VICE-CHAIR HERRERA: Madam Chair.

18 CHAIRPERSON MATHIS: Mr. Herrera.

19 VICE-CHAIR HERRERA: I don't mean to rush you,
20 Mr. Desmond. But if you can get it tonight, that would be
21 great. The earlier the better so we can have a chance to
22 review them.

23 I know that we'll be meeting at 4:00 tomorrow, but
24 I would love to review the information tonight if at all
25 possible.

1 WILLIE DESMOND: Okay. We'll see what we can do.
2 I might be able to run them during the break even, if
3 possible, so. . .

4 VICE-CHAIR HERRERA: I appreciate that. Thank
5 you.

6 CHAIRPERSON MATHIS: Okay.

7 Can we move on to the next agenda item, which is
8 the legislative map?

9 And we have a number of change reports in front of
10 us.

11 WILLIE DESMOND: Okay. So, your first change
12 report is, again, just comparing the legislative working map
13 to the draft map, so you can see what's been done so far.
14 The changes we have done have all affected voting rights
15 districts.

16 I can go through those again if you like, or we
17 can just jump right in. It's up to you.

18 VICE-CHAIR HERRERA: Please can you go over them.

19 WILLIE DESMOND: Sure.

20 VICE-CHAIR FREEMAN: Mr. Desmond, I want to be
21 clear that the working draft represents the map that
22 incorporates all of the changes to the voting rights
23 districts that have now been sent out for further analysis
24 but no other changes.

25 Correct?

1 WILLIE DESMOND: Correct.

2 And in most cases these are changes designed to
3 strengthen the voting rights districts.

4 There is an instance where we were worried about
5 harming the voting rights districts. That's why that change
6 was then looked at so it could be analyzed fully.

7 Starting with that, that particular change, that
8 was the population swap here in districts -- Legislative
9 Districts 1 and 2.

10 The arm that had run into Cochise County was
11 removed, so that the District 2 ends at the Santa Cruz
12 County border line.

13 In order to make up that population,
14 Legislative District 2 picked up the area of Green Valley to
15 try to keep the -- that corridor together, so the changes to
16 Districts 1 and 2.

17 District 4 was one of our voting rights districts.

18 And though it had a strong minority percentage, we
19 were worried about its ability to elect. So that was
20 strengthened in two ways.

21 First of all, population was trimmed out in Yuma
22 that did not support the minority candidates of choice.

23 In order to make up some of that population,
24 District 4 took a little population from District 3, another
25 one of our voting rights districts.

1 This did dilute District 3 slightly.

2 Although it was a very, very strong district and
3 it helped four quite a bit.

4 District 3 then to balance its population, it shed
5 a little bit in unincorporated areas between Tucson and
6 Picture Rocks and picked up a little bit from District 9
7 here in Tucson.

8 So District 9 was affected a little bit there.

9 District 11 was affected a little bit also when it
10 grabbed a little bit of population from District 3.

11 Continuing to the north, District 7, the Native
12 American voting rights district shed Greenlee County to
13 District 1.

14 It also shed the non-reservation areas of
15 Mohave County to District 5.

16 It further shed a little population around
17 Doney Park for the Schultz flood area, and it lost
18 Grand Canyon City up in the north.

19 It made up population though by incorporating the
20 area of Sun Valley.

21 It also picked up Lakeside and Show Low, just
22 north of the Fort Apache reservation.

23 I believe that's the only changes that happened
24 outside of Maricopa County.

25 In Maricopa County, District 13 shed a little

1 population to District 14 and District 22. That's the
2 result of District 13 taking on population in Yuma. So it
3 gave some up here.

4 District 24, one of our voting rights districts,
5 shed the Fort McDowell reservation area and also a little
6 population in south Scottsdale.

7 It did not pick up population anywhere. But by
8 removing some of the lower performing areas, it was able to
9 be strengthened slightly.

10 District 26 was the other area we've changed.

11 It shed population here in Tempe and Mesa, in
12 the -- also it picked up the town of Guadalupe.

13 As a result of all that population going to
14 District 18, the line between 18 and 17 was adjusted to
15 balance that population.

16 And I believe those are all the changes that
17 have -- oh, one other. District 27 went and picked up the
18 portion of the Gila River reservation that is in
19 Maricopa County.

20 So we did split that reservation. That was
21 something that they had asked for.

22 Are there any questions?

23 CHAIRPERSON MATHIS: Any comments or questions on
24 that?

25 WILLIE DESMOND: If not, we can go to the change

1 reports.

2 I believe there was five changes that we had
3 prepared for today.

4 The first one in the packet is the changes that
5 Commissioner Herrera asked for.

6 These might overlap slightly with what
7 Commissioner McNulty had later, because she asked that I
8 look at what Commissioner Herrera had done, but I did want
9 to just go ahead and do this one also, so we had it to look
10 at.

11 Commissioner Herrera had presented a map earlier,
12 I think last week Monday, that made some changes to Glendale
13 and the west valley and kind of worked its way around in
14 Phoenix.

15 He asked that I take those changes and overlay
16 them with the working map at this point and also incorporate
17 changes that Commissioner McNulty had asked for in
18 Districts 8 and 11.

19 So. . .

20 VICE-CHAIR HERRERA: Madam Chair.

21 CHAIRPERSON MATHIS: Mr. Herrera.

22 VICE-CHAIR HERRERA: Mr. Desmond, were you able to
23 put together that map -- I guess I was asking for a
24 combination of Commissioner McNulty's changes and my changes
25 on the legislative side.

1 I can't find a map that has those changes.

2 WILLIE DESMOND: I believe that is this one. The
3 changes Commissioner McNulty had asked for in District 6 and
4 7 have kind of been incorporated in some of the changes that
5 had happened in Districts 6 and 7.

6 So the other one was incorporating Districts 8 and
7 11.

8 So, so basically what this is, is the map that you
9 had looked for, working off of the working map. So it's
10 still like a viable thing to look at.

11 And it's not comparing apples to oranges when you
12 look at the change reports and things.

13 I also did incorporate the changes to 8 and 11 as
14 you had asked for.

15 I should note Commissioner McNulty also asked for
16 different changes in 8 and 11. I incorporated the first
17 set.

18 So it's possible that for tomorrow you might want
19 to incorporate a different set of those changes. And we can
20 go over that.

21 But the changes here, and, Commissioner Herrera,
22 you can go through these again if you like, or I can walk
23 through them again --

24 VICE-CHAIR HERRERA: Madam Chair. Mr. Desmond, do
25 you mind going through them? Honestly I came a little bit

1 unprepared, so if you don't mind going through them.

2 WILLIE DESMOND: No problem.

3 We started with removing splits to Glendale.

4 Glendale in the draft map was split six times --
5 or in six pieces, so it is split five times.

6 The green line is the old districts.

7 So the portion from the Legislative District 21
8 and 20 is combined together and given to District 22.

9 What this does is it removes two of the splits so
10 Glendale is now in four districts. Practically speaking
11 it's pretty much in three districts, but it's in three main
12 pieces here.

13 As a result of District 21 losing some of its
14 population, it expands out and takes in more of Peoria.
15 From District 22. That helps to balance.

16 District 20 also lost population by not having any
17 portion of Glendale.

18 So it grabs a little bit from 22 also, and also
19 grabs parts of Phoenix from District 15.

20 Fifteen then makes up that population from 22, so
21 it's kind of like a three-way trade.

22 What that does is it keeps New River -- New River
23 together, it removes the split of New River, keeps Anthem
24 with New River, and with Cave Creek and Carefree.

25 District 28 -- District 15 also comes down and

1 removes Paradise Valley from District 28.

2 That was intended to try to make 28 a more
3 competitive district.

4 District 28 makes up some of the population that
5 it loses by taking portions from 15 and 20, and also --
6 actually I think that's it. Portions from 15 and 20.

7 So, I guess, the main points are that Glendale is
8 split less. It goes from four -- from six pieces to four
9 pieces.

10 New River and Anthem are kept whole and together.

11 And District 28 becomes more competitive.

12 The other changes that are incorporated in this
13 map that weren't in the last ones are the changes to
14 District 8 and 11, attempting to make a more competitive
15 district in that area.

16 Those are changes that Commissioner McNulty had
17 asked for earlier.

18 And that we'll be going over a little bit later, I
19 imagine.

20 But that was the initial change that would make
21 District 8 more competitive.

22 VICE-CHAIR HERRERA: Madam Chair.

23 CHAIRPERSON MATHIS: Mr. Herrera.

24 VICE-CHAIR HERRERA: Mr. Desmond, do me a favor
25 and can you go over or around the boundaries of 28?

1 WILLIE DESMOND: Yes.

2 So at the north it's Union Hills. It follows
3 7th Street south until -- I'm not sure there's really a road
4 there, but it kind of -- kind of where Cactus comes across.

5 It follows Cactus to 35th Avenue south over on
6 Peoria, south on 43rd.

7 It goes back east on Olive and West Dunlap.

8 It goes south then again on 19th, over on
9 Northern.

10 South on -- I believe this is 7th Avenue.

11 I'm not sure what this is between Camelback and
12 Bethany Home. Missouri.

13 Runs south on 24th. East again on -- it looks
14 like Sells. Over on Campbell. Excuse me. South on 35th.
15 East on Indian School. East on Thomas.

16 Until it hits the Scottsdale border and follows
17 the Scottsdale border until it hits Paradise Valley border
18 and follows that around until it hits Tatum Boulevard.

19 Up here, it jogs around. This is, again,
20 Thunderbird. Follows Tatum up. Paradise Village Parkway.
21 I'm not sure what road this is.

22 This is Thunderbird to the north, and comes back
23 south on 39th.

24 Over on Cactus.

25 And I believe back to where we started.

1 VICE-CHAIR HERRERA: Madam Chair.

2 CHAIRPERSON MATHIS: Mr. Herrera.

3 VICE-CHAIR HERRERA: You know, one of the things I
4 wanted to do is obviously follow the four state mandated
5 criteria, but I also wanted to see if I can create as many
6 competitive districts as possible while respecting and
7 balancing all of the criteria.

8 So that's why 28, I ended up working with 28 a
9 little more because I thought that we could create a
10 competitive district, especially in 28.

11 So, hopefully people have some ideas to be able to
12 improve it and keep the competitiveness. But I thought -- I
13 think we owe it to the people of Arizona who wanted
14 competition.

15 And they are getting it in these maps.

16 VICE-CHAIR FREEMAN: Madam Chair.

17 CHAIRPERSON MATHIS: Mr. Freeman.

18 VICE-CHAIR FREEMAN: Here are some concerns I had.
19 Mr. Desmond, could you put the block layer up
20 again?

21 WILLIE DESMOND: Okay.

22 Let me put that on top of this census place so we
23 can still see it.

24 Okay. Is there an area you want me to zoom into?

25 VICE-CHAIR FREEMAN: Yeah. Thanks.

1 Because sometimes the block layer reveals some
2 geographic features there.

3 First of all, 15 has been made significantly less
4 compact. It now has this narrow neck that goes and swallows
5 Paradise Valley.

6 Paradise Valley is connected to this region only
7 by Tatum Boulevard, I believe, which runs along this western
8 border there.

9 Paradise Valley is also separated from its
10 community of interest, which is the Biltmore area, Arcadia,
11 and north central Phoenix area.

12 There's been plenty of public comment to that
13 effect. That is not only an area where I live, but it's
14 where I'm from. So I've got a lot of my own personal
15 experience living right in that neck of the woods.

16 And also, I believe, when you were going through
17 the boundaries earlier, I believe you've been up here in
18 this neck. You've got Paradise Valley Mall and then some
19 small cluster of homes just sort of cutoff just to the north
20 of PV Mall.

21 You've also got this area up here that is
22 separated by the mountain preserve.

23 The old 28 sort of encompassed all that area.

24 I think the old 28 had to make some compromises,
25 because some of the neighborhoods that I might ordinarily

1 perhaps include in that district were needed to be put in
2 this coalition district, which is, which is District 24.

3 It even looked like from the splits report that 24
4 was changed.

5 Is that correct, Mr. Desmond?

6 Was there a modification to 24?

7 Because I'm seeing it show up here on the
8 analysis.

9 WILLIE DESMOND: Twenty-four was changed, but
10 there was -- it doesn't look like any population moved.

11 Most likely what happened is an unincorporated
12 block or something came in.

13 VICE-CHAIR FREEMAN: Okay.

14 WILLIE DESMOND: The change report just looks at
15 the block level, anyone that moved from one district to
16 another.

17 So --

18 VICE-CHAIR FREEMAN: Okay. So I'm seeing all
19 zeros there, yeah.

20 WILLIE DESMOND: That happens sometimes when there
21 are -- you may be some areas around the fringes that if you
22 move like a block group, it might, might take one. If
23 you're looking at the upper left-hand corner, you might
24 notice in the bottom right-hand corner a small portion might
25 get moved from one of the districts, but there was no

1 population moved.

2 That's the same case with Districts 4 and 6 on the
3 front.

4 You'll notice there must have been a block or two
5 that was affected, but no population.

6 VICE-CHAIR FREEMAN: Okay.

7 And, you know, since -- I view that as a
8 significant detriment to the achievement of the other goals.
9 And since we've never completed a true baseline map that's
10 really -- I don't think we have a true measure of what the
11 significant detriment really is or constitutes, but at least
12 between the working draft and this draft, that strikes me
13 most very clearly as a significant detriment.

14 When I looked at this area of the map, and perhaps
15 it's something that can be worked on for tomorrow, I was
16 kind of focused on this District 20 that's now been changed,
17 what's up on the screen here. But it, it looked like a
18 district that could have been the made much more compact and
19 more sensible boundaries used.

20 And in so doing I thought that on the working
21 draft, District 15 did not include the New River area.
22 That, you know, that change could be accommodated.
23 New River could be added to 15, some adjustments,
24 populations, adjustments could go made between 15 and 28,
25 which I believe was already overpopulated slightly. And

1 then some other exchanges could be made between 20 and 15
2 and 20 and 22, which would yield four much more compact
3 districts, with using sensible boundaries. And what I mean
4 by that is either follow a geographic feature or a major
5 arterial or I-17 in some instances.

6 Which I know I'm getting ahead of myself. But
7 perhaps we can talk about that later.

8 VICE-CHAIR HERRERA: Madam Chair.

9 CHAIRPERSON MATHIS: Mr. Herrera.

10 VICE-CHAIR HERRERA: This is my first crack at
11 trying to create more competitive districts on the
12 legislative side, so I admit, yeah, there are some things we
13 can do to clean up.

14 But I would challenge anyone that's going to, you
15 know, do their own changes that hopefully we can keep 28
16 competitive as it is in my version of the legislative
17 district map that I've submitted. So it all -- not only 28,
18 but also the other ones that I was able to make more
19 competitive.

20 So I want for commissioners to keep that in mind
21 when they make those changes that, you know, competition is
22 important, and if you can make changes to improve the other
23 criteria, the other state mandated criteria, hopefully
24 competition is one that we can.

25 VICE-CHAIR FREEMAN: Madam Chair.

1 I don't mean to be critical at all of the effort.

2 I have to state that I'm critical of the result,
3 but perhaps it's something that we can all work on.

4 CHAIRPERSON MATHIS: Any other comments?

5 COMMISSIONER STERTZ: Madam Chair.

6 CHAIRPERSON MATHIS: Mr. Stertz.

7 COMMISSIONER STERTZ: Mr. Desmond, where is this
8 consolidated map located currently on our website?

9 WILLIE DESMOND: It's -- if you go to the maps
10 page, there's a red box on the very top that has the two
11 working maps in there, and you can get those there.

12 COMMISSIONER STERTZ: Madam Chair. Mr. Desmond,
13 I'm talking about the inclusions of the -- of
14 Commissioner Herrera's adjustments.

15 WILLIE DESMOND: Oh, that would be
16 Commissioner Herrera, it's this one here. It says
17 LD Herrera Maricopa.

18 COMMISSIONER STERTZ: Okay.

19 VICE-CHAIR HERRERA: Madam Chair.

20 CHAIRPERSON MATHIS: Mr. Herrera.

21 VICE-CHAIR HERRERA: Mr. Desmond, do those -- does
22 that particular map include Commissioner McNulty's changes?
23 Is that a combination?

24 WILLIE DESMOND: Excuse me?

25 VICE-CHAIR HERRERA: Is that a combination of my

1 changes with Commissioner McNulty's proposed changes?

2 WILLIE DESMOND: That is a combination of your
3 changes with her changes previously to District 8 and 11,
4 not with changes she'll have today.

5 VICE-CHAIR HERRERA: All right. Thank you.

6 WILLIE DESMOND: Does that make sense?

7 VICE-CHAIR HERRERA: Makes sense.

8 VICE-CHAIR FREEMAN: Madam Chair.

9 CHAIRPERSON MATHIS: Mr. Freeman.

10 VICE-CHAIR FREEMAN: And the reason why, I think,
11 you addressed, Mr. Desmond, there was some contradictory
12 changes.

13 Because I was looking for a combo, because you had
14 requested that, to look at, you know. And I didn't see it.
15 So I guess what happened is it got difficult to analyze, so
16 is it possible to combine those two sets of changes?

17 WILLIE DESMOND: To some extent, but the changes
18 that Commissioner McNulty makes today in some areas will
19 conflict with the changes that Commissioner Herrera made.

20 So we can work together to, like, combine those.

21 But they, they don't -- it's not like one, one set
22 of changes deals with one part of the state, another change
23 deals with another. They do deal with the same areas.

24 VICE-CHAIR HERRERA: Madam Chair.

25 CHAIRPERSON MATHIS: Mr. Herrera.

1 VICE-CHAIR HERRERA: I haven't seen those changes
2 that are being -- the newer changes that are being proposed
3 by Commissioner McNulty. So before we combine them, I would
4 like to see what, what those changes are. And hopefully --
5 I'm assuming we'll do that next or soon.

6 WILLIE DESMOND: Yeah, that was my thinking for
7 not -- obviously not including those, because I just
8 included the ones that you had seen and mentioned.

9 I also purposely have tried to break these changes
10 out where possible so that if there are aspects of a
11 particular map that the commissioners like, it's easier to
12 kind of go back and evaluate just those particular aspects.
13 So in some respects I have purposely been trying to keep the
14 changes isolated from one another.

15 Also, that would allow a little bit more
16 flexibility should, should certain changes be adopted and
17 not others. But if there are particular things you would
18 like to see grouped together, let me know, and I'll put
19 those into a common map.

20 COMMISSIONER STERTZ: Madam Chair.

21 CHAIRPERSON MATHIS: Mr. Stertz.

22 COMMISSIONER STERTZ: I have a question for
23 Commissioner Herrera.

24 If -- you said this is your first crack at making
25 these adjustments.

1 Of the, of the districts that you, that you worked
2 on, which ones of the districts that you think that you
3 really nailed, that you really analyzed down to the -- to
4 really put a tremendous amount of thought and contemplation
5 into that you feel very comfortable that you've, that
6 you've -- that you like a lot?

7 VICE-CHAIR HERRERA: Commissioner Stertz, I don't
8 think I nailed any of them.

9 I really think that I worked along with
10 Commissioner -- excuse me, Mr. Desmond, worked at trying to
11 create as many competitive districts as possible while
12 balancing the other criteria.

13 But I like -- I think I like the aspects of some
14 of the changes I made.

15 For example, and I'm going to allude to 28, where
16 we will -- we were able to create more competitive in 28.

17 So there's aspects of each of the changes that I
18 do like that I'd like to hopefully see incorporated in
19 Commissioner McNulty's changes.

20 So, again, I don't -- again, I don't mean to say
21 that I -- that I'm not happy with the work that I did, but I
22 think I -- there's changes that I liked and there's changes
23 that I didn't like.

24 And I am looking forward to see what
25 recommendations Commissioner McNulty recommends, because I

1 think there's some overlap.

2 I'm assuming, based on Mr. Desmond's comments,
3 that she made some changes to 28. So, I'm looking forward
4 to seeing what changes she made to 28 to see where the
5 overlap is.

6 COMMISSIONER STERTZ: Madam Chair.

7 CHAIRPERSON MATHIS: Mr. Stertz.

8 COMMISSIONER STERTZ: And I think that the purpose
9 of my question might be obvious, that if there's something
10 that -- if there's an area other than just the general
11 overview of competitiveness and the attempt to gather those
12 together, if there's a, if there's a neighborhood or a
13 district that you really, that you really thought was really
14 tight the way that you wanted it to be, then, then my, my
15 view of this is that because tonight and tomorrow morning
16 I'm going to be taking a look at your work,
17 Commissioner McNulty's work, the original, the working, the
18 working map, and making adjustments to those as I'm seeing
19 it.

20 And if there are some that you are really -- have
21 really have the heart for, then I want to respect that.
22 And say I'm not going to, you know, wholly throw that piece
23 out.

24 So that's the, that's the intent of asking the
25 question.

1 VICE-CHAIR HERRERA: Madam Chair.

2 CHAIRPERSON MATHIS: Mr. Herrera.

3 VICE-CHAIR HERRERA: Commissioner Stertz, I
4 appreciate that.

5 Again, there's nothing that I -- any changes that
6 I made that are set in stone or that I'm fixed to. But,
7 again, I think the -- and I'm focusing on 28 because I felt
8 that we could make 28 competitive when it wasn't before.

9 So if I'm going to look at anything that I'm maybe
10 that I think that I did a better job on -- and I, and I, you
11 know, I know that Commissioner Freeman has his issues with
12 this, with 28. But, again, I felt that we can definitely
13 create a more competitive district in 28 so I'm looking -- I
14 want to see what other recommendations are made to keep it
15 competitive or make it more competitive.

16 COMMISSIONER STERTZ: Madam Chair.

17 CHAIRPERSON MATHIS: Mr. Stertz.

18 COMMISSIONER STERTZ: What the great thing about
19 you and Commissioner Freeman both residing up here is that
20 you've got the areas in your experience and your life of
21 being up here.

22 I've had the great pleasure of doing business up
23 here for the last, you know, 20 some odd years and owning
24 real estate in almost all four corners of the -- of
25 Maricopa County. So I've got a pretty good understanding of

1 the area, the community, the connectivity, and will be
2 looking forward to laying over some of that experience into
3 this as I take a look at this.

4 And what I'll do is I'll do a very similar
5 approach as I did today with the congressionals, when I come
6 back with this tomorrow night.

7 CHAIRPERSON MATHIS: Okay.

8 I think we'll take a really quick break.

9 It's 2:54. If commissioners could try to be back
10 really within six minutes or so, that would be great.

11 (Brief recess taken.)

12 CHAIRPERSON MATHIS: We'll enter back into public
13 session. Recess is over.

14 The time is 3:05 p.m.

15 And we're in the midst of discussing these
16 legislative change reports that Mr. Desmond prepared.

17 And we can continue doing that.

18 Are there a lot of legislative change reports?
19 And the reason I ask is I have to depart at 4:00 p.m. today.
20 But commissioners are welcome to continue working.

21 WILLIE DESMOND: Commissioner McNulty has one.

22 Commissioner Freeman has one.

23 And then there are two changes to Districts 8 and
24 11 that we can probably look at fairly quickly. They're
25 right next to each other.

1 So there's, there's four more.

2 CHAIRPERSON MATHIS: Okay. And then we also have
3 some public comment that I wanted to get to.

4 VICE-CHAIR FREEMAN: Madam Chair.

5 CHAIRPERSON MATHIS: Mr. Freeman.

6 VICE-CHAIR FREEMAN: My -- the change that
7 Mr. Desmond prepared is not something we need to discuss
8 today, at least my change report. And then I've got a
9 judicial reception at 5:00. And I -- as you can see I
10 forgot my jacket, so I'm going to have to run home, so I may
11 be leaving about the same time as you are.

12 CHAIRPERSON MATHIS: Okay. And I guess that when
13 Vice-Chair Herrera comes back, if he wants -- if he and
14 Commissioners McNulty and Stertz want to keep going, they
15 can. Or we're going to meet again tomorrow at 4:00 p.m.
16 So. . .

17 COMMISSIONER STERTZ: Madam Chair.

18 CHAIRPERSON MATHIS: Mr. Stertz.

19 COMMISSIONER STERTZ: I'm -- I think that with the
20 folks that are here today, that if all five commissioners
21 can hear the testimony that they'll be bringing, it's all
22 going to be relevant to the legislative, legislative
23 designs.

24 And, again, I'm speaking only for myself now, the
25 opportunity to go through the splits reports, to go over the

1 information that the -- Commissioners Herrera, McNulty, and
2 Freeman put together.

3 And I'm comfortable in, in -- from my perspective
4 in getting public testimony and adjourning when you're --
5 when you and Commissioner Freeman have to depart.

6 CHAIRPERSON MATHIS: Okay.

7 Well, I've got about eight request to speak forms,
8 I think.

9 WILLIE DESMOND: Can we do -- just check to see if
10 any commissioners have changes that they'd like me to
11 prepare for tomorrow's meetings? Can we do that first?

12 CHAIRPERSON MATHIS: Definitely.

13 I actually have ten.

14 VICE-CHAIR FREEMAN: Madam Chair.

15 CHAIRPERSON MATHIS: Mr. Freeman.

16 VICE-CHAIR FREEMAN: I would like -- I kind of
17 outlined some changes I'd like to look at on the LD map a
18 few minutes ago, and perhaps I can put a little bit more
19 meat on the bones with Mr. Desmond tonight and get something
20 rolled out tomorrow perhaps.

21 WILLIE DESMOND: Okay.

22 COMMISSIONER STERTZ: Madam Chair.

23 CHAIRPERSON MATHIS: Mr. Stertz.

24 COMMISSIONER STERTZ: As I said earlier, I'll be
25 preparing something very similarly for Mr. Desmond as I

1 prepared last night.

2 And the good thing about Mr. Desmond is that can
3 turn around -- he's set up to turn these things around very
4 quickly, so, and I truly appreciate that.

5 CHAIRPERSON MATHIS: Okay.

6 So it's 3:10, and if we limit public comment to
7 three minutes each, we can do that in a half hour, with the
8 numbers of request to speak forms that I have. So
9 there's -- we have some time to talk some more about
10 legislative maps.

11 And then there's a couple other items on the
12 agenda today.

13 There's the transparency discussion that we've
14 talked about in terms of executive session transcripts, as
15 well as the logging of communications.

16 Is that something that we can carry over, or do we
17 need to discuss that today?

18 Or what do you recommend, legal counsel?

19 JOSEPH KANEFIELD: Madam Chair, we can cover that
20 today briefly or we can carry it over. We were -- those are
21 items that we had been asked to address the Commission on,
22 so I'm not sure if there's any sense of urgency, unless the
23 Commission would like to know sooner rather than later what
24 our advice is.

25 CHAIRPERSON MATHIS: Okay. And the other item is

1 the executive director report.

2 Ray, did you have things? Or is there anything
3 that we need to cover? Probably so.

4 RAY BLADINE: Everything I have we can cover
5 tomorrow.

6 CHAIRPERSON MATHIS: It's on the agenda for
7 tomorrow.

8 RAY BLADINE: Right. Just I have generic, and
9 some of it is to bring what's on your -- in your packet, so
10 I can really tomorrow update and answer any questions or
11 follow up on items you'd like.

12 Oh, I beg your pardon.

13 We need one start time for Tuesday. What time
14 would you like to start on Tuesday?

15 It's nice to have Jiminy Cricket.

16 We don't have that yet. That's the one thing that
17 we would like to know as part of the director's report is
18 what time would you like to start.

19 CHAIRPERSON MATHIS: What time would commissioners
20 like to start for a meeting on Tuesday?

21 COMMISSIONER McNULTY: Any time is okay with me.

22 VICE-CHAIR FREEMAN: 1:00 o'clock.

23 COMMISSIONER STERTZ: 1:00 o'clock.

24 CHAIRPERSON MATHIS: 1:00 o'clock.

25 RAY BLADINE: 1:00 o'clock it is.

1 Thank you.

2 CHAIRPERSON MATHIS: Okay.

3 Thank you.

4 Okay. So I think we have a few minutes to talk
5 just about legislative draft maps, just maybe like
6 five minutes.

7 Is there anything we can go over in that amount of
8 time?

9 WILLIE DESMOND: It's up to Commissioner McNulty
10 if she wants to go over hers right now or wait until after
11 tomorrow.

12 COMMISSIONER McNULTY: I think it makes more sense
13 to do them all together.

14 CHAIRPERSON MATHIS: What did you say?

15 COMMISSIONER McNULTY: I think it makes more sense
16 to do them all together so we have a context.

17 CHAIRPERSON MATHIS: Okay.

18 VICE-CHAIR HERRERA: Madam Chair.

19 CHAIRPERSON MATHIS: Mr. Herrera.

20 VICE-CHAIR HERRERA: Why only five minutes?

21 CHAIRPERSON MATHIS: Because we have a number of
22 speak request to speak forms, and if we limit that to
23 three minutes each that's going to take a half an hour.

24 VICE-CHAIR HERRERA: Do we have to be here out of
25 here by a certain time?

1 CHAIRPERSON MATHIS: I have to be leave at 4:00
2 and Mr. Freeman has to depart too.

3 VICE-CHAIR HERRERA: Okay. Thank you.

4 WILLIE DESMOND: We can obviously go over them
5 after 4:00 and then again tomorrow, if that's helpful.

6 CHAIRPERSON MATHIS: I just thought if there was a
7 way to cover any of it today, it would -- it might be good
8 to at least get our feet wet to be thinking about it for
9 tomorrow.

10 COMMISSIONER McNULTY: I'd be happy to summarize
11 what I had asked Mr. Desmond to do and then he can get
12 started.

13 Then we might just want to go back and revisit it
14 once we. . .

15 But I had -- when, when I participated for a short
16 time on the phone on Monday, I had asked him to look at four
17 things, as I recall.

18 One was the west district. I don't know if that's
19 the west valley or west of the west valley. But where
20 Legislative District 13, which includes north Yuma and the
21 southwest portion of Maricopa County on that arm, I had
22 asked him to look at improving that and at the prospect of
23 bringing La Paz County into Yuma County.

24 And taking in some of the western areas of
25 Maricopa County, perhaps the more rural western areas of

1 Maricopa County, and see what we needed to accomplish that,
2 to address the number of the comments that we had heard,
3 including Ms. Pancrazi's comments.

4 And then I had asked him to look at the west
5 valley, the areas around -- that Mr. Herrera had worked on
6 in Glendale, to look at consolidating one of those
7 districts, one or more of those districts into an emerging
8 competitive district.

9 Because you'll recall that when we worked on the
10 congressional maps I was focused on that area.

11 There's a -- there are some Hispanic, emerging
12 Hispanic communities there.

13 I wanted to work on combining those communities
14 into one district that would emerge into a competitive
15 district.

16 So I asked him to look at that based on both the
17 working draft and on what Mr. Herrera had done.

18 And in LD 28, I too very strongly support the idea
19 of another competitive legislative district in Phoenix.

20 I've said several times that we've got more than
21 four million people in the valley.

22 Competitiveness is one of the six criteria. We're
23 to favor it so long as it doesn't substantially deter any of
24 the other criteria.

25 And so I had asked him to look at other ways

1 of maintaining or enhancing the competitiveness of
2 District 28.

3 So that we had a couple of alternatives to look
4 at.

5 And then with regard to Legislative districts 11
6 and 8, I had asked him to work on keeping the copper
7 corridor communities whole in eight, and maintaining the
8 competitiveness of that, but at the same time looking at
9 ways that we might divide 8 and 11, either by using the I-10
10 corridor and/or by splitting only one of the two
11 communities, either Casa Grande or Eloy.

12 VICE-CHAIR HERRERA: Madam Chair.

13 CHAIRPERSON MATHIS: Thank you.

14 Mr. Herrera.

15 VICE-CHAIR HERRERA: A couple things.

16 Commissioner McNulty, did you change at all the
17 majority-minority districts?

18 COMMISSIONER McNULTY: I didn't change anything
19 actually. I just asked Mr. Desmond to look at those things.

20 But I don't think any of those would have
21 implicated any changes to any of the majority-minority
22 districts.

23 VICE-CHAIR HERRERA: I appreciate that. Again, I
24 can't stress the importance, if we want to be move forward,
25 not to be messing with the majority-minority districts until

1 the analysis comes back. And hopefully once the analysis
2 gets back we can either decide to -- if changes are needed,
3 we'll make the changes.

4 If we feel that the changes or that the way they
5 stand are -- would meet the DOJ approval, then we should
6 approve them and then start working on the rest of the
7 districts.

8 But let me -- Commissioner McNulty, if you can
9 tell me the competitiveness of 28 as you have it using
10 index two.

11 COMMISSIONER McNULTY: As Mr. Desmond redrew it?

12 VICE-CHAIR HERRERA: Yes, ma'am.

13 COMMISSIONER McNULTY: I'll have to have him tell
14 us that.

15 I'm seeing them as you're seeing them.

16 WILLIE DESMOND: Using index two, the district is
17 54.8 percent Republican, 45.2 percent Democratic.

18 VICE-CHAIR HERRERA: Madam Chair.

19 CHAIRPERSON MATHIS: Mr. Herrera.

20 VICE-CHAIR HERRERA: Yeah, I'm looking at the
21 change report for the ones that I -- for the one I
22 submitted. And there's -- the Republican is 52.6,
23 Democratic is 47.4.

24 So hopefully we can work on getting 28 as
25 competitive as possible, probably closer to 47.

1 Then I think the 47 margin is something that we
2 can achieve and get that 28 to be definitely more
3 competitive than it is now.

4 CHAIRPERSON MATHIS: Okay.

5 Did anyone else want to talk about any proposed
6 changes that they've asked Mr. Desmond to do in terms of
7 what Ms. McNulty just did, kind of giving an overview?

8 MARY O'GRADY: And, Madam Chair, I think it's
9 understood that even as we make things more competitive,
10 Mr. Desmond always is mindful of the other constitutional
11 criteria along the ways so that there's no significant
12 detriment in that process.

13 VICE-CHAIR HERRERA: Madam Chair.

14 CHAIRPERSON MATHIS: Mr. Herrera.

15 VICE-CHAIR HERRERA: When Mr. Desmond sat down
16 with me to make those changes that I had proposed, you know,
17 we were, we were reminding each other every time when we
18 made a change how does this affect this criteria.

19 And I am looking at the four state criteria, not
20 the federal -- not the two federal ones.

21 And we were making sure that we always had them in
22 mind any time we were making changes.

23 So thank you, Ms. O'Grady, for the reminder.

24 COMMISSIONER STERTZ: Madam Chair.

25 CHAIRPERSON MATHIS: Mr. Stertz.

1 COMMISSIONER STERTZ: I'll ask the same question
2 about the legislative majority-minority districts.

3 In your -- this is moving through -- Dr. King is
4 in the process of providing analysis.

5 WILLIE DESMOND: Yes.

6 COMMISSIONER STERTZ: And in your conversations
7 with Dr. King, what have you heard so far? Are we on the
8 right track? Are these -- are we needing to enhance,
9 continue to enhance these ten districts?

10 Is there any concern, any concern regarding
11 District 24 in its design as it sort of serpentine through
12 the valley?

13 I'm trying to get some sort of idea about where
14 you're sensing that this is going.

15 COMMISSIONER McNULTY: Madam Chair, could I
16 interrupt you just for a minute?

17 That brings to mind a question that -- is
18 Mr. Adelson going to be with us here tomorrow?

19 CHAIRPERSON MATHIS: He is. Actually Mr. Adelson
20 is going to be in our meeting.

21 COMMISSIONER McNULTY: I'm thinking about the
22 complexity of the way he answers those questions. My
23 thought might be it might be best to have him answer that
24 question.

25 COMMISSIONER STERTZ: Thank you, yeah.

1 COMMISSIONER McNULTY: Instead of Mr. Desmond.

2 COMMISSIONER STERTZ: We're asking for passing the
3 secret right now. And if Mr. Adelson is going to be here
4 tomorrow, terrific.

5 VICE-CHAIR HERRERA: Madam Chair.

6 CHAIRPERSON MATHIS: Mr. Herrera.

7 VICE-CHAIR HERRERA: I think if somebody can
8 answer it'll be probably Mary O'Grady or Joe Kanefield.

9 If any of the commissioners propose a change to
10 any of the majority-minority districts as they stand now,
11 would we have to submit those for analysis again? And then
12 wait either a week, week and a half, possibly two weeks for
13 them to get back?

14 So, so the reason I'm asking this I want to be
15 able to understand what the consequences are of making
16 changes again to the majority-minority districts without
17 waiting for the analysis to come back.

18 MARY O'GRADY: Madam Chair, commissioners,
19 obviously they need to start that -- at least that area,
20 affected area, over in terms of the analysis.

21 But as in terms of whether -- how much that slows
22 down things down or doesn't slow things down, it would
23 depend on the scope of the change.

24 But they would need to resubmit those
25 provisions -- those portions for the analysis.

1 But I don't know how significant it would affect
2 the timing of things.

3 VICE-CHAIR HERRERA: Madam Chair.

4 CHAIRPERSON MATHIS: Mr. Herrera.

5 VICE-CHAIR HERRERA: I think, Mary O'Grady,
6 Ms. O'Grady, I think it would slow things down.

7 I mean, we, we still haven't gotten the changes
8 that we proposed or the analysis that we sent in for the
9 proposed changes that we sent in for the analysis, we
10 haven't received that yet.

11 And I don't know when we'll get them.

12 So I would probably venture to say that if anybody
13 makes changes, let's just stay Friday or the next week,
14 they'll follow the same process, and it will take as long as
15 it's taking now, maybe longer. Or am I not -- am I reading
16 it incorrectly?

17 MARY O'GRADY: Madam Chair, Commissioner Herrera,
18 again, any change, a change made to just one district, now
19 we're analyzing all the districts, plus we're analyzing the
20 congressional, so I think it just depends on the scope of
21 the change and how many districts are affected and that sort
22 of thing.

23 But it would obviously take some time.

24 I don't know if Willie has a different view of it.

25 WILLIE DESMOND: No.

1 CHAIRPERSON MATHIS: Okay.

2 Anything else on legislative that we want to
3 discuss?

4 Thanks, Mr. Desmond, for getting all these change
5 reports prepared for us.

6 We'll go into them in more detail tomorrow when we
7 have more time.

8 Do we want to do number five?

9 You mentioned, Mr. Kanefield, it would be short in
10 terms of legal advice, discussion and possible action on
11 release of executive session transcripts/minutes, Commission
12 may vote to go into executive session.

13 JOSEPH KANEFIELD: Madam Chair, I can give very
14 abbreviated advice to the Commission. Unless the Commission
15 wants to expand upon it, I would be happy to do that.

16 The question had come up with respect to whether
17 the Commission should or can release the executive session
18 transcripts. And that question came up specifically in
19 light of Judge Fink's ruling last week that the open meeting
20 law does not apply to the Commission and therefore certain
21 executive session discussions could or should be made
22 available to the public.

23 Our advice, and I think I may have mentioned this
24 when this came up before, would be to refrain from releasing
25 those transcripts until this case is fully resolved.

1 Because we know the county attorney has already indicated
2 that he plans to file his appeal. We finalize the judgment
3 today, and stipulated to with the county attorney, the
4 notice of appeal will be forthcoming.

5 And until the legal issues are settled upon
6 appellate review, our advice would be to refrain from taking
7 any action that could be implicated by contrary decision on
8 appeal.

9 CHAIRPERSON MATHIS: Any questions for
10 Mr. Kanefield?

11 VICE-CHAIR FREEMAN: Madam Chair.

12 CHAIRPERSON MATHIS: Mr. Freeman.

13 VICE-CHAIR FREEMAN: Mr. Kanefield, what would be
14 the legal basis?

15 We have an order from a Superior Court judge
16 saying that the open meeting law does not apply.

17 I would think if we don't have a basis to keep
18 them confidential, I suppose someone could run in and ask
19 for a stay of the ruling, pending an appeal, but I don't --
20 I'm not aware of that having happened.

21 So what would be the basis for us to withhold
22 those from the public?

23 JOSEPH KANEFIELD: Madam Chair,
24 Commissioner Freeman, the basis would be the lack of
25 finality to the decision, that it could be overturned on

1 appeal.

2 And then if the Commission chooses to release
3 those transcripts and then the appellate courts find that
4 the open meeting law does, in fact, apply to the Commission,
5 then, in fact, the Commission will, in fact, duly violate
6 the law, and there would no way to remedy that violation
7 having the transcripts been released.

8 So our advice at this point would be not to do
9 that until there's some finality.

10 And Commission can overrule our advice, of course,
11 and proceed accordingly.

12 But that's what our advice would be at this point
13 in time.

14 VICE-CHAIR FREEMAN: Mr. Kanefield, it's within
15 the prerogative of this Commission anyway to release them
16 anyway. I believe the first Commission on a number of
17 occasions came out of executive session and then turned
18 around and voted to make the record of the hearing public.
19 We could do that anyway, couldn't we?

20 JOSEPH KANEFIELD: Madam Chair,
21 Commissioner Freeman, the Commission can discuss in open
22 session decisions that were reached in executive session
23 obviously.

24 There shouldn't be decisions reached in executive
25 session.

1 But the way the open meeting law works is that
2 those discussions that result in a decision need to be done
3 in open sessions, so that may be what you're speaking about.

4 But in terms of just simply releasing executive
5 session transcripts, we've looked at this issue before. I
6 know it's come up, and it's been on Commission agendas in
7 the past.

8 Our best reading of the law is that executive
9 session transcripts under the open meeting law have to be
10 kept confidential.

11 So the only way to release them would be through a
12 court order or some agreement with the attorney general or
13 the county attorney who do, who do -- who are able under the
14 law to review those transcripts in certain situations.

15 So we are wishing to proceed cautiously,
16 especially in light of all the legal scrutiny upon the
17 Commission with respect to these laws.

18 And our best reading and best advice at this time
19 is that the Commission not release those transcripts until
20 the law is completely settled on the question of the open
21 meeting law's applicability to the Commission.

22 MARY O'GRADY: And, Madam Chair, one more thing, I
23 agree with Joe's advice on that point.

24 And even if the open meeting law doesn't apply to
25 the Commission as Judge Fink ruled, the Commission as

1 Judge Fink also ruled would still have the ability to go
2 into executive session and receive legal advice. And some
3 of these executive sessions also concerned the review of
4 confidential documents.

5 And so even after the lawsuit's over, these don't
6 automatically become public record.

7 There's still some element of discretion on the
8 part of the Commission, because of the attorney-client
9 advice and the review of confidential materials.

10 VICE-CHAIR HERRERA: Madam Chair.

11 CHAIRPERSON MATHIS: Mr. Herrera.

12 VICE-CHAIR HERRERA: I appreciate the advice of
13 our counsel.

14 One thing I don't want to do is to be -- to make a
15 decision now, for the benefit of this particular Commission,
16 that might affect negatively the future Commissions.

17 And I see possibly releasing the executive meeting
18 minutes, releasing and making them public, I would love to
19 see or love to know how it would affect future Commissions.

20 We don't know that.

21 And I would ask our commissioners to seek the
22 advice of our counsel and see what happens with the -- if
23 there is an appeal.

24 But even if there isn't an appeal or if the ruling
25 stands, to see -- for us to think, okay, any decisions we

1 can make now, how will it affect future Commissions. And is
2 it in the best interest of future Commissions for us to do
3 X, Y, and Z.

4 And I implore that we all keep that in mind when
5 we make decisions like this.

6 VICE-CHAIR FREEMAN: Madam Chair.

7 CHAIRPERSON MATHIS: Mr. Freeman.

8 VICE-CHAIR FREEMAN: Well, counsel was -- and I
9 apologize. The acoustics in here are not the best, and I am
10 having a hard time getting every word, but was the first
11 Commission then in error when it moved to make public
12 records of executive sessions it conducted?

13 MARY O'GRADY: Madam Chair, Commissioner Freeman,
14 I'm not aware of the specific decision that you're referring
15 to, but we can check into that and give you a response.

16 I'm not, I'm not aware of the facts of that
17 specific situation.

18 JOSEPH KANEFIELD: Madam Chair,
19 Commissioner Freeman, I'm not either. And I may be in
20 error, but I seem to recall Commissioner Huntwork's
21 testimony before the legislature where he suggested that
22 this Commission could make those executive sessions public
23 from the prior Commission.

24 So that suggested to me that that Commission had
25 not done that.

1 But I don't know. I may be in error. So if
2 that's not the case, please let us know, and we'll follow
3 up.

4 VICE-CHAIR FREEMAN: It's been a while since I've
5 reviewed those transcripts, but it was my recollection that
6 there might have been an instance or two, or several, where
7 they came back the next day and deliberated and said, you
8 know, yesterday it wasn't appropriate for us to do that
9 under -- to go into executive session, so they just moved
10 and made the records public.

11 I might be misremembering that, but that's
12 something I vaguely recall occurring.

13 VICE-CHAIR HERRERA: Madam Chair.

14 CHAIRPERSON MATHIS: Mr. Herrera.

15 VICE-CHAIR HERRERA: Mr. Kanefield, Ms. O'Grady,
16 have we -- has this Commission released any executive
17 meeting minutes, made them public?

18 JOSEPH KANEFIELD: Madam Chair,
19 Commissioner Herrera, no.

20 COMMISSIONER STERTZ: Madam Chair.

21 CHAIRPERSON MATHIS: Mr. Stertz.

22 COMMISSIONER STERTZ: My, my view of this is, is
23 pretty -- a little bit more layman than the attorneys that
24 are flanking me.

25 And that's that when the public wanted this taken

1 out of the basement of the legislature and put it out into
2 the public, they wanted it to be open and transparent.

3 It's been clearly stated over and over and over
4 again by all five of the people up at this table that this
5 is an open process.

6 The test of the open meeting law was put forth by
7 the attorney general, and then moved over to the Maricopa
8 County attorney, and a ruling was made saying that the open
9 meeting law doesn't apply.

10 It states in the constitution that we're to hold
11 all of our meetings -- that all of our business meetings are
12 to be open to the public.

13 And in regards to any legal attorney-client
14 privileged documents or information that might take place in
15 executive session, I can see clearly that that information
16 should be redacted from, from the release.

17 But I still, I still contend that it's in the best
18 interest of this Commission to release the executive session
19 documents, redact the information that would be considered
20 attorney-client privilege.

21 You, Madam Chair, has put this out there in the
22 past that she wanted to have this done. And I think that it
23 is -- it's in the public's best interest to hear and see
24 what we do and that we're to be as transparent as possible.
25 Good, bad, or otherwise.

1 They, they might enjoy what was done in executive
2 session.

3 They -- it might be just, just more information.

4 We've had tons of meetings in public, and we've
5 had hours of meetings in executive session.

6 What's -- my recommendation is to get it out
7 there, and redact the attorney-client privilege components
8 of it, and, and get, and get it out in the hands of the
9 public.

10 VICE-CHAIR HERRERA: Madam Chair.

11 CHAIRPERSON MATHIS: Before we move on,
12 Mr. Herrera, I just want to remind everybody we only have
13 28 minutes now left of the meeting, and we have at least
14 ten request to speak forms.

15 So we're either going probably have to -- if
16 there's going to be more discussion on this matter, because
17 I don't want to limit debate or anything, I just want to be
18 mindful of the time.

19 VICE-CHAIR HERRERA: Madam Chair.

20 CHAIRPERSON MATHIS: Mr. Herrera.

21 VICE-CHAIR HERRERA: No, I -- I'll be as quick as
22 possible.

23 You know, we have -- you know, we've been doing
24 everything possible to, to, to avoid going into executive
25 session.

1 The times that we have gone, I mean, especially
2 initially, SPO, State Procurement Office, required us to.

3 After that we were -- we got into litigation, and
4 our attorneys, which are Republican and Democratic
5 attorneys, advised us to.

6 So I don't remember a time where we, we decided to
7 go into executive session just for the hell of it.

8 Most of the time, all of the time was because we,
9 we actually were required to.

10 And I trust our attorneys.

11 I trust the State Procurement Office that they did
12 the right thing for us to go into executive session.

13 But as I've stated before, we've done a lot -- and
14 I think Mr. Bladine will probably update us on the number of
15 times that we've met in the open versus the number of times
16 we've had executive session minutes -- executive session,
17 whether it be in minutes, hours.

18 Or also let's -- you know, not only the public,
19 our public, the business meetings that we've had, when we've
20 gone out into the public, two different rounds, and compare
21 that to what, what happened before the Prop 106 started.

22 I mean, I wasn't, I wasn't following the process
23 before when the legislators had control of this, but I
24 guaranty you, I have, I have a sense that it wasn't anything
25 like this.

1 They were truly doing it in the back rooms,
2 without public comment.

3 So things are completely different now.

4 And I think people are satisfied with the way
5 we're handling things.

6 So, I am, and I think people that approach us are
7 as well.

8 COMMISSIONER STERTZ: Madam Chair.

9 CHAIRPERSON MATHIS: Mr. Stertz.

10 COMMISSIONER STERTZ: Because this is an action
11 item, I'm going to go ahead and move to have the executive
12 session meeting minutes released to the public with the
13 attorney-client privileged information redacted.

14 VICE-CHAIR FREEMAN: Second.

15 CHAIRPERSON MATHIS: Okay. We have a motion on
16 the floor.

17 Any discussion?

18 COMMISSIONER McNULTY: Madam Chair, I'll just add
19 briefly my perspective.

20 We were in executive session for two reasons and
21 two reasons only.

22 Because we, on the advice of the Attorney
23 General's Office, chose to follow some of the aspects of the
24 state procurement code.

25 We were citizen volunteers. We didn't know

1 anything about the procurement code.

2 We did it on their advice because we thought it
3 would help promote confidence in the public.

4 It turned out to be that that was not the case.

5 But 90 percent of our executive sessions I would,
6 I would venture to say were as a result of that.

7 This whole question about the independence of this
8 Commission, we've talked a lot about that in the last
9 six months. I think that's paramount.

10 As I said before, from this dais, before this is
11 all said and done, everything that was said or everything
12 that happened here I'm sure will become public.

13 There's nothing that we talked about in those
14 executive sessions that bear on the maps that we've drawn.
15 That's all been done in this room or rooms like this where
16 everyone could see what we're doing or what the implications
17 of those actions are.

18 And my vote will be to follow the advice of
19 counsel and not to disclose those transcripts at least at
20 the present time.

21 There may come a time when it's appropriate to do
22 that, but what we should be doing right now is finishing
23 these maps. That's the job we would be doing right now.
24 And I don't -- I think releasing these transcripts now is
25 just a distraction that's unnecessary.

1 There may come a time when we should do it, but
2 that time is not right now.

3 CHAIRPERSON MATHIS: Any other discussions?

4 VICE-CHAIR HERRERA: Madam Chair.

5 CHAIRPERSON MATHIS: Mr. Herrera.

6 VICE-CHAIR HERRERA: Yeah, I agree with
7 Commissioner McNulty. I really do think that we have, I
8 mean, just a huge amount of work ahead of us in trying to
9 come up with agreements on the congressional and legislative
10 map.

11 We're not finished yet. I'm assuming we're close,
12 but I don't know. And I don't think any of us know how
13 close we are.

14 So, to me, I agree that this is something that is
15 a distraction, and we should listen to our attorneys, and
16 also think about the future of this Commission.

17 Because in a couple years we'll be out of this and
18 there will be new people appointed. So I want to keep the
19 independence of the Commission. And until our attorneys
20 advise us otherwise, let's stay the course and see what
21 happens.

22 CHAIRPERSON MATHIS: Any other discussion?

23 COMMISSIONER STERTZ: Madam Chair.

24 CHAIRPERSON MATHIS: Mr. Stertz.

25 COMMISSIONER STERTZ: I don't think that this

1 jeopardizes -- it one -- first of all, this isn't a
2 distraction.

3 Second, this is an action item.

4 Third, this is a -- the next series of events that
5 took place after the ruling by Judge Fink.

6 Third(sic), this is not jeopardizing the
7 independence of this Commission or any future Commission by
8 showing and continuing to be completely transparent.

9 I'm all in favor of shining a bright sunlight, and
10 it's a great, it's a great way for the public to understand
11 what we're doing.

12 And it would clear up any, any potential last
13 lingering thoughts that the public might have that we are
14 not acting completely independently.

15 And upon that note --

16 VICE-CHAIR HERRERA: Madam Chair. I'm sorry. One
17 more comment.

18 You know, I think the public has a pretty good
19 either idea of what we're doing.

20 I mean, as I stated before, not only these
21 meetings, but the first round and public round of hearings,
22 but also the recent rulings.

23 I mean, the recent rulings were in the favor of
24 the Commission, both of them, that we -- everything we've
25 been accused of, not only by outside influence, but also

1 influences within the Commission, proven to have no merit.

2 And we won.

3 And I think the public is extremely comfortable
4 with the work we're doing.

5 I don't know what else we need to do, but I'm very
6 comfortable with what we've done, and I am comfortable
7 following the advice of our attorneys.

8 CHAIRPERSON MATHIS: Any other discussion?

9 (No oral response.)

10 CHAIRPERSON MATHIS: So all in favor of releasing
11 the executive session transcripts/minutes that Mr. Stertz
12 has motioned and Mr. Freeman seconded.

13 COMMISSIONER STERTZ: Aye.

14 VICE-CHAIR FREEMAN: Aye.

15 CHAIRPERSON MATHIS: Any opposed?

16 COMMISSIONER McNULTY: Nay.

17 VICE-CHAIR HERRERA: Nay.

18 CHAIRPERSON MATHIS: Nay.

19 And I'd like to just say briefly that I also
20 believe that releasing those executive session transcripts
21 would instill even greater confidence in our process, and I
22 hope that there will come a time when we can actually do
23 that, but I believe in following the advice of counsel.
24 Both legal counsel, Joe Kanefield and Mary O'Grady, were
25 unanimous in this regard, and that is why I voted the way I

1 did.

2 So, with that, we're going to move on. But the
3 next item is the logging of communications. And I'm going
4 to see, with legal counsel, can we carry that over to a
5 future meeting?

6 JOSEPH KANEFIELD: Yes, Madam Chair.

7 CHAIRPERSON MATHIS: Great. So we'll do that at
8 another time and go straight to public comment.

9 There isn't anything from legal on the open
10 meeting law, is there, in terms of the item number seven?

11 JOSEPH KANEFIELD: Madam Chair, real quick, today
12 we entered into a stipulation with the county attorney as to
13 the form of judgment, and that has been filed with the
14 Superior Court.

15 CHAIRPERSON MATHIS: Okay.

16 Any questions or comments from anybody on that?

17 VICE-CHAIR HERRERA: I'm sorry, I missed that.
18 Can you repeat that again?

19 JOSEPH KANEFIELD: Madam Chair,
20 Commissioner Herrera, I was just -- on the case, the open
21 meeting law case, today we entered into a stipulation as to
22 the form of judgment, the final judgment in the case. And
23 we -- this is the -- how the final ruling would read and be
24 signed by the judge.

25 The judge had asked us to work with the county

1 attorney to come to agreement how that final order should
2 read.

3 We were able to reach agreement with the county
4 attorney and file that for the judge's consideration today.

5 VICE-CHAIR HERRERA: Thank you.

6 CHAIRPERSON MATHIS: Okay. With that, we'll move
7 to public comment.

8 And if we could limit comments to two minutes now,
9 because our comments -- our discussion went longer than
10 intended, but that would still give everyone a chance to
11 speak.

12 If you could come up to the microphone and spell
13 your last name so that we get an accurate accounting for the
14 transcript, that would be great.

15 Our first speaker is State Representative Richard
16 Miranda from Tolleson.

17 VICE-CHAIR HERRERA: He's not here.

18 CHAIRPERSON MATHIS: Okay.

19 Our next speaker is Luis Gonzales from the Pascua
20 Yaqui Tribe. He's a councilman.

21 COUNCILMAN LUIS GONZALES: Good afternoon. Luis
22 Gonzales, G-O-N-Z-A-L-E-S. (Address redacted.)

23 CHAIRPERSON MATHIS: You don't need to give --

24 COUNCILMAN LUIS GONZALES: Okay.

25 CHAIRPERSON MATHIS: Please don't give your

1 addresses to us.

2 Strike that from the record.

3 COUNCILMAN LUIS GONZALES: Okay. Well, good
4 afternoon.

5 Before you again, this is my fourth time, and the
6 last time that I, that I presented was on behalf in
7 reference to the constituency that I have received from the
8 Pascua Yaqui Tribe.

9 In fact, right now today I'm here in reference to
10 the town of Guadalupe, where we have our constituency of
11 over 3,000 people there.

12 I do believe that moving Guadalupe to the other
13 district that we're looking at right now is being proposed.
14 I -- a lot of our membership did not agree with it.

15 I do not agree with it as well either.

16 I've gotten a lot a people here, but it's
17 difficult during the weekday.

18 As I mentioned before, I think it's the community
19 of interest that we have currently with the South Mountain
20 area, Phoenix area, I think it's good.

21 Two things, that I just want to emphasize. One is
22 education.

23 We do have a satellite office in Guadalupe that
24 was opened back in '89.

25 We also -- the South Mountain Community College,

1 the central one, is on 24th Street. It was built in 1980.

2 Our members from Guadalupe, Guadalupe as a whole,
3 the community goes there. That's one commonality we have in
4 reference to the community interest.

5 The second one is religion and language.

6 I want to speak with reference to religion.

7 We have tomorrow La Fiesta de Guadalupe.

8 There's a big festival that's happening we live in
9 Guadalupe, but there's a lot of people that speak Spanish
10 but also come from the Phoenix area. There's hundreds, more
11 or less thousands of people that come there.

12 But one of the commonality we have with
13 south Phoenix is the back and forth not only with religion,
14 language, but also reference to work.

15 The Baseline area, we have back then, 50 years
16 ago, we had areas of Chinese fields who we all used to work
17 as well too, and we have a commonalty and common interest
18 with the people of south Phoenix as well.

19 But those are some of the ties, and I would really
20 like the Commission --

21 (Alarm sounds.)

22 CHAIRPERSON MATHIS: You can finish your thought
23 there.

24 COUNCILMAN LUIS GONZALES: Truly consider
25 maintaining Guadalupe where it is right now.

1 Thank you.

2 CHAIRPERSON MATHIS: Thank you very much.

3 Our next speaker is Sally Ann Gonzales,
4 representing Guadalupe. State representative.

5 REPRESENTATIVE SALLY ANN GONZALES: Good
6 afternoon, Madam Chair and members of the Commission.
7 Gonzales, G-O-N-Z-A-L-E-S.

8 I am here representing -- I would actually like to
9 speak both on district -- my district in Tucson, District 3.

10 I did not know of any changes that was happening.
11 It was unfortunately concentrating on the changes for the
12 town of Guadalupe.

13 And I saw a little bit of what, of what was up
14 there.

15 I'll have to go back and look into it, and maybe
16 write some written comments.

17 I certainly do not or oppose the changes that
18 were -- that District 3 is losing on the south end that are
19 surrounding the Tohono O'odham, San Xavier district area.
20 Hispanic, the Hispanic community in that area is closer
21 related to the Tohono O'odham in that area, and we're going
22 to lose that, and gain, and gain up in the northeast side of
23 that, of the District 3.

24 And the bigger, the majority of the population is
25 in district -- that we're losing is -- has closer ties

1 together than the ones that we're gaining up in the
2 northeast, in that, but I'll have to look at those again.

3 Like I said, I was concentrating on the Guadalupe
4 area.

5 Really quickly, going on to the -- to district,
6 the proposed District 26 of the town of Guadalupe, I am
7 president of the Guadalupe CDC, have been for the last
8 eight years.

9 And we concentrate our efforts in building
10 moderate to low income housing for the citizens of Guadalupe
11 in conjunction with the Town of Guadalupe and other entities
12 within there, so, we have built the two apartment complexes,
13 one for senior and one for multi, multi -- multi-family
14 complexes at the north end of the town that include 76 of
15 the multi-family, and 32 of for senior centers -- citizens.

16 And I'd like to, you know, let you know that, that
17 Guadalupe is going to -- is a unique community, but it has
18 closer ties to the south Phoenix area that it is now
19 currently, and I'm asking you to leave it there.

20 Because for the first time in history in the 2010
21 elections we had one Guadalupe member running for the
22 legislature. That was first time in history.

23 I believe that those kind of chances of Guadalupe
24 members getting to be able to elect a person of their liking
25 is going to be null and void if you move them to District 26

1 in the Tempe, Mesa area.

2 That it -- we've been working hard to get a voice
3 in the community of Guadalupe, and I really stress that you
4 leave them in district -- in your current proposed
5 District 27.

6 Thank you.

7 CHAIRPERSON MATHIS: Thank you.

8 Our next speaker is Sandra Gonzales, representing
9 District 16, Guadalupe.

10 SANDRA GONZALES: Good afternoon, chairman Mathis,
11 and members.

12 For the record, my name is Sandra Gonzales,
13 G-O-N-Z-A-L-E-S.

14 What I'm going to say, how difficult the IRC made
15 it for us to work as a working community member to be here.

16 At 9:00 a.m. there was more community members, but
17 it was changed from 9:00 to 1:00.

18 The Saturday meeting is canceled.

19 But having a meeting during the day when working
20 families are working is just awful.

21 My connections to Guadalupe are many. I was
22 raised in Guadalupe. It is home to my eight member family,
23 along with many aunts, uncles, cousins, and many extended
24 family, as well as my 85-year-old grandmother whom is -- we
25 are blessed here to have with us today.

1 Growing up in Guadalupe, my parents are -- were no
2 close to services, public safety, no police, no fire
3 protection, no ambulance service, no trash collection, no
4 paved streets.

5 Things have gotten better. I can only remember
6 the dirt road in old photographs. And now my children will
7 know Guadalupe with the sidewalks and roads that they have
8 now. Not great, but nonetheless roads.

9 I was the first community member to run for a
10 legislative seat.

11 It was an honor.

12 And having Guadalupe in District 17 I think would
13 be devastating for our people and our community.

14 It would not provide my children the same
15 opportunity, as my oldest is a year, year and a half away
16 from becoming a registered voter.

17 All I ask is that you keep it where it is right
18 now with 16.

19 Thank you.

20 CHAIRPERSON MATHIS: Thank you.

21 Our next speaker is Gino Turrubiartes, from
22 Guadalupe.

23 GINO TURRUBIARTES: Gino, G-I-N-O, last name T, as
24 in Tom, U-R-R-U-B, as in boy, I-A-R-T-E-S.

25 And very well pronounced you continue,

1 Madam Chair.

2 I'm reading this letter on behalf of the mayor of
3 Guadalupe, dated December 15th, 2011.

4 The Town of Guadalupe has come before the
5 Commission and has asked that Guadalupe stay in Legislative
6 District 27. For a true community of interest exists and
7 has commonality with other neighboring communities to the
8 west. A true community of interest would exist for all.

9 The IRC in its creation was to provide a fair and
10 equitable distribution of population, especially when it
11 comes to the community of interest.

12 The town of Guadalupe is situated in the Phoenix
13 metropolitan area where almost 5500 population is residing
14 in an area less than one square mile.

15 The town of Guadalupe covers an area of
16 approximately 0.75 square miles, and it was founded around
17 the turn of the century by the Yaqui Indians.

18 Today our population remains predominantly
19 composed of Hispanic, of American -- Mexican-American
20 descent and Native Americans who are predominantly of the
21 Pasqua Yaqui tribe.

22 The town of Guadalupe has thrived because of
23 partnerships with our neighboring communities within
24 legislature -- Legislative District 27.

25 Twenty-seven is Legislative District 16, just to

1 clarify.

2 That have existed in developing Guadalupe town
3 hall, Guadalupe fire department, South Mountain Community
4 College in Guadalupe, Guadalupe Boys and Girls Club,
5 Guadalupe Library, Frank Elementary School, Guadalupe
6 Community Development Corporation, Pascua Yaqui Education
7 Center, Pascua Community Service Center, Guadalupe Community
8 Action Program, Guadalupe Senior Center, Maricopa County
9 Office subdivision -- or Sub Station, and Centro de Arnistad
10 Behavior Health Center, just to mention a few.

11 We have over 30 businesses and over five active
12 churches in our community.

13 Through Guadalupe Housing Department, Pascua Yaqui
14 Housing Department, Guadalupe Community Development
15 Corporation, and a Habitat -- Habitat of Humanity, over
16 200 new homes have been built through the years for families
17 who are low to very low income.

18 And these programs continue to meet the needs of
19 the community by continuing new construction of homes and
20 rehabilitation of existing homes.

21 The town of Guadalupe has the lowest income
22 population of all municipalities within the Maricopa County,
23 and one of the highest in the state of Arizona, which
24 compares to what exists in the remaining community in
25 Legislative District 27.

1 We, the Town Council of Guadalupe, voted and
2 requested that we stay in Legislative District 27.

3 It is our -- it is with great importance to us
4 that the town of Guadalupe stays in a legislative district
5 where a true community of interest exists.

6 We have very little or no community of interest
7 with Legislative District 26.

8 If you removed leg -- if you remove -- if we are
9 removed from Legislative District 27, we will file
10 objections to the plan that does not include Guadalupe in
11 Legislative District 27.

12 Respectfully, Mayor Alma Yolanda Solarez.

13 And just on a lighter note, I just want to thank
14 the Commission for your continued hard work, all your
15 members, the time that you give away from your families,
16 from your jobs. I know this is very difficult, but I just
17 want you to know that every one of us are grateful for
18 everything that you do.

19 Thank you.

20 CHAIRPERSON MATHIS: Thank you.

21 Our next speaker is Cristina Campoy, from
22 Guadalupe.

23 CRISTINA CAMPOY: My name is Cristina Campoy,
24 C-A-M-P-O-Y.

25 And I'm here to speak on behalf of my community,

1 to stay in the district the way it is.

2 I graduated from South Mountain Community College.
3 Where I was able to make the dean's list, meaning that I
4 made straight A's.

5 First of all, the first community college I went
6 to was Mesa Community College.

7 I didn't feel very -- I didn't feel in touch with
8 that, with that school.

9 South Mountain gave me a more familial feel.
10 Because I had instructors that were -- that were of color
11 and were bilingual.

12 I also was the first one in my family to get a
13 degree from Arizona State University.

14 I in large part give thanks and credit to South
15 Mountain Community College because they were the ones that
16 have a satellite school in the community of Guadalupe.
17 And they also help people in the community that have limited
18 transportation to attend community college and better their
19 lives.

20 Not only does South Mountain increase our
21 education, but it has also provided jobs for people in the
22 community of Guadalupe.

23 We don't have any, any commonality with the city
24 of Scottsdale and Tempe.

25 By tradition, the Guadalupe, the Yaqui people have

1 really migrated west to the Phoenix and Laveen area.

2 Laveen, with Laveen, what we have in common is
3 they were, they were the farmers, while the town of
4 Guadalupe residents were the crop pickers.

5 We don't have any of that commonality with the
6 city of Tempe, Mesa, Scottsdale.

7 Also the thing that was touched upon was the
8 poverty level.

9 Between the years of 2005 and 2009, per capita
10 income for Guadalupe families was \$11,436.

11 I think we all know that Scottsdale people make a
12 lot more income.

13 But I would just like to thank you for the
14 opportunity of hearing us. Not because it's the process
15 that you have to take, but I hope that you really listen to
16 the community and its needs and keep us in the district that
17 we are in already.

18 Thank you.

19 CHAIRPERSON MATHIS: Thank you.

20 Our next speaker is Frank Lopez from Guadalupe.

21 FRANK LOPEZ: Madam Chair, members of the
22 Commission, I'm a resident of Guadalupe, and I'd like to
23 just echo what my fellow residents just said.

24 But I've been asked -- Gino didn't have time to
25 read this second letter. But I've been asked by Gino to

1 read this letter from Catherine Miranda, our District 16
2 representative.

3 Dear Chairman -- Chairperson Mathis, I'm writing
4 to the Independent Redistricting Commission in the strongest
5 possible opposition to removing the town of Guadalupe from
6 my legislative district.

7 Unfortunately I am currently out of state on a
8 prior commitment and cannot be there personally to express
9 my view.

10 For 30 years Guadalupe has been part of the
11 District 16 South Mountain community. We have shared common
12 cultural events and economic growth.

13 Currently as their state representative, we have
14 begun numerous economic development projects that will be
15 impacted if Guadalupe is removed from my legislative
16 district.

17 The town of Guadalupe as a community of interest
18 has bonded and merged with south Phoenix during the past
19 decades into a single community of interest.

20 District 16 legislators have become a strong voice
21 for a community that otherwise would have been neglected and
22 ignored if represented by an east valley legislative
23 district.

24 The future economic development is at stake in
25 this sudden proposal to place the town of Guadalupe in the

1 east valley for legislative representation.

2 I currently serve on two major Latino -- national
3 Latino elected official boards, which have also been
4 contacted and concern -- and have concerns with and have
5 raised concerns on dividing this community of interest with
6 significant historical and cultural ties to south Phoenix.

7 I remain hopeful that the IRC will recognize
8 legitimate redistricting factors which have been expressed
9 in opposing to removing the town of Guadalupe from
10 South Mountain legislative district.

11 The alternative would be a potential for costly
12 and needless litigation.

13 I respectfully ask that you hear the voices of
14 logic and not divide a community that has remained intact
15 for 30 years.

16 Sincerely, Representative Catherine Miranda,
17 District 16.

18 Thank you.

19 CHAIRPERSON MATHIS: Thank you.

20 Our next speaker is Joshua Offenhartz,
21 representing self, from Scottsdale.

22 VICE-CHAIR HERRERA: Madam Chair, before he -- the
23 next person speaks, I want to encourage the people from
24 Guadalupe to come tomorrow when Bruce Adelson will be here.
25 He'll explain the reason why we proposed Guadalupe be in a

1 different district and the issue of retrogression. So I
2 would encourage you to attend tomorrow's meeting.

3 CHAIRPERSON MATHIS: Which begins at 4:00 p.m. for
4 everyone's edification.

5 JOSHUA OFFENHARTZ: Joshua Offenhartz,
6 O-F-F-E-N-H-A-R-T-Z.

7 First off, Madam Chair, fellow commissioners, I
8 want to say thank you for letting me speak and holding this
9 meeting. I'm glad to see that cooler heads and compromise
10 seems to be prevailing. It was a tense meeting on Monday
11 for those of us in the audience.

12 And I think that we have made great progress
13 towards a final map. So thank you for that.

14 I'm here to speak today on proposed Legislative
15 District 23. No surprise.

16 After my testimony on Monday afternoon, I went
17 home and looked at the redistricting software to see how
18 best to add 5 to 6,000 people from the proposed Legislative
19 District 24 into proposed Legislative District 23.

20 And what I wanted to testify to today was my
21 recommendation for a number of reasons.

22 The legislative map titled 12-12 VRA LD 26
23 version three is the only map that seems to have made this
24 change so far.

25 And you take two precincts from the eastern edge

1 of Scottsdale, specifically a boundary created by Hayden and
2 McDowell Road and add that to LD 23.

3 While this is a great idea, I would offer an
4 alternative in which you look to add the 5 to 6,000
5 populations from a block in between Scottsdale Road and
6 Hayden Road, as opposed to the proposed Hayden to
7 Pima Roads.

8 And the reason that I make this recommendation is
9 that the Coronado High School is actually in that block, and
10 you had removed it from the Scottsdale Unified School
11 District, which had been kept relatively intact.

12 With all due respect, since we're just looking to
13 add non minority-majority voters from the 24 to the 23, I
14 think that it makes sense to pick those voters that would
15 add to compactness and communities of interest, which is why
16 I bring up that regard.

17 Just to some notes for you, in case you haven't,
18 you know, delved into the population dynamics, the reason I
19 bring this up is that if you move farther west, there are
20 minority voters, and I realize that we want to keep those in
21 that 24 district as opposed to the 23.

22 I'll finish up with some last thoughts. It's my
23 personal preference for the proposed LD 28 that a final
24 draft map would look something -- or a final map would look
25 something closer to the draft map. But since I've only got

1 two minutes, I will come back tomorrow and provide that
2 testimony.

3 Thank you again for listening, and I hope that we
4 can make these changes to 23 to make it an even better
5 district than it already is. Thank you.

6 CHAIRPERSON MATHIS: Thank you.

7 Our next speaker is Alberto Gutier. From Phoenix.

8 (No oral response.)

9 CHAIRPERSON MATHIS: Pete Bengtson, representing
10 self, from Pima.

11 PETE BENGTSON: My name is Pete Bengtson, that's
12 B-E-N-G-T-S-O-N.

13 I'm one of those people advocating competitive
14 districts.

15 And I know it's the last one on the list, but I
16 just want to remind everybody that the whole purpose of the
17 IRC is to create fair and competitive districts.

18 So I think it's important.

19 Also happy that the only thing I'm paying
20 attention to is competitive districts.

21 You all have six different goals to keep in mind.
22 And every time I come, I'm amazed at how complex it is.

23 I've been paying attention to the fact that you
24 guys are running open meetings, since I started coming to
25 these sessions in the end of June, and then after the state

1 legislature and governor got involved, I paid even more
2 attention. And I'm really pleased to say that I'm impressed
3 with how all these decisions on the maps are made in open
4 session.

5 Listening to the long, boring discussions of
6 moving a line here or there, I realize it's all being done
7 in the open. And even when there's a little conflict on
8 what we're going to do, it makes it even more clear that
9 it's all done in open session. No back room stuff.

10 So keep up the good work you're doing.

11 CHAIRPERSON MATHIS: Thank you.

12 Our next speaker is Lynne Breyer, representing
13 self, from Maricopa.

14 LYNNE BREYER: B-R-E-Y-E-R.

15 First, I want to thank Mr. Stertz for the map that
16 you presented today.

17 I like the map you did on Monday.

18 I like this one a little bit less, but I
19 appreciate that you were willing to compromise to satisfy
20 hopefully some of the people on this Commission who really
21 are not that interested in compromise.

22 So thank you very much for that.

23 I also wanted to thank you, Mr. Freeman, for
24 wanting to release the transcripts of the closed meetings.
25 And as a member of the public it makes me wonder why the

1 other three are not interested in that. And it makes me
2 suspicious of that process now.

3 Mr. Herrera, I'd like to thank you for being so
4 civil today. I will tell you that I have friends and
5 neighbors who will not come here to speak because you have
6 intimidated them into not wanting to do that. And you have
7 been very civil today, and I appreciate that as well.

8 I have here a letter from a woman in Tucson who
9 has tried countless times to submit a comment through your
10 website.

11 I have had the same experience that she had, which
12 is to say that it can't be done half the time.

13 Now my thing is not wanting to work.

14 This is from Nancy MacDonald, and her letter
15 reads: As a resident of Saddlebrooke, it is important to me
16 to give you my input and opinion on the matter of putting
17 our community in CD 1.

18 That opinion is don't do it.

19 This makes little sense because we are actually
20 much closer to downtown Tucson than we are to the area
21 covered by CD 1. And downtown Tucson is in CD 2.

22 For many years Saddlebrooke has been actively
23 involved and has had thousands of volunteer hours logged
24 with the children, schools, and families in Oracle,
25 San Manuel, and Mammoth.

1 We have very little in common with the folks in
2 CD 1, and we should not be expected to drive so far to be
3 involved with them.

4 Frankly it just won't happen.

5 Furthermore, how can we expect any representative
6 to cover such a huge and oddly shaped district and represent
7 us properly.

8 All of the constitutional criteria are being met
9 by leaving us in CD 2, whereas being assigned to CD 1 would
10 not meet constitutional criteria.

11 Why would you be interested in changing our
12 district when so few people find it desirable to make this
13 change.

14 Clearly this seems like a clear case of
15 gerrymandering, and I am really unhappy about something that
16 seems so dishonest.

17 It is also important for you to know that I did
18 try to send an online form today to
19 www.azredistricting.org/public/inputASP. Both I and my
20 husband Neil spent considerable time filling out the forms.
21 And when we were done, put in the security codes and hit
22 submit. A new form came up saying our information did not
23 go through. And after going back to try to retrieve what we
24 had written, our filled-out forms were as blank as the new
25 ones.

1 Subsequently I telephoned (855)733-7478.

2 A woman named Ilene Wilson told me she would note
3 my opinion and put it into a binder.

4 Ilene did tell me there had been a glitch in the
5 computers in their office yesterday.

6 Must be a glitch every day, because that's what I
7 keep hearing too.

8 And she guessed that there was still a problem.

9 I then asked to speak with her supervisor and was
10 connected with someone named Anna Garcia, who announced to
11 me that she was the executive administrative officer, heavy
12 on the officer, for the Commission.

13 As I tried to explain my dilemma to her, she
14 continued to interrupt what I was saying.

15 When I told her that it seemed very peculiar that
16 the forms on the website did not work for two days and that
17 I wanted more than a notation of my opinion in some binder,
18 she told me it wasn't her fault and that she didn't wish to
19 speak to me because I was very angry. And she hung up on
20 me.

21 I was angry, because she continued interrupting
22 everything I said.

23 She needs some training, to say the least. She
24 had offered to give me a fax number, but I do not have a fax
25 machine.

1 Needless to say as a concerned citizen who had
2 taken the time to try to communicate my wishes in
3 two different ways and still didn't feel as if anyone was
4 paying attention, I am not impressed.

5 The way all of this redistricting has been handled
6 is questionable at best.

7 Once more I'd like to say do not put the subject
8 communities into CD 1.

9 Signed, Nancy MacDonald.

10 Thank you.

11 CHAIRPERSON MATHIS: Thank you.

12 Ann Heins, representing self, from Maricopa.

13 VICE-CHAIR HERRERA: Madam Chair, before we move
14 forward, could I --

15 CHAIRPERSON MATHIS: Mr. Herrera.

16 VICE-CHAIR HERRERA: I would recommend that
17 probably Ms. Gomez contact this individual to see if she can
18 clear up any issues she may be having with our, with our
19 website.

20 Because I think it's probably a miscommunication.
21 I think they work perfectly, but would have Ms. Gomez
22 contact her directly.

23 CHAIRPERSON MATHIS: Thank you.

24 ANN HEINS: So I can speak?

25 CHAIRPERSON MATHIS: Yeah.

1 ANN HEINS: Ann Heins, H-E-I-N-S, A-N-N.

2 Well, I was asked to talk -- to present
3 information from Flagstaff Yuma, and Tucson, but I have to
4 respond to the comments today.

5 The three Democrats on the IRC talk about
6 competitiveness. But from what I hear, all you talk about
7 is hyperpacking the conservatives to weaken them while at
8 the same time making sure that every incumbent Democrat is
9 protected.

10 And clearly Herrera's idea yesterday of putting
11 Republicans out 8 and into 11 is super-hyperpacking.

12 And then I have to respond about the -- your
13 comments that the public is very happy and satisfied.

14 So, I can say from the East Valley Trib, that
15 Maricopa County -- our Maricopa County attorney said that
16 there is no public accountability, that it is a new
17 Redistricting Commission.

18 Arizona Republic, not certainly known for
19 conservative values, said issues raised while the Commission
20 allegedly hired a Democrat mapping consultant following
21 behind-the-scenes lobbying and scheming by
22 Chairwoman Mathis.

23 Capital Times said that behind closed doors, the
24 officials with the state department -- I'm sorry, I'm
25 speaking fast -- of administration stopped working with the

1 Commission just before it hired a mapping consultant. We
2 don't know about that. The executive commission to destroy
3 the initial score sheets from the commissioners' behind
4 closed door sessions.

5 So I beg to differ from you, sir.

6 That is what your public, your left leaning 1960
7 newspapers are saying.

8 So I salute also the two lawyers on the
9 Commission, because they have completely ignored the state
10 of California, the taxpayers, and the rest of the
11 Commission, to protect one person.

12 So now, Madam Chair, will you step up and vote for
13 the maps or are you going in a nonpartisan independent vote,
14 or will you continue to be controlled by the two people
15 surrounding both sides of you.

16 If you can't vote Independent, then why not
17 dissolve this Commission and save the taxpayers the money
18 and just go ahead and make your decision for the whole state
19 of Arizona behind closed doors.

20 So, Madam Chair, are you going to be Independent,
21 or will you be the Empress Mathis.

22 Thank you.

23 CHAIRPERSON MATHIS: Thank you.

24 Our next speaker is Don Ascoli, representing self,
25 from Gila.

1 We have two more speakers after that.

2 DON ASCOLI: Don Ascoli, A-S-C-O-L-I, from Payson,
3 Arizona.

4 Madam Chair, could you put the map for the
5 legislative districts up that you're discussing? I did not
6 have the benefit of getting here early with the snow.

7 This won't go against my time, will it?

8 (Brief pause.)

9 DON ASCOLI: I apologize, I asked the young lady
10 from the back if she could do this, but she did not have the
11 software to show me. So this is my first time seeing what
12 is being discussed.

13 Can you expand a little bit on, on Gila County?
14 Is that possible, or is that the best you can zoom?

15 Madam Chairman, commissioners, thank you for
16 letting me be here.

17 Community of interest has been said and probably
18 you think has been overused. And I have very much sympathy
19 for the folks in Guadalupe. But good luck with this
20 Commission.

21 That's my county. Gila County.

22 53,000 people, and it's been sliced into
23 three districts.

24 Three districts.

25 It was mentioned earlier by Commissioner Jose

1 Herrera we won. We won.

2 Have you heard that before?

3 Sounds arrogant to me. It sounds divisive to me.

4 That county has no right to be split.

5 I wear many hats in this county. I live north of
6 Payson. I'm the chairman of the Gila County Planning and
7 Zoning Commission. It's one of the hats I wear.

8 I just came from a meeting. That's why I was
9 late. Trying to decide on a little conditional use permit
10 for folks up in East Verde Estates.

11 We have worked -- I have worked my six years in
12 that commission, there's nine of us, to help the community
13 of interest, our county.

14 And you folks have decided to butcher our county.

15 It's the only rural county out of 12 that's split
16 into three representatives.

17 Do you know how hard we work to have a connection
18 and be able to work with our representatives?

19 We have a nice solid team who represent the rural
20 area of Arizona in LD 5.

21 You are going to slice and dice this commission --
22 this county into the three pieces, 15,000 people or so in
23 each section. And you're going to expect them to listen to
24 us little people.

25 You've used our county as political fill.

1 That's how I feel. And I'm going to tell you, if
2 I could have half the county, they'd be down here saying the
3 same thing.

4 I'm very disappointed.

5 Yes, you win, and the people have lost because of
6 what you have done.

7 I have back here, and you know, what the district
8 maps looked like in 2000. And there was a nice, nice rural
9 district LD 5 there. It was five counties, almost all
10 whole.

11 And you chopped it up into three or four
12 districts.

13 We don't have any representation.

14 You have hurt the rural people of Arizona.

15 I'm upset and mad about it, and I'm not the only
16 one.

17 You don't represent the people with what you've
18 done here.

19 The only way you can solve it is by making us, our
20 community of interest, whole, be compact and contiguous.
21 Don't use us as political fill.

22 Thank you.

23 CHAIRPERSON MATHIS: Thank you.

24 Our next speaker is Sean Englund, representing
25 self, from Cave Creek.

1 SEAN ENGLUND: I have some handouts of my
2 testimony, Madam Chair.

3 UNIDENTIFIED AUDIENCE MEMBER: Madam Chair,
4 Senator Leah Landrum Taylor has given me her yellow note. I
5 thought she turned in another one. She wanted us to turn in
6 what she wrote on. c

7 CHAIRPERSON MATHIS: Okay.

8 Our next. Sorry.

9 SEAN ENGLUND: Sean Englund, that's spelled
10 E-N-G-L-U-N-D.

11 Madam Chair, Vice Chair, members of the
12 Commission, I appreciate everything that you guys have done.

13 I know it's been difficult, and you've put a lot
14 of time into this, and I really appreciate it.

15 What I'm here to discuss today is that I support
16 the IRC approved maps that were approved on October 10th,
17 2011.

18 I am a former title insurance agent, and I've
19 worked up in the Cave Creek, Carefree area for over
20 15 years.

21 I'm a resident up there, I'm also a licensed
22 realtor in the area, and I am very familiar with it.

23 And I am a parent of two children that attend the
24 CCUSD schools. And I'm the manager of a large equine
25 breeding facility. And I believe that I truly understand

1 the interests of that area up north.

2 And here's why I approve, I approve and support
3 those maps that you've approved.

4 The proposed LD 15 respects both the community of
5 interest and the municipal boundaries while creating a
6 compact and contiguous district.

7 The map also uses the Scottsdale city lines to
8 divide the proposed LD 15 and the LD 23.

9 This respects municipal boundaries for both -- for
10 all of Scottsdale, Phoenix, and Carefree boundaries. And
11 Carefree.

12 None of these communities are divided on the north
13 part of the proposed district.

14 The parents in this north part of the proposed
15 LD 15 comprise a block of voters that typically support our
16 local public schools in Cave Creek, and this map keeps those
17 parents together, which I believe is very important.

18 The horse industry in this area is a very
19 tightknit group. And are, and are located in the same
20 county as -- are in the same county supervisor district,
21 which is District 3, both north of Carefree Highway and east
22 and west of Cave Creek Road.

23 Keeping them together in this map keeps a
24 community of agricultural interests together.

25 And from a title officer perspective and from a

1 realtor perspective, the homes and subdivisions west of the
2 city of Scottsdale are used as comparable properties, as are
3 the larger non-subdivision homes.

4 This is an important distinction.

5 It's hard to find comparable properties for
6 acreage and custom built homes, and typically realtors do
7 not use the properties in Scottsdale as comparable to
8 properties in the proposed District 15.

9 Thank you for your time.

10 CHAIRPERSON MATHIS: Thank you.

11 Our next speaker is Antonia Campoy, representing
12 self, from Guadalupe.

13 ANTONIA CAMPOY: Good afternoon, board. Thank
14 you.

15 My name is Antonia Campoy from the community of
16 Guadalupe.

17 I'm going to read our Senator Leah Landrum
18 Taylor's comments. She had to leave, I believe.

19 Strong support for having town of Guadalupe to be
20 included in the current draft map.

21 Also support from the 48th Street to 24th Street
22 from McDowell to I-10, taking out and keeping South Mountain
23 Village and Laveen whole by adding then from Baseline to
24 Broadway from 35th Avenue to 59th Avenue back into the
25 district.

1 Thank you for all your hard work and truly
2 listening to the community.

3 For myself I'm born and raised, a Yaqui member of
4 the Guadalupe Yaqui community. And I have six
5 grandchildren.

6 And I've served both on tribal council and town
7 council.

8 I've attended many, many town council meetings
9 within the past three or four years, and I've had the
10 pleasure of having collaborated and met with Leah when she
11 has come out to our town hall on issues of housing and
12 public safety and other issues.

13 And so, I encourage you to listen to Ms. Leah
14 Taylor in her support for the community of Guadalupe.

15 And I also support Mr. Frank Lopez and all his
16 comments, that he gave you a brief history of Guadalupe and
17 everything that we've worked for all these years.

18 So thank you for your time and hopefully you will
19 not -- kind of -- I teach Yaqui history for South Mountain
20 Community College.

21 I have been working for TD for over 30 years.

22 And I -- you can say that I'm involved in the
23 community.

24 So hopefully my coming up here and expressing my
25 concerns for we want to stay with some of the south Phoenix.

1 Thank you for your time.

2 Gracias. Thank you.

3 CHAIRPERSON MATHIS: Thank you very much.

4 That was our last request to speak form. Did I
5 miss anyone?

6 There is somebody.

7 Sure.

8 You'll have to fill out a request to speak form
9 and tell us your name and all of that once you're done.

10 HOLLY HOVER: How are you? My name is Holly
11 Hover, H-O-V-E-R.

12 Madam Chair, members of the Commission, thank you
13 for letting me speak.

14 And in respect of your time, I know we're getting
15 late, I would just like to relate to you that I do
16 wholeheartedly support the legislative map that you approved
17 October 10, 2011.

18 It absolutely is the best proposed option for my
19 legislative district. That's District 15.

20 I would like, if I could, just go ahead and submit
21 these thoughts for your review and let everybody get out of
22 here.

23 Thank you very much.

24 CHAIRPERSON MATHIS: Thank you very much.

25 Thank you, public, for your input today. We

1 appreciate it.

2 The time is 4:23 p.m. and this meeting is
3 adjourned. And we'll be meeting again tomorrow at 4:00 p.m.
4 here.

5 Thanks.

6 (Whereupon, the meeting adjourned.)

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1 STATE OF ARIZONA)
)
2 COUNTY OF MARICOPA) ss.
3

4 BE IT KNOWN that the foregoing proceeding was
5 taken before me, Marty Herder, a Certified Court Reporter,
6 CCR No. 50162, State of Arizona; that the foregoing
7 136 pages constitute a true and accurate transcript of all
8 proceedings had upon the taking of said meeting, all done to
9 the best of my skill and ability.

10 DATED at Chandler, Arizona, this 21st day of
11 December, 2011.

12

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C. Martin Herder, CCR
Certified Court Reporter
Certificate No. 50162

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