

**ARIZONA INDEPENDENT REDISTRICTING COMMISSION**

Tuesday, December 20, 2011  
1:09 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

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

1 Tempe, Arizona  
2 December 20, 2011  
3 1:09 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.

9 This meeting of the Arizona Independent  
10 Redistricting Commission will now come to order.

11 Today is Tuesday, December 20th, and the time is  
12 1:09 p.m.

13 Let's begin with the Pledge of Allegiance.

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

15 CHAIRPERSON MATHIS: Okay. We'll start with roll  
16 call.

17 Vice-Chair Freeman.

18 VICE-CHAIR FREEMAN: Here.

19 CHAIRPERSON MATHIS: Vice-Chair Herrera.

20 VICE-CHAIR HERRERA: Here.

21 CHAIRPERSON MATHIS: Commissioner McNulty.

22 COMMISSIONER McNULTY: Here.

23 CHAIRPERSON MATHIS: Commissioner Stertz.

24 COMMISSIONER STERTZ: Here.

25 CHAIRPERSON MATHIS: We have a quorum.

1           Other folks at the table include our legal counsel  
2 Mary O'Grady, our mapping consultant Willie Desmond.

3           Staff around the room include our executive  
4 director Ray Bladine, our deputy executive director Kristina  
5 Gomez, our public information officer Stu Robinson, our  
6 chief technology officer Buck Forst.

7           And our court reporter Marty Herder, who's taking  
8 an accurate transcript of today's proceedings.

9           So with that, we can get right on into the agenda.

10           Which over the past few weeks now we've been kind  
11 of discussing adjustments to these both legislative and  
12 congressional draft maps. And since we didn't get to the  
13 congressional yesterday, I thought it would be good to start  
14 there, if that's okay with everybody else and our mapping  
15 consultant.

16           I'm not sure that he had anything he was supposed  
17 to do for us for today on that. We just need to pick up  
18 from where we were on Friday.

19           WILLIE DESMOND: There are no congressional change  
20 reports for you to look at today.

21           And the congressional map remains relatively close  
22 to the draft map. There's been some small charges in  
23 Districts 3 and 7 to improve their voting rights performance  
24 a little bit.

25           I'm happy to proceed however you like.

1           We could go back and look at the proposed changes  
2 that Commissioner Stertz and Commissioner McNulty have  
3 proposed. I believe those are the two main changes still  
4 out there.

5           CHAIRPERSON MATHIS: And then there was my combo  
6 map.

7           WILLIE DESMOND: And your combo.

8           CHAIRPERSON MATHIS: And that's something we  
9 didn't really talk about with Mr. Stertz present. And so it  
10 would be good, I think, to do that, and then also have  
11 him --

12          VICE-CHAIR HERRERA: Madam Chair.

13          CHAIRPERSON MATHIS: Yes, Mr. Herrera.

14          VICE-CHAIR HERRERA: Yeah, thank you, I'd like to  
15 see if we can address the -- I guess it's called the Mathis  
16 combo map. I have had a chance to review it and I would  
17 like to give my thoughts.

18          CHAIRPERSON MATHIS: Okay. Great.

19                 And essentially just to bring everybody up to the  
20 same page, what this was, this combo map, was taking a few  
21 of the districts from McNulty's proposed changes to the  
22 draft map, keeping the same lines and boundaries for the  
23 two voting rights districts, three and seven, and then  
24 taking the map -- essentially the Maricopa County area that  
25 Mr. Stertz had proposed for Districts 5, 6, 8, and 4 too, I

1 think.

2           Yeah.

3           And I know, Mr. Stertz, you were on the phone for  
4 part of that meeting Friday, and I'm not sure how much you  
5 heard or saw of this particular map, so. . .

6           COMMISSIONER STERTZ: Madam Chair, if you can just  
7 give me a moment, I'm going to be loading the legislation --  
8 legislative map. I thought we were going to go there first,  
9 so it will take me a second to pull up the congressional.

10           Maybe you could go through the overview of the, of  
11 the, of the changes.

12           Most specifically the thing that we really want to  
13 focus on is the, is the substantive difference that I saw  
14 was the exclusion of the Oro Valley, Marana, Saddlebrooke,  
15 and the Pinal County connection in lieu, in lieu of the  
16 connection of Cochise County into the greater Tucson metro  
17 area on the southern side.

18           CHAIRPERSON MATHIS: Yes, and --

19           COMMISSIONER STERTZ: In the northern map, what  
20 southern -- what salient changes were made there that maybe  
21 you could point me too so that we could expeditiously go  
22 through it.

23           CHAIRPERSON MATHIS: Sure.

24           So just to recap.

25           Districts 1 and 2 came from the McNulty proposed

1 changes map. And I believe her efforts were centered around  
2 trying to address the number one piece of public comment, at  
3 least in my opinion, that we received from the public  
4 comment during that 30-day period, and that was that CD 1  
5 was just way too big for one person to represent.

6 It's still a big district, as we know. It's a big  
7 district currently.

8 But at least in this version we do cut off the  
9 bottom of the state so it doesn't go all the way to the  
10 border.

11 So Cochise County is kept whole.

12 And so that section is at least removed.

13 We did sacrifice the third border district by  
14 doing that, which is something that a few of the  
15 commissioners at least, I know, were interested in,  
16 including me.

17 But there just wasn't a good way to do it  
18 unfortunately that worked with the rest of the map.

19 So, as I mentioned, two, three, and seven are  
20 identical. They're the same voting rights district maps.

21 And then four, five, six, eight, nine are from  
22 what Mr. Stertz proposed last week.

23 And we really didn't talk about the area, you  
24 know, the intricacies of these particular districts on  
25 Friday. Friday was really just an opportunity to see if

1 this could even be done and put these two concepts onto the  
2 same map.

3 So I offer the floor to anybody else who wants to  
4 talk about anything they --

5 VICE-CHAIR HERRERA: Madam Chair.

6 CHAIRPERSON MATHIS: Mr. Herrera.

7 VICE-CHAIR HERRERA: A couple of things I like  
8 about the combo map, the Mathis combo map, first of all, the  
9 majority-minority districts weren't touched. They were left  
10 as is.

11 Again, respecting that we are -- have sent this  
12 information for both three and seven for analysis. I like  
13 that that wasn't touched.

14 But also that this map that you put together  
15 incorporates both Commissioner McNulty and Stertz's maps,  
16 their individual maps.

17 So in particular I think there was, excuse me,  
18 District 6, 8, and 4 from Commissioner Stertz's map, and I  
19 think one and two from Commissioner McNulty's map.

20 I like a couple things that I think they were able  
21 to figure out.

22 In Commissioner Stertz's version, he was able to  
23 remove Fountain Hills from four, add it to six, while not  
24 moving Anthem and New River to District 4.

25 So basically keeping Anthem and New River in

1 District 8.

2 Commissioner Stertz was also able to make six and  
3 eight more compact.

4 There's a couple of things that I like to see in  
5 this combo map, based on Commissioner Stertz's  
6 recommendations. And what I like to see is the Pinal County  
7 area of -- there's a small portion in CD 5 that has  
8 Pinal County. And I'd like to see if we can take it out.

9 I think there's -- it is not that much, but  
10 it's -- again, kind of remove some of the splits of Pinal  
11 County. I'd like taking it out of five.

12 And also, let's see, taking Mesa out of CD 6, so  
13 it would be Mesa would be have one less split, keeping it  
14 into only in CD 5 and 9.

15 And then also part of Peoria is in District 4.  
16 And I think that small piece that is in District 4, that  
17 Peoria piece, should be in eight.

18 So those are the changes that I would recommend in  
19 the area as that we've -- that you've adopted from  
20 Commissioner Stertz's map. Again, the six, eight, and four  
21 which I do like.

22 And there's a couple of things I do like also  
23 about the changes that Commissioner McNulty has proposed.  
24 These are one and two.

25 You're looking at -- in I think both of the maps

1 that they -- both Commissioner Stertz and McNulty, both of  
2 them keep Cochise County whole.

3 But what I like about Commissioner McNulty's is  
4 she keeps Cochise County whole in CD 2.

5 Now, with this change that she proposed, it keeps  
6 CD 1 and CD 2 competitive and remains their competitiveness  
7 about 50/50 in performance.

8 So that there's hardly any change to the  
9 competitiveness level using index two in  
10 Commissioner McNulty.

11 Also what it does it keeps Marana and Oro Valley  
12 together, keeps them together in CD 1, and always gives  
13 southern Arizona three congressional districts. So a  
14 stronger voice in the -- in congress because of those  
15 three districts that are touching southern Arizona.

16 Also she adds the Village of Oak Creek with CD 1,  
17 put together with Sedona. Again, this is based on public  
18 testimony.

19 So those are kind of the things that I like about  
20 these -- the map, this combo map.

21 I'm excited to hear what other people have to say.

22 Thank you.

23 CHAIRPERSON MATHIS: Do other commissioners?

24 COMMISSIONER STERTZ: Madam Chair.

25 CHAIRPERSON MATHIS: Mr. Stertz.

1           COMMISSIONER STERTZ: Yesterday we received and --  
2 we received a letter from the town of Oro Valley from the  
3 Oro Valley Town Council.

4           I just wanted to read a couple of excerpts out of  
5 it. The entire document is put into the record, but it  
6 says: On behalf of Oro Valley Town Council, I wish to  
7 express our concern with the draft congressional district  
8 map adopted by the Arizona Independent Redistricting  
9 Commission.

10           Specifically we're concerned about that our --  
11 that our urban incorporated community of more than  
12 41,000 people would not receive adequate congressional  
13 representation if included in the proposed rural -- rural,  
14 excuse me -- proposed rural District 1.

15           Clearly the Tucson metropolitan area comprises a  
16 significant community of interest.

17           They go on to say that they're -- the community as  
18 they see it is a community of interest that ties together  
19 with their residents with the nearly one million residents  
20 of, of the greater Tucson area, in regards to orientation,  
21 economics, politics, and culture, all as being more  
22 substantively connected to the greater Tucson urban area.

23           It goes on to conclude by saying that we fully  
24 understand that the difficulty of the task that you -- that  
25 we as a Commission have undertaken and that we as the, as

1 the council and the mayor of Oro Valley also understand that  
2 respecting communities of interest is but one of the many  
3 important considerations that we must make in developing our  
4 revised congressional districts for the state.

5 That is one piece of, of a large amount of  
6 testimony.

7 And I would, I would -- in doing, in doing our  
8 online searches for size of the CD 1 versus keeping Marana,  
9 Oro Valley, and Saddlebrooke with the city of Tucson,  
10 keeping those areas whole, they were, they were fighting  
11 neck and neck in how much information that we were receiving  
12 from the public.

13 You live in the northwest part of Tucson. These  
14 are, these are connected communities to Tucson. They are  
15 certainly less connected to and less a part of CD 1.

16 Is there a way that you can see, Madam Chair, in  
17 the way that you've modified this and included the -- sort  
18 of a marrying of these maps a way to be able to, to meet  
19 both of our -- both the objectives of keeping Cochise County  
20 whole, as Commissioner McNulty in both -- she and I have  
21 both agreed that it makes most sense.

22 We've heard a lot of testimony from Cochise County  
23 regarding keeping it whole.

24 We also know that Cochise County is, other than  
25 the Sierra -- the urban Sierra Vista area and Fort Huachuca,

1 is essentially a rural county.

2 In my -- the iteration of the map that I  
3 provided a week ago Monday, I actually went into  
4 Congressional District 3 to try to pick up population by  
5 virtue of this knowing that we were going to try to keep  
6 both three and seven outside of our redesign, sort of  
7 parameters in this next go around, because both of those are  
8 majority-minority districts.

9 I chose to include the area of Saddlebrooke,  
10 Marana, Oro Valley, northwest Tucson, going up into  
11 Pinal County as that -- those are truly communities that are  
12 tied together with the urban Tucson area, and certainly  
13 are -- is a population that has been -- in my opinion will  
14 be disenfranchised by putting them as part of the rural  
15 Congressional District 1.

16 In looking at this, the only way to achieve that  
17 goal would be to have modifications to Congressional  
18 District 3.

19 And that would be to do some -- or to move  
20 Cochise County into Congressional District 1.

21 Those are the only two, those are the only two  
22 options that are available to us.

23 And I'm looking at a large, a large group of  
24 people that gave a large volume of testimony. And I'm  
25 trying to -- again, this goes back to my conversation

1 yesterday. I -- we've heard from these folks over and over  
2 and over again about why they want to be connected, not only  
3 together, but to urban Tucson.

4 And it appears as though we are pulling them out  
5 for, for a particular reason. I cannot get my arms around  
6 what that reason is.

7 So if we can -- that's, that's where I am.

8 I'm still very comfortable with the, with the  
9 Cochise County is -- for the majority of Cochise County is a  
10 rural district -- is a rural county. And it fits with the  
11 rural district.

12 It is clear that Marana, Saddlebrooke, and  
13 Oro Valley, they've all given us resolutions from your  
14 councils that say that they want to stay with urban Tucson.  
15 They've given us a tremendous amount of testimony. They're  
16 connected to us on a variety of different ways.

17 The only way to be able to solve that problem is  
18 to put Cochise County in CD 1, which does make it a little  
19 bit larger land mass. But according to your own analysis,  
20 the land mass itself would now be about the same as the  
21 current district that that resides.

22 Currently under the draft map, it's slightly  
23 smaller than the current draft map. But by adding all of  
24 Cochise County, it would become about the same as the size  
25 of the district that it currently is now.

1           So, my feeling is that Cochise County is a, is a  
2 predominantly rural district, can move into CD 1.

3           Saddlebrooke, Oro Valley, Marana are all urban  
4 communities and are truly connected to urban Tucson area,  
5 and should be connected into, into the urban Tucson  
6 district.

7           CHAIRPERSON MATHIS: Thank you.

8           Comments from other commissioners?

9           VICE-CHAIR FREEMAN: Madam Chair.

10          CHAIRPERSON MATHIS: Mr. Freeman.

11          VICE-CHAIR FREEMAN: The concerns  
12 Commissioner Stertz outlined are one of, I guess,  
13 three principal concerns I have on the congressional map.

14          The -- when I hear that Tucson will have another  
15 voice in congress through this map, what -- the concern that  
16 comes to mind is how would that resonate with rural eastern  
17 Arizona and even with Flagstaff, knowing that Tucson now has  
18 a voice.

19          I don't think -- I think there's a strong desire  
20 that the rural communities remain rural, and this is, this  
21 is breaking with that.

22          There was a huge turnout from this area of the  
23 state. Really I think it was the first group that came,  
24 came before the Commission to raise their concerns sort of  
25 en masse at our first hearing down in Oro Valley back in

1 June.

2           You know, commissioners have invoked the volume of  
3 testimony and that the people have spoken loudly and  
4 clearly.

5           And I've, you know, done some surveying of not  
6 even the complete written record of what the Commission has.  
7 And it's, it's easily scores and scores of comments, I  
8 believe, even hundreds of comments, with very few  
9 redundancies, talking about the nature of these communities,  
10 how they're tied, how they're a community of interest with  
11 Tucson.

12           They even have Tucson mailing addresses there.

13           And now they're being placed with the northern  
14 parts of the state.

15           So that -- I don't think it needs to be that way.

16           That's, that's one concern I have.

17           And then, Mr. Desmond, maybe if you could pan out.  
18 Maybe just center on Phoenix.

19           Another major concern, and it's -- you know,  
20 Commissioner Stertz talked about this a little yesterday.  
21 You know, how do we explain it to the public.

22           And CD 4 wraps almost entirely around Phoenix  
23 metro area, crosses the Superstitions, and then adds parts  
24 of suburbia, Pinal County to that river district.

25           Apache Junction, Gold Canyon, San Tan Valley, and

1 even Florence going into the river district.

2 I don't think that, that arm on that district  
3 needs to be there. It certainly destroys the compactness of  
4 that district.

5 And then my third major concern is something that  
6 I talked about a lot yesterday is with CD 9 in that it  
7 destroys a community of interest on the legislative side.

8 Since those are smaller districts, my concern was  
9 that Paradise Valley, the Biltmore area, Arcadia area, the  
10 greater Arcadia area, and perhaps the greater Biltmore area.  
11 In the past I've talked about that part of the Madison  
12 School District in north central Phoenix is a community of  
13 interest.

14 And there's will a lot of testimony as I look  
15 through the record on that as well. Some of which I talked  
16 about yesterday.

17 I talked about the churches that line Lincoln and  
18 the congregants who come from that area of the Valley.

19 There's also a person who spoke a couple times,  
20 Ken Miller, who came before the Commission, who talked about  
21 their family has chosen to live in that community. And  
22 whether it's fallen in the Biltmore, Arcadia, or Paradise  
23 Valley area, it's one community. They've lived in homes in  
24 each of those areas maps.

25 And certainly that was another comment that really

1 resonated with me because that's been my own personal  
2 experience of 46 years living -- my family essentially  
3 living in that part of the state.

4 Paradise Valley has strong ties, and that area has  
5 strong ties to the north valley. We've had lots of comment  
6 on that.

7 Paradise Valley is joined with Phoenix in many  
8 respects in that fire services, used to be Rural Metro in  
9 Paradise Valley, but now it's Phoenix Fire. It's Phoenix  
10 water.

11 They're connected.

12 And the connection, having lived probably the  
13 majority of my life in Paradise Valley, is with parts to the  
14 north, directly to the north, along Tatum and the 51, and in  
15 the Arcadia-Biltmore area. That's where -- that's the  
16 community.

17 And, you know, again, talking, speaking of the  
18 volume of comment and people talking about their  
19 communities, the Commission has heard of lot of that, and I  
20 want to make sure those people are heard.

21 And, I mean, there are ways -- and obviously that  
22 district has -- I know it was designed with competitiveness  
23 in mind, but it destroys -- it does not respect communities  
24 of interest.

25 And in that part of Phoenix, that's a part of that

1 district, I think should go to the north. That's where it  
2 belongs.

3 And the rest of nine could take most or all of  
4 Scottsdale in to compensate for that.

5 If that wasn't palatable, perhaps there are other  
6 ways to at least keep the Biltmore, Arcadia, and  
7 Paradise Valley area, is my home, together and with its  
8 north valley neighbors.

9 But that would be, I guess, my third major concern  
10 with the congressional map that we're working on.

11 CHAIRPERSON MATHIS: Thank you.

12 Ms. McNulty, did you have something?

13 I thought all the commissioners could at least  
14 give initial thoughts on this combo map.

15 And then we actually have Mayor Jay Schlum from  
16 the town of Fountain Hills, who wants to talk about  
17 congressional districts. So I thought it would be good to  
18 have him come up.

19 And if there is anybody else who wants to address  
20 the Commission on congressional, they're welcome to do so at  
21 this time too.

22 But we'll first hear from Ms. McNulty.

23 COMMISSIONER McNULTY: Thank you.

24 The combination map keeps the voting rights  
25 districts intact, which I think is important.

1           I think Congressional District 7, the voting  
2 rights district, east of CD 9 is compact. And we worked  
3 very hard to make that an effective district.

4           The district to the east of CD 9,  
5 Congressional District 5 on Mr. Stertz's proposal that  
6 you've incorporated, I think makes a lot of sense.

7           We spent a lot of time looking at that east valley  
8 area. And, again, this is a compact district that makes a  
9 lot of sense in terms of those communities. I think it does  
10 a good job of keeping communities whole.

11           There are -- there is that split in San Tan Valley  
12 that I see on the southeast portion there, and another split  
13 on the north side of Mesa.

14           And I agree we should clean those up.

15           Congressional District 6, which is on the north  
16 side of Congressional District 9, I also think is an  
17 improvement over the draft map in the sense that it  
18 addresses what I had tried to address in my map, the concern  
19 that Fountain Hills had been separated from Scottsdale, and  
20 the kind of irregular shape that folks made fun of.

21           And this combines the Fort McDowell and Salt River  
22 reservations with Scottsdale and with Fountain Hills, and  
23 that's comment that we received.

24           Congressional District 8 on this map is more  
25 compact than on the map that I had proposed, and includes

1 Anthem and New River in an urban district, which I think is  
2 a good thing.

3           Again, the split of Peoria, I think was probably  
4 inadvertent. And I would suggest that we bring that up to  
5 the county line there, include that area of Peoria.

6           CD 9, which is in the middle of all of those  
7 districts, in my view, the districts around it are well  
8 constructed and they make a lot of sense. And CD 9 is a  
9 district that's comprised of much of the urban core, and has  
10 a lot in common for all the reasons I talked about last week  
11 and that I won't, I won't reiterate here.

12           On the issues of Marana and Oro Valley and  
13 Saddlebrooke, and so on, versus Cochise County, I think  
14 that -- we've heard a lot of comment from both. There,  
15 there -- this is a balance, again, as we've said so many  
16 times.

17           I think we have worked hard to keep Marana and  
18 Oro Valley and Saddlebrooke together.

19           And that was -- we've heard a tremendous amount of  
20 comment that that was what they wanted, or at least what the  
21 people in Saddlebrooke and Oro Valley wanted.

22           I think we've heard less comment from individuals  
23 in Marana than we have from Saddlebrooke and Oro Valley.

24           As I've said before, I don't think the definition  
25 of communities of interest is making sure that congressional

1 districts are homogenous. I think it's quite the opposite.  
2 I think we want them to be diverse, actually, and well  
3 balanced.

4 And I think that CD 1 as it's drawn on this map is  
5 well balanced.

6 There is a population hub in southern Arizona.  
7 There is kind of a population hub in eastern Arizona. There  
8 is a population hub in north Arizona.

9 But they're all, you know, modest in size,  
10 although they, they would each represent anchors in a  
11 largely rural district.

12 You know, I don't hear Flagstaff complain about  
13 Tucson being in a district with them, or how they don't have  
14 anything in common with Tucson.

15 And I just don't think that's the analysis that we  
16 need to do.

17 I do have some concerns about having a rural  
18 district that is half the size of the state.

19 I think it makes sense to have Cochise County with  
20 Pima County. It is now. It's worked well.

21 Davis-Monthan and Fort Huachuca have been  
22 represented together, and that's worked well, and I think  
23 makes sense.

24 As I said when you presented this map last week, I  
25 think we made a very substantial compromise in the

1 congressional map, or I feel that I did, when I  
2 relinquished the possibility of pursuing a second  
3 competitive district in the west central part of the  
4 Maricopa County metro area.

5           And what we have now is a congressional map that  
6 has four solidly Republican districts, two Democratic voting  
7 rights districts, and three districts that are very, very  
8 competitive, based on the definition that I've used, which  
9 is that in an average year, given average candidates, either  
10 of the major political parties would have opportunity to win  
11 the seat.

12           And I think all the metrics that we've done, and  
13 we've done a huge number of them, indicate that these  
14 three districts, one, two, and nine, are very well balanced.

15           And for that reason I do not want to degrade the  
16 competitiveness of Congressional District 2.

17           So I feel that the draft map created a good  
18 balance.

19           I don't think we want to draw congressional  
20 districts or make decisions based on political orientation.

21           I think a lot of what we heard from Saddlebrooke  
22 and Oro Valley was based at least in part on a feeling of  
23 community of interest based on political orientation.

24           And that's fine.

25           I mean, everyone has -- we all express our own

1 opinions, and I understand that.

2 But I don't think inclusion in a competitive  
3 district of this nature will result in them not being  
4 represented.

5 I think quite to the contrary. It will result in  
6 everyone's voice in that district being heard, because  
7 whoever, you know, has the fortune or misfortune to  
8 represent that district is, is going to be all over it and  
9 is going to have to pay attention to everybody in it,  
10 including the folks in that area.

11 So those are my, those are my main reasons for  
12 supporting what you put together.

13 I also do like the idea of the third, the third  
14 congressional representative in or around Tucson. I think  
15 from a southern Arizona perspective that's, that's a good  
16 thing.

17 The other things I described are the main reasons  
18 that I would like to retain the configuration we've got here  
19 of CD 1, CD 2, and certainly CD 9.

20 Thanks.

21 CHAIRPERSON MATHIS: Okay.

22 I'd like to ask Mayor Jay Schlum to come up. He's  
23 from the town of Fountain Hills and wanted to address the  
24 Commission on congressional districts.

25 MAYOR JAY SCHLUM: Thank you for coming here

1 today. I've been watching online.

2 Thanks for having here me today. Mayor Schlum,  
3 town of Fountain Hills.

4 Thank you.

5 Chair and commissioners, thanks for your service.

6 I think I have an easier job, at least today.

7 I come understanding some of your constraints, but  
8 also come quite grounded in my community, and that I think  
9 as mayors we try to also use a great deal of common sense,  
10 so I know the -- some of the things I'll be sharing will  
11 come from that perspective.

12 The constraints you have I'll address as well, and  
13 talk about obviously the original draft map, I'll be  
14 alluding to. And then perhaps if there's a chance we could  
15 pull up what you guys are considering today so I could be  
16 more aware of what you're looking at today.

17 But, previously was here before you, and brought a  
18 resolution from our town council, from our town of  
19 Fountain Hills. And those items are still relevant today in  
20 relation to the draft map.

21 We certainly appreciate the western cities along  
22 the Colorado River and enjoy them tremendously, but we  
23 are -- certainly have little in common with those  
24 communities.

25 And would like to be at least included with some

1 of our neighbors in our congressional district.

2           Currently we are not with any of our neighbors and  
3 are with very few communities within even our own county.

4           So we'd love to remain with our communities of  
5 interest in Scottsdale, Fort McDowell, Salt River, and of  
6 course the unincorporated areas, Rio Verde, and perhaps even  
7 Goldfield Ranch. All neighbors of ours today. They will be  
8 neighbors tomorrow. It would be great to have the same  
9 congressional representation there.

10           We also share resources, memorandums of  
11 understanding, cooperation with resources used. And also  
12 our kids from different areas all come to Fountain Hills  
13 from Fort McDowell, from Goldfield Ranch.

14           Rio Verde shops in our towns.

15           Fountain Hills is, in essence, their home town as  
16 well. They just reside in Rio Verde, just to the north of  
17 the park from us.

18           And then of course there's Scottsdale, who we  
19 share a great deal in common with. Not just our borders,  
20 but also a lot of resources and cooperative efforts related  
21 to transportation.

22           I mentioned Fort McDowell. We do visitor's bureau  
23 with them. We cooperate on them with tourism. And on a  
24 bunch of different other areas we cooperate with one  
25 another.

1           Their school children go to our schools as well.

2           So related to your constraints, the geographic  
3 territory I think speaks for itself from the draft map.

4           It certainly is a great distance from the western  
5 cities along the river.

6           So I'm not certain that that constraint has been  
7 adhered to.

8           I've spoken about our communities of common  
9 interest and our strong ties to one another in many  
10 respects. The Fort McDowell Yavapai Nation just to note is  
11 a very near neighbor of ours, right across the fence. There  
12 are homes on each side.

13           And as I mention, our councils are very close and  
14 also we share resources to promote our communities in a  
15 joint effort.

16           The children of Fort McDowell also largely come to  
17 the school district in Fountain Hills.

18           And our communities surrounding us also share  
19 in great deal a major infrastructure as well in projects  
20 that will require regional and federal efforts to work with  
21 our representation -- representatives for common causes  
22 there.

23           The current boundaries in the draft map from a  
24 month ago don't put us in with our neighbors, and we would  
25 like to respectfully request that that be changed.

1           The shape and the extreme diverse and remote  
2 geographic locations of major metropolitan centers of the  
3 proposed district originally number four create substantial  
4 difficulties for a representative elected from one portion  
5 to be familiar with or even physically reach our area as  
6 well.

7           We have great relationship with our surrounding  
8 communities, particularly with respect to their  
9 interconnected open and recreational spaces, and we  
10 respectfully ask that the Commission continue to consider  
11 the appropriate changes that would allow us to be with our  
12 neighboring communities, Fountain Hills with Scottsdale,  
13 Fort McDowell, Rio Verde, and Salt River Pima Maricopa  
14 Indian community as well.

15           So, thank you for your hard work, and hopefully we  
16 can get somewhere that makes sense for Fountain Hills as  
17 well.

18           CHAIRPERSON MATHIS: Thank you, mayor.

19           MAYOR JAY SCHLUM: Is there any chance to look at  
20 the map, or do you want to --

21           CHAIRPERSON MATHIS: Yes. If you don't mind  
22 staying there.

23           And, Mr. Desmond, if you could just zoom in on  
24 where Fountain Hills is currently.

25           This isn't -- these are just adjustments we're

1 considering making to the draft map that was approved and  
2 try to address that concern here with Fountain Hills.

3 WILLIE DESMOND: So Fountain Hills is this area  
4 right here.

5 CHAIRPERSON MATHIS: So it's currently in six as  
6 we've got it.

7 WILLIE DESMOND: In the combo map it's in six.  
8 In the McNulty map it would also be in six.  
9 In the Stertz map it's also in six.

10 MAYOR JAY SCHLUM: I'm trying to see the  
11 differences in those. I don't see a great deal of  
12 difference in those.

13 How far south does that travel down to south  
14 Scottsdale?

15 WILLIE DESMOND: It's on Thomas Road.

16 MAYOR JAY SCHLUM: So most of Scottsdale.  
17 And it looks like it captures Rio Verde.

18 CHAIRPERSON MATHIS: Yes.

19 MAYOR JAY SCHLUM: And both of Fort McDowell and  
20 the Pima Maricopa Indian communities.

21 That's the first time I've seen it.

22 So, it looks -- it's certainly improved from the  
23 draft map, which of course didn't include anyone except for  
24 perhaps Rio Verde to our north.

25 WILLIE DESMOND: The draft map was this green

1 line.

2 MAYOR JAY SCHLUM: Okay. There we go.

3 Certainly an improvement from that, from my  
4 perspective, given the number of items we've talked about.

5 And how far west does that travel? Is it towards  
6 the 51 or Interstate 17?

7 Just west of. . .

8 WILLIE DESMOND: 43rd Avenue.

9 And a portion of 35th and then a portion of 17.

10 MAYOR JAY SCHLUM: You do have some difficult  
11 constraints obviously going that far west brings up probably  
12 some different communities of interest, rather than  
13 continuing further south, but -- perhaps further.

14 And to the north that's further tip of Scottsdale  
15 I'm assuming there.

16 Well, any feedback from myself specifically you're  
17 looking for other than what I shared with you? And I  
18 appreciate the efforts here to improve it.

19 I'm just not sure, given the short amount of time  
20 to review this, how much further to the south we might  
21 consider the most appropriate map, and less towards the  
22 west, but had you have discussions related to that  
23 previously? I suspect you've had discussions related to any  
24 boundary that may be possible in the past.

25 CHAIRPERSON MATHIS: We try to follow geographic

1 boundaries and city and municipal lines when possible,  
2 county lines. Those are part of our constitutional  
3 criteria.

4 We're not always able to do that.

5 We also follow major transportation corridors.

6 The I-17 is used as a divider, I know, in the  
7 legislative map.

8 And you can see we kind of tried to follow the  
9 Salt River boundary down there, but ended up having to dip  
10 in Mesa. And I can't recall the reason for that, if it's  
11 strictly population or what.

12 If anybody has any thoughts on that, or better  
13 memory.

14 WILLIE DESMOND: The dip into Mesa comes from  
15 Commissioner Stertz's District 6.

16 So, that's not in the draft map obviously.

17 CHAIRPERSON MATHIS: Mr. Stertz might have. . .

18 COMMISSIONER STERTZ: Madam Chair, Mr. Desmond, it  
19 might be, it might be helpful if you turned on the streets  
20 layer, at least the major streets layer, so you can see  
21 highways.

22 Commissioner Herrera suggested pull that corner of  
23 Mesa out and take it from six to go to five.

24 As a population offset, it would be practical to  
25 go to below Thomas Road and pick up -- and make Scottsdale

1 whole, into that district.

2 CHAIRPERSON MATHIS: So you're saying to swap this  
3 for making Scottsdale whole?

4 COMMISSIONER STERTZ: Yeah, there's a small --

5 CHAIRPERSON MATHIS: Right.

6 COMMISSIONER STERTZ: -- just a small piece of  
7 Scottsdale that's remaining.

8 My recollection is that the -- they were fairly  
9 close on -- that gets our school districts back in -- back  
10 contained. Mesa stays whole.

11 Scottsdale would become whole.

12 MAYOR JAY SCHLUM: Chair, the current district  
13 continues quite a ways to the south, as I recall; correct?  
14 Into Tempe and through Tempe perhaps.

15 And I know it's not a constraint for you to  
16 consider going forward, but as far as communities of  
17 interest, I'm just not sure how far west -- I know you're  
18 grabbing population as you go and some other constraints you  
19 have, I just hadn't known if there had been considerations  
20 to continue the district further to the south.

21 COMMISSIONER McNULTY: Madam Chair.

22 CHAIRPERSON MATHIS: Ms. McNulty.

23 COMMISSIONER McNULTY: Yes, we talked about that  
24 at excruciating length with regard to that district. And we  
25 heard a lot of input that the area of south Scottsdale

1 that's south of Thomas Road was different from the area  
2 north of Thomas Road and was a good fit with the District 9  
3 that we put together.

4 So we did spend a lot of time on that, that  
5 endeavor.

6 MAYOR JAY SCHLUM: My alma mater is south of  
7 Thomas Road. We were bused there from Fountain Hills.

8 I can understand. It's certainly a bit older  
9 area, where Scottsdale began further to the south.

10 Just you're also going quite a bit to the west.  
11 So there's obviously an offset there.

12 I appreciate this effort. I'll review this  
13 further, and if this is where you end up today, and look for  
14 some more dialogue.

15 Any questions for me?

16 CHAIRPERSON MATHIS: Any questions for the mayor?

17 COMMISSIONER McNULTY: No.

18 MAYOR JAY SCHLUM: Again, thank you. Thank you  
19 very much.

20 CHAIRPERSON MATHIS: Thank you.

21 Was there anyone else who wanted to talk to us  
22 about congressional district maps?

23 Oh, I do have somebody.

24 Linda Kavanagh, representing self --

25 VICE-CHAIR HERRERA: Madam Chair.

1 CHAIRPERSON MATHIS: I'm sorry, Mr. Herrera.

2 VICE-CHAIR HERRERA: I mean, I think if we take  
3 public testimony, it's probably a good idea -- I don't know  
4 if we have any elected officials in the audience -- at least  
5 one elected official -- but it's a good reminder for  
6 everyone speaking in front of the Commission not to release  
7 any addresses, whether you're an elected official or not.  
8 It's just in our best interest if you avoid doing that.

9 Thank you.

10 CHAIRPERSON MATHIS: If you can just tell us the  
11 city or county in which you reside, that would be great.

12 LINDA KAVANAGH: I remember that from last time.

13 Hi. I'm Linda Kavanagh. Fountain Hills.

14 The current placement of Fountain Hills in the  
15 river district was criticized by many, including the Arizona  
16 Republic.

17 It violated the criteria of compactness and  
18 respect for communities of interest.

19 As you know, I have spoken here before about  
20 undoing this.

21 I'm -- just wanted to say that I'm glad that the  
22 new proposal you're considering now restores Fountain Hills  
23 to the congressional district with our neighbor Scottsdale.

24 I hope that whatever final version that you choose  
25 keeps Fountain Hills in a Maricopa congressional district.

1 Thank you.

2 CHAIRPERSON MATHIS: Thank you.

3 Our next speaker is Gary Bohnee, representing  
4 Salt River Pima Maricopa Indian community.

5 GARY BOHNEE: Good morning -- or good afternoon,  
6 Madam Chair and members of the Commission. It's a pleasure  
7 to be here today.

8 And I really just wanted to reiterate the comments  
9 of Mayor Schlum with regard to the inclusion of the town of  
10 Fountain Hills into proposed District No. 6 and --

11 CHAIRPERSON MATHIS: I'm sorry to interrupt you.  
12 Do you just mind spelling your name for the record.

13 GARY BOHNEE: Oh, Gary, G-A-R-Y, Bohnee, B, as in  
14 boy, O-H-N-E-E.

15 CHAIRPERSON MATHIS: Thank you.

16 GARY BOHNEE: Again, just wanted to reiterate the  
17 comments from Mayor Schlum of the inclusion of the town of  
18 Fountain Hills into District 6 and then also just to point  
19 of reference a letter that was provided to the Commission on  
20 November 7th from the three metro tribe -- tribal leaders  
21 from the Salt River Indian community, Fort McDowell Yavapai  
22 Nation, and the Gila River Indian community, enunciating a  
23 number of different items, but in particular on the  
24 congressional action to support that effort.

25 And I would just say I would hope that the

1 Commission would in their final mapping leave the district I  
2 guess as it is proposed today.

3 Thank you.

4 CHAIRPERSON MATHIS: Thank you.

5 Was there anyone else in the public who wanted to  
6 talk to the Commission about congressional districts?

7 (No oral response.)

8 CHAIRPERSON MATHIS: Okay.

9 Mr. Freeman, did you have something?

10 VICE-CHAIR FREEMAN: Well, there was discussion of  
11 the split of Scottsdale.

12 And as I recall, the original discussion along  
13 those lines concerned a split a little bit north of that.  
14 It was either Camelback or Chaparral was the suggested  
15 split.

16 And if the time and thought had been put into  
17 arriving at that boundary would hold today, I mean, it would  
18 easily accommodate at least keeping the Paradise Valley,  
19 Arcadia, Biltmore community of interest together with the  
20 north valley, and that would be, I think, an easy population  
21 swap.

22 And although it would not completely satisfy me,  
23 because I think that all of that Phoenix area belongs  
24 with Phoenix and not with Scottsdale and Tempe, they have  
25 diametrically different interests. We've heard from

1 the mayor of Tempe even who has illustrated those very  
2 distinct differences and interests that those two  
3 communities have.

4 So, I mean, that would be my first choice, which  
5 would be to swap Tempe for the Phoenix component of CD 9.

6 But short of that, at least moving that line north  
7 so that the community of interest where I hail from can be  
8 kept together would be my preference.

9 CHAIRPERSON MATHIS: Comments from other  
10 commissioners?

11 COMMISSIONER McNULTY: Madam Chair, I think we've  
12 discussed CD 9 at great length. I believe we've drawn the  
13 line in Scottsdale in a place that makes sense.

14 The mayor of Tempe talked about a discrete issue  
15 concerning airports, and suggested that the two towns would  
16 have different perspectives on that, but that happens with  
17 congressional representatives multiple times every day.

18 As I've talked about previously, three of the  
19 mayors in that congressional district work together to  
20 publish a piece about the lightrail and the future of urban  
21 development and how they're cooperating together on that in  
22 the urban core.

23 So I -- we can point to a number of areas in which  
24 they're collaborating also.

25 VICE-CHAIR HERRERA: Madam Chair.

1 CHAIRPERSON MATHIS: Mr. Herrera.

2 VICE-CHAIR HERRERA: I think it was on -- today  
3 is -- I think it was -- was it Friday? Where  
4 Commissioner McNulty went to great lengths to describe or to  
5 put together a nice composition of why she had created  
6 District 9 the way it was.

7 And I think I asked our IT person, Buck Forst, to  
8 be able to enter that information on the record, put it  
9 online.

10 I think that was well written, gave it a nice  
11 description of why she ended up doing it that way. And I  
12 think it was compelling. I think it was an extremely  
13 compelling reason why nine looks the way it does.

14 And I would encourage any members of the public  
15 that weren't there to listen to Commissioner McNulty explain  
16 the reasons behind the look of CD 9 to be able to read that  
17 information, because I think it's -- if anybody is not  
18 convinced, I think that information probably would sway  
19 them, that CD 9 is good the way she put it together.

20 I think it's -- again, she gave compelling  
21 reasons, and, again, I would encourage people to read that  
22 information.

23 COMMISSIONER McNULTY: Madam Chair, I would also  
24 ask them to look at the map.

25 I mean, we have compact, cohesive districts that

1 surround it also.

2 VICE-CHAIR FREEMAN: Madam Chair.

3 CHAIRPERSON MATHIS: Mr. Freeman.

4 VICE-CHAIR FREEMAN: I -- just for the record, I  
5 disagree with the characterization of the mayor of Tempe's  
6 statements.

7 It was a little bit broader than simply -- it was  
8 a lot broader than simply the airport issue.

9 And with respect to the justification for CD 9, I  
10 think it should -- I don't think that is a compact district.

11 I do believe it rends asunder communities of  
12 interest. And I think there should be no need for elaborate  
13 circumlocutions as to the justification,  
14 after-the-fact justification for the construction of this  
15 pre-designed district. It should be self-evident to the  
16 people of the valley, and I just don't agree with the  
17 construction of that district.

18 CHAIRPERSON MATHIS: Mr. Freeman, was that a  
19 question for Ms. O'Grady?

20 VICE-CHAIR FREEMAN: No, that was me -- my  
21 disagreement with, first of all, the mayor, Hugh Hallman,  
22 did not just focus simply on the airport issue.

23 I know the acoustics in here are horrible.

24 But, and with respect to CD 9, I don't think -- I  
25 think the district should stand on their own. They should

1 not require some sort of post-talk elaborate justification  
2 for your construction.

3           They should make sense and make sense to the  
4 people of this state.

5           And that district does not make sense to me. And  
6 it destroys that community of interest I've talked a lot  
7 about.

8           CHAIRPERSON MATHIS: Thank you.

9           VICE-CHAIR HERRERA: Madam Chair.

10          CHAIRPERSON MATHIS: Mr. Herrera.

11          VICE-CHAIR HERRERA: You know, the -- I think the  
12 only reason Commissioner McNulty came up with the -- that  
13 length explanation for CD 9 was because of the criticism of  
14 Commissioner Freeman.

15                 It wasn't -- she didn't create it before that.  
16 She created it after the fact to make sure that he -- I  
17 mean, she, Commissioner McNulty, is able to address any of  
18 Commissioner Freeman's concerns.

19                 And I think she did a, a job that was, again,  
20 thorough, using all of the state-mandated criteria. She  
21 explained how she did it.

22                 And, again, I would really remind the  
23 commissioners that it is a balancing act, and it's not going  
24 to be easy.

25                 Sometimes I think that these -- the four

1 state-mandated criteria, they -- they end up conflicting  
2 with each other.

3           You're not going to get a perfect looking  
4 district, but you're going to get one that  
5 Commissioner McNulty created that balances all four. And  
6 she balanced them all.

7           And, again, it was a great explanation of how she  
8 came up with it.

9           COMMISSIONER STERTZ: Madam Chair.

10          CHAIRPERSON MATHIS: Mr. Stertz.

11          COMMISSIONER STERTZ: When I put together my map  
12 and presented last Thursday, as you recall, I chose to not  
13 touch obviously because we as a Commission sort of loosely  
14 have said let's not touch the edges of majority-minority  
15 districts, which are three and seven.

16           I also chose not to touch District 9, because that  
17 has been sort of the -- it's, it's been debated so long, and  
18 it's known that I've got a disagreement with the way it was  
19 crafted, and I don't need to repeat that any longer.

20           It's -- Commissioner McNulty has laid her case on.  
21 We've disagreed. These are opinions that we have a  
22 difference of.

23           But what I want to -- what I'm looking at right  
24 now is that at the same time while I was doing that, I'm  
25 going back and saying, listen, folks, I've got, I've got

1 Oro Valley and Marana and Saddlebrooke that are part of the  
2 city of Tucson, and they deserve to be part of the city of  
3 Tucson.

4 And I presented a map it was a -- it was creating  
5 a mechanism to be able to do that.

6 So I'm taking this in a way of -- frankly it's  
7 like, it's like we've heard so much testimony saying let's  
8 keep this with the city of Tucson. I can't -- I've not  
9 heard one thing from the Commission at all that can say,  
10 yeah, it really makes sense to be able to pull these  
11 communities out.

12 I haven't heard anybody of -- any of the residents  
13 saying that they wanted to be pulled out, except for one  
14 tiny piece of testimony that took place from one person that  
15 has been offset by resolutions from both -- from Oro Valley,  
16 from Marana, from Saddlebrooke, from people within the  
17 community, from community groups wanting to connect with the  
18 city of Tucson.

19 They want representation that is within urban  
20 Tucson.

21 Okay?

22 They are part of the urban fabric of Tucson.

23 And when I put that proposal together, I left nine  
24 untouched.

25 And I did that because -- out of purely out of

1 respect for what has been worked hard and has really been  
2 argued, you know, by the Commissioners McNulty and Herrera  
3 when they placed and designed that designer district,  
4 District 9.

5 I said I'll leave that.

6 But I can't go back to the folks back in  
7 Oro Valley and Marana and say that this makes any sense that  
8 they're in a community that is connected that wraps around  
9 the other side of the state.

10 I can't comprehensively get my arms around that.

11 I can get my arms around that Cochise County is a  
12 predominantly rural district and it fits in a predominantly  
13 rural district. I can get my arms around that.

14 But the rest of it, but the rest it, I can't.

15 So I am -- if, if the path that we're going down  
16 is that, that Oro Valley and Marana are extracted out of  
17 Tucson by creating this divot in Pima County, and those  
18 communities are fractured, which they are by having  
19 representation that will not be from their -- the general  
20 area -- I love the idea that you've got an urban Tucson area  
21 that connects 710,224 people of like mind, of like energy,  
22 that go all the way down to pick up -- pick up the base,  
23 pick up urban Tucson, go all the way out up through the  
24 suburbs of Tucson. And that makes a very nice, practical,  
25 organized district for representation.

1           That I can support.

2           Like I said, I was, I was willing to instead of  
3 continuing to go down the argument of whether or not CD 9  
4 was designed in a particular way, that horse is beaten and  
5 buried right now as far as I'm concerned.

6           You guys have -- the three of you have felt  
7 comfortable with that as being an untouchable district.

8           It's been put on the record by the chair that once  
9 CD 9 is put into place in the draft map that we weren't  
10 going to touch anything around it.

11           I've come up with a very -- series of practical  
12 solutions, which I appreciate Commissioners McNulty and  
13 Herrera applauding those, where I have -- through District 6  
14 have now put Fountain Hills back with Scottsdale where it  
15 should be, and District 8, made the -- made it into a more  
16 compact district, and took -- and removed out the rural  
17 aspect of, of, of that district, and placed that rural side  
18 back in the rest of District 4.

19           Do I still disagree that four shouldn't be  
20 wrapping around the entire Maricopa County and picking up  
21 the San Tan Valley?

22           Yeah.

23           That -- logically that's something that is very --  
24 is much more difficult to get my arms around.

25           But, of all of these that I can't get my arms

1 around at all, that's bifurcating these three cities from  
2 urban Tucson.

3 And I am going to suggest, and I will wrap this  
4 right here and say, if we're going down that path I can't  
5 support it.

6 We've got, we've got balanced districts right now.  
7 I would like to see us move forward on the congressional map  
8 with the Congressional District 2 as I had designed, which  
9 includes Oro Valley and Marana, and puts Cochise County, a  
10 predominantly rural county, in the rural district.

11 Yes, it does make it a large district, but it is  
12 about the same size as it currently exists, and it has  
13 operated that way for the last ten years.

14 VICE-CHAIR HERRERA: Madam Chair.

15 CHAIRPERSON MATHIS: Mr. Herrera.

16 VICE-CHAIR HERRERA: You know, I did -- as I  
17 stated, the areas in the Mathis combo map that I liked,  
18 there was three areas, Commissioner Stertz, that you have  
19 implemented, again, six, eight, and four, that I did like.  
20 And, and one and two that I -- that I really admired from  
21 Commissioner McNulty's map.

22 And that, to me, I think you saw that as a  
23 compromise. And I don't disagree.

24 What I want to remind the Commission, when we had  
25 created the -- when we had adopted the draft map -- and if,

1 Mr. Desmond, can you bring up the working draft map for the  
2 congressional map?

3 WILLIE DESMOND: Yeah.

4 VICE-CHAIR HERRERA: Is that the one?

5 In particular can you focus on CD 1?

6 The -- I'm certain that I've heard, I think, all  
7 the commissioners, including Stertz and Freeman, talk about  
8 how just a large mass of area that District 1 was covering,  
9 including touching the Mexican border.

10 And I -- actually I didn't disagree with them. I  
11 thought it was a large district. And I, you know, I'm -- I  
12 was okay with keeping it the way the -- this, this version  
13 looks like. But I'm, I'm looking at a compromise, which the  
14 compromise is making CD 1 more compact.

15 And it's something that I know Commissioner Stertz  
16 and Freeman wanted to do.

17 And what Commissioner McNulty ended up doing, she  
18 ended up listening to that -- to those -- to that  
19 explanation of keeping CD 1 a little more compact,  
20 definitely more compact than it is now. And that's what she  
21 ended up doing.

22 And, as I said, Commissioner Stertz and Freeman  
23 did want to make it more compact.

24 So I would be opposed to the -- changing the way  
25 that CD 2 -- the way CD 1 -- the way Commissioner McNulty

1 has drafted it.

2           And also that would mean, I think  
3 Commissioner Stertz had mentioned, if, if, if we adopted  
4 the -- Commissioner Stertz's map, we would have to mess with  
5 three, and keep CD 1 the way he has it in his map. And I  
6 would be opposed to doing either one.

7           So I, again, I would support  
8 Commissioner McNulty's one and two in the Mathis combo map,  
9 and I would support six, eight, four from Stertz's map.

10           Thank you.

11           VICE-CHAIR FREEMAN: Madam Chair.

12           CHAIRPERSON MATHIS: Mr. Freeman.

13           VICE-CHAIR FREEMAN: Just to correct one thing,  
14 you did not hear me talk about the compactness.

15           If you want to go ahead and run a search on the  
16 record, you won't find it.

17           Indeed, the whole counties map that I had prepared  
18 back in August and September, which was based on very simple  
19 instructions given to the mapping consultant during public  
20 hearing, to adjust the grid map based on constitutional  
21 criteria that I called out, and the first one I called out  
22 was adjust the grid lines so that they sort of maximize  
23 respect for county lines.

24           I didn't know how that map would end up looking.  
25 And in some respects it was how the map ended up perhaps

1 would be dependent upon the grid map that the Commission  
2 developed.

3           And the grid map, just so everyone knows, the old  
4 CDs goes away and this Commission starts with a grid map,  
5 which is nine districts constructed simply based on  
6 compactness and equal population.

7           And then the Constitution says we're to take  
8 those lines, the lines of the grid map, and adjust them,  
9 adjust the grid lines based on the application of  
10 six constitutional criteria.

11           So that was the first one I called out, which was,  
12 you know, respect county lines. Then that map ended up  
13 being called the whole counties map.

14           But I didn't know how it would turn out looking.

15           But, indeed, as the map developed, and it was  
16 developed, again, based on objective, neutral criteria found  
17 in the constitution.

18           Cochise County was kept whole, but it was kept  
19 with eastern Arizona -- rural eastern Arizona.

20           So that district, that included the, the -- at  
21 least where that map, the whole counties map, where it  
22 ended -- it was never completed -- ended with the  
23 reservation, the Navajo reservation portion of  
24 Coconino County, all of Navajo County, all of Apache County,  
25 I believe it included all of Gila County, Graham, Greenlee,

1 all of Cochise County, and the non-reservation portions of  
2 Pinal County, were all kept whole and together.

3           So that is, that's a district that looks -- well,  
4 there are significant differences to how  
5 Commissioner Stertz's compromises map looked. But, the one  
6 similarity is it included Cochise County with our eastern  
7 district.

8           So, I agree, compactness is a constitutional  
9 criteria. It needs to be considered. But that's not  
10 something that I was talking about with respect to this  
11 eastern Arizona district.

12           CHAIRPERSON MATHIS: Thank you.

13           It doesn't sound like there's going to be a lot of  
14 agreement down in the southeast corner of the map.

15           I'm wondering if we can go back, Mr. Desmond, to  
16 the combo map, and just look at that for the whole Maricopa  
17 area and four just to -- Mr. Stertz, do you have something?

18           COMMISSIONER STERTZ: Before you say we've  
19 exhausted talking about the southeast corner of the state --

20           CHAIRPERSON MATHIS: Well, I'm not saying we're  
21 done talking about it. I just, I just thought maybe we  
22 could work on some areas where there's a little bit more --

23           COMMISSIONER STERTZ: I'm trying to get my arms  
24 around what -- again, I'm trying to get my arms around what  
25 the, what the, what the predominant disagreement is.

1           The -- when we look at registration, when we look  
2 at -- there is a very minor adjustment between the McNulty  
3 southeast corner and the Stertz southeast corner for  
4 Congressional District 2.

5           It is, it is favored every so slightly depending  
6 upon the indices to a Republican, but it would stay, for  
7 all, for all purposes, it would stay an incredibly  
8 competitive district.

9           Other than the -- other than Cochise County, which  
10 is, again, a predominantly rural county, being pulled in,  
11 why would we pull away these cities that are tightly aligned  
12 with the city of Tucson, urban Tucson, away from urban  
13 Tucson for their congressional representation?

14           There's -- I can't -- if it was -- if my design  
15 took Congressional District 2 and it turned into a hard R  
16 district where it was only going to be a Republican that was  
17 going to be elected there, I could see an argument.

18           I cannot, I cannot get my head around why this is  
19 such a, a -- there's such a high level of disagreement  
20 about, and there continues to be, to pull out these cities  
21 away from urban Tucson.

22           What in the world could possibly be the reason why  
23 to pull these cities out.

24           And I can't find one, so I'd like somebody to try  
25 to explain that to me, about why these cities want to be

1 pulled away from where, from where the core of their  
2 community, where they grew from.

3 COMMISSIONER McNULTY: Madam Chair.

4 CHAIRPERSON MATHIS: Ms. McNulty.

5 COMMISSIONER McNULTY: The -- first I begin by  
6 saying that the semantics aren't exactly correct.

7 We aren't pulling anyone from anywhere. Everyone  
8 will stay in the same place. All we're doing is providing a  
9 district which is balanced in which a representative will  
10 need to pay very close attention to the concerns of the  
11 constituents because it's truly a competitive district.

12 The Tucson metropolitan area is too big to be in  
13 one district.

14 It is already in two districts. And as Mr. Stertz  
15 knows, he and I live three blocks from the boundary of a  
16 district.

17 And we aren't pulled anywhere.

18 We have two representatives in Tucson who do, you  
19 know, depending on who you talk to, a pretty good job of  
20 representing the interest of Tucson.

21 All we're talking about is having three  
22 representatives who share the job of representing over a  
23 million people. And that number is going to grow in the  
24 next ten years, I'm sure.

25 There are three main, I guess, population hubs in

1 District 1. One is this Pinal County, northern Arizona -- I  
2 mean, northern metropolitan Tucson area.

3 Another is eastern Arizona.

4 And the third is northern Arizona.

5 I think that's -- I think it's well balanced, and  
6 I think it makes sense.

7 It needs to be either because of the population  
8 balancing Cochise County or northwestern Arizona.

9 Cochise County is currently in CD 2.

10 It's worked well there. The military reservations  
11 are both there. They share common interests. They've taken  
12 advantage of that, I think, in their representation.

13 As I said earlier, we're not talking -- our job is  
14 not to create homogenous districts. It's to create  
15 districts that have balance and diversity.

16 And I don't think we are pulling them away from  
17 anywhere.

18 I think what we are doing is giving them a voice.

19 As I said earlier, no one in northern Arizona is  
20 complaining about being with, being with us or being pulled  
21 away to us.

22 I just don't think that's the correct analysis.

23 I also think it makes a lot of sense not to add  
24 another 6600 square miles to Congressional District 1.

25 There are a lot of ties between Tucson and

1 Cochise County.

2           So you could look at this either way. You  
3 could -- you can look at it from two perspectives, and  
4 that's my perspective.

5           In terms of the competitiveness issue in CD 2,  
6 I'll say once again that I feel that a significant  
7 compromise was made when we relinquished the possibility of  
8 a fourth competitive district in Maricopa County.

9           We have three very balanced districts right now,  
10 and I do not support the notion of degrading the competition  
11 in Congressional District 1, even if it's one point.

12           I don't, I don't support that.

13           VICE-CHAIR HERRERA: Madam Chair.

14           CHAIRPERSON MATHIS: Mr. Herrera.

15           VICE-CHAIR HERRERA: Both Commissioner McNulty  
16 and myself have been talking about the importance of  
17 competitive districts and what it means to those people  
18 living there.

19           I think nobody would disagree when you have  
20 competitive districts, you are -- your voice is more likely  
21 to be heard.

22           Whether they elect someone that is from the  
23 opposite party, that individual that represents that  
24 particular district that is competitive needs to listen to  
25 all voices in order to get reelected.

1           Because, as you know, that's what competition  
2 means. Competition means that you as a Democrat, as a  
3 Republican can lose your seat at the next election. Because  
4 it allows anyone from whatever party to be able to compete  
5 in an election.

6           So that individual that is elected from two,  
7 District 2, the way it is right now, as we have it in the  
8 Mathis combo map, District 9 -- District 1 is as close to  
9 50/50 as we can get it.

10           And it's -- that means that those people in those  
11 districts will have their voices heard.

12           I don't think anyone in those districts will not  
13 have somebody representing them. Because, again, I think  
14 competition, that's what competition means. And I think  
15 that that was a point of when we created those districts.

16           And, again, I think Commissioner McNulty has  
17 stated we as Democrats and those that care about competition  
18 did compromise.

19           From the beginning we were talking about the  
20 fourth competitive districts in Maricopa County, and we  
21 didn't get that.

22           And we ended up getting, even though based on the  
23 Mathis combo map, four strongly Republican districts. Two  
24 districts that are majority minority, that lean Democratic  
25 because, you know, they're minority districts, and then

1 three districts that are competitive.

2 And that's -- to me it's a huge compromise. It's  
3 a huge compromise from what people wanted in the beginning.

4 I think we were hearing from the beginning that we  
5 could easily get four competitive districts, and we tried to  
6 do that. But, again, we ended up compromising, which is --  
7 I don't think there was anybody in this Commission that  
8 compromised more than we did by giving up that fourth  
9 competitive district.

10 COMMISSIONER McNULTY: Madam Chair, one more  
11 point.

12 As important I think is that when we were in  
13 Sierra Vista, we heard folks from Cochise County making the  
14 same comment, that they were concerned that they weren't  
15 going to be represented because CD 2 was so huge, and they  
16 didn't want to be with Flagstaff, and when would the  
17 representative make it all the way down to the border, and  
18 how would a representative of Flagstaff care about border  
19 issues.

20 So, you know, we have this, I think, the same  
21 concerns being expressed from both groups of people.

22 And in the, in the end, I come down where I come  
23 down, that it makes more sense to make CD 1 a little  
24 smaller, keep Cochise County with a southern Arizona  
25 district to give Tucson the benefit of having the third

1 congressional representative.

2           You know, we, we did hear a lot of comment from  
3 Saddlebrooke particularly and also Oro Valley. And we got  
4 two form letters from those folks. Two different forms of  
5 form letters. And we got dozens of them, maybe, maybe a  
6 couple hundred of them.

7           And one said -- I left them in my file. I should  
8 go get them.

9           That it was extremely rare that they came to  
10 Tucson.

11           And the other one said, you know, something more  
12 or less along those lines.

13           Which isn't to say that they don't have a  
14 connection with Tucson, but which is to say that of the  
15 two issues that they expressed, one being that the  
16 three communities stay together and the other being that the  
17 district -- that they were concerned about the district they  
18 were in, there was far more concern on the part of the folks  
19 that wrote from Saddlebrooke and Oro Valley that they be  
20 together, and be together with Marana, than there was that  
21 they be in a particular congressional district.

22           And so for that reason too I feel that this is a  
23 good compromise, and that Congressional District 1 makes  
24 sense.

25           So you asked, you know, how anyone could view it

1 that way.

2 And so that's the way I have set this all out  
3 again, because that is how I view it.

4 COMMISSIONER STERTZ: Madam Chair.

5 CHAIRPERSON MATHIS: Mr. Stertz.

6 COMMISSIONER STERTZ: And, Commissioner McNulty, I  
7 think that your -- we're both making -- I think we're both  
8 making compelling arguments.

9 But there's one argument that we, that we haven't  
10 really made, and one of the things you just brought up, that  
11 nobody up in Flagstaff is, is complaining.

12 One of the things they might want to really think  
13 about is that in that little area right there, there are,  
14 there are 300,000 people living now in that little corner of  
15 that extraordinarily large district.

16 So one of the things they might want to consider  
17 is that -- that that district right now, which right now has  
18 been -- for a long time has been predominantly the political  
19 hub of that rural district, is probably going to move,  
20 whereas the potential to move all the way down into that  
21 little part of Tucson right there, which is at McGee and  
22 Oracle.

23 There is quite a -- with 300 population in that  
24 little zone right there, that is going to become quite a  
25 political force.

1           So, hasten to say that this area up here might be  
2 a little surprised as time goes on about where the -- where  
3 their representation is going to be.

4           So, by having this large compression of population  
5 now in a very small geographic area, which is one of the --  
6 one of the other reasons why I tried to break this up, not  
7 only to be able to keep this community intact, but also to  
8 try to give some representation up into this area where the  
9 possibility to elect may come from the Navajo Nation, might  
10 come from the city of Flagstaff, might come from, from a  
11 part of Pinal.

12           Now it really has got a greater opportunity about  
13 coming from 100,000 population there and the 200,000  
14 population there.

15           So, we've talked this, we've talked this thing  
16 around.

17           It's, Madam Chair, it's going to be your decision  
18 to make about where these are going to end up.

19           And from my perspective is that we have, we  
20 have -- unless we, unless we start looking at breaking up  
21 the CD 9 and start relooking at that, looking at other areas  
22 within the greater Maricopa County area, which is going to  
23 end up just being a -- an ongoing and perpetual dispute  
24 between, between, between the sides -- because we are  
25 looking at this philosophically the way that CD 9 was

1 crafted.

2 I read -- I went through and I listened to  
3 Commissioner McNulty's testimony. I understood it clearly.

4 That was something that was crafted around the  
5 design of CD 9.

6 You can't disagree with her opinion on that. It's  
7 her opinion. So I'm -- that's her opinion. It is what it  
8 is.

9 So, those are, those are my salient points. My  
10 salient points are that I believe from a representation  
11 point of view we might end up with a large representative  
12 here and we might end up -- all the folks up here might end  
13 up getting much less travel in their, in their -- from their  
14 representative than they currently have. And, and that  
15 would be a shame.

16 So if you're going to move forward on the map as  
17 it currently is done, let's, let's go.

18 VICE-CHAIR HERRERA: Madam Chair.

19 CHAIRPERSON MATHIS: Mr. Herrera.

20 VICE-CHAIR HERRERA: You know, I -- that's what I  
21 like about competition, that you -- no one knows where that  
22 representative will be -- in that district, District 1, the  
23 way it is, where that representative will come from.

24 And I think Mr. Stertz -- Commissioner Stertz made  
25 my point that, you know, when you have a competitive

1 district, that forces the individual running for office,  
2 whether they're a Democrat, Republican, Green Party, that  
3 they're going to have to campaign. They're going have to  
4 campaign, and that's what they should do. They're going to  
5 campaign in that area of Pinal. They're going to have to  
6 campaign in the middle of that district and also north of  
7 that district.

8           And that's what we wanted when we created that  
9 district.

10           I didn't want to create a district that will allow  
11 Flagstaff to have -- guarantee them a representative. We  
12 never said that.

13           And I think the city of Flagstaff people and  
14 throughout that district in District 1 understand that,  
15 that, that they're not assured a representative from their  
16 particular area. But what they are assured is a --  
17 hopefully a, a representative that will represent the entire  
18 district.

19           Because it is a competitive district.

20           And it might switch from, from the Flagstaff area  
21 to south of that every two years. And that's exactly what  
22 we wanted. We didn't want a safe district from someone  
23 to -- for a particular party. We wanted a district that  
24 will force people to campaign.

25           And I'm happy for that. And that's exactly what

1 we wanted.

2           And another point. You know, when we were in  
3 Marana and I would hear people talk about them not having  
4 anything in common with Tucson, that they don't shop there,  
5 I even jokingly -- I forgot who I told. I go, you know  
6 what, I don't believe that they don't go to Tucson.

7           I even said I'm going to follow one of these  
8 people one of these weekends, and I'm going to guarantee  
9 that I'm going to see them in Tucson, and I'm going to  
10 surprise them, do you remember me, you said you don't go to  
11 Tucson, and here you are.

12           So I remember those comments, and I remember  
13 saying that.

14           I mean, I didn't say that to them, but I'm like,  
15 really, they don't shop in Tucson.

16           So that's, I mean, and I heard that testimony, and  
17 I thought it was overwhelming.

18           So, again, I just wanted to state that I think  
19 we've made a lot of progress in the congressional map  
20 compromising, compromising a lot in my opinion.

21           So I'm looking forward to hopefully reaching  
22 consensus or at least reaching a conclusion that I like  
23 certain areas of Stertz's map, as I mentioned, six, eight,  
24 and four, as he created them, and I like the way  
25 Commissioner McNulty created one and two.

1           And, again, I'm hoping that we can reach consensus  
2 and it's a 5-0 vote. But if not, then I think all of us  
3 made a compelling argument of why we like certain areas or  
4 why we don't.

5           But, again, if we don't agree, that's -- we have  
6 our own different opinions. And it would be nice to be able  
7 to reach consensus. But if we don't, I'm willing to vote  
8 for what I think is the right thing for the state of  
9 Arizona.

10           VICE-CHAIR FREEMAN: Madam Chair.

11           CHAIRPERSON MATHIS: Mr. Freeman.

12           VICE-CHAIR FREEMAN: A couple things.

13           The Arizona Supreme Court in analyzing Prop 106  
14 says that it means -- the proposition means what it says,  
15 and there are six mandatory criteria we are to apply in  
16 adjusting the grid map.

17           The six criteria being the competitiveness  
18 criteria, which it referred to as mandatory and conditional,  
19 the only criteria being conditional.

20           The six criteria don't talk about balanced  
21 districts or diverse districts.

22           It means what it says.

23           And in supplying the six criteria, you might end  
24 up with a district that someone might regard as diverse,  
25 someone might regard as balanced, and in some sense however

1 that's defined.

2 But you might not.

3 I don't think it's our prerogative to sort of  
4 create new criteria out of thin air.

5 As for CD 1, it is not a competitive district.

6 And just to illustrate what's going on here, is  
7 that the congressman that currently represents the majority  
8 of that area that is contained within the new CD 1 is in a  
9 competitive district that it changed political hands a  
10 couple times in the last decade.

11 I believe he won the last election with less than  
12 50 percent of the vote.

13 That tells you how razor thin it is in that  
14 district.

15 Well, now in constructing the new district over  
16 and around that area, a lot more Democrats have been piled  
17 in.

18 In fact, the registration advantage is close to  
19 10 percent in favor of the Democrats in that district, and  
20 that's deemed competitive.

21 However, if anything is done to touch CD 9 in  
22 urban Maricopa County where the registration is closer than  
23 10 percent, that is forbidden.

24 I know the Democrats will say, well, a lot of our  
25 voters, registered voters don't turn out and vote in that

1 part of state.

2 Well, I think another aspect of competition is  
3 rewarding success, not punishing success.

4 That's what is going on here.

5 The scales are being manipulated to get a desired  
6 political result.

7 I think this Commission's job isn't to decide how  
8 many Republican districts there are, how many Democratic  
9 districts there are.

10 It's just to apply the six constitutional  
11 criteria.

12 But I have serious concerns that we haven't  
13 followed those criteria, and what the people of this state  
14 are going to wake up is a state where there is roughly  
15 30 percent registered Democrats, roughly 35 percent  
16 registered Republicans, it's not one third, one third, one  
17 third, there is a material gap there of about roughly  
18 five percent, and in a state that is subject to Section 5 of  
19 the Voting Rights Act, which means we have to on the  
20 congressional side create two voting rights districts, and  
21 in creating those districts you end up as a collateral  
22 effect putting a lot of Democrats into those two  
23 districts, which means in the other seven districts, the  
24 registration difference between the two parties is much  
25 greater, on the order of plus 10 percent, maybe even as much

1 as 15 percent.

2           You really have to manipulate the map to come up  
3 with the scenario that we have now, which I'm afraid is a  
4 map that creates five Democratic seats and four very solid  
5 Republican seats.

6           So the state will have been flipped by virtue of  
7 this map.

8           CHAIRPERSON MATHIS: Mr. Herder, how are you?

9           THE REPORTER: Whatever you need.

10          CHAIRPERSON MATHIS: Okay. Why don't we take just  
11 a ten-minute break.

12          Amazingly, an hour and a half has already gone by.  
13 It's 2:34 p.m. We'll be back in ten minutes.

14          (Brief recess taken.)

15          CHAIRPERSON MATHIS: Okay. We'll enter back into  
16 public session.

17          The time is 3:01 p.m.

18          I've gotten a number of request to speak forms.  
19 And some of the folks need to leave early and yet they want  
20 to provide input on the legislative maps, so I thought it  
21 would be good to just cover them, get everybody while they  
22 can still be here. They've taken the time to come, so let's  
23 hear what they have to say.

24          And if I could remind everybody when they come up  
25 to the microphone to please spell your last name for our

1 court reporter.

2 Our next speaker is Diane Landis, representing  
3 self, from Litchfield Park.

4 DIANE LANDIS: Thank you. Diane Landis,  
5 L-A-N-D-I-S.

6 I'm a council member with the city of Litchfield  
7 Park. And I would like to see the map for Litchfield Park,  
8 please.

9 CHAIRPERSON MATHIS: Are you able to pull that up,  
10 Mr. Desmond, the legislative?

11 DIANE LANDIS: I can tell you what the issue is,  
12 if you cannot.

13 There are two -- it looks like it may come up.

14 There are two pieces in Litchfield Park that are  
15 not in the same district, but there's no population in those  
16 two pieces, and so I'm hoping that you can put them  
17 together.

18 Those two pieces have no population.

19 Thank you.

20 Litchfield Park is in 13. And these two pieces  
21 are in 29, but they have no population, so I'm asking, and  
22 we sent a resolution, that you combine those into 13,  
23 please.

24 And, again, it should be a very simple fix,  
25 because there's no population.

1           And I would like to see the rest of 13, if I may.  
2           What I'm curious is do we still go to the  
3 California border?

4           WILLIE DESMOND: Yes.

5           DIANE LANDIS: We do.

6           And I'd like to ask why, because our communities  
7 of interest are our surrounding cities. We have Goodyear  
8 providing our fire. We are very close to Avondale.

9           This is Diane Landis citizen talking.

10          We're, we're very close to Avondale, Goodyear, all  
11 of these other cities, and we have nothing in common with  
12 the California border or even parts of Yuma that you've got  
13 us in. So I'd be curious why you've done that.

14          But, again, the immediate -- the one huge fix if  
15 you could would be to combine all of Litchfield Park into  
16 one district.

17          Thank you.

18          CHAIRPERSON MATHIS: Thank you.

19          Any questions, comments?

20          Okay. Our next speaker is --

21          COMMISSIONER STERTZ: Madam Chair.

22          CHAIRPERSON MATHIS: Sorry. Mr. Stertz.

23          COMMISSIONER STERTZ: I have a quick comment. I  
24 would -- the -- what you're experiencing is what I just went  
25 through for the last hour and a half in discussing

1 Saddlebrooke, Oro Valley, and Marana, that you are part of a  
2 district legislatively that you have no affiliation with and  
3 no tie to.

4 So you -- that, that is the argument you just  
5 heard me making on the congressional point of view.

6 I as a commissioner cannot give you an answer  
7 about why you're connected to the California border, as I  
8 cannot give the same answer to the constituents and the  
9 folks that live in Marana about why they're connected to  
10 Window Rock.

11 DIANE LANDIS: I think it's the legislative map,  
12 maybe the congressional map, I'm not sure, there's a claw  
13 that comes around.

14 Is that the legislative map?

15 WILLIE DESMOND: It's the congressional.

16 DIANE LANDIS: That's the congressional. Okay.  
17 That's another issue. Thank you.

18 CHAIRPERSON MATHIS: Thank you.

19 I would just say that I think the problem is that  
20 we have this equal population requirement in all the  
21 districts, and that's federal law.

22 And in order to comply with that, we've been  
23 challenged, as Mr. -- Mayor Schlum said earlier,  
24 constrained, and that's a perfect word. There are only so  
25 many things we can do.

1           And we've tried as a Commission to keep rural  
2 areas rural and urban areas urban.

3           And I remember being at one of the hearings, and I  
4 think it was Eagar, where somebody suggested why don't you  
5 just have a hub and spoke design on the map, because then  
6 it's just like a big pie, and each, each area comes into the  
7 urban area to get the population it needs to meet the equal  
8 population requirement.

9           And there was a lot of booing when that happened.  
10 And people don't like that.

11           And yet it's super hard to get enough people in  
12 those rural areas without having to also compromise the  
13 other criteria of compactness. And it's just something that  
14 we faced all along.

15           One of the constraints is our state borders.  
16 We're not -- we can't really go outside of those, because it  
17 would be great to go across the Colorado River and get those  
18 rural communities, but that's not really an option either,  
19 but -- so it's just kind of a matter of balance.

20           And you're also up against -- 13 is right next to  
21 four, which is a voting rights district, I think, and that  
22 also -- provides another big constraint in terms of what we  
23 can do with the lines.

24           But I appreciate your input on the Litchfield Park  
25 matter.

1           Our next speaker is Representative Richard  
2 Miranda, Arizona -- representing Arizona Minority Coalition,  
3 from Tolleson.

4           REPRESENTATIVE RICHARD MIRANDA: Thank you.  
5 Richard Miranda, M-I-R-A-N-D-A, Maricopa County.

6           And thank you, I appreciate, because I was here  
7 before you started at 1:00, and I really need to get going.

8           I think the only concern that we would have is the  
9 kind of developments that have happened over the last  
10 seven days as far as 27, with the idea out there that  
11 somehow -- I'm glad that we still have Guadalupe in 27, but  
12 the idea that moving parts of that Phoenix area, I think,  
13 48th Street and 32nd, into Tempe, and extending south  
14 Phoenix area all the way out to Scottsdale Road and  
15 Roosevelt would somehow make DOJ much more satisfied that  
16 somehow or other you would think that 26 is now a  
17 minority-majority district.

18           I think those are -- those assumptions are off  
19 base.

20           I think that DOJ would not really consider a  
21 two percent increase, if I understand, because each map  
22 is -- and the data that just went online this morning, I  
23 don't think that the two percent really makes an impact.

24           And I don't think that the DOJ would, would  
25 consider that as a minority-majority district, even if you

1 take old 14, and has a minority-majority district that's  
2 even voting Arizona at minority population candidates on  
3 their own.

4 But, anyway, getting back to 27, contacting some  
5 of the folks that live in south Phoenix, some of them are  
6 working so they just cannot get here.

7 I encourage them to e-mail, to get their, their  
8 ideas, thoughts, on what extending out to Scottsdale Road  
9 and Roosevelt would make them feel.

10 I don't know why that, why that somehow or another  
11 DOJ is going to, again, make, make them happy with 26.

12 I think it's not a big impact with the -- it's a  
13 very small minute total voting age population, rather than  
14 the voting performance of 26.

15 What the reason to make those moves for the last  
16 seven days, I don't know.

17 I wasn't here to hear the arguments on why we're  
18 moving those populations now at the end of this whole  
19 process rather than, you know, why wasn't this brought up  
20 before.

21 So with that, I think we, we -- we're not really  
22 happy, but we could live, as I stated before, I think, with  
23 the October 30th draft map, that is basically Phoenix,  
24 Arizona. And so I'm glad that we still are keeping  
25 Guadalupe in south Phoenix area, because that's where it

1 belongs.

2           And these last couple of tweaks as someone  
3 suggested to make DOJ happy, they're off base.

4           So, that's all I have to say.

5           And although we're not happy with the October 30  
6 draft map, it is what it is. But these two tweaks someone  
7 suggested would cause us some concern.

8           And thank you.

9           CHAIRPERSON MATHIS: Thank you.

10          Any questions for Representative Miranda?

11          (No oral response.)

12          CHAIRPERSON MATHIS: Thank you.

13          Our next speaker is Shirley Dye, representing  
14 northern Arizona.

15          SHIRLEY DYE: Shirley Dye, D, as in dog, Y-E.

16          As I see it, there's been a couple of problems  
17 right from the get-go about having -- trying to get two  
18 rural congressional districts.

19          There is not apparently enough persons, if you  
20 need 750,000 people per a district -- isn't that right? Or  
21 750,000 per district?

22          Okay.

23          So when you're, when you're looking at this, the  
24 second one is trying to have a whole Native American  
25 district.

1           And I think the reason we've got 300,000 people  
2 down there in Pinal County is because the Gila River Indian  
3 reservation tribe wanted to be with the Navajos and the  
4 Apaches.

5           And that's why this is gerrymandered over into  
6 that area.

7           It seems to me that the Gila River Native American  
8 district might have more in common with the Pima Native  
9 American district down in the Yuma district, number three.

10          If you switched out and put northern Gila County  
11 back in District 1, and maybe even Apache Junction, because  
12 it's not so urbanized, you could get your numbers that you  
13 needed in District 1 and make it more compact.

14          And then somehow looking over at La Paz County,  
15 and that area between Highway 8 and 10 in Maricopa, work  
16 something out that shifts all those 300,000 people over  
17 toward the west.

18          Now, I realize this is for, at this late hour, is  
19 rather a ridiculous request.

20          But with a 9.7 percent Democratic advantage in  
21 District 1, and with the communities of interest being the  
22 high forest lands of the traditional rural area up there,  
23 those 300,000 people in Pinal County, which is almost half  
24 of what they need for a district, is not going to have a  
25 clue about all of the rural issues.

1           And I think that, you know, it's just rather  
2 ridiculous to have that concentration of urban people in  
3 what is supposed to be a rural district.

4           Thank you.

5           CHAIRPERSON MATHIS: Thank you.

6           Our next speaker is Representative Saldate,  
7 representing self, from District 27.

8           REPRESENTATIVE MACARIO SALDATE: Thank you very  
9 much. My last name is S-A-L-D-A-T-E.

10           And I want to speak about an area that is in the  
11 area of District 27, as it's made up now, but primarily in  
12 an area --

13           THE REPORTER: Sir, could you speak up, please?

14           REPRESENTATIVE MACARIO SALDATE: I'm sorry. I  
15 want to speak up -- I should speak up anyway.

16           In terms of the area that is in District 27, as  
17 it's currently formed.

18           And then with a change to District 2, there's been  
19 small pieces of that district moved.

20           And that -- in not doing that, it has gone against  
21 in some ways traditional notions out of the barrio. In the  
22 barrio there's a whole new interpretation that is not  
23 necessarily political and possibly more cultural, but there  
24 is areas, for example, in south Tucson that are major  
25 streets, those are South 4th, South 6th, and South 12th.

1           Now, that has new interpretation for people that  
2 have not either been in that area for a long time or have  
3 already moved out and have not seen the various kinds of  
4 activities, both cultural, educational, and political to  
5 some extent, that have impacted.

6           But I would like to say that that can create  
7 confusion. And it is going to be more difficult, I think,  
8 to continue to develop the potential of our voters in that  
9 area. So that inconsistency I think is something that could  
10 be looked at and to try to honor possibly the compactness of  
11 that area.

12           That is basically my presentation.

13           Thank you.

14           CHAIRPERSON MATHIS: Thank you.

15           VICE-CHAIR HERRERA: Madam Chair.

16           CHAIRPERSON MATHIS: Mr. Herrera.

17           VICE-CHAIR HERRERA: Representative Saldate, is  
18 there a way you can show me in that -- using -- refer to  
19 that map and point to that area that you're referring to?  
20 That would be extremely helpful for me.

21           Representative Saldate, if you don't mind, if you  
22 will speak -- if you plan on speaking again, do you mind  
23 using the pointer, if we have one, and make sure you speak  
24 using the microphone.

25           REPRESENTATIVE MACARIO SALDATE: My eyesight is

1 not -- is this South Broadway?

2 VICE-CHAIR HERRERA: Representative Saldate, can  
3 you speak into the mic?

4 REPRESENTATIVE MACARIO SALDATE: Is this South  
5 Broadway? I'm not sure.

6 Is this South Broadway, this area here?

7 I'm trying to find -- this is I-10, I think;  
8 right?

9 I would have go and check.

10 Can I approach the map to see what --

11 CHAIRPERSON MATHIS: Sure, of course.

12 REPRESENTATIVE MACARIO SALDATE: I'm looking for  
13 South 12th, looking for Ajo.

14 WILLIE DESMOND: It's right here.

15 REPRESENTATIVE MACARIO SALDATE: So it would  
16 be. . .

17 This is South 12th here.

18 Actually need to get further, I guess, to see more  
19 or less where Ajo Way would be.

20 CHAIRPERSON MATHIS: Can you go up north?

21 There's Ajo.

22 REPRESENTATIVE MACARIO SALDATE: This is  
23 South 12th here.

24 Can we go further up?

25 WILLIE DESMOND: Ajo is right here, this white

1 one.

2 REPRESENTATIVE MACARIO SALDATE: If we go down  
3 this way, this is the demarcation line right here, of  
4 west -- the west of 12th, that is in the district, east is  
5 not.

6 So when you get in this whole area here, there's a  
7 little chunk.

8 There are a number of them, but I think there's  
9 one that will be pulled out. It's a four-by-four-by-four  
10 block.

11 And that is very traditionally been, you know, the  
12 western part of that area.

13 East would be different.

14 So, that would be right here.

15 Right here.

16 That's an example of what I would think would  
17 be -- I think there's another one someplace in that area,  
18 where that could create some confusion.

19 But that that particular area I know well.

20 COMMISSIONER McNULTY: Willie, could you put the  
21 census tract map on it?

22 I think the way that -- the reason that jut is  
23 there is a census issue that happened when you were cleaning  
24 some stuff up that we were looking at a long time ago.

25 WILLIE DESMOND: So you have a census tract that

1 takes that four-by-four.

2 VICE-CHAIR HERRERA: So, Madam Chair.

3 CHAIRPERSON MATHIS: Mr. Herrera.

4 VICE-CHAIR HERRERA: Moving that area would break  
5 up this -- would split a census tract?

6 WILLIE DESMOND: It would split a census tract,  
7 yes. But, I mean, the reason that is there is because of  
8 the census tract also. We were selecting at the tract  
9 level.

10 That wasn't an intentional block necessarily.

11 VICE-CHAIR HERRERA: Mr. Desmond, can you do me a  
12 favor and highlight the entire census tract for that area,  
13 including that area, the four-by-four area that Mr. Saldate  
14 referred to.

15 Representative Saldate, you're asking for that  
16 four-by-four area to be taken away from two?

17 REPRESENTATIVE MACARIO SALDATE: Yes.

18 VICE-CHAIR HERRERA: And put into where again?

19 REPRESENTATIVE MACARIO SALDATE: The new three,  
20 new Legislative District 3.

21 VICE-CHAIR HERRERA: And only that piece; correct?  
22 The four-by-four piece, into -- from two to three.

23 REPRESENTATIVE MACARIO SALDATE: Yes.

24 VICE-CHAIR HERRERA: Okay.

25 And, Mr. Desmond, how many people is that? How

1 many people in that area?

2 WILLIE DESMOND: 519.

3 VICE-CHAIR HERRERA: Say again.

4 WILLIE DESMOND: 519.

5 VICE-CHAIR HERRERA: Madam Chair, I wouldn't mind  
6 looking at that and cleaning it up. If it is an area that  
7 has traditionally been in the new, excuse me, new three,  
8 then I wouldn't be opposed to looking at the idea of putting  
9 it back in.

10 CHAIRPERSON MATHIS: What is the boundary, that  
11 brown line going south currently that -- you know.

12 Mr. Desmond, can you tell me that?

13 WILLIE DESMOND: It is South 12th.

14 CHAIRPERSON MATHIS: It is 12th.

15 WILLIE DESMOND: Primarily to the north. Then it  
16 goes down South 7th.

17 CHAIRPERSON MATHIS: So it would mean making --  
18 following South 12th all the down is what he's saying.

19 Okay.

20 Thank you.

21 COMMISSIONER STERTZ: Madam Chair.

22 CHAIRPERSON MATHIS: Mr. Stertz.

23 COMMISSIONER STERTZ: Pondering this, there's a,  
24 there's a series of notches and pop-outs in all of these,  
25 all of these districts.

1           Is there a reason why we're concentrating just on  
2 this? Because I know there's a lot of other parts of south  
3 Tucson where there are neighborhoods where we've got side  
4 streets that are causing demarcations. And 12th is a major  
5 north-south. 12th, 6th, and 4th are major north-souths.  
6 And it makes perfect sense to have that as a demarcation.

7           But is there a reason -- are other areas we want  
8 to concentrate on --

9           REPRESENTATIVE MACARIO SALDATE: Culturally it's  
10 always been. When -- if you went to junior high there, if  
11 you went to Wakefield, if you went to the -- it is  
12 tradition. By tradition.

13           I'm not saying that this is in any matter legal,  
14 but traditionally there's a sense of whether it's west of  
15 12th or east of 12th, and communities define themselves  
16 traditionally that way.

17           COMMISSIONER STERTZ: East or west of 12th?

18           REPRESENTATIVE MACARIO SALDATE: Right. Now only  
19 would someone that would be taking these issues at a  
20 university, studying, for example, the culture of the  
21 Mexican American would you hear this type of discussion.

22           It has nothing to do, again, formally. But there  
23 is within the neighborhoods after people have lived over the  
24 years, those that maintain, remain there, and continue to  
25 hold this definition, this milestones, in terms of how to

1 describe, you know, their geographic area.

2 That's why I think it would be somewhat difficult  
3 because of the confusion that it might create, particularly  
4 in this area. This is right in the center of that  
5 traditional barrio situation.

6 And, of course, it has nothing to do with any  
7 other aspect of it. It's strictly a traditional aspect of  
8 that.

9 CHAIRPERSON MATHIS: Thank you.

10 Other questions or comments?

11 COMMISSIONER STERTZ: Madam Chair, is there --  
12 should we be looking at -- because there are other areas,  
13 other parts of south Tucson, the south side of Tucson, that  
14 actually adjust back and forth that we -- as you can see it  
15 jogs back to the east over 7th Avenue -- and 7th Avenue is  
16 by no means one of your major north-souths. You've got 4th,  
17 6th, and 12th.

18 REPRESENTATIVE MACARIO SALDATE: My colleague is  
19 suggesting an area. . .

20 SENATOR OLIVIA CAJERO BEDFORD: I know what you're  
21 talking about, Commissioner Stertz. Yes, there are large  
22 areas, but there are large areas, neighborhoods.

23 I would suggest that instead of that little  
24 neighborhood, that you go behind Government Heights School.  
25 Continue the line in a larger block, leave South 12th

1 together.

2           Again, I live -- also grew up on the south side of  
3 Tucson, so I know the neighborhoods too.

4           So that would be my recommendation.

5           If you could put the map up, I would be glad to  
6 make that suggestion.

7           CHAIRPERSON MATHIS: Sure.

8           And actually this is Senator Cajero Bedford, and  
9 state senator LD 27.

10           If -- for the record, if you could spell your last  
11 name.

12           SENATOR OLIVIA CAJERO BEDFORD: I'd be glad to.  
13 My last name is Cajero Bedford. And that's C-A-J-E-R-O, and  
14 then Bedford, B-E-D-F-O-R-D.

15           VICE-CHAIR HERRERA: Madam Chair.

16           CHAIRPERSON MATHIS: Mr. Herrera.

17           VICE-CHAIR HERRERA: These are -- in comments I  
18 want to make sure that they don't mention at all where they  
19 live, not even close. Not that you have --

20           OLIVIA CAJERO BEDFORD: I grew up in that area.

21           VICE-CHAIR HERRERA: Oh, I misunderstood.

22           SENATOR OLIVIA CAJERO BEDFORD: I know -- I knew  
23 the area. And I know that the area goes down South 7th  
24 because my mother's house, who was also a legislator, was  
25 right at that corner. So I know the boundary.

1           But I'm suggesting at Ajo you take in a few more  
2 of that neighborhood, go straight down, instead of curving  
3 back, and instead of curving across Ajo, make a bigger  
4 square -- my hand's not big enough.

5           Where's the thing?

6           What I'm suggesting -- what I'm suggesting is that  
7 this line, right there, go up. And that way you've taken  
8 the South 12th boundary.

9           Do you need -- if you need to put in -- take in  
10 more, here, up across. That's straight.

11           So this would wind up over here.

12           That would be my recommendation.

13           Thank you.

14           CHAIRPERSON MATHIS: Thank you.

15           COMMISSIONER STERTZ: Madam Chair.

16           CHAIRPERSON MATHIS: Mr. Stertz.

17           COMMISSIONER STERTZ: Mr. Desmond, would you go up  
18 a little bit on the screen, just for a second.

19           That might be a nice way to offset population by  
20 doing that 22nd Street continuation.

21           CHAIRPERSON MATHIS: Just following 22nd across.

22           COMMISSIONER STERTZ: 22nd.

23           If you can capture that and drop that into three,  
24 then we'll be able to pick up the continuation of 12th.

25           WILLIE DESMOND: That would probably end up being

1 a deviation of 2,000 more people in the District 2.

2 Do you want me to just go ahead and show you what  
3 that would look like and make all three of those changes  
4 real quick?

5 COMMISSIONER STERTZ: Yes, please.

6 WILLIE DESMOND: So three would take that area,  
7 but also this area.

8 District 2 would take that area.

9 COMMISSIONER STERTZ: Madam Chair.

10 CHAIRPERSON MATHIS: 12th is such a -- 12th and  
11 22nd are really strong corridors. They're also main -- goes  
12 back to the discussion we had yesterday about major  
13 arterials and collectors being, being the dotted lines on  
14 the edges of legislative borders, so. . .

15 WILLIE DESMOND: East and west side of  
16 12th Avenue, the only thing I would say is that District 3  
17 at this point would be underpopulated by 10,603 people,  
18 negative 4.9 percent. That's getting close to the edge of  
19 what we feel comfortable with in terms of deviation.

20 COMMISSIONER STERTZ: Is that District 2?

21 WILLIE DESMOND: District 2 is underpopulated by  
22 6,303.

23 Prior to this change, both of those were  
24 underpopulated, but they were underpopulated by 7900 and  
25 8900, respectively.

1           So what you've done here is you've taken, in  
2 three, which was at 8900, it has lost some additional  
3 2,000 people net.

4           COMMISSIONER STERTZ: Madam Chair.

5           CHAIRPERSON MATHIS: Mr. Stertz.

6           COMMISSIONER STERTZ: We heard this testimony down  
7 in Tucson about picking this up and cleaning up some of  
8 these lines. I think it would be terrific to be able to  
9 send this change up, making the note of the change, and  
10 sending that up for -- into our -- for our analysis to make  
11 sure that -- because both of these are voting rights  
12 districts.

13           CHAIRPERSON MATHIS: Okay. We'll -- is there any  
14 other input or questions for. . .

15           (No oral response.)

16           CHAIRPERSON MATHIS: Okay. We're going to talk  
17 about legislative district map in a little bit. So we'll  
18 hold that thought and move to that later.

19           We're just moving through some public comment  
20 right now.

21           Thank you both for your input.

22           And once we get through that, we'll go back to the  
23 congressional district map and then we'll talk about  
24 legislative too.

25           So our next speaker is Scott LeMarr, mayor, from

1 Paradise Valley.

2           MAYOR SCOTT LEMARR: Thank you, Madam Chair, and  
3 members of the Commission.

4           I'm appearing along with Vice Mayor Mary Hamway.

5           First to commend the Commission for its efforts in  
6 a really complicated statewide task. I can appreciate how  
7 difficult this may be.

8           The original draft map kept communities of like  
9 interest together in our opinion and was supported by  
10 Paradise Valley.

11           Our community has shared interests with both the  
12 Biltmore and the Arcadia areas of Phoenix, and I'll get into  
13 that in just a minute.

14           In particular, those two communities that I just  
15 mentioned have a shared fire department.

16           We have an intergovernmental agreement with the  
17 Arcadia portion of the city of Phoenix that covers that  
18 area, a little bit of the Phoenix Mountain Preserve, and all  
19 of the town of Paradise Valley.

20           We share the financial commitments.

21           We have city of Phoenix firefighters man the town  
22 of Paradise Valley firefighting equipment.

23           And this is just the first of a couple items I  
24 want to go through.

25           We also share a transportation corridor which goes

1 through our community. Tatum, Lincoln Drives. We're part  
2 of MAG, and we're also part of the main transportation  
3 system.

4 We also have two shared trailheads for  
5 Camelback Mountain, which requires a lot of parking  
6 management, because each of the trailheads directly abut the  
7 town of Paradise Valley. So the management of parking,  
8 access, access for maintenance, is another shared  
9 commonality we have.

10 Also 50 percent of the residents in our community  
11 are on the city of Phoenix water system.

12 The town of Paradise Valley does not have its own  
13 water company, so we have shared with the city of Phoenix to  
14 buy the water company.

15 And also most of the residents of our community  
16 attend schools either in the Arcadia area or my own children  
17 are in Creighton School District, which is basically  
18 Biltmore and south.

19 So that's just a highlight of the commonalities  
20 that we have with our sister communities.

21 I really hope that we don't have a bifurcation of  
22 this relationship.

23 I think it's vital to the continued providing of  
24 cost effective services for our small community that does  
25 not have its own water or own fire department.

1           And lastly, I might add, because we have no retail  
2 in the town of Paradise Valley other than a resort  
3 community, we depend on the Biltmore area quite a bit for  
4 our shopping and entertainment expenses.

5           So I ask you to please reconsider the original  
6 draft map fits the needs and commonality we have with the  
7 Biltmore and Arcadia area, and so we would like you to  
8 consider continuing to keep the town of Paradise Valley and  
9 its 13,000 residents in District No. 28 and not in the  
10 redistrict 15.

11           Thank you.

12           CHAIRPERSON MATHIS: Thank you.

13           Our next speaker is Joshua Offenhartz,  
14 representing self, from Scottsdale.

15           JOSHUA OFFENHARTZ: Good afternoon. Last name is  
16 O-F-F-E-N-H-A-R-T-Z.

17           Thank you, Madam Chair, fellow commissioners.  
18 I'll be brief.

19           I just want to say thank you for taking the time  
20 to listen to our presentation on south Scottsdale yesterday,  
21 allowing time for our recommendation to be analyzed, and  
22 really showing a willingness to compromise and accept that  
23 change if the lawyers come back and tell us if it was a  
24 negligible voting rights change.

25           Just to reiterate, we're asking that you do accept

1 the change we had come up with at yesterday's meeting.

2 We do believe that an attempt to strengthen the  
3 voting rights district in LD 26 at the same time adding  
4 population to Scottsdale in LD 23, that grabbing redistrict  
5 areas, neighborhoods around Coronado High School, the health  
6 park, is a smarter way to go to create a more whole  
7 district, to keep that Scottsdale Unified School District as  
8 whole as possible. And also, like I said, it kind of helps  
9 both districts.

10 And so thank you for that.

11 We strongly encourage you to accept that change  
12 when the analysis comes back, and we look forward to seeing  
13 that in the final map.

14 Just as one note, as always I'd like to say that I  
15 agree with the mayor of Paradise Valley that something along  
16 closer to the lines of the draft map with tweaks or  
17 competitiveness is what I'd like to see in LD 28. I think  
18 it can be accomplished.

19 I think that it is also a close to competitive  
20 district as it stands, if you look at the current  
21 representation, and there are ways to make it more  
22 competitive as some commissioners would like without really  
23 tearing apart that community.

24 So I thank you for your time as always, and again  
25 we hope that you will accept that final change in south

1 Scottsdale, and I appreciate your time.

2 CHAIRPERSON MATHIS: Thank you.

3 Our next speaker is Virginia Simpson, former vice  
4 mayor from Paradise Valley.

5 VIRGINIA SIMPSON: Thank you for hearing us.

6 Our mayor, you've heard, has described most of the  
7 reasons, but just to reiterate, one of the things is a big  
8 misnomer in our town is that many people hear the Paradise  
9 School District and think the Paradise Valley School  
10 District is in Paradise Valley.

11 In fact, it's not.

12 It's quite north of Phoenix.

13 We are in the Scottsdale School District, which is  
14 Arcadia, Scottsdale, and Paradise Valley.

15 Also we host a lot of religious institutions. We  
16 have two synagogues, and we have a large variety of  
17 Christian churches, which are populated by not only our  
18 residents, we are a small town, but a lot of people come  
19 from Scottsdale and from the Biltmore area.

20 Those institutions are not just open for their  
21 religious services. They become community active  
22 institutions.

23 They're community centers where our people get  
24 together virtually every night of the week. Go by one of  
25 those religious institutions and see the parking lot full.

1 That's where our people gather.

2           So saying that they are just a place where people  
3 worship, it's really a community.

4           We're very tightly bound to the Arcadia area, to  
5 the Biltmore area. And probably that's why we are such a  
6 tightknit area, which is why you'll notice also in our  
7 representation people are so tightknit that you'll see  
8 representatives where we tend to vote for the best  
9 candidate, which is probably why you'll see both parties  
10 represented in our district.

11           I would hate to see us go back, lose that kind of  
12 continuity and relationships that have been built up both as  
13 our mayor has referred to through intergovernmental  
14 agreements and through just social ties.

15           And so I'll hope you'll really reconsider going  
16 back to what has been more of a traditional boundaries where  
17 we are bound with the Biltmore and Arcadia district.

18           Thank you very much for listening.

19           CHAIRPERSON MATHIS: Thank you.

20           Our next speaker is Ann Dutton Ewbank, from  
21 Phoenix, Maricopa, representing self.

22           ANN DUTTON EWBank: Good afternoon. My name is  
23 Ann Dutton Ewbank, spelled D-U-T-T-O-N, E-W-B-A-N-K.

24           I'm a resident of the Sunnyslope community in  
25 north central Phoenix.

1           And I'd like to first thank you and the Commission  
2 for your hard work. This is a very difficult and complex  
3 process, and I appreciate your service to Arizona.

4           And like you I'm interested in making our  
5 legislative district maps better for the next ten years.

6           I'd like to speak particularly to the legislative  
7 district map. The -- particularly the north Phoenix area,  
8 and the area demarcated by Districts 15 and 28 on the  
9 October 10th approved map.

10           I reviewed both the October 10th approved map and  
11 also the map proposed by Mr. Herrera. And I've come to the  
12 conclusion that I prefer the October 10th map for the  
13 following reasons.

14           First of all, the October 10th map recognizes our  
15 Sunnyslope community very well and supports that, that  
16 community bond that we have, not only within Sunnyslope, but  
17 also with our neighbors to the east and to the west.

18           I appreciated the mayor of the town of Paradise  
19 Valley's comments and also the former vice mayor of the town  
20 of Paradise Valley's comments about our community being very  
21 tightknit. And I do see a lot of commonalities between  
22 Paradise Valley, Arcadia, the Biltmore area, and of course  
23 Sunnyslope.

24           Having more in common than -- together than going  
25 to, for example, up to New River, halfway to Flagstaff, so I

1 really think that this is a preferable map for that reason.

2           The Herrera map changes the districting question  
3 to span all the way from New River down to Scottsdale. And  
4 these are really two separate communities in my mind.

5           The other thing that I'd like you to take into  
6 consideration is the school district configuration. Living  
7 in Sunnyslope, I live in the Washington Elementary School  
8 District and the Glendale Union High School District, and  
9 I've reviewed both maps.

10           And while it's extremely difficult, I think, to  
11 overlay the legislative district map with such large union  
12 high school districts and elementary school districts, I  
13 notice that both of these maps, those school districts span  
14 between four and six legislative districts. And so I'd like  
15 you to take that into consideration if you are looking into  
16 making any changes.

17           And finally I'd like to reiterate that the  
18 October 10th approved map is the best map that meets all of  
19 the requirements of competitive based on Strategic  
20 Telemetry's analysis, the Commission's definition of  
21 competitiveness.

22           I've had the privilege of living in a competitive  
23 district for the last ten years. I really appreciate the  
24 opportunity to vote for and to elect very diverse  
25 candidates, especially as an independent voter.

1           And I'd like to continue to have that opportunity  
2 by the Commission approving the October 10th draft map.

3           Thank you.

4           CHAIRPERSON MATHIS: Thank you.

5           Our next speaker is James Hoxworth, from  
6 Paradise Valley.

7           JAMES HOXWORTH: Good afternoon.

8           How are you?

9           CHAIRPERSON MATHIS: I'm sorry, if you could spell  
10 your last name for the record, that would be great.

11          JAMES HOXWORTH: H-O-X-W-O-R-T-H.

12          And I had the privilege of being at the Peoria  
13 meeting with Commissioner Herrera, I believe, back in the  
14 day.

15          So it's good to be back.

16          It's interesting hearing from Ms. Simpson earlier,  
17 since I do represent Camelback Bible Church located about  
18 40th Street and Stanford, which is right at the -- kind of  
19 the break point of one of the congressional district lines.

20          Can I give you this? Is that all right?

21          CHAIRPERSON MATHIS: Sure.

22          JAMES HOXWORTH: And, so, it's -- we found  
23 that interesting as we're looking at that as a church, it  
24 does kind of divide up our community of interest a little  
25 bit.

1           CHAIRPERSON MATHIS: And this is on the  
2 congressional map? I'm sorry.

3           JAMES HOXWORTH: Congressional map, yes.

4           CHAIRPERSON MATHIS: Maybe we can pull it up just  
5 so everyone can see.

6           JAMES HOXWORTH: I think it's between six and  
7 eight, maybe, or six and nine.

8           CHAIRPERSON MATHIS: I can't really read on the  
9 map.

10          JAMES HOXWORTH: That was kind of right at the  
11 nook of where the line was.

12                    That blue part towards. . .

13          VICE-CHAIR HERRERA: You also have a pointer, if  
14 you want to use that.

15          JAMES HOXWORTH: Oh, all right.

16                    Okay, this is, this is -- is this 40th Street  
17 right here? Or is this 40th? Okay.

18                    And is this Stanford right here, or is this  
19 Stanford?

20                    I think this might be Stanford.

21                    Because Stanford runs east-west.

22                    Okay. There we go.

23                    We are literally at the corner of 40th Street and  
24 Stanford right here.

25                    Maybe this is 36th?

1           Because 44th is where Stanford dead ends.

2           WILLIE DESMOND: This is Stanford.

3           I don't know why it says Missouri.

4           This is still --

5           JAMES HOXWORTH: So if this is 40th Street, we're  
6 right here on the corner of that in the heart of PV.

7           Kind of on the border as well.

8           But basically what we're, what we're asking for is  
9 to see if you guys would be willing to move the line down,  
10 because it does divide up the community of interest, being  
11 PV, the Biltmore, Arcadia. And to move it to include also  
12 south to Camelback Road and west to 24th Street, which is  
13 basically the border of the Biltmore.

14           Because, again, that's where many of our  
15 contingency of our church goes from Biltmore, Arcadia, and  
16 also the north and northeast valley.

17           And it seems like -- yeah, exactly, right there.

18           Because what it does is it literally kind of  
19 divides up our congregation where we have some parishioners  
20 who walk to church, could walk it from one congressional  
21 district to another, on their way even to church.

22           And so basically, yeah, if you could keep the  
23 areas around 40th Street and Stanford in the same  
24 congressional district, that would be awesome. It would  
25 keep contiguous lines and communities of interest together.

1           That's about all.

2           CHAIRPERSON MATHIS:   Okay.   Thanks.

3           Any questions?

4           (No oral response.)

5           CHAIRPERSON MATHIS:   All right.   Thank you.

6           JAMES HOXWORTH:   All right.   Thank you very much.

7           CHAIRPERSON MATHIS:   I apologize, but State  
8   Senator Cajero Bedford, she did fill out a request to speak  
9   form and wanted to speak on some other matter.

10           SENATOR OLIVIA CAJERO BEDFORD:   Well, I should  
11   apologize because I butted in.

12           Olivia Cajero Bedford, O-L-I-V-I-A, C-A-J-E-R-O,  
13   Bedford, B-E-D-F-O-R-D.

14           Thank you members of the Commission -- can't hear  
15   me?

16           CHAIRPERSON MATHIS:   If you could raise it.

17           SENATOR OLIVIA CAJERO BEDFORD:   How's that?

18           CHAIRPERSON MATHIS:   Great.

19           SENATOR OLIVIA CAJERO BEDFORD:   I'm here because  
20   of the new 11 that the Tucson Mountain residents saw in the  
21   last couple of days.

22           The Tucson Mountains are on the western boundary  
23   of Tucson.   Those of you that are from Tucson would know the  
24   area probably.   It's a very active area.   But in the latest  
25   map that just came out a few days ago, it was included with

1 Eloy, Casa Grande, to the south boundary of Chandler.

2 Now I'm here because the Tucson Mountain  
3 organizations and Tucson Mountain residents are communities  
4 of interest.

5 They have been a very activist group, fighting  
6 overzealous zoning. They have fought different issues on  
7 the environment. A very strong group.

8 The Tucson Mountains are only five miles to  
9 start -- about five miles west of downtown.

10 There is no commonality with what goes north.

11 So I would ask that you go back to the October map  
12 that you have had, which put the Tucson Mountains in  
13 District 3.

14 I sent out e-mails to different residents, because  
15 people are out shopping, doing their Christmas stuff, and  
16 not really -- nobody was paying attention, including me.

17 But, when I -- my response is, after I sent this  
18 e-mail out, and it told some of the residents what was now  
19 where the Tucson Mountains was going to be, they were very  
20 upset.

21 Because the last information that we had, and  
22 appears what we rely on, a lot of us, was this article that  
23 talked about the residents of Oro Valley and Saddlebrooke.

24 And so there was a feeling, and I've talked with  
25 members today, and they say this is not true, but this is

1 the feeling of the residents of the Tucson Mountains, is  
2 that Oro Valley and Saddlebrooke are getting their way, and  
3 so the people on the west side are getting -- the Tucson  
4 Mountains are getting the shaft. So, and I talked to  
5 members, and I've been told that is not true.

6 But that's the way it seemed because of what had  
7 been in the paper and the latest map.

8 That takes the Tucson Mountains, which is so close  
9 to downtown Tucson, and puts it in with the farmers and  
10 ranchers, farmers in Eloy, Casa Grande.

11 So I'm asking that you go back to the map in  
12 October, which was very, very good.

13 And let me -- glad to answer any questions.

14 CHAIRPERSON MATHIS: Thank you.

15 Any questions?

16 (No oral response.)

17 SENATOR OLIVIA CAJERO BEDFORD: Of course I was  
18 going to comment about that four block by four block also,  
19 but I got that started early.

20 It seems like 500 people in that four block area  
21 is not accurate. That's just my impression, as I said,  
22 knowing the area.

23 Anyway, but I would ask that you please put the  
24 Tucson Mountains back in with Tucson.

25 Don't put it in to -- you know, raise that

1 boundary, please.

2 Thank you very much. Appreciate it.

3 I admire you.

4 CHAIRPERSON MATHIS: Thank you.

5 Is there anyone else who wanted to address the  
6 Commission that I missed?

7 Please.

8 VICE MAYOR MARY HAMWAY: I have a form. I'm not  
9 sure exactly what happened to it.

10 CHAIRPERSON MATHIS: Tell us your name and --

11 VICE MAYOR MARY HAMWAY: Mary Hamway, and I'm the  
12 current vice mayor of the town of Paradise Valley.

13 H-A-M-W-A-Y.

14 See it? Okay.

15 CHAIRPERSON MATHIS: I must somehow -- I  
16 apologize. I don't know what happened there.

17 Vice mayor, town of Paradise Valley.

18 VICE MAYOR MARY HAMWAY: My comments will likely  
19 repeat a lot that's already been said, but I did want you to  
20 know that we were here and that I strongly support the  
21 comments by Mayor LeMarr and also former Vice Mayor Ginny  
22 Simpson.

23 But I just wanted to say that I'm here to speak  
24 out against the Herrera map number -- known as version two.

25 This puts Paradise Valley in a legislative

1 district with the growth areas of Anthem and New River.

2 Our community has really very little in common  
3 with these two communities.

4 We are -- our community just celebrated its  
5 50th anniversary, and our issues are much different.

6 We're completely built out. We're surrounded by  
7 Scottsdale and Phoenix. And we -- our issues are very  
8 different from a new -- new communities that are growing and  
9 have to, to concern themselves about sprawl.

10 We're about redevelopment and protecting existing  
11 communities.

12 So I would say that a representative would have  
13 trouble -- or wouldn't really understand our issues if they  
14 came from the Anthem and New River area.

15 And also as has been stated previously, our  
16 students go to Scottsdale school districts. Our tax base  
17 supports those schools.

18 And we have nothing to do with the Paradise Valley  
19 School District. The only thing we share is a common name.

20 The transportation corridors align the communities  
21 of Paradise Valley, Arcadia, Biltmore, Moon Valley, and  
22 central Phoenix.

23 Paradise Valley is a mature, residential, resort  
24 community.

25 We have no retail.

1           We shop in Arcadia, Biltmore, and the Scottsdale  
2 areas.

3           And our residents enjoy an urban lifestyle.

4           They choose to live near businesses and churches,  
5 school, entertainment areas, health care institutions, and  
6 the airport.

7           And, the reason why we support staying in  
8 District 28 or -- because it really kind of keeps the  
9 current District 11 intact, and that district has yielded  
10 for the past three election cycles competitive  
11 representation.

12           So we question why you would take that and tear  
13 that apart and put Paradise Valley in a district that --  
14 with communities it has little in common with.

15           So we hope that you respect the original map of in  
16 October, and keep the district competitive, because it  
17 already exists, and it already is competitive.

18           Thanks so much.

19           CHAIRPERSON MATHIS: Thank you.

20           Did I miss anyone else?

21           (No oral response.)

22           CHAIRPERSON MATHIS: Okay. Let's check the time.

23           VICE-CHAIR FREEMAN: Madam Chair.

24           CHAIRPERSON MATHIS: Mr. Freeman.

25           It's 3:56.

1           VICE-CHAIR FREEMAN:  There was one thing that the  
2 mayor of the town of Paradise Valley mentioned that I wanted  
3 to sort of discuss.  I did talk about it back in October  
4 when we were working on the maps, and but he mentioned  
5 something in particular about the Camelback Mountain parking  
6 issue.

7           And that really, really strikes home, close to  
8 home.  And it's something I deal with every weekend.  And  
9 it's only on weekends, because my wife has to deal with it  
10 during the week, but I've been -- you know, there's these  
11 recreation areas within -- that straddle Paradise Valley and  
12 Phoenix.  It's basically Camelback Mountain.

13           You can climb Mummy Mountain, but not really.  
14 I've done it.

15           But then there's Squaw Peak and the Phoenix  
16 Mountain Preserve and Quartz Ridge in Phoenix that abut  
17 Paradise Valley, and it's a common recreation area.  It's an  
18 area I've frequented since the '70s.

19           And, you know, that parking issue, I can't believe  
20 I didn't think of it earlier, it's gone from a dusty,  
21 winding trail up Camelback Mountain to long lines of idling  
22 cars and lots of huge parking burden on Paradise Valley and  
23 on the adjoining areas in greater Arcadia where I live.

24           And just as a warning, if you -- if you're going  
25 to climb Echo Canyon and park in front of my house, my wife

1 has been known to have you people towed. So don't do it.

2 I'm a little more forgiving. I'll just right you  
3 a note.

4 So I just wanted to mention that, because it was  
5 something that really sort of ties those areas, Biltmore,  
6 Arcadia, PV area together. And it's something I wanted to  
7 comment upon.

8 CHAIRPERSON MATHIS: Thank you.

9 Any comments from others?

10 (No oral response.)

11 CHAIRPERSON MATHIS: Okay. Well, we appreciate  
12 all the public comment today and for you all taking time to  
13 come tell us.

14 It's about 4:00 p.m.

15 Does anyone need a break right now, or do we --  
16 okay. I'm already seeing one nod. Two.

17 Okay. There's bipartisan agreement that we need a  
18 break.

19 So we will come back just in ten minutes.

20 Thank you.

21 (Brief recess taken.)

22 CHAIRPERSON MATHIS: Okay. We'll enter back into  
23 public session. The time is 4:15 p.m.

24 We just finished public comment. And if we could,  
25 I'd like to go back to where we were, which was the

1 congressional map.

2 (Brief pause.)

3 CHAIRPERSON MATHIS: And if we could, I would like  
4 to look at Maricopa County some more, just because those  
5 districts we haven't really talked about in a lot of detail,  
6 and I just want to zero in on some of that and see if people  
7 have changes.

8 I know there's some people have issues with four  
9 coming -- reaching around.

10 I don't know if there's a way to address that.  
11 It's, it's been a challenge from the beginning with this  
12 two rural district concept in terms of trying to keep it as  
13 rural as possible, both those districts.

14 I'd be interested in any commissioner's thoughts  
15 on the Maricopa County area in terms improvements to that.

16 It sounded like people from Fountain Hills were  
17 pleased to be in six.

18 COMMISSIONER STERTZ: Madam Chair.

19 CHAIRPERSON MATHIS: Mr. Stertz.

20 COMMISSIONER STERTZ: In regarding the scoop  
21 around the north side of Maricopa to pick up population and  
22 include San Tan, et cetera, these are -- what you're -- what  
23 you are talking about would be fairly demonstrative changes  
24 at this point.

25 We've had, we've had recommendations that I put

1 forward in a map a week and a half, two weeks ago that  
2 showed the cleaning up of that, of that hook around, and  
3 that was fairly summarily dismissed. Which brought forth  
4 the map that I brought forth last week Thursday regarding  
5 five, six, four, and eight adjustments.

6           If we're going to go back -- listen, I'd love to,  
7 I'd love to revisit all of that.

8           I would love to see us revisit it.

9           But we're, we're in a place right now that I think  
10 that the weight of the decisions that are taking place --  
11 because I think it's accomplishable. We've been able to  
12 accomplish it in various iterations of the map. Something  
13 else would have to give, and some of the areas that would  
14 have to give would be -- are really centered around the city  
15 of Flagstaff.

16           And that was from the two Democrat commissioners,  
17 that was a non-starter.

18           So if that is a non-starter, the decision for  
19 fixing the District 4 hook would lie on your shoulders.

20           We want to look at it. The only way to be able to  
21 accomplish it would be to be for removing the greater  
22 Flagstaff area from District 1 into District 4.

23           That allows us to be able to accomplish some of  
24 these areas where we're hooking around communities to be  
25 able to capture others.

1           But unless that's something that you'd be willing  
2 to entertain, all we're going to do is to start going down a  
3 path that we've already been down before.

4           So, my view now is that unless I hear something  
5 different from you saying, yes, let's go ahead and move  
6 Flagstaff into -- from four -- from one into four, which I  
7 haven't heard you say -- if you'd like to say that, I would  
8 be happy to hear it right now.

9           CHAIRPERSON MATHIS: No, I'm not willing to say  
10 that.

11           COMMISSIONER STERTZ: Okay.

12           So, so to do that, that's the, that's the way to  
13 accomplish that problem.

14           So, so if we're -- if we know that that's the only  
15 solution based on without changing -- keep in mind that we  
16 are fixed with District 3 and we're fixed with District 7.

17           So you've got a north border of three that is  
18 fixed.

19           You've got a -- you've got an area around seven  
20 that is fixed.

21           We've got a District 9 that has become as  
22 untouchable from the Democrats and I believe the chair's  
23 position as are the majority-minority districts.

24           We can then do what we can to fix the others.

25           Now, my recommendation during break to Mr. Desmond

1 regarding five, six, eight, and I think four, which cleaned  
2 up some splits that were recommended by  
3 Commissioner Herrera, I believe that all of those were able  
4 to be successfully executed giving balance to those  
5 districts.

6 And, again, unless we want to go back in and move  
7 Flagstaff from one to four, there's -- I don't see a way of  
8 fixing it.

9 If that's a non-starter, it's a non-starter.

10 CHAIRPERSON MATHIS: Thoughts from other  
11 commissioners?

12 VICE-CHAIR FREEMAN: Madam Chair.

13 CHAIRPERSON MATHIS: Mr. Freeman.

14 VICE-CHAIR FREEMAN: Yeah, I agree with what  
15 Commissioner Stertz said.

16 Just in terms of suggestions on Maricopa County  
17 area, I know even in this area numerous different versions  
18 of these districts have been proposed.

19 You know, my suggestion would be, as I stated  
20 earlier, to move the Phoenix portion of nine into six and  
21 swap that out and create a Scottsdale, Tempe, Ahwatukee,  
22 Chandler district.

23 But I think it was along the lines of a version of  
24 a map Commissioner Stertz introduced or wanted to introduce  
25 back in October. It would still be a competitive district

1 and would keep those communities together and keep Phoenix  
2 together.

3 At the very least, my suggestion would be at least  
4 accommodate the people who live in Arcadia or even the  
5 traditional Arcadia area, which perhaps -- and the Biltmore  
6 area, with Paradise Valley and the north valley.

7 And to accommodate that change by perhaps moving  
8 the line slightly up in Scottsdale, as had been suggested  
9 earlier.

10 The other thing would be, I guess, the New River,  
11 Anthem area being separated from Cave Creek and Carefree  
12 area.

13 I thought we had -- someone had looked at that  
14 adjustment or it had been discussed. And that would be a  
15 tradeoff between six and eight.

16 I don't know if that divider line between six and  
17 eight follows I-17. I don't think it does exactly, but you  
18 might be able to swap population -- yeah.

19 In the southern area to accommodate keeping  
20 Anthem, New River, and Cave Creek and Carefree together, in  
21 that part of the map.

22 CHAIRPERSON MATHIS: These, these districts were  
23 taken from the -- Mr. Stertz's proposal?

24 I -- so, Mr. Freeman, what you're saying is  
25 New River, Anthem, would be ideally connected with

1 Cave Creek?

2 VICE-CHAIR FREEMAN: One of the suggestions would  
3 be to move that line over so that those communities are kept  
4 together.

5 It would have to balance it by shedding population  
6 elsewhere.

7 And I don't know what the population is between  
8 I-17 and the boundary between six and eight further south on  
9 the map, whether that would be a fair even swap or not.

10 CHAIRPERSON MATHIS: Do we want to take a look and  
11 see what that looks like, Mr. Desmond? Maybe that's what  
12 you're doing.

13 COMMISSIONER McNULTY: Madam Chair.

14 CHAIRPERSON MATHIS: Ms. McNulty.

15 COMMISSIONER McNULTY: I would suggest if we do  
16 that that we also think about the split that was created in  
17 Peoria.

18 CHAIRPERSON MATHIS: Yeah, I was wondering about  
19 that too.

20 COMMISSIONER McNULTY: Bringing that up to the  
21 county line.

22 I'm not sure how many people are there, but I  
23 suggest that we factor that in.

24 COMMISSIONER STERTZ: Madam Chair.

25 CHAIRPERSON MATHIS: Mr. Stertz.

1           COMMISSIONER STERTZ: Population in the greater  
2 Cave Creek and Carefree area is approximately 8865.

3           So it would be where we would find that population  
4 if we were going to bring that into -- into the district --

5           CHAIRPERSON MATHIS: Into eight.

6           WILLIE DESMOND: There are two -- two things you  
7 can do, as Commissioner Stertz mentioned.

8           I'll show you the New River, Anthem thing in a  
9 second.

10          But what you could do initially to clean up some  
11 of the Peoria split would be this area down here in  
12 District 5, that is the split of San Tan, is 6600 people.

13          If you move that back into District 4, so that  
14 District 5 just goes to the county border, that would  
15 move 6600 people out of District 5, so that 5 would need to  
16 grow.

17          I could do that here, by kind of going back just  
18 to the reservation boundary.

19          This would move 6700 people, but we'd have to go  
20 to the reservation.

21          So then five would be ideally populated.

22          Six would now be under, and four would be over.

23          Six would then take a little bit more, probably  
24 somewhere in Phoenix, from eight.

25          So then six would be ideally populated.

1           Eight would be under.

2           Four would be over.

3           So then eight would then grow into Peoria and  
4 take -- there's about, I think, 9800 people in that portion  
5 of Peoria that's in four. So you couldn't necessarily get  
6 the whole thing, but you could get the vast majority of it.

7           That would be one set of changes that would remove  
8 some splits, both to counties and census places.

9           The other change that Commissioner Freeman just  
10 mentioned, I think would be to move -- you would move  
11 New River and Anthem into District 6. It's up to you if you  
12 want to take some of this area to the west I heard about  
13 yesterday also.

14           So roughly 37,000 people.

15           That would go into six.

16           So that six would be overpopulated by  
17 37,000 people. And it could shed population to District 8,  
18 somewhere in Phoenix.

19           Perhaps in the area -- District 8 could come  
20 closer to I-17, somewhere in here.

21           Does that make sense?

22           Those are the two, two sets of changes. We could  
23 do those all at once, if you like both of those, or you  
24 could split those out separately. Whatever makes the most  
25 sense to you.

1 Or we could just not do anything.

2 CHAIRPERSON MATHIS: There's always that option.

3 VICE-CHAIR FREEMAN: Madam Chair.

4 CHAIRPERSON MATHIS: Mr. Freeman.

5 VICE-CHAIR FREEMAN: You know, it was just -- it  
6 was just a suggestion. You know, I've gone through the  
7 public comment the Commission has received, and there's  
8 quite a bit of comment from folks that live up there talking  
9 about the community of interest, which talked about as  
10 Anthem, New River, Carefree, and Cave Creek, and its ties  
11 through the I-17, Cave Creek Road, SR 51, Tatum, to the  
12 north valley. They defined it repeatedly in the record as  
13 something distinct from Scottsdale.

14 So that -- I guess that problem remains, unless  
15 there is a -- unless the change to nine is made that keeps  
16 Phoenix together and all of Scottsdale together. And that  
17 could be accomplished that way.

18 So, that's where that thought sprang from, just  
19 those public comments from those folks that live there.

20 COMMISSIONER McNULTY: Madam Chair.

21 CHAIRPERSON MATHIS: Ms. McNulty.

22 COMMISSIONER McNULTY: I think the first change  
23 that Mr. Desmond suggested makes a lot of sense. I would  
24 like to see that.

25 The second change, I would defer to Mr. Freeman

1 and Mr. Stertz.

2 COMMISSIONER STERTZ: What?

3 COMMISSIONER McNULTY: The second change I  
4 would -- I'd like your input.

5 I couldn't actually hear everything that  
6 Mr. Freeman just said, when you said you liked that second  
7 change or you didn't like it, so I would defer, you know, to  
8 what do you think.

9 I'd like to hear whether you think his second  
10 proposed change is a good idea or not.

11 COMMISSIONER STERTZ: Madam Chair, the, the --  
12 there's no question that the Cave Creek, Carefree, Anthem,  
13 New River is a block. It's divided by -- there's a mountain  
14 range that divides the communities, but there is, there is a  
15 connection going east-west on Carefree Highway that connects  
16 them, so I'm, I'm okay with them split and I'm okay with  
17 them put together.

18 I was thinking about the easier of the two, which  
19 was actually to move the Cave Creek, Carefree into the  
20 Anthem side. To move about 8800, I think, is an easier move  
21 than the other direction.

22 I like the -- I like the idea that we're flanking  
23 the city of Phoenix on one side and going up the I-17  
24 corridor with Anthem, New River, on the other.

25 That is the development corridor that's taking

1 place. And it -- that there's a lot of growth that's taking  
2 place up that corridor, and it makes sense to keep those,  
3 keep those areas flying.

4 If we pull New River, Anthem, over into the  
5 Cave Creek area, and Carefree area, it also makes sense, so,  
6 from those communities being related to each other.

7 So I'm -- I guess if I was going to pull  
8 something, if I would make a recommendation, it would be to  
9 pull Carefree and Cave Creek over.

10 But then their main connection is going to --  
11 Cave Creek Road, which is connected through by Tatum, I  
12 mean, that intersection right there, Tatum and Cave Creek,  
13 is a big connector that takes you up into Cave Creek and  
14 Carefree.

15 Which is right there.

16 CHAIRPERSON MATHIS: How do commissioners feel  
17 about the first set of changes that Ms. McNulty said she  
18 just liked that Mr. Desmond said would -- might be one  
19 alternative?

20 Do you want to walk through what those are again,  
21 Mr. Desmond?

22 WILLIE DESMOND: Sure.

23 So it starts down here in District 4 and 5.

24 So, what happened is District 4 would again come  
25 up to the Maricopa County, Pinal County border.

1           This would remove a split of San Tan Valley and a  
2 split of Pinal County. And would also make District 4  
3 overpopulated by 6,610 people -- additional people.

4           To compensate for that in District 5, District 5  
5 would again go up to the Salt River reservation, which would  
6 remove by and large a split of Mesa.

7           There is still this small portion of Mesa that's  
8 in the reservation, so that would stay in District 6.

9           But that, that moves 6,700 people.

10          And I think when you go back to the actual  
11 reservation boundary, it might be a little bit closer.

12          So at this point District 5 is perfectly  
13 populated, four is too big, and six is too small, because  
14 six gave up that section of Mesa.

15          So six would then, in an area that you think makes  
16 sense, take an extra 6700 people or 6600 people from  
17 District 8, you know, somewhere along the border between six  
18 and eight.

19          So that eight would then shed a little population;  
20 six would be ideally populated.

21          What that would allow you to do is that eight  
22 could grow into four, which is overpopulated.

23          And, you know, I don't -- let me just show you,  
24 you know, ways we can do this.

25          That's too much.

1           That's about 9700. So there would have to be  
2 something a little less than that.

3           But in essence what you would do is, is just --  
4 Peoria would remained split.

5           That split would then be -- there would only be  
6 about 3,000 people in this section of Peoria that's in  
7 Congressional District 4.

8           But you were able to remove another split from  
9 Mesa, another split from the San Tan Valley, and extract  
10 more from Peoria.

11           COMMISSIONER McNULTY: How many people is that all  
12 together, the Maricopa County portion of Peoria?

13           WILLIE DESMOND: I think it's about 9800 -- 9,089.  
14 You'd also, as it's drawn, you'd have to pick up  
15 this area, and that would be 9,813.

16           There's this portion of Yavapai. I can take that  
17 out. It's only seven people.

18           So we can fix that seven.

19           COMMISSIONER McNULTY: If we pulled those into  
20 six, couldn't we just adjust the boundary between six and  
21 eight a little more?

22           WILLIE DESMOND: But then you -- four would need  
23 to grow at some point though, because that's taking from  
24 four.

25           So four would then be underpopulated by about

1 3,200 people.

2 And we would have to find someplace where four  
3 could come in and take more.

4 COMMISSIONER McNULTY: What would we be taking  
5 from four?

6 WILLIE DESMOND: Excuse me?

7 COMMISSIONER McNULTY: What would -- what are we  
8 be taking from four?

9 WILLIE DESMOND: Oh, well, if you take all of  
10 Peoria, that would be from four.

11 COMMISSIONER McNULTY: But what if you only take  
12 the portion that's in --

13 CHAIRPERSON MATHIS: The county line?

14 COMMISSIONER McNULTY: Yeah.

15 WILLIE DESMOND: This portion up here is only  
16 six people.

17 CHAIRPERSON MATHIS: Six.

18 WILLIE DESMOND: Six or seven.

19 CHAIRPERSON MATHIS: Wow. Okay.

20 WILLIE DESMOND: I can tell you.

21 It's like, yeah, it's like seven people.

22 So they would be split off from the rest of their  
23 city.

24 But they would be with the rest of their county.

25 CHAIRPERSON MATHIS: Well, I like the idea of

1 removing the split, the San Tan, and the Pinal split.

2 I mean, that seems like a positive thing if we can  
3 correct those at a minimum.

4 And. . .

5 (Brief pause.)

6 CHAIRPERSON MATHIS: Mr. Stertz, was there any  
7 particular reason on the split, on the dividing line between  
8 six and eight in terms of where that's drawn?

9 COMMISSIONER STERTZ: Which dividing line?

10 CHAIRPERSON MATHIS: The north-south dividing  
11 line.

12 COMMISSIONER STERTZ: If you were suggesting that  
13 if you go below, the area -- the intentional area of the  
14 design was the New River, Phoenix split.

15 We wanted to pick up going down to Deer Valley  
16 Road, Deer Valley is the big east-west connector, and pick  
17 that up. Or go down to -- going down -- if -- there's a  
18 large -- I don't have a pointer -- there's a large part of  
19 development that takes place at the, at the confluence of  
20 the 101 and the 17.

21 So there's a lot of action that's taking place  
22 there. There's real estate development that's taking place  
23 there.

24 I like the idea that we've got one representative  
25 that's representing both sides of that -- of that, that

1 interchange.

2 So. . .

3 CHAIRPERSON MATHIS: But in terms of moving that  
4 boundary between six and eight to the west, can that  
5 happen or --

6 COMMISSIONER STERTZ: Well, picked it up to the  
7 west, it would be unnatural. If you needed to continue it  
8 up --

9 CHAIRPERSON MATHIS: We needed population.

10 COMMISSIONER STERTZ: We needed population you  
11 needed to pick up. You know, to the west, yes. To the  
12 east, no.

13 Better than going to the west.

14 That's a combination of large residential and  
15 commercial right there. Union Hills.

16 WILLIE DESMOND: I mean, there, there is enough --  
17 there are areas that you could take 6700 from here. And add  
18 it going, you know, further to the west.

19 The other option would be to take it from -- yeah,  
20 so this, so this line on 44th would just continue north a  
21 little bit.

22 This is a very large census block right here, so  
23 it would come a little bit further to the west.

24 Is this something -- do you want to make these  
25 changes? Or. . .

1           COMMISSIONER McNULTY:  What does that compensate  
2 for?

3           WILLIE DESMOND:  What that does is -- we're  
4 basically --

5           COMMISSIONER McNULTY:  Is that the 6,000 people?

6           WILLIE DESMOND:  Yeah, we would need to find  
7 6,000 people to shuffle them down here from Peoria, it goes  
8 five, six, the eight pap.

9           COMMISSIONER McNULTY:  Because we've put -- we're  
10 moved part of five into four; right?  The San Tan Valley  
11 split.

12          WILLIE DESMOND:  We haven't -- I haven't actually  
13 done that.  I was just showing --

14          COMMISSIONER McNULTY:  Right, that's what we're  
15 telling you about.

16          WILLIE DESMOND:  Yes.

17          COMMISSIONER McNULTY:  So we've got 6600 too many  
18 people in four.

19          WILLIE DESMOND:  Well, if you do the San Tan and  
20 you do the Mesa, then you have 6600 people too many in six.

21                           Or, too few in six.

22                           And four has too many.

23          COMMISSIONER McNULTY:  Right.  So you have 6600  
24 too many in four, and 60 some odd hundred too few in six.

25          WILLIE DESMOND:  Yes.

1 COMMISSIONER STERTZ: Madam Chair.

2 I think, Mr. Desmond, if I'm correct, the path  
3 that you're taking in that area, and that -- there's, like I  
4 said, a combination of residential and commercial in that  
5 block that you're picking up right there. Then you're going  
6 to decrease -- then you're going to have a need in eight.

7 We've got an overpopulation in four, and you're  
8 going to be able to pick that up by, by capturing some of  
9 the -- of Peoria.

10 WILLIE DESMOND: Correct.

11 COMMISSIONER STERTZ: Okay.

12 WILLIE DESMOND: If this is a change that you want  
13 to, like, actually execute, I'll, I'll do that on a separate  
14 map so we still have this map the way it is.

15 COMMISSIONER STERTZ: All of those successfully  
16 achieve not only population goals, but also communities of  
17 interest.

18 Keep in mind that there is, there is park and  
19 hillside there that you don't want to go around, pick up  
20 the -- go to the, go to the street level when you're talking  
21 about the area of Union Hills and the 101, so that you're  
22 picking up areas that are neighborhoods staying together.

23 Be cognizant of that is what I'm saying.

24 WILLIE DESMOND: Okay.

25 COMMISSIONER STERTZ: We have a tendency to just

1 grab voter -- you know, chunks of blocks, and, and we need  
2 to be intentional.

3 (Brief pause.)

4 WILLIE DESMOND: Sorry. I copied the wrong file.  
5 Okay.

6 So now District 5 is underpopulated.

7 District 4 is overpopulated.

8 District 5 is going to take the north part of  
9 Mesa.

10 COMMISSIONER STERTZ: Madam Chair.

11 CHAIRPERSON MATHIS: Mr. Stertz.

12 COMMISSIONER STERTZ: Sure you wouldn't want to  
13 keep Scottsdale whole?

14 Just asking.

15 WILLIE DESMOND: All right. Hearing nothing, I'm  
16 going to -- so now District 6 needs to take population from  
17 District 8. I'll do this at the street level so we can  
18 really figure out the best place to do that from.

19 To start, would it make sense to go further up  
20 43rd Avenue?

21 So, so just continue up 43rd right here.

22 Remove 2,044.

23 This starts on Union Hills and goes up pretty much  
24 to the 101.

25 So now District 6 needs to take in another

1 4,580 people.

2 I would say that this area out to Deer Valley  
3 would be a good start. That would move 3,255.

4 Is there any -- if I turn the block level on, we  
5 can pick these areas too.

6 I'd move 3,617.

7 Is that okay?

8 COMMISSIONER STERTZ: Yeah.

9 WILLIE DESMOND: Okay.

10 Now for the final 963 people, we could continue,  
11 but 40 -- let me just pick up one additional chunk right  
12 here.

13 This is a good example of sometimes the long, the  
14 long blocks make for a weird border.

15 So it's probably good to have a little notch, not  
16 the big one.

17 So we need 963 people.

18 If we want to continue north, even selecting at  
19 the block level, it's going to take quite a bit and go  
20 pretty far, pretty far west.

21 That would be fine. Or else we can take from up  
22 here, to see how many.

23 CHAIRPERSON MATHIS: Mr. Stertz.

24 COMMISSIONER STERTZ: Madam Chair. Mr. Desmond,  
25 you're going in the right direction.

1 WILLIE DESMOND: Right here?

2 COMMISSIONER STERTZ: Yeah, continue up.

3 WILLIE DESMOND: Okay. This would continue up, I  
4 believe, 35th, until Happy Valley Road.

5 Now, this has gone a little bit further up to  
6 Straight Arrow Lane.

7 This would move 1,041 people, which would make  
8 District 6 overpopulated by 78.

9 There is going to be some population balancing,  
10 and that happens in all these districts during technical  
11 changes.

12 We can try to get this a little closer right away.  
13 Or else this district can grow to the west. Whatever makes  
14 the most sense.

15 I'll zoom out a little bit so you can see how that  
16 works.

17 Does this make sense?

18 COMMISSIONER STERTZ: Madam Chair, the style of  
19 that growth makes sense.

20 WILLIE DESMOND: Okay.

21 At this point, what we can do is we can take and  
22 add back into eight. This would move 33 people.

23 This would move 40.

24 73. So that District 6 would only be  
25 overpopulated by five people.

1           I can do that now. Or I can look later on, you  
2 know, looking at Maricopa County's proposed VPs and see if  
3 there are other places where we can develop population.

4           COMMISSIONER STERTZ: Madam Chair, I've actually  
5 driven that neighborhood. That's across the street from --  
6 there are houses on both side of that street.

7           So I prefer not to do that.

8           I think you can find certain edges around the  
9 corners that aren't going to break neighborhoods.

10          WILLIE DESMOND: Okay. And for right now, I mean,  
11 District 6 is only off by 78 people, so it's pretty close.

12          It's also worth noting that District 5 is  
13 233 people over. Or District 9 is 268. Those two border  
14 each other, so I'll look for a place to balance those that  
15 makes sense also.

16          All right. So, the last thing to do is for the --  
17 for District 8 to make up some population from District 4.  
18 At this point District 8 is underpopulated by 6,694.  
19 District 4 is overpopulated by 6,633.

20          Just starting -- just to show you roughly, that  
21 right there moves 4,288.

22          It's obviously not contiguous. Let me turn on the  
23 streets.

24          So, so you have two options right away. You can,  
25 we can just start with this area right here, and see what

1 that leaves us with. I think that's probably the best way  
2 to do it, would be. . .

3 That would move 1263 people.

4 Okay. And it looks like there's, you know, a  
5 neighborhood here. So we can leave this unincorporated area  
6 in District 4, as long as we don't cut it off from  
7 District 4.

8 So you can also start. . .

9 I'll turn on the blocks again, so you can kind of  
10 see where the population is.

11 The shading reflects -- I'm not even sure.  
12 Something.

13 But if it's white, it means nobody lives there.

14 So at this point, district -- this would add  
15 2300 people.

16 Perhaps grab some of this area up here also.

17 We've have to accept that and move that right  
18 away.

19 Just to clean this up, and then we'll. . .

20 So now District 4 needs to make up a little  
21 population.

22 Straighten up the line a little bit to start.

23 Some of these areas, the way the neighborhood is  
24 built, it's kind of difficult to take a block. You see that  
25 one block moves 679 people. When you include the areas that

1 it surrounds, it's obviously probably close to 1,000.

2 So, something like this moves 107, 174,  
3 201 people.

4 If you did this, at this point District 4 is  
5 underpopulated by 12 people.

6 District 8 is underpopulated by 49 people.

7 So we're very, very close.

8 I'll turn off the blocks and streets and just let  
9 you see what the map looks like for Maricopa County.

10 So the split in San Tan is gone.

11 The split of Mesa is gone.

12 The border between six and eight has been changed  
13 here in Phoenix.

14 And about 6700 people that live in Peoria have  
15 been added to District 8 with the bulk of the city.

16 CHAIRPERSON MATHIS: That's good.

17 Thank you.

18 WILLIE DESMOND: Sure.

19 Any thoughts from other commissioners on this?

20 COMMISSIONER McNULTY: Looks like an improvement  
21 to me.

22 WILLIE DESMOND: Would you like to discuss moving  
23 New River and Anthem or moving Cave Creek and Carefree?

24 CHAIRPERSON MATHIS: Sure, we can look at that, if  
25 that's -- Mr. Freeman, are you interested in seeing --

1           VICE-CHAIR FREEMAN: I'd prefer to see my  
2 community of interest addressed where I live, which is the  
3 Paradise Valley, Biltmore, Arcadia area.

4           As I said earlier, it -- to me it makes more sense  
5 following the criteria to put Phoenix with Phoenix and  
6 Scottsdale with Scottsdale.

7           But, if that's not going to happen, at least if  
8 the community I've lived in all my life cannot be split, I  
9 think that would be an improvement.

10           And it's not just me. I mean, there's been lots  
11 of people, you know, thumbing through the public comment,  
12 going all the way back to hearings in July and around the --  
13 people showed up around the Valley to talk about -- from  
14 Anthem, from New River, from the northeast valley, a lot  
15 from Paradise Valley, you know, various government officials  
16 from the town of Paradise Valley, some of whom showed up  
17 today, the Arcadia business community representative, folks  
18 in the Biltmore.

19           I mean, I don't want to see that community of  
20 interest disrespected by that line.

21           COMMISSIONER STERTZ: Madam Chair.

22           CHAIRPERSON MATHIS: Mr. Stertz.

23           COMMISSIONER STERTZ: Commissioner Freeman, in the  
24 real word, streets and intersections, what do you want to  
25 see happen?

1           VICE-CHAIR FREEMAN: Well, I guess there's a  
2 number of different scenarios. And one -- of course the one  
3 that I would prefer is that you follow the -- either  
4 Scottsdale Road or the Phoenix Scottsdale border and -- I  
5 mean, that's a significant change to this map.

6           Otherwise, I guess the bare minimum change that I  
7 think would make sense would perhaps follow the Arizona  
8 Canal from where it exits Scottsdale to -- over to where it  
9 crosses Camelback at 40th Street, and then over to 24th and  
10 up, which captures the Biltmore area.

11           That gets, I guess, the heart of the traditional  
12 Arcadia area. It uses the canal, which is a divider of the  
13 communities.

14           There aren't as many streets that cross the canal  
15 because there's the canal there.

16           And it captures the Biltmore community.

17           I guess perhaps more logical would take it over to  
18 the 51, because that ties it. Then you have Tatum and the  
19 51, tying those communities in terms of transportation  
20 corridors, which I know you love, with the north valley.

21           But that would, I think, involve a bigger -- the  
22 bigger switch.

23           And perhaps I note 24th Street intersects Lincoln,  
24 which becomes Glendale right there. There's a little clump  
25 of homes on the slopes of Squaw Peak -- Piestewa Peak there

1 that I would think belong in with Paradise Valley, Biltmore  
2 area.

3           So I guess what I'm saying there is take it on  
4 Glendale over to the 51 and on up.

5           COMMISSIONER STERTZ: Madam Chair.

6           CHAIRPERSON MATHIS: Mr. Stertz.

7           COMMISSIONER STERTZ: Mr. Desmond, could you turn  
8 the major streets off, please?

9           Madam Chair.

10          CHAIRPERSON MATHIS: Mr. Stertz.

11          COMMISSIONER STERTZ: So, Commissioner Freeman, if  
12 I'm understanding you correctly, the Camelback corridor as  
13 it connects from, from Scottsdale going from the east to the  
14 west to 24th Street, going to the south, to Indian School,  
15 if you were to describe the Arcadia district, and I've,  
16 I've, I've -- I know the Arcadia district well. I didn't  
17 grow up there and I don't own a home in the Arcadia  
18 district, but I, but I know the area well and I know its  
19 history well.

20                 Your concern right now is that the, that the  
21 Camelback corridor has been -- is being, is being split into  
22 two different districts.

23                 The Camelback corridor now is being represented in  
24 District 6 and District 9, and that the -- and that the  
25 24th Street corridor and the -- the Emerald City of

1 Camelback and 24th Street and all of the development in  
2 there, including Biltmore Fashion Square, is really  
3 connected heavily into Scottsdale and to Arcadia,  
4 organizationally, collectively, and transportation-wise, but  
5 has been now bifurcated by the districts.

6 Is that -- I mean, other than the fact that we've  
7 got crossover of multiple communities and transportation and  
8 lifestyle, what are the other issues that you want to, that  
9 you want to make sure you see addressed here?

10 Because, again, this is going in to -- what you're  
11 asking right now is you're asking for a breach of the -- of  
12 Congressional District 9.

13 And Congressional District 9, as we've heard, I've  
14 even asked the chair if she would willing to even make  
15 Scottsdale whole. And I couldn't get even an affirmative.

16 And I'm assuming that by absence of an answer that  
17 meant no.

18 I just want to know, how many people -- how  
19 many -- what sort of area is really being affected here in  
20 your opinion of -- by the splitting of these districts, and  
21 whether or not it would make sense actually to move that  
22 line of Thomas up, and it goes into nine, rather than --  
23 would you rather, would you rather see Arcadia in District 9  
24 than in District 6?

25 VICE-CHAIR FREEMAN: Well, right now it is in

1 District 9.

2 And it's split from Paradise Valley --

3 COMMISSIONER STERTZ: Split.

4 VICE-CHAIR FREEMAN: -- and --

5 COMMISSIONER STERTZ: It's split in half right now  
6 in the Arcadia district.

7 VICE-CHAIR FREEMAN: Well, I mean, there's Arcadia  
8 and there's Arcadia. There's lots of neighborhoods that --  
9 around that neighborhood that want to be called Arcadia, but  
10 there's one neighborhood that calls itself Arcadia Light.

11 As I tried to explain yesterday, the original  
12 Arcadia neighborhood is fairly tightly confined between  
13 Lafayette -- or Camelback on the north or Lafayette on the  
14 south. Lafayette kind of follows the canal. I mean, if you  
15 were to look for Lafayette, I wouldn't regard it as a major  
16 arterial. But, so if you were to go south a little bit and  
17 follow the Arizona Canal, it kind of tracks Lafayette.

18 So if you were to take -- use the Arizona Canal as  
19 the divider, which as it comes out of Scottsdale follows  
20 Indian School for a, for a, for a short jog, it starts to  
21 turn north. It crosses Camelback at roughly -- well, right  
22 at 40th Street.

23 And then to capture the -- just the core of the  
24 Biltmore area -- again, there's the Biltmore area, there's  
25 the Biltmore area.

1           There's the original Biltmore area, which would be  
2 if you took a line over to 24th Street, and just try to get  
3 the minimal change to keep those communities together, you  
4 would take it over to Camelback and 24th, and up 24th to  
5 Lincoln, and then, and then Lincoln/Glendale over to the 51,  
6 and on up, and on up.

7           And then you've got sort of that mountain preserve  
8 area together with Camelback and the north preserve area and  
9 Mummy Mountain.

10           That would be sort of the minimalistic approach to  
11 keep that community of interest together.

12           But, again, if, if -- I don't want to waste my  
13 time, because I've talked about it a lot.

14           And I know there's, there's lots of people who  
15 have shown up today and lots of prior hearings before, and  
16 perhaps they were wasting their time as well. But I feel it  
17 is incumbent upon me to speak up for my community of  
18 interest, since I live there and I am from there and lived  
19 virtually my whole life right in those three communities,  
20 which I view as one area.

21           Which is why when we -- when my family has moved,  
22 we've sort of selected residences in those areas.

23           And I've never lived in the actual historic  
24 Arcadia neighborhood, but I've lived in a lot of the  
25 adjoining areas, which, which want to be called Arcadia, and

1 which I am perfectly fine with them calling themselves  
2 Arcadia.

3           Likewise I've lived very close to the Biltmore  
4 area, but not exactly in the Biltmore area. I've lived just  
5 right near Camelback and 32nd Street.

6           But, again, I view that as one community.

7           I've lived in Paradise Valley, just up the road on  
8 Tatum a little ways.

9           Again, I view that all sort of one in the same  
10 community, which now is being split between  
11 two congressional districts.

12           CHAIRPERSON MATHIS: Mr. Freeman, did you have  
13 thoughts on the other area too though, in terms of  
14 Cave Creek and Anthem?

15           VICE-CHAIR FREEMAN: No.

16           CHAIRPERSON MATHIS: No.

17           Are there thoughts from other commissioners?

18           COMMISSIONER STERTZ: Madam Chair.

19           CHAIRPERSON MATHIS: Mr. Stertz.

20           COMMISSIONER STERTZ: It's ten after 5:00. We've  
21 got -- we've still got to go -- we've still got to hit  
22 legislative. Is it your goal right now to move this, move  
23 this map down the field? And if so, we know that, we know  
24 that there's going to be some minor adjustments to get equal  
25 population on the edges that Mr. Desmond will be cleaning

1 up.

2 We know that he's been given a direction regarding  
3 major arterials and collectors as devising lines, unless  
4 there's something -- some very specific reason not to.

5 And we know that we're still waiting for the, the  
6 data being collected by our consultants, which will be ready  
7 sometime early next week.

8 To move this ball down the field and to sort of  
9 set this map, is, is it your goal tonight to get a vote on  
10 this map and move this down the field?

11 CHAIRPERSON MATHIS: I think we are in week four  
12 now of adjustments to the draft map, and I think we've made  
13 significant improvement to the draft map, and that what is  
14 before us -- and actually if you put the whole thing up,  
15 Mr. Desmond, that would help, I think it just esthetically  
16 looks better, even though that's not a constitutional  
17 criteria. It just fits together much better than the -- our  
18 attempt at first draft.

19 And that draft map was a draft, as we said from  
20 the very beginning when we approved it.

21 And we knew we were going to hear a lot of public  
22 comment.

23 We did.

24 We tried to be as responsive as we could to as  
25 many people as possible.

1           And, as we all know, there's no way to make  
2 everyone happy in this process.

3           But I do think this is a major improvement over  
4 our previous draft.

5           So I would be comfortable with this map in terms  
6 of moving it forward. Granted there's further analysis that  
7 still has to get done to confirm the voting rights  
8 districts, to do population balances, to do technical  
9 cleanup, but otherwise I think it's a good map.

10           Thoughts from other commissioners?

11           COMMISSIONER McNULTY: Would you entertain a  
12 motion?

13           CHAIRPERSON MATHIS: I would.

14           COMMISSIONER McNULTY: Mr. Desmond, what do we  
15 call this map that we're looking at?

16           VICE-CHAIR HERRERA: Mathis combo.

17           WILLIE DESMOND: Right now the map that we're  
18 looking at, I have it titled move splits 12-20, because I've  
19 been making changes in separate things, so we can go back.

20           COMMISSIONER McNULTY: Have you incorporated the  
21 splits that we just did into the Mathis combo map?

22           WILLIE DESMOND: I could. Then that will become  
23 the new working map then.

24           COMMISSIONER McNULTY: Okay.

25           WILLIE DESMOND: I could make the map combo map

1 version two.

2           COMMISSIONER McNULTY: I would move that  
3 Mr. Desmond incorporate the splits -- the changes that we  
4 just made on the splits map into the Mathis combo map that  
5 we looked at earlier this afternoon and that we adopt that  
6 map as our tentative final map subject to -- final  
7 congressional map, subject to the possibility of future  
8 changes based on recommendations of our mapping consultant  
9 or our legal counsel to adjust technical or legal issues and  
10 subject to our final approval of any of those changes.

11           CHAIRPERSON MATHIS: Is there a second?

12           VICE-CHAIR HERRERA: Madam Chair, before I second  
13 it, can I make just a quick comment?

14           CHAIRPERSON MATHIS: Of course.

15           VICE-CHAIR HERRERA: As I mentioned before, that  
16 I, that I felt like we made plenty of sacrifices in terms  
17 of -- obviously, as I mentioned before, that fourth  
18 competitive district in Maricopa County, we were able to  
19 create one in district -- in District 9, and then one in  
20 CD 1, and then one outside of Maricopa County that's in CD 1  
21 and also southern Arizona. That's in CD 2.

22           So, again, I'm not, not -- I'm not exactly pleased  
23 with all the results, but I think this is truly a  
24 compromise.

25           As I mentioned before, this particular version has

1 four strongly Republican districts, two majority-minority  
2 districts, and only three competitive districts.

3 So there's some hesitation, but I think this is a  
4 true compromise. And I will second Commissioner McNulty's  
5 motion.

6 CHAIRPERSON MATHIS: Any discussion?

7 COMMISSIONER McNULTY: Madam Chair, I'd like to  
8 make a point that it was mentioned earlier that the  
9 Republican registration in the state is 35 percent, the  
10 Democratic registration is approximately 30 percent. And on  
11 this map 44 percent of the congressional districts are  
12 solidly Republican, as compared to 35 percent of the  
13 registration that Commissioner Freeman mentioned earlier.

14 Twenty-two percent of the districts are  
15 Democratic, as compared to 30 percent registration mentioned  
16 earlier.

17 And 33 percent of the districts are competitive,  
18 which I think compares favorably with the independent  
19 registration of the state.

20 So I do feel that this is a compromise map, and  
21 that it fairly reflects, subject to having said that, that  
22 it's the best map we could put together to fairly reflect  
23 the composition of this state.

24 I would also say just briefly in response to the  
25 comments about Congressional District 8, that I'll

1 incorporate by reference all the other things I've said  
2 about it, Congressional District 9, but also just add that,  
3 you know, again, I live three blocks from a congressional  
4 district boundary.

5 I could make all the same arguments that were just  
6 made about a community of interest that includes historic  
7 districts in central Tucson and where my daughter went to  
8 school and where my friends live and a whole lot of things  
9 like that, the parks I use.

10 But, and those things aren't being disrespected by  
11 the fact that they're going to be represented by two  
12 congressional representatives --

13 VICE-CHAIR HERRERA: Madam Chair.

14 COMMISSIONER McNULTY: -- in my view.

15 CHAIRPERSON MATHIS: Mr. Herrera.

16 VICE-CHAIR HERRERA: Yeah, Commissioner McNulty  
17 makes a good point in terms of the percentage of the  
18 Republican registration, the percentage of the current draft  
19 map that we'll be approving, many of those are strong  
20 Republican.

21 But, you know, the -- there's also a strong  
22 possibility with these three competitive districts that  
23 Republicans can win all three.

24 So meaning that there could be a seven-two split.  
25 That would be the worst-case scenario, or the best case

1 scenario, whichever way you're looking at it.

2 And you look at the -- for the Democrats, the  
3 worst-case scenario for the Republicans would be that they  
4 win the three competitive ones.

5 It would be, what, four-five.

6 So that, again, shows that, you know, Republicans  
7 are doing pretty well with this map.

8 You know, they can, they can complain all think  
9 want that this map isn't fair for them. But, you know, you  
10 start looking at the numbers, and you think, this is a darn  
11 good map.

12 I may change my Republican -- I mean, I may change  
13 my registration to be Republican so I can get representation  
14 if that happens.

15 Because seven-two is a strong possibility when you  
16 create three competitive districts.

17 So I guess I want to remind people that are in the  
18 audience and here that that could happen. And, I mean, I  
19 don't want it to, because I, I -- there's some differences  
20 between me and my Republican friends. But if it does, then  
21 so be it.

22 We did our best to create competitive districts.

23 And another point, you know, with district --  
24 CD 9, you know, I, I, I mentioned this before, and, you  
25 know, the area that I live in, and Commissioner Freeman can

1 call it CD -- excuse me, Arcadia Light, Lower Arcadia. It  
2 doesn't matter to me what he wants to call it. It's still  
3 part of greater Arcadia.

4 And it's a community of interest that is well  
5 represented in CD 9. And I'm, and I'm extremely happy at  
6 the competitiveness of CD 9. And all the factors -- all the  
7 criteria that we, that we considered when we put that  
8 particular district in place -- actually all of them,  
9 because I think we followed all that criteria, all six of  
10 them.

11 And I think both of our attorneys, Republican and  
12 Democratic attorney, would agree that we followed the  
13 guidelines that we -- that were set before us.

14 And I am pretty happy with what we -- with the job  
15 we did. I think it was a true compromise. So I'm excited  
16 to be passing this, because, again, it's a true compromise  
17 map.

18 Thank you.

19 COMMISSIONER STERTZ: Madam Chair.

20 CHAIRPERSON MATHIS: Mr. Stertz.

21 COMMISSIONER STERTZ: The last, the last  
22 Commission(sic), two years ago, or three years ago I guess,  
23 as you might recall our -- we had five Democrat congressmen  
24 representing and three Republican congressmen representing  
25 the state of Arizona. In 2010 it flipped to five

1 Republican congressmen and three Democrat congressmen  
2 representing.

3 I've been told and we've heard testimony that the  
4 last Commission was really focused on -- was not focused at  
5 all on competition until after the fact.

6 And we found that during the course of the last  
7 ten years we've had districts that were Republican, then  
8 Democrat, then Republican, then Democrat.

9 So it would be very interesting, and, again, my  
10 crystal ball is broken. I don't now how this is all going  
11 to flush itself out as time goes on.

12 So it'll be a very interesting thing to revisit in  
13 ten years from now to see how this work product actually  
14 turns out.

15 Because, because, again, the last Commission  
16 didn't concentrate on competition as their number one  
17 criteria. They concentrated on the voters rights districts  
18 and the other criteria first, and then tested everything  
19 with competitiveness, based on the records that I was able  
20 to review.

21 So, and, Mr. Herrera, it was, it was terrific,  
22 your comment about switching over to Republican.

23 I remember at a vote of Ronald Reagan's that said  
24 he was being asked a question of whether or not he took --  
25 he was blaming the congress. He said the congress, the

1 previous congress was a problem and the previous  
2 administration was a problem.

3 And Sam Donaldson asked him a question. He said,  
4 Mr. President, do you not take any responsibility for this?

5 He says, of course I do.

6 He said, that's why I used to be a Democrat and  
7 now I'm a Republican.

8 So I'm looking forward to having you come across  
9 and join the Republican party as soon as you wish.

10 VICE-CHAIR FREEMAN: Madam Chair.

11 CHAIRPERSON MATHIS: Mr. Freeman.

12 VICE-CHAIR FREEMAN: You know, my community has,  
13 my community of Paradise Valley, Arcadia, Biltmore has a  
14 line right down the middle of it. It is being disrespected.

15 And, and that's where I live and that's where I'm  
16 from.

17 And nobody is going to tell me otherwise.

18 I don't think that there has been any compromise  
19 here.

20 I don't really believe that the constitution  
21 requires some form of compromise. It just requires us to  
22 follow the six mandatory criteria. And however the  
23 districts shake out, they shake out. Because that's the  
24 process, it introduces an element of randomness.

25 We create a grid map, and then those lines are

1 adjusted.

2           They're adjusted based on six constitutional  
3 criteria. And how they -- the districts are formed, they're  
4 formed.

5           I anticipated that we would be applying those  
6 criteria objectively, fairly, and that somewhere along the  
7 line the Commission would engage in deliberations,  
8 deliberations before the fact about communities of interest  
9 to identify where they are and whether they are real  
10 communities of interest such that we are required to respect  
11 them or not, and that we would formulate a map.

12           Not create districts and then back out the  
13 rationale for them later.

14           I, I thought if we followed the constitution and  
15 did the things that way and adjusted the grid map that way,  
16 that the voters of Arizona, they may find themselves in a  
17 district that they may scratch their heads about, but they  
18 can look to this Commission and say, well, you know what,  
19 they just followed the constitutional criteria and let the  
20 chips fall where they, where they may, and that's, that's  
21 the map we got.

22           That I don't think has been the process with this  
23 Commission.

24           You know, it's been said that going back to the  
25 retaining of the legal counsel that that was a product of

1 compromise and negotiation.

2           There was no compromise. There was no  
3 negotiation.

4           It was a result-oriented process.

5           With respect to the retainage of the mapping  
6 consultant, again, that was said that that was a product of  
7 compromise and negotiation.

8           There was no compromise. There was no  
9 negotiation.

10           It was a result-oriented process.

11           And now it's being said that this map is a product  
12 of compromise and negotiation.

13           I don't see it.

14           I think it, again, is a result of results-oriented  
15 process.

16           And I am saddened by that.

17           And as I look at this map and think about how it  
18 was developed, I could not tell you how those lines are  
19 related to changes to the grid map.

20           I also can't tell you whether CD 9 or any other  
21 congressional district as viewed by one commissioner using  
22 one set of criteria as competitive, whether or not that  
23 causes a significant detriment to the attainment of the  
24 other constitutional goals. Because a baseline map, which I  
25 believe the last Commission did prepare, was never completed

1 with respect to the congressional map.

2 So for those reasons, and other reasons I've  
3 stated today, and over the last couple weeks and even back  
4 in October, I don't favor the adoption of this map.

5 VICE-CHAIR HERRERA: Madam Chair.

6 CHAIRPERSON MATHIS: Mr. Herrera.

7 VICE-CHAIR HERRERA: You know, I --  
8 Commissioner Freeman is entitled to his opinion. And  
9 although I disagree with him that we disrespected any  
10 communities, I respect his opinion.

11 And but what I want to do, we have a very capable  
12 attorney sitting on my left, that, that I would like to ask  
13 her, Ms. O'Grady, do you think in your opinion, your legal  
14 opinion, do you think we followed the six criteria that was  
15 outlined?

16 And just -- I mean, I'd -- I think you've already  
17 stated where you -- your opinion, but I want you to be  
18 clear, and, and, respond, respond to Commissioner Freeman's  
19 comments.

20 COMMISSIONER STERTZ: Madam Chair.

21 CHAIRPERSON MATHIS: Mr. Stertz.

22 COMMISSIONER STERTZ: Before Ms. O'Grady makes  
23 that comment, I'm not sure whether or not the discussion  
24 that is -- has a motion on the floor that is specific and  
25 has been seconded in discussion unless there is a legal

1 question that the counselor would be asked to participate in  
2 the discussion of the motion.

3 CHAIRPERSON MATHIS: Well, assuming it's legally  
4 okay, I would love to hear from Ms. O'Grady on Mr. Herrera's  
5 question.

6 COMMISSIONER McNULTY: Madam Chair, if it is  
7 legally okay, it certainly is a legal question, whether she  
8 feels we've complied with the constitution.

9 MARY O'GRADY: Madam Chair, commissioners, as  
10 stated when the draft map was approved, and the same is true  
11 now, I believe that this map was developed following the  
12 constitution, applying the constitutional criteria,  
13 balancing the relevant factors. So I am comfortable that  
14 the Commission has followed its constitutional  
15 responsibility in developing the map.

16 VICE-CHAIR HERRERA: Madam Chair, may I ask one  
17 more questions of Ms. O'Grady?

18 CHAIRPERSON MATHIS: Please.

19 VICE-CHAIR HERRERA: Again, I understand that  
20 Mr. Kanefield isn't here today, but I know that you have a  
21 good working relationship with him and he's been -- you and  
22 him have disagreed rarely.

23 And does he agree with your opinion?

24 MARY O'GRADY: I haven't talked to him today,  
25 obviously, pending the motion. But at the draft map phase

1 we both expressed our support for the -- that the maps were  
2 satisfying the legal criteria.

3 VICE-CHAIR HERRERA: Thank you.

4 CHAIRPERSON MATHIS: Any other discussion?

5 (No oral response.)

6 CHAIRPERSON MATHIS: All in favor?

7 VICE-CHAIR HERRERA: Aye.

8 COMMISSIONER McNULTY: Aye.

9 CHAIRPERSON MATHIS: Aye.

10 Any opposed?

11 COMMISSIONER STERTZ: Nay.

12 VICE-CHAIR FREEMAN: Nay.

13 CHAIRPERSON MATHIS: Okay.

14 So we -- the motion carries.

15 We've approved this congressional map, which is  
16 this Mathis combo map as described currently. And I don't  
17 know that the official name that's on the website is up.

18 But I want to say that I really appreciate the  
19 work of all the commissioners to try to make the draft map a  
20 more -- a map that fits together better, as I said earlier.

21 It -- we listened to over 30 days of public  
22 comment, and took in the consideration of the legislature  
23 who provided their report, and all the other public  
24 testimony both in written and oral form.

25 And you helped us make a better map, and we

1 appreciate you doing that.

2 And I know it took a lot of time for a lot of you  
3 to do that, so thank you.

4 I also appreciate the commissioners' help in  
5 creating some of these districts too, in terms of being  
6 responsive to all of the criteria and to the public comment.  
7 It is a balancing act.

8 I'm proud of the balance achieved in this map. I  
9 think it is well balanced and will serve the 6.4 million  
10 Arizonans well in terms of representation.

11 So --

12 VICE-CHAIR HERRERA: Madam Chair.

13 CHAIRPERSON MATHIS: Mr. Herrera.

14 VICE-CHAIR HERRERA: The, the name of the map that  
15 Mr. Desmond provided to us was a little complex, I think. I  
16 think we should go back to the -- either we call it revised  
17 Mathis combo map -- I think it's easier to remember, and it  
18 would be -- it would make sense for us to change the name,  
19 just my opinion.

20 CHAIRPERSON MATHIS: I'm fine with the name  
21 change. It becomes the approved congressional map, I think  
22 would be the -- probably the easiest. Approved  
23 congressional map.

24 And this is pending these various legal and  
25 technical questions that need to get addressed.

1 Ms. O'Grady, did you want to say something?

2 MARY O'GRADY: I want to make sure that that  
3 second concept is captured, if we call it the approved  
4 congressional map. But, again, the motion was that this is  
5 also subject to technical changes.

6 CHAIRPERSON MATHIS: I think Ms. McNulty used the  
7 word tentative.

8 COMMISSIONER McNULTY: Yes, tentative final  
9 congressional map.

10 CHAIRPERSON MATHIS: So that's what it will be  
11 called on the website.

12 WILLIE DESMOND: Yes.

13 CHAIRPERSON MATHIS: Okay.

14 The time is 5:28 p.m.

15 And if we could, I'd like to talk about the  
16 legislative map.

17 And I know that Mr. Desmond prepared a new working  
18 map for us based on the discussion yesterday.

19 (Brief pause.)

20 CHAIRPERSON MATHIS: Okay.

21 Mr. Desmond, do you want to talk about what you  
22 have in mind? What you did for us in this stack.

23 WILLIE DESMOND: Okay. We have three sets of  
24 reports.

25 The first of which is the full set that has

1 competitiveness, data tables, data tables for population,  
2 the splits report, and the plain components report.

3           You'll notice that there's been an update to the  
4 competitiveness table, and now includes the index of six,  
5 seven, eight, and nine, as well as two, three, four, and  
6 five, and the registration data that had been supplied  
7 before.

8           There's also two change reports that showed this  
9 map compared to the previous working map, and also this map  
10 compared to the original draft map.

11           And there have been a couple changes to that.

12           Those indexes are -- six, seven, eight, nine are  
13 also included in here.

14           So. . .

15           The changes that we made are the ones we went  
16 through yesterday.

17           Districts 8 and 11, creating a voting rights  
18 district from District 8.

19           The ones in western Arizona, District 13,  
20 including La Paz. District 5 including parts of  
21 Yavapai County.

22           There's also been some small changes down in  
23 District 1, 9, and 10, in order to balance population a  
24 little bit.

25           Camp Verde has been added to District 6 in order

1 to balance population there.

2 And then there's changes in Maricopa County to  
3 remove splits of Glendale and a couple other places.

4 So at this point we can do a couple things.

5 I can walk you through the change reports,  
6 although they are lengthy.

7 We can look at other possible changes you want to  
8 have.

9 I don't know if Mary had any issues she wanted to  
10 flag right away regarding population deviation in some of  
11 these districts, or if there's a better place to the start.

12 I think we might be able to, I'm not sure, offer  
13 some sort of update on 26.

14 So I'll let Mary.

15 MARY O'GRADY: In terms of population deviation,  
16 the things that I flagged when I was going through the  
17 working map for 12-20 is that there were a few that have  
18 increased that we might -- that the Commission may want to  
19 look at.

20 The overall deviation is within the 10 percent,  
21 which is good.

22 And -- but it seems like Districts 12 and 16 and  
23 18 are all over four percent.

24 So if there's a way of getting those decreased,  
25 that might be something worth considering.

1           The districts that are low in population are all  
2 the voting rights -- are the voting rights districts, by and  
3 large.

4           Some of the changes that the Commission considered  
5 yesterday eliminated deviation in six, which was helpful.

6           So those were the districts that seemed, again, on  
7 the high side.

8           So this could be addressed or at least justify  
9 keeping them where they are.

10           COMMISSIONER STERTZ: Madam Chair.

11           CHAIRPERSON MATHIS: Mr. Stertz.

12           COMMISSIONER STERTZ: Mr. Desmond, did you -- were  
13 you able to get the registered voters logged anywhere onto  
14 any of these sheets?

15           WILLIE DESMOND: I haven't. I can give it to you  
16 as a separate report. I was not able to get it added in. I  
17 apologize for that.

18           It's something that I can prepare relatively  
19 quickly right now and print and distribute, if that would be  
20 helpful.

21           COMMISSIONER STERTZ: And, Madam Chair, for the  
22 purposes of the analysis and the potential vote on this map  
23 tonight, it's not relevant to that. It's more to have a  
24 better, more clear understanding of the voters as they  
25 pertain to the voting districts.

1           CHAIRPERSON MATHIS:  You're wanting the  
2 registration by district?

3           COMMISSIONER STERTZ:  I'm wanting the registration  
4 by district.

5           CHAIRPERSON MATHIS:  Isn't that in there?

6           WILLIE DESMOND:  The percentages are.

7           COMMISSIONER STERTZ:  The percentages are, not the  
8 numbers.

9           CHAIRPERSON MATHIS:  Oh.  Okay.

10          Got it.

11          COMMISSIONER STERTZ:  And, Madam Chair.

12          CHAIRPERSON MATHIS:  Mr. Stertz.

13          COMMISSIONER STERTZ:  Mr. Desmond, that is  
14 something that I would like to have as something that after  
15 we get through this last stuff on the approval of the  
16 legislative draft map for my, for my files.

17                 I mean, I can certainly create it off of, off  
18 of -- by accumulating it off of the data charts on  
19 Maptitude, but if you're able to do that in a, in an  
20 algorithm that extracts it into a working file, that would  
21 be terrific.

22          CHAIRPERSON MATHIS:  Do commissioners have any  
23 comments on the legislative working map?

24          COMMISSIONER McNULTY:  Madam Chair, I'd like to  
25 look at the changes that we made yesterday to District 26

1 and 27.

2 WILLIE DESMOND: This is District 26.

3 Changes yesterday related to removing Guadalupe,  
4 adding parts of Phoenix, and also adding Salt River  
5 reservation.

6 District 27 then takes parts of Tempe. It loses  
7 parts to 24 up here, and then gains a little bit from  
8 District 19 in this corner.

9 COMMISSIONER McNULTY: I think when we did  
10 this yesterday we had three different versions of --  
11 three different possibilities to substitute for the move of  
12 Guadalupe or the reinclusion of Guadalupe into 27.

13 And when we included this, I think it was the  
14 third version in the working draft. I don't think we  
15 realized that we have Tempe split, I think, it's six times.

16 So I would ask to look at what we had done earlier  
17 in the day yesterday.

18 I think we had done a version one or a version A  
19 that was very similar to this in terms of the metrics but  
20 didn't result in splitting the city of Tempe multiple times.

21 WILLIE DESMOND: I'm not. . .

22 COMMISSIONER McNULTY: It may not have been  
23 yesterday. It may have been the day before. But I know  
24 it's on the website.

25 One of them says version one.

1           There's the map, then there's version two, and  
2 then there's version three, and then there are three --

3           WILLIE DESMOND: I think I know what you're  
4 referring to. Let me bring that up.

5           COMMISSIONER McNULTY: -- reports, A, B and C.

6           WILLIE DESMOND: You're referring to this one that  
7 just, that just removes part of the Dobson Ranch area?

8           COMMISSIONER McNULTY: Yes.

9           WILLIE DESMOND: This was the very first one you  
10 received last week, is this the one you mean? Or the one  
11 that also includes Guadalupe? Or --

12           COMMISSIONER McNULTY: No, it was one that we did  
13 as an alternative to including Guadalupe in 26.

14           WILLIE DESMOND: Okay. I think I know which one  
15 you're talking about.

16           So it was this one.

17           And basically what this does is, district --  
18 District 26 just takes a smaller portion of Phoenix down  
19 here.

20           It does not -- if I turn off the draft -- the  
21 working map, you can see that District 27 does not come into  
22 Tempe anyplace but this little area surrounding Guadalupe,  
23 left over from the original draft map.

24           COMMISSIONER McNULTY: And in terms of the voting  
25 rights analysis, is that comparable to the third version? I

1 thought it was pretty close.

2 WILLIE DESMOND: It's not quite as strong.

3 COMMISSIONER McNULTY: But it was stronger than  
4 the draft map.

5 WILLIE DESMOND: Still stronger than the draft  
6 map, yes.

7 COMMISSIONER McNULTY: Okay.

8 What is that little area of Tempe that's right  
9 next to Guadalupe?

10 WILLIE DESMOND: That's from the original draft  
11 map, the area -- that one in the draft map. If I turn on  
12 the streets, I'll tell you can exactly what that is.

13 It's Guadalupe Road, can we -- over on Orion, and  
14 then up on Hardy Drive. And the reason it's shaped the way  
15 it does -- it is, is because I believe that's one census  
16 block group, or two.

17 COMMISSIONER McNULTY: What's the next street  
18 over? The next street to the east?

19 WILLIE DESMOND: The next street over is. . .

20 COMMISSIONER McNULTY: Kyrene?

21 WILLIE DESMOND: Yes, Kyrene.

22 COMMISSIONER McNULTY: Could you turn on the HVAP  
23 layer?

24 Are we in District 18 now? Is that what that is?

25 WILLIE DESMOND: That is in District 18.

1           This is the HVAP layer.

2           This could go over -- District 27, District 27  
3 could go over to Kyrene. That would be positive in terms of  
4 our deviation.

5           District 27 is a comfortable margin of HVAP.

6           The other thing we could do is District 18 could  
7 absorb this area that's red, although District 18 is already  
8 fairly large. It probably doesn't need any more population  
9 to be added in.

10           COMMISSIONER McNULTY: But we can remove it from  
11 it, right, because it's over?

12           I'd just like to see what the Hispanic makeup of  
13 that area is.

14           WILLIE DESMOND: So I can give you the. . .

15           COMMISSIONER McNULTY: What I was thinking was if  
16 it belongs in 27 with Guadalupe, then we should leave it  
17 there. But if it was just kind of inadvertent and it is --  
18 it would be helpful to 26, then we could take it out of 18,  
19 which is overpopulated, and put it in 26, and it would  
20 resolve one of the splits also of Tempe.

21           MARY O'GRADY: And, Madam Chair, just in terms of  
22 the overall analysis, if it's helpful, the version that we  
23 submitted for analysis yesterday, which had the multiple  
24 splits of Tempe, looked -- ended up about the same as the  
25 version with Guadalupe, not a material difference in

1 performance between those two options.

2 We didn't run this particular option that  
3 Commissioner McNulty's looking at now.

4 So it seems to me we have the option of -- with --  
5 let me see. Including Guadalupe in 26, or moving Guadalupe  
6 back to 26 and making some other adjustments like we did  
7 yesterday and, like, still considering.

8 And perhaps a third is putting Guadalupe back in  
9 26 -- or, excuse me, back in 27, and as it was in the draft  
10 map, and then making the other enhancements that were made,  
11 like in the Dobson Ranch area, but then not make additional  
12 enhancements.

13 That obviously would be lower performing, but I  
14 don't know that we analyzed, you know, how different the  
15 performance is.

16 COMMISSIONER McNULTY: I think that was -- wasn't  
17 that this version with the Dobson Ranch enhancement?

18 MARY O'GRADY: I think all of these versions now  
19 include the Dobson Ranch, because that's part of the working  
20 map.

21 WILLIE DESMOND: And that area is right here.

22 I'll grab the laser pointer.

23 This area has all been removed -- this area has  
24 all been removed in every version we've done, from 26, and  
25 added into District 18.

1           These labels are Hispanic actual percentage.

2           The shading is the same thing, but it just makes  
3 it a little easier to see, I guess.

4           So these two areas that are in 27, in the draft  
5 map and in this version, could go either to District 26 or,  
6 if you wanted to clean this, they could also go to 18,  
7 although 18 is large already.

8           If we took -- the other thing to consider is that  
9 District 27 is already underpopulated by 9,610 people. So  
10 removing this 3600 people would then put District 27 at a  
11 negative deviation of 6.2 percent.

12           (Brief pause.)

13           COMMISSIONER McNULTY: Were you waiting for us?

14           WILLIE DESMOND: Yeah.

15           COMMISSIONER McNULTY: I'm sorry.

16           Okay. So, does that help anything or not? Does  
17 moving that help anyone?

18           Does it help 26 or is it better just to leave it  
19 in 27 because it's already underpopulated?

20           WILLIE DESMOND: The one district might help 26 a  
21 little, and that would be --

22           COMMISSIONER McNULTY: The narrower version that  
23 you have in red now.

24           WILLIE DESMOND: It would be -- well, what you  
25 could do is take something like, like just this one block.

1 This would raise this 2,554 people and add those to 26.

2           Again, District 27 would need to grow somewhere.  
3 It's underpopulated.

4           But this would be -- it would be a net gain for  
5 both districts, actually, I believe, because that's higher  
6 than District 26 is on average and lower than District 27  
7 is.

8           In terms of HVAP.

9           Let me just check the mine inspector index on this  
10 area and make sure it's not.

11           COMMISSIONER McNULTY: Twenty-seven is only at  
12 4.5 percent underpopulated, and that's a voting rights  
13 district, isn't it?

14           WILLIE DESMOND: Yes, but with this change, just  
15 this little change, that it would be 5.7 percent.

16           COMMISSIONER McNULTY: Oh, okay. Let's not do  
17 that then. I don't want to start reorganizing everything.  
18 I just thought if it was easy.

19           But if we could -- I would really like to remove  
20 from the working draft that version that had all the splits  
21 in it, and substitute something that's comparable such as  
22 this map and have Dr. King look at it.

23           WILLIE DESMOND: Okay.

24           COMMISSIONER McNULTY: Six splits in a little town  
25 like Tempe doesn't make any -- sense to me. I should finish

1 my sentence.

2 WILLIE DESMOND: Okay. That would be something  
3 like -- let me see.

4 CHAIRPERSON MATHIS: Commissioners, it's 5:51 p.m.  
5 I'm just wondering if we could take a short break, a  
6 ten-minute break.

7 Okay.

8 So we'll have a break. It's 5:51 p.m.

9 (Brief recess taken.)

10 CHAIRPERSON MATHIS: We'll enter back into public  
11 session.

12 The time is 6:11 p.m.

13 Oh, we don't have our mapping consultant. We're  
14 going to need him.

15 (Brief pause.)

16 WILLIE DESMOND: Okay.

17 CHAIRPERSON MATHIS: Okay?

18 WILLIE DESMOND: There's a lot going on here. Let  
19 me take some stuff off.

20 CHAIRPERSON MATHIS: What did you say?

21 WILLIE DESMOND: There's a lot going on. I'm  
22 going to clean it up.

23 Okay.

24 Are there other changes that commissioners would  
25 like to see or other questions that they have?

1           One thing that we looked at during -- while we  
2 were looking at is District 26, how it could look, going  
3 back to we started out, just taking this one little portion,  
4 but also keeping kind of the changes to the other districts  
5 that we looked at yesterday.

6           The one thing this does is it underpopulates  
7 District 27 by more than an acceptable margin.

8           One possible solution that we identified would be  
9 for District 27 to take a little bit larger portion of Tempe  
10 since it does have a little portion.

11           I guess the one other thing we haven't discussed  
12 but we can look at would be since the congressional line is  
13 going to go right down here, as I mentioned yesterday, on  
14 the southern border of South Mountain, I could take just  
15 like the tip of Ahwatukee or something.

16           Does that, does that make sense?

17           So it would be something like this.

18           But. . .

19           So that District 27 would take more population  
20 from District 18 here.

21           District 27 is a voting rights district, so we  
22 would have to be careful what we're doing.

23           But this would be, this would be one other option.

24           The other thing we can do obviously was to have it  
25 take a little bit more of Tempe, right here, from

1 District 18.

2 COMMISSIONER McNULTY: Can we look at what we just  
3 had there?

4 WILLIE DESMOND: This would essentially just take  
5 this District 27. It needs to make up some population, make  
6 up 3,085 people, and go over to Kyrene, in between Guadalupe  
7 and Baseline.

8 COMMISSIONER McNULTY: So you're saying that would  
9 go into 27.

10 WILLIE DESMOND: That would go into 27.

11 COMMISSIONER McNULTY: And it wouldn't dilute it.  
12 It would help it.

13 WILLIE DESMOND: It would not be a positive  
14 addition as far as voting rights things go, although it  
15 would not be the worst area to add in.

16 And District 27 needs population somewhere. It  
17 has to grow.

18 COMMISSIONER McNULTY: And then does that put 18  
19 in an acceptable range of deviation?

20 WILLIE DESMOND: So, as it's currently  
21 constituted, District 18 is overpopulated by 8,914 people.  
22 This would remove 3,085, bringing it to 5,829. So it's a  
23 deviation that's only 2.74 percent.

24 So it's still high, but better.

25 COMMISSIONER McNULTY: Madam Chair, I like that

1 better than going into Ahwatukee.

2 WILLIE DESMOND: Okay.

3 So that is how District 26 looks now. Guadalupe  
4 stays with 27.

5 District 27 is our most underpopulated district, I  
6 believe. Or -- no, not quite. District 7 is our most  
7 underpopulated district.

8 But District 27 is now underpopulated by 9,091, so  
9 a negative deviation of 4.27 percent.

10 Are there other things that you'd like to see  
11 right away or do?

12 COMMISSIONER McNULTY: Madam Chair, there are  
13 two other things I'd like to look at. One is the split in  
14 Yavapai County, where we added population to LD 5, combined  
15 it with Mohave County.

16 WILLIE DESMOND: Okay.

17 COMMISSIONER McNULTY: We heard a lot of public  
18 testimony about splitting Yavapai County, and I prefer not  
19 to split it there if we can avoid it.

20 WILLIE DESMOND: Okay.

21 COMMISSIONER McNULTY: So I was looking at the  
22 possibility of moving the portions of Yavapai County that  
23 are in LD 25 back into 14, moving La Paz County back into 5,  
24 and then removing from LD 14 into 13 Wickenburg, Wittman,  
25 Morristown, I think it's called, the little -- the towns in

1 that little triangle in the northeast corner of 13.

2 WILLIE DESMOND: Okay. We'll go ahead and just  
3 show you how that worked, but do it a little different.

4 So if I understand, District 14 is going to absorb  
5 population from District 15 in Yavapai County.

6 COMMISSIONER McNULTY: Yes, District 5.

7 WILLIE DESMOND: Or five.

8 That would add 18,865 people back into District  
9 5 -- or into District 14 from District 5.

10 At this point District 5 is underpopulated by  
11 14,516.

12 So it would take La Paz. That would put it  
13 overpopulated by 2.8 percent.

14 So at this point District 5 is pretty good.  
15 District 14 is now overpopulated by 15,664. District 13 is  
16 underpopulated by 13,653.

17 So that District 13 is going to take from  
18 District 14 down here.

19 Go back to the county.

20 This would remove 12,262 people into District 13.

21 So at this point District 13 is underpopulated by  
22 1391 people, a deviation of .65 percent.

23 District 14 is overpopulated by 3,384 people, a  
24 deviation of 1.59 percent.

25 There is a split removed from Yavapai County, and

1 La Paz is back with Mohave.

2 District 13 now takes the entire kind of western  
3 portion of Maricopa County.

4 COMMISSIONER McNULTY: Which I think is more rural  
5 portion of the county which is what we were shooting for,  
6 so. . .

7 The other area that I wanted to revisit was the  
8 change we had made in -- between 23 and 24 yesterday.

9 WILLIE DESMOND: Okay. In Scottsdale?

10 COMMISSIONER McNULTY: In the school we had -- we  
11 were talking about three schools.

12 WILLIE DESMOND: Yes, I believe there was -- the  
13 high school was right here.

14 COMMISSIONER McNULTY: I'm concerned about that.

15 I know we're trying to do maps that are compact  
16 and -- so I would prefer to use our original, the map of 24  
17 that we had originally submitted for analysis.

18 If we were actually moving a district of some  
19 kind, then I would feel differently about it.

20 But just to move a couple schools within a  
21 district, I don't think it makes sense to be changing a  
22 voting rights district and putting that kind of contorted  
23 arm into it for that reason, so. . .

24 VICE-CHAIR HERRERA: Madam Chair.

25 CHAIRPERSON MATHIS: Mr. Herrera.

1           VICE-CHAIR HERRERA:  The changes that were  
2 proposed yesterday regarding those -- this swapping  
3 population, I wasn't in favor of.

4           I don't think it was insignificant.

5           And I don't think we took any action in terms of  
6 sending this change or proposed change to get it analyzed,  
7 did we?

8           If we did, I would like to see if we can reverse  
9 that and not -- if we end up sending it to get it analyzed,  
10 I would prefer that we not do that.

11          Does anybody remember?

12          WILLIE DESMOND:  I don't believe this particular  
13 change of 24 was sent.

14          The larger changes dealing with taking some  
15 population from 27 and losing the Salt River reservation  
16 were sent.

17          I'm not sure if the analysis has been completed,  
18 but at least initially those seem to be a positive change to  
19 District 24.

20          VICE-CHAIR HERRERA:  Sure.

21          WILLIE DESMOND:  But this area though was not  
22 included.

23          So the green line is the draft map.  It did come  
24 down, just -- or the working map.

25          The draft map went straight across, took this

1 little portion out later, and then yesterday it was this --  
2 kind of like little arm.

3 CHAIRPERSON MATHIS: Yeah, I kind of view that as  
4 my fault a little bit, because I was trying to be responsive  
5 to them.

6 Once we realized, we couldn't do the quadrant the  
7 way they originally suggested, I think I said is there a way  
8 that we can partially accomplish what they're seeking.

9 And the only way to do that was to add that  
10 appendage, which I wasn't excited about, because it is a  
11 compactness issue.

12 But it looked better before for sure.

13 Any thoughts from other commissioners on that?

14 VICE-CHAIR HERRERA: Madam Chair.

15 CHAIRPERSON MATHIS: Mr. Herrera.

16 VICE-CHAIR HERRERA: Just quickly the -- I think  
17 we had added some of the changes that Commissioner McNulty  
18 had proposed to the working draft map; is that correct?

19 WILLIE DESMOND: Well, yes, I mean, there are many  
20 changes that were added to the working draft map yesterday.

21 Among them were some changes in western Arizona.  
22 One of them being the Yavapai, that we just looked at taking  
23 out.

24 Other ones being District 22, District 15, 28, 20,  
25 21, 14.

1           VICE-CHAIR HERRERA:  And, Madam Chair, I had  
2 agreed with Commissioner McNulty's -- well, most of her  
3 changes.

4           The only change I would be -- that I'm still  
5 supportive of is the District 28 where we make it  
6 more competitive by moving the entire Paradise Valley into  
7 15.

8           If we were to do that change, with all of the  
9 other changes, all the other changes that have been -- that  
10 are on this map, how possible would it be without only  
11 messing with 28 and 15?  Is it possible?

12           WILLIE DESMOND:  It would affect, I believe,  
13 Districts 20, 28, and 15.

14           I assume since District 23, 24, 30 have not  
15 changed that it would be somewhat doable.

16           VICE-CHAIR HERRERA:  It would be doable with  
17 changing only you said those three districts?

18           WILLIE DESMOND:  I'm not positive.

19           Let me add the layer in there, and I can tell you  
20 definitively.

21           Marty's trying to eat my snacks, but if I talk he  
22 has to type.

23           (Brief pause.)

24           WILLIE DESMOND:  I believe it would be possible.

25           District 20 would take population here and lose

1 population here.

2 District 28, the population it gains right here  
3 would shed this area and then the Paradise Valley to 15.

4 There might be some other additional tweaks that  
5 would come up. I can't say definitively. But I think it  
6 would be possible.

7 VICE-CHAIR HERRERA: You say it's possible. I --  
8 again, not definitively, but you can see a scenario where  
9 only 28, 15, and 20 are affected by that change.

10 WILLIE DESMOND: I'm going to do that as a  
11 separate one, so we can track these.

12 VICE-CHAIR HERRERA: Mr. Desmond, what I'm trying  
13 to do is with -- have the -- with the changes that I'm  
14 proposing to 28, 15, and obviously 20, mirror the current  
15 working draft with the changes that have been proposed by  
16 Commissioner McNulty.

17 WILLIE DESMOND: Okay.

18 VICE-CHAIR HERRERA: So any changes that are made  
19 going forward, I want it to be reflected in the map that  
20 I've been proposing.

21 Thank you.

22 WILLIE DESMOND: So just -- should I try to draw  
23 this right now? I just want to make sure.

24 VICE-CHAIR HERRERA: Mr. Desmond, how long would  
25 it take you to do that?

1 WILLIE DESMOND: Maybe ten minutes.

2 VICE-CHAIR HERRERA: Sure.

3 Thank you.

4 WILLIE DESMOND: It might not take quite as long.

5 (Brief pause.)

6 WILLIE DESMOND: As it's currently constituted,  
7 District 20 is underpopulated by 28,466. District 15 is  
8 overpopulated by 45,344.

9 So what would need to happen is District 20 needs  
10 to pick up about 37,000 -- 37,000 people from District 15.  
11 That will leave them both overpopulated, but probably within  
12 our acceptable margin.

13 So let me -- do you have areas that you think make  
14 sense for District 20 to grow into?

15 VICE-CHAIR HERRERA: Mr. Desmond, at this time I  
16 don't, but what I would like to do is to see what other  
17 changes are proposed to the legislative map and any -- I'm  
18 assuming probably going to be more changes. And once those  
19 changes are finalized or we start getting closer to what we  
20 feel comfortable that we've made all the changes that we  
21 want, then I'll propose the changes to those three districts  
22 to equal out or to get the population as close to balanced  
23 as possible, or at least under five percent, which I think  
24 the ones you mentioned are all -- are they all under five?  
25 A couple of them are a little slightly over?

1 WILLIE DESMOND: They're all going to have to be  
2 over.

3 So right here, this would take 36,000 people from  
4 District 15 and add them to District 20.

5 I'm not saying this is the best way.

6 Fifteen would have to -- 15 is still fairly large,  
7 and would be overpopulated by 4.38 percent.

8 But I'll zoom out and let you just see what the  
9 districts look like this.

10 You might also want to clean up this area.

11 This is 34.

12 So if you did that.

13 Something like this, a little bit cleaner looking.

14 District 20 is overpopulated 3.35 percent.

15 District 15 is overpopulated by 4.58 percent.

16 VICE-CHAIR HERRERA: Mr. Desmond, what I'd like to  
17 do is leave it, if you don't mind saving those changes, and  
18 let's go back to the working draft map.

19 WILLIE DESMOND: Okay.

20 VICE-CHAIR HERRERA: And see what those changes  
21 are proposed. And then based on any changes that are  
22 proposed to the draft map, I'll incorporate them in -- into  
23 my -- my version of the legislative draft map.

24 WILLIE DESMOND: Okay.

25 Just one other quick question.

1           Did we -- am I to undo the change between 23 and  
2 24 in south Scottsdale that we did yesterday?

3           VICE-CHAIR HERRERA: Madam Chair, I think that  
4 that's what Commissioner McNulty had proposed. And I would  
5 agree.

6           CHAIRPERSON MATHIS: And I agreed too and asked if  
7 there were any other comments on it and didn't receive any.

8           VICE-CHAIR HERRERA: Madam Chair.

9           CHAIRPERSON MATHIS: Mr. Herrera.

10          VICE-CHAIR HERRERA: One of the reasons why I  
11 disagree with the -- with that change is it does impact  
12 the -- I think it's 24 that it impacts negatively. It does  
13 change it a bit, does retrogress.

14          Is that correct, Mr. Desmond?

15          WILLIE DESMOND: I think it was a fairly  
16 negligible difference in terms of the Voting Rights Act.

17          We haven't seen the analysis on it.

18          VICE-CHAIR HERRERA: Okay.

19          WILLIE DESMOND: It does obviously have a  
20 compactness component.

21          VICE-CHAIR HERRERA: Thank you.

22          COMMISSIONER STERTZ: Madam Chair.

23          CHAIRPERSON MATHIS: Mr. Stertz.

24          COMMISSIONER STERTZ: The question came up last  
25 night, and legal counsel gave us their opinion, and the

1 opinion was was that it made no impact at all on the, on the  
2 district, and we were able to achieve something that  
3 benefited the Scottsdale Unified School District with having  
4 zero impact on the district.

5           And if you look at the districts as a whole, there  
6 is nothing that the little switchback at the bottom of  
7 Scottsdale district of 23, there are those sort of details  
8 on every single one of the districts.

9           So it's not as if compactness was dramatically  
10 affected or if any of the other districts -- those little  
11 details are all over the place.

12           So we determined last night that there was no  
13 impact on the voters rights district, and we were able to  
14 benefit a school district by bringing their high school and  
15 some other schools into their community of interest.

16           So I want to make sure that if we are going to  
17 extract this, that we know that we are going in opposite  
18 direction without having any real reason to go there.

19           Compactness is a non-issue. The voters rights  
20 district are a non-issue. And we would be doing this purely  
21 to harm a request from the school district to be able to  
22 bring schools into that district. So, just -- if that's, if  
23 that's the decision that the majority of the Commission  
24 wants to make, feel free.

25           CHAIRPERSON MATHIS: Any comments from other

1 commissioners?

2 COMMISSIONER McNULTY: Yes, Madam Chair, for  
3 myself, I'm not doing it to harm a school district.

4 I'm doing it because I don't think it's necessary  
5 to voting rights district. We had already submitted that  
6 for analysis.

7 I think the compactness is an issue.

8 VICE-CHAIR HERRERA: Madam Chair.

9 CHAIRPERSON MATHIS: Mr. Herrera.

10 VICE-CHAIR HERRERA: I would agree. My decision  
11 was not to -- was not done to harm any school district, but  
12 what it was done -- because I think I've been pretty  
13 consistent that I want us to avoid making changes to the  
14 majority-minority districts, to avoid any changes if at all  
15 possible.

16 And I think with this case, I think, you know,  
17 we've put a lot of time and effort into designing 24 the way  
18 it is now, so I feel comfortable with 24, and I am waiting  
19 for the analysis to get back.

20 COMMISSIONER STERTZ: Madam Chair.

21 CHAIRPERSON MATHIS: Mr. Stertz.

22 COMMISSIONER STERTZ: We spent a lot of time and  
23 effort last night trying to accommodate the request on 23  
24 and we heard back from the counsel that there was no effect  
25 to the -- to District 24.

1           So, whether or not your intent is to bring harm or  
2 that your intent is to have compactness, it's clear by the  
3 rest of the map that we don't have compactness in many,  
4 many, many other places. So I don't think that this is  
5 adding to anything.

6           But if that's the decision, just make it go.

7           CHAIRPERSON MATHIS: I'd like to hear about the  
8 totality, I think, of all the different changes we're  
9 considering now tonight before we just decide on that.

10           So let's -- what else is out there that we want to  
11 address as a Commission? As individual commissioners, I  
12 should say.

13           COMMISSIONER STERTZ: Madam Chair.

14           CHAIRPERSON MATHIS: Mr. Stertz.

15           COMMISSIONER STERTZ: I think that the -- at the  
16 end of the day yesterday, after a very long day, in  
17 regarding the majority of the legislative districts that are  
18 in -- that are contained in Maricopa County, I thought that  
19 the recommendations that had been given and outlined by  
20 Commissioner McNulty solved a lot of issues.

21           The reason why at the end of the day I had made a  
22 suggestion to bring pause to draw together a analysis report  
23 was based on really the core work that was done around in  
24 the general Maricopa County area.

25           We had communities of interest that were being

1 compacted.

2           We cleaned up lines between districts.

3           We cleaned up splits.

4           I thought our work product in the general Maricopa  
5 County area was quite strong.

6           And I think that we -- from this commissioner's  
7 point of view, the general Maricopa County area that was  
8 designed by Commissioner McNulty had great merit, and I was  
9 extremely pleased where it all went. It solved a lot of  
10 problems that had been hanging out there from the previous  
11 maps.

12           I think the direction that we're currently going  
13 in is going in the -- a direction that in this  
14 commissioner's opinion is not moving that ball down the  
15 field in a positive way.

16           CHAIRPERSON MATHIS: Thoughts from other  
17 commissioners?

18           What else is out there that we'd like to address?

19           I think we heard some public testimony today about  
20 Litchfield Park and adding some -- two areas of zero  
21 population that are part of that community to it.

22           I would be certainly for that.

23           Others have thoughts on that one?

24           COMMISSIONER STERTZ: Madam Chair.

25           CHAIRPERSON MATHIS: Mr. Stertz.

1           COMMISSIONER STERTZ:  And I think that that, just  
2 like the motion that was made in the previous -- for the  
3 congressional maps, I think that that regards to the  
4 technical issues, the cleaning up of the edges going to  
5 arterials and collectors where available, where they don't  
6 have any negative effect, they -- that could be couched  
7 together in a -- as a piece of a motion in a like way,  
8 specifically addressing areas where there is zero population  
9 but where we have community splits.  Those could be added  
10 in.

11           I'm sure that Litchfield Park -- that area in  
12 Litchfield Park was specific just to that area, because we  
13 had somebody today giving testimony, but I'm sure that as  
14 the mapping consultants spend time looking at all the edges  
15 all the way around the -- all -- the edges of all the  
16 districts, that they're going to find not only there can be  
17 some adjustments from one district to another to clean up  
18 some of those edges, it would be -- they're going to find  
19 that.

20           CHAIRPERSON MATHIS:  I agree.

21           Nonetheless, I think that change could easily be  
22 made today.

23           COMMISSIONER STERTZ:  And I would suggest, I would  
24 suggest that that change be made today.

25           VICE-CHAIR HERRERA:  Madam Chair.

1 CHAIRPERSON MATHIS: Mr. Herrera.

2 VICE-CHAIR HERRERA: Yeah, I would agree that  
3 change is -- I think if the -- the way it was presented, it  
4 would be no impact to any of the surrounding districts.

5 So if that is the case, then, yes, I would support  
6 that change.

7 CHAIRPERSON MATHIS: Did you want to pull that up,  
8 Mr. Desmond, the Litchfield Park?

9 What else is out there, commissioners, in terms of  
10 other adjustments to this map that people want to see?

11 WILLIE DESMOND: To the Litchfield Park changes,  
12 just these two areas, zero population, taken from  
13 District 29, into District 13.

14 CHAIRPERSON MATHIS: I would support that change.

15 WILLIE DESMOND: There's a greater area of  
16 Litchfield Park, but moving that within the area that it  
17 encompasses, I think it moves like is a few thousand people,  
18 so it's not -- so this small area is, yeah.

19 COMMISSIONER STERTZ: Madam Chair.

20 CHAIRPERSON MATHIS: Mr. Stertz.

21 COMMISSIONER STERTZ: I think that -- and I'm not  
22 speaking for the other commissioners, but from this  
23 commissioner's perspective, that those type of changes where  
24 they have a net zero effect other than to improve the  
25 quality of the -- keep in mind that someone came up during

1 break and said don't forget about the counties and the  
2 precinct maps, et cetera.

3 I think that's going to be another technical  
4 aspect that's going to come into play.

5 So when there's zero impact or, or the impact that  
6 might be helped -- or might be had, you know, there's some  
7 of this area where we're just going to have to allow for the  
8 interface between the precinct design, the county design,  
9 the community design, and the mapping consultants in the  
10 outlines that we've created to be able to make these subtle  
11 type of adjustments where it has no negative effect, or  
12 positive affect, other than to the community itself.

13 VICE-CHAIR HERRERA: Madam Chair.

14 CHAIRPERSON MATHIS: Mr. Herrera.

15 VICE-CHAIR HERRERA: I, I agree with  
16 Commissioner Stertz.

17 But in this case I think this is a change that we  
18 can make now. We have it in front of us. I don't think  
19 anybody has any disputes that, that this should be done.

20 I think we were told that it doesn't have any  
21 impact at all. There's no population there.

22 But I agree with Commissioner Stertz that going  
23 forward, I think, that information we should definitely  
24 have -- we should direct Mr. Desmond to look around edges.  
25 But for now I think this change I would approve putting it

1 into 13.

2 COMMISSIONER STERTZ: Agreed.

3 VICE-CHAIR FREEMAN: Madam Chair.

4 CHAIRPERSON MATHIS: Mr. Freeman.

5 VICE-CHAIR FREEMAN: You know, one of the, one of  
6 the glaring problems with the draft LD map was LD 13, which  
7 was a -- one of the last two districts to be drawn, and it  
8 was kind of a leftover district. And it was a true barbell  
9 district with the population centers being the north part of  
10 city of Yuma and part of Surprise, with coyotes and saguaros  
11 basically and a few farmers in between.

12 And Commissioner McNulty then did propose a change  
13 yesterday that was trying to address that, I think, and it  
14 was, it was the right way to go, I think.

15 The problem with what happened yesterday that was  
16 of great concern to me is that Yavapai County got sliced up  
17 and the quad city area that we heard a lot about when we  
18 were up in Prescott and Prescott Valley got divided up as  
19 well.

20 I mean, what she's done today is sort of restore,  
21 not all, but most of the Yavapai County, put it back  
22 together.

23 I like that.

24 With respect to the change on LD 23, 24, I thought  
25 that that minor tweak actually very incrementally improved

1 LD 24, but I agree that zigzag looks funny. And  
2 compactness, particularly in a urban metropolitan area, I  
3 think is something to be really mindful of.

4 And then we try to use the major arterials that we  
5 looked at, and talked about before, I mean, if there's ways  
6 to make adjustments in that area to sort of keep the  
7 districts compact and follow municipal lines or major  
8 arterials, perhaps that's something to be looked at.

9 CHAIRPERSON MATHIS: Do we want to look at that,  
10 on -- is this on 24 then? That area?

11 Can we pan down?

12 WILLIE DESMOND: So this switchback, this is --  
13 that's Scottsdale Road.

14 I'm trying to. . .

15 This is Osborn.

16 Then the south is Oak.

17 Then this, this part right here, is 84th Street.

18 In the working map before yesterday, District 23  
19 just had -- had this area going south down to Oak, and then  
20 back up.

21 And then this area was all 24.

22 So. . .

23 CHAIRPERSON MATHIS: Okay. And it sounds like the  
24 Commission is split on that particular change.

25 Are there other changes out there that you want to

1 direct Mr. Desmond to address?

2 We can explore them and then decide if we want to  
3 do them.

4 COMMISSIONER McNULTY: Madam Chair, I'm looking  
5 through my notes from our public testimony today. I guess  
6 the only other thing I see that I would ask Mr. Desmond to  
7 look at is the four block by four block area near South 12th  
8 Avenue in Tucson.

9 And I think there were two different proposals  
10 there.

11 One had just 519 people and one had 3,000 people.  
12 And I'd be willing to consider the 519 person change.

13 But, I -- if it didn't have any significant -- if  
14 it didn't have any effect, but I would be concerned about  
15 the larger change.

16 COMMISSIONER STERTZ: Madam Chair.

17 CHAIRPERSON MATHIS: Mr. Stertz.

18 COMMISSIONER STERTZ: Could you zoom out just a  
19 touch, Mr. Desmond.

20 WILLIE DESMOND: Excuse me?

21 COMMISSIONER STERTZ: Could you zoom out just a  
22 touch, please?

23 WILLIE DESMOND: Yes.

24 COMMISSIONER STERTZ: One of the things that was  
25 discussed was to bring that little notch that goes out and

1 crosses over Interstate 19, back over to 12th Avenue,  
2 extending 12th Avenue down to -- straight. Pull that notch  
3 out, put that into three, and then continue down on  
4 12th Avenue and connect over.

5 12th Avenue continues. It's -- what their  
6 comments were was that they like the -- they like the idea  
7 of 12 being the devising line between two and three.

8 And my suggestion was that also 22nd Street to the  
9 north is a very strong north-south, and there could be an  
10 equal exchange of population by capturing what is being  
11 moved into -- from three to two would be moved from two to  
12 three.

13 So it made a, made a very even swap. And both the  
14 two representatives from -- that came and gave testimony  
15 both agreed with that.

16 So I'm comfortable with that, with that move.

17 I know the area well. And it makes perfect sense  
18 from a community of interest point of view, from a traffic  
19 point of view, and I believe that the communities that are  
20 there you're going to find -- I don't think are going to  
21 have a -- they're, they're, they're all of like demographic,  
22 so I believe that you're not going to see a -- any movement  
23 as far as the CVAP is concerned.

24 So I would be comfortable with making that move.

25 CHAIRPERSON MATHIS: And that got notch got

1 created to begin with just because of a census tract; right?

2 That was the --

3 WILLIE DESMOND: Correct.

4 CHAIRPERSON MATHIS: Yeah, so, okay.

5 WILLIE DESMOND: The one thing I just need to  
6 point out is that this would be a net loss of 1700 people  
7 for District 3.

8 So that District 3 would then be underpopulated by  
9 10,700 people roughly, which is very close to our acceptable  
10 margin.

11 But I'll leave it to Mary.

12 I can make that change and show you exactly.

13 COMMISSIONER McNULTY: That's why I would just  
14 prefer to do the smaller change.

15 I don't want to start moving all our voting rights  
16 districts really.

17 That was their, their principal concern.

18 CHAIRPERSON MATHIS: What was the initial block  
19 that you highlighted, Mr. Desmond?

20 WILLIE DESMOND: This right here?

21 CHAIRPERSON MATHIS: South of 86th, right.

22 WILLIE DESMOND: That -- the number of people  
23 there?

24 CHAIRPERSON MATHIS: Yes.

25 WILLIE DESMOND: Is 3,912.

1           And that would be added to District 2.

2           So then District 2 would have a population --  
3 well, then the other area north of 22nd, the notch, is  
4 2,275.

5           CHAIRPERSON MATHIS: Because one idea is to just  
6 have 12 keep going down, I guess, to Irvington. That would  
7 be another.

8           COMMISSIONER STERTZ: Madam Chair.

9           CHAIRPERSON MATHIS: Mr. Stertz.

10          COMMISSIONER STERTZ: If 12 goes down to  
11 Irvington, and that goes into two, and then the line, which  
12 is currently a side street, a local street, on 18th Street,  
13 which is that notch that goes above 22nd, comes down  
14 four blocks, then we've got a nice straight line connecting  
15 on 22nd Street to the north.

16          So 22nd, 22nd would go, from the east to the west,  
17 to 12th, straight down 12th, and to the -- then turning to  
18 the east on Irvington.

19          CHAIRPERSON MATHIS: So you're suggesting making  
20 both those changes.

21          COMMISSIONER STERTZ: Well, both those changes  
22 were discussed, and both of those were, were --

23          CHAIRPERSON MATHIS: The 22nd one and the one that  
24 just goes straight down.

25          COMMISSIONER STERTZ: Correct. They, they had

1 suggested that 12th Street continue and 22nd Street  
2 continue.

3 I mean, it was -- that was their, their testimony,  
4 so I agree with it, and it makes perfect sense.

5 WILLIE DESMOND: I can, I can just show you real  
6 quickly what that would look like and then we can undo it.

7 CHAIRPERSON MATHIS: Okay.

8 Mr. Herrera, do you have something?

9 VICE-CHAIR HERRERA: I am in agreement with the  
10 smaller change that I think Representative Saldate was  
11 recommending, that community of interest, I think that piece  
12 that Mr. Desmond just highlighted, but I would not be in  
13 favor of the bigger change that Commissioner Stertz is  
14 proposing.

15 Not that Commissioner Stertz proposed, but I  
16 understand what you're getting at. It was, it was the  
17 public testimony from Olivia Cajero Bedford.

18 COMMISSIONER STERTZ: Well, both the senator and  
19 the representative both recommended these. This is a  
20 community change and from a community point of view and from  
21 a clean line point of view, it makes perfect sense.

22 WILLIE DESMOND: The one thing I should point out  
23 though, I hadn't realized this earlier, is this change  
24 brings the HVAP in District 3 to under 50 percent.

25 It goes from 50.2 to 49.66.

1           It's 50 is a nice round number.

2           I don't know if there's a huge legal distinction,  
3 but I just want to put that out.

4           And then the other thing is District 3 is  
5 underpopulated by 10,600 people, which is 4.98 percent.

6           So, not to say this is something we can't do, just  
7 pointing those two things out.

8           COMMISSIONER STERTZ: So if you extended -- if  
9 you, if you put back the 12th Avenue extension and left the  
10 22nd Street horizontal line.

11          WILLIE DESMOND: So that switches --

12          COMMISSIONER STERTZ: No, leave the --

13          WILLIE DESMOND: Do that change but undo this one.  
14 Correct?

15          COMMISSIONER STERTZ: Correct. And undo that one.

16          WILLIE DESMOND: So this would move 3,912 people  
17 back.

18          At this point District 2 is probably a little too  
19 underpopulated, 10,215.

20          I mean, there's --

21          COMMISSIONER STERTZ: What does that do to the  
22 HVAP of three?

23          WILLIE DESMOND: Then three is back up to 50.36.

24          COMMISSIONER STERTZ: Well, it cleans up one of  
25 two lines that they were looking for, and that's -- I would

1 like to make that recommendation to this.

2 WILLIE DESMOND: I mean, the thing you could also  
3 do is -- I know Irvington is a good street to do it at. You  
4 could meet maybe somewhere in the middle here maybe. I  
5 mean, would any of these make sense to go down to?

6 Because District 2 is too small right now, so it  
7 should grow a little bit.

8 Could just go from the north, the first block  
9 group is, is District Street. That would put District 2 at  
10 a negative population of 9300, as opposed to 10,215.

11 The next block group it's Pennsylvania. That puts  
12 both districts about equally sized, both underpopulated.  
13 But one is negative 3.97. One is 3.96.

14 COMMISSIONER STERTZ: Go to the next block. Take  
15 it down to Michigan.

16 WILLIE DESMOND: I think -- no, the next one goes  
17 down to Ohio.

18 COMMISSIONER STERTZ: Okay.

19 The interesting thing is when 19 was built, it  
20 actually shows that all those streets are going through, but  
21 they don't. They are stopped into cul-de-sacs and dead ends  
22 on either side of 19.

23 So it's a -- that's why, that's why 12th Avenue is  
24 such an important connection.

25 So whatever you can do to balance the population.

1 If you need to back if back up to Pennsylvania, that would  
2 be. . .

3 WILLIE DESMOND: Let me just make sure what this  
4 does to the HVAP in three.

5 With the change, the HVAP is now at 50.05. So  
6 it's a, it's a slight loss from the 50.2, so, but it is  
7 above 50.

8 I assume its other indicators would also be  
9 strong, but I can't say for certain if you're in a change  
10 report district.

11 I can tell you like the mine inspector in  
12 District 3 would be 57, or 56.21. As opposed to it's  
13 currently -- oh, I'm sorry, it would be 69.06.

14 It's currently 69.07, so that's positive.

15 District 2 would go from 56.8 to 56.7.

16 Is that a change that you want me to make to the  
17 working map?

18 COMMISSIONER STERTZ: Madam Chair.

19 CHAIRPERSON MATHIS: Mr. Stertz.

20 COMMISSIONER STERTZ: From my perspective this is  
21 what we heard was the direction that they would like us to  
22 go in, and I would like this change to be made.

23 COMMISSIONER McNULTY: Ms. O'Grady, do you have  
24 any comments or concerns?

25 MARY O'GRADY: The effect on the voting rights

1 district doesn't seem significant, but we would have to get  
2 back, you know, for analysis, like we are with everything  
3 else.

4 COMMISSIONER McNULTY: Do we need to -- if we put  
5 this in the working draft, would we continue to have what's  
6 in the working draft now analyzed on a separate track, or  
7 are you comfortable that we could just substitute this?

8 MARY O'GRADY: I think we could substitute this,  
9 but then they'd need to look at, look at this.

10 COMMISSIONER McNULTY: Okay.

11 CHAIRPERSON MATHIS: Thoughts from other  
12 commissioners?

13 VICE-CHAIR HERRERA: Madam Chair.

14 CHAIRPERSON MATHIS: Mr. Herrera.

15 VICE-CHAIR HERRERA: If it would be, if it would  
16 be okay, can we take a quick break? I'm drinking plenty of  
17 water. So, I don't want to miss any of this, so I'd like to  
18 see if we can take a five-minute break.

19 CHAIRPERSON MATHIS: Okay.

20 VICE-CHAIR HERRERA: Stick to five minutes.

21 CHAIRPERSON MATHIS: I think that we can do that.  
22 Are you okay with that? Can we have a five-minute  
23 break?

24 Okay.

25 As long as it's five minutes. We'll be timing

1 you. It's 7:06 p.m.

2 (Brief recess taken.)

3 CHAIRPERSON MATHIS: We'll enter back into public  
4 session.

5 The time is 7:11 p.m.

6 WILLIE DESMOND: So this change to Districts 2 and  
7 3, is this something that you want to put into the working  
8 map?

9 Also outstanding is whether or not we change  
10 Districts 23 and 24, Commissioner Herrera's District 28, and  
11 also the changes to Yavapai, La Paz, and Maricopa County  
12 portion of 14 that Commissioner McNulty suggested too.

13 The only change I have right now is just to that  
14 small portion of Litchfield Park.

15 VICE-CHAIR HERRERA: Madam Chair.

16 CHAIRPERSON MATHIS: Mr. Herrera.

17 VICE-CHAIR HERRERA: I would propose that the -- I  
18 think that four-by-four piece in, let's see, in -- where is  
19 it. Going from two to three, that small piece be approved  
20 and put into the working draft map.

21 COMMISSIONER STERTZ: Madam Chair.

22 CHAIRPERSON MATHIS: Mr. Stertz.

23 COMMISSIONER STERTZ: I would propose that we  
24 listen to the folks that came here today looking for both of  
25 the changes that took place, not just moving the

1 four-by-four, but the other, the other changes of cleaning  
2 up 22nd Street and the extension of 12th Avenue.

3 VICE-CHAIR HERRERA: Madam Chair.

4 CHAIRPERSON MATHIS: Mr. Herrera.

5 VICE-CHAIR HERRERA: I would be in favor of that,  
6 but the change -- if we were to adopt that change, that  
7 would be a significant change, and would affect the  
8 majority-minority districts, so I would not be in favor of  
9 that.

10 COMMISSIONER STERTZ: Madam Chair.

11 CHAIRPERSON MATHIS: Mr. Stertz.

12 COMMISSIONER STERTZ: I think we just had heard  
13 from our legal counsel it wouldn't.

14 But I -- if you knew about how Tucson works and  
15 how the areas work and how the streets work, I'm sure that  
16 if we had the opportunity to extend 12th Avenue without  
17 having a population deviation, it would be even better for  
18 us to extend it further south.

19 South of 22nd at that area as completely a  
20 community.

21 So, they talked about it, they recommended it,  
22 taking off the -- by having -- by saying that that little  
23 piece on one side or the other of 12 is just a piece of  
24 their recommendation.

25 I happen to agree with the recommendation that

1 they made, so I would like to, I would like to accept both  
2 of the pieces, not just the small one.

3 CHAIRPERSON MATHIS: Thoughts from other  
4 commissioners?

5 COMMISSIONER McNULTY: Could we go back to  
6 Ms. O'Grady and just get clarification on her comment?

7 When you were talking about the fact that we could  
8 substitute this, were you referring to the small change or  
9 the larger change?

10 WILLIE DESMOND: The -- I believe -- I'm sorry.

11 MARY O'GRADY: Go ahead.

12 WILLIE DESMOND: I just -- there's -- I think  
13 there's three changes that were proposed.

14 The first one -- so the red line is how the  
15 district currently looks.

16 I'll turn on the major roads so you can understand  
17 this.

18 The first set of changes would be just to remove  
19 this little area, 590 people, and move it from District 2  
20 into District 3.

21 The second set of changes was to straighten this  
22 off here at District -- at 22nd Street and continue this  
23 line down all the way until it hit Irvington.

24 That change had the effect of making the HVAP in  
25 District 3 slightly under 50 percent.

1           A kind of compromise between the two, I guess, was  
2 to remove this portion on 22nd Street, move this section,  
3 and go down but just not as far as Irvington.

4           And what that did was it did lower the HVAP  
5 slightly in three, although the ability to elect is still  
6 very high there, but it left it above at 50, at 50.05.

7           I don't know if Mary has advice then.

8           MARY O'GRADY: Well, in response to  
9 Commissioner McNulty's question, I think we could substitute  
10 whatever the Commission approves -- chooses to do tonight  
11 and refer that for analysis and then get Commission  
12 information on whether it affects the viability of these as,  
13 as voting rights districts.

14          VICE-CHAIR HERRERA: Madam Chair.

15          CHAIRPERSON MATHIS: Mr. Herrera.

16          VICE-CHAIR HERRERA: Thank you, Ms. O'Grady, for  
17 explaining that again.

18           I think I would be okay with moving the  
19 compromise. I think that is was the third option that  
20 Mr. Desmond had mentioned. Moving it forward as part of the  
21 working map and getting it sent for analysis.

22          CHAIRPERSON MATHIS: Mr. Stertz, you were okay  
23 with that one, that alternative?

24          COMMISSIONER STERTZ: Madam Chair.

25          CHAIRPERSON MATHIS: Mr. Stertz.

1           COMMISSIONER STERTZ:  As it's shown on the screen  
2 now, that would be yes.  Because I think that that meets --  
3 at least moves the ball down the field as far as what  
4 their -- what the folks look for, and it makes perfect sense  
5 to me.

6           WILLIE DESMOND:  Okay.  So that will be added.

7           CHAIRPERSON MATHIS:  Hearing no objection.

8           WILLIE DESMOND:  Okay.  Going back to our other  
9 changes, do you want to talk about the ones we've looked at  
10 or are there other things that we should explore if we're  
11 going back?

12           CHAIRPERSON MATHIS:  So right now on our list  
13 there's the Herrera 28, the Scottsdale School District  
14 issue, and what else?

15           WILLIE DESMOND:  And the Yavapai County.

16           The one other thing I'd like to flag, no one's  
17 brought up, but there's a -- there is fairly large  
18 population deviations in Districts 16 and 12.

19           I don't know if Mary has anything she wants to say  
20 on that.

21           MARY O'GRADY:  Yeah, I would say if you could take  
22 a look at those areas and see if those deviations can be  
23 minimized -- can be reduced at all, I think it's worth at  
24 least looking at.

25           We are within the 10 percent range, but we do --

1 we can make an effort to reduce those to the extent that we  
2 can.

3 WILLIE DESMOND: I believe that is as a result of  
4 Commissioner McNulty's changes to District 8, which made it  
5 better than benchmark District 23 yesterday.

6 So adding it back into eight as less than ideal,  
7 although to get those deviations slightly down that might be  
8 necessary if we can find some areas that make sense.

9 The other thing I'd be -- if any commissioner has  
10 a thought on how this could be done in a way that makes  
11 sense would be District 23 is currently overpopulated by  
12 5,540 people.

13 If there's any way for it to absorb population  
14 from District 16 and 12, that would be great.

15 The one thing I know is that 12 does seem to run  
16 right along two census place boundaries.

17 So that it would probably introduce a split to  
18 Mesa here, or else it would have to come down, and perhaps,  
19 perhaps 12 can take some of the portion of San Tan from 16.  
20 Something like that.

21 And 16 can take something from 23.

22 Although I don't have, like, anything prepared as  
23 to how this can be done.

24 I just wanted to flag that as an option.

25 COMMISSIONER STERTZ: Madam Chair.

1 CHAIRPERSON MATHIS: Mr. Stertz.

2 COMMISSIONER STERTZ: Mr. Desmond, all of these  
3 adjustments that you need to make are, are a ripple effect  
4 from the changes that Mr. -- that Commissioner Herrera is  
5 recommending?

6 WILLIE DESMOND: No, no, these two changes are --  
7 the fact that 12 and 16 are, are overpopulated is a result  
8 of trying to improve District 8.

9 And, you know, I'm not trying to say that these  
10 are things that have to happen.

11 Mary might want to say that.

12 I'm just pointing out that these are our  
13 two biggest districts, I believe.

14 COMMISSIONER STERTZ: Madam Chair.

15 CHAIRPERSON MATHIS: Mr. Stertz.

16 COMMISSIONER STERTZ: I've spent a bunch of  
17 time looking at Commissioner McNulty's recommendations  
18 for Maricopa County. And I thought that she had made a  
19 extraordinary good representation and design for the  
20 districts that were in Maricopa County. And I would  
21 like to recommend going back to those districts and their  
22 design.

23 As far as the Scottsdale school notch, I'm -- my,  
24 my opinion is, is that we get these other areas cleaned up,  
25 that notch is probably going to go away.

1 I'm just more -- I'm really comfortable with the  
2 direction that Commissioner McNulty took in the greater  
3 Maricopa County metro Phoenix area in her district design.  
4 I'd like to go back to those districts.

5 CHAIRPERSON MATHIS: Is this because you want to  
6 go home?

7 COMMISSIONER STERTZ: No.

8 As I said during break to someone, I said I can --  
9 we can go ahead and continue to argue about districts and  
10 come up with all different kinds of ways that we can  
11 continue to disagree.

12 It's been rare in the nine months that I've been  
13 sitting in this Commission that I can specifically say,  
14 yeah, I've looked at these and I like them.

15 Listen, Commissioner McNulty knows that yesterday  
16 that she and I went toe to toe on Districts 8 and 11 for  
17 two hours.

18 Okay.

19 There is a representative here today that said  
20 that she's just -- she's extraordinarily disappointed by how  
21 8 and 11 turned out.

22 We can start going down that path.

23 But what I'm suggesting is that the districts in  
24 Maricopa County as she contemplated them in this area -- I  
25 mean, I still do not agree with her at all in her, in her 11

1 and 8. Okay. But in the cases of her Maricopa County  
2 splits, I believe that she made some very good and prudent  
3 decisions.

4 I'm not, I'm not agreeing with her in how she  
5 split up La Paz and Yavapai and Mohave. Okay. But she  
6 needed to make a decision with Yavapai that needed to come  
7 down and grab population in Yavapai.

8 The areas that surrounded the midtown area  
9 connected -- had good connection. There was a connection  
10 between, between PV and its adjacent cities, between  
11 Scottsdale and its adjacent cities, between -- it cleaned up  
12 more splits that were taking place in Peoria.

13 It created -- there was a lot of areas that made  
14 sense.

15 So, on this particular occasion, I'm happy to  
16 agree with her.

17 So. . .

18 CHAIRPERSON MATHIS: Thoughts from other  
19 commissioners?

20 VICE-CHAIR FREEMAN: Madam Chair.

21 CHAIRPERSON MATHIS: Mr. Freeman.

22 VICE-CHAIR FREEMAN: Is what's displayed on the  
23 screen now our working --

24 WILLIE DESMOND: No. Sorry.

25 This is still Commissioner Herrera's District 28

1 change.

2 Let me go back to --

3 VICE-CHAIR FREEMAN: It's not necessary. I just  
4 wanted clarification on that.

5 WILLIE DESMOND: Oh.

6 VICE-CHAIR FREEMAN: This -- I mean, we already  
7 talked about this proposal yesterday. And, and as I said  
8 yesterday, to me this proposal reads significant detriment  
9 right out of the constitution.

10 In a district where you've got a legislator who  
11 could represent the corner of McDonald and Scottsdale Road  
12 and also, whatever it is, Happy Valley Highway, and the  
13 border of Peoria and north Phoenix.

14 I don't know what avenue that is, but I'm sure  
15 it's a big number.

16 That is -- that's quite a, that's quite a stretch.

17 You've got Paradise Valley connected with -- by a  
18 narrow corridor to the north valley. Simply because of a  
19 need to pack Republicans together.

20 You've also split, once again, my community by  
21 splitting Paradise Valley off from the Arcadia, Biltmore  
22 area.

23 So I think that's a significant detriment to that  
24 community of interest.

25 It clearly sacrificed a lot in terms of

1 compactness.

2 WILLIE DESMOND: Just -- I -- the red line is the  
3 current working map that Commissioner McNulty proposed  
4 yesterday.

5 This one is that change, but just to reflect  
6 Commissioner Herrera's District 28.

7 So Commissioner McNulty's map does not split,  
8 like, Paradise Valley.

9 I just wanted to --

10 VICE-CHAIR HERRERA: Madam Chair.

11 CHAIRPERSON MATHIS: Mr. Herrera.

12 VICE-CHAIR HERRERA: And just to reiterate that  
13 I'm not splitting Paradise Valley. What I'm doing is  
14 keeping it whole in a different district.

15 And that's -- you know, I respect  
16 Commissioner Freeman but I disagree with him.

17 I don't think anything I did really leads to any  
18 detriment to any of the other three state-mandated goals,  
19 criteria. I think I did -- what I ended up doing is  
20 balancing out all six criteria to the best of my ability  
21 while creating a competitive district that created no  
22 significant detriment to the other goals.

23 But what I want to do and already directed  
24 Mr. Desmond is the -- any changes that are being proposed to  
25 the current working draft, I want to duplicated it in the

1 other -- in my draft, with the exception of the changes to  
2 28, 15, and I think 20 were the three that were affected by  
3 my changes.

4 WILLIE DESMOND: Correct.

5 VICE-CHAIR HERRERA: Thank you.

6 VICE-CHAIR FREEMAN: Madam Chair.

7 CHAIRPERSON MATHIS: Mr. Freeman.

8 VICE-CHAIR FREEMAN: Well, once again the record  
9 has been misrepresented.

10 I did not say Paradise Valley had been split.

11 I said that Paradise Valley, Biltmore, Arcadia  
12 community of interest, that I've spent my whole life in, has  
13 been divided up again in that map.

14 COMMISSIONER McNULTY: Madam Chair.

15 CHAIRPERSON MATHIS: Commissioner McNulty.

16 COMMISSIONER McNULTY: Can I ask about the changes  
17 that I proposed to make Yavapai -- to reduce that -- remove  
18 that split between Yavapai and Mohave County? Was there a  
19 problem with that from the perspective of any commissioner,  
20 or is that something we can incorporate in the working  
21 draft?

22 VICE-CHAIR FREEMAN: Madam Chair.

23 CHAIRPERSON MATHIS: Mr. Freeman.

24 VICE-CHAIR FREEMAN: That was one of the first  
25 things I wanted to comment about it is that the effort to

1 sort of repair LD 13 originally resulted in -- I think it  
2 required another split of Yavapai.

3 But I agree that we've heard a lot from people up  
4 there about keeping Yavapai County as whole as possible. It  
5 essentially constitutes an LD. Now it's got a chunk of  
6 about 51,000 people, I think, taken out of it to put in that  
7 LD 6.

8 But, your effort -- your efforts to sort of repair  
9 it, I think, are good efforts.

10 It keeps it as whole as possible.

11 It does have to dip into urban Maricopa County,  
12 which I don't think folks up there would want, but I guess  
13 if that's the price to be paid for salvaging 13, that's the  
14 price to be paid.

15 COMMISSIONER McNULTY: Madam Chair, I think based  
16 on that I would suggest that we incorporate that in the  
17 working draft. It's one less thing that we need to -- one  
18 thing we can check off.

19 COMMISSIONER STERTZ: Madam Chair.

20 CHAIRPERSON MATHIS: Mr. Stertz.

21 COMMISSIONER STERTZ: Commissioner McNulty, when  
22 you, when you -- let me ask a question about how you --  
23 you've got a -- the portion of Yavapai that you, that you  
24 captured to bring into Mohave is identical in population to  
25 La Paz County.

1           Could we give back La Paz to Mohave, and give the  
2 21,191 out of northwest Yavapai back to Yavapai?

3           COMMISSIONER McNULTY: Yes, that's actually  
4 exactly what we did.

5           Mr. Desmond, could you walk through that again?

6           WILLIE DESMOND: Sure. So --

7           COMMISSIONER McNULTY: That was something that I  
8 proposed earlier tonight.

9           WILLIE DESMOND: Let me just add that other layer  
10 back in, and I'll be able to show you.

11           So essentially what happened is that this portion  
12 of Yavapai went back into District 14.

13           That meant that District 5 was too -- too small.

14           So then District 5 came down and took La Paz.  
15 Five, five was the right size.

16           Thirteen was too small, and at this point 14 was  
17 too big.

18           So to compensate for that, District 13 went in and  
19 took, you know, Wickenburg and Morristown, and brought the  
20 border of 14 and 13 out to the Maricopa County line.

21           Now, District 14 does still come into  
22 Maricopa County now, but it does in the Cave Creek,  
23 New River area.

24           So -- but it does -- you know, this does clean up  
25 the western side of Maricopa County. There's one less split

1 of Goodyear and Buckeye. And District 13 is -- but does not  
2 have La Paz and as still fairly rural.

3 So the map did look like --

4 COMMISSIONER STERTZ: You don't need to go back to  
5 it.

6 WILLIE DESMOND: Okay.

7 Well, the map looked like this, and now it looks  
8 like that.

9 COMMISSIONER STERTZ: Okay.

10 So, 13, 5, 14, in my opinion, all the districts as  
11 were currently designed and put in place by  
12 Commissioner McNulty's maps. And they could be anchored.

13 I'm very satisfied.

14 Again, my argument is right now between 8 and 11.  
15 And that's not an argument that I'm going to win.

16 So I think that Commissioner McNulty has done a  
17 nice job in creating districts. And you just solved the big  
18 one with Yavapai, which is now not splintered up.

19 I wish Gila wasn't split into three.

20 We talked about that yesterday. Determined that  
21 between seven and eight, it became, it became  
22 non-negotiable.

23 Mohave and La Paz are kept whole.

24 Yavapai has now been broken.

25 Has less splints in it.

1           Keeps districts intact.

2           Thirteen is less of a arbitrary capturing of  
3 population by creating a little skinny throat to get to the  
4 body of it.

5           Four is a majority-minority district, which is  
6 left intact.

7           As it was two with the slight adjustments that we  
8 just made.

9           One, we've had no discussion or touching to.

10          Three is a minority-minority district -- majority  
11 district.

12          Nine and ten are the greater Tucson districts, and  
13 both of those are as close to being competitive as any  
14 districts have been in the greater Tucson area in the last  
15 20 years.

16          Now if we could just fix 8 and 11, we've -- you  
17 could get me there.

18          Madam Chair, my kudos to Commissioner McNulty on  
19 the 14, 5, 13 fix.

20          WILLIE DESMOND: Am I clear that this change to  
21 Yavapai, Mohave, La Paz, District 13, is to be included in  
22 the working map?

23          COMMISSIONER STERTZ: Madam Chair, are there any  
24 other outstanding issues other than the --

25          CHAIRPERSON MATHIS: Just answer Mr. Desmond

1     though first.

2                 Yes, I would agree to that.

3                 Hearing no objection, I think that those can go  
4     into the working map.

5                 Sorry, Mr. Stertz.

6                 COMMISSIONER STERTZ:  No, I'm going down the next  
7     path right now.  Is that not. . .

8                 We are, we are, again, growing close to -- I'm not  
9     trying to be -- I'm not trying to dismiss  
10    Commissioner Herrera's redesigns of the greater Phoenix  
11    metro area in those several districts, but there will be a  
12    lot of resistance and hard discussion about those.

13                And I am not sure whether or not the -- well, I'll  
14    just close as saying that in the effort for a lot of, a lot  
15    of compromise that's taking place here, take a real look at  
16    Commissioner McNulty's decisions in these midtown districts,  
17    and I'd like to just leave that up to the commissioner to my  
18    right to tell me whether or not I'm off base and whether or  
19    not he likes these, he likes these midtown districts the way  
20    that Commissioner McNulty's presented them.

21                VICE-CHAIR HERRERA:  Madam Chair.

22                CHAIRPERSON MATHIS:  Mr. Herrera.

23                VICE-CHAIR HERRERA:  I appreciate  
24    Commissioner Stertz's comments.

25                You know, I didn't propose that 28 as I'm

1 proposing it be part of the working map.

2           What I proposing is that we create -- I'm creating  
3 a map that's mirroring what we're doing with the working  
4 map.

5           The only difference would be obviously 28, 20, and  
6 19, those three districts that are affected, would be  
7 slightly different than a working map.

8           And, it's -- if things -- if the working map -- if  
9 you guys end up approving the working map, then I guess  
10 District 28, the way I'm proposing it, will be, will be a  
11 moot point. But if it doesn't get approved, then I will  
12 propose that the -- my version be considered, because I  
13 think it's a, it's a good map.

14           We incorporated all the ideas that we're talking  
15 about to today with -- again, with the exception of those  
16 three districts.

17           VICE-CHAIR FREEMAN: Madam Chair.

18           CHAIRPERSON MATHIS: Mr. Freeman.

19           VICE-CHAIR FREEMAN: Well, if that's what it down  
20 comes down to, why don't we just vote on the -- whether the  
21 Commissioner Herrera's changes are accepted or not in the  
22 working map?

23           CHAIRPERSON MATHIS: What else is outstanding,  
24 commissioners, besides the 28 -- is that the right number,  
25 Mr. Herrera? -- and the Scottsdale change? Are there any

1 other adjustments?

2 COMMISSIONER McNULTY: Do we want to look at  
3 12 and 16 and see if there's any way to edge a little  
4 population up into 23?

5 WILLIE DESMOND: Okay.

6 CHAIRPERSON MATHIS: Mary is nodding yes.

7 WILLIE DESMOND: All right.

8 One thing we can do from 16 would be to take a  
9 little bit more -- there is a split already between Mesa and  
10 25, Mesa and 16.

11 Perhaps 25 could just take a little bit more  
12 population.

13 Twenty-five is overpopulated by 3,935 people.  
14 However, 16 is overpopulated by 10,128. Balancing those  
15 both out probably would be a good thing to do.

16 As far as District 12 goes, District 17 doesn't  
17 have much room to absorb any population. It is also  
18 overpopulated.

19 So that's not an ideal situation.

20 Looking at some of the areas as far as HVAP go,  
21 it's possible that District 8 could absorb a little bit from  
22 District 12, without having a terribly large effect on its  
23 ability to be better than District 22. Or 23.

24 I mean, let me just. . .

25 Like, for instance, just taking this back to the

1 border would move 2,314 people. That would make District 12  
2 still overpopulated, but only by 6,815 people.

3 District 8 would be closer to ideal population  
4 also.

5 So there's -- that's a less than ideal thing,  
6 because District 8 is a district that we're, we're going to  
7 bring to the Department of Justice right now, but it might  
8 be something worth exploring.

9 I leave it to Mary to see if the cost to  
10 District 8 as a voting rights district for Justice is  
11 outweighed by the fact that District 12 will be closer to  
12 ideal population size.

13 MARY O'GRADY: Madam Chair, and I don't -- did you  
14 give all the numbers?

15 WILLIE DESMOND: So this will take District 8 from  
16 an underpopulation -- or District 12, excuse me, from  
17 overpopulation of 9,129 people to an overpopulation of  
18 6,815, which would be a deviation that would go from  
19 4.28 percent down to 3.2 percent.

20 MARY O'GRADY: And the minority impact?

21 WILLIE DESMOND: So currently District 8 has a  
22 voting age Hispanic percentage of 31.33.

23 With this change, that percentage drops, 31.24.

24 COMMISSIONER McNULTY: Can we look at that as the  
25 last resort rather than as the first choice?

1 WILLIE DESMOND: Okay.

2 COMMISSIONER McNULTY: Can we go up to 23 and, you  
3 know, start there and see what we might add to that from 16?

4 WILLIE DESMOND: Sure.

5 Twenty-three does currently end at the  
6 Maricopa County line.

7 So it could go into Pinal County north of  
8 Apache Junction, Gold Canyon. It could also come in and  
9 take a portion of Mesa in District 16.

10 There's really no way for District 23 to, to grow  
11 through Tempe and this part of Mesa and Scottsdale, because  
12 those are all voting rights districts.

13 So. . .

14 Is there a preference as to where to start, in  
15 either Apache Junction or Mesa?

16 MARY O'GRADY: And, commissioner, just referring  
17 back to some public comment in the Las Sendas area at the  
18 Maryvale hearing, we did hear from a representative of that  
19 community that some of that was in 16 and they wanted it to  
20 be moved into 25, which is up on that north -- by moving the  
21 line over to Power Road which is up in the northwest corner  
22 of 16.

23 I don't know if that helps in addition to looking  
24 at some other switches into 23.

25 COMMISSIONER McNULTY: It seems like that would

1 help a little bit.

2 WILLIE DESMOND: So, if, if we're just doing a  
3 swap between 25 and 16, we could either do something like  
4 this, move 3,000 people -- never mind.

5 So something like this would move 2,147 people  
6 from District 16 into District 25.

7 District 16 would go from a positive deviation of  
8 10,128, which is 4.75 percent, to a positive deviation of  
9 7,981, which is 3.75 percent.

10 Additionally District 25 would grow from a  
11 positive deviation of 1.85 to a positive deviation of 2.85.

12 Just so it's clear what area we're talking about  
13 here, this would be continuing over on McKellips, until it  
14 hits, it looks like, Usery Pass Road.

15 So. . .

16 This is Usery Pass.

17 This is McKellips.

18 This doesn't address any of the issues in 12, but  
19 it does help 16 quite a bit.

20 COMMISSIONER McNULTY: And it doesn't introduce  
21 another split.

22 WILLIE DESMOND: It does not.

23 COMMISSIONER McNULTY: Okay.

24 That seems like a good idea.

25 Should we look down at 12 and see if there's

1 anything there that could be. . .

2 WILLIE DESMOND: Before we do, is this something  
3 we should do or not?

4 CHAIRPERSON MATHIS: Commissioners, how do you  
5 feel about that change? This is all for the population  
6 balancing of 12 and -- 16?

7 WILLIE DESMOND: This would be a population  
8 balance of 16 and 25.

9 COMMISSIONER STERTZ: Madam Chair, how do we, how  
10 do we -- seven is the, is the most glaring district of  
11 population deviation.

12 WILLIE DESMOND: That's right.

13 COMMISSIONER STERTZ: I understand we're trying to  
14 get narrower between the ditches here, but seven is the one  
15 we've got our biggest deviation on.

16 CHAIRPERSON MATHIS: Ms. O'Grady, do you want to  
17 explain that or answer that?

18 MARY O'GRADY: Well, seven is one of the voting  
19 rights districts, so all of our voting rights districts are  
20 low, and we can certainly justify that deviation.

21 So we're looking at trying to focus on the  
22 non-voting rights districts and to see if any of those  
23 areas -- those deviations can be reduced.

24 COMMISSIONER STERTZ: So, in your opinion, seven,  
25 as it currently exists, is -- we should let that stay

1 status quo?

2 MARY O'GRADY: Yeah. As a legal matter you don't  
3 need to adjust the District 7 deviation.

4 VICE-CHAIR HERRERA: Madam Chair.

5 CHAIRPERSON MATHIS: Mr. Herrera.

6 VICE-CHAIR HERRERA: That was also the opinion of  
7 Bruce Adelson, and also that is the map that the, that the  
8 native tribes in the district favor.

9 So I'm okay with keeping that deviation the way it  
10 is.

11 COMMISSIONER STERTZ: Madam Chair.

12 CHAIRPERSON MATHIS: Mr. Stertz.

13 COMMISSIONER STERTZ: Part of, part of the reason  
14 why I was asking for the population or registration of each  
15 one of the districts was because voters rights districts  
16 trend and tend to be a lower registration by district.

17 And I am okay with -- the reason I was asking  
18 about seven is because seven actually has a higher  
19 percentage of voter registration in that district than the  
20 other voters rights district.

21 So even though we've got a lower population, we  
22 actually have a higher percentage of voter registration,  
23 which is -- by comparison to the other ten districts is  
24 actually nominal.

25 So, so I'm comfortable with leaving that district

1 underpopulated, if that's the recommendation of counsel and  
2 consultants.

3 COMMISSIONER McNULTY: Can we look at 12?

4 WILLIE DESMOND: Just still -- is this --

5 COMMISSIONER McNULTY: Why don't we lock that.

6 WILLIE DESMOND: Okay.

7 Here's 12.

8 It is overpopulated by 9,129 people, which is a  
9 positive deviation of 4.28 percent.

10 COMMISSIONER McNULTY: Ms. O'Grady, can we justify  
11 that? You know, we've done a lot of work in that corner of  
12 the state.

13 We've kept Chandler in two districts. We've kept  
14 Gilbert as whole as we can. We've kept Queen Creek as whole  
15 as we can.

16 We have addressed splits in Mesa to try to reduce  
17 those.

18 All those things have been done with the result  
19 that 12 is a little more over populated than it might  
20 otherwise be, but I'm not seeing any logical way there to  
21 address that, unless we do another split someplace.

22 MARY O'GRADY: Okay. And that's what -- and  
23 that's the exercise we need you to do to look and see if  
24 there are alternatives that could reduce the deviation. And  
25 if there's not, based on the other constitution criteria,

1 then we're fine as long as we're in -- within the  
2 constitutional range. And we are.

3 COMMISSIONER McNULTY: I would also say that  
4 we're -- you know, we've got District 27, which is a voting  
5 rights district, just on the other side of 17, the Chandler  
6 district.

7 We've got 26, which is a voting rights district  
8 that we've done a lot of work on.

9 And we've worked on population sharing between  
10 18 and 26 to bolster that voting rights district.

11 And all of those things, coupled with the things  
12 the things I just described -- I'm sorry. We have a voting  
13 rights district, 27, which is just west of 17 which is  
14 adjacent to 12.

15 And we've done population sharing between 27 and  
16 18 to improve the voting rights district.

17 We've done population -- and just north of that is  
18 District 26, which is also a voting rights district.

19 We've done population sharing between 18 and 26 to  
20 improve that voting rights district.

21 And all of those things coupled with the things I  
22 just described about Chandler and Gilbert and Queen Creek  
23 and Mesa, in keeping those municipalities from being further  
24 divided, all contribute to the current population of 12.

25 So should we go back up to 16 and 23?

1 WILLIE DESMOND: So you want to look, again, at  
2 the balance between 25 and 16, or do you want to see if  
3 there's a way for 23 to come in and take some population  
4 from 16?

5 COMMISSIONER McNULTY: What about those  
6 unincorporated areas? Does that make any more sense,  
7 or. . .

8 WILLIE DESMOND: I'll take a look.

9 COMMISSIONER McNULTY: Or does that make less  
10 sense?

11 WILLIE DESMOND: I don't think there's a lot of  
12 population there.

13 If we do some small, small, small splits of Mesa  
14 here, some of these areas that are city islands and county  
15 islands.

16 COMMISSIONER McNULTY: And that's all  
17 interspersed, so -- I like what you did -- I like what you  
18 did earlier better because it doesn't introduce another  
19 split into Mesa, but it does help a little bit to balance  
20 the population.

21 WILLIE DESMOND: So, like, this area right here  
22 has about 1700, 1800 people.

23 I would do a split of Mesa, but it would also  
24 help.

25 Twenty-three certainly can grow, but. . .

1           COMMISSIONER McNULTY: I'd rather not split Mesa  
2 again, if we can avoid it. I'd rather pursue your first  
3 proposal.

4           WILLIE DESMOND: Okay. Just to refresh you on  
5 that one.

6           COMMISSIONER McNULTY: That would also be a county  
7 split if we did it the other way; right?

8           WILLIE DESMOND: No, we would be able to stay  
9 within Maricopa County here.

10           The county line, let me go a little heavier.  
11           The county line runs right here.

12           VICE-CHAIR HERRERA: Madam Chair.

13           CHAIRPERSON MATHIS: Mr. Herrera.

14           VICE-CHAIR HERRERA: The -- District 23 as it is  
15 now is -- it's not underpopulated. It's actually almost  
16 ideal.

17           So what is the rationale of making those changes?  
18 Is it, is it because of 16 being a little overpopulated? I  
19 can certainly -- if that's the case, it's still under the  
20 five percent threshold that we talked about.

21           WILLIE DESMOND: I guess the thinking being  
22 that since it's kind of been the policy of the Commission  
23 to underpopulate voting rights districts to the extent that  
24 it helps improve their performance, the rest of the  
25 districts that are not voting rights districts might have to

1 share some of that burden and have kind of a pseudo-ideal  
2 population that's somewhat a little bit above the 213,067  
3 that, that would be ideal if all districts were of equal  
4 size.

5 COMMISSIONER STERTZ: Madam Chair.

6 CHAIRPERSON MATHIS: Mr. Stertz.

7 COMMISSIONER STERTZ: Could you bring up the  
8 street layer on that as well? Because if you just -- I want  
9 to make sure that we're not interrupting.

10 WILLIE DESMOND: So what this would do is  
11 District 25 will continue, continue east on McKellips --  
12 McKellips, sorry, will continue east on McKellips until it  
13 hits Usery Pass Road, and it will continue up Usery Pass  
14 Road to, to the border with 23 and Indian reservation.

15 Currently District 25 runs up at 76th Street, over  
16 at Hermosa Vista, and then up at 84th Street.

17 So move backward.

18 COMMISSIONER STERTZ: Madam Chair.

19 CHAIRPERSON MATHIS: Mr. Stertz.

20 COMMISSIONER STERTZ: You can actually go all the  
21 way up to the county line to the right, pick up that  
22 unincorporated area, that last little piece.

23 WILLIE DESMOND: Well, the issue is that 16 does  
24 not have much -- or 25, excuse me, does not have much  
25 population to grab.

1           It could take a little bit more, yes, if we were  
2 to do something like. . .

3           COMMISSIONER STERTZ: Go to the block level. You  
4 can follow.

5           WILLIE DESMOND: Yeah.

6           So if we went to the block level, District 25  
7 continued.

8           COMMISSIONER STERTZ: Grab that little notch  
9 down. . .

10          That's 31.

11          WILLIE DESMOND: 3161. And then District 25 would  
12 be overpopulated by 7,096.

13          District 16 would be overpopulated by 6967.

14          Deviations of 3.33 and 3.27.

15          So, yes, that would, that would balance those two  
16 very well.

17          COMMISSIONER STERTZ: Great.

18          WILLIE DESMOND: Just so I can pull out you can  
19 see how that looks.

20          The area in red would be included with  
21 District 25.

22          COMMISSIONER STERTZ: Madam Chair.

23          CHAIRPERSON MATHIS: Mr. Stertz.

24          COMMISSIONER STERTZ: It seems like a reasonable  
25 swap to marry districts. The districts are demographically

1 very consistent with one another.

2 I've -- it's been probably a year since I've been  
3 up in those neighborhoods. They're -- those being split  
4 into two legislative districts, the legislators in that area  
5 probably all know each other and probably represent 25 and  
6 16 fairly consistently. So, I see no problem with a split  
7 like this. And it balances population.

8 COMMISSIONER McNULTY: Does that get us where we  
9 need to be, Ms. O'Grady, do you think?

10 MARY O'GRADY: It does seem like this will help as  
11 well.

12 3.3 and 3.27. So that, that does help.

13 CHAIRPERSON MATHIS: The time is 8:00 p.m. So  
14 we'll take a five-minute break.

15 (Brief recess taken.)

16 CHAIRPERSON MATHIS: Okay. We'll enter back into  
17 public session.

18 The time is 8:07 p.m.

19 And I think we just found a central solution for  
20 population balancing.

21 COMMISSIONER STERTZ: Madam Chair.

22 CHAIRPERSON MATHIS: Mr. Stertz.

23 COMMISSIONER STERTZ: Before we left and went to  
24 break, there was -- it was a -- left with sort of a dangling  
25 decision. And, and we could ask counsel if, just to put on

1 the record, that the concept of -- of the reason why we  
2 would, even though we're overpopulated in districts, why we  
3 would want to make this modification now for the record of  
4 balancing these two districts as we -- as we're  
5 contemplating.

6 MARY O'GRADY: Madam Chair, commissioners, this is  
7 just part of an effort to look at all the deviation -- the  
8 deviations and reduce them to the extent we can.

9 And then so this does help reduce some of the  
10 higher -- the deviation in 16.

11 And to the -- in other areas where we have not  
12 been able to, as it was explained, there are issues with  
13 running into voting rights districts and also trying not to  
14 create additional splits with municipalities. So we're  
15 doing -- the Commission has been doing the best it can to  
16 reduce, but also recognizing and respecting the other  
17 constitutional criteria.

18 COMMISSIONER STERTZ: So, Madam Chair.

19 CHAIRPERSON MATHIS: Mr. Stertz.

20 COMMISSIONER STERTZ: If I understood that  
21 correctly, if even though we're just pushing puppies from  
22 one box to another box and the puppies are the same, it's  
23 still is a better record to have saying that we made the  
24 attempt to try to balance population, even though both  
25 district are still overpopulated.

1           MARY O'GRADY: Right. Because they are -- we are  
2 reducing our high end districts, the deviation from the  
3 ideal.

4           COMMISSIONER STERTZ: Then based on the, on the  
5 map that was showing on the screen, I happen to agree with  
6 it in its entirety.

7           WILLIE DESMOND: I'm sorry about that.

8           I forgot that I was broadcasting.

9           This whole process would be so much easier.

10          COMMISSIONER STERTZ: Madam Chair, I'd recommend  
11 the action of the movement of population as described.

12          CHAIRPERSON MATHIS: Any objections or thoughts on  
13 that?

14          I shouldn't say other objections. There were no  
15 objections, but. . .

16          Okay. It seems like everybody's in agreement then  
17 on that.

18          WILLIE DESMOND: I just want to also -- any  
19 members of the public who might have just received a block  
20 equivalency file, it could be changed if I find  
21 noncontiguous areas. Just a fair word of warning.

22          CHAIRPERSON MATHIS: Actually, speaking of the  
23 public, we have two request to speak forms, and I thought  
24 we'd go ahead and take those, if that's okay with everybody.

25          Okay. Steve Muratore, publisher, Arizona

1 Eagletarian.

2 STEVE MURATORE: Thank you, Madam Chairman,  
3 commissioners. My name is Steve Muratore, M-U-R-A-T-O-R-E.

4 Very briefly I wanted to mention  
5 Commissioner Stertz had brought up that one of the changes  
6 that was recommended yesterday was brought up by a  
7 representative of Scottsdale schools, and I wanted to make  
8 clear that the gentleman that he was referring to, a  
9 Dr. Michael Rubinoff, is not a representative of Scottsdale  
10 schools.

11 He is instead a film professor at ASU and a  
12 resident of south Scottsdale, so. . .

13 The other thing I wanted to say is, I'm wondering,  
14 and nothing personal against anybody, but I'm just wondering  
15 why Mr. Freeman's community of interest would be more  
16 important than mine.

17 He mentioned that he's concerned about his  
18 community of interest being torn apart. And I, of course,  
19 have indicated my concern with the congressional map on that  
20 regard too.

21 Mine isn't going to be addressed, I don't think.  
22 And my point is that nobody on the panel's community of  
23 interest is sacred any more than any other citizen.

24 I just wanted to make that point.

25 Thanks.

1           CHAIRPERSON MATHIS: Thank you.

2           Our next speaker is Mike Flannery, from Yavapai  
3 County.

4           MIKE FLANNERY: Madam Chair, Mike Flannery,  
5 M-I-K-E, F-L-A-N-N-E-R-Y.

6           Madam Chair, commissioners, first of all, I want  
7 to start by saying thank you all. I know that this has been  
8 a very trying experience for each and every one of you.

9           And the majority of you have had to endure  
10 personal issues as well, and hope you make well on those  
11 issues as well.

12           I came down here today because of a map change  
13 that had occurred.

14           And I am keenly aware that if you want to make  
15 somebody happy with something they're not really happy with,  
16 show them how bad it could be.

17           And you did that. And thank you,  
18 Commissioner McNulty, for making that change to Yavapai  
19 County.

20           I am certainly happy with the way it looks now.  
21 So thank you very much.

22           I, as you know, started out with Yavapai County  
23 being whole.

24           I'll give up on that now, but you certainly have  
25 shown me that it could be a lot worse. So I appreciate

1 that. So thank you very much.

2 And with that, happy holidays, everyone. Thank  
3 you.

4 CHAIRPERSON MATHIS: We should have employed that  
5 strategy earlier in the process.

6 Okay.

7 Our next speaker is Josh Offenhartz, representing  
8 self, from Scottsdale.

9 JOSH OFFENHARTZ: Last name is Offenhartz,  
10 O-F-F-E-N-H-A-R-T-Z.

11 I'd just like to start by wishing the Commission  
12 and the audience a happy first night of Hanukkah.

13 Some of us are giving up our holiday time to be  
14 here, because this is a very tense and important effort.

15 With that said, I would like to clarify Steve's  
16 remarks on Mr. -- Dr. Rubinoff. He is an active citizen in  
17 south Scottsdale.

18 I don't want to put testimony in for him, but I  
19 know that he is actively working with the superintendent of  
20 the Scottsdale Unified School District as well as local  
21 leaders to present his ideas, along with myself.

22 And so while we don't speak for the school  
23 district, we have asked them to weigh in on the proposed  
24 change.

25 I would like to advocate for the change in the

1 final map and remind you that the proposal that we had  
2 initially submitted also had negligible effects on the  
3 voting rights district and would have addressed the  
4 compactness issues as they stand now.

5 So we, you know, strongly encourage you to accept  
6 that change into the working map and final draft.

7 With that said, I'd like to echo the sentiments of  
8 the previous gentleman that I do believe that the McNulty  
9 compromise is a compromise. I think that in terms of LD 23  
10 it works very well. In terms of 28, especially the  
11 testimony that we heard from Paradise Valley today, that it  
12 is a very good compromise.

13 I would urge all of the commissioners to focus  
14 their attention in that direction as we move forward,  
15 especially those regions as opposed to something that I  
16 think we've heard is a little bit more drastic with the  
17 Herrera proposal.

18 With that said, Commissioner Herrera, we do  
19 appreciate competition, and so we would like to see that for  
20 the area.

21 But with that said, I'd like to reiterate that  
22 personally I find the McNulty compromise a great addition.

23 Thank you.

24 COMMISSIONER STERTZ: Madam Chair.

25 CHAIRPERSON MATHIS: Mr. Stertz.

1           COMMISSIONER STERTZ: Just as, just as a  
2 clarification, Mr. Muratore was making comment on a piece of  
3 testimony that I put into the record. I had given -- I was  
4 given the impression by his testimony that he was  
5 representing the Scottsdale School District. And Mr.  
6 Muratore was just clarifying that he was not, and you've  
7 just reaffirmed that, so I appreciate that.

8           JOSH OFFENHARTZ: Correct. I don't think he was  
9 intending to speak for the school district.

10           I know that the superintendent had spoken with  
11 Dr. Rubinoff, and was going to try and come out to speak on  
12 his own behalf for the school district, but obviously that's  
13 not the case.

14           COMMISSIONER STERTZ: Thank you.

15           CHAIRPERSON MATHIS: Okay.

16           Any one else from the public who wanted to address  
17 the Commission?

18           (No oral response.)

19           CHAIRPERSON MATHIS: Okay. Thank you.

20           WILLIE DESMOND: I think the only other thing we  
21 had besides the District 28 and the south Scottsdale was  
22 trying to remove a little population from District 12.

23           We wanted to try to do that without affecting  
24 District 8.

25           So, one thing we could possibly look at is

1 District 17, though overpopulated by 7600 people, and  
2 District 18, overpopulated by 5800 people, are our high.  
3 Maybe we could move just 1,000 or 2,000 people from  
4 District 12 into District 17, and then 1,000 people from  
5 District 17 into District 18.

6 And that would perhaps bring District 12 down  
7 below the four percent population deviation, and might do  
8 something.

9 COMMISSIONER McNULTY: I think I had just  
10 explained why it was that we felt we had made all the  
11 adjustments to 12 that we needed to make, given that it's  
12 surrounded by voting rights districts and we have respected  
13 municipal lines and comments from the various municipalities  
14 there.

15 WILLIE DESMOND: Okay.

16 VICE-CHAIR HERRERA: Madam Chair.

17 CHAIRPERSON MATHIS: Mr. Herrera.

18 VICE-CHAIR HERRERA: I agree with  
19 Commissioner McNulty's explanation of why 12 is the way it  
20 is, and I would propose that we don't deviate from that.

21 COMMISSIONER McNULTY: I would add that more --  
22 District 16 shares a boundary, a county, its northern  
23 boundary is the county line, and that any additional change  
24 we would make on the north side of that district would  
25 involve an additional split of a county, and extending the

1 district over into Pinal County.

2           And for that reason I wouldn't want to do that  
3 either.

4           I think the change we made to 16 that Mr. Stertz  
5 organized is a good change. It helps balance the  
6 population. But I wouldn't want to move the district line  
7 over into Pinal County.

8           Madam Chair, would it make sense to leave it at  
9 this and if, you know, Strategic Telemetry or legal counsel  
10 come up with any other ideas that don't conflict with what  
11 we just talked about, they could bring those to us when they  
12 do the technical changes?

13           WILLIE DESMOND: Okay.

14           All right. Then the two outstanding issues I  
15 think are south Scottsdale and District 28,  
16 Commissioner Herrera's map.

17           VICE-CHAIR HERRERA: Madam Chair.

18           CHAIRPERSON MATHIS: Mr. Herrera.

19           VICE-CHAIR HERRERA: The -- my changes I that  
20 mentioned before to 28 are trying to parallel the working  
21 draft map, and the only difference would be in 28, 15, and  
22 possibly 20.

23           What I don't want to do is -- I mean, because  
24 right now what I have to do is be able to balance out the  
25 population between those three districts.

1           I don't want to spend the time and waste anybody's  
2 time here unless the draft map isn't approved. Then if  
3 that's the case, then I will definitely make the changes  
4 tonight.

5           CHAIRPERSON MATHIS: Thoughts from other  
6 commissioners?

7           COMMISSIONER McNULTY: I just reiterate my concern  
8 about 23 and 24.

9           I prefer not to introduce something that's that --  
10 the opposite of compactness into that district. So my  
11 earlier comments stand.

12           I would prefer to -- last night we had talked  
13 about leaving the voting rights district as it was. And  
14 then I think we ultimately substituted that version. But I  
15 would really prefer to leave the voting rights district as  
16 it was for the reasons I explained earlier.

17           VICE-CHAIR HERRERA: Madam Chair.

18           CHAIRPERSON MATHIS: Mr. Herrera.

19           VICE-CHAIR HERRERA: The, the working draft map as  
20 it is now, it does not incorporate those changes we were  
21 talking about yesterday; correct?

22           WILLIE DESMOND: The working draft map does.

23           VICE-CHAIR HERRERA: Okay. I would be in favor of  
24 reversing those changes.

25           WILLIE DESMOND: So the green line is the previous

1 working map, black line is the working map as of today.

2           Again, the high school, I think, was located right  
3 here. That's the -- for the switchback it's been called.

4           VICE-CHAIR HERRERA: Madam Chair.

5           CHAIRPERSON MATHIS: Mr. Herrera.

6           VICE-CHAIR HERRERA: I would be supportive of  
7 moving back those lines as we had them before. I think  
8 we -- those are the changes that we -- the map that it was  
9 before, I guess, the -- going back to the working draft map,  
10 the original one before the -- we proposed those changes.

11           And also I think we -- Mr. Desmond had said that  
12 those changes were not sent for analysis.

13           WILLIE DESMOND: I don't think this switchback was  
14 switch for analysis, no.

15           VICE-CHAIR HERRERA: Oh, okay.

16           But just in case if they were and we're somehow  
17 missing it, then I would propose that we not have Mr. King  
18 or Mr. Strasma look at those proposed changes.

19           WILLIE DESMOND: Well, we'll be sending continual  
20 working maps until the Commission adopts something.

21           So the issue would be do you want the switchback  
22 in a working map? Or would you like it to look like it did  
23 in the previous iteration? Or, would you like to look at  
24 something different, or new, another solution?

25           COMMISSIONER STERTZ: Madam Chair.

1 CHAIRPERSON MATHIS: Mr. Stertz.

2 COMMISSIONER STERTZ: We're really -- however we  
3 spin this on this little corner is however we spin it.

4 Honestly, it's, it's -- I'm looking at  
5 Districts 15 and 28. Commissioner McNulty's looking at 23,  
6 24.

7 If we're -- if we -- I'm looking at how they're  
8 currently configured in the McNulty map right now.

9 This little piece, this little change from all  
10 aspects is not consequential.

11 We make big sweeping changes to 28 by trying to  
12 carve up 15, and we start going down that path, this  
13 discussion on this little piece is really not real relevant  
14 by comparison to what happens if we start going down another  
15 path.

16 So I'd like to talk -- so I'd like to jump this  
17 piece just for a second and talk about whether or not we can  
18 start looking at whether or not this Commission wants to  
19 look closely at Commissioner Herrera's current  
20 recommendations for modifications of these central Phoenix  
21 districts.

22 VICE-CHAIR HERRERA: Madam Chair.

23 COMMISSIONER STERTZ: We're talking about a couple  
24 of blocks being moved around here.

25 And in another area we're talking about cities and

1 transportation corridors and large, large substantive  
2 changes.

3 CHAIRPERSON MATHIS: Okay.

4 COMMISSIONER STERTZ: So.

5 CHAIRPERSON MATHIS: Mr. Herrera.

6 VICE-CHAIR HERRERA: As I said before, the --  
7 there's some tweaking that I still need to do to that  
8 particular map to deal with balance out the population,  
9 everything else being equal or being very similar to the  
10 working draft map that we're looking at now.

11 And, again, if -- I don't want to waste anyone's  
12 time, if, if, if the working draft map ends up getting  
13 approved.

14 I think you had asked Commissioner Freeman the  
15 same thing on District 9. District 9 was a, a --  
16 Congressional District 9, excuse me, was a area that  
17 Commissioner Freeman had concerns.

18 And you had asked Commissioner Freeman if he  
19 wanted to tackle some of these issues that he had with  
20 District 9.

21 And I think his -- and I'm not going to quote him,  
22 but I think he was -- basically said that if it's going to  
23 be approved, then I'm not going to waste my time.

24 But, you know, I don't want to speak for him, but  
25 I think that's why he ended up not tackling that issue.

1           Again, I will tackle that issue if, if the map  
2 doesn't get approved the way it is, yeah, I'll definitely --  
3 I'll make the changes that I've been recommending and spend  
4 the time.

5           And I think I would be able to do it tonight.

6           COMMISSIONER STERTZ: Madam Chair, I'd like to,  
7 I'd like to see us move forward with the map as we -- as  
8 it's currently contemplated.

9           If Commissioners McNulty and Herrera feel adamant  
10 about the 23, 24 change, then go back to the, go back to the  
11 original design.

12           Scottsdale community -- Scottsdale School District  
13 is, is broken up in other areas, if they feel that strongly  
14 about it.

15           I feel very strongly about what  
16 Commissioner McNulty has done to design in, in the  
17 mid-Phoenix area, Paradise Valley area, its connection to  
18 its surrounding area.

19           And I will argue at great lengths to retain the  
20 work product that she's created.

21           And I think that I'll probably -- I'm not sure  
22 whether or not I'll be able to argue successfully, but I  
23 know that it would be -- I think that I can create enough  
24 testimony that it would -- it makes sense.

25           And I think that we can take this down to the

1 street and block level, the transportation corridor level,  
2 communities of interest level, geographic feature level.

3 She's also overlaid districts that, that meet as  
4 much criteria as we can possibly meet in these legislative  
5 districts. And I'd like to, like to hold to the lines that  
6 she's drawn.

7 And if one of those includes the little tail on  
8 23, then back it off and go back to the way it was.

9 I'd like to see this map moved down the field the  
10 way that it is.

11 CHAIRPERSON MATHIS: Thoughts from other  
12 commissioners?

13 VICE-CHAIR FREEMAN: Madam Chair.

14 CHAIRPERSON MATHIS: Mr. Freeman.

15 VICE-CHAIR FREEMAN: Just to correct yet another  
16 misrepresentation on the record.

17 With respect to CD 9, I did propose various  
18 alternative, alternative fixes to that district, even  
19 calling out canals and specific streets, and how the changes  
20 might be accommodated by moving the line up in through  
21 Scottsdale.

22 So it is not the case that I proposed -- I did not  
23 want to tackle it.

24 I did make numerous proposals trying to address  
25 that issue and respect that community of interest.

1 CHAIRPERSON MATHIS: Thank you.

2 Any thoughts from any other commissioners?

3 COMMISSIONER McNULTY: I would say I appreciate  
4 Commissioner Stertz's comments.

5 And on 23 and 24, I'm just uncomfortable about  
6 that where it's going to be there for ten years. I don't  
7 think it's a good reflection on our map making skills, and I  
8 would prefer to go back to where we started yesterday  
9 morning on that district.

10 I know it's not a huge thing in the scheme of  
11 things, but I do think the optics of it are problematic.

12 I think it compromises compactness in a voting  
13 rights district. And I just prefer to keep the voting  
14 rights district previously as we had submitted it.

15 VICE-CHAIR HERRERA: Madam Chair.

16 CHAIRPERSON MATHIS: Mr. Herrera.

17 VICE-CHAIR HERRERA: Can we direct Mr. Desmond to  
18 move the lines back to the original -- they were there this  
19 morning -- I mean yesterday morning?

20 COMMISSIONER STERTZ: Again, Madam Chair.

21 CHAIRPERSON MATHIS: Mr. Stertz.

22 COMMISSIONER STERTZ: Can we, can we move forward  
23 with the, with -- I'd like to get a, I'd like to get a feel  
24 from the rest of the Commission about how they feel about  
25 the mid-Maricopa districts.

1           And I am not disagreeing with you to -- this is a,  
2 this is a weird little notch here. And from a map -- from  
3 just a map drawing point of view, it's a weird little notch  
4 and you have to give a reason for it.

5           And you're going around a neighborhood to pick  
6 another neighborhood because of a voters rights issue. And  
7 typically you wouldn't -- you'd never see this if there was  
8 a previously submitted map, you would have made some other  
9 adjustment somewhere else to make it work.

10           So, and -- the one thing that I do know is  
11 that once our voters rights analysis comes back, and if  
12 the analysis does show that they'd like to make subtle  
13 adjustments, this may be one of the adjustments that  
14 we're going to go back to and say can we clean up this area  
15 to be able to meet this, this district's represent --  
16 district's concept of pulling out their schools into that  
17 district.

18           But, I would like to see where we are on the map.

19           Again, I'm -- there's been really positive  
20 improvement.

21           Again, I hate 8 and 11.

22           I just want to state that. I wish we could fix  
23 that.

24           But this is something that's, that's very  
25 strong -- strongly put into place, and this is sort of like

1 CD 9.

2 I've got -- we've got three commissioners that  
3 wanted to lock CD 9.

4 We've got -- we also know that by the vote  
5 yesterday by a 3-2 vote that the 8, 11 is going to be that  
6 way. That was a decision that was made yesterday by, by the  
7 majority of the Commission.

8 I'd like to encourage this Commission to move  
9 forward on this map and send this, again, with the same,  
10 with the same contemplation as we -- as was just crafted by  
11 Commissioner McNulty on the, on the congressional map that  
12 there is -- that this takes it to the next level, which goes  
13 to analysis by voters rights. This goes to, this goes to  
14 consultant to clean up edges. Goes to looking at major  
15 arterials and collectors, if that is -- that if it is a  
16 sensible change to make off of a, off of a local street,  
17 where there's no significant change to that district, where  
18 there might be a pickup of zero population to clean up  
19 areas, as we found in LD 13 with Litchfield Park, and move  
20 this, move this map down the field.

21 COMMISSIONER McNULTY: Madam Chair.

22 CHAIRPERSON MATHIS: Ms. McNulty.

23 COMMISSIONER McNULTY: Would you entertain a  
24 motion?

25 CHAIRPERSON MATHIS: I would.

1           COMMISSIONER McNULTY: I would move that we drag  
2 Mr. Desmond to -- let me, let me start over.

3           Mr. -- let me ask Mr. Desmond a question.

4           Have we made all the changes that we've discussed  
5 today to the working map with the exception of this 23, 24  
6 change and the 28 change that Mr. Herrera has described?

7           WILLIE DESMOND: Just so I'm clear, the changes I  
8 have to the working map are Litchfield Park, the zero  
9 population area.

10           The changes between Legislative District 2, 3 on  
11 22nd Street and 8th Avenue.

12           The Yavapai split has been removed.

13           Change to District 26 and 27 to improve those and  
14 balance population.

15           And a population balance between Districts 15 and  
16 16 -- or 25 and 16, that we just did.

17           Is there any other changes I'm missing?

18           (No oral response.)

19           WILLIE DESMOND: If not, those are the only  
20 changes I have.

21           So I believe the only outstanding changes that we  
22 have at this point are this, this difference between 23 and  
23 24 in Scottsdale and Commissioner Herrera's District 28.

24           COMMISSIONER McNULTY: Can you make the change in  
25 23 and 24 to revert to --

1 WILLIE DESMOND: Yes.

2 COMMISSIONER McNULTY: -- what we did -- can you  
3 do that right now?

4 WILLIE DESMOND: Yes.

5 So, just to show what that would look like,  
6 District 23 and 24, again, look like this.

7 So to the streets that affects, District 23 would  
8 run along Osborn until it hits Hayden and then it would go  
9 across, I believe, at Oak.

10 As had been in the previous working map.

11 COMMISSIONER McNULTY: So now it's configured as  
12 it was when we submitted it to Dr. King.

13 WILLIE DESMOND: It's very, very close to how it  
14 was submitted to Dr. King.

15 COMMISSIONER McNULTY: All right.

16 Well, I would move that with this change and the  
17 other changes that Mr. Desmond has just described that we  
18 discussed and made today, that we adopt this map as our  
19 tentative final legislative map, subject to the possibility  
20 of future changes based on recommendations of our mapping  
21 consultant or legal counsel to address technical or legal  
22 issues and subject to approval by this Commission of any  
23 changes that they recommend.

24 CHAIRPERSON MATHIS: Is there a second?

25 VICE-CHAIR FREEMAN: I'm sorry, I couldn't hear

1 the very end of that.

2 CHAIRPERSON MATHIS: Can you repeat?

3 COMMISSIONER McNULTY: I move that we adopt the  
4 working draft map that we're looking at now with the changes  
5 that we've discussed today and directed Mr. Desmond to make  
6 as he just described them as our tentative final legislative  
7 map subject to the possibility of future changes based on  
8 recommendations of our mapping consultant or legal counsel  
9 to address technical or legal changes and subject to  
10 approval by this Commission of any changes that they do  
11 recommend.

12 CHAIRPERSON MATHIS: Is there a second?

13 COMMISSIONER STERTZ: I'll second the motion.

14 CHAIRPERSON MATHIS: Any discussion?

15 VICE-CHAIR HERRERA: Madam Chair.

16 CHAIRPERSON MATHIS: Mr. Herrera.

17 VICE-CHAIR HERRERA: Mr. Desmond, if you don't  
18 mind just quickly going through using index two for this  
19 particular version, using -- letting me know the  
20 competitiveness, how many are under five, just -- I would  
21 love to know.

22 And then if you can quickly go over how many are  
23 under ten -- how many are ten and under.

24 WILLIE DESMOND: I can't do that quickly, because  
25 there's been other changes to the map. I have to put it all

1 together and make a report.

2 VICE-CHAIR HERRERA: Okay. Then --

3 WILLIE DESMOND: Sorry about that.

4 VICE-CHAIR HERRERA: No, no problem with that.

5 Never mind. Thank you though.

6 WILLIE DESMOND: I could -- I could go over which  
7 districts have changed and we could look at the -- next to  
8 the other one, but. . .

9 VICE-CHAIR HERRERA: No. That's fine.

10 Thank you.

11 CHAIRPERSON MATHIS: Any other discussion?

12 (No oral response.)

13 CHAIRPERSON MATHIS: All in favor?

14 COMMISSIONER McNULTY: Aye.

15 CHAIRPERSON MATHIS: Aye.

16 Any opposed?

17 VICE-CHAIR HERRERA: Madam Chair, I'm abstaining.

18 CHAIRPERSON MATHIS: Okay.

19 VICE-CHAIR FREEMAN: Nay.

20 COMMISSIONER STERTZ: Well, well, well.

21 VICE-CHAIR HERRERA: Madam Chair, what I'd like to  
22 do if I -- if it's not going to pass, can we go back to my  
23 map? I'd like to -- I was serious about my map.

24 CHAIRPERSON MATHIS: Well, we're waiting for one  
25 other vote.

1           VICE-CHAIR HERRERA: Oh, I apologize. I thought  
2 everybody voted.

3           Sorry about that.

4           COMMISSIONER STERTZ: Madam Chair, I will have to  
5 vote no for the purposes of Districts 8 and 11.

6           CHAIRPERSON MATHIS: Okay.

7           COMMISSIONER STERTZ: In the absence of a nay vote  
8 by my abstention, it would have -- the vote would have  
9 succeeded two to one, but by our constitutional requirements  
10 the vote needs to have three positive votes to pass through.

11           So. . .

12           If we're going to visit Maricopa County and  
13 revisits those districts, I'd like to revisit 8 and 11 in  
14 their entirety.

15           And if we're going to visit that, then I'd start  
16 to -- I think I'd like to start revisiting some of the other  
17 areas of the state as well.

18           VICE-CHAIR HERRERA: Madam Chair.

19           CHAIRPERSON MATHIS: Mr. Herrera.

20           VICE-CHAIR HERRERA: I -- you know, Mr. Stertz's  
21 is entitled to do that, creating a completely different map  
22 that the -- if he wants than the one I'll create.

23           Again, my map is mirroring the map we are doing  
24 now that Mr. Stertz was praising quite a bit. And -- so my,  
25 my changes won't be that different other than those three

1 districts that will be affected.

2           So what I would like to do, Mr. Desmond, if you  
3 can go back to my map, and let's start making the changes  
4 now. I don't -- I think it's not going to be a waste of my  
5 time. And see what we can do.

6           CHAIRPERSON MATHIS: Before we do that though,  
7 Mr. Herrera, did any other commissioner want to explain  
8 anything?

9           VICE-CHAIR FREEMAN: Madam Chair.

10          CHAIRPERSON MATHIS: Mr. Freeman.

11          VICE-CHAIR FREEMAN: I think this is all -- I  
12 think this is emblematic -- I lost my windscreen again -- of  
13 the theater that's going on here.

14                I mean, either the map was good, it met the  
15 constitutional criteria, or it didn't.

16                And instead what we got was a threat basically.  
17 Take this map or we'll make it much worse.

18                So now we're seeing that, at least from my  
19 perspective, I'm seeing that play out.

20          VICE-CHAIR HERRERA: Madam Chair.

21          CHAIRPERSON MATHIS: Mr. Herrera.

22          VICE-CHAIR HERRERA: Yeah, I, I, I -- my proposal  
23 was never seemed -- I never thought of it as a threat.

24                I really -- from the beginning I've been saying  
25 that I -- that we can create more competitive districts

1 without any significant detriment to the other goals.

2           So, I, I, you know, I'm sorry that  
3 Commissioner Freeman sees it that way.

4           I was pretty clear, again, as I think he stated a  
5 couple of meetings ago, that I don't have a poker face.

6           And I don't. I don't gamble. I'm extremely  
7 honest.

8           I've said it all along that my intention is to  
9 create as many competitive districts as possible, especially  
10 in the Maricopa County area. And, again, without any  
11 significant detriment to the other goals.

12           So I don't see what -- where -- what threat.

13           I was serious about this. And as I am now.

14           I mean, I'm, I'm -- what I'd would like to do now  
15 is start looking at, at the map I've been proposing.

16           And, again, this -- there should be no surprise.  
17 I brought this up over a week ago, I think. And I've been  
18 continuously talking about the, the benefits of having a  
19 competitive district in 28.

20           So, and -- so this is no threat.

21           It should have been no surprise to  
22 Commissioner Freeman, to anyone on this commissioner.

23           I think not to McNulty, not to Mathis, not to  
24 Stertz.

25           Again, I'm sorry that he sees it that way.

1           This is -- and, and, again, this is, this is --  
2 we're all doing our best. And, and we've made significant  
3 progress today. But I have a right to be able to recommend  
4 some of the changes that I want. And this is some of the  
5 changes that I want.

6           So, if we can move forward, I would love to have  
7 Mr. Desmond balance out the population between 28, 15, and  
8 20.

9           COMMISSIONER STERTZ: Madam Chair.

10          CHAIRPERSON MATHIS: Mr. Stertz.

11          COMMISSIONER STERTZ: Commissioner Herrera, the --  
12 one of the things I had asked about last Thursday was what  
13 of the districts that you are really -- that you really feel  
14 passionate about.

15          You know, it's funny, the word passion in the  
16 Greek means to suffer.

17          That might be sort of amusing right now as we're  
18 getting to this.

19          And, again, my, my, my action on this is not --  
20 I'm trying not to be a contrarian here.

21          Because the -- other than 8 and 11, I'm liking  
22 where the map has gone.

23          Okay.

24          And I'm hoping that we can get to -- still get to  
25 a vote tonight that can get to an affirmative.

1           It's pretty, it's pretty clear that from my  
2 perspective and Commissioner Freeman's perspective that 28,  
3 the way that Commissioner McNulty had crafted it, worked  
4 pretty well as a district.

5           You're trying to get 15 -- which district are you  
6 trying to get competitive, 15?

7           VICE-CHAIR HERRERA: Madam Chair.

8           CHAIRPERSON MATHIS: Twenty-eight.

9           VICE-CHAIR HERRERA: Madam Chair, as I stated  
10 before, 28 -- again, without any significant detriment to  
11 the other goals, I think we can, we can do that with 28.

12           And I am fine with 8 and 11. As a matter of fact,  
13 I think there's, there's an opposite for -- the things that  
14 we have issues with, with the working draft map, is  
15 completely the opposite.

16           I have an issue with 28, as I stated before.  
17 Again, this should be no surprise.

18           I, I was serious about making 28 competitive,  
19 because I think we can. And I've proven that we can.

20           COMMISSIONER STERTZ: So, Madam Chair, because we  
21 were talking about 11, because the Tucson Mountains are now  
22 included in 11, there was, there was some great testimony  
23 that obviously wasn't put on the record, that was some  
24 very -- some folks that were real upset that the  
25 Tucson Mountains were taken -- were taken away from the city

1 of Tucson and put up with Pinal County and the district  
2 which stretches all the way up into Maricopa County almost.  
3 They were very surprised by that, because that was something  
4 that occurred in the last go-round of the shift.

5           Eight is now a district that, that -- again, the  
6 8 and 11 I disagree with.

7           So, if we've got -- if we start looking at these,  
8 which districts do you want to -- you're trying to get 28 to  
9 become a competitive district by -- if we can go back to 28  
10 in Commissioner Herrera's map.

11           If you're trying to get it so that because there's  
12 a, there's a concentrated population of Republicans in  
13 Paradise Valley and you are extracting those out of 20 --  
14 out of the current 28 in an effort to make that more  
15 competitive.

16           Even though that district that Maricopa -- or that  
17 Paradise Valley is connected with up is up into 15 doesn't  
18 have the natural connection, economically, geographically,  
19 or with the other criterion as designed.

20           This seems to be just a -- this is just -- your  
21 goal is really to get 28 to be competitive; correct?

22           VICE-CHAIR HERRERA: My goal, as I said all along,  
23 was to get as many competitive districts without creating  
24 any detriment to the other goals.

25           And I believe -- and I disagree with

1 Commissioner Freeman. I don't think this a detriment to  
2 that -- to any of goals.

3 And, and, as I said, can we -- if we can, so in  
4 the interest of time, move forward with, with -- because I  
5 want to do is I want to start working on changes to my map  
6 and start seeing if we can tweak some of the -- or fix the  
7 population imbalances between those three districts that are  
8 affected, and we can start doing that now.

9 Because now, as I said, I stated before, I didn't  
10 want to waste my time. Now I feel like it wouldn't be a  
11 waste of my time.

12 WILLIE DESMOND: Okay. So we had done some slight  
13 balancing before.

14 As it was currently constituted, District 28 is  
15 positive by 4,217 people. District 20 is overpopulated by  
16 7,129. And District 15 is overpopulated.

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

19 MARY O'GRADY: Just to clarify where we are, do we  
20 still have a motion on the table at this point?

21 CHAIRPERSON MATHIS: The motion failed, is the way  
22 I read that, but it was --

23 COMMISSIONER STERTZ: Two to two and one  
24 abstention.

25 CHAIRPERSON MATHIS: Yeah, two ayes, two nays, and

1 one abstention.

2 Before we start to go into looking at more  
3 modifications to 28, I, I have to say I'm a little puzzled  
4 by Mr. Freeman's vote, and I'm wondering if he would be  
5 willing to explain that so that I can just understand.

6 VICE-CHAIR FREEMAN: Explain my vote?

7 I mean, the districts by and large, at least in  
8 Maricopa County, I don't have a significant problem with.

9 I think my main problem is the threat that was  
10 carried out. That it was either take this, take this map or  
11 I'm going to shove this other map down your throat.

12 And that to me is unacceptable.

13 And Commissioner Herrera should have been able to  
14 vote yes or no on that proposed map, and he chose to play  
15 this game.

16 And I don't agree with it.

17 VICE-CHAIR HERRERA: Madam Chair.

18 CHAIRPERSON MATHIS: Mr. Herrera.

19 VICE-CHAIR HERRERA: How many times has  
20 Commissioner Stertz or Freeman abstained from voting?

21 And I've never disagreed with them, because that  
22 was their opinion.

23 And I never thought of it as a game. That's their  
24 choice. They have that option.

25 I think I'm correct in saying that abstention is a

1 option. I didn't make it up.

2 I think Commissioner Freeman knows that, that it  
3 is option, abstaining from a vote.

4 And he's done that -- I think he's done that on  
5 numerous times, whether it be abstaining or saying or voting  
6 no.

7 And I, I -- again, this isn't a threat.

8 I had a strong feeling that they were going to  
9 vote no -- no against this map. That's why I was proposing  
10 the map that I'm proposing, because I didn't think it was  
11 going to pass.

12 And because as I said it all along, I wanted  
13 another competitive district in Maricopa County.

14 And I think we can, we can, we can achieve that  
15 now.

16 And, again, I don't know what is leading Mr. --  
17 Commissioner Freeman to think that this is a threat. I've  
18 never mentioned this as a threat.

19 I'm extremely serious, but he -- like he is,  
20 on proposing CD 9. I'm very serious in creating a  
21 competitive district -- another competitive district in  
22 Maricopa County.

23 So, again, let's -- if I can move forward, if no  
24 one else has any comment, I'd love to move forward and start  
25 working on my changes.

1 COMMISSIONER STERTZ: Madam Chair.

2 CHAIRPERSON MATHIS: Mr. Stertz.

3 COMMISSIONER STERTZ: Commissioner Herrera, just  
4 as part of the point of clarification, the abstentions that  
5 I have made were always the same. And they were abstentions  
6 that came when we were asked to go into executive session,  
7 as has been made clear even by the vote -- by the -- or by  
8 the decision by the -- by Judge Fink. The open meeting law  
9 doesn't apply to us.

10 And I have been making that statement over and  
11 over again that I couldn't vote for something to go into  
12 executive session, therefore I abstained from voting because  
13 I was in agreement that, that we should be -- open  
14 meeting -- that we should not be going into executive  
15 session.

16 So those are my abstentions, and I just wanted to  
17 make sure and clarify that.

18 Lastly, if there's -- is there any -- let's go  
19 back to this discussion of -- because we're going to have,  
20 we're going to have no movement from myself on 28 and 20 or  
21 15.

22 Is there any movement on 11 or 8 from three of the  
23 commissioners?

24 VICE-CHAIR HERRERA: Madam Chair, those are two  
25 districts that I do like.

1           So, I -- no. Those -- I have no movement from me  
2 in those two districts.

3           So, again, I have a map that I have been proposing  
4 working on, and I'd like to go back to that map.

5           COMMISSIONER STERTZ: Madam Chair.

6           CHAIRPERSON MATHIS: Mr. Stertz.

7           COMMISSIONER STERTZ: Obviously you can't force  
8 the commissioner to have a vote, and for you to have -- it  
9 would be disingenuous for me to be able to propose or to, or  
10 to accept this with knowing that 8 and 11 are nonnegotiable  
11 and for me 20, 28 and 15 are nonnegotiable.

12           So, we, we may be -- it's going to come back to  
13 you, Madam Chair, as the decision maker on this.

14           You voted in the affirmative that you like the  
15 mid-Phoenix maps. And I'd like to hear whether or not we're  
16 going to continue to go down the road tonight in trying to  
17 make adjustments to something that both you -- you, myself,  
18 and Commissioner McNulty like, because I -- and I believe --  
19 I can't speak for Commissioner Freeman because he -- his  
20 issue was more about sort of blockade of being able to move  
21 this forward.

22           I'd like -- like I said, other than, other than  
23 8 and 11, I'm really liking how this map is working itself  
24 out.

25           And --

1 COMMISSIONER McNULTY: Mr. Stertz?

2 COMMISSIONER STERTZ: Yes.

3 COMMISSIONER McNULTY: Why don't you just vote for  
4 it and then we can go home.

5 VICE-CHAIR HERRERA: Madam Chair, the -- this --  
6 the question that Commissioner Stertz is proposing is really  
7 irrelevant now. The map didn't pass as it.

8 COMMISSIONER STERTZ: Remove it.

9 COMMISSIONER McNULTY: I think it's very relevant.  
10 I --

11 VICE-CHAIR HERRERA: So, Madam Chair, what I would  
12 like to do is to move to my map --

13 CHAIRPERSON MATHIS: We're talking over each  
14 other.

15 VICE-CHAIR HERRERA: I apologize.

16 As I said, the question that  
17 Commissioner Stertz -- and, I mean, I know why he asked.  
18 And I have no, no problem with that question.

19 The problem is that the map as is wasn't approved.

20 So whether you liked the way that  
21 Commissioner McNulty created 28 is really irrelevant.

22 The question is that I'm proposing can I move  
23 forward to my map now.

24 COMMISSIONER STERTZ: Madam Chair.

25 CHAIRPERSON MATHIS: Mr. Stertz.

1           COMMISSIONER STERTZ:  If Commissioner McNulty  
2 wants to remove -- wants to remake the motion, I will vote  
3 in the affirmative.

4           COMMISSIONER McNULTY:  I move that we adopt the  
5 working draft map that we have in front of us which includes  
6 the changes that we've discussed tonight and have been made  
7 by Mr. Desmond as our tentative final legislative map  
8 subject to the possibility of changes recommended by our  
9 mapping consultant or legal counsel to an address technical  
10 or legal issues and subject to approval by this Commission  
11 of any changes that they might recommend.

12           COMMISSIONER STERTZ:  Second.

13           COMMISSIONER McNULTY:  Did I leave something out,  
14 Ms. O'Grady?

15           MARY O'GRADY:  If I can have a moment in terms of  
16 parliamentary process.

17           You need to be on the -- if this is a motion to  
18 reconsider, essentially, the map that did not pass on the  
19 previous motion, the motion has to be made by someone on the  
20 prevailing side of the prior motion.

21           COMMISSIONER McNULTY:  There was no prevailing  
22 side.

23           MARY O'GRADY:  The motion doesn't carry.

24           I'm checking my Roberts right now, but the motion  
25 didn't carry.

1           If we want to take a five-minute recess, I will  
2 check that. That's my concern, that if this is a motion to  
3 reconsider, essentially then it might need to be made by  
4 someone on the prevailing side, since the motion didn't  
5 carry. So I'm double checking that right now.

6           COMMISSIONER McNULTY: Are you saying Mr. Herrera  
7 needs to make the motion?

8           MARY O'GRADY: I don't think he's on the  
9 prevailing side either for this map.

10           And, again, I want to, I want to double check  
11 this, but the prevailing side would be the people who voted  
12 no.

13           CHAIRPERSON MATHIS: Why don't we take a  
14 five-minute break then and just confirm all that.

15           So the time is 8:56 p.m.

16           (Brief recess taken.)

17           CHAIRPERSON MATHIS: Okay. We'll enter back into  
18 public session. The time is 9:04 p.m.

19           I believe our legal counsel was checking into  
20 matters with regard to possible parliamentary procedure  
21 surrounding this motion situation.

22           MARY O'GRADY: My recommendation would be that if  
23 it's going to be a different motion, anyone can make such a  
24 motion.

25           If it's going to be the precise same motion that

1 was made previously, it should be made by someone on the  
2 prevailing side.

3 The prevailing side, since the previous motion did  
4 not carry, would be those who opposed the previous motion.

5 But a different motion may be made by any member  
6 of the Commission.

7 CHAIRPERSON MATHIS: Thank you.

8 COMMISSIONER McNULTY: Madam Chair, would you  
9 entertain a different motion?

10 CHAIRPERSON MATHIS: I would.

11 COMMISSIONER McNULTY: I would move that we adopt  
12 the working draft map that we are currently looking at with  
13 the changes that we have discussed today and directed  
14 Mr. Desmond to make, and with the further direction that he  
15 include on a parallel track analysis of the change in  
16 District 24 to address the school district issue so that  
17 that can be looked at on a parallel track by Dr. King also,  
18 with the caveat that the map is our tentative final  
19 legislative map and subject to the possibility of future  
20 changes based on recommendations of our mapping consultant  
21 or our legal counsel to adjust technical or legal issues and  
22 subject to approval of any such recommendations by this  
23 Commission.

24 COMMISSIONER STERTZ: I'll second that motion.

25 CHAIRPERSON MATHIS: Any discussion?

1 COMMISSIONER STERTZ: Madam Chair.

2 CHAIRPERSON MATHIS: Mr. Stertz.

3 COMMISSIONER STERTZ: Thank you for entertaining  
4 and going through the process of the new motion.

5 I'm going to be voting in the affirmative  
6 reluctantly, because of Districts 8 and 11, which I still  
7 significantly disagree with the way that they were crafted  
8 and introduced.

9 I'm -- and, however the work product that has been  
10 put forth by the Commission as a whole includes a higher  
11 level of, of positive adjustments that have been made than  
12 the preponderance of the negative design of Districts 8 and  
13 11.

14 So even though my opinion of those two districts  
15 specifically has not changed, I will -- I have seconded this  
16 motion and I will be voting in the affirmative for it.

17 CHAIRPERSON MATHIS: Thank you.

18 Any other discussion?

19 VICE-CHAIR HERRERA: Madam Chair.

20 CHAIRPERSON MATHIS: Mr. Herrera.

21 VICE-CHAIR HERRERA: And I -- as before I will be  
22 abstaining from this motion, as I stated before.

23 I think we can -- we owe it to the citizens of  
24 Arizona and those who voted for Prop 106 to create an  
25 additional competitive district in Maricopa County.

1           And I think that I was able to do that along with  
2 the, the help obviously from Mr. Desmond.

3           So that's the reason why I'll be abstaining from  
4 the vote.

5           CHAIRPERSON MATHIS: Thank you.

6           Other discussion?

7           (No oral response.)

8           CHAIRPERSON MATHIS: All in favor?

9           COMMISSIONER McNULTY: Aye.

10          COMMISSIONER STERTZ: Aye.

11          CHAIRPERSON MATHIS: Aye.

12          CHAIRPERSON MATHIS: Any opposed?

13          VICE-CHAIR FREEMAN: Nay.

14          CHAIRPERSON MATHIS: And Mr. Herrera is  
15 abstaining.

16          VICE-CHAIR HERRERA: Actually, Madam Chair, I will  
17 be voting no as well.

18          CHAIRPERSON MATHIS: Okay.

19          So we have three ayes and two nays, Freeman and  
20 Herrera.

21          Okay. That means the motion carries, and we have  
22 a tentative legislative map that will be doing further  
23 analysis on.

24          And to quote Bruce Springsteen, I believe in the  
25 promised land.

1 I'm really glad we're here.

2 And I realize it's been a very difficult process  
3 going through this the last nine months, but I think we've  
4 achieved really great maps.

5 We couldn't do everything, and we knew that from  
6 the beginning, but we did as much as we could. And I'm  
7 proud of the outcome that we've accomplished.

8 Do other commissioners have any comments?

9 VICE-CHAIR FREEMAN: Madam Chair.

10 CHAIRPERSON MATHIS: Mr. Freeman.

11 VICE-CHAIR FREEMAN: Unfortunately I have a little  
12 different viewpoint.

13 I think over the summer I recall at one of our  
14 first public comment hearings a member of the public coming  
15 forward to this Commission raising concerns about the way it  
16 was conducting itself, and referred to the Commission as  
17 kabuki theater.

18 I am not exactly sure whether that analogy  
19 holds up, but I do know enough about kabuki theater to know  
20 that it's a respected historic art form, and I think calling  
21 us kabuki theater perhaps gives kabuki theater a bad name.

22 I think that this unfortunately has not played out  
23 certainly the way I had anticipated when I came on this  
24 Commission.

25 I did not see an effort to neutrally apply

1 adjustments to the grid map in a fair and evenhanded way and  
2 in an objective way such that the public would have  
3 confidence in how the maps were developed.

4           Unfortunately what I -- I just saw games like we  
5 saw tonight.

6           I saw, you know, an effort to predesign districts  
7 without regard to the constitutional criteria.

8           So I am disappointed in both the congressional  
9 draft maps.

10           I did make every effort on this Commission to work  
11 very hard. I spent a lot of time, my own time, trying to  
12 work with other commissioners, trying to develop maps that I  
13 thought made sense, and apply the criteria. And the end  
14 result is perhaps, perhaps on the LD map, 28 kind of looks  
15 like a district that I had some influence over, but, but  
16 that's about it.

17           Everything else got erased.

18           So I'm really disappointed in where we've ended  
19 up.

20           CHAIRPERSON MATHIS: Thank you.

21           Other comments from other commissioners?

22           VICE-CHAIR HERRERA: Madam Chair.

23           CHAIRPERSON MATHIS: Mr. Herrera.

24           VICE-CHAIR HERRERA: You know, I'm also a little  
25 bit disappointed, but not for the reasons that

1 Commissioner Freeman is disappointed.

2 I felt that we -- although I didn't vote for the  
3 legislative map, I felt that both maps from the beginning  
4 were constitutionally sound maps.

5 We were able to, to -- the changes that we, that  
6 we made were, were outlined in an open meeting.

7 There's no -- I don't remember the last time we  
8 had an executive session. Which we could have, but we chose  
9 to conduct everything in the open. All the changes that  
10 were made to the draft map were, again, out in the open,  
11 following the six constitutional criteria.

12 These maps are sound maps as Commissioner McNulty  
13 has been saying since -- since the beginning, since we  
14 approved the congressional and legislative draft maps.

15 And I am, you know, proud of the work we've done.  
16 I think why all gave in a little.

17 I sure did.

18 As I stated, I think the reason why I'm  
19 disappointed is because we should have created more  
20 competitive districts, both in the congressional and  
21 legislative map.

22 But, again, I'm, I'm very confident that these  
23 maps were -- are sound. They follow the six constitutional  
24 criteria.

25 And our attorneys are, are -- as I stated before,

1 they, they -- I think Mary O'Grady has said that in numerous  
2 occasions, and commissioner -- excuse me, and Joe Kanefield  
3 has done the same thing.

4           So, again, I'm disappointed for different reasons,  
5 but I'm glad the process is over.

6           COMMISSIONER STERTZ: Madam Chair.

7           CHAIRPERSON MATHIS: Mr. Stertz.

8           COMMISSIONER STERTZ: You can't believe how hard  
9 it was to do what I just did.

10           I've been fighting against the swimming upstream  
11 on this, on this Commission for a long time.

12           And frankly I needed to -- I felt that I needed to  
13 bring this issue to a close in an effort to stop the maps  
14 from getting -- in certain areas I was seeing where  
15 Commissioner Herrera was going, and that they were going to  
16 be going down a path where it was actually going to be  
17 making things even worse.

18           So instead of continuing down this path and adding  
19 more 8-7s to my world, I stopped the -- I wanted to stop  
20 the, stop the process.

21           So we've stopped it. It's stopped at this time  
22 right now.

23           We've got a -- we've got maps. And they, they --  
24 at least we've got them stopped at a place where, where  
25 they're not going to become any more contrived and we're not

1 going to have to hear any more stories from  
2 Commissioner Herrera about how we negotiated and compromised  
3 to get to an affirmative agreement.

4           And for that, I just wanted to wish all of the  
5 commissioners, staff, and public, a very, very  
6 Merry Christmas.

7           And tonight on this special night, a Happy  
8 Hanukkah to all of our friends who are celebrating this  
9 evening.

10           CHAIRPERSON MATHIS: Thank you.

11           Any comments from anyone else?

12           COMMISSIONER McNULTY: Madam Chair, I guess I'm  
13 the only one that hasn't spoken.

14           We've all worked very hard at this. I truly  
15 believe that we've created good work product here, both on  
16 the congressional map and on the legislative map.

17           I think everyone on this Commission has gone above  
18 and beyond.

19           I'm sure once we all get a good night's sleep and  
20 enjoy the holidays, we'll have more to say about the  
21 experience.

22           But I want to thank you for your leadership and  
23 your patience and your strength, Madam Chair, in the last  
24 nine months.

25           And I want to thank all the commissioners for the

1 effort they've ' pot into this.

2 Commissioner Freeman and Commissioner Stertz and I  
3 have disagreed on many, many things, but we don't disagree  
4 on the fact that we've all put a great deal of effort into  
5 this.

6 It's been my honor to serve on the Commission with  
7 Commissioner Herrera. And I wish he had voted for the map,  
8 but I understood the point that he made.

9 So I too would wish everyone here and watching a  
10 Merry Christmas and Happy Hanukkah.

11 Take a break. Thanks for your interest and for  
12 your work for the state.

13 And thank you all, Marty, Willie, Mary, our staff,  
14 Kristina, Ray, Stu, and for everyone who's followed this so  
15 closely.

16 CHAIRPERSON MATHIS: Thank you.

17 I would also echo huge, huge thanks to just -- I  
18 don't want to get emotional, but I am.

19 Huge thanks to our staff who have been totally  
20 incredible through this.

21 We couldn't have hired nicer people to work on  
22 this Commission.

23 And you've been amazing.

24 And same goes for our legal counsel and our  
25 mapping consultant.

1           They are both -- and when I say both, there's  
2 others, of course, involved, other counsel, other mapping  
3 consultant folks from Strategic Telemetry.

4           They have been extremely professional in every  
5 step of this process.

6           And I don't think that any commissioner would have  
7 a complaint with anyone's work in that regard. They were  
8 fantastic.

9           And they all -- they too are very nice people. I  
10 think niceness is a really important quality.

11           You've got to be capable, competent, professional,  
12 smart, all those things are important. But it's also good  
13 to be nice. And I view that as a quality that all of these  
14 people have.

15           So, I don't want to be more emotional than I  
16 already am, but I will thank all the commissioners for their  
17 hard work and the sacrifices they've all made.

18           It's been very challenging, especially this past  
19 month or so, with a lot of different things that have  
20 happened to folks. And everybody pulled together and came  
21 to meetings and we had quorums, which was, you know, a  
22 requirement, and we were able to get through this.

23           So I'm very grateful.

24           With that, we've got a hardcore skeleton crew of  
25 public here still tonight, and I appreciate you all being

1 here. I don't know how many are watching online, but thank  
2 you too. And I thank all the public for their participation  
3 in this process. You've been extremely helpful in making  
4 these maps better.

5 And with that, I don't think there's anything more  
6 to say on those two items.

7 We have, I think, some meetings scheduled for next  
8 week. At least some dates. I shouldn't say meetings  
9 scheduled yet.

10 Mr. Bladine did get some information from  
11 commissioners and has at least ideas.

12 And whether or not we want to do all those  
13 meetings, we'll see, but tell us what availability there  
14 was.

15 RAY BLADINE: Again, I'm not sure given what  
16 you've just done how that affects the legal and the mapping  
17 staff as to when they would be available to answer some of  
18 your questions.

19 So, I guess that's the first question I'd ask, is  
20 taking a quick look, Tuesday, Thursday of next week looked  
21 like perhaps the best chance, but I'm not sure that you're  
22 going to have the information that you need.

23 CHAIRPERSON MATHIS: Yeah, that's a great  
24 question.

25 I mean, we could wait until -- if Thursday makes

1 the most sense to start next week that's fine with me. We  
2 are waiting on a lot of analysis from various folks.

3 WILLIE DESMOND: The way I see this, I hope that  
4 the final adoption is not a drawn process to provide you  
5 with technical changes. Hopefully those are very, very,  
6 very minor impact on both population.

7 I'm not sure how -- I know the county folks were  
8 working on voting precincts and things.

9 They'll be very eager to get these -- their hands  
10 on these maps and start seeing if there are conflicts.

11 I'm not sure what time they'll need or we'll need  
12 to work with those things.

13 I think Tuesday is probably too early.

14 Thursday may work, but I just -- I'm not sure how  
15 available they'll be over the next week of things too.

16 As far as Dr. King's analysis goes and the rest of  
17 the voting rights, I kind of defer to Mary to see what she  
18 thinks that will take.

19 MARY O'GRADY: And, Madam Chair, I think we'll  
20 have a better sense of that tomorrow.

21 And so I don't know if it makes sense -- I mean,  
22 so I would think the earliest would be next Thursday, but we  
23 won't have a real good sense of that for a little while.

24 CHAIRPERSON MATHIS: Okay. Well --

25 RAY BLADINE: Madam Chair, I think we were going

1 on an agenda that would allow bipartisan participation.

2 On Thursday, however, you would not have  
3 Commissioner Stertz available.

4 So it would be -- I'm not sure, you may want to  
5 change what you're trying to do and try to move to where you  
6 can get everybody to participate, but I should have pointed  
7 that out to you that on Thursday he is not available.

8 And the rest of the week people would not be  
9 available.

10 CHAIRPERSON MATHIS: And we don't have to decide  
11 the meeting tonight.

12 RAY BLADINE: Okay.

13 CHAIRPERSON MATHIS: But it sounds like the  
14 earliest would be Thursday, if we do meet even Thursday. So  
15 we'll see how it goes once we get more of the analysis back  
16 and have this information later this week.

17 RAY BLADINE: Okay. We can also, if you wish, ask  
18 for availability the following week, which we have not done.

19 Some people have given that to us, but not  
20 everyone.

21 CHAIRPERSON MATHIS: Sure. That makes sense.

22 We can go out and ask. That would be great.

23 Okay. Is there anything else?

24 RAY BLADINE: No, other than I would like to say  
25 on behalf of the staff it really has been a pleasure to work

1 with all of you.

2 We have been through some very tough and hard  
3 times, but all of you have been extremely nice and  
4 thoughtful with us. And I know we all appreciate it. And  
5 we certainly learned a lot too.

6 There are lot of things here I never had learned  
7 before, knew about, and maybe some I didn't want to, just  
8 like all of you, but it was my pleasure to serve you, and  
9 we'll continue to until we get this wrapped up. So thanks  
10 very much.

11 CHAIRPERSON MATHIS: Thank you.

12 Yeah, will the maps be going up onto the website  
13 hopefully soon, once they're -- these tentative.

14 WILLIE DESMOND: It's going to take me a few hours  
15 to get all of the maps ready, both legislative and  
16 congressional.

17 I doubt very highly that Buck will be posting  
18 those in the middle of the night, but hopefully by tomorrow  
19 morning, early afternoon, sometime around then.

20 CHAIRPERSON MATHIS: Okay. Yeah, as soon as  
21 possible, that would be great to get those up.

22 And I think the rest of the items, if anybody has  
23 future agenda items, please send them to Ray.

24 And then the rest, I don't think there's anything  
25 new on the open meeting law, with litigation. Nothing.

1           And we've done public comment, so with that, the  
2 time is 9:24, and this meeting is adjourned.

3           Thank you.

4           (Whereupon, the meeting adjourned.)

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1 STATE OF ARIZONA            )  
  )  
2 COUNTY OF MARICOPA        )            ss.  
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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  
7 274 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 4th day of  
11 January, 2012.

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C. Martin Herder, CCR  
Certified Court Reporter  
Certificate No. 50162

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