

THE STATE OF ARIZONA
INDEPENDENT REDISTRICTING COMMISSION

REPORTER'S TRANSCRIPT OF PUBLIC MEETING

MORNING SESSION

Phoenix, Arizona

October 20, 2021

8:05 a.m.

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I N D E X

AGENDA ITEM:

PAGE

ITEM NO. I	4
ITEM NO. I (A)	4
ITEM NO. I (B)	6
ITEM NO. II	6
ITEM NO. III	8
ITEM NO. IV	8
ITEM NO. V	9

1
2
3
4
5
6
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8
9
10
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1 PUBLIC MEETING, BEFORE THE INDEPENDENT
2 REDISTRICTING COMMISSION, beginning at 8:05 a.m. on
3 October 20, 2021, at the Sheraton Crescent Hotel,
4 2620 West Dunlap Avenue, Phoenix, Arizona, in the
5 presence of the following Commissioners:

6 Ms. Erika Neuberg, Chairperson
7 Mr. Derrick Watchman, Vice Chairman
8 Mr. David Mehl
9 Ms. Shereen Lerner
10 Mr. Douglas York

11 OTHERS PRESENT:

12 Mr. Brian Schmitt, Executive Director
13 Ms. Loriandra Van Haren, Deputy Director
14 Ms. Valerie Neumann, Executive Assistant
15 Ms. Michele Crank, Public Information Officer
16 Mr. Alex Pena, Community Outreach Coordinator
17 Mr. Roy Herrera, Ballard Spahr
18 Mr. Daniel Arellano, Ballard Spahr
19 Mr. Shawn Summers, Ballard Spahr
20 Mr. Brett Johnson, Snell & Wilmer
21 Mr. Eric Spencer, Snell & Wilmer
22 Mr. Mark Flahan, Timmons Group
23 Mr. Douglas Johnson, National Demographics Corp.
24 Ms. Ivy Beller Sakansky, National Demographics
25 Corp.
Mr. Brian Kingery, Timmons Group
Mr. Parker Bradshaw, Timmons Group
Mr. Brody Helton, Timmons Group
Mr. Colby Chafin, Timmons Group
Ms. Sarah Hajnos, Timmons Group
Ms. Anna Mika, Timmons Group
Mr. Ken Chawkins, National Demographics Corp.

P R O C E E D I N G S

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3 CHAIRPERSON NEUBERG: I think we can get
4 started in one minute if everybody could please get
5 themselves situated.

6 Okay. Before we start, I believe we have our
7 Spanish interpreter here today.

8 If you could please stand and introduce
9 yourself.

10 MS. LOPEZ: Good morning. My name is Brenda
11 Lopez. I am the Spanish interpreter. If you need a
12 Spanish interpreter, I will be right here.

13 (Speaking Spanish.)

14 CHAIRPERSON NEUBERG: Thank you.

15 I'd now like to ask us all to rise to say the
16 pledge of allegiance.

17 (The pledge of allegiance was recited.)

18 CHAIRPERSON NEUBERG: Okay. Thank you.

19 Good morning, everybody. Thank you for your
20 late nights, and it's great to start a brand new day
21 with new attitudes and insights.

22 We'll dive in. Agenda Item I, call to order
23 and roll call.

24 I(A), call for quorum. It is 8:07 a.m.
25 October 20th, 2021. I call this meeting of the

1 Independent Redistricting Commission to order.

2 For the record, the Executive Assistant,
3 Valerie Neumann, will be taking roll. When your name is
4 called, please indicate you are present. If you are
5 unable to respond verbally, we ask that you please type
6 your name.

7 Val.

8 MS. NEUMANN: Thank you, Madam Chair.

9 Vice Chair Watchman.

10 VICE CHAIR WATCHMAN: Present.

11 MS. NEUMANN: Commissioner Lerner.

12 COMMISSIONER LERNER: Present.

13 MS. NEUMANN: Commissioner Mehl.

14 COMMISSIONER MEHL: Present.

15 MS. NEUMANN: Commissioner York.

16 COMMISSIONER YORK: Present.

17 MS. NEUMANN: Chairperson Neuberg.

18 CHAIRPERSON NEUBERG: Present.

19 MS. NEUMANN: And also in attendance today,
20 Executive Director Brian Schmitt, Deputy Director Lori
21 Van Haren, Public Information Officer Michele Crank,
22 Community Outreach Coordinator Alex Pena. From our
23 legal team, we have Brett Johnson and Eric Spencer from
24 Snell & Wilmer; Roy Herrera, Daniel Arellano, and Shawn
25 Summers from Ballard Spahr. And our mapping

1 consultants, we have from Timmons Mark Flahan, Parker
2 Bradshaw, and Brian Kingery; and from NDC Research, we
3 have Doug Johnson, Ivy Beller Sakansky, and Ken
4 Chawkins. Our transcriptionists today are Kim Portik
5 and Angela Miller.

6 Thank you, Madam Chair.

7 CHAIRPERSON NEUBERG: Thank you.

8 And please note for the minutes that a quorum
9 is present.

10 Agenda Item I(B), call for notice.

11 Val, was the notice and agenda for the
12 Commission meeting properly posted 48 hours in advance
13 of today's meeting?

14 MS. NEUMANN: Yes, it was, Madam Chair.

15 CHAIRPERSON NEUBERG: Thank you.

16 Agenda Item II, approval of minutes from
17 October 19th, yesterday, 2021. We have our general
18 session minutes and then we have II(B), the e-session in
19 which we sought legal advice as it relates to
20 understanding our VRA responsibilities.

21 I'll enter -- I'll open it up for conversation
22 if there's any feedback on the minutes. And if not,
23 I'll entertain a motion to approve the general session
24 and executive session minutes.

25 VICE CHAIR WATCHMAN: Madam Chair, I have no

1 discussion, but I move to adopt the minutes and the --
2 for both the regular meeting and the e-session meeting.

3 COMMISSIONER MEHL: Commissioner Mehl seconds.

4 CHAIRPERSON NEUBERG: And I'm -- did you say
5 you have discussion?

6 VICE CHAIR WATCHMAN: No. I have no
7 discussion --

8 CHAIRPERSON NEUBERG: You have no discussion.
9 Okay.

10 VICE CHAIR WATCHMAN: -- and I have a motion
11 to --

12 CHAIRPERSON NEUBERG: I'm sorry. Okay.

13 VICE CHAIR WATCHMAN: -- to approve both
14 minutes for both meetings.

15 CHAIRPERSON NEUBERG: Okay. We'll take a vote.
16 Vice Chair Watchman.

17 VICE CHAIR WATCHMAN: Aye.

18 CHAIRPERSON NEUBERG: Commissioner Mehl.

19 COMMISSIONER MEHL: Aye.

20 CHAIRPERSON NEUBERG: Commissioner Lerner.

21 COMMISSIONER LERNER: Aye.

22 CHAIRPERSON NEUBERG: Commissioner York.

23 COMMISSIONER YORK: Aye.

24 CHAIRPERSON NEUBERG: Commissioner Neuberg is
25 an aye.

1 With that, the minutes -- the general session
2 and executive session minutes from October 19th are
3 approved.

4 We move to Agenda Item No. III, opportunity for
5 public comments. Public comment will now open for a
6 minimum of 30 minutes and remain open until the
7 adjournment of the meeting. Comments will only be
8 accepted electronically in writing on the link provided
9 in the notice and agenda for this public meeting and
10 will be limited to 3,000 characters.

11 Please note members of the Commission may not
12 discuss items that are not specifically identified on
13 the agenda. Therefore, pursuant to A.R.S. 38-431.01(H),
14 action taken as a result of public comment will be
15 limited to directing staff to study the matter,
16 responding to any criticism, or scheduling the matter
17 for further consideration and decision at a later date.

18 We move to Agenda Item No. IV, discussion on
19 public comments received prior to today's meeting.

20 Do any of my colleagues have any thoughts
21 they'd like to share?

22 The only two points that I would like to share
23 is we heard very loud and clear that there wants to be a
24 separation between Tucson and Phoenix. Phoenix --
25 Maricopa residents do not want to be represented by a

1 Tucson member.

2 And the only other thing is ongoing frustration
3 with e-sessions. I just want to remind the public of
4 the purpose of the e-session. You know, one of the
5 greatest threats to our ability to provide approved maps
6 through which your elected leaders can run and represent
7 you would be legal challenges. And so it is incumbent
8 upon us, when we have legal questions, to do that in a
9 setting that protects us to the greatest extent possible
10 such that, you know, we have confidence that the
11 lawsuits -- we're going to come on the winning side. So
12 what we're doing is for the interest of the state, and
13 we will do our best to, you know, continue to provide as
14 much feedback as possible.

15 And if there's no other conversation on that,
16 we could move to Agenda Item No. V, draft map decision
17 discussion. I believe we're going to start this morning
18 with the legislative map. I think it's nice to balance
19 from time to time just the morning hours, afternoon
20 hours. I do believe we've had less time to look at
21 this, but if you, you know, would like to start and
22 maybe walk us through some things.

23 And before we even dive into this, I want to
24 share with you a conceptual just philosophical reaction
25 I had. I looked at, you know, these options, and I

1 thought, wow, these are really extreme districts just
2 going one by one, 9.0, 9.0, 9.0. I mean, you know, just
3 rigidly performing districts. And I thought is this our
4 state? I mean, you know, has there been the demographic
5 shifts where people are truly living with like-minded
6 people and there's justifiable strong communities of
7 interest that must be respected? Is there something we
8 could do to try to moderate a little bit more?

9 Because from a conceptual perspective, and
10 again it touches upon what Commissioner Lerner brought
11 up yesterday as a positive, ooh, if you have, you know,
12 15 seats on the left and 15 on the right, oh, that's
13 great, it's so balanced. And yet if you look at the
14 dynamics of those seats and if they are very, you know,
15 rigidly performing seats, it may lead to a government
16 that doesn't help the citizens achieve the
17 representation that's meant in the Fourteenth Amendment.

18 Communities of interest must be respected. We
19 must create a system that maximizes the extent to which
20 these different communities can get attention. And so
21 as we're talking about this, because I -- I don't know
22 the data the way you do and the way to -- to work this,
23 is there a way to moderate these legislative districts
24 more, or are you telling us that to respect communities
25 of interest we need to expect the majority, I'd say the

1 overwhelming majority, of districts to be 9.0 in their
2 vote spread? And that's on my mind as you begin to go
3 through these options.

4 And if there's anything else on my colleague's
5 minds as we begin, you know, this dialogue -- because
6 we're are really getting to the meat of this process and
7 this is the time that if you have priorities, you have
8 real thoughts, you know, let's bring it out so we, you
9 know, use the time and get to where we can most
10 collectively feel good about.

11 COMMISSIONER MEHL: One thing that occurs to
12 me, looking at both of the new versions of these maps,
13 is that we have a lot of population disparity from
14 district to district, plus 10,000 people, minus 9,000
15 people, plus 11, minus 8, throughout this legislative
16 map. And I think it partly relates to why we're seeing
17 so many disparate -- or, you know, real wide spreads in
18 the districts. And it goes both ways. When I look at
19 it, it's not all leaning one way or leaning the other,
20 but it goes both ways.

21 But we haven't talked about population in a
22 while, about the importance of population as one of our
23 constitutional priorities. And Doug had said -- Doug
24 Johnson had said early on that we shouldn't worry about
25 trying to balance too much, but we're no longer early

1 on. And I think it's time for us to commit to being
2 closer in all these dis- -- at least to make an attempt
3 to be closer in all these districts and to give
4 guidance.

5 I suggest we give guidance to our mapping team.
6 Because you look at the congressional, which are much
7 bigger districts and hard to get into balance, and
8 we're, you know, plus 300, minus 20. There's one
9 district that's plus 3,000 and one that's minus 2,000
10 that are going to be easy to balance out, but there's --
11 so they're capable obviously of doing a much finer tune
12 band of acceptable population variants.

13 So I would suggest that we -- you know, we
14 request that they narrow this band down in the future
15 legislative maps. And if there's a district that we
16 look at that we think, you know, it needs to have more
17 disparity and you have good arguments for it, we can
18 still do that. But I think we should at least challenge
19 them to do a map where on all the districts they get a
20 tighter band of population because I think that's going
21 to help the issue that we are looking at. I'm not
22 positive of that.

23 COMMISSIONER LERNER: And I agree. I mean, I
24 think as we move forward we certainly want to look at
25 that as one component because that's one of our

1 constitutional requirements. I also agree with the
2 Chair on partisanship. My concern about that is I would
3 love to see us figure out ways to bring better balance
4 into districts. But I don't know if moving a district
5 from -- and I -- I think we'll start to look at the
6 districts more closely and see some of that.

7 I'm not sure if we have a district with a 30 or
8 40 percent disparity if we change it to 10 points if it
9 makes much of a difference in terms of the partisanship.
10 And that's part of what I know I was looking at
11 yesterday when we were looking at the Maps 4 point -- we
12 were doing 4.1 yesterday? I have to remember. I am
13 getting lost a little bit with the numbering.

14 My focus at that point was actually saying,
15 well, let's see -- for those districts that are within
16 our range of 8 points, can we narrow that? Because at
17 least we could have a few truly competitive districts.
18 But I don't -- I think people -- we've talked about this
19 with communities of interest as well. People
20 self-select and they end up living with people who they
21 feel comfortable with. And so I do feel that that's
22 part of our challenge.

23 I have the same aspirations as the Chair. I
24 would love to see that. The reason I went with if we
25 can get 15, 15 is I feel that puts people at the table,

1 and that's the compromise in terms of competitiveness
2 from my perspective. The closer we get to where you
3 have to sit across from the room or at a table with
4 people who -- because you don't have a way to control
5 everything.

6 So from my perspective, I would love to see us
7 be able to do it within a district so people feel like
8 their invoices are being heard. I just don't know based
9 on communities of interest if we will be able to achieve
10 that, and I suppose today is part of that discussion on
11 where we can go. But I know from yesterday that was
12 part of what -- when we went with -- I mean, we
13 preferred 4.0. We went with 4.1. But that was -- when
14 we started to look at those boundaries, that was my
15 focus was saying where can we get closer to where people
16 have more of a voice.

17 CHAIRPERSON NEUBERG: I do believe there's a
18 difference between a 30-point spread and a 10-point
19 spread. I think there's high -- I'm not saying that the
20 9.0 may change, but there's a higher responsibility to a
21 broader constituency, otherwise the risk for that
22 elected leader gets higher and higher. So I do see
23 distinctions in relative comfort levels for elected
24 leaders.

25 COMMISSIONER LERNER: I a hundred percent agree

1 if we can get to the 10 percent. I'm thinking that so
2 many of these are even broader, are so big, and -- but
3 if we can get -- honestly, if we can get to where we're
4 even within our high spread of competitiveness, that
5 8 -- 7 and a half, 8 points, we're at least within range
6 of that discussion.

7 CHAIRPERSON NEUBERG: So this is a
8 philosophical question. So do we try to just get more
9 competitive districts that fall within our range, or do
10 we just try to get more districts that fall within,
11 let's say, a 10-point range. That's where we -- we may
12 not be on the same page on that. I'm just drawing --
13 and I'm not making a conclusion. Just for your
14 understanding of how we're thinking and, you know,
15 that's a distinction that I see that I'm struggling with
16 on my own at this point.

17 COMMISSIONER MEHL: Well, however we move
18 forward, if we can try to get these legislative
19 districts more in the plus or minus 500 people range
20 instead of this 10,000 people range, I'm really curious
21 to see how that plays out and how it impacts this.

22 CHAIRPERSON NEUBERG: I like that on many
23 levels. I mean, one, I like honoring the population
24 responsibility. I also -- you know, hey, it may require
25 communities of interest to be thinking about who we get

1 along with and let's partner. You know, we know -- I
2 mean, I'm not going to get into the psychological data,
3 you put people together and you have a common interest,
4 and you know what? Great things happen.

5 So, yes, we're honoring communities of
6 interest, but this is an incredible balancing act with
7 honoring as many communities of interest, which means
8 some communities may have to be combined for the sake of
9 the greater good.

10 MR. D. JOHNSON: Just one piece of thought on
11 the population balancing issue. Commissioner Mehl, as
12 you noted it is random. There's no methodology. We're
13 not under populating or over populating any districts on
14 purpose. The reason that is happening is that it takes
15 probably longer to get from a very small deviation to
16 close to zero than it takes to draw the entire rest of
17 the map.

18 So it would roughly double or more the amount
19 of time it takes us to generate each map to try to get
20 those down really close, which a hundred percent we're
21 on the same page where the work needs to get done when
22 you get down the line. The reason we don't typically do
23 it early on is because the districts are seeing such
24 large changes from one map to the other, but I a hundred
25 percent agree we're definitely not under populating for

1 a reason other than time to deliver back to you.

2 COMMISSIONER MEHL: And I understand that. And
3 I think now is the time to make the shift. So I'm --
4 this isn't a criticism looking --

5 MR. D. JOHNSON: Right.

6 COMMISSIONER MEHL: -- backwards at all.

7 MR. D. JOHNSON: Understood.

8 COMMISSIONER MEHL: But it -- but now looking
9 at it, I think that really would help us going forward.
10 So that's the reason for bringing it up. And it -- and
11 obviously on the congressional, and I know there's only
12 9 instead of 30 districts, but it's the same philosophy
13 and the same computer power. So I think this is the
14 time on these next iterations, whatever they end up
15 being, that we really work hard to try to get that band
16 significantly narrower than what we didn't care about in
17 the past.

18 MR. D. JOHNSON: Yeah. And if we -- if we do
19 succeed at getting to -- if the Commission does succeed
20 at getting to kind of one map that we're focusing on
21 fine-tuning, we would certainly be on the same page with
22 that. If we're still looking at two or three very
23 different maps, then it may be better to help move the
24 Commission along towards one map than spend the time on
25 that. But we're happy to discuss it when you get to a

1 point where you're giving us directions.

2 CHAIRPERSON NEUBERG: And I think just for the
3 sake of accountability to the community, if we cannot
4 come back with a lot of competitive districts, we can
5 come back to the community and say we did our due
6 diligence, we studied, we -- and we really struggled
7 with balancing the six criteria. So -- but that's -- we
8 need to do our due diligence to see if it's possible.
9 And if it's not, then we'll have to work with the data
10 that's there and the requirements and the constitution
11 that are written for us.

12 COMMISSIONER MEHL: And with that, since you'd
13 like us to work from one map, I think that'll be our
14 next discussion maybe. And I've looked carefully at
15 both the 5.0 and 5.1 maps, and for all the reasons I
16 wanted you to produce the 5.1 map, I have a strong
17 preference for that 5.1 map as a starting point.

18 I think either of these maps, 5.0 or 5.1, are a
19 long way from where we need to get by tomorrow
20 afternoon. So major surgery or major changes need to be
21 done no matter what we do. But when I look at the
22 Maricopa County and look at the overall map and look at
23 the number of districts that have less population
24 variation, and it's just as competitive, it's -- they're
25 basically both toss-up maps at this point. So I

1 would -- I would move that we start with the 5.1 map.

2 CHAIRPERSON NEUBERG: I'd like to inject an
3 opinion on this. I think for the sake of process, let's
4 look at both maps first. If you could walk us through
5 it, I know we've had -- I mean, we're living and
6 breathing this every minute. The public may need a
7 little guidance. Maybe we can just not spend too much
8 time, please, because, like I said, we are focused. But
9 go through them and then we'll have a conversation about
10 which starting point.

11 MR. FLAHAN: Sounds good.

12 Good morning, everyone. Brian is bringing up
13 the 5.0 plan right now.

14 So 5.0 was built upon the 4.1 version from
15 yesterday. And the main goal of 5.0 is to alternate
16 some balancing in certain districts in order to improve
17 competitiveness, particularly in districts including 1,
18 4, 8, 9, 10, 12, and 13. Give us one sec.

19 So zoom in to the Surprise area.

20 COMMISSIONER LERNER: Mark, can you just
21 remind -- say those district numbers again, please? I'm
22 sorry.

23 MR. FLAHAN: 1, 4, 8, 9, 10, 12, 13.

24 COMMISSIONER LERNER: Thank you.

25 MR. FLAHAN: So the first part that was part of

1 your instructions was to take LD-27 and 29 and extend
2 them south to remove that narrow band that you guys saw
3 when District 2 came in between 29, 27, and 25. So we
4 removed that band and D-8 moved south into 27 to
5 balance. D-2 then gets -- moves a little further east
6 into District 29 and 28 to balance them. So you can see
7 that D-2 took a little population from the yellow
8 District 29, so it almost comes into now the new 303
9 freeway out in the west valley.

10 All of Wickenburg -- if you move the map north,
11 all of Wickenburg was taken out and now moved into
12 District 5, which is Yavapai County. So you have united
13 both sides of Wickenburg into District 5. All of Black
14 Canyon City you can --

15 It's shown on the screen already.

16 All of Black Canyon City up the I-17 corridor
17 was moved into District 3, and that came out of
18 District 5.

19 The section of D-28 that is east of I-17 moved
20 into District 3, which is the north of Loop 101. So the
21 purple going into the pink. All of Paradise Valley was
22 moved into District 4, so that is now united in
23 District 4, and it came out of District 8.

24 District 1 is going to move south into
25 District 4 along the freeway for population balancing.

1 The borders between D-3, D-4, and D-8 were shifted
2 around for balancing and to increase the competitiveness
3 between District 4 and District 8.

4 The southern most section of Buckeye that we
5 were talking about yesterday was moved from District 2
6 to District 22, and that does incorporate the prison
7 that is out there. Then to balance that out, D-22
8 releases the triangle area within Verrado Way to west
9 Yuma Road back into D-2 for population balancing.

10 A section of D-12 that is east of
11 Arizona Avenue in the east valley is moved into
12 District 13. And then D-12 extended further south into
13 D-13, and this move both improved their district's
14 competitiveness for those two districts.

15 And then finally at the very end District 10
16 moves west into District 9, north of University Drive.
17 And D-9 opposingly moves east into D-10 south of
18 University Drive to improve competitiveness here and as
19 well to preserve the light rail corridor intact. So we
20 went a block above where the light rail is coming down
21 Main Street in Mesa. So you can see D-9 in the yellow
22 and D-10 went to sort of a horizontal shift now instead
23 of a vertical shift.

24 The map is balanced. Not to the sake that you
25 discussed this morning, but it is balanced. They're --

1 all the population is assigned. And there was nothing
2 that we could not do that you instructed us to do
3 yesterday.

4 COMMISSIONER LERNER: Thank you.

5 Could I ask you to review what happened with
6 the VRA Latino Coalition districts in terms of that? We
7 know we made some modifications here and there on both
8 5.0 and 5.1. So I don't know if they are the same
9 modifications or slightly different between the two?

10 MR. D. JOHNSON: So this is 5.0?

11 MR. FLAHAN: This is 5.0, yeah.

12 MR. D. JOHNSON: So 5.0 still has the Latino
13 Coalition districts as they were drawn. We haven't
14 changed any of those.

15 COMMISSIONER LERNER: I wasn't sure if we had
16 to change one of those on the west valley when we had
17 that piece that was going in.

18 MR. D. JOHNSON: Oh.

19 COMMISSIONER LERNER: Didn't that have to get
20 changed? Or --

21 MR. D. JOHNSON: Oh.

22 COMMISSIONER LERNER: -- did you not move that
23 one, you moved the other?

24 MR. D. JOHNSON: We just brought the
25 non-Coalition district south to fill in that figure. We

1 didn't -- you're right, it did border them, but we did
2 not move those up. We just left them where they were.

3 COMMISSIONER LERNER: Thank you.

4 MR. D. JOHNSON: Go to Map 5.1.

5 CHAIRPERSON NEUBERG: Are there any questions
6 on this version?

7 MR. D. JOHNSON: Just -- I would just add if
8 you have the summary sheet on the website and just on
9 the competitive front, the changes that Mark noted took
10 us from three districts that were in the competitive
11 definition of the Commission and six that were close,
12 and we were able to make a number of the close ones more
13 competitive. So we've gone from three in -- three
14 competitive to five and we still have three that are
15 close but we couldn't get in in this version. So it
16 does increase the number in our range by two.

17 MR. FLAHAN: So while Brian brings up 5.1, this
18 is the last plan that we discussed yesterday. This was
19 the idea to go back to version 3.2 and use that as our
20 base. So the goal here was basically to take 3.2 as
21 drawn and only unite this Kyrene School District --

22 MR. D. JOHNSON: So the other instruction was
23 to unite Oro Valley and Marana, but we weren't able to
24 do that in this map. Part of what we were able to do
25 before putting them together was that we were able to

1 push 16 up because the Coalition's District 23 actually
2 changed Yuma and thus pushed into the Tucson area in a
3 different way.

4 But within the larger structure of D-7 and D-23
5 in this map, we weren't able to get Marana and Oro
6 Valley together. We could see a path to get there, but
7 it would just be a much larger-scale change than was
8 included in the instruction. We didn't want to go there
9 yet without guidance from the Commission. So it's not
10 impossible, but within the larger picture of essentially
11 going back to 3.2 it wasn't possible to put them
12 together. We're happy to discuss other ways we might be
13 able to approach that.

14 MR. FLAHAN: The other change that 5.1 made is
15 it also balanced the 3.2 map. So that was not
16 population balanced, and 5.1 is now population balanced.

17 COMMISSIONER LERNER: So just as a point when
18 we asked about -- I know I asked you about the VRA
19 districts, and I think the focus was on Maricopa County
20 when I said that about 5.0. But we did actually change
21 the one to the south, District 21, in both of these
22 maps; right? Because that had that little piece going
23 out. It's on the south, on the border. Remember the
24 Latino Coalition map had that extension, so we did
25 modify that; correct?

1 MR. D. JOHNSON: Oh, correct. That had been
2 modified in 4.1. So you're right, they no longer match
3 exactly, but --

4 COMMISSIONER LERNER: Yeah.

5 MR. D. JOHNSON: -- we didn't change anything
6 in this version.

7 COMMISSIONER LERNER: Absolutely.

8 MR. D. JOHNSON: Thank you.

9 COMMISSIONER LERNER: Thank you. Just -- it's
10 more of a reminder.

11 MR. D. JOHNSON: Yeah.

12 COMMISSIONER LERNER: Thank you.

13 CHAIRPERSON NEUBERG: And like you did with the
14 earlier version, can you walk us through the number of
15 competitive and maybe almost close to being competitive
16 districts?

17 MR. D. JOHNSON: Sure. In the 3.2 -- or I'm
18 sorry. In 5.1, we now have six that are in our
19 competitive range and six that are less than 15 -- when
20 I say almost close, less than 15 percent on the vote
21 spread. So six competitive and six that are not too far
22 away.

23 COMMISSIONER MEHL: So I jumped the gun
24 earlier, but I'll now put forth a motion that we start
25 from 5.1. It is more competitive. I think it's going

1 to be easier. Again, there's I think a lot of work that
2 any of us are going to want to do on either of these
3 maps. I think it's easier to work from the 5.1 map to
4 where we need to go. There's challenges no matter what
5 we do, but it does get us closer to -- it has
6 significantly more competitive seats just to start with.
7 So I favor that map.

8 COMMISSIONER YORK: Well, and my comments would
9 be -- this is Commissioner York -- around 5.1 is it
10 starts in the middle of Maricopa County and works
11 outwards. You know, we have been working around the
12 fringes of the major population center to try to balance
13 the minority districts in the outer rural areas and
14 maybe -- I think maybe this is a better strategy of
15 starting in the middle based off some of the thoughts
16 through the grid map and balancing population.

17 There's a couple -- there's quite a few
18 communities of interest that I think that are treated
19 pretty well, especially in District 4, District 1,
20 District 2. But still at the same time, we still pay
21 respect to the Latino areas with 26, 24, 27. 10 -- I
22 think District 11 can be expanded to take in more
23 minority areas to the west. I like the way it treats
24 Tempe as it flows out into the Salt River communities.
25 There's -- to me, in my head, there's lots of positives

1 in this map, and so I will also support the motion to
2 adopt this map.

3 COMMISSIONER LERNER: Call for discussion?

4 CHAIRPERSON NEUBERG: Open for discussion.

5 COMMISSIONER LERNER: All right. I will say
6 I'm not supportive of -- surprisingly, right? -- I'm not
7 supportive of 5.1. I know it does some things that are
8 good in terms of the piece that you mentioned about
9 the -- bringing the competitiveness, but I think there
10 are some other real concerns that I have.

11 Tempe, if I can -- if I'm reading this right --
12 put this away. If you can show Tempe up here, seems to
13 be split. Sorry. I don't have my -- am I reading this
14 right that it now has three -- it's three districts or
15 four districts now. Am I reading that right?

16 MR. FLAHAN: Yes. It'd be in four districts.
17 The eastern edge would be in District 9 and District 10.

18 COMMISSIONER LERNER: Right.

19 MR. FLAHAN: Just a tiny bit.

20 COMMISSIONER LERNER: So it actually divides it
21 even more.

22 It also -- in Tucson, it splits -- District 17
23 splits Oro Valley in half. Chandler is split between
24 three districts. Gilbert is split between four
25 districts. West Mesa is split between two districts.

1 So when I'm looking at it from a
2 community-of-interest perspective, I'm seeing some --
3 some bigger issues in this map. And I know we can play
4 with it, but we -- this one comes off of 3.2, and we had
5 actually chosen to go with 4.0 instead. So I get -- and
6 then -- I know we went back to going back on this to
7 3.2, but we hadn't chosen 3.2 for a reason.

8 So I have some concerns about the splits and I
9 actually would like to know if at this point it's
10 appropriate to see what the VRA analysis is for this
11 5.1, if we have it, to see where we are with the
12 districts. I'm concerned about whether or not we have
13 dropped below the threshold for some of the VRA
14 districts with this as some of the changes have
15 occurred. So I know that the districts --

16 I think in this case you said you still have
17 the districts, right, the VRA districts in this one? I
18 know you said you had it in 5.0. I'm not sure of what
19 changes occurred in this one.

20 MR. D. JOHNSON: Correct. So because this came
21 from 3.2, it does not have the Coalition --

22 COMMISSIONER YORK: Suggestions.

23 MR. D. JOHNSON: -- requests in it, yeah.

24 COMMISSIONER LERNER: Right. And so I'm --
25 my -- I would like to have that discussion about where

1 the VRA districts are going to fit into this and those
2 changes. Because to me this is a really significant
3 departure from where we were before, and I have
4 significant concerns about that and with regard to the
5 Voting Rights Act. I'm all for the competitiveness
6 piece, but we need to also be dealing with the other
7 constitutional requirements that we have. And the VRA
8 requirement that we have also fits with communities of
9 interest as part of that. So I am not supportive of
10 5.1.

11 CHAIRPERSON NEUBERG: If we are going to need
12 some counsel and exploration of the VRA before voting to
13 approve a starting point for the legislative map, I
14 think we're going to have to defer to counsel to
15 guidance here. What are your thoughts?

16 COMMISSIONER YORK: Can I make one comment
17 before, just to bring some light to this current
18 Map 5.1?

19 If you look at District 11, District 24,
20 District 26, 27, and 22, those are all almost similar to
21 the Latino community suggestions in the Maricopa County
22 area.

23 COMMISSIONER LERNER: It's the -- and I'm not
24 saying there aren't anything slightly similar, but I
25 would really like to -- you know, we have obligations

1 from a constitutional requirement in terms of the Voting
2 Rights Act. So I want to be sure we're meeting those
3 requirements. And so I would appreciate hearing from
4 our attorneys, if possible, to get their perspective.

5 COMMISSIONER MEHL: Let me just make one
6 comment before. We have been so careful with
7 communities of interest and the Latino communities of
8 interest are so strongly defined that I think the --
9 when I look at the southern Arizona, it's also very
10 similar. So I think we have strong communities of
11 interest driving these areas that are predominantly
12 Hispanic, and that is really the primary concern and --
13 but I admit they need to also meet the VRA test. So I
14 admit, I agree with going to the legal.

15 COMMISSIONER LERNER: Just one other point.
16 Since you mentioned a couple of districts,
17 Commissioner York, I'm just going to bring up one or
18 two. But, you know, District 11 splits south Phoenix
19 into three districts and it splits Guadalupe, which is a
20 pretty small community, into two districts, and that's
21 part of the Latino Coalition. So these are why I would
22 like to hear from the attorneys if possible.

23 CHAIRPERSON NEUBERG: I'd like to turn it over
24 to our counsel, please.

25 MR. B. JOHNSON: Correct. And, real quick,

1 this is Brett Johnson for the record. We want to make
2 sure we're clear with the Commission. All of the data
3 is based off of Timmons and NDC. The legal review is to
4 provide legal analysis as to data that has been provided
5 by Timmons. So the first question has to go back to
6 mapping where Doug or Mark can explain the three columns
7 based off of Latino population or other minority
8 population and the last two columns as to the VRA
9 analysis.

10 If the Commission then has more questions and
11 likes -- would like to see legal guidance as to those
12 three columns, or however mapping would like to present
13 it, we're happy to do so. But I want to make sure for
14 the record we're all very clear that there's not a
15 separate legal analysis going on as to separate data.
16 The data is Timmons' and then we can provide guidance
17 from that.

18 I'm happy to take questions on the record on
19 that before we go forward.

20 VICE CHAIR WATCHMAN: Well, Madam Chair, I
21 think -- I think what I'm looking for, and I agree with
22 Commissioner Lerner, and that is, you know, a VRA
23 analysis. I think what I'm looking for is that does
24 this map here that we're talking about, 5.1, does it
25 suit, you know, the Voting Rights Act requirements.

1 Because, you know, we're trying to balance
2 competitiveness and equal population, but also very
3 importantly, at least in my mind, the voter rights act.
4 And so does this incorporate like, for example, the
5 Latino Coalition preferences. So I'm hearing -- I hear
6 it's not, so...

7 MR. B. JOHNSON: Right. And all we would like
8 is for mapping to first go over the data with you and
9 then -- about the VRA analysis using those three
10 columns. And then our recommendation -- we can go into
11 executive session whenever you all want for sure. We
12 just didn't want there to be any misunderstanding with
13 the public that legal is giving some sort of different
14 data sets than mapping would.

15 So mapping should probably go first in
16 providing the data sets, and then we are happy to give
17 legal advice as to the Timmons data. Is that -- but --
18 or we're happy to go into e-session at any time you
19 want, for sure. We just didn't want anybody in the
20 public to misunderstand that we're only relying on
21 Timmons data.

22 CHAIRPERSON NEUBERG: The only -- thank you for
23 that clarification. It is the data of our mapping
24 folks. I think in our minds it was do we need any legal
25 advice in advance in order to interpret the data that

1 the mapping folks are going to provide for us, or maybe
2 it sounds like your advice is to listen to the data,
3 record it, we can begin to discuss it, but at that point
4 maybe go into e-session to get some legal advice about
5 what it means.

6 MR. B. JOHNSON: That's right, about the data
7 itself. But of course --

8 CHAIRPERSON NEUBERG: Okay.

9 MR. B. JOHNSON: -- Commission prerogative, at
10 any time we'll go into executive session.

11 CHAIRPERSON NEUBERG: Are my colleagues
12 comfortable with starting with the data from the mapping
13 team and then after that, you know, if we choose to,
14 vote to go into e-session for legal advice about next
15 steps based on this data?

16 COMMISSIONER LERNER: Can we do it for both 5.0
17 and 5.1, that data?

18 CHAIRPERSON NEUBERG: Yeah.

19 COMMISSIONER LERNER: Thank you.

20 MR. B. JOHNSON: Sure. Happy to. So if we can
21 bring up the stats for 5.0. Just do them in numeric
22 order here. Okay.

23 So as Mr. Johnson was just mentioning -- no
24 relation, by the way -- if you -- there's really the
25 three columns that we're focused on when we're analyzing

1 these from a Latino voting rights perspective. Of
2 course we're also looking at the Native American side
3 using the Native American citizen voting age population
4 column. But -- so let me knock the Native American one
5 out first because it's simpler. That --

6 VICE CHAIR WATCHMAN: If I could, Madam Chair
7 and Doug, I got an email from the Native American
8 coalition, you know, per se. So they're questioning the
9 actual number that we're using in this information. I
10 don't know if you saw the email from Navajo Nation
11 regarding, you know, which -- which voter age population
12 category should we use as a Native American, there was
13 another reference point. And so I don't know if you saw
14 that email, but could we have a little discussion on
15 that before we venture into this?

16 MR. D. JOHNSON: Sure.

17 VICE CHAIR WATCHMAN: Explain it to them and
18 the public, you know, what Navajo Nation and the other
19 tribes in the northern part of the state are suggesting.

20 MR. D. JOHNSON: Sure, because it's an issue
21 that comes up a lot. And I didn't read the email
22 myself, but I was told about the contents. And like I
23 say --

24 VICE CHAIR WATCHMAN: Okay.

25 MR. D. JOHNSON: -- it's a question that is

1 very understandable and comes up a lot.

2 The question was that -- you can see in these
3 charts it says NH Native American. So we're counting
4 the non-Hispanic Native Americans. And just as a
5 two-minute background, on the census -- 2020 census
6 form, you may remember you're -- people are now allowed
7 to check as many different racial and ethnic groups as
8 they believe apply to them. What that generates in the
9 census data that comes out I believe is -- I may get the
10 exact number off, but it's about 155 different
11 categories. And so what the office of management -- the
12 U.S. Government Office of Management and Budget provides
13 and the U.S. Department of Justice endorses is two
14 approaches to taking those from 155 to something that
15 can be understood and used practically.

16 The first approach takes anyone that marks
17 Hispanic and counts them as Hispanic or Latino. And
18 then if someone didn't mark Hispanic, then it goes into
19 what group they did mark. So non-Hispanic Native
20 American as shown on these charts is counting the number
21 of people who marked Native American or who marked
22 Native American and white, if they marked both of those
23 are counted; but does not include those who counted --
24 who marked Hispanic and Native American.

25 The second part of the OMB, kind of the second

1 step analysis they do sometimes is what's called any
2 part Native American. So if someone marked Native
3 American, they get counted regardless of what else they
4 marked. So there are these two approaches. And it is
5 difficult to know which is -- which best to use in
6 different situations.

7 The key factor and why the default tends to be
8 to focus on the non-Hispanic first is that the
9 non-Hispanic groupings, the first methodology adds up to
10 100 percent. And so when you add all the different
11 groups up, it will add up to 100 percent. If you use
12 any-part, it's going to add up to often significantly
13 more than 100 percent because if someone marked two
14 categories they get counted twice.

15 Now, from a study perspective and an impact on
16 your decisions and an impact on what's here, it actually
17 doesn't drive the decision because the voting rights
18 analysis that came back and said we want to be at
19 60 percent, that was done using the non-Hispanic Native
20 American number. So if we use -- if we switched and use
21 the any-part number, which we do have and could use, it
22 would raise the percentage, I don't know, a percent or
23 two, but it would also raise the target percentage. So
24 where this might go from 50 to 60, the measurements we
25 used to set that target would also go from 60 to 62 or

1 something like that. So we're going to end up the same
2 position relative to our polarized voting analysis
3 either way, regardless of which data set we use.

4 So we do have those numbers. We're happy to
5 put those out. It just -- this tends to be the default,
6 No. 1 because it is the federal government's primary way
7 of doing it and, No. 2, because you start to get a lot
8 of confusion in the public when the ethnic categories
9 add up to over 100 percent. But, yes, we are certainly
10 aware of the difference and conscious of it and tracking
11 that, but it doesn't -- it doesn't impact the actual
12 drawing of the lines because our benchmark would move at
13 the same amount that our number moves.

14 Does that make sense?

15 VICE CHAIR WATCHMAN: Well, I just was asking
16 for some definition clarification. I guess we'll
17 reserve any discussion on that, but I just want to point
18 that out that that's what some of the tribes are
19 suggesting that we also look at. So we will keep that
20 reserved and we can move forward.

21 MR. D. JOHNSON: Yes.

22 VICE CHAIR WATCHMAN: Thank you.

23 MR. D. JOHNSON: And we can check out -- I'm
24 not sure how much is involved in altering things to show
25 that as well, but we can look into doing that as well.

1 But -- so with that, it's an excellent
2 clarification. I appreciate that, Commissioner Watchman.

3 So we do have in this map of 58 percent
4 Native -- non-Hispanic Native American citizen voting
5 age percentage number. Then on the Hispanic and Latino
6 side, in 5.0 we have District 11, which is 46 percent
7 Hispanic/Latino citizen age voting percentage, and so
8 that's obviously heavily Latino. And then the next
9 question is does it perform where it would elect the
10 candidates that Dr. Handley's analysis found were the
11 Latino-preferred candidates.

12 So that's where we go over to the right-hand
13 side. And that 46 percent district, the Latino
14 Democratic candidate for governor got 70.4 percent and
15 the candidate for attorney general got 75.7. So that's
16 how we measure what's a district that performs. It's
17 heavily -- there's a significant Latino population and
18 the Latino-preferred candidate wins both those seats.

19 So in 5.0, that's true in District 11 and it's
20 also true in districts -- with one caveat, in
21 Districts 20 through 26. They're all 42 to -- what's
22 the highest? -- 42 to 54 percent Latino. And with the
23 exception of District 21, they all perform in both the
24 governor's race and attorney general race. District 21
25 is the only one that only performs in the attorney

1 general's race. It does not perform in the governor's
2 race. So that might be -- that's a borderline
3 performance district, I guess you could describe it.

4 And, again, in 5.0 we're looking at -- with the
5 exception of the Tombstone/Douglas neck there, we are
6 looking at the Latino Coalition's request, requested
7 districts.

8 In 5.1, again we get District 11 heavily Latino
9 and Latino-preferred candidates are elected. And then
10 we get Districts 20 through 24 and 26. And again
11 there's the one district, in this case it's District 23
12 in that list, that performs on the attorney general's
13 race but not on the governor's race.

14 So they're very similar. It's just District 25
15 differs between the two, where it performs in -- it is
16 heavily Latino and performs in 5.0 and it is much less
17 Latino down at 26 percent and does not perform in those
18 elections in 5.1.

19 So that's a quick spin through the -- through
20 the numbers. I'm happy to answer any questions that you
21 might have.

22 COMMISSIONER MEHL: So is it correct that 5.0
23 has one more district than currently that's Hispanic,
24 same Native American, and 5.1 has the same number as
25 currently. So 5.1 has one less Hispanic district, which

1 is not a surprise given what we did on the map, but
2 the -- but 5.1 does have the same number as we currently
3 have?

4 MR. D. JOHNSON: Sorry. I carefully prepped my
5 numbers for 5.0 and 5.1 and I do not have quick at my
6 fingers the current map. We haven't -- I don't have it
7 right at my hand the current -- the performance numbers
8 for the currently existing legislative districts, but I
9 believe we are at eight there. Let me -- let me confirm
10 that and get back to you.

11 COMMISSIONER MEHL: I'm fairly sure that's
12 correct. Currently there's seven that -- Hispanic and
13 one Native American. And I think in the 5.0 map that
14 increases by one; in the 5.1 map, it stays the same as
15 it is currently. I'm fairly sure that's correct.

16 MR. D. JOHNSON: Oh, yes. Actually, I see
17 what's confusing my notes. I had an eighth district
18 listed, but it's only 31 percent Latino. On my list
19 that was the close one, so you're right, yes.

20 COMMISSIONER LERNER: So in 5.0, just to
21 clarify, right, we have -- there are basically just --
22 if you can clarify, and mostly because I think we've
23 been going back and forth a lot and especially for the
24 public, if you can clarify what Commissioner Mehl was
25 just asking about just so we're all on the same page in

1 terms of where we are today versus where we are --
2 because this is part of the whole VRA discussion we're
3 going to have.

4 MR. D. JOHNSON: Yeah. So as Commissioner Mehl
5 was just saying, currently we have seven districts that
6 are 45 to 56 percent Latino plus the heavily Native
7 American district. So there's seven in the currently
8 existing legislative map. There would be seven in the
9 Leg. 5.1 plus the heavily Native American one, and there
10 would be eight in the Leg. 5.0.

11 COMMISSIONER LERNER: So one of the points that
12 I guess I wanted to raise as part of why I prefer 5.0 is
13 we know that the Hispanic population has increased to
14 30 percent in ten years since we did the first -- since
15 the first map was created. And what they are doing is
16 producing an extra district to recognize that increase
17 in population as part of it, and the Coalition put forth
18 those eight districts in recognition of it. We adjusted
19 already District 21, which actually then would reduce
20 it, because we modified District 21 from the Coalition
21 map. So it probably should not be included in our count
22 since it did reduce the numbers that they were reaching
23 for.

24 CHAIRPERSON NEUBERG: Before we begin
25 deliberation on the maps, after we are presented the

1 data I think that may be the good breaking point to move
2 into e-session to be able to get some legal advice as it
3 relates to honoring the VRA. And then we can come back
4 and integrate our legal learning to understanding these
5 responsibilities. So if there's practical comments
6 about understanding this data, please ask your question.
7 Otherwise, I'm going to suggest that we -- I'll
8 entertain a motion to go into executive session.

9 COMMISSIONER YORK: I just have one quick
10 comment.

11 CHAIRPERSON NEUBERG: Yes, please.

12 COMMISSIONER YORK: By my way I read the charts
13 is that in 5.0 21 performs and on 5.1 21 performs in a
14 way in the attorney general's race, but not in the
15 governor's race.

16 MR. D. JOHNSON: Correct.

17 COMMISSIONER YORK: I'm not sure -- those both
18 kind of qualify in my -- as far as I'm concerned, so...

19 MR. D. JOHNSON: Yes. So there -- in both maps
20 there's one seat that only performs in the attorney
21 general's race. Commissioner York's correct. In the --
22 5.0, it's District 21; in 5.1, it's District 23. So
23 you're exactly right, but there -- it's in -- there's
24 one of those in both maps.

25 COMMISSIONER MEHL: I move we go into executive

1 session.

2 CHAIRPERSON NEUBERG: Do I have a second?

3 VICE CHAIR WATCHMAN: Vice Chair Watchman
4 seconds.

5 CHAIRPERSON NEUBERG: Any further discussion?
6 Vice Chair Watchman.

7 VICE CHAIR WATCHMAN: Aye.

8 CHAIRPERSON NEUBERG: Commissioner Mehl.

9 COMMISSIONER MEHL: Aye.

10 CHAIRPERSON NEUBERG: Commissioner Lerner.

11 COMMISSIONER LERNER: Aye.

12 CHAIRPERSON NEUBERG: Commissioner York.

13 COMMISSIONER YORK: Aye.

14 CHAIRPERSON NEUBERG: Commissioner Neuberg is
15 an aye.

16 With that, we are moving to go into executive
17 session which will not be open to the public for the
18 purpose of obtaining legal advice with respect to
19 acquiring the information referenced in the consultant's
20 report, specifically guidance as it relates to honoring
21 the Voting Rights Act.

22 Please turn off mops -- microphones, please.

23 (Whereupon the proceeding is in executive
24 session from 9:02 a.m. until 10:14 a.m.)

25 * * * * *

1 (Whereupon the proceeding resumes in general
2 session.)

3 CHAIRPERSON NEUBERG: Okay. As we welcome
4 everybody back, I think we can dive back into our
5 agenda, discussing our maps. Thank you for your
6 patience as we went into executive session in order to
7 get legal advice as it relates to incorporating the data
8 that our mapping team is providing for us and applying
9 that as it relates to honoring the constitutional
10 requirement for the VRA.

11 And so with that, I will turn it over to
12 mapping. I believe we have a decision to make about a
13 starting point with a new iteration on the legislative
14 district map.

15 MR. D. JOHNSON: I think we have finished the
16 presentation of the two maps, so we're happy to answer
17 any questions or take any direction that you have in
18 terms of what you'd like to look at on the maps or if
19 you're ready to vote.

20 CHAIRPERSON NEUBERG: I'll open it up to
21 conversation from my colleagues about which iteration
22 they'd like to propose and why and, again, as it relates
23 to the six constitutional criteria.

24 COMMISSIONER LERNER: I will -- I am going to
25 just say I will make a motion for -- should I do a

1 motion first? Motion for approving 5.0 legislative map.
2 I feel that the map actually meets our legislative
3 criteria for both communities of interest. I feel it
4 does a good job in terms of general compactness as part
5 of that. I also feel it does a nice job with the Voting
6 Rights Act in terms of the needs that we have to meet
7 those requirements as part of it. I feel that it's
8 actually balanced pretty well, not completely. We know
9 that there's going to be population balancing as we go
10 through. It doesn't divide up communities as much as I
11 feel 5.1 does. And, overall, I think it's a good
12 starting point, knowing that we're going to make
13 adjustments. But it's a good starting point with the
14 districts that are included in it, having some clear
15 boundaries that relate to their communities, whether
16 it's school districts or city lines that exist.

17 COMMISSIONER MEHL: I will oppose the 5.0
18 motion, but do you want to make a second first, Derrick?

19 VICE CHAIR WATCHMAN: Vice Chair Watchman
20 seconds the motion, Madam Chair.

21 COMMISSIONER MEHL: I will oppose the motion
22 and support 5.1. I think it is a better start -- I
23 think either map would have a lot of work, but 5.1 I
24 think is -- clearly has quite a large number of more
25 competitive seats than 5.0. It is I think -- I think it

1 respects communities of interest better, and I think
2 that it actually is very strong on the Latino
3 communities of interest. So I think in all respects
4 that will be our better starting point.

5 COMMISSIONER LERNER: And if I can comment on
6 the competitiveness piece. I actually feel that we
7 have -- that 5.0 has actually got more competitiveness
8 based on our -- how we have defined competitiveness in
9 terms of that. And I feel that -- so 5 -- I feel 5.0
10 meets that criteria, constitutional criteria, and I feel
11 that it also listens to the Latino Coalition request in
12 a better way.

13 CHAIRPERSON NEUBERG: We're deeply appreciative
14 for all groups to submit maps, and we take them to
15 heart. And obviously, you know -- we, you know,
16 integrate that information. I do want to make just a
17 statement that the five of us need to, you know, make
18 our decisions based on our collective wisdom, our
19 collective sources of information. And I just want to
20 be reluctant to adopt external organization's maps from
21 which to start from when it hasn't gone through the
22 deliberative process of the five of us looking at it
23 first.

24 COMMISSIONER MEHL: Call for a vote.

25 VICE CHAIR WATCHMAN: Are we going to vote?

1 Call for the question, Madam Chair.

2 CHAIRPERSON NEUBERG: Is there any other
3 conversation before we, you know, pull a vote between
4 these two iterations in terms of where we're wanting to
5 go, how each one brings us further to achieving our
6 goals of honoring the six constitutional criteria, your
7 last arguments, and then I believe was the motion -- was
8 there a motion on the floor to approve --

9 VICE CHAIR WATCHMAN: Yes.

10 CHAIRPERSON NEUBERG: -- 5.0? So let's make
11 your last arguments and we will make a vote.

12 COMMISSIONER LERNER: Well, one last comment
13 just briefly is that we previously -- I -- we previously
14 had a discussion about the Coalition maps and asked that
15 they be incorporated into our maps as part of that. So
16 I feel we actually did look at them as a starting point
17 as we were drawing our maps. So I just want to
18 acknowledge it or remind ourselves that we did, on our
19 own volition, ask for those to be incorporated into the
20 maps as we were moving forward.

21 COMMISSIONER YORK: Commissioner York. I'd
22 like to make a comment in regards to that. We did ask
23 for those to be incorporated, but upon further review
24 we -- I feel that the rendition of 5.1 does a better job
25 of providing us the data and also the districts that are

1 more supportive regarding the six elements of the
2 constitution.

3 CHAIRPERSON NEUBERG: And I continue to welcome
4 the additional feedback. All of that feedback informs
5 us. It doesn't constrain us, but it informs us. And I
6 think that's remarkably helpful.

7 Is there any further discussion on this motion
8 right now to approve the draft Map 5.0?

9 I will take a vote.

10 Vice Chair Watchman.

11 VICE CHAIR WATCHMAN: I vote yes on 5.0.

12 CHAIRPERSON NEUBERG: Commissioner Mehl.

13 COMMISSIONER MEHL: No.

14 CHAIRPERSON NEUBERG: Commissioner Lerner.

15 COMMISSIONER LERNER: Yes.

16 CHAIRPERSON NEUBERG: Commissioner York.

17 COMMISSIONER YORK: I vote no.

18 CHAIRPERSON NEUBERG: Commissioner Neuberg is a
19 no.

20 And with that, we will move to the next
21 iteration of 5.1.

22 COMMISSIONER MEHL: I make a motion that we
23 approve 5.1 as the new starting point.

24 CHAIRPERSON NEUBERG: And with that motion, I
25 would like to entertain discussion about how that

1 advances or --

2 VICE CHAIR WATCHMAN: Is there a second?

3 COMMISSIONER YORK: Commissioner York seconds
4 the motion.

5 CHAIRPERSON NEUBERG: I'd like to entertain
6 discussion about the pros and cons and how this in your
7 mind advances our collective vision as it relates to the
8 LD map.

9 COMMISSIONER MEHL: I think we've actually
10 presented our thoughts pretty thoroughly. But again, I
11 think it's more competitive. I think it respects
12 communities of interest better. I think it deals with
13 Maricopa County better. So for those reasons, I support
14 it.

15 COMMISSIONER YORK: I will add to the fact that
16 I think the way that 5.1 is drawn we can actually
17 incorporate more of the Latino Coalition's needs in a
18 way that'll be more robust for their desired outcome for
19 their candidates.

20 COMMISSIONER LERNER: I think we have expressed
21 our opinions based on what we said about 5.0.

22 CHAIRPERSON NEUBERG: Okay. So we'll take a
23 vote on 5.1.

24 Vice Chair Watchman.

25 VICE CHAIR WATCHMAN: No.

1 CHAIRPERSON NEUBERG: Commissioner Mehl.

2 COMMISSIONER MEHL: Yes.

3 CHAIRPERSON NEUBERG: Commissioner Lerner.

4 COMMISSIONER LERNER: No.

5 CHAIRPERSON NEUBERG: Commissioner York.

6 COMMISSIONER YORK: Yes.

7 CHAIRPERSON NEUBERG: Commissioner Neuberg is a
8 yes.

9 And with that, we will start the deliberative
10 process on the legislative map with 5.1.

11 COMMISSIONER LERNER: So are we going to -- we
12 can now start to make recommendations --

13 VICE CHAIR WATCHMAN: Yes.

14 COMMISSIONER LERNER: -- Madam Chair?

15 CHAIRPERSON NEUBERG: Please.

16 COMMISSIONER LERNER: Okay. Perhaps we can
17 start by taking a look at some of the -- well, I'll
18 start with District 11. And I'm kind of taking a close
19 look at that from what the Latino Coalition had proposed
20 as well as sort of looking at communities of interest in
21 this area.

22 District 11 right now splits apart south
23 Phoenix and Laveen into three districts. And when we go
24 back to the Latino Coalition's letter, it identified
25 this as a community of interest, as have other people

1 who have testified as part of that. It also separates
2 out Guadalupe, which has traditionally been included in
3 that south Phoenix area as part of that community.
4 Guadalupe is now split. Just looking in that entire
5 area right there, 11, 8, and 12. And Guadalupe right
6 now, just pulling this up exactly how split it is, but
7 you can see that it's actually divided. And it would be
8 nice to -- actually, we want to get that together.

9 And so what I'd like to do is suggest that we
10 look at a way to honor that -- what the Coalition had
11 proposed in those areas. I don't want to start giving
12 you streets and all of that. I think you could go back
13 to the Coalition boundaries and see if you could
14 incorporate that into 8, 11, and 12 to try to make that
15 adjustment.

16 Would that be sufficient, Doug?

17 COMMISSIONER YORK: Yeah. I --

18 COMMISSIONER LERNER: Oh, I meant Doug Johnson.
19 Sorry. I have to always remember to say that. Sorry,
20 Commissioner York.

21 COMMISSIONER YORK: Well, I would leave the
22 airport area in D-8. I would support the Guadalupe
23 addition to D-11, along the Baseline corridor. I'm not
24 sure how far west you can go into Laveen. I know
25 District 8 right now is currently short 5,000 plus. And

1 so it may be with those additions you picked that up.

2 The other suggestion I would like to see is
3 that Tempe get pushed out to the 101. That's
4 District 8, out to the 101. And take the little pieces
5 from D-10 and D-9.

6 COMMISSIONER LERNER: Are you then saying -- so
7 you are saying basically push those pieces on the east
8 over to the 101 on the border of Tempe?

9 COMMISSIONER YORK: Correct.

10 COMMISSIONER LERNER: What would happen,
11 then -- Tempe has been connected.

12 COMMISSIONER YORK: Yeah. No. That would make
13 Tempe more connected with D-12.

14 COMMISSIONER LERNER: Well, can you clarify for
15 me, please, on how that would -- I mean, how pushing it
16 east would actually more connect it to D-12 versus --

17 COMMISSIONER YORK: No. The west side of D-10
18 and D-9 are in Tempe, and you said earlier that you felt
19 that those needed to be in the D-10. I mean, that --
20 those pieces of Tempe needed to be in D-8.

21 MR. D. JOHNSON: If I can ask a clarifying
22 question. In the --

23 COMMISSIONER LERNER: I see what you're saying.

24 MR. D. JOHNSON: The congressional map, the
25 Commission has instructed us to use the Phoenix Tempe

1 border there plus Guadalupe. Is that -- is that what
2 you mean in this case as well?

3 COMMISSIONER YORK: Correct.

4 MR. D. JOHNSON: Okay.

5 COMMISSIONER LERNER: What I think -- sorry.
6 What I think we need to be doing is shifting D-8 east a
7 bit, because it -- and -- it really shouldn't be -- D-8
8 shouldn't be in south Phoenix, just taking that south
9 piece. If you're -- recall the map you had previously,
10 it looked a little odd shaped, but it did have that
11 Guadalupe piece. And Tempe traditionally has had a
12 small section, very small section, sort of right next to
13 Guadalupe. That's also been in that same south Phoenix
14 district. I don't know if that still can be there or
15 needs to.

16 But if you recall, Tempe has been in three
17 districts in the past and I know they would still like
18 to have pretty much the same split that they've had
19 previously if possible, that connection to west Mesa and
20 the connection down to the Ahwatukee area and then the
21 connection with the Salt River Indian community in south
22 Scottsdale, which I think this map pretty much does on
23 the north end pretty well.

24 COMMISSIONER YORK: Well, now, if I look at my
25 chart, D-12 is long on population. Correct?

1 COMMISSIONER LERNER: Yes.

2 COMMISSIONER YORK: 10,000.

3 COMMISSIONER LERNER: It is. It is high on
4 population. But I think you're going to be making some
5 adjustments with that when you're looking at it from the
6 Coalition perspective, too. Right? You might be taking
7 some of that. So I think Tempe shifts, shifts over a
8 little bit.

9 MR. D. JOHNSON: Yes. So if I'm understanding,
10 the primary direction is for the District 8/District 11
11 border to be following the Phoenix/Tempe city line, but
12 with Guadalupe in 11. And to take a look at --
13 Guadalupe kind of arches around a little bit of Tempe,
14 so --

15 COMMISSIONER LERNER: Right.

16 MR. D. JOHNSON: -- that little piece that it
17 arches around we can take in for compactness, if that
18 makes sense for that --

19 COMMISSIONER LERNER: No. That's -- and that's
20 exactly what's happened in the past. And Guadalupe and
21 that part of Tempe has -- they feel comfortable with
22 that, with being in the south Phoenix district. And
23 that's where Guadalupe has liked to be and requested.
24 So we can take a look at how that shakes out.

25 Another point maybe just to look at as long as

1 we're in the east valley area, kind of start where I'm
2 comfortable, is to take a look at west Mesa. Right now
3 District 9 is split horizontally. We've got D-10 and
4 D-12, I think. Right? And this is one where our
5 Chairwoman mentioned the Asian-American community at one
6 point. The Asian-American community is growing pretty
7 quickly in the west Mesa area, and there's a growing
8 Latino community in there as well. So it would be
9 interesting I think to try a vertical split between the
10 district that unites those areas in D-9 and D-10 rather
11 than this horizontal.

12 I know that there's some thoughts about that
13 with -- I think we would still include the light rail in
14 that because the light rail is a connector, and it
15 certainly is a connector for west Mesa and Tempe and
16 there's a lot of interaction there. And so that's just
17 a thought.

18 MR. D. JOHNSON: Yeah. If I may on this, the
19 reason these -- for those looking in detail back at the
20 previous 3.2 --

21 COMMISSIONER LERNER: Yeah.

22 MR. D. JOHNSON: -- the reason 9 and 12 and 13
23 all rotated was the Commission's request we take a look
24 at competitiveness. So switching 9 to be horizontal
25 there actually made it competitive. It's almost

1 perfectly competitive now at 0.1 vote spread and 5-4
2 swing.

3 And, similarly, 12 is outside of this vote
4 spread range, it's at 9.9 percent, but it is -- it does
5 have a swing election.

6 CHAIRPERSON NEUBERG: Okay.

7 MR. D. JOHNSON: And then the 13 also. We --
8 all those -- all that rotation of 9, 12, and 13 there
9 made them all competitive. 10 -- 10 obviously was
10 impacted as well and did not become competitive, but
11 that was -- that was why those districts all rotated
12 from vertical to horizontal in order to make them
13 competitive. So we can rotate them back, but I didn't
14 want to -- I wanted to make sure you had that data point
15 before we looked at switching them back.

16 COMMISSIONER LERNER: Well, we're going to move
17 Tempe a little bit further east into what is now D-9 as
18 well; right?

19 MR. D. JOHNSON: Yes.

20 COMMISSIONER LERNER: Okay. So I think that
21 will go at least probably to the 101 which will include
22 that piece of D-9. And I don't know where D-9 is in
23 terms of population, and D-8, but we'll have to do some
24 shifting with that.

25 MR. D. JOHNSON: Uh-huh.

1 COMMISSIONER LERNER: I have a little bit of
2 concern about how D-10 is done. And, you know, in doing
3 those shifts, I'm a little concerned about where D-10
4 is, and I'm wondering if we can make a few
5 modifications. Because the Salt River Pima Maricopa
6 Indian community has a lot in common with west Mesa
7 along their border. And what we have done is
8 combined -- by making that shift that we did, we have
9 now combined it with east Mesa, which it's not aligned
10 with. Their students go to schools in west Mesa. They
11 interact with the city, but they're much more of the old
12 Mesa component and they have people who live in that
13 area as well. And when we had the original map, an
14 earlier map -- and I can look up which iteration,
15 I'll -- I can do that at some point -- we had them
16 connected in that way.

17 So I think this -- I understand why we did the
18 horizontal shift, but I think it might have impacted
19 some other communities of interest in a way that when we
20 did that shift maybe isn't working.

21 So I can -- at some point I can go back to some
22 of the previous maps and see if there's another way to
23 kind of move those around a little bit again, but I
24 would like to honor those relationships that exist in
25 that area on the west Mesa side, and in that particular

1 case that northwest Mesa side. So when we -- when we
2 went horizontal in D-9 in particular, we kind of lost
3 some of those connections.

4 Does that make sense, Doug? And I'm saying
5 Doug Johnson now because -- just to avoid the
6 Commissioner Doug piece. Does that make sense to you,
7 what I'm talking about on how those connected?

8 MR. D. JOHNSON: Yes, I remember that change
9 you are talking about. We didn't alter that in making
10 these competitive changes. We only rotated 9 and 10 in
11 this map, but it also didn't have that connection you're
12 talking about before.

13 As we bring District 8 out of Phoenix, it will
14 then push east into Mesa. So it will -- we can
15 essentially just push east into 10 and 9. I believe
16 that would reestablish the connection between the Salt
17 River and west Mesa.

18 COMMISSIONER LERNER: Okay.

19 MR. D. JOHNSON: Is that what you're talking
20 about?

21 COMMISSIONER LERNER: Yeah. Let's try that and
22 see what happens on that, because that's what I'm
23 talking about. So if it -- if it happens sort of
24 naturally, great; and if not --

25 COMMISSIONER YORK: That's going to push --

1 COMMISSIONER LERNER: -- we can come back
2 and look at it.

3 COMMISSIONER YORK: That's going to push into
4 15; correct?

5 COMMISSIONER LERNER: Not --

6 MR. D. JOHNSON: Yes.

7 COMMISSIONER LERNER: Wait. 15?

8 MR. D. JOHNSON: So 8 will push into 9 and 10,
9 that will then push 9 and 10 east into 15.

10 COMMISSIONER LERNER: Okay.

11 MR. D. JOHNSON: Yes.

12 COMMISSIONER LERNER: And I want to be a little
13 careful with 9 because a bunch of that area -- by
14 pushing it further east, that's going to have an impact
15 in terms of traditional voting in that area. And I'm
16 going to be pretty up front that is very competitive
17 right now, District 9 the way we have it. If you move
18 it further east, it will not be, and that would
19 significantly change it. And that's also part of the
20 problem in moving it horizontally. Because once you go
21 east into that area, you're going to now be picking up
22 some very strong Republican areas that will change that
23 dynamic.

24 And I know at one point we had moved things
25 around, but I was focusing mostly when we were moving

1 around trying to balance 12 and 13, which I think we
2 did. We moved -- we made those a little bit less. But
3 moving 9 like that is going to have -- going east is
4 going to be a big impact.

5 MR. D. JOHNSON: And kind of going a couple
6 steps down the road, too, this is all the issue we
7 talked about yesterday of if District 8 -- so when we
8 moved District 8 out of Phoenix, if we move -- if we add
9 in population from -- to the south or from the east of
10 District 8 as we are talking about here, by pushing
11 District 8 into Mesa or even if we push it south toward
12 Ahwatukee, we are going to run into this problem of
13 where does it go. It's the same thing we ran into
14 yesterday of when we push it into District 15, as we
15 just mentioned, but then 15 runs into District 7. And
16 so we run in -- we actually run back into the Verde
17 Valley problem.

18 So the alternative to that is when Tempe -- or
19 when District 8 comes out of Phoenix, instead of then
20 making up the population going into the east valley,
21 District 8 would go north, go more into Scottsdale,
22 Paradise Valley, and keep the rotation on the Phoenix
23 side of the narrow between South Mountain and the Salt
24 River.

25 COMMISSIONER LERNER: And this is --

1 COMMISSIONER YORK: Let's see --

2 COMMISSIONER LERNER: I actually think that
3 what would be another option would be to take District 9
4 and District 10 and make that a little bit more
5 vertical. Because then you would take District 9, and
6 when you move Tempe over to the 101 you would actually
7 make District 9 vertical to go up to the Salt River, up
8 to that line, which would help in terms of the
9 populations that are there that are very aligned,
10 communities of interest. And then you would have
11 District 10 also becoming more vertical in that area.
12 And I think your communities of interest in both of
13 those would be better served as part of it.

14 But I will say this is part of the concern I
15 have about trying to now fix some of these changes
16 that -- some of the changes that we are trying to fix
17 are based on these modifications in 5.1 that we are
18 going to be working through. So it's going to be a
19 little challenging to kind of know exactly the impacts
20 on all of this, whereas I thought the other map had
21 those in a little bit more cohesive fashion.

22 So I think we're going to run into some of
23 these same issues of communities of interest that have
24 been divided in 5.1 that weren't previously divided,
25 beyond the Latino communities I am talking about. So

1 what I -- what I would like to see somehow would be
2 District 9 or 10, whichever one you want to call it, not
3 stretching further east, either one of those, but taking
4 maybe one of them and -- both of them and doing a little
5 bit of a north/south.

6 COMMISSIONER YORK: So you would like to take
7 D-9 and D-10 and rotate them so they're going
8 north/south?

9 COMMISSIONER LERNER: Yeah.

10 COMMISSIONER YORK: Use that total population
11 block to balance if you move Tempe out to the 101, which
12 is only about a mile?

13 COMMISSIONER LERNER: Well, and I think the
14 population piece -- I of course want the population to
15 all balance. But in making these adjustments that we
16 are doing right now, I think -- I don't think we want to
17 get caught up in all of the population piece right now
18 till we come back and say, okay, now we know we're short
19 by a couple thousand, let's fix it. Because we won't
20 know until you start making those moves on how far off
21 we're going to be.

22 I think at this point my focus is on let's
23 focus -- let's hit the communities of interest and where
24 those should be aligned, and then I would trust the
25 mapping folks to see what they can do to do the best

1 they can in terms of population alignment, knowing that
2 we will still tweak it. Because as Commissioner Mehl
3 said, this is a starting point for this map. We're
4 going to be making lots of adjustments. And so as we
5 make adjustments, those population shifts will have to
6 occur, but over time.

7 So I would like to see the D-9/D-10 shift
8 because I think that actually adheres to those
9 communities better and they are more aligned, especially
10 when I think of the west Mesa piece and the communities
11 that are in there, the old Mesa and some of the diverse
12 communities that have settled in that area. And it may
13 be that it extends down a little bit into old -- that
14 parts of Gilbert and north Chandler, it might be that it
15 picks up some of that. I don't know. As you are moving
16 through that, I guess you can kind of take a look at it.

17 CHAIRPERSON NEUBERG: I'm open to this idea,
18 but I do want to say that it's counter to some of the
19 feedback that I have heard that the logical communities
20 of interest move more west/east on -- in a horizontal
21 pattern, and that as we move more to the east as we get
22 closer to Apache Junction, the political leanings are
23 moving more to the right. I'm not opposed to the
24 horizontal alignment because it gets to what I said
25 earlier maybe, you know, juggling things a little bit to

1 see if we can achieve more partisan balance. But I just
2 want to make sure that we're honoring some communities
3 of interest that are naturally aligned on that
4 horizontal flow.

5 COMMISSIONER LERNER: And I agree that there
6 are some -- that's I think that piece from -- you had
7 mentioned the light rail, and I want to make sure we
8 keep that in there because those -- that is a connector,
9 and I think it does that. But I -- when I look at the
10 west Mesa in D-10, that community is very aligned with
11 what is in D-9. And we are dividing them into two
12 districts, and that's really what I'm talking about
13 there. Because that divide of -- I'm looking at what
14 the road is, if anybody gets that faster.

15 COMMISSIONER YORK: It's Gilbert.

16 COMMISSIONER LERNER: Broadway. It's just an
17 arbitrary division in that way.

18 But when you look at the communities that are
19 there, you have communities especially when we take a
20 look at things like the Asian-American community that
21 has settled north/south all up and down the area between
22 101 and at least Country Club, they don't stop at
23 Broadway. There's strong communities all the way up.
24 And, again, same thing with the Hispanic community in
25 those areas and Native Americans as well as some old

1 communities, old Mesa communities. And that's part of
2 why I'm looking at that particular area as being a
3 little bit more north/south for D-9 and D-10. They fall
4 on both sides of Broadway, so that's why that break
5 would be really dividing up those communities of
6 interest.

7 I do want to respect some of those east/west as
8 well, but I see that particular area, that's a pretty
9 strong community of interest if you -- and it actually
10 extends even further down into -- into some parts of
11 D-12 as well.

12 MR. D. JOHNSON: And, Commissioner Lerner, just
13 for the Commission's information, the Broadway was
14 chosen so that the light rail corridor would be united
15 in District 10. So --

16 COMMISSIONER LERNER: Yeah.

17 MR. D. JOHNSON: -- we're certainly happy to
18 use a different road if you prefer, but --

19 COMMISSIONER LERNER: Well, it --

20 MR. D. JOHNSON: -- that was the reason for
21 that.

22 COMMISSIONER LERNER: The light rail stops
23 past -- I'm sorry. I keep --

24 MR. D. JOHNSON: Right. It doesn't go all the
25 way out there certainly.

1 COMMISSIONER LERNER: It doesn't go all the way
2 out there, and that's the thing. I'm looking at that --
3 that would still include the light rail. It would not
4 take that away as a connector, but it does not go that
5 far. And the communities are really on both sides of
6 the light rail.

7 So the light rail is a great connector, but if
8 we divide those communities on both sides arbitrarily
9 just because of the light rail, that doesn't help them.
10 So I think the light rail doesn't go past -- I'm not
11 even sure if it goes -- I know it goes to I think Alma
12 School. Maybe Country Club, but I'm not even sure if it
13 goes that far. So this would not diminish that
14 east/west component.

15 CHAIRPERSON NEUBERG: Would any of this improve
16 our competitiveness?

17 MR. D. JOHNSON: These changes would actually
18 undo the competitiveness changes that we did the other
19 day. So we would no -- they would no longer be -- what
20 is it, 9 or 10? I keep forgetting which one is the
21 competitive one, so I'm flipping back here.

22 So 9 is actually 0.1 percent vote spread and a
23 5-4 split as shown horizontally. If we go back to
24 vertical, I don't know the exact numbers it come out at,
25 but it wouldn't be competitive anymore.

1 COMMISSIONER LERNER: But what's going to
2 happen is because of the changes we have to make to
3 District 11 it's already going to shift, because we have
4 to move Tempe over into that area, into parts of it. So
5 we're already shifting some of that as part of what we
6 have to do to bring together some of the communities.
7 And I am -- I'm trying to balance -- I'm trying -- I'm
8 not trying to overdo anything in terms of numbers
9 because I'm actually not even looking at the
10 competitiveness piece right now. I'm purely looking at
11 these communities of interest that are being arbitrarily
12 divided in this area.

13 I think as we get looking at this -- at these
14 maps, I think we can always -- we can continue to
15 adjust, but I would like to acknowledge those
16 communities of interest that are in D-9 and D-10 and are
17 now being divided by that shift to that horizontal.

18 I know we worked a lot on D-13 and 14, I think.
19 Or D-12 and 13. Right? I guess --

20 MR. D. JOHNSON: Yes. Yes, we also made
21 adjustments to 12 and 13 to improve their
22 competitiveness.

23 COMMISSIONER LERNER: To improve those. Right.

24 CHAIRPERSON NEUBERG: I think we're at the
25 point, though, that when we're making suggestions to

1 enhance either communities of interest or for whatever
2 constitutional goal we have in mind that we acknowledge
3 the compromise that we're also making. So if we're
4 enhancing a community of interest, if we're lessening,
5 you know, competition, I think for the sake of
6 deliberation it's helpful for us to have all of that
7 information, you know, out there so we're not making
8 decisions in isolation.

9 COMMISSIONER LERNER: I'd like to see as many
10 competitive districts as possible, but I also want to
11 acknowledge some of these -- these communities of
12 interest that have been modified. So I -- so I guess
13 those are my suggestions. I'd like to ask that we could
14 take a look at that and see what happens because it's
15 kind of a ripple effect, right, from D-11 to D-8 to D-9
16 to D-10, and we can kind of see how that all fits
17 together as part of looking at how those -- that
18 district --

19 MR. D. JOHNSON: Well, this is the issue I was
20 raising before, though. I mean, if we're bringing any
21 of District 8 into the east valley, then we're bringing
22 another district in that's going to push out on the
23 other side. So D-8 and D-11 can be shifted and D-8 can
24 go farther north.

25 COMMISSIONER YORK: Take the population out of

1 D-8 and put it in D-11.

2 MR. D. JOHNSON: Pardon me?

3 COMMISSIONER YORK: D-11 is short population.
4 We're taking some of that population out of D-8 and
5 putting it in D-11.

6 COMMISSIONER LERNER: Right.

7 COMMISSIONER YORK: So we're moving D-8 a
8 little east into 9 and 10, but it isn't that drastic.

9 MR. D. JOHNSON: It varies a -- the population
10 deviations in a district, it obviously varies from area
11 to area. But generally in the Phoenix and west valley
12 area, the deviations we're -- that we're showing in the
13 current maps are like a half mile street. You know,
14 moving from the mile road to the half mile road is going
15 to probably flip those the other way.

16 So when we're talking about a couple thousand
17 people in a district, that's not going to move any large
18 piece of geography in this part of the state. So it
19 might get -- like we may be able to move the District 8
20 border over to 101. You know, that may work on the
21 edges of deviation, but, you know, maybe -- I would be
22 surprised if that whole D-8 area that's south of 10
23 and -- south and west of 10 could be absorbed just in
24 the population numbers. I think it's going to push and
25 need to push out on the other side, but we can look at

1 it.

2 COMMISSIONER YORK: It's a pretty industrial
3 area, Doug.

4 MR. D. JOHNSON: Yeah. That's why I'm not --
5 that part I'm not as sure of until we draw it, but...

6 COMMISSIONER LERNER: So I have a suggestion to
7 take a look at -- you know, we've got three or four
8 districts right in that area. You know, we started with
9 District 11, kind of acknowledged the fact that that
10 needed to be corrected, right, and we need to include
11 Guadalupe in there.

12 So knowing what -- knowing the communities of
13 interest that we've been discussing, know the
14 competitiveness question that we've been discussing,
15 could you take a look and maybe give us a couple of
16 options, taking a look at 11, 8, 10, 9, 12, 13, you
17 know, perhaps 14, kind of like how could those be
18 adjusted in some of those ways. I mean, it's basically
19 once we start moving one, as you've often said, right,
20 once you move one, it has these impacts on all the
21 others.

22 I could continue to give you all these
23 possibilities, but I think what's more important for my
24 perspective is to say here are the communities that we
25 want to be concerned about and can you see how you can

1 make that -- you know, how can you get that to all fit
2 together. Because, I mean, when we were talking
3 yesterday, I was focusing more on those southern
4 communities. I think it was --

5 COMMISSIONER YORK: 12 and 13.

6 COMMISSIONER LERNER: 12 and 13. Thank you.
7 12 and 13. And those did become more competitive as we
8 worked through, which is what we were trying to
9 accomplish as part of that.

10 And so, I mean, there may be times when we can
11 work through that where we're not breaking up
12 communities of interest to any great extent, and that's
13 what we want to do. I think we all want to work towards
14 that as much as possible. But in this case, 8, 9, 10,
15 and 11, and probably 12 all need to be adjusted in some
16 way to make both population work and to acknowledge
17 communities of interest.

18 MR. D. JOHNSON: The nice thing at this point
19 in the process is we have a bunch of maps to look back
20 to. And --

21 COMMISSIONER LERNER: Right.

22 MR. D. JOHNSON: -- essentially if we rotate 9
23 and 10 back, we're -- they're going to be essentially
24 the way they were in 3.2. There will be some changes
25 along the edges, but it will essentially be the way they

1 were in 3.2. And so I was just pulling up those numbers
2 just -- that put 9 at an 8.3 percent Republican
3 advantage and no swings. And 10 was 20 plus percent
4 Republican. So it would -- 9 would still be kind of in
5 our ballpark range. It's not in our 7 percent range,
6 but we would be at 8.3, but...

7 COMMISSIONER LERNER: I'm not -- I'm confused
8 how that would be. I'll have to look at 3.2. Because 9
9 and 10 were -- I guess can you show us what that one
10 was? Because that -- you're faster at moving them back
11 and forth than I am.

12 MR. D. JOHNSON: Can you show them 3.2.

13 COMMISSIONER LERNER: Oh, I didn't mean the
14 chart. I meant the map.

15 MR. D. JOHNSON: Yeah, the Map 3.2.

16 COMMISSIONER LERNER: Is it maybe different?
17 I'm looking at different --

18 MR. D. JOHNSON: Yeah. So this -- this shows
19 District 8 coming into the west end of Mesa and then it
20 gets the whole freeway corridor, not just to the
21 freeway. And then 9 vertical and 10 vertical.

22 COMMISSIONER LERNER: Well, I am not wanting to
23 decrease competitiveness to that extent, but I guess I
24 just would like you to kind of take a look at -- I don't
25 think that we want to put -- we're not going to fit them

1 exactly in that way, but we want to maybe take a look --

2 We could also take a look at version 5.0 in
3 that area. Could you pull that one up? Because that I
4 think acknowledged both -- a little bit of horizontal
5 and vertical. I have no -- I don't know what the
6 numbers were on that.

7 MR. D. JOHNSON: We can pull those up.

8 COMMISSIONER LERNER: I can't see.

9 MR. D. JOHNSON: So in 5.0, you can see 9 is
10 a -- oh, there is 17.4 percent spread with 9 Dem wins
11 and zero Republicans.

12 COMMISSIONER LERNER: Okay.

13 MR. D. JOHNSON: And then 10 is a 21 percent
14 spread with zero Dems and 9 Republican wins. And the
15 big difference is --

16 Can you go back to the map for 5.0.

17 In 5.0, 9 is getting all that central Tempe
18 section. So we have Tempe split three ways.

19 COMMISSIONER LERNER: Yeah. And I think that's
20 where I'm going with some of this. As much as I know
21 I'm maybe probably not being as coherent, but I think
22 part of it is looking at when we make the adjustments to
23 11, we know 8 is going to shift. And so I'm trying to
24 figure out how that affects 9 and 10 in these areas.
25 And I don't know how far 8 will shift over, and that's

1 that population question I think that Commissioner York
2 brings up.

3 So maybe what we do is we start with 11 and 8,
4 that shift that you were going to make, see how that --
5 because that's going to move over to the east, and then
6 take another look at it once you've got that piece. And
7 see if that keeps -- because when -- because that 8 is
8 vertical, if you are shifting it over it might actually
9 take into account those communities that are more
10 vertical versus horizontal. So why don't we just start
11 with 11 and 8, seeing how that shift impacts 9 and 10,
12 because it may end up keeping the rest of 9 and 10
13 horizontal.

14 MR. D. JOHNSON: Okay.

15 COMMISSIONER LERNER: If that works, we just do
16 that.

17 MR. D. JOHNSON: And it makes sense --

18 COMMISSIONER LERNER: Instead of doing all the
19 other things, let's try -- start one step at a time.
20 Because I don't know how far you will have to shift
21 Tempe over -- 8 over, I mean.

22 MR. D. JOHNSON: Yeah. And if I am
23 understanding the kind of big picture request, the goal
24 is to move 8 over into 9 and 10 some, but not to the
25 point where we push out the other side of 15. So we

1 would really just be working with the deviations
2 internally in the east valley to adjust those. Am I
3 understanding that correctly?

4 COMMISSIONER LERNER: Well, I --

5 COMMISSIONER MEHL: Actually, if you do move
6 out into 15, if -- I think it would help southern
7 Arizona to take Florence out of 7, maybe a little bit
8 out of 7. So if there is something that helps to go
9 into 15 and push something in 15 to 7 and Florence down,
10 because we're having some shortages of population that
11 could be spread around better south if we had a little
12 bit more population there.

13 COMMISSIONER LERNER: In where? In D-7?

14 COMMISSIONER MEHL: Yeah. Where D-7 could give
15 up Florence. So I don't know if that helps or not,
16 but --

17 MR. D. JOHNSON: Yeah. This is the -- the
18 challenge is once we -- once we touch D-7 to take
19 anything out of it is where does it go?

20 COMMISSIONER MEHL: And it -- and if it's just
21 Florence, we're not looking at that much. But that
22 helps going south because we're actually short in a
23 number of the districts south, and then start with some
24 thoughts I have on pushing some things around that
25 would help this out.

1 COMMISSIONER LERNER: D-7 could potentially --
2 Florence could potentially go into 16.

3 MR. D. JOHNSON: Yes.

4 COMMISSIONER LERNER: Right?

5 MR. D. JOHNSON: And just -- that area is
6 actually Florence and Coolidge are both in 7.

7 COMMISSIONER MEHL: Yeah. So that would go
8 well into 16, and I think that population -- once you
9 shove it all the way and do some mixing in Tucson,
10 there's like three or four districts that are short down
11 here and I think that actually can help make that all
12 work.

13 MR. B. JOHNSON: All right. I'm just --

14 COMMISSIONER LERNER: I don't know what that
15 does for competitiveness, and that's something we'll
16 have to look at. But they -- they could actually fit --
17 I don't know how far east you can go either before you
18 start to -- I don't know that it would affect much going
19 east because there's not much population moving further
20 east than what we've got it. Because you don't want to
21 really take -- you've already got to Gold Canyon in
22 there and to Gold Camp. Right? And you don't really
23 want to take Superior away from -- well, right now
24 Superior is connected to Florence and Coolidge, which is
25 kind of part of the -- there are communities that are

1 communities of interest together.

2 MR. D. JOHNSON: Yeah. Just doing some real
3 quick numbers, Florence and Coolidge together are about
4 40,000 people. And then we also have some San Tan
5 Valley in there, too. So that piece of 7 is a good, you
6 know, ballparking 50 or 60,000 people.

7 COMMISSIONER MEHL: Any part of that that --
8 I'm just pointing out I think we need some population
9 down south to make some things work, so some portion of
10 that maybe.

11 MR. D. JOHNSON: Yeah. No. And I'm happy to
12 do that. The challenge is where does 7 get it back
13 from?

14 COMMISSIONER LERNER: Well, I think we start
15 with --

16 COMMISSIONER MEHL: I thought you were looking
17 for a place to put stuff going around and rotating to
18 the east. So that's the reason I brought it up was I
19 thought you were looking to move 15 and take something
20 out of 15, and you said where would it go out of 15.

21 MR. D. JOHNSON: You're exactly right. And
22 that's where I was going of 15 would need to take from 7
23 exactly as you describe. The challenge is then where
24 does 7 get it from, and this is where we run into the
25 issue yesterday we raised of --

1 COMMISSIONER MEHL: I thought 15 was giving up
2 stuff to 7 or --

3 MR. D. JOHNSON: No. Because it -- 8 is -- 8
4 is pushing into the east valley from the west. And so
5 all those other east valley seats in some form will have
6 to push out to the east. And 15 would then pick up --
7 need to pick up, as you are saying, from 7, but 7 is
8 then short.

9 COMMISSIONER LERNER: You would pick up San Tan
10 Valley probably in 15, which is actually probably where
11 it should be.

12 MR. D. JOHNSON: It is. The question is where
13 does 7 make it up.

14 COMMISSIONER LERNER: Right. Right. And we
15 can take a look at that.

16 MR. D. JOHNSON: Yeah. The only -- the only
17 places for 7 to go are the Verde Valley --

18 Can you show 7, Brian.

19 -- the Verde Valley or into -- come -- I mean,
20 it could come into, you know, Fort McDowell and
21 Scottsdale. Or it would go down, you know -- the
22 other -- I guess the other way. It doesn't have to go
23 to Verde Valley. It could come around the south, but
24 then we're either putting Gila River reservation and
25 Ak-Chin into 7 or we're pushing Gila River and Ak-Chin

1 into a Phoenix seat. So that -- this is why when we run
2 into 7 things get so complicated.

3 COMMISSIONER LERNER: Yeah. 7 is a -- I don't
4 know how we -- it's a really odd district.

5 MR. D. JOHNSON: Yeah. And it --

6 COMMISSIONER LERNER: In terms it is not -- I
7 don't feel it is as compact or -- as it could be. I
8 don't know.

9 MR. D. JOHNSON: Yeah. And we don't run into
10 it if we just rotate within the east valley and, you
11 know, work a little bit as you -- as you mentioned with
12 the extra population and the deviations. But the moment
13 we start bringing a significant part of 8 into the east
14 valley or doing anything the other way, that's when we
15 run into the 7 issue.

16 COMMISSIONER LERNER: I think we should just
17 start with that and then see where the population
18 deviations end up. And then we can -- we can go from
19 there rather than try to fix it when we don't know how
20 it's going to ultimately look. My concern would be that
21 we kind of keep making these tweaks in areas, but then
22 we have to go back and tweak them back.

23 MR. D. JOHNSON: Right.

24 COMMISSIONER LERNER: So why don't we start
25 with the first bit, and then I think you'll look at it

1 and you'll be able to see some ideas --

2 MR. D. JOHNSON: Yeah.

3 COMMISSIONER LERNER: -- of what could
4 potentially be done to do some balancing.

5 MR. D. JOHNSON: Yes. We can certainly do,
6 well, as much as we can within the east valley and
7 District 8 as you described and come back and show you
8 how that works out within what we can do in the east
9 valley.

10 VICE CHAIR WATCHMAN: So, Doug, while we're --
11 while we're doing that, it seems like we're kind of
12 going round and round, can you kind of go through me
13 where all the tribes are in this -- in these districts
14 here, just outline for me so that we all know for the
15 public and the tribes and what districts they sit in,
16 all 20, 22?

17 MR. D. JOHNSON: I was going to say --

18 VICE CHAIR WATCHMAN: Go ahead.

19 MR. D. JOHNSON: The big ones certainly. We've
20 got the Navajo and the Hopi obviously in District 6. As
21 we talked about yesterday, we pulled the -- with the
22 changes made between 6 and 7, we also got the Zuni into
23 District 6. We have the eastern Apache tribes in D-6.
24 The southern Arizona Tohono O'odam and -- I'm blanking
25 on the name of the other one over by Tucson, next to --

1 VICE CHAIR WATCHMAN: Pascua Yaqui.

2 MR. D. JOHNSON: Pardon me?

3 VICE CHAIR WATCHMAN: Pascua Yaqui.

4 MR. D. JOHNSON: Pascua Yaqui. Thank you.

5 VICE CHAIR WATCHMAN: Right.

6 MR. D. JOHNSON: -- Pascua Yaqui are in 23. We
7 have the -- also in 23, we have the Fort Yuma
8 reservation. And then in 16 right now we have the
9 Ak-Chin and the Gila River. I'm not remembering the
10 name, but up in District 5 in Yavapai we have a couple
11 tribes, the -- it's one of the Apache tribes. I don't
12 remember.

13 VICE CHAIR WATCHMAN: There's two.

14 MR. D. JOHNSON: Pardon me?

15 VICE CHAIR WATCHMAN: There's two. There's the
16 Yavapai Apache Nation in Camp Verde and then Yavapai
17 Prescott in the Prescott area.

18 MR. D. JOHNSON: That's what I was thinking of,
19 yeah. Thank you.

20 And then of course we have the Colorado River
21 tribe in District 30.

22 VICE CHAIR WATCHMAN: There's two, I think, the
23 Fort Mohave Indian tribe right below Bullhead City, and
24 then south of there is the Colorado River Indian tribe.

25 And then below Fort Yuma --

1 MR. D. JOHNSON: Oh, there it is.

2 VICE CHAIR WATCHMAN: -- is the Cocopah tribe
3 right above -- or adjacent to San Luis.

4 MR. D. JOHNSON: Yeah. And Brian is -- thank
5 you, Brian -- has added the reservation map over on
6 there.

7 There are a lot of other ones obviously around
8 the map. I didn't go through all 20 because I don't
9 know them off the top of my head.

10 VICE CHAIR WATCHMAN: Twenty-two. Yeah, I'm
11 just, you know, educating for the public, you know, a
12 distinct because of community of interest and so -- but
13 that leads me to yesterday we got a submission from the
14 Navajo Nation. Since we're, you know, looking at
15 possibilities and suggestions, I'd like to throw on
16 the -- on the table consideration of what Navajo is
17 suggesting.

18 And so for the six or seven
19 community-of-interest tribes in District 6, I think we
20 need to look at that. And we talked about this earlier,
21 but I think we need to throw it into the mix as a point
22 of discussion because, you know, Navajo and the other
23 tribes in the area, you know, do have, you know, a huge
24 community-of-interest suggestion here. So I think we
25 need to throw it out on the map.

1 I think we kind of dismissed it maybe too
2 quickly yesterday just because of our movement in
3 another direction, but we have kind of stepped back a
4 little bit. So it seems to me like, you know,
5 everything -- all options are open again. So throw that
6 into the mix, and I think the issue for Navajo is just
7 the deviation challenge. Well, of course, of course you
8 know the tribes in that area have a -- are a definite
9 community of interest. But when we talk about the
10 deviation, I think they're suggesting lowering the -- or
11 increasing the deviation so that that district would
12 have roughly, what, 225, 230,000 as opposed to the
13 almost 240.

14 CHAIRPERSON NEUBERG: Are you asking us, Vice
15 Chair Watchman, to consider that?

16 VICE CHAIR WATCHMAN: Yes, I am. Because we
17 dismissed -- we dismissed it too early yesterday. And
18 so it seems that -- you know, it looks to me like
19 it's -- I'll say it's random for what we're doing in the
20 Phoenix area, and I agree and support what we're saying
21 there. So in these discussions, I think we ought to
22 consider the Navajo and the tribes in the north and
23 their -- and that community of interest and what they'd
24 like to see.

25 CHAIRPERSON NEUBERG: Okay. Sure. We can have

1 that conversation. Can you remind us what the
2 population deviation was from their proposal? You're
3 talking about the Yava- --

4 VICE CHAIR WATCHMAN: District 6. And what the
5 Navajo Nation -- so in District 6, you have -- you have
6 Hopi, Navajo, White Mountain, San Carlos, Hualapai, San
7 Juan, Southern Paiute, and you have the Kaibab. And so
8 that community of interest, I think we need to consider
9 and recognize what the Navajo Nation is considering, and
10 that is increase the deviation, which obviously I think
11 pull up the CVAP for the Native American, you know from
12 57 to 60. I think they're looking at 63. But depending
13 on how you define the numbers, I think we can
14 probably -- as high as we can go is 60 for the CVAP.

15 MR. D. JOHNSON: Right. So we can --

16 VICE CHAIR WATCHMAN: Yeah.

17 MR. D. JOHNSON: -- certainly integrate that
18 into the map and --

19 VICE CHAIR WATCHMAN: Okay.

20 MR. D. JOHNSON: And probably the first step,
21 as we've done with a number of other changes, is we can
22 integrate that into the map to show you the impact.
23 Probably it would change a lot of districts around so we
24 would probably just integrate it in the map and show you
25 what else would then need to be changed, but we won't go

1 through and make those decisions on our own. And kind
2 of bring that back to you for you to give us --

3 COMMISSIONER MEHL: And that will be a separate
4 map to look at?

5 MR. D. JOHNSON: Yeah, it --

6 VICE CHAIR WATCHMAN: No. We should put it
7 altogether because --

8 MR. D. JOHNSON: Well, that --

9 VICE CHAIR WATCHMAN: Yeah.

10 MR. D. JOHNSON: That was what I was going to
11 say is we would probably put it in one test to show you
12 that would have the changes Commissioner Lerner asked
13 for and the Commission -- the changes with the Navajo
14 map just so when you're evaluating it you can accept one
15 set or the other. You -- it's not an all-or-nothing map
16 we bring to you; it would be two separate decisions
17 shown on one map.

18 COMMISSIONER MEHL: Okay.

19 COMMISSIONER LERNER: Can you -- you can't
20 do -- at this point you can't do the overlay, right, of
21 what they've submitted? That would be helpful, too.
22 It's -- I mean, maybe that's the thing to do when -- if
23 you could at some point is overlay the two for us and we
24 could kind of compare it that way. It's an easy --
25 those are -- those have been great when you've been able

1 to do those because we've been able to actually see
2 exactly where the differences are. Because sometimes
3 they're pretty minor. And sometimes the change -- the
4 differences aren't things that we -- I mean, it just --
5 it would just be helpful if at some point we could do
6 that.

7 MR. D. JOHNSON: We're checking to see if we
8 can do that right now. It's not in the system as a full
9 map yet, so we may not, but -- here we go.

10 VICE CHAIR WATCHMAN: I'm sorry, Doug. And as
11 you're looking at that, I'm looking at my map here, is
12 Pascua Yaqui split down in 23, the Pascua Yaqui
13 reservation, between -- well, actually, where is it?

14 MR. D. JOHNSON: So in -- well, he is -- he is
15 doing the overlay over there.

16 VICE CHAIR WATCHMAN: Yeah. In 5.1, I guess
17 the location of the Pascua Yaqui reservation.

18 MR. D. JOHNSON: It is -- I'm looking at the
19 wrong map. 5.1, so it is with the Tohono O'odam in 23.

20 VICE CHAIR WATCHMAN: All of it? The challenge
21 for some of these smaller tribes is they have, you know,
22 a couple --

23 MR. D. JOHNSON: Separate pieces.

24 VICE CHAIR WATCHMAN: -- separate pieces that
25 aren't necessarily connected, but they are Indian trust

1 lands.

2 But also just I think as a reminder, I think
3 Pascua Yaqui also has a little -- a couple parcels of
4 land in Guadalupe. They do. They have -- in fact, part
5 of their -- in fact, the tribal council for the Pascua
6 Yaqui, they alternate their meetings. You know, they
7 meet down in Tucson and then they come up to Guadalupe
8 area.

9 MR. D. JOHNSON: Yeah. I know they -- just
10 pulling up on the map. So the entirety of the tribal
11 reservation is in 23. There may be, as we've talked
12 about, some trust lands around the edge that if we have
13 missed those, then --

14 VICE CHAIR WATCHMAN: Okay.

15 MR. D. JOHNSON: -- we're certainly happy to
16 look --

17 VICE CHAIR WATCHMAN: I just want to make sure
18 I caught that. Thank you.

19 COMMISSIONER LERNER: So just as I'm looking up
20 at another area of three districts that are sort of
21 connected in the Phoenix area -- and I'm trying to --
22 and I'll do this over lunch probably. I'm trying to
23 take a closer look at where the Latino Coalition maps --
24 you know, districts were and compare them. I hadn't
25 done that for this map, so -- but 22 -- 26 and 27 seem

1 to be a little short on population. District 2 is a
2 little bit above in terms of population, as is
3 District 1.

4 So I'm wondering if there are some things we
5 can do in that area to help both balance that as well as
6 there are connections between the populations in there,
7 especially I think District 26 could go maybe a little
8 bit west to pick up some things, or maybe a little bit
9 south, but -- and District 27 maybe could capture a
10 little bit from District 2.

11 Again, I'm now looking at -- could go into --
12 or go into a little bit of District 2 to pick up some
13 population, both 27 and 26, because they are both -- I
14 don't want to spend a lot of time on worrying about
15 numbers, but both of them are really quite short.
16 And -- but I saw you, Doug, you already have -- you have
17 an idea?

18 MR. D. JOHNSON: No. I was just -- I was just
19 looking to see, just to get you some ballpark numbers
20 here so you have a sense of it. And when we get into
21 that kind of dense part of Phoenix, Glendale, all of
22 that area, you know, when we talk about a one-mile
23 street, you know, we are talking about thousands of
24 people in those one miles.

25 Some of them are -- as Commissioner York noted,

1 some of them are industrial and are the exceptions to
2 that. But for the most part, you know, we're in this
3 map getting as close to following major roads as we can,
4 and that's why we're leaving the slight deviations is
5 the only way to get rid of them is to start zigzagging
6 through the -- through those one blocks. There are
7 exceptions to that, and we will certainly strive to
8 bring these closer together, but you're certainly not
9 going to be able to move more than a one-mile block or
10 maybe two one-mile blocks within those deviations.

11 COMMISSIONER LERNER: And that may be enough.
12 And District 26 was one of the Coalition maps as well --
13 one of the Coalition districts, I'm sorry, that's there
14 but is -- in this iteration is short on population. So,
15 you know, it may be if it picks up a little bit, I don't
16 know, maybe going west, 26 could pick up a little from
17 District 1 potentially --

18 COMMISSIONER YORK: No.

19 COMMISSIONER LERNER: -- because that's over --

20 COMMISSIONER YORK: West would be District 25,
21 actually.

22 COMMISSIONER LERNER: District 20 --
23 District 1. Am I looking at the wrong map? District 26
24 going -- oh, I'm sorry. I don't mean west. I mean
25 east. Sorry. Bad directions. Directionally

1 challenged.

2 COMMISSIONER YORK: 25 is long a little bit.
3 District 26 is short a little bit. District 26 performs
4 really well for the Coalition.

5 COMMISSIONER LERNER: It does. I'm not trying
6 to really change the performance as much as just it's --
7 it could pick up a little bit in District 1. It could
8 go west also, like you're saying. District --

9 COMMISSIONER YORK: West is --

10 COMMISSIONER LERNER: -- 26, you know -- I'm
11 sorry. It could go west like you're saying into
12 District 25.

13 COMMISSIONER YORK: Yeah.

14 COMMISSIONER LERNER: And maybe a little bit
15 south.

16 Let me see how District 24 is. District 24 is
17 really kind of in a good shape, so I don't know that we
18 want to mess with it.

19 COMMISSIONER YORK: But you're going to have to
20 look at the voter blocs, I think, to add the population.

21 COMMISSIONER LERNER: Yeah.

22 We could also potentially shift some of 27 --

23 MR. D. JOHNSON: Well --

24 COMMISSIONER LERNER: -- down into 26, kind of
25 move it more within the 101 in terms of its shape.

1 MR. D. JOHNSON: I would note, just so you have
2 the picture in mind, the changes already requested to
3 District 11, which you're going to bring District 11
4 farther east of the city line and actually a little west
5 as well to make sure we are not dividing Laveen and
6 those areas --

7 COMMISSIONER LERNER: Right.

8 MR. D. JOHNSON: -- that's going to move 1 and
9 24 and 22 quite a bit. So there will be a lot of
10 changes.

11 COMMISSIONER LERNER: In that area?

12 MR. D. JOHNSON: In that area.

13 COMMISSIONER LERNER: Okay. All right. So
14 maybe we have to wait and see how that all shapes out --

15 MR. D. JOHNSON: Right.

16 COMMISSIONER LERNER: -- as we're taking a look
17 at some of that.

18 MR. D. JOHNSON: One question in that area for
19 you is -- let me make sure I'm looking at the right
20 map -- is the freeway loop. You know, in our maps,
21 we've been trying to keep the freeway loop in one seat,
22 kind of keep everything inside the freeway loop
23 together. The Coalition map and thus our Map 5.0
24 actually divided that area. I don't know if you have
25 specific direction you want to give us on trying to keep

1 that together or if it's okay to divide it.

2 COMMISSIONER LERNER: Can you -- can you
3 clarify again which --

4 COMMISSIONER YORK: On the west valley?

5 COMMISSIONER LERNER: -- which district are you
6 talking about?

7 MR. D. JOHNSON: Oh, so --

8 COMMISSIONER YORK: District 25; correct?

9 MR. D. JOHNSON: It's -- no, no. I'm talking
10 about the I-10/I-17 loop just west of the airport. So
11 in the current --

12 COMMISSIONER YORK: Basically downtown Phoenix
13 is what you're talking about?

14 MR. D. JOHNSON: Yes, exactly. So in the
15 current map, it's in 11. As we bring 11 down to avoid
16 dividing up Laveen and those areas, it's probably --
17 it's on the north edge of the --

18 COMMISSIONER YORK: Well, but how far -- how
19 far west are you going to go into Laveen? Because
20 you're at --

21 MR. D. JOHNSON: Let me see. The --

22 COMMISSIONER YORK: You're at congressional --

23 MR. D. JOHNSON: Traditionally it goes all the
24 way to the -- to the Gila River, to the edge of the Gila
25 River reservation. We're of course open -- right now

1 it's following the freeway path, but we could take it
2 from the freeway over to the Gila River border.

3 COMMISSIONER YORK: Yeah. But you're going to
4 add population on the east side of that from Guadalupe.

5 MR. D. JOHNSON: Right.

6 COMMISSIONER YORK: So I don't know if you
7 can -- because you can move 1 down and 24 down into
8 Phoenix or south of the 10 loop, but I don't know how
9 far down you want to move it.

10 MR. D. JOHNSON: Right. And that's where I'm
11 looking for direction. It would be -- if you want to --

12 COMMISSIONER YORK: Van Buren. I mean, you
13 could probably go down to Van Buren.

14 MR. D. JOHNSON: Pardon me?

15 COMMISSIONER YORK: Down to Van Buren.

16 COMMISSIONER LERNER: Can you clarify which --

17 MR. D. JOHNSON: Yeah.

18 COMMISSIONER LERNER: -- district again, Doug?
19 I'm sorry. Doug on the Commission.

20 COMMISSIONER YORK: We're looking at D-11.

21 COMMISSIONER LERNER: 11?

22 COMMISSIONER YORK: So 11 goes squatty. Right
23 now it goes up into -- it basically includes all of
24 Phoenix.

25 MR. D. JOHNSON: So right where it says

1 Phoenix, it's there. So, yes. Looking at the different
2 maps -- yeah. So the 5.0, you are exactly right,
3 follows Van Buren through the loop. And so I didn't
4 know -- I guess my question to you is is it okay to
5 bring 1 and/or 24 down in to pick up part of the loop,
6 or is that an area that you want to try to keep
7 together?

8 COMMISSIONER YORK: I think that works.

9 COMMISSIONER LERNER: You know what would be
10 really helpful for me, and I know I have asked for
11 overlays before, it would be -- I mean, I think that
12 probably would work, but I know we have an extra
13 district in 5.0. But I would be interested to see how
14 these are all connected because we are adjusting them to
15 seven. And I feel like a little bit of flying by the
16 seat of my pants. I'm trying to figure out how we do
17 that. So if we overlaid the districts that we had on
18 5.0, which was with the eight, and then looked at them
19 to seven, I think that would be really helpful to kind
20 of figure out how they might --

21 COMMISSIONER YORK: Well, so the big -- real
22 big change it was is that 24 moved all the way across to
23 Papago Park and D-1 pushed up north. And we had an
24 overlap on the community of interest around the mountain
25 district in Phoenix for D-4, D-1, and D --

1 COMMISSIONER LERNER: 2?

2 COMMISSIONER YORK: -- 2, I believe.

3 COMMISSIONER LERNER: D-2, yeah.

4 COMMISSIONER YORK: And so what I like about
5 this particular map is it keeps Arcadia and the
6 Camelback Mountain area with Paradise Valley and
7 Scottsdale and puts the sort of Piestewa Peak, Squaw
8 Peak corridor, the Cave Creek infrastructure, the
9 avenues of north Phoenix together in D-1. And I think
10 that really works well if you use the canal as the
11 dividing line, which is what they did.

12 And so I'm not -- that's the big benefit for me
13 on this -- these communities. As you talked about the
14 east valley, I'm pretty passionate about these two
15 districts being the way they are. And so for me,
16 that's -- that's why this map really worked for me.

17 The I-20 -- I-17 corridor with District 26 and
18 District 24 were the Latino districts that were already
19 mentioned in 5.0. And D-11 does take into account most
20 of -- and most of south Phoenix, and D-22 also takes
21 into account what the Latinos had suggested as far as
22 the Coalition, as far as that west valley corridor; they
23 wanted to pick up Avondale, Tolleson, and the older
24 Buckeye area.

25 MR. D. JOHNSON: And we'd note, too, to

1 Commissioner Lerner, your request about overlay, there
2 actually is a tool on the hub site that -- so not just
3 for the Commissioners, but for the public as well.

4 Do you want to show them the --

5 COMMISSIONER LERNER: I actually think Brian
6 showed me yesterday, but --

7 MR. D. JOHNSON: Yeah.

8 COMMISSIONER LERNER: But I actually thought it
9 would be helpful for all of us, but I will do that on my
10 own at lunch as well.

11 MR. D. JOHNSON: Well, let me just -- so help
12 you, I can give you the -- what you're looking for to
13 get there, because I suspect people watching are also
14 curious. If folks go to the hub -- let me get this
15 right -- and at the top, go to the Draft Maps option --
16 oh, I'll let you do it. Sweet. Go to the Draft Maps
17 option, you scroll down to the part called Working with
18 Draft Maps in the Published Plan Viewer. The published
19 plan viewer is what you want.

20 Go down. Go down. You want that map. Yeah.
21 And then click on that -- that map there. And this will
22 open up this plan viewer that lets you --

23 Show them how to get to the maps.

24 MR. KINGERY: So this is the published plan
25 viewer that I have been using pretty much most of this

1 week to quickly turn on -- turn on and off different
2 draft map versions outside of the redistricting system.
3 The main piece that you are interested in are these two
4 widgets up here in the top right. The first one on by
5 default is the submitted plans. This is where all plans
6 of all four types submitted by anyone within the
7 redistricting system is accessible to be turned on. The
8 second one is where all of the draft map versions are
9 located. So come here and then you can sort by title,
10 and here are all of the draft maps that have been
11 presented during these sessions.

12 MR. D. JOHNSON: And so if you scroll down to
13 the bottom and turn on -- why don't you turn on 5.1, and
14 then zoom in on Phoenix and turn on 5.0.

15 So as you click between those remove and add
16 buttons for 5.0 and 5.1, you can see it will highlight
17 the differences for you. The one trick, to just
18 emphasize what Brian was saying, the piece I always miss
19 and have to ask him about is remembering that it's that
20 second widget up at the top, that add draft map options.
21 And that'll -- that gets you here. And then not only
22 Commissioners but everyone watching can easily zoom in.
23 And the overlays can be a little hard because of color
24 differences and things like that, so this gives people
25 the power to click add and click remove and figure it

1 out however they wish.

2 COMMISSIONER LERNER: Okay. So that helps,
3 though, to -- thank you for that explanation. And then
4 right now we don't have an overlay; right? So if you --

5 MR. D. JOHNSON: Correct. So it's showing 5.1
6 now, and then if he adds 5.0 --

7 COMMISSIONER LERNER: So it's -- I mean, it's
8 good when we see some really close lines. That's kind
9 of what I'm looking for.

10 MR. D. JOHNSON: Yep. And the way I look at
11 this is when you have the overlay, if it's a dark color
12 they are matching; if it's a lighter color, it's because
13 there's an overlay of two different colors and that's
14 where there's a difference. Very handy. Very handy
15 tool to be able to look at fairly simply once you find
16 that -- that widget, the differences between districts
17 and different maps.

18 COMMISSIONER LERNER: Okay. Thank you.

19 MR. D. JOHNSON: Oh, and we do have the Navajo
20 overlay ready to show.

21 MR. KINGERY: So the way that the plan came in,
22 with this very quick import, is essentially two
23 districts. The first district is everything outside of
24 their intended focused district. But here on the thick
25 red line that's inside of the state boundary, that's

1 where they submitted their plan. So this is compared to
2 5.1 that was just accepted, and you can see their thick
3 red line as their submission.

4 COMMISSIONER LERNER: So the red -- inside the
5 red, like this piece that you're right in there with
6 your arrow, is part of it, that's what they want?

7 MR. KINGERY: Uh-huh.

8 MR. D. JOHNSON: Yes.

9 MR. KINGERY: So Flagstaff, the majority of
10 Flagstaff is not included. Does include all of Winslow.

11 CHAIRPERSON NEUBERG: They're wanting to
12 decrease the population and so they can increase their
13 relative percentage in order to increase their
14 percentage ability to elect a candidate of their choice.
15 Is that what we're seeing?

16 MR. D. JOHNSON: That was what their letter
17 described, yes.

18 CHAIRPERSON NEUBERG: Okay.

19 MR. D. JOHNSON: And the -- and the
20 community-of-interest separation between having
21 Flagstaff not in the district.

22 CHAIRPERSON NEUBERG: And can you just remind
23 us again what the population deviance is percentage-wise
24 and the numbers?

25 MR. FLAHAN: Yeah. In their -- in their

1 proposed district it's 221,588 for population, which is
2 a deviation of short 16,795 people for a negative
3 7.05 percent.

4 COMMISSIONER MEHL: And we've talked about
5 this, you know, numerous times. And again, it trades
6 all of the White Mountains for Flagstaff. And I would
7 strongly support staying with what we have where we keep
8 the White Mountains out. We've had so much testimony on
9 that. Flagstaff is a better match for them, and it's
10 a -- it's a district they dominate no matter what. So
11 going from 58 to 63 isn't going to change who they're
12 going to be able to elect. But it sure changes who the
13 White Mountains gets represented by, and it's just not a
14 good change.

15 COMMISSIONER LERNER: And I tend to agree with
16 you, Commissioner Mehl. I think in this particular
17 case, as much as I would like to say yes I would support
18 what they want, I think we support quite a bit of it,
19 and that's why I think this overlay is great for us to
20 see.

21 If you can go a little bit further north, that
22 would be helpful. But I think there's a good chunk of
23 it, probably at least 70 percent is the same of what
24 we're already recommending. And I do agree that some of
25 those communities really asked to not be included in

1 there.

2 MR. D. JOHNSON: So what I was just saying
3 to -- in respect to Commissioner Watchman's request, we
4 can certainly blend -- put this into one of the draft
5 maps, but we just put it as this piece so the Commission
6 can decide on that piece on its own. And it would --

7 COMMISSIONER MEHL: I think we have a
8 consensus, so why don't we just -- do you want us to
9 vote or just --

10 Or, Vice Chair Watchman, are you okay with us
11 just directing them not to do that?

12 VICE CHAIR WATCHMAN: I'm sorry. What was your
13 question?

14 COMMISSIONER MEHL: Do you want us to actually
15 vote yes or no on -- I think we all have -- I think we
16 have a consensus really not to do this.

17 VICE CHAIR WATCHMAN: I hear a consensus. And,
18 you know, I am just raising it because the Navajo Nation
19 and the other tribes are raising it, so -- but it's up
20 to the Commission to acknowledge or to take a vote. So
21 I'm comfortable either way, vote or --

22 COMMISSIONER MEHL: Then just to put it on
23 record, I make a motion that we vote to stay with the
24 district -- what number is it, 6?

25 VICE CHAIR WATCHMAN: 5.1.

1 MR. D. JOHNSON: 6, yes.

2 CHAIRPERSON NEUBERG: I don't even know --

3 COMMISSIONER MEHL: -- with LD-6 that's
4 currently shown in 5.1 and not make a change.

5 CHAIRPERSON NEUBERG: Do we need a motion
6 unless there's a motion to alter it? Because I think
7 there's general consensus that we're happy with the
8 general direction that we have gone in. We are deeply
9 appreciative of the -- this perspective, and it
10 elucidates, you know, us understanding the community of
11 interest, but I think there's consensus that this map
12 does not advance the collective map for the state. So I
13 don't think we need a motion unless somebody wants to
14 change anything.

15 COMMISSIONER LERNER: No. I think that we're
16 okay.

17 COMMISSIONER MEHL: But we are really directing
18 them not to make the change.

19 COMMISSIONER LERNER: Well, I think we're not
20 directing them to make any changes, so --

21 COMMISSIONER MEHL: Okay.

22 COMMISSIONER LERNER: -- I think it's -- I
23 think it's -- we are -- we have taken a look at it. And
24 we may come back and take another look at it. There
25 might be a few things here and there, but for right now

1 I think we're -- we're saying that we're in agreement
2 that the -- what we have done to try to acknowledge
3 tribal interests, that we feel that that district might
4 hopefully do so. Is that correct?

5 MR. D. JOHNSON: And I would note just for the
6 record that from the work done yesterday and the work
7 done just to -- just now to get this overlay ready for
8 you, we now do have it fully integrated in the system to
9 the same degree we do the Coalition requests. So it is
10 available and quickly available for the Commission at
11 any point they want to see it.

12 CHAIRPERSON NEUBERG: Okay. If I could just
13 ask our counsel --

14 COMMISSIONER MEHL: This was really helpful.

15 CHAIRPERSON NEUBERG: -- to weigh in first,
16 please.

17 MR. HERRERA: I don't think it's -- oh, there
18 it is. Just on the question of whether a motion is
19 necessary or not, it's not. Of course, the
20 Commissioners could decide to if you want to, but it's
21 not necessary.

22 MR. B. JOHNSON: Just because I think the
23 Commissioners have brought this up before, and I also
24 want to remind you, if there's something you want to
25 lock in, then obviously you guys can vote on that.

1 That's something you would want to vote in. Right?

2 COMMISSIONER LERNER: Yeah. And I'm not so
3 sure we're ready to lock in anything yet. Right?

4 CHAIRPERSON NEUBERG: I have noticed that here
5 we are -- what day are we? -- Wednesday, we haven't
6 locked in anything. Maybe it's the personality of the
7 Commissioners.

8 COMMISSIONER LERNER: Can I make a suggestion
9 on District 4, not trying to change too much of
10 Commissioner York's area we just discussed, but a little
11 bit?

12 I looked at it, and it's a pretty close
13 district right now. And thinking in terms of
14 Chair Neuberg's, you know, desire to get as many
15 competitive districts as we can, I think if we make just
16 a slight tweak, maybe grabbing a little bit more of
17 south Scottsdale, it's a little bit shy on population,
18 but I know everything is going to shift anyway. Or push
19 into a little bit area of Camelback east. It wouldn't
20 affect the north a whole lot, but a little bit more
21 towards State Route 51 at Camelback east a little bit.

22 If you look at the map on the right, it could
23 probably shift over. It will grab a little bit of
24 population to follow the 51. That could actually get us
25 to almost a 50/50 district. Real close. And it

1 wouldn't impact anything in terms of the northern
2 boundaries or the Phoenix mountain area that you were
3 discussing. But it would just move it just slightly
4 where it might make for an interesting piece in that
5 area and actually would -- so anyway, I would like to
6 make that suggestion that we maybe -- you know, we could
7 go down to potentially to Thomas Road or a little bit
8 over to --

9 COMMISSIONER YORK: You can go to Thomas. I
10 think that eastern corridor, if you're talking about the
11 west side of the 51 moving it over to --

12 COMMISSIONER LERNER: I think that's actually
13 Salt River land. Is that what you were going to say?

14 COMMISSIONER YORK: No. The Salt River land is
15 101. Is that what --

16 COMMISSIONER LERNER: Oh, I'm sorry.

17 COMMISSIONER YORK: I'm sorry. You're talking
18 about western --

19 COMMISSIONER LERNER: I was saying the wrong
20 side.

21 COMMISSIONER YORK: The western corridor?

22 COMMISSIONER LERNER: Yeah. I'm sorry. Yeah.

23 COMMISSIONER YORK: That's a big block of
24 population along that west side of 51. I mean, we're
25 probably talking 30, 40,000 people. I don't know how we

1 make that up other places.

2 COMMISSIONER LERNER: Well, it also could move
3 a little bit to the east if it's not part of the -- that
4 part may be tribal land on there. Or it could go down
5 to Thomas. Again, just a slight difference that would
6 actually move that to being at that very competitive
7 piece but doesn't really impact the overall -- either
8 district really in terms of that, because where --
9 whether people are at Thomas, north of Thomas or below
10 Thomas, you know, that might be one way that could be
11 made into a little bit more of a 50/50 district. And
12 there are no sort of -- in the south area, there's no
13 real natural breaking point until you get -- well,
14 actually Thomas would probably be as good as any.

15 COMMISSIONER YORK: Yeah, Thomas would be. I'd
16 support that.

17 COMMISSIONER LERNER: Okay.

18 MR. D. JOHNSON: Makes sense. And just to
19 clarify that, that eastern border, District 4, the
20 reason it's not going all the way to the 101 is the 101
21 is on the reservation land. So it's stopping at the
22 reservation border.

23 COMMISSIONER LERNER: That's what I was
24 thinking is that -- I know it goes over there.

25 VICE CHAIR WATCHMAN: It's the Pima

1 Road that's --

2 COMMISSIONER LERNER: Yes.

3 VICE CHAIR WATCHMAN: -- the divider.

4 COMMISSIONER LERNER: Exactly. So okay. Well,
5 if we could do the -- down to Thomas, that'd be great.
6 Thanks. And that gets us a nice even district.

7 And then I guess what I'll do is during lunch
8 or something take a closer look at those Latino
9 Coalition, seeing if there's anything. But I know
10 there's a lot of little things now to do in Phoenix, so
11 I don't know if we want to take a look at what happens
12 with -- once you start making some of those -- some of
13 those changes and see how it impacts everything. I know
14 we focused mostly on the east valley. I don't know if
15 there's other things on the west. And I'll ask
16 Commissioner York, I know he has been looking at that
17 area as well.

18 COMMISSIONER YORK: Well, I'm ready for a
19 break, so...

20 COMMISSIONER LERNER: (Inaudible.)

21 COMMISSIONER YORK: No. I think we've got a
22 lot to work on, and so let's do that. We still need to
23 see the congressional map and...

24 CHAIRPERSON NEUBERG: I just want to
25 understand. Are -- Commissioner York, you're ready for

1 a break. Are you ready for a very short break and come
2 back to LDs, or are you ready for a longer break and
3 want to, like, move to the CDs? I'm not sure I
4 understand what you mean by needing a break.

5 COMMISSIONER YORK: Longer break and move to
6 the CDs.

7 COMMISSIONER LERNER: I know we haven't hit
8 Tucson yet.

9 COMMISSIONER MEHL: I think it would be -- it
10 would be productive for me to just throw out a few goals
11 in Tucson. Frankly, I'm struggling with the Tucson
12 portion at the moment. So let me give you a few goals
13 but not try to get overly specific and we'll call it a
14 day.

15 But it'd be -- it'd be good to have Marana and
16 Oro Valley combined. I think D-20 needs to move down
17 and east and D-18 east in order to -- I think we need to
18 improve the Latino percentage of 20, and there's room to
19 do that by moving it into 18 a little bit. That's one
20 that was -- that was performing but could improve.

21 MR. D. JOHNSON: Uh-huh.

22 COMMISSIONER LERNER: I -- Commissioner Mehl, I
23 was looking. Actually, there were some comments about
24 Oro Valley and folks saying they don't necessarily feel
25 that they're aligned with Marana. And I see Marana as

1 an I-10 corridor area.

2 COMMISSIONER MEHL: But they're in- --

3 COMMISSIONER LERNER: And I was wondering
4 whether Oro Valley and -- should be more connected to
5 Casas Adobes. Because we heard a lot of testimony about
6 that, that Oro Valley and Casas Adobes and going along
7 Oracle Road really connects nicely. Those are really
8 well linked, and right now they're in two different
9 ones.

10 So what about moving Oro Valley down into
11 District 17 instead. And then when that adjustment is
12 made, you know, you could have some other adjustments
13 that would obviously impact District 18; they could take
14 on some of the eastern communities, particularly Tanque
15 Verde area, other communities west of Saguaro National
16 Park.

17 I'm not so sure that -- I mean, I think that
18 connection between Casas Adobes and Oro Valley is a more
19 natural connection than Marana in that area. Marana
20 could be in District 16 because you talked about that
21 connection between that and Red Rock at one point. So
22 what if we moved Marana up into District 16 instead?

23 COMMISSIONER MEHL: The issue is really that
24 Marana and Oro Valley are very connected and Casas
25 Adobes probably sort of is too, but I don't think -- I

1 don't think you can get them all into one district. But
2 this could be a place where we'd give some forgiveness
3 on balancing and could look at a couple of different
4 ways of doing it. Might not be a bad idea.

5 COMMISSIONER LERNER: That sounds good. Can
6 we -- can we try both options, Commissioner Mehl's and
7 the one I suggested as well?

8 COMMISSIONER MEHL: But I do think moving 20
9 down is going to be helpful. And into the city a
10 little, into the more Latino areas of the city I think
11 will be very helpful. 18 is not a minority district, so
12 18 can go east. And then 17 can -- can stay east and
13 pull up north actually. And maybe there is a way to do
14 Marana, Oro Valley, and just the north of Sunrise
15 portion of the Foothills connected out to the east. I'm
16 really not sure.

17 COMMISSIONER LERNER: And D-20, you could
18 actually probably move that southwest. Is that the kind
19 of thing you're thinking? Because that could move down.

20 COMMISSIONER MEHL: Definitely south. And I
21 think at least a little part of it a little east to pick
22 up some of the Latino portion right now that's in 18
23 because it would help with the performance and
24 community-of-interest issues.

25 COMMISSIONER LERNER: Could it also go west or

1 not? Southwest?

2 COMMISSIONER MEHL: Possibly, yeah.

3 COMMISSIONER LERNER: So maybe we can -- yeah.

4 I know that's lot to say, go east, go west. Honestly, I
5 don't know which way is better in terms of that, but I
6 was looking at that area as well just in terms of --
7 from the Coalition districts.

8 So maybe we can play around a little bit with
9 what happens with -- because I'm with you on that that
10 there can be some adjustments in that whole area. And
11 the reason I mentioned the Oro Valley/Casas Adobes is
12 because we've seen a lot of material. And when I was
13 looking at the comments as well from yesterday there
14 were people who were talking about that connection that
15 they felt along Oracle Road. So, yeah, I would -- I
16 would love to see both options. That would be great.

17 CHAIRPERSON NEUBERG: Commissioner Mehl threw
18 out these options, Commissioner Lerner added to that and
19 said, hey, let's throw it out there, you know, and call
20 it a day.

21 I'm actually curious with the timing today. If
22 we take a break shortly for lunch and mapping can go and
23 work on some of these suggestions, we can reconvene,
24 dive into congressional maps.

25 Is it possible that you might have some of

1 these new iterations of the LD maps before we break just
2 to walk us through the options? If not, that's okay.

3 I'm just curious if this window of time lends
4 itself to your working on that? I'm just focused on,
5 you know, deliberation, tomorrow being not our last
6 possible day but the last day of the week. And we'll
7 have to decide tomorrow if we're continuing to the
8 following week. So to the extent that we can be
9 efficient with ending points at the end of the day...

10 MR. D. JOHNSON: Yeah. We were just saying I
11 think we're on the same page of it's possible. One
12 caution we will have is that a huge time factor is how
13 wide those deviations are. So we'll see how close we
14 can get to get you something today, but don't be
15 surprised if it still has decently large deviations.

16 COMMISSIONER MEHL: I will -- I will have
17 forgiveness for you today. And then -- and then really
18 after we break, if we finish tomorrow, I hope we are
19 closer on populations by the end of the day tomorrow.
20 If we break, if we come back next week, then it's
21 really -- when we come back next week, we ought to be
22 really pushing to get those populations tighter. So it
23 doesn't necessarily have to be this -- this next
24 iteration, but it should come soon.

25 COMMISSIONER LERNER: And I agree a hundred

1 percent on that, that, you know, if we can be mostly in
2 agreement on how these districts should be shaped and
3 look and then we're just tweaking lines here and there
4 for population for next week, I think that would put us
5 in a good place.

6 MR. D. JOHNSON: So we'll --

7 CHAIRPERSON NEUBERG: And competitiveness.

8 MR. D. JOHNSON: Well, competitive, yes, as you
9 see -- as -- today was a good, I think, example. As you
10 see, to move competitiveness means like half the
11 district rotates kind of thing because --

12 CHAIRPERSON NEUBERG: Yes.

13 MR. D. JOHNSON: -- it does take lots of people
14 to move those numbers a little bit, so -- but, yes,
15 we'll -- we will try. We can't promise that we'll have
16 anything done, but we'll certainly try.

17 COMMISSIONER LERNER: And just because I know I
18 said that sort of on the tail end of Commissioner Mehl's
19 comments on those three districts, were you clear about
20 the two alternatives what Commissioner Mehl was
21 proposing and what I was proposing? Just to be sure
22 that we didn't conflate them because we both were
23 providing them.

24 COMMISSIONER MEHL: I think we said go be
25 creative because we're not sure.

1 MR. D. JOHNSON: Right. Right. As
2 Commissioner Mehl described them as goals rather than
3 specific directions, I think we have a good sense of
4 the -- of the ideas. We'll see what we can do in the
5 time available to us.

6 COMMISSIONER LERNER: And I gave you slightly
7 different goals, so we are good. Okay.

8 CHAIRPERSON NEUBERG: Hey, that's my strength,
9 just give goals. No direction, just goals.

10 Okay. Any other last-minute directions? It
11 sounds like we're at a logical breaking point. We can
12 break for lunch.

13 Mapping, how much time would you ideally
14 suggest would be the right amount of time to give you,
15 you know, room to start LDs? We know we need to come
16 back and address our CD map.

17 MR. D. JOHNSON: At least an hour and a half.

18 MR. FLAHAN: We are thinking at least an hour
19 and a half, but we would prefer two hours if that is
20 possible.

21 CHAIRPERSON NEUBERG: Does two hours work for
22 everybody? Counsel, I --

23 MR. B. JOHNSON: I just want to make sure you
24 are accommodating all your responsibilities.

25 MR. D. JOHNSON: Yes, that's part of our

1 thinking.

2 CHAIRPERSON NEUBERG: So it's 11:45. Let's aim
3 to reconvene at 1:45, and we'll be ready to dive into
4 the CDs and hopefully after that maybe even have a
5 little direction with the LDs. So we will see everybody
6 in a couple of hours. Enjoy lunch.

7 (Whereupon a recess was taken from 11:46 a.m.
8 to 1:58 p.m.)

9 Type text here * * * * *

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12 ***"This transcript represents an unofficial record.***

13 ***Please consult the accompanying video for the official***
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2
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24 I CERTIFY that Miller Certified Reporting,
25 LLC, has complied with the requirements set forth in
ACJA 7-201 and ACJA 7-206. Dated at LITCHFIELD PARK,
Arizona, this 8th day of November, 2021.

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27 *MCR*
28 Miller Certified Reporting, LLC
29 Arizona RRF No. R1058