The State of Arizona Independent Redistricting Commission was noticed to convene in Open Public Session on February 8, 2004, at 8:30 o'clock a.m. and went on the record at 8:45 o'clock a.m., at the Sheraton Airport, Tempe, 1600 South 52nd Street, Tempe, Arizona, 85281, in the presence of:

APPEARANCES:

CHAIRMAN STEVEN W. LYNN
COMMISSIONER JAMES R. HUNTWORK
COMMISSIONER JOSHUA M. HALL
COMMISSIONER DANIEL R. ELDER
ADDITIONAL APPEARANCES:

LISA T. HAUSER, AIRC Counsel
JOSE de JESUS RIVERA, AIRC Counsel
ADOLFO ECHEVESTE, AIRC Executive Director
LOU JONES, AIRC Staff
KRISTINA GOMEZ, AIRC Staff
DOUGLAS JOHNSON, NDC VICE-PRESIDENT, AIRC Consultant
MARGUERITE LEONI, NDC Counsel
LISA A. NANCE, RPR, CCR, No. 50349, Court Reporter
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REPORT OF EXECUTIVE DIRECTOR:

Adolfo Echeveste --
CHAIRMAN LYNN: The Commission will come to order.

For the record, four Commissioners are present. Ms. Minkoff is excused. Legal counsel, consultants, staff are present.

As is our custom, we will periodically have a call to the public. I'd like to begin this morning's session with a public comment period.

This is the time for consideration and discussion of comments and complaints from the public. Those wishing to address the Commission shall request permission in advance by filling out a speaker slip. Yellow slips are available outside the door to the meeting room. Action taken as a result of public comment will be limited to directing staff to study the matter or rescheduling the matter for consideration at a later date unless it's the subject of an item already on the agenda.

I have a few speaker slips this morning. If there are others, please get them to a member of the staff as quickly as possible.
First, Matt Ryan, who is Chairman of the Coconino County Board of Supervisors.

Mr. Ryan.

MR. RYAN: Mr. Chairman and Commissioners, good morning. I understood you had a long day yesterday and so did I. I dashed up to Williams and was up there until 10:30 last night, but I'm back this morning and actually here again to reiterate the board's position has been an emphasis of communities of like interest. And just as an opportunity in the Flagstaff metro area, we've had a great opportunity to unify our planning efforts in that particular region. We have a regional plan. We have cooperating agencies, including the Forest Service, State Trust Land, Game and Fish, the County and City, county/city primaries. Our regional planning efforts within the city incorporated boundaries are planned well with our unincorporated plans.

As other issues that overlap as we've gone through this planning, where they could be water based, some of the discussions associated with that, it's planning of forest issues, natural resource issues, with, whether it be Game and Fish or Forest Service associated, but there has been a continued unification of this population base, which is approximately 60 percent of the county's population, and again it falls well within what
we believe to be a community of like interest and, for
the sake of the county, this particular segment of the
county fits that type of definition and is consistent
with the board's position and where the board's positions
have been associated.

If there are any questions of the
Commissioners on our regional planning efforts, I'll be
here. Again, I'll defer to the City of Flagstaff to
further the discussion on some of this.

CHAIRMAN LYNN: Thank you, Mr. Ryan.
Mr. Huntwork.

COMMISSIONER HUNTWORK: Good morning.

MR. RYAN: Good morning.

COMMISSIONER HUNTWORK: I have a couple
questions for you about some of the testimony we heard
years ago now that identify Flagstaff with other areas as
well, and in light of our current definition, and so on.
I think it would be helpful to have a discussion of
whether these thoughts are accurate and still apply.
They include the community of interest between Flagstaff
and the reservations in Northern Arizona, not just Navajo
and Hopi, but some of those to the west as well. They
include Flagstaff with Winslow and Williams, and they
include -- there's one that is called kind of the Grand
Canyon tourist corridor, so that picks up Verde Valley,
Sedona, Flagstaff, Williams, and, there -- yeah, there are others that just link -- one other links Flagstaff with Verde Valley and Sedona specifically. Do you feel there are communities there or are they simply an order magnitude different than the one you just talked about? How would you characterize these other linkages we've talked about?

MR. RYAN: Mr. Chairman, Commissioner Huntwork, it's the same difficult task you have in representing our populations. In order of magnitude it would be more of the emphasis -- in this particular region there is a very strong likeness of these communities where they had been fractured. There is an affinity for the other corridors in different ways. But there, the unifying theme of the population starts to drift in various corridors.

The northern section of the county, our Native American population, we -- those years-ago conversations, and when the Commission first came to the County and asked, "Would you like to stay whole?" we would love to stay whole.

We also acknowledge that because of past districtings, we acknowledge that there is a potential for our county to be split. As far as the population base to the north, there has often been a consistent
discussion of keeping that uniform. At the federal level, there becomes a distinction seen in past lawsuits where our Native American populations had a preference, saw it, and were successful in separation of their populations.

When it comes to State-based issues, I guess currently in unifying the Flagstaff population base with the Navajo Nation population base, from a State Legislative representation perspective, those from the communities, there is a municipal peace associated with the Flagstaff population, the Williams population, and other jurisdictions that there's an affinity toward.

I'm not keeping to your definitions, I'm trying to give you just more of our demographical representation of what happens. And I'm wandering off on a tangent. I have to bring my thoughts back.

COMMISSIONER HUNTWORK: As a summary statement, affinity between Flagstaff and immediately surrounding planning area is stronger than any of these other relationships?

MR. RYAN: Much more so. An example, even when we get to a valley unincorporated planning effort, we notice distinctions within our county and use our area plans to emphasize those particular areas. In the valley we have a community that is dead set on a very commercial
pursuit, haven't achieved it yet, but that is their area plan and their desire. And we frame our area plans specific to those type of communities as with Oak Creek Canyon in Sedona, much more of seeking overlays and more region specific.

When you get into the Flagstaff metro area, really a unified theme when you get into unincorporated areas, as well as the incorporated area, of keeping rural populations in the unincorporated areas using minimum densities, not maximum, to guide growth and also plan resources associated with it, and those are some of the greater benefits we have through our regional planning effort that occurred with that.

COMMISSIONER HUNTWORK: Thank you.
CHAIRMAN LYNN: Thank you, Mr. Ryan.
MR. RYAN: Thank you, Mr. Chairman, Commissioners.

CHAIRMAN LYNN: Next speaker, Mayor Donaldson, Maricopa of the City of Flagstaff. Good morning.

MAYOR DONALDSON: Good morning, Mr. Chairman, Commissioners. I'm Joe Donaldson, Mayor of the City of Flagstaff. Thank you for this opportunity to speak on behalf of the City of Flagstaff. Also with me is Vice Mayor Liberato Silva, Vice Mayor of the City of
Flagstaff.

Yesterday the Commission generously allowed me the opportunity to present a map and data prepared on available information including the process and definitions of many of the Proposition 106 criteria adopted by the Commission at its February 3rd, 2004, meeting. As you recall, that map, Plan C9, included a number of attributes that address the criteria set forth or discussed by the Commission including reuniting Isaac School District within a single district, one additional voting age district with a voting age majority, 10 majority-minority districts set with voting age majorities, a similar population deviation than the interim plan, more compact districts than the interim plan, five more competitive districts measured by AQD than the interim plan.

I recognize the difficult task you have before you in considering the remaining Proposition 106 criteria in addition to those you started with, competitiveness and the Voting Rights Act. Therefore I urge you, once again, the importance of maintaining Flagstaff and its environs, including the entirety of the Flagstaff Metropolitan Planning Organization known as "FMPO," to keep it whole and in one Legislative District. I believe from your discussions and the adopted
definition, the FMPO clearly constitutes a community of interest. The commonalities among all within the FMPO include education, including K-12, community college and the University; economic development; public safety; forest health and field management; environmental policy services; transportation; water resource development; land use and zoning; parks, recreation and open space.

I would also remind the Commission the FMPO boundaries are the same as regional plan boundaries. This plan adopted by an overwhelming majority of the voters addresses the near- and long-term planning and implementation of many of the issues I just listed. It is also important to recognize this regional planning requires the City of Flagstaff and Coconino County to enter into a formal inter-governmental agreement to address development issues outside the City of Flagstaff. Additionally, the open-space plan developed under a multi-agency inter-governmental agreement.

As the Commission considers options and alternatives to the difficult task before it, I remind you that Flagstaff's first priority has been respecting the FMPO as a community of interest and maintaining the entirety of the FMPO whole and in one Legislative District. Again, I thank you for this time.

CHAIRMAN LYNN: Thank you, Mr. Mayor.
Comments or questions for the Mayor?

Thank you, Mayor Donaldson.

The next speaker is Mike Flannery, Town of Prescott City, Tri-Cities area.

Good morning, Mr. Flannery.

MR. FLANNERY: I want to thank you for allowing me to address you this morning. In light of the discussion that is going on with Flagstaff, I felt it necessary to come up and reiterate the -- for the record, that since -- I believe it was June of 2001, when the Commission came forward with a plan that attempted to split the Tri-City areas, the Tri-City areas became alarmed over that very same issue, and here we are again today with a proposal that tries to split the Tri-City areas. And for the past 18 months, I mentioned Tuesday that we have been consistent and persistent with our message that we wish to remain whole as one unit.

I find that, that Flagstaff wishes to keep the FMPO as one community of interest but chooses to split the CYMPO. As Chairman of the CYMPO, I would like to keep our MPO as one unit, too, which consists of Chino Valley, Prescott Valley, Prescott, and part of Yavapai County.

So to that end I agree with him, it is very -- it's an important community of interest. So I
would like to keep that as one whole unit. So I agree
with him on that measure.

I think our message has been clear
throughout the process beginning with that June awakening
through the public process, through the Court and here
today. So again, I need to remind you and make that on
the record and our communities of interest, I think, has
been part of this record and yesterday we spoke of the
record. So again I reiterate for the record. So with
that, I make myself available for any comment or
questions.

CHAIRMAN LYNN: Thank you, Mr. Flannery.

Comments or questions for Mr. Flannery?

Thank you, sir.

Other members of the public who wish to be
heard at this time? If not, we'll afford that
opportunity throughout the day.

I think it might be beneficial to have a
brief Executive Session this morning. And I would ask
under A.R.S. 38-431.03(A)(3) and A.R.S. 38-431.03(A)(4),
motion for Executive Session.

COMMISSIONER HUNTWORK: So moved.

CHAIRMAN LYNN: Is there a second?

COMMISSIONER ELDER: Second.

CHAIRMAN LYNN: Thank you.
All in favor of the motion, signify "Aye."

COMMISSIONER HUNTWORK: "Aye."

COMMISSIONER ELDER: "Aye."

COMMISSIONER HALL: "Aye."

CHAIRMAN LYNN: Chair votes "Aye."

(Motion passes.)

It's hard to estimate length. I don't think it will be terribly long, 20 minutes, give or take.

(Whereupon, the Commission recessed Open Public Session at 9:00 a.m. and convened in Executive Session until 9:42 a.m. at which time Open Public Session resumed.)

CHAIRMAN LYNN: Back on the record.

Four Commissioners are present.

Mr. Huntwork.

COMMISSIONER HUNTWORK: Mr. Chairman, before we move on to the next task, one housekeeping matter on definitions. I looked over the sheet handed out last night. I think that the definitions all seem correct to me except the phrase "to the extent practicable." I believe if you will look back at the record, there, this came from one of the overheads that included this quote, but there was another quote in the same overhead that talked about the enormity of the task, and we wanted to include both. We voted to include both
of the quotations; because the other one reflected the
complexity, the practicable it has in it, just the sheer
enormity and difficulty of the task, and the other
definition had that as well as the balance of competing
interest.

If you get the slide up and look at the
record.

MS. HAUSER: Pages of the record are cited
there and I will pull it up, but -- if someone --

frequently, here is the problem going back through this:
Someone would say, you know, "I make a motion." It would
be more descriptive of what you wanted to have included;
it wouldn't actually be to read a definition into the
record, so then it got a little muddied. If there was
some intent to include something not in the slide, it's
not reflected in the words used when the motion was made;
and, therefore, we may need to just for the record
have -- clarify it and add it right --

COMMISSIONER HUNTWORK: I made the speech
about how the other quote picked up the practicability,
and so on. I think that portion of the record would be
clear if we went back and looked at it. So I don't know.

Why don't you look at --

MR. JOHNSON: I'm pulling it up.

MS. HAUSER: I have the slide pulled up. I
think if there is --

COMMISSIONER HUNTWORK: First one talked about --

CHAIRMAN LYNN: Second one.

COMMISSIONER HUNTWORK: Went off.

The Commission looked back, gave him -- made second, three of us were there. I said, "Well, if you will amend your motion to include the first one as well, I'll second it because the first one includes the enormity of the task, which is the common" -- that one she said, "Fine, I'll do it, second it."

So the motion really quite clearly was -- I think included both of these quotes as the --

MS. HAUSER: Again, no specific wording.

Hang on.

Again, no specific wording.

COMMISSIONER HUNTWORK: There's the written transcripts.

MS. HAUSER: I have it right here.

I have it right here.

I have it right here.

There's a discussion that bounces around.

What I'm saying is there was no specific motion that gave the exact wording that you wanted to have included. And some of this was, again, more of a
discussion to the extent "practicable" reflects a
recognition flexibility will be required, recognize
competing interests, recognize considerations or goals,
recognizing competing considerations or goals.

Ms. Minkoff said, "Let's get 'criteria' in
there, and add to that that 'any modifications in
compliance with the various criteria of Proposition 106
shall be justified on the record.'" And there's a whole
discussion about convicted felons, and --

Do you remember that? It's very loose in
terms of --

COMMISSIONER HUNTWORK: We talked about
administrative feasibility and it's not just a matter of
recognizing competing interest. So "the enormity of the
task" was an essential part. If you read to the end of
that discussion, I think it condensed back down to "we'll
just include both quotes."

MS. HAUSER: What kept happening, "based on
those comments, we need -- I'm searching for words, we
need something that says," blah, blah, blah. Somebody
would say: "I make that motion."

There was no specific wording.

Just for clarity of the record, just add
the words we want.

CHAIRMAN LYNN: Let's do this: What I
would ask what we do, we move ahead with the
presentation. Sometime today before we apply any of the
definitions, between Ms. Hauser and your recollection, we
get some wording down. We'll revisit that to adopt it
before we move ahead.

COMMISSIONER HUNTWORK:  Right.

CHAIRMAN LYNN:  Then without objection,
we'll return to the NDC presentation on communities of
interest.

The information that was provided to the
Commissioners yesterday was available over the evening
hours and morning hours for review. I would expect that
we would go through the presentation, not, not to just
present it, but rather slide by slide, beginning with a
discussion as to whether or not the geographic area
depicted is accurate as far as we're concerned; secondly,
whether or not -- actually, we might want to do it the
other way around and indicate whether or not that
particular community of interest, as represented on the
slide, fits our definition; and then if we believe it
does, then talk about any boundary changes to
specifically identify whether or not it's correct so that
in applying it we understand exactly where the boundaries
are. That way we'll limit the discussion only to those
that we are comfortable with in terms of the definition.
Is that fair?

So, Mr. Johnson, let's move through those as expeditiously as we will allow you to.

MR. JOHNSON: Let me steal a microphone.

Mr. Chairman, Members of the Commission, I won't repeat what I said yesterday, but just the intro slides just summarizing how we came up with this list, what the list represents, and let me just restate that this is from our review of the record since the ruling, and is not intended say that any of these is a definition or is a community of interest, we're just putting forward to you what has been in the record for your deliberations.

So with that in mind, shall we just go ahead and jump right in? And the first one is the rural/urban. First three AURs are the three major ones.

CHAIRMAN LYNN: Mr. Elder.

COMMISSIONER ELDER: Mr. Chairman, I -- Mr. Chairman, I would move the rural/urban slide is shown as a community of interest.

CHAIRMAN LYNN: Is there a second?

COMMISSIONER HALL: Second.

CHAIRMAN LYNN: Discussion?

Mr. Huntwork.

COMMISSIONER HUNTWORK: Mr. Chairman,
rural/urban, distinction between rural and urban
certainly has been recognized all along. However, in
practice and in drawing our maps, we did not maintain,
you know, the very rural parts of Pima and Maricopa
County as part of the same community of interest.

COMMISSIONER ELDER: It is a community of
interest. The boundary we'll get to.

COMMISSIONER HUNTWORK: Motion said "as
depicted on the map," Commissioner Elder. That's what I
disagree with.

COMMISSIONER ELDER: Modify the motion.
The urban/rural definition is a community of interest.

CHAIRMAN LYNN: Mr. Hall, is that
acceptable?

COMMISSIONER HALL: Yep.

CHAIRMAN LYNN: The reason I'm -- the
reason I suggested doing it this way, I don't want a
lengthy description about boundaries if it doesn't meet
the definition.

COMMISSIONER HUNTWORK: Fine.

CHAIRMAN LYNN: What I'd rather do to test
whether or not it meets the definition is only have
discussion on boundaries if we're going to use it.

Ms. Hauser.

MS. HAUSER: Mr. Chairman, if the
Commissioners would note that the slide is headed, entitled "Rural/urban," but the text on the slide is that -- indicates that rural areas have a common interest. You've made -- in the past you've made a rural-versus-urban distinction. So perhaps what your motion needs to reflect is the rural community of interest, not rural and urban, or giving rural and urban combined are a community of interest.

COMMISSIONER ELDER: Mr. Chairman, I'll make it whatever the attorney thinks that we need to do, but it seems very clear that there is distinction between rural and urban. I don't care whether we exclude urban or exclude rural, there is a boundary we need to come up with.

CHAIRMAN LYNN: I take the sense of the motion to be that we are identifying a distinction between areas of the state that are distinctly urban and those that are distinctly rural?

COMMISSIONER ELDER: That is correct.

CHAIRMAN LYNN: Discussion on the motion?

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

COMMISSIONER HUNTWORK: "Aye."

COMMISSIONER ELDER: "Aye."

COMMISSIONER HALL: "Aye."
CHAIRMAN LYNN: Chair votes "Aye."

That motion passes four-zero.

Boundary shown.

COMMISSIONER ELDER: Mr. Chairman, I believe the boundary shown is not indicative of the boundary of definition of "rural" and "urban." I refer to the identification according to Mr. Richard Begay. "Metropolitan areas" does not reference Pima urban as an urban area nor Maricopa County as an urban area. Change that. I would like to make a motion, then, to allow NDC to provide the limit of the boundary concerning the urban edge or the rural edge, whichever way we want to look at it, and that definition would be that we have a density of a minimum of 2000 population per square mile and that it exclude any areas as rural that do not have an urbanized or metropolitan area of approximately -- of 30,000.

CHAIRMAN LYNN: That's in the form of a motion.

MS. HAUSER: Can you say that last part again. That excludes what?

COMMISSIONER ELDER: That excludes the population areas or pop -- either Census incorporated towns, urbanized areas that do not exceed 30,000 in total population. I.e. if you want to, Safford, it may very
well, in the core of Safford, have a density of a thousand people per square mile, but because the metropolitan area of Safford does not meet the 30,000, it would not be classified as an urban area; therefore, it's in the rural designation as a community of interest.

CHAIRMAN LYNN: Is there a second to the motion?

COMMISSIONER HUNTWORK: Second.

CHAIRMAN LYNN: Discussion?

Mr. Huntwork.

COMMISSIONER HUNTWORK: Some things to consider: One, we have really thought of the urban areas, the nonrural areas, as Phoenix and Tucson, previously. We've really thought of Flagstaff as being rural and Prescott as being rural, and I'm not sure that that is -- I think that the areas that they are a part of are so predominantly or include large areas, large portions that are in fact rural, so that those districts that contains cities of that magnitude outside of Phoenix and Tucson will have large rural interests associated with them.

So I think I would argue in favor of keeping the rural definition -- the urban definition, confined to basically the Phoenix and Tucson metropolitan areas.
A second point I'd like to make is that -- well, there was some concern about growth areas. And I don't know whether we are allowed to consider growth areas for any purposes. The Court certainly made the point that we were not allowed to weigh future growth against other criteria, or words to that effect, and so I hesitate. But I think we need to know because in our previous drawing, one of -- in one of our criteria was to try to keep the areas we made as rural, rural throughout the 10-year period that we thought, ironically enough, would be covered by our maps. We basically don't have a life expectancy shorter than that.

There are two questions.

CHAIRMAN LYNN: Mr. Elder.

COMMISSIONER ELDER: Mr. Johnson, question:

If we said the metropolitan area of Phoenix and Tucson, is there a definition that is used in your industry that would define a boundary to the metropolitan areas?

MR. JOHNSON: Commissioner, there is the Census defined Phoenix Metropolitan area. Off the top of my head I'm not sure exactly where that is, but I think you might capture the thought, at least with looking at, you know, the incorporated cities that are touching each other. From Phoenix out would be one approach, or I can get that definition and let you know what it is. Usually
Patrice is here, she should know. Tony would probably know.

COMMISSIONER HUNTWORK: Population factor, probably?

COMMISSIONER ELDER: Not acceptable as density, acceptable as metropolitan. Should not include three-quarters Pima County, Tohono O'odham or gunnery range or areas. Maricopa County goes for 40, 50, 60 miles to the west before you end up having one population. So somehow you get into an urbanized area and it should be related or integrated into the metropolitan areas of Pima County and Maricopa County.

CHAIRMAN LYNN: I think our definition, Dan, you are exactly right. All the testimony I recall and all of the discussion in the state around political representation has to do with sort of the urbanized area of Maricopa County, Phoenix, and other incorporated areas and its environs, and in many cases it's totally that; that is to say, Phoenix against everybody else by virtue of population. But for our purposes, certainly we can include the urbanized area of Metro Phoenix or eastern Maricopa County or however we define it. I think those incorporated areas that touch each other in that area probably do it. The same thing's true of Tucson. Both western portions of those counties are much less
populated and certainly qualify as nonurban areas. I
don't know how the wording gets at that, but I think
that's what we're trying to achieve.

Maybe Mr. Johnson --

COMMISSIONER ELDER: Would it work to do
something along the lines of the density factor as long
as it was contiguous with the Phoenix Metropolitan area
or the Tucson Metropolitan area and eliminate the portion
of the motion that said the 30,000 max or some number?

MR. JOHNSON: Commissioner, this simply
would help, a rough map of that density factor. Some of
those lines are in the Phoenix area. So, essentially,
little variance. Here's Scottsdale, down in East Valley,
Apache Johnson here, portions of Gilbert, and then
Surprise. So this is the cities around Phoenix. And the
ones that are in blue are the ones that meet that
2,000-people-per-square-mile-density measure. So it
gives you an application of that.

And the concern -- just looking at this,
the density, we might be better off defining cities and
the public considered an urban area rather than a
specific density measure because it tends to fall -- and
Prescott and Tri-Cities also have portions that fall into
that density area as do, obviously, different towns
around the state.
COMMISSIONER HUNTWORK: Mr. Chairman.

CHAIRMAN LYNN: Mr. Huntwork.

COMMISSIONER HUNTWORK: I like the concept of density. I think Mr. Elder is on the right track in saying you start with the urban core in Tucson, urban core in Phoenix, move out. As long as you meet the density criteria, that's what we'll consider to be the nonrural portion of the map. The only way I really wanted to amend his motion at this point, I think, is to limit it to the Phoenix and Tucson metropolitan areas as defined by that density factor. Cities have their own category. This is just the urban/rural one. I think we need to define it in terms of urbanization or lack thereof.

CHAIRMAN LYNN: Mr. Elder.

COMMISSIONER ELDER: Mr. Chairman, looking at the numbers, just right before we sat down I asked Mr. Johnson is there an accepted density.

I think you said 1,500 as opposed to 2000?

MR. JOHNSON: It's actually 1,000. Then block groups are 500 that border those thousand.

COMMISSIONER ELDER: If we went to the thousand, how does it change that map and orders as you described it? If that's legally or tested as being an urbanized environment, I suggest we use those with the
modification of my amendment showing the 30,000 max be
eliminated and say only in the metropolitan areas of
Phoenix and Tucson.

CHAIRMAN LYNN: That may be, if this --
that may be the cleanest way to do it and get some
finality to it.

MR. JOHNSON: That definition I gave you is
actually a Census definition, well established. Let
me --

COMMISSIONER HUNTWORK: I'll accept that
amendment to the motion since I seconded it.

CHAIRMAN LYNN: Thank you, Mr. Huntwork.

Take a look, Mr. Huntwork, while pulling up the map.

COMMISSIONER HALL: For my benefit, what is
that? Restate it for my benefit.

COMMISSIONER ELDER: The motion would be I
move we define the urban areas as all areas within the
Metropolitan Phoenix and Tucson areas that exceed a
density of 1,000 people per square mile and adjacent
areas immediately thereof of 500 people per square mile.

COMMISSIONER HALL: So what does that do
to, for example, Casa Grande?

COMMISSIONER ELDER: It's outside the
Phoenix Metropolitan area.

COMMISSIONER HALL: Is Queen Creek outside
of it?

COMMISSIONER ELDER: In all likelihood, no.

It's contiguous with the metropolitan area.

COMMISSIONER HUNTWORK: Let's see. Doug is doing it.

COMMISSIONER HALL: Metropolitan is contiguous now.

COMMISSIONER ELDER: Casino Maricopa or part of Ak-Chin.

COMMISSIONER HALL: The new subdivisions going in out there in Maricopa, for example.

COMMISSIONER HUNTWORK: This is a key question. Are we using 2000 Census data to make these determinations? I think we are.

COMMISSIONER HALL: So in other words, growth areas is no longer a concern or --

COMMISSIONER ELDER: Concern for urban/rural, no.

COMMISSIONER HUNTWORK: Well, I'm not sure we are allowed to be concerned with it.

COMMISSIONER HALL: Okay.

MR. JOHNSON: I guess the one thing in terms of trying to look at this map is specifying what you mean by "Metropolitan Phoenix" and what you mean by "Metropolitan Tucson." Do you have --
COMMISSIONER HUNTWORK: The sense of it is you start anywhere inside the black. The math is going to work out the same.

MR. JOHNSON: Right.

COMMISSIONER HUNTWORK: Areas will be contiguous or won't. Actually just use the 500 number because anything with 500 or more actually has -- anything with a thousand or more actually has 500 or more; anything connected has 500 or more, right?

MR. JOHNSON: Okay. Well, let me just refer to the map here. What you see is obviously Phoenix getting out in Scottsdale, going up to the Carefree area and out into the East Valley. So the question out here in Buckeye is you have an area that is Census defined as urban by that definition of density. Same with Wickenburg. Not contiguous. Limit it just to contiguous?

COMMISSIONER HUNTWORK: Yes. That's what the motion was, has to be contiguous. The minute you have gap in the 500 density, it doesn't count anymore.

MR. JOHNSON: Okay. Then you would end up with that area. So you would be going -- essentially, the Sun Cities, into -- out just around the 101 Loop, up into Carefree and then down in the East Valley areas around Tucson?
COMMISSIONER ELDER: Not far down. There's a gap in between Tucson in your map.

MR. JOHNSON: Sorry, yeah. Don't know what I'm saying -- down into Chandler is what I meant to say. Tucson, Chandler. So those are only ones contiguous. Over here we do get a Glendale, Avondale area broken up a little bit in between them there.

COMMISSIONER HUNTWORTH: Mr. Chairman, I'd like to ask, Doug, you said -- talking about the Census definition. And you were talking about the 500 density, adjacent or contiguous. So that's what I think we were working from. Maybe you should explain what you meant by that.

MR. JOHNSON: That's actually -- the red shading here is actually a map I download had from the Census Bureau. They do the map for us. We can do it, too, if we wanted to confirm. What they do is map all the block groups of 1,000 people per square mile and that goes in a red area, then all the 500-people-per-square-mile adjacent block groups until that stops, as you described. So that's where this comes from. They don't care about it being contiguous or capturing an area. Either is or isn't. More red up in Wickenburg, pops up everywhere, where it gets dense.

CHAIRMAN LYNN: Mr. Elder.
COMMISSIONER ELDER: Mr. Chairman, I move we move on. This definition is traceable. It has been one defined and accepted by the Census Bureau. And with the addition from, in our community, of interest that was derived from around the state as to what the intent was when the people or citizens of the state said "urban" and "rural," I believe that this matches that definition.

CHAIRMAN LYNN: Mr. Hall --

COMMISSIONER ELDER: So contiguousness of the metropolitan area eliminates, Do you include Wickenburg, Do you include Flagstaff, outlying areas not contiguous with metropolitan areas. I'd like to see it stand.

CHAIRMAN LYNN: Mr. Hall.

COMMISSIONER HALL: I just have concerns because I think that there are -- will be areas that may fall into an exception. I think when you go to that level of detail, it may raise more questions than answers. I'm just concerned that -- in my mind, it's pretty simple what is urban and what is rural. I mean, the Wigwam, in my opinion, while it's out there a ways, is part of -- that's part of urban Phoenix. I mean -- so I'm just concerned. Therefore I don't think we should go to this level of detail. It's pretty self-explanatory.

MR. JOHNSON: Mr. Chairman, if I might,
just to -- it's where this comes up, be sure we're all on
same page. By this definition, Buckeye, Avondale,
Goodyear are not included in urban area. Neither is Gold
Canyon.

CHAIRMAN LYNN: Well, if we can't arrive at
a definition that -- maybe that's acceptable. I mean --
the maker of the motion and second will have to figure
that out.

COMMISSIONER HUNTWORK: Well, the only way
I can think of to perhaps get a bit closer, the problem
is we are tasked to map these districts. So we have to
accomplish that. We can't just say we understand
generally what it is. We have to have map of it. I
would say that we could -- we could say that any area
that is located within eastern Maricopa County or the
immediately adjacent portions of Pinal County which
contains a density of 1,000 or more per square mile and
which has -- and areas immediately adjacent which have a
density of 500 or more per square mile are urban. That
would pick up those little pieces that common sense tells
you are really part of the Phoenix Metropolitan area
without abandoning the definition all together.

CHAIRMAN LYNN: I just want to remind the
Commissioners if you take a look at the definition of
"community of interest," any definition we make in this
context should be made from the standpoint of benefiting
from common representation. And the issue here, in my
opinion, is that those people in what we all understand
to be the rural areas would prefer not to be represented
by someone who lives in an urban area where that district
encompasses both. So that the idea would be, I mean as a
conceptual matter, to take into account at some point, if
this is adopted, that the people who live in urban areas,
to the extent practicable, would be represented by people
who live there, and people who live in rural areas would
be represented by people who live there. I think to
that -- to that point, I'm somewhere between trying to
nail down the definition so that it fits and where
Mr. Hall is, which is -- we all understand conceptually
what urban and rural looks like.

Part of this discussion is going to look
like, How many angels can dance on the head of a pin? to
make sure every little niche and nook of Maricopa County,
as irregular as it might be, is defined as either in or
out. So I think, for the purposes of what we're going to
do, I was fairly comfortable with where we were, which
was that we would talk about the urban core of the
Phoenix Metro area and Tucson Metro area radiating
outward until we had dealt with all of those areas that
had 1,000 population density per square mile and
contiguous areas of 500. I mean, that is where the
motion is at the moment. I think for our purposes, that
may work, without further definition.

COMMISSIONER ELDER: Can the maker call the
question?

CHAIRMAN LYNN: Sure.

COMMISSIONER ELDER: Call the question.

CHAIRMAN LYNN: Any further discussion?

COMMISSIONER HUNTWORK: Just -- I want to
make sure I understand. So because the area out in
Litchfield, or wherever it was, is not contiguous with
the main area, it is excluded because it is not
contiguous with the original main area. Is that correct?

COMMISSIONER HALL: That's my
understanding.

COMMISSIONER HUNTWORK: Okay.

CHAIRMAN LYNN: All those in favor of the
motion, signify by saying "Aye."

COMMISSIONER HUNTWORK: "Aye."

COMMISSIONER ELDER: "Aye."

Opposed say "No."

COMMISSIONER HALL: "No."

CHAIRMAN LYNN: Chair votes "No" for the
moment.

(Motion fails.)
I just want to understand the concerns and try one more time for a definition.

Mr. Hall.

COMMISSIONER HALL: Mr. Chair, my concern is that with that level of detail, the -- when we move to the mapping phase of this process, that it makes the picture very difficult to work with. You know, for example, I drove to Prescott the other day from Phoenix and at what point is the cut-off point pursuant to this definition? See, is -- I mean, there's -- granted we're working with the 2000 Census figures. I think we all understand the issue of where populations are moving. I just -- I think that it -- it's difficult to even get our arms around it. I think a couple maps through up fingers, quote/unquote, rural, I can throw a rock out that were, quote/unquote, rural. Rural anything outside of metropolitan areas and urban anything inside. Seems to me to be pretty self-evident. I've been called too simple before.

CHAIRMAN LYNN: Let me ask this question, because conceptually I agree with you. I suspect other Commissioners may agree with you in terms of the concept. My question, in order to do what we're doing here, comply with the order to be very clear with what we're doing, use a term like "metropolitan area," and not further
define it in some manner, either Mr. Elder's manner or
anybody else's manner, is that good enough? I don't know
the answer to that either.

I know -- I'm very sympathetic to what you
are saying. We all understand by character what is urban
and what is rural. More importantly, we understood the
record, which really was a substantiation of the
difference between Maricopa County, urbanized, and,
frankly, everything else, and in some cases people would
say that about Pima as well. We in Pima think of it that
way. I have to tell you, people in Pima talk about the
"Great State of Maricopa." Very seldom do people in
Maricopa talk about the "Minor State of Pima." No
consequence of them, often.

COMMISSIONER HUNTWORK: Mr. Chairman, the
absence of Commissioner Minkoff leads us to an unfair
disadvantage. Anyway.

COMMISSIONER ELDER: Mr. Chairman,
Mr. Johnson, metropolitan areas, is it based on chamber
of commerces, is it city boundaries, what is it that
constitutes a metropolitan area?

MR. JOHNSON: The Census defines
metropolitan areas across the country. We'd have to get
on their website to dig up a map with 15, 20 minutes to
know where it is. Or someone that works with them might
CHAIRMAN LYNN: Tony may know.

CHAIRMAN LYNN: Ms. Hauser first, then Mr. Sissons.

Go ahead, Ms. Hauser.

MS. HAUSER: I just wanted to suggest in terms of the record that was previously developed for the Commission in terms of common interests that would benefit legislatively, the bulk of the testimony that you received from rural communities, the urban people never came in, "Keep us away from these horrible rural people."

Rural people did come in and say, "Keep us out of Maricopa and Pima counties."

The exercise that you are going through here is not necessarily to come up with the perfect definition of "urban" and "rural" to be used in so many other instances where those definitions might be appropriate. But for this purpose, what was the focus of the information that came to you in terms of common representation and -- I mean, we do have, you know, a large record to support that kind of distinction? And I believe that is why it was summarized the way it was summarized the way it was on the slide.

CHAIRMAN LYNN: Then for purposes of this definition, what would suffice?
MS. HAUSER: Maricopa and Pima.

COMMISSIONER HUNTWORK: To me, that’s not helpful. I suggest wide open of Maricopa and Pima County are urban -- it's ridiculous. We can do better than that. I would also like to say that obviously, just so we all understand where we are, we are obviously trying to define the rural area by exclusion of the urban areas.

So by defining the urban area, we end up defining the rural area. That -- counsel, that we have understood that that is what we were doing.

CHAIRMAN LYNN: Without objection, if we could ask Mr. Sissons if he, just, from his perspective could clarify "metropolitan area" as a concept?

MR. SISSONS: Chairman Lynn, Members of the Commission, the Census Bureau definition of "metropolitan area" is not going to be particularly useful here in terms of your definition of what you are trying to make, a distinction between "urban" and "rural." The Yuma metropolitan area, for instance, by Census definition, is all of Yuma County. The Pima metropolitan area is all of Pima County. The Phoenix Census metropolitan area, I believe, I have these records in the car, I can check on the break, but I believe that the Phoenix Metropolitan area in Census terms is all of Maricopa County and all of Pinal County.
CHAIRMAN LYNN: Are these different from SMSA or is it the SMSA definition?

MR. SISSIONS: The "S" dropped out of the terminology, "standard metropolitan statistical area."

CHAIRMAN LYNN: Statistical area?

MR. SISSIONS: Now "metropolitan statistical area."

CHAIRMAN LYNN: Which generally is more broad than what we are talking about?

MR. SISSIONS: Very much so.

CHAIRMAN LYNN: Thank you.

COMMISSIONER ELDER: Based on that definition alone, "metropolitan areas" does no good as far as defining boundary between urban and rural areas. Therefore I go back to my original motion.

MR. JOHNSON: Mr. Chairman, if I might, in terms of what type of direction is easy to follow when drawing lines, the definition as has been stated in the motion would work. We can look at this map and see what is there. It would also be easy to follow if it was just defined as the cities and Census places that are touching, or through a continuous link of cities and Census places to Phoenix and Tucson. So that would also I think --

CHAIRMAN LYNN: How about that one, if that
COMMISSIONER ELDER: Mr. Chairman, that would work as far as I'm concerned. The concerns were -- in all deference to Ms. Hauser, at the meetings I attended there were comments, like down in Sierra Vista, "Don't want to be connected to Tucson," not, "Don't want to be connected to Pima County." Areas all the way through the record. That does not indicate that it was specifically concerning the areas of Pima County, or to Maricopa County, it referred to the urbanized or metropolitan areas of those areas. Let's just say the contiguous or -- I make another motion that we move that the urban areas be defined as all areas --

CHAIRMAN LYNN: Cities and Census places.

COMMISSIONER ELDER: -- cities and Census places contiguous to the city of Phoenix and to the city of Tucson.

CHAIRMAN LYNN: Is there a second?

MS. HAUSER: Clarification. If you have the border of Phoenix and you have a city that is contiguous to Phoenix and there's a Census place contiguous to that other city?

CHAIRMAN LYNN: Contiguous one to another, not just contiguous to Phoenix.

MS. HAUSER: Motion doesn't say that.
COMMISSIONER ELDER: Amend that "one to another" so that in effect, metropolitan area of towns, cities, and Census places is contiguous.

CHAIRMAN LYNN: Is there a second to that motion?

COMMISSIONER HUNTWORK: Second.

CHAIRMAN LYNN: Discussion?

Mr. Huntwork.

COMMISSIONER HUNTWORK: I just want to make sure that the Census places are geographically mapped and defined and we're talking Census places from the 2000 Census, right?

CHAIRMAN LYNN: Yes.

COMMISSIONER HUNTWORK: And they are mapped and defined?

CHAIRMAN LYNN: Yes.

MR. JOHNSON: Yes. They are the lines. If I highlight this --

COMMISSIONER HUNTWORK: Show me north of Phoenix, the big area.

COMMISSIONER HALL: My question: Where does Oracle get into the definition?

COMMISSIONER ELDER: Separate.

COMMISSIONER HALL: Rural.

COMMISSIONER ELDER: It's rural. There's
probably 18 to 20 miles between the last urbanized
contiguous area and Oracle.

COMMISSIONER HALL: Just trying to make
sure I understand. So based on what you are saying,
Oracle fit better with Safford --

COMMISSIONER ELDER: That would be correct.
The thing I worry about, the Census gives Census place
names to hilltops, not necessarily functional areas that
would meet our definition. I'm a little bit concerned
about Census places.

COMMISSIONER HALL: What concerns me,
Mr. Elder, everything I heard, Oracle feels like they are
really part of Tucson.

COMMISSIONER ELDER: No.

COMMISSIONER HALL: They don't.

CHAIRMAN LYNN: Let's not get into that
debate. We have a motion. Further discussion on the
motion?

COMMISSIONER HUNTWORK: I need to have to
go with the understanding how the Census places work. If
we're stuck with the "cities and any intervening areas,"
or we could combine them and say "cities and any
intervening areas" is 500 population density, that way
pick up, you know, areas immediately north of Tucson
unincorporated. I'm worried the Census place is not well
enough defined.

MR. JOHNSON: Mr. Chairman, Commissioner, under the definition, areas included are Census places included are Sun City, Sun City West, New River, which is the area north of Phoenix mentioned, which is essentially the area west of Carefree and Cave Creek; and then Gold Canyon; and then there's one right down here in the corner of Chandler, Sun Lakes. So those would be the Phoenix area.

COMMISSIONER HUNTWORK: No other -- what is immediately outside of -- say outside of Gold Canyon? Is that another Census place?

MR. JOHNSON: No. You get vacant space. End of the definition out there before you get to Queen Valley.

COMMISSIONER HUNTWORK: Okay. Sounds good. Let's see Tucson.

COMMISSIONER HALL: Aren't there a ton of people west of Sun City? I'm asking.

COMMISSIONER HUNTWORK: Yes, but they aren't in the 2000 map.

MR. JOHNSON: Yes, incorporated cities, Surprise. Unincorporated Census places.

COMMISSIONER HALL: I see. What is the last incorporated west, to the west of Phoenix?
Buckeye. You get --

In humble opinion: How many people live west of Buckeye?

MR. JOHNSON: The number's changing by the day.

COMMISSIONER HALL: More than one or more than 100,000 or more than one million?

MR. JOHNSON: Buckeye has incorporated pretty much the area they planned to grow into. It's pretty encompassing, not dense once you get past there. If that helps. I don't know the specific number.

COMMISSIONER HUNTWORK: Listen, the question ultimately becomes: To what extent can we really look at the numbers that existed in the Census or growth areas? I think this is -- this looks like -- fine. I want to see Tucson, then I think we can go.

CHAIRMAN LYNN: Tucson. I'd point out we're 40 minutes into this discussion, and we have 58 pages to get through. Just -- in -- in Tucson, under this definition: Incorporate Vail just to the southeast, Drexel Heights, Tucson Estates to the southwest, up to Picture Rock, and -- is it Avra Valley up there? Then to the north, Foothill, Town of Tanque Foothills, Tanque Verde, and up to Catalina on the county line.

CHAIRMAN LYNN: Okay. Further discussion
on the motion?

COMMISSIONER ELDER: Call the question.

(Mr. Hall exits.)

CHAIRMAN LYNN: The question is called for.

Mr. Hall is somewhere. I don't know where.

COMMISSIONER ELDER: So we get a 3-0 vote?

CHAIRMAN LYNN: All those in favor of the motion, signify by saying "Aye."

COMMISSIONER HUNTWORK: "Aye."

COMMISSIONER ELDER: "Aye."

CHAIRMAN LYNN: Chair votes "Aye."

Motion carries three-zero.

(For the record, as is found later recorded in the record, Mr. Hall subsequently reenters, apologizes for his necessary need to excuse himself temporarily prior to this vote being taken, and records his "no" vote on the motion, without objection of the Chair or other Commissioners, making the official vote, per order of the Chair, on the previous motion, for the record, three-one.)

CHAIRMAN LYNN: Next?

COMMISSIONER HUNTWORK: Mr. Chairman, I'd love to know how Mr. Hall is going to vote on that motion.

CHAIRMAN LYNN: I encourage you to ask him
MR. JOHNSON: The next community in -- sequentially in this presentation is the tribal reservations, and this slide isn't -- the intention for each tribal reservation, show -- on one slide to show time and space.

COMMISSIONER ELDER: Mr. Chairman, I move this is designated as a community of interest, based on tribal reservations.

CHAIRMAN LYNN: Is there a second?

I don't see one here, so let's see if another motion will take its place.

Mr. Huntwork?

COMMISSIONER HUNTWORK: Mr. Chairman, I move that each tribal reservation shown on this map be identified as a separate community of interest.

COMMISSIONER ELDER: Second.

CHAIRMAN LYNN: Moved and seconded that each of the reservations designated constitute its own community of interest.

COMMISSIONER HUNTWORK: Yes.

CHAIRMAN LYNN: Discussion on the motion?

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

COMMISSIONER HUNTWORK: "Aye."
COMMISSIONER ELDER: "Aye."

CHAIRMAN LYNN: "Aye."

Opposed say "No."

Motion carries four-zero.

Mr. Hall?

COMMISSIONER HALL: Mr. Chairman, for the record, on the last motion I apologize for stepping out. I would have voted "No."

CHAIRMAN LYNN: Without objection, show the last vote was three-one.

MR. JOHNSON: Mr. Chairman, the tribal reservation boundaries question, the only item: Put the reservation border want Flagstaff -- for the Commission's information, many reservations have tiny, tiny noncontiguous portions: In Navajo, Hopi, the Tohono, in particular, have this. So one thing for the Commission to consider is whether to just consider the main body of a reservation or the entire reservation.

COMMISSIONER HUNTWORK: Mr. Chairman, the motion intended to mean the entire reservation, whether or not contiguous, each one.

CHAIRMAN LYNN: Clarifying the question, agree interpretation, not only once you mention Pasqua Yaqui reservations, particularly Tucson area, Guadalupe, another Pasqua Yaqui area in Phoenix. In Tucson there
are three. I'm trying to remember whether all of them
are designated reservation or whether there is a
designated reservation, and two other areas that may
share some commonalty not designated as a reservation.
Do you know?

MR. JOHNSON: Yes. Mr. Chairman, only one
is designated as a reservation. Other areas, community
slides later on is all three of those areas.

CHAIRMAN LYNN: Okay.

MR. JOHNSON: Unified.

CHAIRMAN LYNN: Thank you. Moving on.
The next slide is actually two AURs are
depicted on the slide under the heading of "Hispanic."
And one would be in the Maricopa area, Maricopa County
area, the other is in Southern Arizona.

Am I correct, Mr. Johnson, the AUR,
Hispanic AUR in the Maricopa area, testimony received,
primarily the South Mountain, other times, many times
making the original record, was defined by the Hispanic
Coalition?

MR. JOHNSON: Yes. These maps shown July
2001 are based on all the testimony up to that point.

CHAIRMAN LYNN: Ms. Hauser.

MS. HAUSER: And, Mr. Chairman, it is
significant to also note that no representative of the
Coalition or any other member of the Hispanic community came in at any point and challenged this particular boundary configuration.

CHAIRMAN LYNN: So I would suggest take these separately.

COMMISSIONER ELDER: Separately between Hispanic between Hispanic southern and other --

COMMISSIONER HUNTWORK: I move we adopt the Maricopa County's Hispanic AUR.

CHAIRMAN LYNN: Is there a second?

COMMISSIONER ELDER: Second.

CHAIRMAN LYNN: Discussion?

COMMISSIONER HUNTWORK: Mr. Chairman.

CHAIRMAN LYNN: Mr. Huntwork.

COMMISSIONER HUNTWORK: It's my recollection that the -- these boundaries were -- when we adopted previously, we were advised by our consultants that they had done a careful demographic analysis and concurred with these boundaries. This was not just anecdotal testimony we received. You did the math and concurred that these were appropriate boundaries. Is that correct? Do you recall that?

MR. JOHNSON: Mr. Chairman, Commissioner, yes. Both at the South Mountain hearing there was a great deal of Census and other empirical data presented
by the Commission. You are correct. We did take all
that in, review it, compare it to our data, confirm all
that information.

COMMISSIONER HUNTWORK: Thank you.

CHAIRMAN LYNN: Further discussion?

All those favor of the motion signify by
saying "Aye."

COMMISSIONER ELDER: "Aye."

COMMISSIONER HALL: "Aye."

COMMISSIONER HUNTWORK: "Aye."

CHAIRMAN LYNN: Chair votes "Aye."

Motion carries four-zero.

With respect to the southern depiction,

Mr. Elder.

COMMISSIONER ELDER: Mr. Chairman, I'd like
to ask a question of NDC. We've got the testimony from
South Mountain and -- but from the Tucson district I
don't see any comments there. And I look at the areas
and there is a -- an area around Yuma that is not
contiguous with the area as we go further to the east.

You know, so I was wondering how this line or limit was
defined or by whom.

And then the second part of the question
is: Are we going to consider -- since we took a look at
the Tohono O'odham reservation, are they considered
Hispanic as part of the Hispanic AUR, or should they be separate from a Hispanic AUR?

CHAIRMAN LYNN: Or both.

COMMISSIONER ELDER: Or both. And I think part of it leads from is that they are cross-bordered. But they were indigenous native peoples to this area. And, you know, then, does that put them into the Hispanic AUR or exclude them by virtue of that?

MR. JOHNSON: Mr. Chairman, Commissioner Elder, I would say at the time when we adopted these AURs, they were included. But now we have a new definition of "community," and you may want to consider whether -- what is the best approach to that, based on your new definition.

CHAIRMAN LYNN: Mr. Huntwork.

COMMISSIONER HUNTWORK: Well, Mr. Chairman, I think the fact that the reservation area has its own -- is its own community of interest, per the vote we took previously does not necessarily exclude it from being a part of another community of interest as well. I don't have any conceptual problem with that. But I don't recall the testimony that will justify combining; in particular, I don't recall any testimony from the reservation officials themselves. There may have been some, but now this is so long ago that it's difficult to
recall. Do you recall or does counselor or advisers
recall any direct testimony from the reservation
regarding their feelings about being included in this
type of community?

MR. JOHNSON: The Tohono testimony that is
most memorable for me is at one point we had a district,
Cochise, came through Cochise and Tohono O'odham did not
want in their district, otherwise purely Cochise. I
don't remember the specifics of the top of my head. I do
know the discussion, don't remember the Tucson area
people or the actual Tohono reps, how similar issues of
border community and immigration and issues relating to
that. I don't remember if that was a comment from the
Tucson people, the Tucson region people, or actually from
Tohono themselves.

CHAIRMAN LYNN: Mr. Elder.

COMMISSIONER ELDER: Mr. Chairman, might I
further clarify that? There were comments and testimony
made by a representative of the Tohono Nation that said
they related more strongly to the Tucson area, both for
education, socioeconomic, and those types of ties than
they did with the Cochise and the eastern or southeastern
portion of the state.

They also -- I had an appointment or a
meeting set out at Sells to meet with the tribal
Chairman, got out there and found that the four key tribal leaders had gone to Washington because they had border issues about coming across the international border and they have members of their community that live on both sides of the border. There was a strong border issue when also the language, many times, is Hispanic in those communities, Spanish, as opposed to English or Tohono O'odham.

So with that said, I'm really wanting to discuss because I don't know whether they relate more strongly to the Hispanic culture or whether they relate more strongly as an individual entity within that. If they are an entity within it, they should be separated out. If they relate to the culture, they should be within. I don't know the answer. I'm sort of questioning.

CHAIRMAN LYNN: I also have a concern. Unlike the Maricopa County designation on which there is very clear testimonial evidence about the boundaries, what seems to have been put together in the south, because it only extends as far as eastern boundary of Santa Cruz County, does not go into Cochise. Cochise has a significant number of Hispanics who live there, and I think would consider themselves, along with a number of other communities, as part of a border community, has
other representations, and we may get to that as a separate AUR, or community of interest, either one, but in this instance we have pockets interspersed with great areas of unpopulated area. 

The Goldwater range and other parts of Arizona that really have no population whatsoever are included in this AUR. My concern is similar to yours, Mr. Elder, that it's difficult to say that these all somehow coalesce as opposed to saying that there are pieces that would be heavily enough populated with this particular cultural group that might benefit. The problem is putting them all together in a district because I just don't think it's -- I think there are a number of other things that separate them. And for that reason, I'm not sure I want to vote to put all these together in Southern Arizona.

CHAIRMAN LYNN: Let me get Ms. Hauser's comment, then I will get to you.

MS. HAUSER: Mr. Chairman, just so you all know, one of the things we can access -- one of the things we can access during the meeting are the citizen input forms and written communications received from all of the Tribal Chairmen, and Mayors, and everything is pretty much in here. And in looking at the communications received from the Tohono O'odham Nation,
there were -- I'm not seeing -- and I'll continue looking
here for the next few minutes, formal communications had
to do with the tribe's relationship to Tucson more than
to the Hispanic AUR, per se. So although for Voting
Rights Act purposes, counsel did in terms of the
submission note the linkages and common voting patterns
between the Tohono community and the Hispanic community,
but that is perhaps a different issue. And that may be
what you are thinking about.

CHAIRMAN LYNN: Exactly. Mr. Huntwork.

COMMISSIONER HUNTWORK: Well, I was just
thinking in terms of where we go from here on this. You
are right. I believe there are communities of interest
that need to be identified in Southern Arizona, areas
that need to be identified as Hispanic communities of
interest. But this map does not appear to do the job
that we are looking for. So how do -- how would we
proceed? Do you have a way, based on demographics, to
come back to us with the proposed definition that may
be -- is reflective of how the types of densities that we
use to draw the border of the Maricopa County district?

MR. JOHNSON: Mr. Chairman, Commissioner
Huntwork --

COMMISSIONER HUNTWORK: Percentages rather
than density, I think I should say.
MR. JOHNSON: We do have demographic data.

A large part of what was done in the Maricopa area was a lot of past votes, bilingual initiatives, and other kind of initiative and issue-driven voting, the databases for which we don't have. One thought, though, there was a mention of, really, the southern AUR is really grouping off a number of pockets of communities, and there are many of those in the additional slides here. There is a discussion of Casa Grande and a discussion of the border towns. So --

CHAIRMAN LYNN: Maybe the best thing to do would be to defer this discussion until we get through it and then see if we've covered it some other way or need to come back to it specifically.

COMMISSIONER HUNTWORK: Okay. That would be fine. I do want to say it's very important, separate communities we now have to treat much differently than a single community. And it is important for us to understand whether these pockets linking together to form a community or are merely separate communities that we're not allowed to treat as a community.

CHAIRMAN LYNN: Mr. Elder.

COMMISSIONER ELDER: Mr. Chairman, there are issues or things that come up here when I was looking to see how would I group them into a community of
interest and things I don't know I heard at any of the
meetings or when I met with Mayor Lopez or I met with the
board of supervisors or the committee on redistricting
down in Santa Cruz County. We have the missions of
Father Kino, the trails, a whole series of things go up
and down Santa Cruz County, Santaveer in the north to
Tubac, Presidio, and down into New Mexico, a strong
Hispanic influence, architecture, and the residence of
the area, that makes a good definition or area of
interest and meets our definition from ethnicity and
economic culture, so there are a lot of things that lend
itself that. And -- I guess I look at, you know, when we
take Tohono O'odham, and there's national monuments,
Organ Pipe plus Goldwater Range. We have 200 miles
before we get to Yuma.

Could Yuma be a separate common area of
interest? Santa Cruz Valley, in that respect, excluding
Green Valley, if we need to, the Hispanic influence of
that area? I think we probably could. Let's revisit it
after we look at the other pieces.

CHAIRMAN LYNN: The next slide, then, is
South Phoenix, which is really South Phoenix, Guadalupe,
Avondale, Tolleson combined. And I wonder, Mr. Johnson,
for my edification, if you could, is there a way, is
there some way to take the outlying of the Maricopa
Hispanic AUR and combine it with this one? It seems to me there is a significant amount of overlap between the two. And I understand we have testimony specifically on this grouping.

COMMISSIONER HUNTWORK: We also had testimony specifically on South Phoenix.

CHAIRMAN LYNN: I guess while Mr. Johnson is doing that, I'll ask if anyone else benefits from what I'm asking for, I can see it on the two maps represented here, a significant amount of overlap. Obviously the Hispanic Maricopa District appears to go much into the eastern boundary, central overlap, and to the west goes further south, in general terms.

MR. JOHNSON: Okay. Just one second.

The one, one difference I wanted to note on this, this map includes Guadalupe and the previous one did not. May want to -- could almost add Guadalupe into the previous one, if you wanted to do that. Or consider that issue.

MR. HUNTWORK: Well, this goes -- Mr. Chairman, the differences include this goes considerably further -- that this does not have -- the Hispanic AUR goes further north, all along the north side. You can just -- tighten down. These corners go here. So this line comes straight across here. And
then -- and this -- this one goes down -- picks up South Avondale as well, and then some --

COMMISSIONER ELDER: And here --

COMMISSIONER HUNTWORK: Areas here.

Litchfield Park is right.

COMMISSIONER HUNTWORK: Is it fair to consider this? This was brought to us to say that, you know, here is a -- here is a community of simply socioeconomic similarities that go across the city boundaries and should be considered as a single unit. Obviously it's larger than a single -- I believe it's larger than a single Legislative District, but, you know, we approved it before as an AUR. It does have -- I think there are socioeconomic issues that would, would unite most -- many of the people living in these areas. I guess the question is whether it is enough of a connection to satisfy our definition.

CHAIRMAN LYNN: Answer the question.

MR. JOHNSON: I'm sorry, not the same map.

CHAIRMAN LYNN: Mr. Johnson, if you can go through the files and answer a question at sort of the same time.

Mr. Elder.

COMMISSIONER ELDER: Mr. Chairman, do we know who or what group that presented this map to us and
was there testimony that supported this in Jim's comments
about socioeconomic and/or the common interest from trade
or culture? I mean, if it's a culture issue, we have the
Hispanic area defined. If there's other issues besides
culture that overlay this, I have no problem with
overlaying communities of interest.

MR. JOHNSON: To be honest, in the time
frame we're working on, we haven't had a chance to go
back in detail and figure out which witnesses referenced
which of these lines. It is all a part of that series of
South Mountain and hearings around that time and area,
but I have not had a chance to look at them all.

CHAIRMAN LYNN: Is it your recollection the
outline, this particular AUR, was something that at some
point in time was specifically presented as opposed to
created in calling through the record itself?

MR. JOHNSON: I don't know that either way.

CHAIRMAN LYNN: Well, is there a motion
with respect to South Phoenix in terms of this area as
depicted either meeting or not meeting our definition of
"community of interest"? If not --

COMMISSIONER HUNTWORK: Mr. Chairman, I'm
not going to make a motion to accept it as a community of
interest because it seems to me that it adds little to
the Hispanic community of interest that we just
recognized. The differences are it added a very rapid growth area of Avondale. I don't want to take that into consideration, the growth factor itself, I just -- I can't see it adds a significant connection that we don't already have unless there is evidence, you know, stronger evidence than that. We shouldn't adopt it yet.

CHAIRMAN LYNN: All right. If no motion, we'll move -- Ms. Hauser.

MS. HAUSER: We do have a lot of community of interest compiled. And the South Phoenix information that I'm looking at here, and there are several speakers referenced, seem to focus on issues very similar to or talk about the Hispanic community interest as well. If that makes you feel better.

CHAIRMAN LYNN: I don't know that anything would make us feel better. Thank you, appreciate the attempt.

MR. JOHNSON: Mr. Chairman, the only thing the came up after, I certainly recall clearly after the AURs were considered, is originally we had some testimony that Guadalupe and Tempe had school district issues related and that was actually part of the reason it was included in the AUR. And after the AUR was adopted, we actually did get a number of comments from Guadalupe asking to be placed in with the Hispanic community and
the AUR are not in with --

CHAIRMAN LYNN: In the absence of a motion on this one, we'll move on.

Apache Junction.

COMMISSIONER HUNTWORK: Mr. Chairman, I just -- the testimony would be to -- in effect we should add Guadalupe to the Maricopa Hispanic AUR, not create a whole new one exactly the same. I think it might be appropriate --

CHAIRMAN LYNN: Make a motion, Mr. Huntwork.

COMMISSIONER HUNTWORK: I move we add the area of Guadalupe as shown in the proposed South Phoenix community of interest to the previously adopted Maricopa County Hispanic community of interest.

CHAIRMAN LYNN: Is there a second?

MR. RIVERA: Mr. Chairman.

CHAIRMAN LYNN: Mr. Rivera.

MR. RIVERA: The other two sections not included in the Maricopa AUR are the cities of El Mirage and Surprise, Old Town Surprise, which consisted at one time of almost exclusively Hispanic, Spanish-speaking individuals, predominantly going to the same schools, predominantly Hispanic economics. By all definitions of an AUR, they do qualify, the City of Surprise, El Mirage.
The government is Hispanic, people are Hispanic. That's excluded out of the Maricopa AUR.

COMMISSIONER HUNTWORK: Mr. Chairman, I hesitate to -- I can't, without more of a record, simply introduce facts myself. I don't know how I can accept them from our counsel, although I firmly believe them to be correct, no doubt they are correct. How do we make a record of this to confirm --

CHAIRMAN LYNN: I have the same recollection. The two communities in particular felt that, Old Town Surprise and El Mirage, felt a part of that same area, and I certainly would be happy to add them as we are adding Guadalupe.

COMMISSIONER HUNTWORK: Okay. I proposed to add Guadalupe because I recalled that testimony myself.

CHAIRMAN LYNN: I do.

COMMISSIONER HUNTWORK: If you recall the other, I'm happy with that. I will add to the motion.

MR. JOHNSON: We have a slide of El Mirage and Old Town Surprise.

CHAIRMAN LYNN: Ahead?

MR. JOHNSON: Two ahead.

CHAIRMAN LYNN: Overlapping community.

COMMISSIONER HUNTWORK: Let us add now?
CHAIRMAN LYNN: Second.

COMMISSIONER ELDER: Second for the Chairman.

CHAIRMAN LYNN: Thank you. Appreciate it.

If not for yourself, do it for someone else.

Discussion on the motion?

All those in favor of the motion signify by saying "Aye."

COMMISSIONER HUNTWORK: "Aye."

COMMISSIONER ELDER: "Aye."

COMMISSIONER HALL: "Aye."

CHAIRMAN LYNN: Chair votes "Aye."

Motion carries four-zero.

Now Apache Junction.

MS. HAUSER: Mr. Chairman.

CHAIRMAN LYNN: Ms. Hauser, let me just indicate for the record that, as I said, we have large compilations of information with respect to testimony and information already received on these various communities of interest. We're not going to read them all into the record here today, but suffice it to say that if counsel has information that would -- that would, I guess, tend to lead to the conclusion that there was a lack of evidence with respect to a particular community of
interest, we will raise that before you. We're not going
to do the opposite and tell you every place that it does
exist.

        CHAIRMAN LYNN: Well, I'd ask you not only
do the negative, but not necessarily volunteer the
affirmative. If we discuss it, if you can support things
we're wrestling with in some way from the record, I'd ask
you to do that as well.

        MS. HAUSER: The reason I'm bringing it up
this way is it takes a minute or two to flip through all
this stuff. I located all the information here with
respect to El Mirage and Surprise after the question was
called and a vote already taken and moving on to next
subject. I don't want to slow the process. It is there.
If somebody has a question about where it is in the
record, then ask and we'll provide it.

        CHAIRMAN LYNN: Fair enough.

        MS. HAUSER: Otherwise we'll assume you are
remembering the record in suitable format. If you are
remembering something not correct, we'll point it out to
you.

        CHAIRMAN LYNN: Fair enough. Thank you.

        COMMISSIONER HUNTWORK: Fair enough.

        CHAIRMAN LYNN: For the third and hopefully
last time: Apache Junction.
COMMISSIONER ELDER: Mr. Chairman, the identity that was described by Mr. Smith identifies a rural aspect, and I believe we've already covered, you know, rural/urban aspects in relation to this area and I believe we should just take no action on this specific item.

CHAIRMAN LYNN: Mr. Huntwork.

COMMISSIONER HUNTWORK: Mr. Chairman, I agree for that reason and another one: There are a number of political subdivisions in here which we voted to make AURs, but I am opposed to making any city, any county, in and of itself, a community of interest because it is already protected by a specific explicit provision of Proposition 106. To say for example Scottsdale, a great big city with many people who, from many different points of view, Republicans, independents, Democrats, maybe even a few in Scottsdale, the point is, it's already covered, and we do not need to -- it doesn't enhance it by doing one way or another.

CHAIRMAN LYNN: Not only already covered, unless a city like Stepford would not meet our definition.

Next, Casa Grande, Pinal County. Again, that's a designation you are --

COMMISSIONER HUNTWORK: Right.
CHAIRMAN LYNN: Your comment,
notwithstanding your immediate comment, I assume you wish
to apply it to this slide?

COMMISSIONER HUNTWORK: Yeah. I think,
Mr. Chairman, I would like to make a motion that we
specifically identify the community of interest that
includes Casa Grande and the rest of the rural portions
of Pinal County. Casa Grande is protected and Pinal
County is protected, but this, this relationship between
the community and the rest of the county received a
tremendous amount of input, partly because of the
historical divisions that occurred there, and I think
that where you are doing, more than just preserving the
integrity of a county or the integrity of the city, but
recognizing the relationship between them as we may do
with Prescott and Prescott Valley, and so on, where
relationships between entities that are in and of
themselves protected, I think that relationship can and
should be recognized. So I move that we recognize this
as a community of interest.

CHAIRMAN LYNN: Is there a second?

COMMISSIONER HALL: I second that.

CHAIRMAN LYNN: Thank you, Mr. Hall.

Discussion?

Mr. Elder.
COMMISSIONER ELDER: Mr. Chairman,

Mr. Huntwork, was your intent to identify this community of interest based on, you know, the agricultural and socioeconomic similarities between the areas around Coolidge through Casa Grande on out to Standfield and on up toward the northwest along with Hispanic along with the other things that went into this area, or is this definition saying it's a rural portion of Pinal County?

COMMISSIONER HUNTWORK: I meant the nonurban portion as we previously defined it, which would exclude that little piece of Gold Canyon, I guess, and maybe some of Apache Junction in the north and I believe it also may exclude, but I'm not sure -- I think that the Tucson urban area ended at the Pinal County line, didn't it?

MR. JOHNSON: Yes.

COMMISSIONER HUNTWORK: So I guess it's just the Maricopa County portion that we would be -- not Maricopa, but the Phoenix Metropolitan area as we described it would be excluded.

CHAIRMAN LYNN: Mr. Johnson, one quick question about your outline here. Does this include Saddlebrooke?

MR. JOHNSON: Yes. Saddlebrooke, while it's a specific Census tract that we've looked at through
this process, is not actually a Census place and it's not defined by the Census Bureau, so it did not get included in that Tucson definition because it's not a Census place. So it would be included in the county as described.

One thing for those following along to note, there are three slides on this: the map on this slide and additional information on the next two slides. First one is quotes that were supporting an entirely united Pinal County, and third is quotes about divisions within Pinal County. To make sure people following along are aware of that.

COMMISSIONER HUNTWORK: I was aware of that when I made the particular motion I did.

CHAIRMAN LYNN: And to your understanding, Mr. Huntwork, your motion takes these comments into account?

COMMISSIONER HUNTWORK: Yes.

CHAIRMAN LYNN: Thank you.

COMMISSIONER HUNTWORK: I mean, I did --

CHAIRMAN LYNN: Discussion on the motion?

COMMISSIONER HUNTWORK: It distinguishes between them, says some of them, I believe, are correct and some of them are not.

COMMISSIONER HALL: In other words, you
feel like Apache Junction, Gold Canyon would not be part
of this community of interest?

COMMISSIONER HUNTWORK: That is correct.

CHAIRMAN LYNN: On the motion, all those in
favor of the motion signify by saying "Aye."

COMMISSIONER HUNTWORK: "Aye."

COMMISSIONER HALL: "Aye."

COMMISSIONER ELDER: "Aye."

CHAIRMAN LYNN: Chair votes "Aye."

Motion carries four-zero.

Next is Cochise County.

COMMISSIONER HUNTWORK: Mr. Chairman, my
rule of thumb, only, only binding on me, this is just
Cochise County, it's not in relationship to anything
else. So within Cochise County, so I would not move this
forward. Is there an affirmative motion on Cochise
County?

Hearing none.

Colorado River.

Mr. Elder.

COMMISSIONER ELDER: Mr. Chairman, the
question of an NDC, the boundary or the limit of what was
classified or stated as the river AUR, how was that
defined? Because there is some discussion of the
populated areas along the river. Was it a density
incorporated area, Census place, what gave us this line?

MR. JOHNSON: Mr. Chairman, Commissioner Elder, from discussions with other people in NDC, I know that it went down the river, taking just the towns along the river. I don't know specifically if they were looking at blocks that had more than 10 people and then they stopped or exactly what piece of geography, what piece of geography. This is another one I should flag at the time adopted which corresponded closely with later testimony, especially from Kingman, and I think some from Quartzsite as well wanted to be in this community as well. Don't know the specific geography looked at, populated areas, either cities, places defined, or whether they were heavily populated in terms of Census geography.

CHAIRMAN LYNN: Does this area come up later on another slide?

MR. JOHNSON: Later slides, Mohave, La Paz counties together, and Yuma, La Paz counties as whole counties, no, didn't do a specific --

COMMISSIONER ELDER: Mr. Chairman, I move we accept this as an area or community of interest primarily because of the river-focused issues, the issues of sanitation, EPA, the federal government, the Colorado River, all relate to issues that focus on the river.
When we get to -- even though there's socioeconomic ties between Kingman and the river communities, I would like to keep this as an individual community of interest because it is distinct and does have specific issues that don't pertain to other areas adjacent to it.

CHAIRMAN LYNN: Is there a second?

COMMISSIONER HUNTWORK: Second.

CHAIRMAN LYNN: Thank you.

Discussion?

Mr. Huntwork?

COMMISSIONER HUNTWORK: Mr. Chairman, I do think this should be expanded to include the cities that Mr. Johnson mentioned, Kingman and Quartzsite, at least. I also am concerned there are planning areas around cities. And this looks to me as if it only includes the cities themselves, and I would just like to -- I would like to expand that, perhaps. Perhaps the way to do it would be to just pick up an area within, you know, 40 miles of the river, or something like that, just so we can map -- we can actually map this, based on the information that -- that we have, and, the information that I'm thinking about is we know, certainly, that there are areas immediately adjacent to the city limits that are of interest and concern to these same communities and very little else as you go inland. A more or less
arbitrary line would be quite safe as defining the outer
limit of this community.

CHAIRMAN LYNN: Mr. Hall.

COMMISSIONER HALL: Mr. Chairman, my
recollection is this: Initially AUR was early on in the
process and subsequent discussions, and my feeling was,
my recollection is the Commission later came of an
understanding there was more of a northern river
community of interest, and more of a southern community
of interest as is somewhat reflected in subsequent
slides. I don't think the whole north to south, based on
the most recent testimony I recall, is an accurate -- I
think it's more than a northern-southern split. That's
my perspective.

CHAIRMAN LYNN: Mr. Elder.

COMMISSIONER ELDER: Mr. Chairman, I
attended both the Bullhead City as well as the Yuma
meetings, and there was the socioeconomic North-South,
more agriculture in La Paz and Yuma relationships, and
they said we'd like to be together because of that. Then
there was the areas around Bullhead City and South
Havasupai had cinder energy.

As far as river issues North-South, others
were economic, how once they saw who they were going to
be possibly sorted with after the first map came out,
then, you know, started saying who would we rather be
with, started getting testimony there based on those
issues as opposed to the river issues contiguous from
north to south.

COMMISSIONER HALL: I agree with that,
Mr. Elder. I'm saying what are the more dominant issues
and where are the more quantity of issues with respect to
trade? I think North-South, with respect to political
issues North-South, history, tradition. So with
exception of the water issue, I think in every other
category the North-South split more aptly applies.

CHAIRMAN LYNN: I guess my concern -- and I
understand Mr. Elder exactly, what you are saying. I
attended some of the same hearings. I think there
clearly are -- I want to see if I can say this so it
represents my thinking. I think all along the western
border of the state, from north to south, there are
issues that relate to the fact that it is in proximity to
the river. But as between the northern portion of the
state and the southern, there are a number of other
issues that, in effect, separate or would tend to make
their benefit not common representation, but different
representation. So it's a tough call.

They are all dealing with river issues in
one way or other, but dealing with them -- as if to say
the State has a number of areas that deal with water
issues. They are all water issues. That doesn't make
them a community of interest, because there are differing
views as to how the water -- which is the commonalty,
should be dealt with or should be used or should be
divided, and so on. And so I'm having some trouble with
it in that respect.

Mr. Elder.

COMMISSIONER ELDER: Mr. Chairman, it may
be water as the key. The key aspect along the western
part of the state does influence tourism, socioeconomic,
recreation, and use of river linkage. As an entity, that
is the commonalty that brings together the community of
interest. There very well will be overlays that, say,
we've got Hispanic as an example down in Yuma, we've got
agriculture areas around Yuma that go up as far as about
Parker, and then because of terrain and that, start to
drop off. We've got rigid canyons to the very north as
we go north of Bullhead City. But the common thread and
communication and travel and inter-relationships go north
to south continuously, are not separated. I always go
north or always go south.

CHAIRMAN LYNN: Mr. Huntwork.

COMMISSIONER HUNTWORK: My recollection is
that we found that it was not practicable to include the
entire Colorado River AUR in a single district, and we
found a logical way to separate it into two districts,
but that we were thinking of it, at that time, or until
that time, as well, as an AUR. It was, in fact, an
AUR up until that time, and we had not divided it. If we
do not adopt a single one, I think we would have to adopt
two, because there was very strong testimony to the
effect that there is an interest in the -- all -- well,
even some of the interests run all the way along. And I
think, as a practical matter, I think it meets -- I think
it meets the definition.

The -- if there were -- this gets back to
one of the amendments I wanted to make to that
definition, that one there. We agreed the concept was
implicit, anyway.

What I would like to hear is a more full
statement of what issues would divide the north from the
south to such an extent that they would not benefit from
effective representation.

CHAIRMAN LYNN: Mr. Elder.

COMMISSIONER ELDER: Mr. Chairman, to
partially answer that question for Mr. Huntwork, we're
going to have overlapping and conflicting -- as
Ms. Eschinger said, conflicting truths as we go through
the process. To have several AURs that overlap and
separate will give us a position that we will make a
judgment on, we will define, and we will split as
practicable what we need to. And I think the other AURs
within the area or communities within the area will
divide out the river communities.

If we look at a community of interest and
take it by the items that we've identified in our
definition, the river communities as a whole should be a
community of interest. They may very well be split by
other AURs and communities of interest. It should be a
community of interest.

CHAIRMAN LYNN: To more specifically answer
Mr. Huntwork's question so it doesn't go unanswered,
Mohave County would have more issues than Mohave, other
AURs' issues, than issues in the north. Other issues of
land use and development in other parts of the, of the
AUR, particularly around the Havasu area that are
different from and very unique, in fact very unique to
the entire state with respect to the amount of growth and
rate of growth they are experiencing and lack of
infrastructure and other things we're wrestling with.
There are a lot of differences. I guess the point is
that with Mr. Elder's caveat, I think I'm certainly okay
with recognizing the community. I think we are going to
have some difficulty, if not an impossibility, of
respecting it completely when we start drawing.

But Mr. Hall.

COMMISSIONER HALL: I agree with what he said, Mr. Chairman, in an area you and I, Jim, have some experience with, with respect to real estate. I was just in Lake Havasu Monday. Trade, real estate transactions occur in Parker, Lake Havasu, Bullhead, Fort Mojave, Kingman. All companies compete. Those have a whole other set of issues relative to all transactions in Quartzsite, Yuma.

I'm just telling you pretty much trade, with respect to politics, all those socioeconomic issues. I just think that's -- in my mind -- in my mind, this Commission did an excellent job in its previous line on that issue in our adopted map because of all of those issues which we've cited.

COMMISSIONER HUNTWORK: A question: You know, I still have this problem making a judgment based on what we actually KNOW versus what is in the record. Your knowledge of how the trade is conducted because you were just there doing business yesterday is highly convincing, but --

COMMISSIONER HALL: Irrelevant.

CHAIRMAN LYNN: -- but irrelevant.

COMMISSIONER HUNTWORK: Is it something we
are allowed to consider? I want to comply fully with the
judge's order.

COMMISSIONER HALL: I was in Kingman. I
think there was testimony to that effect in Kingman. I
wasn't in Bullhead. I think that the record has and does
support that.

COMMISSIONER HUNTWORK: Okay.

CHAIRMAN LYNN: Mr. Elder.

COMMISSIONER ELDER: Mr. Chairman, I need
to get on the record right now that I believe that the
intent of Proposition 106 was to bring a group of
Commissioners together that brought their individual
experiences, background, to play and if, by virtue that
we went around the state, we drove someplace, saw
something, interpreted, we listened to citizens' comments
and as we are coming back to our -- as DOA, duty station,
saw another area that was a limited area of agricultural
activity, supply lines, we bring that back to the table
and should be able to consider that.

COMMISSIONER HUNTWORK: Mr. Chairman, we
should be able to. I'm not sure we are. I think we need
to be very cautious about that and proceed with the
advice of our counsel and maybe get in Executive Session.

CHAIRMAN LYNN: To me, what we're trying to
do here and be clear, clearly under protest, is comply
with an order that is voluminous, and, in some cases very
specific, other cases very general, many cases
contradictory, other cases difficult if not impossible to
contend with. So we are struggling with it. And to
struggle with it publicly is even more embarrassing
overall than to struggle with it privately.

The fact of the matter is that's where we
are. We are trying to do our level best to (a)
understand the ruling, (b) comply with it to the best of
our ability. I think -- I do not feel, personally, in
reading the ruling, that we have been stripped completely
of our judgment by the ruling. I will tell you there are
certain areas that we are clearly needing to specifically
comply with in terms of adopting definitions and
boundaries and other things. But I certainly don't think
it was ever the intent that we, I think, as Mr. Hall
said, leave our brains in a box at the door. Oh, it was
Ms. Hauser. I knew it came from that side of the table.
And I do feel some days my brain has been transported to
some other box. It's clearly not where it belongs.
But -- I understand it's a difficult and unsettled point
at this point in time.

COMMISSIONER HUNTWORK: I think we need to
be very cautious with it. I know we can apply our
judgment to the record before us, but our definition says
"based on the record." So let's stick with that.

CHAIRMAN LYNN: Ms. Hauser.

MS. HAUSER: My understanding of what Commissioner Hall was saying by referring to his recent personal experiences is that it confirmed what had already been stated on the record some time ago with respect to the river community of interest. So to that extent, I didn't view it as necessarily presenting new facts.

COMMISSIONER HUNTWORK: Yeah.

MS. HAUSER: It is in fact consistent with the very well-developed record through those hearings and --

COMMISSIONER HUNTWORK: Very good.

Mr. Chairman, if we were going to split this into two communities, where would we do that? Is the Colorado River Indian Reservation, Tribe --

CHAIRMAN LYNN: Split?

COMMISSIONER HUNTWORK: Right.

CHAIRMAN LYNN: I think that's an subsequent question. Unless -- unless you are suggesting that we develop two river AURs as opposed to one, and if you are, then we need to defeat this motion and consider that one --

COMMISSIONER HUNTWORK: Agreed. I thought
that that question would have some bearing on whether I voted for this motion or not.

CHAIRMAN LYNN: Okay. Based on -- do we know, does anyone recall, is there anything in the record that would suggest a specific dividing line? My recollection, as we will look at, in a few moments, was that we have Maricopa -- Mohave County to the north, Yuma County to the south, each thinking La Paz would be a good partner in terms of common representation. And that's clear on the record. What is unsettled as -- I mean, we had a map that did one of those things, I think, and divided either at the top of or the bottom of La Paz County. So the question is where we might do that.

Mr. Hall.

COMMISSIONER HALL: Might I suggest, Mr. Chairman, that we adopt Mohave County as a community of interest, that's indisputable, Yuma County as a community of interest, and move forward.

CHAIRMAN LYNN: Mr. Huntwork's previous question or statement was that because of the other goal, that cities and counties have their own standing, if you will, in the process, with respect to respecting lines and that sort of thing, my take on his question is if we were to resolve this issue by defeating the motion on the floor, but constituting for it one that identifies two
river communities, where would we make the split? Is that a fair representation of the question?

COMMISSIONER HUNTWORK: Yes.

COMMISSIONER HALL: I guess my point, Mr. Chairman, is I think to answer that question now would be premature. I don't think we know until we move to the mapping principle process.

COMMISSIONER ELDER: Call the question on the motion.

CHAIRMAN LYNN: Question has been called. All those in favor of the motion signify by saying "Aye".

COMMISSIONER ELDER: "Aye."

COMMISSIONER HUNTWORK: "Aye."

CHAIRMAN LYNN: Opposed say "No."

COMMISSIONER HALL: "No."

CHAIRMAN LYNN: "No."

(Motion fails.)

CHAIRMAN LYNN: The motion -- I'm disposed on this one to not create something that we're not going to be able to pay much attention to, and I would much rather create something we could respect with respect to this community of interest. Notwithstanding those things about the river area I think they do have in common, I certainly would be -- would be happy with a substitute motion or a different motion.
Why don't we take a 15-minute break?

COMMISSIONER HUNTWORK: 10.

CHAIRMAN LYNN: 15 by law.

What I suggest, during the break, among other things, each Commissioner might have a discussion with Mr. Echeveste about how he would like to treat lunch at some future point. We'll take 15 minutes.

(Recess from 11:37 a.m. until 11:49 a.m.)

CHAIRMAN LYNN: Go back on the record.

For the record, all four Commissioners are present counsel, staff, consultants. As I said that, Mr. Hall left, but he'll be back. We have a quorum.

Here he is.

Let me ask a favor. I know it's difficult, particularly from the standpoint of the public to be here for hours on end and listen to what we're doing, but it is somewhat difficult for our court reporter to follow us when there are conversations going on in other parts of the room. So I would ask if you would like to have a conversation with someone, do so outside the meeting room. While you are in here, keep that conversation to a minimum. Really appreciate it. We're trying to make an accurate record and it would help. I'd ask your indulgence to do that. Thank you very much.

Unless there are other motions on the
Colorado River, I'd like to move on.

Mr. Huntwork.

COMMISSIONER HUNTWORK: Mr. Chairman, I think it's important to clarify something. For the record, I can accept the fact there are really two communities of interest on the Colorado River. I cannot accept the idea that we're not going to create a community just because it's going to be difficult for us to deal with it. I don't think that's a rule that we can follow. However, I think the result we have here is fine, even applying the principle that I'm talking about, because of the following: There are really only three counties on the Colorado River. The record is very mixed as to whether La Paz County goes north or south. In fact, I'm -- you know, I'm sure we wrestled with that at length on the record before. I can recall all of that discussion. The river issues are of great importance to all three of those counties. The population tends toward the river, you know, and so the counties themselves really provide a good -- a good surrogate for the community of interest. And for that reason, because of the ambiguity of if La Paz County itself goes north or south, I don't think we need to adopt one in order to protect, have the principles of Proposition 106, protect their integrity, for that reason. Therefore, we can move
on, in my opinion.

CHAIRMAN LYNN: Thank you.


MS. HAUSER: Counsel wants to clarify one
point for the record. With respect to this process, and
recognition of or adoption of communities of interest
versus the former process, and that is that -- and you
may wish to frame this in some way, but the decisions
that you make with respect to which communities of
interest you believe -- you wish to adopt, according to
your definitions, are for this mapping only and do not
reflect upon the decisions that you made with respect to
the adopted and precleared map.

In other words, that in that map you
recognized a river AUR and made some decisions based on
the existence of that AUR. If, in this process you
choose not to use that going forward, it doesn't mean it
didn't exist and wasn't recognized by the Commission in
the context of the previous map. So I would ask you if
that is your understanding as well and your intent, the
things you are doing now are limited to the purposes of
this mapping?

CHAIRMAN LYNN: Certainly it's my
understanding and intent that we are specifically and
exclusively doing what we are doing in order to comply
with the order of the Court --

COMMISSIONER ELDER: I would agree.

CHAIRMEN LYNCH: -- and that your statement, Ms. Hauser, is an accurate reflection of not only what we are currently involved in, but what we had previously done on the record.

Mr. Huntwork.

COMMISSIONER HUNTWORK: Mr. Chairman, I would add it's even more complicated than that. What we are doing is applying a definition that exists solely for the purpose of this process, that didn't exist before, and that we were not applying, and here we have the issue in the definition of "benefiting from common representation." And you are -- your comments about the differences are critical to applying that definition. So, it has no bearing on what we did before, in my opinion.

CHAIRMEN LYNCH: Eastern Arizona. Is there a motion?

COMMISSIONER HUNTWORK: Well, I will move that we approve Eastern -- the so-called EACO district as drawn.

CHAIRMEN LYNCH: I wouldn't use the term "district," but use the term "area" or --

COMMISSIONER HUNTWORK: Community of
interest. Or --

CHAIRMAN LYNN: Or AUR as community of interest.

COMMISSIONER HUNTWORK: That's what I meant.

COMMISSIONER HALL: I second that.

CHAIRMAN LYNN: Discussion?

MR. JOHNSON: Mr. Chairman, just to clarify one thing I noticed the boundary description on the slide should have included, a portion of the tribal reservation overlaps into Pinal County, a clearly shown graphic didn't include a text boundary, that description as shown in the text plus the portion of reservation in Pinal County.

COMMISSIONER HUNTWORK: I agree with that. The -- next two drawings I have in the text is not shaded at all. So let us stipulate we're talking that the version that is on the -- projected on the screen.

MR. JOHNSON: The shading didn't come through on Xeroxing.

CHAIRMAN LYNN: Discussion on the motion? Clearly the record is very, very full with respect to this area of the state. Several representatives from several parts of this general area that we're talking about have addressed the Commission on several occasions,
specifically indicating the similarities in trade,
socioeconomic status, urban/rural issues and other things
that comport with our definition.

COMMISSIONER HUNTWORK: Indeed.

Mr. Chairman, as far as I can recall, the only evidence
or record that we have that even has anything remotely
negative to say about EACO came from outside of EACO. It
seems to be very high approval from the groups, counties,
and other groups located within this district.

CHAIRMAN LYNN: Thank you.

Ready for the question?

All those in favor of adding EACO as a
community of interest, signify by saying "Aye."

COMMISSIONER HUNTWORK: "Aye."

COMMISSIONER HALL: "Aye."

COMMISSIONER ELDER: "Aye."

CHAIRMAN LYNN: Opposed say "No."

Motion carries.

"Green Valley with Tucson" and "The I-19 Corridor." I'm reading slide titles. These are not
official designations per se, but a point of reference so
we all get on the same page. Could have easily said
"page 19."

Mr. Johnson, because that shaded area
really did not come through on our maps, I think most of
us recall what this is about, but if you would like to just --

MR. JOHNSON: This one in particular, to clarify, in going through the record, there are comments about Green Valley and, in particular, East Tucson having a relationship and also comments about Green Valley and all the communities along the I-19 having relationships and also with Tucson. So you can consider those two as, you know, Green Valley/Tucson just a subset of other. Do I-19 corridor, do any part of it that you feel appropriate. It was just difficult to separate out the record for one of these versus the other one. I put them together for your consideration.

CHAIRMAN LYNN: Is there an affirmative motion on this area of the state?

Mr. Elder.

COMMISSIONER ELDER: Mr. Chairman, I'm not so sure I understood that last question or comment. Is this just that Green Valley area or does it include, I'm guessing from that, as far south as Tubac and then north to South Tucson? Or is it just the entities that are considered Census places along that corridor? What is it that we are --

MR. JOHNSON: Mr. Chairman, Commissioner Elder, we have a number of comments in this area. In
putting this presentation together, we were attempting to
give you quotes from the record about each one of the
areas that we were presenting. It was just difficult to
separate out with someone referring only to Green
Valley/Tucson, someone referring to Tubac, Summit, Tubac
to Tucson, that was difficulty in this area. So rather
than us trying to interpret the difficulty, I just put
them together and allowed you guys to face that in your
discretion.

CHAIRMAN LYNN: I want to go back to the
comment just previously made that what we were doing now
related only to this process. And for me, relative to
the process that we're currently engaged in, I don't see
that this works. In other words, I'm not sure that I
know what the relationship is between, for example, Green
Valley and East Tucson in terms of a number of these
issues. But with respect to the process we're involved
in, I don't see this as a unified community of interest
that would benefit from common representation.

COMMISSIONER ELDER: Mr. Chairman, I would
tend to agree with that. I don't see the similarities,
either.

CHAIRMAN LYNN: Moving on. Hopi.

COMMISSIONER HUNTWORK: Mr. Chairman, this
is done. We adopted each and every tribal area as a
CHAIRMAN LYNN: Mr. Johnson, is there any reason you can think of -- again, the Hopi Reservation, or tribal areas, have two distinct boundaries. But those have been -- those have been adopted under the Indian Reservation.

MR. JOHNSON: Mr. Chairman, at the time that this was adopted as an AUR, the Hopi AUR included the Hualapai Havasupai tribes all in one AUR. That is what this is representing here is different from the previous one. Whether you want to do that again is up to you.

COMMISSIONER HUNTWORK: Thank you.

CHAIRMAN LYNN: Is there an affirmative motion on Hopi?

COMMISSIONER ELDER: Mr. Chairman, it goes back to Mr. Huntwork's original comment. We already adopted the individual --

CHAIRMAN LYNN: Individual.

COMMISSIONER ELDER: -- the individual tribal areas, entities, or individuals and don't need to go back and break out these two, or unless we want to put them together. That's the only motion.

CHAIRMAN LYNN: Thank you.

Mr. Huntwork.
COMMISSIONER HUNTWORK: Mr. Chairman, we have a couple of the examples later on, too. For example, the Phoenix area urban reservations, where the issue is: Is there another dimension to this particular relationship, historical, cultural, or what have you? This one did have, you know, some testimony and evidence supporting it at the time. And -- so the -- it introduces an issue -- I would make -- I would go back and make the motion that we recognize it again, but for the fact that the populations here are quite small and even all together make up a small percentage of a district. And the question then is: Does the standard about benefiting from common representation apply? Does it help in any way to recognize this as a separate community of interest? If it did, if I thought it did, I would feel it would make the rest of the definition. What are the populations of each of these reservations?

MR. JOHNSON: The Hopi are about 6,000. I can get the exact numbers. The Hopi are 6,946. That's including the Moenkopi portion. Havasupai are 500. And the Hualapai are 1,353.

COMMISSIONER HUNTWORK: Mr. Chairman, I don't feel that those numbers, relative to the number of persons in the district, have a significant effect on,
you know, common representation. If there were a larger

grouping that made sense, then, you know, it might meet
the definition. But I don't think this does, so I will
not pursue it.

CHAIRMAN LYNN: Moving on to Isaac School

District. Mr. Hall.

COMMISSIONER HALL: Mr. Chairman,

throughout this whole process, I'm not sure I have ever
fully understood why we have picked one school district
out of many and -- so I'm just asking for a refresher of
why we're here.

CHAIRMAN LYNN: Mr. Elder.

COMMISSIONER ELDER: Mr. Chairman, my

recollecition on several of the school districts was that
the school district probably is the strongest
recognizable area to a lot of the people that live in a
specific area; that they sometimes get child care, they
sometimes get other services given through the schools,
and the school districts that are not common to the
county or city and things along those lines. I agree
fully with you, we heard quite a little bit of testimony
with Kyrene, heard a lot of testimony with regard to SD,
Phoenix Union, several school districts throughout the
state also mentioned, either out to identify school
districts as each individual, like the tribal areas, as a
community of interest, that there may be an edge that
would help us define a boundary or do none of them,
because they are all the same. So, with that said, I
don't know which way to go.

CHAIRMAN LYNN: Well, you know, I think
Mr. Hall and Mr. Elder have, for my purposes nailed it in
terms of acceptance or nonacceptance. I don't think
there -- even though there was testimony, I don't think
anything particularly special about Isaac would not apply
to other districts, at least ones around the state, and
probably too many in terms of their homogeneity, in terms
of their issues, in terms of their circumstances, and so
on. And I find it difficult to add the layer of school
districts to cities and counties that we will be dealing
with by statute, by constitution, in one of the other
goals. School districts, I suspect, would fall into that
same category of jurisdictional boundaries. Don't know
whether included or whether it's cities and counties,
only. But absent a direction that we need to address all
of them, I'd rather exclude them at this point in the
process.

Mr. Huntwork, then Mr. Elder.

COMMISSIONER HUNTWORK: Well, Mr. Chairman,
I know you would prefer to work with a motion and then a
nonmotion is really nothing. But I think when we have
previously approved an AUR, we should comment on why
we're not doing it now at least in some way. And I think
our definition, as I see it, doesn't pick this up. This
is -- this may be a factor that is suggestive that there
might be underlying community of interest, but it is not
the thing that defines it.

We have defined the Hispanic AUR, and I
think for the key issues, that, you know, you are not
going to find a big difference on one side of the Isaac
School District versus the other side. Commissioner
Minkoff did make the argument -- for the benefit of the
Commissioners that were not there, she thought that a
school district was significant because there are issues
that relate to education itself that may be common to the
people in the school district. But -- I want to -- my
fellow Commissioners to have the benefit of that thought
from her, in her absence. But I personally think that
people on both sides of that line are interested in good
education for their kids and good school districts.

CHAIRMAN LYNN: Mr. Rivera.

MR. RIVERA: Just to set the record, the
reason that you recognized, the last time, the Isaac
School District was -- not as a school district, but you
identified the people that were within that school
district on common issues: Hispanic issues, immigrant
issues. You've been consistent from the very first time. The first time you identified it, did not identify the Isaac School District on educational issues of an AUR. The common interest contained within that school district made it different than adoption of all other school districts. And -- so if that answers your question, that was evidence presented to the Judge, and that was the evidence that was presented. I'm not saying you have to do it at this point in time, but that was the distinction that you used last time to adopt the name Isaac School District, but not necessarily because it was a school district.

CHAIRMAN LYNN: And I appreciate that distinction.

Mr. Elder and then Mr. Huntwork.

COMMISSIONER ELDER: Many times the school district is a line that is very distinct. You know exactly where your child is going. You, therefore, know what the edges are. We had testimony all the way through the process that said, well, I don't really know what precinct I'm in, don't know what district I'm in. Goes back fourth so many times, then they decline, they just don't vote, don't get out, not really sure where they are.

I can guarantee you just about every family
knows Catalina Foothills or Tucson District 1, knows where that is. Better chance of participating in the process if we have those lines present. I tend to think we ought to have them as a common area of interest. But it is only in a subtle refining. Don't know if you can have two levels of common areas of interest. That may be one where we take it as, to the extent practicable. 

If we have the option moving it to the school district line, it's one precinct, doesn't affect other primary goals of competitiveness, you know, the Voting Rights Act, then we might very well want to take it just as we might take a county boundary or a city boundary.

CHAIRMAN LYNN: Mr. Huntwork.

COMMISSIONER HUNTWORK: Well, Mr. Chairman, I -- I want to reiterate what I said, because it was directly applicable to -- I was specifically addressing a point that Mr. Rivera advised us of. I would like to say it again. I would like to say it with Ms. Hauser and the chairman listening to me. I would like to say this again.

Do you want us to call an Executive Session, Ms. Hauser?

CHAIRMAN LYNN: There's a question, Ms. Hauser. Do you feel as though an Executive Session
would be beneficial?

MS. HAUSER: One moment.

MR. JOHNSON: Mr. Chairman, if I clarify one thing in making --

COMMISSIONER HUNTWORK: Doug, just hold off.

MR. RIVERA: I think it might not be a bad idea, five, 10 minutes.

COMMISSIONER HUNTWORK: So moved.

CHAIRMAN LYNN: Second?

COMMISSIONER ELDER: Second.

CHAIRMAN LYNN: All in favor of the motion signify by saying "Aye."

COMMISSIONER HUNTWORK: "Aye."

COMMISSIONER ELDER: "Aye."

COMMISSIONER HALL: "Aye."

CHAIRMAN LYNN: Opposed, "No"?

(Motion carries.)

CHAIRMAN LYNN: Ladies and gentlemen, five, 10 minutes on Executive Session.

(Whereupon, the Commission recessed Open Public Session at 12:13 p.m. Pursuant to A.R.S. 38-431.03(A)(3) and A.R.S. 38-431.03(A)(4) and convened in Executive Session until 12:28 p.m. at which
time Open Public Session resumed.)

CHAIRMAN LYNN: The Commission will come to order.

Back in regular session.

For the record, all four Commissioners are present.

Mr. Huntwork.

COMMISSIONER HUNTWORK: Mr. Chairman, before -- before the interruption, I was about to reiterate something that I had tried to say previously, and let me put it this way: Number one, I wish that -- truly, on many of these matters I do wish that Commissioner Minkoff was here with us. She's one of the Commissioners that felt as strongly as I about recognizing the Isaac School District in the original deliberations. I think that possibly apart from EACO, we had more people come and talk to us about this district than perhaps anywhere else in the state.

The -- like EACO, the outlines of this are significant because of what it means to the people inside the district. It is, it stands to be representative, if you will, for a host of issues that are very important to them and they have in common. They came forward and identified themselves, as the literature says, about communities of interest ultimately being communities that
identify themselves. These folks identified themselves loud and clear. And the question that we have in front of us now, however, is simply a completely different question than we had before. We are now applying our current definition, which exists solely for purposes of this process, to decide whether we're going to recognize this as a community of interest solely for purposes of this process. And what I believe is that the -- this little phrase we have at the end of the definition about "benefiting from common representation," we're putting an awful lot of meaning into that. Here's where it comes into play. I believe that this district is already within the Hispanic AUR. I'd like to just ask for sure whether that's the case or not. You confirm to me that this is already within that --

MR. JOHNSON: Let me -- certainly the overwhelming majority of it is. Let me confirm the far northern piece of it is.

COMMISSIONER HUNTWORK: If it's not, I think maybe I'll want to amend that to include it, or adopt as a separate one, one or the other. It's critical to what I say next.

MR. JOHNSON: Yes, it is. It is entirely within the Hispanic AUR.

COMMISSIONER HUNTWORK: Thank you. That
was magical. I won't even ask you how you do that.

CHAIRMAN LYNN: He didn't do anything.

That's just the way it is.

COMMISSIONER HUNTWORK: For that reason, I believe that they have the protection of the principle of common representation by virtue of being included in the Hispanic community of interest. And so I don't believe that it is necessarily appropriate to make it a separate community of interest.

CHAIRMAN LYNN: For purposes --

COMMISSIONER HUNTWORK: For purposes solely of this process.

CHAIRMAN LYNN: Thank you, Mr. Huntwork.

Other discussion, next, La Paz Mohave. I think we should consider La Paz Mohave, La Paz Yuma, since they happen to be mirror images of one another, we should consider them together.

We previously stated counties have their own --

COMMISSIONER HUNTWORK: Record.

CHAIRMAN LYNN: -- recognition. And clearly this is, this is certainly a good example of the dilemma, emblematic of the dilemma the Commission faced all over the state, was testimony in this instance about each of the counties to the north and the south believing
that they had areas of interest with La Paz County and
wished to be with them in terms of their representation.
So -- and I don't know whether we can, but I'm not sure
we should, go with either one.

Mr. Huntwork.

COMMISSIONER HUNTWORK: Mr. Chairman, if
there was testimony -- there's a lot of testimony from La
Paz County that they don't -- didn't stand on their own,
in fact, weren't big enough to have their own district,
had to go with somebody, and they didn't want to go with
Maricopa County because, of course, they could have taken
that direction, too, so they either wanted to be with
Mohave County or Yuma County. But there was a lot of
conflicting moaning both ways. And the function here is
I think we have to figure out a way that we do recognize
the cinder energy that they have with the other two
counties and not with other people, if you will, but
yet --

CHAIRMAN LYNN: Wouldn't the rural
discussion take care of that?

COMMISSIONER HUNTWORK: Would certainly
keep them out of the Phoenix Metro area, that's for sure.
Yeah, I think it probably does.

CHAIRMAN LYNN: Okay. If no affirmative
motion on these two, let's move to Luke Air Force Base.
Mr. Elder.

COMMISSIONER ELDER: Mr. Chairman, I did not attend the Central Phoenix meetings, so I don't know when this was brought up. And I guess my question would be, is -- you know, the way it reads, you say there's a lot of military retireds in and around Luke Air Force Base. Is this configuration just Luke Air Force Base or the community around Luke Air Force Base?

MR. JOHNSON: The configuration of this is AUR Luke Air Force Base. Maybe you want to consider a larger area?

COMMISSIONER ELDER: I guess, Mr. Chairman, throw out further discussion. The State of Arizona faces realignment issues, and, you know, work, as looking at areas adjacent and around the various military Air Force bases within the state: Luke Air Force Base, Davis Monthan Tucson, Davis Air, I guess it's Marine. I'm just wondering whether, if we adjusted, looked at the AURs in relation to that, include retirees adjacent to these bases more appropriate than identifying the base proper as an AUR. I don't see that or a community of interest as the base itself, its surrounding peripheral areas, boundary definable the impact of the base as opposed to which are retirees, which aren't.

CHAIRMAN LYNN: Is there affirmative motion

Navajo Nation. Just a reminder, the borders of the Navajo Nation have already been identified as a discrete area that we wish to consider in a previous motion. Is there any other motion that needs to be made? Hearing none.

City of Scottsdale. In this instance, first of all, Mr. Johnson, I want to be clear. Here we are talking about the entire City of Scottsdale, corporate boundaries is what is represented?

MR. JOHNSON: Yes.

CHAIRMAN LYNN: With respect to that, already indicated cities and counties have their own definitions in terms of where they will fit in this, in the process we're engaged in. So any affirmative motions? Hearing none.

Sedona. Similar comments would apply.

Sierra Vista.

MR. JOHNSON: Mr. Chairman, if I might, Sedona, there is the question if the city is a cross-county city. There is a question, there is county line, more community definition or city border, more community definition that arises. Prop 106, the reason I raise it, Prop 106 does not weigh one or the other more heavily.
COMMISSIONER HALL: Still a category.

MR. JOHNSON: Yes, each one --

CHAIRMAN LYNN: Each is category.

Mr. Elder.

COMMISSIONER ELDER: Mr. Chairman, when I look at the definition and we look at it as, again, the last phrase, "benefit from common representation," in this instance, the town corporate boundaries would seem to provide a better common area of interest than the county. But I also understand county records in each individual county have to go in and deal with then splitting the towns. But I think, in that instance, you know, inevitably during this process we're going to be, you know, redefining boundaries and edges, so the Court is going to have to deal with it anyway. Do we need to make -- since this is a cross-county-line city or incorporated area, do we need to make it an AUR because it's different from others in the state?

CHAIRMAN LYNN: Let me ask that question of Mr. Johnson.

Any other cities you know of split by a county line?

MR. JOHNSON: Yes, Mr. Chairman. Apache Junction has a small city. Queen City has a split.

CHAIRMAN LYNN: Queen Creek.
MR. JOHNSON: Queen Creek has a split.

CHAIRMAN LYNN: Not unique in that regard.

MR. JOHNSON: Correct. Sedona's on here because they came and testified, sensitive on that issue.

COMMISSIONER ELDER: We as individual Commissioners, to go in there, determine whether the city boundary is more appropriate, take precedence to the extent practicable, keep together the county lines may have some flexibility, if that's the way we individually feel. Make sense?

MR. RIVERA: Yes.

CHAIRMAN LYNN: Sierra Vista.

Just stop me if you'd like to talk about any of these.

Sun Cities; united, divided.

Tempe.

Verde Valley.

COMMISSIONER HUNTWORK: Mr. Chairman.

CHAIRMAN LYNN: Mr. Huntwork.

COMMISSIONER HUNTWORK: Verde Valley was not just, I guess, the town. It was -- it was several towns along the Verde River; is that correct?

CHAIRMAN LYNN: I'm sorry, it is. It's properly defined on the map areas, might include Jerome, Clarkdale, Lake Montezuma, and Verde Valley.
COMMISSIONER HALL: Mr. Chairman.

CHAIRMAN LYNN: Mr. Hall.

COMMISSIONER HALL: My recollection is this was a by-product, two groups; one group were of the opinion Yavapai County remain whole, and another group that were of the opinion that there would be a split basically with the Mingus Mountain. I think this particular map on page 32 is referencing testimony from those that felt that the county should be split on Mingus Mountain. So just --

CHAIRMAN LYNN: Thank you.

Next one is West Valley AUR.

MR. JOHNSON: Mr. Chairman, I'll explain two images and comments on next slide. One on the left is one that was part of the AUR discussion in July of 2001, and then as we discussed earlier today, there was later discussions focused more on the cities and places of West Valley rather than extending down to Gila Bend, the reason for two images for your consideration.

CHAIRMAN LYNN: Thank you.

Yavapai County. I think that's been covered.

As has Yuma County.

So that completes the listing for the AURs, I believe.
And I want to make the point that the
distinction between AUR and what we have commonly called
"communities of interest" is essentially a timing issue.
That is to say there was a specific process used to
identify AURs, the process then continued as we received
testimony and other, other information on the record, and
other designations may have been made subsequent and even
though they weren't called AURs, they certainly were
called "communities of interest." So the issue now is
whether those areas might fit, for the purposes of this
process, under the definition that we have adopted.

So, moving through that list, Arcadia;
Avondale and Tolleson together.

MR. RIVERA: Mr. Chairman, if I can come
back to Avondale and Tolleson.

CHAIRMAN LYNN: Mr. Rivera. I believe part
of the AUR of South Phoenix goes along the Hispanic AUR.
My question to Mr. Johnson: Is the Avondale, Tolleson
AUR included in the Hispanic AUR?

MR. JOHNSON: Not all of it. The south
portion of Avondale is not in there.

COMMISSIONER HUNTWORK: I think maybe the
upper left portion is not, as well, unless we --

MS. LEONI: That is correct, Litchfield --

COMMISSIONER HUNTWORK: Yeah.
MS. LEONI: Litchfield, the south part of it is excluded.

MR. RIVERA: Made comment, Hispanic AUR, Tolleson Avondale included in the Hispanic AUR. Don't know what the Commission wants to do.

CHAIRMAN LYNN: Want to amend the Hispanic AUR not be included. That's a question.

COMMISSIONER HUNTWORK: What are the demographics of areas? Do these areas substantially decrease or have a significantly different percentage of Hispanics or are they very similar to other areas?

CHAIRMAN LYNN: Excluded areas.

MR. JOHNSON: I know there was -- you may recall a discussion, the Avondale north freeway, Avondale south of the freeway in Avondale. In terms of -- and the south freeway being more Hispanic and having more ties to South Phoenix than north of the freeway. But -- while looking at that, I'm reluctant to substitute, or start using city boundaries, per se, to define an area defined by demographics, per se. So -- I don't doubt there are very significant neighborhoods within those areas we should consider adding, but I just -- you know, we're using two different tools there, in effect. I would want to analyze it carefully to make sure we were adding the appropriate portions.
MR. JOHNSON: Mr. Chairman, Commissioner Huntwork, the Avondale as a whole is 46 percent Hispanic population, that's total population, and Tolleson is 78 percent Hispanic total population.

COMMISSIONER HUNTWORK: Tolleson --

MR. JOHNSON: Let me just confirm that.

COMMISSIONER HUNTWORK: It's already in.

Area -- talking about the Litchfield area just to the north and that long portion of Avondale that goes south, which I think is very -- I can't remember if -- I think it's lightly -- relatively lightly populated.

MR. JOHNSON: I can do a little -- I can look at the portion here, for one second here.

COMMISSIONER HUNTWORK: Mr. Chairman, this is going to be a more complicated answer. What I would like to do is ask and -- you know, that the demographic analysis be conducted of any portions of this map that are not included in the Maricopa County Hispanic community of interest to see if there are portions that would be appropriate for adding rather than just adding them.

CHAIRMAN LYNN: Mr. Hall?

COMMISSIONER HALL: Mr. Chairman, I'm wondering why it wouldn't be appropriate for us to adopt this as another community of interest and then we would
have an opportunity later in the process, I think, to
evaluate it on a more detailed level on other issues.

COMMISSIONER HUNTWORK: I was thinking

about that. We passed up, passed up the West Valley,

passed up on a number. There are a number of communities

in the West Valley, if we're going to start creating

linkages between the cities there, but no reason I can

think of why you would do these two solely. I think the

motivation for linking them up is probably related to the

Hispanic community of interest.

COMMISSIONER HALL: Right.

COMMISSIONER HUNTWORK: Ought to really

analyze that factor and --

COMMISSIONER HALL: I guess, Mr. Huntwork,

for that reason would be why I would recommend that we

would adopt this, because of voting rights-related

issues.

MR. JOHNSON: Mr. Chairman, Commissioner

Huntwork, one thing, the neck of Avondale does go down,

it's not included in the Hispanic Avondale AUR area, is

25 people. So it is very sparsely populated, and they

are all -- and none of those 25 are Hispanic. So --

COMMISSIONER HUNTWORK: I see.

MR. JOHNSON: The northern portion.

CHAIRMAN LYNN: May be able, in a
reasonable amount of time, to get a similar analysis on
the north and settle it.

MS. LEONI: Just south of Litchfield Park, Doug. The AUR doesn't go up there.
The area excluded from the Hispanic AUR is the area, I don't know if this -- I'm not sure which
river this is, or riverbed, the northwest corner of Avondale. And there are some pockets of Hispanic population. Let me get the numbers for it. Just one second.

So, areas close to 6,000 people, 5,955, of whom 1,200 are Hispanic. So -- whatever that works out to be. That is 12 -- just over 20 percent Hispanic. So it's not as densely Hispanic as the rest of the Hispanic AUR tends to be. There is definitely some Hispanic population there. The question is whether they share all the rest of the issues in the AUR. It will take more analysis.

COMMISSIONER HUNTWORK: Well, I think the percentage strongly suggests that there's no compelling reason to add them in. So I would -- I don't want to make any motion.
The next slide we have dealt with by including El Mirage and Old Town Surprise in the Hispanic AUR.
Next, Mr. Johnson. Thank you.

Border towns, including Douglas and Nogales.

Next, Nogales, Rio Rico, and Tubac with Pima County.

Next, Patagonia and Sonoita, with Cochise County.

Next, Broadway-Broadmoor.

COMMISSIONER HUNTWORK: Mr. Chairman, this is not a city, not -- there was a lot of testimony to the effect that the people in this area ban together for -- they consider themselves to have a lot of common similar problems for urban issues, age of the neighborhood, preservation issues, community issues not otherwise recognized or protected. So I would make a motion that this one be considered, based on my recollection on the amount of testimony that we received, that it is a community at the hearing in Tucson.

CHAIRMAN LYNN: Is there a second? Hearing none.

Flagstaff metropolitan area.

COMMISSIONER HUNTWORK: Mr. Chairman, I move that we adopt the Flagstaff Metropolitan Planning Area as a community of interest.

CHAIRMAN LYNN: Is there a second?
COMMISSIONER ELDER: Second.

CHAIRMAN LYNN: Discussion on the motion?

Mr. Chairman, Mr. Johnson, in this map showing the Flagstaff metropolitan area, my recollection is that their metropolitan area is a correct lineal area in form. We have an irregular edge here. Would you describe what the irregular edge is.

MR. JOHNSON: Taking the edge and taking all the blocks within that, and a few -- a number of blocks go across that line. So it's -- all blocks within it and then blocks that are almost entirely within it. I can -- if it would be helpful, bring up the map and show you the population within bordering blocks, populated blocks. Once outside, have a couple people within them.

CHAIRMAN LYNN: Ms. Hauser.

MS. HAUSER: Just to note, we, at this juncture, are not able to split blocks. Just physically unable to do that. So if the metropolitan planning area included any portion within a block, we've taken the whole block. Correct?

MR. JOHNSON: Yes.

CHAIRMAN LYNN: Mr. Hall?

COMMISSIONER HALL: Mr. Chairman, my concern is: Are we going to adopt, then, the Prescott Metropolitan Planning Area, the Camp Verde Metropolitan
Planning Area? Is this the only --

COMMISSIONER HUNTWORK: No --

COMMISSIONER HALL: Thus far we've not addressed any other --

COMMISSIONER HUNTWORK: Absolutely intend to do the Prescott area as well.

COMMISSIONER HALL: For example, I'm sure Sedona has more manning area than city boundaries. Seems to me to be some inconsistency.

COMMISSIONER HUNTWORK: Well, I think, Mr. Hall, one of the keys that has guided us, I believe, with respect to how we define these things is how the communities identify themselves, not some abstraction. But if we have -- I mean, take EACO for an example. There's no reason, just looking at it, why it would be a community of interest, but it is. There's no question that it is, because of the people there who have identified it as such and explained to us why it is. We have heard day after day, page after page of testimony that I find absolutely convincing, personally, from people in Flagstaff and Coconino County generally that this represents a true community of interest that is not represented by the municipal boundaries of the City of Flagstaff. So for us to have any basis under the constitutional provisions to respect it or protect it, if
we can, and this is not to say that we will be able to, but just to put it in play, on a factual basis, I feel the evidence is overwhelming that this a community of interest.

CHAIRMAN LYNN: Mr. Hall.

COMMISSIONER HALL: I don't disagree with that, Mr. Huntwork. I guess my point is I think there are a number of municipalities that may fall into the same category that may be of the voluminous record we already have. May not be before us today or last week. And all I'm -- all I'm wondering is, is that, you know, I think that we're consistent in our application. We already have all agreed that basically a city has certain representation pursuant to Proposition 106. So while others may have metropolitan areas outside of those, all I'm asking is the question relative to consistency.

COMMISSIONER HUNTWORK: You know, Mr. Hall, I agree it is important for us to be consistent. And in this, in this process that we are going through right now, I would like to say that those, those cities, those cities which really are significant metropolitan areas in the state of Arizona, no question Flagstaff is one of those, Prescott is another, Yuma is another. I don't mean there are a number.

If we go into an area and find it necessary
to take the heart out of one of these major cities and not consider the surrounding areas, I would be inclined at that point, if there is an opportunity to find out, I would try to get information from the community about what is going on in the environs before making that decision.

We have said two things: We're going to make the decision based on the record before us, and, you know, I think that there is a very strong record here now. And we don't -- we only have such a record for a few communities. So I think that is the thing that we're going to be consistent about. We're going to make it on the record. We have a record for this, and we'll try to get one for the others before we do anything too drastic, but we may not be able to.

CHAIRMAN LYNN: Further discussion on the motion?

All those in favor of the motion, signify by saying "Aye."

COMMISSIONER HUNTWORK: "Aye."

COMMISSIONER ELDER: "Aye."

CHAIRMAN LYNN: Opposed say "No."

COMMISSIONER HALL: "No."

CHAIRMAN LYNN: Chair votes "aye."

Motion carries three-to-one.
The next is Flagstaff with the reservations.
The next is Navajo, the Navajo Nation with the San Carlos and White Mountain Apache tribes.
Next is Winslow with Flagstaff and Williams.
Next is the Grand Canyon tourist corridor, which includes Sedona, Verde Valley, Flagstaff, associated with -- as a community of interest.
Next is Verde Valley and Sedona.
Next is Glendale.
Next is Pascua Yaqui lands all together relates to City of Tucson and its environs.
MR. JOHNSON: This is what I mentioned earlier, Pascua Yaqui or three reservations.
CHAIRMAN LYNN: Thank you.
Next is Surprise, Litchfield Park, and Glendale.
Next is Phoenix Historic Districts.
COMMISSIONER HUNTWORK: Mr. Chairman.
CHAIRMAN LYNN: Mr. Huntwork.
COMMISSIONER HUNTWORK: I need to -- I need some help reading this one. On my copy the boundary on the east doesn't come through. I can't read what that says. Is that Squaw Parkway?
CHAIRMAN LYNN: Yeah.

COMMISSIONER HUNTWORK: Need to change the name of that.

CHAIRMAN LYNN: In the software, I'm sure it's not that.

COMMISSIONER HUNTWORK: In any event, I feel strongly the historic preservation is enough of a criterion to recognize or warrant recognition, but I have, I have grave doubts about whether this area is adequate to fully contain it. For that reason, I think that I'm going to -- I'm certainly not going to make a motion to support this particular rendition of it, and I would say that we may -- I would like to keep an open mind about whether it's possible to define a community of interest based on this or not. And perhaps I could work with our consultants or someone over the next few weeks to make further inquiries about this, but in the meantime I'm not prepared to go forward with this.

CHAIRMAN LYNN: Thank you, Mr. Huntwork.

Quartzsite is not split.

Mr. Johnson, let me ask a question of Mr. Rivera, then let you confer. Quartzsite, is that an incorporated area or place?

MR. JOHNSON: Incorporated.

CHAIRMAN LYNN: Thank you. City boundaries
apply. Rita Ranch separate from South Tucson.
Scottsdale with Cave Creek and Carefree.
The Tohono O'odham boundary with Gila River
and Ak-Chin.

COMMISSIONER HUNTWORK: Mr. Chairman, in
this one --

CHAIRMAN LYNN: Mr. Huntwork.

COMMISSIONER HUNTWORK: This one, I recall
this was testimony. This is what I was thinking I
recalled. This one we were trying to figure out whether
the Tohono O'odham had indicated they were part of the
south Arizona Hispanic AUR or where their tendencies
were. I recall they had -- was testimony about a
relation in Tucson. Also this testimony, this brings
back to light. My question would be whether -- again,
what populations are before I decide whether this falls
within --

CHAIRMAN LYNN: As Mr. Johnson is looking
that up, I call your attention to the next slide, as
well, which is related.

COMMISSIONER HUNTWORK: Yes, it is. Gila
River could be in two communities.

CHAIRMAN LYNN: Could be a part of two
communities?
COMMISSIONER HUNTWORK: Yes.

COMMISSIONER HALL: I don't want to send us in reverse. We have ample testimony Douglas Nogales should have been together. So I'm -- I'm struggling with --

COMMISSIONER HUNTWORK: Consistency?

COMMISSIONER HALL: Pardon? Exactly, right.

CHAIRMAN LYNN: You've asked a question, I assume you want the answer.

MR. HUNTWORK: I would like the answer. Maybe we need to reexamine Douglas and Nogales depending on the answer.

MS. HAUSER: What is the specific question again?

CHAIRMAN LYNN: Population of those two areas.

MR. JOHNSON: Mr. Chairman, Commissioner Huntwork: Tohono O'odham, 10,287; Gila River, 11,971; and Ak-Chin Reservation, 742; and total is about 23,000 total.

COMMISSIONER HALL: Mr. Chairman, another setting, the Judge's order relative to --

CHAIRMAN LYNN: Homogeneous, similar communities.
COMMISSIONER HALL: -- homogeneous similar communities, I pose a question now or later regarding it.

COMMISSIONER HUNTWORK: Well, that is the question.

CHAIRMAN LYNN: Ms. Hauser.

MS. HAUSER: If, if you determine that they are a single community of interest, then you are not getting into the issue of later combining communities of interest that you have separately adopted, you know, in trying to make them into a homogeneous district. It goes back to -- the answer to the question is it depends on whether you define them as one community of interest or they are two communities of interest or three communities of interest that then you later seek to combine.

In some areas of the state, homogeneous districts were created to have like-minded people together in your previous plan as people requested. Sometimes they're combined together for purposes of the Voting Rights Act. Other issues come into play with respect to these particular communities. Again, it depends on both -- look at the definition, do you believe that -- do you have enough information to conclude that these three tribes constitute a community of interest themselves even though they are each individually a community of interest?
COMMISSIONER HUNTWORK: Well, information here does not seem to suggest any overriding relationship between them. So, if we -- unless you advise us, Ms. Hauser, that there is other evidence in the record that would substantiate a relationship, then I have no motion to make on that at this time.

CHAIRMAN LYNN: The next one is the urban Maricopa tribes. This would be a grouping of Gila, Salt, Fort McDowell, and Ak-Chin.

COMMISSIONER HALL: Mr. Chairman, I move we accept this one as a community of interest.

CHAIRMAN LYNN: Second?

COMMISSIONER ELDER: Second.

CHAIRMAN LYNN: Discussion on the motion?

COMMISSIONER HUNTWORK: I think to distinguish it from what we just did, the record indicates that there are indeed not only cultural and linguistic, but economic similarities between these tribes and they are adjacent to urban areas and share issues like gaming, and so on. So I would agree. This is -- even though it may seem like a similar question to the one we just did, it's not inconsistent to recognize as a community of interest.

CHAIRMAN LYNN: Further discussion?

If not, all in favor say "Aye."
COMMISSIONER HUNTWORK: "Aye."

COMMISSIONER ELDER: "Aye."

COMMISSIONER HALL: "Aye."

CHAIRMAN LYNN: Chair votes "Aye."

Motion carries four-zero.

Tucson Foothills.

North Tucson retirement communities.

COMMISSIONER HUNTWORK: Mr. Chairman.

CHAIRMAN LYNN: Mr. Huntwork.

COMMISSIONER HUNTWORK: I'm sorry.

North Tucson retirement communities. West Phoenix homeowner associations.

And I believe that's the list.

Now, that is not to say that that is a completely inclusive list. There may be others that we wish to add at this time. Let me get a sense of -- all I'm doing is time management at the moment. Let me get a sense of how many others somebody might wish to discuss. Do you have a number you are going to propose? Two, seven, 10 -- two. Okay.

Mr. Hall, do you have any additional proposals for inclusion?

COMMISSIONER HALL: Mr. Chairman, probably not at this time. That doesn't preclude any possible proposals in the future.
CHAIRMAN LYNN: Okay. So for the purpose of time management, don't need a time agenda near term. Mr. Elder?

COMMISSIONER ELDER: No. Not at this time either.

CHAIRMAN LYNN: Okay.

Then what I would ask we do: It's 1:15 now. I'd like to take a 45-minute break for lunch, reconvene promptly at 2:00 o'clock. Take those issues up for Mr. Huntwork, then move to the next phase of the meeting.

Without objection, Commission stand in recess for 45 minutes. We'll reconvene at 2:00 p.m.

(Lunch recess at 1:15.)

CHAIRMAN LYNN: This is the afternoon session. The Commission will reconvene. For the record, all four Commissioners are present and coughing, and along with counsel, staff, and consultants.

I want to continue the discussion on communities of interest, that item on the agenda.

And Mr. Huntwork, you indicated that you may have some others that we wish to consider. I think, if I understand correctly, Mr. Johnson, you have one inadvertently left out of the packet. Shall we do that first?
MR. JOHNSON: Sure, maybe one of Mr. Huntwork's. Tri-Cities.

CHAIRMAN LYNN: May be. Go ahead.

COMMISSIONER HUNTWORK: I was.

MR. JOHNSON: One familiar with us. Tri-Cities and Yavapai County being united. Was in Power Point. Apparently didn't make it into the Xerox version.

COMMISSIONER HUNTWORK: I move to define Prescott, Prescott Valley and Chino Valley as a community of interest.

CHAIRMAN LYNN: Is there a second?

COMMISSIONER ELDER: Second.

CHAIRMAN LYNN: Discussion on the motion?

COMMISSIONER HUNTWORK: Mr. Chairman, what is wrong there, is that they correspond to the AUR that we previously adopted. Is that exactly the same? What did you do to create this?

MR. JOHNSON: This is three cities, boundaries of three incorporated cities.

COMMISSIONER HALL: AUR was Yavapai.

MR. JOHNSON: You can certainly change that, if that is your preference.

COMMISSIONER HUNTWORK: Well, test -- this is a good example of something we were talking about
earlier. Testimony was, there is a planning area associated with this. Of course, I know that, and it's common sense, we don't know the confines of the joint planning area. I would like to make the planning area be the community of interest rather than just the boundaries of the three cities, which obviously you can just look at it and see that there is more to the story.

CHAIRMAN LYNN: Mr. Hall, then Mr. Elder.

Mr. Elder.

COMMISSIONER ELDER: Mr. Chairman, Mr. Huntwork, in this instance I don't remember any testimony related to the planning area. I remember testimony that went to address the three cities and towns and their needs. So I would say that we just go ahead and adopt this as the linkage between the three towns which do, indeed, have interests-in-common representation. And if there was a planning area, well, it wasn't presented to us.

MS. LEONI: Here it is.

COMMISSIONER HUNTWORK: Mr. Chairman, it was this very morning.

CHAIRMAN LYNN: It was. It wasn't defined, but it was mentioned.

MS. LEONI: Yes.

CHAIRMAN LYNN: And I -- I think what we
might want to do is ask -- I mean, without objection, I
ask Mr. Flannery to answer the question for us. Then we
have the information and make a decision as best we can.

I know you just came in, Mr. Flannery.

Would you answer the question, not knowing exactly what
it is? That's what we've been doing. I think we should
share that version with others. No, seriously, what --
what we are talking about is there's a motion on the
floor to recognize the Tri-City areas together as a
community of interest, and the discussion is around the
corporate boundaries of those areas or the planning area
associated with them. Since we don't have an accurate
map that we know of, of the planning area, could you give
us some sense of what it is?

MR. FLANNERY: I can do that. And,

Mr. Chairman, Commissioners, I apologize I still haven't
got my credit card back from the people yet, so

Mr. Hartdegan is doing that.

CHAIRMAN LYNN: Bigger trouble than you
know. Mr. Hartdegan has your credit card?

MR. FLANNERY: That could be, yes.

In reference to Commissioner Hall's
statement this morning about a planning process for each
entity, under Federal Law T21, which is the
Transportation Enhancement Act of 1990, when a community
hits a threshold of 50,000 along with a density, the federal government mandates that that community begin a process for planning. And so when each community does that, they have to go through, under the guidelines of the Arizona Department of Transportation in Arizona, to form a metropolitan planning organization, and once that is established, then the Governor goes ahead and signs a document authorizing them to be that planning -- that regional area planning organization. So it's not just the community that goes through this process, it is mandated.

So in answer to your question, there is an urban area and, in our particular case, that urban area is from Prescott -- extends from Prescott to Prescott Valley. Then there's a planning area, and that planning area goes from the west side of Prescott out to Dewey-Humboldt -- well, out to Humboldt, actually, then it follows the forest area, which you don't have there, but -- I can bring you a more detailed map for you, but it follows the forest boundary on the west side -- or, the east side of the Mingus up to -- up to the north of the Paulden area, and then back down to Prescott would be the planning area. Something roughly along that, yes. So just to -- in a sense, that's the metropolitan planning area for the Central Yavapai
Planning Organization. Have I answered?

CHAIRMAN LYNN: I think so. Thank you.

MR. FLANNERY: Any further questions?

COMMISSIONER HUNTWORK: Well, I suppose one of the key issues that was presented to us for the area was water supply. I would just ask you whether there is any distinction within that area or do the communities in that area share a common interest in water issues?

MR. FLANNERY: Well, back in 1990 -- I'm probably going to blow this one, because I'm not sure about the date on it, but the Arizona Department of Water Resources declared that the Prescott Active Management Area was mining water. And that takes in a greater area than that. But essentially those three communities.

COMMISSIONER HUNTWORK: They are included within the same plan?

MR. FLANNERY: That is correct. I guess maybe a little further east, maybe a little more north. It's a little bit larger than that boundary.

CHAIRMAN LYNN: I guess the question, Mr. Johnson, when you determine the Flagstaff planning area, if I understand your methodology, you worked from a map supplied by Flagstaff, or by someone from Coconino County, then adjusted it with respect to taking whole Census blocks or whole Census tracts, either in or out,
but you worked from map that was given to you that had defined boundaries on it?

MR. JOHNSON: Yes, that's correct.

CHAIRMAN LYNN: Okay.

COMMISSIONER HUNTWORK: Mr. Chairman, I --

I would like to modify my motion now that I have this information. If I could be allowed to do that.

CHAIRMAN LYNN: Always with acceptance of the second.

COMMISSIONER HUNTWORK: All right. What I would like to change it to is that we adopt the -- what is the official name of the planning area?

MR. FLANNERY: Central Yavapai Planning Organization.

COMMISSIONER HUNTWORK: -- territory as a community of interest.

CHAIRMAN LYNN: Is that acceptable to Mr. Elder?

COMMISSIONER ELDER: The question would be: How soon would we be able to get that data? Because we're under Court order to perform. We have to have that data to be able to evaluate that data, otherwise we have to go to the jurisdictional area of three towns.

MR. FLANNERY: Depending what time I get out and go home this evening, I will give you the map
tomorrow,

CHAIRMAN LYNN: Needs to be a sufficient resolution if we go this way. No ambiguity in a planning area.

MR. FLANNERY: Give you a disk tonight. Don't know what the plans are after Monday.

CHAIRMAN LYNN: Okay.

MR. FLANNERY: I can get you a disk.

COMMISSIONER ELDER: I'd second your motion.

CHAIRMAN LYNN: The motion is: Include the planning area as described in the motion as a community of interest.

Discussion on the motion?

CHAIRMAN LYNN: All those favor of the motion signify by saying "Aye."

COMMISSIONER HUNTWORK: "Aye."

COMMISSIONER ELDER: "Aye."

COMMISSIONER HALL: "Aye."

CHAIRMAN LYNN: Chair votes "aye."

Motion carries four-zero.

Mr. Hall.

COMMISSIONER HALL: Chairman, I don't think we can pay attention to one side of the motion and not the other. In retrospect, it's appropriate to declare
also Verde Valley as related communities. Clearly they have ties both in trade and other areas, and make the Verde Valley, probably including Sedona, another community of interest.

CHAIRMAN LYNN: Is that a motion?

COMMISSIONER HALL: Yes, sir.

CHAIRMAN LYNN: Is there a second?

COMMISSIONER ELDER: Second.

CHAIRMAN LYNN: Discussion on that motion?

COMMISSIONER HUNTWORK: Mr. Chairman.

CHAIRMAN LYNN: Mr. Huntwork.

COMMISSIONER HUNTWORK: There was testimony that that was a community of interest. There was testimony that it wasn't. There was testimony that it included Sedona; there was testimony that it did not. The difference I see in my own mind is that the testimony in the Tri-Cities area was extremely strong and unambiguous. And, so, personally I don't place them in the same category.

And by the way, when we -- when we thought about it before we concluded, particularly with respect to the water issue, that this area had a lot in common with Prescott and environs even though they might be having to divide the water between themselves, they first had to get any water with the prospect of the whole
watershed becoming subject to an adjudication of users
downstream, so --

COMMISSIONER HALL: I think there's conflicting testimony in every issue, including Flagstaff. In my mind, it's very clear that is a community of interest.

CHAIRMAN LYNN: Further discussion on the motion?

All those favor motion signify by saying "Aye."

COMMISSIONER ELDER: "Aye."

COMMISSIONER HALL: "Aye."

CHAIRMAN LYNN: Chair votes "Aye."

Opposed say "No."

THE REPORTER: Commission Huntwork, I did not hear anything. Did you vote "no"?

COMMISSIONER HUNTWORK: I did not show "no."

CHAIRMAN LYNN: Three, zero and one.

(Motion carries.)

CHAIRMAN LYNN: Mr. Hall.

COMMISSIONER HALL: Attrition, passed over border towns Douglas, Nogales, probably area border interests. Commission testimony has been very clear in the past on that. I move that would be a community of
interest also, page 41.

CHAIRMAN LYNN: Is there a second?

COMMISSIONER HUNTWORK: Well, I'll second it, at least for the sake of discussion.

CHAIRMAN LYNN: Moved and seconded.

Mr. Huntwork.

COMMISSIONER HUNTWORK: Mr. Chairman, my discussion is I was going to suggest a border community of interest, and that these communities would be included in that, but that it was more than just these communities. And I'm wondering --

COMMISSIONER HALL: Such as? I'm open to suggestion.

COMMISSIONER HUNTWORK: Essentially we had Cochise County -- we had essentially the whole tier from Cochise County to Yuma County sharing a common interest regarding border issues, even parts of Pima County, you know? I'm not sure exactly what the contours of it --

COMMISSIONER HALL: I agree, Mr. Huntwork, with respect to border issues, they do have that in common.

My opinion, based upon our definition of community of interest, it's very clear that there are a number of other factors with respect to those towns on the border to the east that have in common that they may
not have in common with towns, i.e. Yuma, et cetera, you know, trade, and socioeconomic political ties, geometry, et cetera.

That's why I feel it's very clear in my mind in the Douglas Nogales area, that they are a community of interest, and in my mind it's not as clear that Yuma would be the same community of interest as those two.

CHAIRMAN LYNN: Further discussion on the motion?

For me, it's a tough -- very tough. In some ways this is not unlike the river issue. There's no question that there are issues that those communities have in common. But there are also not a lot of evidence that I'm aware of that they particularly work together in the same way that the Tri-Cities, for example, work together in a variety of planning and other ways. And whereas I would be more comfortable -- well, it wouldn't matter. Looking at a border district even broader than those two communities would only make the problem worse. I'm not sure I can vote for this.

COMMISSIONER HALL: I guess my concern is, Mr. Chairman, as you look at what the Commission has done this far, granted we're not done, we presently have zero communities of interest in all of southeast Arizona. So
CHAIRMAN LYNN: Not to say there aren't some. We're doing this for purposes of this planning process. I think we need to remind -- I need to remind myself as we go through the process that what we have done is we have identified cities and counties in a distinct way as being essentially their own communities of interest without a special designation for purposes of applying another goal of the constitution. But --

COMMISSIONER HALL: I understand that, I guess, in light of the fact my motion does not follow cities or counties. That's why we cover this particular case. And furthermore, you know, frankly, I'm curious relative to the -- that we don't have any specific definitions even anywhere in the community of Tucson, so I'm simply making an observation and feel, from my knowledge, that this -- these communities, I think, are clearly community of interest.

CHAIRMAN LYNN: Thank you.

Mr. Elder.

COMMISSIONER ELDER: Mr. Chairman, would it make any difference to any of the other Commissioners if we included Tohono O'odham, who do indeed have border issues?

CHAIRMAN LYNN: Does not me, but --
If you're ready for the question: All those favor of the motion, signify by saying "Aye."

COMMISSIONER HALL: "Aye."

COMMISSIONER HUNTWORK: "Aye."

COMMISSIONER ELDER: "No."

CHAIRMAN LYNN: Chair votes "No."

Two-two.

(Motion fails.)

COMMISSIONER HALL: For the record, Lisa now owes me lunch.

MR. RIVERA: We just bought you lunch.

CHAIRMAN LYNN: Asked and answered. Mr. Huntwork.

COMMISSIONER HUNTWORK: Mr. Chairman, the City of Phoenix, of course, is enormous and, of course, not entirely homogeneous. It may appear to be from the outside, but in actually it consists of a number of different communities that are fairly well defined and fairly well understood in implementing the social activities in the -- political activities within the confines of the city of Phoenix.

The City has done, I think, a good job of identifying these areas through their village planning programs, and so in different areas of the city they have, you know, defined the area and they have set up
committees and commissions that provide input with respect to how the city has developed and how the programs are administered and applied within those areas. They are important divisions of the city, and I would like to instruct our staff, our consultants, to obtain those boundaries for us so that we can consider at a future time, hopefully as soon as possible, using them as a way of differentiating between communities of interest inside the normal boundary of the City of Phoenix.

CHAIRMAN LYNN: Is that a motion?

COMMISSIONER HUNTWORK: I move we instruct our staff to get information and present it to us so we can consider it as soon as possible.

CHAIRMAN LYNN: Is there a second? I believe the motion dies for lack of second.

Mr. Huntwork.

COMMISSIONER ELDER: Time out.

Mr. Chairman, is this a map of the Village Planning Community or committees or communities?

MR. JOHNSON: Commissioner, yes. Wireless Internet access is a wonderful thing.

Question: Do we know, through either Mr. Huntwork or anything presented here, as to how these areas were defined?

MR. JOHNSON: I'm sure Dr. Adams knows it
very well through the City. Don't know if Mr. Sissons
does through his recent experience with the City.

CHAIRMAN LYNN: Mr. Sissons?

MR. SISSONS: Chairman Lynn, Mr. Elder, I
happened to be on City of Phoenix planning staff at the
time Phoenix was going through this process, and the
delineations, well, were largely based on creating
villages around urban cores, and an urban core could be a
major regional shopping center or major employment
center. And then the -- once the cores had been
identified, then the land uses surrounding those cores
were evaluated by their sort of density gradient to the
point that at the edges of the villages, the village
edges would be at, basically, the low-density portions of
the city.

So it was very much a sort of jobs,
employment, housing, and cognitive mapping effort much
more so than any, you know, lining up with school
districts or entities like that. So it's not really --
it's not -- there's kind of an element of some sort of
residents -- residents viewpoints about, you know, in a
way, very early on, 20, 23 years ago, these represented
communities of interest without those terms being used.

COMMISSIONER ELDER: Then is it fair to say
you took, or the planning department took areas based on
the central core items, but did not relate them to who
used them from where, how they function within a
community to define those edges, mathematically we need
to get borders, need to get 161,000 in this village, had
nothing to do with the culture, society, economic or
socioeconomic use or any other factors?

MR. SISSONS: I wouldn't say had nothing to
do with them. Closer to the first part of the question.

MR. RIVERA: Mr. Rivera.

MR. RIVERA: I also happened to be on the
Planning Commission when all these things were being
developed. I can tell you what the thought was. They
wanted people to shop, stay in the areas; didn't want
high-rises to be raised in a haphazard manner. They
Created Village Planning Commissions, created these
villages, like Mr. Sissons was saying, with a high-rise
being in the middle of a core, then would build out
thinking the high-rise also brings economic, schools, and
residency based on the high-rise on the plan.

So although its main use is land use, it
does involve some economic considerations; although not
directly schools, it does involve schools; the way land
use is being built, the manner in which the land use is
being built; essentially mini cities within big cities so
people grow and spread growth throughout the city in an
organized way.

MR. SISSONS: The major thought along those lines being with greater opportunities for people to live, work, play and shop in the same portion of the city, that would reduce the amount of cross-town traffic.

CHAIRMAN LYNN: Thank you, Mr. Sissons and Mr. Rivera.

Mr. Elder.

COMMISSIONER ELDER: Mr. Chairman, based on our definition of "communities of interest" where we look at religion, political ties, history, tradition, geography, demography, ethnicity, culture, social economic status, trade or other common interest, there are just a few pieces southerly around the edges that I don't think fits the definition of "community of interest," in my mind.

CHAIRMAN LYNN: Nor do I. That's why I wouldn't support it.

A second to community of interest? I'll ask the question again.

Hearing none, the motion dies for lack of a second.

Mr. Huntwork, other motions you wish to make?

COMMISSIONER HUNTWORK: No.
CHAIRMAN LYNN: Any other Members of the Commission that wish to address communities of interest by offering to add one?

If not, without objection, Ms. Hauser.

MS. HAUSER: You were going to revisit the Southern Arizona Hispanic AUR.

CHAIRMAN LYNN: Thank you. Thank you very much. You had taken that out of order, and I wanted to at least come back to it so that we could dispose of it one way or another, either an affirmative motion or lack thereof, but this is Slide 10, bottom, the bottom depiction.

Mr. Elder.

COMMISSIONER ELDER: Mr. Chairman, I brought this up in an earlier portion of our session, that there had been historical linkages between various Hispanic communities along the Santa Cruz River from the 1700s on, through -- even probably earlier, with indigenous peoples using that as a corridor. The question may be, would be: Do we have to have continuity or contiguousness to a community of interest? What happens here in this valley, we get an area in the middle that has very little historical or cultural linkage or presence from the traditional use of this valley, i.e., Green Valley cuts off this totally. We do have very
strong Hispanic, both taking a look at religion, ethnicity, going up and down the valley all the way to Nogales through some of the Tohono O'odham barrios and the culture of West Tucson. So with that in mind, if they could, you know, still be a community of interest and not be totally linked because of the Green Valley area, I move we make this a community of interest.

CHAIRMAN LYNN: Motion. Is there a second?

COMMISSIONER HUNTWORK: Second.

CHAIRMAN LYNN: Discussion on the motion?

COMMISSIONER HUNTWORK: Is it possible --

the question asked if it was possible, we'd like to do this. So I -- what is the answer to that question, I guess?

CHAIRMAN LYNN: Almost anything is possible. The question is whether or not it's appropriate and fits in with our definition.

COMMISSIONER HUNTWORK: Fair enough. What would it look like?

CHAIRMAN LYNN: Mr. Rivera.

MR. RIVERA: You know, in a court order absent a free world.

MS. HAUSER: Court-order free?

MR. RIVERA: Court-order-free world, I'd say you probably can. The problem is in the order itself
asks you to specifically list geographical boundaries for 
a community of interest. Doesn't say anything about 
contiguity. So -- but I don't see how you can -- it 
would be difficult to list geographical boundaries on 
this unless you list them separately. I guess you do -- 
it would be hard without contiguity and what happens 
inside it. All the court order asks you to do is list 
geographical boundaries. If it lists two different 
geographical boundaries of interest, I don't think 
anything in the court order prohibits you from doing it.

COMMISSIONER HUNTWORK: Thank you.

Districts to be contiguous, doesn't mean community of 
interest.

COMMISSIONER ELDER: Almost leads to, then, 
if we already split it, do we split community of interest 
putting either portion into a different district?

MR. RIVERA: The question comes in later, 
look at substantial, significant detriment.

CHAIRMAN LYNN: I have a concern with this 
one. I need to express it on the record. It is not as 
if areas depicted on that map don't share something in 
common, but unlike the Maricopa County version, they 
aren't contiguous. They aren't so close together, even, 
that there is all of the ties that you would expect and 
probably do exist in the Maricopa County version. And
worse than that, I believe, I cannot remember any
specific testimony that even comes close to the amount we
had on Phoenix, on the Phoenix version, that would put
the Hispanic community, for example, in Tucson, South
Tucson, together with the Hispanic community in Santa
Cruz County and Nogales. Yes, they are both Hispanic,
but the issues are very different. The governance is
very different. And I just don't know how I can draw
them together. I think it's very difficult.

COMMISSIONER ELDER: Mr. Chairman, the
difference in community of interest in definition of
religion, history, tradition, geography or morphology of
the valley, linkages from Tumacacori to Santaveer or
Santaveer, those all lend itself to link our communities,
etnicity being the same. In that way, I would indicate
or think that it would fit under our definition and it
would benefit from common representation.

COMMISSIONER HUNTWORK: Mr. Chairman.

CHAIRMAN LYNN: Mr. Huntwork.

COMMISSIONER HUNTWORK: My thought is that
the, in first place, it -- I recall that there was a
fairly large Hispanic area in Tucson itself. And
wherever this particular issue comes, I'd at least like
to take a look at that and see if it might not be a
community of interest in and of itself. But the issue
here, seems to me, to be whether or not there's enough linkage between that group and the more spread out, go south rather than the group itself. And the question would just be whether in fact there is any, you know, tradition or history or commerce or links that go along that corridor or is it, as you point it -- as you suggested, really just two separate groups that don't have that much in common with each other.

CHAIRMAN LYNN: I agree with the concept. I do believe there is a Hispanic community of interest in Tucson. The problem is, I don't -- I can't give you the boundaries of it. I can't define it by boundaries.

Mr. Elder.

COMMISSIONER ELDER: Mr. Chairman, I'd be willing to withdraw the motion concerning linkage from the border all way to Tucson in light of we did have testimony of various barrios in west Tucson, did have boundaries and limits of those areas, and there is fairly extensive discretion including one barrio west of Pacific, the Fruit Railroad area, with South Tucson with barrios west of the freeway. If that would give us definition, if Doug has limits of those barrios discussed in the public meetings, we may very well be able to use that as community of interest focused and centered ethnicity, culture, and go from that point.
CHAIRMAN LYNN: Let me ask Mr. Huntwork if
he's willing to withdraw his second.

COMMISSIONER HUNTWORK: Yes. On the basis,
actually, Mr. Chairman, a the points you've made about
lack of linkage all way through this group, I will
withdraw my second.

CHAIRMAN LYNN: Thank you.

Mr. Johnson, is there any help you can give
us with respect to Mr. Elder's suggestion of trying to
identify what we believe to be, some of us believe to be,
a definable community of interest which includes west-
and southside barrios in the Tucson area?

Is that fair, Mr. Elder?

COMMISSIONER ELDER: Yes.

CHAIRMAN LYNN: And it may include South
Tucson as well, probably would.

MR. JOHNSON: I don't have that at my
fingertips now. We could dig that up. I do -- don't
remember. End of the process, Commissioner Elder
summarizing fairly well one of the final changes we made
to one of the plans. I'd need to do some digging and get
back to you with exact testimony we have on that.

CHAIRMAN LYNN: Would that digging take
more than a day?

MR. JOHNSON: No. We could have it for you
tomorrow. We may be able to have it over dinner break.

CHAIRMAN LYNN: Okay.

Assuming we have a dinner break.

All right.

COMMISSIONER HUNTWORK: I'd make the motion we instruct our consultants to obtain the best information available and get back to us with it regarding a possible Hispanic community of interest in the Tucson Metropolitan area as soon as possible.

CHAIRMAN LYNN: Is there a second?

COMMISSIONER ELDER: Second.

CHAIRMAN LYNN: Discussion on that motion?

All those in favor of the motion signify by saying "Aye."

COMMISSIONER ELDER: "Aye."

COMMISSIONER HUNTWORK: "Aye."

CHAIRMAN LYNN: Chair votes "aye."

Opposed say "No."

COMMISSIONER HALL: "No."

CHAIRMAN LYNN: Mr. Huntwork?

COMMISSIONER HUNTWORK: "Aye."

CHAIRMAN LYNN: Thank you.

Motion passes three-one.

(Motion carries.)

CHAIRMAN LYNN: So, Mr. Johnson, as quickly
as you can, if you get back to us with that information.

Mr. Hall.

COMMISSIONER HALL: Mr. Chairman, I voted against it, not because I don't think the information is important, I just don't know if we're going -- feasible, just to explain my vote.

Ms. Hauser, Mr. Rivera.

MS. HAUSER: The Hispanic communities of interest are significant for reasons that go beyond what is the case with usual communities of interest in that competitiveness or -- since we're talking about significant detriment in terms of competitiveness, significant detriment to that community, such as it exists, will probably already be taken into account in terms of compliance with the Voting Rights Act. So that -- which is mandatory criteria, though, to the extent practicable about that.

So that if in terms defining community of interest boundaries, if you run into any difficulty there when NDC comes back, you still have specific knowledge of where the concentrations of those populations are, even if they are somewhat scattered, in terms of complying with the Voting Rights Act.

CHAIRMAN LYNN: Voting rights?

MS. HAUSER: Right.
CHAIRMAN LYNN: Appreciate that. Thank you.

Mr. Hall.

COMMISSIONER HALL: Mr. Chairman, just for the record, I just want to express concern. Throughout this process I've always been an advocate of rural Arizona related issues. I'm grateful of fellow Commissioners that that seems to be a primary concern through the process, all of us rednecks are grateful. My concern is that as I'm now looking at a summary list of communities of interest of which we have adopted, we have we have the urban tribes, we have the Hispanic community of interest in Maricopa County, and those are the only two communities of interest we've identified in a population of approximately 3.1 million people. And in Tucson, according to what I can -- what I'm seeing here, we have zero, which is another nine hundred thousand to a million people. So my concern is we've adopted communities of interest which has essentially ignored four-fifths of the population of the state of Arizona. And I've always tried to yield deference to my fellow Commissioners regarding -- in light of the fact that all of you live in these communities. I'm just sensing if my fellow Commissioner Mrs. Minkoff were here, or -- that she would probably be a little more vocal -- I'm
expressing that concern. I'm not saying I have an affirmative suggestion, and that -- if my concern is invalid, I stand corrected.

CHAIRMAN LYNN: Mr. Huntwork.

COMMISSIONER HUNTWORK: Mr. Hall, I share your concern. I -- it's certainly not a partisan issue. I suggested use of urban villages in Phoenix. No one seconded, yourself included. Even us together wouldn't have gotten it done.

COMMISSIONER HALL: Maybe I should explain. The only reason I didn't second such brand-new information, to me, given all record listened to, having attended several meetings in the valley, never once -- granted I tried to forget a lot of this, never once I recall, those that, particular category of planning, or that category of grouping utilized in connection with what we were asking the community relative to communities of interest. So my lack of a willingness to second that, I guess, I should have done that at least for purposes of discussion, but was simply because it just seems to me that that is so brand-new. But I'm not sure that is the only avenue.

COMMISSIONER HUNTWORK: Well, for what it's worth, one of the arguments that we made, I made in connection with the Hall-Minkoff plan, had to do with the
way in which Moon Valley operates versus North Phoenix, and it was my impression -- I don't even know if this is a hundred percent accurate or not, my impression that those are really separated by the village concept and on different categories. I was thinking along those lines at the time. I said, well, this is something as a -- someone who lives in Phoenix, I know how these things -- I tried to apply my own knowledge. Court said you can't do that, you have to have an objective record that you are working from. So my thought was, well, let's get these concepts in here and see how -- so it seemed like a way to do it.

We have, we have areas of Phoenix where neighborhood associations are very important. But to define the community by the fact every few blocks there's a neighborhood association and people within that area, you know, all go to meetings and vote on things, is -- well, that's not the way to really get the superstructure in place. How do you define what the real big divisions are within the city? And so this was the closest thing that I could think of to address that.

We heard problems of that. Not a perfect way to do it, either. Even the concept is -- could have started with, is now reflective of what was going on 25 years ago, not necessarily what is going on today. So
that's sobering information for me as well. But -- so all said and done, I share your concern and don't know what we're going to do about it.

CHAIRMAN LYNN: At least the concern is on the record. I want to ask counsel if they're still of a mind, we should perhaps have a brief Executive Session.

I would entertain a motion for that purpose.

COMMISSIONER ELDER: So moved.

CHAIRMAN LYNN: Second?

COMMISSIONER HUNTWORK: Second.

CHAIRMAN LYNN: Those in favor of an Executive Session signify by saying "Aye."

COMMISSIONER ELDER: "Aye."

COMMISSIONER HUNTWORK: "Aye."

COMMISSIONER HALL: "Aye."

CHAIRMAN LYNN: Opposed say "no"?

(Motion carries.)

CHAIRMAN LYNN: My best guess, ladies, gentlemen, is 15, 20 minutes.

(Whereupon, the Commission recessed Open Public Session at 2:52 p.m. and convened in Executive Session pursuant to A.R.S. 38-431.03(A)(3) A.R.S. 38-431.03(A)(4), until 4:22 p.m. at which time Open Public Session resumed.)
CHAIRMAN LYNN: The Commission will come to order. For the record, all four Commissioners are still present with counsel, staff, and consultants.

Before the break, Mr. Johnson, you were asked to retrieve and identify an area in Tucson related to identifiable barrios on the west and south side of that community. Were you able to find that area and identify it?

MR. JOHNSON: Yes, Mr. Chairman. The testimony is from the August 16th of 2001 meeting. I'll show testimony and switch over to the map by Mr. Walker Smith, who identified himself principal planner for the City of South Tucson. And the area he described is that community of interest of South Tucson go basically north and east, and he said, it's the west side of the river and -- wait, I'm sorry, the east side of the river tends to be a community of interest, would be more natural, talking about when drawing the line of the border of the community, to go east, perhaps toward the mainland -- I think actually supposed to be the main line of the railroad, and the area he's talking about is -- get this to fit on a smaller screen on the projector -- is South Tucson, shown in orange here, down in Tucson, and you see the river over here on the west side of the area he's talking about instead of going east from the river over
towards the railroad, which runs right next to Aviation
Parkway.

Then he talked about the South Tucson
community northeast to the railroad, west to the river.
The only part that wasn't all that clear from his
description is where the border is on the south side,
obviously it's South Tucson, but to the east of South
Tucson, is it 36 or Ajo Way or, you know, at what point
that border's at. But it seems -- we have three sides,
clearly, from his testimony. We just need to figure out
how far south that would go.

CHAIRMAN LYNN: Mr. Elder.

COMMISSIONER ELDER: Mr. Chairman, is it
all right if I point on the screen, identify some of the
barrios I was concerned with?

CHAIRMAN LYNN: Certainly. Just make sure
to the extent we're making a record, we hear you, as you
point, you identify what you are pointing to.

COMMISSIONER ELDER: All right. Starting
the southwest corner of South Tucson, South Tucson, their
area goes from 36th Street and about a half mile to the
east. It goes across -- I'm sorry, across 36th Street to
the railroad tracks, and then continues on up to the
north to approximately Broadway.

COMMISSIONER HALL: Dan, can you switch
sides, use your other hand?

COMMISSIONER ELDER: Primary barrios, we have the El Pueblo District, right in this area. We end up getting the balance, when they say "to the river," of the Hispanic area in through here, strongly related to South Tucson. Almost no -- I guess if you live there, you might know where the boundary of the City of South Tucson was, but you wouldn't know from cultural, from architectural, population or demographic base. This entire area here pretty well functions as a whole.

Then the testimony went ahead and included --

Doug, lower it down a bit.

South Tucson is about there. We've got several other barrios in the City of Tucson. One comes in with the railroad track going here. We have Barrio Anita, a very distinct community. We have the El Presidio area. We have El Rio to Manzo, and Manzo, Manzo and Rio, Manzo, St. Mary to Congress, and Manzo, Speedway to Congress, and it goes over to approximately -- this is Silverbell, and continues on down around Silverbell Road to where this is part of the Historic Districts and the barrios.

So I would like to see from approximately Speedway on the north, the Silverbell Road, and
A Mountain on the west, down to 22nd Street coming across
to the river, down the river to the southwest corner of
South Tucson, across the southern area of South Tucson,
picking up the area to the east -- I'm sorry, to the east, and continuing on over to the railroad tracks and
include that entire area part the historic and barrio area of Tucson.

CHAIRMAN LYNN: Is that a motion?

COMMISSIONER ELDER: Yes, that is a motion.

CHAIRMAN LYNN: Is there a second?

COMMISSIONER HUNTWORK: Second.

CHAIRMAN LYNN: Thanks, Mr. Huntwork.

Discussion on the motion?

Mr. Johnson, did you capture all of the boundaries of that proposed area?

MR. JOHNSON: Yeah.

CHAIRMAN LYNN: Okay.

Mr. Huntwork?

COMMISSIONER HUNTWORK: Well, I recalled the testimony in general terms, but certainly not as well as Mr. Elder does, and I'm impressed. I do think I would -- I'd like to see, you know, the evidence in the record that we all recall but obviously don't have in front of us at the moment. But I -- you know, subject to that, yes, I think that seems to appear to be and would
function as a community of interest.

CHAIRMAN LYNN: Mr. Elder.

COMMISSIONER ELDER: Mr. Chairman, the only area -- and I misspoke there to the extent there is --
the city core, downtown Tucson could not be considered a barrio, and it goes from approximately 6th south from the freeway to the railroad tracks and from, what, about 15th Street --

CHAIRMAN LYNN: 18th.

COMMISSIONER ELDER: -- 18th, maybe, up.

6th Street here, Barrio Anita, Traditional School, and that is to the north. Hit the El Presidio District, hit downtown City Hall, the federal building, libraries, all in this general vicinity, and continues across to approximately 18th Street should run here. This area here would be considered the urbanized downtown, nonresidential area, should be excluded from the Historic Barrio Districts.

MR. JOHNSON: Mr. Chairman, Commissioner Elder, all the way from the railroad track.

COMMISSIONER ELDER: Railroad, other side of, well, Manzo out, the freeway, railroad tracks, that way parallel, right-of-ways, all contiguous.

CHAIRMAN LYNN: Mr. Elder, you went fast through that. I want to be sure -- I want to make sure
in my mind the area you just excluded did not exclude
	Barrio Sovaco, Loco Lencho?

COMMISSIONER ELDER: No.

CHAIRMAN LYNN: Those are still in?

COMMISSIONER ELDER: Yes.

CHAIRMAN LYNN: Okay. And Barrio Libre
south of the community, you say?

COMMISSIONER ELDER: That's where I asked,
I believe, we get -- excuse me. We come along here, we
go south of the community center, this area right here,
this was the dividing lines of this area. Barrio Libre
would be in the barrio district.

CHAIRMAN LYNN: Thank you.

MR. JOHNSON: Follow-up.

Talking about 14th Street?

COMMISSIONER ELDER: 14th Street, that
street rather than 18th. 18th Street on the south side
of the community center coming across would be south of
that line --

CHAIRMAN LYNN: Goes by two names,

Mr. Johnson. Maybe the map is inconsistent, 18th Street,
or Cushing Streets, two sets of names in the Historic
Barrio. Cushing Street is synonymous with 18th Street.

Mr. Huntwork.

COMMISSIONER HUNTWORK: Mr. Chairman, for
the sake -- just for clarity, Mr. Elder has been referring to this as Barrio and the Historic Barrio. "Historic" is another criterion we talk about in other areas, and he may be able -- talked about the historic district in Phoenix. I am assuming that this -- the motion was that this is basically a Hispanic community of interest that we're defining, not an historic community of interest?

CHAIRMAN LYNN: Mr. Elder.

COMMISSIONER ELDER: Pardon me, Mr. Chairman, and Commissioner Huntwork, the distinction there, historic from the standpoint that probably, I'm guessing, 70 percent of the buildings are listed in many of the areas surrounding downtown. The culture and the community group has been in place in those areas for probably over a hundred years. I can go back, and as I think Chairman Lynn mentioned earlier, there is debate, not hostilities between the barrios, but when you go down there and are working in an area where I had been doing some projects, hit one, Huerta, I'm one, good, Huerta, Barrio Huerta, El Rio and Barrio Anita, but they still come together for their holidays. When they come together for a lot of their activities, they are unified, function as a whole, you know. They meet the economic issues, meet the ethnic issues, all of which are in the
definitions we've been applying for communities of
interest.

So it is Hispanic. But the Presidio area
is probably more Anglo. And, therefore, it ends up
being, you know, the Historic Area.

Part of the Old Presidio of Tucson is
within this area, the walls of the Old Presidio.

CHAIRMAN LYNN: The way to describe it, I
think it's both. It's tough to separate the two, even
though there has been some generification in some areas.
The history, predominant Hispanic history, is contained
in the same area. Demographics of some of the areas has
changed. It's still recognized as the historic area of
Tucson, started out as Hispanic.

Further discussion on the motion?

MR. JOHNSON: Mr. Chairman, I want to
confirm, I think I have the area outlined by Commissioner
Elder that he walked through. Would like you to take a
look at it?

COMMISSIONER ELDER: Excluding the green
area part as the barrio district?

MR. JOHNSON: The green area is excluded.

CHAIRMAN LYNN: Further discussion on the
motion?

Mr. Huntwork.
COMMISSIONER HUNTWORK: I was concerned about the record on this. Just so -- I would want to have confirmation that the record supports this entire area.

CHAIRMAN LYNN: I don't know whether we can get that immediately, but I'm certainly confident we heard enough testimony when we were in Tucson to support this motion.

MR. JOHNSON: We can check the record and give you what we have in the transcripts going back to the input forms that may --

COMMISSIONER HUNTWORK: Okay. Please get that information, at least to me, but --

CHAIRMAN LYNN: Are you suggesting we not vote until you have it?

COMMISSIONER HUNTWORK: No.

CHAIRMAN LYNN: Okay. Any more discussion on the motion?

All those in favor of the motion, signify by saying "Aye."

COMMISSIONER HUNTWORK: "Aye."

COMMISSIONER HALL: "Aye."

COMMISSIONER ELDER: "Aye."

CHAIRMAN LYNN: Chair votes "Aye."

Motion carries four-zero. This is added to
Mr. Huntwork.

COMMISSIONER HUNTWORK: Also in Tucson we had lots of testimony in Tucson regarding the -- I guess it was the Broadway-Broadmoor areas in, more or less, in Central Tucson. And we went through this earlier. I was reluctant to make the motion, and Mr. Elder from Tucson didn't make the motion. We went past it. At this point, there was a tremendous amount of evidence and testimony supporting that configuration.

I would like to make the motion that we -- I make the motion we adopt this as another community of interest.

CHAIRMAN LYNN: Is there a second on the motion?

COMMISSIONER ELDER: Second.

CHAIRMAN LYNN: Discussion on the motion?

Mr. Elder.

COMMISSIONER ELDER: The purpose of the second was for discussion.

One of the things I started looking at in relation to this area and several others that we looked at during the course of the deliberation this afternoon is the definition of "community of interest," would it benefit from common representation. When I look at the
Broadway-Broadmoor area, you know, I end up looking at a part of Tucson that, though not Hispanic, probably has a continuity of architecture, has continuity, a homeowner association, has a continuity that is bounded and delineated fairly distinctly.

We've got a regional park on one side, we've got the, you know, major arterials on the north side and south sides. It does fit the definitions that we have from the standpoint of tradition, geographical, or sort of a demographic area. It does have a cultural aspect, and it does have a -- the architectural historical aspect from the development of the Elcon areas that this was a part of in the early thirties, maybe even as early as 1925. Elcon, the shopping center, was named for the resort or the hotel. The homes in the area developed around that. And this is one of the last remaining areas of that last historic area.

I would like to see this included as we look at the options that we have of what our communities of interest are and what the definitions actually provide for. This would fit in those, in my opinion.

CHAIRMAN LYNN: Further discussion?

COMMISSIONER HUNTWORK: I recall when this was created, we did quite a bit of work looking at the boundaries and received a lot of testimony about what the
boundaries of these areas are. I'm assuming this hasn't changed from -- I guess, was it an AUR we approved for these areas?

CHAIRMAN LYNN: This is representative of -- as you go through this process after three years, a number of people sort of fade into your memory, but Ann Murray does not. Ann Murray was at a series of meetings. She was absolutely adamant and had a number of her neighbors and friends come with her to those meetings. And actually this was one of the strongest representations in Tucson with respect to a community that had come together in a very cohesive and very important way.

Mr. Elder.

COMMISSIONER ELDER: I think, Mr. Lynn, cohesiveness is a strong part, something I looked at, because I said, this was sort of the dialogue I was having with myself and really nobody else, if I can support and say there is a glue that holds the barrio areas together, we have the same sort of glue that holds this area together. It may not be ethnic based, does the same set of context, same set of issues, and they would benefit by the representation. I feel that I need to go back and second-guess myself and request that my fellow commissioners go ahead and include this as part of a
common community of interest.

CHAIRMAN LYNN: Further discussion on the motion?

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

COMMISSIONER HUNTWORK: "Aye."

COMMISSIONER ELDER: "Aye."

COMMISSIONER HALL: "Aye."

CHAIRMAN LYNN: Chair votes "Aye."

Motion passes unanimously four-zero.

Mr. Elder.

COMMISSIONER ELDER: Mr. Chairman, along the same lines, again looking at Tucson where you and I are probably most familiar and had most of the meetings, attended most of the meetings, several other areas in and around Tucson related to communities of interest, separate, distinct from adjacent areas.

One of the areas looked at was Tucson Foothills. We've got an area there where we've got a heavy and strong barrier to really cross-socialization by virtue of the Rio River. We have areas bounded by the national forest on the north. We have areas there that I can guarantee you people know exactly where their bedroom is in relation to where the school districts are because the way the school districts run in South or Southern
Arizona TUSD and the Catalina Foothills is -- where the child's bedroom is is what determines what school district they go to.

There is a real estate or a -- a difference in being in one district or the other which makes this different from other school districts. It's a socioeconomic as well as cultural difference between two areas. This also is almost an approximation of the boundary between the City of Tucson and the unincorporated area to the north.

About, I guess, it was six or seven years ago, the State passed a -- I guess State, not ordinance, a resolution or Legislative Act that said towns no longer had -- outside of Maricopa County, excuse me, outside of Maricopa County, could incorporate even though they were within a five-mile limit of an unincorporated area. A great number of the towns were immediately adjacent to Tucson, or areas -- excuse me, unincorporated areas immediately adjacent to Tucson began to solicit and take action to do that because they absolutely did not want to have a bit of anything to do with the City of Tucson. It got very acrimonious, very distinct, as to what the issues were.

Part of this area of the Foothills did not incorporate. Part of it tried to, and some of it was
successful, but has since been struck down in the courts. But the issues behind why they wanted to stay separate are still very distinct. The wanted nothing to do with the City of Tucson.

With that said, I would like to make the area we identified previously as Tucson Foothills a community of interest.

CHAIRMAN LYNN: Is there a second?

COMMISSIONER HUNTWORK: Second.

CHAIRMAN LYNN: Well, certainly we just had some discussion. Is there any further discussion on the motion?

I just -- you know, I should make just a brief point here. Part of the issue for me, I agree with the motion, we are -- we are struggling with this process mightily. We are being asked to do a number of things in an extraordinarily short period of time in order to comply with the Court's order. We have a very new and very complete definition of "communities of interest" which we're sort of trying on like a new pair of shoes for the first time and running through a series of areas of the state. And it may not appear so from the other side of the table, but on this side of the table, you know, it just takes some getting used to. You have to work with us a little bit to get the sense of what we're
talking about. And one of our charges is to be sure we apply this definition consistently. And, clearly, as we go through this discussion, it seems more and more that this definition allows for inclusiveness. It allows for groups to be included more -- included more than excluded.

I certainly think Tucson Foothills fits that bill for all of the reasons that Mr. Elder articulated. So I'm supportive of the motion.

Any further discussion?

MR. JOHNSON: Mr. Chairman, just one clarification on the boundary. The slide points out Census place borders and river location, which is clear on three of the sides. On the south, is it the will of the Commission we follow the river or follow the border between the city and Census places where those two don't correspond exactly? I guess do you want to follow the city border or the river?

CHAIRMAN LYNN: Boy, that's a great question. And I -- in order to answer that question, I think you have to try to remember what has -- what if anything has happened, if anything, since the year 2000.

COMMISSIONER ELDER: One question,

Mr. Johnson: Did we go back and forth across the river? Because Census blocks -- because precincts went back
forth across the river, we took the predominant area as
to whether attached to north and south, or was this along
the city border, which we've been looking at as a
separate item saying city boundaries, county boundaries,
also have a place in our deliberation?

MR. JOHNSON: In different plans through
the process, we actually had different approaches at
different points. So we kind of have done both.

Let me go back. I think it's easier to
identify on how many points those two are inconsistent.

Yes. It's actually very few people that
are impacted either way. Kind of on the east end of
where the two come together we have this small
neighborhood. But where Tucson comes north of the
river -- oops, sorry, comes north of the river borders, a
Census place, Tanque Verde, Catalina Foothills, comes
across, comes south of the river right where the river
V's, or the riverbed V's, and there's a tiny little notch
there. I'm sure there's some history of incorporation
for that notch, I don't know what it is. And then the
very northwest corner of Tucson across the river, just
very -- too small of an X right there.

CHAIRMAN LYNN: Mr. Elder.

COMMISSIONER ELDER: Mr. Chairman, I'm a
real strong proponent of edges. Jurisdictional
boundaries aren't an edge to me. I prefer river points right adjacent to where Mr. Johnson is referring to. Three, four, five miles without a bridge crossing, functionally, from the way children, families, the way social interaction works, the river is the barrier. It's not a condition of a city, county, you know, that relationship.

CHAIRMAN LYNN: Mr. Huntwork.

COMMISSIONER HUNTWORK: Well, one of the convincing aspects, though, of this area is that people there have fought annexation. And one of the common legislative concerns is to make sure the rules under which cities conduct annexation does not change. In that respect, I think it would be conceptually cleaner if we use the actual city boundary as the dividing line. We're entitled to use a river as a boundary anyway under the -- under Proposition 106, but one of the things about this is the political issues. So I might suggest we stick with that.

COMMISSIONER ELDER: Mr. Chairman, I don't have a strong feeling either way. Areas encroached on north of the river by the City of Tucson through individual parcel annexation are pretty much in the floodplain areas and areas where they wanted the City to manage the floodplain and allow them to develop as
opposed to what the County was allowing them to do.

You know, if we went ahead and used either
the city or the county boundary along with the river, you
know, I could see either option going, that one
protrusion to the sort of center, you know, south there
of the Tanque Verde, splits off and goes continuing on to
the east where Mr. Johnson has the arrow. And the
Pantano is one right by that area which then goes almost
southeast or south by southeast. And that's the Pantano,
both rivers are edges to the community.

Probably by the definition of -- not
definition, but the, you know, the homogeneity and blue
little area down there, it does make sense being included
with the Foothills area, the other side of Tanque Verde
on the other side, Pantano also --

CHAIRMAN LYNN: Remains unincorporated.

COMMISSIONER ELDER: -- remains

unincorporated.

CHAIRMAN LYNN: Is it the sense the maker
and seconder of the motion prefer to follow city
boundaries in this regard to the southern boundary of the
Foothills area?

COMMISSIONER ELDER: That would be
acceptable.

CHAIRMAN LYNN: Mr. Huntwork?
COMMISSIONER HUNTWORK: Yes.

CHAIRMAN LYNN: With that addendum.

Further discussion on the motion?

All those in favor of the motion signify by saying "Aye."

COMMISSIONER HUNTWORK: "Aye."

COMMISSIONER ELDER: "Aye."

COMMISSIONER HALL: "Aye."

CHAIRMAN LYNN: Chair votes "Aye."

Motion carries four-zero.

(Motion carries.)

COMMISSIONER ELDER: The last one, I guess, combine the Tucson area. I'll support the same sort of analysis in the Phoenix area where we've got the same sort of definition. It would be the retirement communities. And I don't know, do we need to make two separate communities of interest? Because I'll be looking at Green Valley and I'll be looking at Saddlebrooke and the Rancho Vistos areas. Should I keep them separate for ease of managing communities of interest?

CHAIRMAN LYNN: I think to be consistent, there are several communities in the Phoenix area which we would need to look at in similar fashion. Obviously the Sun Cities are geographically fairly close to each
other even though there's testimony both ways on whether
they should be included one with the other. We also have
Sun Lakes on the other side of the community, which is a
retirement community. That doesn't hold it together. My
suggestion might be that we look at the northern
retirement communities as one and then do whatever you
think is appropriate with the Green Valley.

COMMISSIONER ELDER: Mr. Chairman, I agree.

As we look back, Mr. Huntwork pointed out to me the
definition a group of people defined in a geographic
area, one on the north side of Tucson, the south side of
Tucson, combining one common unit, that would not fit the
definition we have identified.

I would make the notion that we include
what was previously identified as the North Tucson
Retirement Communities, Saddlebrooke, Rancho Vistos, as a
community of interest.

CHAIRMAN LYNN: Is there a second?

COMMISSIONER HUNTWORK: Second.

CHAIRMAN LYNN: Discussion on the motion?

Mr. Elder.

COMMISSIONER ELDER: Mr. Chairman, this
falls into something -- this falls into somewhat of the
same classification as Green Valley. It falls in the
same classification as we had for other neighborhoods
that are unique in themselves. They have in many cases age-restricted areas. They have glue, homogeneity. They have, you know, the short history of being successful unto their own. They have community activities. They have, you know, clubs, R.V. clubs, all things that relate back to their specific areas. And they do not relate well to other parts of the unincorporated area to which they are situated.

There is a battle, just like we mentioned in the Foothill District, between, you know, the City of Tucson in the Foothill District, Oro Valley, and the Town of Marana that are battling for open space, unincorporated in between, and the some of these communities begin to resent being -- either try to be impressed by either entity to become a part of their community or their neighbors. I think because of the characteristics of the neighborhoods, the economic status, the social interactions, the geography, and the defined area that they are within, they should be designated a community of interest.

CHAIRMAN LYNN: Further discussion?

Mr. Huntwork?

COMMISSIONER HUNTWORK: I want to be sure I understand what areas are included in the motion. We've got, on this printout, shaded areas with three or four
different labels in them, and I believe it is your
intention to include -- is it your intention to include
all of those shaded areas?

COMMISSIONER ELDER: Mr. Chairman, the
intention was to include all the shaded areas, although
what we have is a connection there in between
Saddlebrooke, which is to the north Rancho Vistos,
primarily, to south and west, Town of Catalina.
The Town of Catalina is a different
socioeconomic structure, still primarily retirement,
somewhat even blue-collar retirement. Some of it is
mobile homes, also a very strong affinity for that area,
that, and for the type of activity and for the traditions
of the area.

CHAIRMAN LYNN: Mr. Johnson, is Catalina
incorporated?

MR. JOHNSON: A Census place.

CHAIRMAN LYNN: In fact, I believe on the
map the only incorporated area, town, Oro Valley.

MR. JOHNSON: Ah --

CHAIRMAN LYNN: Tortalina Census place,
Catalina Census place, had a Saddlebrooke Census place.

COMMISSIONER ELDER: The Town of Tortalina
is a loose cannon to become a census place.

COMMISSIONER HALL: How does the
recommendation, previous recommendation, become a community of interest, urban versus rural?

MR. JOHNSON: Saddlebrooke is not in an urban-rural definition. The other three are included in that.

COMMISSIONER ELDER: Not included because of density or because of urbanization or --

MR. JOHNSON: The definition takes in incorporated cities and Census-designated places.

Saddlebrooke is neither, just used as a border for Saddlebrooke, the whole process and what community is referred to as a Census tract.

CHAIRMAN LYNN: The definition contained in Pima and Maricopa County for Saddlebrooke is Pinal County. The county line is south of the border of Saddlebrooke, Saddlebrooke, Pinal County.

COMMISSIONER HALL: My question in of itself states my concern.

CHAIRMAN LYNN: I think there's no problem going back and amending that urban designation to include this area, if that's -- I share your concern and you need to be consistent. If you're going to make a designation, you may need to do that.

Mr. Elder.

COMMISSIONER ELDER: Mr. Chairman, I don't
see a need for doing that, not identifying this community
or community of interest as an urban area. More -- more
so, we're identifying it as retirement and something has
the piece of glue, you know, to hold it together as one
area which can cross county boundaries. For some reason,
we didn't include it, did go into Pinal, and looking at
times to keep Pinal County whole in a previous life. At
this point I would like to see this a community of
interest and we keep it intact with as little impairment
as possible. When we start looking at it, I guess the
term "extent practicable," if has to be lopped off at the
Pinal county line, we lop off for one reason or another
the community of interest as a whole the way presented.

CHAIRMAN LYNN: Further discussion on the
motion? Mr. Hall.

COMMISSIONER HALL: Mr. Elder, so I clearly
understand your perspective, I voted "no" regarding the
urban-rural motion, first. We had many examples that
we're creating more confusion than helping us. My point
is, I agree that this is a community of interest. I plan
on voting in favor of the motion. I simply was making
the point that we now have a situation where we have our
definitions conflicting or competing one with another.

CHAIRMAN LYNN: Mr. Elder.

COMMISSIONER ELDER: Mr. Chairman, I
respond to that that we'll have hundreds, if not
thousands, of permutations. You have the Hispanic
District, for example, the overlaying metropolitan area,
city, town, urban area. There's a whole series of things
you have to weigh and look at. And one being urban, one
a community of interest, one being community county. It
doesn't bother me, the edge is not as critical for a
community of interest, not necessarily jurisdictional or
geographical areas within those jurisdictions.

CHAIRMAN LYNN: I'm going to ask you to
settle that one separate vote.

COMMISSIONER HALL: My point is absolutely
right, Mr. Chairman. I think it's important on the
record we understand that as we move forward, absolutely
right, Mr. Elder, at some point it has to boil down to
the discretion of this Commission.

CHAIRMAN LYNN: Thank you.

Mr. Huntwork.

COMMISSIONER HUNTWORK: I want to assure
Commissioner Hall if you can provide a different
objective definition of "urban" versus "rural" that can
be mapped and allows us to take places like this into
consideration, I would certainly consider it. It
wasn't -- the reason we did that, again, we're very, very
pressed for time. Your argument was: I know it when we
see it. We've just been told we can't do that. If you
can provide an objective definition, I think I certainly
would be happy to consider it.

CHAIRMAN LYNN: Further discussion on the
motion?

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

COMMISSIONER HUNTWORK: "Aye."
COMMISSIONER ELDER: "Aye."
COMMISSIONER HALL: "Aye."

CHAIRMAN LYNN: Chair votes "Aye."

Carries four-zero.

(Motion carries.)

CHAIRMAN LYNN: Mr. Elder.

COMMISSIONER ELDER: The last one related
to the previous one, Green Valley. Green Valley, I
believe, and my memory may not be exactly correct, but at
last count I remember was having been mailed out to
homeowner associations for rezoning, 117 associations
within the Green Valley area, unincorporated. Part of
the unincorporated area of Pima County, have a master
homeowner association that takes in all of the areas,
have committees define development strategies, review
zonings, review corridors, review road transportation
plans and go to bat either for county, city, or state to
bring the needed resources into their community. It is a retirement, general age-restricted area. Does not have any schools or school districts because of the age restrictions. As such, it doesn't fit with any other area around it. It just doesn't have linkage to the Hispanic community, doesn't have linkage to the Tubac, Tumacacori Presidio areas and Rio Rico; therefore, I believe it should be a community of interest itself.

CHAIRMAN LYNN: Is that a motion?

COMMISSIONER ELDER: Motion to reinclude the Green Valley area as a community of interest.

CHAIRMAN LYNN: Second?

COMMISSIONER HALL: Is that the 19th?

Pursuant to the slide or something different there?

COMMISSIONER ELDER: I'm -- from this map I'd consider Commissioner Hall. I can't quite tell were the I-19 corridor is. We had some testimony during the process that -- and it came primarily from Santa Cruz County area, saying really the area of Santa Cruz County that is primarily related to tourism, related to arts and crafts, also related to the Presidio. Their historic area around the Tumacacori north area related to commerce, border issues and that, to the south kind of took in Rio Rico.

I'm hearing or see things, here says Rio
Rico included I-19 corridor. I don't remember testimony, either, before their redistricting committee. They had in Santa Cruz County the Town of Nogalas, and -- I'm a little bit reticent to include Rio Rico. Wouldn't mind including Tubac, Tubac Presidio there. Amado, primarily the same sort of condition. We've got Green Valley, but don't function together as much, because Green Valley, Pima County, Tubac, Amado, and Presidio are in the Santa Cruz County. So if somebody would like to include together, no objection, not quite as tight a community as I'd like to have seen.

CHAIRMAN LYNN: Second on the motion?

COMMISSIONER ELDER: I second it.

CHAIRMAN LYNN: Thank you, Mr. Hall.

COMMISSIONER HALL: Mr. Chairman, remember either go south of the border into Nogales, staying at Rio Rico. It's all beautiful area.

Somebody refresh my memory on the difference, the testimony relative to the proposed community of interest on page 42, that Nogalas, Rio Rico, Tubac, Pima County is a proposed community of interest, the subject of this motion?

CHAIRMAN LYNN: We can certainly try to look it up. I can tell you from my recollection of that discussion, the corridor discussion, is one has to do
splitting Santa Cruz County, splitting Santa Cruz County
in a manner that keeps Nogales on the border related to
other border communities and puts the northern Santa Cruz
counties of Rio Rico, Tubac, Amado, north with areas up
to and including Tucson.

COMMISSIONER HALL: So my recollection is
that that -- that testimony corresponded with the
testimony of Nogales, and Douglas remaining in the same
community of interest; is that correct?

CHAIRMAN LYNN: To be perfectly candid with
you, you may have a better recollection of those two
together than I do. I know that separation in Santa Cruz
is clear on, on my mind. I'm trying to recall the lovely
opportunity we had in Cochise County which lasted many
hours and was really a beautiful thing, to remember
whether or not that -- I would defer to either somebody
that has it on the record or somebody else's
recollection. It may very well be the case, Mr. Hall.

COMMISSIONER ELDER: Do you have that?

CHAIRMAN LYNN: Mr. Johnson.

MR. JOHNSON: To a degree, considerable
testimony splitting Santa Cruz County into a northern
half and southern half. Since adoption of plans, court
filings from Santa Cruz County, also I address this issue
and support -- supported the lines where drawn in Santa
Cruz County between communities.

COMMISSIONER ELDER: Lines drawn did occur, Rio Rico, Nogales, Rio Rico.
I thought North Rio Rico.

COMMISSIONER HALL: That's what I remember.
Also testimony supervisors here did want to be split, which supports the North-South split where that is, is where --

CHAIRMAN LYNN: Ms. Hauser has the information.
I want to point out, Lisa Nance, that has been off some time, I noticed.

COMMISSIONER ELDER: Did the line occur between Rio Rico and Nogales or did the line occur between Rio Rico and Tubac? I couldn't recall and asked Mr. Johnson to bring it up, and that's where we stopped and he since brought it up.

CHAIRMAN LYNN: Let's take 10 minutes and try to get the RAM dumped.

(Recess from 5:11 p.m. until 6:46 p.m.)

CHAIRMAN LYNN: Okay. Well, we're fine except first thing we were going to do on the record was listen to Ms. Hauser.

MR. RIVERA: That's right.

CHAIRMAN LYNN: That's okay. We'll pick up
Also, did Mr. Johnson go off and look for something on the record?

MR. JOHNSON: Yes.

Mr. Chairman, Commissioner, the question where the existing border between districts cuts through Santa Cruz County, not so much in -- excuse me, because many of the comments from people in Santa Cruz County had commented they liked where that division went, so the districts adopted what they called the 2004 plan. The border goes between Tubac and Rio Rico, south of that, and actually Tumacacori.

CHAIRMAN LYNN: Tumacacori, also south of the border, linkages between Tubac and the other town. The other town, Mr. Johnson, is a mission, one of many missions established by Father Kino.

COMMISSIONER ELDER: A Federal place?

CHAIRMAN LYNN: It is indeed, Mr. Elder.

COMMISSIONER ELDER: Mr. Chairman, I'd like to amend my previous motion to include the areas as shown, the Tubac, Amado, Green Valley area. They do have consistency in how the communities function, what type of activities, what type of real estate, what type of ethnic backgrounds. All that type of thing seems to fit together: expanding, growing in the second-home/
retirement-home area. They have the arts and community
councils that go together, whereas south of that line,
you end up with Rio Rico, almost continuous development
between Rio Rico and Nogales. I don't know whether it's
a five-mile square, rectangle, the incorporated limits
Nogales. Nogales expanded to the west. The road goes up
to Patagonia, develops along those lines. It seems as
though the functional area works with the border. Rio
Rico is not as much retirement as it is a suburban area.
People work, drive to Nogales to live in the area. So I
think that's as good a line break as is possible. So if
it doesn't bother the second, I amend the motion, amend
the Tubac, Amado, Green Valley part of the I-19 corridor
community of interest.

CHAIRMAN LYNN: Mr. Hall, I believe you
were the second on that motion.

COMMISSIONER HALL: I believe -- I am and
will vote for it.

CHAIRMAN LYNN: Thank you. Amended.

Further discussion on the notion? If not,
all those -- oh, Ms. Hauser, before we vote, you had
sought recognition before we had to take the break on
this issue. Something you wanted to add in terms of
testimony. Mr. Johnson has shown us the lines used in
the 2004 map based on testimony to divide that area north
of Rio Rico and south of Tumacacori -- north of Tumacacori, everything north, north of Green Valley; everything south was with Nogales.

MS. HAUSER: Well, yes, in the sense that there is citizen input. What I'm looking at is not the public hearing testimony but resolutions and other letters and materials sent in. The Nogales, the Nogales Alliance and the Santa Cruz County Board of Supervisors, just to name a couple, spoke in terms of dividing Santa Cruz County. And at that point, and this is in 2001, they were talking about the proposed Legislative Districts K and J as presented in those particular maps. That is consistent with what was in the final. So it's -- I think your record is complete on that.

CHAIRMAN LYNN: Okay. Thank you.

On the question, all those in favor of the motion signify by saying "Aye."

COMMISSIONER HUNTWORK: "Aye."
COMMISSIONER HALL: "Aye."
COMMISSIONER ELDER: "Aye."
CHAIRMAN LYNN: Chair votes "Aye."

Motion carries four-zero.

Mr. Hall.

COMMISSIONER HALL: I'll try one more time to repeat the community of interest we just defined. I
generally state I feel like that the border towns, including Douglas, Nogales, Doug had together, include Bisbee, and those, in that is a community of interest. I think the record is clear on that. I would make that motion.

CHAIRMAN LYNN: Second?

COMMISSIONER ELDER: Second.

CHAIRMAN LYNN: Discussion on the motion?

Mr. Elder.

COMMISSIONER ELDER: Mr. Chairman, question for Mr. Hall's rationale or reason, the border issue is the glue that holds this together, community interest, or are there other factors in relation to the definition that brings together?

COMMISSIONER HALL: I think definitely the border issues affects socioeconomic trade. I think also a number of voting-right issues with respect to the particular communities as we established previously on the record. They -- border issues not only affect immigration also, you know, the way they interact economically, the way their businesses develop, common interests, also common political ties. I think that it is certainly within the bounds of our specific definition.

CHAIRMAN LYNN: Further discussion on the
motion?

MR. JOHNSON: Mr. Chairman.

CHAIRMAN LYNN: Mr. Johnson, just
clarification, might ask the executive which cities
places included. You Douglas mentioned, Bisbee, Nogales.

COMMISSIONER HALL: Correct. Is there any
other border towns that would --

MR. JOHNSON: Those are three cities along
there. Don't know if you wanted to include Sierra Vista
or --

COMMISSIONER ELDER: Want to include other
small towns adjacent to the border, Naco right south,
southwest of Douglas. Several other border crossings
where you do get the -- both culture as well as economic
crossing border and border issues.

COMMISSIONER HALL: I guess the intent of
the motion, that strip and anything in between.

COMMISSIONER ELDER: Okay.

COMMISSIONER HALL: I think Mr. Johnson's
question, though it may be relevant in light of the fact
we, in the past, discussed the fact there were many of
the unincorporated areas, Sierra Vista that felt they
associated more with some of those issues. That's --
that may be another question.

COMMISSIONER ELDER: Is Sierra Vista in or
COMMISSIONER HALL: My initial motion did not include it. I guess I was asking my fellow Commissioners for their input.

CHAIRMAN LYNN: I think if the glue is border issues, I'm not sure those reach as strongly Sierra Vista as they do other communities we're talking about. So I -- I would, I think, be more comfortable with it out of this one.

COMMISSIONER HALL: Okay.

CHAIRMAN LYNN: Mr. Huntwork.

COMMISSIONER HUNTWORK: Not only don't those issues reach into Sierra Vista so much, other issues going on in Sierra Vista also distinguish it. So for that reason as well.

CHAIRMAN LYNN: Okay. Further discussion on the motion?

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

COMMISSIONER ELDER: "Aye."

COMMISSIONER HALL: "Aye."

CHAIRMAN LYNN: Chair votes "Aye."

COMMISSIONER HUNTWORK: "Aye."

Motion carries unanimously and is so ordered.
Mr. Hall.

COMMISSIONER HALL: Proposition 106 risks being redundant, talks about district lines, visible geographical features, city lines, boundaries, Census tracts. To the extent practicable, I think there is some -- my understanding of our previous discussion relative to cities was that we may have been of the opinion that a city was automatically defined as a community of interest. And while certainly they have a position of treatment within the terms of the proposition, I just think it would be important for the record. Therefore, I move that city boundaries would constitute communities of interest.

CHAIRMAN LYNN: And before I ask for a second, Mr. Hall, let me understand, are you limiting that to cities only or incorporated places, cities, and towns, which are smaller in nature, but there's a second level there?

COMMISSIONER HALL: That -- I would -- I think that your definition is more accurate.

CHAIRMAN LYNN: All right. Cities and towns, then. Is there a second for the motion?

COMMISSIONER ELDER: Second.

CHAIRMAN LYNN: Discussion, Mr. Huntwork?

COMMISSIONER HUNTWORK: What about
counties?

COMMISSIONER HALL: We could do that with the same motion. I'm fine with that.

CHAIRMAN LYNN: You know, for -- I hope you would separate them. For -- for reasons that a county is certainly a geographic area generally much broader in scope, I just think there is a distinction in terms of the closeness of the affinities in a city or town. It's just -- I'm thinking that counties -- well, maybe that's enough said on that one.

Mr. Elder.

COMMISSIONER ELDER: I'd weigh in on the same basis that counties have been around since the state was made a state in 1912 and don't really reflect any kind of community of interest per se from the standpoint of are there areas or geographic areas that have an affinity for one another. The only thing where it does really make a -- an issue we should consider is when we have an option to use a county line because it does help the demographics the way the maps are drawn not splitting precincts or Census tracts. But I think, we just ran into one about two hours ago when looking at Sedona where the town crossed over, you know, a county line. And I think the culture, the -- you know, the things that hold Sedona as whole are probably more important than the
county line. I, too, prefer the county separated from this motion.

COMMISSIONER HALL: Fine.

CHAIRMAN LYNN: At the moment, the motion is cities and towns. Further discussion?

If -- Mr. Huntwork.

COMMISSIONER HUNTWORK: Well, Mr. Chairman, I certainly agree that I've yet to hear anyone from a city come in and say, you know, "Our city does not represent a community of interest," in some form. I have -- there have been cities who said, "We want to be split," or, "Split us here." And -- but that is not really -- that's not really in contradiction. I'm just trying to reconcile in my own mind, you know, the Act talks about using cities and towns and so on as boundaries to the extent practicable, and it says what it says. I don't believe that it's -- personally, I don't think it's necessary or appropriate to simply turn all of them into communities of interest nor can I think of any real reason to distinguish, you know, one from another.

Certainly had plenty of cities which are a community of interest that said "keep us together," for the following reasons, then listed all municipalities, guess what, our police department all works for the same city, so on and so forth.
So -- I think that status is recognized in
the proposition. I have great concern about just simply
converting it from one status to another en masse.

CHAIRMAN LYNN: Mr. Hall.

COMMISSIONER HALL: I think the intent,
Mr. Huntwork, is not to convert, but to give it status in
both. Because I -- from my recollection, you know, with
the exception of Phoenix and Tucson, and others that
really don't have an option, I can't think of one city
that -- well, maybe the City of Tempe made some requests
with respect to splitting, but I think that, on the
whole, when we're weighing the various goals and that,
versus spending time to go through and say, well,
Scottsdale says it wants to be a community of interest
and Sedona says it wants to, Cottonwood said it doesn't,
or whatever, that this Commission, then, based on the
record before it, pursuant to our definitions can make
judgments relative to the significant detriment to the
particular growth of communities of interest, and I think
a city -- as it has been throughout our process, I think
it's just formalizing a process this Commission already
intuitively did throughout the whole process. In fact, I
think all of what we have done is we're formalizing
something we've already formally done. I'm saying it
makes it a little bit more -- gives us a little bit more
breadth in our analysis to insure that we appropriately
protect communities of interest.

CHAIRMAN LYNN: Mr. Huntwork.

COMMISSIONER HUNTWORK: The only thing I
want to add is that this process, in my mind, I'm serious
about this, bears no resemblance whatsoever to what we
already did. This is an artificial process that is
designed solely and completely to comply with the order
of the Court. But that is, I don't want to continue the
debate on that point.

CHAIRMAN LYNN: And only thing I would add
is I guess I'm in agreement with both of those
statements, that it certainly is a process that is
designed for that purpose, to comply with the Court's
order, and in doing so it imposes a number of new
restrictions that we must take heed of. One of those
restrictions is having definitions that we can later work
with. And I think, I think Mr. Hall is correct that
unless we preserve that decision, preserve that
definition specifically with respect to incorporated
areas, we may not be able to use that term in a way that
would make sense as we move forward even as we're trying
to make sense of this process, which is different from
the process we had to use and one we certainly would have
preferred be used throughout. So I'm supportive of the
Further discussion on the motion?

All those in favor of the motion signify by saying "Aye."

COMMISSIONER ELDER: "Aye."

COMMISSIONER HALL: "Aye."

CHAIRMAN LYNN: Chair votes "Aye."

Opposed?

COMMISSIONER HUNTWORK: "No."

CHAIRMAN LYNN: Three-one on this motion.

Motion carries.

Are there other motions at this time regarding any of the AURs or communities that have previously been identified?

Mr. Huntwork.

COMMISSIONER HUNTWORK: Mr. Chairman, I have several I would like to go back and take a look at. Some of them in the Phoenix Metropolitan area. But before I get there, I want to go back to the Hispanic communities of interest in Southern Arizona. And there was another area in and around Yuma where I know the record showed that there was a very strong Hispanic area. And I wanted to revisit that part of it.

CHAIRMAN LYNN: Mr. Johnson, is there a way to isolate the Yuma portion of the AUR that you have
depicted on the screen so that we might discuss it in particular?

MR. JOHNSON: Mr. Chairman, actually that western end of the AUR is actually the county. It is the Yuma County line.

CHAIRMAN LYNN: So the original recommendation was for -- the recommendation included the entire City of Yuma as a part of that AUR?

MR. JOHNSON: Yes.

CHAIRMAN LYNN: I understand the entire county, but it was the City of Yuma and -- help me, there is San Luis -- which side border San Luis?

MR. RIVERA: Both.

CHAIRMAN LYNN: The Arizona portion of San Luis, combined with Yuma?

COMMISSIONER HUNTWORK: Further distinctions we could make, all of Yuma or was there a particular part of the City of Yuma, not necessarily Yuma County, that was more appropriate than others?

CHAIRMAN LYNN: Mr. Elder, Mr. Hall.

COMMISSIONER ELDER: Mr. Chairman, my recollection of the discussion, debates we had, was the agricultural area runs along the river north, you know, along the county line, or to the county line, also runs east and inland, I guess you’d call it, to the southeast
river county, zero population, by virtue either as part
of a gunnery range, part of the Organ Pipe National
Monument.

So it may work, you know, based on the
conditions of what holds the area together, to have all
of, you know, Yuma County as a community of interest.
But then we're going back into the county as the defining
area.

So from that standpoint, I'd prefer to say
agricultural areas, river-related areas, and border areas
of Yuma, you know, excluding the Goldwater and Organ Pipe
National Monument.

CHAIRMAN LYNN: I want to be clear. I
understood Mr. Huntwork trying to define the Hispanic
community of interest --

COMMISSIONER HUNTWORK: Yes.

CHAIRMAN LYNN: -- as opposed to some other
kind. To that extent, I'm not sure that intent comports
your definition of the remainder of the county. It may.
I want to be clear.

Mr. Hall.

COMMISSIONER HALL: Well, my recollection
is, is that the Hispanic populations within Yuma County
were not large enough to make it a majority-minority
district. Is that an accurate recollection or not?
MR. JOHNSON: The --

COMMISSIONER HALL: They were.

MR. JOHNSON: -- current district of Yuma County goes up to La Paz is the district subject to review.

COMMISSIONER HALL: It is. My point pursuant to what Mr. Elder and Mr. Huntwork are saying is that the Commission heard testimony in the past relative to Yuma County, and therefore had Yuma County itself, not only to preserve the Hispanic interest, but also all of the other related interests that comply with our definition as represented on page 36 of the report before us. And I -- my opinion is, Mr. Huntwork, Yuma County on its whole not only preserves the Hispanic and border-related issues for that portion of the state, but I think the county as a whole should be a community of interest.

CHAIRMAN LYNN: Mr. Elder.

COMMISSIONER ELDER: Just one clarification and a question to Mr. Hall. How would you differentiate this county from any of the other counties that we've looked at?

COMMISSIONER HALL: Well -- notice I do have -- notice I do have opinions on rural counties. I think that as we moved around the rural portions of the
state, that there were very specific communities of interest. You know, earlier today we adopted a community of interest with respect to the industry and related planning area. But previously this Commission which had made a decision on community of interest that area really Yavapai County, also made a decision with respect --

COMMISSIONER ELDER: Yavapai.

COMMISSIONER HALL: -- also made decision with respect to Yuma County. My opinion also made a decision with respect to Yuma County. As a whole, those three counties separately, three separate communities of interest. As represented in our presentation, as represented on the record based on testimony we heard, I think it's very evident it falls very clearly within our three -- within our definition we've currently adopted. So that's, that's my opinion.

CHAIRMAN LYNN: Still no motion per se.

Mr. Huntwork, you started the conversation. Do you have a motion?

COMMISSIONER HUNTWORK: I'd like to. I was looking Hispanic community of interest, not county as whole community of interest. May turn into that. I would want to see the population profile, the demographics of Yuma County, especially the Yuma area, Yuma City area, to know whether there are areas, portions
that should not be included in that particular community
of interest.

CHAIRMAN LYNN: Okay. I don't know whether
we can pull that up, but we might be able to.

You know, just to clarify my position,
earlier I objected to including counties with cities and
towns. That was not to say I didn't think that a case
could be made for counties. I simply thought it's a
different case. I'm not saying I wouldn't support
looking at counties in that way. I just thought it's a
concept of layers. And in terms of layering concentrated
government and things so an area might be considered as a
district at some point in the future, I think it's a more
distinct way to do it than lumping them together.

Mr. Johnson, are you working on it?

COMMISSIONER HALL: Mr. Chairman, pursuant
to Mr. Huntwork's concerns, very important concerns, I
think I move we make Yuma County a community of interest.
I think it preserves the concerns Mr. Huntwork's
expressing.

CHAIRMAN LYNN: Is there a second?

COMMISSIONER HUNTWORK: Second.

COMMISSIONER ELDER: Second.

CHAIRMAN LYNN: Thank you. And --

COMMISSIONER HUNTWORK: Question then is:
What is the unifying principle of this community of interest? If it is the predominantly Hispanic population, I --

COMMISSIONER HALL: Very good question. If be read from our -- the Power Point which we all have, page 36, I think there's an outstanding quote that does a fairly good job, says: "As far as community of interest is concerned," and we already heard, I'm happy to repeat, "interests lie along the border, social, economic interests, employment, agriculture."

The border crossing and those problems you've already heard about, and I think that is merely a snapshot. There are, you know, significant military interests within that whole area and I think that it's very clear on the record that they consider themselves to be a community of interest as a whole county.

CHAIRMAN LYNN: And to the extent -- just by way of further substantiation of that particular testimony, it's important to notice who made that testimony as well. Made by Jones Osborn, who did represent that area of the state in Legislature for many years, clearly understands those communities quite well.

Mr. Huntwork.

COMMISSIONER HUNTWORK: Mr. Chairman, I -- you know, I believe, myself, I agree that Yuma County is
a community of interest. I will vote for the motion. But I will still wish to seek a smaller or more well-defined Hispanic community of interest within Yuma County as a second motion.

CHAIRMAN LYNN: I think that's perfectly acceptable. Then if that's the case, no need to have the report before the vote. We'll take the vote on this motion, look at the numbers, see if that supports your contention for a subsequent motion.

On the motion Yuma County be accepted as a community of interest, all those in favor signify by saying "Aye."

COMMISSIONER HALL: "Aye."

COMMISSIONER ELDER: "Aye."

COMMISSIONER HUNTWORK: "Aye."

CHAIRMAN LYNN: Chair votes "Aye."

Motion carries four-zero.

Mr. Huntwork.

COMMISSIONER HUNTWORK: Mr. Chairman, I'd like to ask Doug Johnson if he could to report on whether there are particular areas within Yuma County where -- the contiguous areas within Yuma County where the Hispanic population is particularly concentrated might be an appropriate location for a Hispanic community of interest.
CHAIRMAN LYNN: Mr. Johnson.

MR. JOHNSON: Mr. Chairman, Commissioners, as you might imagine, the inland and northern portions, I'm sorry, inland northern portions of Yuma County are fairly unpopulated largely because it's mostly bombing ranges, things like that. Only a few thousand people in the entire inland area. There is some Hispanic population out there, kind of light red seeing out there, 60 to 80 percent Hispanic inland, relatively sparsely populated areas. The population of the county is a heavily concentrated one, surprisingly, along the river. And in the two cities you have Yuma and then right area here, San Luis in the very corner.

Now, the coloring you have here on this map, you see the red is -- I mean, 80 percent higher Hispanic population. So you have that in San Luis, in areas kind of between San Luis and Yuma.

Also in Yuma, when it gets up by the river again into areas that are 60 and 80 percent Hispanic, and all parts of it are at least in the 20 to 40 percent range with some fairly big portions of it.

So there are areas that are virtually homogeneous Hispanic, over 80 percent ethnicity, and others around half Hispanic. Does that answer the question?
COMMISSIONER HUNTWORK: Yes, it does.

Mr. Chairman, I -- this is one of those areas where the size of the area relative to the size of a -- the full district may not lend itself to -- just simply as a point of focusing on this and saying whether or not it is a community of interest may be lost. I think I'll just settle for Yuma County and move on.

CHAIRMAN LYNN: The other point, it would have to be a fairly bizarre map not to touch one of the corners of the state, have a concentration in the corner of the state. You'd have to be going out of the way to break that up to the extent we -- we're certainly capable of that, but I hope we don't.

Okay. Thank you, Mr. Huntwork.

Are there other areas of the state that we wish to consider with respect to designating them communities of interest for purposes of this process?

COMMISSIONER HUNTWORK: Mr. Chairman.

CHAIRMAN LYNN: Mr. Huntwork.

COMMISSIONER HUNTWORK: I would like to come back to Maricopa County and simply suggest that we adopt as communities of interest, under our current definition, basically four areas that we identified previously on the record and for all the reasons that we previously recognized them as, I guess, AURs at the time.
CHAIRMAN LYNN: Should we do those in separate motions, or do you think enough similarity to get through a single vote?

COMMISSIONER HUNTWORK: Well, each is different, but each -- ample record for each one of them, and I wasn't proposing to recite the record, but merely present them and have them approved one at a time --

CHAIRMAN LYNN: Let's follow the pattern.

COMMISSIONER HUNTWORK: All right. I point to the western Phoenix HOA's distributed earlier.

COMMISSIONER HALL: What page?

COMMISSIONER HUNTWORK: It is page 64.

CHAIRMAN LYNN: Is that in the form of a motion?

COMMISSIONER HUNTWORK: I move we adopt this area on 64 as a community of interest.

CHAIRMAN LYNN: Is there a second?

COMMISSIONER ELDER: Second.

CHAIRMAN LYNN: Discussion on the motion?

COMMISSIONER HUNTWORK: Only discussion, I don't know I want to repeat this every single one of them. There is an extensive and, I believe, ample record to support the adoption of this community of interest.

CHAIRMAN LYNN: Maybe the trouble I'm having is trouble I shouldn't have at all. I want to be
clear about this, because it will affect other votes as well as you go through, not only ones you are offering, but others. It is perhaps the fact I'm hung up on the name rather than the commonalty of the area, because I don't in and of itself think "homeowners association" means anything other than group of people that live in a neighborhood. However, what I see by reading the area, or the identity, quote, is a group of neighbors who have much more in common than homeowner associations might suggest, and that those areas of commonalty go to the heart of the definition as we have been applying it throughout the day. So with that said -- and I do remember Ms. Harvey testifying, I think on more than one occasion --

COMMISSIONER HUNTWORK: Yes.
CHAIRMAN LYNN: -- about this particular area. I would like us to be careful as we move forward to not just look at the titles, which may be misleading for someone who doesn't understand the full record with respect to what about this boundary makes it common.

COMMISSIONER HUNTWORK: Very well.

MR. JOHNSON: Mr. Chairman, if I add one thing, this is pretty long quoting, go to the point you just raised. May remember the homeowner association of Arcadia spoke to us. At one point he commented he knew
about Bev Harvey's work and how hard -- how successful
that area had been, word had traveled all across town,
organizing community in this area.

CHAIRMAN LYNN: Okay.

COMMISSIONER HUNTWORK: Mr. Chairman, the
name, then, because two issues here: One, we have a
record. And I just don't know that it's necessary to
reiterate the record --

COMMISSIONER HALL: Correct.

COMMISSIONER HUNTWORK: -- just so for the
same of the name. I'd be happy to entertain any
suggestions on what we call this area.

CHAIRMAN LYNN: Well, I mean -- it does
have defined geographic boundaries. I think if we can --
Mr. Johnson, if you just give us the four boundaries, it
happens to be a square, not too bad, or at least a
rectangle.

MR. JOHNSON: Right out of testimony by
Blaine Brimley, appeared with Bev Harvey, talked about
from Northern Avenue to Glendale Avenue and 35th Avenue
and 43rd Avenue.

CHAIRMAN LYNN: Fine with me.

Further discussion on the motion?

All those in favor of the motion signify by
saying "Aye."
COMMISSIONER HUNTWORK: "Aye."

COMMISSIONER ELDER: "Aye."

COMMISSIONER HALL: "Aye."

CHAIRMAN LYNN: Chair votes "Aye."

Motion carries unanimously.

COMMISSIONER HUNTWORK: Next one, Arcadia.

Page 38, for those whose papers are still in numerical order.

CHAIRMAN LYNN: Motion, Mr. Huntwork?

COMMISSIONER HUNTWORK: I move we adopt Arcadia as set forth here as a community of interest.

CHAIRMAN LYNN: Is there a second?

COMMISSIONER ELDER: Second.

CHAIRMAN LYNN: Discussion?

COMMISSIONER HUNTWORK: Once again, we have an extensive record to support the factors that are -- that make this a community of interest.

CHAIRMAN LYNN: Mr. Elder.

COMMISSIONER ELDER: Mr. Chairman, this falls in almost the same category that we had when we were looking at the Broadmoor Broadway area in Tucson from the standpoint that there was a canal or a wash, and in the case of Tucson, this has a canal, functions as a spine, links the community together, the recreation, you know, the cities, and that are taking this right-of-way
now as being a surprised part of connectivity of their neighbors. And as exemplified in some comments, one of the things we have kind of unique as ours to do, SRP Canal runs down Indian School Road. I was out there and it does have a fairly good level of activity. I would like to see this continued as a community of interest.

CHAIRMAN LYNN: Further discussion?

Mr. Hall.

COMMISSIONER HALL: I just need to retract giving John Mills a bad time since he's quoted twice on the slide on community of interest.

CHAIRMAN LYNN: Hate to see what one has to do with other.

COMMISSIONER HALL: John Mills.

CHAIRMAN LYNN: Retract "bad time" quoting.

All those in favor of the motion?

COMMISSIONER HUNTWORK: "Aye."

COMMISSIONER ELDER: "Aye."

COMMISSIONER HALL: "Aye."

CHAIRMAN LYNN: Chair votes "Aye."

Motion carries four-zero.

COMMISSIONER HUNTWORK: Page 55 of the materials, Phoenix Historic Districts. In the older parts of Phoenix there are a number of neighborhoods not necessarily directly connect to each other, within
proximity of each other, which have achieved historic status, and many others nearing the age where they will be eligible to achieve that status both for local, state, and federal purposes. These neighborhoods receive -- are eligible to receive grant money, state and federal sources, and -- and just the prestige, if you will. The unifying factor of being historic can tend to bind them together and give them a sense of community vitally important for maintaining and revitalizing some of these areas.

The only concern I have, I expressed it earlier this morning, is whether the area that is outlined here is really adequate, really big enough to include everything that is already thinking along -- all areas already thinking along these lines and benefiting from some of these programs.

However, I think that we may want to talk about expanding this or adding to it at some point. But this does at least capture the heart of it. And so I think that it is a useful and important community to recognize. And maybe we can retain some flexibility if we should get more information about this to clarify the boundaries further.

For now, I would simply move that the record supports this area, at least, and we should adopt
this as an historic district community of interest.

CHAIRMAN LYNN: Is that in the form of a motion?

COMMISSIONER HUNTWORK: Yes.

CHAIRMAN LYNN: Is there a second?

COMMISSIONER ELDER: I will second for discussion.

CHAIRMAN LYNN: Thank you.

Discussion on the motion, Mr. Elder?

COMMISSIONER ELDER: Mr. Chairman, we heard considerable testimony from probably three or four communities that considered themselves as historic definable areas, that they function together, they had a board of directors, they worked together, went after grants, they got their neighborhoods designated as an historic neighborhood.

What I'm not so sure about is that we had testimony that says -- and we support the others, but is there the fabric that holds the pieces together as a whole as this shows, or are we looking at individual historic neighborhoods? There is within this block one I'm familiar with particularly because my mother owned a house there, was in the Willow District. I know that had a very definable, distinct area, and designated, you know, as a neighborhood and you see signs along the
streets when you are entering the Willow District.

You get same type area when you get into
the Encanto area, a very distinct, definable area for
Encanto. After that, sort of bothers me, straight line
across Thomas, down whatever it is, 52nd, back across the
whole area, distinctly historic. Don't know from the
testimony it was that way. Any way of resolving, you
know, that aspect?

MR. RIVERA: Mr. Chairman.

CHAIRMAN LYNN: Mr. Rivera.

MR. RIVERA: Again, following Mr. Sissons' and our tours through the city of Phoenix, the City of
Phoenix actually recognizes Historic Districts and they
have overlays for Historic Districts as they recognize
them. Before somebody goes in and zones, places get
approval if it's an historic district. City of Phoenix,
from the City of Phoenix you can get an historic district
overlay to give you an accurate map of all historic
districts the City of Phoenix recognized.

Is that right, Mr. Sissons?

Now, same place, same time, without knowing
each other.

MR. SISSONS: Indeed. Certainly true that
the City has all of its historic neighborhoods mapped.

That's available as a GIS overlay.
The other thing from the City of Phoenix city council redistricting process, it was very clear from the testimony from the various historic neighborhood associations that they all do recognize each other, support each other, and there's no enmity between or gel cease between the historic associations.

CHAIRMAN LYNN: Several people want to get in on this: Mr. Hall, Mr. Huntwork, and Mr. Elder.

COMMISSIONER HALL: Mr. Elder, I kind of shared your concern with this and Arcadia. What I was asking Mr. Johnson was: What is the approximate population of both of these? If we're talking about over 68,000 people, almost 40 percent of a district, looking at the definition "benefit from common representation," I think it definitely would, would fall within our definition, whether or not how we test that as we move forward is another matter. I think it would qualify pursuant to our definition.

CHAIRMAN LYNN: Mr. Huntwork, Mr. Elder.

COMMISSIONER HUNTWORK: I just wanted to say that the record does contain testimony. I recall it being given, and since it is there, I want to emphasize it of my own knowledge it is absolutely correct that these neighborhoods, these areas, work together and wouldn't be able to accomplish anything individually and
by themselves. They have to work together.

They are also -- I want to say that the areas that have been recognized today, already, are, if you will, in my opinion, the tip of the iceberg. This -- this is -- and even this area, as large as it is, has, throughout it, neighborhoods that will be eligible for historic consideration in just a few years. And the -- and many people in those areas are well aware of it and already working and organizing to be able to qualify for historic recognition as soon as possible. I'm sorry, I just happen to know this is true myself and I don't know what to do about that.

CHAIRMAN LYNN: It's okay. It's all right, Mr. Huntwork. You can know where you live, you just can't know where others live.

COMMISSIONER HUNTWORK: I live in this district. I'm particularly well aware.

CHAIRMAN LYNN: I'll get to you, Mr. Elder, I'll get to you.

Take from your comments, Mr. Huntwork, whereas all of this area may not already be designated historic, what we see is an outline perhaps the westernmost and easternmost boundaries of those areas that have already been or are in the process of being designated historic and that the rest of the
neighborhoods are quite likely to fill in?

COMMISSIONER HUNTWORK: I think that --

wouldn't say in the process. Throughout this area there
are places that either are eligible or will be eligible
soon, and among those places there are many places that
are organizing and others that aren't doing it yet, but
very well may when they see the benefits that can be
derived from it.

But I also wanted to say -- I did want to
say at the beginning I really don't think that this is
the full extent of it. When I talked about this this
morning, that is what I was concerned about it, maybe
this isn't big enough. What I'm saying now, at least it
took place, a kernel and place to start.

CHAIRMAN LYNN: Thank you, Mr. Elder.

COMMISSIONER ELDER: Yes, Mr. Chairman.

CHAIRMAN LYNN: Before you go, I think

Mr. Johnson found something on the website and may expand
on those areas.

We'll get to you, Mr. Johnson.

COMMISSIONER ELDER: I'll go forward with
this, because this area includes, you know, the urban
heart or core of the City of Phoenix. It's the
high-rises, it's the -- granted the old courthouse is
down there, several other structures. Just as I looked
and said from the barrio standpoint, the downtown urban
core should probably not be included as part that holds
the glue together. I don't see the downtown portion of
Phoenix holding the historic district together, either.
So if there is some definition, you know, we can get from
the historic register to see where these are and maybe
include the registered historic neighborhoods as the area
or community of interest, I would like to see that to see
if that gives me any assurance or solidity to this
perspective.

                 CHAIRMAN LYNN: Mr. Huntwork, then

                 Mr. Johnson.

                 COMMISSIONER HUNTWORK: Mr. Chairman, this
does not include what Phonecians refer to as "downtown."
The southern boundary here is Roosevelt and it does
include in the central corridor between -- you know,
along Central Avenue.

                 COMMISSIONER ELDER: Mr. Chairman, let me
interrupt. I realized as soon as Jim pointed to this,
it's an area that goes underground and the northern
freeway. I was thinking the original I-10/19 coming
along, and actually went south of the freeway. Made a
mistake. It does not include the urban core of Phoenix.

                 COMMISSIONER HUNTWORK: Some recognized
Historic Districts and some of our most important
historic buildings, if you will, are located right there in that -- right next to those high-rise buildings. In fact, one of the points the people for whom Historic Districts are important is, we've got to help us, give us every advantage we can, we need Legislative help with this, fits right into the reason for -- okay, so anyway.

CHAIRMAN LYNN: Mr. Johnson.

MR. JOHNSON: Just found this. What the City has posted on its website is a list of historic residential districts. There is 36 of them, actually, historic parks and schools. Don't actually have a map that shows where all of them are, but they do have rough descriptions, and I don't know if some of these are in different parts of town. What we can do is get a map of these areas.

CHAIRMAN LYNN: I'm all for using whatever resources we have.

Mr. Sissons, I'll ask you an unfair question, maybe an unfair question: If you would, sir, my understanding is you've been involved in some of this mapping before. Recognizing what our map depicts, does the area that we are currently considering include those 36 neighborhoods, most of those neighborhoods, all of them, some of them, or do you have that knowledge?

MR. SISSONS: I do have that knowledge. I
believe that depiction is of about two-thirds of the
area. There are several -- that -- the north line of the
major part there appears to be on Thomas Road.

CHAIRMAN LYNN: Correct.

MR. SISSONS: There are designated historic
places all the way up to north of Camelback Road,

MS. LEONI: Wow.

MR. SISSONS: Two more miles north of

Thomas.

CHAIRMAN LYNN: Well, I think -- let me ask
a question. If we adopt this map on the premise that
what we are trying to include are historic neighborhoods
of Phoenix and at some point we subsequently receive
information, testimony, or other that a larger area is
the same designation but really has not been included in
this map, would that be acceptable in terms of adding it
at a future date?

MR. RIVERA: Mr. Commissioner, of course
you would be.

CHAIRMAN LYNN: With that caveat, we go
ahead with this --

COMMISSIONER HALL: Why not add it now, If
we know what it is?

CHAIRMAN LYNN: Not specifically -- I think
rather than guessing at it, we should find out exactly
1 what it is.
2
3 Unless you remember the boundaries
4 specifically, Mr. Sissons.
5
6 MR. SISSONS: I don't have part of the
7 Phoenix Redistricting process eight eleven map --
8
9 CHAIRMAN LYNN: If you plan on being with
10 us, please bring it.
11
12 COMMISSIONER ELDER: Bring it with you when
13 you bring Verde Valley --
14
15 CHAIRMAN LYNN: Look at it. That's it.
16
17 Further discussion on the motion?
18
19 If not, all in favor of the motion signify
20 by saying "Aye."
21
22 COMMISSIONER HUNTWORK: "Aye."
23
24 COMMISSIONER ELDER: "Aye."
25
26 COMMISSIONER HALL: "Aye."
27
28 CHAIRMAN LYNN: Chair votes "Aye."
29
30 Opposed, "No"?
31
32 Four-zero.
33
34 (Motion carries.)
35
36 CHAIRMAN LYNN: You done?
37
38 COMMISSIONER HUNTWORK: No. Two more.
39
40 CHAIRMAN LYNN: Growing when I'm not
41 looking.
42
43 Okay. Two more. Two more.
COMMISSIONER HUNTWORK: Well, again, you know, based on the record, I move that we designate Sun City on one hand and a combination of Sun City West and Sun City Grand on the other, each as a community of interest.

COMMISSIONER HALL: Page?

COMMISSIONER HUNTWORK: 30.

CHAIRMAN LYNN: I want to be clear before I ask for the second. Actually designating two --

COMMISSIONER HUNTWORK: Two separate.

CHAIRMAN LYNN: Two separate, one comprised of the original Sun City, and other Sun City West and Sun City Grand.

COMMISSIONER HUNTWORK: Correct.

CHAIRMAN LYNN: Is there a second?

COMMISSIONER ELDER: Second.

CHAIRMAN LYNN: Discussion on the motion?

I assume the discussion would be similar to that which we had in Tucson on retirement areas there?

COMMISSIONER HUNTWORK: And there is lengthy discussion in the record.

CHAIRMAN LYNN: Okay.

COMMISSIONER HALL: Call the question.

CHAIRMAN LYNN: On the motion to designate two areas as communities of interest, one being the Sun
City area, and other being the combination of Sun City West and Sun City Grand, all those in favor of the signify by saying "Aye."

COMMISSIONER HALL: "Aye."
COMMISSIONER ELDER: "Aye."
COMMISSIONER HUNTWORK: "Aye."
CHAIRMAN LYNN: Chair votes "Aye."

Motion carries four-zero.

Mr. Huntwork?

COMMISSIONER HUNTWORK: Mr. Chairman, I move that we authorize and instruct our consultants to obtain as much information as possible about, as quickly as possible, about the Phoenix Urban Village divisions to determine whether or not they are appropriate mappings to consider for adoption as communities of interest or contain information that would lead us to additional communities of interest.

CHAIRMAN LYNN: Is there a second to that motion?

COMMISSIONER HALL: I second that.

CHAIRMAN LYNN: Discussion?

Mr. Huntwork.

COMMISSIONER HUNTWORK: Mr. Chairman. I know that the City of Phoenix has not arbitrarily defined these villages. I know that the City takes them very
seriously and uses them for local planning purposes just as some of the planning districts that have been discussed and we have even recognized today in other portions of the state. In most if not all of these, there are local planning boards with local volunteers who identify themselves with that area and who have its -- take its interests seriously. The City, I know, attempts to define and update these areas in terms of the identity of the people that live there.

Without looking at this, which is, I believe, a very good representation of the concepts and ideas of the people who live throughout this vast area, we have a handful of communities of interest comprising the entirety of, I guess, six -- or is it now the fifth largest city in the United States of America? We haven't found communities of interest in the City of Phoenix.

One of the reasons Commissioner Minkoff and I felt we were familiar with how our community felt, as we develop the maps, we would be able to provide good and honest input that would help guide the Commission in making these determinations. But, number one, Commissioner Minkoff is not able to be with us at this time which, even though, you know, I would nevertheless endeavor to be honest, and so forth, the check and balance that was provided by having Republican and
Democrat, the diversity inherent in the Commission structure, if you will, is not present. And, number two, in any event, we have been ordered by the Court to make the determinations objectively, and so we can't really rely on that type of a record anyway if we're going to comply with this order of this Court.

So I feel that this is the best way for the Commission, as a whole, to really understand, and quickly, because we have very little time, get an education in how these communities lay out in the big picture in the -- in the division in the City of Phoenix, Arizona.

CHAIRMAN LYNN: Mr. Hall.

COMMISSIONER HALL: So motion just to garner information; is that correct?

COMMISSIONER HUNTWORK: Yes.

COMMISSIONER HALL: I'm fine with that, Mr. Huntwork. I previously expressed I have some concerns relative to a completely new infrastructure relative to this whole process. And the -- as concerning is the fact that through I don't know how many downtown public hearings, we never heard this from the public. My question, if we took a random straw poll and asked 10 people I work with who live somewhere in the valley, my
guess would be none of them could tell you what village they live in. So I -- other than Ms. Hauser and Jose.

MR. RIVERA: I know where Ms. Hauser lives. I don't know where I live.

COMMISSIONER HUNTWORK: That's where I do this; don't be surprised. For somebody from the outside, looking into a vast city like Phoenix, it's all the same. Somebody living inside truly has a sense of -- in most places in the city, has a sense of neighborhood, what part of the city they truly live in.

CHAIRMAN LYNN: Mr. Johnson, is it feasible to have this kind of information, for example, tomorrow morning, or would it be a later date?

MR. JOHNSON: Mr. Chairman, we could print out the City web pages, what they have on the internet, at the end of the meeting. And I will get a handle very quickly on thatta, review it this evening, what information there is to gather for you tomorrow morning.

COMMISSIONER HUNTWORK: Mr. Chairman, another thing that --

And I think it would be good first step.

Another thing I'd like to do is invite somebody from the City of Phoenix to come and speak to us about the process about how things are created, how updated. Obviously if you look at the top end of this
map, right up to the latest annexation, not something
done 25 years ago, something done last week or at least
within the last few months, and, you know, believe me,
it's taken seriously by the City of Phoenix.

CHAIRMAN LYNN: If someone is here tomorrow
morning, I'd be delighted to recognize them to tell us
what they think.

COMMISSIONER HUNTWORK: Perhaps somebody on
staff would be able to try to arrange that to happen.

CHAIRMAN LYNN: Somebody who's been
involved in the planning process might know people who
know something about this subject.

Mr. Hall.

COMMISSIONER HALL: The other question I
have is this: As I understand it, the City of Phoenix
proper only; is that correct?

COMMISSIONER HUNTWORK: Correct.

COMMISSIONER HALL: How, then, do you have
all that information move west to Glendale or Buckeye
or -- I'm saying, then, are we, you know, comparing
apples with oranges -- asking, don't have any --

COMMISSIONER HUNTWORK: Many of these
are -- we -- we don't have time to do this right. We
just don't. And it's disgusting. I hate to do the job
wrong, but we don't have time to do it right. We have to
simply do the best we can. All I can say to you honestly is this is one tool that we might be able to use productively and shouldn't refuse to use it just because we can't really do everything that we need to do.

COMMISSIONER HALL: Fair enough.

CHAIRMAN LYNN: On the motion to retrieve information relative to the planning villages in the City of Phoenix, all those favor of motion signify by saying "Aye."

COMMISSIONER ELDER: "Aye."

COMMISSIONER HALL: "Aye."

COMMISSIONER HUNTWORK: "Aye."

CHAIRMAN LYNN: Opposed say "No."

Motion carries.

I would ask Mr. Johnson and perhaps Mr. Rivera to assist with that tomorrow.

Is that it, Mr. Huntwork?

COMMISSIONER HUNTWORK: That's all. Thank you.

CHAIRMAN LYNN: Mr. Hall.

COMMISSIONER HALL: Mr. Chairman, I alluded to the fact earlier in the motion with respect to Yuma County that I feel that there are certain counties that have represented themselves as a whole to be a community of interest. And in my opinion, there are at least three
of those. We already made that motion relative to Yuma.
I would like make the same motion to accept Yavapai
County as a whole to be a community of interest. And --
if I have a second on that, I would like to propose a
methodology for a brief discussion regarding that.

CHAIRMAN LYNN: Is there a second to the
motion?

COMMISSIONER ELDER: Second.

CHAIRMAN LYNN: Thank you, Mr. Hall.

COMMISSIONER HALL: Mr. Chairman, I'd like
to ask the gentleman from Tri-Cities if he'd agree with
that assessment that the Commission determined, has
determined for some time, that all of Yavapai County in
reality is a community of interest?

State your name for the record just so
we're clear.

MR. FLANNERY: Mike Flannery.

Mr. Chairman, Commissioner Hall, I think
for some time we have kind of indicated that we believed
that it was. I think the record also states that there
is a large support of constituents up there that believe
that as well, so, yeah.

COMMISSIONER HALL: Thank you.

CHAIRMAN LYNN: Further discussion on the
motion?
No question there's ample testimony in the record suggesting that this is something we should consider.

Mr. Elder, then Mr. Huntwork.

COMMISSIONER ELDER: Mr. Chairman, I would tend to agree that of all communities, Yavapai, then Cochise, are two counties that probably had a plethora of information and data coming to us and participated in the process and really presented a case for their particular county and community of interest primarily because it was rural and this was the border in which they functioned. It had political ties, history how they functioned together, and I believe from that standpoint we should include them as a community of interest.

CHAIRMAN LYNN: Mr. Huntwork.

COMMISSIONER HUNTWORK: Well, I guess I was just going to note that the testimony was not completely unanimous. There was testimony that the Mingus Mountain was a dividing line and that there was some very sharply divided interests, particularly with respect to water on opposite besides.

CHAIRMAN LYNN: Well, there's -- in so many cases, the testimony was not completely clear nor unanimous in sentiment, but certainly there were a number of occasions when representatives of either one or
another entity within the county made that, made that
pitch to the Commission that we should consider it.
Certainly from time to time for specific purposes I know
there are divisions in any county. There are some things
particularly connected with issues such as water and
others in Yavapai County that make sense.

Further discussion on the motion?
If not, all those in favor of the motion
signify by saying "Aye."

COMMISSIONER ELDER: "Aye."
COMMISSIONER HALL: "Aye."
CHAIRMAN LYNN: Chair votes "Aye."
Opposed, "No"?
COMMISSIONER HUNTWORK: "No."
CHAIRMAN LYNN: Thank you, Mr. Huntwork.
Three-one on this one.
(Motion carries.)
CHAIRMAN LYNN: Mr. Elder.
COMMISSIONER ELDER: Mr. Chairman, I move
we designate Cochise County as a community of interest.
CHAIRMAN LYNN: Is there a second? I hear
none, Mr. Elder.
COMMISSIONER HUNTWORK: Mr. Hall may not be
aware of what you are asking.
COMMISSIONER HALL: Yes, I am aware. I --
I guess -- I'm happy to second that for purposes of
discussion, but --

CHAIRMAN LYNN: Then moved and seconded
Cochise County be included, designated as a community of
interest under our definition.

Mr. Elder.

COMMISSIONER ELDER: Mr. Chairman, I made
this motion from the standpoint there was a tremendous
amount of input, probably, matter of fact, it -- Coconino
and Yavapai counties probably had the highest
participation at our public meetings, both at the
beginning, end of the first and second session. We heard
a tremendous amount of input from this county that
convinced me that it was a community of interest. There
were some areas where there was non -- or not unanimous,
and related that primarily to whether the Town of Sierra
Vista should it be in or out, we want the whole county
whole, other people said no, urbanized areas should go in
Pima County and/or the City of Tucson. As a whole, from
the community of interest and based on our definition, I
believe they should be a community of interest.

CHAIRMAN LYNN: Further discussion on the
motion?

Mr. Huntwork.

COMMISSIONER HUNTWORK: Well, I got the --
I got the impression that the dissent in parts of Sierra Vista was more significant than that; that there were portions of Sierra Vista who said, "Heck, no, we have a lot more in common with the urban areas in Tucson than we do with the rural portions of this county."

I know there was -- I wasn't at the meeting I was talking about, I was ill that night and I guess that was my good fortune, but I did read the transcript afterwards. But I think that the, the conclusion that I came to, trying to just evaluate that, was that large portions of Cochise County wanted to claim Sierra Vista, "Absolutely essential to us, we want it, give it to us."

But the intended bribe was not entirely willing in portions of Sierra Vista. I have a real problem simply accepting, you know, the whole county as a single community of interest. Just for that reason. All of it except Sierra Vista, I'd say fine.

CHAIRMAN LYNN: Mr. Hall, your recollection does conform with my recollection. In Sierra Vista a gentleman sat right before me with a bumper sticker that said, "Be Biblically correct, not politically correct," and stared at me the whole meeting. I remember the whole meeting well. I was sure at any time he was going to go for his hip weapon. Nevertheless, and I understand, Mr. Chairman, I digress. But --
COMMISSIONER ELDER: Mr. Hall, one interruption here. (Whereupon a joke was told with laughter from all corners of the room:) While I knew there were Republican Rednecks, I didn't find out there were Democrat Rednecks until I got to Cochise County.

COMMISSIONER HALL: Point taken.

CHAIRMAN LYNN (Bringing order back to the meeting): I don't want any reference to "Redneck" on the record in any serious capacity.

(Official Record Resumes:)

CHAIRMAN LYNN: Mr. Hall.

COMMISSIONER HALL: So I think Mr. Huntwork's recollection is correct. I think some divergent variety of areas North-South, East-West, I concur. To me, that wasn't as convincing that that whole county would constitute a community of interest.

CHAIRMAN LYNN: Further discussion on the motion?

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

COMMISSIONER ELDER: "Aye."

CHAIRMAN LYNN: Chair votes "Aye."

Opposed say "No."

COMMISSIONER HUNTWORK: "No."

COMMISSIONER HALL: "No."
CHAIRMAN LYNN: Motion fails two-two.

COMMISSIONER HALL: That's Number 6.

CHAIRMAN LYNN: Bonus money for you, Mr. Hall.

MS. HAUSER: There is no bet. There is no bet.

CHAIRMAN LYNN: Are there further motions with respect to communities of interest?

Let me ask my fellow Commissioners a procedural question with respect to time. As you may have noticed, I've been just pushing ahead here for two reasons: One, we're going to lose the battery on the stenographic machine at some point this evening, and I assume if we break and turn off the machine we'll save the battery at some point. I can't tell. Is that what you would do?

THE REPORTER: No, I wouldn't. I --

COMMISSIONER HALL: Spit it out, Lisa.

THE REPORTER: I feel confident the battery would -- that I would kaputz before the battery would kaputz.

CHAIRMAN LYNN: Having heard about the kaputz, try to type that, Lisa, I want to see that in type.

If at this point, other than those ordered
studies or what we need input on, if we are concluded
with this particular portion, I guess my question is:
Would you like to move forward, or should we wait until
tomorrow morning for a look at the rest of the agenda?

Mr. Hall.

COMMISSIONER HALL: Mr. Chairman, I think
your latter suggestion is probably the best way to
proceed.

I just want to say in the event we agree to
do that, in light of the fact the Commission now has a
complete set of definitions, and we have itemized
specific communities of interest pursuant to those
definitions, that while our time is short and while
everybody's time is short, I encourage those in the
audience to elicit any and all input to this Commission
as thoroughly and rapidly as possible so we would be able
to move forward as much input as possible and be sure of
proceeding with the will of the people.

CHAIRMAN LYNN: Terrific suggestion. Add
to that I hope fellow Commissioners, probably tomorrow
would be an appropriate time, would consider a schedule,
even though under severe time constraints imposed by
Court, to allow some opportunity for work product of our
process to be openly reviewed by members of the public
even on an abbreviated schedule. I hope we schedule
opportunities for that to occur between the end of this meeting and the next time Commission as a whole gets together. I think that would be not only beneficial, but I think it's wholly appropriate as we move forward in an attempt to comply with the Court's order. We must not, if we possibly can, lose sight of what makes this Commission and its work different from previous redistricting attempts; that is, it is not controlled by political influence and it is wholly an open process which not only allows but encourages public input throughout. And that's certainly an important distinguishing factor. Let me ask, then, from the standpoint of consultants or from legal counsel: Are there other matters that we should consider this evening as opposed to an adjournment until tomorrow morning?

MS. HAUSER: Mr. Chairman, I don't have anything. I think the main question is whether NDC needs any further direction before tomorrow.

MR. JOHNSON: No, I don't think we do. All set.

CHAIRMAN LYNN: Mr. Huntwork?

COMMISSIONER HUNTWORK: Two things quickly for the record. Number one, I don't think we are closing the door on consideration of communities of interest, for two respects. First one is that, as we solicit public
comment, we may receive additional information from that source. Second one is that, you know, we didn't see the list of proposed -- of proposed communities of interest until last night. I did the best I could, but we went home late, we came in early, we've been at it all day. I haven't had a chance to go back and look at the materials that we distributed previously or any of the old transcripts.

You know, at this point I don't even have notes of things that were said. I didn't retain any of that stuff. So this is -- you know, we're doing this as fast as we can. And other recollections, other thoughts may occur to me as we go along. I am -- I'm confident we're not closing the door on being able to bring those things up if we honestly recollect or an idea honestly occurs to us.

Do you agree with that, Mr. Chairman?

CHAIRMAN LYNN: I do. I think in previous recognition of that by Mr. Rivera on this very subject previously supports it.

COMMISSIONER HUNTWORK: The second thing I wanted to say was simply this: We did define a process, and we worked very, very hard to implement a process that allowed full public comment on everything that we were doing. The maps we have drawn previously did have the
benefit of public comment. I do not believe, I think --
I think -- I agree we have to do the best we can. I do
not believe for a minute the process we're doing now
bears any relationship or resemblance to the process we
went through before. This is extremely truncated. There
will not be an adequate opportunity for public comment on
whatever it is that we're doing here.

CHAIRMAN LYNN: I agree.

Ms. Hauser.

MS. HAUSER: May we add to that even if the
Commission -- thank you, Mr. Hall.

Even if the Commission had met on January
16th, the day the Court's order came out, there would --

COMMISSIONER HUNTWORK: Still not be --

MS. HAUSER: -- still not be enough time.

COMMISSIONER HUNTWORK: Not by two months,

not by probably more than that.

CHAIRMAN LYNN: It's important to
periodically put on the record that, as Ms. Hauser stated
yesterday and again today, there has been no delay by
this Commission, has been only attention to the Court's
order as rapidly as we could do it. We have ordered work
done as quickly as we could do so. We have done
statements by law of official notice of meetings, and
whether or not anyone cares, we actually have lives that
don't revolve solely around being members of this Commission; although many of us can't remember what those are. We clearly have to move forward as rapidly as is humanly possible. And that's what you are dealing with, is five individuals who have things to do. So I think by all standards, we should be recognized as having moved as expeditiously as we could on this process.

I am tempted to ask if any members of the audience wish to address the Commission, so I will; because I always want to err on the side of allowing input. However, I can tell you that for those of you who are regulars, and that's most of you sitting in the audience at this point, you'll have the same opportunity tomorrow morning, so there's little difference between the two except when you eat dinner.

If there are no members of the public who are desirous of addressing us at this point, gentleman, the Commission is scheduled for another 8:30 start tomorrow morning.

Without objection, we will stand in recess until 8:30 tomorrow morning.

(Whereupon, the Commission adjourned at approximately 6:53 p.m. to resume at 8:30 a.m. on 2-9-04.)
STATE OF ARIZONA  )
   ) ss.
COUNTY OF MARICOPA  )

BE IT KNOWN that the foregoing hearing was
taken before me, LISA A. NANCE, RPR, CCR, Certified Court
Reporter in and for the State of Arizona, Certificate
Number 50349; that the proceedings were taken down by me
in shorthand and thereafter reduced to typewriting under
my direction; that the foregoing 243 pages constitute a
true and accurate transcript of all proceedings had upon
the taking of said hearing, all done to the best of my
ability.

I FURTHER CERTIFY that I am in no way
related to any of the parties hereto, nor am I in any way
interested in the outcome hereof.

DATED at Phoenix, Arizona, this 13th day of
April, 2004.

LISA A. NANCE, RPR, CCR
Certified Court Reporter
Certificate Number 50349