ARIZONA INDEPENDENT REDISTRICTING COMMISSION

Friday, September 23, 2011
9:10 a.m.

Location

Wild Horse Pass Hotel & Casino
(Ocotillo Conference Room)
5040 Wild Horse Pass Boulevard
Chandler, Arizona 85226

Attending

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

Ray Bladine, Executive Director
Buck Forst, Information Technology Specialist
Kristina Gomez, Deputy Executive Director

Mary O'Grady, Legal Counsel

Reported By:
Marty Herder, CCR
Certified Court Reporter #50162
Phoenix, Arizona
September 23, 2011
9:10 a.m.

PROCEEDINGS

(Whereupon, the public session commences.)

CHAIRPERSON MATHIS: Good morning.

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

Today is Friday, September 23rd. The time is 9:10 a.m.

Let's begin with the Pledge of Allegiance.

(Whereupon, the Pledge of Allegiance was recited.)

CHAIRPERSON MATHIS: I'll start with roll call.

Vice Chair Freeman.

VICE-CHAIR FREEMAN: Here.

CHAIRPERSON MATHIS: Vice Chair Herrera.

VICE-CHAIR HERRERA: Here.

CHAIRPERSON MATHIS: Commissioner McNulty.

COMMISSIONER McNULTY: Here.

CHAIRPERSON MATHIS: Commissioner Stertz.

COMMISSIONER STERTZ: Here.

CHAIRPERSON MATHIS: We have a quorum.

Other folks at the table today, starting down
here, we have our court reporter Marty Herder, who will be transcribing every word that's spoken.

Mary O'Grady, our legal counsel.

And then our mapping consultant, Ken Strasma and Willie Desmond.

And around the room, Kristina Gomez is our deputy executive director, and Buck Forst who is our chief technology officer.

And I think Ray Bladine, our executive director, will be coming along shortly.

So, with that, I think that takes us to item two on the agenda, map presentations.

And we have -- maybe -- I know we have one. I don't know if we'll have two today or not.

But, State Representative Richard Miranda, from Arizona Minority Coalition, is up first.

So we want to make sure his presentation is loaded.

RICHARD MIRANDA: Thank you very much. I'm glad I'm here first.

Richard Miranda. Want me to spell my name?

CHAIRPERSON MATHIS: Sure.

RICHARD MIRANDA: R-I-C-H-A-R-D, M-I-R-A-N-D-A. I'm a state representative. Do you need my address?
CHAIRPERSON MATHIS: No.

RICHARD MIRANDA: Okay. I am here representing the Arizona Minority Coalition. And just for the record we've been working on these redistricting maps, in fact, since November of last year, speaking with the Department of Justice, Bob Rubin is the director there of the Department of Justice Voting Rights Act.

So we've kind of prepared ourselves as far as knowing the redistricting process.

In fact, I have a handout that we've been giving out at community meetings. And I don't have -- I'm sorry, I don't have one.

But this is how the redistricting process works.

And so we've been having community meetings and talking to folks and making sure they understood -- is that better?

And so we've been trying to make people understand what the redistricting process is, because it was a education process for people in our communities. They're not familiar with redistricting, and quite rightly so, because it only comes around every ten years.

I also wanted to let everyone know that the Arizona Minority Coalition is made up of people elected, non-elected, community, business people, community leaders. And they include from the town of Guadalupe, the mayor, city
council, city manager has been involved, all the way across,
going west, all the way to the city of Avondale, which --
Stephanie Karlin, which is on the city of Av -- city council
of Avondale.

Marie Lopez Rogers is the mayor of Avondale.
She's been quite involved in this whole process.
It includes the town of Tolleson. The mayor, some
of the folks on the city council.

A few folks -- Lupita Hightower, which is
superintendent of Tolleson Elementary School District, and
several other folks there in Tolleson.

It also involves some folks in Glendale.

Mari Alvarado, she's also very much involved with
LULAC.

LULAC has been at some of our community meetings
and been involved. Daniel Nieto, he's president of the
chapter there.

And, so that area of old Glendale has been very
much involved.

In Maryvale area, we have Steve Gallardo.

We have Harry Garewal, which is on the school
board for Isaac School District.

We have some other folks.

Also just -- I'm trying to recall some of the
folks there.
We have myself.

I'm actually southwest, kind of close to, to between Tolleson, Avondale, and the Maryvale area, kind of live right in between there.

MARY O'GRADY: Madam Chair, if you could disregard any information regarding candidate locations or incumbencies. And so that needs to be disregarded and --

RICHARD MIRANDA: I'm sorry.

Oh, I apologize.

That was just an accident. I didn't mean to do that.

You have myself, Representative Anna Tovar, and Senator Steve Gallardo is involved in this process.

Isaac Serna from Laveen School Board has been involved.

We have some other folks that are outside some of our communities.

Lorenzo Sierra that has been involved in the process.

And many, many others.

Oh, I also want to include that -- I'm sorry, Senator Leah Landrum Taylor is also co-chair of this Arizona Minority Coalition. I believe they gave a presentation in South Mountain Community College.

I was out of town at the time, so I could not
attend. But several folks, if you can recall, at that meeting came and were in support of the Arizona Minority Coalition and the maps that we presented.

And I want to go over some of the things that we included.

And we included maybe -- I'm sorry, we included education. We included communities of interest in drawing these maps.

We included socioeconomic factors, household income, those types of things.

We included also some business points that are in these maps that we drew.

We have the Cricket Pavilion Mall there. That's a large part of the community out in west Phoenix.

And we included also the 51st and Baseline shopping mall that's become an important part of south Phoenix and Laveen area.

We included, you know, some of the infrastructure there, major highways, major roads there, in these maps. And we included historical Glendale, which is largely a Latino community.

We have community centers which we included, Glendale Community Center.

Several of the parks and community centers in west Phoenix and south Phoenix.
We included, you know, some pretty important established businesses. Fairlane in Glendale, which has there been for many, many years. That's part of a, part of a -- it's sort of like a restaurant where people go and see other folks in the area and talk about things. It's been there I want to say at least 50 years.

So that is part of that old Latino neighborhood there in Glendale.

We included some infrastructures here. Grand Avenue, which is sort of a dividing line that we use in our maps.

We also use some geographical boundaries. We use part of the Salt River to divide some of these maps that we, that we drew.

And so, anyway, those are some of the things that we, we took into consideration, part of -- we also took into consideration some of the school districts.

We took in, for the map in south Phoenix, the district of -- there's something -- we considered keeping whole Roosevelt School District and the Laveen School District.

And so when people naturally think of south Phoenix, they think about those, that entire geographical area.

So we did want to make sure that we kept Laveen
and Roosevelt whole.

And there's a large African American community there in south Phoenix.

We also, in that boundary which we did, we stopped at Van Buren.

We wanted to include Carter High School, because it was the African American Black high school in Phoenix for years before African Americans were allowed to go into the Phoenix Union High School District. That was an important thing for them, and so that's why we wanted to make sure we included that area just south of Van Buren.

And Carter High School, for you folks that don't know, is off of Eighth Avenue.

So we wanted to make sure that was included. That was important to them, so we wanted to make sure that we got that -- that location in our maps.

On the west side, we wanted to make sure we kept Tolleson Elementary whole, Littleton School District whole, and that would be in what I would call the lower half district map on the west side.

You have one that's upper.

We wanted to make sure that we included parts of old Avondale. And old Avondale is what is Buckeye Road, north and south for about, I would say, all the way up to Van Buren and all the way just a little bit south past
Lower Buckeye Road. That community has been there for many, many years.

If you talk to Latinos that are familiar with the west valley, they'll mention Cashion. They'll mention Avondale, old Avondale.

They'll mention Los Lagos, which is that area just north of Lower Buckeye -- actually just south of Lower Buckeye. Along from El Mirage Road to Litchfield Road.

And so that community there has been there for -- since, I would say, 60, 70 years, at least.

We wanted to make sure that we included those communities, because it's so similar to the communities that are just west of it. And, and if those areas were put in areas that are identified as such as Goodyear, Litchfield Park, it would disenfranchise those communities there.

The whole population, economic and socio values and comparisons are so vastly different, it would just be disenfranchising those communities there.

So that's why we wanted to make sure that we kept them with other parts of similar, like those communities.

We also wanted to make sure we kept Fowler school district, which is in southwest Phoenix, that's on the lower district map there.
And that community has been around for a very long time.

Santa Maria is another old neighborhood that's been there for many, many years, 50, 60 years. That's off of 67th Avenue and Lower Buckeye Road.

That community there, there's been a lot of growth around it, but it is a large Latino population still, but Santa Maria has been there for many, many years before any construction of new homes was done in the last 10 to 15 years.

So we wanted to make sure we included that area in with population that was quite similar with them.

We then want to make sure that Isaac School District remained whole.

Now, I believe there's been some conversation with Isaac School District, they're requesting a letter from the Arizona Minority Coalition so that they can officially approve the map that -- this most recent revised map that we have.

So we're going to get to doing that.

We're also going to try to seek official approval from some of the other school districts.

Isaac, Fowler School District, Laveen and Roosevelt, Tolleson Elementary, Pendergast, Alhambra, some of those other school districts that are within these
boundaries on these three maps.

Going to the other district that is just north of Thomas, we wanted to make sure that we kept as much of Cartwright School District whole.

The entire Pendergast School District is in, is in the upper map, I believe.

I believe there may be a small portion that's not, but I don't believe it's a, it's a major issue.

Pendergast, all of you know, has been out there -- I believe that school is at least 40, 40 to 50 years old.

That started off as a school -- the building is probably old -- as -- there were a lot of migrant farm workers that went out there, and myself, because I was a -- I used to do that when I was younger.

All those -- all that area was agricultural, but we did have a population base there. And so we want to make sure that Pendergast remained in a community that was similar to what it used to be.

And then there is a large Latino population in that area. The census, you know, obviously shows that.

We wanted to make sure that Alhambra School District remained as whole as we could. And I believe that we've done that. There may be a small section east of Grand Avenue that's not in there.

But Mari Alvarado is on the Alhambra Elementary
School Board as well, has been on LULAC, as well as being a member of the Arizona Minority Coalition. And she's very much in support of these maps.

And I believe we kept a portion of Glendale Elementary is in the historical Glendale area.

I think -- I think that's all that we -- I have for today.

I also wanted to state, I know that the Hispanics For A Better Government proposed a congressional map for the Phoenix area, and we are very much supportive of that.

It's not by coincidence that if you took that congressional map and put it over these three districts, it's almost similar.

And that's because, you know, of the nature of the communities there. They're largely Latino. They're largely the same communities of interest that we've been talking about to the Commission about the legislative maps. It is the -- an area that such as the west side in south Phoenix that see themselves as communities.

And so it's not, it's not surprising to me that if you did put the congressional map over, over these three districts, the latest ones, that it's very much similar.

So with that, I think we -- I think I've covered everything that we wanted to cover.

We used, we used compactness. As you can see,
these maps have no little fingers sticking out trying to include, or just blocks, or whatever.

We -- if you look at it, the district in south Phoenix uses 48th Street.

But it does include the town of Guadalupe, because the town of Guadalupe feels more in common with south Phoenix than it does with the communities that are east of it.

The long squiggly line along the bottom is South Mountain, South Mountain Park.

And so, you know, that's why, so, so, up and down, up and down on the side.

And then it just follows straight up 48th Street, goes across Van Buren, and then goes down, because quite frankly that area -- you know, we needed to make sure that we kept the districts of similar population, which is part of the criteria that you have to use.

Then on the west side we used 19th Avenue. We just cut straight down along Thomas more or less, and then just went west all the way to Avondale. And, and we kept, kept part of the Agua Fria River there on the west side on that northwest corner.

So we did use geographical boundaries on that, on that location.

And then for the other largely Latino community,
we still kept west of 19th Avenue and, and just went straight until we got to Grand and just went up Grand.

And so we used, you know, those types of infrastructure dividing lines, such as Grand Avenue, and then included historical Glendale, and that went straight across and straight down.

And those, those populations are very similar. There's not much difference in population.

I think it meets the criteria that the Redistricting Commission is going to have to consider. So with that, that's the end of my presentation.

I'm so sorry, I didn't mean to do that, but, but I'm open to questions. I'm not sure if you have questions.

CHAIRPERSON MATHIS: Thank you very much. I'll check.

Commissioners, do you have any questions on the presentation or comments?

COMMISSIONER STERTZ: Madam Chair.

CHAIRPERSON MATHIS: Mr. Stertz.

COMMISSIONER STERTZ: Mr. Miranda, thank you very much for all of your hard work and for what the Arizona Minority Coalition has been doing.

Does the Arizona Minority Coalition have a website?

RICHARD MIRANDA: No, we do not.
COMMISSIONER STERTZ: Is there a list of -- you gave us a pretty long laundry list of folks that have been involved in this over the course from November through currently and going forward. Is that possibly something that you could prepare --

RICHARD MIRANDA: Absolutely.

COMMISSIONER STERTZ: -- and submit that through --

RICHARD MIRANDA: I can get that to you the early part of next week.

COMMISSIONER STERTZ: That would be very helpful. There was an article that was published a couple of days ago where you were mentioned regarding -- and I wanted to see whether or not you read the article. It was an op-ed piece.

RICHARD MIRANDA: Was it the Daily Star?

COMMISSIONER STERTZ: It was in the Daily Star, and I think it was in the Republic as well.

It had to do with percentages of population in these districts.

I wanted to see whether or not you'd read it and had any comments on whether or not the logic behind the article is correct or --

RICHARD MIRANDA: I didn't read the article, but I know more or less what the article is about.
I think it quoted something around 66 percent at least to try, to try to get these majority-minority districts, especially in the Phoenix urban area.

Now, if I can just go back just a little bit, obviously we are one of nine states that have to get precleared.

And in our talks with the Department of Justice, they obviously are going to be looking at the ability for a minority population to select a candidate of their choice.

I think the -- it's not only population, but voting performance, I think, is at the -- the Redistricting Commission has to take into consideration.

I think if you're looking at 58, 59 percent, I don't think is going to get the job done.

If you look at, if you look at the districts that we have now, there's truly only two majority-minority districts, and that's District 16 in south Phoenix and District 13.

The minority population has, has not been able to select candidates of their choice. It's, it's disenfranchised a large Latino population in west Phoenix. And, of which Isaac School District is part of.

And so with that in mind, I would think, I would think at least 66 percent is what you are going to be looking at, if not higher.
Now, my district went from 61 percent, 62 percent, and now it's almost 71 percent.

Latinos tend to naturally stay within communities that are similar to us.

And so in trying to draw district -- legislative district maps, it would be hard to not keep -- have a high percentage of Latino population given the fact that we're so compact, that -- and that we are communities of interest, that it would -- it would be very hard not to do that.

And, keep in mind that the Department of Justice still has to preclear these maps.

It's just -- I think that we can also look at the maps that were objected to by the Department of Justice that was in Texas just this week.

It -- their objections were raised the question about the ability for a minority population to select a candidate of their choice.

And so with that, I think the minority coalition is trying to make the members of the Commission understand the communities of interest out there, and understand we are going to be at a high percentage, just simply because, you know, we don't tend -- we're not a population that is in high numbers in rural Arizona, some other part.

But we have high concentrations in the Phoenix urban area. And we have high concentrations in the Tucson
area.

And we do have some high concentrations in Yuma
and Somerton, but I'm not here to speak on them. I'm here
to speak on the Phoenix urban area.

You're going to find it's almost -- I don't know
how the Commission is going to not have high concentrations
of Latinos in some of the, some of the, some -- and to the
point where it is going to be possibly 70 percent.

Because we're just that high in concentration in
small areas. And we feel we are communities of interest.
And, and so, I -- you know, the 66 percent, you know, I
think because of the way we have drawn these communities,
you're going to looking at 70 percent.

In south Phoenix alone, these maps have 15 percent
African American, plus 55.4, something like that, of Latino
population, which is over 70 percent.

And you're going to find that in these two other
districts, simply because of the compactness of the Latino
population.

COMMISSIONER STERTZ: Madam Chair.

As a follow-up to that, am I reading the chart
correctly that in District 16 you're currently, as it's
currently designed, you've got 59.75 percent HVAP
populations, in 13 71.62, and 14 70.38?

RICHARD MIRANDA: Yes, you are right.
I apologize. I think I was speaking -- I was referring to voting age population.

COMMISSIONER STERTZ: Okay.

RICHARD MIRANDA: But, yes, you're right on those figures.

COMMISSIONER STERTZ: And what would the voting age population of those -- you've got of a gross population of 71.62 percent in 13, in your district. What would the HVAP population be?

RICHARD MIRANDA: Well, in the southern district, the voting age population would be somewhere around 69 percent, I believe.

COMMISSIONER STERTZ: Okay.

RICHARD MIRANDA: And it would be similar in that northern district on the west side.

You've got the north-south district.

It would be pretty similar.

Again, it's compactness.

It's -- we're a minority population there.

COMMISSIONER STERTZ: In regards to -- you are a sitting legislator.

RICHARD MIRANDA: Yes.

COMMISSIONER STERTZ: Do you think that it's -- and you are also a participant in the Arizona Minority Coalition.
RICHARD MIRANDA: Yes.

COMMISSIONER STERTZ: Do you think that it would be positive for other sitting legislators -- because this, this -- the district that you're talking about is the district you currently hold.

RICHARD MIRANDA: Uh-hmm.

COMMISSIONER STERTZ: Correct?

Do you think that it would be positive for the other legislators to be bringing testimony in regards to mapping of their own areas and districts to the Commission?

RICHARD MIRANDA: I believe everybody has a right to come and speak on behalf of their communities.

And I don't know who you're referring to, but --

COMMISSIONER STERTZ: I'm not referring to anyone. I'm just wondering whether or not you would think that would be a -- something that would be positive for other sitting legislators to bring forward their comments and maps.

RICHARD MIRANDA: I think as someone that's from those communities, I think they're entitled to come and speak about their communities.

I was born and raised here in Phoenix, so I kind of know pretty much --

COMMISSIONER STERTZ: I'm sure that you know your neighborhood very, very well and that your testimony is
invaluable and the work that you guys put together is invaluable.

Is this the same minority coalition that sued the previous Commission?

RICHARD MIRANDA: You're talking about a coalition ten years ago. No.

It's -- it may have some folks in it, simply because they might be around at the time. But it's a different dynamics of people.

No, it's -- there may be a few folks in it, but, in my opinion, this is more inclusive.

COMMISSIONER McNULTY: Madam Chair.

I'd just like a point of clarification from legal counsel.

I'm not sure if these -- some of these are mapping questions. And I'd like legal counsel to be cognizant of the issue, please.

Thank you.

I do have a question for Mr. Miranda.

RICHARD MIRANDA: Yes.

COMMISSIONER McNULTY: As I look at the data that you've given us, the HVAP is the first, second, third, fourth, fifth, sixth column over.

District 16 is shown as 54.79 percent HVAP.

District 13, 67.1.
District 14, 64.4.

So I think it is -- I think you do have -- I think you have given us the information here.

RICHARD MIRANDA: Okay.

COMMISSIONER McNULTY: Do you have any sense of how that relates to the current benchmarks for comparable districts in Arizona?

RICHARD MIRANDA: I would --

COMMISSIONER McNULTY: Is that something you have looked at in the analysis?

RICHARD MIRANDA: I'm not sure about the current percentage, in my community right now, what the Hispanic voting age population is.

I would think it's very, very similar. Like I said, my community has increased almost up to 71 percent, total Hispanic population.

So I think you'll find the numbers quite the same.

CHAIRPERSON MATHIS: Any other questions or comments?

COMMISSIONER STERTZ: Madam Chair.

CHAIRPERSON MATHIS: Mr. Stertz.

COMMISSIONER STERTZ: This is a question for legal in regards to meeting of the existing baseline numbers.

In looking at current baseline for District 13, as I read the map, it's 68.27 percent.
Would it be -- would there be a -- in your opinion, for to prevent retrogression, would we actually be looking at increasing the HVAP percentage for District 13?

As it's been presented by the Coalition.

MARY O'GRADY: Commissioner Stertz, and just to clarify, your 13 corresponds with the present 13, more or less. And so your 13 is at 67 -- excuse me.

COMMISSIONER STERTZ: 67.1.

MARY O'GRADY: 67.1 HVAP. And current 13, if it's the same basic geography, is 68.27 HVAP.

In terms of whether it needs to go up or down to avoid retrogression, again, the general standard that we're meeting is that we have to preserve the opportunity to elect the preferred candidate of choice.

And I don't know sitting here what that number is going to be to preserve, because, again, as we talked yesterday, it requires an analysis of, you know, which voters are in that district, and what's the degree of racially polarized voting, what's the turnout.

And so I can't tell you sitting here whether that number might be able to go down and still preserve the opportunity to elect or whether it needs to be increased to preserve the opportunity to elect.

And in addition to Hispanic, you look it at coalition voting among the minority voters in the area to do
the analysis.

And I don't know if the mapping consultants want to supplement those comments at all.

KENNETH STRASMA: If I may, and to that end, if I may direct the question to Representative Miranda, do you know if the file is available electronically of this map?

RICHARD MIRANDA: Yes. I did send it in, and don't have my flash drive with me.

KENNETH STRASMA: I beg your pardon?

RICHARD MIRANDA: I did send it in. I did e-mail this in.

And, but I didn't, I didn't bring my flash drive if that's what you're asking.

KENNETH STRASMA: Okay. If we could work with you to get a copy electronically to --

RICHARD MIRANDA: I thought I had, but I'll resend it.

KENNETH STRASMA: Mr. Desmond, would you clarify?

WILLIE DESMOND: Like, we were wondering if it would be possible to get the shapefile or a block equivalency file, so that we can load the plan on Maptitude --

RICHARD MIRANDA: I'm not sure, but I'll work on it.

WILLIE DESMOND: Not just like the picture, but
the actual --

RICHARD MIRANDA: Okay.

WILLIE DESMOND: So we can put it on our maps and --

RICHARD MIRANDA: Sure. I'll try to get that to you by Monday or so.

CHAIRPERSON MATHIS: Any other questions or comments?

VICE-CHAIR FREEMAN: Madam Chair.

CHAIRPERSON MATHIS: Mr. Freeman.

VICE-CHAIR FREEMAN: Representative Miranda, thank you for this information and helping us construct these districts.

Your group constructed three minority-majority or so-called benchmark legislative districts.

Did you look at -- look into creating any other districts in the state, either Phoenix, Yuma, or Tucson area?

RICHARD MIRANDA: We did look at the old east Phoenix area.

And old east Phoenix, for those of you that don't know, and I grew up in that area, it's become -- it wasn't heavy Latino, but over the last 25, 30 years, it's become -- and we're talking about Creighton School District.

We're talking about Phoenix Elementary School
District 1.

It's the Kenilworth and some of the others.

But we decided to concentrate on these three districts.

VICE-CHAIR FREEMAN: Are you aware of people, community leaders, people out there who we could reach out to in other parts of the state to help us construct these minority-majority maps?

RICHARD MIRANDA: I will certainly try to volunteer some names so they can come and speak.

VICE-CHAIR FREEMAN: Thanks.

CHAIRPERSON MATHIS: Any other questions or comments?

(No oral response.)

CHAIRPERSON MATHIS: Okay. Thank you very much.

RICHARD MIRANDA: Thank you very much. Thank you for having me first.

CHAIRPERSON MATHIS: We actually have a member of the public who would like to comment on this particular presentation.

And just to let everyone know, if there are -- if you would like to comment on this presentation only, you are welcome to do so at this time. But we're only taking comment on this presentation.

David Cantelme, Fair Trust, from Cave Creek.
DAVID CANTELME: Madam Chair, members of the Commission, I'm Dave Cantelme from the town of Cave Creek representing Fair Trust.

I'm sorry, let me adjust that.

I rise to speak in support of the process that Legislator Miranda has gone through in developing these maps.

I want to reserve comment on the substance until we can study the numbers. Like Ms. O'Grady, we believe that it's essential to do the comparisons to benchmarks to make sure that the Latino members of these districts actually can elect the candidate of their choice.

And as you all know from earlier presentations, the Department of Justice will focus on not just results but also on process.

And on process I do want to make some comments on what Representative Miranda's group has done, because I commend it.

It sounds to me as though they've done an awful lot of outreach. And outreach is critical.

Second, it appears that they have followed the neutral criteria in drawing their maps.

And by that I mean, of course, compactness, contiguity, community of interests.

It's clear from the discussion that they focused
substantially on communities of interest in these old and
well-established parts of the Valley.

And in that respect, they appear to have followed
the Department of Justice guidelines. I know Mr. Miranda
said that they had been in contact with the Department of
Justice, and it appears evident to the process that they
followed.

I want to point out from the guidelines that were
published by the Department of Justice in the Federal
Register, Volume 76, No. 27, on February 9, 2011, the
factors that seem to coincide with what Mr. Miranda and his
group has done, one is to look at, quote, differing rates of
electoral participation within discrete portions of the
population and how they impact the ability of voters to
elect candidates of choice.

Second, whether minority populations have been
reduced.

And third, and this is the one in which I want to
give emphasis because I think sometimes it's not given
enough emphasis in consideration of voting rights
compliance. And that is whether the proposed plan, quote,
departs from objective redistricting criteria set by the
submitting jurisdiction, ignores other relevant factors such
as compactness and contiguity or displays a configuration
and inexplicably disregards available natural or artificial
boundaries, and whether the plan is inconsistent with the jurisdiction's stated redistricting standards, end quote.

And that means, to me, that it is critical that the state constitution's neutral criteria be followed, as well as an analysis of benchmarks and ability to elect and all the rest of that.

Because process matters to DOJ as well as actual results.

In that respect, I think Mr. Miranda's group has done quite well, and I do rise in support of him.

Again, reserving comment on actual results until we've had a chance to study the numbers.

CHAIRPERSON MATHIS: Thank you.

Okay. I think that's our only comment that we have on that presentation.

And I don't know if there's any other presentations to give.

Is that right?

(No oral response.)

CHAIRPERSON MATHIS: Okay.

So, that takes us to item three on the agenda. And I'm just looking at this to see what we have.

Okay. So review, discussion and direction of mapping consultant regarding ideas for possible adjustments to congressional grid map based on
constitutional criteria.

So it seems like we were only together a short time ago.

And I'm not sure how much our mapping consultant had time to do any additional mapping for us.

WILLIE DESMOND: I do not have any additional congressional since yesterday.

I spent several hours working on some of the legislative things.

CHAIRPERSON MATHIS: Uh-hmm.

WILLIE DESMOND: Unfortunately I don't have a finished product, because there was a lot of changes to do to the legislative.

I guess, what we could do for congressional, review some of the previous plans. You know, I'd be happy to work through anything anyone might be curious of right now, or, or we could go and take a look at some of the legislative stuff too.

And I guess I would just like to say that for next week we've been talking, and just to handle the capacity and, you know, for the pace that we're planning on going next week, I think our tentative plan is to continue with me doing all the mapping, just as I've kind of learned how these things have progressed and makes sense to try to keep that consistent.
A lot of my time so far has been spent getting the packets ready, getting the layouts, creating the support tables and charts.

So I think what we're planning on doing is having some other people on our staff handle all those things once the maps are created.

They'll work late into the night after I'm, after I'm done having everything ready for the next morning.

And then they'll send it off to the IRC staff who will be able to then print it and get it all ready to go for the meetings the next morning.

So I'll hand it off to them around midnight, they'll work from midnight to the early morning, and then the staff will come in and get everything ready to go for meetings that day.

I just, I guess, to let you know that there will be -- there is a plan in place to make sure we're able to get everything done next week that we need to.

CHAIRPERSON MATHIS: That's great. Thank you. And you'll be here all week next week; is that right?

WILLIE DESMOND: Yes.

CHAIRPERSON MATHIS: Here? Okay.

So do commissioners have any thoughts on anything we talked about yesterday with congressional grid maps or new ideas that we want to discuss now?
Or anything you'd like Mr. Desmond to pull up and
go over?

COMMISSIONER McNULTY: Madam Chair, I don't at
this time.

I think it's important that he have the time to
pull these maps together for us.

CHAIRPERSON MATHIS: Right.

I see many heads nodding in agreement. Okay.

So, and given that legislative, I know you've
gotten direction from some commissioners, and you're working
hard on those, and there's a lot to do on those since
we've --

WILLIE DESMOND: My process so far has been to
just work on them in the order in which they were presented.

So, as a result, I've been working on some changes
that Commissioner Freeman has asked for. I've made a lot of
progress on that, but we're not quite there. On some of the
Maricopa districts.

So, if you'd like to see where it is in progress,
we could do that.

If not, I understand the directions going forward.
It might be better just to look at it once it's completed so
as not to confuse anyone with the halfway done plan.

VICE-CHAIR FREEMAN: Particularly me.

CHAIRPERSON MATHIS: Yeah, I'd like to just note
that on these congressional grid maps, I mean, there are
great elements in all these versions. And to the extent
practical, to borrow a phrase from our Constitution, I would
like to combine into one, take the best of all the maps, and
try to begin looking at, you know, one map that we can all
then start to adjust lines from.

So I'm going to be looking at that this weekend
and sending something to Mr. Bladine that can go to
Mr. Desmond and the rest of the commissioners.

Okay. On that, is there anything else then on
agenda items three and four that anyone wants to raise at
that time?

(No oral response.)

CHAIRPERSON MATHIS: Okay.

Lunch time.

It's 9:54, so we're early for lunch.

Executive director's report? Is Mr. Bladine
around?

I guess he's right outside the door.

We'll need him to do that.

And then also the future meetings and agenda
items.

We could ask counsel, is there any update on the
attorney general inquiry?

MARY O'GRADY: Not today.
CHAIRPERSON MATHIS: Okay.

So it looks like this really will be a snow day, because we have the executive director's report and then public comment. And then I think we'll adjourn and get to work individually.

RAY BLADINE: Sorry. I was out there catching up on e-mail.

CHAIRPERSON MATHIS: No problem.

RAY BLADINE: I thought the first thing we might do is Kristina and I have been working on setting up as much as we can for second round public hearings.

And I thought we would it just give you a quick briefing of some of the things going on.

And then perhaps we could also fill you in on some statistics that we have in terms of public input and finally just confirm the agenda for next week.

Kristina.

KRISTINA GOMEZ: Thank you.

So far we've had several cities who have contacted the office and have offered their facilities, so it's mostly from cities around the state.

We've had the city of Chandler, Bullhead City, Eastern Arizona College, Flagstaff, the Navajo Nation, and recently we've also been in contact with the folks in Prescott as well.
So different parts of the state have really come together to help us get started on the second round of public hearings. So hopefully it will be easier the second time around.

As far as with videoconferencing, I have been in contact with ASU. And we, myself, Buck, and Ray, had a telephone conference with them.

And unfortunately they won't be able to help us during the second round of public hearings with videoconferencing.

Right now they informed us that their staff is stretched really thin so they won't be able to help out. I did contact U of A, and they are doing some research right now to see what they can do to help out.

We've also been in contact with a streaming company. With this company, we, Buck and I, we spoke with them briefly.

And the problem with this company is that they need advance notice a few weeks. So we're not sure if that's going to work out.

But the cities and towns that I have spoken to have mentioned that they do have video recording capabilities and streaming as well. So that will help us out.

As far as round two, staff has plans on having a
packet. And I've spoken to some -- I've spoken to the mapping consultants as well as legal counsel. And what we plan on having is a welcome letter from our chair, a summary of the time line of events that have happened with the Commission, such as the grid map -- I'm sorry, the first round of public hearings, the grid map, where we are in the process currently, and so forth.

The next item in this packet would be the actual draft plans, so it would be a draft congressional and legislative plan, followed by our public input form, which may have to be revised to accommodate folks' input regarding the draft plans.

And, finally, the last page will be information on our website.

So that's in process right now.

Lastly, our outreach/media plan, Stu and I are planning on developing a plan for publicizing second round public hearing schedule.

The last time people asked if we can give them some notice of these second round of public hearings, so Stuart and I will work on giving some notice to the public so that they can share this information with their communities.

So that's where we are right now.

CHAIRPERSON MATHIS: Great. Sounds like you're
giving a lot of thought to this.

Do we have any questions or comments on what Ms. Gomez just presented?

VICE-CHAIR HERRERA: Madam Chair.

CHAIRPERSON MATHIS: Mr. Herrera.

VICE-CHAIR HERRERA: The company that you mentioned that you were trying to coordinate with that needed advanced notice, is this a local company?

KRISTINA GOMEZ: I think it's a private company. It's a government streaming company.

They work with federal agencies, and they work with state and cities as well.

VICE-CHAIR HERRERA: But you don't know if it's a local company.

KRISTINA GOMEZ: No, it's not.

VICE-CHAIR HERRERA: Is there any way you can -- is there a local company that does similar work being considered?

KRISTINA GOMEZ: We can check.

VICE-CHAIR HERRERA: I would appreciate that. Again, I would appreciate that when we spend taxpayers' money, if we can be as local as possible whenever possible.

KRISTINA GOMEZ: And Ray just informed me that Buck is researching that right now.

VICE-CHAIR HERRERA: Thank you.
CHAIRPERSON MATHIS: At one of our last meetings we talked about the start date for the second round of public hearing.

And I know that's a moving target. It's very difficult to commit right now to different dates. But, to the extent practicable or possible, I would like to do that.

I know that we talked about October 3rd initially, but then it -- well, we first talked about September 26th. But then we moved for October 3rd, that week, but we weren't sure we really have draft maps that we felt enough analysis had been done to go out and present to the public.

So then it also become clear the 7th and 8th, it sounds like, are holidays.

And that means the week of the 10th, that's a Monday, would be our start.

And what -- one idea could be that we aim for that date, starting the 10th, and just start scheduling those hearings.

If by chance we are done and feeling comfortable and confident earlier and have draft maps to present, and all the public input packets are ready and everything, we could begin, you know, earlier, that week of the 3rd, just put in, you know, one or two hearings that week, like the 5th and 6th I was thinking.
So Wednesday, Thursday. But those would have to be hearings that could be easily kind of, you know, on schedule that pretty late notice.

And I know that doesn't allow for a lot of time then for advance press. So it's really, it's a challenging situation. Do other commissioners have thoughts on that start date?

KRISTINA GOMEZ: Excuse me, can I make one more point?

CHAIRPERSON MATHIS: Sure.

KRISTINA GOMEZ: October 10th is a holiday.

CHAIRPERSON MATHIS: Oh, is that -- that's Columbus Day.

KRISTINA GOMEZ: Yeah.

CHAIRPERSON MATHIS: Okay. So it would be starting October 11th, which is a Tuesday.

KRISTINA GOMEZ: Right.

CHAIRPERSON MATHIS: And, oh, and by the way, I don't know if I wanted to raise this, if other commissioners saw this. I think Mr. Drechsler sent around a revised timeline, because if we are going to push it back this far, that obviously affects the timeline for completion.

So we should have received an e-mail, I believe,
from Mr. Drechsler that went out that shows kind of that revised timeline, if this is what we do.

RAY BLADINE: Madam Chair, that is correct. I think last week Andrew updated the schedule, and if it was a delayed start, here's what it would do.

And I think that went to all of you, if I remember right.

And I just wanted to comment.

I think if we set a date, we could do the vast majority of planning for whatever that is.

But you're right, if something gets decided earlier, then we can try to find some easy locations to get some hearings set and do the best we can on that.

We've also talked when it comes time to actually setting the meetings to try to get a couple other people in the office to help make those calls and arrangements. So we'll try to compress as we can, getting meetings set up.

Probably the hardest part would be getting public information out.

But, again, we should be able to get it -- if we have a date, we should be able to get it out for the vast majority of the hearings long, you know, long before we get there.

CHAIRPERSON MATHIS: Any thoughts from other
commissioners on this?

COMMISSIONER McNULTY: I think that would work well. That makes a lot of sense to me.

And I like the idea of if we did -- if we do finish earlier than that and we have draft maps ready, it seems as though, you know, we can't have too many hearings in the metropolitan areas.

We're working hard to get all over the state in the rural areas, and those are hard to set up. But if we started earlier with something in the Phoenix metro area, or the Tucson metro area, or the Casa Grande area, even if we did, you know, those hearings again, later in the process, I don't think that that would be redundant in any way.

I like that idea.

RAY BLADINE: I think the other thing that I'm more hopeful that will make life easier for us this time is we really have had a lot of cities come forward early on and offer their facilities and indicate that they have streaming.

And then also having this connection, it appears that it's going to work in eastern Arizona, to link us, some of the smaller cities, so if we can start working on those on a fixed schedule, I think that will, that will help a lot.

If we can do that, we might be able to do double
meetings.

But I -- so far we haven't quite figured out how to make that work. But we're not giving up on that.

CHAIRPERSON MATHIS: So, could we aim for, as commissioners, October 11th as a sort of official start date, but if, you know, we do actually finish earlier we actually could possibly have something the 5th or 6th? Does that sound reasonable?

VICE-CHAIR FREEMAN: Yes.

CHAIRPERSON MATHIS: I see one thumbs up and I heard -- okay.

And Mr. Herrera is nodding.

Okay.

So that's -- so if that would work for you guys then, October 11th, which is a Tuesday, would be the official start.

RAY BLADINE: And we'll keep tracking, and if it looks like we can do something earlier, then --

CHAIRPERSON MATHIS: Right.

RAY BLADINE: -- we'll do it, but we'll prepare for the 11th.

COMMISSIONER McNULTY: Madam Chair, could I ask Ms. O'Grady a question, just remind me the 30-day comment period starts when we release the maps or when we starting hearings?
MARY O'GRADY: When you approve the draft maps.

COMMISSIONER McNULTY: When we approve the draft maps. Okay.

So if we were to approve one map before the other map, the 30 days would really begin when we approve the second map, because it's when we approve both maps, I mean, from a practical perspective?

MARY O'GRADY: I don't think the constitution is really explicit on that --

COMMISSIONER McNULTY: But that's the way it would work because --

MARY O'GRADY: As a practical matter, it seems like we're having one round of hearings. And I can look at the language and see if we can run the clock separately for the two plans.

COMMISSIONER McNULTY: I don't think we need to do that. I'm just thinking that that's how if would have to work, because we couldn't, you know, have a 30-day comment period on only one map. Right.

We'd have to do both.

So the later we start, the later the 30 days ends, or the later we release the draft maps, the second of the two, if we didn't release them both together.

MARY O'GRADY: I'm not sure that the clock couldn't run separately, because they are two independent
maps.

COMMISSIONER McNULTY: Okay. Thanks.

CHAIRPERSON MATHIS: I think that's an interesting concept too is decoupling those, and I'm wondering if that's something in the Commission what your thoughts are, have -- you know, say we get the congressional map done first, and would we want to go ahead and get that moving down the track and submit it separately from the legislative.

I would think the election director folks around the state would be pretty excited about that. But, just so they could at least have a sense on the congressional.

But I don't know what the legal ramifications are, or what are your thoughts.

VICE-CHAIR FREEMAN: Madam Chair, sounds like a good idea, but I do think we need to look at the constitutional language. If it says 30 days runs after the publication of the draft maps, if it's plural, to me that means both maps.

But if the language is a little different, then it could be interpreted different ways, then maybe we can do that.

CHAIRPERSON MATHIS: Maybe legal counsel can advise their thoughts.

MARY O'GRADY: Sure.

And even if the 30 day -- and I didn't have the
language in front of me, if it says draft maps, then it does
sound like we need to run it once.

But even if the 30-day comment is simultaneous,
you can certainly approve them after the 30-day comment on a
different time line. If you're done with congressional, you
could approve it. We could, you know, get that preclearance
going and then you can begin to work on legislative.

CHAIRPERSON MATHIS: Okay.

Any other comments or questions on that, or for
the executive director?

Well, he has other items, I think, he'd like to
present.

COMMISSIONER STERTZ: Madam Chair.

CHAIRPERSON MATHIS: Mr. Stertz.

COMMISSIONER STERTZ: The clock ticking on the
30 days, it's an interesting concept, but from the public's
perspective, we may be having -- we may be setting ourselves
up for having a public hearing, receiving public comment,
and only having one set -- one map actually produced and
approved.

I'd hate to have -- I'd hate to begin that trip
and then omit the first group of public hearings from being
able to have any public comment at that location about
whatever the map was at the time.

CHAIRPERSON MATHIS: Well, my thinking was that
we'd have the two draft maps for sure that would go out to
the second round of public hearing locations around the
state and people could comment on them.

I was wondering after that, depending on how much
adjustments and input we receive and what we decide we want
to do to those draft maps, if it seemed like the
congressional one was somehow able to move forward sooner,
and I'm only saying that just because there's nine
congressional districts versus 30, that it might be a
simpler proposition and maybe that could get sent out the
door sooner. But I didn't know.

COMMISSIONER STERTZ: But your intent would be
then, Madam Chair, to not begin public comment until both
draft maps were approved.

CHAIRPERSON MATHIS: Correct.

COMMISSIONER STERTZ: Okay. Just for a point of
clarification. Thank you.

MARY O'GRADY: Madam Chair I do have the
constitutional language in front of me now.

It says the Independent Redistricting Commission
shall advertise a draft map of congressional districts and a
draft map of legislative districts to the public for
comment, which comment shall be taken for at least 30 days.

And then it has some language about the
legislature being able to submit comments during that
period.

And that that, you know, the comments would then be considered by the Commission.

The Redistricting Commission shall then establish final district boundaries.

So it seems to talk about a -- you know, it does talk about separate maps, but particularly when you look at it in light of the legislature's comment period, it talks about a single comment, a single comment period during which the legislature can comment.

CHAIRPERSON MATHIS: Okay.

Okay. Any other comments?

And then otherwise, Mr. Bladine, continue with your executive director report.

RAY BLADINE: All right.

I thought I'd -- as you requested to be updated on public input, I'll give you a quick update and then I'll get the material I have here put in a short memo so you can all look at it and have it available.

From the electronic media, 182 people like us on Facebook.

207 are fans, non-fans, so 207 people have visited as from August 20th to September 18th. So I guess if you subtract 182 from 207, I don't think I want to know that number.
Ninety-three follow us -- people follow us on Twitter, and we've tweeted 175 items to date.

Online mapping, 115 online mapping users. One online mapping user submitted a plan to date.

Eighty-nine people registered for the webinar. I have that 50 webinar participants.

For outreach activity, 479 people have signed in to your Commission meetings and/or public hearings to date. 181 have completed the request to speak form, 85 have completed public input form, and 2,100 people have submitted public written comment as of September 15th. And we've had 16 requests for the production of documents under the public records request.

In terms of all meetings, total sign in to date is 479.

181 requests to speak, 85 public input forms, and 26 maps submitted to you from the public, not including e-mails and letters.

And that all is up to yesterday.

Having said that, I'll get this written up in a report so you can really look at it.

I know that Kristina had hoped today to have a book for you this morning, but I think it's going to be available this afternoon after you adjourn, that has all of the press clippings since the inception, since the beginning.
of the Commission, in one book, and then an update of additional material that has come into the office.

So we are still continuing to get a lot of input.

We've had an e-mail campaign that I would guess has generated, at least in my mailbox, about 150 e-mails saying that communities of interest is the most important activity.

Some of them are duplicates. We haven't sorted them out, but I think we should be aware that there has been a lot of community input on that via e-mail to our personal accounts.

And I think some of them are doubles.

I think Stu got some. Kristina would have, but they didn't know she started with a K instead of a C, so she didn't have to keep going through hers.

That activity is out there and that concern.

KRISTINA GOMEZ: Also on Tuesday we will be receiving binder number five, written public input.

RAY BLADINE: While she mentioned that, I'd just say I had no idea when we started this of the mountain of material we are sending to you gathering and documenting.

And I am very -- I feel very lucky that we are able to have some people that can do the outreach and also can go through and gather this material and prepare it.

It's, at least on our end, it's worked out.
I know it's been cumbersome for you, but we also can tell you're using it because of the questions you're asking.

So we will continue to do our best to get that out in a timely basis.

And obviously we're also logging on to Catalyst as quickly as we can so that it's available in a more searchable pattern.

One more. Okay.

KRISTINA GOMEZ: Buck just informed me that we have 1,365 e-mail comments on our website.

So that's much more than the 2001 Redistricting Commission.

RAY BLADINE: I think in terms of public input, that's all the comments I wanted to make.

I just wanted to clarify again and double check the meeting schedule for next week that we talked about.

And I think that the one question I don't believe we got answered was on Wednesday the 28th, will be from 9:00 to 5:00 p.m. in metro Phoenix.

And Commissioner Herrera has a conflict from 11:30 to 2:30.

Do we want to take a break during that time or -- which actually might give the mapping consultant a little time to do something. I don't know how much help it will
be. But plan to take a break from 11:30 to 2:30?

Unless I hear an objection, we'll go ahead and do that.

I might also, in the director's report and summary, Willie and I and I know Willie and Ken have had discussions too, and I don't know whether you talked about this, about how we can speed up getting some of the maps produced and back to you.

And we're going to work between the two offices to see what we can help do to expedite the production of material and Strategic is going to see what other people they can add to help Willie calculate numbers.

Willie still will be in charge, and then maybe under my director's report if they want to say something about what the director is going to be doing, this would be an appropriate time to do that.

COMMISSIONER McNULTY: Madam Chair.

CHAIRPERSON MATHIS: Ms. McNulty.

COMMISSIONER McNULTY: Mr. Bladine, I just have one comment about the agenda and the issue of the break. I would ask that you work with legal counsel to make the agendas in such a way that gives us the greatest flexibility so that we aren't precluded from doing something that we haven't noticed, but at the same time I think we can always, once we release agenda, if it makes
sense to adjourn to give the mappers time to work, that we can do that.

So I just ask that we write the agendas in a way that give us the most flexibility to do those sorts of things if necessary.

RAY BLADINE: Okay. I'll work with legal counsel on that.

My initial thought would be we just cover the whole -- we say when the meeting's going to start, we put tentative like we have, put a note in that says there may be a break between these times.

But it notices the start. We don't normally notice a finish, so I think we can accomplish that pretty easy.

CHAIRPERSON MATHIS: And I think we treat -- is it the 28th when Mr. Herrera has a conflict?

RAY BLADINE: Yes.

CHAIRPERSON MATHIS: We treat that day the same way, just instead of, like, putting in a block for two hours, just in case we do want to continue with the meeting.

RAY BLADINE: Okay. So --

CHAIRPERSON MATHIS: But if it works out --

RAY BLADINE: I'm sorry.

CHAIRPERSON MATHIS: But if it works out, and we
want to break during that time so the mapping consultant can
do things or whatever, he may.

RAY BLADINE: Okay.

CHAIRPERSON MATHIS: Again, the flexibility

RAY BLADINE: Okay. That's all I have.

Unless Strategic wants to make some comments.

KENNETH STRASMA: And Mr. Desmond did mention the
new system you described where we'll have the night shift,
probably between midnight and 5:00, doing some of the
reports that Willie has been doing himself.

Also I've been pleased with the number of requests
we've got in for different mapping formats. I think the
first grid maps we had up in, you know, two formats. And
now we're -- I believe it's ten different file exports that
Willie ends up doing for each map. So we'll be having
another team doing those.

And we'll be having that by, say, 5:00 a.m., and
then working with the IRC staff to get the package together.

It should help streamline things and keep Willie
from collapsing.

At that pace next week.

Also, if it would be appropriate, I wanted to add
a little bit to the report on the online mapping input.

In addition to the number of people who signed up
and the 50 who participated, we also had a great amount of feedback in terms of questions afterwards, which we've been following up on.

The two most common questions that came up were questions of the measures of competitiveness. And our answer on that was basically that the Commission has not adopted an official standard but everything the Commission was looking at we would endeavor to make available on the website.

Right now electoral results are up. Registration is not. But we'll be adding the registration data, so that's available online.

The second most frequently asked question was about the ability to upload maps that were made in other software, which is a very good suggestion. Apparently it's not a user feature right now in Maptitude, so we're -- have folks researching for that to upload maps.

CHAIRPERSON MATHIS: Great.

Isn't there a song Midnight to Six? Maybe it should be 6:00 instead of 5:00. Then Willie gets an extra hour.

Thank you. I'm glad that you guys have been able to figure out a way to make this work next week. I know it's crunch time.

RAY BLADINE: That's all I can offer.
But if there's questions, I would be glad to answer anything.

CHAIRPERSON MATHIS: Any questions?

COMMISSIONER STERTZ: Madam Chair.

COMMISSIONER STERTZ: Mr. Bladine, how are we doing on the budget?

RAY BLADINE: I did send some material to all of you last week. And basically I think I can give a summary that it looks like our balance was -- would be somewhere around 450, $420,000.

Anticipating the additional fees for Mr. King and anticipating additional legal fees.

I'll be looking, as I do every month, I talked to Megan Darian a bit little now, and she's going to help us go over the detail and make sure we still look good.

But at this point, depending upon what else happens, I think we're still in good financial shape.

COMMISSIONER STERTZ: Do you think that you'll be able to have something documented and distributed by early next week with some of the statistics that you just included?

RAY BLADINE: I think I did give you that, but I'll resend it out, at the last meeting.

CHAIRPERSON MATHIS: That might have been when Mr. Stertz was away.
Did we have that discussion then?

RAY BLADINE: Yes, we did.

CHAIRPERSON MATHIS: That's probably the problem --

RAY BLADINE: Well, I'll give you a call, and when we get -- the next cycle is going to be just after the 1st of September, when we had new figures. But I'll be glad to gave you a call and talk about the last report sent out.

COMMISSIONER STERTZ: Terrific. Thank you.

CHAIRPERSON MATHIS: Okay.

Any other questions, comments?

(No oral response.)

CHAIRPERSON MATHIS: Thank you, Mr. Bladine.

Thank you, Ms. Gomez.

That takes us to item nine on the agenda, call for public comment. And I have a few request to speak forms.

THE REPORTER: Madam Chair.

CHAIRPERSON MATHIS: Okay. Let's take a ten-minute break.

The time is 10:23.

(Brief recess taken.)

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

The time is 10:35 in the morning, and we are on agenda item nine, call for public comment. And I have a few
Our first speaker is Danny Sullivan, representing himself. And he'll have to tell us what city or county he's from.


And I'm in the Moon Valley area, which is along 7th Street, a little bit south of the 101 Loop Freeway.

And I want to talk about a couple of things.

Communities of interest is a huge item.

I've got friends and business clients in the Anthem area.

And in talking to them, and I know how I feel, there's a great deal of concern in regard to having somehow Anthem being separated from north Phoenix.

There's a lot of personal relationships. There's a tremendous amount of commerce back and forth.

When I have suffered through widening of the dramatic widening of I-17 to go from north Phoenix up to Anthem over the last year or so, it's become very clear. They didn't widen I-17 so everybody could go to Rock Springs and get some pie. They did it for Anthem.

And there's a lot of commuter traffic. There's a lot of just daily driving back and forth, because there are so many relationships, business and personal, between north...
Phoenix and the Anthem area.

So I really want to stress that that's -- you know, Anthem is a huge community of interest.

In regard to the 101 possibly being some sort of a congressional district boundary on the north, on the north side, I want to point out some things that I've discovered. Other districts and other areas that cover both the north and the south side of the 101.

Deer Valley Unified School District has almost 35,000 students. There are three high schools, two middle schools, and even two elementary schools within that district, to kind of put a fine point on it, that overlap on the north and south side of the 101.

So the 101 is going right through the middle of all those districts.

The Paradise Valley Unified School District also covers both sides of the 101 substantially, north and south with Pinnacle High School, two middle schools, and three elementary schools that cover areas on both the north side and the south side of the 101.

Both of our north Phoenix city council districts, Districts 1 and Districts 2 -- District 2, are also on both the north and south side of 101.

In fact, in speaking about Anthem, Districts 1 and Districts 2 reach all the way up to Anthem.
The Arizona Department of Transportation does a great job with our freeways. They have five engineering and maintenance districts.

One of those large districts is on -- covers both the north and south sides areas of the 101.

And I thought, you know, they built the 101, and they don't even see it as a logical boundary for anything. I'm not sure that the 101 is a logical boundary for much of anything.

But, if we took the 101 idea, of it being a boundary, off the table, I would still have to say that any boundary that splits Anthem away from north Phoenix just kind of flies in the face of the whole idea of communities of interest. Those two areas, that north Phoenix area and Anthem, are so tightly connected.

I appreciate your time this morning very much. I appreciate the hard work you're doing. I wouldn't want to be doing it. I don't envy what you -- the task that you've taken on.

Thank you.

CHAIRPERSON MATHIS: Thank you.

COMMISSIONER McNULTY: Madam Chair.

I just have one question for you, Mr. Sullivan.
Are you watching our hearings on the live stream?

DANNY SULLIVAN: I have, yes.

CHAIRPERSON MATHIS: Thank you.

DANNY SULLIVAN: Thank you.

CHAIRPERSON MATHIS: Our next speaker is Lynne Breyer, representing self and Marian Stoddard and David Bareiss.

LYNNE BREYER: Thank you, Chairman, commissioners.

I live in Scottsdale, and some of these maps are very troublesome to us in Scottsdale.

I'm speaking for me, but I also talk to a lot of people in Scottsdale.

We do not really think that the city of Scottsdale belongs in the same district as Apache Junction based on community interest.

I looked -- I've studied Prop 106, which is part of the Arizona Constitution.

There are seven goals that are supposed to be considered in this process of mapping.

Goal six simply says political party registration, voting history data, residents of incumbents and candidates may not be used to create district maps.

And goal seven says competitive districts are favored if they do not significantly harm other goals listed.
Goal four is the community of interest goal.

And it's that goal that I think has the most weight in this consideration.

People move into areas for a specific reason, and they have a lot of interest in common.

They have a government in common. They have schools in common. They have commerce in common. They have entertainment and cultural events in common.

There's an awful lot of common interest in Scottsdale that are not found in areas like Apache Junction.

So I do not believe that lumping Scottsdale in with Apache Junction is at all appropriate. I think they have very little in common.

I would like to see competitive -- I have been on the streaming live video, and I've also gone back and watched some of the archived ones.

And competitive, competitive, competitive seems to be about all I hear.

I think that is fine. I think we do need to be competitive, but not to the detriment of all the other things are, as this wording says, to the harm of other all these other things, particularly community of interest.

And that's my statement for myself.

I do have a statement from Marian Stoddard and David Bareiss from Sonoita, Arizona.
They have not been able to find a meeting close enough to them to go themselves, and they asked that I read this statement. So I'd like to put this on the record.

My wife and I, residents of Sonoita in Santa Cruz County attended one of the first IRC public meetings in Nogales prior to any concrete proposals or what-if maps were available on which to make comment.

Consequently most all of the citizens who addressed the board pretty much just congratulated the board on volunteering for the redistricting task and identified themselves with a number special interest groups for which they it pleaded attention for as yet unspecified concerns.

Two items which seem to be voiced by several speakers were competitiveness and the desire to have two or three congressional districts created which would border Mexico.

Leaving the meeting, we both concluded that the word competitiveness would become a popular term for the duration of the redistricting process and pondered whether they -- whether that word would join other political buzz words like fairness, social justice, corporate greed, et cetera.

Considering item one, I am forced now to conclude that competitiveness in the lexicon of redistricting means that the major parties believe this is their chance to
divide up the state by mutual agreement with total disregard to the interest of the citizens.

It seems that politicos truly have no interest in anything but winning control, and consequently supports the argument that the country is currently being run by what is described as the ruling class, professional politicos, staff, and office holders who feel comfortable in either major political party just as long as they are running things.

In redistricting, the concerns of the citizens who are grouped by land use and other interests, such as farming, ranching, tourist trades, mining, et cetera, are disregarded in favor of political affiliation.

This is in direct contravention to goal four of Prop 106 which states that boundaries should be defined by communities of interest, and not by voting history, that a party registration, et cetera, as stated in goal six.

In goal seven it clearly stated that competitive districts are favored only if goals are not harmed.

The thought -- the second thought repeated by several speakers at the Nogales meeting was that it would be a positive outcome if redistricting resulted in districts where a Hispanic would have an increased chance of being elected.

After 70 years of hearing about the unfairness of
racism and trying my best to eradicate any evidence of that in my personal and business life, I find it appalling that race is now to be considered as part of this process, thus making race an official consideration in elections.

Lastly and specifically in regard to Santa Cruz County, many of the what-if maps show the entire Santa Cruz County included in one congressional district. I would like to point out that Santa Cruz is definitely not one contiguous flat piece of land containing a homogeneous population with the same interest.

Santa Cruz is geographically divided by the ridge of the Santa Rita Mountains to the west and south lie Nogales and the I-19 corridor running up toward Tucson.

This area is generally below 4,000 feet elevation.

It's metropolitan, paved, population, and beset with all the problems that cities and suburbs seems to have.

The Sonoita-Elgin area to the east and north of the Santa Ritas is at 5,000 feet or higher, rural with ranches, wineries, and generous tracts of federal land. There are only three major paved roads of any length, no stop lights, and a single fire district serving a few thousand people spread over 350 square miles.

In short, the Sonoita-Elgin area is a community of interest decidedly different than the south and west of Santa Cruz County, and more properly fits with the citizens
of Whetstone and Sierra Vista in Cochise County. This is no more evidently apparent than in the stated desires of many residents to push for secession from Santa Cruz and joining Cochise County.

That concludes the remarks of Mr. Bareiss.

Thank you very much.

CHAIRPERSON MATHIS: Thank you.

Ms. Breyer, do you mind spelling your name for the record? Sorry.

LYNNE BREYER: My name is spelled B-R-E-Y-E-R, just like the ice cream.

CHAIRPERSON MATHIS: Thank you.

Our next speaker is Lauren Bernally-Long, analyst for Navajo Nation Human Rights Commission, from Window Rock.

LAUREN BERNALLY-LONG: Good morning, commissioners, Madam Chair.


Thank you for giving me this opportunity to present to you.

I just want to address two topics that were brought up yesterday with respect to Navajo Nation.

We definitely will be looking at meeting with the Hispanic groups, the Native American groups. We have that
in the planning process right now.

And the other item that I want to also bring up is that the Commission, the Navajo Nation, will also address the issue with respect to the preference of the congressional maps of NN1 and NN2.

That is all that I have to say, unless there's other questions that you have.

CHAIRPERSON MATHIS: Thank you.

Are there other questions?

(No oral response.)

LAUREN BERNALLY-LONG: Thank you.

CHAIRPERSON MATHIS: Okay. Thank you very much.

Our next speaker is Steve Muratore, publisher Arizona Eagletarian.

STEVE MURATORE: Thank you, Madam Chair, commissioners. Steve Muratore, M-U-R-A-T-O-R-E.

I have two things.

First, I wanted to reflect on Representative Miranda's comments, presentation, and the fact that Mr. Cantelme put it on record that he thought Miranda did a good job with outreach.

However, I don't believe that Mr. Miranda provided any evidence to show what that outreach was.

And that concerns me.

So if he can show that his outreach was what he
said it was, fine.

The other thing that I have is on behalf of the Arizona Competitive Districts Coalition. I've been asked to read a letter with concerns that they have about Maptitude.

On behalf of the Arizona Competitive District Coalition we need to bring several concerns to your attention about the Maptitude public mapping tool. As you are aware, our multi-partisan coalition sponsored a contest to promote public input to district drawing as well as civic education instruction to the public about the redistricting process.

More than 550 people have prepared, finished or at least attempted more than 1,000 maps with the software we used, called Redistrict Arizona. We are in continual contact with over 1700 people who are interested in the activities of the Commission, you guys, and the ongoing redistricting process.

While the programmer of Redistrict Arizona, Azavea, was one of the contractors that proposed to create a public mapping tool for the Commission and while we disagreed with the reasons that the Commission gave to use the Maptitude software, we have been strongly encouraging that the public use the Maptitude mapping tool to have their voices heard.

Our goal is to give the public a greater role in
proposing and scrutinizing maps that come before the Commission. As such, the public depends on a fully functional public mapping tool.

So we were shocked last week when we participated in the Maptitude training webinar to learn that functions which are key to public participation are not even included in this mapping tool.

And, by the way, Mr. Strasma did partially address a couple of these concerns earlier.

But, you know, until they're followed up on, they're still concerns.

At the time you reviewed the public mapping tool proposals, you were told that there were be a few differences between the three packages.

Evidently this is not the case.

We are requesting that the Commission take immediate steps to make sure that Maptitude resolves these problems as soon as possible, specifically these problems include the following:

Number one, there's no way for people who have been working on maps to upload maps. This denies those who have proposed -- or developed maps to continue their work on the new tool.

It is particularly unacceptable because the technology for uploading data text files is widely used.
The staff should either rectify the situation through Maptitude or offer to translate the maps of those who had previously saved maps as data files such that they can be viewed in Maptitude.

Number two, there's no way right now to easily share user's maps with other users. Nor is there a forum in which citizens can share ideas.

If part of the goal of the online mapping tools for citizens of Arizona to reach broad consensus on maps, then the Commission is only vulcanizing their ideas by not providing this feature. Further, this encourages the submission of hundreds of parochial ideas rather than a few consensus ideas.

Number three, competition is not evaluated by any method yet, putting the public at a disadvantage to the Commission when evaluating maps. This is especially true when decisions are being made right now that will determine the look of the draft maps.

Even if the Commission has not defined competition yet, several objective measures could be chosen to help public map drawers, such as voter registration and past election performances.

Number four, voter registration numbers are not available, whether tied to the issue of competition or not.
Number five, the Voting Rights Act data is not clearly labeled or demonstrated on the legend. As the public needs to understand and respond to the voting rights requirements, the Commission should make this clearer.

Number six, AIRC staff does not instruct users of Maptitude that DOJ requires no backsliding on levels of minority voting population density. The tools should alert users when this threshold is not met, just as it would with a district that does not meet equal population levels.

We as taxpayers, through our budget for the AIRC, paid $30,000 more for this software than even the next most expensive software.

While Redistrict Arizona included all of the features listed above at the lowest price, it is not our intention to argue a reconsideration of the contract.

However, it is imperative that the Commission instruct its staff to provide these basic features so that the Commission's online mapping tool can do what it was intended to do, allow the public participation.

And it's signed by co-chairs Roberta Voss and Ken Clark and Dr. Barbara Klein, who's president of the League of Women Voters of Arizona.

Thank you.

CHAIRPERSON MATHIS: Thank you.
Our next speaker is Lee Miller, general counsel for Arizona Republican Party.

LEE MILLER: Good morning, ladies and gentlemen.

My name is Lee Miller. I'm the general counsel of the Arizona Republican Party.

Some have come before you and asked that you qualify or filter the comments of others, because they perceive that there's some untoward political motivation behind those comments.

And then others come before you and assert that they represent self, and then are able to make a most thorough, most articulate presentation in favor of a map that has a comprehensive set of districts and also generates very predictable results.

On behalf of the Arizona Republican Party, I merely wanted to take a moment and let you know that as a party, when folks come to us for counsel on redistricting issues, and they do every day, we ask them to come to you, but come to you with two objectives in mind.

The first is to simply make comments that are reflective of the legal criteria for drawing the districts. But also to be open and clear about the motivations that they have in advocating for or against a particular map.

You may not hear from anyone on behalf of the
Arizona Republican Party before the end of this process ever again. Because our perspective is that while our work and your work are very closely aligned, they run in parallel, and, in fact, our interests don't cross.

But since I may not be before you again, let me thank you for committing the extraordinary amount of time that it takes to let anyone come before you and speak their piece no matter what their motivations.

Again, thanks for your service.

CHAIRPERSON MATHIS: Thank you.

Our next speaker is Wes Harris, P.C. captain LD6-28, from Phoenix.

WES HARRIS: Good morning. It's Wes Harris, W-E-S, H-A-R-R-I-S.

Let me get this up a little closer so you can hear me.

I was not going to speak today until I observed the Minority Arizona Coalition report. And it prompted me to remind you again about some of the things that I've talked about earlier.

Before I do that though, I would agree with Commissioner Stertz about collective LD officials coming before this court or this Commission to give their ideas without being self-serving.

I think that that's a positive thing, because they...
really know their districts a lot better than we do or you do.

And they can probably provide you, as the previous speaker did, with some details that were very pertinent.

Now, the one thing that I found interesting about this particular presentation was the population.

I'm curious as to whether this is current data or if it's old data and how it relates to the registration.

I think that needs to be given in order to make sense out of this.

But what's frightening about it, from my point of view, and that's the voting ghetto type of situation that we're confronted with. I'd like to see what the numbers were in 2010 for these particular districts, 16, 13, and 14, and what they are, and compared to what they appear to be now, which is an incredible 71.6 percent in one of the districts of a certain ethnic background.

Which, if that was less ten years ago, it would be evidence that this particular legislation has caused an unintended consequence, and that is the grouping of a bunch of people all in one group, as opposed to where we used to be spread out. We've become a salad bowl now rather than a melting pot.

And I would urge you to look at that.

And I don't know what the rules are specifically,
but my understanding of the voting rights issue is that you can't decrease what it was, but certainly if it was initially a district that had 52 percent, you wouldn't want it to be gerrymandered into 70 percent.

And so you would try to maintain that previous percentage, so that we don't create these situations where people who are in minority now -- if you look at the statistics here, we've got non-Hispanics, which I think this is NH Black. If that's not Black, I don't know what that means.

But we've got 31,000 compared to 127,000 Hispanics in District 16.

Those people are the disenfranchised ones, because now they're either going to have to move out to get their voice heard or the district itself has to be more competitive.

And we've talked about competitiveness. Does that, does that pertain to minority districts? Minority-majority districts.

Do they have to be competitive as well?

Those are the questions that I put to you. Because if I were sitting where you are, I'd certainly want to know those answers and be able to take a look at those districts and redraw them so that they're a little bit more competitive and still maintain the integrity of the voting
rights issues and legislation.

That's my whole thing.

Thank you very much.

CHAIRPERSON MATHIS: Thank you.

Our next speaker is David Cantelme, representing Fair Trust, from Cave Creek.

DAVID CANTELME: Thank you, Madam Chair, members of the Commission, for the opportunity to speak to you twice today.

It seems as though chronologically we're getting to the point now where you're going to have a very eventful weekend filled with homework in which you're going to try to reach a compromise, if possible, among what seems to be the two predominant versions of congressional maps.

And so in that respect I would like to give you a few recommendations, if I might.

One would be a recommendation on an approach. And the other will be some specifics.

And for that approach, I am trying to think of what is a good way to really listen to each other and try to reach a compromise.

And in doing that, of course the compromise must comply with the state constitution.

I was reminded of a speech that was given by Learned Hand. You might recall that Learned Hand was the
Chief Judge of the Second Circuit Court of Appeals for the United States.

He gave this speech in May of 1944, just before D Day. And the occasion of the speech was the swearing in of 150,000 people in New York City as new citizens of the United States.

And on that occasion, the Second Circuit took its duty very, very seriously, and tried to have one of the members of its court always attend and actually conduct the swearing in ceremony. It was held in Central Park.

So that setting up, let me read to you just an excerpt. It's brief, but it's really one that's very inspiring, and I hope it inspires you as it has me.

Quote, what then is the spirit of liberty? I cannot define it. I can only tell you my own faith. The spirit of liberty is the spirit which is not too sure that it is right. The spirit of liberty is the spirit that seeks to understand the minds of other men and women. The spirit of liberty is the spirit which weighs their interest alongside its own without bias. The spirit of liberty remembers that not even a sparrow falls to the earth unheeded.

And that's the approach I would very much recommend to you as you work hard on your homework assignments this weekend.
Specific points that I would commend you that I think are consistent with the state constitution and would provide good maps for all of Arizona.

First of course, you have to achieve the two obtainable benchmark districts.

I've said that repeatedly, and I don't think there's any disagreement with anybody in this room that that has to happen.

Second, two rural districts, wholly outside metro Phoenix and wholly outside metro Tucson. One in eastern Arizona. One in western Arizona.

Those features are found in both of the predominant maps.

But I would strongly urge in reaching that compromise, if it can be reached, that we give two fully rural districts to the million and a half residents that live outside metro Phoenix and metro Tucson.

It's time they've had their day.

In metro Phoenix, after complying with the Voting Rights Act, I'd like to echo what Mr. Sullivan said to you earlier, respect communities of interest, follow city lines, to the extent practicable.

In Phoenix, because it's so large, give some consideration to the way districts have been drawn, as Mr. Sullivan said.
You might also look at the Phoenix supervisorial -- or the county supervisorial districts, just to get the general trend. Obviously you can't model after them or copy them, but just the general trend of what makes good districting.

And the fourth point I'd like to make to you, please keep in mind the growth of the number of Independents and their effect on competitiveness.

It's not the same situation we had ten years ago where we didn't have as many Independents.

The experience of the last three elections has shown us that districts that were once thought competitive, or noncompetitive, in fact, turn out to be very competitive, in which we've had one party win in 2006, another party later on, or vice versa.

The reason for those swings back and forth, I think, can be laid right at the doorstep of the Independents.

And their numbers to me suggest that drawing the band too tightly doesn't make sense.

It may have made sense ten years ago. It doesn't make sense now.

Thank you so much.

CHAIRPERSON MATHIS: Thank you.

Our next speaker is Janet Regner, consultant for
Coconino County Board.

JANET REGNER: Good morning, members of the Commission.

My name is Janet Regner, and I'm a consultant for Coconino County.

And I'm just here today to kind of reiterate for you the comments that were made by chairman of the board Lena Fowler last Friday here in, in the Valley. So that as you go into your deliberations this weekend and next week, that you will keep these comments in mind.

Number one, the Coconino County Board of Supervisors supports the Hispanic Coalition congressional district map.

Number two, the supervisors support the river district maps. Version 6A and the subsequent versions so far.

Obviously there's going to be some changes as you continue your process.

They do have, excuse me, serious concerns about the whole counties and three border districts maps for the reasons stated by Chairman Lena Fowler last Friday.

We're hopeful that when the two maps are combined, as has been suggested, that the IRC will take seriously the points of Coconino County and their diverse interests and communities of interest.
We appreciate the work that's been done. We appreciate the perspective of the different commissioners on these maps as they're proposed today. And we're hopeful that as you come back next week we'll begin to see a merger of these maps where we can better further define the position of Coconino County.

Thank you very much.

CHAIRPERSON MATHIS: Thank you.

Our next speaker is Maureen Bayardi, representing self, from Phoenix.


And I am reiterating what Mr. Sullivan said earlier regarding the 101 as a boundary.

And I couldn't agree with him more.

I live just south of the 101, but many of the activities that I participate in, meetings that I attend, are north of the 101.

We have friends in the 101 that we visit with, and I feel that dividing us like that is basically splitting two communities of interest.

You're just totally splitting us. And I think that's irresponsible.

Also, being a citizen of Phoenix district council District 1, it spreads all the way north to Anthem.
And I don't think it's right to split us up. I'm very concerned about it, I'd like to see fairness, and I am beginning to wonder about that. So I would like you to seriously take into consideration this business of using the 101 as the boundary. I think it's, I think it's irresponsible and unacceptable.

Thank you.

CHAIRPERSON MATHIS: Thank you. I have no more request to speak forms. So, I believe that will conclude public comment. Thank you all for coming and giving us your input today. That leaves one item on the agenda, which is adjournment. So I will declare this meeting adjourned. It's 11:11 a.m.

Thank you.

(Whereupon, the meeting adjourned.)

* * * * *
STATE OF ARIZONA      )
                     )    ss.
COUNTY OF MARICOPA   )

BE IT KNOWN that the foregoing proceeding was taken before me, Marty Herder, a Certified Court Reporter, CCR No. 50162, State of Arizona; that the foregoing 82 pages constitute a true and accurate transcript of all proceedings had upon the taking of said meeting, all done to the best of my skill and ability.

DATED at Chandler, Arizona, this 2nd day of October, 2011.

________________________
C. Martin Herder, CCR
Certified Court Reporter
Certificate No. 50162