ARIZONA INDEPENDENT REDISTRICTING COMMISSION

Thursday, October 6, 2011
10:14 a.m.

Location

Fiesta Resort – Galleria Ballroom
2100 South Priest Drive
Tempe, Arizona 85282

Attending

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

Ray Bladine, Executive Director
Buck Forst, Information Technology Specialist

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

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

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10:14 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 Thursday, October 6th, and the time is 10:14.

Let's begin with the Pledge of Allegiance.

(Whereupon, the Pledge of Allegiance was recited.)

CHAIRPERSON MATHIS: Let's begin with call to order.

Vice-Chair Freeman.

VICE-CHAIR FREEMAN: Here.

CHAIRPERSON MATHIS: Vice Chair Herrera.

(No oral response.)

CHAIRPERSON MATHIS: Commissioner McNulty.

COMMISSIONER McNULTY: Here.

CHAIRPERSON MATHIS: Commissioner Stertz.

(No oral response.)

CHAIRPERSON MATHIS: We have a quorum.
Other folks around the room today, we have legal counsel, Joe Kanefield and Mary O'Grady.

Our mapping consultant, Willie Desmond.

Our staff includes Chuck -- Buck Forst chief technology officer, Ray Bladine our executive director, and Karen is our public outreach coordinator.

I think those are everyone from our staff here today.

Oh, and our court reporter, Marty Herder, is taking a transcript of today's meeting.

I apologize for this late start.

We were hoping to get the other commissioner here. Unfortunately Mr. Stertz is out still with issues with his family, so he can't make it today.

But Mr. Herrera expects to join us in the next hour or so.

So we thought the thing to do might be, since I have some request to speak forms, we'll jump to public comment, and maybe get some public comment in, and then begin working again on the legislative grid map adjustments.

So, reminding the public that when you come up to address us, please speak directly into the microphone, and also spell your last name so we get an accurate accounting for the record.

Our first speaker is Fred Duval, representing
self, from Phoenix.

FRED DUVAL: Thank you, Madam Chair and commissioners.

I appreciate the opportunity to be the first to comment and for your putting this public comment period first.

And I would like to begin by thanking you all for your service. It is literally the most thankless job imaginable, and it's never been more clear than this morning's news accounts of the dynamics around the congressional map.

My comments today aren't geared at river district, although I will address the water that you're taking on.

I'm not here to talk about border districts, but rather the lines of the public debate about the process that you're engaged in.

We have a state that is essentially, give or take a rounding error, equally split between two parties and independents. And so one might thinking that any map that reflects that essential balance would be considered as a start of what's reasonable and fair.

This morning's newspaper would suggest that maybe that's wrong.

And most folks believe that competitiveness is actually supposed to be a driving force of this process,
but, again, judging by the stories today, that might be wrong as well.

Because apparently both parties aren't looking to compete with the best candidates or the best ideas.

It would seem that they really don't want voters to have the robust choice that competitiveness brings. They want you to assure outcomes.

The parties' job is to pursue self-interest. They should, and they do.

Don't blame them for that. It's not yours.

So let's call everybody out.

The Democrats say with a congressional map we have virtually the same registration as the Republicans, so how could you possibly create four safe Republican districts and only two safe Democratic ones. What you've done is unfair and disenfranchises us. And their message to the Republicans is we can't help the DOJ requirements that pack minorities and Democratic votes, and after all, since we share roughly the same percentage of the Arizona vote, you should be assuring us the same potential outcome on election day.

So they conclude what you proposed is a Republican map and it should be changed.

And the Republicans say, you have it in your power to create fewer competitive districts and assure us five
safe seats instead of four.

They argue that we are entitled to an assured majority of safe seats and really an equal shot at two more because, well, after all we're the party in power, and if we had the old fashioned redistricting, that would be the outcome, and therefore you should achieve the same thing.

Their message to Democrats is, we shouldn't have to sacrifice because of a voter passed initiative. It's a Democratic map, and it should be changed.

This morning it would appear that some have gone too far.

They're saying to you, if you don't change it, our entitlement and expectation of assured outcomes is so pronounced that we will destroy your credibility and seek to recall you for seeking fairness.

Apparently you may not have received the memo, if you don't guarantee expected outcomes, you therefore must not be legitimate.

Commissioners, yes, you are.

Your goal of seeking a balance that is right for Arizona won't have a voice, except yours.

Compromise has become a dirty word in politics, and your having found a reasonable middle ground will have no allies.

That none of the loud voices are happy is the
evidence that you need to know that you've done your job.

The silent voters of Arizona have given you license and power to put their interests first ahead of party, ahead of entitlements to power, and will rightfully turn cynical if threats bend your mission or your sense of higher purpose.

Thank you for your willingness to serve our state.

CHAIRPERSON MATHIS: Thank you.

Our next speaker is Mohur Sidhwa, representing self, from Tucson.

MOHUR SIDHWA: Well, I was going to say pretty much what he said.

And I do echo his sentiments.

I too have seen the very fascinating press coverage about what's been happening the last couple of days.

Your job is not to make entrenched interest feel comfortable or your party or my party or a third party feel comfortable.

Your job is to do your job, and we will have your backs.

Thank you.

CHAIRPERSON MATHIS: Thank you.

Our next speaker is Jim March, second vice chair for Pima County Libertarians.
JIM MARCH: And I guess I'll say too, what he said.

But let me go into a little more detail.

Yesterday you were subjected to a full court press by various Republican federal legislators, Kyl, McCain, a bunch of other people. At the same time Governor Jan Brewer came in a press release against the proposed congressional map.

And of course there's the ongoing drama with Tom Horne and company.

You can tell real easily that this full court press wasn't very well real thought out. If you look at the third paragraph of Jan Brewer's press release, she says that, well, you know, they didn't do the maps like we've always done them, which is take the existing legislative maps, congressional maps, whatever, and tweak them to fit newer needs.

And as you all three of you know, as most people in this room probably know, you're required to start from scratch. You're required by the rules on how to do redistricting every ten years, the current rules anyway, to not take into account the previous maps and start over.

So what it tells you is that there's a lot of sudden screaming and yelling and pressure and all this happening, but it's not very well thought out.
And you need to take it with a grain of salt.
And I think what I said yesterday still holds. Do your jobs and you won't be sued for it.

Trying to get the DOJ clearance on the first shot, that will help you.

And consider the source. You know, you're supposed to be independent.

You're supposed to be against the political status quo, and you're supposed to do it fairly and cleanly from scratch.

And you've done that. And everybody's freaking out over it.

Well, yeah, that's what they're supposed to do. That's what you're supposed to do.

So, you know, you have supporters.

Do you remember best.

Thank you.

CHAIRPERSON MATHIS: Thank you.

Our next speaker is Shirley Dye, representing self, from northeast Arizona.

SHIRLEY DYE: Commissioners, good morning.

I was planning on being able to comment on the work for today, this afternoon. And I had sent the word out last night to try and get some more people down here to do public comments, um, at the usual public comment time, so
I'm rather disappointed that, that you are not allowing -- hopefully you will allow another set of public comments later on today.

CHAIRPERSON MATHIS: I will.

SHIRLEY DYE: Thank you very much.

Okay.

One of the things I wanted to mention was from yesterday's comments I will reiterate that in northern Arizona, northeastern Arizona, the fact that Gila County is split into three different districts is very appalling to a lot of us.

And, like I say, I have a network of people that I am speaking for. And so that -- but another thing is your mapper gentleman had left, and when I suggested that I would like to see if there was a possibility in southeast Arizona, the Yuma area, if we could get -- try working out a couple of vertical districts, instead of the horizontal ones that are proposed now, to see if we could get two legislative districts that would be able to have their three people, the senate and the two legislators, work with border issues, along with Santa Cruz and possibly Cochise.

So, I would like to see a lot more activity focused on border issues by our legislators. And if we had two districts in that huge, big eastern half of the border, that would be very, very helpful to me.
And I will wait until after I see how things play out today before I comment further.

Thank you so much.

CHAIRPERSON MATHIS: Thank you.

Our next speaker is Karen Lambourne, representing self, from Chandler.

KAREN LAMBOURNE: Good morning.

I have felt that it was my job to come and just give you a little input from an ordinary citizen, which is I feel like some of the data that has been given out to us has not been very clear and it's substandard. In my opinion, we haven't been able to see the maps that have come over the resolution very clearly. And the resolution hasn't been high enough.

So when I zoom in and go into all the different, you know, links that go to, it's hard for me to find which boundary is now confining my legislative district.

Also I need the street names, clearly put, so when that I drive along I can say this is the community of interest that's going to be in the proposed legislative district.

I don't think it's been clearly put down, and I think that's one of the reasons why we haven't had more citizens coming in and requiring to speak, because it's been difficult, and I am not an idiot, so I think it's been
difficult with that.

I think another problem might have been solved with this if the mapping company had been local instead of out of state, because they would have realized the needs and the streets and the concerns of our local citizenry and perhaps dealt their Strategic Telemetry to those concerns.

So I ask that when you now getting down to these, you know, one or two left, hopefully we've got today, that you identify clearly with the resolution the street boundaries of each one of your configurations so that the ordinary citizen can quickly see it.

I ask that you draw maps that represent and respect and contain communities of interest.

I see that you have done that in option two version 8A, and I think that that looks good to me.

But in the congressional map you have split up Chandler and you have not respected the communities of interest. So I don't think that is in line with your goals, and it's certainly something I'm opposed to.

There's lots of things that I am not happy with, but particularly I want to say good on Legislative District 17, because that respects communities of interest.

And I went through and found out what the boundaries were.

But this congressional map does not.
So I don't -- I think you can do a better job than that, commissioners, and I think we need to.

And I thank you for your time today.

CHAIRPERSON MATHIS: Thank you.

Our next speaker is Kelly Townsend, Greater Phoenix Tea Party, from Gilbert.

KELLY TOWNSEND: Commissioners. Kelly Townsend, T-O-W-N-S-E-N-D.

And I am here to discuss Gilbert again, and I have some maps to present to you.

I was able to find out when I went to count actual population of the county islands, it's less than what we thought. It's only 3,566.

So I don't have the actual number yet of Gilbert itself, without the county islands, but it's approximately 208,000. So you add those together, you get 211,566, and it's approximately 1500 away from the 213,000 for a legislative district.

So one of the concerns was, if you have this community of interest, of splitting the school districts.

So what I did was I went and I created a map and highlighted on there the Gilbert Unified School District and Higley Unified School District in the town of Gilbert itself.

There's also Queen Creek Unified School District
more to the east.

So what -- it makes the most sense if you were going to keep this as a community of interest would be to have all of Gilbert and to extend the Higley Unified School District east to Sossamon and microtune it when you get down to your fine numbers.

But those two school districts are considered the Gilbert area. And it does go into Mesa and I think part of north Queen Creek.

So, I'll give these to you.

And I think that's it.

Beyond this, this is what makes the most sense if you're going to keep -- that is currently Legislative District 22.

And I saw one of the maps split -- it looked like yours, Commissioner McNulty, split Gilbert half in two, but I couldn't see the street names from the maps, but if you could keep that in mind, to keep the school districts together, I'd appreciate that.

CHAIRPERSON MATHIS: Thank you.

KELLY TOWNSEND: You're welcome.

Will Commissioner Herrera see that too?

CHAIRPERSON MATHIS: Yes, everyone will, and it will get scanned.

Do we have it on electronic or?
KELLY TOWNSEND: I can do that. If you provide
the best e-mail to send it to, I'll send it e-mail.

CHAIRPERSON MATHIS: Great.

Our next speaker is Colleen Lomax, from Paradise
Valley.

COLLEEN LOMAX: Good morning, everyone. My
husband John and I learned that you were looking for input
about the drawing of the new political maps, and we would
like to be allowed an opportunity as husband and wife living
with our three children in Paradise Valley to give you our
input and thoughts about a drawing of the congressional
boundary.

My husband John and I have lived in Paradise
Valley for approximately eight years.

We are raising three children there, and we are
both working parents.

As a working parent in a town that significantly
limits commercial business development, we rely heavily on
the areas immediately surrounding our neighborhood,
Paradise Valley, in order to provide our daily needs.

Everything from our dry cleaning, to our food, to
grocery stores, and so on.

As a result, we spend a great deal of our time in
the neighboring areas of Arcadia and the Biltmore area and
northeast Phoenix.
We shop there. We eat there. And as business owners and business people ourselves, we've developed business relationships with the people and the business owners in those areas, namely Arcadia, the Biltmore area, and northeast Phoenix.

As business people ourselves, we've been able to work with those areas, with people in the Biltmore, business owners in the Biltmore, business owners in Arcadia, and to help them with their problems.

And as a result of those things, we believe we've developed a community of interest with many of the business owners in the Biltmore and Arcadia areas.

We shop in the Biltmore area.

Our children, on a lighter note, expect to attend many events in those other bordering areas, where Paradise Valley is, of course, bordered on three sides by Phoenix, but in areas of the Biltmore and Arcadia, we've got friends, our children expect to trick or treat there, they expect to attend athletic events there.

And we urge this Commission to think about the need to keep these areas, Paradise Valley, Arcadia, the Biltmore, northeast Phoenix, in a similar state to the extent that they have become communities of interest for working parents like us, and to assure that they stay and have the same character that they do for the safety of our
And that is really an important concern for us. We shop. We dine. We work with business owners, who are proposed to be moved to a different congressional district from ours, but we believe, John and I believe, and many others of us in Paradise Valley who have learned to depend on business owners in the Biltmore and Arcadia for our needs, that these are strong communities of interest that need to be maintained with respect to the current plan.

We, of course, enjoy our relaxed community feel of Paradise Valley, but more importantly we appreciate the convenience of being close to community events, family events, our church, the people that we socialize with at school. And all of those things for us are pretty much contained in the Biltmore and Arcadia area. So we feel like we're closely connected with those areas.

I run a Girl Scout troop that is in the Biltmore area. Our sons attend Boy Scout troop that is in the Arcadia area.

So for all of those reasons, we think that there are common bonds and links that we share with Arcadia, Biltmore, and northeast Phoenix that we don't share with Scottsdale, that we don't share with Tempe.

And we would, again, urge this Commission to
consider that while we clearly believe that the town of Paradise Valley has strong ties, we do not feel any strong sense of connection to Scottsdale or places south of Arcadia. That's not something -- that's not a place we get to.

But it does concern us when the places where we regularly go, a quarter of a mile distant to us and people that we socialize with, dine with, and work with, will be represented by perhaps somebody different from us.

Thank you very much.

CHAIRPERSON MATHIS: Thank you.

Our next speaker is Paula Linker, representing self, from Scottsdale.

PAULA LINKER: The lighting is better in this room but the air conditioner is freezing.

Now, I'd like to address the legislative maps.

This particular version of the map does not seem to me to be any more fair or rational than the previous ones.

The current legislative district of Scottsdale, that is in Scottsdale, leaves off some points to the south and some points to the northeast. And it joins us with Fountain Hills, a city which has a lot in common with ours.

And it seems to me that if the Commission wanted
to shorten up Scottsdale, it would be better served to just put a little bit more of the south into that district, a little bit more of the northeast into that district, and leave the core linked with Fountain Hills.

These are all areas with commonalities. The northeast does share some commonality with Carefree and Cave Creek.

Now, let's talk about Scottsdale.

Scottsdale is a destination city.

And after the Grand Canyon and Sedona, when people from around the country and other countries think about Arizona, they think about Scottsdale.

We are a destination, and we are unified.

We are a net contributor to the treasury of the state of Arizona.

We have resorts. We have our amenities. We have a lot of different places.

We have three branches of a very fine hospital system. We have two museums. We have a unified school district. We have superb police and fire protection, sanitation. I think it is really a model for the area.

Now, the population of Scottsdale is made up of largely, almost half probably, of transplants from New York, and I am one of them, Minnesota, Chicago, Wisconsin, California.
Yet all the of people who come to Scottsdale buy into the concept of Scottsdale, a nice Sonoran city and it's unified.

We don't need any particular artificial manipulation of boundaries to make us a unified city with a unified purpose.

Scottsdale is a special community of interest. It's a quiet Sonoran suburb that lies basically along the northeast plain.

It's a cohesive city.

The total population is less than 203,000.

We elect our six city council members on an at-large basis.

We don't carve ourself up into districts with special interests for a special agenda that says, I'll pass your bill, you pass my bill. They do things for the unity of Scottsdale.

We're a small city, and we've have concerns for our neighbors.

Our city is a community of interest.

It lies along the north-south plain. Yet the Commission has chosen to slice us up along an east-west plain. To get from one end of the proposed legislative district to another, I have to go past the highway and a mountain range, which means I have to go down and I got to
go across and go back up.

You can't get there from here without going through all sorts of contortions.

It makes no sense to me.

Most streets run north-south.

Why don't you keep our legislative district running north-south.

To continue, we're a small city, but we're a special community of interest.

Our city was named by BusinessWeek.com as the fourth best for a business growth climate.

Quite an accomplishment for less than 203,000 total residents.

We have the second best educational system in the southwest.

Again, quite an accomplishment.

Paid for by a small number of taxpayers.

We do this without making claims upon the state treasury.

Our resorts, amenities -- our resorts, accompanying amenities, restaurants, our businesses all are net contributors to the state.

When people from our -- when our friends from surrounding cities want to go out to dinner, we're always wanting to go to them, but they always want to come to
Scottsdale. And when they come to shop, they want to go to Fashion Square.

Let's not destroy this special place.

Now, it's just, it's just the sheer exertion of power in my opinion to take this quiet, polite community and split it up.

Or maybe there's some other motivation behind it.

I don't know.

I try to look at things as positively and as optimistically as I possible can. I always try to think the best.

Instead of just taking some data points and numbers, plugging that into some contrived formula to draw districts, I invite the Commission to take a ride around Scottsdale on Ollie the Trolley. You'll find it to be a superb Sonoran gem.

And don't worry about paying for Ollie the Trolley. No matter how far you want to ride, no matter how long you want to stay on the trolley, it's free. It's paid for by all the citizens of unified Scottsdale, not by four different parts of Scottsdale. So enjoy your free ride on Ollie the Trolley.

It goes all the way up to the shops at Gainey, all the way back down to the Tempe border.

This first -- and let me just conclude by saying
that the purposeful slicing of Scottsdale really requires some detailed explanation by the Commission, not just pretending this map with no streets or highways marked to try to figure out.

What is the explanation, please, for the Commission for doing this to my lovely city, which is the now the home of my choice?

CHAIRPERSON MATHIS: Thank you.

Our next speaker is Lauren Bernally-Long, from the Navajo Nation Human Rights Commission.


My comments are directed at meeting preclearance on the first submission to the DOJ.

The Voter Rights Act requirements must be met before the state criteria.

Navajo Nation and Flagstaff have met to discuss the plan for northeast Arizona. Navajo Nation prefers option two, which includes Greenlee and the Apaches.

We are contemplating and discussing some adjustments at this point.

The benchmark for Native American majority-minority district currently in LD 2 is 58.93 percent.
Option one is set at 52 percent.

Native Americans VAP will not, will not be met.

Voters will not be able to elect candidates of their choice. And this option should be rejected.

We respect that Flagstaff would like their incorporated area to be kept whole.

Navajo Nation would like all of its ranch lands, the Espil Ranch, Big Boquillas, the Winslow tract, and the Hopi ranch lands to be included with this district.

And we have discussed this with Flagstaff.

That concludes my comments.

Thank you.

CHAIRPERSON MATHIS: Thank you.

Our next speaker is Steve Titla representing San Carlos Apache.

STEVE TITLA: Good morning, commissioners, Madam Chair. Good to see you again.

Today I'd like to recommend to the Commission that, as I have said before, that the Voting Rights Act be followed and that the communities of interest be considered while you're considering the legislative grid maps.

With regard to the grid maps, I'm looking at option two version 8A and option one version 8A. And I just wanted to let you know that the areas around the
reservations right now, San Carlo Apache and White Mountain Apache, on the eastern boundary you have Greenlee County on our eastern boundary. I think one time in Hon Dah I told you that we have a San Carlos and White Mountain -- we have a treaty of 1852 with the United States government.

And Greenlee County area was treaty lands, an aboriginal Apache lands.

And the Graham County area, Safford and Santa Pima areas are Apache land.

Winkelman, Dudleyville, Hayden, Kearny, Apache land.

Globe, Miami is Apache land.

Clifton, Morenci is Apache land.

Before Dudley started cutting the reservation off as they took the lands away.

But I want to let you know that those were aboriginal Apache lands.

So Greenlee County is Apache -- aboriginal Apache treaty lands in the maps that I'm looking at right now.

And the tribes -- San Carlos Apache tribe has not taken a position on the legislative grid map yet, but I wanted to let you know that the tribe has taken a position in the county maps, I know that you're not dealing with that, but just to let you know, in the county area, San Carlos is in three counties. We are in Graham County,
Pinal County, and Gila County.

White Mountain Apache is in Apache County, Navajo County, and Gila County.

So both reservations are in six counties.

So I don't think they were thinking about our communities of interest whenever they drew those lines, whenever it was done. I imagine around statehood. I don't know.

But, anyway, the tribe did take the position on Gila County map, and they said there that it would like to be included with White Mountain Apache, San Carlos Apache, and Tonto Apache in Gila County. So that's what they supported, and forwarded that to Gila County commissioners.

Now, in this case if the tribe were able to get a decision to you, I guess we'll forward it to you also to let you know about the tribe's decision.

And when is the choice going to be made on these options, if I may ask a question?

CHAIRPERSON MATHIS: Certainly. We're working on developing a draft legislative map now. And the goal is to have something by Tuesday of next week so that we can take it on the road, so we'll need it actually a little before Tuesday. But we're going to be -- we have -- we're scheduled to meet Saturday, Sunday, and Monday, in case we're not able to do something, you know, by the end of
So we'd like to have the input as soon as possible. That would be very helpful.

STEVE TITLA: You guys getting paid time and a half or overtime?

CHAIRPERSON MATHIS: I wish.

STEVE TITLA: Okay. I will let the tribe know this, and perhaps get some word to you before next Tuesday.

CHAIRPERSON MATHIS: Yeah, the sooner the better.

STEVE TITLA: We can comment.

CHAIRPERSON MATHIS: That would be wonderful.

STEVE TITLA: Okay. Thank you.

CHAIRPERSON MATHIS: Thank you very much.

Our next speaker is Sara Presler, mayor, city of Flagstaff.

SARA PRESLER: Morning, members of the Commission.


I've missed you since yesterday.

Madam Chair, members of the Commission, I remind you, of course, that the voters through Proposition 106 established this Independent Commission and want to encourage you and empower you to take the voters' charge to act as an Independent Commission and to take the input of all members of our community and feel confident in your
ability to make a decision and in your ability to forward on
the first round a plan to the Department of Justice that
achieves preclearance.

And so we offer you the comments that we do in an
effort to achieve preclearance in the first round because if
that threshold is not met then we're right back where we
started from.

And so keeping that bigger picture in mind, we
heard both tribes that spoke previous to me indicate to you
their first preference is compliance with the Voting Rights
Act.

We also heard yesterday legal counsel for the
Commission indicate that option two as compared to
option one is more favorable in the numbers of the Voting
Rights Act.

Now, those percentages, I think, could be debated
and argued, but the bottom line is that the data that the
Independent Redistricting Commission has compiled and the
data that the city of Flagstaff has run through our GIS
department in comparing census numbers, voting blocks,
voting trends also indicates the same outcome, which is that
option two version 8A is more compliant and does not regress
in its representation under the Voting Rights Act.

So you just heard both tribes indicate that their
goal is to maintain and not regress under the Voting Rights
Act. In fact, the Navajo Nation indicated two specific sections that they asked you to pay attention to.

The Constitution cannot be compromised. And with that point in mind then, option two appears to be a better direction, keeping indigenous interests together. And the city of Flagstaff is more focused on its population centers.

While there has been a conversation in option two to include Greenlee County with parts of the Navajo Nation as proposed in concept by Commissioner McNulty, we understand that some tribes do need to consult back now that we've made progress in this process, but we do want to emphasize to you that that Voting Rights Act and preclearance with DOJ should supersede any other conversations or topics.

If we don't comply with the Voting Rights Act and the constitution, we don't obtain clearance from the Department of Justice, then our work will likely be for naught.

Later today you'll hear from one of our leaders in the business community who has made significant investment with his corporation in the bioscience area. He'll bring representation with him in the form of written correspondence from our leading accountant in the region, a major realtor and property owner, the manager of the major
downtown area, small business collaboration, W.L. Gore, and, and a major bank in our region that handles a variety of issues.

He'll bring that correspondence with him, but it will demonstrate to you that all of those businesses -- and if you check their political background, they come from Independent, Democrat, and Republicans -- all value competitiveness and all value option two version 8A. So you'll hear from them later today.

We value keeping the city of Flagstaff incorporated areas whole, and we value a district that is compliant with the Voting Rights Act that is competitive in its nature.

So we appreciate you listening and for your progress. We do believe that you've made progress in this process.

If only to engage in an active conversation.

It's a big win to have two tribes here, and we expect other tribal representation moving forward. To include people in the process to try to achieve preclearance and compliance with the Voting Rights Act is a real win for this Commission. Instead of telling us how things should go, we really appreciate you listening to us as a region and as a community and giving us the flexibility to meet and discuss to be able to tell you that, yes, some modifications
need to be made, but we're definitely moving in the right direction.

Thank you.

CHAIRPERSON MATHIS: Thank you.

Our next is Richard Miranda, state representative and representing the Minority Coalition.

MARY O'GRADY: Madam Chair, I also have a note just for the public who are here, the stat sheets that were handed out to the public, the stat sheet for option one is actually the stat sheet for option two.

They're getting copies of the correct statistics sheet for the members of the public. So basically have two stat sheets. Both are for option two.

We'll get the corrected one for option one.

CHAIRPERSON MATHIS: Okay.

Thank you.


And I'm here speaking on behalf of the Minority Coalition. It's -- we thought everything was going smoothly for us, at least the direction the Commission was going.

I'm encouraged that other groups are here today advocating for the option two map that I believe is called the minority district 8A option two.

But it's the one that was adopted, or that was a
what-if map a couple days ago.

And so we do support that map.

It does show the -- keep the communities of interest that everybody is talking about together. And I know that we've testified and I know that people testify about keeping the communities of interest in the west Phoenix area and south Phoenix area.

And, you know, much thought was given into it, you know, and, and so we came up with this proposal that we, that we made much earlier.

And we're, we're encouraged by the option two map, and I hope that that's the direction that the Commission will go in.

I did get to talk to at least one of the Isaac School District board members this morning.

My -- our understanding, and I saw a map this morning, that was -- connected the Isaac School District area with the historical area. And they are very concerned about it.

He's contacting Maria Guzman, Patricia Jimenez, and Evelyn Shapiro on the Isaac School District. And not speaking for them, but he could say that they probably will be very concerned if the historical districts are put in with the west Phoenix area.

I think the outcomes of elections in the past has
shown that, that whole west Phoenix, old west Phoenix neighborhood, Isaac School District, has been disenfranchised from the historical areas in elections, especially primaries.

And in 2006 when they had a Latino running from that area, he -- his performance was not good.

And what -- if you look at the election results, the historical areas really outweighed the Isaac school area tremendously.

So to that, to that effort, to try to correct that, that is why we're supporting the option two. Because it does keep voting performance for Latinos in -- at a level that's going to give them the ability to select a candidate of their choice.

And I know that we've talked about preclearance, DOJ. All of you are aware of that.

And we are here to help to make sure that we get this done the first time around and not linger like we did ten years ago.

Ten years ago I advocated against putting the historical districts with the old west Phoenix area, because my fear was that they would get representation and that's been borne out.

We simply are not going to get representation.

And I know in the new map, or the map that was
discussed last night, that I think it's District 29, that's
the upper west side, they have -- I didn't look at the
stats, but my, my -- I could be wrong, but I believe it's at
55 percent voting age Hispanic population.

If you try to compare that with south Phoenix, it
would be a wrong comparison. In saying that it's a
minority-majority district.

South Phoenix is at about 55 -- that option two
is, I think, about 55 percent.

And so is our coalition map.

However, you also have 15 percent, 15.4 percent
voting age population African American.

So when you combine those two communities, you
come up with almost 70 percent.

And that would guarantee the ability of those --
that south Phoenix community, Laveen and old south Phoenix,
the ability to select a candidate of their choice.

If you -- this other direction that this map that
was proposed last night simply is not going to work out.

And I know that we all have tough choices here,
but I do know that we're here to try to see what we can do
as a minority coalition to see that in what way we can help
you to make sure that you pass DOJ.

And I think working with option two is the good
start where you would be able to meet those requirements.
And, you know, the clear division is, if you go into those neighborhoods, is once you get past Grand, and once you get past 19th Avenue, those communities change. So when you put those types of different communities together, one is not going to be represented.

But, you know, we're here. I do know Harry Garewal, a school board member from Isaac, is going to be here this afternoon. Unfortunately because of work he couldn't make the 9:30 here, but he is going to make -- be able to come in the afternoon and give his opinion of which maps he as a school board member from that area that he does. He's going to try and bring some of the other folks with him. It's a short notice, because I think this map was proposed last night.

So -- and then I did -- everybody is getting e-mailed to make sure that they e-mail at least a public input form, and, and give them their opinion of what they think of these maps should look like.

And then on another note, on the congressional maps, I think the latest congressional map puts, I think, Tolleson in that general area, the city of Tolleson in that general area west Phoenix, old Glendale, south Phoenix.

However, I did notice that there's a part of southwest Phoenix that's not in that area. And we would -- I would -- we would advocate for making sure that that part
of southwest Phoenix area is included back into that majority-minority congressional district.

I think the issue for a lot of residents there is that they've been represented by someone in Tucson. And frankly, you know, they feel there hasn't been enough representation for, in their opinion, for that community in there. Because right now, parts, parts of those communities are in a district that is represented by someone in Tucson.

Ten years ago it was represented by someone that was included in the majority-minority district from south Phoenix to old west Phoenix.

And that was included, but ten years ago it was changed.

I just think that community feels like that they don't -- for lack of a better word, underrepresented by someone in Tucson.

So I just wanted to add that in there.

Thank you.

CHAIRPERSON MATHIS: Thank you.

That's all the request to speak forms that I have right now, and we'll have another public comment too at the end.

I have one more. And then we'll do public comment at the end of the day as well.
This is Wes Harris, PC captain, from LD 6-28.

WES HARRIS: Good morning.

I wanted to talk a little bit about the publicity. And I agree with the first speaker to the extent that this Commission is to be fair and forthright.

And I think that quite frankly the adverse publicity that you have gotten the last couple of days is self-inflicted.

And it was -- primarily it was the result of slamming through that congressional map without allowing for a time for us to look at it.

And that became the issue.

Had you delayed it by one day, I think all of this would have never happened. And we would have had an opportunity to talk about it.

And that just doesn't get it.

Now, as far as the individual district, LD maps, whenever we put up a map on your system, if you don't put that map automatically up on the mapping system, we have no detail. We can't tell.

I look at this map. I have no idea.

I know where I live, but I can't tell from this map what district I'm going to be in.

I can approximate it, but approximations don't get it.
I have to have a street, a mountain, something to that effect.

So I would recommend that any additional adjustments to these maps be automatically put up, as I requested this morning.

Is it up yet?

Okay. So we can't look.

So you're going to be talking about these district maps and we can't, we can't decipher what you're talking about.

And that's -- it's self-defeating. Our comments can't be learned because we have no idea what you're talking about.

And I personally like to do my homework at night, before I come here.

And I can't do that, if that's not up there. So I'm coming in here blind basically.

And I'd like to make a comment about some of these so-called minority-majority districts.

It would seem to me that if the overall congressional district is going to be around 52 percent, which I think is the number we have for three, that the individual legislative districts within that district, should strive to have that same percentage.

The reason for that is that we reduce the amount
of disenfranchisement that we have on the minority section in that district, and, in essence, allow them to be competitive.

I mentioned this earlier, that it should be fair to be competitive within these districts as well as being competitive within the districts that are not minority districts.

That way everyone has a fair shake, while you still maintain the required level of minority-majority percentages.

But by having LDs that have 69, 70, 71, 75 percent minority, then that other 30 percent just drops off the map. They're either going to move out or be satisfied with being disenfranchised and accept the representation that doesn't represent them.

So I would like you to look back at those individual legislative districts and try to maintain those percentages.

Looking at the grid behind these, which gives you some idea of what those percentages are, I can see when you look at the congruent districts, those that are adjacent to them, you can see where you can actually modify the lines and actually pick up some percentages from the other districts, and vice versa.

Thank you very much.
CHAIRPERSON MATHIS: Thank you.

I think that concludes public comment. So -- for this morning's session. And, see what time it is. It's 11:06.

Are you doing okay? Okay.

Let's take a ten-minute break, and then we'll start back up.

It's 11:06.

(Brief recess taken.)

(Whereupon, Mr. Herrera joins the meeting.)

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

The time is 11:34.

And we just had public comment, and thank you all for providing that to us.

Our next item on the agenda is review, discussion and direction of mapping consultant regarding the development of a legislative district draft map based on constitutional criteria.

And those of you following us closely know that we've been up to this.

And I think last night where we left it was, as everyone knows, and I think in the back of the room, you should have copies of two different versions of what a legislative draft map could look like.
And we've been working to bring those two together on a new grid map that Mr. Desmond I think started. And we thought that it made most sense to, since Voting Rights Act is a federal requirement we have to comply with, to get those districts set and at least, you know, some place holders for them that make sense.

And then from there bring in other aspects of the other districts and work with the criteria to, all six, to ensure -- all other five I should say, to ensure that we're complying with the constitution.

So based on that, we last night I think had adopted portions of Ms. McNulty's versions in southern Arizona and portions of Mr. Freeman's in Maricopa County area. And we kind of punted on the northeast corner because we're awaiting additional information from folks.

And we heard some -- a little bit more today.

So that's kind of a recap, and just to bring everybody onto the same page of what we're doing.

So, Mr. Desmond, do you want to bring up sort of that merged grid map concept to see what that looks like?

WILLIE DESMOND: Yeah. I was just trying to.

Okay. So here, what I have is the green areas are the districts that we added into the original grid map last night.

I call this district, this map, just merge,
because I was merging parts of the two.

So you can see Districts 2, 3, and 4 in southern Arizona came from option two version 8A.

If you look at Maricopa, you see Districts 19, 27, 28, 29 came from option one version 8A.

Then everything else is the original grid map. And there are large chunks of, as a result, unassigned areas.

So if I change the shading to show you the individual districts, you'll see, like, these parts are unassigned.

Those came from -- that was part of original grid map four.

I unassigned all of that. And the new four is here.

So, when you're looking at the population of these districts, some are dramatically underpopulated.

District 10 is 87,000 people underpopulated.

District 20 is 90, 24 is 42.

And that's just because, you know, we left it so that there -- you know, the districts that we added in were left whole, and we didn't change the balance, the result at all.

That is -- is there something that you wanted to look at right away, or...
CHAIRPERSON MATHIS: So just a clarification question. So the districts from the original grid map that weren't affected by the changes we made, those just appear as they were in on grid map.

WILLIE DESMOND: Exactly as they were.

So, I mean, in all the maps, you know, both congressional and legislative, one of the first steps we did was to not split reservation lands.

This splits reservation lands and it splits census places.

All those considerations that we worked on in various what-ifs, I kind of just reverted back to the original grid here.

CHAIRPERSON MATHIS: Commissioners, are you comfortable with that approach? Does that make some sense?

VICE-CHAIR FREEMAN: Yes. To unassign the areas as we're making the exchanges, that's what we have to do.

CHAIRPERSON MATHIS: You're comfortable with the merged map approach, Ms. McNulty, in terms of the process?

COMMISSIONER McNULTY: I think so, yes.

CHAIRPERSON MATHIS: Mr. Herrera.

VICE-CHAIR HERRERA: As far as the process, yes.

The maps, no.

CHAIRPERSON MATHIS: Okay.

Okay. So that created -- that work yesterday
created three southern Arizona minority-majority districts and four in Maricopa County.

Is that correct?

WILLIE DESMOND: Correct.

CHAIRPERSON MATHIS: Okay. And we're still anticipating how many in northern Arizona?

WILLIE DESMOND: There will be, you know, the one Native American district.

CHAIRPERSON MATHIS: Just one.

WILLIE DESMOND: But no Hispanic majority-minority district.

I guess we've been kind of talking, and we think it will make sense to continue to work on these voting rights districts.

CHAIRPERSON MATHIS: Uh-hmm.

WILLIE DESMOND: And then at least at that point if you could use those as like a jumping off point and deal with the rest of the map maybe, that, you know, any changes you would make to affect those districts, you would have to at least, you know, ensure that the profile of those voting rights districts is maintained so that you couldn't lower the HVAP or the ability to elect or things like that.

Additionally, these districts are taken exactly as they are from the two different maps.

I think there are some things in both the southern
Arizona districts and the Maricopa districts that the Commission might want to look at addressing, either to bring up the HVAP, to bring it down, or to improve the packing to be contiguous, some of those types of iterations.

So, I wouldn't think of these as necessarily set in stone districts, but maybe if you could think of those seven districts as like a starting point.

CHAIRPERSON MATHIS: Yeah, a place holder.

WILLIE DESMOND: Yeah.

CHAIRPERSON MATHIS: Okay.

WILLIE DESMOND: And then once you have those established, you guys can go through and figure out how you want to, you know, deal with all the other issues in all the other districts.

CHAIRPERSON MATHIS: Okay. Would it make some sense, since we all agreed early on, to try to keep Indian reservations as whole as possible in these legislative districts just like we did on the congressional, and put in the Navajo Nation lines with their ranch lands that they've talked about? Would people be open to that?

VICE-CHAIR FREEMAN: Madam Chair.

CHAIRPERSON MATHIS: Mr. Freeman.

VICE-CHAIR FREEMAN: Yes. And in option one, I did try to include as many of those lands as possible.
that follows west to east, the Navajo Nation line there in Apache County, that there are some zero population tribal lands just below that line which I did not include. I think I mentioned that before.

CHAIRPERSON MATHIS: Yeah.

VICE-CHAIR FREEMAN: But otherwise I think I did try to capture that, and the Big Boquillas Ranch land is included in that in there as well.

I don't know if we have a shapefile that shows all those ranch lands. But that might be helpful.

WILLIE DESMOND: So I was provided a file from Leonard Gorman.

CHAIRPERSON MATHIS: And Leonard Gorman is from the Navajo Nation Human Rights Commission.

WILLIE DESMOND: Yes.

That does provide -- is more of a map of, like, Navajo Nation.

You know, the census defines the actual reservation lands, and maybe that sticks up very well.

I'm not sure exactly what these areas... Just looking for a label right now that would give us some information on what need there is.

MARY O'GRADY: Madam Chair, I see some Navajo Nation representatives including Mr. Gorman in the back.
And I don't know if they can be helpful at some point in this discussion.

COMMISSIONER McNULTY: Madam Chair, Ms. O'Grady, I had included on the district on option two 8A at least some of those lands. So perhaps we could request that they advise us what in addition would need to be included.

I think they could probably direct Mr. Desmond to the Boquillas Ranch.

WILLIE DESMOND: It looks like there is a ranch labeled as available.

CHAIRPERSON MATHIS: Yeah, Winslow tract.

VICE-CHAIR FREEMAN: Zoom out. I'll point it out to you.

COMMISSIONER McNULTY: Mr. Gorman is offering to assist us.

VICE-CHAIR FREEMAN: Go out, keep out, pull out.

CHAIRPERSON MATHIS: Thank you.

VICE-CHAIR FREEMAN: More.

It's right over here.

I'll let Mr. Gorman correct me.

So that needs to go in.

LEONARD GORMAN: Madam Chair, members of the Commission. Leonard Gorman, Navajo Nation Human Rights Commission.

Last name Gorman, G-O-R-M-A-N.
The Big Boquillas Ranch is east of the Hualapai Nation, right above the Interstate 40.

And then the Espil Ranch, which encompasses the San Francisco Peaks and the U.S. Forest Service, is north of the city -- incorporated area of the city of Flagstaff.

And then the Winslow tract, which is north and northeast and east of -- I mean northwest -- let me see. North and northeast and east of Winslow, north of Interstate 40.

COMMISSIONER McNULTY: Mr. Desmond, could you put up option two version 8A, please.

WILLIE DESMOND: So that heavy red line is option two version 8A.

COMMISSIONER McNULTY: Could you just put option two up without the conflicting?

WILLIE DESMOND: Okay.

COMMISSIONER McNULTY: Could you, Mr. Gorman, just show us on this map also, just so I have a clear understanding of what you are requesting.

LEONARD GORMAN: Madam Chair, members of the Commission, Ms. McNulty, the Navajo Nation's request are in several parts. One, of course, is to add land holdings off the Navajo Nation that is considered as a trust land, so that would be the Big Boquillas Ranch, the Espil Ranch, and the Winslow tract. And also meeting the Voting Rights Act
and provision.

Now, in the iteration that's on the screen, it does not, does not look like the Big Boquillas Ranch, if you could project the Navajo.

The Big Boquillas Ranch is not included.

And it looks like the majority of the Espil Ranch, except maybe on the south tip, are included.

And then the Winslow tract, it looks like just on the east side and maybe west side are included in that iteration. The massive part of the Winslow tract is not included.

COMMISSIONER McNULTY: Would you mind if I gave you the laser pointer, Mr. Freeman?

It's on the side.

LEONARD GORMAN: I'll turn it on first.

Okay. This is the Big Boquillas Ranch here.

So, it looks like the proposal is to include all of this area in here, and it dips down into picking up Hualapai.

COMMISSIONER McNULTY: Yes.

LEONARD GORMAN: Now, the Big Boquillas is not included in the -- that is now the larger Navajo trust land is included in.

And this is the Espil Ranch here.

It doesn't, from as far away, if the southern part
is all included.

And then this is the Winslow tract here.

So the part that's included are those trust areas, lands for Navajo on the northeast of Winslow. But the land holdings for Navajo Nation Winslow tract in this area is not included.

COMMISSIONER McNULTY: That's very helpful. Thank you.

I'm a visual person. I have to see it.

CHAIRPERSON MATHIS: So, I'm sorry, what's the name of the ranch in the middle that starts with an E?

LEONARD GORMAN: Espil.

CHAIRPERSON MATHIS: Espil. Is that a -- at all a census place there, Willie, that southern part of that?

WILLIE DESMOND: It's not. It's just north of Flagstaff incorporated.

CHAIRPERSON MATHIS: Oh, I see. Okay.

LEONARD GORMAN: So, Madam Chair, the request would be to include all of that southern part of the Espil Ranch.

CHAIRPERSON MATHIS: Uh-hmm, where the green line is; right?

LEONARD GORMAN: Yes.

CHAIRPERSON MATHIS: Okay.

COMMISSIONER McNULTY: Are those uninhabited areas
right now or they --

LEONARD GORMAN: Madam Chair, members of Commission, and Commissioner McNulty, what I understand is that those are ranch land areas in which they are leased out for, as I understand, grazing areas.

COMMISSIONER McNULTY: Thank you.

CHAIRPERSON MATHIS: Any questions for Mr. Gorman?

(No oral response.)

CHAIRPERSON MATHIS: Thank you very much for your help.

Well, so given that, do we want to adjust those lines to -- because both of you have on both your versions something similar. There's definitely some common ground there. And if we can include those -- that area that wasn't included on the left, and I'm forgetting the name of it as well, Boquillas, into that district and also dipping down and getting all of that Espil Ranch, and then the two ranch lands that were pointed out, Winslow tract and the other.

COMMISSIONER McNULTY: So can you do that, Mr. Desmond?

WILLIE DESMOND: Yes, yes.

CHAIRPERSON MATHIS: Does everyone agree with that?

Should we look at it at least and see what that does to the map?
COMMISSIONER McNULTY: I agree.
I don't think it will change any of the population, and I think it makes sense.
It sounds like the city of Flagstaff is on board.
I don't think there would be any reason that they wouldn't be.

WILLIE DESMOND: Currently the District 7 does split reservation lands too, so let's start with that.
(Brief pause.)
WILLIE DESMOND: So I should go over on the top of.
The census, what's happening is the census blocks don't follow the same lines, so it's not going to fit perfectly.
I have to grab a little extra.
But right now you're only looking at -- it's very sparsely populated.
Right now it's 19 people.
(Brief pause.)
WILLIE DESMOND: I can do -- this touching up I'll do later, but -- the other question is, how should I link these two areas.
I can show you in option one it's done right along there.
(Indicating.)
In option two, it's done just south of there. Is there a preference either way? I don't know if that really changes many people.

CHAIRPERSON MATHIS: Are you talking the thick red line versus the thinner red line?

WILLIE DESMOND: I'm just saying -- so right now District 7 is in two pieces, this part and this part. In option one, those are linked on that line. And option two they're linked that line. Does anyone have any strong feelings either way?

CHAIRPERSON MATHIS: It looks like option one follows some kind of -- is that a waterway or something? There's a line there.

WILLIE DESMOND: The line right there is census tract line.

CHAIRPERSON MATHIS: So it's following the census tract line going over.

WILLIE DESMOND: I think so.

CHAIRPERSON MATHIS: And the other one is following --

WILLIE DESMOND: Probably a lot group or something.

CHAIRPERSON MATHIS: Why don't we do census tract for now and adjust later if necessary.

WILLIE DESMOND: Again, I'm just looking at the
census block layer, because it's the smallest layer available to us, but it doesn't share the same lines, so it's not perfect.

I'm just kind of defaulting to grabbing a little extra if I need to.

But, again, it's not huge numbers of population. This current selection is 588 people.

So now all those lands, those ranch lands are included in that district. Although that district is 39,000 people overpopulated, so it's going to need to lose some.

CHAIRPERSON MATHIS: Does it include the Winslow tract?

WILLIE DESMOND: Yes, because it has all of, all of this area.

CHAIRPERSON MATHIS: Oh, okay.

WILLIE DESMOND: From the grid map.

CHAIRPERSON MATHIS: And we need to lose how many, 30?

WILLIE DESMOND: We need to lose about 39,000 people.

We also need to -- it does also split this reservation here.

Because it follows the county boundary on the reservation, so, the -- San Carlos reservation is split
right now. So that's -- it probably affects it too.

But I don't know if that -- if you want to put it whole down here or up here.

MARY O'GRADY: What's the Native American voting age percentage?

WILLIE DESMOND: 46.68 percent.

So that needs to go up too.

CHAIRPERSON MATHIS: In seven? 46.68?

WILLIE DESMOND: Yeah, as it is currently.

And the benchmark is 58.99.

So I don't know if you want to try to figure out how this district -- whether or not to include the San Carlos and Apache, or if not, or if you want to wait to hear what they officially said. We can move on to a different part of the state.

CHAIRPERSON MATHIS: Well, what are our options for increasing the benchmark number -- to the benchmark number?

WILLIE DESMOND: I mean, if we remove some of these -- if we try -- if we take out the 39,000 and some Anglo areas, that will bring it up initially.

So we can do that.

If you want to -- six is no longer a contiguous district at this point, but six is probably underpopulated.

Six needs about 36,000.
So if we gave some of this area to District 6 to maybe it bigger, that might -- that would include -- increase the Native American voting age population in this district, percentage.

COMMISSIONER McNULTY: The benchmark that you just provided us with is based on what boundary?

WILLIE DESMOND: The current district, I can show you that.

The current District 2 is right here.

So it has the --

COMMISSIONER McNULTY: Are you talking about the current legislative district?

WILLIE DESMOND: Yeah.

COMMISSIONER McNULTY: As it exists in the real world today?

WILLIE DESMOND: As it exists in the real world today.

COMMISSIONER McNULTY: The benchmark is 58 point --

WILLIE DESMOND: 99, I think. But it's important to emphasize that that district is underpopulated by 39,000 to the 2010 ideal district size.

COMMISSIONER McNULTY: So they lost population.

WILLIE DESMOND: I don't think it lost probably, but it didn't --
COMMISSIONER McNULTY: It didn't grow -- it didn't grow at the same rate.

Okay. So I'm with you there.

So now what are we -- when we're trying to take away population, I'm not sure I understand what we're taking population away from.

WILLIE DESMOND: I guess the question is do we want to try to finish this district right now or do you want to wait.

If you want to finish it, we -- this district needs to lose about 39,000 people.

As it's currently drawn, it's about 39,000 people overpopulated.

COMMISSIONER McNULTY: But we haven't drawn anything yet, so that's what I'm unclear about.

Are you talking about the existing legislative district or are you talking about one of the options, one of the proposals?

WILLIE DESMOND: I'm saying on the, on the -- this map right here that we're looking at.

COMMISSIONER McNULTY: What map is that?

WILLIE DESMOND: This is the merged map, so this is the three southern districts, the four Maricopa districts, put over the original grid map.

This is back to kind of the original grid and
COMMISSIONER McNULTY: You're talking about a grid of some kind? Because we hadn't drawn District 7 yet on the grid.

MARY O'GRADY: But you had a grid when you started.

And so it's adjusting the grid to create -- to balance out population. And the original grid that was the basis for this conversation split the reservation, because it was just the original grid that didn't include that.

So you've restored the Navajo Nation boundaries, added those other boundaries, and as a result it's now overpopulated.

Right?

Those are the only changes that we've made.

WILLIE DESMOND: Correct.

MARY O'GRADY: It's overpopulated, but it's under the Native American percentage.

CHAIRPERSON MATHIS: So, I think we should complete seven to the extent we can.

We don't have all the information yet, but at least try to make it comply with population requirements and in a logical way that respects the other criteria to the extent we can.

So there's the -- we could look at the two
I'm guessing that Mr. Freeman's is following the county lines?

Is that right?

VICE-CHAIR FREEMAN: Madam Chair.

CHAIRPERSON MATHIS: Mr. Freeman.

VICE-CHAIR FREEMAN: In option one, District 7, I attempted to include the Big Boquillas Ranch and other Navajo ranch lands. I don't know that if I got all of them, but I tried.

The boundary that's cuts through Apache, Navajo Counties follows the Navajo Nation tribal land boundary. On option one, District 7 includes the city of Flagstaff.

The Native voting age population in District 7 is about 52 percent, less than current benchmark.

It seems like to me, and I did that because, one, as was mentioned, Native American population in the state has increased only about two percent, while the rest of the population in the state has increased by a lot, lot more, on the order of, I think, 25 percent.

So there's a big gap there.

Plus, because we have a statement from the chairman of the White Mountain Apache Tribe asking us to respect their wishes and keep the status quo as to the
district they're in now.

We are waiting -- we understand that we may hear something further from the San Carlos Apache Tribes.

I know generally with respect to the Apache Tribes they like to keep as much of their tribal lands together. They mentioned the Yavapai, Apache, keeping them together in their district. It's not possible to have it both ways. You have to go one way or another.

And one way is expressed on option two, which is to include all the Apache tribes together with the Navajos and Hopis, and that gets your Native American voting age population up to, I forget what it is, 58, 59 percent.

Or you do it the option one way, which is to keep the White -- the Apache Tribes separate from the Navajos, and then you have to rely upon more of a natural retrogression argument to justify the reduction in the Native voting age population from the benchmark of 58 to 52 percent.

COMMISSIONER McNULTY: Madam Chair, I think as legal counsel told us yesterday, there has to be no other practical alternative in order to prevail on that argument. I'm not sure if those are the words that they used.

But I think we do have another viable, realistic alternative that makes sense from many perspectives, and
that is to include the White River -- White Mountain Apache and the San Carlos Apache, at least as a place holder, in the district with the Navajo.

It will achieve the benchmark, exceed the benchmark. We won't have preclearance issues.

I think we heard this morning from the San Carlos that they want to ensure that we satisfy the Voting Rights Act, that they have a number -- that a large part of the state includes their traditional tribal lands, including Greenlee County and some other areas.

I think they've testified earlier that the -- I think the San Francisco Peaks are a sacred land for the White Mountain Apache also.

And I -- and we've heard a great deal of testimony from the city of Flagstaff about their desire to be in a separate legislative district and have, from a state perspective, have their own representative in Phoenix to deal with their economic issues.

I think that the Native American nations are in a very unique position, and I understand that they each have their own unique issues, but they are united in having to deal with a number of things, including their sovereignty issues.

And I think having a representative for those tribes in the state legislature and ensuring that that does
not retrogress is -- I think it's absolutely essential. I think the record has been presented to us that it should be one of our highest priorities.

And I think that those concerns transcend individuals. Those concerns on behalf of the Native American nations really transcend what we might be told by one or two individuals. And it's been a common theme that we've heard throughout this process.

VICE-CHAIR FREEMAN: Madam Chair.

CHAIRPERSON MATHIS: Mr. Freeman.

VICE-CHAIR FREEMAN: Ten years ago the Hopi Nation was not included with the Navajo Nation.

I think that was done in part out of respect for the wishes expressed by that tribe.

I think perhaps if we wait a little bit, wait to see what the Apache Tribes have to tell us. I mean, maybe they'll tell us one way. Maybe they'll tell us the other.

I also don't want to lose sight of the fact of the other people who live up in Graham and Greenlee and Gila Counties have all or universally expressed a desire not to be split up, to keep the three Gs together. We've heard a lot on that testimony. There's a lot of public comments up in Hon Dah expressing desires and wishes along those lines.

So that would -- those wishes would be reflected
in option one, in District 5, which generally follow
the county lines and keep Graham, Greenlee whole,
Gila County whole, and the southern part of Navajo and
Apache Counties.

VICE-CHAIR HERRERA: Madam Chair.

CHAIRPERSON MATHIS: Mr. Herrera.

VICE-CHAIR HERRERA: I think the comments from the
Native American tribes and also the city of Flagstaff is
pretty clear, that we keep Flagstaff away in a separate
district from the Navajo and the Native American tribes.
And that's the desire of Native American tribes. And that
is that option two is a better option.

Again, with the Voting Rights Act, we shouldn't be
compromising. As I stated before, the Native American
tribes should be kept together, whole, away from the city of
Flag, so they can -- again, so we can respect the Voting
Rights Act and pass preclearance.

If we start messing with the Voting Rights Act and
trying to compromise, I think that's when we run into
problems.

Again, there really isn't any compromise on that.
Option two is a better option.

I think it was stated in public comment that it is
a better option than option one.

CHAIRPERSON MATHIS: Okay. Well, I don't think we
have an agreement yet on the northeast corner. We don't have enough information.

Flagstaff told us they're going to bring some more folks to talk to us, it sounds like, the business community. And we want to hear from the San Carlos Apache on this as well.

So right now we have eight -- no, seven majority-minority districts drawn into the map.

Is that right?

And then the northeast corner will be one probably in some way. We just don't know yet what shape it's going to take.

So, and then after that you talked about coalition districts.

Do we -- is that an important -- do we need to consider that from the beginning as part of the Voting Rights Act piece? Or do those kind of come about through the adjustments of other -- paying attention to other constitutional criteria?

WILLIE DESMOND: I would think we would be better to start with those.

CHAIRPERSON MATHIS: So we start with coalition districts, looking at those, where those might exist.

WILLIE DESMOND: We need to, I think, explore the possibility of, yeah, plurality or coalition districts.
CHAIRPERSON MATHIS: Can you explain the
distinction between a plurality district and a coalition
district?

WILLIE DESMOND: So, a coalition district is any
district where the combination of the minority voters is
greater than the Anglo vote.

So any district basically where the Anglo vote is
less than 50 percent is a coalition district.

The minority is added up. It creates the
greatest -- it's the largest group.

Plurality is a little bit stronger than that, I
guess, in that plurality is that the Hispanic or any other
group is the largest group.

So it's also a coalition.

But it would be, if, if, for instance, the
Hispanic percentage was 48 percent, and the White percent
was 44 percent, that would be a plurality district. The
largest single group is not Anglo.

Does that make sense?

CHAIRPERSON MATHIS: Yes, thank you.

MARY O'GRADY: Madam Chair, the bottom line is
these are tools of measuring where there is an opportunity
to elect the preferred candidate of choice for the minority
community.

And, and as Bruce testified earlier, that we
started with nine benchmark districts. Don't have to get to majority-minority but need to preserve the opportunity to elect.

And we may have a tenth where there's an opportunity to elect. And so that's why we've looked at these majority-minority plus a few where there's, through these number -- through the tools that Willie described, where there is an opportunity to elect candidate of choice for the minority voters.

CHAIRPERSON MATHIS: So we need to find two, possibly three more.

MARY O'GRADY: One, possibly two.

CHAIRPERSON MATHIS: Oh, good.

MARY O'GRADY: We're at three in southern Arizona, four in Maricopa County. That's seven. We'll have one in northern Arizona.

CHAIRPERSON MATHIS: Oh, okay. I wasn't counting that. Okay.

COMMISSIONER McNULTY: Madam Chair. Ms. O'Grady, I have a question about the fourth majority-minority district in Phoenix.

Is -- just explain to me the reason that we need that rather than two coalition districts.

MARY O'GRADY: If you can have an opportunity to elect, with less than a majority, that may work.
But you also if you can create a majority district in a compact area, if you have enough voters to create a district with a majority Hispanic percentage in a compact area, you should, you know, look to do so.

Right now -- so that's why we -- and it looks like based on the maps, based on the numbers, you do have majority -- an opportunity to create four majority districts in the Phoenix metro area.

So that's why the recommendation was to do so.

Now, we also recognize that, we've heard the testimony this morning, that expressing concerns that by doing so in the way that we did that, maybe there's not a genuine opportunity to elect in that district.

And that it, it pulled out some population from, and lowered the percentage in one of the other districts that may threaten the opportunity to elect.

So we need to look at the whole package so we're preserving the opportunity to elect.

And if we did it by all coalition districts, I think that's something to look at, but, again, we have -- the mapping suggests that you can get over 50 percent, so we need to look at doing that.

COMMISSIONER McNULTY: Okay. I just -- on the subject of the coalition districts in the, in the option two map, grid 29 was actually a coalition district.
The non-Hispanic White population was 47.27 percent.

And there's a -- a not very difficult way -- there would be a not very difficult way to revise that district to make it a majority-minority district, which would avoid the problem that we heard about this morning.

So I think we should just keep that in mind.

The other coalition district in Phoenix that I had put together is 26, which is Tempe, north of Baseline, and west Mesa.

And that's an area that's currently represented by a Latino representative.

So I think it's clear that there is in that area an opportunity to elect.

The non-Hispanic White population on that grid 26 is 48.74 percent, I believe.

That district is just west -- or just east, I'm sorry, of 27, which is the majority-minority district just north of South Mountain.

And it sits right on top of District 18, which is a district that is very similar on both Mr. Freeman and my maps.

VICE-CHAIR FREEMAN: And option two, that would correspond to proposed Legislative District 25, which has similar statistics.
Actually the HVAP is I think a percent or one and a half percent higher, but the demographics in the rest of the district shake out slightly differently.

CHAIRPERSON MATHIS: So what do you want to do?

VICE-CHAIR FREEMAN: What are we looking at?

WILLIE DESMOND: I'll turn off the layer and turn it back on and show you.

All right. So just starting with a blank canvas.

The census place, the county line, in yellow, so not to move anything else.

The current districts, and, again, except for, except for 19, 27, 28, and 29, these are all taken strictly from the grid. The white areas are now areas that are unassigned, that happened when we moved that in.

But I'm going to turn that back off for a second.

Option one version 8A is a blue line with a blue label.

Option -- and I'll zoom in. I don't think this works at a very distant area.

But if we look right here, option two version 8A is a red line, with a red label. You can see how those two -- I've been trying to play around, trying to find a way that you can look at those two.

You also have, if you need it, the Indian reservations to turn on.
The Hispanic Coalition district -- that's not here.

The current districts, as they currently are.

And then unified school districts, secondary school districts, and elementary school districts.

So just going back -- and I'm not exactly sure how we want to proceed.

I guess one thing that if we look at the Hispanic Coalition's district, which is the thick green line, look at option one, which is a blue line that's -- let's make it, just for a second, I'll make it very, very thick. You can see that.

And then option two, everybody seems to kind of follow the same -- District 27 is something that all three of those pretty much exactly the same.

Maybe that's a starting off point that everybody seems to be --

VICE-CHAIR FREEMAN: We've already got that one drawn into our merge map.

WILLIE DESMOND: That's one of the agreed upon -- that was one of the four we added in yesterday.

And I am not sure if we want to take the four and say those are set now or if we need to make adjustments to those to start with.

But as many of these -- we can also look at
southern, but as many of these majority-minority voting
districts, coalition, plurality, whatever it is, we
could just kind of get locked in so we don't have to touch
them very much going forward I think the better.

VICE-CHAIR HERRERA: Madam Chair.

CHAIRPERSON MATHIS: Mr. Herrera.

VICE-CHAIR HERRERA: I don't think I agreed on
anything in Phoenix, because Madam Chair asked for agreement
approval and I said I don't recall asking, so -- my thoughts
were I don't agree with those particular lines in Maricopa
County area.

VICE-CHAIR FREEMAN: Madam Chair.

CHAIRPERSON MATHIS: Mr. Freeman.

VICE-CHAIR FREEMAN: I don't think the Commission
has agreed to any lines.

Okay. So it's okay. I mean, we're just trying to
put together a map with 30 districts.

I don't think we can lock down any position of any
lines until we're finished, because the smallest change can
ripple through the entire map.

And who knows, we might need to tinker with one of
these districts to balance population or then HVAP numbers
somewhere down the road. So we're just trying to get --
piece it together to get something that might work.

CHAIRPERSON MATHIS: That's exactly how I feel.
And all we're trying to do is get place holders into this merged map of things that might work as majority-minority districts, so -- and we just can't lock anything down.

COMMISSIONER McNULTY: In the category of everything has been said but not everyone has said it, I'll make the comment that I agree too.

We've got six constitutional criteria. And we do have to satisfy the Voting Rights Act as a, you know, a matter of federal law.

But at the same time, if there are several ways in which we can satisfy the Voting Rights Act, and one way of satisfying them leads to a better result for all of the other criteria, then we need to look at that, and we need to be looking at that as we go forward.

VICE-CHAIR FREEMAN: Madam Chair, I think though with respect to the four proposed minority-majority districts in the Phoenix metro area, you know, before we come to terms with a proposed draft map, I think we need to have all the data backing up whether they would pass preclearance.

And so I think they would be incumbent upon us to fully vet those districts and make sure we're comfortable with the ability to elect a candidate of choice in those areas.

I think that would be one way to proceed.
And I think going and looking at the possible coalition or plurality districts would be the next step. And that may take us to ultimately ten districts and one third of the legislative map.

COMMISSIONER McNULTY: Madam Chair.

CHAIRPERSON MATHIS: Ms. McNulty.

COMMISSIONER McNULTY: Ms. O'Grady, just we've got -- so we where we stand now is we have three in Tucson. We have four in Phoenix. We have the possible -- so that's seven.

Is that right?

We've got one -- we will have one in northern Arizona. That's eight.

We have at least one coalition district that appears to exist in the Tempe, west Mesa area, which could be nine.

And you mentioned that we might need ten.

Would you talk a little bit more about that?

MARY O'GRADY: Sure. And Joe may want to supplement too.

The districts that -- under the current map that we've been looking at as benchmarks in the -- based on what was precleared and then where people have been elected, the majority-minority Hispanic voting age population were 13, 14, and 16.
Those were all Maricopa County districts and the
districts that were maintained in the Hispanic Coalition
map, the Native American district, and then we had plurality
districts 27 and 29 in Tucson.

And then we had, under the map, 23, 24, and 25.
Twenty-three was in Pinal County.
Twenty-four was in Yuma.
Twenty-five was in Cochise County.

And all of those were less than majority, total
minority, and in the 30 to 40 percent range Hispanic, but
had an opportunity to elect, it appears.

And then also we've been looking at the one that
frankly the evidence is less clear on in terms of -- well,
15 is another one that we've been keeping an eye on. That
was in the eastern Phoenix area.

It was at the time of preclearance 38 percent HVAP
and 46.47 combined minority.

And now it is, based on current census data -- I
need to double check that and see if I'm -- 38.46, 41 and --
38.46, and -- yeah -- and it's a combined minority-majority
district now.

And I'll check my precleared levels.

So that was another area that we were looking at
in east Phoenix.

And there was at least one minority Hispanic
candidate who was elected during the past decade, and we need to do more to see if there were other -- if the other candidates, although not minority, were the candidates of choice.

So that's why we have ten who are sort of in play. Are there are only a few that elect all minority candidates.

And some of these, particularly the rural areas, recently the minority incumbent got defeated.

But they did prior to that have a history of election.

That's why we're looking at ten overall where there may be an opportunity to elect.

COMMISSIONER McNULTY: Is that because what you just described was ten?

MARY O'GRADY: Yes, that reached ten.

COMMISSIONER McNULTY: All right. You know, it's kind of hard for us, I think, to translate that information of what we're doing, unless we actually have the information that you're looking at.

It might, it might help us to have that.

MARY O'GRADY: Okay. I can type up my notes if that's useful.

That puts --

COMMISSIONER McNULTY: Or maybe we could -- maybe
it would be as simple as giving us the benchmarks again for all of these.

WILLIE DESMOND: We can do that at lunch.

COMMISSIONER McNULTY: Okay. Is that because you're basing it off those benchmarks. Right? Maybe you can just highlight.

I know we all have that.

I don't think I have it with me.

CHAIRPERSON MATHIS: I don't either.

COMMISSIONER McNULTY: And I think it would be helpful to have that, and -- I may be the only one in this position, but I, I don't know all the current legislative districts and how those -- you know, I have to look. I can't automatically think LD 16, that's the same as grid X. And --

MARY O'GRADY: And for the most part we won't be referring to current legislative districts, but for the voting rights districts and the voting rights analysis we need to -- since there are benchmarks, we will be referring to those. And I know that does get confusing.

COMMISSIONER McNULTY: Well, it might be helpful if we had something just a little more visual with the benchmarks.

Now we're doing this statewide; right?

That's the analysis that's statewide, so they
don't necessarily have to be in the same place.

MARY O'GRADY: That's right.

COMMISSIONER McNULTY: If they were.

MARY O'GRADY: That's right. That's right.

You can get them from different locations, as long as we maintain the opportunity to elect overall.

And I note that the information is on the IRC website, both for the current census data, there's a link, but that we'll give that handout. And then also for the old districts of title preclearance is also on the IRC website.

COMMISSIONER McNULTY: I understand that. It just would be helpful if we had it right here in front of us.

We have, like, eight maps in front of us.

VICE-CHAIR FREEMAN: Madam Chair.

CHAIRPERSON MATHIS: Mr. Freeman.

VICE-CHAIR FREEMAN: What I took away from that was that we've got eight. We've got a possible nine in the west Mesa area.

We might be looking at the far southwest Valley, Buckeye, Goodyear, for a location for another coalition district.

I heard that maybe western Pinal County, maybe, might be a place.

I also heard maybe another one in the east valley, but I didn't -- I don't know where that would be. Maybe
you're referring to the one in west Mesa, east Tempe.

WILLIE DESMOND: I think, one thing, just to try
to take this a little bit back to the map that might work
going forward, is so we have -- currently we have the four
districts that we took from Commissioner Freeman.

So, again, these are 27, 28, 29, and 19.

Commissioner McNulty has mentioned, I think it's
your District 26, may be another possible coalition
district --

COMMISSIONER McNULTY: Right. And I think that's
in the notes that's attached to the map.

WILLIE DESMOND: And that's what I was going to
say.

If we look at Commissioner McNulty's map,
District 26 is right here.

It doesn't interfere with any of those boundaries
of those other four.

So if we wanted to add that in as a place holder,
maybe, for a fifth one, in Phoenix, we could use those as
jumping off points almost, something like that.

The one thing -- I'll zoom in here.

The one thing we have to figure out is -- so
Commissioner Freeman has this arm of 28 comes over, 27 is
the other one. So there would be this little tiny pocket
here of the unassigned that would be -- have to go into one
of those three districts.

That's something we could probably deal with.

But 26 does fit nicely with, with this.

I think that's the result of both, both option one and option two having largely the same district as 27.

That's one suggestion as a place to go.

Commissioner Freeman just mentioned there has been talk in Pinal County that we could add one maybe, something further to the left.

I'm happy to explore those, but in the interest of just moving forward, that's one place that's been brought up that we could look at right away.

COMMISSIONER McNULTY: Did 27, did 27 configure differently than it was in the Arizona Minority Coalition map?

WILLIE DESMOND: So -- 27, right here, it's shaded purple, and that is from Commissioner Freeman's map.

The Minority Coalition has, has that. So there is a slight difference, right down here.

I don't know how many people that is.

It looks like -- we could figure that out.

And then just a little difference here where it goes over to grab Guadalupe.

Other than that, I think it follows largely this boundary.
COMMISSIONER McNULTY: Well, I would propose that we put in District 26 as a place holder.

What I don't -- what's not clear to me and I'm going to have to study a little bit is what that gap is. Because on -- on the what-if map, option two 8A, that District 26, the west boundary of 26 is the east boundary of 27.

WILLIE DESMOND: It's probably -- that, that is by and large the case. So most of the boundary of 26 is the east boundary of 27.

The way we had 28 drawn is it comes over the top so that's what creates that little spot here.

I think in option, in option two, that district goes north-south and this one comes more east-west.

COMMISSIONER McNULTY: Okay.

As I say, it doesn't square, so I'm going to have to look at it.

WILLIE DESMOND: I can tell you what streets are in that area.

COMMISSIONER McNULTY: I can -- as you said, it's on the IRC website.

WILLIE DESMOND: Okay.

COMMISSIONER McNULTY: It's also on my computer, so I can figure that out, but it would take me a few minutes.
VICE-CHAIR FREEMAN: Madam Chair.

CHAIRPERSON MATHIS: Mr. Freeman.

VICE-CHAIR FREEMAN: And, by the way, to help bolster 28, I put that unassigned area with what on my map is District 28.

COMMISSIONER McNULTY: So that would explain it. It's actually part of 28.

VICE-CHAIR FREEMAN: My 28, on mine.

CHAIRPERSON MATHIS: Well, it's 12:45. So we can keep going if the commissioners wish to do that or break for lunch, or whatever you want to do.

WILLIE DESMOND: If we do break for lunch, is there anything I should try to get done during lunch?

COMMISSIONER McNULTY: Not on my account. I wouldn't mind breaking for lunch.

CHAIRPERSON MATHIS: Any thoughts from Mr. Freeman or Herrera?

VICE-CHAIR HERRERA: Madam Chair, I had asked that Mr. Desmond when we when -- you know, we're done with coming up with the majority-minority districts for us for him to show us sort of an overlay of where the competitive districts are.

I'd love to see that before we start going any further with the rest of them.

CHAIRPERSON MATHIS: Okay.
Mr. Freeman.

VICE-CHAIR FREEMAN: I don't know exactly what that means, because what this combo map, merge map is -- represents really has -- it's not going to give us any useful information. I mean, we're just going to really know where the majority-minority districts are, thereabouts, and some coalition districts, on top of it at that point.

And then we have 20 districts to go.

CHAIRPERSON MATHIS: Yeah, we have to fill the whole map.

VICE-CHAIR HERRERA: Madam Chair.

CHAIRPERSON MATHIS: Mr. Herrera.

VICE-CHAIR HERRERA: When I spoke to Mr. Desmond, he said that was a possibility to do that, so unless I was mistaken --

WILLIE DESMOND: I mean, I can shade the map by coalition district.

That might be more -- or not -- by competitiveness, excuse me.

You know, however you like. That might make more sense with option one or option two.

Or we can look at the -- like what the Dem-Republican split is. At any level. I can shade it by that.

But I guess the thing is most of the districts
here are grid districts, so those aren't fully formed yet. So if you want to go look back on the other ones, we can do that. Or we could do it here, but that would just be based off of districts that we're probably going to change.

VICE-CHAIR HERRERA: Madam Chair, the reason I bring this up is I -- again, this is one of the criteria -- the important criteria, and I don't want it to be, I guess, forgotten or put in the back burner, and then having to mess with it at the end.

So I want to make sure that that's always kept in the forefront.

Eventually we're going to have to get the --

CHAIRPERSON MATHIS: Right. They all -- they all -- they all have to be weighed equally, and we will ensure that that occurs.

But it just seems like we need to get the map more populated in a way that makes sense on some of these other criteria and then see where we are, and then we can definitely look at -- just I think doing it now, it doesn't really make a lot of sense since a lot of these districts on the merge map are from the grid map which we know needs to be adjusted.

So, with that, let's take an hour lunch.

It's 12:49.
And -- oh, I'm sorry, Mr. Desmond.

WILLIE DESMOND: Am I supposed to put 26 into this merge map or not?

CHAIRPERSON MATHIS: Commissioners, do you have thoughts on that?

COMMISSIONER McNULTY: I'd like to put it in the merge map.

VICE-CHAIR HERRERA: So would I.

CHAIRPERSON MATHIS: Mr. Freeman.

VICE-CHAIR FREEMAN: I like my district, so. . .

CHAIRPERSON MATHIS: You what?

VICE-CHAIR FREEMAN: I prefer the coalition district that I constructed, which is --

WILLIE DESMOND: Which --

VICE-CHAIR FREEMAN: -- quite a bit different. Which I think is -- it's very hard for me to read, but it's District 25, option one.

Option one and option two sort of split those areas differently.

WILLIE DESMOND: Oh, I see what you're saying.

CHAIRPERSON MATHIS: Okay. Well, since there's not total agreement, I don't want to do it right now. So let's just hold off and we'll look at these after lunch. So we'll take an hour recess.

The time is 12:50.
(Lunch recess taken.)

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

The time is 2:15 p.m.

And before recess we were talking about majority-minority districts and how to make sure that those are covered in the merged map that we're creating.

And I don't know if any commissioners had any revelations over lunch on anything, but you'd be welcome to voice them.

Oh, and I should point out that in front of you should be a handout, it's hopefully in the back of the room as well, for the existing legislative districts in terms of the different statistics we're looking at and shows you the majority-minority districts, which create the benchmark for what we need to achieve this time. But, again, we need to achieve that at a state level, so it doesn't have to be those exact districts.

UNIDENTIFIED AUDIENCE MEMBER: They're not available.

CHAIRPERSON MATHIS: Okay. We -- can we get a copy of those -- they're on our website.

Is that right, Mary?

WILLIE DESMOND: They've been on the website for a long time, yeah.
UNIDENTIFIED AUDIENCE MEMBER: Where?

WILLIE DESMOND: I think at the bottom of the maps page.

CHAIRPERSON MATHIS: So we think they're at the bottom of the maps page, those statistics. And they've been on our website for a long time.

And the top of the spreadsheet says Arizona existing LDs, just as a point of reference.

WILLIE DESMOND: I'll make some copies.

CHAIRPERSON MATHIS: Oh, great.

Mr. Desmond is going to make a few copies for people here in the audience.

CHAIRPERSON MATHIS: Ms. McNulty.

COMMISSIONER McNULTY: I didn't have any revelations, but my thought was that perhaps we should just look at possibilities and what the attributes of each are and work our way through them.

I think I understand now that when I was looking at that, when we were looking at District 26 earlier, were we looking at the grid?

I think there was some confusion in the public about what that District 26 was. And I think maybe it was the grid 26 that we were looking at.

So I think I would ask that we -- if there is an unassigned area between the District 27 that we've put in as
a place holder and the District 26 that I proposed, that we assign that to District 26, and that we look at the Hispanic or the non-White voting population in that district, and we run the Cruz index on that district.

And then we do the same thing on District 25 that Mr. Freeman has proposed.

WILLIE DESMOND: Okay.

COMMISSIONER McNULTY: So we understand what our --

WILLIE DESMOND: So what's up right now is four districts we imported over the grid.

And also -- and in that handout I gave you guys what's the racial makeup of the legislative districts in 2004 when they were precleared. So that's the old district, the old number they all were. And that is available on the 2000 Commission's website, but not available here.

So those four districts, and then the unassigned area we discussed, was if we were to take your District 26, which is right here, there would be a little corner right here that would be on this side.

COMMISSIONER McNULTY: Okay. So let's assign that, just for purposes of discussion.

WILLIE DESMOND: Assign the whole District 26?

COMMISSIONER McNULTY: Assign that little piece to my proposed District 26.
Isn't that what you were saying, that that would be an unassigned area that would need to be assigned?

WILLIE DESMOND: Well, in your district it's assigned to something.

In this map it's -- like this whole area here is not assigned.

COMMISSIONER McNULTY: I don't -- what I'm talking about is the District 26 that I proposed.

WILLIE DESMOND: Okay. If we, if we -- okay.

If I -- I can add that one in and then also include that other part. Is that what you're asking me to do?

COMMISSIONER McNULTY: What other part?

WILLIE DESMOND: I guess what I'm saying is right now is that District 26 that you proposed isn't part of this merged map.

You want me to add that in and then also add the little piece it leaves on the side also.

COMMISSIONER McNULTY: Yes. Just for purposes of analyzing what our options are.

WILLIE DESMOND: Okay.

Okay.

I'm going to call this District 31, I guess. It will just be an extra district in here.

Does that work?
And I'll add that little area, and we'll be able to see what that would -- what that district would look like.

That's 943 people, that little chunk.

If you add that in, our new district, 31, is about 1,123 people over the ideal value. It's about half a percent deviation, which is within the range of accepted deviation for legislative maps.

COMMISSIONER McNULTY: Okay.

WILLIE DESMOND: The HVAP of that district would be 30.33 percent.

The non-Hispanic White would be 55.39 percent.

The non-Hispanic Black would be 4.93 percent.

Indian is 2.76 percent.

It's 4.13 percent Asian.

.44 percent Hawaii Islander, Pacific Islander.

And .17 percent other.

Did you want to know any of the other measures on that district?

COMMISSIONER McNULTY: Do you have total population broken out in addition to voting age population for those groups?

WILLIE DESMOND: I don't have.

I can have that for you.

Just one second.
Is there one you're in particularly interested in?

COMMISSIONER McNULTY: I'd like to know the total.

WILLIE DESMOND: Okay. So that district would be 36.73 percent Hispanic and 48.8 percent White, 5.04 percent Black, 2.99 percent Native American, 3.54 percent Asian, and then .5 percent Native Hawaiian, Pacific Islander, and .18 percent other.

COMMISSIONER McNULTY: So the totals that I get are 48.98 percent non-White total population and 44.17 percent non-White voting age population.

So could you run the Cruz index on that district as it's configured now?

WILLIE DESMOND: In 2010 the areas that comprise that district voted 54.1 percent Democrat in the mine inspector race. And that's 54.11 percent two way.

So as a, as a percentage of people voting for either Democrat or Republican, not including people that voted for other candidates or Libertarian or write-ins or anything like that.

COMMISSIONER McNULTY: Could we also run your index two, the two-way Democratic or Republican performance index?

WILLIE DESMOND: Yeah. And I started adding those in now.

That would be -- index two would be 56.5 percent
in that district.

COMMISSIONER McNULTY: And that's 56.5 percent Republican.

WILLIE DESMOND: 56.5 percent Democrat.

COMMISSIONER McNULTY: Democrat. Okay.

WILLIE DESMOND: 44.3 percent -- oh, no, I'm sorry. 43.5 percent Republican.

COMMISSIONER McNULTY: Okay.

Can you back it out just a little so I can see where the Salt River Indian community is? Is that it right there?

WILLIE DESMOND: That's it right above. I'll make it a little darker.

COMMISSIONER McNULTY: Okay.

So, Mr. Freeman, do you want to do the same analysis on...?

VICE-CHAIR FREEMAN: Yes, we might as well.

The issue I ran into though is how the construction of this district perhaps affects the rest of the map, and so I had -- if I could get the laser pointer, please.

I had a District 26 that -- turn the census places on.

That put most of Tempe basically with the travel area. And then in District 26, which took part of west
Mesa, put it together with the rest of the Mesa that had a -- and that was my District 25, over here, which, let's see, Hispanic voting age population was 31.16 percent. So it's kind of a -- may not be an apples to apples analysis, because I think if you push that line you're going to wipe out -- if you push this line all the way over to the border of proposed District 27, you're going to wipe out pretty much my District 26. And in doing that, you're going to way overpopulate my District 25.

WILLIE DESMOND: What I did was I just undid that those changes when we added that district in. So I think -- the blue line is your -- is option one.

VICE-CHAIR FREEMAN: Right.

WILLIE DESMOND: So would you like to add this District 26 in? It does look like it fits with --

COMMISSIONER McNULTY: What I was hoping we would do is analyze the vote -- the coalition district that Mr. Freeman was proposing.

VICE-CHAIR FREEMAN: Yeah, go ahead, and let's walk through the numbers on --

WILLIE DESMOND: Did you, just to check, did you change this District 26, or is this the coalition district you were -- which was your coalition district?

VICE-CHAIR FREEMAN: Twenty-five was.
WILLIE DESMOND: Okay.

So we can just look -- and have you made any changes to 25?

VICE-CHAIR FREEMAN: I have not.

WILLIE DESMOND: Okay. Let me see. Well, then we can just --

VICE-CHAIR FREEMAN: It's the same.

WILLIE DESMOND: I think we can just use the packet then to look at District 25 as the coalition.

So District 25 is -- I don't have the -- let me just do it in here so we can look at any other things you guys want. That will be easier.

All right. So District 25 is now becoming District 31 again.

And that district is.

VICE-CHAIR FREEMAN: Is 31.16.

WILLIE DESMOND: 31.16 percent voting age population Hispanic.

60.14 voting age Anglo.

3.2 percent voting age African American.

2.17 percent Native American.

1.157 percent Asian.

.4 percent Hawaiian and .13 percent other.

Those are all voting age.

It's 36.76 percent Hispanic and 54.05 percent
White total population.

3.15 percent African-American.

2.34 Native American.

1.39 Asian.

.43 Hawaiian.

.16 other.

Do you want me to just go through all the same things I looked at?

VICE-CHAIR FREEMAN: I don't think it's necessary. I mean, this as originally designed, it was not designed with the thought of putting a coalition district together.

These districts were designed more to fit together as this area of the Valley fits together with trying to keep most of Tempe together, put it together with a part of west Mesa and put it together with the tribal areas. But as it turned out, we had a pretty high -- relatively high HVAP for 25. So it stood out as a potential coalition district in this map.

So, you know, where this line falls, dividing west Mesa from the rest of Mesa, I mean, that's -- I did not look at that line to see if it could be fine tuned in a way to maybe improve the numbers for District 25.

COMMISSIONER McNULTY: What's the Cruz index on 25?
WILLIE DESMOND: It was 36.03 percent Democratic, 63.98 percent Republican.

COMMISSIONER McNULTY: Give me the first number again, 36 --

WILLIE DESMOND: 36.03, so 36 percent.

COMMISSIONER McNULTY: As compared to 54.1 percent in the district configured the other way.

While we're at it, why don't we do the two-way index also -- the index two.

WILLIE DESMOND: Index two was 61.4 percent Republican, 38.6 percent Democrat.

CHAIRPERSON MATHIS: Would it help to turn on the HVAP layer on this, just as an overlay or underlay? Just to see where the populations are on that.

WILLIE DESMOND: There you go.

CHAIRPERSON MATHIS: In terms of getting to nine or ten, it seems like our best bet is to keep this underlay or overlay on so we can at least see how we might be able to get up to the right benchmark on some of these and see where coalitions might be possible too.

COMMISSIONER McNULTY: I think one of the things that shows us is that the Tempe, west Mesa configuration does afford an opportunity to elect. The Cruz index is over 50 percent. They already have a Latino representative from that area.
So if we use the Tempe area and couple it with the west Mesa area, we have an area of high Hispanic and non-White concentration coupled with an area that does not have a lot of racially polarized voting, at least it would appear to be the case.

If we move it east into 25, we have the Hispanic population coupled with the eastern -- more eastern areas of Mesa, which is something we talked about in putting the congressional district together, where the Cruz index is much lower, down in the 30s, and the Republican vote is much higher, over 60 percent.

So, that doesn't appear to present an opportunity to elect.

However, the Tempe, west Mesa configuration, which we've already -- and we've already talked at great length in looking at the congressional map about the community of interest issues and attributes of that area, I think would make sense.

VICE-CHAIR HERRERA: Madam Chair.

CHAIRPERSON MATHIS: Mr. Herrera.

VICE-CHAIR HERRERA: It's sort of same thing we did with the congressional map, that we ended up including Tempe and Mesa together.

There's a community of interest there. There's a huge Hispanic population in west Mesa, and I think it's
growing and spilling into Tempe. So there's a possibility to create a potential Hispanic district in the future by combining those two areas.

I think that's a, that's a, a good idea, something that we should consider doing.

As I said, those areas do have a lot of in common. Part of the constitutional requirement is keeping those communities together, and we want to do that plus respecting the Voting Rights Act.

And possibly creating a competitive district.

COMMISSIONER McNULTY: I think that's right. I think that district also affords an opportunity for -- I mean, it would be a district where voter participation would be encouraged, both at the minority level and the more general competitiveness level.

CHAIRPERSON MATHIS: Did you say encarched?

COMMISSIONER McNULTY: Encouraged.

CHAIRPERSON MATHIS: I don't know that word.

COMMISSIONER McNULTY: Encouraged.

CHAIRPERSON MATHIS: Oh, encouraged.

VICE-CHAIR HERRERA: That's a new word.

COMMISSIONER McNULTY: Encouraged.

CHAIRPERSON MATHIS: Got it. Boston area accent.

COMMISSIONER McNULTY: I think it must be my accent.
VICE-CHAIR HERRERA: Madam Chair.

CHAIRPERSON MATHIS: Mr. Herrera.

VICE-CHAIR HERRERA: Some of the public comments do talk about the divide in Mesa, the -- for those of you -- anybody that knows Mesa as I have understands there's a huge difference once you get past Stapley, around there, going eastbound in Mesa, that there's a large Hispanic population and a large White population on the other side. And there's huge differences politically.

So I think keeping those two areas separate, again, respecting, yeah, it will be dividing Mesa, but it will be, I think, respecting communities of interest as equally as important, if not more so.

COMMISSIONER McNULTY: In terms of fitting together on the map, that configuration of 26 works with 18, as to which Mr. Freeman and I appear to be in pretty substantial agreement.

It also works with 18 and 17, which are the two districts that the mayor of Chandler spoke about yesterday that they feel strongly about, and with the district that keeps Gilbert 95 percent whole.

I also think it fits in under the District 24 that Mr. Freeman has drawn based on the -- his configuration of District 28.

VICE-CHAIR FREEMAN: But I just caution 28, that
configuration might not be the most ideal configuration
given some concerns expressed earlier.

So I looked at ways of strengthening 28. And
actually I ended up using that, that area, cut out area
right there, I know it's only 900 folks, so it's probably
not a big deal ultimately.

COMMISSIONER McNULTY: I think even if 28 wasn't
the ideal configuration, and I agree that it probably isn't,
but there's a way to make 29 -- there's a way to do those
districts a little more horizontally, or -- and to revise
29, to move that from a coalition district to a
majority-minority district.

And I think those things could be done without
impacting this 26.

CHAIRPERSON MATHIS: Can you scroll the map over,
Willie, just so that -- the other way. Sorry.

Right.

So how would 28 though be more ideally configured,
based upon people's comments or -- and yet still achieving a
majority-minority district there?

Because it's in a -- it's like an L, right, with a
dome? Monticello.

COMMISSIONER McNULTY: Madam Chair, I think
another way to approach it, and I'm not sure -- it would be
focused on 29, I think. In the -- can we look at option 8A
option two, 29?

VICE-CHAIR FREEMAN: Madam Chair, just to answer your question, I --

CHAIRPERSON MATHIS: You want to go back.

VICE-CHAIR FREEMAN: I had removed a chunk of this population from 28 and put it with 19, which has a much heavier HVAP to sort of improve the numbers in this district.

Now of course that left it in a population deficit, so I had to grab in various places, and that was one of the places I grabbed.

I thought I interrupted.

You know, could we go back and look at the west Mesa, north Chandler area?

See two pockets of population right there and there. Of course I also know there's lots of municipal lines coursing through that area, but it might be interesting to see how if you put those two populations together, what that would give it.

CHAIRPERSON MATHIS: You're saying vertically, like connecting those two? Or two different?

VICE-CHAIR FREEMAN: No, in terms of a proposed coalition district.

So I guess the answer is yes, vertically.

CHAIRPERSON MATHIS: Did you -- how did you
address that on your map, that area?

    COMMISSIONER McNULTY: Um, let's go up.

    CHAIRPERSON MATHIS: McNulty's.

    COMMISSIONER McNULTY: The 26 area?

    CHAIRPERSON MATHIS: Yeah, we were just looking at those two groups of HVAP that are. . .

    COMMISSIONER McNULTY: Well, in that bright green on the right-hand side, in 26, is coupled with central Tempe, which has already shown that it will elect a Latino candidate with the result that you create a district that does have -- it has a 48 point -- almost 49 percent total minority population.

        It has, you know, what the number was that we just looked at.

        44.17 percent minority voting population.

        So once you couple that with the fact that the non-minority population of that area has already elected a minority representative, and the Cruz index in that area is 54.1 percent.

        So in the state mine inspector's race, the minority candidate was -- got the majority. Which, you know, was an indication that there's little racially polarized voting there, and that that coupled with the fact that there already is a Hispanic representative from that area suggests that that does create an opportunity to
elect.

So it would be a coalition district.

CHAIRPERSON MATHIS: What's the eastern boundary on 26 in Mesa?

COMMISSIONER McNULTY: I think that's -- let's see.

WILLIE DESMOND: Gilbert Road.

COMMISSIONER McNULTY: Yeah. Gilbert Road.

And beneath that is the two Chandler -- the two areas comprising Chandler that we had looked at earlier.

WILLIE DESMOND: I'll quickly turn off the shading so you can see.

The census places.

If that's helpful.

CHAIRPERSON MATHIS: What do you think about that line though cutting through kind of that high density HVAP area with all the upper part of your 26, as opposed to, I don't know, including more of those folks vertically?

COMMISSIONER McNULTY: I think that the way it's constructed now makes quite a bit of sense based on -- creates a district that would be performing, or would be -- have an opportunity to elect.

I think it includes the university areas.

It includes the lightrail, the areas that are connected by the lightrail.
CHAIRPERSON MATHIS: But what is that area in 25
that's on the west side that's just north of your 26?
This border, all of that.

COMMISSIONER McNULTY: It's additional Latino
population. I guess if we did that, we would have to remove
some of Tempe.

And I'm not sure that strengthens the district.

WILLIE DESMOND: So, the --

COMMISSIONER McNULTY: So what we would be doing
is we'd be -- if we included those, we'd have too much
population, and then we'd have to cut out some of the higher
density areas that are what help make it a district that
affords an opportunity to elect.

I guess we would also wind up putting -- I mean,
I'm not sure where it would connect -- create an imbalance
in that entire little area, because Tempe would have to go
up into the Paradise Valley district, or . . .

And then the Chandler, Gilbert districts that are
below there make a lot of sense to those communities, I
think. We heard from the mayor of Chandler that that works
really well for them.

We heard that Gilbert wants to be -- kept as whole
as possible.

VICE-CHAIR FREEMAN: Madam Chair.

CHAIRPERSON MATHIS: Mr. Freeman.
VICE-CHAIR FREEMAN: Just for Voting Rights Act concerns, I guess my only question was, and I don't know what the answer is, if we made maximum use to the -- I think it's the HVAP populations here and down here, what kind of district do we construct? Is that -- is there too much population to put that together? What would the ultimate HVAP number be for a district so constructed?

WILLIE DESMOND: We can --

VICE-CHAIR FREEMAN: Is that something --

WILLIE DESMOND: We can explore any of these -- anything you guys want me to look at.

CHAIRPERSON MATHIS: Maybe, so try District 32, or I don't know, just to group those in that way, see what it does.

WILLIE DESMOND: All right. We'll move District 31. We'll keep adding that in until we get this.

Okay.

So I'll just use some kind of . . .

That district is kind of just a little above, just for a rough look at it.

District 31, which is this area right here, has a Hispanic population of 38.7 percent. Of voting age.

And a non-Hispanic White percentage of 49.79 percent.

African American voting age of 4.6.
Asian of 2.18.

Indian of 2.77.

You can't move the -- do you want the total population, or should I just go right to the mine inspector and stuff?

Mine inspector, it was 43.84 percent Democratic, 56.02 percent Republican.

On the index two, it is 53.8 percent Republican, 46.2 percent Democratic.

So probably wouldn't work as an ability to elect district.

Are there other things you wanted me to -- I'm going to -- and are there changes to that district that you think, just looking at the Hispanic percentage, you think we could improve it or -- I don't think we're missing any great Hispanic populations.

VICE-CHAIR FREEMAN: I'm not seeing a way to really massage it too much and make too much of a difference in the end numbers.

WILLIE DESMOND: Did you want to look at adding some of these areas north of Commissioner McNulty's 26? Or should we look at different areas of the map?

Is there an overlay or districts you want to see?

VICE-CHAIR FREEMAN: I'm sorry, just so I can keep track, that is option two being displayed.
WILLIE DESMOND: This is the grid map being displayed. This is the merge map being displayed. So that this area right here is unassigned. These 25 and 26 are directly from the grid. Option one, again, looks like that. And option two, like that.

MARY O'GRADY: Madam Chair, I don't know if people are ready to plug in a place holder. It seems like so far, based on the discussion, the best performing opportunity to elect district would be the Tempe, Mesa east-west combination. And so maybe for talking purposes that might be plugged in and then see if we can improve on it.

CHAIRPERSON MATHIS: Okay. What do you all think about trying that out?

COMMISSIONER McNULTY: I'm in favor of it.

VICE-CHAIR HERRERA: Madam Chair, I think the -- I think they're both community of interest and they make sense to be combined together.

CHAIRPERSON MATHIS: Mr. Freeman?

VICE-CHAIR FREEMAN: Let's go ahead and see how it looks and see how it works with the rest of the map.

WILLIE DESMOND: Okay. So to do that on a, I guess, a more permanent way, what I would do is I'm going to take District 26, as it's in
the grid map, and unassign it.

And that will put the new 26 from option two over the top, so we'll have some more unassigned areas. And 25 will be short.

You want me to add that little chunk of unassigned that's kind of -- that's in the district that we looked at earlier?

VICE-CHAIR FREEMAN: I think we might as well right now.

WILLIE DESMOND: Okay.

CHAIRPERSON MATHIS: Is that the little chunk that you had added to yours also.

VICE-CHAIR FREEMAN: Yes. But I figure we're going to have to go back through this and refine them anyway.

CHAIRPERSON MATHIS: Yeah.

WILLIE DESMOND: Okay. So, now, 19, 27, 28, 29 have been addressed.

Twenty-six.

Not to say those are complete or near complete, but those are the five districts we've specifically put into this map so far.

In Maricopa.

And the three in the south.

COMMISSIONER McNULTY: So does that mean that when
we add a majority-minority district in northern Arizona we will have our nine, the three in southern Arizona, five in Phoenix.

WILLIE DESMOND: We only have -- well, yes.

I think there's some concern that, I think, Joe and Mary have about some of the other ones in Phoenix. And we might have to explore changing some of those a little bit.

But it looks like there's five right now that are close.

I think if we need to look for a sixth, it's possible that there could be maybe something here in the west Valley a little bit more.

District 19.

But, yes.

District 19 is a little high potentially, because part of that may be to add at least another coalition maybe there, something like that.

Right now District 19 is at 66.37 percent HVAP and only 22.25 percent non-Hispanic White. So...  

CHAIRPERSON MATHIS: And wasn't there talk of another potential coalition in the Pinal area somewhere?

WILLIE DESMOND: There is still some talk of Pinal, although I think we have to be careful of the prisons down there.
CHAIRPERSON MATHIS: I remember. Right.

COMMISSIONER McNULTY: Ms. O'Grady, I -- that sounded like a no to me, even though Willie said yes. What, you know, what do we need to do here? If what we're trying to do is put place holders for all of our majority-minority districts and the coalition districts that, you know, you feel confident get us a good start, then what else do we need to do?

MARY O'GRADY: Madam Chair, Commissioner McNulty, this would get us to nine. We'd have the, if I'm counting right, five in Maricopa County, three in southern Arizona, and one Native American once we finish building that. That gets us to nine. We had some talk about whether there needs to be a tenth opportunity to elect, but that isn't clear. So this at least gets us to nine, as long as they're approved and as long as they really work as opportunity to elect areas.

VICE-CHAIR FREEMAN: Madam Chair.

CHAIRPERSON MATHIS: Mr. Freeman.

VICE-CHAIR FREEMAN: Counsel, is it incumbent upon the Commission to explore opportunities for a tenth district?

MARY O'GRADY: I mean, Madam Chair, commissioners, and Joe may want to supplement, I mean, my sense is maybe we
make sure the five we have work as minority districts, opportunity to elect district, and then before moving beyond that and building another, that, that before we reach out and go beyond that.

But it wouldn't hurt to keep your eye out in terms of if there are isolated areas of population that don't affect these, whether there would be an opportunity to elect.

JOSEPH KANEFIELD: Madam Chair, I agree with that, although I do believe there may be a need to explore the tenth opportunity district, so I do urge the Commission to keep that in mind.

I also know that Bruce Adelson has some thoughts on this. He's been keeping track of this, so I would like to get him plugged back in from my perspective at some point, possibly, depending on his availability, maybe tomorrow's meeting.

CHAIRPERSON MATHIS: That would be very helpful. So should we look at the five we do have in Maricopa County and make sure that they are first?

MARY O'GRADY: Madam Chair, I think that makes sense. And maybe that Cruz indicator is a useful tool and -- as you go through things.

I don't know which order you want to start on that.
CHAIRPERSON MATHIS: What order, Mr. Freeman?

VICE-CHAIR FREEMAN: Which of the five districts do you think deserves attention first?

MARY O'GRADY: I'm not worried about 27. So I think that's the least controversial.

VICE-CHAIR FREEMAN: Yeah, I'm guessing 28 and 29.

MARY O'GRADY: Twenty-eight and 29, I have questions as to whether they work. And in my mind 19 has questions as to whether it's more than we need.

VICE-CHAIR FREEMAN: Right.

MARY O'GRADY: Perhaps 28.

VICE-CHAIR FREEMAN: Well, one thing with respect to 28 as I looked at having 19 come in narrowly and then grab some of this population right in here, and put it with 19, so to improve 28's numbers.

Now you're going to have to make some additions to 28. It's going to have to grab some population in the western area of that district and a little bit more on the far east.

WILLIE DESMOND: Should we go through and explore some of what you --

VICE-CHAIR FREEMAN: Right. So maybe if we zoom in there on the south side of 28.

Maybe find 16th Street.

And what's the south boundary? Is that Jefferson
or Van Buren?

WILLIE DESMOND: The south boundary is 60.
And you wanted to find which, which street?

VICE-CHAIR FREEMAN: 16th.

WILLIE DESMOND: 16th.

Okay.

16th is right in here.

16th Avenue; right?

VICE-CHAIR FREEMAN: No.

VICE-CHAIR HERRERA: Street.

WILLIE DESMOND: 16th Street.

It runs right here.

Like that.

VICE-CHAIR FREEMAN: Then your south boundary again was?

WILLIE DESMOND: Van Buren.

VICE-CHAIR FREEMAN: Okay.

So if you run from -- for some reason I think what I'm looking at got changed slightly, but north on 16th Street to Thomas, just try this out.

WILLIE DESMOND: So we're adding this to.

VICE-CHAIR FREEMAN: It's going to -- I'm describing ultimately what is the eastern boundary of 19.

WILLIE DESMOND: Okay.

North to Thomas?
VICE-CHAIR FREEMAN: Correct.

WILLIE DESMOND: Okay.

VICE-CHAIR FREEMAN: Then west to Seventh Avenue.

WILLIE DESMOND: Okay.

VICE-CHAIR FREEMAN: Okay. Now the northern boundary of 19 will be McDowell.

And then it will jog north again at 51st Avenue, which I think is the boundary.

WILLIE DESMOND: It goes north at 35th, not 51st.

But you might have to readjust it.

VICE-CHAIR FREEMAN: Yeah, I think there was some more adjustment.

WILLIE DESMOND: Okay. So if we do --

VICE-CHAIR FREEMAN: Anyway, the idea is to take that chunk out and put it in a more heavily HVAP populated 19.

WILLIE DESMOND: Now 19 is -- is about 31,000 people overpopulated.

So, and it looks like 28 is -- about 30,000 underpopulated.

So you take -- 28 cuts into 19 right here. Is that what happens?

VICE-CHAIR FREEMAN: Yeah, okay. This is, this is 35th Avenue, did you say?

WILLIE DESMOND: This is 30th, I believe.
VICE-CHAIR FREEMAN: Okay. Is this 51st Avenue?
WILLIE DESMOND: 43rd.

51st is right here.

So that's, what, 20,000 people. If you move that chunk from 19 to 28.

VICE-CHAIR FREEMAN: Okay. What is this northern boundary of 19? Is that Thomas?

WILLIE DESMOND: I believe this road right here is Thomas.

And this is McDowell.

VICE-CHAIR FREEMAN: Sorry, I cannot see that.

WILLIE DESMOND: Oh, I'm sorry.

So you see the red box. The top part of that is Thomas.

The bottom part of that is McDowell.

VICE-CHAIR FREEMAN: Gotcha.

WILLIE DESMOND: I think this is what you're -- so now 19 would run west until it hits 51st, and then it would go up on 51st Avenue until where? To Thomas?

VICE-CHAIR FREEMAN: Yes.

WILLIE DESMOND: Okay.

So if we do that, now 28 needs to get about 10,000 more people from 19. That's just...

Do you have anywhere you want me to -- the only place that...
VICE-CHAIR FREEMAN: It doesn't have to get it from 19.

I suppose it could -- we could readjust this line with 29.

WILLIE DESMOND: Yeah.

VICE-CHAIR FREEMAN: And have the line come up on 51st.

To Indian School and then over.

WILLIE DESMOND: So adjust --

VICE-CHAIR FREEMAN: Square that off basically.

And that little bit of population goes off into 29.

WILLIE DESMOND: I see. Let me... That's about 9,000, take that, and then move this over here, is that what you're saying?

Buck, do we have another laser pointer?

BUCK FORST: No, I only have the one. I'm sorry.

VICE-CHAIR FREEMAN: I've got the only one?

WILLIE DESMOND: Yep.

So I guess what I'm saying is --

VICE-CHAIR FREEMAN: Okay. If you add that which you've highlighted --

WILLIE DESMOND: I'll use the hand tool. Can you see that a little bit?

VICE-CHAIR FREEMAN: Yeah.

WILLIE DESMOND: Okay. So I was saying let's add
this to 28, and then 28 is about where it needs to be.

And then from 29 then needs to get something from
28, so add this over a little bit right here.

VICE-CHAIR FREEMAN: Right. Maybe that chunk
right there that's jutting up into 29.

WILLIE DESMOND: Okay.

So do that.

And then have 29, that's about 9,000, that's about
right.

I take that.

Now, I think those districts, 19, 27, 28, 29, are
all voting balanced.

VICE-CHAIR FREEMAN: What's our HVAP?

WILLIE DESMOND: All right. Starting with 19, the
HVAP in that new district is 61.76 percent.

District 27, it's 54.79. I don't think that's
changed at all.

District 28 is 55.31.

And District 29 is 56.08.

Nineteen was 61.76.

COMMISSIONER McNULTY: So do I correctly
understand that we now have 28 coming -- reaching over 19
and way east, and then 19 reaching -- that has an arm
reaching out to grab those historic neighborhoods and pull
them into the majority-minority district? Kind of divide
them in two between 19 and 28?

VICE-CHAIR FREEMAN: That boundary could be
massaged, but it's to balance out -- it's to improve the
HVAP number in 28. And it will decrease -- the net effect
would be to decrease slightly the HVAP in 19, which was a
number that was well above baseline.

WILLIE DESMOND: Do you want to look at any other
measures there?

CHAIRPERSON MATHIS: Can you just pan to the right
a little bit?

I'm just curious about the west side, what other
HVAP there is on far west. Just move over.

Yeah.

WILLIE DESMOND: And, again, I can, just to make
it easy, up here, this color, is zero to 20 percent HVAP.
This color is 20 to 40 percent HVAP.
This color is 40 to 60.
This color is 60 to 80.
And the darkest green is 80 percent and above
HVAP.

CHAIRPERSON MATHIS: And then pan back to where we
were, please.

Where are these historic neighborhoods,
Ms. McNulty, that you're referring to?

COMMISSIONER McNULTY: I think they're those
really light green areas in the arm of 19 and in the arm of 28.

CHAIRPERSON MATHIS: Yeah, that's why I was looking on the west side, to just see if there's anything we can pick up moving those lines on the west side. And it looks like there's a big unassigned area above 28 that -- right. And wondering if that can somehow all be together.

WILLIE DESMOND: Well, 28 is about correctly populated.

Twenty-four needs about 45,000 people.

Twenty-five needs 112,000 people.

So, a lot of the unassigned is going to have to go to the districts that we have taken chunks out of when we kind of put these other ones on top.

(Whereupon, Mr. Herrera exits the room.)

WILLIE DESMOND: Is there any other shading that would make it helpful?

Again, I can -- I'll turn off the Hispanic HVAP shading so that you can see the areas kind of.

COMMISSIONER McNULTY: At some point I'd also like to try adjusting 29 within those three majority-minority districts to see if we can adjust the population so that we wind up with four majority-minority districts rather than three majority-minority and one coalition district.
WILLIE DESMOND: Okay.

So I guess you're talking about there then is going back to your original three and adjusting those to try to get a fourth?

COMMISSIONER McNULTY: You don't have to do it right now, but I would like to do that --

WILLIE DESMOND: Okay.

COMMISSIONER McNULTY: -- do that exercise before we finish with all of this.

WILLIE DESMOND: Okay.

We can do that. I would do that on a separate version probably.

Are these changes we want to leave?

Are these changes we want to save as a version so we can come back to them easily? Or are these changes that I should just accept or undue?

I'm trying to think about continuing to have one map that we're all working on. How do we proceed now?

VICE-CHAIR FREEMAN: Could you give me the HVAP again for 27, 28, 29?

WILLIE DESMOND: Sure.

For 27, the HVAP is 54.79 percent.

For 28, it is 55.31 percent.

And for 29, it is 56.08 percent.

COMMISSIONER McNULTY: Would you do the Cruz
numbers on all four?

    WILLIE DESMOND: Okay.

    Okay. So for 27, the mine inspector, Democrat received 73.13 percent in 2010.

    In 28 the Democrat received 56.07 percent.

    And in 29 the Democrat received 57.26 percent.

    Also -- you want District 19 also?

    District 19, the Democrat received 68.01 percent.

    I may have misspoken. In District 28, it's 65.07. I may have said 56. It's my mistake.

    Twenty-seven was 73, 28 was 65, 29 was 57, and 19 was 68.

    VICE-CHAIR FREEMAN: Would you put the HVAP layer on again, please?

    WILLIE DESMOND: Yes.

    (Whereupon, Mr. Herrera returns to room.)

    VICE-CHAIR FREEMAN: Okay.

    How about if 29 picked up this little corner here in the southwest corner.

    And then gave back the population in the northeast corner.

    WILLIE DESMOND: Here?

    VICE-CHAIR FREEMAN: No, up here, directly above it, north of it.

    WILLIE DESMOND: Okay.
Okay.

VICE-CHAIR FREEMAN: Okay. Our population -- oh, sorry.

WILLIE DESMOND: No, that's okay. So population -- so District 29 is currently 12,466 people over.

This change would move. . .

Just one second.

So that one will move up, almost exactly the right number.

So now. . .

VICE-CHAIR FREEMAN: Okay. I know that overpopulates or underpopulates 19 for the moment, but what does that do to our numbers on 29?

WILLIE DESMOND: That actually doesn't touch 19 -- oh, you're right, you're right.

In 29 then our population is only 32 people off the ideal.

The HVAP is 57.3.

VICE-CHAIR FREEMAN: Slight improvement.

WILLIE DESMOND: Then I'm looking at the mine right now, the mine inspector Democratic percent was 58 percent flat, even.

Any other questions you have?

CHAIRPERSON MATHIS: Now, I'm just wondering about
that arm in 19, and if that block on the end of it on the far east side -- and, you know, I'm not looking at anything other than just shapes and compactness, contiguous stuff right now, but trying to -- again, can 19 shift a little bit west to pick up those HVAP areas that are right outside its boundary, and remove that tail part, not all of the tail, but, you know, the block end of the tail.

WILLIE DESMOND: So it would move over here you mean?

CHAIRPERSON MATHIS: Right.

Would that do anything -- and then allow -- because we've got that kind of hole in the middle, and I am just wondering how we make a district there, if that's even possible.

WILLIE DESMOND: You mean this hole right here?


WILLIE DESMOND: Again, I think 24 would need to be -- a lot of those other districts need to be adjusted pretty substantially.

CHAIRPERSON MATHIS: But the one right there in the middle.

What's that?

WILLIE DESMOND: Right here?

CHAIRPERSON MATHIS: Uh-hmm.

WILLIE DESMOND: That's unassigned.
CHAIRPERSON MATHIS: Right. So connecting that down to the box end of the tail, which obviously cuts through 28 and might cause a problem.

But I'm just -- just in terms of trying to still make 19 work, but do something with that big unassigned area that links to areas below it.

WILLIE DESMOND: So that is about 108,000 people there.

It's more this than half of a district.

So you'd like to see if there's a way to link it, all this?

CHAIRPERSON MATHIS: What is that? What town is that, or census place?

WILLIE DESMOND: I believe it's all Phoenix.

Yeah.

COMMISSIONER McNULTY: Would it make sense to look at the coalition districts to see what happens when we readjust those?

WILLIE DESMOND: Sure.

I'm going to save a new version of this then, and change it to go back to those coalition districts, so that we, we kind of keep track of everything then.

(Brief pause.)

WILLIE DESMOND: So I'm going to unassign our District 27, unassign our District 19, unassign our
District 29, and then we'll input -- we'll do those three from -- on the minority coalition.

So remove our District 27.

And I will -- okay.

I'm going to remove our District 19.

Okay.

CHAIRPERSON MATHIS: While you're building that, I'm wondering if we have some folks who want to make some public comment who are trying to beat a snowstorm. I guess when it's in the 70s in Phoenix, it's snowing in Flagstaff.

So I'm wondering if we could maybe do that for a little bit, and then allow them to get on their way, and then we can come back to what Mr. Desmond builds.

WILLIE DESMOND: I think I'm actually about ready.

CHAIRPERSON MATHIS: Oh, okay.

WILLIE DESMOND: Sorry, Flagstaff.

COMMISSIONER McNULTY: Madam Chair, we can wait and do this exercise after.

CHAIRPERSON MATHIS: Okay. We'll go ahead and do the public comment.

So we have Sara Presler, mayor from the city of Flagstaff.

SARA PRESLER: Members of the Commission, Madam Chair.

Sara Presler, S-A-R-A, P-R-E-S-L-E-R, mayor of
city of Flagstaff. I should be the basis for the once a
today rule that we've instituted at the city council. So I
could offer you a process suggestion. You may want to stop
me while I'm in my tracks.

I want to just briefly before I head back up the
mountain appreciate the deference. We got about
three quarters of an inch yesterday, and today we're going
to get about an inch and so I drive a two-wheel drive truck,
so it's -- I didn't load up the back with sand yet. And if
you're from the north country of rural Arizona, you'll know
that's a requirement.

So thanks for your grace.

I wanted to summarize to you that we heard earlier
in the testimony today that Flagstaff supports option two
over option one. We heard Navajo Nation testify that they
would prefer option two over option one. And we even heard
the San Carlos Tribe through Mr. Titla's testimony that they
would support option two over option one.

Navajo Nation we heard asked for land and ranch
areas outside of Flagstaff.

Flagstaff has chosen to declare Switzerland and
remain silent as to those particular land issues. We'll
allow private sector and the tribes to work on those issues
with you together.

But we really don't have an opinion one way or
another at this time.

All three that you heard testify earlier today indicated that the Voting Rights Act is the number one priority and not to regress any native representation.

Flagstaff highly prioritizes a competitive legislative district. And you've probably heard that Navajo didn't directly address it. They were more silent as to the issue of competitiveness but did identify their communities of interest.

We identify those communities of interest on behalf of the city that tribal nations should work together so as to improve Voting Rights Act status and comply with the constitution.

We're here today to provide you an economic basis as to why option two is preferable over option one.

While we understand that there may be a barrier with the White Mountain Apache letter in preferences. In reviewing that letter in preferences, and not having an opportunity, of course, to speak with their leadership, we have tried to reach out.

We would like to offer that we believe that the proposed district in option two is more competitive than the district in option one for them.

So competitiveness is an advantage for all citizens of the state of Arizona.
Number two, the current status quo of White Mountain Apache is three counties or so, and this would reduce the number of counties if we chose option two over option one.

And, third, is that, is that when we talk about maintaining the status quo, oftentimes as leaders we think that's because that's what may be working for us, but if we have an ability to improve and to obtain preclearance through the United States Department of Justice on the first round, I think that will benefit all involved for predictability in the process and an outcome that meets many of these.

So I only speak on behalf of the municipality, but I do want to share with you that we're really pleased to have David Engelthaler, who is here from TGen, which is a corporation business here in the Valley, and also, of course, has a branch of up in northern Arizona. And he has many communications from our leadership in the Flagstaff Forty business community that he'd like to share with you.

So I just express gratitude to our business community for being so engaged.

And you're probably wondering what the heck we're doing here so much in front of you.

It's because we found in rural Arizona if you
don't get together and speak with one voice, in the beginning of the process, that we do a lot of work on the tail end of the process to try to clean up, because everybody seems to be very paternal about rural Arizona. They think that they may know what we want in our community.

And so we're just here to say to you that we're diverse and we are alive and we are vibrant and we have our views as to what works for our community.

So thank you for your deference and respect, and I'll see you next time, hopefully on the 13th of October in the community of Flagstaff.

So thank you.

CHAIRPERSON MATHIS: Thank you.

Our next speaker is David Engelthaler, excuse me, Flagstaff Forty.

DAVID ENGELTHALER: Good afternoon, members of the Commission, Madam Chairwoman.

I am David Engelthaler. I am the director of the Flagstaff branch of TGen, what we call TGen North. I'm also a small biotech business owner in Flagstaff, and I sit on a number of boards and committees in Flagstaff that are really geared around improving health and education in Flagstaff, Arizona. I was previously the state epidemiologist for Arizona. And I've worked in the private, nonprofit, and government sectors in Arizona for much last of the last
25 years.

But more importantly, I recently moved back to Flagstaff, after about five years, where my wife and I are raising our kids.

And this is why I am so keen on trying to help build a science economy based future for Flagstaff, which is what I just want to take a minute to discuss what's going on.

So I'm here to speak behalf of Flagstaff Forty, but also myself and similar business and community leaders in Flagstaff who worked very hard to make it what it is.

I strongly support the adoption of a map that allows Flagstaff the right of self-determination.

While we are good neighbors and friends with the Navajo Nation, we are distinct and have different interests and needs, interest and needs that are more closely aligned with our I-17 and I-40 neighbors.

I'm glad to see that this was acknowledged in the most recent maps.

In Flagstaff we're starting to do amazing things.

We have a burgeoning bioscience cluster, a growing research university with some of the best genomics, ecology, geologic science, forestry researchers in the world.

We have a surprising number of life and environmental science entities like Gore, Lowell
Observatory, and USGS.

We also have new spinoff companies that are funded by the people of Flagstaff. We have folks like Michael Manson, who really wanted to be here today and tried to be here, whose company in Flagstaff, Motor Excellence, is doing such amazing things it would make you cry. It's incredibly exciting what's happening there.

And we have leadership like Flagstaff Forth and others that actively encourage and fund science-based learning and research, in the community, from things like funding the local robotics club to significantly funding operations at Science Foundation Arizona.

Much of this science and technology driven community has been build in the last ten years.

Not because of the representation at the state level, but in spite of it.

Imagine what we could really do if we had state level representation looking out for the interests of Flagstaff and its businesses.

As a resident of Flagstaff, but more importantly of Arizona, I just want to urge you to create truly competitive districts.

We will continue to degrade as a state where redistricts are the norm and extreme maintain power in their respective parties. And while competitiveness might be a
fading -- might be fading as American ideal, it should be an intrinsic value in Arizona, not just in our sports, but in your businesses, in your schools, definitely in our electoral process.

And you guys obviously all hold the key for it to allow for that, for real competition, or to quash it.

I urge you all to make it your ideal as well.

The last thing, I want to thank you as a Commission for the incredibly difficult work you have do and are continuing to do. This is amazingly important work for the future of Arizona.

The future of Arizona and the future of Flagstaff literally rests in your hands.

Thank you.

CHAIRPERSON MATHIS: Thank you.

Our next speaker is Teri Grier, from Flagstaff Forty.

TERI GRIER: Members of the Commission, Madam Chairwoman, I try when I come you up here to make sure that I'm saying something unique.

And I really want to thank you for paying attention to each one of the different voices that have come forward today from Flagstaff.

I know that you had a chance to see our mayor.

And you may be asking why do I see the people from
Flagstaff so much?

And I wanted to give you a little bit of a historical background related to that that you may or may not be aware of.

Over the last five or six years, as Arizona has looked at the economic struggles, and they've looked at how to deal with the budget problem, one of the issues that has been on the table was funding our higher education.

And one of those big chits that was out there was Northern Arizona University. And at one point there was a proposal to only have two universities, and NAU would be bumped down to a tier two school.

And what that would mean is that it would be a four year university and you would no longer have graduate level or you would not have R&D.

So, David and his work and TGen would not exist. And that type of thing.

Last week we gave you a packet, and in that packet was a ten-page back and forth list of the inventions that have come out of the Northern Arizona University. And it included inventions related to forest health, health care, bioscience, high technology, computers. This is all research and development that's come out of that university. That would not exist.
trample down the mountain in a six-hour round trip in the
car and then sitting here in eight-hour hearings is because
they've already walked this walk before, and they know what
it's like to possibly lose something that's so vital.

And so it's kind of like rev your engines, here we
go again.

So, so we're basically in the second inning here.

And so it was a lot easier to get them going
again, because they almost lost it once.

And so that's why you have gotten such a barrage.

And I wasn't sure you were aware of that, but I wanted to
make sure you knew.

You heard me talk about the diamond there.

I wanted to back up a little bit and tell you from
a perspective from me. I told you a little bit about
historically where I come from, but I been an advocate for
the business community for almost 17 years.

And just before I came back to Arizona, the
company that I worked, for my primary responsibility was
traveling around the country and to technology programs,
think tanks, to some of the best and the brightest, and
looking and seeing what was out there, and working with them
to see how to highlight that.

And I have to say, it was an honor to meet these
people and to see what was going on in the field in
relationship to energy and high technology and banking and finance.

And I think that our country yesterday took a pause when we heard that we lost Steve Jobs.

Not just our country. I think the whole world just stopped.

But I have tell you, that in the time that I've had to a chance to get to know some of the business people up in Flagstaff and what they're doing, I don't care if they were down in Santa Cruz County or in Lake Havasu or wherever they were, I would be standing here advocating as hard as I am because they are the Steve Jobs of tomorrow.

They really are bringing what is going to get us out of this mess.

And what they're doing is going to address our global warming issues. They're going to address our carbon baking issues. They're going to -- I mean, it's amazing.

They're addressing issues that are providing prosthetics for our soldiers.

I mean, it's touching our lives, not ten years from now, but it's happening today. It's happening right now.

And it's not just happening in this little silo in Flagstaff.

Flagstaff is reaching out to the tribal nations
and helping them. They're reaching out to Prescott. They're reaching out to the White Mountain. They're working with Mesa Gateway.

And it's tripling all throughout.

So would you when you're talking about a community of interest, and you're talking about watching out for that and making sure that it's got representation on commerce, on economic development, on ways and means, and finance and taxes, on the appropriations committees, making sure there's somebody sitting there watching out, on public institutions and higher education, making sure there's a representative sitting there watching, it's vital.

It is so important.

And so that is why you keep getting this barrage.

I have a stack here of letters from 12 different companies, and I will give them to your staff to be able to put in your binders.

And over the next, and I apologize sort of, but not really, over the next three days you will see more businesses come down.

And it's not to harass you.

It's basically because, for them and for our state, it really is life and death.

And I just want to thank you so much for your attention.
Because this really is what's going to drive us into the 21st century.

Thank you.

CHAIRPERSON MATHIS: Thank you.

Our next speaker is Leonard Gorman, executive director from Navajo Nation Human Rights Commission.

LEONARD GORMAN: Madam Chair, members of the Commission, I want to share with you the basis map that we had discussion on this morning with the City of Flagstaff and the Navajo Nation.

My name is Leonard Gorman, last name G-O-R-M-A-N.

And when I repeatedly come to this podium, presenting information about Navajo Nation's interest, and as of yesterday, or Monday afternoon, we asked that the Commission address our northern Arizona region after we meet with the City of Flagstaff.

And we have done that this morning.

And had a lengthy discussion, coming to an understanding with the map that there will be -- realizing that there will be a number of tweaking regarding the map that I've shared with you.

And this is an effort to bring two parties having overlapping interests and also some interests that may have parallel concerns, and bringing together those two parties, and bringing due respect to the Navajo Nation, the
Flagstaff's concern about competitiveness, and we appreciate the endorsement by the City of Flagstaff to impress upon this honorable Commission to ensure that the Voting Rights Act are appropriately complied with, particularly the current Legislative District 2's voting rights threshold number.

Just going briefly going over the map as you started to map out earlier today, the northwest portion of the state of Arizona picking up the Hualapai Nation, the Big Boquillas nation, and leaving out the corridor leading to the south rim of the Grand Canyon, and coming back down to the Espil Ranch, and leaving out the city of Flagstaff, the community of Fort Valley and --

CHAIRPERSON MATHIS: Mr. Gorman, just by chance, I'm sorry to interrupt you, do you happen to have this on a jump stick that we could put it up?

LEONARD Gorman: Yes.

CHAIRPERSON MATHIS: Because that would be helpful, I think, to show folks, but -- if that's easy to do, while you're talking about it.

LEONARD Gorman: I didn't put it on a -- I could connect it to your --

CHAIRPERSON MATHIS: Okay.

LEONARD Gorman: And we can send it as a jump -- shapefile --
VICE-CHAIR HERRERA: Madam Chair.

CHAIRPERSON MATHIS: Mr. Herrera.

VICE-CHAIR HERRERA: How different is this from the option two? If you can pull option two, maybe he can use that as an example.

I think they're -- unless I'm reading the map wrong, it's very similar to option two.

LEONARD GORMAN: Madam Chair, members of the Commission, Mr. Herrera, it is very similar to option two. That is the line of thinking that we've come together on.

As I mentioned, there will be opportunities for tweaking along the edges --

VICE-CHAIR HERRERA: Madam Chair, it would be helpful for me if Mr. Desmond was able to bring up option two and look at that area while he is -- while Mr. Gorman is talking about the particular map.

Mr. Gorman, do you need a pointer?

COMMISSIONER McNULTY: I think what Ms. Dworkin is saying that they have a jump stick in the back.

JUDY DWORIN: Yeah, we can just download it if we just wait a minute.

COMMISSIONER McNULTY: Okay.

LEONARD GORMAN: Sometimes we have difficulty.

VICE-CHAIR HERRERA: Madam Chair, can Mr. Gorman come back?
CHAIRPERSON MATHIS: Yes.

VICE-CHAIR HERRERA: I just want to make sure I'm understanding correctly.

COMMISSIONER McNULTY: They do have it on a jump drive.

JUDY DWOROKIN: We just have to download it from the thumb drive.

CHAIRPERSON MATHIS: Okay. Yeah, I just -- everyone probably would benefit just to see it on a screen, if we can.

We'll go ahead -- I've got another request to speak, Judy Whitehouse, representing self from LD 15.

JUDY WHITEHOUSE: Good afternoon, members of the Commission, and chairman.

I spoke to you earlier, maybe last week, and it was a very crowded afternoon, and so I didn't tell you anything about myself.

And I have to say that my family hasn't been here as long as Mr. Gorman's family has been.

But they did homestead in Yuma in the early 1900s and they did homestead in Tucson, my father's family, in the teens. And they've been here a long time.

We have relatives all over the state.

So I live up in Maricopa County. I don't expect you to favor me any more than any of my relatives who live
elsewhere.

We represent Independents, Republicans, Democrats, very liberal, very conservative.

We have a multitude of interests, just like this state has.

And it serves no one if one party in a family or a state always has the advantage.

So I speak again on behalf of competitiveness.

I coached the ASU women's golf team for six years. I competed and taught golf for over 45 years.

We value, and it seems to have been lost in our current culture, honesty, integrity, being your own referee, not taking advantage when you have the chance and no one's looking.

These are our true values.

And our whole state's going to be a lot better when people start playing by some really good rules.

And you hold the public trust for all the people who are out working, cleaning our streets, taking care of our sick, teaching our children, taking care of children. All these people who can't be here, you must speak for them.

And they expect a fair shake.

I expect that you will give us all a fair shake, now matter who we are.
Thank you very much.

CHAIRPERSON MATHIS: Thank you.

Looks like we might still be waiting on the jump stick.

Okay. Oh, sorry.

Shirley Dye, would you like to speak, representing self, from northern Arizona.

SHIRLEY DYE: Thank you. I do have to get home up the hill.

Shirley Dye, D-Y-E, from Payson.

In hearing all of the pleas from the Flagstaff Forty, and the mayor of Flagstaff and all the other Flagstaff people, I would like you to keep in mind that there is another faction up in Flagstaff, the conservative faction, that is not all on board with what all of these people are saying.

So just so you know, they may not be representing, you know, over 50 percent of the people up in Flagstaff with what they are saying.

Also, in the option one, District 5, eastern Arizona counties, people got together and submitted that map. Yes, it's similar to, very similar to what we had before.

But we have made up a coalition up there of not only leadership-type people, but the people like me, who is
a retired person, who worked my butt off just north of
Los Angeles for years and years and years.

Okay?

Paid into this system, very well.

Okay?

And this, this option one map is made up of people
who have worked and provided, whether they be ranchers,
whether they be tourist attraction people, whether they be
the miners, whether they be the farmers, the business
people, or whatever, were included in preparing this map.

I have a real hard time at some point figuring out
how you can make all these majority-minority and
majority-minority coalitions when they did not necessarily
exist before, and you feel that that is something that
you're going to do.

You've already taken our old Congressional
District 1 and put it totally out of balance towards the
liberal side, when it was a very competitive, nicely
balanced district before, that sometimes voted for
Democratic candidates and sometimes voted for Republican
candidates.

And now you have skewed that far to the
department -- other way.

And so, you know, that upsets me.

I certainly understand the majority minorities
that live in the metro area.

Because that's, you know, where all the Hispanic minorities are.

And if the Navajo and Apache and the Salt River Tribe and the -- what's the tribe down there south, right down over here, I can't remember the name of them, but is included in District 1, if they had been together all these years, that would have been one thing. But this is something new, where they're trying to get everybody on board for one district.

And I just don't feel like necessarily their interests are going to be changed a whole lot if they're all in one district.

I think they would probably have a better voice if they were in one smaller district than one gigantuous Native American district.

I just don't -- because of the rural areas of Gila, Graham, Greenlee, southern Apache, and Navajo Counties are a very -- a different rural, very, very different than the whole Flagstaff area.

And I for sure don't feel comfortable at all having Gila County split into three different districts.

If there was some way you wanted to maneuver and do something where you could keep whole counties there so there would be some sort of resemblance of order
to the whole work -- works, that would that would be one thing.

But, like I said, there's a whole bunch of people that I represent from Graham, from Greenlee, that can't get here.

They don't have the three hours here, the three hours back time to do that, because these are working people, and your meetings are all during the day. And I happen to be retired.

I was hoping that some of them could come down here, but Highway 87 was absolutely a gully wash this morning and through the day, I understand.

And so, you know, I'm hoping some more of these people -- I feel like I'm a real minority here, when I have been a producer all of these years, and so thank you very much for hearing me once again. I hope to be back tomorrow. I can try it again.

CHAIRPERSON MATHIS: Thank you.

Looks like we just got that map up -- no, we don't. Okay.

Would you like a break?

We'll take a ten-minute break. The time is 4:10.

(Brief recess taken.)

CHAIRPERSON MATHIS: Okay. The time is 4:38 p.m.

We'll enter back into public session.
And I think we've got the Navajo Nation proposal up on the screen.

So if you want to walk us through that, Mr. Gorman, that would be great.

LEONARD GORMAN: Madam Chair, members of the Commission, starting from the northwest corner of the state, in that area of Mohave County is included north of the Grand Canyon area.

And then the Hualapai Nation's lands, and then the -- the area that's pointing here, this is checkerboard land area, which the voting or the census block is kind of configured in a weird fashion, so it picks up more -- a little bit of a land area beyond the checkerboard area, but there's no population in that land area at all.

And then coming down to picking up the Big Boquillas Ranch in here, east of the Hualapai region.

And then going up towards the south rim of the Grand Canyon, and hitting the Navajo Nation western boundary, and coming back down and picking up the Espil Ranch north of the city of Flagstaff.

And then in that area the city of Flagstaff, the entirety of the incorporated area is outside the Navajo Nation's proposed boundary along with Fort Valley.

Census place is out and Doney Park is also out.

In that area.
Coming towards the Navajo Nation southwest corner here, it's going along the interstate to that point.

And then there's lands, based on the previous presentations by the Hopi Nation, they made a comment that we have a number of conversations with them in developing our original map, in which they said they requested our office but also the Redistricting Commission to incorporate their ranch lands in that area. And there were three -- I think there were three or four different ranch lands in this particular area here, just south of the southwest corner of the Navajo Nation.

Those ranch are the Drye Ranch, D-R-Y-E Ranch.

Hart Ranch, H-A-R-T.

And then directly south of the city of Winslow is the Clear Creek Ranch in here.

And then the Aja Ranch, A-J-A, Ranch, is also in this area.

So this red line dipping south of the Navajo Nation, that incorporates those four ranches in there.

And then, of course, the Navajo Nation's Winslow tract is abutting the north, northeast portion of the incorporated area in the city of Winslow.

And then we go up towards Joseph City.

Joseph City is right here. And we exclude the incorporated
area of Joseph City. And the city of Holbrook is also excluded in this, is outside the Navajo Nation's proposed boundary in that area.

If we go south along the Apache, Navajo County line and pick up two incorporated areas, right at this corner, right above the White Mountain Apache Nation. White Mountain Apache Nation is this area here. Right in that corner we pick up Pinetop, Lakeside, Pinetop Country Club to be a part of the district of the Navajo Nation to be relocated.

And south of there we pick up the White Mountain Nation and then the San Carlos Nation, Apache Nation. And then Greenlee County is also included in its entirety.

So that makes up the Navajo Nation proposed boundary, and as we discussed with the city of Flagstaff this morning, and it's along the concept of the option two 8A, and it would be amending that concept two 8A, Madam Chair.

CHAIRPERSON MATHIS: Thank you very much.

Any questions for Mr. Gorman?

VICE-CHAIR HERRERA: Madam Chair.

CHAIRPERSON MATHIS: Mr. Herrera.

VICE-CHAIR HERRERA: Mr. Gorman, can you describe to me why you included Colorado City, which is in
Mohave County, in part of the congressional district?

LEONARD GORMAN: Madam Chair, members of the Commission, Mr. Herrera, in order for us to reach the ideal number and also for each district, let's see, the ideal number for each legislative district being 213,067 people, our effort was to look at the feasibility of having to reach that number and be within a deviation.

Now, part of the effort that we've explained is to work with the City of Flagstaff as the City of Flagstaff has the objective of the issue of competitive.

So either we pick up that area in the northwest corner, or looking at the area right above the White Mountain Nation, and Navajo Nation's preference is to pick up that area to make up the numbers.

Now, the other exploratory area is the Winslow I-40 corridor, Winslow, Joseph City, and Holbrook. As I noted in here, that the Joseph City and Holbrook are out of the Navajo Nation district.

So the effort is really to balance the population and also arriving at the Section 5 Voting Rights Act threshold, the 59 percent threshold.

VICE-CHAIR HERRERA: Madam Chair.

CHAIRPERSON MATHIS: Mr. Herrera.

VICE-CHAIR HERRERA: One more question for Mr. Gorman.
There are currently, as you know, two maps, option one and option two.

Just, again, can you state which one you would -- mostly meets the needs of the Navajo Nation?

LEONARD GORMAN: The -- in contrast -- in comparison and contrast, the map that the Navajo Nation has provided to you, the Navajo Nation believes that the option two 8A is the map that most fits this iteration.

VICE-CHAIR HERRERA: And just for the record, that's the map that Ms. McNulty presented.

LEONARD GORMAN: Yes.

VICE-CHAIR HERRERA: Thank you so much, sir.

COMMISSIONER McNULTY: Madam Chair.

CHAIRPERSON MATHIS: Ms. McNulty.

COMMISSIONER McNULTY: Mr. Gorman, is Winslow within this district or outside of it? How did you handle Winslow?

CHAIRPERSON MATHIS: It's outside.

LEONARD GORMAN: We have four -- five border towns in the state of Arizona surroundings the Navajo Nation, the city of Page, Flagstaff, Winslow, Holbrook, and then the small community of Joseph City.

With the city of Page, it's in the proposal here.

With regards to the direct question with Winslow, part of the difficulty that we faced is the fact that when
the Navajo Nation supported the Hopi Nation to have their ranch lands incorporated into the district in which the Hopi Nation is located, the ranch lands actually surround the city of Winslow.

So that, in fact, there is a trust land directly west of the city of Winslow. So we tried to make an effort to perhaps extract the city of Winslow into outside the Navajo Nation district.

However, also to the north side of city of Winslow is the Winslow tract Navajo Nation land hogan.

So on the east side, along the I-40 corridor, the Aja Ranch, Hopi Ranch butts against Winslow tract land the Navajo Nation is holding.

So it was difficult to extract that particular community.

VICE-CHAIR HERRERA: Madam Chair.

CHAIRPERSON MATHIS: Mr. Herrera.

VICE-CHAIR HERRERA: I do have two additional questions, Mr. Gorman, if that's okay.

The -- can you explain to me the consequences if we were to adopt the way District 7 looks in option one version 8A?

So, you stated that the -- your preferred option two version 8A, if we were to adopt the other map, the way that District 7 looks in that, can you talk about what the
consequences would be to the Native American people if we were to adopt the opposite map to what you guys want?

It's option one version 8A.

LEONARD GORMAN: Option one? Okay.

Hold on.

Option eight -- option one 8A.

VICE-CHAIR HERRERA: Do you want a copy of this?

Sure, sure, I'm happy to.

LEONARD GORMAN: The option one 8A, as we've explained repeatedly in the past, the Navajo Nation has a number of principles.

One is that the first iteration that the Navajo Nation presented said to this body a number of times incorporates several indigenous nations in that area, including both Apaches, Hopi Nation, and the Hualapai, Havasupai, and Kaibab Nations. And one of the principles is include those indigenous nations in the future districts that are going to be drawn up.

Second, the Navajo Nation has presented information as a principle that those land holdings off the Navajo Nation, just like the Hopi Nation, would be incorporated into the district in which Navajo Nation would be located.

Then, finally, that the section -- Voting Rights Act standard threshold being 59 percent for the Navajo
Nation would, in the current district that the Navajo Nation is located, would be met.

And that we would also pursue the opportunity to increase that threshold number from 59 percent to 61 percent for very specific reasons.

And those reasons are that Navajo Nation voting public have encountered a variety of situations and concerns during the time the election takes place. And there's always that challenge of existence for Navajo's voting public on that date.

And that in order to ensure that the Navajo people vote for the person that they believe would best represent them, we do respectfully request that the 59 percent be increased to at the minimum of 61 percent Native American voting age population in which the Navajo Nation be located.

Having said that, going to option one version 8A, this particular option significantly impairs the Navajo Nation from having to enjoy the opportunity that we believe would have been presented in the option that the Navajo Nation presented before. And that is, for example, that it does not meet the Voting Rights Act requirement of the 59 percent minimum, and also does not meet the Navajo Nation's interest in increasing that voting age population percentage.

Effectively it also does not provide an
opportunity for the Navajo Nation to have all of its land holdings, particularly in the Winslow tract area, to be a part of that proposal.

And then finally, as part of the comments and concerns the Navajo Nation has expressed, the Hopi Nation's land holdings surrounding the Winslow area.

CHAIRPERSON MATHIS: Any other questions?

VICE-CHAIR HERRERA: Just one more question, this is regarding the White Mountain Apache Tribe.

Mr. -- Commissioner Freeman does not include the White Mountain Apache Tribe obviously in that version.

What is the relationship of the Navajo Nation with the White Mountain Apache Tribe? Can you describe that?

LEONARD GORMAN: Madam Chair, members the Commission, Mr. Herrera, the Navajo people and the White Mountain and the San Carlos Apache have a common language origin, and it's Athabaskan. And we do have as a long-standing traditional relationship as perhaps you could say brothers and sisters.

There are large significant number of intermarriages between the Navajo people and the Apache peoples of White Mountain and San Carlos.

So that's -- I know them for that, that's the extent -- or at least I know that that's part of the relationships between the Navajo people and the
White Mountain Apaches from a traditional culture perspective.

But in addition to that, there are a variety and multiple community of interest concerns between all indigenous nations in the state, in Arizona and the United States, predominantly related to human rights issues.

As we are engaging the San Carlos Apache Nation with the Navajo Nation to address sacred site issues. They have expressed a strong concern about a sacred site. They are pursuing to the Navajo Nation in the San Francisco Peaks sacred site concerns.

So in that respect from a federal policy, state policy perspective, we do have a lot of commonality in addressing those policy concerns.

VICE-CHAIR HERRERA: Madam Chair, one last question.

Do you consider the Native American tribes, Navajo, Hopi, San Carlos Apache, the Pai Tribe, White Mountain Apache, a community -- a community of interest?

LEONARD GORMAN: Madam Chair, members of the Commission, Mr. Herrera, yes.

VICE-CHAIR HERRERA: That's all I need to know. Thank you.

CHAIRPERSON MATHIS: Thank you.
Any other questions for Mr. Gorman? Comments?

(No oral response.)

CHAIRPERSON MATHIS: I'm curious, do you go to redistricting meetings in New Mexico too? They probably don't have an Independent Commission.

LEONARD GORMAN: Madam Chair, members of the Commission, Navajo Nation is involved in three states, the state of Utah, Arizona, and New Mexico.

And unfortunately we're preparing for litigation in New Mexico on redistricting issues.

CHAIRPERSON MATHIS: Okay. Thank you very much. Well, so this proposal takes the American Indian population up to 64.96 percent, according to this proposal.

And that -- this proposal is on the website yet?

It's not.

Okay. But it will be soon.

WILLIE DESMOND: It could be.

CHAIRPERSON MATHIS: It could be soon.

WILLIE DESMOND: If -- yeah, we can get it up.

CHAIRPERSON MATHIS: Yeah. I think as soon as possible for folks following along at home, that would be great.

VICE-CHAIR HERRERA: Madam Chair.

CHAIRPERSON MATHIS: Mr. Herrera.

VICE-CHAIR HERRERA: I think we've heard enough
testimony, at least for now, to at least move forward with creating the -- that particular part of Arizona, with filling it in with the -- with what appears to be a version similar to Commissioner McNulty's.

We have testimony from the City of Flagstaff, Navajo Nation, San Carlos Apache, so I think we can -- I would feel comfortable moving forward and creating and filling in that hole with the comments from Native American leaders and also the City of Flagstaff.

CHAIRPERSON MATHIS: How do other commissioners feel about putting in what they describe as District 2 as a place holder for that northeast --

VICE-CHAIR HERRERA: District 7.

CHAIRPERSON MATHIS: -- north and northeast -- well, I'm sorry, on their --

VICE-CHAIR HERRERA: Oh, I'm sorry.

CHAIRPERSON MATHIS: -- on their proposal it's two.

VICE-CHAIR FREEMAN: Madam Chair.

CHAIRPERSON MATHIS: Mr. Freeman.

VICE-CHAIR FREEMAN: I would not favor that.

We've heard from the White Mountain Apache Tribe, and perhaps Commissioner Herrera didn't know this because he wasn't here when the meeting started today, but we were heard the San Carlos Apache Tribe wanted an opportunity to
I weigh in on this issue.

So perhaps we should give them the opportunity to speak their mind.

CHAIRPERSON MATHIS: I'm wondering if -- can we cover at least the area -- because it looks like on Mr. Freeman's version, his goes all the way over the way theirs does; right?

Isn't it the same?

VICE-CHAIR HERRERA: Not even close.

CHAIRPERSON MATHIS: I can't tell.

I should put on my glasses.

COMMISSIONER McNULTY: I think it is the same in Mohave County.

VICE-CHAIR HERRERA: In Mohave County, correct.

CHAIRPERSON MATHIS: Yeah. So, I mean, to me can we at least follow most of it until the Apache? Would that work?

VICE-CHAIR HERRERA: Madam Chair, I think that would work, but, again, this isn't some zone --

CHAIRPERSON MATHIS: Yeah, just as a place holder.

VICE-CHAIR HERRERA: I would -- I would -- I would be in favor of doing that now.

Let me remind you that at the point we decided to adopt the -- Commissioner Freeman's majority-minority district in Phoenix, I wasn't asked if I was okay with that.
We went ahead and did that without -- I said I didn't approve that. And also I think Commissioner McNulty approved that, but we went ahead and did that and move forward, so I think we should do the same with the -- with District No. 7.

Again, it's not a -- it's not set in stone. It's something to keep us moving forward.

And I think we've heard enough public testimony to at least go forward with these -- again, this is not even a draft. It's not even set in stone. It's something that will help us put together the rest of the pieces quicker.

COMMISSIONER McNULTY: Madam Chair.

CHAIRPERSON MATHIS: Ms. McNulty.

COMMISSIONER McNULTY: Ms. O'Grady, Mr. Kanefield, we have to satisfy the Voting Rights Act; is that not correct?

JOSEPH KANEFIELD: That is correct.

COMMISSIONER McNULTY: Are we in a position where we cannot satisfy that benchmark without risking preclearance?

MARY O'GRADY: Yeah, I think if we don't -- I -- as I mentioned yesterday, the benchmark -- the current benchmark is at 58.99, so I think we need to get it up to that number.

And I haven't seen a proposal that gets it up to
that number without including the Apache.

And so I don't think -- I'm concerned, as the Navajo representatives have testified, that a 52 percent, that drops it that significantly, would risk not getting precleared.

I think we need to maintain that benchmark level, is my advice.

JOSEPH KANEFIELD: Madam Chair, I'm not sure I completely agree.

I think I agree with Commissioner Freeman that we do need to hear from the San Carlos and Apache Tribe to see exactly what their position is, because that is going to be taken into consideration by the Department of Justice.

So -- and we do need to possibly do a little more analysis.

So while I do concur that the number -- the higher the number the better, the more chance of preclearance, but I'm not willing to go that far at this point and say that it has to be that level when we've got tribes that may disagree.

COMMISSIONER McNULTY: Well, if we have tribes that disagree, aren't we at least going to draw an objection from -- don't we run the risk of drawing an objection?

MARY O'GRADY: We have to preserve an opportunity to elect a Native American candidate of choice in state
legislature. So we have to draw a district that retains that.

    Unless we can prove that natural retrogression.
    But based on what's in the DOJ guidance that we put in the record yesterday, I don't think we can meet that burden here.
    So we need to preserve that opportunity to elect.
    But when District 2, which was the Native American district was precleared, it was 62 percent Native American. Now it's 58.99 percent Native American.
    So I think we need to preserve -- create a district that preserves it within that -- within those ranges.

    COMMISSIONER McNULTY: Madam Chair, you asked what our perspectives are, and mine is that even if we didn't have to preserve an opportunity to elect, I think they're very important imperatives. I'd like to see us adopt that district as a place holder.

    VICE-CHAIR HERRERA: Madam Chair.

    CHAIRPERSON MATHIS: Mr. Herrera.

    VICE-CHAIR HERRERA: And putting it in that -- putting it is in as a place holder doesn't prevent the San Carlos or the White Mountain Apache from participating. As a matter of fact, it probably would encourage them to participate as opposed to leaving them blank.
I think we need to move forward with this, and I would encourage the Native American friends to, to help us communicate with the San Carlos and the White Mountain Apache to get their input. But I think having that place holder there, they'll have something to comment about.

And let's go forward.

Again, this doesn't prevent them from -- it's not set in stone. It's just kicking us to the draft map, so let's move forward and let's add that piece.

CHAIRPERSON MATHIS: When do we expect to hear from White Mountain Apache and San Carlos Apache?

Do we have any -- is anyone reaching out to them? Or do we consider their input to have been given? I just...

MARY O'GRADY: I touched base with Norris Nordvold through the Inter Tribal Council yesterday to see if we would be hearing. And then, you know, Steve Titla this morning testified for the San Carlos that he would be back as soon as possible.

I haven't heard anything specific from the White Mountain Apache in terms of their time frame.

We can follow up with them more directly, if you -- if you'd like.

CHAIRPERSON MATHIS: Yeah, I would like that, just so we can get an affirmative or some kind of input from
them, so that we have an answer.

It's looking so voting age Native American is 52.05 percent. Mr. Freeman's.
And we need to get it up to 58.99.
And, Ms. O'Grady, you're saying that you don't think that can happen unless we include those tribes; right?
MARY O'GRADY: I haven't seen any alternative that maintains the benchmark level without including the Apache Tribes.

CHAIRPERSON MATHIS: Well, I guess we'll wait until we hear from them.
It will be interesting to see, I mean, how we do that otherwise.
I don't know what the plan would be, but we can wait and see what their input is and go from there.

VICE-CHAIR HERRERA: Madam Chair.
CHAIRPERSON MATHIS: Mr. Herrera.
VICE-CHAIR HERRERA: I think we're making a lot of assumption that they will get back to us in a timely manner. And what if they don't? It's very strong possibility.
I think the people that spoke on behalf of the city of Flag and the Navajo Nation talked about reaching out.
I don't think they've gotten much of a response either.
So I would suspect that, that we may not hear from them today, possibly maybe not even tomorrow. So I would recommend that we move forward.

I think creating those majority-minority districts will help us, you know, move around and start creating the other areas.

The sooner we create the majority-minority districts, the sooner we can create the -- fill in the gaps.

So, again, putting it as a place holder doesn't stop anyone from commenting.

I'm assuming that would probably encourage them to comment be if that's not what they like.

CHAIRPERSON MATHIS: Well, we know one majority-minority district is going to be there. Just the exact boundaries of it we don't know.

Is there agreement on putting it in where there is common ground on the two proposals?

COMMISSIONER McNULTY: My concern is that that does not create a majority-minority district, so I'm not sure how that helps us solve the issue.

CHAIRPERSON MATHIS: Okay.

Well, then we'll just wait.

So I guess we go back to Maricopa land, where we were before, and see what we might do to improve creating majority-minority districts there.
WILLIE DESMOND: Where we left off, I was asked to create a new version of the map that went back to the three Minority Coalition districts from -- that they had submitted.

So this plan has done that, 20, 29 -- I'm sorry, 27, 29, and 19 are taken directly from the Minority Coalition.

As a result, what was 28 is now kind of split into two chunks.

There's an unassigned area here, and some unassigned areas are kind of on the fringes.

I think Commissioner McNulty wanted to try to adjust these to make a fourth district somewhere.

So, I believe that was... .

COMMISSIONER McNULTY: Can you import District 29 from option two version 8A and put it on top of this District 29?

WILLIE DESMOND: They're the same.

COMMISSIONER McNULTY: Option two 8A, that's District 20.

WILLIE DESMOND: That's District 20.

COMMISSIONER McNULTY: So if you would take District 29 from option two version 8A and put it on top, put it above.

WILLIE DESMOND: Okay.
So. . .
I'll call it 31 again, just for. . .
That's right here.

COMMISSIONER McNULTY: Okay.

WILLIE DESMOND: District 31 is the same as option two version 8A District 29.

COMMISSIONER McNULTY: So according to our table, that district has a voting age population Hispanic population of 32.21 percent.

A voting age non-Hispanic African American population of 5.97 percent.

Non-Hispanic Native American, 2.2.
Non-Hispanic Asian, Pacific American, 3.79.

And then a couple other smaller non-White components, which brings the total voting age non-White population, or the total voting age minority population, to about 44.5 percent.

That's without making any adjustments.
So I think without any adjustment, that would be a potential coalition, an opportunity to elect district.

If you go to the north boundary of 29 -- not of 29, of 31, I guess we're calling it now.

WILLIE DESMOND: Uh-hmm.

COMMISSIONER McNULTY: Move it south to Dunlap.

WILLIE DESMOND: Okay. That would remove about
81,000 people from the district.

COMMISSIONER McNULTY: Let's go to the south boundary, between 43rd Avenue and 19th Avenue. Move it south to Van Buren.

WILLIE DESMOND: 43rd and 19?

COMMISSIONER McNULTY: Yes.

WILLIE DESMOND: That adds about 84,000 people back in.

COMMISSIONER McNULTY: This may need some population adjustment, but just a start.

WILLIE DESMOND: Okay.

Now, District 31 is about 5,000 people overpopulated, 2.46 percent.

COMMISSIONER McNULTY: What's the HVAP? What's the total minority?

WILLIE DESMOND: HVAP is 50.39. The non-Hispanic White percentage is 36.22. So the total minority is 63.78 percent.

COMMISSIONER McNULTY: Okay.

WILLIE DESMOND: District 21, another majority-minority district, underpopulated then, I believe 19 is as well, so those probably make up population somewhere else.

COMMISSIONER McNULTY: Let's go to 20, which I think is 29.
WILLIE DESMOND: Okay.

COMMISSIONER McNULTY: In between 59th Avenue and 43rd Avenue, move the south boundary from Thomas to McDowell.

WILLIE DESMOND: Between which avenues?

COMMISSIONER McNULTY: 43rd and 59th.

WILLIE DESMOND: Okay. Now, District 29 is about 25,000 people underpopulated.

COMMISSIONER McNULTY: So let's go to the west boundary.

Move it from 91st Avenue east. You'll see --

WILLIE DESMOND: You mean west?

COMMISSIONER McNULTY: West, sorry. West to -- see Litchfield Park there? Kind of west to the east boundary of Litchfield Park.

WILLIE DESMOND: Okay.

COMMISSIONER McNULTY: I'm not sure exactly how to adjust the population in there.

WILLIE DESMOND: Too much.

That's about 21,000. Take that. So still need to go 3600.

COMMISSIONER McNULTY: Probably want to be looking at HVAP when you're doing this.

WILLIE DESMOND: Yeah.

That gets it reasonably close to the edge of the
population.

District 29 is about 700 people overpopulated, and has Hispanic HVAP of 63.19.

Total non-Hispanic White of 25.98.

So it's about 74.02 percent minority.

COMMISSIONER McNULTY: That's 29.

WILLIE DESMOND: That's -- this is 29, yeah.

COMMISSIONER McNULTY: Okay.

All right.

WILLIE DESMOND: Then I think the other majority-minority district that has been affected is District 19 is about 58,000 people underpopulated.

COMMISSIONER McNULTY: 58,000?

WILLIE DESMOND: Yeah. 57,867.

COMMISSIONER McNULTY: District 19 or District 27?

WILLIE DESMOND: District 27 is right on the money here.

It's about 803 people overpopulated.

District 19, I mean, in your map, yeah, they're both -- District 19 on both maps is the one that's off by about 58,000 people.

COMMISSIONER McNULTY: That's -- sorry, so District 19 needs to make up people.

WILLIE DESMOND: Yes.

COMMISSIONER McNULTY: Okay. Could you put the
census places back on?

WILLIE DESMOND: Sure.

COMMISSIONER McNULTY: Let's go to -- between 91st Street and 83rd.

WILLIE DESMOND: On what road?

COMMISSIONER McNULTY: Indian School and Thomas.

WILLIE DESMOND: Okay. That's right in -- this is 91st Street, and this is 83rd.

This is Indian -- this is Thomas, I'm sorry, and then Indian School is -- yeah, Indian School.

Here's Indian School. Here's Thomas.

COMMISSIONER McNULTY: Okay.

So we're going to add, between 91st Street and 83rd, the area between Indian School and Thomas.

WILLIE DESMOND: To District 19?

COMMISSIONER McNULTY: Yes.

WILLIE DESMOND: Okay.

That's about 8,000 people.

Now, District 19 is about 50,000 people underpopulated and District 29 is about 8,000 people underpopulated.

COMMISSIONER McNULTY: Where is Avondale?

I can't see the coloration up there.

WILLIE DESMOND: Sure.

Avondale is this whole area. Let me change the
color quickly. That makes it a little easier to see off the
top.

COMMISSIONER McNULTY: I think we've got, like,
three or four census areas in Avondale -- oh, there it is.
Okay. Now I can see it.

That we need to pull into 19, so that Avondale
becomes a whole census place.

WILLIE DESMOND: So you want to pull all --

COMMISSIONER McNULTY: Pull Avondale in, yeah.

WILLIE DESMOND: To 19? Okay.

That will add about 14,000 people.

Now Avondale whole, District 19 is now at
178,000 people. It needs to get 35,000 more people into it.

And District 29 needs to make up about 9100
people.

COMMISSIONER McNULTY: Are those census tract
numbers? I think these were back in the area that I added
between Indian School and Thomas, let me give them to you
and see if you can find it.

WILLIE DESMOND: Okay. Let me pull that up real
quick.

COMMISSIONER McNULTY: I'm going to take these
from 27 and put them in 19.

WILLIE DESMOND: Take them from 27?

COMMISSIONER McNULTY: Yes.
WILLIE DESMOND: Okay.

COMMISSIONER McNULTY: 1125.12.

WILLIE DESMOND: Okay. One sec.

All right.


WILLIE DESMOND: Okay.

COMMISSIONER McNULTY: 1155.

WILLIE DESMOND: Okay.

COMMISSIONER McNULTY: 1145.

WILLIE DESMOND: Okay.

COMMISSIONER McNULTY: And 1147.03.

WILLIE DESMOND: And that little, have to take 1146 also to do this.

COMMISSIONER McNULTY: Okay.

WILLIE DESMOND: If I do that on -- District 19 is about 5300 people underpopulated, District 27 is about 29,000 people underpopulated, and District 29 is about 9100 people underpopulated.

COMMISSIONER McNULTY: Okay. Let's go to District 27.

WILLIE DESMOND: Okay.

COMMISSIONER McNULTY: Between 7th Street and 32nd Street.

WILLIE DESMOND: On what road, the north boundary or the south?
COMMISSIONER McNULTY: We're going to add between Van Buren and McDowell, the area between Van Buren and McDowell that's bounded by 7th Street and 32nd Street.

WILLIE DESMOND: Okay.

How far north?

COMMISSIONER McNULTY: The area between Van Buren and McDowell, we'll pull into 27th.

WILLIE DESMOND: Between 27th and 7th; right?

COMMISSIONER McNULTY: 7th Street and 32nd Street.

WILLIE DESMOND: Okay.

District 27 is about 8900 people underpopulated.

District 19, about 53, 5400 people.

District 29 is at 9100.

And District 31 is about 5200 over.

COMMISSIONER McNULTY: There were a couple of those numbers that you didn't say whether they were over or under.

WILLIE DESMOND: I'm sorry, everything except for District 31 is underpopulated.

So, again, District 27 is 8900 people underpopulated.

Districts 19 is 5400 people underpopulated.

Districts 29 is 9100 people underpopulated.

District 31 is about 5200 people overpopulated.

COMMISSIONER McNULTY: Let's go back to the census
tracts.

WILLIE DESMOND: Okay.

Which ones do you want to add to?

COMMISSIONER McNULTY: I'm going to need better
glasses or a telescope.

WILLIE DESMOND: Let me change the color to see
make it easier.

COMMISSIONER McNULTY: Twenty-seven is
overpopulated; is that right?

WILLIE DESMOND: Twenty-seven is underpopulated by
8900 people.

COMMISSIONER McNULTY: Okay. And which one is
overpopulated?

WILLIE DESMOND: Thirty-one, right here.

COMMISSIONER McNULTY: Okay. So, what can we do
in there to --

WILLIE DESMOND: Well, I turn on block group.

Twenty-seven can grab some population right here. It looks
like it's -- or right here. This is a remnant of 28.

If we got rid of 28, it could become 31.

COMMISSIONER McNULTY: Maybe you can just look
around the edges.

WILLIE DESMOND: I can do that. I'll add to 27
first, about 8900 people.

COMMISSIONER McNULTY: Okay.
WILLIE DESMOND: Yeah, that's actually about --
I'm good. Do that to 27.

Twenty-seven is now perfect.
Not perfect, it's 30 people underpopulated, but
well within.

COMMISSIONER McNULTY: Well, we're right here.
WILLIE DESMOND: Twenty-seven is good.

Nineteen needs, needs 5300 people.
So I'll take that from 31. That's about a little
over.

So I'll just take this corner down here.
Nineteen is good.
Thirty-one is good.
The only majority-minority district that still
needs work is 29.

Twenty-nine needs to make up population.

COMMISSIONER McNULTY: Let's put that aside.
WILLIE DESMOND: Yeah.

That's about 83 -- 29 needs 800 people. All four
of those districts, right here, it's 19, 27, 29, and 31,
probably have to rename 31 before we publish it, are all,
are all even population.

I can give you the HVAPs of those if that's
helpful.

COMMISSIONER McNULTY: Yes, please. I'd like to
have those numbers.

WILLIE DESMOND: Okay. So District 19 has an HVAP of 59.98 percent.

It has non-Hispanic White percentage of 26.77.

And the 2010 mine inspector race, Democrat received 63.16 percent of the vote.

District 27 has an HVAP of 55.4 percent, a non-Hispanic White percentage of 22.45 percent, and in the 2010 mine inspector race Democratic candidate received 73.33 percent of the vote.

District 29 has an HVAP of 61.74 percent, non-Hispanic White percentage of 27.15 percent, and the 2010 mine inspector race the Democrat received 60.72 percent of the vote.

District 31 has an HVAP of 49.55 percent, a non-Hispanic White percentage of 36.82 percent, and in the 2010 mine inspector race the Democrat received 55.32 percent of the vote.

Are there any other numbers or any other indexes, or is that it for this?

COMMISSIONER McNULTY: Maybe it should -- maybe it's clear just by looking at the table, but what have we done to the three original -- to the HVAP numbers in the original Arizona Minority Coalition proposals?

WILLIE DESMOND: Right. So District 16 -- um,
Mary, do you have -- Joe, do you have that handout?

So District 16, our District 27, District 16 was a Hispanic HVAP of 54.79.

Again, now it's 55.4.

The non-Hispanic -- this doesn't have the non-Hispanic.

But the non-Hispanic Black in their presentation was 15.36.

And in this district it's 15.02.

So relatively close it looks like.

Their District 14 looks to have become our district -- either 31 or 29, I'm not really sure.

So their District 14 though was 64.47 percent Hispanic HVAP.

And our District 29 has an HVAP of 61.74.

And our district 31 has an HVAP of 49.55.

COMMISSIONER McNULTY: Could you just repeat that, 64 did you say, the HVAP of their District 14?

WILLIE DESMOND: Their District 14 was 64.47.

COMMISSIONER McNULTY: Okay.

WILLIE DESMOND: I guess lastly their District 13 is probably closest to our District 19. And their District 13 had an HVAP of 67.10.

Our District 19 has an HVAP of 59.98.

COMMISSIONER McNULTY: Okay.
So, Ms. O'Grady, Mr. Kanefield, for 31, which has an HVAP of 49.55, and increasing it to 55.32, do we need to get that over 50 percent or would that, would that be approaching or possibly satisfying the need for an opportunity -- a fourth opportunity to elect?

JOSEPH KANEFIELD: Madam Chair,
Commissioner McNulty, we believe that that would be an appropriate number for that particular district, looking at the benchmark numbers and the other numbers of the district that you proposed.

COMMISSIONER McNULTY: Thank you.

How about the change in -- so the HVAP of 27 goes up a little bit, and then the HVAP in 19 goes from 67 percent to essentially 60 percent. With the Cruz index of 63 percent.

Does that cause you any concerns on the face of it?

JOSEPH KANEFIELD: Madam Chair,
Commissioner McNulty, Mary may have a different take.

On the face, it looks okay, but with those numbers and this area, we need to do a deeper analysis just to make sure.

MARY O'GRADY: I think that's -- I agree with Joe.

I think we might want to look at the Cruz index on the benchmarks but as a point of graph also.
COMMISSIONER McNULTY: I just offer it as a way that we can build that fourth district without changing all the other boundaries, without, you know, completely redoing the center of Phoenix, because essentially it stays within the bounds of those four areas, and then also they're clearly Hispanic areas.

MARY O'GRADY: Yes, that seems to be that.

The other thing to keep an eye out for is to the extent that people used to be an opportunity -- used to be an opportunity to elect district, and then if they aren't anymore.

And 15, I think, used to be one of our coalition-type areas. That's a -- taking a look at those, I think it's Phoenix is ready to wall in this new map if they are going to be an opportunity to elect.

COMMISSIONER McNULTY: Is that something that you can look at tonight?

MARY O'GRADY: Sure.

WILLIE DESMOND: If these districts are in, are --

MARY O'GRADY: How they prepare the benchmark and if they're voters who used to be in an opportunity to elect district.

COMMISSIONER McNULTY: We should we look at that right now, if that's a mapping issue. Can we look where 15 is in relation to?
WILLIE DESMOND: Yeah. Fifteen is right in the current edge.

Perhaps -- let me, let me try one thing, to make this a little easier.

COMMISSIONER McNULTY: While he's doing that, how does that -- on the one hand we're -- this is a statewide thing, and we are -- we're not necessarily replacing apples with apples.

We're doing -- at the end of the day we have to have something that's statewide, doesn't retrogress. That strikes me as a little different from ensuring that all of the areas are the same.

MARY O'GRADY: That's true. They'll compare the benchmark district to the final districts. And so we'll need to explain to Justice, even though we start with the grid, we'll explain to Justice how the benchmarks differ from the final map. And so, for example, if, if it looks like the Hispanic voters have been removed from a benchmark district, we might need to explain why.

COMMISSIONER McNULTY: And we would do that by explaining that a whole new district has been created in which voters have been added.

MARY O'GRADY: That's true.

They're also contiguous perhaps. If they're close to a minority district, there might be questions about why
not just put them in that district, why have you made the choices to put them where you have.

COMMISSIONER McNULTY: What we've done is create another district of contiguous voters.

MARY O'GRADY: We certainly will defend what is enacted.

These are the things we'll have to explain. And so the less we have to explain, if the minority voters are still in an opportunity to elect district, we can take a closer look, and if there are contiguous districts that they can be put in that have an opportunity to elect, still, but we just we'll look at it closer.

COMMISSIONER McNULTY: Okay.

VICE-CHAIR FREEMAN: Madam Chair.

CHAIRPERSON MATHIS: Mr. Freeman.

VICE-CHAIR FREEMAN: Counsel, there were four benchmark districts in your Maricopa County area before; correct?

We've recreated between eight and four this time. We're now taking some voters who were formerly in a benchmark district and they now are outside a benchmark district, according to what has been done in the last hour. And so the concern then is explaining to Justice why those voters could not have been included in a minority-majority or perhaps a new coalition district.
Is that correct understanding?

MARY O'GRADY: Yes. That's what one would like, and the explanation would be that we picked up other voters, but we still want to be able to explain why there was no place to put these voters.

WILLIE DESMOND: So this isn't working with. Planning, but. . .

So. . .

I don't know.

I was trying to just shade the voting rights districts so you could kind of see where 15 is, but it's not quite working, so. . .

COMMISSIONER McNULTY: We can tell.

WILLIE DESMOND: The dark, the dark areas right here are the four districts we just created.

VICE-CHAIR FREEMAN: So the people in the old 28, which is now just a little sliver, were formerly in a voting rights district? Or am I confusing which layer we're looking at?

WILLIE DESMOND: All right. So in 28, what this is shaded by is the Hispanic percentage, so that sliver of 28 that's left is relatively high Hispanic percentage.

If you let me -- I think I can do this.

Let me remove that 28 for a second.

So, so these four dark green areas are the four
voting rights districts as we have them drawn.

Now, if I turn on this layer, this is the current legislative districts so you can see, I guess, what percentage of old 15, which is right here --

VICE-CHAIR FREEMAN: Fifteen was a benchmark district.

WILLIE DESMOND: Was the benchmark district.

VICE-CHAIR FREEMAN: And now those people are outside the benchmark district.

WILLIE DESMOND: Yes, except for this part up here.

COMMISSIONER McNULTY: They were outside of the Arizona Minority Coalition's districts also.

WILLIE DESMOND: Yes.

COMMISSIONER McNULTY: So, where is this 14 there? What is that?

WILLIE DESMOND: Fourteen is -- if you remember, the old 14 is kind of a long arm that goes off to the east. That's that long arm.

So old 14, I'll just outline with a little hand, is basically this area right here.

So this --

COMMISSIONER McNULTY: That's that -- that was --

WILLIE DESMOND: This is --

COMMISSIONER McNULTY: -- the one that Justice had
an issue with.

WILLIE DESMOND: This is the old 14.

COMMISSIONER McNULTY: So are you saying that we need to combine 14 and 15 into 27, 31, 19, and 29? Or we need to take out all the Hispanic people that weren't in the districts before so that all the Hispanic people that were in districts before are in the districts?

MARY O'GRADY: I'd like to think on that.

Because some of it -- 25 was not one of the more effective Hispanic districts.

There was -- that included the historic districts last time around.

And I know there's been some concern about the effectiveness, but it was one of our benchmark districts. And so if we're building a more effective district on the west side, if that's -- if you truly are, we need to have, you know, effective minority districts.

But we'd have to have that explanation for why we made these shifts, if we're making shifts.

Also looking at the Tempe district, that's a coalition district, and some of this abuts Tempe. You know, it's around a bunch of minority districts, and it has been included in one.

So we just have to be able to defend the choices that we're making.
And we can think more about that issue.

WILLIE DESMOND: And one thing I could give you would be taking the old 15, or the old 14, or any of the old districts, I can tell you the portions of it that are in a new voting rights district. I can do this on the fly. The number of HVAP, the number of non-HVAP.

So I think it's possible that when you -- if I remove the shading from, from our current -- the plan that we have right now, you can see that the portions of 15 that are, you know, not included in a voting rights district do seem to be the whiter portions of it.

So it's not the whole district, but it's where the Hispanic population in those old districts is, how that relates to the new district.

It's not that the whole district has to be preserved, but the Hispanic population has to be accounted for.

COMMISSIONER McNULTY: Well, it sounds like kind of a legal analysis issue that maybe Joe and Mary want to take a closer look at it, because I don't think it could be the case that we have to create districts on top of the other districts all over the state, because that would be a different analysis.

But I understand what you're saying, so maybe you could -- we've got a couple different alternatives here
we're just looking at, and I would ask you to do that.

MARY O'GRADY: Sure. We'll confer and work with
the mapping folks.

VICE-CHAIR FREEMAN: And, Madam Chair.

CHAIRPERSON MATHIS: Mr. Freeman.

VICE-CHAIR FREEMAN: Another question would be is
it the four majority-minority districts have effectively
shifted to the west, it seems like, and left behind a
portion that was formerly in a benchmark district.

I mean, does it have to be that way?

I mean, conceivably you could use that leftover
population, so to speak, I would think, to form a new
coalition or plurality district if you shifted the other
four minority-majority districts in just the right way.

I mean, so wouldn't it be incumbent upon the
Commission to examine different ways of doing that so that
we didn't deprive ourselves of the opportunity of creating
another possible coalition district.

MARY O'GRADY: I think it makes sense to look at
all those things.

Again, as long as we make sure that we have those
effective minority districts, it makes sense to look at the
minority population and see where they are and see if there
are any areas with an opportunity to elect.

WILLIE DESMOND: So I hear -- I guess what you're
saying there is because this population right here is
outside of a voting rights district now, to see if making a
district here creates an effective coalition or plurality?

VICE-CHAIR FREEMAN: Well, I don't know if it
would or wouldn't, but there might be other ways of
constructing 27, 19, 29, and 31, you know, if the answer to
your question is no, the way it's configured now, there are
ways of configuring the other districts, keeping them
effective, and leaving what's left over into a coalition or
plurality district.

And I certainly don't know the answer to any of
those questions, but I would think it would be incumbent
upon us to examine that.

CHAIRPERSON MATHIS: What is in that whole
leftover area that's between 31 and 24? Yeah.

WILLIE DESMOND: A whole bunch of people.
Let me tell you.
262,000 people, 263,000 people.
And also you have some pockets down here
unassigned.

CHAIRPERSON MATHIS: What's the HVAP of that, the
red selected area?

Forget the little part that --

WILLIE DESMOND: Yeah.

CHAIRPERSON MATHIS: Contiguous.
WILLIE DESMOND: Of this area, it's about 29 percent HVAP.

And then the non-Hispanic White percentage is 58.24.

But, again, that is overpopulated by about 50,000 people.

So maybe.

CHAIRPERSON MATHIS: What's 30's population at right now?

WILLIE DESMOND: Thirty is at, I think, 82,500 people.

Are there questions about that unassigned area or other unassigned areas?

VICE-CHAIR FREEMAN: The portion you've highlighted, is that 212,000?

WILLIE DESMOND: No, it's about 181,000.

VICE-CHAIR FREEMAN: And what's the HVAP of what district --

WILLIE DESMOND: The HVAP of that is 32 point -- is about 32 percentage points.

The non-Hispanic White is about 54.95.

But it does have, in using the mine inspector, it was 57.68 percent Democrat.

Again, it's underpopulated by 31,000.

Are there other areas we want to...
MARY O'GRADY: I was wondering about the population in 24.

I don't know if the Commission is interested in looking at the darker areas there.

Or in the southern part of 30.

VICE-CHAIR FREEMAN: Either/or. You might want to drop -- I think it's Papago Park down there in that little spur in the southeast corner. I don't know if that's helping or hurting us.

We should just round out that district.

Yeah, we can add -- I would think we can add, you know, as Ms. O'Grady said, in those areas.

WILLIE DESMOND: Do you want me to look at constructing any district here or changing the boundaries?

I'm happy to do that.

(No oral response.)

CHAIRPERSON MATHIS: I would. Sure.

Do you?

VICE-CHAIR FREEMAN: To counsel, is it worth pursuing? I mean...

MARY O'GRADY: I'm just curious. It just, again, it looks like an Hispanic area abutting an area that we're looking at as a potential influence district, so it might be worth looking at.

WILLIE DESMOND: That's about 214,000.
And it has Hispanic population HVAP of 31.6, and non-Hispanic White of 55.67.

If we did it a little differently.

This isn't the most compact and contiguous district.

That has 217. That has an HVAP of about 32 percent.

CHAIRPERSON MATHIS: And what if you picked up that area in 30 that's coming down, since 30 needs to lose population anyway? I'm just curious. Yeah.

WILLIE DESMOND: Right here?

CHAIRPERSON MATHIS: Right.

Instead...

WILLIE DESMOND: That's only 4700 people.

And 30 does not need to lose.

Thirty needs to make up.

CHAIRPERSON MATHIS: Oh, it does. I read it wrong. I thought it was under -- I mean over.

MARY O'GRADY: But at this point I don't know that we're worried about those equalizations as much as we are about the voting rights issues.

CHAIRPERSON MATHIS: But, right there was a HVAP area there that I just wanted -- since it was darker, higher density, I thought it might help.

WILLIE DESMOND: We'll give it one more.
COMMISSIONER McNULTY: What about in the very southwest corner of 24?

WILLIE DESMOND: Right here?

COMMISSIONER McNULTY: Yeah.

WILLIE DESMOND: Again this one takes a big chunk. There is now non-contiguous.
It's something like that is 212,000.

This has an HVAP of 33.88 percent.

It has a non-Hispanic White percentage of 52.89.

So at least getting closer to a true coalition. Possibly a district with ability to elect, if you played around with it more.

The Cruz scale here is that red selection race for Democrat 2010 mine inspector race at 58.45 percent.

VICE-CHAIR FREEMAN: And I might -- I don't know if it'll make much of a difference on the stats, but if we bring out the -- ran north along the border of 31, so you wouldn't have that non-contiguous segment there.

WILLIE DESMOND: Yeah. You'd probably have to run it like this way.

The goal being to take out as much of this chunk as possible.

VICE-CHAIR FREEMAN: Right.

VICE-CHAIR HERRERA: Madam Chair.

CHAIRPERSON MATHIS: Mr. Herrera.
VICE-CHAIR HERRERA: How many majority-minority districts have we created so far?

WILLIE DESMOND: So, majority-minority, there's four in Maricopa, three in southern Arizona. There's going to be one -- well, there is one in northern. So that's eight.

There's the beginning of an ability to elect district in District 26, but we might need to try to increase that or play around with it following analysis. So that would be the nine.

VICE-CHAIR HERRERA: And this would be ten.

WILLIE DESMOND: This would be, would be a tenth, yes.

VICE-CHAIR HERRERA: My only concern is that there's no requirement for us to create that many. I think nine is the, I guess, the benchmark. And I'm just fearful of trying to pack as many Democrats into as few, into as few districts as possible. I'm not saying that that's what Commissioner Freeman is doing, but that's a concern of mine. So I, again, I think nine is the benchmark. So there's no requirement for us to create more than that. So I want to make sure that that's -- but that is true; correct? You know what I'm saying, that there is no requirement to create more than nine.
JOSEPH KANEFIELD: Madam Chair,
Commissioner Herrera, I don't know if I would necessarily agree with that statement.

We know -- I think there's consensus that nine is the benchmark.

The question is whether because of the population growth over the last ten years, including the growth in the Hispanic population, that there may, in fact, be an opportunity to elect district, a tenth opportunity to elect district, that we want to closely -- carefully consider, because we -- because from what I understand the Department of Justice will be asking the same question, looking at the numbers. So I don't think it's safe to just assume nine gets us preclearance without carefully thinking that through.

After we do the analysis and if we determine that it's just not possible to create a tenth coalition district, the effective -- with the ability to effectively elect a candidate of choice, well, then that may, may be back with nine, and the Department of Justice may reach the same conclusions.

But I think at this stage I would caution against just assuming nine is the number that we need without giving more careful consideration to whether or not a tenth may be required.
VICE-CHAIR HERRERA: Madam Chair.

CHAIRPERSON MATHIS: Go ahead.

VICE-CHAIR HERRERA: Again, I understand where you're coming from, but I hope you understand where I'm coming from, that I -- what I don't want to be doing is, again, packing as many Democrats into as few districts as possible.

And that, to me that is a concern when we start doing things like that.

This particular district looks -- I think Mr. Freeman always talk about compactness. This is anything but compact.

So I want to make sure that we're not trying to stretch it out where we are, again, packing too many Democrats into too few districts.

I don't disagree with your comments, but I just wanted to voice mine.

JOSEPH KANEFIELD: Madam Chair, Commissioner Herrera, I understand your concern. I'm not disregarding it. I'm only trying to make sure that we do this analysis in a thorough way so that we don't get an objection that could have been avoided otherwise.

VICE-CHAIR HERRERA: Okay.

VICE-CHAIR FREEMAN: Madam Chair.

CHAIRPERSON MATHIS: Mr. Freeman.
VICE-CHAIR FREEMAN: We also have a district in southern Arizona that looks a little funky too.

But is Mr. Adelson -- is he going to be here tomorrow or available tomorrow to help us out on these issues?

JOSEPH KANEFIELD: Madam Chair,
Commissioner Freeman, we -- Mary and I are going to reach out to him tonight. He is -- we'll talk with him on some of these issues.

I know he's been keeping track of what the Commission has been discussing lately, so it would be great if he could join us. If he does, it will have to be remotely.

If not, we'll make sure we have a thorough discussion with him, as we have been all along, to make sure that we're giving you the best advice based on his thoughts and analysis also.

COMMISSIONER McNULTY: Madam Chair.

CHAIRPERSON MATHIS: Ms. McNulty.

COMMISSIONER McNULTY: Mr. Desmond, what's the population in the, in the most densely HVAP -- most dense HVAP areas just north of 29 above that little arm there?

WILLIE DESMOND: Right here?

COMMISSIONER McNULTY: Oh, sorry, north of 27, in the little arm, between 24 and 27 in the unassigned area.
(Whereupon, Mr. Herrera exits the room.)

WILLIE DESMOND: That selection is 44,000 people.

Do you want me to keep moving over?

COMMISSIONER McNULTY: No, no, that's good.

I guess what I'm thinking, Ms. O'Grady, Mr. Kanefield, is that one way to address the issue is, I would ask that you think about it, perhaps tonight as you look at this, is to pull that into 27, or something like that. You know, move some of 27 over to 19, move some of 19 up into 19 and 31, and move some of what we added in 19 and maybe the less Hispanic areas on the west side of 29 out that way.

So if what you conclude when you think about this a little more is that those areas should be in a majority-minority district. It looks like there's a way to do that, that would be pretty straightforward, that would also allow us to keep central Phoenix in a district together. And that wouldn't -- that would be consistent with the other things we've done so far on the map.

MARY O'GRADY: We'll look closer at that.

COMMISSIONER McNULTY: Thank you.

I'd also like to spend some time tonight just scrolling through HVAP in central Phoenix and looking for other opportunities, perhaps.

CHAIRPERSON MATHIS: Well, it's 6:15. And sounds
like we want Mr. Adelson and legal counsel to kind of take a
look at this this evening and get a sense of where we
might -- tomorrow we can maybe pick this up again and figure
out -- we still need to lock those in in a way that makes
sense for everyone.

So, it doesn't sound like we'll be able to do that
tonight.

Any thoughts on where we should go from here?

COMMISSIONER McNULTY: I would ask Mr. Desmond to
save those changes in some format, so we don't need to
recreate them if we want to look at them again.

WILLIE DESMOND: So right now we have,
unfortunately, two paths of the merge map. One we worked on
before, and then this one that we started when we started
adjusting the three minority coalition maps. And they're
both -- as we -- this one as it is now is as we left it.

And, again, the only difference between those two
maps is this there.

CHAIRPERSON MATHIS: Is it worth looking at the
Pinal County area just to see what coalition districts might
be there or now? I mean, I know there's the prison
issue and...

WILLIE DESMOND: Yeah.

CHAIRPERSON MATHIS: I'm curious to know if this
is myth or reality that we could actually create one there,
just so we know.

    WILLIE DESMOND: So, again, this is based off the grid. I believe that is all unassigned area. Sorry. So, just double check.

    Yes, this is an unassigned area. There's 87,000 people in it.

    It is about 29.7 percent Hispanic.

    If we were to just quickly kind of add to it. Let's go 215,000 people there. Mostly in Pinal County, but dipping down into Pima there.

    Has an HVAP of 28.5 percent.

    Don't think that would really work for the ability to elect district.

    (Whereupon, Mr. Herrera returns to the room.)

    WILLIE DESMOND: I guess the other area to look at would be this area.

    Is there somewhere you wanted to start in Pinal County?

    CHAIRPERSON MATHIS: No. I was just curious. Anywhere. Unless another commissioner has specific ideas, I just wanted to see if there was any way to create one there.

    WILLIE DESMOND: This one is a...

    MARY O'GRADY: Madam Chair, and historically Hispanic voting strength has been more in the eastern side
of the county in some of the little towns.

WILLIE DESMOND: That's about 204,000 people and has a Hispanic population of about 30.24 percent, non-Hispanic White percentage of 58.18. Again, I don't see how it works.

Looking at the mine inspector race, it was 50 -- or 43.57 percent Democratic 2010.

So I think -- I just think with the growth in Pinal County over the last decade, and with the prison population, it's going to be tricky to get any sort of district that we'd feel comfortable sending off to Justice in Pinal County.

VICE-CHAIR HERRERA: Madam Chair.

CHAIRPERSON MATHIS: Mr. Herrera.

VICE-CHAIR HERRERA: And I -- for a district like this, the growth has mainly been from the White population probably in that area. So even if you were to create a district like that with sort of a coalition, I think the non-Hispanic population would easily outpace the Hispanic population in that area.

And those are some of my concerns in some areas that we're trying to create a coalition district, that, that the non-Hispanic area will easily outpace the Hispanic areas.

WILLIE DESMOND: I think to some extent that might
have been what happened in current District 23, which is now
157,000 people over the ideal population, and only
28.7 percent Hispanic.

I think that was a coalition district last time.
So . . .

CHAIRPERSON MATHIS: Okay. Well, it's good to
know that this is not an option.
It's nice to put things off the table.
So we're going to have to -- if we do need this
additional tenth, it's probably going to have to come from
the Maricopa County area.
So we'll have to figure out the best way to
construct that to achieve it.
So I'm looking forward to great advice from legal
counsel and Bruce tomorrow.
No pressure.

Any -- what else do we want to do? Commissioners?

COMMISSIONER McNULTY: I think we've learned a lot
today. I think we made a lot of progress in understanding
how the majority-minority issue works. And I think we
should listen to the public comment, if there is any, and
take a rest, and come back tomorrow morning, and keep going.

VICE-CHAIR FREEMAN: Here here.

CHAIRPERSON MATHIS: Okay.

Mr. Herrera.
VICE-CHAIR HERRERA: I'm fine with taking a rest.

CHAIRPERSON MATHIS: All right. I think --

Mr. Desmond.

WILLIE DESMOND: I was just going to say so --

just so I understand what you guys need from me tonight, do

you all want to leave with, you know, block equivalency

files of the merged map, 1A and 1B?

COMMISSIONER McNULTY: I would, yes.

VICE-CHAIR FREEMAN: Yes, please.

WILLIE DESMOND: So during public comment I'll get

those -- I can get those to thumb drives, I can hand them to

you, and you can be copying them to your computers so I

don't keep you here too long after, it won't keep me here

after.

And then if -- I guess we'll work with legal to

figure out what types of analysis reports we need for

tomorrow.

Is there anything else that I'm forgetting that

you would need from us tonight on this?

VICE-CHAIR HERRERA: Madam Chair.

CHAIRPERSON MATHIS: Mr. Herrera.

VICE-CHAIR HERRERA: You had talked about looking

at the maps that, I guess, that were created by that -- I

can't remember the name of the organization. I came across

the division, the division. . .
CHAIRPERSON MATHIS: Arizona Competitive Districts Coalition.

VICE-CHAIR HERRERA: Thank you.

To see how they not only came up with the competitive maps, but also, also how they came up with their majority-minority districts.

I'd love to see them.

WILLIE DESMOND: I think that's something that staff was going to reach out to.

I know Kristina -- Ms. Gomez was going to, but I'm not sure where we stand with getting those.

Ray, do you have any idea? If we're supposed to get the Arizona Competitive Coalition district submissions anytime soon?

I don't have them right now.

VICE-CHAIR HERRERA: Sure. I wasn't expecting you to have them right now, but I think we -- it's something that I would love to look at to see how they -- the winners of that competition came up with the majority-minority districts and the coalition district that they came up with.

RAY BLADINE: Madam Chair, I know that Kristina was going to recontact them again today, but I haven't talked with her to know what they said, but we'll certainly find out.

And if we can get it from them tomorrow morning,
we'll get it posted.

VICE-CHAIR FREEMAN: Madam Chair.

CHAIRPERSON MATHIS: Mr. Freeman.

VICE-CHAIR FREEMAN: Mr. Desmond, I would also love to know when we're going to get that 2004, 2006 election data incorporated into our database.

WILLIE DESMOND: I know Ken and Brad and Andrea and John in our office were all working on that today. I got a flurry of e-mails from them. Getting more precinct files from some of the counties that had been lacking, and I will hopefully have progress report for you tomorrow, work on that tonight.

VICE-CHAIR HERRERA: Madam Chair.

CHAIRPERSON MATHIS: Mr. Herrera.

VICE-CHAIR HERRERA: And when we do get that information, we still have to decide what type of weight will be given to the 2004, 2006 election results.

As I stated before, and I think people in the public have stated, there's been a lot of changes in Arizona since 2004, so I want to make sure that -- and we want that information from those years, but I want to make sure we weigh them accordingly for relevancy.

So that's something that we need to keep in mind once we get that information, which I hope is soon.

CHAIRPERSON MATHIS: And then, legal counsel, I
don't know if it's you or staff, but if somebody could
follow up with White Mountain and San Carlos Apache
tomorrow, that would be great, see if they can tell us
anything.

MARY O'GRADY: We'll coordinate with staff.

CHAIRPERSON MATHIS: Great.

Okay. Any other comments or questions or
follow-up for Mr. Desmond?

(No oral response.)

CHAIRPERSON MATHIS: Okay.

Was there anything on the executive director's
report, item three on the agenda?

RAY BLADINE: Just a very quick item.

I think I mentioned to you several days ago that
we're -- the state is in the budget process for the year
2013, Megan Darian, who basically is our liaison with the
department administration, will be meeting with the
governor's budget executive on Friday.

Megan and I took a look at what was the budget for
last year -- or ten years ago, I'm sorry, and it was about
1.9 million at that point.

We are proposing to put in a request of about 1.7,
which would only be spent if we get into litigation and need
to keep the office open.

The idea would be to keep the current office open.
The vast majority of the funds would be for legal expense and witnesses.

And probably have two full-time positions, perhaps one part-time position.

And I'll get something when we have it together to submit to the governor's office, put it on an agenda for your approval.

I just wanted to kind of let you know that's where we're headed, in case somebody thinks we should do something otherwise. I'll be happy to change it.

CHAIRPERSON MATHIS: Okay. Any other -- anything else that's on --

RAY BLADINE: No, still working to be ready when you all are ready for the second round of public hearings. And that's why I'm here and Kristina is there.

And she said it's been going well.

I think there was a few changes. Maybe, if I remember right, Oro Valley may end up being Marana, but in the same area, due to scheduling.

There was one other one like that that I can't recall, but they were very close cities.

And so we're making progress, so we'll be ready for you.

Okay.

CHAIRPERSON MATHIS: Thank you.
Any questions for Mr. Bladine?

(No oral response.)

CHAIRPERSON MATHIS: Okay. Thank you very much.

Discussion of future meetings and future agenda items.

Future meetings, we're meeting here tomorrow at, staff help me, 9:00, 9:30?

Mr. Bladine, sorry, is it at 9:00 or 9:30 tomorrow?

RAY BLADINE: 9:30.

CHAIRPERSON MATHIS: Okay. 9:30 tomorrow, here, same room.

And we'll see how much progress we make.

It would be great if miraculously we actually didn't have to meet all weekend, but we've got a lot to do.

So we're keeping those days open, Saturday, Sunday, Monday, in case we have to keep going.

VICE-CHAIR HERRERA: Madam Chair.

CHAIRPERSON MATHIS: Yes, Mr. Herrera.

VICE-CHAIR HERRERA: I think we -- a possible meeting on Saturday, and I mentioned with plenty of notice that I have prior commitment on Saturday afternoon.

So I don't know how long the meeting will go on Saturday. If it goes long, maybe I'll be able to make part of it, but I will miss a good chunk of the meeting.
CHAIRPERSON MATHIS: Okay. And what time are you available Saturday?

VICE-CHAIR HERRERA: Well, I have to be at a certain... 

CHAIRPERSON MATHIS: Or what time are you not available?

VICE-CHAIR HERRERA: It will be between probably 12:00 and 3:00, 12:00 and 4:00.

CHAIRPERSON MATHIS: Okay.

What time do we have -- you have us starting, Mr. Bladine, on Saturday? Is it --

RAY BLADINE: 9:30 also.

CHAIRPERSON MATHIS: 9:30.

Okay.

VICE-CHAIR FREEMAN: Madam Chair, has anyone solicited Commissioner Stertz' availability?

CHAIRPERSON MATHIS: I don't know.

Did you hear from Mr. Stertz to see if he's coming tomorrow?

RAY BLADINE: Madam Chair, no. I went back, and Mr. Stertz' memo indicated that it would be -- that he would be gone yesterday and today, but I've had no contact from him.

We have been sending him the same information that we've been sending you, but I've had no contact.
CHAIRPERSON MATHIS: Okay.

VICE-CHAIR HERRERA: Madam Chair.

CHAIRPERSON MATHIS: Mr. Herrera.

VICE-CHAIR HERRERA: I was under the impression that the meeting on Saturday started at 1:00. Am I incorrect?

RAY BLADINE: Madam Chair, Commissioner Herrera, it's Sunday at 1:00. And it will be Sunday at 1:00 and Saturday at 9:30.

VICE-CHAIR HERRERA: Oh, Sunday is the 9th. Is that correct?

I apologize.

RAY BLADINE: I'm not sure of the date, but I remember Sunday at 1:00 and Saturday at 8:30(sic).

And I did post them that if you were to have adopted a map prior to then, then most likely those meetings would be cancelled. So they are posted that way to hopefully give you an opportunity to not meet if you can get it all done.

CHAIRPERSON MATHIS: And the Monday meeting, is that in Tucson?

RAY BLADINE: That's in Tucson, and I -- at the -- there's a Speedway Sheraton hotel.

And we did post that, so it's on the web page. I think we did 9:30.
And it's closer to the freeway. It's like 1900 Speedway.

And my recollection is that is 9:30, but it is -- I did just put it on the web page about an hour ago, so it will be out there.

VICE-CHAIR HERRERA: Madam Chair.

CHAIRPERSON MATHIS: Mr. Herrera.

VICE-CHAIR HERRERA: I thought that there was a Jewish holiday this weekend; is that correct?

RAY BLADINE: Yes, Saturday is Yom Kippur, and it is a Jewish holiday.

VICE-CHAIR HERRERA: We're still okay. I just wanted to make sure that you guys knew that already.

CHAIRPERSON MATHIS: Okay. Any other questions?

(No oral response.)

RAY BLADINE: Okay. Thank you.

CHAIRPERSON MATHIS: Thank you.

Next item is number five, report, legal advice and direction to counsel regarding attorney general inquiry.

Is there anything?

JOSEPH KANEFIELD: No.

CHAIRPERSON MATHIS: So public comment, and I've just got a couple request to speak forms.

Carol Corsica, representing self, from Tempe.

CAROL CORSICA: Hi, hi.
Yeah, I mean, I can see from your work today that you're having -- that this is not an easy process, getting everything to fit and work right.

So, of course it's difficult.

I'm, I'm -- I live in south Tempe. I just live at south of Rural and Baseline. And, and it's going to be an additional amount of Tempe, at least option two, as an additional amount of Tempe put into Chandler, Ahwatukee, Mesa, for sure.

So, um, I think the problem that I'm experiencing is I would really like to be able to tell people in my precinct why. If this really has to happen, I'd like to be able to tell them the real reason why.

I mean, if it's a voting rights issue, if it's a different issue.

Because what's going to happen is most people have no idea what's going on here.

So, and I -- you know, I'll be honest, I'm a precinct committee person in the Democratic party.

So when, when the voters see themselves in a new area, I'd like to at least have, you know, something to tell them.

I don't even know if Tempe could have been a minority-majority district. I don't know if that would have been possible.
And keep Tempe together.

I'm very confused about -- there's a town of Guadalupe that shares my ZIP code, but it's like onto itself.

And all I heard basically is that they wanted to be in a voting rights district.

So, so I don't know if there's a way to do this. Because I do see all the complications that you have.

And that's, and that's -- I guess what I'm trying to say is if there's a possibility to keep more of Tempe together, I would, I would be advocating for that, you know, without -- and I realize without hurting a voting rights district and your other important issues that you're dealing with.

So, and basically that's it.

I mean, I kind of -- you know, I get upset about it, but when you start talking about trying to create nine or ten majority-minority -- I mean, I realize you have a quite a few things going on here to tackle, so, anyway, that's my two cents.

CHAIRPERSON MATHIS: Thank you.

Our next speaker is Don Ascoli, representing self, from Gila.

DON ASCOLI: Thank you, Madam Chair and
commissioners.

Unfortunately I was only here the last 45 minutes to an hour, so I know you did a lot of work that I wasn't privy to.

But I -- when I walked in, I was handed two legislative grid maps. One called option one version 8A, one called option two version 8A.

And I have to ask -- respectfully ask that you support version -- option one version 8A.

I'm from Gila County. It's a rural county.

There are 12 rural counties in the state of Arizona.

Three I'd call urban, Maricopa, Pima, and I think Pinal is pretty much becoming much more urbanized. So I'm counting the other 12 counties as rural.

Option two takes five -- excuse me, option one has five counties with multiple LD districts.

So the congress is seven counties, communities of interest are kept whole.

Now, I wear many hats in Gila County. One is which is I'm chairman of the Gila County Planning and Zoning Commission.

We work very hard to do things as a county.

We've been there from the beginning of statehood, and we'd like to do things together as a county.
We have a lot of common interests.

Option two takes my county and splits it into thirds, which is abhorrent to me and to my fellow folks from Gila County.

In fact, your plan, option two, or whose plan, I don't mean yours, goes from -- there's five counties right now in option one to eight counties with multiple legislative districts.

So option two splits three more counties into pieces.

Again, it makes no sense.

Communities of interest, people, heritage go back 100 years, should be kept that way.

We're rural.

We have different interests than in metropolitan areas, which most of you here come from.

In fact, I've addressed you before in a couple of prior meetings.

I don't believe any of you come from a rural county.

Doesn't make it right or wrong. But there are different attributes, different interests in rural counties. And you should be preserving it as part of this body.

I -- you take Cochise County, split it from one to two districts. You take Gila County, go from one to
three. You take Graham County, go from one to two. You take La Paz County, take it from one to two. Yuma County, one to two.

Not necessary.

You have more contiguous, compact districts in option one.

Now, I don't know where you're at on the map. I don't know if you started with option one and moved some boundaries, or two, wherever. But I implore this body to keep the interest, the commonality, and the contiguous compactness of your rural counties in this state as they are.

You should be doing your best not to split up counties.

Not split them up like you do in Maricopa and Pima, and now Pinal you have three.

But, again, I think today's population is more becoming an urbanized county.

But for those 12 outlying counties, let them be. Don't slice and dice them up. Let the communities of interest where I work hard with my fellow eight commissioners to do things as a county. If I have three different electoral groups representing the county, it's too much.

I want to be able to, as we have had in LD 5,
which we're a part of, and which option one kind of keeps LD 5 the same, we want to keep it that way.

    It has represented our interest very well.

There's no reason to change it.

    So I ask you to reconsider, if you are moving in that direction, stick with option one or as darn close as you can.

If the folks could afford the gas, I would have had a hundred people with me.

    Please, don't slice and dice our counties.

Thank you.

CHAIRPERSON MATHIS: Thank you.

    I don't have any other request to speak forms, so, seeing nobody coming up, that leaves one item on the table, and that's adjournment. And I'll declare this meeting adjourned at 6:42. Thank you for coming.

    (Whereupon, the meeting adjourned.)

    * * * * *

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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 214 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 12th day of October, 2011.

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