ARIZONA INDEPENDENT REDISTRICTING COMMISSION

Monday, December 5, 2011
1:10 p.m.

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

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

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

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

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

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(Whereupon, the public session commences.)

CHAIRPERSON MATHIS: Good afternoon. This meeting of the Arizona Independent Redistricting Commission will now come to order.

Today is Monday December 5th, and the time is 1:10 p.m.

Let's begin with the Pledge of Allegiance.

(Whereupon, the Pledge of Allegiance was recited.)

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

Vice Chair Freeman.

VICE-CHAIR FREEMAN: Here.

CHAIRPERSON MATHIS: Vice Chair Herrera.

VICE-CHAIR HERRERA: Here.

Commissioner McNulty.

(No oral response.)

CHAIRPERSON MATHIS: Commissioner Stertz.

(No oral response.)

CHAIRPERSON MATHIS: We have a quorum.
And just to let everyone know,

Commissioner McNulty unfortunately can't make the meetings
most likely the rest of the week. Her mother is very ill.

And Commissioner Stertz we're expected to have
join us within the next half hour or so.

Other folks at the table include our legal
counsel, Joe Kanefield and Mary O'Grady.

Our mapping consultants, Willie Desmond and Ken
Strasma.

We have our executive director Ray Bladine in the
back of the room. As well as Kristina Gomez, our deputy
executive director.

And our chief technology officer, Buck Forst.

And finally, our trusty court reporter, Marty
Herder.

So with that, we'll move to the next item on the
agenda, and that is number two, discussion and possible
direction to mapping consultant regarding adjustments to
draft congressional districts.

And when we last met on Thursday, we provided a
lot of different ideas to our mapping consultant to explore
for some different changes. And I am trying to recall what
we did on the -- I know there were a lot of the legislative
but I'm wondering about the congressional.

So maybe I can ask Mr. Strasma to tell us what
kinds of things he accomplished over the weekend on congressional.

WILLIE DESMOND: There were several changes that were requested to the congressional maps.

I believe I had this out of order.

So in your packet of change reports, the legislative maps are at the front. So you have to go through, and then the first congressional map is several changes to the congressional maps suggested by Commissioner McNulty.

Is that something we want to go over today? Which would be --

CHAIRPERSON MATHIS: I think we do, yeah.

Hopefully she's following along online at least. And if she can't watch today, she can watch it later. And since she could be gone a week, I think it's worth moving forward.

WILLIE DESMOND: All right. With that being said, I will walk through what the changes are, but she did send around her criteria.

VICE-CHAIR HERRERA: Congressional or legislative?

WILLIE DESMOND: Congressional.

So she did send around some criteria of what she was looking for. I think I was able to follow that fairly closely, but there might be some small deviations from
exactly what she was looking for.

I should mention to anybody following along online or in the room that these maps will be available on the website shortly.

Buck has them and is in the process of posting them right now.

So here's the map. You'll notice from your change report that the districts that were affected by these changes are Districts 1, 2, 3, 4, 6, and 8.

Starting with district -- District 1, probably the largest amount of change.

District 1 no longer goes into Cochise County per changes -- I should mention also that the lines on the screen, I will turn off the census places, reflect -- the black lines are the districts as their changed.

The green line reflects what the districts looked like in the draft map.

So District 1 no longer goes into Cochise County. Cochise County is kept whole in District No. 2.

In order to make up some of that population, District 1 includes Cottonwood and some other areas in the Verde Valley.

VICE-CHAIR HERRERA: Madam Chair.

CHAIRPERSON MATHIS: Mr. Herrera.

VICE-CHAIR HERRERA: Mr. Desmond, is there any way
you can put the current draft map and the proposed changes
to the draft map side by side? I think it would make more
sense. It would make sense to me.

WILLIE DESMOND: The green is the current draft
map.

VICE-CHAIR HERRERA: No, and I understand that.
I just -- if you can't, I'll just do my best.
WILLIE DESMOND: I don't -- I don't think I have a
way to do that necessarily.
I'll zoom in on the changes. How about that? And
that'll make it a little easier.

VICE-CHAIR HERRERA: Sure.

CHAIRPERSON MATHIS: And if I could just jump in,
Mr. Desmond, for a second.
I just want to recap what Ms. McNulty said for
everybody last week. These are the notes I took, at least.
The idea was to keep Cochise whole.
To -- second adjustment suggested was increase the
compactness of CD 1.
Three was consolidate Oak Creek with Sedona.
And four was consolidate Fountain Hills with urban
Maricopa.
At least that's how I wrote them in my notes, so I
just wanted to give that little overview.

WILLIE DESMOND: Okay.
So, yeah, you can see the compactness of CD 1 is changed because it no longer goes into Cochise County.

To make up that population, the Verde Valley now includes the Village of Oak Creek, and Camp Verde, Lake Montezuma.

Again, the black area is -- the black line is the district line as drawn. The green line is where it's different than the old draft map.

So the draft map just grabs Sedona, and then it came up and grabbed Camp Verde, that area.

This, this change would take this unincorporated area to the west of Sedona, and also grab this Village of Oak Creek and include that in the new area.

So that's the change that makes up the difference in Legislative District 1 and 2.

CHAIRPERSON MATHIS: How much population was impacted by that Oak Creek, Sedona change? Just curious.

WILLIE DESMOND: I believe the change in Cochise County was around 7600 people, so I assume it's roughly similar.

CHAIRPERSON MATHIS: Okay.

WILLIE DESMOND: I can tell you quickly how many people are in Oak Creek.

The Village of Oak Creek has 6,147 people.

So that's why it goes a little further, since we
needed to pick up some of the sparsely populated areas to
get it up to nearly even population swap.

You'll notice from the change report that this
isn't necessarily a finished map. There is still a slight
population deviation in District 1.

There was a zero person deviation. Now it's a
three person deviation.

Not far, but I'm still there.

Continuing on with other districts that were
changed.

That's the changes that affect Districts 1 and 2,
because District 2 then had too much population by picking
up the rest of Cochise County. It had to shed some
population.

It did that to District 3 here in Tucson.
I'm trying to think. I don't have a printout of
her directions with me.
I can tell you exactly why she chose this area. I
believe she laid it out, but I'm not -- I don't recall
having had. . .

So there's a slight change in Tucson here that
puts District 2 back at its pretty much ideal population.

Again, there's a nine person deviation now. It's
going to take a little tweaking around the edges, but
nothing major at all.
As a result of that though District 3 has been overpopulated. So three is then a little overpopulated. We'll get to that in a second.

The next set of changes that Commissioner McNulty was looking to was to keep Fountain Hills with Scottsdale.

So District 6 is expanded to include Fountain Hills and Rio Verde, this area right here in between.

As a result, District 6 is then overpopulated. So it sheds population to District 4, which currently -- which before had these areas, by switching the New River and Anthem area to District 4.

So now District 4 includes New River and Anthem, but does not include Fountain Hills and Rio Verde.

District 6 includes Fountain Hills and Rio Verde but not New River and Anthem.

There was also small changes here where District 6 took some population here from District 8. One of the reasons was so that District 8 could go back to the county line and not have District 4 coming into this portion of Maricopa County.

What we're eventually left with is District 8 being a little underpopulated, District 3 being a little overpopulated.

That is rectified here in Goodyear.
So in Goodyear the population is in balance. So the only majority-minority districts that this affects is District 3. As you can see the Hispanic percentage goes from 60.3 to 60.6. So it improves slightly. The total minority goes up by that same three tenths of a percent.

Looking at the voting age, the total minority voting age goes from 65.1 to 65.4. So it's a slight change to the voting rights district, but a change of making it in a stronger direction. Looking at other things, the splits report, there is one more county that is unsplit by this. That's Cochise County.

There is one additional census place that is split in this change, and some additionally split census tracts and census block groups.

And then to move on to the competitiveness. Overall these changes only affected competitiveness by, looking around, let's see, half a percentage point at, at most.

That seems like District 4 goes, index two, goes from 64.2 percent Republican to 64.7; 35.8 Democrat to 35.3. So half a point change. But I think that's the most extreme change in this plan.
Are there other questions about it?

CHAIRPERSON MATHIS: So I would think compactness measurements would have improved, even though we don't show what those actual measurements are, but we know that CD 1, now that it doesn't touch the border in this version, has got to be more compact, as well as the Fountain Hills change. That also impacts six. And I would think that makes that more compact too.

VICE-CHAIR HERRERA: Madam Chair.

CHAIRPERSON MATHIS: Mr. Herrera.

VICE-CHAIR HERRERA: Mr. Desmond, these are the changes proposed by Commissioner McNulty; correct?

WILLIE DESMOND: Correct.

VICE-CHAIR HERRERA: And is this particular draft, or what we're calling it, working draft, is there -- are we calling it something else, to distinguish it from the draft?

WILLIE DESMOND: Well, with all these changes, it's important to realize that they are just scenarios for you to consider.

The working draft at this point in time is still the draft map.

So until the Commission agrees to, you know, a change, and that change then becomes the new baseline, these are all just things as I said -- and a lot of these
different possible changes affect the same districts, so it's also very important to realize that they can't be used together.

You know.

It's either you accept something and that becomes the new baseline, or you don't, and then you're back to the draft map.

And so like these change reports are all based off of the current draft map.

If a change is accepted, the new starting point in all these will no longer be the draft map, it will be the draft map as amended.

VICE-CHAIR HERRERA: The reason I ask --

WILLIE DESMOND: Ken.

KENNETH STRASMA: And for the benefit of people following along online, the change report that we're referencing for this is titled adopt changes suggested by Commissioner McNulty is the name of the change.

VICE-CHAIR HERRERA: I'm assuming if when another commissioner makes his or her recommendations, it will be the same thing, changes proposed by Commissioner Freeman or congressional changes proposed by Chairwoman Mathis. Is that correct?

WILLIE DESMOND: Yeah. And the name of the reports are -- they go change report, and then dash whatever
the quick title is, and then the date.

So this is change report - McNulty changes, 12-05-11.

And that's what the name of the PDF is. And it will be online.

CHAIRPERSON MATHIS: And in your packet there's one for Stertz's changes too, so when he arrives. We should wait on his until he's here, I think.

But those are -- they also did that over the weekend.

KENNETH STRASMA: I was just going to check. Do we know if they're online yet?

BUCK FORST: No.

KENNETH STRASMA: Okay.

WILLIE DESMOND: I do have --

KENNETH STRASMA: We're estimating five minutes.

WILLIE DESMOND: I do have the files available on a thumb drive if anybody would like to grab them.

And then Buck has another thumb drive with the files on it too. We could probably pass it around.

If somebody else wants to -- who else has a computer here? Who wants to grab the files from Buck? He has them also.

So, are there other questions about this possible change?
CHAIRPERSON MATHIS: Yeah, any comments or questions on these ideas?

VICE-CHAIR HERRERA: No, but I like on propose some -- as I mentioned, the -- before given the Wednesday meeting that I -- there are some changes that I didn't agree with all the changes that Commissioner McNulty was proposing, and I would like to propose something very similar, just things that I want to see done.

WILLIE DESMOND: Okay.

Go ahead.

VICE-CHAIR HERRERA: The main changes or eventually not what I would like to see kept intact on the congressional draft map is the third -- the three border districts, I think.

I think Commissioner Stertz was the champion of that, and I think commissioner -- I mean, Madam Chair did like the idea.

I'm not convinced that we should go away from that.

I think there's probably testimony saying that there is, that there is a need for a three border district. So I would like to keep that the same.

WILLIE DESMOND: Okay.

VICE-CHAIR HERRERA: I also would like to keep Sedona in District No. 4.
And I think all the other changes that were proposed by Chairwoman McNulty -- I mean, Commissioner McNulty, I was okay with. So those are -- it would be my proposal to the congressional map.

I would have -- not have more changes, but for right now those are the changes that I recommend and hopefully we can see a version of like, that like you did for Commissioner McNulty for the -- for my map.

What I would recommend is, since we're going to be making some changes that she proposed, taking out -- putting the Oak Creek Village with Oak Creek, that there's -- can you tinker around the edges to fill in the gaps of any, any lack of or -- when -- if it's underpopulated in certain areas, just fill around the edges?

WILLIE DESMOND: Sure.

So for the keeping the Sedona with Congressional District 4, do you want to keep all of the Verde Valley in District 4 then?

VICE-CHAIR HERRERA: Not -- so the changes that she had recommended, Commissioner McNulty was -- the Oak Creek Village?

WILLIE DESMOND: Yeah.

VICE-CHAIR HERRERA: That I did -- actually I do like that change.

WILLIE DESMOND: Okay. So, so as it stands -- let
me turn off the -- as it stands now, the current draft map
goes down and goes into Yavapai County and grabs Sedona, and
it comes down into Yavapai County and grabs Camp Verde and
Lake Montezuma. And then it meets back up at the county
border.

Do you want just Sedona or do you want all of this
area to go with District 4?

VICE-CHAIR HERRERA: The -- remind me what
Commissioner McNulty had proposed.

WILLIE DESMOND: What she had proposed was just
since this border takes some of these cities in the
Verde Valley, just to also include Oak Creek so that
Oak Creek stays with Sedona.

VICE-CHAIR HERRERA: Okay. Those are the changes
I I'm okay with, with the ones that Commissioner McNulty had
proposed.

WILLIE DESMOND: Oh, okay.

VICE-CHAIR HERRERA: The only disagreement I have
with her is putting Sedona, putting Sedona in District 6 and
taking it away from the river district.

WILLIE DESMOND: Well, Sedona as it currently
is --

VICE-CHAIR HERRERA: Or not Sedona.

Fountain Hills.

WILLIE DESMOND: Okay. All right.
So keeps -- all right. So basically just --

VICE-CHAIR HERRERA: I guess the two changes I didn't agree with were getting rid of the three border district.

WILLIE DESMOND: Okay.

VICE-CHAIR HERRERA: The third border district. And also putting Sedona in District 6 -- I mean, Fountain Hills in District 6.

WILLIE DESMOND: Oh, okay.

VICE-CHAIR HERRERA: Those are the two changes I didn't agree with, but everything else I think I was okay with.

WILLIE DESMOND: Okay. I will -- I'll have that ready for Wednesday.

CHAIRPERSON MATHIS: Commissioner Herrera, you're surprising me with your three border district.

VICE-CHAIR HERRERA: Well, I'm not -- you know, obviously you proposed that and Commissioner Stertz has been proposing it since we created drafts maps, and all of a sudden we're getting away from that, I find that suspicious.

And I, I heard plenty of public testimony either way that people wanted three border districts and there was some that didn't.

And I was -- I think I was swayed.

CHAIRPERSON MATHIS: Wow.
VICE-CHAIR HERRERA: I'm not convinced that we should do away with that, and I -- so I think it's something that we should consider.

Again, you, guys, I was initially against it, as you remember. And, both you and -- I think Freeman, Commissioner Freeman, was probably for it, although he didn't propose it. It was Commissioner Stertz.

Again, I wouldn't -- I would not be -- at this time not be in favor of doing away with the third border district.

CHAIRPERSON MATHIS: So these border districts, I think, and people feel differently. I think some don't think that that should be brought into the equation. But the way it can be brought into the equation is it is a community of interest.

I do believe border communities can be viewed as a community of interest. So it is a constitutional criteria in that regard just like a rural district is.

And our original grid map, the one at least we worked from, did have three border districts on it.

However, when we started working to accomplish three border districts, the challenge has been this pressure point on the map which is having a majority-minority district along the border. There's only so much you can do and so much movement you can make. So we've had to make
some changes.

The original version of the three border district map kept Cochise whole, but the one that we ended up approving did not.

And we had to go the other way on the map, because we needed to preserve the majority-minority district that's on there.

So -- on that border.

So, now there -- you can kind of see there's just -- there is three -- there are three borders on our draft map, but people have called it a token three border district, and that's because there's just this little piece that's touching the border from CD 1.

So the tradeoff there too is compactness because if we did what Commissioner McNulty suggested in terms improving the compactness and just stopping at the border of Cochise, then we only have two board districts.

So I'm just trying to highlight the challenges in accomplishing three border districts and compactness and two rural, so --

VICE-CHAIR HERRERA: Madam Chair, I was one of the people that called it a token border district.

And you guys were still in favor of pursuing it.

It was -- it appeared in the, I think, in the grid map, I think, and it also -- it was approved in the
congressional draft map as you can see.

So I was, from all, you know, you pushing it, Stertz and everyone else, I'm a believer or at least for us to consider it and not do away with it. So I'm not convinced that we should do away with it just yet, so that's why I would like to see it the same.

CHAIRPERSON MATHIS: Well, and it's funny because I've kind of gone the other direction. I'm happy to keep three border districts. I still think it's a good idea. But at the same time if compactness and, you know, keeping Cochise whole is something we want to weigh more with, you know, in terms of making that decision, then I can see how we'd have to go back to two border districts.

VICE-CHAIR HERRERA: Again, I like it the way it is, that's why -- and for now I like it the way it is.

So if we can move forward with that, those particular changes.

CHAIRPERSON MATHIS: I think Commissioner Freeman would like to talk.

VICE-CHAIR FREEMAN: Well, whenever I hear someone say that they know what I'm thinking, I have to step in and correct it.

I did not advocate for the creation of three border districts when developing my maps. I strictly applied the constitutional criteria in broad strokes and had
them applied and the lines adjusted accordingly. And
whether we ended up with one border district or two, three,
four, five, didn't matter to me. What mattered is just
applying the criteria.

I think -- I'm surprised that now you're in favor
of it. And I'd have to go back and look at all the pages of
transcripts you devoted to denouncing it.

But I think if we're going to go with -- if the
final map is going to end up with three districts that touch
the border, you know, the current configuration doesn't make
a lot of sense to me.

And it does -- I agree with you,
Commissioner Herrera, it does seem like a token, token
border district the way it is. I mean, there's nothing
really -- there's no port of entry down there that I'm aware
of. There's nothing probably but coyotes and probably -- I
don't know what you can see down there in the Dragoons but
pine trees basically. Mule deer perhaps.

But maybe we can look at different ways to
configure it that would make more sense. And if we end up
with three on the border, so be it.

I mean, so I'd be interested in exploring.

If you got a different proposal -- are you, are
you suggesting that you like the lines exactly the way they
are now?
VICE-CHAIR HERRERA: I am.

VICE-CHAIR FREEMAN: Okay.

VICE-CHAIR HERRERA: And I'll be quick.

I could probably pull transcripts where you didn't oppose this particular version, or this -- the way that, that three borders look like.

The same thing for Stertz. The same thing for commissioner -- I mean, Chairwoman Mathis.

So, again, we could all look up information that we said different than we feel now. And that's okay. We can change our minds. I have no problem with that.

So, again, I'm okay with the way things are now, and but I could be convinced otherwise. But for now I would like to keep it the same.

CHAIRPERSON MATHIS: Okay.

Any other thoughts on Commissioner McNulty's proposed concepts and how they were accomplished in these potential adjustments that have been presented by the mapping consultant?

(No oral response.)

CHAIRPERSON MATHIS: Last week -- and, Mr. Freeman, you weren't here for that meeting, but we did all have consensus that what she proposed, everybody agreed should be explored. And I just want to check with you and see if that's also your feeling.
VICE-CHAIR FREEMAN: No, no, that's good. And I was able to follow most of the hearing's -- Tuesday's hearing. I know I saw bits and pieces of it. It was pretty exciting, but I had some additional excitement going on on my end.

I saw virtually the complete hearing on Wednesday. On Thursday I think the only part I was called away by someone crying in my house was, and not an adult, was when I think Commissioner Stertz got ready to talk about his ideas and proposals.

I did hear you all discuss Commissioner McNulty's proposals.

So hopefully he will arrive soon and we can go through those a little more, because that's the one piece of the puzzle in this I think at this point.

CHAIRPERSON MATHIS: Great.

So, yeah, I think we all sort of agree then that those four concepts, we'd like to continue exploring to the best way to make final adjustments to accomplish them.

VICE-CHAIR FREEMAN: Madam Chair.

I totally agree with exploring these ideas, and, you know, putting public comment to paper.

I think we should look at other options as well. We heard there was a lot of public comment to get through, and, you know, the public was also aware that the Commission
stated repeatedly that these were drafts, and that the
public was reminded that the last Commission did make --
didn't just do tinkering around the edges.

And, and while some of the changes -- proposed
changes may make sense as to this starting point, I
certainly think there are other options we probably behoove
ourselves as a Commission to look into.

And I know that's what we'll be doing later today
and during the week.

CHAIRPERSON MATHIS: Okay. And if commissioners
have other ways that they would like to see the mapping
consultant explore those four concepts that
Commissioner McNulty suggested, we should -- you should
document what those suggestions are and then share them with
Mr. Bladine, and he will get that to our mapping consultant
and to the rest of the commissioners, just like we did with
Commissioner McNulty's.

VICE-CHAIR HERRERA: Madam Chair.

CHAIRPERSON MATHIS: Mr. Herrera.

VICE-CHAIR HERRERA: Again, let me restate that I
was not in favor of all of the changes Commissioner McNulty
had made, and I did for the record state which -- what it
was I was in favor of and what I was not in favor of, and I
did provide that to Strategic Telemetry what ones -- what
changes I would like.
CHAIRPERSON MATHIS: I remember. I apologize for stating it the way I did.

Okay. Other comments on this congressional draft map?

I want to wait until Commissioner Stertz is here to go over his -- the changes that he suggested, so, can we -- is there anything on the voting rights districts?

How about with the Hispanic Coalition for Good Government? They had some proposed changes to the congressional draft map.

WILLIE DESMOND: Yeah. And those changes are included in the packet.

I was asked to split those out to the changes for District 3 and changes to District 7 separately. And I believe Mary or Joe might have something to add. I think we got new correspondence from them.

CHAIRPERSON MATHIS: Oh, okay.

WILLIE DESMOND: Is that true?

It was right before the meeting. I'm not positive.

MARY O'GRADY: Madam Chair, we did just get a letter in from their attorney, right as we came to this meeting.

I haven't had a chance to review it yet.

But we'll share with that the Commission.
WILLIE DESMOND: Okay. So I have mine.

Starting with the changes to the Congressional District 3 report.

CHAIRPERSON MATHIS: And these are based upon the letter we received from them dated November 30th.

WILLIE DESMOND: Correct.

CHAIRPERSON MATHIS: Okay.

WILLIE DESMOND: They asked for specific changes in District 3 and District 7.

I think I was able to follow those changes to meet with a -- it asked for, however, they were not to zero. Some gained. The changes did reflect in some population imbalances, and I am not exactly sure how to, how to deal with those.

But I will present you what changes I made.

So in Congressional District 3, I believe the only thing they specified in the letter was that district -- or loading Precinct 85 and 66 should be included in Congressional Draft District No. 3.

So, so basically the only change was to wholly include those districts within the third congressional district.

Doing so moved 6,624 people into District 3.

So now with this change, we have a population deviation of that number 6,624.
That makes District 3 about a tenth of a percent more voting age Hispanic, about a tenth of a percent more Hispanic, about a two percent -- a two tenths of a percent change to total minority.

As far as the splits go, it splits an additional -- two additional census tracts and two additional census block groups.

Looking at, like, the mine inspector's race, it is about a two tenths of a percent increase in support of the Hispanic candidate from 60.3 to 60.5.

The Hispanic registration number goes up by a tenth of a percent.

And the citizen voting age population is affected. There's 1587 more people, but it's not enough to change it by more than a tenth of a percent.

Are there questions about this?

VICE-CHAIR FREEMAN: Madam Chair.

CHAIRPERSON MATHIS: Commissioner Freeman.

VICE-CHAIR FREEMAN: What's the reason for this proposed change?

WILLIE DESMOND: I don't have the letter in front of me.

It did kind of spell it out in there.

I believe there's changes that reflect some historic neighborhoods and also some school district
boundaries, I believe.

VICE-CHAIR HERRERA: Just to clarify, the HVAP did
go up with these changes that were proposed by the
Coalition; correct?

WILLIE DESMOND: The HVAP went up in three --
yeah, by a tenth of a percent.

VICE-CHAIR HERRERA: The -- before the changes are
recommended, was -- Mr. Adelson was -- felt comfortable with
the way -- with it was before those changes?

WILLIE DESMOND: I believe so, yes.

VICE-CHAIR HERRERA: Mr. Desmond, can you
remind me -- can you show me where those people were removed
from?

WILLIE DESMOND: So this is in Tucson. And it's
just, on this change, it's just moving -- it's just simply
adding to District 3.

No one was -- they were in District 2. Now they
went to District 3.

VICE-CHAIR HERRERA: Okay. What happens to
District 2 because of those changes?

WILLIE DESMOND: District 2 -- hold on -- has a
population deviation of 6600.

It's -- the non-Hispanic White number goes up.
It's Hispanic, 18 plus. The Hispanic number drops from 22.1
to 21.7.
As far as competitiveness goes, it looks like District 2 becomes --

VICE-CHAIR HERRERA: Slightly less competitive?

WILLIE DESMOND: Slightly less competitive. Goes from 49.6 percent Democratic to 49.5, goes from 50.4 percent Republican to 50.5.

So it's a change of about two tenths of a percent less competitive.

VICE-CHAIR HERRERA: And, again, these are changes that are being proposed by the Coalition, not necessarily changes that we as a Commission have approved.

WILLIE DESMOND: Yeah, these are changes they asked for in their letter.

And just to evaluate those changes, we went ahead and created this scenario to look at what those changes would be.

And then you have the change report to, I guess, kind of evaluate what they would do to the map.

Both, both the districts become slightly less competitive.

(Brief pause.)

WILLIE DESMOND: Are there other questions?

I believe Commissioner Freeman has the letter, and I think that's been -- it's in the record, so people can ask if they had questions.
VICE-CHAIR FREEMAN: Yeah. Madam Chair, I had an extra copy, so I have the letter now.

CHAIRPERSON MATHIS: Great. And it sounds like we got something else today, so we'll have to see what that letter says, and we can see if they're suggesting additional adjustments or if they've changed their opinion. I don't know.

VICE-CHAIR HERRERA: Madam Chair, if we're going to give additional adjustments from the Coalition, can we just talk about all of them at the same time?

I think it would be -- it would make more sense than -- I'd like to see them all at one time.

Because they may be changing their mind about the changes they proposed that we're looking at today.

CHAIRPERSON MATHIS: Right. Agreed.

So we'll get that letter distributed to everybody and see what's there. And then possibly if there are suggested additional adjustments, we'll ask our mapping consultant to just see what those would do to the map.

WILLIE DESMOND: With that being said then, we can skip, I guess, the Hispanic Coalition for Good Government changes to CD 7 report and save that for a later date.

That is the last of the congressional ones until Commissioner Stertz comes to look at his.

So we can either go to legislative or wait for
Commissioner Stertz.

CHAIRPERSON MATHIS: We can talk briefly about what you guys prepared for seven, I think, if you don't mind just going over it, and see what they at least suggested and what work you did.

WILLIE DESMOND: Okay. The changes to Congressional District 7 were a little bit more robust. And they did leave a much larger population imbalance.

So that, again, the black line represents the map as changed.

The green line represents what it used to look like.

All of the changes they asked for on legislative -- or Congressional District 7, involved population, either going to or coming from proposed District 9.

There was, there was three areas they asked to be changed, which are outlined in the letter they sent.

Just a second, and I'll walk you through those quickly.

VICE-CHAIR HERRERA: Madam Chair, do we have the new letter that they sent, maybe scaling back their changes that they're proposing right now?

CHAIRPERSON MATHIS: I don't know. Do we, legal counsel?
JOSEPH KANEFIELD: Madam Chair, members the Commission, we do have a new letter from the Hispanic Coalition for Good Government dated November 5th.

The letter refers back to the recommendations in their November 30th, 2011, letter.

It notes that they did not include the data supporting the changes in the November 30th letter, and that this letter contains attached to it various files that have the supporting data.

There's a footnote that says the request and the data do not completely match. They made some -- they made some minor adjustments on CD 7 to conform to community of interest and population. And they note that they are not major.

So I guess the answer is that they haven't really made -- according to this letter, it's just providing the data to support the November 30th letter, although they do note that there are some very minor changes that are made that will probably be reflected in the data that was provided with the letter today.

VICE-CHAIR HERRERA: Madam Chair, since I haven't read the letter, but I'm -- based on what you said, are they scaling back on some of the changes that we're going over right now for District 7?

JOSEPH KANEFIELD: Madam Chair,
Commissioner Herrera, that does not appear to be the case.

This letter just appears to be providing data to support the November 30th letter, other than that footnote where they note that there are some changes, they note that they are not major.

WILLIE DESMOND: So once I get the letter, I will confirm that the changes I made are the ones they asked for.

CHAIRPERSON MATHIS: That would be great.

WILLIE DESMOND: Because they -- it was just a -- they didn't mention specific census blocks or block groups. They moved just kind of the streets and stuff.

So this first change was taking the area -- I believe this is 32nd Street and 48th Street, and going up to Thomas Road instead of cutting over at McDowell.

So this was an expansion of District 7 here.

Again, the green is where we were. The black is where we went to.

Another change was here, following Indian -- or Central -- between Central and 7th Avenue, instead of coming over at Indian School, coming up to Camelback.

So, again, added population.

And the final, final change was at 7th Avenue, removing the population, all the way over to 48th -- or, I'm sorry, 40 -- 43rd Avenue, between Northern and
Bethany Home.

So removing all this population left seven underpopulated by roughly 34,000 people.

So, you can see the changes that that affects.

That underpopulation does raise the Hispanic percentage in District 7 from 63.9 to 65.4. The HVAP from 57.6 up to 59.3.

The mine inspector support goes from 66.9 to 68.8. The Hispanic registration and CVAP both go up also.

(Whereupon, Mr. Stertz enters the room.)

VICE-CHAIR HERRERA: Madam Chair.

CHAIRPERSON MATHIS: Mr. Herrera.

VICE-CHAIR HERRERA: Before those changes were recommended by the Coalition, Mr. Adelson was okay with the, with the way that particular -- he was comfortable that that district, the way it was in the draft map, would probably preclear, had a strong possibility of preclearance without those changes.

WILLIE DESMOND: I believe so, if Ken or Mary or Joe have any disagreement, but I believe he was comfortable with both of voting rights districts in the draft map.

VICE-CHAIR HERRERA: And also the -- those changes they're recommending -- again, this may change depending on that letter, but that decreases the competitiveness of
District 9; is that correct?

WILLIE DESMOND: District 9, it actually makes it slightly more competitive.

It goes from 48.6 percent Republican to 48.7 percent Republican.

And it makes, it makes District 7 much less competitive.

It makes it a stronger Democratic district.

JOSEPH KANEFIELD: Madam Chair.

CHAIRPERSON MATHIS: Mr. Kanefield.

JOSEPH KANEFIELD: Madam Chair, I just wanted to clarify, I think Commissioner Herrera mentioned Mr. Adelson. I think he's consistently said that although he may -- I think he has been saying he needs more analysis before making any of those conclusions that he's comfortable with in these maps. So that analysis is being done.

CHAIRPERSON MATHIS: Okay. Any other questions or comments to -- Mr. Stertz, to bring you up to speed, we're just talking about the Hispanic Coalition for Good Government proposed changes from their letter, November 30th. And apparently they've just sent us another letter today, and we haven't seen that yet, so we're not sure if there are additional changes that they are proposing or anything.

But the mapping consultant at least had
accomplished over the weekend what they had requested in their November 30th letter.

COMMISSIONER STERTZ: Thank you.

WILLIE DESMOND: If there's no other changes, Commissioner Stertz, the legislative change reports are in front of you in your packet. The congressionals are more toward the back.

We started with congressional.

We went over Commissioner McNulty's proposed changes and also the Hispanic Coalition's changes to Districts 3 and 7.

So, unless there's other questions about the Hispanic Coalition, I think we may be ready for you to present the changes that you worked out to the congressional district map and bring that up.

COMMISSIONER STERTZ: Sure.

Madam Chair.

CHAIRPERSON MATHIS: Mr. Stertz.

COMMISSIONER STERTZ: Mr. Desmond, did you print copies of that map?

WILLIE DESMOND: I did not print copies of the actual map. I brought the change report.

I was going to present the map, and it's available online.

COMMISSIONER STERTZ: Okay.
(Brief pause.)

COMMISSIONER STERTZ: Madam Chair.

CHAIRPERSON MATHIS: Mr. Stertz.

COMMISSIONER STERTZ: The, the purpose of this, this map, after, after taking into consideration all six of the constitutional requirements mandated, as well as the work and the delivery of the information from the Hispanic Coalition and in regards to Districts 3 and 7, as well as the 30-day comment period where we received thousands of pieces of information regarding communities of interest, geographic features, competitiveness, all of the six criteria, what I worked to get together to do was to focus on --

(Alarm interruption.)

COMMISSIONER STERTZ: Was to focus on responding to the comments that were given, the geography, the transportation corridors, the communities of interest, the competitiveness test and working our way through the -- sorry, and I think, Madam Chair, that what might be the easiest way to do is just to work myself through from district, thank you, from district -- CD 1 and starting in the southeast, southeast corner.

Cochise County is kept nearly whole with the majority moving into CD 1.

Cochise County is, is for all intents and purposes
rural and has relationships with -- has a direct relationship with Graham and Greenlee. And that border now, instead of that line right there, is the draft map approval. What I've done now is to, is to take the lion's share of the rural aspect of Cochise County, improving -- we heard much -- a lot of comment about this corner right here being sort of superfluous as a three border district component, and have essentially maintained the lion's share of Cochise County, the port of Naco, and Douglas, and the relationship of the geography, the ranching, and the rural aspects of Cochise County, the border, the communities of ranching down below, with Graham and Greenlee.

Graham and Greenlee, for folks that don't know, used to be one county that were split historically by an arrangement between the copper company that actually paid off a debt that the, that the county had had that allowed that -- allowed the Graham, Greenlee split.

We also heard a significant amount of testimony in Sierra Vista about its relationship with the Fort, Fort Huachuca, and its relationship with the city of Tucson.

We also heard an enormous amount of testimony about the I-19 corridor as it pertains to Sahuarita and Green Valley and those communities as they relate to one another.

We heard a significant amount of testimony as well
about -- as what's -- let's go down a little bit further, Willie, down to the, to the Rio Rico and Nogales piece in Santa Cruz County.

Now, if you, if you go and look at the geography, and I'm not sure if you can pull up the geographic features on this, there's, there's a mountain range that literally flanks these areas.

So we've got mountain ranges that actually create this corridor, as well as transportation.

We've got I-10, which connects going this -- in this direction, and I-19 going in this direction.

We've been able to maintain the I-19 corridor in relationships about being able to keep the communities whole between Green Valley and Sahuarita and Amado.

And there was a lot of discussions regarding how Nogales and its community, in mostly in regard to its Hispanic community, has a true relationship with what's going on in the rest of Congressional District 3.

In regards to compactness, we were able to increase the quality of the compactness of, of legislative -- or, excuse me, Congressional District 2.

We've got a -- in Congressional District 1, we maintain a meaningful port and a corridor with Douglas and Naco.

We kept Bisbee, which is the county seat of
Cochise, in with the county. Before it was actually split out from its own county.

And Sierra Vista, Sierra Vista and Fort Huachuca have a meaningful relationship with the city of Tucson, as well as with Davis-Monthan.

Sierra Vista has a tremendous amount of ties, both, both economically and there are people that actually live and commute from Sierra Vista and work in Tucson at -- not only at the base but also into some of the -- it also has a lot of, lot of community features that take place.

So the other aspect is that we heard volumes of testimony regarding Saddlebrooke, Oro Valley, and the town of Marana.

So what we've done is that if you zoom right up into here, Willie, and put on the highway layer, originally you see that, that Marana had been split along Interstate 10, so we've picked up and kept Marana whole inside of CD 2.

We have included the community of Saddlebrooke.

Have -- and kept its relationship with Saddlebrooke, Oro Valley, Marana, and the northern neighborhoods and communities, these are actually Marana being a city.

The area that's sort of spikes up, it happens to be just a large unpopulated or loosely populated census
block. So if you're wondering why that spike takes place there, it just happens to be that it's a census block.

So essentially what, what I've been able to do through this -- and by the way, I want to give special thanks to Mr. Desmond for working on this with me this weekend.

I wanted to make sure that we got as much accomplished on Saturday as not to take away from his travel time. He was in New York on the Saturday and had to travel back to Phoenix on Sunday. And hopefully I didn't take away any of your Packer game time. So I appreciate that.

So, the -- if you look at the splits report and a competitive report, what we've been able to do in, in now District 1 -- now, the one comment that we did hear from folks was that the size of CD 1 was mammoth.

And the opposite comment to that is that CD 1 is a rural district. And what you'll see is that CD 1 as it continues to go up has not substantively changed except for the area in Cochise County and the extended area in the west valley -- or, excuse me, the east valley of Maricopa.

You'll see that it remains fairly intact going up from the south -- or the northeast corner, going across. And by making these adjustments in Cochise County, in Pinal County, in Gila County, or the edge of Gila, going into -- where am I right there?
WILLIE DESMOND: That's Gila County, and then up into --

COMMISSIONER STERTZ: That's Gila County.
And then a touch here. We've actually gone and -- Congressional District 1 goes back to its historic status as being a competitive district.

CD 1 has been one of the districts in the state of Arizona that historically has gone from being represented by a Democrat, then a Republican, then a Democrat, then a Republican.

It's being currently being represented by a Republican. Previous to that it was represented by a Democrat.

So we are, we are now back into Congressional District 1 being a, a competitive district.

Congressional District 2 has actually become by balance a more competitive district.

It has historically been represented in different iterations by both Democrats and Republicans.

It currently holds -- it would be the seat that is currently held by Congresswoman Gabrielle Giffords. Prior to that it was by Republican Congressman Jim Kolbe in a similar iteration to this.

As we go into Congressional District 3 -- and I may be bouncing around a bit when we come to some of the
reasons why some of these were extracted or moved around.

Congressional District 3 is a minority-majority
district.

It retained the lion's share of its, of its
design. But by making some very subtle changes, we've
actually strengthened it as far as its ability to elect.
So, from, from the respective of Congressional District 3,
it's actually become a bit stronger as a district, which was
one of the criteria that was recommended to us that last
week by our counselor, Bruce Adelson, in saying that if
there's an opportunity to enhance a district, three might be
one that we would wish to enhance.

And as we move around the state to District No. 4,
we'll stay in numerical order.

District No. 4, there was -- we've had substantive
comment and -- about the river being a community of
interest, and that the, that the area of four was prior --
prior it wrapped its way around all the way around Maricopa
County, picking up into the south.

As you did see, this green line actually shows the
line of where Congressional District 4 used to pick up.

It wrapped all the way around the north and the
west side of Maricopa County and picked up all the way down
into the San Tan and various other sundry communities in an
effort to grab those communities.
By making some modifications, I have actually been able to make four a more competitive district than it was prior. Prior it was an extraordinarily heavily packed Republican district. And it has moved closer to center.

And by -- with four, it actually is more geographically compact.

It is more contiguous within and about itself.

It has a, a rural sense of -- if you can pull out just a little bit, Willie. Let's show all of four.

Even though it has an odd, an odd shape here, that's -- that is consistent with the desire to maintain continuity among the First Nations. But what it does do is it maintains this river line, and it maintains the majority of its rural representation.

One of the, one of the points that has been very clear among the Commission, as well as the Hispanic Coalition, is that this line right here in Yuma County is important to maintain it.

Even though there was some comment from the residents in Yuma that they would wish to have Yuma County remain intact, my conversation last week with Commissioner Herrera made it real -- very clear that that's just an issue that I didn't want to have to bridge.

And there was enough testimony saying that this district of District 3 needed enhancement, and if we were
going to go in the opposite direction by trying to pull in
the north side of Yuma County into Congressional District --
in Congressional District 3.

So what Congressional District 4 now, it is a
truly a western district.

It is composed of -- one of the other areas that
we had a lot of conversation about was making sure that all
of the areas that surround Flagstaff to the south and around
its edges going all the way to Sedona remain whole, that
that community remain intact.

And that also that, that Flagstaff, we heard a lot
of testimony with regards to the I-17 corridor connecting
Flagstaff and north Pima County -- or north Maricopa County.

And the idea of being able to maintain that
connection was something that we felt very important.

We've got a lot of group of similar towns where --
that include different communities that are now relating to
one another that aren't bifurcated by, by the previous
designs.

As we move into, into -- I'm trying to think if
there's anything else that I wanted to make a point of in
CD 4.

CD 4 has become more competitive.

This was a -- what I would consider to be a hard R
district, by virtue of its design is now become more
competitive in its, in its nature.

So, working towards competition, I think, is what we have heard over and over and over again. And, you know, the -- to do so with, with 36 percent Republican registration, 30 percent Democrat, and the rest in Independent and other is a challenge, but a large, a large amount are taken out in the two majority-minority districts.

The way to do that is to really view how to not hyperpack Republicans, but to be able to use Independents as really the voting block of change.

And that was one of the things that, that we had worked on.

Public comment about relationships between the western Arizona towns shouldn't be discounted because, you know, those people have -- you know, they haven't come forward with one singular message, but we had many small messages that were delivered to us at the same time.

The goal about that wherever practicable, where there's no significant detriment to other goals, we, we are in favor of the creation of more, more competition or more competitive districts.

And I think that I've been able to achieve that here.

Every voter has the right under the law to be placed in a more competitive district.
No Arizona voter should be shortchanged by what we're doing here.

So, it's -- the closer that we can get to this and the more arduous that we can be to get to that, the better we are.

So, CD 4 now includes mostly rural side of Maricopa County, and I'm fairly pleased with that configuration as well.

If you want to go into, into the urban districts, let's put the transportation corridors on there again, please.

You can see again I-17 is a significant north, south -- I-17, as a corridor, has tremendous amount of impact.

As it connects to the, to the 101, and as it's branching going up to the north, there is both residential, commercial, and industrial development going back and forth, up and down the I-17.

We heard a tremendous amount of testimony in regards to the Anthem, Cave Creek areas being kept intact.

So one of the things in, in -- as we, as we create this, we are trying to, trying to create a district that deals with large transportation corridors and movement of goods and services throughout, throughout five.

In District 6 we've actually been able to -- we've
had a lot of, a lot of strong public comment about keeping certain areas again intact.

And six, although it is a -- would be considered a Republican district, is less of a registration advantage than it previously, than it previously was.

Let's move over to -- let's move over to nine.

Then I'm going to work my way back into the inside.

Or eight I should say.

Where am I?

Where is our -- okay. Nine, nine is the Gilbert, Queen Creek.

We heard again a tremendous amount of testimony from the public about keeping their, their communities intact, about the desire to not have multiple splits of Chandler.

We maintain the single split of Chandler.

No split of Gilbert.

No split of Queen Creek. Queen Creek remained intact.

And we have been able to maintain communities of Apache Junction now.

If you can zoom in right there, please.

And put the corridors in again, please.

As we've got, we've got our communities now closer tied together.
We, we did make an attempt to put Gold -- that is Gold Canyon; correct?

WILLIE DESMOND: Correct.

COMMISSIONER STERTZ: Okay.

We did make an attempt to pull Gold Canyon in out of one, but the population -- and, again, that's still -- what we were able to do is that we kept Gold Canyon intact as a municipality.

This is about 9600 individuals that live within that community.

And the goal would be, through some continued work, would be able to pull Gold Canyon and that back in, but it currently, it currently resides within Congressional District 1.

Congressional District 9, which we just talked about -- let's go up to eight, which is -- the district which is from Ahwatukee, going up through Tempe. It picks up the Fort McDowell region.

These, these are areas that -- this, this aspect, as you can see by the green line, that was the original District 9.

We've been able to actually include some geography and some areas that were sort of left out.

And the choice and the desire to do so was so that we could get Apache Junction tied back, tied back into
the -- that side of east Scottsdale.

So we've got a geographic region that even though there is a slight advantage in Republican over Democrat registration, the Independent registration is extraordinarily high. And with a large quantity coming from Tempe and Ahwatukee. And, and depending on which one of our areas of -- I'm looking at, this becomes a potentially swing district as well.

District number -- let's go up to five.

Thank you.

District No. 5 is, again, keeping Anthem, Cave Creek, and the I-17 corridor intact, as it connects and flanks off of the 101 and the, and the, and the 51.

So we've got Phoenix proper is connected in, and, again, those transportation corridors remain intact.

In regards to seven, seven remained mostly unchanged, but we did make some positive enhancements, again, in certain key areas, so that seven is -- has enhanced its ability to, to elect.

So, Mr. Desmond, is there anything that I have. . .

WILLIE DESMOND: Just CD 6 is the only one we haven't spoke about.

COMMISSIONER STERTZ: The other aspect I wanted to talk about is that we have reduced the amount of precinct
splits, community splits.

And I believe what this, what this has done, Madam Chair, is to take a -- take the draft map and to utilize the large volume of, of public comment that we received, utilizing all six of the criteria, underscoring each one with the test of competitiveness, and developed a map that not only meets the six criteria, meets with what I believe is the majority of the testimony that we received from the public and municipalities and counties, kept counties in -- counties and municipalities intact, kept precincts intact, kept -- enhanced both the majority-minority districts, both CD 3 and CD 7, and has taken the -- in my opinion could be easily argued that this is the map that actually is -- we reduced -- improved compactness, improved contiguity, improved the concept of wrapping around to pick up population and population centers, and have kept communities in such a way as they, as they naturally will be expanding. They'll be expanding not to -- in such a way as to not to hyperpack who their, who their population is.

So I think it's balanced, I think it's orderly, and I think it meets with the, with the next step of the response of the testimony that we received through the distribution of the draft map.

VICE-CHAIR HERRERA: Madam Chair.
CHAIRPERSON MATHIS: Thank you, Mr. Stertz.

COMMISSIONER STERTZ: Thank you.

CHAIRPERSON MATHIS: Mr. Herrera.

VICE-CHAIR HERRERA: Yeah, thank you, Mr. Stertz.

I appreciated that you're recognizing now that competitiveness is just as important as the other state mandated criteria, because they are. They're equally as important.

Because this -- the particular changes that are being made reminds me a lot of the old counties map that was proposed during the what-if scenarios, with some, with some tweaks.

I mean, they moved Flagstaff from district number -- the District No. 1 and it puts it in District 4.

If I heard correctly, and there was a lot of testimony, not only for the Native Americans in District 1, but also from Coconino County, that they want to remain whole in District 1.

And also district -- the, the public testimony in District 4 was pretty clear that they didn't want Flagstaff in that same district.

You split Coconino County, as I mentioned.

And there's also -- you have less unsplit counties than the proposed changed by Commissioner McNulty. I think you had six unsplit counties compared to eight that were
proposed by the changes that were proposed by
Commissioner McNulty.

So some of the things that I'm concerned with, I
think we're going back, backwards, as opposed to going
forwards.

Again, this reminds me a lot of the old counties
map, which we, we adopted some of the changes into the draft
map.

So if we're going to be doing that, then I'll
propose the, the river district map all over again, which
was a really good map, and make some minor tweaks based
on the changes -- based on the public comments that were
made.

Again, those are some of the things that I'm
concerned with with the changes that are being proposed by
Commissioner Stertz.

COMMISSIONER STERTZ: Madam Chair.

CHAIRPERSON MATHIS: Mr. Stertz.

COMMISSIONER STERTZ: Just to touch on the concept
of competitive districts.

By making the designed adjustments in one and the
designed adjustments in four, both one and four, one truly
becomes a competitive district and four becomes closer to
being a truly competitive district.

And the -- we've heard over and over and over
again that the desire of communities being held together was more important and was -- I should say it was an incredibly important component, and that holding all of the areas surrounding Flagstaff together was incredibly important.

As well as the concept that, that, that as we move forward, the more that we can achieve competitiveness, the more successful, we -- this Commission's work product will be deemed as being positive.

And that, by making that change, was able -- able to achieve that.

VICE-CHAIR HERRERA: Madam Chair.

CHAIRPERSON MATHIS: Mr. Herrera.

VICE-CHAIR HERRERA: Another big change I think we flipped District 6, based on the changes that Commissioner Stertz is proposing.

So, again, these are huge changes that he's proposing, and I'm a little wary of that.

And also did -- be reminded Commissioner Stertz that you can't base competition based on registration. If you look at District No. 1 the way it is now, the Democrats outweigh or outnumber Republicans in registration, and that is a competitive district.

I mean, we've had Republicans leading or having control of that, and then Democrats, and then it went back to Republicans.
And, again, the Democratic registration clearly overwhelms the number of Republicans.

So you would think that that particular district the way it is now, not the draft map, but the way it is now, would be solidly Democratic every two years. And it's not.

Because you can't base competition on registration.

It's been proven -- you can use it as a piece, but if you using it solely on competition to say, oh, yeah, this is competitive because it has a number of -- equal number of Democrats, equal number -- or close to equal number, that District No. 1 proves that that theory is completely -- it doesn't work.

So I want to make sure that I point those things out.

COMMISSIONER STERTZ: Madam Chair.

CHAIRPERSON MATHIS: Mr. Stertz.

COMMISSIONER STERTZ: Thank you.

One of the things that I also want to point out is that, that in Pinal County, which has substantively the largest growth of any county by growing by almost 100 percent over the last, the last ten years, that, that Pinal County, okay, where the, where the Casa Grande, Florence area -- by the way, I've also been able to keep Florence now is in with the county seat. Before it had been
extracted from the county seat.

And I've been able to keep the counties -- the cities that are within Pinal County intact, so that there would not be of the smaller rural communities that are, that are in the Pinal County expansion zone that has been expanding in both -- not in -- not just in industry, but mostly in residences, that we've been able to keep those small groups of communities actually intact rather than splitting them. The -- and then -- and trying to stay away from splitting of the county.

That, that between Navajo Nation and its residences and Pinal County and Cochise County, we now have a nice balance of representation from county to county, whereas there was a -- Cochise County had almost been, for all intents and purposes, been eliminated in its representation by how that split took place because of splitting this district.

Of course, this district was probably going to be represented by someone from metropolitan Tucson, whereas now there's an opportunity for representation from Sierra Vista, Sahuarita, Green Valley, Tucson.

It makes this -- this is all a sort of contiguous block of, of -- broken up by very small amounts of, of, of geography.

So, again, I go back to that this is a -- what our
purpose is after the draft map comment period is to listen to all that comment and then make appropriate adjustments. Whether or not some are minor or some are substantive, it is still to react to those, to the comments that were made, as well as what we have learned through the experience that we had in going to the four corners of the state.

CHAIRPERSON MATHIS: Thank you.

VICE-CHAIR FREEMAN: Madam Chair.

CHAIRPERSON MATHIS: Mr. Freeman.

VICE-CHAIR FREEMAN: First, with respect to the constitutional criteria, they are not all equal.

I was pleased last week to hear during our hearings in which I was watching online that that was finally acknowledged.

They are all mandatory, but they are not all equal.

And last week it was finally stated that, no, indeed the first two criteria are federally opposed criteria. Federal law is the supreme law of the land. There is no waffle room with those two criteria. They are different than the other four criteria, unless you want to say that some criteria are just more equal than others.

As to the other four criteria, the Arizona Supreme Court has said that the sixth criteria, competitiveness, is
both mandatory and conditional.

   It is the only one of the six criteria that is conditional.

   And so it is different as well as the other criteria.

   So it's not a matter of balancing of them all.

It's applying the constitution the way it is written.

   And with respect to Commissioner Stertz's changes, I was trying to go through some notes I had prepared and sort of compare with what he put together.

   This is not the whole counties map. No offense, but the whole counties map was much better.

   But, I understand that it's up on the website, so I can grab it and study it and compare it.

   One thing that, one thing that I don't think was mentioned that I notice is that Gila County, the three G's are kept together, and we heard a lot of comment about that, so Graham, Greenlee, and Gila County are back together in eastern districts.

   So I like that.

   As for the competitiveness criteria, I think improving the competitiveness of CD 4 is important.

   The Arizona Supreme Court said that in applying that mandatory and conditional criteria, the competitiveness criteria, the Commission must, as long as it's practicable
and as long as it doesn't cause a significant detriment to
the other goals, favor the creation of competitive or more
competitive districts.

And I think that language, or more competitive, is
important and cannot be ignored.

Because -- and to illustrate that, you know, we've
heard people come before the Commission and say, well, you
know, I live just within the boundary of a hyperpacked
Republican district, or I live just across the -- inside a
district that where I am a super minority, so to speak.
Can't you draw the lines in a way that puts me in a district
where my party has more of a fighting chance?

Well, if you start to sort of close a blind eye to
the other constitutional criteria, I think that's possible
no matter where you live in state. The lines could be drawn
in such a way to put you in a, quote unquote, competitive
district.

But in doing that, you end up with -- the
collateral damage is that you end up with these hyperpacked
districts. And that's not fair to people living in other
parts of the state, who also believe that they are in the
minority status, and now they're in this hyper-minority
status.

So I think it's important that we be fair to
everyone in the state and not sort of -- and not have packed
districts and not arbitrarily pick and choose where the competitive districts are going to fall out.

And I think that's why the Arizona Supreme Court added that language in there. And that is the law. We have to favor competitive or more competitive districts.

So if we can make four less of a hyperpacked district and make it more competitive, while keeping those communities together, and that's -- and those are -- all those areas around Flagstaff and the I-17 corridor are together.

And I remember when it was originally proposed that Marana be carved out and put in the eastern Arizona district that goes up to Window Rock and Flagstaff and the Grand Canyon, that it was said, well, Marana is being kept whole and it's a thousand points of light and so we can put it in there.

Well, I think the same holds true, if we're going apply that rationale evenly across the state to, you know, to north central Arizona. It's being kept whole in this proposal, and it's making -- it's contributing to -- it's shining one of its many thousand points of light, and keeping it together with the western Arizona district, and making it more competitive.

And so if we can -- if in refining the map, and coming to a final map, if we can look at each district, and
I guess we have to set the minority-majority districts apart, because that's the federal requirement, but we can look at the other seven districts and try to make each one of them more competitive, while not doing damage to the other constitutional criteria, I think that's a laudable goal and I think that's in keeping with the law.

So with that having been said, I would just like to, to upload this map and study it and compare it with the notes that I've put together thus far, which are not by any means complete. But it was something that I was working on while I was doing other things last week.

CHAIRPERSON MATHIS: Busy.

Okay.

VICE-CHAIR HERRERA: Madam Chair.

CHAIRPERSON MATHIS: Yes, Mr. Herrera.

VICE-CHAIR HERRERA: You know, I do agree. I think it was Bruce Adelson who corrected us that we have two criteria that are federally mandated that trump the other four. And the other four, I think we would all agree, that they were equally as important as the state supreme court mentioned that competition is equally as important as the other three state-mandated criteria.

But what I wanted my to do, if Mr. Desmond can show me, based on the changes that Mr. -- Commissioner Stertz had made, can you show me what
District 6 looks like in the -- or where it's at in the
draft map compared to the changes that Commissioner Stertz
had proposed?

Because I think they were pretty drastic, so . . .

WILLIE DESMOND: I'm just creating a label, so we
can easily understand.

(Brief pause.)

WILLIE DESMOND: So, the draft District 6 -- I'll
turn off the current district so I can see it.

The draft District 6 is the Fort McDowell,
Salt River reservations, Fountain Hills -- or not
Fountain Hills, Scottsdale, New River, Cave Creek, Anthem,
Paradise Valley, and parts of central Phoenix, or I guess
northeastern Phoenix.

District 6 is now more of the west valley.

VICE-CHAIR HERRERA: It was switched to the other
side? I mean, of the . . .

Can you point it out on the map, where the
proposed -- so I see where the -- where the one that's the
draft map.

Can you point where the -- can you just use the
pointer and point where Commissioner Stertz is proposing
that his District 6 should be?

WILLIE DESMOND: It's this one.

VICE-CHAIR HERRERA: Oh.
CHAIRPERSON MATHIS: The brown lines.

VICE-CHAIR HERRERA: The brown lines?

WILLIE DESMOND: So the gray box, with just the number in it, is Commissioner Stertz's district number. This white box is the draft district, that reflects the blue lines.

That's the draft, draft map.

VICE-CHAIR HERRERA: So a significant change. Now, I think based on the changes he was making District 5 also moved that drastically?

Is that correct?

Can you show me?

WILLIE DESMOND: Well, again, so draft district five --

COMMISSIONER STERTZ: Madam Chair.

CHAIRPERSON MATHIS: Mr. Stertz.

COMMISSIONER STERTZ: I don't want to get -- and, Commissioner Herrera, I don't want to get caught up in the numbers.

VICE-CHAIR HERRERA: I can -- can I let the -- I would prefer if you let Willie -- Mr. Desmond just continue. Because I want to see -- these are pretty drastic, so I want to point them.

COMMISSIONER STERTZ: But --

VICE-CHAIR HERRERA: But, I mean --
COMMISSIONER STERTZ: What I'm saying, the numbers, the numbers aren't -- don't relate to each other, and that --

VICE-CHAIR HERRERA: Well, they actually do, so I want to make sure that I understand this.

WILLIE DESMOND: All right. Well, draft District 5 is Chandler, Gilbert, and Mesa, with a large portion of Queen Creek.

VICE-CHAIR HERRERA: And can you point out where Commissioner Stertz is proposing the new District 5?

WILLIE DESMOND: The new District 5 is the New River, Carefree.

VICE-CHAIR HERRERA: Okay.

And one just -- the changes that he's proposing, can you tell me what happens to the performance of the three 50/50 districts, based on the changes that Commissioner Stertz is proposing?

So those three districts that are -- I think that are according to me -- according to me they're definitely competitive on the draft map.

So what happens to the competitiveness of those three -- the only three competitive districts in the draft map based on Commissioner Stertz's recommendations?

WILLIE DESMOND: District 1 -- is there a particular measure you want me to look at or --
VICE-CHAIR HERRERA: I think that the measure that I felt that I was really comfortable with was using either the 2008 -- 2008 -- 2008, 2010 elections, and weighing them accordingly.

But I'm willing to look at the other ones as well. But it would be -- if you include 2004, 2006, they should be given, since it is outdated information, and a lot has changed in the state, just giving it a 25, 50 type of percentage.

So but if you go on 2008, 2010, what we had originally.

WILLIE DESMOND: Okay. So index two, and, again, for members of the audience and the Commission, is an even weighting of 2008 and 2010 election results.

Index three is one third 2008, one third 2010, and one third party registration.

Index four is one quarter from each 2004, 2006, 2008, 2010.

Index five is those four elections make up 80 percent, and then the last 20 percent is made up of voter registration.

So looking at index two, District 1 went from 50.1 percent Republican to 51.3.

So a change of 1.2 percent.

VICE-CHAIR HERRERA: In favor of the Republican
party. Okay.

WILLIE DESMOND: Yes.

And then it went from 49.9 percent Democrat to 48.7. So, again, a negative 1.2 percent.

Using index three, it went up by about six tenths of a percent Republican, down six tenths of a percent for Democrat.

Index four, it went up about a point for the Republican, down about a point for the Democrat.

In index five, it went up six tenths again for Republican, about six tenths down for the Democrat.

District two was 50.4 percent Republican, 49.6 percent Democrat.

On index two, it went to 52 percent Republican, 48 percent Democrat, a change of 1.6 percent and negative 1.6 percent respectively.

Index three started 50.3 Republican, 49.7 Democrat. Went to 52.3 Republican, 47.7 percent Democrat.

So a change of two points, a negative two points.

Index four, it went from 52.6 percent Republican, 47.4 percent Democrat.

And it went up a point Republican, went down a point and a half for the Democrat -- went up a point and a half to the Republican also.

Index five, went up 1.7 percent Republican, down
1.7 percent for the Democrat.

District 3 was our voting rights district, so that was at 50/50.

District 4, as Commissioner Stertz mentioned, was very high Republican, did become more Democratic by about 2.7 percent for index two, 2.5.

VICE-CHAIR HERRERA: But can you give me the actual percentages to see how competitive it is now that they're --

WILLIE DESMOND: So index -- District 4, using index two, was 64.2 percent Republican. Actually changes, it is 61.5 percent Republican.

Went from 35.8 percent Democrat up to 38.5 percent Democrat.

So that's a change of negative 2.7 percent for the Republican and a positive gain of 2.7 percent for the Democratic candidates.

Index three went from 64.1 Republican, 35.9 percent Democrat.

61.6 percent Republican, 38.4 percent Democrat, a gain of 2.5 percent Democrat --

VICE-CHAIR HERRERA: Mr. Desmond, I'm going to do you a favor. I'm going to stop you there, because I think you've proved my point.

I mean, again, Commissioner Stertz talks about
caring about competition, and what he just did, he made, I think, all the districts, as many as he could, lean more Republican than they already were, even using the -- one of the indexes that he cares about -- I mean, that he was -- which is, I mean, actually all of them, all the indexes he mentioned stated that they -- that the advantage to Republicans went great -- became greater. When he mentioned that District 4 was more competitive, it's 60 percent Republican. Down from what?

WILLIE DESMOND: Sixty-four percent.

VICE-CHAIR HERRERA: So it went from 64 to 60 percent, and he -- yeah, I think he stated it's more competitive.

I'm just -- I'm not shocked, but I'm just -- again, I want to point these out, that we need to be aware of this, any time, you know, people are making changes that -- especially if people that are talking about competition when they didn't care about it before, mention that the more competitive, it's, it's -- all you got to do is look at the numbers and you'll find, you'll find out the truth and the facts, that they're not more competitive.

COMMISSIONER STERTZ: Madam Chair.

CHAIRPERSON MATHIS: Mr. Stertz.

COMMISSIONER STERTZ: Just as a point of clarification.
I have, I have since the day that I took oath to this Commission said that all six criteria of the constitution are going to be part of our evaluation, and competition has never been negated.

So, you can say it as many times as you want, but you cannot run away from the fact that that is something that I put on the record over and over and over again.

The -- when, when you reduce the -- there is no question that when you reduce the quantity of Republicans and increase the quantity or the percentage of Democrats in a particular district, it becomes more competitive.

You can, you can be 70 percent Democrat and 30 percent Republican, and that would be uncompetitive.

It was -- if it was 65 percent to 35 percent, it would be more competitive. If it was 60 to 40, it would be even more. If it was 55 to 45, it would be even more.

But it would still not change the fact that the Democrats would have potentially a registration advantage. And in blending those together, looking at registration as well as the quantity of -- the largest growing, and what we have heard, and what the statistics prove out, that the largest growing segment of our voters are those that have chosen to register as Independent.

And what I have worked diligently, in some places I've been more successful than others, is to make sure that
the Independent vote had a voice in the swing of an
election, by reducing the hyperpacked nature of a particular
district, so that the Independents would actually have a
significant voice in, in that election.

VICE-CHAIR HERRERA: Madam Chair, I'd like
Mr. Stertz to explain why those two districts that I
mentioned, six -- I think it was six and five, switched from
the other side of the town. I mean, those are drastic
changes that I'd like to see him explain from the draft map
that I thought that based on public testimony I think
those -- the draft maps were -- they were pretty good.

And it was a complete -- to me it's just a, a -- I
shouldn't be shocked, but the change, that I would love to
see him explain it and really explain in detail why that
change from the, from the draft map.

CHAIRPERSON MATHIS: Do you want to explain that?

COMMISSIONER STERTZ: Well, Madam Chair, I'm
looking at the, at the comparison of the numbers and
geography.

I'm not -- I'm looking to see whether or not we
met with the intent of the public comment that we received
as far as whether or not -- what the goals would be to
keeping districts intact, bringing, bringing Fountain Hills
in with Scottsdale, trying to get more geographic --

geographically compact and contiguous districts that we were
using transportation corridors as well as geographic features as being, as being guidelines, and then testing each one of those to the extent practical to not to the detriment of any of the other criteria, increasing the ability to -- for increased competition.

The only way to do that is to actually have a closer to equal population of voters.

Now, where you have a state where we have by law our number one criteria is a majority-minority districts and statistically somewhere between I've heard numbers ranging from 75 percent to 80 percent Hispanic urban voters are registered as Democrats, when you create two districts that are largely Democrat, are largely Hispanic, also become largely Democrat, and these numbers, these numbers prove that out to be true.

When we pull out that many Democrats out of the overall population of the state, you end up with a smaller amount to spread among the remaining seven, without affecting the larger amount of population of Independents and Republicans.

So really it goes back to, again, Madam Chair, that the Independent vote is probably the swing vote, the more powerful voice as it pertains to what happens throughout the rest of the state. And the only way to have the Independent vote having a powerful voice is to
have as -- not to overpack a particular district with, in this case, Republicans.

So, giving the opportunity to elect, I think, was the important part. That is what the definition of, I guess, competition would be, would be to be able to have the best and the brightest being able to stand the test going toe to toe up against one another in the public square and having the ability to win.

VICE-CHAIR HERRERA: Madam Chair.

CHAIRPERSON MATHIS: Mr. Herrera.

VICE-CHAIR HERRERA: You know, if you remember correctly, when Commissioner McNulty had proposed her changes, I commented, I commented that she -- you know, the changes that she's proposing, you could track all the changes very clear.

She started in one district, and she moved people out of one district and put them into another.

And then she tracked, it was like counterclockwise.

You could track those changes. You could understand them.

And I had made the comment that, that I remember she -- she is the one that came prepared.

And I still say that.

I mean, you look at the changes that
Commissioner Stertz proposed, you can't track those changes. He didn't do what Commissioner McNulty made.

This is basically a brand-new map.

And I would like for him to do is to go back and track the changes that he made, because this is not what we came here to do.

I mean, proposing a brand-new map, I don't think, I don't think any of us were expecting this, so what I want him to do, if he can tonight, is go back and track every change he made, just like Commissioner McNulty did. Because I think that's something that we should have.

And she explained it so well.

She didn't take hours. She didn't take -- I think she took, like, 15 minutes to explain her changes, and they made sense.

I'm not saying I agree with all the changes she made, but you could track them and you could track -- you take away from one and you put it with the other, and she went back to the one that she took away from and added from it from an adjacent district.

And, again, this is not what happened here, and I'm a little concerned. This is a brand-new map.

So I would recommend that Commissioner Stertz go back to the drawing map and track all of his changes, just like Commissioner McNulty did, to make it easier for the
Commission, and also for the people, for the public, to be able to understand what changes he's proposing.

COMMISSIONER STERTZ: Madam Chair.

CHAIRPERSON MATHIS: Mr. Stertz.

COMMISSIONER STERTZ: I'd be more, I'd be more than happy to. I've got a -- all my notes and my notations are complete.

And where areas were moved, I gave a narrative overview.

I can put that in a document that which would be important for the record to have, about where districts were moved or where communities were -- which were previously split are now unsplit, or where testimony that we received, I have actually have -- my entire office is filled with opened up three-ring binders with tabs pointing to all of the different chunks of testimony that I've received and you've received and the rest of the Commission has received and the public has had a chance to go over.

So I can actually go back and reference those.

I do have time between now and Wednesday, and be prepared with a -- with that narrative to deliver that to the Commission.

CHAIRPERSON MATHIS: Okay.

The time is 2:54. Do we want to take a ten-minute break and then come back and discuss this more on the
congressional map? Does that work?

    Okay. So we'll go into recess 2:54 p.m.

    (Brief recess taken.)

    CHAIRPERSON MATHIS: Okay. We'll exit out of
    recess.

    The time is 3:15 p.m.

    And we were in the midst of discussing -- had just
    finished Mr. Stertz's presentation on his suggestions for
    adjusting the draft map.

    I wondered if we could bring up side by side, and
    I don't know if this is possible, Mr. Desmond, but
    Mr. Stertz's map with the one that you just did for
    Ms. McNulty just to see them.

    WILLIE DESMOND: Yeah, I can do that.

    Just give me one second to get that.

    CHAIRPERSON MATHIS: We had a conversation before
    you arrived, Mr. Stertz, about the border district
    situation. Because some of the public input has been that,
    you know, border districts aren't a constitutional criteria.
    And that's true. However, I do think you can view them as a
    community of interest, border populations.

    So in that regard they are a constitutional
    criteria.

    And we as a Commission initially agreed upon that
    framework of the two rural, three border map. And we were
talking before you arrived about how we all feel about
whether or not it's worth preserving that third border
district, and that three border districts was part of the
grid map.

You like the concept. I like the concept.

I don't know specifically how Mr. Freeman feels
about it.

Today we heard from Mr. Herrera that he likes the
concept too. So I told him that was a surprise.

VICE-CHAIR HERRERA: Let's me clarify. I like the
concept the way it is in the draft map.

CHAIRPERSON MATHIS: Okay.

VICE-CHAIR HERRERA: With minor tweaks maybe, but
nothing major. I do.

I was convinced, Stertz and Mathis --
Chair Mathis, quote, convinced me that that is a
possibility. But, again, the way I see it in the draft map.

CHAIRPERSON MATHIS: So, the thing about the
three border districts though is we sacrifice compactness
for sure, because now we're going down and touching the
border.

In McNulty's version, she had it ending in, in
her -- I should say her adjustments to the draft map, she
ends it at the Cochise border line.

So it is a more compact CD 1.
But then you have two border districts and not three.

So I thought it was worth kind of raising that.

And your version, Mr. Stertz, of CD 2 is interesting to me. It's similar to what I had proposed on the draft map where we follow the Cochise County line. Yours goes into Cochise a little bit, but it follows that -- it splits Santa Cruz and follows the census tracts along the mountain range and then kind of follows I-19 up.

I'm curious to know on yours, did you maintain the Hispanic Coalition for Good Government boundaries in CD 2 when you drew that, or are they different?

COMMISSIONER STERTZ: Madam Chair, I'd have to defer that to Mr. Desmond.

I believe that we came very -- if we didn't, we came extremely close.

WILLIE DESMOND: I believe the -- there was some change.

I think the draft map followed the Hispanic Coalition; is that correct?

CHAIRPERSON MATHIS: Yes.

WILLIE DESMOND: So looking at that you can see so --

COMMISSIONER STERTZ: So by the splitting Cochise County -- or by splitting Santa Cruz County, that
would have been --

WILLIE DESMOND: So you can see there's some areas.

Yes, Commissioner Stertz does split Santa Cruz County.

CHAIRPERSON MATHIS: Right.

WILLIE DESMOND: There's not a lot of population on this eastern portion of Santa Cruz County though. And then following through Tucson and some of the --

CHAIRPERSON MATHIS: What's the red line? Sorry.

WILLIE DESMOND: The red line is the current draft map.

CHAIRPERSON MATHIS: Okay.

COMMISSIONER STERTZ: Madam Chair, what I was trying to accomplish was to go into part of the urban, higher density Hispanic populations of the south and western side of urban Tucson, and pick that population up, which, again, would allow for that appropriate representation and ability to elect and strengthen and enhance CD 3.

CHAIRPERSON MATHIS: Right. And I had very similar ideas when I was doing that draft map initially, and we ended up hearing from the Hispanic Coalition for Good Government that they were not happy with the adjustments I had made along that, that western border of CD 2. And,
because, I guess, it gets into -- even though our HVAP was actually higher than what they had proposed in their maps, it's a different type of voter. It's a different Hispanic voter.

Because more of the population was then coming from Maricopa as opposed to the Pima County areas. And that, and that makes a difference in terms of the type of voter, the turnout.

And so we ended up putting those back and ended up going into Cochise the way we did on that draft map.

So that's what I was talking about earlier when I mentioned the pressure point on the map. It's definitely right along here, and we all feel it. So we're trying to accommodate everybody's desires.

It's just not possible to keep Cochise whole in this scenario with -- unless we do just two border districts, at least from what I can tell.

COMMISSIONER STERTZ: And, Madam Chair.

CHAIRPERSON MATHIS: Yes.

COMMISSIONER STERTZ: If you go to the block equivalencies for using the mine inspector as the test, the ability to elect using the 2010 Hispanic candidate vote from the coalition map, which would be the draft map, which was a 60.3 percent, actually it increased by making these adjustments to 61.1, or an increase of .8 positive, almost
one full percentile.

And that again was suggested, highly suggested to enhance that district by Bruce Adelson.

So by -- even though there might have been some areas, we've actually been able to enhance that in using -- so even those voters that were picked up increased the ability to elect, not decreased. So...

CHAIRPERSON MATHIS: Did -- can we zoom in actually on the line in Pima County in Tucson proper, in terms of the draft map versus Mr. Stertz's adjustments?

COMMISSIONER STERTZ: Again, Madam Chair, there was a lot of conversation about, about communities and keeping certain communities together that are east of the -- east, north, and then south and west and south and east of the I-10 corridor.

I-10 makes a, a hard turn from north to south to west to -- west to east. And as you can see what I tried to do is I tried to encroach over into those areas to the north side of I-10.

Those are -- those are communities that have been together, and in effect there is even probably a few more communities going over to 12th Avenue and 6th Avenue that we would want to make sure to recognize that those communities would want to be, would want to be together and be represented together.
CHAIRPERSON MATHIS: Can you just tell me what the streets are when -- that jog where Pima County, where it's right at Pima it says?

WILLIE DESMOND: This is 22nd Street.

CHAIRPERSON MATHIS: Okay. And then it drops off at what?

WILLIE DESMOND: This right here is Alvernon Way.

CHAIRPERSON MATHIS: Okay.

VICE-CHAIR HERRERA: Madam Chair.

CHAIRPERSON MATHIS: Mr. Herrera.

VICE-CHAIR HERRERA: Just a reminder, again, Commissioner McNulty gave us a pretty detailed step by step, and I am looking forward to Commissioner Stertz doing the same thing.

And also, just as a recommendation, making sure that any changes that he proposes that he matches that up to one of the six criteria or at least comments on the -- on those changes, because I think that's something that we all -- at least it was -- I think it was Mary O'Grady's idea, which I thought it was an excellent idea, that any changes that we're proposing, we tie it into one of the criteria, or at a minimum make comments to why we're proposing that.

So I'm looking forward to seeing that from Commissioner Stertz.
CHAIRPERSON MATHIS: And I think he agreed that he
would provide that.

COMMISSIONER STERTZ: Madam Chair.

CHAIRPERSON MATHIS: Mr. Stertz.

COMMISSIONER STERTZ: I've actually created an
Excel spreadsheet matrix that allows me to -- it's basically
a check box for each one of the criteria to make sure that
I wasn't overlooking anything as I was making the
adjustments.

So there's a note attached to it -- right now it's
a -- it should be fairly easy.

And there are areas that were -- that all of the
boxes were checked, and -- because I broke down even the
criteria where there were multiple contemplations within one
of the, one of the six, municipality, geographic features,
county lines, et cetera.

So I've added some of those as independent
where -- and it allows you to sort of track it along.

And it would be -- it was a very -- it's a very
helpful tool for me, and hopefully it will be a helpful tool
for the rest of the Commission to follow along.

CHAIRPERSON MATHIS: Okay. We look forward to
getting that.

And then also the -- just to again point out that
that compactness measurement is -- we're going to sacrifice
that if we do go all the way down to the border. I mean, it's going to be a bigger district frankly.

What's interesting about the current draft CD 1, even though everyone has given us a lot of feedback that it is a giant district. We were trying to maintain as much ruralness as we could to it. But even then it's smaller in area and perimeter than the current CD 1.

And I just want to make that point.

Because even thought optically it looks crazy and big, it's actually smaller than the current CD 1.

So if we do make changes and adjustments, it may actually in this Cochise County area, as has been proposed, it will increase in area and perimeter maybe a little bit, but and maybe be kind of similar to what CD 1 is like now in that regard.

VICE-CHAIR HERRERA: Madam Chair.

CHAIRPERSON MATHIS: Mr. Herrera.

VICE-CHAIR HERRERA: Looking at the changes that Mr. Stertz -- Commissioner Stertz is recommending, I think that CD 1, based on his changes, is less compact than what Commissioner McNulty had proposed, and equally -- they're both equally as rural. So I want to also point that out that, there's a compactness issue with Commissioner Stertz's recommendation as compared to Commissioner McNulty.
CHAIRPERSON MATHIS: Okay. Any other comments on Mr. Stertz's adjustments? And he'll be sending us his notes on how he achieved those.

(No oral response.)

CHAIRPERSON MATHIS: Okay. Thank you for all the work, everyone. And, Ms. McNulty, if you're watching.

And that takes us to the next item on the agenda, which is actually -- I'm sorry, did someone say something?

WILLIE DESMOND: I was going to say --

CHAIRPERSON MATHIS: Mr. Desmond.

WILLIE DESMOND: Any other adjustments you want me to explore tomorrow and tonight for Wednesday's meeting --

CHAIRPERSON MATHIS: Good question.

Is there anything that we would like to ask our mapping consultant to provide for us?

VICE-CHAIR HERRERA: Madam Chair.

CHAIRPERSON MATHIS: Yes.

VICE-CHAIR HERRERA: I already made my changes, proposed changes, so I'd like to see that as well, hopefully by Wednesday.

WILLIE DESMOND: Okay.

VICE-CHAIR HERRERA: Thank you.

CHAIRPERSON MATHIS: Anything in addition to what Mr. Herrera already requested?

VICE-CHAIR HERRERA: And just to, to, since
Commissioner Stertz wasn't here, I had mentioned that when Commissioner McNulty was making her changes that I didn't necessarily agree with all the changes she was recommending. For example, getting rid of that three border district. I'm okay with that the way, the way it is shaping out, the way it appears on the draft map. Maybe with some minor tweaks.

And also the removal of Fountain Hills from CD 4, I'm not in favor of that as well.

Those are a few changes that I'm not in favor of. And those are two changes that I kept in my, in my proposal.

CHAIRPERSON MATHIS: Okay. Any other comments?

We have -- I thought we would break it up a little bit.

We have a few request to speak forms, and we can do those now. And then at the end of the meeting too, if there are still people who would like to address us, they can.

But I'll go ahead and just do these. We've got about four right now. Before we move into the legislative maps.

So our first speaker is Dr. Peterson Zah, former Navajo Nation chairman and president.

VICE-CHAIR HERRERA: Madam Chair, before we go
into that, do you want to limit the number to five minutes, four minutes?

CHAIRPERSON MATHIS: Well, given we only have four, and maybe a couple more, seven now.

VICE-CHAIR HERRERA: Okay. I just want to remind you that some people can speak for lengthy amount of times, not that there's anything wrong with that, but if you put a time limit, that would be great.

CHAIRPERSON MATHIS: If people could just try to contain their comments to five minutes. But if it goes longer, I'm not going to take the microphone away from you. And I should remind everyone that when you do come up to the microphone to speak, that you please spell your name for our court reporter so that we get an accurate transcript.

And I think he's rebooting right now. No, you're good. Okay.

So this is Dr. Zah from former Navajo Nation chairman and president.

DR. PETERSON ZAH: I don't know how to spell that too.

Thank you very much for, you know, the minute here to talk on some issues that are important to us. My name is Peterson Zah. And I'm a private citizen, retired, citizen here in Phoenix. And I live in
Window Rock, Arizona, as well as down here during the winters.

I wanted to speak to two issues. One of them is there has been some discussion about the city of Flagstaff. And as a citizen, I just wanted to say that as a community of interest for that city, you should do everything you can to keep it with the Navajo Nation, for several reasons.

One of them is that years and years ago when I was just a little youngster, many, many of the Navajo people that were helping during the war with ammunition during the Korean War, they used to live in Bellemont, west of Flagstaff.

So there were many Navajo people that relocated to that city and raised their children.

I was one of those children that I lived around there.

So we're familiar with the city itself.

And when you get to know a place like that, you know, you want to keep it, because you feel better about attending and doing some commerce, trading, and all of that, with that town.

The other one that you probably heard about is San Francisco Peaks.

It's one of the four holy mountains for the Navajo Nation.
And many, many of our traditional healers, medicine men, they go up to the mountain. They give thanks from there.

They're not really praying to the mountain, but through the mountain to get to the great spirit.

I know that the Hopi Nation, Navajo people, they go up there with other tribes, and they essentially do the same thing. It's close to Flagstaff.

I was just up there about a week ago during the Thanksgiving holidays with my own children and grandchildren to give thanks to the great spirit for some wonderful things that has happened to us and the family.

And the other reason is that during the relocation process, many of the Navajo people were relocated to the city of Flagstaff.

They are there now.

It wasn't something that we did by choice, but the federal government relocated our people to the city of Flagstaff.

And that's why they have a close tie to the city. And we can't put that city in another district that -- for those Navajo people that were relocated there.

Many of them speak very limited English.

Traditional people that were relocated.

The other thing that -- the third reason is that
you have all those Flagstaff High School right there in the
city. The elementary school district and the other Indian
kids, Navajo kids, that come off the reservation, they go to
those high schools. So the feeder schools are out there on
the reservation, and they simply go to Coconino High School,
Flagstaff High School. So they're familiar with much of
what goes on教育ally there.

And the Bureau of Indian Affairs also has a
boarding school for many of the Navajo kids who live away
from the local public schools on the Navajo, they get
relocated to the city of Flagstaff, and that's where the BIA
federal boarding school is located. And that's another
reason why we think that we should be in the same district
with Flagstaff.

I guess the other reason is that the Navajo people
have been doing business in the city of Flagstaff for many,
many years, because of all these reasons that I just said.
And because of that, I feel strongly that you should try to
keep Flagstaff in with the Navajo Nation.

A point or two on the legislative district.

I understand that as of this morning or yesterday
there was another map that was produced where the Navajo
people were being asked to give up a little piece of land
west of Doney Park, Timberland, Fernwood. They, as I
understand it, decided that, yeah, that's okay, in exchange
for the idea that they should not give Winslow to District 6.

And they should also -- Winslow should also remain with Navajo.

In the mid 1980s, many of the private land that was for sale around Winslow, we bought those lands.

So the Navajo Nation is now beginning to develop those lands, and you have a lot of the Navajo people that live in and around Winslow because of that situation where they're working to develop that land.

And the other thing that I wanted to just say is that both the Navajo and Hopi share some common denominators in and around Winslow, in the purchase of some of those lands.

And those lands are all administered by both tribes.

And because of that, we want to continue to be in the same district with the city of Winslow.

And I just wanted to say that because of those two towns adjacent to the Navajo, we always do a lot of trading there. We're familiar with those towns, and we're familiar as a result with the people there.

So I just wanted to say that as a private citizen I think you're doing a good job listening to all of us. And so I just wanted to thank you for what you do. It's in many
ways a thankless job, but it's something that had to be done. It's a hard, hard work, and I know it takes a lot of your time.

I for one as a private citizen appreciate what you do.

Thank you very much.

CHAIRPERSON MATHIS: Thank you.

Oh, can you spell your name into the microphone for the -- our court reporter.

DR. PETERSON ZAH: Okay.

CHAIRPERSON MATHIS: Can you spell your name, your -- just so -- your last name. So Peterson.

DR. PETERSON ZAH: Z-A-H.

CHAIRPERSON MATHIS: Thank you.

Our next speaker is Tait Elkie, council member from the town of Fountain Hills.


Good afternoon, Madam Chair and commissioners. My name is, as I said, Tait Elkie. And I serve the town of Fountain Hills as a council member, and I speak today on behalf of mayor and council, as well as the town of Fountain Hills.

Our council passed and adopted a resolution on October 20th, 2011, where we requested this Commission to adopt and approve an amendment to the draft map, which was
identified as finalized draft six, to alter the boundary line between District 4 and District 6 to include the town of Fountain Hills and its neighboring community of Rio Verde within the boundaries of District 6.

The current draft map places Fountain Hills -- or places Fountain Hills in six, where its surrounding communities of Fort McDowell, Salt River Pima Indian community, and Scottsdale are placed in District 6.

The reason for this request or those that are identified in the resolution passed by the council is a number of reasons.

The draft map fails to set forth a reasonable district shape, to demonstrate that the geographical features of the area have been considered, and also respect long-standing relationships with the town of Fountain Hills and the surrounding communities as community of interests.

In addition to the towns and surrounding communities are communities of interest with strong ties to one another in many respects, including joint cooperation and coordination with fire and emergency medical services.

In addition, the town and Fort McDowell jointly promote and fund tourism efforts through a common tourism bureau, and various other events and economies of the town and Fort McDowell are inextricably linked.
The town and Fort McDowell share a common school district, and children of both communities share many of the same schools.

The town and surrounding communities often share common interests with respect to major infrastructure projects, which projects often require the communities to work cooperatively through regional and federal transportation agencies, which cooperation will be severely hampered if the town is located within District 4.

The current boundaries between District 4 and 6 divides these tightly bounded communities of interest into separate congressional districts, splintering representation of the town, and aligning it with rural Arizona communities with whom it has very few common interests, and in some cases placing it at odds with communities in District 4 when urban metro areas of interest collide with the interests of rural Arizona communities.

The shape and extremely diverse remote geographical locations of the major population centers of proposed District 4 create substantial difficulties for a representative elected from one portion of the district to be familiar with or even physically reach the other areas of the district.

In addition, the unique physical land forms around the town give it a particularly intimate relationship with
the surrounding communities, particularly with respect to their interconnected open space and recreational facilities.

The boundaries of District 4 and District 6 on the draft map, if left unchanged with respect to the town, may cause irreparable damage to decades of cooperative efforts between the town and surrounding communities.

Some additional points of note for those of you familiar with the town of Fountain Hills, by being placed in, as the current draft map, in CD 6, the closest community of any substantial population would then be Payson, which is approximately an hour north.

And if you've driven up that 87 Beeline before, there's substantial geographical boundaries between the town of Fountain Hills and Payson.

Let's see.

Moreover, there would not be any contiguous communities of interest to Fountain Hills within CD 6 as proposed.

There would be no communities that would be touching Fountain Hills other than our very small community of Rio Verde, which we've asked to be included in CD 4.

I do, I do appreciate the opportunity to speak before this Commission, and I certainly don't envy the task that you have here before you.
Concerns or questions that I would pose to this Commission and the Commission members that support the current draft map, I am certainly in favor of the proposals made by Commissioner McNulty where Fountain Hills would be included in CD -- CD 6. But it appears to me by all accounts that Fountain Hills is almost being plucked out of Maricopa County, plucked out of the congressional district that it's in right now, and placed in other communities that it has little common interests with.

And I would -- I certainly haven't been here for all of the hours and testimony and discussion and debate, but I'm still hard pressed to find how Fountain Hills has anything to do -- any common interests with those border communities on the western side of our state as well as those towards the southeast of the state.

With that I certainly appreciate the time to speak. I certainly appreciate all the time that you're putting into this. And I certainly ask that you make the recommended changes as proposed by Commissioner McNulty.

Thank you.

CHAIRPERSON MATHIS: Thank you.

Our next speaker is Maria Syms, chairman of the town of Paradise Valley planning commission.

MARIA SYMS: Good afternoon, Madam Chair, commissioners. Maria Syms, M-A-R-I-A, S-Y-M-S.
Thank you for the opportunity to speak today.

I'm chairwoman of the planning commission for the town of Paradise Valley.

My husband and I have lived in Paradise Valley for the past ten years and we're raising our three children there.

On issues across the board, the town of Paradise Valley works closely with our neighbors in Phoenix, because our interests are intertwined. And those bonds between the town of Paradise Valley and adjoining Phoenix neighborhoods are extremely strong and long standing.

We share arterial traffic concerns, zoning issues, that impact both Paradise Valley and Phoenix. And many of our residents work in the Biltmore area and along the Camelback corridor. In addition, many of our children in Paradise Valley attend Phoenix schools.

Just one clear example of the strong links between our communities is the fire protection agreement with the town of Paradise Valley and the city of Phoenix.

We share the resources of the fire station on Tatum Boulevard which serves both communities.

We are currently working toward an integrated telecommunication system with Phoenix.

The arterial growth areas of Lincoln Drive and Tatum directly tie our communities together in the Biltmore
along Tatum Drive and northeast Phoenix along Tatum. Camelback Road conveniently links us to the Arcadia neighborhood.

We are extremely disappointed with the draft congressional map and the dividing line you've established between new Congressional District 6 and 9.

Not only are these close-knit communities split apart, but the draft congressional map even splits Camelback Mountain right down the middle, placing residents on the north slopes of Camelback Mountain in a different district than those on the south slopes.

Under these maps even hikers using a public trail will park in one congressional map and their short hike will take them into another congressional district.

Indeed one of the major areas of cooperation between the city of Phoenix and the town of Paradise Valley right now is resolving traffic and parking issues as they relate to Echo Canyon.

The town council is working with the Phoenix City Council right now to come up with some infrastructure solutions relating to that.

The town of Paradise Valley is surrounded by Phoenix on three sides. These are our communities of interest. I urge you to move the dividing line for the congressional districts and Congressional District 9 south
and west out of this area so these communities are not split apart.

At the very least, we request that you move the dividing line between these districts west to 24th Street and south to Camelback, including south to the canal and Arcadia.

These areas belong together and in the same congressional district with northeast Phoenix and the north valley. They do not have anything in common with Tempe or other communities in the east valley.

Thank you for your time, consideration, and your attention to this important change to the congressional draft maps.

CHAIRPERSON MATHIS: Thank you.

Our next speaker is Ken Clark, co-chair for Arizona Competitive Districts Coalition.

KEN CLARK: Good afternoon, commissioners. I'm happy to actually be able to get here at the right time to speak, unlike every other time I seem to get here.

I wanted to present this letter for all the commissioners, staff, pick that up.

I am just speaking on, on behalf of myself. This is not representing -- actually I need to take that off there -- not representing the Arizona Competitive Districts Coalition for these comments.
Seeing that we're near the end of the process or looks like we might be near the end of the process, I wanted to leave you with these comments.

I've worked on -- for over six years to educate the public about the importance of competitive congressional and legislative districts.

Prior to co-founding the Arizona Competitive Districts Coalition, I spoke and organized all over the state. With the founding of the ACDC, we hosted the movie Gerrymandering for many audiences. We hold workshops and public speaking engagements.

We developed an easy-to-use public mapping tool that allowed citizens to draw their own maps, and we hosted a contest that demonstrated that drawing competitive districts is possible while preserving Voting Rights Act districts and communities of interest.

All along we were certain of two things.

First, the population of the state would allow 10 out of 30 competitive districts in the legislature and 4 out of 9 competitive districts in the congressional delegation.

Second, we knew that for political actors close to the process, redistricting is about power, not creating choice for voters.

Recent events and the intervention by parties all
along the political spectrum have certainly shown this to be true.

However, polls have shown that the voters are displeased with that, and public comments demonstrate the people strongly favor competitive districts.

Competition has always had one simple definition. A district is competitive when it can reasonably be expected to change the hands -- change hands in the general election in any election year regardless of trends.

It's particularly unfortunate that some, in order to protect their power, have equated competitiveness with favoring left-leaning candidates.

The reality of this last decade shows the opposite trend. When Democrats actually lost seats as the number of competitive districts increased.

It's also particularly unfortunate that some groups have advocated for superpacking Latino voters into districts. I suggest that this superpacking is aided by the opinions of your most recent Voting Rights Act consultant, whose methods and processes are a mystery to the general public.

This superpacking actually discourages Latino participation and perpetuates a system that favors stagnation.

This is not what the AIRC should be about.
But for now, we are presented with draft maps that fall far short of where we could and should be. These maps have only four competitive legislative districts and only three competitive congressional districts, when we could have at least eight and four respectively.

For the legislative maps, this is only one more than we have had -- we had in 2001 and two fewer than we had even at this last end of the decade.

I was heartened at yesterday's hearing, or last week's hearings now, by discussions that there could be ways to increase the number of competitive districts. I have stayed away from advocating for specific changes because I believe that as a recent political candidate I might be seen as biased.

Many opponents of this Commission misleadingly argue that the Commission has, quote, not taken the politics out of the redistricting, and they will use this is a basis to try to eliminate the Commission.

However, that was never its purpose. The Commission was designed to increase transparency.

In that regard, it has certainly improved the process over previous decades.

The best way to maximize transparency is to create more competitive districts, so that even those attempts by
outside groups to obscure their meddling hands will go
unrewarded.

Ultimately, competition is the best way to put
power in the hands of voters and take it from those who seek
to manipulate the process.

While you are pushing against forces that seek to
preserve their power at the expense of the voters, I implore
you to aggressively build competitive districts in the last
draw days of this process.

Thank you all very much for your hard work and
sacrifice.

CHAIRPERSON MATHIS: Thank you.

VICE-CHAIR HERRERA: Madam Chair.

CHAIRPERSON MATHIS: Mr. Herrera.

VICE-CHAIR HERRERA: I would like Mr. Clark to --
can you explain the last sentence in paragraph five, recent
events and intervention by parties all along the political
spectrum have certainly shown this to be true.

KEN CLARK: I'm sorry, can you say this again?

VICE-CHAIR HERRERA: Paragraph five after dear
commissioners, that last sentence, recent events and
intervention, what intervention by parties? You said
parties plural.

KEN CLARK: Paragraph five.

I believe that parties all along the process have
tried to intervene in the process in one way or another, on
the right and on the left. As we have said before, people
will use comments about communities of interest as a Trojan
horse or as a facade to actually build districts that may
protect incumbents or may protect their parties.

VICE-CHAIR HERRERA: So you're saying both parties
are doing this?

KEN CLARK: I believe that it's, it's part of the
process.

I think it's inherent in having a non-definition
for communities of interest.

VICE-CHAIR HERRERA: Thank you for clarifying.

CHAIRPERSON MATHIS: Thank you.

Our next speaker is Leonard Gorman, executive
director of Navajo Nation Human Rights Commission.

LEONARD GORMAN: Good afternoon, commissioners. I
am -- for people listening to the redistricting online, good
afternoon.

I come before you specifically to talk about the
legislative district LD 7, but also to make a small comment
about the congressional district.

The first is the map that I've distributed to you.

It provides for opportunities for Native American
voting age population enhancements.

Last week you had significant discussion on
compliance with the federal Voting Rights Act and the opportunities that you need to address where you have ability to enhance minority voting age populations.

Legislative district proposed seven, District 7, is a -- the only Native American majority legislative district in the state of Arizona.

While on the New Mexico side there are a number of districts in which there are majority Native American districts, but in Arizona is only a single.

In which Navajo Nation examined some of the possible ways to adjust the comment that was made last week by one of the commissioners, and that is to take out Winslow and then try and come to an opportunity where both Pinetop and Show Low could be in the same district.

As has been the case and has been iterated by the Navajo Nation several times, and also by private citizens, as you have heard from Dr. Zah this afternoon, as far as the Winslow area is concerned, both the Navajo Nation and the Hopi Nation have submitted comments and recommendations that Winslow must be a part of the legislative district which the Navajo Nation is located.

The iteration that I've distributed to you and provided to you provides for that same opportunity as the previous iterations that the Navajo Nation submitted.

Now coming -- starting with the northwest corner
of the current draft map, in the map that I provided to you, the green lines represent the current draft legislative map district's boundaries.

The blue lines represent the Navajo Nation's suggested lines.

So in the northwest corner, Navajo Nation supports the removal of various areas in Mohave County. I believe it's three voting districts, in the northwest corner.

North and west of the Colorado River can be removed from LD 7.

And then going south and southeast on the southern part of the current LD 7, Mohave County and Big Boquillas Ranch and along the southern part, southern rim of the Grand Canyon would remain the same.

The adjustment that Navajo Nation proposes is west side of Espil Ranch, and you'll see the green line along with the blue line is to remove several census blocks from LD 7.

And then the other comment and recommendations that the Commission has briefly discussed is to also address the Timberline and Fernwood area northeast of Flagstaff city limits and north of Doney Park.

As you will see there, the Navajo Nation did receive iteration from the Coconino County late this morning, and that request is incorporated into the current
map that's distributed to you.

So Timberline and Fernwood areas are removed from LD 7.

And then Winslow remains in LD 7 with the Hopi ranches and the Navajo ranch.

The adjustment is made in the Holbrook -- north of Holbrook area.

That area abutting against the Navajo and Apache County line represents the Navajo County District 1 southern boundary.

We have a Navajo representative that's on the -- Navajo County supervisor, and his recommendation was to ensure that -- to eliminate some confusion that the southern boundary along that area should be along the line for District 1 of Navajo County. So that's provided as an inclusion in the Navajo County area.

And then in the Show Low area, the highway between Show Low and St. Johns is, is the boundary line up to the Show Low incorporated area on the north side.

So it runs along that incorporated area to include all of Show Low.

And then the final adjustment that the Navajo Nation is recommending is to remove the entirety of Greenlee County. So that all of the, what I heard, the G counties, are included in the separate district out of
LD 7.

So with that, Navajo Nation is presenting a map in which it not only satisfies the voting age population according to the Voting Rights Act, but also enhances as discussion entailed last week, enhances Native American voting age population from the current 61.9 percent Native American voting age population to a 63.37 percent. So that this is a very good opportunity that we have noted to you in the past throughout the course of the public hearings.

So you have a total population of the 202,449, with a deviation of negative 10,618 and percent deviation is negative 4.8 percent, so you have a total Native American voting age population in this proposal 88,117 with the 63.37 percent Native American voting age population.

With regards to the congressional proposal and the McNulty and the Stertz proposals, certainly the Navajo Nation has made many comments with regards to the congressional districts and also the legislative districts.

The Navajo Nation has made the comment that ensuring the increase in a Native American voting age population in these particular districts are a primary concern.

While there are concerns about the competitiveness in these legislative districts, the Navajo Nation's primary
concern is continuing to be the increasing and enhancing Native American voting age population.

So as we go along in discussing and looking at the congressional districts, we would have an opportunity to submit comments and recommendations with regards to the two proposals that are being presented this morning or this afternoon, the McNulty changes and also the Stertz recommendations.

So that's the extent of our comments, Madam Chair.

CHAIRPERSON MATHIS: Thank you very much.

Any questions for Mr. Gorman?

VICE-CHAIR HERRERA: Madam Chair, I do.

CHAIRPERSON MATHIS: Mr. Herrera.

VICE-CHAIR HERRERA: Mr. Gorman, maybe I didn't understand correctly.

There's two changes, two proposals, Commissioner Stertz and Commissioner McNulty, and they both differ on the congressional side where one -- Mr. Stertz takes Flagstaff away from CD 1 and puts it in CD 4.

What does Navajo Nation feel about that change?

LEONARD GORMAN: Your question limits -- is regarding the extraction of Flagstaff into the western district, is that the extent of your question?

VICE-CHAIR HERRERA: So, taking Flagstaff from CD 1, which is currently in CD 1 in the draft map, and
putting it into CD 4, taking it away from the district
where, where they were shared -- where they were both
with -- the Navajo Nation and Flagstaff were together.

LEONARD GORMAN: In the past Navajo Nation has
presented testimony to you repeatedly stating that the city
of Flagstaff is a community of interest to the Navajo
people.

The border towns surrounding the Navajo Nation,
the demarcated area according to the United States
government, Page, Flagstaff, Winslow, Holbrook, in the state
of Arizona constitution are a community of interest to the
Navajo people. And in that regard with the congressional
district, Navajo Nation has made comments and statements
supporting inclusion of Flagstaff, the incorporated area,
into CD 1.

VICE-CHAIR HERRERA: Just to be clear, the Navajo
Nation would not be in favor of Commissioner Stertz'
proposal to remove Flagstaff from CD 1 away from the Navajo
Nation.

LEONARD GORMAN: Yes. The Navajo Nation has again
said that Flagstaff needs to be part of CD 1.

CHAIRPERSON MATHIS: Thank you. Any other
questions?

COMMISSIONER STERTZ: Madam Chair.

CHAIRPERSON MATHIS: Mr. Stertz.
COMMISSIONER STERTZ: Mr. Gorman, Flagstaff is currently not in the -- with Navajo Nation in the legislative maps.

There seems to be a disparity in my understanding about why that would be. Why is, why is it important that Flagstaff be connected to Navajo Nation in the congressional maps but it is unimportant to be connected with Navajo Nation in the legislative side?

LEONARD GORMAN: As you're well aware, Mr. Stertz, that the congressional districts are a lesser number of districts versus the legislative districts.

There's nine districts in the congressional and 30 for the legislative.

And as we look at the legislative district, again, our primary interest as a Voting Rights Act covered society in current LD 2, Navajo Nation is very concerned about your recommendation with regards to compliance with that particular federal law.

So when we look at those opportunities that exist and how you reach in your recommendations for you to reach a Native American voting age population that Navajo Nation is very satisfied with, we have to, as you are well aware, to make those variety of adjustments.

We would love to have Flagstaff, if everything was provided in the civil planner to the Navajo Nation in our
legislative district.

But with these opportunities and lesser numbers to work with, Navajo population, these are the adjustments we have to make.

COMMISSIONER STERTZ: Thank you.

CHAIRPERSON MATHIS: Any other questions?

VICE-CHAIR HERRERA: Madam Chair, I do have one more for Mr. Gorman.

CHAIRPERSON MATHIS: Mr. Herrera.

VICE-CHAIR HERRERA: Just to confirm that the Navajo Nation is in favor of that the Schultz fire, including Timberline, Fernwood, be included in District 6 with Flagstaff; correct?

LEONARD GORMAN: Navajo Nation didn't have an opportunity to fully examine the area that was subject of discussion which we deferred to as Timberline and Schultz, plus the Fernwood area, until late this morning that a map was submitted to Navajo Nation close to 12:00 o'clock this morning.

From which we were able to iterate the map that's given to you, Navajo Nation's support to include Timberline and Fernwood area into LD 6.

VICE-CHAIR HERRERA: Thank you.

CHAIRPERSON MATHIS: Any other questions?

COMMISSIONER STERTZ: Madam Chair.
CHAIRPERSON MATHIS: Mr. Stertz.

COMMISSIONER STERTZ: One last question, Mr. Gorman.

In regards to the ability to elect congressionally, one of the things that you've said many times that your -- that in a -- your goal, your hope, that during the course your life that you would see someone from Navajo Nation representing congressionally this district.

With Flagstaff in this district, do you think that expands or contracts the ability to elect a member of Navajo Nation into the congressional -- into that congressional seat?

LEONARD GORMAN: Madam Chair, members of the Commission, Commissioner Stertz, there's over 7,000 Native Americans that live within the incorporated area of the city of Flagstaff. Over 7,000.

In the area of Winslow, there's over 2,000.

In the city of Holbrook, there's over 1,400, I believe, if memory serves me.

As Coconino County plus the city of Flagstaff is a community -- particularly the city of Flagstaff is a community of interest to the Navajo people. When you look at the threshold number, on the current LD -- CD 1 populated with 2010 numbers, we reach, if I recall correctly, somewhere in the area of 16 percent Native American voting
age population.

You have a, you have a proposal, a draft map, I believe, that exceeds 20 percent.

We would encourage not to go less than that threshold that we already marked for yourself.

If there's an opportunity to go above the 20 percent, and if there's opportunities to do that, Navajo Nation would love to support that.

But if you're taking 7,000 Native Americans, which translates to approximately 5,000 Native American voting age population, do you believe that it's a service to the interests and endeavors of the Navajo people?

COMMISSIONER STERTZ: That's a great question. That's why, that's why I was curious about what your reaction to, to having that denies population of Flagstaff included in that rural population that I was extracting the two out to will potentially give a higher opportunity as far as the Navajo people, being a higher opportunity to elect. So I'd like to, I'm very curious to continue to explore this discussion with you.

LEONARD GORMAN: And I think that's the comment I represented earlier, that Navajo wants to have an opportunity to further review these two iterations or two parallel now Congressional District 1 and make further comments later in the week.
COMMISSIONER STERTZ: Very good. Thank you.

VICE-CHAIR HERRERA: Madam Chair.

CHAIRPERSON MATHIS: Mr. Herrera.

VICE-CHAIR HERRERA: Make a quick point that I would like to ask Ms. O'Grady for her opinion on these questions.

I think it's a pretty easy answer, and I think Mr. Gorman stated clearly in the Legislative District 7 they have the ability to elect someone of their choosing with, I think, currently at a 61.-- 61 percent Native American population. And I understand that the -- that Navajo Nation who would like to increase that, but at the minimum right now they have an ability to elect someone of their choosing.

In the congressional side, they don't, without Flagstaff's help.

It may not be maybe a Native American, but it may be somebody that represents their interests well. And it may be a, what do they call it, a crossover vote.

But I would like to get Mary O'Grady's opinion on these questions that Commissioner Stertz proposed on the -- you weren't listening?

Okay.

He had mention why -- let me, let me paraphrase.

He had asked Mr. Gorman why the disparity in
wanting to include Flagstaff with the Navajo Nation in the congressional district, but not in the legislative district. I think that was the question was posed by Commissioner Stertz. He was perplexed by that, by that disparity.

So, can you address that?

MARY O'GRADY: Madam Chair, Commissioner Herrera, I really can't speak for the Navajo Nation in terms of why they, why they favor Flagstaff being in the district --

VICE-CHAIR HERRERA: No, I didn't mean to, I didn't mean to be the spokesperson, but I guess what I wanted you to clarify is when you include a town like Flagstaff in a majority-minority district like the Navajo Nation, what does that do to their efforts in voting for someone of their choosing?

Does it diminish the efforts? Does it increase the efforts in the legislative side?

MARY O'GRADY: Madam Chair, Commissioner Herrera, it would obviously depend on what happens with the rest of the district in terms of the opportunity to elect.

They have been -- I don't know if Mr. Gorman wants to talk about the history where they have been in the same district to some extent for the past decade and in the legislature two of the three seats were Navajo, but not, not all three.
LEONARD GORMAN: Madam Chair, may I ask a question to Stertz?

CHAIRPERSON MATHIS: Please.

LEONARD GORMAN: What is the Native American voting age population in the proposal that you're presenting?

Non-Hispanic Indian adults.

COMMISSIONER STERTZ: 20.6.

LEONARD GORMAN: How much?

COMMISSIONER STERTZ: 20.6.

LEONARD GORMAN: And what is the current --

COMMISSIONER STERTZ: Twenty point -- it is from draft to draft, it's 20.6 to 20.6. From draft to my proposal.

LEONARD GORMAN: All right.

VICE-CHAIR HERRERA: That's all the questions I have for Mr. Gorman.

I think you made a pretty clear explanation of why Flagstaff should be with the Navajo Nation in the legislative side and why it shouldn't be contained -- should be -- why it shouldn't be with the Navajo Nation in the legislative side and why it should be together in the congressional side. So thank you for making it very clear.

VICE-CHAIR FREEMAN: Madam Chair.

CHAIRPERSON MATHIS: Mr. Freeman.
VICE-CHAIR FREEMAN: Let me join the rhetorical question party.

Mr. Gorman, both on the legislative and congressional maps, you would favor, if I'm understanding you correctly, maps that would enhance or strengthen the Native voting age population, both legislative and congressional districts.

LEONARD GORMAN: Madam Chair, members of the Commission, that is the primary concern. And of course there are other elements as far as the community of interest are concerned.

CHAIRPERSON MATHIS: Thank you.

LEONARD GORMAN: Thank you, Madam Chair. I will prepare very well for tomorrow's testimony on the New Mexico side.

CHAIRPERSON MATHIS: All right. Thank you.

Our next speaker is Sara Presler, mayor, from Flagstaff.


There's been so much talk about Flagstaff. I'm grateful to have been elected by the people of Flagstaff to represent their views here today before you in our democratic and legislative process.
While we don't have unanimity in the city of Flagstaff, or really any city in the state of Arizona, we definitely have a representative democracy.

And in the system that we employ in the state of Arizona, in the United States of America, I'm proud to be here to speak on behalf of our community for northern Arizona.

Good afternoon, Chairwoman Mathis, commissioners, and our executive director Ray Bladine, of course legal staff has been very busy.

And it's good to see the Arizona Independent Redistricting Commission back in business.

I really like what was produced through the word clouds of the presentation today, and being an expert in local government we see a lot of power points.

And I just emphasize to you that one of the things that really stuck out to me was the word thanks.

And so on behalf of all Arizonans, you know, I think of myself as an American first, and then I think of myself as an Arizonan, and then I think of myself as a citizen of Flagstaff. And so on behalf of the entire state of Arizona, thank you for your service and for your diligence through this difficult process.

The people of Flagstaff appreciated your visit to the city of Flagstaff, and we appreciated you listening to
each and every last citizen of Flagstaff as they shared
their comments with you.

I'd like to start by acknowledging the work by all
the commissioners, and thank you for your service to the
state of Arizona.

As we are Americans first, Arizonans second, and
citizens of Flagstaff, for example, third, we all value due
process, the voters mandate, and a fair and meaningful
process.

Like you, being a representative for the citizens
in Arizona, our Flagstaff city council has worked diligently
to become informed of the requirements and restrictions that
are placed upon this complex redistricting process.

And like you, the commissioners, our city council
has taken great effort to engage the citizens through our
neighborhoods and communities in Arizona.

Recently we had a Greater Arizona Mayors
Association meeting over in Bullhead City, where I went to
high school.

I know you all have great plans about where to
relocate Flagstaff, but I want to tell you that in that open
meeting with all of the mayors, for example, from
Mohave County, the mayor of Bullhead, the mayor of Kingman,
and the mayor of Lake Havasu, in front of the Mohave Valley
Daily News, every single mayor said in reference to the
draft maps, look, I don't like it, but I can live with it.

And I'd invite you to look at the local level where folks like me, it takes us an hour to buy a gallon of milk. And while you may say it's such a big district, how can they possibly ever do it, that's what happens when we have a rural district in Arizona.

This community engagement has taken place in the numerous open city council meetings and other meetings that I reference to you, for example. It's included partnerships that were developed with our business community, Flagstaff Forty and the Chamber of Commerce, with the county, our neighboring communities, and what's been really lovely our conversations with tribal nations.

Just last week in our Flagstaff city council meeting, we agreed to proceed with a communication and cultural intergovernmental agreement with the Navajo Nation Human Rights Commission. I partially and meaningfully credit the IRC process for motivating us to speak and listen to one another, so that even moving forward through this process we have ongoing meaningful conversations.

Our Flagstaff city statement, and you've heard it many times before, reads that the city of Flagstaff values a redistricting outcome that is first and foremost compliant with the Voting Rights Act of 1965 and does not regress in its representation of native populations in northern
Arizona, maximizes competitive districts, not political districts, across the state, and includes Flagstaff in such a district. We value placing Flagstaff in a district whose communities share our same transportation, economic, governance, and national resource interests. And we value placing the greater Flagstaff area in a single, for example, legislative district.

To speak on specifics, it is our clear desire that both the congressional and legislative draft maps achieve preclearance from the Department of Justice on the initial submission of the districting plan.

Specifically, it's important to say that our business community is a partner with the city. And that we believe that the current draft configuration of LD 6 keeps similar business interests together. LD 6 as currently drawn will give Flagstaff a voice in state business issues that are current to our economic vitality.

Regarding our vow to keep the greater Flagstaff community whole, we have many community members who've spoken up about the rural neighborhoods that are part of our greater community.

Therefore we ask that the neighborhoods of Timberline, Fernwood, and the entire Schultz fire restoration area be included in LD 6. You heard that when you came to our community.
The Navajo Nation has supported that idea here today, and many folks, I believe, are writing in from their homes that are up to here in snow, and we just hope that snow does melt too soon because where there's fire, there's flood.

You see, incidents happen in our community, but we have to continue to pull together. That's part of the spirit of rural Arizona.

So to the members of the Commission, I commend you for your entire body of work and for completing the redistricting process to this point. I appreciate the opportunity to continue to speak with you.

And I wanted to close by sharing with you that it's common sense that a competitive rural district would be a large district.

This morning I woke up to a blizzard of snow. I shoveled my own driveway and cleared off my pickup truck, driving five hours total in the vehicle today, and tomorrow morning I'll wake up and manage Flagstaff city council business and handle the Flagstaff City Council meeting.

This morning on the drive down, I was able to handle a couple of clients calls, and this afternoon when I go back I'll try to type a memo on my iPad as I ride passenger with the lovely young intern we've just hired.
He's an NAU graduate, who's going to be doing some work for us since Daryl Melvin has started down in Yuma to run the new hospital there.

You know, a lot of people say it's about this long drives that matters. But I'll tell you that it's really a different kind of drive that matters to us in rural Arizona.

We drive for competitiveness. We drive for the Voting Rights Act. We drive for the Constitution. We drive for the mandate of the people of Arizona. We drive to not regress in our representation of Native communities. We drive for communities of interest.

And while you may have grand ideas that I belong with Bullhead City, look, I came from there, and I love it there. My grandma is there. I visit all the time.

But as a community of interest, we align better with the proposed Congressional District 1.

And so it's not really the drive that matters to us. It's the drive for the values that matter to us. And we ask you to first think of yourself as an American, and then think of yourself as an Arizonan. And then if you have any questions about what makes sense in common sense rural Arizona, we think you'll agree with us, that a competitive district and one that complies with the requirements of the law means that it's naturally going to
maybe be a larger district. And we're all okay with that. As my colleagues in western Arizona said, we can live with that.

Thank you.

VICE-CHAIR HERRERA: Madam Chair.

CHAIRPERSON MATHIS: Thank you.

Mr. Herrera.

VICE-CHAIR HERRERA: Before you leave, I would like to ask you a few questions, Mayor Presler.

The -- I was there at the meeting, first public hearing in Bullhead City.

And maybe -- I think you were there. I think you came in.

And maybe I heard incorrectly, but I, I -- you correct me if I'm wrong, but I overwhelmingly heard from the people there, the leaders there, the citizens there, that they did not want to be in the same district with the city of Flagstaff.

Is that correct? Is that what you heard?

MAYOR SARA PRESLER: I know the record will accurately reflect the testimony that was provided.

And I was present in that hearing.

I can't speak on behalf of those elected leaders. That's part of the benefit of local government is that you have your limited jurisdiction.
But what I can say is that one of the challenges that was expressed there was that the things that are happening in western Arizona are so unique. And the folks that were there at that first hearing wanted to feel like their representative was physically showing up. That was a big rally cry from the people there.

I can tell you though that there was testimony and support from the greater Flagstaff community to support the Mohave County, the river district area, to move forward in what they were doing. And there was mutual support to support Flagstaff in being a unique community of interest.

VICE-CHAIR HERRERA: My second question, if Commissioner Stertz had proposed moving Flagstaff to CD 1 because he felt that that would make it more competitive -- make CD 4, excuse me, more competitive would be to include Flagstaff, is that the case? Do you see it that way?

MAYOR SARA PRESLER: I respectfully dissent from the commissioner's proposal. And the citizens of Flagstaff have empowered me through their electoral process and the vote to speak on their behalf.

And so on behalf of the entire city of Flagstaff, and our neighboring communities, we've had multiple meetings with our colleagues around the state. And while I know you're trying very hard to problem solve and find choices,
because it feels better to have a choice, there are some choices that just don't meet, in our opinion, the thresholds that are necessary under the Voting Rights Act of 1965, and we look strongly to you for leadership to not regress in the representation of native communities.

So, therefore, we would not support a proposal to move Flagstaff into Congressional District 4, and we would respectfully request that you maintain Flagstaff in Congressional District 1.

VICE-CHAIR HERRERA: And my last question, again the proposal of moving Flagstaff in the legislative side in the same district as the Navajo Nation, what would it mean to the city of Flagstaff if that were the case, if we were to move the city of -- the entire city of Flagstaff in with the same district -- legislative district with the Navajo Nation?

MAYOR SARA PRESLER: I understand that representative democracy is messy. But one of the great things we have in representative democracy is the testimony of the people.

And I know that you take your role on the Commission very seriously. So I understand that even though maybe you couldn't attend some of those hearings in northern Arizona, that you listened in, and you heard what the citizens had to say.
It would be very hard for me to conclude that there is a real strong rational or logical basis based on the citizen testimony to make those changes now at this last minute in the process.

What I did hear from the people of Flagstaff and the greater Flagstaff community and our surrounding tribal nations is that in congressional districts we have a smaller number and a larger geographic area.

In our legislative districts, we have an increased number of those, and therefore can more narrowly define our communities of interest.

Look, at the end of the day I'm sure there's the question of, well, if it's okay on the congressional level, why wouldn't it just be okay on the legislative level.

It's not just numbers that make a difference. It's the mere logic of how the system is set up.

If there are larger geographic areas where more populations have to go, then I think to myself, well, I've got water issues, big time, in common with this area.

Huge.

I've got mountain ranges, got major interstates. Our business alliances.

You've heard from our CEOs and our business leadership community.

On the bigger scheme of things, these line up on
the congressional level.

But when we're going to get a little bit more narrow, we have more numerical choices, lesser populations, we can become more focused on what it means to be a community of interest while still complying with the constitution and the Voting Rights Act, than by mere logic alone, you couple that with the testimony that I know you heard, and I don't think you'll find much dissent.

I think it's probably -- you probably have a lot of pressure right now to make a lot of people happy.

But I would tell you from one very local leader, who generally makes everybody equally unhappy, and can't generally make everybody happy, that, you know, my suggestion lovingly and respectfully to you is to do what's right for the people of Arizona first. And to put the people of Arizona first.

We are craving your leadership. We want you to think about this issue in terms of the Voting Rights Act and the constitution.

And so when you do that work, glory be to your work, because you have a large task ahead of you. And the people of Arizona want to know that this is a fair and meaningful process, so that when they spend five, six hours on repeat evenings at our Flagstaff city council chambers, and they come down and testify with you, and you travel up
to Wind Rock, and you hear leadership, or you're over in Tuba and you hear -- or Lupe and you hear Chairman Shingoitewa from the Hopi tribe who was just there the day before and then testified again before you at that Commission hearing that their words matter and that your words matter.

And while we thank you for your work, we also take it very seriously.

And so I just respectfully, you know, request that we understand there's a challenge to bring these communities together, but we hope that you'll take this job as seriously as we do in putting the people of Arizona first.

CHAIRPERSON MATHIS: Thank you. Any questions?

COMMISSIONER STERTZ: Madam Chair.

CHAIRPERSON MATHIS: Mr. Stertz.

COMMISSIONER STERTZ: Couple questions.

MAYOR SARA PRESLER: I'm a little sick. I'm sorry.

COMMISSIONER STERTZ: Yeah, we all are. So it's the whole room.

MAYOR SARA PRESLER: Okay. Share it all. Yeah.

COMMISSIONER STERTZ: Do you believe in -- that economic relationship between communities is -- would be a considered a community of interest?

MAYOR SARA PRESLER: I believe it is an important
factor. I don't think it's a determining factor, but I believe it's an important factor, yes.

COMMISSIONER STERTZ: Do you see the relationship between the greater Flagstaff area as it goes east to west across the 40, or north to south down the 17 to be of more impact from a transportation corridor?

The city of Flagstaff has several very large national, international shipping -- manufacturers and shippers, some of which have given testimony that are part of your Flagstaff Forty.

And we've heard varying testimony from members of Flagstaff Forty, both pro and con, to the proposals that have been put forward, both inclusive of being part of the Navajo Nation and the rest of the northern part of the state, and some more saying there is a higher level of connection to Flagstaff because of the economic corridors and the economic relationship to metropolitan Phoenix and its distribution centers of goods and products.

Would you comment on that for us, please.

MAYOR SARA PRESLER: Absolutely.

Every ten years the city of Flagstaff, being a municipal corporation, adopts what's called a regional plan. And in that regional planning process, we solicit a steering committee of about 30 citizens.

Former Mayor Paul Babbott is the current chair of
our regional planning commission, a well-known name in Arizona. And Mr. Babbott recently facilitated an open house with the Arizona Department of Transportation where we learned about traffic patterns.

And having formally sat on the Flagstaff metropolitan planning organization board and overseeing the city of Flagstaff traffic commission, I can tell you without a doubt that the dichotomous decision in rural Arizona about whether we go east or west or north or south seems to me to be a no-win situation. Because the reality that we're experiencing, and that I am learning about through this regional planning process, is that really we go Flagstaff east on I-40 in our major traffic patterns.

So if I have to plan about where we're going to widen, where we're going to develop, where our business park should be, where my auto mall should be, whether I should make investments in Nestle Purina, for example, on the I-40 or whether I should focus on what's happening on the south end at the county park or I should go further west toward Bellemont, what we're learning from the data, and that's kind of how I make decisions, data-based decisions.

Not sort of emotion or feeling. It's very easy in local government to emotion take over.

So when we look at the data, we see that the real trends in growth are happening, Flagstaff east on 40,
through the Schultz fire and flood area, and then they're
going slightly down into the Verde Valley area. I think
that there's always been a connection north and south,
because it's dead end in the city of Flagstaff. I mean,
it's, you know, all roads lead to Flagstaff north when you
head on 17, literally.

Whether we go towards Williams, I think if you
examine the data that ADOT's presented in our regional
planning process, you'll see that that's not a growth
pattern for the greater Flagstaff region.

So really what we're seeing is sort of a backwards
seven, I guess, if you come halfway up 17 and over east on
I-40.

So when we're doing our regional planning process,
which is going to go to voters for approval, we have to take
those traffic patterns and those business patterns and then
develop and plan our properties and our community in
accordance with what those plans are.

So having recently studied them, I can tell you
that I think more activity is happening along I-40 east, and
then there is also activity because there's one road, unlike
more metropolitan areas, north to south.

I think we have to think about the resources we
have when we draw logical conclusions.

Like, to say to me is there a lot of activity
north and south.

   The only way for me to get to Phoenix and out of Flagstaff is to go south on I-17.

   And when the sucker closes, you know, we're all out of luck.

   So, yes.

   But given the actual physical resources, you know, I think it's just a natural logical yes that there's a business connection there.

   COMMISSIONER STERTZ: And, Madam Chair, as a follow-up to that, it -- when you're looking at -- you had said that obviously the constitutional criteria, all, all in, all in itself, all in about itself needs to be clearly balanced, but you had, you had shaped it in such a way as to place the Voters Rights Act. The second is, is a no -- a given because that's the equal population. But then you felt that competitiveness was part of the overview of being an American first, an Arizonan second, a citizen of Flagstaff third.

   Could you extrapolate on how -- what -- how you interpret that and how that would pertain to, for example, a large community of the Flagstaff Forty, large and small business members, that are community leaders, that all came together in various forms and discussions and came forward with a series of proposals and recommendations. Correct?
MAYOR SARA PRESLER: Correct.

COMMISSIONER STERTZ: And, and a lot of the communication that, that was put forward was that absolutely correct, your backwards seven, that your -- that the expansion of Flagstaff is slightly to the, to the east and slightly to the south, and it funnels itself down in the direction.

Now, if you're going to say to the competition, can you explain about how you would view that in the, in the description of how you proposed it?

MAYOR SARA PRESLER: Are you talking to me about the congressional district or the legislative district?

COMMISSIONER STERTZ: Either. You had said that you were an American first --

MAYOR SARA PRESLER: Right.

COMMISSIONER STERTZ: -- an Arizonan second, and that you heard from this process the Voters Rights Act as being mandatory, which, of course, it is.

The second, which is equal population for congressional and plus or minus a certain percentage for legislative.

But you would view that competition was incumbent, because you're an American first.

But I wanted to have you, have you frame that for me, please.
MAYOR SARA PRESLER: Thank you, sir.

The city of Flagstaff does value redistricting outcome. That is, of course, as you indicated first of foremost compliant with the Voting Rights Act of 1965 and does not regress in its representation of native populations in northern Arizona.

Mr. Commissioner, as you indicate, it's a given. I would respectfully dissent that it's not a given.

Meaning that I participated on behalf of the city of Flagstaff in hearings where there were two maps presented, and both advocates, who were commissioners, indicated that these were constitutionally compliant. I remember Commissioner Freeman saying, you know, we can't compromise with the constitution.

I don't terribly quote you, but at the same time that map regressed in its representation of native populations.

So I would just respectfully offer to you that there's very little with this Commission that's a given.

And it's true, I think, as we try to create a meaningful outcome here and a fair process that I have to, on behalf of the community, consistently remind us that the Voting Rights Act and not regressing in representation of native communities is essential and that it's not a given.

So once that is accomplished, that is the
requirement threshold, in addition then the constitution and the due process requirements in accordance with the constitution, then, yes, maximizing competitive districts across the state and including Flagstaff in such a district is important. Because Flagstaff believes that when we have a competitive district, we have a more fair and meaningful opportunity at electoral representation on important issues to us, such as transportation, economics, governments -- governance, and natural resource interest.

So, now, in my work as mayor for the city of Flagstaff, we work very hard at supporting all kinds of business.

As you know, we have small businesses in Flagstaff, whether it's a river running business or a small store downtown that sells some pretty neat outdoor gear. We have folks that clean houses and folks that operate really great coffee shops.

We also have larger businesses and larger corporations, Nestle Purina, WL Gore, Southwest Wind Power, SCA Tissue. A variety of other corporate interests in our community. And of course we've got sort of folks who live in between the large corporations and the mom and pop size businesses.

And we find that in business and in the state of Arizona, competition is good.
Nobody respects anybody who just sails into a situation and doesn't have to work a little bit harder for it. Right?

I mean, that's part about -- that's one of the great parts about being an American, is that we believe that we invest in an electoral process where those who enter the race have a meaningful opportunity to be represented and represent those who are in their community and have an opportunity to advocate for a seat or a position that would allow them to represent a broad range of the community.

Rather than in, for example, a primary system.

There's no reason for somebody to run against them and then they just win in the primary and go on through the general election and sail through to represent all the people.

One of the cool things that happens in the city of Flagstaff is that we have nonpartisan local races. So we don't run with a party. We run on behalf of the people of Flagstaff.

And that competition is good.

Because it makes the best ideas for the people of Flagstaff come forward, we debate those ideas, we work through those ideas, and then the voter decides who best represents their interests.

And so we would suggest to you, sir, that when we
talk about business opportunities, while you may hear from
some from the city of Flagstaff that dissent, I appreciate
their dissent and I would defend to have the death their
right to dissent.

But in our representative democracy, I've been
elected by the people of Flagstaff to speak on their behalf.
And so I would share with you that in respect for
the system of government in which we have, that respecting
and honoring the Voting Rights Act, respecting native
populations that have been here for multiple generations
before us, and so to listen when the Navajo Nation has
something to say, that's a big deal.

For them to say that they appreciate the current
draft map where Congressional District 1 places Flagstaff
and places the Navajo Nation, to hear them stand before you
on land that once belonged to them and to speak to you and
say to you, legislative districts are smaller so it makes
sense to have more narrow communities of interest, I value
that process. I respect that process.

And I hope after listening to all the things that
you heard throughout the state and at these hearings here,
that you'll respect and listen to that as well.

COMMISSIONER STERTZ: Madam Chair.
CHAIRPERSON MATHIS: Mr. Stertz.
COMMISSIONER STERTZ: I just have one follow-up
Being an elected official of the city of Flagstaff, you're aware of the demographics of the registration of Flagstaff.

Just as close as you can, what is the split of registration for Democrat, Republican, and Independent with the city of Flagstaff?

MAYOR SARA PRESLER: I don't have that information right off the top of my head.

I'm actually one few elected officials in the world who's not seeking reelection.

So I'm going probably lawyer and do something else with my life for a little bit.

I love the private sector.

So I haven't studied the numbers up to date. But I can tell you that about a sixth of our population is native, and so about 5,000 of that is in the voting age for native populations.

I can also tell you that Flagstaff is a unique community in that party doesn't always dictate the way that people decide certain issues. And I think if you look at the statewide data on how certain races came out, certain issues came out, Flagstaff and those from northern Arizona tend to really hone in on specific issues, more than they do party.
I can share with you, for example, we had in our nonpartisan race for mayor last term, I'm the one who called up the local Tea Party, Rita Roger, and said, can we please have a debate before the Flagstaff Tea Party because I want everybody to hear these issues, I want everybody to be engaged.

And so it's uncommon, I think, for a mayor to call the local Tea Party leader in northern Arizona and say, can we please have a debate and talk about all these issues with the people of your membership.

They said, yeah, absolutely.

So we held this big debate.

And I offer you that example because we, we really have a sense of community and culture in northern Arizona.

And less than party lines, I think you'll find that folks care about things like transportation, they care about things like water, economic opportunities, governance, and other natural resource issues.

And that's why the city of Flagstaff has continued to emphasize those particular points in trying to communication with you because that is what drives our discussion in northern Arizona.

COMMISSIONER STERTZ: Madam Chair.

Thank you for -- and I would love to continue the conversation. I know we have a full agenda here.
I find it, I find it disheartening that you would think that -- you would find it odd that a mayor would call a member of the Tea Party and would want to -- I would hope that would be incumbent upon an open and aggressive dialogue. And that somebody from northern Arizona would find it odd that the Tea Party would -- that you would want to invite them in for an open debate.

MAYOR SARA PRESLER: Oh, it was --

COMMISSIONER STERTZ: I'm really, I'm really happy to hear that, that your -- that you are -- and you have and I have had private conversations where we've had very, very open and free wheeling conversations.

So, I appreciate your testimony today.

And I appreciate you, Madam Chair, your willingness to -- for me to be able to QA.

MAYOR SARA PRESLER: Thank you so much,

Mr. Commissioner.

And I agree with you. It shouldn't be odd. It should be the normal course of business to have open dialogue. And so that's what we like in northern Arizona, is this open dialogue.

That's why through the work we've been doing here, I was so proud to see us enter this IGA and to vote on that in the next couple of weeks with the Navajo Nation. The whole purpose of it is to communicate and work together with
each other on a cultural competency level.

And so the work that we're doing here is blessing not just what's happening here but the entire state of Arizona.

And a good, healthy dialogue is good for Arizona.

So thank you.

CHAIRPERSON MATHIS: Thank you.

Any other comments? Questions?

Okay. Thank you very much.

I want to check on our court reporter to see how he's doing.

He's not doing well, he says. Thumbs down.

So we should take a ten-minute break.

It's 4:41, and we'll be back shortly.

(Brief recess taken.)

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

The time is 4:57 p.m.

And we were in the midst of public comment. I've got three more request to speak forms.

Our next speaker is Chase Williams, from Maricopa County, representing self.


Mostly today I just want to talk about the
proposed map from Commissioner Stertz, because I think there's some fundamental misunderstandings of, A, what competitive means, B, what happened to the district that you drew especially in the Maricopa area, and then finally some of the partisan issues that I think we can see through your actions.

First, I live in the Foothills precinct, which is the farthest west precinct of Ahwatukee, which is the last part of metropolitan Phoenix before you get to the Gila River Indian community.

And based on how you drew the new CD 8 that I would live in, I'm supposed to have something in common with the northeast part of -- past Fountain Hills, Maricopa County, which would be over an hour drive, in a supposedly metropolitan district, as well as the fact that the Indian reservation that I actually have connections to, which may be Gila, isn't even in this district. Instead you're connecting me with Fort McDowell.

Now, your support for this, Mr. Stertz, relied on the competitiveness that you're supposedly creating throughout all of the districts.

I'd like to remind you that competitiveness is more than just a statistical analysis. It also has to do with actual realistic chances for an candidate in these supposed competitive districts.
So when you say that you make Congressional District 4 more competitive, in quotations, you don't actually increase the competitiveness, so there's no way that a Democratic candidate in that district would ever be able to win with the 14 percent divide or 20 percent divide that still exists between the registration as well as the other indexes.

And for someone that supposedly now likes competitiveness, you destroyed the only truly competitive district that we had in Maricopa County, which is CD 9, which is actually an equal competitive district where candidates on each side will actually have to fight it out and discuss the issues instead of running to their base.

Conveniently, the map that you've drawn for the Maricopa County area protects Congressman Schweikert and Congressman Quayle and gives them each their own district. So I'm not sure if Ben Quayle called you again, but this time, you know, you gave them their own district.

I'd like to also discuss what a previous speaker said when she said that Phoenix or Ahwatukee and Tempe have no relationship with the north region in Congressional District 9.

But I'd like to remind her that our city district, that we have City District 6 in Phoenix, is actually a
connection of Phoenix and Arcadia and some of those north Phoenix neighborhoods.

    So we do have a long-standing relationship in which actually the next mayor of Phoenix actually represented for nine years. So we do have a long-standing relationship.

    So, for the rest of the Commission, I would ask that you please protect Congressional District 9.

    Because we do need a competitive district in Maricopa County.

    And moving people around for someone that says they're against packing, but then packing Democrats into districts that they can actually represent themselves, because it's convenient for your party and your partisan ideas, is wrong.

    So I ask that we actually preserve true competitiveness and a realistic approach, rather than just a statistical numbers game that protect incumbents in your party and your own political gain.

    Thank you.

VICE-CHAIR HERRERA: Thank you.

CHAIRPERSON MATHIS: Thank you.

Our next speaker is John Bush, representing San Carlos Apache.

JOHN BUSH: Good afternoon. John Bush, B-U-S-H.
Again, I want to thank you for -- first of all, I want to thank you for coming to San Carlos, to home of the Apaches, San Carlos Apaches.

It was a good meeting, a lot of comments from our community, our tribal members regarding the redistricting work that you guys have done.

We commend you for it.

And my message is short. Is that we do want you to maintain a majority-minority district. I think that's a great symbol of hope for us, which we haven't had for a long, long time out in Apache country.

We've always felt like we've never been represented. And the work that you're doing, it gives us hope, especially with the Legislative District 7.

I think that that is a good sign that we're not only the state but progressing also. And it gives us a chance to vote for the person of our choice, which we really felt like we never had that before, even though we had the right to vote. It just seemed like we never were represented fairly.

And I think that would be the raising of the numbers in District 1, your congressional district. That's the start, at least needs to be 16 percent, now it's 20 percent.

And I think that it's kind of a light at the end
of the tunnel for us, and we appreciate that.

And I just wanted to express our thanks and
gratitude for you hearing out there, and the Apache casino,
and let you know -- to express on behalf of the tribe.

We have 15,000 members out there, close to 15,000,
plus the White Mountain Apaches. We were one tribe at one
time.

We lost a lot of land back in 1852 to what we are
now. We were all one tribe. And lost the Globe, Miami,
Superior, surrounding areas, Hayden, all the way to Morenci,
all the way to New Mexico. That was all our reservation the
at one time, but we don't hold that anymore, due to the
copper mines being built there.

We, we just want to express our concerns and our
hope for the future.

Thank you.

VICE-CHAIR HERRERA: Thank you.

CHAIRPERSON MATHIS: Thank you.

Our next speaker is Steve Titla, general counsel
for San Carlos Apache.

STEVE TITLA: Good afternoon, Independent
Redistricting Commission; Colleen Mathis, chairwoman; Linda
McNulty, she's not here; Commissioners Herrera, Freeman,
Stertz.

Did you get the letter from the tribe dated
I'd like to just reread it.

(Brief pause.)

STEVE TITLA: That is the letter that the tribe wrote to the Commission when you all visited the -- or some of you visited the Apache Gold Casino on the San Carlos Apache Reservation.

My name is Steve Titla, by the way. T-I-T-L-A.

I'm general counsel for San Carlos Apache, and also am a member of the tribe San Carlos Apache from the San Carlos Apache reservation.

And this is a letter that John Bush, the vice chairman, gave to the members of the Commission that were in San Carlos on October 21.

And in it what they note is that they support the Commission's approved maps at that time.

So the tribe supported it.

And by resolution also they passed -- San Carlos Apache counsel they passed a resolution number 0C-11-315.

And the resolution states that the resolution to support the Arizona Redistricting Commission proposed congressional and state legislative maps on October 10, 2011.

So that was the first issue of the maps that the tribe supported.
And in the letter, they state that the reason they really supported this, they thought that they had a chance here to vote somebody into office.

And the tribe, I think it's finally getting involved in these matters here with the Commission. And so they really appreciate that.

Before this, our tribe, I think that maybe a lot of tribes too, really get involved in tribal votes. We really come out on the reservation. Our voting percentage is probably about 90 percent for tribal votes.

But then the congressional and the state polling sites are at separate places.

You have a tribal polling site on the same day. And then after that, you have to go to another place to vote for the state and then congressional offices. So that's a difficult process.

Apaches are -- Apache voting first, although the congressional states are important also.

But, I think the reason they do that is because we don't have any really good contacts with our state representatives or our congressional representatives, and so Apaches don't really know these people, they don't see them firsthand, about the issues they have.

So there's no tangible benefits from the congressional or state representatives.
But, I think that if you have a chance for Apaches, Apaches recognize and realize that we have -- we can have a voice in state legislative politics, we can have a voice in congressional, then I think that they can realize that they can vote somebody into office that will represent them.

And I think that in my lifetime, I thought that, I told you this before, I thought that we would never vote in the United States a minority to office.

But as you know, this happened the last election. We have President Obama.

And somehow Obama, President Obama had the charisma, but he touched the hearts of many tribal members in the nation and in San Carlos also. And so we had a good vote turnout for President Obama. He was able to touch the hearts of natives in the country.

And he promised when he was voted in that he would meet with tribes on an annual basis.

And this has happened last week. We were in Washington, D.C., last week, for the entire week. And it was President Obama following his -- follow up on his promise to meet with tribes.

So last Friday President Obama met with tribal leaders in the country.

I wasn't there. He doesn't want us general
counsel in there. They want the tribal leaders in there.

    So that was okay.

    So our chairman, Terry Rambler, was over there in Washington, over there with him too. But we had meetings all week with Department of Interior, all the major departments we had meeting with them all week long last week.

    So Obama was able to -- I guess the point I'm making that Obama somehow was able to touch the hearts of tribal members and tribal members somehow connected with him and thought that here's a person that we know, we recognize, and we think -- we believe him, and we think that he will follow up on his promise to help tribes out.

    Now, that's not the same for our congressional representatives or our state representatives, because we don't see them.

    All we know is that they're opposed to our sacred sites land right now. Our state representative are opposed to us right now. Our congressional representatives are opposed to us right now.

    That's the only time we hear from them, it seems like, when they are opposed to us.

    So we really have no tangible connection with these, these people that represent us, supposedly represent us, in state and congressional officer.
But I think that if we have a chance, if Apache and tribes in the nation -- I mean, in the state here can realize that we have a chance here to vote somebody to office of our choice, then I think that's all part of the Democratic process, you know, as a nation, as citizens of the United States, that we are. We're citizens of the state also.

And I think that you have a hand -- commissioners have a hand in doing that. Because if you enhance the majority-minority district for tribes and for minorities in the state, then finally I think that tribes will recognize that, hey, we have a chance to vote somebody in.

We should -- I'm going to vote -- that Apaches are going to say I'm going to vote in the tribal election and then I'm going to go to the state election and then I'm going to go to the federal election and I'm going to make sure I vote.

And you're going to have a hand in doing that.

And I hope that you continue to enhance the majority-minority district for tribes in the state.

And we supported the vote there.

I know that a lot has happened since October 21. So I welcome Colleen Mathis back as chairwoman. We welcome you back and hope that everything goes well here, but that's my statement.
Before I forget, I talked to Ronnie Lupe this morning. Ronnie Lupe is the chairman of the White Mountain Apache Tribe. And he called me and he said, I can't get down here because of the snowstorm going on in the White Mountains this morning, but he would have liked to have come down.

But he said he wants to maintain Show Low within the district that they're in.

He has some connection with Show Low, and he wanted to maintain that.

And I think he's talking about the state legislative district, because it's in the congressional already. But I think that he's talking about the state LD 7, is what he's talking about.

So that's what he told me to convey, and that's what I convey to Ronnie Lupe. That's what he told me.

So, thank you.

CHAIRPERSON MATHIS: Thank you.

I think that concludes public comment. Is there anybody else who wishes to address the Commission?

(No oral response.)

CHAIRPERSON MATHIS: Okay. We will move on then to the next item on the agenda.

Thank you all for coming and giving your comments today.
Discussion -- number three, discussion and possible direction to mapping consultant regarding adjustments to draft legislative districts.

And I think we gave our mapping consultants some guidance on this on Thursday, and they have complied and have some things to show us.

WILLIE DESMOND: Yes, I think there are six possible changes to the legislative draft map prepared for today.

The first one is a change reflecting Cochise County and Green Valley.

And there is changes to the Schultz flood area. And I will go into it later further, but there's two possible changes to the Schultz flood area, one that is a narrow change and one that's more of a wide-reaching change.

We also have a possible change to swap Show Low for Winslow between District 6 and 7.

And in changes to improve competitiveness of 8 and 11, Pinal County.

And then the Susan Gerard map that she had submitted also.

I think to start with the Cochise and Green Valley one, if that works.

And I know we've discussed this and used this as
an example of the possible change report, but attached is
the actual change report for you to consider.

Basically the change is to keep Cochise County
whole within District 1. That arm that you can see that is
green that goes to Bisbee and Douglas would be removed from
that district.

This would make District 1 overpopulated and
District 2 underpopulated. In order to fix that,
Green Valley would then be included in District 2, taken
from District 1.

This would allow us to keep the I-19 corridor
together and improve the compactness of both districts.
However it does have adverse effects to the voting rights
status of District 2.

I know this was discussed briefly on Friday. Ken
and Bruce and the legal team agreed to look at this more
closely over the weekend and to come back with some further
suggestions. So that with, I'll turn it over to them.

KENNETH STRASMA: Thank you. So we, we wanted to
make sure that this change would not be retrogressive.

In terms ability to elect, although the Hispanic
percent does go down significantly, if you look at the
change report, the total Hispanic population is reduced
7 percent, from 66 percent to 59 percent.

And there's similar changes on Hispanic citizen
voting age population and Hispanic share of registration.

The district does, however, maintain its ability to elect by every measure we've looked at.

One of the things we talked about last week is that we looked at past elections in addition to the mine inspector race.

Mine inspector performance in 2010 was at 62 percent for the Hispanic candidate.

With this change, it drops to 56.8 percent.

So lower, but still fairly high.

Puts it in the midrange of the other voting rights districts.

We also looked at president '08, secretary of state '06, and president '04.

In none of those races does the district drop below 54 percent for the Democratic candidate, and in each one of those districts the homogeneous precinct analysis indicates that the Democratic candidate was the Hispanic candidate of choice.

One additional election that we've added since last week was -- at Mr. Adelson's request was 2004 Proposition 200.

There the no vote was the, so to speak, the candidate of choice of Hispanic community.

And the -- so the yes vote is -- goes up slightly
from 44 percent to 46.7 percent, but still showing as the
ability for the district -- reconfigured district's ability
to elect candidate of choice under that measure.

One concern that Mr. Adelson raised, which is why
I believe he still wants to look at this some more, is that
this had been the highest district in term of percent
Hispanic voter registration and Hispanic citizen voting age
population.

So while it does not lose the ability to elect
candidate of choice, it does remove what had been our
highest district, and moves the district somewhere towards
the middle of the pack.

It is however, significantly higher than former
LDs 29 or 25, the two voting rights districts from which it
received some population.

And as I said before, under all the measures we
looked at maintains a healthy ability to elect.

CHAIRPERSON MATHIS: Thank you.
Any questions for Mr. Strasma?
(No oral response.)

CHAIRPERSON MATHIS: Okay. Thank you for that
analysis.

Do commissioners have any thoughts on this
particular change, just comments, or . . .
(No oral response.)
CHAIRPERSON MATHIS: Okay. I don't hear any. So thanks for checking that out for us. I'm sure we'll be talking about that more in the future.

Do you want to go to the next one, Willie?

WILLIE DESMOND: Yes.

So the next one is the Schultz flood area.

And I'll kind of explain why there's two of them with this.

I received a file that outlined the area that was affected by the Schultz flood from the Coconino County government.

Looking at it, it's kind of -- it's clear where it is, where they're hoping to grow to.

Let me find the old district.

Okay.

So the old district was just kind of looped around right here.

What I did here is I expanded this area in order to only grab census blocks that were wholly contained within the affected area.

When you turn on the census blocks, you can see that the blocks that surround this area are very large, and so they go much past the affected area.

The reason I was hesitant to go ahead and accept
that place, and I apologize that there's so many colors here, I did receive, you know, earlier in the process a file from Mr. Gorman that outlines some of the Navajo Nation lands and the tract lands.

So this blue area is -- I'll fill it in. It will go easier.

So there is some tract lands and stuff here that they identified as areas -- and I didn't necessarily want to go and cross into those without bringing that up to the Commission.

So in the narrower one, I only accepted areas that were wholly contained within the affected area.

In the wide, I went ahead and took all the blocks that intersected with any area of the flood area.

As you can see from the two reports, there is no change in population. These are unpopulated areas. It's simply a question of whether or not to include that land in this change or not.

So just -- the Schultz flood area, again, is the -- is this green box.

The Schultz fire area is this red area, this orange box. It's not really a box.

And then just to make it clear again, the change we're looking at was -- this was the old district. I'll put on the census places. You can see that a little easier.
This was the old district.

It went out from Flagstaff and grabbed the Doney Park area.

The change would be to here, to grab more of this land, the affected area.

And, again, that would be the Navajo lands that I did not grab and the census blocks that I did not grab.

Without confusing things too much, I can either go to the other map or I can try to add that as a layer here to see, to see the kind of the greater expanse.

VICE-CHAIR HERRERA: Madam Chair.

CHAIRPERSON MATHIS: Mr. Herrera.

VICE-CHAIR HERRERA: The -- when we were in Flagstaff, the leaders of Flagstaff presented us with a map that was pretty detailed of what they, of what they wanted, but also the public comment was overwhelming that those areas should be included with the city of Flagstaff.

I mean, it was really overwhelming, and I think they made a good case.

So if we can go to the map that the leaders of Flagstaff provided us, is that possible?

WILLIE DESMOND: Well, I mean, this is as close to that as possible.

The problem is that that map does not comply with census blocks, which is the smallest level of geography in
which we can move lines.

So when we take -- you know, looking at the -- I'll turn the blocks on again.

You can see that they're just very large here, and that's -- so, so this, this black line is the smallest thing.

Then if I, if I were to just take this census block and add it to District 6, it's a really fairly large area.

So to go and expand, you end up taking quite a bit more than just the affected flood area.

So that's the reason I did this in two different options.

I mean, it's possible that we could split some of these blocks along those lines.

VICE-CHAIR HERRERA: Madam Chair.

CHAIRPERSON MATHIS: Mr. Herrera.

VICE-CHAIR HERRERA: Yeah, I definitely want to see that.

Because I think the communities, if we want to keep the communities of interest intact, and I think that, as I said before, they, they made a good argument about keeping those communities, all those communities within the city of Flagstaff.

So that's why I prefer to see that.
WILLIE DESMOND: Okay.

I can -- I'll take a look at what we received. I know we did have a paper map that had a slightly more detailed area of the flood area.

But comparing it to the file I received from the county, I think it was fairly close.

I can quickly just show you what the expanded area would look like.

So this would be -- this is the area, I guess. And again you can see the affected area is the green area, this green box.

That's the Navajo land.

And the black would be wholly incorporating the affected area, as narrow as we could using the census blocks.

CHAIRPERSON MATHIS: That's a tricky one.

Any comments or questions on this one?

VICE-CHAIR HERRERA: Madam Chair, since there's no disagreement, I'd like to see this as close to the map that was proposed by the Flagstaff leaders.

WILLIE DESMOND: I think, think we're, we're there. So it's --

VICE-CHAIR HERRERA: Okay.

WILLIE DESMOND: I will say that the wider one takes no more people, so these are unincorporated areas.
So, as far as population goes, you're not looking at shuffling any more people with the wider one.

But, again, the narrow one does not include the entire, entire affected area.

And we've talked in the past about splitting census blocks, and Ken can probably speak to this more.

I would be a little hesitant to do it here in large part because District 7 is a voting rights district, and any sort of split census block you do that goes along the edges of a voting rights district is going to take a whole separate set of documentation and things.

And I'm, and I'm not as -- Ken would know much more the process of splitting census blocks. So if you have some questions, I'm sure he can speak to that.

But if not, that's the reason this is such a bigger area.

CHAIRPERSON MATHIS: Any questions on that?

Any other comments on this particular proposed adjustment?

COMMISSIONER STERTZ: Madam Chair.

CHAIRPERSON MATHIS: Mr. Stertz.

COMMISSIONER STERTZ: Are these adjustments going to be made available to us other than in the report form? Are they going to be available to us in map form so we can see -- again, whether or not we can make improvements or
give comments?

Because right now, without looking at it further
on a plan side, we cannot see whether or not we could be
making any recommendations for improvement.

WILLIE DESMOND: Yes. The block equivalency files
are also up on the website. I believe Buck was able to post
those.

At this point I haven't gone ahead and prepared
every one of these changes in, you know, the shapefiles, the
compact Caliper files, the Google map files, the block
equivalencies as a text file.

While we're doing the work before to get ready for
the draft maps, we had been doing several formats and those
formats grew.

I guess selfishly I was trying to keep it kind of
a narrow thing just in order to save time.

If we were doing a lot of maps, I'm not sure we
would have been ready for today.

If there are specific types of, types of
mapping files that the Commission would like to see, I'm
more than happy to provide anything for these and then
going forward. But the block equivalency files to load the
plans are available online, and I can give you those today
also.

COMMISSIONER STERTZ: Madam Chair.
CHAIRPERSON MATHIS: Mr. Stertz.

COMMISSIONER STERTZ: My recommendation is to be able to provide in PDF form the McNulty change on the overall state level and the Stertz change on the overall state level in PDF, and as well as the Google map. Those would be the only two that I would say would be -- as far as the other changes, the Schultz fire changes, the Hispanic Coalition changes, those in block equivalencies would be for the commissioners to be able to study at the Maptitude level.

But from the public's perspective, they want to be able to take a look at the PDF or the Google.

WILLIE DESMOND: Okay. Well, then tomorrow -- tonight and tomorrow morning I'll work on getting those ready. Then I think tomorrow during the day probably I'll work with Buck to get those posted online so that members of the public can have those.

COMMISSIONER STERTZ: That would be terrific.

Thank you.

VICE-CHAIR HERRERA: Madam Chair.

CHAIRPERSON MATHIS: Mr. Herrera.

VICE-CHAIR HERRERA: I'd like to also be -- changes I recommended be in a PDF file as well.

WILLIE DESMOND: Okay.

So, for the PDF, if I understand correctly, you
just want a layout that shows the statewide map basically and then the old line and the new line.

Okay.

CHAIRPERSON MATHIS: Any other questions or comments?

(No oral response.)

CHAIRPERSON MATHIS: Go to the next one.

WILLIE DESMOND: Moving right along.

The next change for you to consider was one that Commissioner McNulty had asked for, and that was to switch the Show Low area with the Winslow area.

Additionally it was brought up that it is not a bad idea to try to remove the portion of Mohave County that is above the Pai tribes as a why to improve the voting rights of District No. 7.

I think that change is also reflected in the map that the Navajo Nation had given us today.

So the real changes here are between six and seven here in Winslow and Show Low, and also up in the northwestern corner kind of removing, like, Colorado City and stuff from the Native American voting rights district and putting it back with District 5.

So I guess starting with Winslow, you can see that the area of Winslow, Winslow west are now included in District 6.
I went a little bit further just to get a little bit closer on the population, although there is a lot there. And then previously the district had run up and gotten Pinetop, included that in District 7, left Show Low out of District 7.

So now it runs up and always includes Show Low with District 7.

These changes do have some effects on the voting rights district, as you can see in your change packets. District 7 goes from a total minority population of 74.7 to a total minority population of 74.8. Its Native American percentage voting age goes from 61.9 to 62.4.

CVAP and mine inspector don't apply as much to the Native American voting rights district, but looking at the competitiveness of District 7, it went from 34.7 percent Republican in index two to about 35.8 percent Republican, 65.3 to 64.2. So about a point and a half worse in ability to elect a candidate of choice, if the homogeneous precinct analysis suggests that the Democrat is really the candidate of choice there.

That was probably the -- that population does go largely into six.

The changes to District 5 are just adding in population.
So, following all these changes, District 5 does go from a negative population deviation of about 4,500 to a positive deviation of about 6,000.

District 6 goes from about 1,700 people too many to about 900 people too few.

And District 7 goes from underpopulated by about 2,700 to underpopulated to about 10,500, which is about a five percent population deviation.

Again, I leave it to Mary and Joe to let you know what an acceptable margin is. Although I think you do have a little bit more flexibility if it is in a voting rights district.

Are there questions about this change, or . . .

CHAIRPERSON MATHIS: Any comments on this?

COMMISSIONER STERTZ: Madam Chair.

CHAIRPERSON MATHIS: Mr. Stertz.

COMMISSIONER STERTZ: Willie, will you zoom in and show us the cities of Show Low and Winslow?

WILLIE DESMOND: So, Winslow is up here.

As you can see, the old district included that with what was District 7.

The new district goes up to the county line, grabs Winslow, and wraps around.

COMMISSIONER STERTZ: And would you then show us how Show Low connects into Pinetop and Lakeside?
WILLIE DESMOND: Yes.

So, as you can see, the old district came down, incorporated Pinetop, Lakeside, with, with the Fort Apache area here in District 7.

This change would keep that line similar, except it would go up and grab Show Low additionally.

COMMISSIONER STERTZ: So Show Low, Pinetop, Winslow are all now connected.

WILLIE DESMOND: No.

Winslow was with Pinetop.

Winslow would now go with District 6. And Show Low would go in District 7.

So it's a swap, I guess, of Pinetop for Show Low. Then the Colorado City, and this is a strip, it's just for good measure.

COMMISSIONER STERTZ: So, Show Low, Winslow -- or, excuse me, Show Low, Pinetop, Lakeside are not in the same district.

WILLIE DESMOND: Currently Show Low and Pinetop are not in the same district. With this change they would be.

COMMISSIONER STERTZ: They would be.

WILLIE DESMOND: Currently though, Pine -- or Winslow is with District 7, and with this change it would no longer be.
COMMISSIONER STERTZ: Thank you.

CHAIRPERSON MATHIS: Any other questions or comments?

WILLIE DESMOND: Okay.

The next change to be considered would be trying to improve the competitiveness of Districts 8 and 11.

This is another, another map that Commissioner McNulty had me look at.

I played around with this one for a while and was able to make District 11, I believe, more competitive.

I will show you in a second -- excuse me,

District 8 more competitive.

Let me add the layer back in of the old map.

So, if you recall, 8 and 11 are comprised primarily of Pinal County.

There's also an area of Gila County, kind of the copper corridor, and then a portion of north Pima County that was also included in these two districts.

Previously they kind of split right down the middle of Pinal County.

District -- District 11 had Marana, Picture Rocks, Red Rocks, Eloy, Casa Grande, the town of Maricopa, and then the Gila River Indian reservation area was kind of on the western side of this.

District No. 8 had Oro Valley, Catalina,
Saddlebrooke, Oracle. And then going up on into Globe it also had Coolidge and Florence together, as well as with the lion's share of the San Tan Valley.

Trying to make these more competitive, I kind of started just looking at areas that had, had higher performance.

Both of the districts, 8 and 11, were relatively Republican. District 8 had an index two a Republican percentage of 56.7. District 11 had a Republican percentage of 55.7.

So, the way I found to be able to do it was to try to link, you know, parts of, parts of Globe and -- Globe and Oracle with Coolidge and Florence, San Tan, and then portions of Eloy and Casa Grande.

This would keep Saddlebrooke, Catalina, Oro Valley, and Marana in the same district, Picture Rocks, Red Rocks, and then include the southern portions of Eloy, Casa Grande, and then the city of Maricopa.

It does introduce splits to Casa Grande and Eloy that were not there before.

So it does have, does have more splits in both the census place -- census tracts, but it has less splits on the census block group level.

Are there questions about this?

VICE-CHAIR HERRERA: Madam Chair.
CHAIRPERSON MATHIS: Mr. Herrera.

VICE-CHAIR HERRERA: Mr. Desmond, did you -- I understand you went through the current competitiveness indexes, how they are now. Did you go over what the changes would -- how they would differ after the changes?

WILLIE DESMOND: No, I did not.

VICE-CHAIR HERRERA: Would you do me a favor and do that?

WILLIE DESMOND: Sure.

So looking at District 8, just using, using the difference column in the change portion, in index two it becomes about ten points more competitive.

And I don't want to overstate that ten points, because when you become five points less Republican, you become five points more Democratic, and vice versa.

So it's, it's, you know, five points closer to the 50/50 line.

So a 10.2 percent difference is actually 5.1 percent higher of one, 5.2 percent lower of the other, closer towards 50/50.

So looking at index two, it's 10.2 percent different, 8.8 percent in index three, 10 percent on index four, and 12 percent on index five.

Looking at the actual splits in the new plan, using index two, 51.6 percent Republican, 48.4 percent
Democrat.

Index three would be 49.9 percent Republican, 51.1 percent Democrat.

That, that difference there reflects the fact that there is a partisan registration advantage for the Democratic in this District 8.

Using index four and five, it would be 53.3 percent Republican, 51.3 percent Republican for index five and then 46.7 and 48.7 for the Democratic candidate using index four and five.

As a result of taking more of the, I guess, the Democrats from the combined 8 and 11, District 11 becomes less competitive.

It goes from index two of 55.7 percent Republican. The old plan up to 58.9 percent Republican.

Democratic number drops from 44.3 in index two to 41.1.

So that's a change of about 3.2 percent.

Using index three, it goes from 54.1 percent Republican up to 58.7, and drops from 45.9 Democrat down to 41.3.

And those numbers are pretty consistent with indexes four and five also.

VICE-CHAIR HERRERA: Madam Chair.

CHAIRPERSON MATHIS: Mr. Herrera.
VICE-CHAIR HERRERA: I'm not aware of the changes that Commissioner McNulty proposed, so is there any way I can get a list of the detailed changes? Assuming she sent you that information.

WILLIE DESMOND: No.

My direction was just simply to see if I could make a competitive district out of 8 and 11.

VICE-CHAIR HERRERA: Okay.

WILLIE DESMOND: So I played around with it a couple different ways.

Initially I attempted to make District 11 the competitive district by incorporating, you know, Gila River, Casa Grande, Coolidge.

Ultimately, though, I felt it necessary to bring in the portion of Gila County and also Oracle.

So what ended up working, I guess, or, you know, you guys can be the judge of whether or not it works, is starting here on the right side, the east, and kind of building off from there.

But, you know, there may be more ways of doing it, and I'd be open to exploring others, but that seemed to be -- you know, without having to change any other districts, that seemed to be the most viable option.

VICE-CHAIR HERRERA: Madam Chair, just one more question.
Now, is there a reason why she, Commissioner McNulty, only focused on two in terms of making 8 and 11 -- is it 8 and 11 -- more competitive, as opposed to any of the other ones that have an opportunity to be more competitive, work with those as well?

WILLIE DESMOND: I don't know.

She just asked that I take a look at making a competitive district of 8 and 11.

VICE-CHAIR HERRERA: Is it possible to work with you to make other districts that have an opportunity to be more competitive to do so?

WILLIE DESMOND: Yes. Are there any that you --

VICE-CHAIR HERRERA: I haven't given it much thought, but I can. And I can hopefully work with you. Because I definitely think that we can create more competitive districts than the ones that were proposed.

WILLIE DESMOND: Okay.

COMMISSIONER STERTZ: Madam Chair.

CHAIRPERSON MATHIS: Mr. Stertz.

COMMISSIONER STERTZ: Mr. Desmond, it appears as though the -- that to create competitiveness in 8, we had to pack 11, to become an uncompetitive district.

WILLIE DESMOND: As a result of 8 becoming more, 11 did become less competitive, yes.

COMMISSIONER STERTZ: Less competitive by
registration, by all of the indices, it became less competitive.

WILLIE DESMOND: Correct.

COMMISSIONER STERTZ: If we went in the opposite direction to create more -- a more competitive district for 11, how would you -- how may have you approached it to create a more competitive district for 11 and a less competitive for 8?

What would have been your analysis? In other words, going in the opposite direction.

WILLIE DESMOND: When I started with that, I started with Casa Grande, on the -- I guess kind of on the, on the west side. I did explore a little bit doing kind of a north-south type divide, and didn't have much luck there.

But I did start with Casa Grande and Eloy.

I picked up the areas of Coolidge and Florence.

San Tan Valley is kind of -- is a heavily Republican area, so it was -- I had to, you know, without -- so having to pick that up to go over into Gila County kind of impeded my progress, so that's why I switched to kind of an east-to-west type of, type of path.

But if you were to try to get District 11 to be more competitive, that's what I did.

I included most of the areas in Pima County with
District 8 when I was trying to make this more competitive, and I had this more of a central and north central kind of Pinal County district.

VICE-CHAIR HERRERA: Madam Chair.

CHAIRPERSON MATHIS: Mr. Herrera.

VICE-CHAIR HERRERA: I think, you know, I -- I know that Commissioner McNulty isn't here, so it's difficult to try to speak on her behalf, but I -- if I remember correctly, in the draft, that both 8 and 11 were not competitive to begin with.

So when Commissioner Stertz says it's less competitive, it was never competitive to begin with.

So what Commissioner McNulty was trying to do is create one competitive district out of two noncompetitive districts. So instead of having zero out of those 8 and 11, she was able to create one competitive district out of the two.

So I'm pretty certain that that's what she was trying to do.

Again, I don't necessarily disagree with that. I just want to see if we can create more competitive districts using some of the same scenario and try to create more.

And I'm -- as I said, Mr. Desmond, I'm happy to work with you.

COMMISSIONER STERTZ: Madam Chair.
CHAIRPERSON MATHIS: Mr. Stertz.

COMMISSIONER STERTZ: Again, Commissioner Herrera, I'm not disagreeing with the, with the approach. I'm not -- you can't, you can't take two majority Republicans districts and create two competitive districts out of the same two districts. It's a statistical impossibility.

So the only way to do that is to move Republicans out of one district and Democrats into the other district in a way to create competitiveness.

That's -- so my suggestion or my question was, is if we were going to go in the opposite direction -- would you, would you, Mr. Desmond, would you put the traffic, the highways up on the map, please?

Thank you.

If you were going to approach this in the opposite direction, is there -- do you believe that you would be able to create a like competitive district in 11 in lieu of -- in moving registration blocks from one to the other?

The answer should be an obvious yes.

Because if you can create one, you can create -- you can create either 11 or 8 being competitive based on the analysis you've already provided.

Eleven could -- 11 could also meet the same or similar criteria, could it not?

WILLIE DESMOND: When I attempted to make 11 more
competitive, I had a harder time.

COMMISSIONER STERTZ: And why was that?

WILLIE DESMOND: I think because a lot of the Democratic vote comes from the eastern portion of eight. So there's -- it's not possible to link Gila County and Oracle as easily with Gila River and parts of Casa Grande.

COMMISSIONER STERTZ: Well, assuming that you were going to go into that direction, there may be, there may be iterations, because --

WILLIE DESMOND: It's entirely possible there's another way of -- a better of doing this.

I will say I did try to make 11 a competitive district first, at first blush, to see if I could make this simpler.

I kind of ran into a wall. So I started over again and found it a little easier to make eight.

But that's not to say there's not a way to do it.

VICE-CHAIR HERRERA: Madam Chair.

CHAIRPERSON MATHIS: Mr. Herrera.

VICE-CHAIR HERRERA: I think, I think that none of us would disagree that having -- that they -- that particular area, especially on District 11, it's a high Republican area, so they're packing themselves in.
It's not like they're -- there have been --
they're artificially being packed in.

I mean, if anybody knows that area, it's a high
Republican area. And they would be difficult to -- you
know, I used to live around that area. It would be
difficult, I would agree with Mr. Desmond, to create a
competitive area out of 11, and I would disagree that we're
trying to pack them. They're already there. And they
are -- I mean, that's a high dense population, it's growing,
and it happens to be more Republican.

COMMISSIONER STERTZ: Madam Chair, it's, it's --
you -- it is a situation of moving. The only way to be able
to get the numbers to work is to move Republicans out of one
district and move them into the other.

I mean, and that, that is -- that's -- I would
hate to be a Democrat living in, in District 11, because the
opportunity to elect a Democrat in District 11 is going to
be almost impossible.

So I'm just thinking, is there another, is there
another way of looking at this that you could -- because I
was looking at the percentages of registration. And in 11,
in the old map, was a 32.7 percent Republican, 31.7 percent
Democrat, and 35.6 percent other.

In the new map, it's, it's now gone from 32.7 to
38.8 percent Republican, down Democrat 37 from 20 -- from
31.7 to 27.7.

And then also the Independents went down from 35.6 to 33.4.

I -- my, my concern is or -- not a concern, but just another way to evaluate to be able to take a district of balanced registration in the old plan into an imbalanced registration in the new plan.

I know the consideration between voting and voting patterns all play into the analysis of competitiveness. But that's -- I always sort of default back to -- and this goes back to when we were talking about Congressional District 9, and the competitiveness was, was analyzed both on equally of registration as well as other indices and analysis.

So, I -- this is a, this is a block equivalency file located -- let's -- we'll, we'll give us the opportunity over the next couple days to split this in some different iterations.

VICE-CHAIR HERRERA: Madam Chair.

CHAIRPERSON MATHIS: Mr. Herrera.

VICE-CHAIR HERRERA: I mean, you can add -- I'm going to refer to District 11. You can put in ten more percentage points of Hispanics -- excuse me, of Democratic voters, and they still wouldn't be -- it wouldn't be competitive.

Anybody that knows that area understands that. I
mean, you could bring Ronald Reagan as a Democrat to run in that area. He wouldn't even win.

That's how, that's how uncompetitive that area is. And putting more Democrats in that area, I would -- I think most people that live in there would agree that it's a wasted vote.

So, I know that area. I think -- you know, I used to live in that area. So I would say that you, you cannot make that area competitive.

And, I mean, again, I think Mr. Desmond, who knows more about mapping than both of us do, I think he tried his best, and he was unsuccessful doing that, and I would -- I believe him.

So, that's all I wanted to say.

CHAIRPERSON MATHIS: Other questions or comments on this one?

COMMISSIONER STERTZ: Madam Chair, just as a point of clarification.

Commissioner Herrera, are you talking about the old, the old plan of 11?

VICE-CHAIR HERRERA: The new plan of 11.

COMMISSIONER STERTZ: The new plan of 11, positively.

The old plan of 11 was almost a 50/50 split of Republican, Democrat registration in a two, in a two way.
VICE-CHAIR HERRERA: That's the same area that includes San Tan Valley?

It's a growing area, and it's a highly conservative area.

I -- so I, again, I stand by my comments. It's not a competitive -- it wasn't before. It isn't now.

CHAIRPERSON MATHIS: Any others comments on this?

COMMISSIONER STERTZ: No, we'll take another, we'll take another look and see whether or not there's some other ways to approach similar, similar desire.

CHAIRPERSON MATHIS: Okay. So our next one. Thank you.

WILLIE DESMOND: Sure.

CHAIRPERSON MATHIS: That's our last one; right?

WILLIE DESMOND: I believe it is our last one, yes.

Susan Gerard, I believe, submitted a map at the Scottsdale public, public hearing.

I was asked to load that and take a look at it. I didn't do any changes. I just simply loaded the map that was supplied and ran the report so you could see it.

It affects districts in Phoenix.

Specifically districts -- I know this is a little tough, District 15, District 20.
District 21.
District 22, 23.
District 24, which is a one of our majority-minority districts.
And District 28.
I can't really walk you through a thought process or anything. I can walk you through the change report though if that's helpful.
Or if you want to specifically just look at the districts individually and see, see where they were and how they changed, we could do that.
Whatever works best.
This is a little difficult to see with everything.
VICE-CHAIR HERRERA: Now, maybe I need some information. Who is Sue Gerard? Can anybody answer that?
CHAIRPERSON MATHIS: I can't. I was wondering that too.
She provided some testimony, I believe, at maybe the Scottsdale hearing. That's what I think Commissioner McNulty said at --
VICE-CHAIR HERRERA: Excuse me?
STEVE MURATORE: Former Republican state lawmaker.
VICE-CHAIR HERRERA: Oh, Republican. Just wanted to clarify that. I think I heard her name before but I
didn't know where she leaned.

WILLIE DESMOND: Okay. Well, starting with District 15, I'll zoom into that.

District 15.

As you can see it's Cave Creek, Carefree, Anthem and part of New River, along with part of Phoenix.

The red is the old map.

With her change it would be largely the same, I guess, except for this portion in the west corner of it.

Then it goes down a little bit further into central Phoenix.

District 20, central, north central Phoenix previously the change.

It's a little bit differently shaped, kind of switches some population with District 15.

District 21, old 21, was Sun City, El Mirage, Youngstown, and parts of Peoria, along with part of -- let's see if you can see here.

Glendale.

With the change, it's more of Glendale and less of Peoria basically. Does not include Sun City anymore.

District 22 is the west valley. Again, previously it was Peoria, the rest of New River, the northern part of Surprise, and then Sun City West.

The change it follows largely that same boundary,
although it has a little bit less here in Glendale and it includes Sun City.

District 23 did include Scottsdale, Fountain Hills, and then the unincorporated area northeast Maricopa County.

Her changed District 23 is similar, although it includes less of Scottsdale, divides a little bit more of south Scottsdale off, includes a little bit here in Phoenix, and it includes the Salt River and Fort McDowell reservation areas with District 23.

VICE-CHAIR HERRERA: Madam Chair, it would be helpful for me if -- I don't mean to cut you off, Mr. Desmond, but if you can let me know, was this former state Republican legislator able to create any competitive districts?

WILLIE DESMOND: I can get to that in a second.

Looking at it, District 15, District 20, District 21, District 22, District 23 are not changed dramatically.

District 24 is our voting rights district, and that is also not changed dramatically, although I think the legal team and Ken might speak to that in a second.

But it looks like District 28 did, in fact, become more Republican. Index two it went from -- more competitive. It went from 56 point -- 56 percent Republican
in index two to 52.8 percent Republican.

So it was a net gain towards a 50/50 by about
6.4 percent.

VICE-CHAIR HERRERA: If I understand correctly, it
became more competitive, not more Republican.

WILLIE DESMOND: It came more competitive. I
misspoke when I said more Republican. I was just reading
the line.

VICE-CHAIR HERRERA: Any other ones that she made
more competitive or less competitive?

WILLIE DESMOND: I mean, District 20, 21, 22 are
slightly more competitive.

District 23, 15 are slightly less competitive.
There's not, not large changes, but we can
go through all the numbers in a minute, if you'd like to
look.

VICE-CHAIR HERRERA: Madam Chair, I wouldn't -- I
mean, I don't know if anybody wants it, but I can definitely
review this myself.

So far some of the changes that you've mentioned
and the fact that she's able to create more competitive
districts, I do like these changes made by this Republican
legislator.

WILLIE DESMOND: Just to finish up the changes,
I'll do District 24 and then District 28.
Previously District 24, Phoenix, south Scottsdale, Salt River and Fort McDowell areas, made that into one of our voting rights districts.

With the change, 24 is solely in Phoenix.

And I can go to the streets in a minute if you like.

And then lastly, District 28 was the area above District 24, Paradise Valley. With the change, it's largely the same area and just shifts around a little bit. And also includes south Scottsdale now.

CHAIRPERSON MATHIS: So did Ken or legal counsel have anything to say about 24, the changes that resulted from this?

KENNETH STRASMA: Yes, Madam Chair. Let me begin, and legal counsel can jump in if they have anything to add or disagree with anything I say here.

Twenty-four is one of our voting rights districts, and it's a coalition district.

These changes, although they do slightly raise the Hispanic population and Hispanic citizen voting age population, they reduce the overall minority population, the overall voting age population, and most importantly the performance and ability to elect as measured by the mine commissioner race.

Based on those, when we met yesterday, our
consensus was not to recommend this change from a
preclearance point of view.

CHAIRPERSON MATHIS: Thank you.

Any other comments?

MARY O'GRADY: No. Ken, I think, represented what
we discussed yesterday.

COMMISSIONER STERTZ: Madam Chair.

CHAIRPERSON MATHIS: Mr. Stertz.

COMMISSIONER STERTZ: Didn't we hear Mr. Adelson
last week speak about 24 and that we need to start focusing
on 24 becoming a district that we need to focus on
enhancing?

KENNETH STRASMA: That is correct, commissioner.

And this moves it in the opposite direction.

COMMISSIONER STERTZ: Okay. And if I could
explore that for a second.

The -- was there a coalition of people that Susan
Gerard was representing? Was there a, was there a group
that she was representing in preparing these? And did this
come unsolicited?

I don't -- I'm not --

CHAIRPERSON MATHIS: I don't know the answer to
that, Mr. Stertz.

Ms. -- Commissioner McNulty probably does, but I
know there's some sort of transcript that has this
information in it, I think from the Scottsdale hearing, that
I'll need to review.

Mr. Bladine.

RAY BLADINE: Madam Chair, my recollection was
that, yes, the letter everything it came in to you and I
glanced at it did have other people other than Susan Gerard
listed as having proposed these mapping changes, but she's
the one that took the lead.

And it should be -- we can dig, we can dig the
transmittal out, but my recollection was it was more than
just her map.

COMMISSIONER STERTZ: Madam Chair, Mr. Bladine,
was this the -- was this at the last Scottsdale hearing?
RAY BLADINE: I believe it came in -- it may have
come in just after that.

COMMISSIONER STERTZ: I remember taking testimony
at that hearing, and she did make reference that it was
going to be -- and I think that she was representing former
Representative Pete Hershberger and I think one other person
was part of the coalition drafting this.

VICE-CHAIR HERRERA: Also, Madam Chair.

COMMISSIONER STERTZ: I'm trying to determine what
the -- who the group was that put forth the information and
how it got all the way to this place based on -- where we
are.
RAY BLADINE: Kristina was just saying she also believes that Ken Cheuvront was a member of the group that submitted that. And what you're saying is most likely correct, because I can tell you remember it better than I. I just really remember it was more than Susan Gerard who participated in that, if that helps you at all.

VICE-CHAIR HERRERA: Madam Chair.

CHAIRPERSON MATHIS: Mr. Herrera.

VICE-CHAIR HERRERA: Before we start with making assumptions, why don't we ask Ms. Gerard. I think it would be -- I mean, I think I did ask that question. Excuse me. If she submitted this as part of coalition or herself, and initially I was told that she submitted this by herself, on her own.

So, if that's incorrect, I'd love to hear from her. But if it's a bipartisan effort, it's even better.

RAY BLADINE: We'll dig out the documentation.

MARY O'GRADY: Madam Chair, and her testimony in Scottsdale is on the -- right now it starts on Page 127 of that transcript, if that helps folks review her testimony.

CHAIRPERSON MATHIS: From the Scottsdale hearing?

MARY O'GRADY: That's right.

CHAIRPERSON MATHIS: Okay. Any other questions or comments on this?
(No oral response.)

CHAIRPERSON MATHIS: Well, I would like to thank our mapping consultants for working through all these change reports and getting all that done over the weekend.

So, are there other things we'd like to ask them to do?

We've given them some direction on congressional. Anything on legislative? Things we'd like to see or...

VICE-CHAIR HERRERA: Madam Chair.

CHAIRPERSON MATHIS: Mr. Herrera.

VICE-CHAIR HERRERA: I, I hope that I'm able to meet with Mr. Desmond by tomorrow. I don't think they're able to meet tonight. Neither am I, but I can -- I'll do whatever I can to, to make room tomorrow to meet with Mr. Desmond, if he's willing to do that, and create as many competitive districts while respecting the four -- the other three state mandated criteria.

CHAIRPERSON MATHIS: Okay.

Any other comments?

Because we're not meeting tomorrow. We'll be meeting again on Wednesday.

We don't want them to not have anything to do.

MARY O'GRADY: Madam Chair, if you want additional comments from counsel and --

CHAIRPERSON MATHIS: Yeah, sure.
MARY O'GRADY: What we had discussed yesterday.

We have been looking at 24, 26, and also 4 to some extent, in terms of improvements.

And, mapping consultants, chime in.

One of the changes that we thought was worth looking at is moving Guadalupe into 26 to increase the minority percentage there.

It's already in a majority-minority district. But the thought was we could move that over.

We also had some input from some of the Maricopa County tribes that we've been looking at.

Gila River and, and they have letters submitted, and we can circulated those again if you want to refresh your recollection as to what was said. But they uniquely have proposed that they would like their reservation divided into different districts, and one of them they mentioned was 27.

So we thought that perhaps Gila River probably -- that we could move out Guadalupe from 27 and follow up on that particular Gila River request and move some of their population into 27.

So that was one of the things that we were looking at.

And we -- the other part of that request from the tribes was Fort McDowell was hoping to move into 23.
But because it's currently in 24, and we're still trying to increase 24, we weren't comfortable making that recommendation at this, at this point, just in terms of the voting rights analysis that we're doing, although it's not a lot of population, we're looking for things that would enhance the minority population in 24.

So we're just continuing to look at those districts, and those were some of the changes that we discussed.

COMMISSIONER STERTZ: Madam Chair.

CHAIRPERSON MATHIS: Mr. Stertz.

COMMISSIONER STERTZ: May I suggest that -- I was not taking notes while you were rattling those off. So if you could -- it would be easier if you could maybe even repeat them or fire them around to the commissioners in a quick e-mail so that we can keep up with these recommendations that you might be proposing so we can have a little bit higher level of response.

MARY O'GRADY: Sure. Happy to e-mail.

And just -- the only concrete changes were moving Guadalupe into 26 and maybe moving some of Gila River into 27.

CHAIRPERSON MATHIS: And are these changes that you're already exploring mapping-wise?

WILLIE DESMOND: No, if it's -- if there's no
objection, I will look at moving Guadalupe into District 26
tomorrow and have a change report prepared for the meeting
Wednesday.

If that's all right with everyone else.

MARY O'GRADY: Although that's something the
lawyers were looking at in terms of the numbers and just the
geographic proximity and some of the other factors, we do
have the input from Guadalupe that they wanted to be in 27,
so it goes against that input.

But it is also on the Tempe side of the freeway
and has some ties to the Tempe community, and there's also
testimony along those lines.

CHAIRPERSON MATHIS: Well, hearing no objection,
go ahead and explore those. That would be great.

Any other comments on the legislative districts?
(No oral response.)

CHAIRPERSON MATHIS: Okay. So do you have enough
information to go on in terms of what we've told you today?

WILLIE DESMOND: Just, just to clarify, I'll work
on the congressional changes that Commissioner Herrera
suggested.

I will explore the idea of moving Guadalupe into
District 26 and including parts of Gila River in
District 27.

And I will prepare Google maps and PDFs for the
Stertz, McNulty maps, as well as the one from Commissioner Herrera, and make sure those get posted to the, to the website.

Is there anything else that I'm forgetting for Wednesday's meeting?

COMMISSIONER STERTZ: Madam Chair.

CHAIRPERSON MATHIS: Mr. Stertz.

COMMISSIONER STERTZ: It's my understanding that our desire regarding legislative maps are to, to first do the evaluation and the enhancements of the ten majority-minority districts.

I know there was contemplation that was recommended by Commissioner McNulty on the 8, 11, which I think that is -- we can continue to explore.

We made pick-ups in certain other areas which made perfect sense, but are you -- is -- are we still on path to continue looking at the enhancement of the majority-minority districts first to make sure that those are on path first? Correct?

CHAIRPERSON MATHIS: Yes, that's the --

COMMISSIONER STERTZ: Okay. Very good.

VICE-CHAIR HERRERA: Let me just clarify that is doesn't stop --

CHAIRPERSON MATHIS: Mr. Herrera.

VICE-CHAIR HERRERA: Thank you, Madam Chair.
That it doesn't stop an individual commissioner by -- from making suggestions to other or surrounding districts.

I think that's, that's a wise thing to do, for us to keep moving forward, just remembering that the majority-minority districts are priority.

CHAIRPERSON MATHIS: Yes. Thank you.

Any other comments or clarifications?

(No oral response.)

CHAIRPERSON MATHIS: Okay. Thanks a lot, you guys.

If I can find the agenda.

The next item is number four, review and discussion of possible future agenda items.

I think Mr. Bladine is going to come up.

RAY BLADINE: Actually I think we have two pieces of paper that we sent you. Maybe we'll start with the most important first, and that's looking at the meeting schedule for next week.

And I believe we put a copy of what we agreed to last week in your packets.

And if you could just take a look and let us know, is there anything that has changed. If not, we will start finding locations in this vicinity tomorrow.

COMMISSIONER STERTZ: Madam Chair.
CHAIRPERSON MATHIS: Mr. Stertz.

COMMISSIONER STERTZ: Just as a reminder that I, that I will be unavailable this upcoming Friday, December 9th, for the entirety of the day.

That was an unavailable day today. I had to -- swap some things from today, from -- that I have not, not completely packed on Friday.

CHAIRPERSON MATHIS: Okay.

Any other comments from other commissioners regarding availability?

And it's unclear if Commissioner McNulty will be dialing in for any of the meetings this week.

We don't know that; right?

RAY BLADINE: Right. She told me this week she thought it was very unlikely.

CHAIRPERSON MATHIS: Okay.

RAY BLADINE: All right. Then we'll proceed to schedule the times and locations tomorrow.

The second item is going back and trying to bring out of our past history a list of future agenda items we had sometime ago, and I think we also put that in your packet.

I tried to -- that, and, again, are asking you to take a look and make sure that you agree with the way I reflected it.

We do the budget monthly. And this week, can you
try for tomorrow, but clearly before our meetings are done
this week. I've been reviewing the last budget figures with
Megan Darian. Kristina and I have looked at it. Anna
should be back, and want to look again, because we have had,
as you would all gather, a significant increase in legal
expenses. And I really need to make sure I know how that's
going to impact the budget.

So you will have a report, one of the executive
reports, if not on Wednesday, later in the week.

I think the second item on the list, we dealt
with. We did discuss it. I put it down as completed.

That's obviously you can tell me that I had that
wrong.

And we are working on the request of
correspondence for attorney general's inquiry.

I have a spreadsheet that Anna pulled together
Friday that I'm reviewing, and I also want to make sure that
we have the backup billing that is redacted so that the
detail will be there to support it.

But I'll also have that for you this week showing
what the total legal costs have been by the categories that
have been requested.

I think we completed the training on Maptitude.

I think that we completed the community meeting
with Hispanic Coalition for Good Government.
We had one meeting in Maryvale. Had another meeting in south Phoenix at the South Mountain Community College. So I think we met that requirement.

They were notified of it, and we did have people turn out.

We had our meeting with the tribal council in September on mapping.

I think that the discussion possible action definition criteria, I think you kind of decided you're going to do that as you go, and I put it down with a tabled question mark, so you can decide.

Webinar statistics, I think we gave those to you just afterwards. And there may be some update, but I think we completed that.

And then obviously discussion and adoption, didn't spell discussion right, of congressional and legislative maps is ongoing.

If you want to add some things here, I'm more than willing to take them. If you want to shoot me some e-mails and correct it, I'd be more than happy to receive them that way.

CHAIRPERSON MATHIS: Just a question, was this webinar participation statistics, was that the Maptitude webinar training?

RAY BLADINE: Yes, it was. Right.
VICE-CHAIR HERRERA: Madam Chair.

CHAIRPERSON MATHIS: Mr. Herrera.

VICE-CHAIR HERRERA: Yeah. Mr. Bladine, there was -- there has been -- it's been a while since we've gotten an update on how many people we've reached out through streaming, here attending in person, and filling out those blue correspondence sheets, those yellow sheets.

I would like to see if we get an update at the next meeting on how many people we're reaching. I think that's really important.

I think it's something that -- I guess it strengthens our case when we're presenting in front of the Department of Justice for preclearance.

RAY BLADINE: Chairman Mathis,
Commissioner Herrera, we have most of that data pulled together, and I will have it for the next meeting.

We've also taken a look at total number of hours you've spent in meetings, through rounds one and two, and up until the end of September, and how many of those hours have been spent in executive session.

And you're right. It will make you realize why you haven't had a life.

Because these are pure meeting times, not travel times you all had to put in to get to the meetings.

But, yes, we'll have that for you.
VICE-CHAIR HERRERA: I have one more suggestion.

I -- if we can get a comparison of the number of times that the previous Commission met in hours compared to what we're doing now, because I'd like to see how we're -- how we fair.

I understand we were delayed for a good 15, 17 days, but I still want to see where we -- how we compare. I think we're doing a pretty good job of meeting as often as we can.

And, so I'd like to see a comparison. If it's at all possible.

RAY BLADINE: If we can find that it's readily available, we certainly will do that.

I'm just not sure that it won't take us a lot of time to go up and look through some old reports.

VICE-CHAIR HERRERA: Sure.

RAY BLADINE: But we'll -- if we can quickly get something that will give you a sense of that, of course, we'll pull it together.

VICE-CHAIR HERRERA: Keeping in mind that we started later and we were also delayed quite a bit.

RAY BLADINE: Right.

VICE-CHAIR HERRERA: Thank you.

COMMISSIONER STERTZ: Madam Chair.

CHAIRPERSON MATHIS: Mr. Stertz.
COMMISSIONER STERTZ: A couple things to add to the future agenda items. We've got months worth of meeting minutes that have not been submitted and/or approved, and that we need to be able to -- we've -- I know that, I know that transcripts have been posted, but the Commission has not seen the minutes for that have been taken other than -- or whether or not we're going to be accepting transcripts in lieu of, we just need to take that as a, as a process.

There needs to be an agendized item to be able to clean that up.

And also there was a -- this was an issue that was agendized, and we met on, and we debated, and then it just went away, which was the opening up of the commissioners' records to -- not unlike what we had asked for Strategic Telemetry to do, which was to keep an ongoing log of their, of their work.

I'm not sure whether or not the Commission wants to bring that back up as an agenda item, but it came, it was a pretty high level discussion, and then it just sort of, it just sort of went away.

So if it's gone away, that's, that's fine.

If it's -- if it wants to come back up, I'll leave it to the chair's discretion.

CHAIRPERSON MATHIS: Okay.

Anything else on that one?
Other agenda items that you've thought of? That you would like to add?

(No oral response.)

CHAIRPERSON MATHIS: With regard to what Mr. Stertz just brought up, on this commissioners, individual commissioners, keeping a log of their contacts the way that we've asked Strategic Telemetry to do that, this was brought up. I believe -- and it's been so long since we've talked about it. That there was a legal counsel or legal consideration to doing such a thing, and I just can't remember where we left off.

I apologize, counsel, because I know you guys looked into it. And I just can't remember where we were.

VICE-CHAIR FREEMAN: I can share my memory.

CHAIRPERSON MATHIS: Oh, good. Please do.

VICE-CHAIR FREEMAN: As I recall, there was lots of drum beating at hearing after hearing to get this item agendized. And when we finally got it agendized, you could hear the crickets chirping.

And then I spoke up and asked whether there might be some legal issue.

But I don't know whether counsel ever had the time to look into it or not.

JOSEPH KANEFIELD: Madam Chair, members of the Commission, I, I do believe we looked into it. I'd have to
go back and look at our notes, but as I recall there was
some concerns about legislative privilege with respect to
logging and whether the commissioners being required to log
their contacts with outsiders could impact that privilege in
some way. So it was something that we would want to go back
and look at in more detail, if the Commission was inclined
to go in that direction.

VICE-CHAIR HERRERA: Madam Chair, since this is
not part of the agenda, I would feel comfortable that we
agendize this and we can have an update from our legal
staff.

CHAIRPERSON MATHIS: Do you all agree that we can
put this on the agenda for a future discussion item?

Okay.

So, yes, add that to future agenda items.

Any other future agenda items?

(No oral response.)

CHAIRPERSON MATHIS: Okay. I think the next item
on the agenda is Mr. Bladine's executive director's report.

RAY BLADINE: I think I partially gave that report
during the other.

And, like I indicated, we will provide you a lot
of information this week to catch up.

Kristina will also prepare -- oh, she has
prepared. She'll share with you a work plan that she has to
kind of show the things that we see that we'll need to do to be ready for our filing with the Justice Department and to clean up things in the second round.

And the other former outreach staff, who is now the internal processing staff, is getting documents together to make sure that our Catalyst system is up to date.

I know we're probably about a month behind.

We also were trying to catch up, and I think we're finally getting on top of all of your travel, which I apologize it's taken so long.

And, if there's any other things you want me to report on this week, I'll be more than happy to do that, but I think we'll be able to talk about attorney costs, public information in terms of what's happened, hours spent in e-session, work plan, and I think those are the major ones that I have to get back to you on.

CHAIRPERSON MATHIS: Any other comments or questions for Mr. Bladine?

(No oral response.)

CHAIRPERSON MATHIS: Okay. Thank you very much.

RAY BLADINE: Thank you very much. See you Wednesday.

CHAIRPERSON MATHIS: Thank you, Kristina.

Our next item on the agenda is number six, legal advice, direction to counsel, discussion of possible action
and update regarding litigation on open meeting law.

   Any update from legal counsel on that?

   MARY O'GRADY: No.

   CHAIRPERSON MATHIS: Okay. And we're at the end of the agenda, because we did public comment. I did, I think, promise earlier though that if somebody had something they wanted to address the Commission on that they didn't speak on earlier they could.

   Any new request to speaks?

   COMMISSIONER STERTZ: Madam Chair.

   CHAIRPERSON MATHIS: Request to speak.

   COMMISSIONER STERTZ: If there are -- if there aren't others, I have just one comment before the end of the meeting, and that is that I wanted to wish my mother a happy birthday.

   It is her 85th birthday today. And she made it this far, and we're hoping that she makes it to my, to my grandson's birth, which will be in February.

   So, mom, hang in there. She's watching on my daughter's phone right now.

   Happy birthday, mom.

   (Applause.)

   CHAIRPERSON MATHIS: What's her name?

   COMMISSIONER STERTZ: Jeanette.

   CHAIRPERSON MATHIS: Happy birthday, Jeanette,
from the Arizona Independent Redistricting Commission, and
the public who's here.

   So with that, I think that takes us to
adjournment. The time is 6:28 p.m. And thank you all for
coming. This meeting is adjourned.

   (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 208 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 11th day of December, 2011.

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