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STATE OF ARIZONA  
ARIZONA INDEPENDENT REDISTRICTING COMMISSION

P U B L I C

REPORTER'S TRANSCRIPT OF PROCEEDINGS

PUBLIC SESSION

Tempe, Arizona  
February 8, 2004  
8:45 a.m.

CERTIFIED  
TRANSCRIPT  
(COPY)  
  
PREPARED FOR:  
  
ARIZONA INDEPENDENT  
REDISTRICTING COMMISSION

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

7

8 APPEARANCES:

9

CHAIRMAN STEVEN W. LYNN

10

COMMISSIONER JAMES R. HUNTWORK

11

COMMISSIONER JOSHUA M. HALL

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COMMISSIONER DANIEL R. ELDER

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ADDITIONAL APPEARANCES:

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



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Public Session  
Tempe, Arizona  
February 8, 2004  
8:45 o'clock a.m.

P R O C E E D I N G S

CHAIRMAN LYNN: The Commission will come to order.

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

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

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

I have a few speaker slips this morning. If there are others, please get them to a member of the staff as quickly as possible.



1                   First, Matt Ryan, who is Chairman of the  
2 Coconino County Board of Supervisors.

3                   Mr. Ryan.

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

18                   As other issues that overlap as we've gone  
19 through this planning, where they could be water based,  
20 some of the discussions associated with that, it's  
21 planning of forest issues, natural resource issues, with,  
22 whether it be Game and Fish or Forest Service associated,  
23 but there has been a continued unification of this  
24 population base, which is approximately 60 percent of the  
25 county's population, and again it falls well within what



1 we believe to be a community of like interest and, for  
2 the sake of the county, this particular segment of the  
3 county fits that type of definition and is consistent  
4 with the board's position and where the board's positions  
5 have been associated.

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

10 CHAIRMAN LYNN: Thank you, Mr. Ryan.

11 Mr. Huntwork.

12 COMMISSIONER HUNTWORK: Good morning.

13 MR. RYAN: Good morning.

14 COMMISSIONER HUNTWORK: I have a couple  
15 questions for you about some of the testimony we heard  
16 years ago now that identify Flagstaff with other areas as  
17 well, and in light of our current definition, and so on.  
18 I think it would be helpful to have a discussion of  
19 whether these thoughts are accurate and still apply.  
20 They include the community of interest between Flagstaff  
21 and the reservations in Northern Arizona, not just Navajo  
22 and Hopi, but some of those to the west as well. They  
23 include Flagstaff with Winslow and Williams, and they  
24 include -- there's one that is called kind of the Grand  
25 Canyon tourist corridor, so that picks up Verde Valley,



1 Sedona, Flagstaff, Williams, and, there -- yeah, there  
2 are others that just link -- one other links Flagstaff  
3 with Verde Valley and Sedona specifically. Do you feel  
4 there are communities there or are they simply an order  
5 magnitude different than the one you just talked about?  
6 How would you characterize these other linkages we've  
7 talked about?

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

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

22 We also acknowledge that because of past  
23 districtings, we acknowledge that there is a potential  
24 for our county to be split. As far as the population  
25 base to the north, there has often been a consistent



1 discussion of keeping that uniform. At the federal  
2 level, there becomes a distinction seen in past lawsuits  
3 where our Native American populations had a preference,  
4 saw it, and were successful in separation of their  
5 populations.

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

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

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

21                   MR. RYAN: Much more so. An example, even  
22 when we get to a valley unincorporated planning effort,  
23 we notice distinctions within our county and use our area  
24 plans to emphasize those particular areas. In the valley  
25 we have a community that is dead set on a very commercial



1 pursuit, haven't achieved it yet, but that is their area  
2 plan and their desire. And we frame our area plans  
3 specific to those type of communities as with Oak Creek  
4 Canyon in Sedona, much more of seeking overlays and more  
5 region specific.

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

14                   COMMISSIONER HUNTWORK: Thank you.

15                   CHAIRMAN LYNN: Thank you, Mr. Ryan.

16                   MR. RYAN: Thank you, Mr. Chairman,  
17 Commissioners.

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

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



1 Flagstaff.

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

17                   I recognize the difficult task you have  
18 before you in considering the remaining Proposition 106  
19 criteria in addition to those you started with,  
20 competitiveness and the Voting Rights Act. Therefore I  
21 urge you, once again, the importance of maintaining  
22 Flagstaff and its environs, including the entirety of the  
23 Flagstaff Metropolitan Planning Organization known as  
24 "FMPO," to keep it whole and in one Legislative District.  
25 I believe from your discussions and the adopted



1 definition, the FMPO clearly constitutes a community of  
2 interest. The commonalties among all within the FMPO  
3 include education, including K-12, community college and  
4 the University; economic development; public safety;  
5 forest health and field management; environmental policy  
6 services; transportation; water resource development;  
7 land use and zoning; parks, recreation and open space.

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

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

25 CHAIRMAN LYNN: Thank you, Mr. Mayor.



1                   Comments or questions for the Mayor?

2                   Thank you, Mayor Donaldson.

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

5                   Good morning, Mr. Flannery.

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

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

24                   So to that end I agree with him, it is  
25 very -- it's an important community of interest. So I



1 would like to keep that as one whole unit. So I agree  
2 with him on that measure.

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

12 CHAIRMAN LYNN: Thank you, Mr. Flannery.  
13 Comments or questions for Mr. Flannery?  
14 Thank you, sir.

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

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

22 COMMISSIONER HUNTWORK: So moved.

23 CHAIRMAN LYNN: Is there a second?

24 COMMISSIONER ELDER: Second.

25 CHAIRMAN LYNN: Thank you.



1 All in favor of the motion, signify "Aye."

2 COMMISSIONER HUNTWORK: "Aye."

3 COMMISSIONER ELDER: "Aye."

4 COMMISSIONER HALL: "Aye."

5 CHAIRMAN LYNN: Chair votes "Aye."

6 (Motion passes.)

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

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

13 CHAIRMAN LYNN: Back on the record.

14 Four Commissioners are present.

15 Mr. Huntwork.

16 COMMISSIONER HUNTWORK: Mr. Chairman,  
17 before we move on to the next task, one housekeeping  
18 matter on definitions. I looked over the sheet handed  
19 out last night. I think that the definitions all seem  
20 correct to me except the phrase "to the extent  
21 practicable." I believe if you will look back at the  
22 record, there, this came from one of the overheads that  
23 included this quote, but there was another quote in the  
24 same overhead that talked about the enormity of the task,  
25 and we wanted to include both. We voted to include both



1 of the quotations; because the other one reflected the  
2 complexity, the practicable it has in it, just the sheer  
3 enormity and difficulty of the task, and the other  
4 definition had that as well as the balance of competing  
5 interest.

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

8 MS. HAUSER: Pages of the record are cited  
9 there and I will pull it up, but -- if someone --  
10 frequently, here is the problem going back through this:  
11 Someone would say, you know, "I make a motion." It would  
12 be more descriptive of what you wanted to have included;  
13 it wouldn't actually be to read a definition into the  
14 record, so then it got a little muddied. If there was  
15 some intent to include something not in the slide, it's  
16 not reflected in the words used when the motion was made;  
17 and, therefore, we may need to just for the record  
18 have -- clarify it and add it right --

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

23 Why don't you look at --

24 MR. JOHNSON: I'm pulling it up.

25 MS. HAUSER: I have the slide pulled up. I



1 think if there is --

2 COMMISSIONER HUNTWORK: First one talked  
3 about --

4 CHAIRMAN LYNN: Second one.

5 COMMISSIONER HUNTWORK: Went off.

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

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

14 MS. HAUSER: Again, no specific wording.

15 Hang on.

16 Again, no specific wording.

17 COMMISSIONER HUNTWORK: There's the written  
18 transcripts.

19 MS. HAUSER: I have it right here.

20 I have it right here.

21 I have it right here.

22 There's a discussion that bounces around.

23 What I'm saying is there was no specific  
24 motion that gave the exact wording that you wanted to  
25 have included. And some of this was, again, more of a



1 discussion to the extent "practicable" reflects a  
2 recognition flexibility will be required, recognize  
3 competing interests, recognize considerations or goals,  
4 recognizing competing considerations or goals.

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

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

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

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

22 There was no specific wording.

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

25 CHAIRMAN LYNN: Let's do this: What I



1 would ask what we do, we move ahead with the  
2 presentation. Sometime today before we apply any of the  
3 definitions, between Ms. Hauser and your recollection, we  
4 get some wording down. We'll revisit that to adopt it  
5 before we move ahead.

6 COMMISSIONER HUNTWORK: Right.

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

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



1 Is that fair?

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

4 MR. JOHNSON: Let me steal a microphone.

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

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

17 CHAIRMAN LYNN: Mr. Elder.

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

21 CHAIRMAN LYNN: Is there a second?

22 COMMISSIONER HALL: Second.

23 CHAIRMAN LYNN: Discussion?

24 Mr. Huntwork.

25 COMMISSIONER HUNTWORK: Mr. Chairman,



1 rural/urban, distinction between rural and urban  
2 certainly has been recognized all along. However, in  
3 practice and in drawing our maps, we did not maintain,  
4 you know, the very rural parts of Pima and Maricopa  
5 County as part of the same community of interest.

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

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

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

13 CHAIRMAN LYNN: Mr. Hall, is that  
14 acceptable?

15 COMMISSIONER HALL: Yep.

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

20 COMMISSIONER HUNTWORK: Fine.

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

24 Ms. Hauser.

25 MS. HAUSER: Mr. Chairman, if the



1 Commissioners would note that the slide is headed,  
2 entitled "Rural/urban," but the text on the slide is  
3 that -- indicates that rural areas have a common  
4 interest. You've made -- in the past you've made a  
5 rural-versus-urban distinction. So perhaps what your  
6 motion needs to reflect is the rural community of  
7 interest, not rural and urban, or giving rural and urban  
8 combined are a community of interest.

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

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

19 COMMISSIONER ELDER: That is correct.

20 CHAIRMAN LYNN: Discussion on the motion?

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

23 COMMISSIONER HUNTWORK: "Aye."

24 COMMISSIONER ELDER: "Aye."

25 COMMISSIONER HALL: "Aye."



1                   CHAIRMAN LYNN: Chair votes "Aye."

2                   That motion passes four-zero.

3                   Boundary shown.

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

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

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

22                   COMMISSIONER ELDER: That excludes the  
23 population areas or pop -- either Census incorporated  
24 towns, urbanized areas that do not exceed 30,000 in total  
25 population. I.e. if you want to, Safford, it may very



1 well, in the core of Safford, have a density of a  
2 thousand people per square mile, but because the  
3 metropolitan area of Safford does not meet the 30,000, it  
4 would not be classified as an urban area; therefore, it's  
5 in the rural designation as a community of interest.

6 CHAIRMAN LYNN: Is there a second to the  
7 motion?

8 COMMISSIONER HUNTWORK: Second.

9 CHAIRMAN LYNN: Discussion?

10 Mr. Huntwork.

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

22 So I think I would argue in favor of  
23 keeping the rural definition -- the urban definition,  
24 confined to basically the Phoenix and Tucson metropolitan  
25 areas.



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

13                   There are two questions.

14                   CHAIRMAN LYNN: Mr. Elder.

15                   COMMISSIONER ELDER: Mr. Johnson, question:  
16 If we said the metropolitan area of Phoenix and Tucson,  
17 is there a definition that is used in your industry that  
18 would define a boundary to the metropolitan areas?

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



1 Patrice is here, she should know. Tony would probably  
2 know.

3 COMMISSIONER HUNTWORK: Population factor,  
4 probably?

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

13 CHAIRMAN LYNN: I think our definition,  
14 Dan, you are exactly right. All the testimony I recall  
15 and all of the discussion in the state around political  
16 representation has to do with sort of the urbanized area  
17 of Maricopa County, Phoenix, and other incorporated areas  
18 and its environs, and in many cases it's totally that;  
19 that is to say, Phoenix against everybody else by virtue  
20 of population. But for our purposes, certainly we can  
21 include the urbanized area of Metro Phoenix or eastern  
22 Maricopa County or however we define it. I think those  
23 incorporated areas that touch each other in that area  
24 probably do it. The same thing's true of Tucson. Both  
25 western portions of those counties are much less



1 populated and certainly qualify as nonurban areas. I  
2 don't know how the wording gets at that, but I think  
3 that's what we're trying to achieve.

4 Maybe Mr. Johnson --

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

10 MR. JOHNSON: Commissioner, this simply  
11 would help, a rough map of that density factor. Some of  
12 those lines are in the Phoenix area. So, essentially,  
13 little variance. Here's Scottsdale, down in East Valley,  
14 Apache Johnson here, portions of Gilbert, and then  
15 Surprise. So this is the cities around Phoenix. And the  
16 ones that are in blue are the ones that meet that  
17 2,000-people-per-square-mile-density measure. So it  
18 gives you an application of that.

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



1 COMMISSIONER HUNTWORK: Mr. Chairman.

2 CHAIRMAN LYNN: Mr. Huntwork.

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

15 CHAIRMAN LYNN: Mr. Elder.

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

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

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

22 COMMISSIONER ELDER: If we went to the  
23 thousand, how does it change that map and orders as you  
24 described it? If that's legally or tested as being an  
25 urbanized environment, I suggest we use those with the



1 modification of my amendment showing the 30,000 max be  
2 eliminated and say only in the metropolitan areas of  
3 Phoenix and Tucson.

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

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

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

12 CHAIRMAN LYNN: Thank you, Mr. Huntwork.  
13 Take a look, Mr. Huntwork, while pulling up the map.

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

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

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

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

25 COMMISSIONER HALL: Is Queen Creek outside



1 of it?

2 COMMISSIONER ELDER: In all likelihood, no.  
3 It's contiguous with the metropolitan area.

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

6 COMMISSIONER HALL: Metropolitan is  
7 contiguous now.

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

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

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

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

17 COMMISSIONER ELDER: Concern for  
18 urban/rural, no.

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

21 COMMISSIONER HALL: Okay.

22 MR. JOHNSON: I guess the one thing in  
23 terms of trying to look at this map is specifying what  
24 you mean by "Metropolitan Phoenix" and what you mean by  
25 "Metropolitan Tucson." Do you have --



1                   COMMISSIONER HUNTWORK: The sense of it is  
2 you start anywhere inside the black. The math is going  
3 to work out the same.

4                   MR. JOHNSON: Right.

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

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

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

21                  MR. JOHNSON: Okay. Then you would end up  
22 with that area. So you would be going -- essentially,  
23 the Sun Cities, into -- out just around the 101 Loop, up  
24 into Carefree and then down in the East Valley areas  
25 around Tucson?



1                   COMMISSIONER ELDER: Not far down. There's  
2 a gap in between Tucson in your map.

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

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

14                   MR. JOHNSON: That's actually -- the red  
15 shading here is actually a map I download had from the  
16 Census Bureau. They do the map for us. We can do it,  
17 too, if we wanted to confirm. What they do is map all  
18 the block groups of 1,000 people per square mile and that  
19 goes in a red area, then all the  
20 500-people-per-square-mile adjacent block groups until  
21 that stops, as you described. So that's where this comes  
22 from. They don't care about it being contiguous or  
23 capturing an area. Either is or isn't. More red up in  
24 Wickenburg, pops up everywhere, where it gets dense.

25                   CHAIRMAN LYNN: Mr. Elder.



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

8                   CHAIRMAN LYNN: Mr. Hall --

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

14                   CHAIRMAN LYNN: Mr. Hall.

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

25                   MR. JOHNSON: Mr. Chairman, if I might,



1 just to -- it's where this comes up, be sure we're all on  
2 same page. By this definition, Buckeye, Avondale,  
3 Goodyear are not included in urban area. Neither is Gold  
4 Canyon.

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

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

23 CHAIRMAN LYNN: I just want to remind the  
24 Commissioners if you take a look at the definition of  
25 "community of interest," any definition we make in this



1 context should be made from the standpoint of benefiting  
2 from common representation. And the issue here, in my  
3 opinion, is that those people in what we all understand  
4 to be the rural areas would prefer not to be represented  
5 by someone who lives in an urban area where that district  
6 encompasses both. So that the idea would be, I mean as a  
7 conceptual matter, to take into account at some point, if  
8 this is adopted, that the people who live in urban areas,  
9 to the extent practicable, would be represented by people  
10 who live there, and people who live in rural areas would  
11 be represented by people who live there. I think to  
12 that -- to that point, I'm somewhere between trying to  
13 nail down the definition so that it fits and where  
14 Mr. Hall is, which is -- we all understand conceptually  
15 what urban and rural looks like.

16 Part of this discussion is going to look  
17 like, How many angels can dance on the head of a pin? to  
18 make sure every little niche and nook of Maricopa County,  
19 as irregular as it might be, is defined as either in or  
20 out. So I think, for the purposes of what we're going to  
21 do, I was fairly comfortable with where we were, which  
22 was that we would talk about the urban core of the  
23 Phoenix Metro area and Tucson Metro area radiating  
24 outward until we had dealt with all of those areas that  
25 had 1,000 population density per square mile and



1 contiguous areas of 500. I mean, that is where the  
2 motion is at the moment. I think for our purposes, that  
3 may work, without further definition.

4 COMMISSIONER ELDER: Can the maker call the  
5 question?

6 CHAIRMAN LYNN: Sure.

7 COMMISSIONER ELDER: Call the question.

8 CHAIRMAN LYNN: Any further discussion?

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

14 COMMISSIONER HALL: That's my  
15 understanding.

16 COMMISSIONER HUNTWORK: Okay.

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

19 COMMISSIONER HUNTWORK: "Aye."

20 COMMISSIONER ELDER: "Aye."

21 Opposed say "No."

22 COMMISSIONER HALL: "No."

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

25 (Motion fails.)



1                   I just want to understand the concerns and  
2 try one more time for a definition.

3                   Mr. Hall.

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

20                   CHAIRMAN LYNN: Let me ask this question,  
21 because conceptually I agree with you. I suspect other  
22 Commissioners may agree with you in terms of the concept.  
23 My question, in order to do what we're doing here, comply  
24 with the order to be very clear with what we're doing,  
25 use a term like "metropolitan area," and not further



1 define it in some manner, either Mr. Elder's manner or  
2 anybody else's manner, is that good enough? I don't know  
3 the answer to that either.

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

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

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

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



1 know.

2 CHAIRMAN LYNN: Tony may know.

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

5 Go ahead, Ms. Hauser.

6 MS. HAUSER: I just wanted to suggest in  
7 terms of the record that was previously developed for the  
8 Commission in terms of common interests that would  
9 benefit legislatively, the bulk of the testimony that you  
10 received from rural communities, the urban people never  
11 came in, "Keep us away from these horrible rural people."  
12 Rural people did come in and say, "Keep us out of  
13 Maricopa and Pima counties."

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

24 CHAIRMAN LYNN: Then for purposes of this  
25 definition, what would suffice?



1 MS. HAUSER: Maricopa and Pima.

2 COMMISSIONER HUNTWORK: To me, that's not  
3 helpful. I suggest wide open of Maricopa and Pima County  
4 are urban -- it's ridiculous. We can do better than  
5 that. I would also like to say that obviously, just so  
6 we all understand where we are, we are obviously trying  
7 to define the rural area by exclusion of the urban areas.  
8 So by defining the urban area, we end up defining the  
9 rural area. That -- counsel, that we have understood  
10 that that is what we were doing.

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

14 MR. SISSONS: Chairman Lynn, Members of the  
15 Commission, the Census Bureau definition of "metropolitan  
16 area" is not going to be particularly useful here in  
17 terms of your definition of what you are trying to make,  
18 a distinction between "urban" and "rural." The Yuma  
19 metropolitan area, for instance, by Census definition, is  
20 all of Yuma County. The Pima metropolitan area is all of  
21 Pima County. The Phoenix Census metropolitan area, I  
22 believe, I have these records in the car, I can check on  
23 the break, but I believe that the Phoenix Metropolitan  
24 area in Census terms is all of Maricopa County and all of  
25 Pinal County.



1                   CHAIRMAN LYNN: Are these different from  
2 SMSA or is it the SMSA definition?

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

5                   CHAIRMAN LYNN: Statistical area?

6                   MR. SISSONS: Now "metropolitan statistical  
7 area."

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

10                  MR. SISSONS: Very much so.

11                  CHAIRMAN LYNN: Thank you.

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

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

25                  CHAIRMAN LYNN: How about that one, if that



1 will work?

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

14 CHAIRMAN LYNN: Cities and Census places.

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

18 CHAIRMAN LYNN: Is there a second?

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

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

25 MS. HAUSER: Motion doesn't say that.







1 probably 18 to 20 miles between the last urbanized  
2 contiguous area and Oracle.

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

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

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

14 COMMISSIONER ELDER: No.

15 COMMISSIONER HALL: They don't.

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

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



1 enough defined.

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

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

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

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

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

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

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

24 COMMISSIONER HALL: I see. What is the  
25 last incorporated west, to the west of Phoenix?



1                   Buckeye. You get --

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

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

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

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

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

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

25                  CHAIRMAN LYNN: Okay. Further discussion



1 on the motion?

2 COMMISSIONER ELDER: Call the question.

3 (Mr. Hall exits.)

4 CHAIRMAN LYNN: The question is called for.

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

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

7 CHAIRMAN LYNN: All those in favor of the

8 motion, signify by saying "Aye."

9 COMMISSIONER HUNTWORK: "Aye."

10 COMMISSIONER ELDER: "Aye."

11 CHAIRMAN LYNN: Chair votes "Aye."

12 Motion carries three-zero.

13 (For the record, as is found later recorded

14 in the record, Mr. Hall subsequently reenters, apologizes

15 for his necessary need to excuse himself temporarily

16 prior to this vote being taken, and records his "no" vote

17 on the motion, without objection of the Chair or other

18 Commissioners, making the official vote, per order of the

19 Chair, on the previous motion, for the record,

20 three-one.)

21 CHAIRMAN LYNN: Next?

22 COMMISSIONER HUNTWORK: Mr. Chairman, I'd

23 love to know how Mr. Hall is going to vote on that

24 motion.

25 CHAIRMAN LYNN: I encourage you to ask him



1     sometime.

2                     MR. JOHNSON:  The next community in --  
3     sequentially in this presentation is the tribal  
4     reservations, and this slide isn't -- the intention for  
5     each tribal reservation, show -- on one slide to show  
6     time and space.

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

10                    CHAIRMAN LYNN:  Is there a second?

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

13                    Mr. Huntwork?

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

17                    COMMISSIONER ELDER:  Second.

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

21                    COMMISSIONER HUNTWORK:  Yes.

22                    CHAIRMAN LYNN:  Discussion on the motion?

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

25                    COMMISSIONER HUNTWORK:  "Aye."



1 COMMISSIONER ELDER: "Aye."

2 CHAIRMAN LYNN: "Aye."

3 Opposed say "No."

4 Motion carries four-zero.

5 Mr. Hall?

6 COMMISSIONER HALL: Mr. Chairman, for the  
7 record, on the last motion I apologize for stepping out.

8 I would have voted "No."

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

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

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

22 CHAIRMAN LYNN: Clarifying the question,  
23 agree interpretation, not only once you mention Pasqua  
24 Yaqui reservations, particularly Tucson area, Guadalupe,  
25 another Pasqua Yaqui area in Phoenix. In Tucson there



1 are three. I'm trying to remember whether all of them  
2 are designated reservation or whether there is a  
3 designated reservation, and two other areas that may  
4 share some commonalty not designated as a reservation.  
5 Do you know?

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

9 CHAIRMAN LYNN: Okay.

10 MR. JOHNSON: Unified.

11 CHAIRMAN LYNN: Thank you. Moving on.

12 The next slide is actually two AURs are  
13 depicted on the slide under the heading of "Hispanic."  
14 And one would be in the Maricopa area, Maricopa County  
15 area, the other is in Southern Arizona.

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

21 MR. JOHNSON: Yes. These maps shown July  
22 2001 are based on all the testimony up to that point.

23 CHAIRMAN LYNN: Ms. Hauser.

24 MS. HAUSER: And, Mr. Chairman, it is  
25 significant to also note that no representative of the



1 Coalition or any other member of the Hispanic community  
2 came in at any point and challenged this particular  
3 boundary configuration.

4 CHAIRMAN LYNN: So I would suggest take  
5 these separately.

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

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

10 CHAIRMAN LYNN: Is there a second?

11 COMMISSIONER ELDER: Second.

12 CHAIRMAN LYNN: Discussion?

13 COMMISSIONER HUNTWORK: Mr. Chairman.

14 CHAIRMAN LYNN: Mr. Huntwork.

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

23 MR. JOHNSON: Mr. Chairman, Commissioner,  
24 yes. Both at the South Mountain hearing there was a  
25 great deal of Census and other empirical data presented



1 by the Commission. You are correct. We did take all  
2 that in, review it, compare it to our data, confirm all  
3 that information.

4 COMMISSIONER HUNTWORK: Thank you.

5 CHAIRMAN LYNN: Further discussion?

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

8 COMMISSIONER ELDER: "Aye."

9 COMMISSIONER HALL: "Aye."

10 COMMISSIONER HUNTWORK: "Aye."

11 CHAIRMAN LYNN: Chair votes "Aye."

12 Motion carries four-zero.

13 With respect to the southern depiction,  
14 Mr. Elder.

15 COMMISSIONER ELDER: Mr. Chairman, I'd like  
16 to ask a question of NDC. We've got the testimony from  
17 South Mountain and -- but from the Tucson district I  
18 don't see any comments there. And I look at the areas  
19 and there is a -- an area around Yuma that is not  
20 contiguous with the area as we go further to the east.  
21 You know, so I was wondering how this line or limit was  
22 defined or by whom.

23 And then the second part of the question  
24 is: Are we going to consider -- since we took a look at  
25 the Tohono O'odham reservation, are they considered



1 Hispanic as part of the Hispanic AUR, or should they be  
2 separate from a Hispanic AUR?

3 CHAIRMAN LYNN: Or both.

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

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

15 CHAIRMAN LYNN: Mr. Huntwork.

16 COMMISSIONER HUNTWORK: Well, Mr. Chairman,  
17 I think the fact that the reservation area has its own --  
18 is its own community of interest, per the vote we took  
19 previously does not necessarily exclude it from being a  
20 part of another community of interest as well. I don't  
21 have any conceptual problem with that. But I don't  
22 recall the testimony that will justify combining; in  
23 particular, I don't recall any testimony from the  
24 reservation officials themselves. There may have been  
25 some, but now this is so long ago that it's difficult to



1 recall. Do you recall or does counselor or advisers  
2 recall any direct testimony from the reservation  
3 regarding their feelings about being included in this  
4 type of community?

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

16 CHAIRMAN LYNN: Mr. Elder.

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

24 They also -- I had an appointment or a  
25 meeting set out at Sells to meet with the tribal



1 Chairman, got out there and found that the four key  
2 tribal leaders had gone to Washington because they had  
3 border issues about coming across the international  
4 border and they have members of their community that live  
5 on both sides of the border. There was a strong border  
6 issue when also the language, many times, is Hispanic in  
7 those communities, Spanish, as opposed to English or  
8 Tohono O'odham.

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

17                   CHAIRMAN LYNN: I also have a concern.  
18 Unlike the Maricopa County designation on which there is  
19 very clear testimonial evidence about the boundaries,  
20 what seems to have been put together in the south,  
21 because it only extends as far as eastern boundary of  
22 Santa Cruz County, does not go into Cochise. Cochise has  
23 a significant number of Hispanics who live there, and I  
24 think would consider themselves, along with a number of  
25 other communities, as part of a border community, has



1 other representations, and we may get to that as a  
2 separate AUR, or community of interest, either one, but  
3 in this instance we have pockets interspersed with great  
4 areas of unpopulated area.

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

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

19                   MS. HAUSER: Mr. Chairman, just so you all  
20 know, one of the things we can access -- one of the  
21 things we can access during the meeting are the citizen  
22 input forms and written communications received from all  
23 of the Tribal Chairmen, and Mayors, and everything is  
24 pretty much in here. And in looking at the  
25 communications received from the Tohono O'odham Nation,



1 there were -- I'm not seeing -- and I'll continue looking  
2 here for the next few minutes, formal communications had  
3 to do with the tribe's relationship to Tucson more than  
4 to the Hispanic AUR, per se. So although for Voting  
5 Rights Act purposes, counsel did in terms of the  
6 submission note the linkages and common voting patterns  
7 between the Tohono community and the Hispanic community,  
8 but that is perhaps a different issue. And that may be  
9 what you are thinking about.

10 CHAIRMAN LYNN: Exactly. Mr. Huntwork.

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

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

24 COMMISSIONER HUNTWORK: Percentages rather  
25 than density, I think I should say.



1                   MR. JOHNSON: We do have demographic data.  
2 A large part of what was done in the Maricopa area was a  
3 lot of past votes, bilingual initiatives, and other kind  
4 of initiative and issue-driven voting, the databases for  
5 which we don't have. One thought, though, there was a  
6 mention of, really, the southern AUR is really grouping  
7 off a number of pockets of communities, and there are  
8 many of those in the additional slides here. There is a  
9 discussion of Casa Grande and a discussion of the border  
10 towns. So --

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

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

22                   CHAIRMAN LYNN: Mr. Elder.

23                   COMMISSIONER ELDER: Mr. Chairman, there  
24 are issues or things that come up here when I was looking  
25 to see how would I group them into a community of



1 interest and things I don't know I heard at any of the  
2 meetings or when I met with Mayor Lopez or I met with the  
3 board of supervisors or the committee on redistricting  
4 down in Santa Cruz County. We have the missions of  
5 Father Kino, the trails, a whole series of things go up  
6 and down Santa Cruz County, Santaveer in the north to  
7 Tubac, Presidio, and down into New Mexico, a strong  
8 Hispanic influence, architecture, and the residence of  
9 the area, that makes a good definition or area of  
10 interest and meets our definition from ethnicity and  
11 economic culture, so there are a lot of things that lend  
12 itself that. And -- I guess I look at, you know, when we  
13 take Tohono O'odham, and there's national monuments,  
14 Organ Pipe plus Goldwater Range. We have 200 miles  
15 before we get to Yuma.

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

21                   CHAIRMAN LYNN: The next slide, then, is  
22 South Phoenix, which is really South Phoenix, Guadalupe,  
23 Avondale, Tolleson combined. And I wonder, Mr. Johnson,  
24 for my edification, if you could, is there a way, is  
25 there some way to take the outlying of the Maricopa



1 Hispanic AUR and combine it with this one? It seems to  
2 me there is a significant amount of overlap between the  
3 two. And I understand we have testimony specifically on  
4 this grouping.

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

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

14 MR. JOHNSON: Okay. Just one second.  
15 The one, one difference I wanted to note on  
16 this, this map includes Guadalupe and the previous one  
17 did not. May want to -- could almost add Guadalupe into  
18 the previous one, if you wanted to do that. Or consider  
19 that issue.

20 MR. HUNTWORK: Well, this goes --  
21 Mr. Chairman, the differences include this goes  
22 considerably further -- that this does not have -- the  
23 Hispanic AUR goes further north, all along the north  
24 side. You can just -- tighten down. These corners go  
25 here. So this line comes straight across here. And



1 then -- and this -- this one goes down -- picks up South  
2 Avondale as well, and then some --

3 COMMISSIONER ELDER: And here --

4 COMMISSIONER HUNTWORK: Areas here.  
5 Litchfield Park is right.

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

18 CHAIRMAN LYNN: Answer the question.

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

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

23 Mr. Elder.

24 COMMISSIONER ELDER: Mr. Chairman, do we  
25 know who or what group that presented this map to us and



1 was there testimony that supported this in Jim's comments  
2 about socioeconomic and/or the common interest from trade  
3 or culture? I mean, if it's a culture issue, we have the  
4 Hispanic area defined. If there's other issues besides  
5 culture that overlay this, I have no problem with  
6 overlaying communities of interest.

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

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

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

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

22 COMMISSIONER HUNTWORK: Mr. Chairman, I'm  
23 not going to make a motion to accept it as a community of  
24 interest because it seems to me that it adds little to  
25 the Hispanic community of interest that we just



1 recognized. The differences are it added a very rapid  
2 growth area of Avondale. I don't want to take that into  
3 consideration, the growth factor itself, I just -- I  
4 can't see it adds a significant connection that we don't  
5 already have unless there is evidence, you know, stronger  
6 evidence than that. We shouldn't adopt it yet.

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

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

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

18 MR. JOHNSON: Mr. Chairman, the only thing  
19 the came up after, I certainly recall clearly after the  
20 AURs were considered, is originally we had some testimony  
21 that Guadalupe and Tempe had school district issues  
22 related and that was actually part of the reason it was  
23 included in the AUR. And after the AUR was adopted, we  
24 actually did get a number of comments from Guadalupe  
25 asking to be placed in with the Hispanic community and



1 the AUR are not in with --

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

4 Apache Junction.

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

10 CHAIRMAN LYNN: Make a motion,  
11 Mr. Huntwork.

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

16 CHAIRMAN LYNN: Is there a second?

17 MR. RIVERA: Mr. Chairman.

18 CHAIRMAN LYNN: Mr. Rivera.

19 MR. RIVERA: The other two sections not  
20 included in the Maricopa AUR are the cities of El Mirage  
21 and Surprise, Old Town Surprise, which consisted at one  
22 time of almost exclusively Hispanic, Spanish-speaking  
23 individuals, predominantly going to the same schools,  
24 predominantly Hispanic economics. By all definitions of  
25 an AUR, they do qualify, the City of Surprise, El Mirage.



1 The government is Hispanic, people are Hispanic. That's  
2 excluded out of the Maricopa AUR.

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

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

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

17 CHAIRMAN LYNN: I do.

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

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

22 CHAIRMAN LYNN: Ahead?

23 MR. JOHNSON: Two ahead.

24 CHAIRMAN LYNN: Overlapping community.

25 COMMISSIONER HUNTWORK: Let us add now?



1                   CHAIRMAN LYNN:  Second.

2                   COMMISSIONER ELDER:  Second for the

3  Chairman.

4                   CHAIRMAN LYNN:  Thank you.  Appreciate it.

5                   If not for yourself, do it for someone

6  else.

7                   Discussion on the motion?

8                   All those in favor of the motion signify by

9  saying "Aye."

10                  COMMISSIONER HUNTWORK:  "Aye."

11                  COMMISSIONER ELDER:  "Aye."

12                  COMMISSIONER HALL:  "Aye."

13                  CHAIRMAN LYNN:  Chair votes "Aye."

14                  Motion carries four-zero.

15                  Now Apache Junction.

16                  MS. HAUSER:  Mr. Chairman.

17                  CHAIRMAN LYNN:  Ms. Hauser, let me just

18  indicate for the record that, as I said, we have large

19  compilations of information with respect to testimony and

20  information already received on these various communities

21  of interest.  We're not going to read them all into the

22  record here today, but suffice it to say that if counsel

23  has information that would -- that would, I guess, tend

24  to lead to the conclusion that there was a lack of

25  evidence with respect to a particular community of



1 interest, we will raise that before you. We're not going  
2 to do the opposite and tell you every place that it does  
3 exist.

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

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

17 CHAIRMAN LYNN: Fair enough.

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

22 CHAIRMAN LYNN: Fair enough. Thank you.

23 COMMISSIONER HUNTWORK: Fair enough.

24 CHAIRMAN LYNN: For the third and hopefully  
25 last time: Apache Junction.



1                   COMMISSIONER ELDER: Mr. Chairman, the  
2 identity that was described by Mr. Smith identifies a  
3 rural aspect, and I believe we've already covered, you  
4 know, rural/urban aspects in relation to this area and I  
5 believe we should just take no action on this specific  
6 item.

7                   CHAIRMAN LYNN: Mr. Huntwork.

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

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

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

25                   COMMISSIONER HUNTWORK: Right.



1                   CHAIRMAN LYNN: Your comment,  
2 notwithstanding your immediate comment, I assume you wish  
3 to apply it to this slide?

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

21                   CHAIRMAN LYNN: Is there a second?

22                   COMMISSIONER HALL: I second that.

23                   CHAIRMAN LYNN: Thank you, Mr. Hall.

24                   Discussion?

25                   Mr. Elder.



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

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

16                   MR. JOHNSON:  Yes.

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

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

24                   MR. JOHNSON:  Yes.  Saddlebrooke, while  
25 it's a specific Census tract that we've looked at through



1 this process, is not actually a Census place and it's not  
2 defined by the Census Bureau, so it did not get included  
3 in that Tucson definition because it's not a Census  
4 place. So it would be included in the county as  
5 described.

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

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

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

18 COMMISSIONER HUNTWORK: Yes.

19 CHAIRMAN LYNN: Thank you.

20 COMMISSIONER HUNTWORK: I mean, I did --

21 CHAIRMAN LYNN: Discussion on the motion?

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

25 COMMISSIONER HALL: In other words, you



1 feel like Apache Junction, Gold Canyon would not be part  
2 of this community of interest?

3 COMMISSIONER HUNTWORK: That is correct.

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

6 COMMISSIONER HUNTWORK: "Aye."

7 COMMISSIONER HALL: "Aye."

8 COMMISSIONER ELDER: "Aye."

9 CHAIRMAN LYNN: Chair votes "Aye."

10 Motion carries four-zero.

11 Next is Cochise County.

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

18 Hearing none.

19 Colorado River.

20 Mr. Elder.

21 COMMISSIONER ELDER: Mr. Chairman, the  
22 question of an NDC, the boundary or the limit of what was  
23 classified or stated as the river AUR, how was that  
24 defined? Because there is some discussion of the  
25 populated areas along the river. Was it a density



1 incorporated area, Census place, what gave us this line?

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

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

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

21 COMMISSIONER ELDER: Mr. Chairman, I move  
22 we accept this as an area or community of interest  
23 primarily because of the river-focused issues, the issues  
24 of sanitation, EPA, the federal government, the Colorado  
25 River, all relate to issues that focus on the river.



1 When we get to -- even though there's socioeconomic ties  
2 between Kingman and the river communities, I would like  
3 to keep this as an individual community of interest  
4 because it is distinct and does have specific issues that  
5 don't pertain to other areas adjacent to it.

6 CHAIRMAN LYNN: Is there a second?

7 COMMISSIONER HUNTWORK: Second.

8 CHAIRMAN LYNN: Thank you.

9 Discussion?

10 Mr. Huntwork?

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



1 arbitrary line would be quite safe as defining the outer  
2 limit of this community.

3 CHAIRMAN LYNN: Mr. Hall.

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

15 CHAIRMAN LYNN: Mr. Elder.

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

23 As far as river issues North-South, others  
24 were economic, how once they saw who they were going to  
25 be possibly sorted with after the first map came out,



1 then, you know, started saying who would we rather be  
2 with, started getting testimony there based on those  
3 issues as opposed to the river issues contiguous from  
4 north to south.

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

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

24 They are all dealing with river issues in  
25 one way or other, but dealing with them -- as if to say



1 the State has a number of areas that deal with water  
2 issues. They are all water issues. That doesn't make  
3 them a community of interest, because there are differing  
4 views as to how the water -- which is the commonalty,  
5 should be dealt with or should be used or should be  
6 divided, and so on. And so I'm having some trouble with  
7 it in that respect.

8 Mr. Elder.

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

23 CHAIRMAN LYNN: Mr. Huntwork.

24 COMMISSIONER HUNTWORK: My recollection is  
25 that we found that it was not practicable to include the



1 entire Colorado River AUR in a single district, and we  
2 found a logical way to separate it into two districts,  
3 but that we were thinking of it, at that time, or until  
4 that time, as -- well, as an AUR. It was, in fact, an  
5 AUR up until that time, and we had not divided it. If we  
6 do not adopt a single one, I think we would have to adopt  
7 two, because there was very strong testimony to the  
8 effect that there is an interest in the -- all -- well,  
9 even some of the interests run all the way along. And I  
10 think, as a practical matter, I think it meets -- I think  
11 it meets the definition.

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

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

20                   CHAIRMAN LYNN: Mr. Elder.

21                   COMMISSIONER ELDER: Mr. Chairman, to  
22 partially answer that question for Mr. Huntwork, we're  
23 going to have overlapping and conflicting -- as  
24 Ms. Eschinger said, conflicting truths as we go through  
25 the process. To have several AURs that overlap and



1 separate will give us a position that we will make a  
2 judgment on, we will define, and we will split as  
3 practicable what we need to. And I think the other AURs  
4 within the area or communities within the area will  
5 divide out the river communities.

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

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



1 respecting it completely when we start drawing.

2 But Mr. Hall.

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

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

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

23 COMMISSIONER HALL: Irrelevant.

24 CHAIRMAN LYNN: -- but irrelevant.

25 COMMISSIONER HUNTWORK: Is it something we



1 are allowed to consider? I want to comply fully with the  
2 judge's order.

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

7 COMMISSIONER HUNTWORK: Okay.

8 CHAIRMAN LYNN: Mr. Elder.

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

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

24 CHAIRMAN LYNN: To me, what we're trying to  
25 do here and be clear, clearly under protest, is comply



1 with an order that is voluminous, and, in some cases very  
2 specific, other cases very general, many cases  
3 contradictory, other cases difficult if not impossible to  
4 contend with. So we are struggling with it. And to  
5 struggle with it publicly is even more embarrassing  
6 overall than to struggle with it privately.

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

23                   COMMISSIONER HUNTWORK: I think we need to  
24 be very cautious with it. I know we can apply our  
25 judgment to the record before us, but our definition says



1 "based on the record." So let's stick with that.

2 CHAIRMAN LYNN: Ms. Hauser.

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

10 COMMISSIONER HUNTWORK: Yeah.

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

14 COMMISSIONER HUNTWORK: Very good.

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

18 CHAIRMAN LYNN: Split?

19 COMMISSIONER HUNTWORK: Right.

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

25 COMMISSIONER HUNTWORK: Agreed. I thought



1 that that question would have some bearing on whether I  
2 voted for this motion or not.

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

14 Mr. Hall.

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

19 CHAIRMAN LYNN: Mr. Huntwork's previous  
20 question or statement was that because of the other goal,  
21 that cities and counties have their own standing, if you  
22 will, in the process, with respect to respecting lines  
23 and that sort of thing, my take on his question is if we  
24 were to resolve this issue by defeating the motion on the  
25 floor, but constituting for it one that identifies two



1 river communities, where would we make the split? Is  
2 that a fair representation of the question?

3 COMMISSIONER HUNTWORK: Yes.

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

8 COMMISSIONER ELDER: Call the question on  
9 the motion.

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

12 COMMISSIONER ELDER: "Aye."

13 COMMISSIONER HUNTWORK: "Aye."

14 CHAIRMAN LYNN: Opposed say "No."

15 COMMISSIONER HALL: "No."

16 CHAIRMAN LYNN: "No."

17 (Motion fails.)

18 CHAIRMAN LYNN: The motion -- I'm disposed  
19 on this one to not create something that we're not going  
20 to be able to pay much attention to, and I would much  
21 rather create something we could respect with respect to  
22 this community of interest. Notwithstanding those things  
23 about the river area I think they do have in common, I  
24 certainly would be -- would be happy with a substitute  
25 motion or a different motion.



1                   Why don't we take a 15-minute break?

2                   COMMISSIONER HUNTWORK: 10.

3                   CHAIRMAN LYNN: 15 by law.

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

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

9                   CHAIRMAN LYNN: Go back on the record.

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

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

25                  Unless there are other motions on the



1 Colorado River, I'd like to move on.

2 Mr. Huntwork.

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



1 on, in my opinion.

2 CHAIRMAN LYNN: Thank you.

3 Eastern Arizona. Ms. Hauser.

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

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

23 CHAIRMAN LYNN: Certainly it's my  
24 understanding and intent that we are specifically and  
25 exclusively doing what we are doing in order to comply



1 with the order of the Court --

2 COMMISSIONER ELDER: I would agree.

3 CHAIRMAN LYNN: -- and that your statement,  
4 Ms. Hauser, is an accurate reflection of not only what we  
5 are currently involved in, but what we had previously  
6 done on the record.

7 Mr. Huntwork.

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

18 CHAIRMAN LYNN: Eastern Arizona. Is there  
19 a motion?

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

23 CHAIRMAN LYNN: I wouldn't use the term  
24 "district," but use the term "area" or --

25 COMMISSIONER HUNTWORK: Community of



1 interest. Or --

2 CHAIRMAN LYNN: Or AUR as community of  
3 interest.

4 COMMISSIONER HUNTWORK: That's what I  
5 meant.

6 COMMISSIONER HALL: I second that.

7 CHAIRMAN LYNN: Discussion?

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

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

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

21 CHAIRMAN LYNN: Discussion on the motion?  
22 Clearly the record is very, very full with respect to  
23 this area of the state. Several representatives from  
24 several parts of this general area that we're talking  
25 about have addressed the Commission on several occasions,



1 specifically indicating the similarities in trade,  
2 socioeconomic status, urban/rural issues and other things  
3 that comport with our definition.

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

10 CHAIRMAN LYNN: Thank you.

11 Ready for the question?

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

14 COMMISSIONER HUNTWORK: "Aye."

15 COMMISSIONER HALL: "Aye."

16 COMMISSIONER ELDER: "Aye."

17 CHAIRMAN LYNN: Opposed say "No."

18 Motion carries.

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

24 Mr. Johnson, because that shaded area  
25 really did not come through on our maps, I think most of



1 us recall what this is about, but if you would like to  
2 just --

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

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

16 Mr. Elder.

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

24 MR. JOHNSON: Mr. Chairman, Commissioner  
25 Elder, we have a number of comments in this area. In



1 putting this presentation together, we were attempting to  
2 give you quotes from the record about each one of the  
3 areas that we were presenting. It was just difficult to  
4 separate out with someone referring only to Green  
5 Valley/Tucson, someone referring to Tubac, Summit, Tubac  
6 to Tucson, that was difficulty in this area. So rather  
7 than us trying to interpret the difficulty, I just put  
8 them together and allowed you guys to face that in your  
9 discretion.

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

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

23 CHAIRMAN LYNN: Moving on. Hopi.

24 COMMISSIONER HUNTWORK: Mr. Chairman, this  
25 is done. We adopted each and every tribal area as a



1 separate community of interest in our first resolution,  
2 or second one.

3 CHAIRMAN LYNN: Mr. Johnson, is there any  
4 reason you can think of -- again, the Hopi Reservation,  
5 or tribal areas, have two distinct boundaries. But those  
6 have been -- those have been adopted under the Indian  
7 Reservation.

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

13 COMMISSIONER HUNTWORK: Thank you.

14 CHAIRMAN LYNN: Is there an affirmative  
15 motion on Hopi?

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

19 CHAIRMAN LYNN: Individual.

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

24 CHAIRMAN LYNN: Thank you.

25 Mr. Huntwork.



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

17                   What are the populations of each of these  
18 reservations?

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

23                   COMMISSIONER HUNTWORK: Mr. Chairman, I  
24 don't feel that those numbers, relative to the number of  
25 persons in the district, have a significant effect on,



1 you know, common representation. If there were a larger  
2 grouping that made sense, then, you know, it might meet  
3 the definition. But I don't think this does, so I will  
4 not pursue it.

5 CHAIRMAN LYNN: Moving on to Isaac School  
6 District. Mr. Hall.

7 COMMISSIONER HALL: Mr. Chairman,  
8 throughout this whole process, I'm not sure I have ever  
9 fully understood why we have picked one school district  
10 out of many and -- so I'm just asking for a refresher of  
11 why we're here.

12 CHAIRMAN LYNN: Mr. Elder.

13 COMMISSIONER ELDER: Mr. Chairman, my  
14 recollection on several of the school districts was that  
15 the school district probably is the strongest  
16 recognizable area to a lot of the people that live in a  
17 specific area; that they sometimes get child care, they  
18 sometimes get other services given through the schools,  
19 and the school districts that are not common to the  
20 county or city and things along those lines. I agree  
21 fully with you, we heard quite a little bit of testimony  
22 with Kyrene, heard a lot of testimony with regard to SD,  
23 Phoenix Union, several school districts throughout the  
24 state also mentioned, either out to identify school  
25 districts as each individual, like the tribal areas, as a



1 community of interest, that there may be an edge that  
2 would help us define a boundary or do none of them,  
3 because they are all the same. So, with that said, I  
4 don't know which way to go.

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

22 Mr. Huntwork, then Mr. Elder.

23 COMMISSIONER HUNTWORK: Well, Mr. Chairman,  
24 I know you would prefer to work with a motion and then a  
25 nonmotion is really nothing. But I think when we have



1 previously approved an AUR, we should comment on why  
2 we're not doing it now at least in some way. And I think  
3 our definition, as I see it, doesn't pick this up. This  
4 is -- this may be a factor that is suggestive that there  
5 might be underlying community of interest, but it is not  
6 the thing that defines it.

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

20                   CHAIRMAN LYNN: Mr. Rivera.

21                   MR. RIVERA: Just to set the record, the  
22 reason that you recognized, the last time, the Isaac  
23 School District was -- not as a school district, but you  
24 identified the people that were within that school  
25 district on common issues: Hispanic issues, immigrant



1 issues. You've been consistent from the very first time.  
2 The first time you identified it, did not identify the  
3 Isaac School District on educational issues of an AUR.  
4 The common interest contained within that school district  
5 made it different than adoption of all other school  
6 districts. And -- so if that answers your question, that  
7 was evidence presented to the Judge, and that was the  
8 evidence that was presented. I'm not saying you have to  
9 do it at this point in time, but that was the distinction  
10 that you used last time to adopt the name Isaac School  
11 District, but not necessarily because it was a school  
12 district.

13 CHAIRMAN LYNN: And I appreciate that  
14 distinction.

15 Mr. Elder and then Mr. Huntwork.

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

25 I can guarantee you just about every family



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

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

14                   CHAIRMAN LYNN: Mr. Huntwork.

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

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

24                   CHAIRMAN LYNN: There's a question,  
25 Ms. Hauser. Do you feel as though an Executive Session



1 would be beneficial?

2 MS. HAUSER: One moment.

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

5 COMMISSIONER HUNTWORK: Doug, just hold  
6 off.

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

9 COMMISSIONER HUNTWORK: So moved.

10 CHAIRMAN LYNN: Second?

11 COMMISSIONER ELDER: Second.

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

14 COMMISSIONER HUNTWORK: "Aye."

15 COMMISSIONER ELDER: "Aye."

16 COMMISSIONER HALL: "Aye."

17 CHAIRMAN LYNN: Opposed, "No"?

18 (Motion carries.)

19 CHAIRMAN LYNN: Ladies and gentlemen, five,  
20 10 minutes on Executive Session.

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



1 time Open Public Session resumed.)

2 CHAIRMAN LYNN: The Commission will come to  
3 order.

4 Back in regular session.

5 For the record, all four Commissioners are  
6 present.

7 Mr. Huntwork.

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

19 The -- like EACO, the outlines of this are  
20 significant because of what it means to the people inside  
21 the district. It is, it stands to be representative, if  
22 you will, for a host of issues that are very important to  
23 them and they have in common. They came forward and  
24 identified themselves, as the literature says, about  
25 communities of interest ultimately being communities that



1 identify themselves. These folks identified themselves  
2 loud and clear. And the question that we have in front  
3 of us now, however, is simply a completely different  
4 question than we had before. We are now applying our  
5 current definition, which exists solely for purposes of  
6 this process, to decide whether we're going to recognize  
7 this as a community of interest solely for purposes of  
8 this process. And what I believe is that the -- this  
9 little phrase we have at the end of the definition about  
10 "benefiting from common representation," we're putting an  
11 awful lot of meaning into that. Here's where it comes  
12 into play. I believe that this district is already  
13 within the Hispanic AUR. I'd like to just ask for sure  
14 whether that's the case or not. You confirm to me that  
15 this is already within that --

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

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

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

25 COMMISSIONER HUNTWORK: Thank you. That



1 was magical. I won't even ask you how you do that.

2 CHAIRMAN LYNN: He didn't do anything.

3 That's just the way it is.

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

10 CHAIRMAN LYNN: For purposes --

11 COMMISSIONER HUNTWORK: For purposes solely  
12 of this process.

13 CHAIRMAN LYNN: Thank you, Mr. Huntwork.

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

18 We previously stated counties have their  
19 own --

20 COMMISSIONER HUNTWORK: Record.

21 CHAIRMAN LYNN: -- recognition. And  
22 clearly this is, this is certainly a good example of the  
23 dilemma, emblematic of the dilemma the Commission faced  
24 all over the state, was testimony in this instance about  
25 each of the counties to the north and the south believing



1 that they had areas of interest with La Paz County and  
2 wished to be with them in terms of their representation.  
3 So -- and I don't know whether we can, but I'm not sure  
4 we should, go with either one.

5 Mr. Huntwork.

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

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

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

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



1 Mr. Elder.

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

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

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

25 CHAIRMAN LYNN: Is there affirmative motion



1 of any kind on Luke? Hearing none.

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

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

11 MR. JOHNSON: Yes.

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

17 Sedona. Similar comments would apply.

18 Sierra Vista.

19 MR. JOHNSON: Mr. Chairman, if I might,  
20 Sedona, there is the question if the city is a  
21 cross-county city. There is a question, there is county  
22 line, more community definition or city border, more  
23 community definition that arises. Prop 106, the reason I  
24 raise it, Prop 106 does not weigh one or the other more  
25 heavily.



1 COMMISSIONER HALL: Still a category.

2 MR. JOHNSON: Yes, each one --

3 CHAIRMAN LYNN: Each is category.

4 Mr. Elder.

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

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

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

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

25 CHAIRMAN LYNN: Queen Creek.



1 MR. JOHNSON: Queen Creek has a split.

2 CHAIRMAN LYNN: Not unique in that regard.

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

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

11 MR. RIVERA: Yes.

12 CHAIRMAN LYNN: Sierra Vista.

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

15 Sun Cities; united, divided.

16 Tempe.

17 Verde Valley.

18 COMMISSIONER HUNTWORK: Mr. Chairman.

19 CHAIRMAN LYNN: Mr. Huntwork.

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

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



1 COMMISSIONER HALL: Mr. Chairman.

2 CHAIRMAN LYNN: Mr. Hall.

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

11 CHAIRMAN LYNN: Thank you.

12 Next one is West Valley AUR.

13 MR. JOHNSON: Mr. Chairman, I'll explain  
14 two images and comments on next slide. One on the left  
15 is one that was part of the AUR discussion in July of  
16 2001, and then as we discussed earlier today, there was  
17 later discussions focused more on the cities and places  
18 of West Valley rather than extending down to Gila Bend,  
19 the reason for two images for your consideration.

20 CHAIRMAN LYNN: Thank you.

21 Yavapai County. I think that's been  
22 covered.

23 As has Yuma County.

24 So that completes the listing for the AURs,  
25 I believe.



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

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

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

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

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

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

24                  MS. LEONI: That is correct, Litchfield --

25                  COMMISSIONER HUNTWORK: Yeah.



1                   MS. LEONI: Litchfield, the south part of  
2 it is excluded.

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

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

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

12                  CHAIRMAN LYNN: Excluded areas.

13                  MR. JOHNSON: I know there was -- you may  
14 recall a discussion, the Avondale north freeway, Avondale  
15 south of the freeway in Avondale. In terms of -- and the  
16 south freeway being more Hispanic and having more ties to  
17 South Phoenix than north of the freeway. But -- while  
18 looking at that, I'm reluctant to substitute, or start  
19 using city boundaries, per se, to define an area defined  
20 by demographics, per se. So -- I don't doubt there are  
21 very significant neighborhoods within those areas we  
22 should consider adding, but I just -- you know, we're  
23 using two different tools there, in effect. I would want  
24 to analyze it carefully to make sure we were adding the  
25 appropriate portions.



1 MR. JOHNSON: Mr. Chairman, Commissioner  
2 Huntwork, the Avondale as a whole is 46 percent Hispanic  
3 population, that's total population, and Tolleson is 78  
4 percent Hispanic total population.

5 COMMISSIONER HUNTWORK: Tolleson --

6 MR. JOHNSON: Let me just confirm that.

7 COMMISSIONER HUNTWORK: It's already in.  
8 Area -- talking about the Litchfield area just to the  
9 north and that long portion of Avondale that goes south,  
10 which I think is very -- I can't remember if -- I think  
11 it's lightly -- relatively lightly populated.

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

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

22 CHAIRMAN LYNN: Mr. Hall?

23 COMMISSIONER HALL: Mr. Chairman, I'm  
24 wondering why it wouldn't be appropriate for us to adopt  
25 this as another community of interest and then we would



1 have an opportunity later in the process, I think, to  
2 evaluate it on a more detailed level on other issues.

3 COMMISSIONER HUNTWORK: I was thinking  
4 about that. We passed up, passed up the West Valley,  
5 passed up on a number. There are a number of communities  
6 in the West Valley, if we're going to start creating  
7 linkages between the cities there, but no reason I can  
8 think of why you would do these two solely. I think the  
9 motivation for linking them up is probably related to the  
10 Hispanic community of interest.

11 COMMISSIONER HALL: Right.

12 COMMISSIONER HUNTWORK: Ought to really  
13 analyze that factor and --

14 COMMISSIONER HALL: I guess, Mr. Huntwork,  
15 for that reason would be why I would recommend that we  
16 would adopt this, because of voting rights-related  
17 issues.

18 MR. JOHNSON: Mr. Chairman, Commissioner  
19 Huntwork, one thing, the neck of Avondale does go down,  
20 it's not included in the Hispanic Avondale AUR area, is  
21 25 people. So it is very sparsely populated, and they  
22 are all -- and none of those 25 are Hispanic. So --

23 COMMISSIONER HUNTWORK: I see.

24 MR. JOHNSON: The northern portion.

25 CHAIRMAN LYNN: May be able, in a



1 reasonable amount of time, to get a similar analysis on  
2 the north and settle it.

3 MS. LEONI: Just south of Litchfield Park,  
4 Doug. The AUR doesn't go up there.

5 The area excluded from the Hispanic AUR is  
6 the area, I don't know if this -- I'm not sure which  
7 river this is, or riverbed, the northwest corner of  
8 Avondale. And there are some pockets of Hispanic  
9 population. Let me get the numbers for it. Just one  
10 second.

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

19 COMMISSIONER HUNTWORK: Well, I think the  
20 percentage strongly suggests that there's no compelling  
21 reason to add them in. So I would -- I don't want to  
22 make any motion.

23 The next slide we have dealt with by  
24 including El Mirage and Old Town Surprise in the Hispanic  
25 AUR.



1                   Next, Mr. Johnson. Thank you.

2                   Border towns, including Douglas and  
3 Nogales.

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

6                   Next, Patagonia and Sonoita, with Cochise  
7 County.

8                   Next, Broadway-Broadmoor.

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

19                   CHAIRMAN LYNN: Is there a second? Hearing  
20 none.

21                   Flagstaff metropolitan area.

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

25                   CHAIRMAN LYNN: Is there a second?



1 COMMISSIONER ELDER: Second.

2 CHAIRMAN LYNN: Discussion on the motion?

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

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

15 CHAIRMAN LYNN: Ms. Hauser.

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

21 MR. JOHNSON: Yes.

22 CHAIRMAN LYNN: Mr. Hall?

23 COMMISSIONER HALL: Mr. Chairman, my  
24 concern is: Are we going to adopt, then, the Prescott  
25 Metropolitan Planning Area, the Camp Verde Metropolitan



1 Planning Area? Is this the only --

2 COMMISSIONER HUNTWORK: No --

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

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

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

10 COMMISSIONER HUNTWORK: Well, I think,  
11 Mr. Hall, one of the keys that has guided us, I believe,  
12 with respect to how we define these things is how the  
13 communities identify themselves, not some abstraction.  
14 But if we have -- I mean, take EACO for an example.  
15 There's no reason, just looking at it, why it would be a  
16 community of interest, but it is. There's no question  
17 that it is, because of the people there who have  
18 identified it as such and explained to us why it is. We  
19 have heard day after day, page after page of testimony  
20 that I find absolutely convincing, personally, from  
21 people in Flagstaff and Coconino County generally that  
22 this represents a true community of interest that is not  
23 represented by the municipal boundaries of the City of  
24 Flagstaff. So for us to have any basis under the  
25 constitutional provisions to respect it or protect it, if



1 we can, and this is not to say that we will be able to,  
2 but just to put it in play, on a factual basis, I feel  
3 the evidence is overwhelming that this a community of  
4 interest.

5 CHAIRMAN LYNN: Mr. Hall.

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

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

25 If we go into an area and find it necessary



1 to take the heart out of one of these major cities and  
2 not consider the surrounding areas, I would be inclined  
3 at that point, if there is an opportunity to find out, I  
4 would try to get information from the community about  
5 what is going on in the environs before making that  
6 decision.

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

16                   CHAIRMAN LYNN: Further discussion on the  
17 motion?

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

20                   COMMISSIONER HUNTWORK: "Aye."

21                   COMMISSIONER ELDER: "Aye."

22                   CHAIRMAN LYNN: Opposed say "No."

23                   COMMISSIONER HALL: "No."

24                   CHAIRMAN LYNN: Chair votes "aye."

25                   Motion carries three-to-one.



1                   The next is Flagstaff with the  
2 reservations.

3                   The next is Navajo, the Navajo Nation with  
4 the San Carlos and White Mountain Apache tribes.

5                   Next is Winslow with Flagstaff and  
6 Williams.

7                   Next is the Grand Canyon tourist corridor,  
8 which includes Sedona, Verde Valley, Flagstaff,  
9 associated with -- as a community of interest.

10                  Next is Verde Valley and Sedona.

11                  Next is Glendale.

12                  Next is Pascua Yaqui lands all together  
13 relates to City of Tucson and its environs.

14                  MR. JOHNSON: This is what I mentioned  
15 earlier, Pascua Yaqui or three reservations.

16                  CHAIRMAN LYNN: Thank you.

17                  Next is Surprise, Litchfield Park, and  
18 Glendale.

19                  Next is Phoenix Historic Districts.

20                  COMMISSIONER HUNTWORK: Mr. Chairman.

21                  CHAIRMAN LYNN: Mr. Huntwork.

22                  COMMISSIONER HUNTWORK: I need to -- I need  
23 some help reading this one. On my copy the boundary on  
24 the east doesn't come through. I can't read what that  
25 says. Is that Squaw Parkway?



1                   CHAIRMAN LYNN:  Yeah.

2                   COMMISSIONER HUNTWORK:  Need to change the  
3 name of that.

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

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

19                   CHAIRMAN LYNN:  Thank you, Mr. Huntwork.

20                   Quartzsite is not split.

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

24                   MR. JOHNSON:  Incorporated.

25                   CHAIRMAN LYNN:  Thank you.  City boundaries



1 apply.

2 Rita Ranch separate from South Tucson.  
3 Scottsdale with Cave Creek and Carefree.  
4 The Tohono O'odham boundary with Gila River  
5 and Ak-Chin.

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

8 CHAIRMAN LYNN: Mr. Huntwork.

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

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

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

24 CHAIRMAN LYNN: Could be a part of two  
25 communities?



1 COMMISSIONER HUNTWORK: Yes.

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

6 COMMISSIONER HUNTWORK: Consistency?

7 COMMISSIONER HALL: Pardon? Exactly,  
8 right.

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

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

14 MS. HAUSER: What is the specific question  
15 again?

16 CHAIRMAN LYNN: Population of those two  
17 areas.

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

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

24 CHAIRMAN LYNN: Homogeneous, similar  
25 communities.



1                   COMMISSIONER HALL:  -- homogeneous similar  
2 communities, I pose a question now or later regarding it.

3                   COMMISSIONER HUNTWORK:  Well, that is the  
4 question.

5                   CHAIRMAN LYNN:  Ms. Hauser.

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

15                   In some areas of the state, homogeneous  
16 districts were created to have like-minded people  
17 together in your previous plan as people requested.  
18 Sometimes they're combined together for purposes of the  
19 Voting Rights Act.  Other issues come into play with  
20 respect to these particular communities.  Again, it  
21 depends on both -- look at the definition, do you believe  
22 that -- do you have enough information to conclude that  
23 these three tribes constitute a community of interest  
24 themselves even though they are each individually a  
25 community of interest?



1                   COMMISSIONER HUNTWORK: Well, information  
2 here does not seem to suggest any overriding relationship  
3 between them. So, if we -- unless you advise us,  
4 Ms. Hauser, that there is other evidence in the record  
5 that would substantiate a relationship, then I have no  
6 motion to make on that at this time.

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

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

12                  CHAIRMAN LYNN: Second?

13                  COMMISSIONER ELDER: Second.

14                  CHAIRMAN LYNN: Discussion on the motion?

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

24                  CHAIRMAN LYNN: Further discussion?

25                  If not, all in favor say "Aye."



1 COMMISSIONER HUNTWORK: "Aye."  
2 COMMISSIONER ELDER: "Aye."  
3 COMMISSIONER HALL: "Aye."  
4 CHAIRMAN LYNN: Chair votes "Aye."  
5 Motion carries four-zero.  
6 Tucson Foothills.  
7 North Tucson retirement communities.  
8 COMMISSIONER HUNTWORK: Mr. Chairman.  
9 CHAIRMAN LYNN: Mr. Huntwork.  
10 COMMISSIONER HUNTWORK: I'm sorry.  
11 North Tucson retirement communities. West  
12 Phoenix homeowner associations.  
13 And I believe that's the list.  
14 Now, that is not to say that that is a  
15 completely inclusive list. There may be others that we  
16 wish to add at this time. Let me get a sense of -- all  
17 I'm doing is time management at the moment. Let me get a  
18 sense of how many others somebody might wish to discuss.  
19 Do you have a number you are going to propose? Two,  
20 seven, 10 -- two. Okay.  
21 Mr. Hall, do you have any additional  
22 proposals for inclusion?  
23 COMMISSIONER HALL: Mr. Chairman, probably  
24 not at this time. That doesn't preclude any possible  
25 proposals in the future.



1                   CHAIRMAN LYNN: Okay. So for the purpose  
2 of time management, don't need a time agenda near term.

3                   Mr. Elder?

4                   COMMISSIONER ELDER: No. Not at this time  
5 either.

6                   CHAIRMAN LYNN: Okay.

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

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

14                   (Lunch recess at 1:15.)

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

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

21                   And Mr. Huntwork, you indicated that you  
22 may have some others that we wish to consider. I think,  
23 if I understand correctly, Mr. Johnson, you have one  
24 inadvertently left out of the packet. Shall we do that  
25 first?



1 MR. JOHNSON: Sure, maybe one of  
2 Mr. Huntwork's. Tri-Cities.

3 CHAIRMAN LYNN: May be. Go ahead.

4 COMMISSIONER HUNTWORK: I was.

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

8 CHAIRMAN LYNN: Mr. Huntwork.

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

12 CHAIRMAN LYNN: Is there a second?

13 COMMISSIONER ELDER: Second.

14 CHAIRMAN LYNN: Discussion on the motion?

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

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

21 COMMISSIONER HALL: AUR was Yavapai.

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

24 COMMISSIONER HUNTWORK: Well, test -- this  
25 is a good example of something we were talking about



1 earlier. Testimony was, there is a planning area  
2 associated with this. Of course, I know that, and it's  
3 common sense, we don't know the confines of the joint  
4 planning area. I would like to make the planning area be  
5 the community of interest rather than just the boundaries  
6 of the three cities, which obviously you can just look at  
7 it and see that there is more to the story.

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

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

19 MS. LEONI: Here it is.

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

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

24 MS. LEONI: Yes.

25 CHAIRMAN LYNN: And I -- I think what we



1 might want to do is ask -- I mean, without objection, I  
2 ask Mr. Flannery to answer the question for us. Then we  
3 have the information and make a decision as best we can.

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

15 MR. FLANNERY: I can do that. And,  
16 Mr. Chairman, Commissioners, I apologize I still haven't  
17 got my credit card back from the people yet, so  
18 Mr. Hartdegan is doing that.

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

21 MR. FLANNERY: That could be, yes.

22 In reference to Commissioner Hall's  
23 statement this morning about a planning process for each  
24 entity, under Federal Law T21, which is the  
25 Transportation Enhancement Act of 1990, when a community



1 hits a threshold of 50,000 along with a density, the  
2 federal government mandates that that community begin a  
3 process for planning. And so when each community does  
4 that, they have to go through, under the guidelines of  
5 the Arizona Department of Transportation in Arizona, to  
6 form a metropolitan planning organization, and once that  
7 is established, then the Governor goes ahead and signs a  
8 document authorizing them to be that planning -- that  
9 regional area planning organization. So it's not just  
10 the community that goes through this process, it is  
11 mandated.

12                   So in answer to your question, there is an  
13 urban area and, in our particular case, that urban area  
14 is from Prescott -- extends from Prescott to Prescott  
15 Valley. Then there's a planning area, and that planning  
16 area goes from the west side of Prescott out to  
17 Dewey-Humboldt -- well, out to Humboldt, actually, then  
18 it follows the forest area, which you don't have there,  
19 but -- I can bring you a more detailed map for you, but  
20 it follows the forest boundary on the west side -- or,  
21 the east side of the Mingus up to -- up to the north of  
22 the Paulden area, and then back down to Prescott would be  
23 the planning area. Something roughly along that, yes.

24                   So just to -- in a sense, that's the  
25 metropolitan planning area for the Central Yavapai



1 Planning Organization. Have I answered?

2 CHAIRMAN LYNN: I think so. Thank you.

3 MR. FLANNERY: Any further questions?

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

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

15 COMMISSIONER HUNTWORK: They are included  
16 within the same plan?

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

20 CHAIRMAN LYNN: I guess the question,  
21 Mr. Johnson, when you determine the Flagstaff planning  
22 area, if I understand your methodology, you worked from a  
23 map supplied by Flagstaff, or by someone from Coconino  
24 County, then adjusted it with respect to taking whole  
25 Census blocks or whole Census tracts, either in or out,



1 but you worked from map that was given to you that had  
2 defined boundaries on it?

3 MR. JOHNSON: Yes, that's correct.

4 CHAIRMAN LYNN: Okay.

5 COMMISSIONER HUNTWORK: Mr. Chairman, I --  
6 I would like to modify my motion now that I have this  
7 information. If I could be allowed to do that.

8 CHAIRMAN LYNN: Always with acceptance of  
9 the second.

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

13 MR. FLANNERY: Central Yavapai Planning  
14 Organization.

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

17 CHAIRMAN LYNN: Is that acceptable to  
18 Mr. Elder?

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

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



1 tomorrow,

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

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

7 CHAIRMAN LYNN: Okay.

8 MR. FLANNERY: I can get you a disk.

9 COMMISSIONER ELDER: I'd second your  
10 motion.

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

14 Discussion on the motion?

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

17 COMMISSIONER HUNTWORK: "Aye."

18 COMMISSIONER ELDER: "Aye."

19 COMMISSIONER HALL: "Aye."

20 CHAIRMAN LYNN: Chair votes "aye."

21 Motion carries four-zero.

22 Mr. Hall.

23 COMMISSIONER HALL: Chairman, I don't think  
24 we can pay attention to one side of the motion and not  
25 the other. In retrospect, it's appropriate to declare



1 also Verde Valley as related communities. Clearly they  
2 have ties both in trade and other areas, and make the  
3 Verde Valley, probably including Sedona, another  
4 community of interest.

5 CHAIRMAN LYNN: Is that a motion?

6 COMMISSIONER HALL: Yes, sir.

7 CHAIRMAN LYNN: Is there a second?

8 COMMISSIONER ELDER: Second.

9 CHAIRMAN LYNN: Discussion on that motion?

10 COMMISSIONER HUNTWORK: Mr. Chairman.

11 CHAIRMAN LYNN: Mr. Huntwork.

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

20 And by the way, when we -- when we thought  
21 about it before we concluded, particularly with respect  
22 to the water issue, that this area had a lot in common  
23 with Prescott and environs even though they might be  
24 having to divide the water between themselves, they first  
25 had to get any water with the prospect of the whole



1 watershed becoming subject to an adjudication of users  
2 downstream, so --

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

7 CHAIRMAN LYNN: Further discussion on the  
8 motion?

9 All those favor motion signify by saying  
10 "Aye."

11 COMMISSIONER ELDER: "Aye."

12 COMMISSIONER HALL: "Aye."

13 CHAIRMAN LYNN: Chair votes "Aye."

14 Opposed say "No."

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

17 COMMISSIONER HUNTWORK: I did not show  
18 "no."

19 CHAIRMAN LYNN: Three, zero and one.

20 (Motion carries.)

21 CHAIRMAN LYNN: Mr. Hall.

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



1 interest also, page 41.

2 CHAIRMAN LYNN: Is there a second?

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

5 CHAIRMAN LYNN: Moved and seconded.

6 Mr. Huntwork.

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

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

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

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

22 My opinion, based upon our definition of  
23 community of interest, it's very clear that there are a  
24 number of other factors with respect to those towns on  
25 the border to the east that have in common that they may



1 not have in common with towns, i.e. Yuma, et cetera, you  
2 know, trade, and socioeconomic political ties, geometry,  
3 et cetera.

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

9 CHAIRMAN LYNN: Further discussion on the  
10 motion?

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

22 COMMISSIONER HALL: I guess my concern is,  
23 Mr. Chairman, as you look at what the Commission has done  
24 this far, granted we're not done, we presently have zero  
25 communities of interest in all of southeast Arizona. So



1 I --

2 CHAIRMAN LYNN: Not to say there aren't  
3 some. We're doing this for purposes of this planning  
4 process. I think we need to remind -- I need to remind  
5 myself as we go through the process that what we have  
6 done is we have identified cities and counties in a  
7 distinct way as being essentially their own communities  
8 of interest without a special designation for purposes of  
9 applying another goal of the constitution. But --

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

19 CHAIRMAN LYNN: Thank you.

20 Mr. Elder.

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

25 CHAIRMAN LYNN: Does not me, but --



1                   If you're ready for the question: All  
2 those favor of the motion, signify by saying "Aye."

3                   COMMISSIONER HALL: "Aye."

4                   COMMISSIONER HUNTWORK: "Aye."

5                   COMMISSIONER ELDER: "No."

6                   CHAIRMAN LYNN: Chair votes "No."

7                   Two-two.

8                   (Motion fails.)

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

11                   MR. RIVERA: We just bought you lunch.

12                   CHAIRMAN LYNN: Asked and answered.

13                   Mr. Huntwork.

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

22                   The City has done, I think, a good job of  
23 identifying these areas through their village planning  
24 programs, and so in different areas of the city they  
25 have, you know, defined the area and they have set up



1 committees and commissions that provide input with  
2 respect to how the city has developed and how the  
3 programs are administered and applied within those areas.  
4 They are important divisions of the city, and I would  
5 like to instruct our staff, our consultants, to obtain  
6 those boundaries for us so that we can consider at a  
7 future time, hopefully as soon as possible, using them as  
8 a way of differentiating between communities of interest  
9 inside the normal boundary of the City of Phoenix.

10 CHAIRMAN LYNN: Is that a motion?

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

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

16 Mr. Huntwork.

17 COMMISSIONER ELDER: Time out.

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

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

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

25 MR. JOHNSON: I'm sure Dr. Adams knows it



1 very well through the City. Don't know if Mr. Sissons  
2 does through his recent experience with the City.

3 CHAIRMAN LYNN: Mr. Sissons?

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

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

24 COMMISSIONER ELDER: Then is it fair to say  
25 you took, or the planning department took areas based on



1 the central core items, but did not relate them to who  
2 used them from where, how they function within a  
3 community to define those edges, mathematically we need  
4 to get borders, need to get 161,000 in this village, had  
5 nothing to do with the culture, society, economic or  
6 socioeconomic use or any other factors?

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

9 MR. RIVERA: Mr. Rivera.

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

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



1 organized way.

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

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

8 Mr. Elder.

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

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

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

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

23 Mr. Huntwork, other motions you wish to  
24 make?

25 COMMISSIONER HUNTWORK: No.



1                   CHAIRMAN LYNN: Any other Members of the  
2 Commission that wish to address communities of interest  
3 by offering to add one?

4                   If not, without objection, Ms. Hauser.

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

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

13                   Mr. Elder.

14                   COMMISSIONER ELDER: Mr. Chairman, I  
15 brought this up in an earlier portion of our session,  
16 that there had been historical linkages between various  
17 Hispanic communities along the Santa Cruz River from the  
18 1700s on, through -- even probably earlier, with  
19 indigenous peoples using that as a corridor. The  
20 question may be, would be: Do we have to have continuity  
21 or contiguousness to a community of interest? What  
22 happens here in this valley, we get an area in the middle  
23 that has very little historical or cultural linkage or  
24 presence from the traditional use of this valley, i.e.,  
25 Green Valley cuts off this totally. We do have very



1 strong Hispanic, both taking a look at religion,  
2 ethnicity, going up and down the valley all the way to  
3 Nogales through some of the Tohono O'odham barrios and  
4 the culture of West Tucson. So with that in mind, if  
5 they could, you know, still be a community of interest  
6 and not be totally linked because of the Green Valley  
7 area, I move we make this a community of interest.

8 CHAIRMAN LYNN: Motion. Is there a second?

9 COMMISSIONER HUNTWORK: Second.

10 CHAIRMAN LYNN: Discussion on the motion?

11 COMMISSIONER HUNTWORK: Is it possible --  
12 the question asked if it was possible, we'd like to do  
13 this. So I -- what is the answer to that question, I  
14 guess?

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

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

20 CHAIRMAN LYNN: Mr. Rivera.

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

23 MS. HAUSER: Court-order free?

24 MR. RIVERA: Court-order-free world, I'd  
25 say you probably can. The problem is in the order itself



1 asks you to specifically list geographical boundaries for  
2 a community of interest. Doesn't say anything about  
3 contiguity. So -- but I don't see how you can -- it  
4 would be difficult to list geographical boundaries on  
5 this unless you list them separately. I guess you do --  
6 it would be hard without contiguity and what happens  
7 inside it. All the court order asks you to do is list  
8 geographical boundaries. If it lists two different  
9 geographical boundaries of interest, I don't think  
10 anything in the court order prohibits you from doing it.

11 COMMISSIONER HUNTWORK: Thank you.  
12 Districts to be contiguous, doesn't mean community of  
13 interest.

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

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

19 CHAIRMAN LYNN: I have a concern with this  
20 one. I need to express it on the record. It is not as  
21 if areas depicted on that map don't share something in  
22 common, but unlike the Maricopa County version, they  
23 aren't contiguous. They aren't so close together, even,  
24 that there is all of the ties that you would expect and  
25 probably do exist in the Maricopa County version. And



1 worse than that, I believe, I cannot remember any  
2 specific testimony that even comes close to the amount we  
3 had on Phoenix, on the Phoenix version, that would put  
4 the Hispanic community, for example, in Tucson, South  
5 Tucson, together with the Hispanic community in Santa  
6 Cruz County and Nogales. Yes, they are both Hispanic,  
7 but the issues are very different. The governance is  
8 very different. And I just don't know how I can draw  
9 them together. I think it's very difficult.

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

18 COMMISSIONER HUNTWORK: Mr. Chairman.

19 CHAIRMAN LYNN: Mr. Huntwork.

20 COMMISSIONER HUNTWORK: My thought is that  
21 the, in first place, it -- I recall that there was a  
22 fairly large Hispanic area in Tucson itself. And  
23 wherever this particular issue comes, I'd at least like  
24 to take a look at that and see if it might not be a  
25 community of interest in and of itself. But the issue



1 here, seems to me, to be whether or not there's enough  
2 linkage between that group and the more spread out, go  
3 south rather than the group itself. And the question  
4 would just be whether in fact there is any, you know,  
5 tradition or history or commerce or links that go along  
6 that corridor or is it, as you point it -- as you  
7 suggested, really just two separate groups that don't  
8 have that much in common with each other.

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

13                   Mr. Elder.

14                   COMMISSIONER ELDER: Mr. Chairman, I'd be  
15 willing to withdraw the motion concerning linkage from  
16 the border all way to Tucson in light of we did have  
17 testimony of various barrios in west Tucson, did have  
18 boundaries and limits of those areas, and there is fairly  
19 extensive discretion including one barrio west of  
20 Pacific, the Fruit Railroad area, with South Tucson with  
21 barrios west of the freeway. If that would give us  
22 definition, if Doug has limits of those barrios discussed  
23 in the public meetings, we may very well be able to use  
24 that as community of interest focused and centered  
25 ethnicity, culture, and go from that point.



1                   CHAIRMAN LYNN: Let me ask Mr. Huntwork if  
2 he's willing to withdraw his second.

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

7                   CHAIRMAN LYNN: Thank you.

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

13                   Is that fair, Mr. Elder?

14                   COMMISSIONER ELDER: Yes.

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

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

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

25                   MR. JOHNSON: No. We could have it for you



1 tomorrow. We may be able to have it over dinner break.

2 CHAIRMAN LYNN: Okay.

3 Assuming we have a dinner break.

4 All right.

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

10 CHAIRMAN LYNN: Is there a second?

11 COMMISSIONER ELDER: Second.

12 CHAIRMAN LYNN: Discussion on that motion?

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

15 COMMISSIONER ELDER: "Aye."

16 COMMISSIONER HUNTWORK: "Aye."

17 CHAIRMAN LYNN: Chair votes "aye."

18 Opposed say "No."

19 COMMISSIONER HALL: "No."

20 CHAIRMAN LYNN: Mr. Huntwork?

21 COMMISSIONER HUNTWORK: "Aye."

22 CHAIRMAN LYNN: Thank you.

23 Motion passes three-one.

24 (Motion carries.)

25 CHAIRMAN LYNN: So, Mr. Johnson, as quickly



1 as you can, if you get back to us with that information.

2 Mr. Hall.

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

7 Ms. Hauser, Mr. Rivera.

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

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

24 CHAIRMAN LYNN: Voting rights?

25 MS. HAUSER: Right.



1                   CHAIRMAN LYNN: Appreciate that. Thank  
2 you.

3                   Mr. Hall.

4                   COMMISSIONER HALL: Mr. Chairman, just for  
5 the record, I just want to express concern. Throughout  
6 this process I've always been an advocate of rural  
7 Arizona related issues. I'm grateful of fellow  
8 Commissioners that that seems to be a primary concern  
9 through the process, all of us rednecks are grateful. My  
10 concern is that as I'm now looking at a summary list of  
11 communities of interest of which we have adopted, we have  
12 we have the urban tribes, we have the Hispanic community  
13 of interest in Maricopa County, and those are the only  
14 two communities of interest we've identified in a  
15 population of approximately 3.1 million people. And in  
16 Tucson, according to what I can -- what I'm seeing here,  
17 we have zero, which is another nine hundred thousand to a  
18 million people. So my concern is we've adopted  
19 communities of interest which has essentially ignored  
20 four-fifths of the population of the state of Arizona.  
21 And I've always tried to yield deference to my fellow  
22 Commissioners regarding -- in light of the fact that all  
23 of you live in these communities. I'm just sensing if my  
24 fellow Commissioner Mrs. Minkoff were here, or -- that  
25 she would probably be a little more vocal -- I'm



1 expressing that concern. I'm not saying I have an  
2 affirmative suggestion, and that -- if my concern is  
3 invalid, I stand corrected.

4 CHAIRMAN LYNN: Mr. Huntwork.

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

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

23 COMMISSIONER HUNTWORK: Well, for what it's  
24 worth, one of the arguments that we made, I made in  
25 connection with the Hall-Minkoff plan, had to do with the



1 way in which Moon Valley operates versus North Phoenix,  
2 and it was my impression -- I don't even know if this is  
3 a hundred percent accurate or not, my impression that  
4 those are really separated by the village concept and on  
5 different categories. I was thinking along those lines  
6 at the time. I said, well, this is something as a --  
7 someone who lives in Phoenix, I know how these things --  
8 I tried to apply my own knowledge. Court said you can't  
9 do that, you have to have an objective record that you  
10 are working from. So my thought was, well, let's get  
11 these concepts in here and see how -- so it seemed like a  
12 way to do it.

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

22 We heard problems of that. Not a perfect  
23 way to do it, either. Even the concept is -- could have  
24 started with, is now reflective of what was going on 25  
25 years ago, not necessarily what is going on today. So



1 that's sobering information for me as well. But -- so  
2 all said and done, I share your concern and don't know  
3 what we're going to do about it.

4 CHAIRMAN LYNN: At least the concern is on  
5 the record. I want to ask counsel if they're still of a  
6 mind, we should perhaps have a brief Executive Session.  
7 I would entertain a motion for that purpose.

8 COMMISSIONER ELDER: So moved.

9 CHAIRMAN LYNN: Second?

10 COMMISSIONER HUNTWORK: Second.

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

13 COMMISSIONER ELDER: "Aye."

14 COMMISSIONER HUNTWORK: "Aye."

15 COMMISSIONER HALL: "Aye."

16 CHAIRMAN LYNN: Opposed say "no"?

17 (Motion carries.)

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

20 (Whereupon, the Commission recessed Open  
21 Public Session at 2:52 p.m. and convened  
22 in Executive Session pursuant to A.R.S.  
23 38-431.03(A)(3) A.R.S. 38-431.03(A)(4),  
24 until 4:22 p.m. at which time Open Public  
25 Session resumed.)



1                   CHAIRMAN LYNN: The Commission will come to  
2 order. For the record, all four Commissioners are still  
3 present with counsel, staff, and consultants.

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

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



1 towards the railroad, which runs right next to Aviation  
2 Parkway.

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

12                   CHAIRMAN LYNN: Mr. Elder.

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

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

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

25                   COMMISSIONER HALL: Dan, can you switch



1 sides, use your other hand?

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

11 Then the testimony went ahead and  
12 included --

13 Doug, lower it down a bit.

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

24 So I would like to see from approximately  
25 Speedway on the north, the Silverbell Road, and



1 A Mountain on the west, down to 22nd Street coming across  
2 to the river, down the river to the southwest corner of  
3 South Tucson, across the southern area of South Tucson,  
4 picking up the area to the east -- I'm sorry, to the  
5 east, and continuing on over to the railroad tracks and  
6 include that entire area part the historic and barrio  
7 area of Tucson.

8 CHAIRMAN LYNN: Is that a motion?

9 COMMISSIONER ELDER: Yes, that is a motion.

10 CHAIRMAN LYNN: Is there a second?

11 COMMISSIONER HUNTWORK: Second.

12 CHAIRMAN LYNN: Thanks, Mr. Huntwork.

13 Discussion on the motion?

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

16 MR. JOHNSON: Yeah.

17 CHAIRMAN LYNN: Okay.

18 Mr. Huntwork?

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



1 function as a community of interest.

2 CHAIRMAN LYNN: Mr. Elder.

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

9 CHAIRMAN LYNN: 18th.

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

11 6th Street here, Barrio Anita, Traditional  
12 School, and that is to the north. Hit the El Presidio  
13 District, hit downtown City Hall, the federal building,  
14 libraries, all in this general vicinity, and continues  
15 across to approximately 18th Street should run here.  
16 This area here would be considered the urbanized  
17 downtown, nonresidential area, should be excluded from  
18 the Historic Barrio Districts.

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

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

24 CHAIRMAN LYNN: Mr. Elder, you went fast  
25 through that. I want to be sure -- I want to make sure



1 in my mind the area you just excluded did not exclude  
2 Barrio Sovaco, Loco Lencho?

3 COMMISSIONER ELDER: No.

4 CHAIRMAN LYNN: Those are still in?

5 COMMISSIONER ELDER: Yes.

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

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

13 CHAIRMAN LYNN: Thank you.

14 MR. JOHNSON: Follow-up.

15 Talking about 14th Street?

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

20 CHAIRMAN LYNN: Goes by two names,  
21 Mr. Johnson. Maybe the map is inconsistent, 18th Street,  
22 or Cushing Streets, two sets of names in the Historic  
23 Barrio. Cushing Street is synonymous with 18th Street.

24 Mr. Huntwork.

25 COMMISSIONER HUNTWORK: Mr. Chairman, for



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

9 CHAIRMAN LYNN: Mr. Elder.

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



1 definitions we've been applying for communities of  
2 interest.

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

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

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

15                   Further discussion on the motion?

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

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

22                   MR. JOHNSON: The green area is excluded.

23                   CHAIRMAN LYNN: Further discussion on the  
24 motion?

25                   Mr. Huntwork.



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

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

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

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

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

16                   COMMISSIONER HUNTWORK: No.

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

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

21                   COMMISSIONER HUNTWORK: "Aye."

22                   COMMISSIONER HALL: "Aye."

23                   COMMISSIONER ELDER: "Aye."

24                   CHAIRMAN LYNN: Chair votes "Aye."

25                   Motion carries four-zero. This is added to



1 our list.

2 Mr. Huntwork.

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

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

14 CHAIRMAN LYNN: Is there a second on the  
15 motion?

16 COMMISSIONER ELDER: Second.

17 CHAIRMAN LYNN: Discussion on the motion?

18 Mr. Elder.

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

21 One of the things I started looking at in  
22 relation to this area and several others that we looked  
23 at during the course of the deliberation this afternoon  
24 is the definition of "community of interest," would it  
25 benefit from common representation. When I look at the



1 Broadway-Broadmoor area, you know, I end up looking at a  
2 part of Tucson that, though not Hispanic, probably has a  
3 continuity of architecture, has continuity, a homeowner  
4 association, has a continuity that is bounded and  
5 delineated fairly distinctly.

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

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

22                   CHAIRMAN LYNN: Further discussion?

23                   COMMISSIONER HUNTWORK: I recall when this  
24 was created, we did quite a bit of work looking at the  
25 boundaries and received a lot of testimony about what the



1 boundaries of these areas are. I'm assuming this hasn't  
2 changed from -- I guess, was it an AUR we approved for  
3 these areas?

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

14                   Mr. Elder.

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



1 common community of interest.

2 CHAIRMAN LYNN: Further discussion on the  
3 motion?

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

6 COMMISSIONER HUNTWORK: "Aye."

7 COMMISSIONER ELDER: "Aye."

8 COMMISSIONER HALL: "Aye."

9 CHAIRMAN LYNN: Chair votes "Aye."

10 Motion passes unanimously four-zero.

11 Mr. Elder.

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

18 One of the areas looked at was Tucson  
19 Foothills. We've got an area there where we've got a  
20 heavy and strong barrier to really cross-socialization by  
21 virtue of the Rio River. We have areas bounded by the  
22 national forest on the north. We have areas there that I  
23 can guarantee you people know exactly where their bedroom  
24 is in relation to where the school districts are because  
25 the way the school districts run in South or Southern



1 Arizona TUSD and the Catalina Foothills is -- where the  
2 child's bedroom is is what determines what school  
3 district they go to.

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

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

24                   Part of this area of the Foothills did not  
25 incorporate. Part of it tried to, and some of it was



1 successful, but has since been struck down in the courts.  
2 But the issues behind why they wanted to stay separate  
3 are still very distinct. They wanted nothing to do with  
4 the City of Tucson.

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

8                   CHAIRMAN LYNN: Is there a second?

9                   COMMISSIONER HUNTWORK: Second.

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

13                  I just -- you know, I should make just a  
14 brief point here. Part of the issue for me, I agree with  
15 the motion, we are -- we are struggling with this process  
16 mightily. We are being asked to do a number of things in  
17 an extraordinarily short period of time in order to  
18 comply with the Court's order. We have a very new and  
19 very complete definition of "communities of interest"  
20 which we're sort of trying on like a new pair of shoes  
21 for the first time and running through a series of areas  
22 of the state. And it may not appear so from the other  
23 side of the table, but on this side of the table, you  
24 know, it just takes some getting used to. You have to  
25 work with us a little bit to get the sense of what we're



1 talking about. And one of our charges is to be sure we  
2 apply this definition consistently. And, clearly, as we  
3 go through this discussion, it seems more and more that  
4 this definition allows for inclusiveness. It allows for  
5 groups to be included more -- included more than  
6 excluded.

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

10 Any further discussion?

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

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

23 COMMISSIONER ELDER: One question,  
24 Mr. Johnson: Did we go back and forth across the river?  
25 Because Census blocks -- because precincts went back



1     forth across the river, we took the predominant area as  
2     to whether attached to north and south, or was this along  
3     the city border, which we've been looking at as a  
4     separate item saying city boundaries, county boundaries,  
5     also have a place in our deliberation?

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

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

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

23                    CHAIRMAN LYNN: Mr. Elder.

24                    COMMISSIONER ELDER: Mr. Chairman, I'm a  
25    real strong proponent of edges. Jurisdictional



1 boundaries aren't an edge to me. I prefer river points  
2 right adjacent to where Mr. Johnson is referring to.  
3 Three, four, five miles without a bridge crossing,  
4 functionally, from the way children, families, the way  
5 social interaction works, the river is the barrier. It's  
6 not a condition of a city, county, you know, that  
7 relationship.

8 CHAIRMAN LYNN: Mr. Huntwork.

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

20 COMMISSIONER ELDER: Mr. Chairman, I don't  
21 have a strong feeling either way. Areas encroached on  
22 north of the river by the City of Tucson through  
23 individual parcel annexation are pretty much in the  
24 floodplain areas and areas where they wanted the City to  
25 manage the floodplain and allow them to develop as



1 opposed to what the County was allowing them to do.

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

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

16                   CHAIRMAN LYNN: Remains unincorporated.

17                   COMMISSIONER ELDER: -- remains  
18 unincorporated.

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

23                   COMMISSIONER ELDER: That would be  
24 acceptable.

25                   CHAIRMAN LYNN: Mr. Huntwork?



1 COMMISSIONER HUNTWORK: Yes.

2 CHAIRMAN LYNN: With that addendum.

3 Further discussion on the motion?

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

6 COMMISSIONER HUNTWORK: "Aye."

7 COMMISSIONER ELDER: "Aye."

8 COMMISSIONER HALL: "Aye."

9 CHAIRMAN LYNN: Chair votes "Aye."

10 Motion carries four-zero.

11 (Motion carries.)

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

22 CHAIRMAN LYNN: I think to be consistent,  
23 there are several communities in the Phoenix area which  
24 we would need to look at in similar fashion. Obviously  
25 the Sun Cities are geographically fairly close to each



1 other even though there's testimony both ways on whether  
2 they should be included one with the other. We also have  
3 Sun Lakes on the other side of the community, which is a  
4 retirement community. That doesn't hold it together. My  
5 suggestion might be that we look at the northern  
6 retirement communities as one and then do whatever you  
7 think is appropriate with the Green Valley.

8                   COMMISSIONER ELDER: Mr. Chairman, I agree.  
9 As we look back, Mr. Huntwork pointed out to me the  
10 definition a group of people defined in a geographic  
11 area, one on the north side of Tucson, the south side of  
12 Tucson, combining one common unit, that would not fit the  
13 definition we have identified.

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

18                   CHAIRMAN LYNN: Is there a second?

19                   COMMISSIONER HUNTWORK: Second.

20                   CHAIRMAN LYNN: Discussion on the motion?  
21 Mr. Elder.

22                   COMMISSIONER ELDER: Mr. Chairman, this  
23 falls into something -- this falls into somewhat of the  
24 same classification as Green Valley. It falls in the  
25 same classification as we had for other neighborhoods



1 that are unique in themselves. They have in many cases  
2 age-restricted areas. They have glue, homogeneity. They  
3 have, you know, the short history of being successful  
4 unto their own. They have community activities. They  
5 have, you know, clubs, R.V. clubs, all things that relate  
6 back to their specific areas. And they do not relate  
7 well to other parts of the unincorporated area to which  
8 they are situated.

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

21                   CHAIRMAN LYNN: Further discussion?

22                   Mr. Huntwork?

23                   COMMISSIONER HUNTWORK: I want to be sure I  
24 understand what areas are included in the motion. We've  
25 got, on this printout, shaded areas with three or four



1 different labels in them, and I believe it is your  
2 intention to include -- is it your intention to include  
3 all of those shaded areas?

4 COMMISSIONER ELDER: Mr. Chairman, the  
5 intention was to include all the shaded areas, although  
6 what we have is a connection there in between  
7 Saddlebrooke, which is to the north Rancho Vistos,  
8 primarily, to south and west, Town of Catalina.

9 The Town of Catalina is a different  
10 socioeconomic structure, still primarily retirement,  
11 somewhat even blue-collar retirement. Some of it is  
12 mobile homes, also a very strong affinity for that area,  
13 that, and for the type of activity and for the traditions  
14 of the area.

15 CHAIRMAN LYNN: Mr. Johnson, is Catalina  
16 incorporated?

17 MR. JOHNSON: A Census place.

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

20 MR. JOHNSON: Ah --

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

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

25 COMMISSIONER HALL: How does the



1 recommendation, previous recommendation, become a  
2 community of interest, urban versus rural?

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

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

8 MR. JOHNSON: The definition takes in  
9 incorporated cities and Census-designated places.  
10 Saddlebrooke is neither, just used as a border for  
11 Saddlebrooke, the whole process and what community is  
12 referred to as a Census tract.

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

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

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

24 Mr. Elder.

25 COMMISSIONER ELDER: Mr. Chairman, I don't



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

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

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

24 CHAIRMAN LYNN: Mr. Elder.

25 COMMISSIONER ELDER: Mr. Chairman, I



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

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

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

17 CHAIRMAN LYNN: Thank you.

18 Mr. Huntwork.

19 COMMISSIONER HUNTWORK: I want to assure  
20 Commissioner Hall if you can provide a different  
21 objective definition of "urban" versus "rural" that can  
22 be mapped and allows us to take places like this into  
23 consideration, I would certainly consider it. It  
24 wasn't -- the reason we did that, again, we're very, very  
25 pressed for time. Your argument was: I know it when we



1 see it. We've just been told we can't do that. If you  
2 can provide an objective definition, I think I certainly  
3 would be happy to consider it.

4 CHAIRMAN LYNN: Further discussion on the  
5 motion?

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

8 COMMISSIONER HUNTWORK: "Aye."

9 COMMISSIONER ELDER: "Aye."

10 COMMISSIONER HALL: "Aye."

11 CHAIRMAN LYNN: Chair votes "Aye."

12 Carries four-zero.

13 (Motion carries.)

14 CHAIRMAN LYNN: Mr. Elder.

15 COMMISSIONER ELDER: The last one related  
16 to the previous one, Green Valley. Green Valley, I  
17 believe, and my memory may not be exactly correct, but at  
18 last count I remember was having been mailed out to  
19 homeowner associations for rezoning, 117 associations  
20 within the Green Valley area, unincorporated. Part of  
21 the unincorporated area of Pima County, have a master  
22 homeowner association that takes in all of the areas,  
23 have committees define development strategies, review  
24 zonings, review corridors, review road transportation  
25 plans and go to bat either for county, city, or state to



1 bring the needed resources into their community. It is a  
2 retirement, general age-restricted area. Does not have  
3 any schools or school districts because of the age  
4 restrictions. As such, it doesn't fit with any other  
5 area around it. It just doesn't have linkage to the  
6 Hispanic community, doesn't have linkage to the Tubac,  
7 Tumacacori Presidio areas and Rio Rico; therefore, I  
8 believe it should be a community of interest itself.

9 CHAIRMAN LYNN: Is that a motion?

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

12 CHAIRMAN LYNN: Second?

13 COMMISSIONER HALL: Is that the 19th?  
14 Pursuant to the slide or something different there?

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

25 I'm hearing or see things, here says Rio



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

12 CHAIRMAN LYNN: Second on the motion?

13 COMMISSIONER ELDER: I second it.

14 CHAIRMAN LYNN: Thank you, Mr. Hall.

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

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

23 CHAIRMAN LYNN: We can certainly try to  
24 look it up. I can tell you from my recollection of that  
25 discussion, the corridor discussion, is one has to do



1 splitting Santa Cruz County, splitting Santa Cruz County  
2 in a manner that keeps Nogales on the border related to  
3 other border communities and puts the northern Santa Cruz  
4 counties of Rio Rico, Tubac, Amado, north with areas up  
5 to and including Tucson.

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

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

19 COMMISSIONER ELDER: Do you have that?

20 CHAIRMAN LYNN: Mr. Johnson.

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



1 Cruz County between communities.

2 COMMISSIONER ELDER: Lines drawn did occur,  
3 Rio Rico, Nogales, Rio Rico.

4 I thought North Rio Rico.

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

9 CHAIRMAN LYNN: Ms. Hauser has the  
10 information.

11 I want to point out, Lisa Nance, that has  
12 been off some time, I noticed.

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

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

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

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

24 MR. RIVERA: That's right.

25 CHAIRMAN LYNN: That's okay. We'll pick up



1 in a minute.

2 Also, did Mr. Johnson go off and look for  
3 something on the record?

4 MR. JOHNSON: Yes.

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

13 CHAIRMAN LYNN: Tumacacori, also south of  
14 the border, linkages between Tubac and the other town.

15 The other town, Mr. Johnson, is a mission,  
16 one of many missions established by Father Kino.

17 COMMISSIONER ELDER: A Federal place?

18 CHAIRMAN LYNN: It is indeed, Mr. Elder.

19 COMMISSIONER ELDER: Mr. Chairman, I'd like  
20 to amend my previous motion to include the areas as  
21 shown, the Tubac, Amado, Green Valley area. They do have  
22 consistency in how the communities function, what type of  
23 activities, what type of real estate, what type of ethnic  
24 backgrounds. All that type of thing seems to fit  
25 together: expanding, growing in the second-home/



1 retirement-home area. They have the arts and community  
2 councils that go together, whereas south of that line,  
3 you end up with Rio Rico, almost continuous development  
4 between Rio Rico and Nogales. I don't know whether it's  
5 a five-mile square, rectangle, the incorporated limits  
6 Nogales. Nogales expanded to the west. The road goes up  
7 to Patagonia, develops along those lines. It seems as  
8 though the functional area works with the border. Rio  
9 Rico is not as much retirement as it is a suburban area.  
10 People work, drive to Nogales to live in the area. So I  
11 think that's as good a line break as is possible. So if  
12 it doesn't bother the second, I amend the motion, amend  
13 the Tubac, Amado, Green Valley part of the I-19 corridor  
14 community of interest.

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

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

19 CHAIRMAN LYNN: Thank you. Amended.

20 Further discussion on the notion? If not,  
21 all those -- oh, Ms. Hauser, before we vote, you had  
22 sought recognition before we had to take the break on  
23 this issue. Something you wanted to add in terms of  
24 testimony. Mr. Johnson has shown us the lines used in  
25 the 2004 map based on testimony to divide that area north



1 of Rio Rico and south of Tumacacori -- north of  
2 Tumacacori, everything north, north of Green Valley;  
3 everything south was with Nogales.

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

15 CHAIRMAN LYNN: Okay. Thank you.

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

18 COMMISSIONER HUNTWORK: "Aye."

19 COMMISSIONER HALL: "Aye."

20 COMMISSIONER ELDER: "Aye."

21 CHAIRMAN LYNN: Chair votes "Aye."

22 Motion carries four-zero.

23 Mr. Hall.

24 COMMISSIONER HALL: I'll try one more time  
25 to repeat the community of interest we just defined. I



1 generally state I feel like that the border towns,  
2 including Douglas, Nogales, Doug had together, include  
3 Bisbee, and those, in that is a community of interest. I  
4 think the record is clear on that. I would make that  
5 motion.

6 CHAIRMAN LYNN: Second?

7 COMMISSIONER ELDER: Second.

8 CHAIRMAN LYNN: Discussion on the motion?

9 Mr. Elder.

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

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

25 CHAIRMAN LYNN: Further discussion on the



1 motion?

2 MR. JOHNSON: Mr. Chairman.

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

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

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

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

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

18 COMMISSIONER ELDER: Okay.

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

25 COMMISSIONER ELDER: Is Sierra Vista in or



1 out? What --

2 COMMISSIONER HALL: My initial motion did  
3 not include it. I guess I was asking my fellow  
4 Commissioners for their input.

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

10 COMMISSIONER HALL: Okay.

11 CHAIRMAN LYNN: Mr. Huntwork.

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

16 CHAIRMAN LYNN: Okay. Further discussion  
17 on the motion?

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

20 COMMISSIONER ELDER: "Aye."

21 COMMISSIONER HALL: "Aye."

22 CHAIRMAN LYNN: Chair votes "Aye."

23 COMMISSIONER HUNTWORK: "Aye."

24 Motion carries unanimously and is so  
25 ordered.



1                   Mr. Hall.

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

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

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

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

23                   COMMISSIONER ELDER: Second.

24                   CHAIRMAN LYNN: Discussion, Mr. Huntwork?

25                   COMMISSIONER HUNTWORK: What about



1 counties?

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

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

11 Mr. Elder.

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



1 county line. I, too, prefer the county separated from  
2 this motion.

3 COMMISSIONER HALL: Fine.

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

6 If -- Mr. Huntwork.

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

21 Certainly had plenty of cities which are a  
22 community of interest that said "keep us together," for  
23 the following reasons, then listed all municipalities,  
24 guess what, our police department all works for the same  
25 city, so on and so forth.



1                   So -- I think that status is recognized in  
2 the proposition. I have great concern about just simply  
3 converting it from one status to another en mass.

4                   CHAIRMAN LYNN: Mr. Hall.

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



1 breadth in our analysis to insure that we appropriately  
2 protect communities of interest.

3 CHAIRMAN LYNN: Mr. Huntwork.

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

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



1 motion.

2 Further discussion on the motion?

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

5 COMMISSIONER ELDER: "Aye."

6 COMMISSIONER HALL: "Aye."

7 CHAIRMAN LYNN: Chair votes "Aye."

8 Opposed?

9 COMMISSIONER HUNTWORK: "No."

10 CHAIRMAN LYNN: Three-one on this motion.

11 Motion carries.

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

15 Mr. Huntwork.

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

24 CHAIRMAN LYNN: Mr. Johnson, is there a way  
25 to isolate the Yuma portion of the AUR that you have



1 depicted on the screen so that we might discuss it in  
2 particular?

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

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

9 MR. JOHNSON: Yes.

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

13 MR. RIVERA: Both.

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

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

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

21 COMMISSIONER ELDER: Mr. Chairman, my  
22 recollection of the discussion, debates we had, was the  
23 agricultural area runs along the river north, you know,  
24 along the county line, or to the county line, also runs  
25 east and inland, I guess you'd call it, to the southeast



1 river county, zero population, by virtue either as part  
2 of a gunnery range, part of the Organ Pipe National  
3 Monument.

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

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

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

16                   COMMISSIONER HUNTWORK: Yes.

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

21                   Mr. Hall.

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



1 MR. JOHNSON: The --

2 COMMISSIONER HALL: They were.

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

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

18 CHAIRMAN LYNN: Mr. Elder.

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

23 COMMISSIONER HALL: Well -- notice I do  
24 have -- notice I do have opinions on rural counties. I  
25 think that as we moved around the rural portions of the



1 state, that there were very specific communities of  
2 interest. You know, earlier today we adopted a community  
3 of interest with respect to the industry and related  
4 planning area. But previously this Commission which had  
5 made a decision on community of interest that area really  
6 Yavapai County, also made a decision with respect --

7 COMMISSIONER ELDER: Yavapai.

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

17 CHAIRMAN LYNN: Still no motion per se.  
18 Mr. Huntwork, you started the conversation. Do you have  
19 a motion?

20 COMMISSIONER HUNTWORK: I'd like to. I was  
21 looking Hispanic community of interest, not county as  
22 whole community of interest. May turn into that. I  
23 would want to see the population profile, the  
24 demographics of Yuma County, especially the Yuma area,  
25 Yuma City area, to know whether there are areas, portions



1 that should not be included in that particular community  
2 of interest.

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

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

15 Mr. Johnson, are you working on it?

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

21 CHAIRMAN LYNN: Is there a second?

22 COMMISSIONER HUNTWORK: Second.

23 COMMISSIONER ELDER: Second.

24 CHAIRMAN LYNN: Thank you. And --

25 COMMISSIONER HUNTWORK: Question then is:



1 What is the unifying principle of this community of  
2 interest? If it is the predominantly Hispanic  
3 population, I --

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

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

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

23 Mr. Huntwork.

24 COMMISSIONER HUNTWORK: Mr. Chairman, I --  
25 you know, I believe, myself, I agree that Yuma County is



1 a community of interest. I will vote for the motion.  
2 But I will still wish to seek a smaller or more  
3 well-defined Hispanic community of interest within Yuma  
4 County as a second motion.

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

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

13 COMMISSIONER HALL: "Aye."

14 COMMISSIONER ELDER: "Aye."

15 COMMISSIONER HUNTWORK: "Aye."

16 CHAIRMAN LYNN: Chair votes "Aye."

17 Motion carries four-zero.

18 Mr. Huntwork.

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



1                   CHAIRMAN LYNN: Mr. Johnson.

2                   MR. JOHNSON: Mr. Chairman, Commissioners,  
3 as you might imagine, the inland and northern portions,  
4 I'm sorry, inland northern portions of Yuma County are  
5 fairly unpopulated largely because it's mostly bombing  
6 ranges, things like that. Only a few thousand people in  
7 the entire inland area. There is some Hispanic  
8 population out there, kind of light red seeing out there,  
9 60 to 80 percent Hispanic inland, relatively sparsely  
10 populated areas. The population of the county is a  
11 heavily concentrated one, surprisingly, along the river.  
12 And in the two cities you have Yuma and then right area  
13 here, San Luis in the very corner.

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

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

22                   So there are areas that are virtually  
23 homogeneous Hispanic, over 80 percent ethnicity, and  
24 others around half Hispanic. Does that answer the  
25 question?



1 COMMISSIONER HUNTWORK: Yes, it does.

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

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

14 Okay. Thank you, Mr. Huntwork.

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

18 COMMISSIONER HUNTWORK: Mr. Chairman.

19 CHAIRMAN LYNN: Mr. Huntwork.

20 COMMISSIONER HUNTWORK: I would like to  
21 come back to Maricopa County and simply suggest that we  
22 adopt as communities of interest, under our current  
23 definition, basically four areas that we identified  
24 previously on the record and for all the reasons that we  
25 previously recognized them as, I guess, AURs at the time.



1                   CHAIRMAN LYNN:  Should we do those in  
2 separate motions, or do you think enough similarity to  
3 get through a single vote?

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

8                   CHAIRMAN LYNN:  Let's follow the pattern.

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

11                  COMMISSIONER HALL:  What page?

12                  COMMISSIONER HUNTWORK:  It is page 64.

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

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

17                  CHAIRMAN LYNN:  Is there a second?

18                  COMMISSIONER ELDER:  Second.

19                  CHAIRMAN LYNN:  Discussion on the motion?

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

24                  CHAIRMAN LYNN:  Maybe the trouble I'm  
25 having is trouble I shouldn't have at all.  I want to be



1 clear about this, because it will affect other votes as  
2 well as you go through, not only ones you are offering,  
3 but others. It is perhaps the fact I'm hung up on the  
4 name rather than the commonalty of the area, because I  
5 don't in and of itself think "homeowners association"  
6 means anything other than group of people that live in a  
7 neighborhood. However, what I see by reading the area,  
8 or the identity, quote, is a group of neighbors who have  
9 much more in common than homeowner associations might  
10 suggest, and that those areas of commonalty go to the  
11 heart of the definition as we have been applying it  
12 throughout the day. So with that said -- and I do  
13 remember Ms. Harvey testifying, I think on more than one  
14 occasion --

15 COMMISSIONER HUNTWORK: Yes.

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

21 COMMISSIONER HUNTWORK: Very well.

22 MR. JOHNSON: Mr. Chairman, if I add one  
23 thing, this is pretty long quoting, go to the point you  
24 just raised. May remember the homeowner association of  
25 Arcadia spoke to us. At one point he commented he knew



1 about Bev Harvey's work and how hard -- how successful  
2 that area had been, word had traveled all across town,  
3 organizing community in this area.

4 CHAIRMAN LYNN: Okay.

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

9 COMMISSIONER HALL: Correct.

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

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

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

22 CHAIRMAN LYNN: Fine with me.

23 Further discussion on the motion?

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



1 COMMISSIONER HUNTWORK: "Aye."

2 COMMISSIONER ELDER: "Aye."

3 COMMISSIONER HALL: "Aye."

4 CHAIRMAN LYNN: Chair votes "Aye."

5 Motion carries unanimously.

6 COMMISSIONER HUNTWORK: Next one, Arcadia.

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

9 CHAIRMAN LYNN: Motion, Mr. Huntwork?

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

12 CHAIRMAN LYNN: Is there a second?

13 COMMISSIONER ELDER: Second.

14 CHAIRMAN LYNN: Discussion?

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

18 CHAIRMAN LYNN: Mr. Elder.

19 COMMISSIONER ELDER: Mr. Chairman, this  
20 falls in almost the same category that we had when we  
21 were looking at the Broadmoor Broadway area in Tucson  
22 from the standpoint that there was a canal or a wash, and  
23 in the case of Tucson, this has a canal, functions as a  
24 spine, links the community together, the recreation, you  
25 know, the cities, and that are taking this right-of-way



1 now as being a surprised part of connectivity of their  
2 neighbors. And as exemplified in some comments, one of  
3 the things we have kind of unique as ours to do, SRP  
4 Canal runs down Indian School Road. I was out there and  
5 it does have a fairly good level of activity. I would  
6 like to see this continued as a community of interest.

7 CHAIRMAN LYNN: Further discussion?

8 Mr. Hall.

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

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

14 COMMISSIONER HALL: John Mills.

15 CHAIRMAN LYNN: Retract "bad time" quoting.

16 All those in favor of the motion?

17 COMMISSIONER HUNTWORK: "Aye."

18 COMMISSIONER ELDER: "Aye."

19 COMMISSIONER HALL: "Aye."

20 CHAIRMAN LYNN: Chair votes "Aye."

21 Motion carries four-zero.

22 COMMISSIONER HUNTWORK: Page 55 of the  
23 materials, Phoenix Historic Districts. In the older  
24 parts of Phoenix there are a number of neighborhoods not  
25 necessarily directly connect to each other, within



1 proximity of each other, which have achieved historic  
2 status, and many others nearing the age where they will  
3 be eligible to achieve that status both for local, state,  
4 and federal purposes. These neighborhoods receive -- are  
5 eligible to receive grant money, state and federal  
6 sources, and -- and just the prestige, if you will. The  
7 unifying factor of being historic can tend to bind them  
8 together and give them a sense of community vitally  
9 important for maintaining and revitalizing some of these  
10 areas.

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

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

24                   For now, I would simply move that the  
25 record supports this area, at least, and we should adopt



1 this as an historic district community of interest.

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

4 COMMISSIONER HUNTWORK: Yes.

5 CHAIRMAN LYNN: Is there a second?

6 COMMISSIONER ELDER: I will second for  
7 discussion.

8 CHAIRMAN LYNN: Thank you.

9 Discussion on the motion, Mr. Elder?

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

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



1 streets when you are entering the Willow District.

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

9                   MR. RIVERA: Mr. Chairman.

10                  CHAIRMAN LYNN: Mr. Rivera.

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

20                  Is that right, Mr. Sissons?

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

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

25 That's available as a GIS overlay.



1                   The other thing from the City of Phoenix  
2 city council redistricting process, it was very clear  
3 from the testimony from the various historic neighborhood  
4 associations that they all do recognize each other,  
5 support each other, and there's no enmity between or gel  
6 cease between the historic associations.

7                   CHAIRMAN LYNN: Several people want to get  
8 in on this: Mr. Hall, Mr. Huntwork, and Mr. Elder.

9                   COMMISSIONER HALL: Mr. Elder, I kind of  
10 shared your concern with this and Arcadia. What I was  
11 asking Mr. Johnson was: What is the approximate  
12 population of both of these? If we're talking about over  
13 68,000 people, almost 40 percent of a district, looking  
14 at the definition "benefit from common representation," I  
15 think it definitely would, would fall within our  
16 definition, whether or not how we test that as we move  
17 forward is another matter. I think it would qualify  
18 pursuant to our definition.

19                  CHAIRMAN LYNN: Mr. Huntwork, Mr. Elder.

20                  COMMISSIONER HUNTWORK: I just wanted to  
21 say that the record does contain testimony. I recall it  
22 being given, and since it is there, I want to emphasize  
23 it of my own knowledge it is absolutely correct that  
24 these neighborhoods, these areas, work together and  
25 wouldn't be able to accomplish anything individually and



1 by themselves. They have to work together.

2                   They are also -- I want to say that the  
3 areas that have been recognized today, already, are, if  
4 you will, in my opinion, the tip of the iceberg. This --  
5 this is -- and even this area, as large as it is, has,  
6 throughout it, neighborhoods that will be eligible for  
7 historic consideration in just a few years. And the --  
8 and many people in those areas are well aware of it and  
9 already working and organizing to be able to qualify for  
10 historic recognition as soon as possible. I'm sorry, I  
11 just happen to know this is true myself and I don't know  
12 what to do about that.

13                   CHAIRMAN LYNN: It's okay. It's all right,  
14 Mr. Huntwork. You can know where you live, you just  
15 can't know where others live.

16                   COMMISSIONER HUNTWORK: I live in this  
17 district. I'm particularly well aware.

18                   CHAIRMAN LYNN: I'll get to you, Mr. Elder,  
19 I'll get to you.

20                   Take from your comments, Mr. Huntwork,  
21 whereas all of this area may not already be designated  
22 historic, what we see is an outline perhaps the  
23 westernmost and easternmost boundaries of those areas  
24 that have already been or are in the process of being  
25 designated historic and that the rest of the



1 neighborhoods are quite likely to fill in?

2 COMMISSIONER HUNTWORK: I think that --  
3 wouldn't say in the process. Throughout this area there  
4 are places that either are eligible or will be eligible  
5 soon, and among those places there are many places that  
6 are organizing and others that aren't doing it yet, but  
7 very well may when they see the benefits that can be  
8 derived from it.

9 But I also wanted to say -- I did want to  
10 say at the beginning I really don't think that this is  
11 the full extent of it. When I talked about this this  
12 morning, that is what I was concerned about it, maybe  
13 this isn't big enough. What I'm saying now, at least it  
14 took place, a kernel and place to start.

15 CHAIRMAN LYNN: Thank you, Mr. Elder.

16 COMMISSIONER ELDER: Yes, Mr. Chairman.

17 CHAIRMAN LYNN: Before you go, I think  
18 Mr. Johnson found something on the website and may expand  
19 on those areas.

20 We'll get to you, Mr. Johnson.

21 COMMISSIONER ELDER: I'll go forward with  
22 this, because this area includes, you know, the urban  
23 heart or core of the City of Phoenix. It's the  
24 high-rises, it's the -- granted the old courthouse is  
25 down there, several other structures. Just as I looked



1 and said from the barrio standpoint, the downtown urban  
2 core should probably not be included as part that holds  
3 the glue together. I don't see the downtown portion of  
4 Phoenix holding the historic district together, either.  
5 So if there is some definition, you know, we can get from  
6 the historic register to see where these are and maybe  
7 include the registered historic neighborhoods as the area  
8 or community of interest, I would like to see that to see  
9 if that gives me any assurance or solidity to this  
10 perspective.

11 CHAIRMAN LYNN: Mr. Huntwork, then  
12 Mr. Johnson.

13 COMMISSIONER HUNTWORK: Mr. Chairman, this  
14 does not include what Phoenicians refer to as "downtown."  
15 The southern boundary here is Roosevelt and it does  
16 include in the central corridor between -- you know,  
17 along Central Avenue.

18 COMMISSIONER ELDER: Mr. Chairman, let me  
19 interrupt. I realized as soon as Jim pointed to this,  
20 it's an area that goes underground and the northern  
21 freeway. I was thinking the original I-10/19 coming  
22 along, and actually went south of the freeway. Made a  
23 mistake. It does not include the urban core of Phoenix.

24 COMMISSIONER HUNTWORK: Some recognized  
25 Historic Districts and some of our most important



1 historic buildings, if you will, are located right there  
2 in that -- right next to those high-rise buildings. In  
3 fact, one of the points the people for whom Historic  
4 Districts are important is, we've got to help us, give us  
5 every advantage we can, we need Legislative help with  
6 this, fits right into the reason for -- okay, so anyway.

7 CHAIRMAN LYNN: Mr. Johnson.

8 MR. JOHNSON: Just found this. What the  
9 City has posted on its website is a list of historic  
10 residential districts. There is 36 of them, actually,  
11 historic parks and schools. Don't actually have a map  
12 that shows where all of them are, but they do have rough  
13 descriptions, and I don't know if some of these are in  
14 different parts of town. What we can do is get a map of  
15 these areas.

16 CHAIRMAN LYNN: I'm all for using whatever  
17 resources we have.

18 Mr. Sissons, I'll ask you an unfair  
19 question, maybe an unfair question: If you would, sir,  
20 my understanding is you've been involved in some of this  
21 mapping before. Recognizing what our map depicts, does  
22 the area that we are currently considering include those  
23 36 neighborhoods, most of those neighborhoods, all of  
24 them, some of them, or do you have that knowledge?

25 MR. SISSONS: I do have that knowledge. I



1 believe that depiction is of about two-thirds of the  
2 area. There are several -- that -- the north line of the  
3 major part there appears to be on Thomas Road.

4 CHAIRMAN LYNN: Correct.

5 MR. SISSONS: There are designated historic  
6 places all the way up to north of Camelback Road,

7 MS. LEONI: Wow.

8 MR. SISSONS: Two more miles north of  
9 Thomas.

10 CHAIRMAN LYNN: Well, I think -- let me ask  
11 a question. If we adopt this map on the premise that  
12 what we are trying to include are historic neighborhoods  
13 of Phoenix and at some point we subsequently receive  
14 information, testimony, or other that a larger area is  
15 the same designation but really has not been included in  
16 this map, would that be acceptable in terms of adding it  
17 at a future date?

18 MR. RIVERA: Mr. Commissioner, of course  
19 you would be.

20 CHAIRMAN LYNN: With that caveat, we go  
21 ahead with this --

22 COMMISSIONER HALL: Why not add it now, If  
23 we know what it is?

24 CHAIRMAN LYNN: Not specifically -- I think  
25 rather than guessing at it, we should find out exactly



1 what it is.

2 Unless you remember the boundaries  
3 specifically, Mr. Sissons.

4 MR. SISSONS: I don't have part of the  
5 Phoenix Redistricting process eight eleven map --

6 CHAIRMAN LYNN: If you plan on being with  
7 us, please bring it.

8 COMMISSIONER ELDER: Bring it with you when  
9 you bring Verde Valley --

10 CHAIRMAN LYNN: Look at it. That's it.

11 Further discussion on the motion?

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

14 COMMISSIONER HUNTWORK: "Aye."

15 COMMISSIONER ELDER: "Aye."

16 COMMISSIONER HALL: "Aye."

17 CHAIRMAN LYNN: Chair votes "Aye."

18 Opposed, "No"?

19 Four-zero.

20 (Motion carries.)

21 CHAIRMAN LYNN: You done?

22 COMMISSIONER HUNTWORK: No. Two more.

23 CHAIRMAN LYNN: Growing when I'm not

24 looking.

25 Okay. Two more. Two more.



1                   COMMISSIONER HUNTWORK: Well, again, you  
2 know, based on the record, I move that we designate Sun  
3 City on one hand and a combination of Sun City West and  
4 Sun City Grand on the other, each as a community of  
5 interest.

6                   COMMISSIONER HALL: Page?

7                   COMMISSIONER HUNTWORK: 30.

8                   CHAIRMAN LYNN: I want to be clear before I  
9 ask for the second. Actually designating two --

10                  COMMISSIONER HUNTWORK: Two separate.

11                  CHAIRMAN LYNN: Two separate, one comprised  
12 of the original Sun City, and other Sun City West and Sun  
13 City Grand.

14                  COMMISSIONER HUNTWORK: Correct.

15                  CHAIRMAN LYNN: Is there a second?

16                  COMMISSIONER ELDER: Second.

17                  CHAIRMAN LYNN: Discussion on the motion?  
18 I assume the discussion would be similar to that which we  
19 had in Tucson on retirement areas there?

20                  COMMISSIONER HUNTWORK: And there is  
21 lengthy discussion in the record.

22                  CHAIRMAN LYNN: Okay.

23                  COMMISSIONER HALL: Call the question.

24                  CHAIRMAN LYNN: On the motion to designate  
25 two areas as communities of interest, one being the Sun



1 City area, and other being the combination of Sun City  
2 West and Sun City Grand, all those in favor of the  
3 signify by saying "Aye."

4 COMMISSIONER HALL: "Aye."

5 COMMISSIONER ELDER: "Aye."

6 COMMISSIONER HUNTWORK: "Aye."

7 CHAIRMAN LYNN: Chair votes "Aye."

8 Motion carries four-zero.

9 Mr. Huntwork?

10 COMMISSIONER HUNTWORK: Mr. Chairman, I  
11 move that we authorize and instruct our consultants to  
12 obtain as much information as possible about, as quickly  
13 as possible, about the Phoenix Urban Village divisions to  
14 determine whether or not they are appropriate mappings to  
15 consider for adoption as communities of interest or  
16 contain information that would lead us to additional  
17 communities of interest.

18 CHAIRMAN LYNN: Is there a second to that  
19 motion?

20 COMMISSIONER HALL: I second that.

21 CHAIRMAN LYNN: Discussion?

22 Mr. Huntwork.

23 COMMISSIONER HUNTWORK: Mr. Chairman. I  
24 know that the City of Phoenix has not arbitrarily defined  
25 these villages. I know that the City takes them very



1 seriously and uses them for local planning purposes just  
2 as some of the planning districts that have been  
3 discussed and we have even recognized today in other  
4 portions of the state. In most if not all of these,  
5 there are local planning boards with local volunteers who  
6 identify themselves with that area and who have its --  
7 take its interests seriously. The City, I know, attempts  
8 to define and update these areas in terms of the identity  
9 of the people that live there.

10 Without looking at this, which is, I  
11 believe, a very good representation of the concepts and  
12 ideas of the people who live throughout this vast area,  
13 we have a handful of communities of interest comprising  
14 the entirety of, I guess, six -- or is it now the fifth  
15 largest city in the United States of America? We haven't  
16 found communities of interest in the City of Phoenix.

17 One of the reasons Commissioner Minkoff and  
18 I felt we were familiar with how our community felt, as  
19 we develop the maps, we would be able to provide good and  
20 honest input that would help guide the Commission in  
21 making these determinations. But, number one,  
22 Commissioner Minkoff is not able to be with us at this  
23 time which, even though, you know, I would nevertheless  
24 endeavor to be honest, and so forth, the check and  
25 balance that was provided by having Republican and



1 Democrat, the diversity inherent in the Commission  
2 structure, if you will, is not present.

3 And, number two, in any event, we have been  
4 ordered by the Court to make the determinations  
5 objectively, and so we can't really rely on that type of  
6 a record anyway if we're going to comply with this order  
7 of this Court.

8 So I feel that this is the best way for the  
9 Commission, as a whole, to really understand, and  
10 quickly, because we have very little time, get an  
11 education in how these communities lay out in the big  
12 picture in the -- in the division in the City of Phoenix,  
13 Arizona.

14 CHAIRMAN LYNN: Mr. Hall.

15 COMMISSIONER HALL: So motion just to  
16 garner information; is that correct?

17 COMMISSIONER HUNTWORK: Yes.

18 COMMISSIONER HALL: I'm fine with that,  
19 Mr. Huntwork. I previously expressed I have some  
20 concerns relative to a completely new infrastructure  
21 relative to this whole process. And the -- as concerning  
22 is the fact that through I don't know how many downtown  
23 public hearings, we never heard this from the public. My  
24 question, if we took a random straw poll and asked 10  
25 people I work with who live somewhere in the valley, my



1 guess would be none of them could tell you what village  
2 they live in. So I -- other than Ms. Hauser and Jose.

3 MR. RIVERA: I know where Ms. Hauser lives.  
4 I don't know where I live.

5 COMMISSIONER HUNTWORK: That's where I do  
6 this; don't be surprised. For somebody from the outside,  
7 looking into a vast city like Phoenix, it's all the same.  
8 Somebody living inside truly has a sense of -- in most  
9 places in the city, has a sense of neighborhood, what  
10 part of the city they truly live in.

11 CHAIRMAN LYNN: Mr. Johnson, is it feasible  
12 to have this kind of information, for example, tomorrow  
13 morning, or would it be a later date?

14 MR. JOHNSON: Mr. Chairman, we could print  
15 out the City web pages, what they have on the internet,  
16 at the end of the meeting. And I will get a handle very  
17 quickly on that, review it this evening, what  
18 information there is to gather for you tomorrow morning.

19 COMMISSIONER HUNTWORK: Mr. Chairman,  
20 another thing that --

21 And I think it would be good first step.

22 Another thing I'd like to do is invite  
23 somebody from the City of Phoenix to come and speak to us  
24 about the process about how things are created, how  
25 updated. Obviously if you look at the top end of this



1 map, right up to the latest annexation, not something  
2 done 25 years ago, something done last week or at least  
3 within the last few months, and, you know, believe me,  
4 it's taken seriously by the City of Phoenix.

5 CHAIRMAN LYNN: If someone is here tomorrow  
6 morning, I'd be delighted to recognize them to tell us  
7 what they think.

8 COMMISSIONER HUNTWORK: Perhaps somebody on  
9 staff would be able to try to arrange that to happen.

10 CHAIRMAN LYNN: Somebody who's been  
11 involved in the planning process might know people who  
12 know something about this subject.

13 Mr. Hall.

14 COMMISSIONER HALL: The other question I  
15 have is this: As I understand it, the City of Phoenix  
16 proper only; is that correct?

17 COMMISSIONER HUNTWORK: Correct.

18 COMMISSIONER HALL: How, then, do you have  
19 all that information move west to Glendale or Buckeye  
20 or -- I'm saying, then, are we, you know, comparing  
21 apples with oranges -- asking, don't have any --

22 COMMISSIONER HUNTWORK: Many of these  
23 are -- we -- we don't have time to do this right. We  
24 just don't. And it's disgusting. I hate to do the job  
25 wrong, but we don't have time to do it right. We have to



1 simply do the best we can. All I can say to you honestly  
2 is this is one tool that we might be able to use  
3 productively and shouldn't refuse to use it just because  
4 we can't really do everything that we need to do.

5 COMMISSIONER HALL: Fair enough.

6 CHAIRMAN LYNN: On the motion to retrieve  
7 information relative to the planning villages in the City  
8 of Phoenix, all those favor of motion signify by saying  
9 "Aye."

10 COMMISSIONER ELDER: "Aye."

11 COMMISSIONER HALL: "Aye."

12 COMMISSIONER HUNTWORK: "Aye."

13 CHAIRMAN LYNN: Opposed say "No."  
14 Motion carries.

15 I would ask Mr. Johnson and perhaps  
16 Mr. Rivera to assist with that tomorrow.

17 Is that it, Mr. Huntwork?

18 COMMISSIONER HUNTWORK: That's all. Thank  
19 you.

20 CHAIRMAN LYNN: Mr. Hall.

21 COMMISSIONER HALL: Mr. Chairman, I alluded  
22 to the fact earlier in the motion with respect to Yuma  
23 County that I feel that there are certain counties that  
24 have represented themselves as a whole to be a community  
25 of interest. And in my opinion, there are at least three



1 of those. We already made that motion relative to Yuma.  
2 I would like make the same motion to accept Yavapai  
3 County as a whole to be a community of interest. And --  
4 if I have a second on that, I would like to propose a  
5 methodology for a brief discussion regarding that.

6 CHAIRMAN LYNN: Is there a second to the  
7 motion?

8 COMMISSIONER ELDER: Second.

9 CHAIRMAN LYNN: Thank you, Mr. Hall.

10 COMMISSIONER HALL: Mr. Chairman, I'd like  
11 to ask the gentleman from Tri-Cities if he'd agree with  
12 that assessment that the Commission determined, has  
13 determined for some time, that all of Yavapai County in  
14 reality is a community of interest?

15 State your name for the record just so  
16 we're clear.

17 MR. FLANNERY: Mike Flannery.

18 Mr. Chairman, Commissioner Hall, I think  
19 for some time we have kind of indicated that we believed  
20 that it was. I think the record also states that there  
21 is a large support of constituents up there that believe  
22 that as well, so, yeah.

23 COMMISSIONER HALL: Thank you.

24 CHAIRMAN LYNN: Further discussion on the  
25 motion?



1                   No question there's ample testimony in the  
2 record suggesting that this is something we should  
3 consider.

4                   Mr. Elder, then Mr. Huntwork.

5                   COMMISSIONER ELDER: Mr. Chairman, I would  
6 tend to agree that of all communities, Yavapai, then  
7 Cochise, are two counties that probably had a plethora of  
8 information and data coming to us and participated in the  
9 process and really presented a case for their particular  
10 county and community of interest primarily because it was  
11 rural and this was the border in which they functioned.  
12 It had political ties, history how they functioned  
13 together, and I believe from that standpoint we should  
14 include them as a community of interest.

15                  CHAIRMAN LYNN: Mr. Huntwork.

16                  COMMISSIONER HUNTWORK: Well, I guess I was  
17 just going to note that the testimony was not completely  
18 unanimous. There was testimony that the Mingus Mountain  
19 was a dividing line and that there was some very sharply  
20 divided interests, particularly with respect to water on  
21 opposite besides.

22                  CHAIRMAN LYNN: Well, there's -- in so many  
23 cases, the testimony was not completely clear nor  
24 unanimous in sentiment, but certainly there were a number  
25 of occasions when representatives of either one or



1 another entity within the county made that, made that  
2 pitch to the Commission that we should consider it.  
3 Certainly from time to time for specific purposes I know  
4 there are divisions in any county. There are some things  
5 particularly connected with issues such as water and  
6 others in Yavapai County that make sense.

7 Further discussion on the motion?

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

10 COMMISSIONER ELDER: "Aye."

11 COMMISSIONER HALL: "Aye."

12 CHAIRMAN LYNN: Chair votes "Aye."

13 Opposed, "No"?

14 COMMISSIONER HUNTWORK: "No."

15 CHAIRMAN LYNN: Thank you, Mr. Huntwork.

16 Three-one on this one.

17 (Motion carries.)

18 CHAIRMAN LYNN: Mr. Elder.

19 COMMISSIONER ELDER: Mr. Chairman, I move  
20 we designate Cochise County as a community of interest.

21 CHAIRMAN LYNN: Is there a second? I hear  
22 none, Mr. Elder.

23 COMMISSIONER HUNTWORK: Mr. Hall may not be  
24 aware of what you are asking.

25 COMMISSIONER HALL: Yes, I am aware. I --



1 I guess -- I'm happy to second that for purposes of  
2 discussion, but --

3 CHAIRMAN LYNN: Then moved and seconded  
4 Cochise County be included, designated as a community of  
5 interest under our definition.

6 Mr. Elder.

7 COMMISSIONER ELDER: Mr. Chairman, I made  
8 this motion from the standpoint there was a tremendous  
9 amount of input, probably, matter of fact, it -- Coconino  
10 and Yavapai counties probably had the highest  
11 participation at our public meetings, both at the  
12 beginning, end of the first and second session. We heard  
13 a tremendous amount of input from this county that  
14 convinced me that it was a community of interest. There  
15 were some areas where there was non -- or not unanimous,  
16 and related that primarily to whether the Town of Sierra  
17 Vista should it be in or out, we want the whole county  
18 whole, other people said no, urbanized areas should go in  
19 Pima County and/or the City of Tucson. As a whole, from  
20 the community of interest and based on our definition, I  
21 believe they should be a community of interest.

22 CHAIRMAN LYNN: Further discussion on the  
23 motion?

24 Mr. Huntwork.

25 COMMISSIONER HUNTWORK: Well, I got the --



1 I got the impression that the dissent in parts of Sierra  
2 Vista was more significant than that; that there were  
3 portions of Sierra Vista who said, "Heck, no, we have a  
4 lot more in common with the urban areas in Tucson than we  
5 do with the rural portions of this county."

6 I know there was -- I wasn't at the meeting  
7 I was talking about, I was ill that night and I guess  
8 that was my good fortune, but I did read the transcript  
9 afterwards. But I think that the, the conclusion that I  
10 came to, trying to just evaluate that, was that large  
11 portions of Cochise County wanted to claim Sierra Vista,  
12 "Absolutely essential to us, we want it, give it to us."  
13 But the intended bribe was not entirely willing in  
14 portions of Sierra Vista. I have a real problem simply  
15 accepting, you know, the whole county as a single  
16 community of interest. Just for that reason. All of it  
17 except Sierra Vista, I'd say fine.

18 CHAIRMAN LYNN: Mr. Hall, your recollection  
19 does conform with my recollection. In Sierra Vista a  
20 gentleman sat right before me with a bumper sticker that  
21 said, "Be Biblically correct, not politically correct,"  
22 and stared at me the whole meeting. I remember the whole  
23 meeting well. I was sure at any time he was going to go  
24 for his hip weapon. Nevertheless, and I understand,  
25 Mr. Chairman, I digress. But --



1                   COMMISSIONER ELDER: Mr. Hall, one  
2 interruption here. (Whereupon a joke was told with  
3 laughter from all corners of the room:) While I knew  
4 there were Republican Rednecks, I didn't find out there  
5 were Democrat Rednecks until I got to Cochise County.

6                   COMMISSIONER HALL: Point taken.

7                   CHAIRMAN LYNN (Bringing order back to the  
8 meeting): I don't want any reference to "Redneck" on the  
9 record in any serious capacity.

10                   (Official Record Resumes:)

11                   CHAIRMAN LYNN: Mr. Hall.

12                   COMMISSIONER HALL: So I think  
13 Mr. Huntwork's recollection is correct. I think some  
14 divergent variety of areas North-South, East-West, I  
15 concur. To me, that wasn't as convincing that that whole  
16 county would constitute a community of interest.

17                   CHAIRMAN LYNN: Further discussion on the  
18 motion?

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

21                   COMMISSIONER ELDER: "Aye."

22                   CHAIRMAN LYNN: Chair votes "Aye."

23                   Opposed say "No."

24                   COMMISSIONER HUNTWORK: "No."

25                   COMMISSIONER HALL: "No."



1 CHAIRMAN LYNN: Motion fails two-two.

2 COMMISSIONER HALL: That's Number 6.

3 CHAIRMAN LYNN: Bonus money for you,

4 Mr. Hall.

5 MS. HAUSER: There is no bet. There is no

6 bet.

7 CHAIRMAN LYNN: Are there further motions

8 with respect to communities of interest?

9 Let me ask my fellow Commissioners a

10 procedural question with respect to time. As you may

11 have noticed, I've been just pushing ahead here for two

12 reasons: One, we're going to lose the battery on the

13 stenographic machine at some point this evening, and I

14 assume if we break and turn off the machine we'll save

15 the battery at some point. I can't tell. Is that what

16 you would do?

17 THE REPORTER: No, I wouldn't. I --

18 COMMISSIONER HALL: Spit it out, Lisa.

19 THE REPORTER: I feel confident the battery

20 would -- that I would kaputz before the battery would

21 kaputz.

22 CHAIRMAN LYNN: Having heard about the

23 kaputz, try to type that, Lisa, I want to see that in

24 type.

25 If at this point, other than those ordered



1 studies or what we need input on, if we are concluded  
2 with this particular portion, I guess my question is:  
3 Would you like to move forward, or should we wait until  
4 tomorrow morning for a look at the rest of the agenda?

5 Mr. Hall.

6 COMMISSIONER HALL: Mr. Chairman, I think  
7 your latter suggestion is probably the best way to  
8 proceed.

9 I just want to say in the event we agree to  
10 do that, in light of the fact the Commission now has a  
11 complete set of definitions, and we have itemized  
12 specific communities of interest pursuant to those  
13 definitions, that while our time is short and while  
14 everybody's time is short, I encourage those in the  
15 audience to elicit any and all input to this Commission  
16 as thoroughly and rapidly as possible so we would be able  
17 to move forward as much input as possible and be sure of  
18 proceeding with the will of the people.

19 CHAIRMAN LYNN: Terrific suggestion. Add  
20 to that I hope fellow Commissioners, probably tomorrow  
21 would be an appropriate time, would consider a schedule,  
22 even though under severe time constraints imposed by  
23 Court, to allow some opportunity for work product of our  
24 process to be openly reviewed by members of the public  
25 even on an abbreviated schedule. I hope we schedule



1 opportunities for that to occur between the end of this  
2 meeting and the next time Commission as a whole gets  
3 together. I think that would be not only beneficial, but  
4 I think it's wholly appropriate as we move forward in an  
5 attempt to comply with the Court's order. We must not,  
6 if we possibly can, lose sight of what makes this  
7 Commission and its work different from previous  
8 redistricting attempts; that is, it is not controlled by  
9 political influence and it is wholly an open process  
10 which not only allows but encourages public input  
11 throughout. And that's certainly an important  
12 distinguishing factor. Let me ask, then, from the  
13 standpoint of consultants or from legal counsel: Are  
14 there other matters that we should consider this evening  
15 as opposed to an adjournment until tomorrow morning?

16 MS. HAUSER: Mr. Chairman, I don't have  
17 anything. I think the main question is whether NDC needs  
18 any further direction before tomorrow.

19 MR. JOHNSON: No, I don't think we do. All  
20 set.

21 CHAIRMAN LYNN: Mr. Huntwork?

22 COMMISSIONER HUNTWORK: Two things quickly  
23 for the record. Number one, I don't think we are closing  
24 the door on consideration of communities of interest, for  
25 two respects. First one is that, as we solicit public



1 comment, we may receive additional information from that  
2 source. Second one is that, you know, we didn't see the  
3 list of proposed -- of proposed communities of interest  
4 until last night. I did the best I could, but we went  
5 home late, we came in early, we've been at it all day. I  
6 haven't had a chance to go back and look at the materials  
7 that we distributed previously or any of the old  
8 transcripts.

9                   You know, at this point I don't even have  
10 notes of things that were said. I didn't retain any of  
11 that stuff. So this is -- you know, we're doing this as  
12 fast as we can. And other recollections, other thoughts  
13 may occur to me as we go along. I am -- I'm confident  
14 we're not closing the door on being able to bring those  
15 things up if we honestly recollect or an idea honestly  
16 occurs to us.

17                   Do you agree with that, Mr. Chairman?

18                   CHAIRMAN LYNN: I do. I think in previous  
19 recognition of that by Mr. Rivera on this very subject  
20 previously supports it.

21                   COMMISSIONER HUNTWORK: The second thing I  
22 wanted to say was simply this: We did define a process,  
23 and we worked very, very hard to implement a process that  
24 allowed full public comment on everything that we were  
25 doing. The maps we have drawn previously did have the



1 benefit of public comment. I do not believe, I think --  
2 I think -- I agree we have to do the best we can. I do  
3 not believe for a minute the process we're doing now  
4 bears any relationship or resemblance to the process we  
5 went through before. This is extremely truncated. There  
6 will not be an adequate opportunity for public comment on  
7 whatever it is that we're doing here.

8 CHAIRMAN LYNN: I agree.

9 Ms. Hauser.

10 MS. HAUSER: May we add to that even if the  
11 Commission -- thank you, Mr. Hall.

12 Even if the Commission had met on January  
13 16th, the day the Court's order came out, there would --

14 COMMISSIONER HUNTWORK: Still not be --

15 MS. HAUSER: -- still not be enough time.

16 COMMISSIONER HUNTWORK: Not by two months,  
17 not by probably more than that.

18 CHAIRMAN LYNN: It's important to  
19 periodically put on the record that, as Ms. Hauser stated  
20 yesterday and again today, there has been no delay by  
21 this Commission, has been only attention to the Court's  
22 order as rapidly as we could do it. We have ordered work  
23 done as quickly as we could do so. We have done  
24 statements by law of official notice of meetings, and  
25 whether or not anyone cares, we actually have lives that



1 don't revolve solely around being members of this  
2 Commission; although many of us can't remember what those  
3 are. We clearly have to move forward as rapidly as is  
4 humanly possible. And that's what you are dealing with,  
5 is five individuals who have things to do. So I think by  
6 all standards, we should be recognized as having moved as  
7 expeditiously as we could on this process.

8 I am tempted to ask if any members of the  
9 audience wish to address the Commission, so I will;  
10 because I always want to err on the side of allowing  
11 input. However, I can tell you that for those of you who  
12 are regulars, and that's most of you sitting in the  
13 audience at this point, you'll have the same opportunity  
14 tomorrow morning, so there's little difference between  
15 the two except when you eat dinner.

16 If there are no members of the public who  
17 are desirous of addressing us at this point, gentleman,  
18 the Commission is scheduled for another 8:30 start  
19 tomorrow morning.

20 Without objection, we will stand in recess  
21 until 8:30 tomorrow morning.

22 (Whereupon, the Commission adjourned at  
23 approximately 6:53 p.m. to resume at  
24 8:30 a.m. on 2-9-04.)

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STATE OF ARIZONA     )  
                                  )   ss.  
COUNTY OF MARICOPA   )

BE IT KNOWN that the foregoing hearing was taken before me, LISA A. NANCE, RPR, CCR, Certified Court Reporter in and for the State of Arizona, Certificate Number 50349; that the proceedings were taken down by me in shorthand and thereafter reduced to typewriting under my direction; that the foregoing 243 pages constitute a true and accurate transcript of all proceedings had upon the taking of said hearing, all done to the best of my ability.

I FURTHER CERTIFY that I am in no way related to any of the parties hereto, nor am I in any way interested in the outcome hereof.

DATED at Phoenix, Arizona, this 13th day of April, 2004.

\_\_\_\_\_  
LISA A. NANCE, RPR, CCR  
Certified Court Reporter  
Certificate Number 50349



