

ARIZONA INDEPENDENT REDISTRICTING COMMISSION

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

Location

**Fiesta Resort - Fiesta Ballroom
2100 South Priest Drive
Tempe, Arizona 85282**

Attending

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

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

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

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

1 Tempe, Arizona
2 December 5, 2011
3 1:10 p.m.

4
5 P R O C E E D I N G S

6
7 (Whereupon, the public session commences.)

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

11 Today is Monday December 5th, and the time is
12 1:10 p.m.

13 Let's begin with the Pledge of Allegiance.

14 (Whereupon, the Pledge of Allegiance was recited.)

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

17 Vice Chair Freeman.

18 VICE-CHAIR FREEMAN: Here.

19 CHAIRPERSON MATHIS: Vice Chair Herrera.

20 VICE-CHAIR HERRERA: Here.

21 Commissioner McNulty.

22 (No oral response.)

23 CHAIRPERSON MATHIS: Commissioner Stertz.

24 (No oral response.)

25 CHAIRPERSON MATHIS: We have a quorum.

1 And just to let everyone know,
2 Commissioner McNulty unfortunately can't make the meetings
3 most likely the rest of the week. Her mother is very ill.

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

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

8 Our mapping consultants, Willie Desmond and Ken
9 Strasma.

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

13 And our chief technology officer, Buck Forst.

14 And finally, our trusty court reporter, Marty
15 Herder.

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

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

25 So maybe I can ask Mr. Strasma to tell us what

1 kinds of things he accomplished over the weekend on
2 congressional.

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

5 I believe I had this out of order.

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

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

13 CHAIRPERSON MATHIS: I think we do, yeah.

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

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

21 VICE-CHAIR HERRERA: Congressional or legislative?

22 WILLIE DESMOND: Congressional.

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

1 exactly what she was looking for.

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

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

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

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

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

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

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

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

23 VICE-CHAIR HERRERA: Madam Chair.

24 CHAIRPERSON MATHIS: Mr. Herrera.

25 VICE-CHAIR HERRERA: Mr. Desmond, is there any way

1 you can put the current draft map and the proposed changes
2 to the draft map side by side? I think it would make more
3 sense. It would make sense to me.

4 WILLIE DESMOND: The green is the current draft
5 map.

6 VICE-CHAIR HERRERA: No, and I understand that.
7 I just -- if you can't, I'll just do my best.

8 WILLIE DESMOND: I don't -- I don't think I have a
9 way to do that necessarily.

10 I'll zoom in on the changes. How about that? And
11 that'll make it a little easier.

12 VICE-CHAIR HERRERA: Sure.

13 CHAIRPERSON MATHIS: And if I could just jump in,
14 Mr. Desmond, for a second.

15 I just want to recap what Ms. McNulty said for
16 everybody last week. These are the notes I took, at least.

17 The idea was to keep Cochise whole.

18 To -- second adjustment suggested was increase the
19 compactness of CD 1.

20 Three was consolidate Oak Creek with Sedona.

21 And four was consolidate Fountain Hills with urban
22 Maricopa.

23 At least that's how I wrote them in my notes, so I
24 just wanted to give that little overview.

25 WILLIE DESMOND: Okay.

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

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

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

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

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

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

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

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

21 CHAIRPERSON MATHIS: Okay.

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

24 The Village of Oak Creek has 6,147 people.

25 So that's why it goes a little further, since we

1 needed to pick up some of the sparsely populated areas to
2 get it up to nearly even population swap.

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

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

8 Not far, but I'm still there.

9 Continuing on with other districts that were
10 changed.

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

15 It did that to District 3 here in Tucson.

16 I'm trying to think. I don't have a printout of
17 her directions with me.

18 I can tell you exactly why she chose this area. I
19 believe she laid it out, but I'm not -- I don't recall
20 having had. . .

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

23 Again, there's a nine person deviation now. It's
24 going to take a little tweaking around the edges, but
25 nothing major at all.

1 As a result of that though District 3 has been
2 overpopulated. So three is then a little overpopulated.
3 We'll get to that in a second.

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

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

9 As a result, District 6 is then overpopulated.

10 So it sheds population to District 4, which
11 currently -- which before had these areas, by switching the
12 New River and Anthem area to District 4.

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

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

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

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

25 That is rectified here in Goodyear.

1 So in Goodyear the population is in balance.

2 So the only majority-minority districts that this
3 affects is District 3. As you can see the Hispanic
4 percentage goes from 60.3 to 60.6.

5 So it improves slightly.

6 The total minority goes up by that same
7 three tenths of a percent.

8 Looking at the voting age, the total minority
9 voting age goes from 65.1 to 65.4.

10 So it's a slight change to the voting rights
11 district, but a change of making it in a stronger direction.

12 Looking at other things, the splits report, there
13 is one more county that is unsplit by this. That's
14 Cochise County.

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

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

22 That seems like District 4 goes, index two, goes
23 from 64.2 percent Republican to 64.7; 35.8 Democrat to 35.3.
24 So half a point change. But I think that's the most extreme
25 change in this plan.

1 Are there other questions about it?

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

9 VICE-CHAIR HERRERA: Madam Chair.

10 CHAIRPERSON MATHIS: Mr. Herrera.

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

13 WILLIE DESMOND: Correct.

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

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

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

23 So until the Commission agrees to, you know, a
24 change, and that change then becomes the new baseline, these
25 are all just things as I said -- and a lot of these

1 different possible changes affect the same districts, so
2 it's also very important to realize that they can't be used
3 together.

4 You know.

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

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

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

13 VICE-CHAIR HERRERA: The reason I ask --

14 WILLIE DESMOND: Ken.

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

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

24 WILLIE DESMOND: Yeah. And the name of the
25 reports are -- they go change report, and then dash whatever

1 the quick title is, and then the date.

2 So this is change report - McNulty changes,
3 12-05-11.

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

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

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

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

13 BUCK FORST: No.

14 KENNETH STRASMA: Okay.

15 WILLIE DESMOND: I do have --

16 KENNETH STRASMA: We're estimating five minutes.

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

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

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

24 So, are there other questions about this possible
25 change?

1 CHAIRPERSON MATHIS: Yeah, any comments or
2 questions on these ideas?

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

9 WILLIE DESMOND: Okay.
10 Go ahead.

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

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

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

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

23 WILLIE DESMOND: Okay.

24 VICE-CHAIR HERRERA: I also would like to keep
25 Sedona in District No. 4.

1 And I think all the other changes that were
2 proposed by Chairwoman McNulty -- I mean,
3 Commissioner McNulty, I was okay with. So those are -- it
4 would be my proposal to the congressional map.

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

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

15 WILLIE DESMOND: Sure.

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

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

22 WILLIE DESMOND: Yeah.

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

25 WILLIE DESMOND: Okay. So, so as it stands -- let

1 me turn off the -- as it stands now, the current draft map
2 goes down and goes into Yavapai County and grabs Sedona, and
3 it comes down into Yavapai County and grabs Camp Verde and
4 Lake Montezuma. And then it meets back up at the county
5 border.

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

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

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

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

17 WILLIE DESMOND: Oh, okay.

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

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

23 VICE-CHAIR HERRERA: Or not Sedona.
24 Fountain Hills.

25 WILLIE DESMOND: Okay. All right.

1 So keeps -- all right. So basically just --

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

5 WILLIE DESMOND: Okay.

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

9 WILLIE DESMOND: Oh, okay.

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

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

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

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

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

24 And I was -- I think I was swayed.

25 CHAIRPERSON MATHIS: Wow.

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

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

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

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

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

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

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

1 some changes.

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

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

8 So -- on that border.

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

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

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

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

23 And you guys were still in favor of pursuing it.

24 It was -- it appeared in the, I think, in the grid
25 map, I think, and it also -- it was approved in the

1 congressional draft map as you can see.

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

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

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

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

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

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

23 I did not advocate for the creation of three
24 border districts when developing my maps. I strictly
25 applied the constitutional criteria in broad strokes and had

1 them applied and the lines adjusted accordingly. And
2 whether we ended up with one border district or two, three,
3 four, five, didn't matter to me. What mattered is just
4 applying the criteria.

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

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

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

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

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

23 If you got a different proposal -- are you, are
24 you suggesting that you like the lines exactly the way they
25 are now?

1 VICE-CHAIR HERRERA: I am.

2 VICE-CHAIR FREEMAN: Okay.

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

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

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

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

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

15 CHAIRPERSON MATHIS: Okay.

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

20 (No oral response.)

21 CHAIRPERSON MATHIS: Last week -- and,
22 Mr. Freeman, you weren't here for that meeting, but we did
23 all have consensus that what she proposed, everybody agreed
24 should be explored. And I just want to check with you and
25 see if that's also your feeling.

1 VICE-CHAIR FREEMAN: No, no, that's good. And I
2 was able to follow most of the hearing's -- Tuesday's
3 hearing. I know I saw bits and pieces of it. It was pretty
4 exciting, but I had some additional excitement going on on
5 my end.

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

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

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

16 CHAIRPERSON MATHIS: Great.

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

20 VICE-CHAIR FREEMAN: Madam Chair.

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

23 I think we should look at other options as well.
24 We heard there was a lot of public comment to get through,
25 and, you know, the public was also aware that the Commission

1 stated repeatedly that these were drafts, and that the
2 public was reminded that the last Commission did make --
3 didn't just do tinkering around the edges.

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

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

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

18 VICE-CHAIR HERRERA: Madam Chair.

19 CHAIRPERSON MATHIS: Mr. Herrera.

20 VICE-CHAIR HERRERA: Again, let me restate that I
21 was not in favor of all of the changes Commissioner McNulty
22 had made, and I did for the record state which -- what it
23 was I was in favor of and what I was not in favor of, and I
24 did provide that to Strategic Telemetry what ones -- what
25 changes I would like.

1 CHAIRPERSON MATHIS: I remember. I apologize for
2 stating it the way I did.

3 Okay. Other comments on this congressional draft
4 map?

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

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

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

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

17 CHAIRPERSON MATHIS: Oh, okay.

18 WILLIE DESMOND: Is that true?

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

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

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

25 But we'll share with that the Commission.

1 WILLIE DESMOND: Okay. So I have mine.

2 Starting with the changes to the Congressional
3 District 3 report.

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

6 WILLIE DESMOND: Correct.

7 CHAIRPERSON MATHIS: Okay.

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

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

15 But I will present you what changes I made.

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

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

23 Doing so moved 6,624 people into District 3.

24 So now with this change, we have a population
25 deviation of that number 6,624.

1 That makes District 3 about a tenth of a percent
2 more voting age Hispanic, about a tenth of a percent more
3 Hispanic, about a two percent -- a two tenths of a percent
4 change to total minority.

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

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

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

13 And the citizen voting age population is affected.

14 There's 1587 more people, but it's not enough to
15 change it by more than a tenth of a percent.

16 Are there questions about this?

17 VICE-CHAIR FREEMAN: Madam Chair.

18 CHAIRPERSON MATHIS: Commissioner Freeman.

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

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

23 It did kind of spell it out in there.

24 I believe there's changes that reflect some
25 historic neighborhoods and also some school district

1 boundaries, I believe.

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

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

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

10 WILLIE DESMOND: I believe so, yes.

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

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

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

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

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

23 It's -- the non-Hispanic White number goes up.
24 It's Hispanic, 18 plus. The Hispanic number drops from 22.1
25 to 21.7.

1 As far as competitiveness goes, it looks like
2 District 2 becomes --

3 VICE-CHAIR HERRERA: Slightly less competitive?

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

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

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

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

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

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

19 Both, both the districts become slightly less
20 competitive.

21 (Brief pause.)

22 WILLIE DESMOND: Are there other questions?

23 I believe Commissioner Freeman has the letter, and
24 I think that's been -- it's in the record, so people can ask
25 if they had questions.

1 VICE-CHAIR FREEMAN: Yeah. Madam Chair, I had an
2 extra copy, so I have the letter now.

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

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

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

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

15 CHAIRPERSON MATHIS: Right. Agreed.

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

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

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

25 So we can either go to legislative or wait for

1 Commissioner Stertz.

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

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

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

11 The green line represents what it used to look
12 like.

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

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

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

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

24 CHAIRPERSON MATHIS: I don't know. Do we, legal
25 counsel?

1 JOSEPH KANEFIELD: Madam Chair, members the
2 Commission, we do have a new letter from the Hispanic
3 Coalition for Good Government dated November 5th.

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

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

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

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

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

25 JOSEPH KANEFIELD: Madam Chair,

1 Commissioner Herrera, that does not appear to be the case.
2 This letter just appears to be providing data to support the
3 November 30th letter, other than that footnote where they
4 note that there are some changes, they note that they are
5 not major.

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

9 CHAIRPERSON MATHIS: That would be great.

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

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

16 So this was an expansion of District 7 here.

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

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

22 So, again, added population.

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

1 Bethany Home.

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

4 So, you can see the changes that that affects.

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

8 The mine inspector support goes from 66.9 to 68.8.

9 The Hispanic registration and CVAP both go up
10 also.

11 (Whereupon, Mr. Stertz enters the room.)

12 VICE-CHAIR HERRERA: Madam Chair.

13 CHAIRPERSON MATHIS: Mr. Herrera.

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

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

23 VICE-CHAIR HERRERA: And also the -- those changes
24 they're recommending -- again, this may change depending on
25 that letter, but that decreases the competitiveness of

1 District 9; is that correct?

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

4 It goes from 48.6 percent Republican to
5 48.7 percent Republican.

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

8 It makes it a stronger Democratic district.

9 JOSEPH KANEFIELD: Madam Chair.

10 CHAIRPERSON MATHIS: Mr. Kanefield.

11 JOSEPH KANEFIELD: Madam Chair, I just wanted to
12 clarify, I think Commissioner Herrera mentioned Mr. Adelson.

13 I think he's consistently said that although he
14 may -- I think he has been saying he needs more analysis
15 before making any of those conclusions that he's comfortable
16 with in these maps. So that analysis is being done.

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

25 But the mapping consultant at least had

1 accomplished over the weekend what they had requested in
2 their November 30th letter.

3 COMMISSIONER STERTZ: Thank you.

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

8 We started with congressional.

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

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

16 COMMISSIONER STERTZ: Sure.

17 Madam Chair.

18 CHAIRPERSON MATHIS: Mr. Stertz.

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

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

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

25 COMMISSIONER STERTZ: Okay.

1 (Brief pause.)

2 COMMISSIONER STERTZ: Madam Chair.

3 CHAIRPERSON MATHIS: Mr. Stertz.

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

14 (Alarm interruption.)

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

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

25 Cochise County is, is for all intents and purposes

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

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

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

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

25 We heard a significant amount of testimony as well

1 about -- as what's -- let's go down a little bit further,
2 Willie, down to the, to the Rio Rico and Nogales piece in
3 Santa Cruz County.

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

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

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

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

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

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

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

25 We kept Bisbee, which is the county seat of

1 Cochise, in with the county. Before it was actually split
2 out from its own county.

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

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

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

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

19 We have included the community of Saddlebrooke.

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

24 The area that's sort of spikes up, it happens to
25 be just a large unpopulated or loosely populated census

1 block. So if you're wondering why that spike takes place
2 there, it just happens to be that it's a census block.

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

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

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

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

21 You'll see that it remains fairly intact going up
22 from the south -- or the northeast corner, going across.
23 And by making these adjustments in Cochise County, in
24 Pinal County, in Gila County, or the edge of Gila, going
25 into -- where am I right there?

1 WILLIE DESMOND: That's Gila County, and then up
2 into --

3 COMMISSIONER STERTZ: That's Gila County.

4 And then a touch here. We've actually gone and --
5 Congressional District 1 goes back to its historic status as
6 being a competitive district.

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

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

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

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

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

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

24 As we go into Congressional District 3 -- and I
25 may be bouncing around a bit when we come to some of the

1 reasons why some of these were extracted or moved around.

2 Congressional District 3 is a minority-majority
3 district.

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

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

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

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

22 It wrapped all the way around the north and the
23 west side of Maricopa County and picked up all the way down
24 into the San Tan and various other sundry communities in an
25 effort to grab those communities.

1 By making some modifications, I have actually been
2 able to make four a more competitive district than it was
3 prior. Prior it was an extraordinarily heavily packed
4 Republican district. And it has moved closer to center.

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

7 It is more contiguous within and about itself.

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

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

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

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

24 And there was enough testimony saying that this
25 district of District 3 needed enhancement, and if we were

1 going to go in the opposite direction by trying to pull in
2 the north side of Yuma County into Congressional District --
3 in Congressional District 3.

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

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

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

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

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

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

23 CD 4 has become more competitive.

24 This was a -- what I would consider to be a hard R
25 district, by virtue of its design is now become more

1 competitive in its, in its nature.

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

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

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

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

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

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

24 Every voter has the right under the law to be
25 placed in a more competitive district.

1 No Arizona voter should be shortchanged by what
2 we're doing here.

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

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

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

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

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

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

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

25 In District 6 we've actually been able to -- we've

1 had a lot of, a lot of strong public comment about keeping
2 certain areas again intact.

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

6 Let's move over to -- let's move over to nine.
7 Then I'm going to work my way back into the inside.

8 Or eight I should say.

9 Where am I?

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

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

16 We maintain the single split of Chandler.

17 No split of Gilbert.

18 No split of Queen Creek. Queen Creek remained
19 intact.

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

22 If you can zoom in right there, please.

23 And put the corridors in again, please.

24 As we've got, we've got our communities now closer
25 tied together.

1 We, we did make an attempt to put Gold -- that is
2 Gold Canyon; correct?

3 WILLIE DESMOND: Correct.

4 COMMISSIONER STERTZ: Okay.

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

9 This is about 9600 individuals that live within
10 that community.

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

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

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

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

24 And the choice and the desire to do so was so that
25 we could get Apache Junction tied back, tied back into

1 the -- that side of east Scottsdale.

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

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

10 Thank you.

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

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

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

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

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

24 COMMISSIONER STERTZ: The other aspect I wanted to
25 talk about is that we have reduced the amount of precinct

1 splits, community splits.

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

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

25 VICE-CHAIR HERRERA: Madam Chair.

1 CHAIRPERSON MATHIS: Thank you, Mr. Stertz.

2 COMMISSIONER STERTZ: Thank you.

3 CHAIRPERSON MATHIS: Mr. Herrera.

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

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

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

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

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

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

22 You split Coconino County, as I mentioned.

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

1 proposed by the changes that were proposed by
2 Commissioner McNulty.

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

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

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

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

17 COMMISSIONER STERTZ: Madam Chair.

18 CHAIRPERSON MATHIS: Mr. Stertz.

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

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

25 And the -- we've heard over and over and over

1 again that the desire of communities being held together was
2 more important and was -- I should say it was an incredibly
3 important component, and that holding all of the areas
4 surrounding Flagstaff together was incredibly important.

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

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

11 VICE-CHAIR HERRERA: Madam Chair.

12 CHAIRPERSON MATHIS: Mr. Herrera.

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

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

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

23 I mean, we've had Republicans leading or having
24 control of that, and then Democrats, and then it went back
25 to Republicans.

1 And, again, the Democratic registration clearly
2 overwhelms the number of Republicans.

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

6 Because you can't base competition on
7 registration.

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

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

16 COMMISSIONER STERTZ: Madam Chair.

17 CHAIRPERSON MATHIS: Mr. Stertz.

18 COMMISSIONER STERTZ: Thank you.

19 One of the things that I also want to point out is
20 that, that in Pinal County, which has substantively the
21 largest growth of any county by growing by almost
22 100 percent over the last, the last ten years, that, that
23 Pinal County, okay, where the, where the Casa Grande,
24 Florence area -- by the way, I've also been able to keep
25 Florence now is in with the county seat. Before it had been

1 extracted from the county seat.

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

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

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

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

25 So, again, I go back to that this is a -- what our

1 purpose is after the draft map comment period is to listen
2 to all that comment and then make appropriate adjustments.

3 Whether or not some are minor or some are
4 substantive, it is still to react to those, to the comments
5 that were made, as well as what we have learned through the
6 experience that we had in going to the four corners of the
7 state.

8 CHAIRPERSON MATHIS: Thank you.

9 VICE-CHAIR FREEMAN: Madam Chair.

10 CHAIRPERSON MATHIS: Mr. Freeman.

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

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

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

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

24 As to the other four criteria, the Arizona Supreme
25 Court has said that the sixth criteria, competitiveness, is

1 both mandatory and conditional.

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

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

6 So it's not a matter of balancing of them all.
7 It's applying the constitution the way it is written.

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

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

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

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

20 So I like that.

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

23 The Arizona Supreme Court said that in applying
24 that mandatory and conditional criteria, the competitiveness
25 criteria, the Commission must, as long as it's practicable

1 and as long as it doesn't cause a significant detriment to
2 the other goals, favor the creation of competitive or more
3 competitive districts.

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

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

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

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

24 So I think it's important that we be fair to
25 everyone in the state and not sort of -- and not have packed

1 districts and not arbitrarily pick and choose where the
2 competitive districts are going to fall out.

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

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

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

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

24 And so if we can -- if in refining the map, and
25 coming to a final map, if we can look at each district, and

1 I guess we have to set the minority-majority districts
2 apart, because that's the federal requirement, but we can
3 look at the other seven districts and try to make each one
4 of them more competitive, while not doing damage to the
5 other constitutional criteria, I think that's a laudable
6 goal and I think that's in keeping with the law.

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

12 CHAIRPERSON MATHIS: Busy.

13 Okay.

14 VICE-CHAIR HERRERA: Madam Chair.

15 CHAIRPERSON MATHIS: Yes, Mr. Herrera.

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

23 But what I wanted my to do, if Mr. Desmond can
24 show me, based on the changes that Mr. --
25 Commissioner Stertz had made, can you show me what

1 District 6 looks like in the -- or where it's at in the
2 draft map compared to the changes that Commissioner Stertz
3 had proposed?

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

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

7 (Brief pause.)

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

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

15 District 6 is now more of the west valley.

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

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

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

24 WILLIE DESMOND: It's this one.

25 VICE-CHAIR HERRERA: Oh.

1 CHAIRPERSON MATHIS: The brown lines.

2 VICE-CHAIR HERRERA: The brown lines?

3 WILLIE DESMOND: So the gray box, with just the
4 number in it, is Commissioner Stertz's district number.

5 This white box is the draft district, that
6 reflects the blue lines.

7 That's the draft, draft map.

8 VICE-CHAIR HERRERA: So a significant change.

9 Now, I think based on the changes he was making
10 District 5 also moved that drastically?

11 Is that correct?

12 Can you show me?

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

15 COMMISSIONER STERTZ: Madam Chair.

16 CHAIRPERSON MATHIS: Mr. Stertz.

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

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

24 COMMISSIONER STERTZ: But --

25 VICE-CHAIR HERRERA: But, I mean --

1 COMMISSIONER STERTZ: What I'm saying, the
2 numbers, the numbers aren't -- don't relate to each other,
3 and that --

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

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

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

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

13 VICE-CHAIR HERRERA: Okay.

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

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

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

24 WILLIE DESMOND: District 1 -- is there a
25 particular measure you want me to look at or --

1 VICE-CHAIR HERRERA: I think that the measure that
2 I felt that I was really comfortable with was using either
3 the 2008 -- 2008 -- 2008, 2010 elections, and weighing them
4 accordingly.

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

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

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

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

17 Index four is one quarter from each 2004, 2006,
18 2008, 2010.

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

22 So looking at index two, District 1 went from
23 50.1 percent Republican to 51.3.

24 So a change of 1.2 percent.

25 VICE-CHAIR HERRERA: In favor of the Republican

1 party. Okay.

2 WILLIE DESMOND: Yes.

3 And then it went from 49.9 percent Democrat to
4 48.7. So, again, a negative 1.2 percent.

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

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

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

12 District two was 50.4 percent Republican,
13 49.6 percent Democrat.

14 On index two, it went to 52 percent Republican,
15 48 percent Democrat, a change of 1.6 percent and negative
16 1.6 percent respectively.

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

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

20 Index four, it went from 52.6 percent Republican,
21 47.4 percent Democrat.

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

25 Index five, went up 1.7 percent Republican, down

1 1.7 percent for the Democrat.

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

4 District 4, as Commissioner Stertz mentioned, was
5 very high Republican, did become more Democratic by about
6 2.7 percent for index two, 2.5.

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

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

13 Went from 35.8 percent Democrat up to 38.5 percent
14 Democrat.

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

18 Index three went from 64.1 Republican,
19 35.9 percent Democrat.

20 61.6 percent Republican, 38.4 percent Democrat, a
21 gain of 2.5 percent Democrat --

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

25 I mean, again, Commissioner Stertz talks about

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

10 WILLIE DESMOND: Sixty-four percent.

11 VICE-CHAIR HERRERA: So it went from 64 to
12 60 percent, and he -- yeah, I think he stated it's more
13 competitive.

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

22 COMMISSIONER STERTZ: Madam Chair.

23 CHAIRPERSON MATHIS: Mr. Stertz.

24 COMMISSIONER STERTZ: Just as a point of
25 clarification.

1 I have, I have since the day that I took oath to
2 this Commission said that all six criteria of the
3 constitution are going to be part of our evaluation, and
4 competition has never been negated.

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

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

12 You can, you can be 70 percent Democrat and
13 30 percent Republican, and that would be uncompetitive.

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

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

24 And what I have worked diligently, in some places
25 I've been more successful than others, is to make sure that

1 the Independent vote had a voice in the swing of an
2 election, by reducing the hyperpacked nature of a particular
3 district, so that the Independents would actually have a
4 significant voice in, in that election.

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

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

16 CHAIRPERSON MATHIS: Do you want to explain that?

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

20 I'm not -- I'm looking to see whether or not we
21 met with the intent of the public comment that we received
22 as far as whether or not -- what the goals would be to
23 keeping districts intact, bringing, bringing Fountain Hills
24 in with Scottsdale, trying to get more geographic --
25 geographically compact and contiguous districts that we were

1 using transportation corridors as well as geographic
2 features as being, as being guidelines, and then testing
3 each one of those to the extent practical to not to the
4 detriment of any of the other criteria, increasing the
5 ability to -- for increased competition.

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

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

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

21 So really it goes back to, again, Madam Chair,
22 that the Independent vote is probably the swing vote, the
23 more powerful voice as it pertains to what happens
24 throughout the rest of the state. And the only way to have
25 the Independent vote having a powerful voice is to

1 have as -- not to overpack a particular district with, in
2 this case, Republicans.

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

9 VICE-CHAIR HERRERA: Madam Chair.

10 CHAIRPERSON MATHIS: Mr. Herrera.

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

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

18 And then she tracked, it was like
19 counterclockwise.

20 You could track those changes. You could
21 understand them.

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

24 And I still say that.

25 I mean, you look at the changes that

1 Commissioner Stertz proposed, you can't track those changes.
2 He didn't do what Commissioner McNulty made.

3 This is basically a brand-new map.

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

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

12 And she explained it so well.

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

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

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

23 So I would recommend that Commissioner Stertz go
24 back to the drawing map and track all of his changes, just
25 like Commissioner McNulty did, to make it easier for the

1 Commission, and also for the people, for the public, to be
2 able to understand what changes he's proposing.

3 COMMISSIONER STERTZ: Madam Chair.

4 CHAIRPERSON MATHIS: Mr. Stertz.

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

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

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

19 So I can actually go back and reference those.

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

23 CHAIRPERSON MATHIS: Okay.

24 The time is 2:54. Do we want to take a ten-minute
25 break and then come back and discuss this more on the

1 congressional map? Does that work?

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

3 (Brief recess taken.)

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

6 The time is 3:15 p.m.

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

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

14 WILLIE DESMOND: Yeah, I can do that.

15 Just give me one second to get that.

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

22 So in that regard they are a constitutional
23 criteria.

24 And we as a Commission initially agreed upon that
25 framework of the two rural, three border map. And we were

1 talking before you arrived about how we all feel about
2 whether or not it's worth preserving that third border
3 district, and that three border districts was part of the
4 grid map.

5 You like the concept. I like the concept.

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

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

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

12 CHAIRPERSON MATHIS: Okay.

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

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

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

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

25 So it is a more compact CD 1.

1 But then you have two border districts and not
2 three.

3 So I thought it was worth kind of raising that.

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

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

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

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

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

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

21 CHAIRPERSON MATHIS: Yes.

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

24 COMMISSIONER STERTZ: So by the splitting
25 Cochise County -- or by splitting Santa Cruz County, that

1 would have been --

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

4 Yes, Commissioner Stertz does split Santa Cruz
5 County.

6 CHAIRPERSON MATHIS: Right.

7 WILLIE DESMOND: There's not a lot of population
8 on this eastern portion of Santa Cruz County though.

9 And then following through Tucson and some of
10 the --

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

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

14 CHAIRPERSON MATHIS: Okay.

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

21 CHAIRPERSON MATHIS: Right. And I had very
22 similar ideas when I was doing that draft map initially, and
23 we ended up hearing from the Hispanic Coalition for Good
24 Government that they were not happy with the adjustments I
25 had made along that, that western border of CD 2. And,

1 because, I guess, it gets into -- even though our HVAP was
2 actually higher than what they had proposed in their maps,
3 it's a different type of voter. It's a different Hispanic
4 voter.

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

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

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

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

18 COMMISSIONER STERTZ: And, Madam Chair.

19 CHAIRPERSON MATHIS: Yes.

20 COMMISSIONER STERTZ: If you go to the block
21 equivalencies for using the mine inspector as the test, the
22 ability to elect using the 2010 Hispanic candidate vote from
23 the coalition map, which would be the draft map, which was a
24 60.3 percent, actually it increased by making these
25 adjustments to 61.1, or an increase of .8 positive, almost

1 one full percentile.

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

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

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

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

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

20 Those are -- those are communities that have been
21 together, and in effect there is even probably a few more
22 communities going over to 12th Avenue and 6th Avenue that we
23 would want to make sure to recognize that those communities
24 would want to be, would want to be together and be
25 represented together.

1 CHAIRPERSON MATHIS: Can you just tell me what the
2 streets are when -- that jog where Pima County, where it's
3 right at Pima it says?

4 WILLIE DESMOND: This is 22nd Street.

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

7 WILLIE DESMOND: This right here is Alvernon Way.

8 CHAIRPERSON MATHIS: Okay.

9 VICE-CHAIR HERRERA: Madam Chair.

10 CHAIRPERSON MATHIS: Mr. Herrera.

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

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

24 So I'm looking forward to seeing that from
25 Commissioner Stertz.

1 CHAIRPERSON MATHIS: And I think he agreed that he
2 would provide that.

3 COMMISSIONER STERTZ: Madam Chair.

4 CHAIRPERSON MATHIS: Mr. Stertz.

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

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

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

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

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

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

24 And then also the -- just to again point out that
25 that compactness measurement is -- we're going to sacrifice

1 that if we do go all the way down to the border. I mean,
2 it's going to be a bigger district frankly.

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

8 And I just want to make that point.

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

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

16 VICE-CHAIR HERRERA: Madam Chair.

17 CHAIRPERSON MATHIS: Mr. Herrera.

18 VICE-CHAIR HERRERA: Looking at the changes that
19 Mr. Stertz -- Commissioner Stertz is recommending, I think
20 that CD 1, based on his changes, is less compact than what
21 Commissioner McNulty had proposed, and equally -- they're
22 both equally as rural. So I want to also point that out
23 that, that there's a compactness issue with
24 Commissioner Stertz's recommendation as compared to
25 Commissioner McNulty.

1 CHAIRPERSON MATHIS: Okay. Any other comments on
2 Mr. Stertz's adjustments? And he'll be sending us his notes
3 on how he achieved those.

4 (No oral response.)

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

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

9 WILLIE DESMOND: I was going to say --

10 CHAIRPERSON MATHIS: Mr. Desmond.

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

13 CHAIRPERSON MATHIS: Good question.

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

16 VICE-CHAIR HERRERA: Madam Chair.

17 CHAIRPERSON MATHIS: Yes.

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

21 WILLIE DESMOND: Okay.

22 VICE-CHAIR HERRERA: Thank you.

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

25 VICE-CHAIR HERRERA: And just to, to, since

1 Commissioner Stertz wasn't here, I had mentioned that when
2 Commissioner McNulty was making her changes that I didn't
3 necessarily agree with all the changes she was recommending.
4 For example, getting rid of that three border district.
5 I'm okay with that the way, the way it is shaping out, the
6 way it appears on the draft map. Maybe with some minor
7 tweaks.

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

10 Those are a few changes that I'm not in favor of.

11 And those are two changes that I kept in my, in my
12 proposal.

13 CHAIRPERSON MATHIS: Okay. Any other comments?

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

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

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

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

25 VICE-CHAIR HERRERA: Madam Chair, before we go

1 into that, do you want to limit the number to five minutes,
2 four minutes?

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

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

9 CHAIRPERSON MATHIS: If people could just try to
10 contain their comments to five minutes. But if it goes
11 longer, I'm not going to take the microphone away from you.

12 And I should remind everyone that when you do come
13 up to the microphone to speak, that you please spell your
14 name for our court reporter so that we get an accurate
15 transcript.

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

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

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

22 Thank you very much for, you know, the minute here
23 to talk on some issues that are important to us.

24 My name is Peterson Zah. And I'm a private
25 citizen, retired, citizen here in Phoenix. And I live in

1 Window Rock, Arizona, as well as down here during the
2 winters.

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

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

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

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

17 So we're familiar with the city itself.

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

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

24 It's one of the four holy mountains for the
25 Navajo Nation.

1 And many, many of our traditional healers,
2 medicine men, they go up to the mountain. They give thanks
3 from there.

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

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

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

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

16 They are there now.

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

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

23 Many of them speak very limited English.
24 Traditional people that were relocated.

25 The other thing that -- the third reason is that

1 you have all those Flagstaff High School right there in the
2 city. The elementary school district and the other Indian
3 kids, Navajo kids, that come off the reservation, they go to
4 those high schools. So the feeder schools are out there on
5 the reservation, and they simply go to Coconino High School,
6 Flagstaff High School. So they're familiar with much of
7 what goes on educationally there.

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

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

20 A point or two on the legislative district.

21 I understand that as of this morning or yesterday
22 there was another map that was produced where the Navajo
23 people were being asked to give up a little piece of land
24 west of Doney Park, Timberland, Fernwood. They, as I
25 understand it, decided that, yeah, that's okay, in exchange

1 for the idea that they should not give Winslow to
2 District 6.

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

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

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

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

15 And those lands are all administered by both
16 tribes.

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

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

23 So I just wanted to say that as a private citizen
24 I think you're doing a good job listening to all of us. And
25 so I just wanted to thank you for what you do. It's in many

1 ways a thankless job, but it's something that had to be
2 done. It's a hard, hard work, and I know it takes a lot of
3 your time.

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

6 Thank you very much.

7 CHAIRPERSON MATHIS: Thank you.

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

10 DR. PETERSON ZAH: Okay.

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

13 DR. PETERSON ZAH: Z-A-H.

14 CHAIRPERSON MATHIS: Thank you.

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

17 Tait Elkie: T-A-I-T, E-L-K-I-E.

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

23 Our council passed and adopted a resolution on
24 October 20th, 2011, where we requested this Commission to
25 adopt and approve an amendment to the draft map, which was

1 identified as finalized draft six, to alter the boundary
2 line between District 4 and District 6 to include the town
3 of Fountain Hills and its neighboring community of Rio Verde
4 within the boundaries of District 6.

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

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

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

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

22 In addition, the town and Fort McDowell jointly
23 promote and fund tourism efforts through a common tourism
24 bureau, and various other events and economies of the town
25 and Fort McDowell are inextricably linked.

1 The town and Fort McDowell share a common school
2 district, and children of both communities share many of the
3 same schools.

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

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

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

24 In addition, the unique physical land forms around
25 the town give it a particularly intimate relationship with

1 the surrounding communities, particularly with respect
2 to their interconnected open space and recreational
3 facilities.

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

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

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

16 Let's see.

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

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

23 I do, I do appreciate the opportunity to speak
24 before this Commission, and I certainly don't envy the task
25 that you have here before you.

1 Concerns or questions that I would pose to this
2 Commission and the Commission members that support the
3 current draft map, I am certainly in favor of the proposals
4 made by Commissioner McNulty where Fountain Hills would be
5 included in CD -- CD 6. But it appears to me by all
6 accounts that Fountain Hills is almost being plucked out of
7 Maricopa County, plucked out of the congressional district
8 that it's in right now, and placed in other communities that
9 it has little common interests with.

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

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

20 Thank you.

21 CHAIRPERSON MATHIS: Thank you.

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

24 MARIA SYMS: Good afternoon, Madam Chair,
25 commissioners. Maria Syms, M-A-R-I-A, S-Y-M-S.

1 Thank you for the opportunity to speak today.

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

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

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

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

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

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

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

24 The arterial growth areas of Lincoln Drive and
25 Tatum directly tie our communities together in the Biltmore

1 along Tatum Drive and northeast Phoenix along Tatum.
2 Camelback Road conveniently links us to the Arcadia
3 neighborhood.

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

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

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

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

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

22 The town of Paradise Valley is surrounded by
23 Phoenix on three sides. These are our communities of
24 interest. I urge you to move the dividing line for the
25 congressional districts and Congressional District 9 south

1 and west out of this area so these communities are not split
2 apart.

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

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

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

14 CHAIRPERSON MATHIS: Thank you.

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

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

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

22 I am just speaking on, on behalf of myself. This
23 is not representing -- actually I need to take that off
24 there -- not representing the Arizona Competitive Districts
25 Coalition for these comments.

1 Seeing that we're near the end of the process or
2 looks like we might be near the end of the process, I wanted
3 to leave you with these comments.

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

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

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

17 All along we were certain of two things.

18 First, the population of the state would allow
19 10 out of 30 competitive districts in the legislature and
20 4 out of 9 competitive districts in the congressional
21 delegation.

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

25 Recent events and the intervention by parties all

1 along the political spectrum have certainly shown this to be
2 true.

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

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

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

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

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

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

25 This is not what the AIRC should be about.

1 But for now, we are presented with draft maps that
2 fall far short of where we could and should be.

3 These maps have only four competitive legislative
4 districts and only three competitive congressional
5 districts, when we could have at least eight and four
6 respectively.

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

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

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

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

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

24 The best way to maximize transparency is to create
25 more competitive districts, so that even those attempts by

1 outside groups to obscure their meddling hands will go
2 unrewarded.

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

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

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

12 CHAIRPERSON MATHIS: Thank you.

13 VICE-CHAIR HERRERA: Madam Chair.

14 CHAIRPERSON MATHIS: Mr. Herrera.

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

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

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

24 KEN CLARK: Paragraph five.

25 I believe that parties all along the process have

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

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

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

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

12 VICE-CHAIR HERRERA: Thank you for clarifying.

13 CHAIRPERSON MATHIS: Thank you.

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

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

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

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

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

25 Last week you had significant discussion on

1 compliance with the federal Voting Rights Act and the
2 opportunities that you need to address where you have
3 ability to enhance minority voting age populations.

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

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

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

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

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

25 Now coming -- starting with the northwest corner

1 of the current draft map, in the map that I provided to you,
2 the green lines represent the current draft legislative map
3 district's boundaries.

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

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

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

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

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

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

23 As you will see there, the Navajo Nation did
24 receive iteration from the Coconino County late this
25 morning, and that request is incorporated into the current

1 map that's distributed to you.

2 So Timberline and Fernwood areas are removed from
3 LD 7.

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

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

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

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

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

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

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

1 LD 7.

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

10 So you have a total population of the 202,449,
11 with a deviation of negative 10,618 and percent deviation is
12 negative 4.8 percent, so you have a total Native American
13 voting age population in this proposal 88,117 with the
14 63.37 percent Native American voting age population.

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

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

24 While there are concerns about the competitiveness
25 in these legislative districts, the Navajo Nation's primary

1 concern is continuing to be the increasing and enhancing
2 Native American voting age population.

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

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

10 CHAIRPERSON MATHIS: Thank you very much.

11 Any questions for Mr. Gorman?

12 VICE-CHAIR HERRERA: Madam Chair, I do.

13 CHAIRPERSON MATHIS: Mr. Herrera.

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

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

20 What does Navajo Nation feel about that change?

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

24 VICE-CHAIR HERRERA: So, taking Flagstaff from
25 CD 1, which is currently in CD 1 in the draft map, and

1 putting it into CD 4, taking it away from the district
2 where, where they were shared -- where they were both
3 with -- the Navajo Nation and Flagstaff were together.

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

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

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

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

22 CHAIRPERSON MATHIS: Thank you. Any other
23 questions?

24 COMMISSIONER STERTZ: Madam Chair.

25 CHAIRPERSON MATHIS: Mr. Stertz.

1 COMMISSIONER STERTZ: Mr. Gorman, Flagstaff is
2 currently not in the -- with Navajo Nation in the
3 legislative maps.

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

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

12 There's nine districts in the congressional and
13 30 for the legislative.

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

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

24 We would love to have Flagstaff, if everything was
25 provided in the civil planner to the Navajo Nation in our

1 legislative district.

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

5 COMMISSIONER STERTZ: Thank you.

6 CHAIRPERSON MATHIS: Any other questions?

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

9 CHAIRPERSON MATHIS: Mr. Herrera.

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

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

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

23 VICE-CHAIR HERRERA: Thank you.

24 CHAIRPERSON MATHIS: Any other questions?

25 COMMISSIONER STERTZ: Madam Chair.

1 CHAIRPERSON MATHIS: Mr. Stertz.

2 COMMISSIONER STERTZ: One last question,
3 Mr. Gorman.

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

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

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

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

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

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

1 age population.

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

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

6 If there's an opportunity to go above the
7 20 percent, and if there's opportunities to do that,
8 Navajo Nation would love to support that.

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

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

21 LEONARD GORMAN: And I think that's the comment
22 I represented earlier, that Navajo wants to have an
23 opportunity to further review these two iterations or two
24 parallel now Congressional District 1 and make further
25 comments later in the week.

1 COMMISSIONER STERTZ: Very good. Thank you.

2 VICE-CHAIR HERRERA: Madam Chair.

3 CHAIRPERSON MATHIS: Mr. Herrera.

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

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

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

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

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

23 Okay.

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

25 He had asked Mr. Gorman why the disparity in

1 wanting to include Flagstaff with the Navajo Nation in the
2 congressional district, but not in the legislative district.
3 I think that was the question was posed by
4 Commissioner Stertz. He was perplexed by that, by that
5 disparity.

6 So, can you address that?

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

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

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

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

21 They have been -- I don't know if Mr. Gorman wants
22 to talk about the history where they have been in the same
23 district to some extent for the past decade and in the
24 legislature two of the three seats were Navajo, but not, not
25 all three.

1 LEONARD GORMAN: Madam Chair, may I ask a question
2 to Stertz?

3 CHAIRPERSON MATHIS: Please.

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

7 Non-Hispanic Indian adults.

8 COMMISSIONER STERTZ: 20.6.

9 LEONARD GORMAN: How much?

10 COMMISSIONER STERTZ: 20.6.

11 LEONARD GORMAN: And what is the current --

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

15 LEONARD GORMAN: All right.

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

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

24 VICE-CHAIR FREEMAN: Madam Chair.

25 CHAIRPERSON MATHIS: Mr. Freeman.

1 VICE-CHAIR FREEMAN: Let me join the rhetorical
2 question party.

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

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

12 CHAIRPERSON MATHIS: Thank you.

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

16 CHAIRPERSON MATHIS: All right. Thank you.

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

19 MAYOR SARA PRESLE: Good afternoon. My name is
20 Sara Presler, S-A-R-A, P-R-E-S-L-E-R, mayor for the city of
21 Flagstaff, Arizona.

22 There's been so much talk about Flagstaff. I'm
23 grateful to have been elected by the people of Flagstaff to
24 represent their views here today before you in our
25 democratic and legislative process.

1 While we don't have unanimity in the city of
2 Flagstaff, or really any city in the state of Arizona, we
3 definitely have a representative democracy.

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

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

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

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

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

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

24 The people of Flagstaff appreciated your visit to
25 the city of Flagstaff, and we appreciated you listening to

1 each and every last citizen of Flagstaff as they shared
2 their comments with you.

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

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

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

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

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

20 I know you all have great plans about where to
21 relocate Flagstaff, but I want to tell you that in that open
22 meeting with all of the mayors, for example, from
23 Mohave County, the mayor of Bullhead, the mayor of Kingman,
24 and the mayor of Lake Havasu, in front of the Mohave Valley
25 Daily News, every single mayor said in reference to the

1 draft maps, look, I don't like it, but I can live with it.

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

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

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

21 Our Flagstaff city statement, and you've heard it
22 many times before, reads that the city of Flagstaff values a
23 redistricting outcome that is first and foremost compliant
24 with the Voting Rights Act of 1965 and does not regress in
25 its representation of native populations in northern

1 Arizona, maximizes competitive districts, not political
2 districts, across the state, and includes Flagstaff in such
3 a district. We value placing Flagstaff in a district whose
4 communities share our same transportation, economic,
5 governance, and national resource interests. And we value
6 placing the greater Flagstaff area in a single, for example,
7 legislative district.

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

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

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

22 Therefore we ask that the neighborhoods of
23 Timberline, Fernwood, and the entire Schultz fire
24 restoration area be included in LD 6. You heard that when
25 you came to our community.

1 The Navajo Nation has supported that idea here
2 today, and many folks, I believe, are writing in from their
3 homes that are up to here in snow, and we just hope that
4 snow does melt too soon because where there's fire, there's
5 flood.

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

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

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

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

22 This morning on the drive down, I was able to
23 handle a couple of clients calls, and this afternoon when I
24 go back I'll try to type a memo on my iPad as I ride
25 passenger with the lovely young intern we've just hired.

1 He's an NAU graduate, who's going to be doing some work for
2 us since Daryl Melvin has started down in Yuma to run the
3 new hospital there.

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

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

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

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

18 And so it's not really the drive that matters to
19 us. It's the drive for the values that matter to us.

20 And we ask you to first think of yourself as an
21 American, and then think of yourself as an Arizonan. And
22 then if you have any questions about what makes sense in
23 common sense rural Arizona, we think you'll agree with us,
24 that a competitive district and one that complies with the
25 requirements of the law means that it's naturally going to

1 maybe be a larger district. And we're all okay with that.
2 As my colleagues in western Arizona said, we can live with
3 that.

4 Thank you.

5 VICE-CHAIR HERRERA: Madam Chair.

6 CHAIRPERSON MATHIS: Thank you.

7 Mr. Herrera.

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

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

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

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

19 Is that correct? Is that what you heard?

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

22 And I was present in that hearing.

23 I can't speak on behalf of those elected leaders.
24 That's part of the benefit of local government is that you
25 have your limited jurisdiction.

1 But what I can say is that one of the challenges
2 that was expressed there was that the things that are
3 happening in western Arizona are so unique. And the folks
4 that were there at that first hearing wanted to feel like
5 their representative was physically showing up. That was a
6 big rally cry from the people there.

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

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

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

22 And so on behalf of the entire city of Flagstaff,
23 and our neighboring communities, we've had multiple meetings
24 with our colleagues around the state. And while I know
25 you're trying very hard to problem solve and find choices,

1 because it feels better to have a choice, there are some
2 choices that just don't meet, in our opinion, the thresholds
3 that are necessary under the Voting Rights Act of 1965, and
4 we look strongly to you for leadership to not regress in the
5 representation of native communities.

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

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

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

21 And I know that you take your role on the
22 Commission very seriously. So I understand that even though
23 maybe you couldn't attend some of those hearings in northern
24 Arizona, that you listened in, and you heard what the
25 citizens had to say.

1 It would be very hard for me to conclude that
2 there is a real strong rational or logical basis based on
3 the citizen testimony to make those changes now at this last
4 minute in the process.

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

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

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

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

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

20 Huge.

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

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

25 On the bigger scheme of things, these line up on

1 the congressional level.

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

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

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

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

20 And so when you do that work, glory be to your
21 work, because you have a large task ahead of you. And the
22 people of Arizona want to know that this is a fair and
23 meaningful process, so that when they spend five, six hours
24 on repeat evenings at our Flagstaff city council chambers,
25 and they come down and testify with you, and you travel up

1 to Wind Rock, and you hear leadership, or you're over in
2 Tuba and you hear -- or Lupe and you hear Chairman
3 Shingoitewa from the Hopi tribe who was just there the day
4 before and then testified again before you at that
5 Commission hearing that their words matter and that your
6 words matter.

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

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

13 CHAIRPERSON MATHIS: Thank you. Any questions?

14 COMMISSIONER STERTZ: Madam Chair.

15 CHAIRPERSON MATHIS: Mr. Stertz.

16 COMMISSIONER STERTZ: Couple questions.

17 MAYOR SARA PRESLE: I'm a little sick. I'm
18 sorry.

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

21 MAYOR SARA PRESLE: Okay. Share it all. Yeah.

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

25 MAYOR SARA PRESLE: I believe it is an important

1 factor. I don't think it's a determining factor, but I
2 believe it's a important factor, yes.

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

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

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

19 Would you comment on that for us, please.

20 MAYOR SARA PRESLER: Absolutely.

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

25 Former Mayor Paul Babbott is the current chair of

1 our regional planning commission, a well-known name in
2 Arizona. And Mr. Babbott recently facilitated an open house
3 with the Arizona Department of Transportation where we
4 learned about traffic patterns.

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

14 So if I have to plan about where we're going to
15 widen, where we're going to develop, where our business park
16 should be, where my auto mall should be, whether I should
17 make investments in Nestle Purina, for example, on the I-40
18 or whether I should focus on what's happening on the south
19 end at the county park or I should go further west toward
20 Bellemont, what we're learning from the data, and that's
21 kind of how I make decisions, data-based decisions.

22 Not sort of emotion or feeling. It's very easy in
23 local government to emotion take over.

24 So when we look at the data, we see that the real
25 trends in growth are happening, Flagstaff east on 40,

1 through the Schultz fire and flood area, and then they're
2 going slightly down into the Verde Valley area. I think
3 that there's always been a connection north and south,
4 because it's dead end in the city of Flagstaff. I mean,
5 it's, you know, all roads lead to Flagstaff north when you
6 head on 17, literally.

7 Whether we go towards Williams, I think if you
8 examine the data that ADOT's presented in our regional
9 planning process, you'll see that that's not a growth
10 pattern for the greater Flagstaff region.

11 So really what we're seeing is sort of a backwards
12 seven, I guess, if you come halfway up 17 and over east on
13 I-40.

14 So when we're doing our regional planning process,
15 which is going to go to voters for approval, we have to take
16 those traffic patterns and those business patterns and then
17 develop and plan our properties and our community in
18 accordance with what those plans are.

19 So having recently studied them, I can tell you
20 that I think more activity is happening along I-40 east, and
21 then there is also activity because there's one road, unlike
22 more metropolitan areas, north to south.

23 I think we have to think about the resources we
24 have when we draw logical conclusions.

25 Like, to say to me is there a lot of activity

1 north and south.

2 The only way for me to get to Phoenix and out of
3 Flagstaff is to go south on I-17.

4 And when the sucker closes, you know, we're all
5 out of luck.

6 So, yes.

7 But given the actual physical resources, you know,
8 I think it's just a natural logical yes that there's a
9 business connection there.

10 COMMISSIONER STERTZ: And, Madam Chair, as a
11 follow-up to that, it -- when you're looking at -- you had
12 said that obviously the constitutional criteria, all, all
13 in, all in itself, all in about itself needs to be clearly
14 balanced, but you had, you had shaped it in such a way as to
15 place the Voters Rights Act. The second is, is a no -- a
16 given because that's the equal population. But then you
17 felt that competitiveness was part of the overview of being
18 an American first, an Arizonan second, a citizen of
19 Flagstaff third.

20 Could you extrapolate on how -- what -- how you
21 interpret that and how that would pertain to, for example, a
22 large community of the Flagstaff Forty, large and small
23 business members, that are community leaders, that all came
24 together in various forms and discussions and came forward
25 with a series of proposals and recommendations. Correct?

1 MAYOR SARA PRESLER: Correct.

2 COMMISSIONER STERTZ: And, and a lot of the
3 communication that, that was put forward was that absolutely
4 correct, your backwards seven, that your -- that the
5 expansion of Flagstaff is slightly to the, to the east and
6 slightly to the south, and it funnels itself down in the
7 direction.

8 Now, if you're going to say to the competition,
9 can you explain about how you would view that in the, in the
10 description of how you proposed it?

11 MAYOR SARA PRESLER: Are you talking to me about
12 the congressional district or the legislative district?

13 COMMISSIONER STERTZ: Either. You had said that
14 you were an American first --

15 MAYOR SARA PRESLER: Right.

16 COMMISSIONER STERTZ: -- an Arizonan second, and
17 that you heard from this process the Voters Rights Act as
18 being mandatory, which, of course, it is.

19 The second, which is equal population for
20 congressional and plus or minus a certain percentage for
21 legislative.

22 But you would view that competition was incumbent,
23 because you're an American first.

24 But I wanted to have you, have you frame that for
25 me, please.

1 MAYOR SARA PRESLER: Thank you, sir.

2 The city of Flagstaff does value redistricting
3 outcome. That is, of course, as you indicated first of
4 foremost compliant with the Voting Rights Act of 1965 and
5 does not regress in its representation of native populations
6 in northern Arizona.

7 Mr. Commissioner, as you indicate, it's a given.
8 I would respectfully dissent that it's not a given.

9 Meaning that I participated on behalf of the city
10 of Flagstaff in hearings where there were two maps
11 presented, and both advocates, who were commissioners,
12 indicated that these were constitutionally compliant. I
13 remember Commissioner Freeman saying, you know, we can't
14 compromise with the constitution.

15 I don't terribly quote you, but at the same time
16 that map regressed in its representation of native
17 populations.

18 So I would just respectfully offer to you that
19 there's very little with this Commission that's a given.

20 And it's true, I think, as we try to create a
21 meaningful outcome here and a fair process that I have to,
22 on behalf of the community, consistently remind us that the
23 Voting Rights Act and not regressing in representation of
24 native communities is essential and that it's not a given.

25 So once that is accomplished, that is the

1 requirement threshold, in addition then the constitution and
2 the due process requirements in accordance with the
3 constitution, then, yes, maximizing competitive districts
4 across the state and including Flagstaff in such a district
5 is important. Because Flagstaff believes that when we have
6 a competitive district, we have a more fair and meaningful
7 opportunity at electoral representation on important issues
8 to us, such as transportation, economics, governments --
9 governance, and natural resource interest.

10 So, now, in my work as mayor for the city of
11 Flagstaff, we work very hard at supporting all kinds of
12 business.

13 As you know, we have small businesses in
14 Flagstaff, whether it's a river running business or a small
15 store downtown that sells some pretty neat outdoor gear. We
16 have folks that clean houses and folks that operate really
17 great coffee shops.

18 We also have larger businesses and larger
19 corporations, Nestle Purina, WL Gore, Southwest Wind Power,
20 SCA Tissue. A variety of other corporate interests in our
21 community. And of course we've got sort of folks who live
22 in between the large corporations and the mom and pop size
23 businesses.

24 And we find that in business and in the state of
25 Arizona, competition is good.

1 Nobody respects anybody who just sails into a
2 situation and doesn't have to work a little bit harder for
3 it. Right?

4 I mean, that's part about -- that's one of the
5 great parts about being an American, is that we believe that
6 we invest in an electoral process where those who enter the
7 race have a meaningful opportunity to be represented and
8 represent those who are in their community and have an
9 opportunity to advocate for a seat or a position that would
10 allow them to represent a broad range of the community.

11 Rather than in, for example, a primary system.

12 There's no reason for somebody to run against them
13 and then they just win in the primary and go on through the
14 general election and sail through to represent all the
15 people.

16 One of the cool things that happens in the city of
17 Flagstaff is that we have nonpartisan local races. So we
18 don't run with a party. We run on behalf of the people of
19 Flagstaff.

20 And that competition is good.

21 Because it makes the best ideas for the people of
22 Flagstaff come forward, we debate those ideas, we work
23 through those ideas, and then the voter decides who best
24 represents their interests.

25 And so we would suggest to you, sir, that when we

1 talk about business opportunities, while you may hear from
2 some from the city of Flagstaff that dissent, I appreciate
3 their dissent and I would defend to have the death their
4 right to dissent.

5 But in our representative democracy, I've been
6 elected by the people of Flagstaff to speak on their behalf.

7 And so I would share with you that in respect for
8 the system of government in which we have, that respecting
9 and honoring the Voting Rights Act, respecting native
10 populations that have been here for multiple generations
11 before us, and so to listen when the Navajo Nation has
12 something to say, that's a big deal.

13 For them to say that they appreciate the current
14 draft map where Congressional District 1 places Flagstaff
15 and places the Navajo Nation, to hear them stand before you
16 on land that once belonged to them and to speak to you and
17 say to you, legislative districts are smaller so it makes
18 sense to have more narrow communities of interest, I value
19 that process. I respect that process.

20 And I hope after listening to all the things that
21 you heard throughout the state and at these hearings here,
22 that you'll respect and listen to that as well.

23 COMMISSIONER STERTZ: Madam Chair.

24 CHAIRPERSON MATHIS: Mr. Stertz.

25 COMMISSIONER STERTZ: I just have one follow-up

1 question.

2 Being an elected official of the city of
3 Flagstaff, you're aware of the demographics of the
4 registration of Flagstaff.

5 Just as close as you can, what is the split of
6 registration for Democrat, Republican, and Independent with
7 the city of Flagstaff?

8 MAYOR SARA PRESLER: I don't have that information
9 right off the top of my head.

10 I'm actually one few elected officials in the
11 world who's not seeking reelection.

12 So I'm going probably lawyer and do something else
13 with my life for a little bit.

14 I love the private sector.

15 So I haven't studied the numbers up to date. But
16 I can tell you that about a sixth of our population is
17 native, and so about 5,000 of that is in the voting age for
18 native populations.

19 I can also tell you that Flagstaff is a unique
20 community in that party doesn't always dictate the way that
21 people decide certain issues. And I think if you look at
22 the statewide data on how certain races came out, certain
23 issues came out, Flagstaff and those from northern Arizona
24 tend to really hone in on specific issues, more than they do
25 party.

1 I can share with you, for example, we had in our
2 nonpartisan race for mayor last term, I'm the one who called
3 up the local Tea Party, Rita Roger, and said, can we please
4 have a debate before the Flagstaff Tea Party because I want
5 everybody to hear these issues, I want everybody to be
6 engaged.

7 And so it's uncommon, I think, for a mayor to call
8 the local Tea Party leader in northern Arizona and say, can
9 we please have a debate and talk about all these issues with
10 the people of your membership.

11 They said, yeah, absolutely.

12 So we held this big debate.

13 And I offer you that example because we, we really
14 have a sense of community and culture in northern Arizona.

15 And less than party lines, I think you'll find
16 that folks care about things like transportation, they care
17 about things like water, economic opportunities, governance,
18 and other natural resource issues.

19 And that's why the city of Flagstaff has continued
20 to emphasize those particular points in trying to
21 communication with you because that is what drives our
22 discussion in northern Arizona.

23 COMMISSIONER STERTZ: Madam Chair.

24 Thank you for -- and I would love to continue the
25 conversation. I know we have a full agenda here.

1 I find it, I find it disheartening that you would
2 think that -- you would find it odd that a mayor would call
3 a member of the Tea Party and would want to -- I would hope
4 that would be incumbent upon an open and aggressive
5 dialogue. And that somebody from northern Arizona would
6 find it odd that the Tea Party would -- that you would want
7 to invite them in for an open debate.

8 MAYOR SARA PRESLER: Oh, it was --

9 COMMISSIONER STERTZ: I'm really, I'm really happy
10 to hear that, that your -- that you are -- and you have and
11 I have had private conversations where we've had very, very
12 open and free wheeling conversations.

13 So, I appreciate your testimony today.

14 And I appreciate you, Madam Chair, your
15 willingness to -- for me to be able to QA.

16 MAYOR SARA PRESLER: Thank you so much,
17 Mr. Commissioner.

18 And I agree with you. It shouldn't be odd. It
19 should be the normal course of business to have open
20 dialogue. And so that's what we like in northern Arizona,
21 is this open dialogue.

22 That's why through the work we've been doing here,
23 I was so proud to see us enter this IGA and to vote on that
24 in the next couple of weeks with the Navajo Nation. The
25 whole purpose of it is to communicate and work together with

1 each other on a cultural competency level.

2 And so the work that we're doing here is blessing
3 not just what's happening here but the entire state of
4 Arizona.

5 And a good, healthy dialogue is good for Arizona.
6 So thank you.

7 CHAIRPERSON MATHIS: Thank you.

8 Any other comments? Questions?

9 Okay. Thank you very much.

10 I want to check on our court reporter to see how
11 he's doing.

12 He's not do doing well, he says. Thumbs down.

13 So we should take a ten-minute break.

14 It's 4:41, and we'll be back shortly.

15 (Brief recess taken.)

16 CHAIRPERSON MATHIS: We'll enter back into public
17 session.

18 The time is 4:57 p.m.

19 And we were in the midst of public comment. I've
20 got three more request to speak forms.

21 Our next speaker is Chase Williams, from Maricopa
22 County, representing self.

23 CHASE WILLIAMS: Thanks. Chase Williams,
24 C-H-A-S-E, W-I-L-L-I-A-M-S.

25 Mostly today I just want to talk about the

1 proposed map from Commissioner Stertz, because I think
2 there's some fundamental misunderstandings of, A, what
3 competitive means, B, what happened to the district that you
4 drew especially in the Maricopa area, and then finally some
5 of the partisan issues that I think we can see through your
6 actions.

7 First, I live in the Foothills precinct, which is
8 the farthest west precinct of Ahwatukee, which is the last
9 part of metropolitan Phoenix before you get to the Gila
10 River Indian community.

11 And based on how you drew the new CD 8 that I
12 would live in, I'm supposed to have something in common with
13 the northeast part of -- past Fountain Hills, Maricopa
14 County, which would be over an hour drive, in a supposedly
15 metropolitan district, as well as the fact that the Indian
16 reservation that I actually have connections to, which may
17 be Gila, isn't even in this district. Instead you're
18 connecting me with Fort McDowell.

19 Now, your support for this, Mr. Stertz, relied on
20 the competitiveness that you're supposedly creating
21 throughout all of the districts.

22 I'd like to remind you that competitiveness is
23 more than just a statistical analysis. It also has to do
24 with actual realistic chances for an candidate in these
25 supposed competitive districts.

1 So when you say that you make Congressional
2 District 4 more competitive, in quotations, you don't
3 actually increase the competitiveness, so there's no way
4 that a Democratic candidate in that district would ever be
5 able to win with the 14 percent divide or 20 percent divide
6 that still exists between the registration as well as the
7 other indexes.

8 And for someone that supposedly now likes
9 competitiveness, you destroyed the only truly competitive
10 district that we had in Maricopa County, which is CD 9,
11 which is actually an equal competitive district where
12 candidates on each side will actually have to fight
13 it out and discuss the issues instead of running to their
14 base.

15 Conveniently, the map that you've drawn for the
16 Maricopa County area protects Congressman Schweikert and
17 Congressman Quayle and gives them each their own district.
18 So I'm not sure if Ben Quayle called you again, but this
19 time, you know, you gave them their own district.

20 I'd like to also discuss what a previous speaker
21 said when she said that Phoenix or Ahwatukee and Tempe have
22 no relationship with the north region in Congressional
23 District 9.

24 But I'd like to remind her that our city district,
25 that we have City District 6 in Phoenix, is actually a

1 connection of Phoenix and Arcadia and some of those north
2 Phoenix neighborhoods.

3 So we do have a long-standing relationship in
4 which actually the next mayor of Phoenix actually
5 represented for nine years. So we do have a long-standing
6 relationship.

7 So, for the rest of the Commission, I would ask
8 that you please protect Congressional District 9.

9 Because we do need a competitive district in
10 Maricopa County.

11 And moving people around for someone that says
12 they're against packing, but then packing Democrats into
13 districts that they can actually represent themselves,
14 because it's convenient for your party and your partisan
15 ideas, is wrong.

16 So I ask that we actually preserve true
17 competitiveness and a realistic approach, rather than just a
18 statistical numbers game that protect incumbents in your
19 party and your own political gain.

20 Thank you.

21 VICE-CHAIR HERRERA: Thank you.

22 CHAIRPERSON MATHIS: Thank you.

23 Our next speaker is John Bush, representing
24 San Carlos Apache.

25 JOHN BUSH: Good afternoon. John Bush, B-U-S-H.

1 Again, I want to thank you for -- first of all, I
2 want to thank you for coming to San Carlos, to home of the
3 Apaches, San Carlos Apaches.

4 It was a good meeting, a lot of comments from our
5 community, our tribal members regarding the redistricting
6 work that you guys have done.

7 We commend you for it.

8 And my message is short. Is that we do want you
9 to maintain a majority-minority district. I think that's a
10 great symbol of hope for us, which we haven't had for a
11 long, long time out in Apache country.

12 We've always felt like we've never been
13 represented. And the work that you're doing, it gives us
14 hope, especially with the Legislative District 7.

15 I think that that is a good sign that we're not
16 only the state but progressing also. And it gives us a
17 chance to vote for the person of our choice, which we really
18 felt like we never had that before, even though we had the
19 right to vote. It just seemed like we never were
20 represented fairly.

21 And I think that would be the raising of the
22 numbers in District 1, your congressional district. That's
23 the start, at least needs to be 16 percent, now it's
24 20 percent.

25 And I think that it's kind of a light at the end

1 of the tunnel for us, and we appreciate that.

2 And I just wanted to express our thanks and
3 gratitude for you hearing out there, and the Apache casino,
4 and let you know -- to express on behalf of the tribe.

5 We have 15,000 members out there, close to 15,000,
6 plus the White Mountain Apaches. We were one tribe at one
7 time.

8 We lost a lot of land back in 1852 to what we are
9 now. We were all one tribe. And lost the Globe, Miami,
10 Superior, surrounding areas, Hayden, all the way to Morenci,
11 all the way to New Mexico. That was all our reservation the
12 at one time, but we don't hold that anymore, due to the
13 copper mines being built there.

14 We, we just want to express our concerns and our
15 hope for the future.

16 Thank you.

17 VICE-CHAIR HERRERA: Thank you.

18 CHAIRPERSON MATHIS: Thank you.

19 Our next speaker is Steve Titla, general counsel
20 for San Carlos Apache.

21 STEVE TITLA: Good afternoon, Independent
22 Redistricting Commission; Colleen Mathis, chairwoman; Linda
23 McNulty, she's not here; Commissioners Herrera, Freeman,
24 Stertz.

25 Did you get the letter from the tribe dated

1 October 21, 2011?

2 I'd like to just reread it.

3 (Brief pause.)

4 STEVE TITLA: That is the letter that the tribe
5 wrote to the Commission when you all visited the -- or some
6 of you visited the Apache Gold Casino on the San Carlos
7 Apache Reservation.

8 My name is Steve Titla, by the way. T-I-T-L-A.

9 I'm general counsel for San Carlos Apache, and
10 also am a member of the tribe San Carlos Apache from the
11 San Carlos Apache reservation.

12 And this is a letter that John Bush, the vice
13 chairman, gave to the members of the Commission that were in
14 San Carlos on October 21.

15 And in it what they note is that they support the
16 Commission's approved maps at that time.

17 So the tribe supported it.

18 And by resolution also they passed -- San Carlos
19 Apache counsel they passed a resolution number 0C-11-315.

20 And the resolution states that the resolution to
21 support the Arizona Redistricting Commission proposed
22 congressional and state legislative maps on October 10,
23 2011.

24 So that was the first issue of the maps that the
25 tribe supported.

1 And in the letter, they state that the reason they
2 really supported this, they thought that they had a chance
3 here to vote somebody into office.

4 And the tribe, I think it's finally getting
5 involved in these matters here with the Commission. And so
6 they really appreciate that.

7 Before this, our tribe, I think that maybe a lot
8 of tribes too, really get involved in tribal votes. We
9 really come out on the reservation. Our voting percentage
10 is probably about 90 percent for tribal votes.

11 But then the congressional and the state polling
12 sites are at separate places.

13 You have a tribal polling site on the same day.
14 And then after that, you have to go to another place to vote
15 for the state and then congressional offices. So that's a
16 difficult process.

17 Apaches are -- Apache voting first, although the
18 congressional states are important also.

19 But, I think the reason they do that is because we
20 don't have any really good contacts with our state
21 representatives or our congressional representatives, and so
22 Apaches don't really know these people, they don't see them
23 firsthand, about the issues they have.

24 So there's no tangible benefits from the
25 congressional or state representatives.

1 But, I think that if you have a chance for
2 Apaches, Apaches recognize and realize that we have -- we
3 can have a voice in state legislative politics, we can have
4 a voice in congressional, then I think that they can realize
5 that they can vote somebody into office that will represent
6 them.

7 And I think that in my lifetime, I thought that, I
8 told you this before, I thought that we would never vote in
9 the United States a minority to office.

10 But as you know, this happened the last election.
11 We have President Obama.

12 And somehow Obama, President Obama had the
13 charisma, but he touched the hearts of many tribal members
14 in the nation and in San Carlos also. And so we had a good
15 vote turnout for President Obama. He was able to touch the
16 hearts of natives in the country.

17 And he promised when he was voted in that he would
18 meet with tribes on an annual basis.

19 And this has happened last week. We were in
20 Washington, D.C., last week, for the entire week. And it
21 was President Obama following his -- follow up on his
22 promise to meet with tribes.

23 So last Friday President Obama met with tribal
24 leaders in the country.

25 I wasn't there. He doesn't want us general

1 counsel in there. They want the tribal leaders in there.

2 So that was okay.

3 So our chairman, Terry Rambler, was over there in
4 Washington, over there with him too. But we had meetings
5 all week with Department of Interior, all the major
6 departments we had meeting with them all week long last
7 week.

8 So Obama was able to -- I guess the point I'm
9 making that Obama somehow was able to touch the hearts of
10 tribal members and tribal members somehow connected with him
11 and thought that here's a person that we know, we recognize,
12 and we think -- we believe him, and we think that he will
13 follow up on his promise to help tribes out.

14 Now, that's not the same for our congressional
15 representatives or our state representatives, because we
16 don't see them.

17 All we know is that they're opposed to our sacred
18 sites land right now. Our state representative are opposed
19 to us right now. Our congressional representatives are
20 opposed to us right now.

21 That's the only time we hear from them, it seems
22 like, when they are opposed to us.

23 So we really have no tangible connection with
24 these, these people that represent us, supposedly represent
25 us, in state and congressional officer.

1 But I think that if we have a chance, if Apache
2 and tribes in the nation -- I mean, in the state here can
3 realize that we have a chance here to vote somebody to
4 office of our choice, then I think that's all part of the
5 Democratic process, you know, as a nation, as citizens of
6 the United States, that we are. We're citizens of the state
7 also.

8 And I think that you have a hand -- commissioners
9 have a hand in doing that. Because if you enhance the
10 majority-minority district for tribes and for minorities in
11 the state, then finally I think that tribes will recognize
12 that, hey, we have a chance to vote somebody in.

13 We should -- I'm going to vote -- that Apaches are
14 going to say I'm going to vote in the tribal election and
15 then I'm going to go to the state election and then I'm
16 going to go to the federal election and I'm going to make
17 sure I vote.

18 And you're going to have a hand in doing that.

19 And I hope that you continue to enhance the
20 majority-minority district for tribes in the state.

21 And we supported the vote there.

22 I know that a lot has happened since October 21.
23 So I welcome Colleen Mathis back as chairwoman. We welcome
24 you back and hope that everything goes well here, but that's
25 my statement.

1 Before I forget, I talked to Ronnie Lupe this
2 morning. Ronnie Lupe is the chairman of the White Mountain
3 Apache Tribe. And he called me and he said, I can't get
4 down here because of the snowstorm going on in the
5 White Mountains this morning, but he would have liked to
6 have come down.

7 But he said he wants to maintain Show Low within
8 the district that they're in.

9 He has some connection with Show Low, and he
10 wanted to maintain that.

11 And I think he's talking about the state
12 legislative district, because it's in the congressional
13 already. But I think that he's talking about the state
14 LD 7, is what he's talking about.

15 So that's what he told me to convey, and that's
16 what I convey to Ronnie Lupe. That's what he told me.

17 So, thank you.

18 CHAIRPERSON MATHIS: Thank you.

19 I think that concludes public comment. Is there
20 anybody else who wishes to address the Commission?

21 (No oral response.)

22 CHAIRPERSON MATHIS: Okay. We will move on then
23 to the next item on the agenda.

24 Thank you all for coming and giving your comments
25 today.

1 Discussion -- number three, discussion and
2 possible direction to mapping consultant regarding
3 adjustments to draft legislative districts.

4 And I think we gave our mapping consultants some
5 guidance on this on Thursday, and they have complied and
6 have some things to show us.

7 WILLIE DESMOND: Yes, I think there are
8 six possible changes to the legislative draft map prepared
9 for today.

10 The first one is a change reflecting
11 Cochise County and Green Valley.

12 And there is changes to the Schultz flood area.
13 And I will go into it later further, but there's two
14 possible changes to the Schultz flood area, one that is
15 a narrow change and one that's more of a wide-reaching
16 change.

17 We also have a possible change to swap Show Low
18 for Winslow between District 6 and 7.

19 And in changes to improve competitiveness of 8 and
20 11, Pinal County.

21 And then the Susan Gerard map that she had
22 submitted also.

23 I think to start with the Cochise and Green Valley
24 one, if that works.

25 And I know we've discussed this and used this as

1 an example of the possible change report, but attached is
2 the actual change report for you to consider.

3 Basically the change is to keep Cochise County
4 whole within District 1. That arm that you can see that is
5 green that goes to Bisbee and Douglas would be removed from
6 that district.

7 This would make District 1 overpopulated and
8 District 2 underpopulated. In order to fix that,
9 Green Valley would then be included in District 2, taken
10 from District 1.

11 This would allow us to keep the I-19 corridor
12 together and improve the compactness of both districts.
13 However it does have adverse effects to the voting rights
14 status of District 2.

15 I know this was discussed briefly on Friday. Ken
16 and Bruce and the legal team agreed to look at this more
17 closely over the weekend and to come back with some further
18 suggestions. So that with, I'll turn it over to them.

19 KENNETH STRASMA: Thank you. So we, we wanted to
20 make sure that this change would not be retrogressive.

21 In terms ability to elect, although the Hispanic
22 percent does go down significantly, if you look at the
23 change report, the total Hispanic population is reduced
24 7 percent, from 66 percent to 59 percent.

25 And there's similar changes on Hispanic citizen

1 voting age population and Hispanic share of registration.

2 The district does, however, maintain its ability
3 to elect by every measure we've looked at.

4 One of the things we talked about last week is
5 that we looked at past elections in addition to the mine
6 inspector race.

7 Mine inspector performance in 2010 was at
8 62 percent for the Hispanic candidate.

9 With this change, it drops to 56.8 percent.

10 So lower, but still fairly high.

11 Puts it in the midrange of the other voting rights
12 districts.

13 We also looked at president '08, secretary of
14 state '06, and president '04.

15 In none of those races does the district drop
16 below 54 percent for the Democratic candidate, and in each
17 one of those districts the homogeneous precinct analysis
18 indicates that the Democratic candidate was the Hispanic
19 candidate of choice.

20 One additional election that we've added since
21 last week was -- at Mr. Adelson's request was 2004
22 Proposition 200.

23 There the no vote was the, so to speak, the
24 candidate of choice of Hispanic community.

25 And the -- so the yes vote is -- goes up slightly

1 from 44 percent to 46.7 percent, but still showing as the
2 ability for the district -- reconfigured district's ability
3 to elect candidate of choice under that measure.

4 One concern that Mr. Adelson raised, which is why
5 I believe he still wants to look at this some more, is that
6 this had been the highest district in term of percent
7 Hispanic voter registration and Hispanic citizen voting age
8 population.

9 So while it does not lose the ability to elect
10 candidate of choice, it does remove what had been our
11 highest district, and moves the district somewhere towards
12 the middle of the pack.

13 It is however, significantly higher than former
14 LDs 29 or 25, the two voting rights districts from which it
15 received some population.

16 And as I said before, under all the measures we
17 looked at maintains a healthy ability to elect.

18 CHAIRPERSON MATHIS: Thank you.

19 Any questions for Mr. Strasma?

20 (No oral response.)

21 CHAIRPERSON MATHIS: Okay. Thank you for that
22 analysis.

23 Do commissioners have any thoughts on this
24 particular change, just comments, or. . .

25 (No oral response.)

1 CHAIRPERSON MATHIS: Okay. I don't hear any.

2 So thanks for checking that out for us.

3 I'm sure we'll be talking about that more in the
4 future.

5 Do you want to go to the next one, Willie?

6 WILLIE DESMOND: Yes.

7 So the next one is the Schultz flood area.

8 And I'll kind of explain why there's two of them
9 with this.

10 I received a file that outlined the area that was
11 affected by the Schultz flood from the Coconino County
12 government.

13 Looking at it, it's kind of -- it's clear where it
14 is, where they're hoping to grow to.

15 Let me find the old district.

16 Okay.

17 So the old district was just kind of looped around
18 right here.

19 What I did here is I expanded this area in order
20 to only grab census blocks that were wholly contained within
21 the affected area.

22 When you turn on the census blocks, you can see
23 that the blocks that surround this area are very large, and
24 so they go much past the affected area.

25 The reason I was hesitant to go ahead and accept

1 that place, and I apologize that there's so many colors
2 here, I did receive, you know, earlier in the process a file
3 from Mr. Gorman that outlines some of the Navajo Nation
4 lands and the tract lands.

5 So this blue area is -- I'll fill it in. It will
6 go easier.

7 So there is some tract lands and stuff here that
8 they identified as areas -- and I didn't necessarily want to
9 go and cross into those without bringing that up to the
10 Commission.

11 So in the narrower one, I only accepted areas that
12 were wholly contained within the affected area.

13 In the wide, I went ahead and took all the blocks
14 that intersected with any area of the flood area.

15 As you can see from the two reports, there is no
16 change in population. These are unpopulated areas. It's
17 simply a question of whether or not to include that land in
18 this change or not.

19 So just -- the Schultz flood area, again, is
20 the -- is this green box.

21 The Schultz fire area is this red area, this
22 orange box. It's not really a box.

23 And then just to make it clear again, the change
24 we're looking at was -- this was the old district. I'll put
25 on the census places. You can see that a little easier.

1 This was the old district.

2 It went out from Flagstaff and grabbed the
3 Doney Park area.

4 The change would be to here, to grab more of this
5 land, the affected area.

6 And, again, that would be the Navajo lands that I
7 did not grab and the census blocks that I did not grab.

8 Without confusing things too much, I can either go
9 to the other map or I can try to add that as a layer here to
10 see, to see the kind of the greater expanse.

11 VICE-CHAIR HERRERA: Madam Chair.

12 CHAIRPERSON MATHIS: Mr. Herrera.

13 VICE-CHAIR HERRERA: The -- when we were in
14 Flagstaff, the leaders of Flagstaff presented us with a map
15 that was pretty detailed of what they, of what they wanted,
16 but also the public comment was overwhelming that those
17 areas should be included with the city of Flagstaff.

18 I mean, it was really overwhelming, and I think
19 they made a good case.

20 So if we can go to the map that the leaders of
21 Flagstaff provided us, is that possible?

22 WILLIE DESMOND: Well, I mean, this is as close to
23 that as possible.

24 The problem is that that map does not comply with
25 census blocks, which is the smallest level of geography in

1 which we can move lines.

2 So when we take -- you know, looking at the --
3 I'll turn the blocks on again.

4 You can see that they're just very large here, and
5 that's -- so, so this, this black line is the smallest
6 thing.

7 Then if I, if I were to just take this census
8 block and add it to District 6, it's a really fairly large
9 area.

10 So to go and expand, you end up taking quite a bit
11 more than just the affected flood area.

12 So that's the reason I did this in two different
13 options.

14 I mean, it's possible that we could split some of
15 these blocks along those lines.

16 VICE-CHAIR HERRERA: Madam Chair.

17 CHAIRPERSON MATHIS: Mr. Herrera.

18 VICE-CHAIR HERRERA: Yeah, I definitely want to
19 see that.

20 Because I think the communities, if we want to
21 keep the communities of interest intact, and I think that,
22 as I said before, they, they made a good argument about
23 keeping those communities, all those communities within the
24 city of Flagstaff.

25 So that's why I prefer to see that.

1 WILLIE DESMOND: Okay.

2 I can -- I'll take a look at what we received. I
3 know we did have a paper map that had a slightly more
4 detailed area of the flood area.

5 But comparing it to the file I received from the
6 county, I think it was fairly close.

7 I can quickly just show you what the expanded area
8 would look like.

9 So this would be -- this is the area, I guess.

10 And again you can see the affected area is the
11 green area, this green box.

12 That's the Navajo land.

13 And the black would be wholly incorporating the
14 affected area, as narrow as we could using the census
15 blocks.

16 CHAIRPERSON MATHIS: That's a tricky one.

17 Any comments or questions on this one?

18 VICE-CHAIR HERRERA: Madam Chair, since there's no
19 disagreement, I'd like to see this as close to the map that
20 was proposed by the Flagstaff leaders.

21 WILLIE DESMOND: I think, think we're, we're
22 there. So it's --

23 VICE-CHAIR HERRERA: Okay.

24 WILLIE DESMOND: I will say that the wider one
25 takes no more people, so these are unincorporated areas.

1 So, as far as population goes, you're not looking
2 at shuffling any more people with the wider one.

3 But, again, the narrow one does not include the
4 entire, entire affected area.

5 And we've talked in the past about splitting
6 census blocks, and Ken can probably speak to this more.

7 I would be a little hesitant to do it here in
8 large part because District 7 is a voting rights district,
9 and any sort of split census block you do that goes along
10 the edges of a voting rights district is going to take a
11 whole separate set of documentation and things.

12 And I'm, and I'm not as -- Ken would know much
13 more the process of splitting census blocks. So if you have
14 some questions, I'm sure he can speak to that.

15 But if not, that's the reason this is such a
16 bigger area.

17 CHAIRPERSON MATHIS: Any questions on that?

18 Any other comments on this particular proposed
19 adjustment?

20 COMMISSIONER STERTZ: Madam Chair.

21 CHAIRPERSON MATHIS: Mr. Stertz.

22 COMMISSIONER STERTZ: Are these adjustments going
23 to be made available to us other than in the report form?
24 Are they going to be available to us in map form so we can
25 see -- again, whether or not we can make improvements or

1 give comments?

2 Because right now, without looking at it further
3 on a plan side, we cannot see whether or not we could be
4 making any recommendations for improvement.

5 WILLIE DESMOND: Yes. The block equivalency files
6 are also up on the website. I believe Buck was able to post
7 those.

8 At this point I haven't gone ahead and prepared
9 every one of these changes in, you know, the shapefiles, the
10 compact Caliper files, the Google map files, the block
11 equivalencies as a text file.

12 While we're doing the work before to get ready for
13 the draft maps, we had been doing several formats and those
14 formats grew.

15 I guess selfishly I was trying to keep it kind of
16 a narrow thing just in order to save time.

17 If we were doing a lot of maps, I'm not sure we
18 would have been ready for today.

19 If there are specific types of, types of
20 mapping files that the Commission would like to see, I'm
21 more than happy to provide anything for these and then
22 going forward. But the block equivalency files to load the
23 plans are available online, and I can give you those today
24 also.

25 COMMISSIONER STERTZ: Madam Chair.

1 CHAIRPERSON MATHIS: Mr. Stertz.

2 COMMISSIONER STERTZ: My recommendation is to be
3 able to provide in PDF form the McNulty change on the
4 overall state level and the Stertz change on the overall
5 state level in PDF, and as well as the Google map. Those
6 would be the only two that I would say would be -- as far as
7 the other changes, the Schultz fire changes, the Hispanic
8 Coalition changes, those in block equivalencies would be for
9 the commissioners to be able to study at the Maptitude
10 level.

11 But from the public's perspective, they want to be
12 able to take a look at the PDF or the Google.

13 WILLIE DESMOND: Okay. Well, then tomorrow --
14 tonight and tomorrow morning I'll work on getting those
15 ready. Then I think tomorrow during the day probably I'll
16 work with Buck to get those posted online so that members of
17 the public can have those.

18 COMMISSIONER STERTZ: That would be terrific.
19 Thank you.

20 VICE-CHAIR HERRERA: Madam Chair.

21 CHAIRPERSON MATHIS: Mr. Herrera.

22 VICE-CHAIR HERRERA: I'd like to also be --
23 changes I recommended be in a PDF file as well.

24 WILLIE DESMOND: Okay.

25 So, for the PDF, if I understand correctly, you

1 just want a layout that shows the statewide map basically
2 and then the old line and the new line.

3 Okay.

4 CHAIRPERSON MATHIS: Any other questions or
5 comments?

6 (No oral response.)

7 CHAIRPERSON MATHIS: Go to the next one.

8 WILLIE DESMOND: Moving right along.

9 The next change for you to consider was one that
10 Commissioner McNulty had asked for, and that was to switch
11 the Show Low area with the Winslow area.

12 Additionally it was brought up that it is not a
13 bad idea to try to remove the portion of Mohave County that
14 is above the Pai tribes as a why to improve the voting
15 rights of District No. 7.

16 I think that change is also reflected in the map
17 that the Navajo Nation had given us today.

18 So the real changes here are between six and seven
19 here in Winslow and Show Low, and also up in the
20 northwestern corner kind of removing, like, Colorado City
21 and stuff from the Native American voting rights district
22 and putting it back with District 5.

23 So I guess starting with Winslow, you can see that
24 the area of Winslow, Winslow west are now included in
25 District 6.

1 I went a little bit further just to get a little
2 bit closer on the population, although there is a lot there.

3 And then previously the district had run up and
4 gotten Pinetop, included that in District 7, left Show Low
5 out of District 7.

6 So now it runs up and always includes Show Low
7 with District 7.

8 These changes do have some effects on the voting
9 rights district, as you can see in your change packets.

10 District 7 goes from a total minority population
11 of 74.7 to a total minority population of 74.8.

12 Its Native American percentage voting age goes
13 from 61.9 to 62.4.

14 CVAP and mine inspector don't apply as much to the
15 Native American voting rights district, but looking at the
16 competitiveness of District 7, it went from 34.7 percent
17 Republican in index two to about 35.8 percent Republican,
18 65.3 to 64.2. So about a point and a half worse in ability
19 to elect a candidate of choice, if the homogeneous precinct
20 analysis suggests that the Democrat is really the candidate
21 of choice there.

22 That was probably the -- that population does go
23 largely into six.

24 The changes to District 5 are just adding in
25 population.

1 So, following all these changes, District 5 does
2 go from a negative population deviation of about 4500 to a
3 positive deviation of about 6,000.

4 District 6 goes from about 1700 people too many to
5 about 900 people too few.

6 And District 7 goes from underpopulated by about
7 2700 to underpopulated to about 10,500, which is about a
8 five percent population deviation.

9 Again, I leave it to Mary and Joe to let you know
10 what an acceptable margin is. Although I think you do have
11 a little bit more flexibility if it is in a voting rights
12 district.

13 Are there questions about this change, or. . .

14 CHAIRPERSON MATHIS: Any comments on this?

15 COMMISSIONER STERTZ: Madam Chair.

16 CHAIRPERSON MATHIS: Mr. Stertz.

17 COMMISSIONER STERTZ: Willie, will you zoom in and
18 show us the cities of Show Low and Winslow?

19 WILLIE DESMOND: So, Winslow is up here.

20 As you can see, the old district included that
21 with what was District 7.

22 The new district goes up to the county line, grabs
23 Winslow, and wraps around.

24 COMMISSIONER STERTZ: And would you then show us
25 how Show Low connects into Pinetop and Lakeside?

1 WILLIE DESMOND: Yes.

2 So, as you can see, the old district came down,
3 incorporated Pinetop, Lakeside, with, with the Fort Apache
4 area here in District 7.

5 This change would keep that line similar, except
6 it would go up and grab Show Low additionally.

7 COMMISSIONER STERTZ: So Show Low, Pinetop,
8 Winslow are all now connected.

9 WILLIE DESMOND: No.

10 Winslow was with Pinetop.

11 Winslow would now go with District 6. And
12 Show Low would go in District 7.

13 So it's a swap, I guess, of Pinetop for Show Low.

14 Then the Colorado City, and this is a strip, it's
15 just for good measure.

16 COMMISSIONER STERTZ: So, Show Low, Winslow -- or,
17 excuse me, Show Low, Pinetop, Lakeside are not in the same
18 district.

19 WILLIE DESMOND: Currently Show Low and Pinetop
20 are not in the same district. With this change they would
21 be.

22 COMMISSIONER STERTZ: They would be.

23 WILLIE DESMOND: Currently though, Pine -- or
24 Winslow is with District 7, and with this change it would no
25 longer be.

1 COMMISSIONER STERTZ: Thank you.

2 CHAIRPERSON MATHIS: Any other questions or
3 comments?

4 WILLIE DESMOND: Okay.

5 The next change to be considered would be trying
6 to improve the competitiveness of Districts 8 and 11.

7 This is another, another map that
8 Commissioner McNulty had me look at.

9 I played around with this one for a while and was
10 able to make District 11, I believe, more competitive.

11 I will show you in a second -- excuse me,
12 District 8 more competitive.

13 Let me add the layer back in of the old map.

14 So, if you recall, 8 and 11 are comprised
15 primarily of Pinal County.

16 There's also an area of Gila County, kind of the
17 copper corridor, and then a portion of north Pima County
18 that was also included in these two districts.

19 Previously they kind of split right down the
20 middle of Pinal County.

21 District -- District 11 had Marana, Picture Rocks,
22 Red Rocks, Eloy, Casa Grande, the town of Maricopa, and then
23 the Gila River Indian reservation area was kind of on the
24 western side of this.

25 District No. 8 had Oro Valley, Catalina,

1 Saddlebrooke, Oracle. And then going up on into Globe it
2 also had Coolidge and Florence together, as well as with the
3 lion's share of the San Tan Valley.

4 Trying to make these more competitive, I kind of
5 started just looking at areas that had, had higher
6 performance.

7 Both of the districts, 8 and 11, were, were
8 relatively Republican. District 8 had in index two a
9 Republican percentage of 56.7. District 11 had a Republican
10 percentage of 55.7.

11 So, the way I found to be able to do it was to try
12 to link, you know, parts of, parts of Globe and -- Globe and
13 Oracle with Coolidge and Florence, San Tan, and then
14 portions of Eloy and Casa Grande.

15 This would keep Saddlebrooke, Catalina, Oro
16 Valley, and Marana in the same district, Picture Rocks,
17 Red Rocks, and then include the southern portions of Eloy,
18 Casa Grande, and then the city of Maricopa.

19 It does introduce splits to Casa Grande and Eloy
20 that were not there before.

21 So it does have, does have more splits in both the
22 census place -- census tracts, but it has less splits on the
23 census block group level.

24 Are there questions about this?

25 VICE-CHAIR HERRERA: Madam Chair.

1 CHAIRPERSON MATHIS: Mr. Herrera.

2 VICE-CHAIR HERRERA: Mr. Desmond, did you -- I
3 understand you went through the current competitiveness
4 indexes, how they are now. Did you go over what the changes
5 would -- how they would differ after the changes?

6 WILLIE DESMOND: No, I did not.

7 VICE-CHAIR HERRERA: Would you do me a favor and
8 do that?

9 WILLIE DESMOND: Sure.

10 So looking at District 8, just using, using the
11 difference column in the change portion, in index two it
12 becomes about ten points more competitive.

13 And I don't want to overstate that ten points,
14 because when you become five points less Republican, you
15 become five points more Democratic, and vice versa.

16 So it's, it's, you know, five points closer to the
17 50/50 line.

18 So a 10.2 percent difference is actually
19 5.1 percent higher of one, 5.2 percent lower of the other,
20 closer towards 50/50.

21 So looking at index two, it's 10.2 percent
22 different, 8.8 percent in index three, 10 percent on
23 index four, and 12 percent on index five.

24 Looking at the actual splits in the new plan,
25 using index two, 51.6 percent Republican, 48.4 percent

1 Democrat.

2 Index three would be 49.9 percent Republican,
3 51.1 percent Democrat.

4 That, that difference there reflects the fact that
5 there is a partisan registration advantage for the
6 Democratic in this District 8.

7 Using index four and five, it would be
8 53.3 percent Republican, 51.3 percent Republican for
9 index five and then 46.7 and 48.7 for the Democratic
10 candidate using index four and five.

11 As a result of taking more of the, I guess, the
12 Democrats from the combined 8 and 11, District 11 becomes
13 less competitive.

14 It goes from index two of 55.7 percent Republican.
15 The old plan up to 58.9 percent Republican.

16 Democratic number drops from 44.3 in index two to
17 41.1.

18 So that's a change of about 3.2 percent.

19 Using index three, it goes from 54.1 percent
20 Republican up to 58.7, and drops from 45.9 Democrat down to
21 41.3.

22 And those numbers are pretty consistent with
23 indexes four and five also.

24 VICE-CHAIR HERRERA: Madam Chair.

25 CHAIRPERSON MATHIS: Mr. Herrera.

1 VICE-CHAIR HERRERA: I'm not aware of the changes
2 that Commissioner McNulty proposed, so is there any way I
3 can get a list of the detailed changes? Assuming she sent
4 you that information.

5 WILLIE DESMOND: No.

6 My direction was just simply to see if I could
7 make a competitive district out of 8 and 11.

8 VICE-CHAIR HERRERA: Okay.

9 WILLIE DESMOND: So I played around with it a
10 couple different ways.

11 Initially I attempted to make District 11 the
12 competitive district by incorporating, you know, Gila River,
13 Casa Grande, Coolidge.

14 Ultimately, though, I felt it necessary to bring
15 in the portion of Gila County and also Oracle.

16 So what ended up working, I guess, or, you know,
17 you guys can be the judge of whether or not it works, is
18 starting here on the right side, the east, and kind of
19 building off from there.

20 But, you know, there may be more ways of doing it,
21 and I'd be open to exploring others, but that seemed to
22 be -- you know, without having to change any other
23 districts, that seemed to be the most viable option.

24 VICE-CHAIR HERRERA: Madam Chair, just one more
25 question.

1 Now, is there a reason why she,
2 Commissioner McNulty, only focused on two in terms of making
3 8 and 11 -- is it 8 and 11 -- more competitive, as opposed
4 to any of the other ones that have an opportunity to be more
5 competitive, work with those as well?

6 WILLIE DESMOND: I don't know.

7 She just asked that I take a look at making a
8 competitive district of 8 and 11.

9 VICE-CHAIR HERRERA: Is it possible to work with
10 you to make other districts that have an opportunity to be
11 more competitive to do so?

12 WILLIE DESMOND: Yes. Are there any that you --

13 VICE-CHAIR HERRERA: I haven't given it much
14 thought, but I can. And I can hopefully work with you.
15 Because I definitely think that we can create more
16 competitive districts than the ones that were proposed.

17 WILLIE DESMOND: Okay.

18 COMMISSIONER STERTZ: Madam Chair.

19 CHAIRPERSON MATHIS: Mr. Stertz.

20 COMMISSIONER STERTZ: Mr. Desmond, it appears as
21 though the -- that to create competitiveness in 8, we had to
22 pack 11, to become an uncompetitive district.

23 WILLIE DESMOND: As a result of 8 becoming more,
24 11 did become less competitive, yes.

25 COMMISSIONER STERTZ: Less competitive by

1 registration, by all of the indices, it became less
2 competitive.

3 WILLIE DESMOND: Correct.

4 COMMISSIONER STERTZ: If we went in the opposite
5 direction to create more -- a more competitive district for
6 11, how would you -- how may have you approached it to
7 create a more competitive district for 11 and a less
8 competitive for 8?

9 What would have been your analysis? In other
10 words, going in the opposite direction.

11 WILLIE DESMOND: When I started with that, I
12 started with Casa Grande, on the -- I guess kind of on the,
13 on the west side. I did explore a little bit doing kind
14 of a north-south type divide, and didn't have much luck
15 there.

16 But I did start with Casa Grande and Eloy.

17 I picked up the areas of Coolidge and Florence.

18 San Tan Valley is kind of -- is a heavily
19 Republican area, so it was -- I had to, you know, without --
20 so having to pick that up to go over into Gila County kind
21 of impeded my progress, so that's why I switched to kind of
22 an east-to-west type of, type of path.

23 But if you were to try to get District 11 to be
24 more competitive, that's what I did.

25 I included most of the areas in Pima County with

1 District 8 when I was trying to make this more competitive,
2 and I had this more of a central and north central kind of
3 Pinal County district.

4 VICE-CHAIR HERRERA: Madam Chair.

5 CHAIRPERSON MATHIS: Mr. Herrera.

6 VICE-CHAIR HERRERA: I think, you know, I -- I
7 know that Commissioner McNulty isn't here, so it's difficult
8 to try to speak on her behalf, but I -- if I remember
9 correctly, in the draft, that both 8 and 11 were not
10 competitive to begin with.

11 So when Commissioner Stertz says it's less
12 competitive, it was never competitive to begin with.

13 So what Commissioner McNulty was trying to do is
14 create one competitive district out of two noncompetitive
15 districts. So instead of having zero out of those 8 and 11,
16 she was able to create one competitive district out of the
17 two.

18 So I'm pretty certain that that's what she was
19 trying to do.

20 Again, I don't necessarily disagree with that. I
21 just want to see if we can create more competitive districts
22 using some of the same scenario and try to create more.

23 And I'm -- as I said, Mr. Desmond, I'm happy to
24 work with you.

25 COMMISSIONER STERTZ: Madam Chair.

1 CHAIRPERSON MATHIS: Mr. Stertz.

2 COMMISSIONER STERTZ: Again, Commissioner Herrera,
3 I'm not disagreeing with the, with the approach. I'm not --
4 you can't, you can't take two majority Republicans districts
5 and create two competitive districts out of the same two
6 districts. It's a statistical impossibility.

7 So the only way to do that is to move Republicans
8 out of one district and Democrats into the other district in
9 a way to create competitiveness.

10 That's -- so my suggestion or my question was, is
11 if we were going to go in the opposite direction -- would
12 you, would you, Mr. Desmond, would you put the traffic, the
13 highways up on the map, please?

14 Thank you.

15 If you were going to approach this in the opposite
16 direction, is there -- do you believe that you would be able
17 to create a like competitive district in 11 in lieu of -- in
18 moving registration blocks from one to the other?

19 The answer should be an obvious yes.

20 Because if you can create one, you can create --
21 you can create either 11 or 8 being competitive based on the
22 analysis you've already provided.

23 Eleven could -- 11 could also meet the same or
24 similar criteria, could it not?

25 WILLIE DESMOND: When I attempted to make 11 more

1 competitive, I had a harder time.

2 COMMISSIONER STERTZ: And why was that?

3 WILLIE DESMOND: I think because a lot of the
4 Democratic vote comes from the eastern portion of eight.

5 So there's -- it's not possible to link
6 Gila County and Oracle as easily with Gila River and parts
7 of Casa Grande.

8 COMMISSIONER STERTZ: Well, assuming that you were
9 going to go into that direction, there may be, there may be
10 iterations, because --

11 WILLIE DESMOND: It's entirely possible there's
12 another way of -- a better of doing this.

13 I will say I did try to make 11 a competitive
14 district first, at first blush, to see if I could make this
15 simpler.

16 I kind of ran into a wall.

17 So I started over again and found it a little
18 easier to make eight.

19 But that's not to say there's not a way to do it.

20 VICE-CHAIR HERRERA: Madam Chair.

21 CHAIRPERSON MATHIS: Mr. Herrera.

22 VICE-CHAIR HERRERA: I think, I think that none of
23 us would disagree that having -- that they -- that
24 particular area, especially on District 11, it's a high
25 Republican area, so they're packing themselves in.

1 It's not like they're -- there have been --
2 they're artificially being packed in.

3 I mean, if anybody knows that area, it's a high
4 Republican area. And they would be difficult to -- you
5 know, I used to live around that area. It would be
6 difficult, I would agree with Mr. Desmond, to create a
7 competitive area out of 11, and I would disagree that we're
8 trying to pack them. They're already there. And they
9 are -- I mean, that's a high dense population, it's growing,
10 and it happens to be more Republican.

11 COMMISSIONER STERTZ: Madam Chair, it's, it's --
12 you -- it is a situation of moving. The only way to be able
13 to get the numbers to work is to move Republicans out of one
14 district and move them into the other.

15 I mean, and that, that is -- that's -- I would
16 hate to be a Democrat living in, in District 11, because the
17 opportunity to elect a Democrat in District 11 is going to
18 be almost impossible.

19 So I'm just thinking, is there another, is there
20 another way of looking at this that you could -- because I
21 was looking at the percentages of registration. And in 11,
22 in the old map, was a 32.7 percent Republican, 31.7 percent
23 Democrat, and 35.6 percent other.

24 In the new map, it's, it's now gone from 32.7 to
25 38.8 percent Republican, down Democrat 37 from 20 -- from

1 31.7 to 27.7.

2 And then also the Independents went down from 35.6
3 to 33.4.

4 I -- my, my concern is or -- not a concern, but
5 just another way to evaluate to be able to take a district
6 of balanced registration in the old plan into an imbalanced
7 registration in the new plan.

8 I know the consideration between voting and voting
9 patterns all play into the analysis of competitiveness. But
10 that's -- I always sort of default back to -- and this goes
11 back to when we were talking about Congressional District 9,
12 and the competitiveness was, was analyzed both on equally of
13 registration as well as other indices and analysis.

14 So, I -- this is a, this is a block equivalency
15 file located -- let's -- we'll, we'll give us the
16 opportunity over the next couple days to split this in some
17 different iterations.

18 VICE-CHAIR HERRERA: Madam Chair.

19 CHAIRPERSON MATHIS: Mr. Herrera.

20 VICE-CHAIR HERRERA: I mean, you can add -- I'm
21 going to refer to District 11. You can put in ten more
22 percentage points of Hispanics -- excuse me, of Democratic
23 voters, and they still wouldn't be -- it wouldn't be
24 competitive.

25 Anybody that knows that area understands that. I

1 mean, you could bring Ronald Reagan as a Democrat to run in
2 that area. He wouldn't even win.

3 That's how, that's how uncompetitive that area is.

4 And putting more Democrats in that area, I
5 would -- I think most people that live in there would agree
6 that it's a wasted vote.

7 So, I know that area. I think -- you know, I used
8 to live in that area. So I would say that you, you cannot
9 make that area competitive.

10 And, I mean, again, I think Mr. Desmond, who knows
11 more about mapping than both of us do, I think he tried his
12 best, and he was unsuccessful doing that, and I would -- I
13 believe him.

14 So, that's all I wanted to say.

15 CHAIRPERSON MATHIS: Other questions or comments
16 on this one?

17 COMMISSIONER STERTZ: Madam Chair, just as a point
18 of clarification.

19 Commissioner Herrera, are you talking about the
20 old, the old plan of 11?

21 VICE-CHAIR HERRERA: The new plan of 11.

22 COMMISSIONER STERTZ: The new plan of 11,
23 positively.

24 The old plan of 11 was almost a 50/50 split of
25 Republican, Democrat registration in a two, in a two way.

1 VICE-CHAIR HERRERA: That's the same area that
2 includes San Tan Valley?

3 It's a growing area, and it's a highly
4 conservative area.

5 I -- so I, again, I stand by my comments. It's
6 not a competitive -- it wasn't before. It isn't now.

7 CHAIRPERSON MATHIS: Any others comments on this?

8 COMMISSIONER STERTZ: No, we'll take another,
9 we'll take another look and see whether or not there's some
10 other ways to approach similar, similar desire.

11 CHAIRPERSON MATHIS: Okay. So our next one.

12 Thank you.

13 WILLIE DESMOND: Sure.

14 CHAIRPERSON MATHIS: That's our last one; right?

15 WILLIE DESMOND: I believe it is our last one,
16 yes.

17 Susan Gerard, I believe, submitted a map at the
18 Scottsdale public, public hearing.

19 I was asked to load that and take a look at it.

20 I didn't do any changes. I just simply loaded the
21 map that was supplied and ran the report so you could see
22 it.

23 It affects districts in Phoenix.

24 Specifically districts -- I know this is a little
25 tough, District 15, District 20.

1 District 21.

2 District 22, 23.

3 District 24, which is a one of our
4 majority-minority districts.

5 And District 28.

6 I can't really walk you through a thought process
7 or anything. I can walk you through the change report
8 though if that's helpful.

9 Or if you want to specifically just look at the
10 districts individually and see, see where they were and how
11 they changed, we could do that.

12 Whatever works best.

13 This is a little difficult to see with everything.

14 VICE-CHAIR HERRERA: Now, maybe I need some
15 information. Who is Sue Gerard? Can anybody answer that?

16 CHAIRPERSON MATHIS: I can't. I was wondering
17 that too.

18 She provided some testimony, I believe, at maybe
19 the Scottsdale hearing. That's what I think
20 Commissioner McNulty said at --

21 VICE-CHAIR HERRERA: Excuse me?

22 STEVE MURATORE: Former Republican state lawmaker.

23

24 VICE-CHAIR HERRERA: Oh, Republican. Just wanted
25 to clarify that. I think I heard her name before but I

1 didn't know where she leaned.

2 WILLIE DESMOND: Okay. Well, starting with
3 District 15, I'll zoom into that.

4 District 15.

5 As you can see it's Cave Creek, Carefree, Anthem
6 and part of New River, along with part of Phoenix.

7 The red is the old map.

8 With her change it would be largely the same, I
9 guess, except for this portion in the west corner of it.

10 Then it goes down a little bit further into
11 central Phoenix.

12 District 20, central, north central Phoenix
13 previously the change.

14 It's a little bit differently shaped, kind of
15 switches some population with District 15.

16 District 21, old 21, was Sun City, El Mirage,
17 Youngstown, and parts of Peoria, along with part of -- let's
18 see if you can see here.

19 Glendale.

20 With the change, it's more of Glendale and less of
21 Peoria basically. Does not include Sun City anymore.

22 District 22 is the west valley. Again, previously
23 it was Peoria, the rest of New River, the northern part of
24 Surprise, and then Sun City West.

25 The change it follows largely that same boundary,

1 although it has a little bit less here in Glendale and it
2 includes Sun City.

3 District 23 did include Scottsdale,
4 Fountain Hills, and then the unincorporated area northeast
5 Maricopa County.

6 Her changed District 23 is similar, although it
7 includes less of Scottsdale, divides a little bit more of
8 south Scottsdale off, includes a little bit here in Phoenix,
9 and it includes the Salt River and Fort McDowell reservation
10 areas with District 23.

11 VICE-CHAIR HERRERA: Madam Chair, it would be
12 helpful for me if -- I don't mean to cut you off,
13 Mr. Desmond, but if you can let me know, was this former
14 state Republican legislator able to create any competitive
15 districts?

16 WILLIE DESMOND: I can get to that in a second.

17 Looking at it, District 15, District 20,
18 District 21, District 22, District 23 are not changed
19 dramatically.

20 District 24 is our voting rights district, and
21 that is also not changed dramatically, although I think the
22 legal team and Ken might speak to that in a second.

23 But it looks like District 28 did, in fact, become
24 more Republican. Index two it went from -- more
25 competitive. It went from 56 point -- 56 percent Republican

1 in index two to 52.8 percent Republican.

2 So it was a net gain towards a 50/50 by about
3 6.4 percent.

4 VICE-CHAIR HERRERA: If I understand correctly, it
5 became more competitive, not more Republican.

6 WILLIE DESMOND: It came more competitive. I
7 misspoke when I said more Republican. I was just reading
8 the line.

9 VICE-CHAIR HERRERA: Any other ones that she made
10 more competitive or less competitive?

11 WILLIE DESMOND: I mean, District 20, 21, 22 are
12 slightly more competitive.

13 District 23, 15 are slightly less competitive.

14 There's not, not large changes, but we can
15 go through all the numbers in a minute, if you'd like to
16 look.

17 VICE-CHAIR HERRERA: Madam Chair, I wouldn't -- I
18 mean, I don't know if anybody wants it, but I can definitely
19 review this myself.

20 So far some of the changes that you've mentioned
21 and the fact that she's able to create more competitive
22 districts, I do like these changes made by this Republican
23 legislator.

24 WILLIE DESMOND: Just to finish up the changes,
25 I'll do District 24 and then District 28.

1 Previously District 24, Phoenix, south Scottsdale,
2 Salt River and Fort McDowell areas, made that into one of
3 our voting rights districts.

4 With the change, 24 is solely in Phoenix.

5 And I can go to the streets in a minute if you
6 like.

7 And then lastly, District 28 was the area above
8 District 24, Paradise Valley. With the change, it's largely
9 the same area and just shifts around a little bit. And also
10 includes south Scottsdale now.

11 CHAIRPERSON MATHIS: So did Ken or legal counsel
12 have anything to say about 24, the changes that resulted
13 from this?

14 KENNETH STRASMA: Yes, Madam Chair. Let me begin,
15 and legal counsel can jump in if they have anything to add
16 or disagree with anything I say here.

17 Twenty-four is one of our voting rights districts,
18 and it's a coalition district.

19 These changes, although they do slightly raise the
20 Hispanic population and Hispanic citizen voting age
21 population, they reduce the overall minority population, the
22 overall voting age population, and most importantly the
23 performance and ability to elect as measured by the mine
24 commissioner race.

25 Based on those, when we met yesterday, our

1 consensus was not to recommend this change from a
2 preclearance point of view.

3 CHAIRPERSON MATHIS: Thank you.

4 Any other comments?

5 MARY O'GRADY: No. Ken, I think, represented what
6 we discussed yesterday.

7 COMMISSIONER STERTZ: Madam Chair.

8 CHAIRPERSON MATHIS: Mr. Stertz.

9 COMMISSIONER STERTZ: Didn't we hear Mr. Adelson
10 last week speak about 24 and that we need to start focusing
11 on 24 becoming a district that we need to focus on
12 enhancing?

13 KENNETH STRASMA: That is correct, commissioner.
14 And this moves it in the opposite direction.

15 COMMISSIONER STERTZ: Okay. And if I could
16 explore that for a second.

17 The -- was there a coalition of people that Susan
18 Gerard was representing? Was there a, was there a group
19 that she was representing in preparing these? And did this
20 come unsolicited?

21 I don't -- I'm not --

22 CHAIRPERSON MATHIS: I don't know the answer to
23 that, Mr. Stertz.

24 Ms. -- Commissioner McNulty probably does, but I
25 know there's some sort of transcript that has this

1 information in it, I think from the Scottsdale hearing, that
2 I'll need to review.

3 Mr. Bladine.

4 RAY BLADINE: Madam Chair, my recollection was
5 that, yes, the letter everything it came in to you and I
6 glanced at it did have other people other than Susan Gerard
7 listed as having proposed these mapping changes, but she's
8 the one that took the lead.

9 And it should be -- we can dig, we can dig the
10 transmittal out, but my recollection was it was more than
11 just her map.

12 COMMISSIONER STERTZ: Madam Chair, Mr. Bladine,
13 was this the -- was this at the last Scottsdale hearing?

14 RAY BLADINE: I believe it came in -- it may have
15 come in just after that.

16 COMMISSIONER STERTZ: I remember taking testimony
17 at that hearing, and she did make reference that it was
18 going to be -- and I think that she was representing former
19 Representative Pete Hershberger and I think one other person
20 was part of the coalition drafting this.

21 VICE-CHAIR HERRERA: Also, Madam Chair.

22 COMMISSIONER STERTZ: I'm trying to determine what
23 the -- who the group was that put forth the information and
24 how it got all the way to this place based on -- where we
25 are.

1 RAY BLADINE: Kristina was just saying she also
2 believes that Ken Chevront was a member of the group that
3 submitted that. And what you're saying is most likely
4 correct, because I can tell you remember it better than I.
5 I just really remember it was more than Susan Gerard who
6 participated in that, if that helps you at all.

7 VICE-CHAIR HERRERA: Madam Chair.

8 CHAIRPERSON MATHIS: Mr. Herrera.

9 VICE-CHAIR HERRERA: Before we start with making
10 assumptions, why don't we ask Ms. Gerard. I think it would
11 be -- I mean, I think I did ask that question. Excuse me.
12 If she submitted this as part of coalition or herself, and
13 initially I was told that she submitted this by herself, on
14 her own.

15 So, if that's incorrect, I'd love to hear from
16 her. But if it's a bipartisan effort, it's even better.

17 RAY BLADINE: We'll dig out the documentation.

18 MARY O'GRADY: Madam Chair, and her testimony
19 in Scottsdale is on the -- right now it starts on Page 127
20 of that transcript, if that helps folks review her
21 testimony.

22 CHAIRPERSON MATHIS: From the Scottsdale hearing?

23 MARY O'GRADY: That's right.

24 CHAIRPERSON MATHIS: Okay. Any other questions or
25 comments on this?

1 (No oral response.)

2 CHAIRPERSON MATHIS: Well, I would like to thank
3 our mapping consultants for working through all these change
4 reports and getting all that done over the weekend.

5 So, are there other things we'd like to ask them
6 to do?

7 We've given them some direction on congressional.
8 Anything on legislative? Things we'd like to see or. . .

9 VICE-CHAIR HERRERA: Madam Chair.

10 CHAIRPERSON MATHIS: Mr. Herrera.

11 VICE-CHAIR HERRERA: I, I hope that I'm able to
12 meet with Mr. Desmond by tomorrow. I don't think they're
13 able to meet tonight. Neither am I, but I can -- I'll do
14 whatever I can to, to make room tomorrow to meet with
15 Mr. Desmond, if he's willing to do that, and create as many
16 competitive districts while respecting the four -- the other
17 three state mandated criteria.

18 CHAIRPERSON MATHIS: Okay.

19 Any other comments?

20 Because we're not meeting tomorrow. We'll be
21 meeting again on Wednesday.

22 We don't want them to not have anything to do.

23 MARY O'GRADY: Madam Chair, if you want additional
24 comments from counsel and --

25 CHAIRPERSON MATHIS: Yeah, sure.

1 MARY O'GRADY: What we had discussed yesterday.

2 We have been looking at 24, 26, and also 4 to some
3 extent, in terms of improvements.

4 And, mapping consultants, chime in.

5 One of the changes that we thought was worth
6 looking at is moving Guadalupe into 26 to increase the
7 minority percentage there.

8 It's already in a majority-minority district. But
9 the thought was we could move that over.

10 We also had some input from some of the Maricopa
11 County tribes that we've been looking at.

12 Gila River and, and they have letters submitted,
13 and we can circulate those again if you want to refresh
14 your recollection as to what was said. But they uniquely
15 have proposed that they would like their reservation divided
16 into different districts, and one of them they mentioned was
17 27.

18 So we thought that perhaps Gila River probably --
19 that we could move out Guadalupe from 27 and follow up on
20 that particular Gila River request and move some of their
21 population into 27.

22 So that was one of the things that we were looking
23 at.

24 And we -- the other part of that request from the
25 tribes was Fort McDowell was hoping to move into 23.

1 But because it's currently in 24, and we're still
2 trying to increase 24, we weren't comfortable making that
3 recommendation at this, at this point, just in terms of the
4 voting rights analysis that we're doing, although it's not a
5 lot of population, we're looking for things that would
6 enhance the minority population in 24.

7 So we're just continuing to look at those
8 districts, and those were some of the changes that we
9 discussed.

10 COMMISSIONER STERTZ: Madam Chair.

11 CHAIRPERSON MATHIS: Mr. Stertz.

12 COMMISSIONER STERTZ: May I suggest that -- I was
13 not taking notes while you were rattling those off. So if
14 you could -- it would be easier if you could maybe even
15 repeat them or fire them around to the commissioners in a
16 quick e-mail so that we can keep up with these
17 recommendations that you might be proposing so we can have a
18 little bit higher level of response.

19 MARY O'GRADY: Sure. Happy to e-mail.

20 And just -- the only concrete changes were moving
21 Guadalupe into 26 and maybe moving some of Gila River into
22 27.

23 CHAIRPERSON MATHIS: And are these changes that
24 you're already exploring mapping-wise?

25 WILLIE DESMOND: No, if it's -- if there's no

1 objection, I will look at moving Guadalupe into District 26
2 tomorrow and have a change report prepared for the meeting
3 Wednesday.

4 If that's all right with everyone else.

5 MARY O'GRADY: Although that's something the
6 lawyers were looking at in terms of the numbers and just the
7 geographic proximity and some of the other factors, we do
8 have the input from Guadalupe that they wanted to be in 27,
9 so it goes against that input.

10 But it is also on the Tempe side of the freeway
11 and has some ties to the Tempe community, and there's also
12 testimony along those lines.

13 CHAIRPERSON MATHIS: Well, hearing no objection,
14 go ahead and explore those. That would be great.

15 Any other comments on the legislative districts?

16 (No oral response.)

17 CHAIRPERSON MATHIS: Okay. So do you have enough
18 information to go on in terms of what we've told you today?

19 WILLIE DESMOND: Just, just to clarify, I'll work
20 on the congressional changes that Commissioner Herrera
21 suggested.

22 I will explore the idea of moving Guadalupe into
23 District 26 and including parts of Gila River in
24 District 27.

25 And I will prepare Google maps and PDFs for the

1 Stertz, McNulty maps, as well as the one from
2 Commissioner Herrera, and make sure those get posted to the,
3 to the website.

4 Is there anything else that I'm forgetting for
5 Wednesday's meeting?

6 COMMISSIONER STERTZ: Madam Chair.

7 CHAIRPERSON MATHIS: Mr. Stertz.

8 COMMISSIONER STERTZ: It's my understanding that
9 our desire regarding legislative maps are to, to first do
10 the evaluation and the enhancements of the ten
11 majority-minority districts.

12 I know there was contemplation that was
13 recommended by Commissioner McNulty on the 8, 11, which I
14 think that is -- we can continue to explore.

15 We made pick-ups in certain other areas which made
16 perfect sense, but are you -- is -- are we still on path to
17 continue looking at the enhancement of the majority-minority
18 districts first to make sure that those are on path first?
19 Correct?

20 CHAIRPERSON MATHIS: Yes, that's the --

21 COMMISSIONER STERTZ: Okay. Very good.

22 VICE-CHAIR HERRERA: Let me just clarify that is
23 doesn't stop --

24 CHAIRPERSON MATHIS: Mr. Herrera.

25 VICE-CHAIR HERRERA: Thank you, Madam Chair.

1 That it doesn't stop an individual commissioner
2 by -- from making suggestions to other or surrounding
3 districts.

4 I think that's, that's a wise thing to do, for us
5 to keep moving forward, just remembering that the
6 majority-minority districts are priority.

7 CHAIRPERSON MATHIS: Yes. Thank you.

8 Any other comments or clarifications?

9 (No oral response.)

10 CHAIRPERSON MATHIS: Okay. Thanks a lot, you
11 guys.

12 If I can find the agenda.

13 The next item is number four, review and
14 discussion of possible future agenda items.

15 I think Mr. Bladine is going to come up.

16 RAY BLADINE: Actually I think we have two pieces
17 of paper that we sent you. Maybe we'll start with the most
18 important first, and that's looking at the meeting schedule
19 for next week.

20 And I believe we put a copy of what we agreed to
21 last week in your packets.

22 And if you could just take a look and let us know,
23 is there anything that has changed. If not, we will start
24 finding locations in this vicinity tomorrow.

25 COMMISSIONER STERTZ: Madam Chair.

1 CHAIRPERSON MATHIS: Mr. Stertz.

2 COMMISSIONER STERTZ: Just as a reminder that I,
3 that I will be unavailable this upcoming Friday,
4 December 9th, for the entirety of the day.

5 That was an unavailable day today. I had to --
6 swap some things from today, from -- that I have not, not
7 completely packed on Friday.

8 CHAIRPERSON MATHIS: Okay.

9 Any other comments from other commissioners
10 regarding availability?

11 And it's unclear if Commissioner McNulty will be
12 dialing in for any of the meetings this week.

13 We don't know that; right?

14 RAY BLADINE: Right. She told me this week she
15 thought it was very unlikely.

16 CHAIRPERSON MATHIS: Okay.

17 RAY BLADINE: All right. Then we'll proceed to
18 schedule the times and locations tomorrow.

19 The second item is going back and trying to bring
20 out of our past history a list of future agenda items we had
21 sometime ago, and I think we also put that in your packet.

22 I tried to -- that, and, again, are asking you to
23 take a look and make sure that you agree with the way I
24 reflected it.

25 We do the budget monthly. And this week, can you

1 try for tomorrow, but clearly before our meetings are done
2 this week. I've been reviewing the last budget figures with
3 Megan Darian. Kristina and I have looked at it. Anna
4 should be back, and want to look again, because we have had,
5 as you would all gather, a significant increase in legal
6 expenses. And I really need to make sure I know how that's
7 going to impact the budget.

8 So you will have a report, one of the executive
9 reports, if not on Wednesday, later in the week.

10 I think the second item on the list, we dealt
11 with. We did discuss it. I put it down as completed.

12 That's obviously you can tell me that I had that
13 wrong.

14 And we are working on the request of
15 correspondence for attorney general's inquiry.

16 I have a spreadsheet that Anna pulled together
17 Friday that I'm reviewing, and I also want to make sure that
18 we have the backup billing that is redacted so that the
19 detail will be there to support it.

20 But I'll also have that for you this week showing
21 what the total legal costs have been by the categories that
22 have been requested.

23 I think we completed the training on Maptitude.

24 I think that we completed the community meeting
25 with Hispanic Coalition for Good Government.

1 We had one meeting in Maryvale. Had another
2 meeting in south Phoenix at the South Mountain Community
3 College. So I think we met that requirement.

4 They were notified of it, and we did have people
5 turn out.

6 We had our meeting with the tribal council in
7 September on mapping.

8 I think that the discussion possible action
9 definition criteria, I think you kind of decided you're
10 going to do that as you go, and I put it down with a tabled
11 question mark, so you can decide.

12 Webinar statistics, I think we gave those to you
13 just afterwards. And there may be some update, but I think
14 we completed that.

15 And then obviously discussion and adoption, didn't
16 spell discussion right, of congressional and legislative
17 maps is ongoing.

18 If you want to add some things here, I'm more than
19 willing to take them. If you want to shoot me some e-mails
20 and correct it, I'd be more than happy to receive them that
21 way.

22 CHAIRPERSON MATHIS: Just a question, was this
23 webinar participation statistics, was that the Maptitude
24 webinar training?

25 RAY BLADINE: Yes, it was. Right.

1 VICE-CHAIR HERRERA: Madam Chair.

2 CHAIRPERSON MATHIS: Mr. Herrera.

3 VICE-CHAIR HERRERA: Yeah. Mr. Bladine, there
4 was -- there has been -- it's been a while since we've
5 gotten an update on how many people we've reached out
6 through streaming, here attending in person, and filling out
7 those blue correspondence sheets, those yellow sheets.

8 I would like to see if we get an update at the
9 next meeting on how many people we're reaching. I think
10 that's really important.

11 I think it's something that -- I guess it
12 strengthens our case when we're presenting in front of the
13 Department of Justice for preclearance.

14 RAY BLADINE: Chairman Mathis,
15 Commissioner Herrera, we have most of that data pulled
16 together, and I will have it for the next meeting.

17 We've also taken a look at total number of hours
18 you've spent in meetings, through rounds one and two, and up
19 until the end of September, and how many of those hours have
20 been spent in executive session.

21 And you're right. It will make you realize why
22 you haven't had a life.

23 Because these are pure meeting times, not travel
24 times you all had to put in to get to the meetings.

25 But, yes, we'll have that for you.

1 VICE-CHAIR HERRERA: I have one more suggestion.

2 I -- if we can get a comparison of the number of
3 times that the previous Commission met in hours compared to
4 what we're doing now, because I'd like to see how we're --
5 how we fair.

6 I understand we were delayed for a good 15,
7 17 days, but I still want to see where we -- how we compare.
8 I think we're doing a pretty good job of meeting as often as
9 we can.

10 And, so I'd like to see a comparison. If it's at
11 all possible.

12 RAY BLADINE: If we can find that it's readily
13 available, we certainly will do that.

14 I'm just not sure that it won't take us a lot of
15 time to go up and look through some old reports.

16 VICE-CHAIR HERRERA: Sure.

17 RAY BLADINE: But we'll -- if we can quickly get
18 something that will give you a sense of that, of course,
19 we'll pull it together.

20 VICE-CHAIR HERRERA: Keeping in mind that we
21 started later and we were also delayed quite a bit.

22 RAY BLADINE: Right.

23 VICE-CHAIR HERRERA: Thank you.

24 COMMISSIONER STERTZ: Madam Chair.

25 CHAIRPERSON MATHIS: Mr. Stertz.

1 COMMISSIONER STERTZ: A couple things to add to
2 the future agenda items. We've got months worth of meeting
3 minutes that have not been submitted and/or approved, and
4 that we need to be able to -- we've -- I know that, I know
5 that transcripts have been posted, but the Commission has
6 not seen the minutes for that have been taken other than --
7 or whether or not we're going to be accepting transcripts in
8 lieu of, we just need to take that as a, as a process.

9 There needs to be an agendized item to be able to
10 clean that up.

11 And also there was a -- this was an issue that was
12 agendized, and we met on, and we debated, and then it just
13 went away, which was the opening up of the commissioners'
14 records to -- not unlike what we had asked for Strategic
15 Telemetry to do, which was to keep an ongoing log of their,
16 of their work.

17 I'm not sure whether or not the Commission wants
18 to bring that back up as an agenda item, but it came, it was
19 a pretty high level discussion, and then it just sort of, it
20 just sort of went away.

21 So if it's gone away, that's, that's fine.

22 If it's -- if it wants to come back up, I'll leave
23 it to the chair's discretion.

24 CHAIRPERSON MATHIS: Okay.

25 Anything else on that one?

1 Other agenda items that you've thought of? That
2 you would like to add?

3 (No oral response.)

4 CHAIRPERSON MATHIS: With regard to what
5 Mr. Stertz just brought up, on this commissioners,
6 individual commissioners, keeping a log of their contacts
7 the way that we've asked Strategic Telemetry to do that,
8 this was brought up. I believe -- and it's been so long
9 since we've talked about it. That there was a legal counsel
10 or legal consideration to doing such a thing, and I just
11 can't remember where we left off.

12 I apologize, counsel, because I know you guys
13 looked into it. And I just can't remember where we were.

14 VICE-CHAIR FREEMAN: I can share my memory.

15 CHAIRPERSON MATHIS: Oh, good. Please do.

16 VICE-CHAIR FREEMAN: As I recall, there was lots
17 of drum beating at hearing after hearing to get this item
18 agendized. And when we finally got it agendized, you could
19 hear the crickets chirping.

20 And then I spoke up and asked whether there might
21 be some legal issue.

22 But I don't know whether counsel ever had the time
23 to look into it or not.

24 JOSEPH KANEFIELD: Madam Chair, members of the
25 Commission, I, I do believe we looked into it. I'd have to

1 go back and look at our notes, but as I recall there was
2 some concerns about legislative privilege with respect to
3 logging and whether the commissioners being required to log
4 their contacts with outsiders could impact that privilege in
5 some way. So it was something that we would want to go back
6 and look at in more detail, if the Commission was inclined
7 to go in that direction.

8 VICE-CHAIR HERRERA: Madam Chair, since this is
9 not part of the agenda, I would feel comfortable that we
10 agendize this and we can have an update from our legal
11 staff.

12 CHAIRPERSON MATHIS: Do you all agree that we can
13 put this on the agenda for a future discussion item?

14 Okay.

15 So, yes, add that to future agenda items.

16 Any other future agenda items?

17 (No oral response.)

18 CHAIRPERSON MATHIS: Okay. I think the next item
19 on the agenda is Mr. Bladine's executive director's report.

20 RAY BLADINE: I think I partially gave that report
21 during the other.

22 And, like I indicated, we will provide you a lot
23 of information this week to catch up.

24 Kristina will also prepare -- oh, she has
25 prepared. She'll share with you a work plan that she has to

1 kind of show the things that we see that we'll need to do to
2 be ready for our filing with the Justice Department and to
3 clean up things in the second round.

4 And the other former outreach staff, who is now
5 the internal processing staff, is getting documents together
6 to make sure that our Catalyst system is up to date.

7 I know we're probably about a month behind.

8 We also were trying to catch up, and I think we're
9 finally getting on top of all of your travel, which I
10 apologize it's taken so long.

11 And, if there's any other things you want me to
12 report on this week, I'll be more than happy to do that, but
13 I think we'll be able to talk about attorney costs, public
14 information in terms of what's happened, hours spent in
15 e-session, work plan, and I think those are the major ones
16 that I have to get back to you on.

17 CHAIRPERSON MATHIS: Any other comments or
18 questions for Mr. Bladine?

19 (No oral response.)

20 CHAIRPERSON MATHIS: Okay. Thank you very much.

21 RAY BLADINE: Thank you very much. See you
22 Wednesday.

23 CHAIRPERSON MATHIS: Thank you, Kristina.

24 Our next item on the agenda is number six, legal
25 advice, direction to counsel, discussion of possible action

1 and update regarding litigation on open meeting law.

2 Any update from legal counsel on that?

3 MARY O'GRADY: No.

4 CHAIRPERSON MATHIS: Okay. And we're at the end
5 of the agenda, because we did public comment. I did, I
6 think, promise earlier though that if somebody had something
7 they wanted to address the Commission on that they didn't
8 speak on earlier they could.

9 Any new request to speaks?

10 COMMISSIONER STERTZ: Madam Chair.

11 CHAIRPERSON MATHIS: Request to speak.

12 COMMISSIONER STERTZ: If there are -- if there
13 aren't others, I have just one comment before the end of the
14 meeting, and that is that I wanted to wish my mother a happy
15 birthday.

16 It is her 85th birthday today. And she made it
17 this far, and we're hoping that she makes it to my, to my
18 grandson's birth, which will be in February.

19 So, mom, hang in there. She's watching on my
20 daughter's phone right now.

21 Happy birthday, mom.

22 (Applause.)

23 CHAIRPERSON MATHIS: What's her name?

24 COMMISSIONER STERTZ: Jeanette.

25 CHAIRPERSON MATHIS: Happy birthday, Jeanette,

1 from the Arizona Independent Redistricting Commission, and
2 the public who's here.

3 So with that, I think that takes us to
4 adjournment. The time is 6:28 p.m. And thank you all for
5 coming. This meeting is adjourned.

6 (Whereupon, the meeting adjourned.)

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1 STATE OF ARIZONA)
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2 COUNTY OF MARICOPA) ss.
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4 BE IT KNOWN that the foregoing proceeding was
5 taken before me, Marty Herder, a Certified Court Reporter,
6 CCR No. 50162, State of Arizona; that the foregoing
7 208 pages constitute a true and accurate transcript of all
8 proceedings had upon the taking of said meeting, all done to
9 the best of my skill and ability.

10 DATED at Chandler, Arizona, this 11th day of
11 December, 2011.

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

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