

THE STATE OF ARIZONA  
INDEPENDENT REDISTRICTING COMMISSION

REPORTER'S TRANSCRIPT OF VIDEOCONFERENCE PUBLIC MEETING

Via GoogleMeets

November 9, 2021

8:01 a.m.

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1 PUBLIC MEETING, BEFORE THE INDEPENDENT  
2 REDISTRICTING COMMISSION, convened at 8:01 a.m. on  
3 November 9, 2021, via GoogleMeets, Arizona, in the  
4 presence of the following Commissioners:

5 Ms. Erika Neuberg, Chairperson  
6 Mr. Derrick Watchman, Vice Chairman  
7 Mr. David Mehl  
8 Ms. Shereen Lerner  
9 Mr. Douglas York

10 OTHERS PRESENT:

11 Mr. Brian Schmitt, Executive Director  
12 Ms. Lori Van Haren Deputy Director  
13 Ms. Valerie Neumann, Executive Assistant  
14 Ms. Michelle Crank, Public Information Officer  
15 Ms. Marie Chapple, Community Outreach Coordinator  
16 Mr. Alex Pena, Community Outreach Coordinator  
17  
18 Mr. Mark Flahan, Timmons Group  
19 Mr. Doug Johnson, NDC  
20 Ms. Ivy Beller Sakansky, NDC  
21  
22 Mr. Roy Herrera, Ballard Spahr  
23 Mr. Daniel Arellano, Ballard Spahr  
24 Mr. Eric Spencer, Snell & Wilmer  
25 Mr. Brett Johnson, Snell & Wilmer

1                   P R O C E E D I N G

2

3                   CHAIRPERSON NEUBERG: Welcome, everybody.  
4 Welcome, Commissioners. It's great to see you again  
5 after having a bit of a break from our business meeting  
6 last week.

7                   We'll dive right in. Agenda Item I, call to  
8 order and roll call.

9                   I(A), call for quorum. It is 8:01 a.m. on  
10 Tuesday, November 9th, 2021. I call this meeting of  
11 the Independent Redistricting Commission to order.

12                   For the record, the Executive Assistant,  
13 Valerie Neumann, will be taking roll. When your name  
14 is called please indicate you are present. If you're  
15 unable to respond verbally we ask that you please type  
16 your name.

17                   Val.

18                   MS. NEUMANN: Thank you, Madam Chair.

19                   Vice Chair Watchman.

20                   COMMISSIONER WATCHMAN: Present.

21                   MS. NEUMANN: Commissioner Lerner.

22                   COMMISSIONER LERNER: Present.

23                   MS. NEUMANN: Commissioner Mehl.

24                   COMMISSIONER MEHL: Present.

25                   MS. NEUMANN: Commissioner York.

1 COMMISSIONER YORK: Present.

2 MS. NEUMANN: Chairperson Neuberg.

3 CHAIRPERSON NEUBERG: Present.

4 MS. NEUMANN: And for the record also in  
5 attendance is Executive Director, Brian Schmitt; Deputy  
6 Director, Lori Van Haren; Public Information Officer,  
7 Michelle Crank; Community Outreach Coordinators, Marie  
8 Chapple and Alex Pena.

9 And we have from Snell & Wilmer Brett Johnson  
10 and Eric Spencer. From Ballard Spahr is Roy Herrera  
11 and Dan Arellano.

12 Our mapping consultants today are Mark Flahan  
13 from Timmons; Doug Johnson and Ivy Beller Sakansky from  
14 NDC.

15 And Debbie Wilks, our transcriptionist.

16 Thank you.

17 CHAIRPERSON NEUBERG: Okay. Thank you.

18 Please note for the minutes that a quorum is present.

19 Agenda Item I(B), call for notice.

20 Val, was the notice and agenda for the  
21 Commission meeting properly posted 48 hours in advance  
22 of today's meeting?

23 MS. NEUMANN: Yes, it was, Madam Chair.

24 CHAIRPERSON NEUBERG: Thank you.

25 Agenda Item No. II, approval of minutes from

1 October 28, 2021.

2 We have Agenda Item (A), which was the general  
3 session. We have two executive session minutes, Agenda  
4 Item (B). The first session was advice on VRA  
5 compliance, polarization, and performance with regard  
6 to the legal counsel meeting with the Latino Coalition  
7 and the Navajo Nation representatives. And the second  
8 executive session was regarding advice on VRA  
9 compliance, polarization, and performance regarding our  
10 congressional maps.

11 Is there any discussion regarding the general  
12 session or executive session minutes?

13 COMMISSIONER LERNER: Chair Neuberg, I have  
14 one correction to the minutes, and that is in the  
15 discussion about the votes on legislative maps there  
16 is -- the motion was approved 3 to 2 for 9.2. The  
17 first time and second time are correct. The third time  
18 it should have 3 to 2 instead of 3 to 0. Otherwise, I  
19 have no changes.

20 CHAIRPERSON NEUBERG: Thank you for catching  
21 that.

22 Any other discussion?

23 I'll entertain a motion to approve the general  
24 session and executive session minutes with the noted  
25 change from Commissioner Lerner.

1           COMMISSIONER LERNER: This is Commissioner  
2 Lerner. I move to approve all three sets of minutes.

3           COMMISSIONER MEHL: Commissioner Mehl seconds.

4           CHAIRPERSON NEUBERG: With no further  
5 discussion, Vice Chair Watchman.

6           COMMISSIONER WATCHMAN: Aye.

7           CHAIRPERSON NEUBERG: Commissioner Mehl.

8           COMMISSIONER MEHL: Aye.

9           CHAIRPERSON NEUBERG: Commissioner Lerner.

10          COMMISSIONER LERNER: Aye.

11          CHAIRPERSON NEUBERG: Commissioner York.

12          COMMISSIONER YORK: Aye.

13          CHAIRPERSON NEUBERG: Commissioner Neuberg is  
14 an aye.

15                 And with that the general session and  
16 executive session minutes are approved.

17                 Thank you again, Val.

18                 We'll move to Agenda Item No. III, opportunity  
19 for public comments. Public comment will now open for  
20 a minimum of 30 minutes and remain open until the  
21 adjournment of the meeting. Comments will only be  
22 accepted electronically in writing on the link provided  
23 in the notice and agenda for this public meeting. It  
24 will be limited to 3,000 characters. Please note:  
25 Members of the Commission may not discuss items that

1 are not specifically identified on the agenda.  
2 Therefore, pursuant to A.R.S. 38-431.01(H) action taken  
3 as a result of public comment will be limited to  
4 directing staff to study the matter, responding to any  
5 criticism, or scheduling the matter for further  
6 consideration and decision at a later date.

7 We'll move to agenda Item No. IV, discussion  
8 of public comments received prior to today's meeting.  
9 I'll open it up to my colleagues first.

10 I think my colleagues are silenced because I  
11 think we're finally -- the public feedback is a lot.  
12 It's wonderful. We have a very engaged public. It's  
13 keeping us very, very busy.

14 A few things that I want to add. I know some  
15 people in the public are questioning or wondering how  
16 all five Commissioners receive all public feedback.  
17 You know, it's a volunteer position so we can't all  
18 attend each and every public hearing. I want to  
19 reassure the public that, you know, all hearings are  
20 taped. Our mapping team is recording data. And we as  
21 Commissioners receive so many different formats and  
22 methods of receiving that type of data, again, the  
23 public comments, the verbal languages, the maps that  
24 are coming in.

25 And I would even say we go beyond that. We're



1 studying and learning from people actually who aren't  
2 showing up, who either don't understand how to show up  
3 or don't have the time to show up. That's where some  
4 of our learning, you know, PowerPoint presentations to  
5 understand the demography, et cetera, comes in. So  
6 there is multiple sources of information, and I'm so  
7 deeply appreciative to my colleagues for, you know, the  
8 good faith efforts you're making to master what is a  
9 tremendous amount of material.

10 And to the public, I give you remarkable  
11 credit for the constructiveness and the tone with which  
12 the information is being shared. I want to acknowledge  
13 we had our first town hall, virtual town hall, on  
14 Saturday. It went five hours, 40 minutes. We enabled  
15 the chat function in order to be able to have our staff  
16 communicate the next ten people who would be called on,  
17 matter of efficiency, and when I first started and  
18 there is just under 300 people on the line, all with  
19 strong partisan feelings, I had a moment of concern,  
20 thinking, What is this chat going to look like? And I  
21 have to tell you I am blown away by the remarkable  
22 civil constructive dialogue that our citizens engaged  
23 on -- or with on that chat function. I mean, you know,  
24 nothing -- nothing that caused alarm, concern. It was  
25 a beautiful display of civic discourse. And Arizona

1 citizens, wow. I'm super impressed.

2 A couple of other things I want to mention. I  
3 know that there is concerns about which maps were  
4 adopted and by whom, who submitted the maps. Once maps  
5 are posted online or once somebody shares an idea with  
6 us, Commissioners are looking at the quality and  
7 integrity of the ideas that are being presented. If we  
8 vote to approve something, it's our idea. It isn't  
9 somebody else's map. The reality is given that pretty  
10 much the majority of Independents, about 75 percent of  
11 Independents, really do lean in a partisan way and  
12 really behave more like partisan, we have to understand  
13 that the public feedback that we're receiving and all  
14 the maps we're receiving, the overwhelming majorities  
15 of them are from people with partisan perspectives.  
16 It's our job to sift through it and pick the things  
17 that we like and we don't like. So to focus on who  
18 submitted a map I think brings us into a dialogue  
19 that's really not at all destructive -- constructive or  
20 relevant.

21 What I will say, though, is I promise the  
22 community to do a much better job of slowing the  
23 process down so that everybody understands why certain  
24 maps are being debated more and others aren't. I  
25 remember when I interviewed and asked about my weakness

1 I mentioned that I can be very impatient sometimes and  
2 move quickly, and I think that that showed in the last  
3 deliberation where maybe the Commission made  
4 determinations very quickly and we moved on. But we'll  
5 do a better job of explaining that.

6 That's it for me on the public comments.  
7 Thank you. Keep them coming.

8 And if there is nothing else from my  
9 colleagues, we will move to Agenda Item Number V,  
10 potential update, discussion, regarding polarization  
11 data from mapping. I don't believe we have an update  
12 on this agenda item today. If I can get clarification  
13 from mapping team.

14 MR. JOHNSON: Sure. Chair Neuberg, this is  
15 Doug Johnson for NDC, and just the only update is it's  
16 underway, so we've identified the elections that we  
17 need to look at and we're pulling the data and getting  
18 that analysis going, but nothing to report today in  
19 terms of results.

20 CHAIRPERSON NEUBERG: Okay. And by next  
21 Tuesday do you anticipate that data being available for  
22 us to be able to continue to do just additional, you  
23 know, review of our districts and begin to even, you  
24 know, look at VRA issues more closely?

25 MR. JOHNSON: That is our target. We are

1 wandering into some primary election analysis this  
2 time, which is data that has not been cleaned up as the  
3 general election data was cleaned up, so it depends on  
4 how much work it takes to process the primary election  
5 data, but that is our hope.

6 CHAIRPERSON NEUBERG: Okay.

7 COMMISSIONER YORK: I have a quick question  
8 for Doug. This is Commissioner York.

9 Are you only looking at the draft maps, or are  
10 you looking at previous Latino Coalition suggestion  
11 with CD3?

12 MR. JOHNSON: We're starting with the -- the  
13 draft maps. Well, on the legislative side we're  
14 starting on the draft maps. On the congressional map,  
15 yes, we do have the request from the Commission to look  
16 at that district, so we're looking at it.

17 COMMISSIONER YORK: Okay. Appreciate it.

18 CHAIRPERSON NEUBERG: Maybe explain, Doug,  
19 just for the public's awareness of why we're now  
20 looking into the primary data. Why is this something  
21 that you're focused on?

22 MR. JOHNSON: Just as an extra data point,  
23 just to confirm that the districts that the Commission  
24 is considering fully comply with the requirements from  
25 the -- from the federal Voting Rights Act.

1           CHAIRPERSON NEUBERG: Right. When we're  
2 looking at polarization of voting, there needs to be  
3 enough races and enough data to be able to pull  
4 information from, so looking at the primaries where  
5 there are, you know, differences can help shed light on  
6 I guess polarization behavior. Correct?

7           MR. JOHNSON: Yes. And it's -- obviously  
8 there are some jurisdictions where polarization doesn't  
9 show up in the general. People vote more by party  
10 label in the general, but in the primary race I think  
11 polarization can appear when both candidates are from  
12 the same party, so we want to be sure that we're  
13 identifying any history of that happening, if it's  
14 happening.

15           CHAIRPERSON NEUBERG: Excellent. Thank you.  
16           With that we can move to Agenda Item Number  
17 VI, update from a mapping team, related Agenda (A),  
18 updated status of obtaining polarization data based on  
19 approved draft maps and potential related variations,  
20 and, (B), review of draft maps and opportunity for  
21 discussion regarding draft maps, adherence to Article  
22 4, Part 2, Section 1, Numbers 14 and 15 of the Arizona  
23 Constitution.

24           And let me kind of introduce this topic. It's  
25 the Commission's desire to, you know, divide up the

1 districts, you know. We have, you know, what, 39 of  
2 them, maybe roughly a fourth each business meeting.  
3 And just for due diligence, to review each district one  
4 at a time to, you know, take stock of, you know, the  
5 Constitutional criteria that were used as a basis for  
6 that district. It's an opportunity for us as  
7 Commissioners to emphasize, you know, what we felt  
8 comfortable with. If there are aspects of it that, you  
9 know, aren't great we can mention that. However, there  
10 is a boundary. I want to be clear that this is an  
11 exercise to understand the districts and how they're  
12 performing regarding the Constitutional criteria. This  
13 is not a problem-solving or deliberative activity. So  
14 let's keep our comments to how these districts behave,  
15 perform, how do they look according to the six  
16 Constitutional criteria, without giving suggestions for  
17 how to fix anything that you may not like.  
18 Problem-solving and deliberation will happen after the  
19 30-day public review is completely done.

20 Is there any questions about kind of the  
21 ground rules or the underlying goal of what this  
22 exercise is?

23 Okay. Then I'll turn it over to mapping to  
24 lead us through this agenda item.

25 MR. FLAHAN: Good morning. Before we jump

1 right into the draft maps, I think this is a good segue  
2 in there. I'm going to share my screen with you guys.  
3 We were talking about draft maps, and you guys were  
4 talking about public comments. We showed this at the  
5 Mapping Monday session, so when people come here and  
6 hit "Provide feedback," they get the survey to provide  
7 you feedback. So what we did is the same thing with  
8 the listening tour and created a dashboard of all of  
9 that feedback that's easy to sort. This is available  
10 publicly, so anybody in the public can also get to this  
11 as well as the Commission. It loads a fresh set of  
12 data every time that you load.

13 So you can see here at the top here is the  
14 dates you're getting comments in. The middle table  
15 here is the top ten commented citizen-submitted plans.  
16 And then the bottom is the top ten commented draft map  
17 plans. And then on the right-hand side is the actual  
18 public comment that they left, when it was submitted,  
19 by who, and what is the comment regarding.

20 So if you're interested in seeing comment,  
21 just say Number 1 is the approved legislative draft  
22 map. I can click on that bar, and it sorts all the  
23 comments here now on the right side. So if you wanted  
24 to read comments just for that one approved legislative  
25 draft map you can. If you want to pick a certain date

1 you could even say what came in on the 8th, and now  
2 it's going to sit there, and it just sorted all that by  
3 the 8th. All the most recent comments are at the top,  
4 so it is in order when you look at this. But you can  
5 see here are all my comments that are just of the 8th.  
6 So it allows you to easily sort of sort through the  
7 date.

8 If you want to reset it, just click the bars  
9 again, and it will reset itself back to the normal  
10 view. If you want to look at citizen-submitted plans,  
11 you can come over here and click on LDS037, and it's  
12 now sorted all the data for comments about that  
13 citizen-submitted plan. So there is ways to really to  
14 dig into the data here.

15 If you wanted to interact with this chart down  
16 here, this donut chart, and you wanted to just see the  
17 citizen-submitted plan, same thing. You click on it.  
18 Here is the 46 comments of all the citizen-submitted  
19 plans here at your fingerprints. The other thing  
20 you'll notice here on the top right-hand side is you  
21 can filter comments for just grid maps, if you want to  
22 look at just grid map comments. If you want to look at  
23 citizen-submitted maps, here is all the maps that  
24 people submitted comments on. And then draft maps,  
25 here is all of the draft map comments that people have



1 commented on. You can see some of the topics. Since  
2 it's a three-text field you might have to dig through  
3 this a little bit. You can see approved legislative  
4 draft map version 10 and then approved legislative  
5 draft map 10.0, so those are the same.

6 If the people hit "Provide feedback" and left  
7 our -- our filler in there, so if they hit "approved  
8 congressional draft map," we would write in there  
9 "approved congressional draft map." If they did not  
10 change, then it automatically shows in here. You would  
11 have to go search through here.

12 So that is available here at your fingertips.  
13 If you want to download the actual raw data, you can go  
14 over here to the three little lines and click on  
15 "Download data." And this is also available publicly.  
16 So you can come over here and view the data table if  
17 you want, and here is all the data at your fingertips.  
18 If you want to download it, click the little cloud, and  
19 here is all your download options: CSV, KML,  
20 shapefile. Just hit the download button, and it will  
21 download you a copy of the data. So that is available  
22 today at your fingertips in the public. So maybe there  
23 might be an easier way for you to sort public comment,  
24 but here it is.

25 With that, unless there is any questions I

1 will turn it back over to Doug.

2 COMMISSIONER MEHL: Mark, this is Commissioner  
3 Mehl. What comments end up on this dashboard? Is it  
4 only the ones submitted to the website?

5 MR. FLAHAN: Yes, only the comments when you  
6 click "Provide feedback" here from the mapping hub.

7 COMMISSIONER LERNER: Can I just say this is  
8 an amazing amount of information, a great tool, and it  
9 will be a lot to sort through, but I'm hoping that not  
10 only we do this, which I know we will, but I hope the  
11 public takes a look at this, too, because I think it  
12 will be really good information.

13 COMMISSIONER YORK: Nice job.

14 MR. FLAHAN: Thanks.

15 COMMISSIONER WATCHMAN: So, Mark, what about  
16 the written comments? I know periodically we get from  
17 the director a letter, and I'm going to assume that  
18 maybe the letters aren't recorded on the system here.  
19 How do we capture that information?

20 MR. FLAHAN: I will -- I will let staff answer  
21 that question. These are just all the answers of the  
22 survey that we have.

23 COMMISSIONER WATCHMAN: Okay.

24 MR. SCHMITT: So as we get those we send them  
25 out to all the Commissioners. We're going to work with

1 Mark to see if there is a way where we can also include  
2 those on the hub somewhere so the public is -- can see  
3 them as well.

4 CHAIRPERSON NEUBERG: You know, I think one of  
5 the most important -- this is amazing, Mark. And,  
6 again, I just want to say every week, you know, you  
7 come up with easier, better ways for the public to  
8 engage and for the Commissioners to understand the  
9 data. I heard Mapping Monday was fabulous. So, you  
10 know, your graciousness in just trying to help  
11 everybody in the community use the system is really  
12 appreciated.

13 I think it's important that -- that we all  
14 acknowledge different groups are comfortable with  
15 different formats of submitting feedback, and so the  
16 Commissioners are getting feedback in all of these  
17 different methods. Some people will look at, Well, at  
18 the public hearing this percentage of the group had  
19 this idea. We need to think about it more holistically  
20 because this also is a different format of data that we  
21 pay attention to, and so the Commissioners are capable  
22 of understanding different languages, data languages  
23 and methods, so we have to think about it holistically.

24 And with that I'll turn it to Doug.

25 MR. JOHNSON: Okay. Ready to jump into the

1 discussion of the districts? As requested, we'll do  
2 these in sections each week, so this week we're  
3 starting with Congressional Districts 1 through 3 and  
4 Legislative Districts 1 through 7.

5           So why don't we zoom into District 1 on the  
6 congressional map. So this district is entirely  
7 Maricopa County. It involves the cities and  
8 census-designated places -- or it includes the cities  
9 or census-designated places of Anthem, Carefree, Cave  
10 Creek, Fountain Hills, New River, Paradise Valley, Rio  
11 Verde, and then parts of Phoenix and Scottsdale. We  
12 have, as you know, the full statistics available to  
13 everybody.

14           But just to briefly walk through them, this  
15 district is nearly perfectly balanced. It's off from  
16 the ideal by one person, or zero percent. It is -- in  
17 citizen voting age population it's 13 percent Hispanic  
18 or Latino, 3 percent Black or African-American, 4  
19 percent Asian or Pacific Islander, and 2 percent Native  
20 American, and 78 percent Non-Hispanic White.

21           It is highly competitive on the Commission's  
22 scale, both from vote spread. There is a 1.6 spread  
23 between the Democratic and Republican sum of the votes  
24 in our key election and on the swing vote scale. So it  
25 is -- of the nine elections we look at for swing, the

1 Democratic candidate won five, and the Republican  
2 candidate won four.

3 It is not considered one of our VRA effective  
4 districts with those -- due to the low CVAP  
5 percentages.

6 And then on compactness, we have looked at the  
7 compactness scores of each of the districts. On the  
8 Reock test it's 0.37. On the Convex Hull test it's  
9 0.79. On the Grofman test it's a 6.3. Schwartzberg,  
10 it's 1.78. Polsby Popper is 0.32. And just as a  
11 reminder, one more detail on the different compactness  
12 tests, referring back to our August 31st Commission  
13 meeting where we went through all the different tests  
14 and what each means, I think the key thing is for the  
15 Grofman, Convex Hull, Reock, and Polsby Popper scores,  
16 those are ratios, and closer to one is best and zero is  
17 worst.

18 So I don't know if you want me to pause after  
19 each district and see if there is any questions, or  
20 should I walk through the congressional districts and  
21 take questions all at once?

22 CHAIRPERSON NEUBERG: I prefer to go through  
23 them one at a time.

24 And so looking at those numbers, Doug, in  
25 terms of compactness, you know, we understand what

1 you're saying it's better, you know, where to be, but  
2 how does it compare, you know, to expectations? Is  
3 that considered good? What kind of grade would it be?  
4 Could it get better? What are your thoughts on it?

5 MR. JOHNSON: Yeah. Mark, if you can put the  
6 map back on.

7 Ultimately the -- all these are measures of  
8 trying to capture how the district looks and are we  
9 bypassing people to get to another group of people. So  
10 those are pretty -- they're decent -- certainly decent  
11 scores. The perimeter test is going to be short  
12 because it's an urban district. That's largely driven  
13 by whether it's an urban or rural district, not so much  
14 by compactness. And you can see if you look at the map  
15 the one weird bump into this district is where District  
16 4 comes up into it in the south, and that is entirely  
17 because of the request of the Salt River Reservation to  
18 be kept with South Scottsdale and Tempe.

19 So the famous quote -- the famous idea from  
20 the Supreme Court is that compactness is a flag. Where  
21 something is not compact it should raise a question and  
22 you then ask why it's not compact, and in this case the  
23 piece that's keeping this from being a more compact  
24 district is very clearly explained.

25 CHAIRPERSON NEUBERG: Thank you. That's the

1 exact type of point that I would like us to be able to  
2 just understand, acknowledge, so that when we are  
3 seeing, you know, something not as compact that we  
4 understand why, and to honor a significant community of  
5 interest like that, you know, carries a lot of weight.

6 MR. FLAHAN: And I just turned on the border  
7 of Salt River Reservation.

8 CHAIRPERSON NEUBERG: Yeah. Very helpful.

9 MR. JOHNSON: Any other questions or comments  
10 about Congressional District 1?

11 CHAIRPERSON NEUBERG: No. It seems to do an  
12 excellent job of addressing the six Constitutional  
13 criteria to the extent practicable.

14 MR. JOHNSON: We'll move on to Congressional  
15 District 2. This is the big northern district around  
16 Pinal. It includes all of Coconino County, Yavapai  
17 County, Gila County, Navajo County, and Apache County.  
18 It includes the San Carlos Reservation portion of  
19 Graham County, and it includes the Kaibab and Hualapai  
20 Reservation and some semi-adjacent tribal reservations  
21 in Mohave County. And, actually, as a piece of  
22 Maricopa County it has the Gila River Reservation piece  
23 of Maricopa County in it as well.

24 In Pinal County, there are lots and lots of  
25 communities, as you can see there, ranging from Ak-Chin

1 Village, Blackwater, Cactus Forest, Casa Blanca,  
2 Dudleyville, portions of Florence and Gold Canyon,  
3 Goodyear Village, Hayden, Kearny, Mammoth, Maricopa, a  
4 little bit of Queen Creek, Queen Valley, portions of  
5 San Manuel and San Tan Valley, Santa Cruz, Superior,  
6 Top of the World, Wet Camp Village, Winkelman are all  
7 in there.

8 In the statistics, again, this is a  
9 congressional district. It's drawn to be just within  
10 one person of the ideal, so this district is actually  
11 one person short, which has a zero percent deviation.

12 Looking at the citizen voting age population,  
13 it's 13 percent Latino, 21 percent Native American by  
14 CVAP, 2 percent Black or African American, 1 percent  
15 Asian or Pacific Islander, and 62 percent Non-Hispanic  
16 White. It's worth noting the alternative measure of  
17 Native American strength that we're looking at, that  
18 Non-Hispanic Native American single race voting age  
19 population number is 18 percent, so that number always  
20 comes in a little lower than the Native American  
21 percentage of citizen voting age population.

22 On the competitiveness measure, this district  
23 is just barely outside the Commission's defined  
24 competitive range. By the Commission a 7 percent vote  
25 spread district is somewhat competitive, and this one



1 is at 7.6, so just 6/10 of a percent outside of that  
2 range.

3 On the swing vote measures, there are -- all  
4 nine elections were won by the Republican. And by our  
5 Voting Rights Act tracking figures this is not an  
6 effective Voting Rights Act district. Neither of the  
7 two candidates that we track for that win in this seat.

8 On a compactness measure, in this case we're  
9 looking at -- obviously by the Polygon Area and  
10 Perimeter scores, this one is huge because it is so  
11 rural. But on the Reock score we get a 0.6. The  
12 Convex Hull we get a 0.83. The Grofman score is 6.48.  
13 Schwartzberg is 1.83. And Polsby Popper is 0.3.

14 Any questions or discussion about District 2?

15 CHAIRPERSON NEUBERG: I think it's clear that,  
16 you know, contiguity and compactness has, you know,  
17 been -- it is less in order to accommodate the  
18 extremely important communities of interest of the  
19 Native Americans and try to, while respecting all  
20 Constitutional criteria, try to empower that community  
21 of interest, you know, to elect a leader as much as  
22 possible, so I think this is a perfect example of some  
23 of the compromises that need to be made on some of the  
24 criteria in order to, you know, accomplish what the  
25 essence of our goal is, which is helping people elect

1 leaders to represent them.

2 COMMISSIONER LERNER: Chair Neuberg, I have a  
3 question about that, and based on the numbers that  
4 you're seeing, this is a very high Native American  
5 district, high percentage, and to some extent was  
6 designed with that when it drew in Gila River Indian  
7 Community.

8 Doug Johnson, do you feel that this  
9 actually -- district actually gives the Native  
10 Americans, based on the numbers that you've shown us,  
11 an opportunity to elect a candidate of choice based on  
12 their voting patterns?

13 MR. JOHNSON: It wouldn't count as kind of a  
14 Voting Rights Act effective or strong opportunity to  
15 elect district, but it is the largest opportunity to  
16 elect that can be drawn given the total population  
17 requirements of congressional districts in Arizona and  
18 the size of the Native American population. I think  
19 the only alternatives that have come anywhere close to  
20 it are we saw a couple of those creative ones that  
21 start with the Apache Reservations in the east, wrap  
22 around the north, and get the entire river and come all  
23 the way to the Tohono O'odham, and essentially you get  
24 a very creatively drawn nearly full circle district,  
25 which obviously does all kinds of -- impacts on

1 everything around it and takes the Tohono O'odham and  
2 other southern tribes away from the Tucson ties that  
3 they had talked about wanting. So I think it does kind  
4 of within a reasonable amount maximize the Native  
5 American ability to elect, but it wouldn't count as a  
6 true effective district where they would be a majority  
7 of the vote on a regular basis. But as the state has  
8 seen in a somewhat similar existing district, this  
9 tends to be a highly competitive district where  
10 certainly the large Native American vote is a  
11 significant factor in who wins that seat.

12 CHAIRPERSON NEUBERG: Yeah, I think that's an  
13 important point because on the congressional level  
14 there just aren't numbers that, you know, are there for  
15 the Native American community in the geographic  
16 locations that are required to create a VRA district  
17 where they can elect a candidate of their choice.  
18 However, I think this district we worked hard to keep  
19 it, you know, competitive enough such that, you know, I  
20 believe it requires accountability where the Native  
21 Americans will be the single largest minority group and  
22 will be a force in this district. They will be a very  
23 meaningful population.

24 COMMISSIONER LERNER: But just, Doug Johnson,  
25 just on your comments in terms of that, it falls

1 outside of our competitive range, so when you mentioned  
2 the competitiveness there I just want to clarify that,  
3 that it's on the outside of our big competitive range,  
4 which are often not as competitive as we like to think.  
5 That's correct from what you are saying?

6 MR. JOHNSON: Yes. It's 7.6 percent, just  
7 6/10 of a percent outside of the defined range, right  
8 on the edge.

9 Any other comments? If not we'll move on to  
10 District 3.

11 So in District 3 we're back in Maricopa  
12 County. So this district is again entirely in  
13 Maricopa. It's primarily in Phoenix, although  
14 obviously not all of Phoenix because the city is just  
15 too big for one district. It also has Guadalupe, a  
16 portion of Glendale, a portion of Avondale, and a  
17 portion of Peoria in it.

18 On the numbers, it's again right at population  
19 balance. It's one person short of perfect, so zero  
20 percent off from perfect.

21 On the citizen voting age population numbers,  
22 it is majority Latino at just over 50 percent,  
23 fractionally over 50 percent Hispanic or Latino citizen  
24 voting age, 12 percent Black or African American, 3  
25 percent Asian or Pacific Islander, 2 percent Native

1 American by CVAP, and 32 percent Non-Hispanic White by  
2 CVAP. Our other measures of Native American strength  
3 is actually in this case also 2 percent by the  
4 Non-Hispanic Native American single race voting age  
5 population.

6 On the competitive scale, this district is not  
7 even close to competitive. It has a 40.3 vote spread.  
8 On the swing scale the Democratic candidate won all  
9 nine of the elections we looked at.

10 And on our Voting Rights Act tracking  
11 elections, it does perform, with a Democratic candidate  
12 for governor in 2018 getting 63.7 of the vote and the  
13 Democratic -- these are both Latino candidates. The  
14 Latino Democratic candidate for attorney general in  
15 2018 getting 69 percent of the vote. So it is a Voting  
16 Rights Act compliant effective district for Latinos.

17 On the compactness scores, again, it's urban  
18 Maricopa County so the Polygon and Perimeter scores are  
19 pretty low. Reock score is 0.48. The Convex Hull  
20 measure is 0.73. Grofman is 5.89. Schwartzberg, 1.66,  
21 and Polsby Popper is 0.36. So of the districts we  
22 looked at this one does have, excuse me, the highest  
23 score so far. And if you look at it on the map you can  
24 see it's a relatively compact district. It's about as  
25 close to a circle as you actually get, and then it's

1 got the northern arm added on to it where it goes up  
2 through Glendale and Peoria to pick up additional  
3 population and stay compliant with the Voting Rights  
4 Act.

5 So happy to answer any questions you may have  
6 about that.

7 COMMISSIONER YORK: Doug, can I see the  
8 boundary for the city of Phoenix?

9 MR. FLAHAN: Yes. One second.

10 COMMISSIONER YORK: Okay. Thank you.

11 CHAIRPERSON NEUBERG: I think this district,  
12 you know, works well based on the Constitutional  
13 criteria in a number of ways. I'm not saying that  
14 there might not be a few small little modifications,  
15 you know, to clean up for all communities of interest,  
16 but clearly this is a community of interest. It  
17 empowers the Latino community to elect a candidate of  
18 their choice. It performs. It's compact. It has  
19 equal population. You know, I think we're giving up  
20 competitiveness, but, you know, when it's VRA, you  
21 know, if it's a VRA district and it's necessary to help  
22 a group have political expression, then  
23 competitiveness, you know, needs to not be considered  
24 as highly because obviously that's -- you know, we  
25 consider competitive districts where to do so would

1 create no significant detriment to the other goal.  
2 Making it more competitive would create significant  
3 detriment, in my belief, to the Latino community.

4 I want to clarify. I don't want to -- you can  
5 make it competitive. What I mean is to seek achieving  
6 a competitive district would require not honoring and,  
7 you know, empowering the Latino community.

8 MR. JOHNSON: Okay. Is there any other  
9 questions or comments? If not, we'll come back to the  
10 congressional map next week to go through a couple  
11 more, and for now we'll switch over to the legislative  
12 map.

13 We'll start this off with District 1. Again,  
14 this is a district entirely in Maricopa County. It  
15 actually has -- it's almost entirely Phoenix, although  
16 it has about 1,500 people from Scottsdale and about  
17 1,500 people from Tempe in it. Otherwise, it's  
18 entirely Phoenix. In terms of the numbers, it is off  
19 from the ideal by about 1,300 people, or about one half  
20 of 1 percent.

21 In terms of citizen voting age population, it  
22 is 27 percent Hispanic or Latino, 8 percent  
23 Non-Hispanic Black, 3 percent Non-Hispanic Asian. From  
24 the Native American front, it's 3 percent of CVAP and 2  
25 percent of single race voting age population, and it's

1 59 percent Non-Hispanic White.

2 On competitiveness, this is not a competitive  
3 district. It's a 41 percent spread. And on the swing  
4 scale it's -- the Democratic candidate wins all nine  
5 elections that we look at. And given the 27 percent  
6 Latino CVAP, it's not a race we're tracking for Voting  
7 Rights Act compliance, but the Latino Democratic  
8 candidates do win the governor's race and the attorney  
9 general's race that we look at.

10 MR. FLAHAN: I'm going to stop sharing. I'll  
11 pull up the numbers in a second. I just got to get  
12 them, so you can keep talking.

13 MR. JOHNSON: On the compactness front, the  
14 legislative districts are obviously going to do better  
15 on the Polygon and Perimeter tests because they're so  
16 much smaller than congressional districts in terms of  
17 population, and that's because of area. The Reock  
18 score is 0.37. The Convex Hull score is 0.67. Grofman  
19 is 6.15. Schwartzberg is 1.74, and Polsby Popper is  
20 0.33.

21 COMMISSIONER LERNER: Doug, would you be able  
22 to send those data sheets to us?

23 MR. JOHNSON: Yes, and we'll get the full  
24 compactness scores for both maps posted on the hub as  
25 well.



1 COMMISSIONER LERNER: Okay. Thank you.

2 MR. FLAHAN: Give me a second. I'm bringing  
3 it up right now.

4 MS. BELLER SAKANSKY: If I may add, on  
5 District 3 on the southeast boundary it does run along  
6 the Salt River, so that was a geographic feature that  
7 was taken into account.

8 MR. FLAHAN: Almost there. Hold on a sec.  
9 This is a little different spreadsheet because we have  
10 a lot more districts in the legislative and a lot more  
11 cities and everything, but those are the numbers.

12 MR. JOHNSON: If you can show the map for a  
13 second, Mark.

14 MR. FLAHAN: Yeah. I'll work on this so it  
15 sits on one screen.

16 MR. JOHNSON: You can see on the compactness  
17 scores, no surprise. It's essentially an L shape and  
18 fairly close to a rectangle.

19 COMMISSIONER LERNER: Would you be able to  
20 overlay the school districts, please?

21 MR. FLAHAN: School districts, yep. We have  
22 them divided by elementary and secondary, so let's take  
23 a look.

24 So elementary, Osborn is here. That's Phoenix  
25 Elementary District in the yellow. That is Creighton

1 Elementary District. That is Balsz Elementary School  
2 District. That is Tempe School Union. I think there  
3 is a little piece here, yep, Wilson Elementary School  
4 District. On the top we've got Washington Elementary  
5 School District, Madison Elementary School District,  
6 and I don't -- think that's it for elementary school,  
7 yep.

8 For secondary school districts, that is  
9 Phoenix Union High School District, so you can see that  
10 fits most of the districts. In the corner here is  
11 Glendale Union and in the corner down here is Tempe  
12 Union High School District.

13 In our layer that is the unified layer, still  
14 don't think -- Paradise Valley Unified School District  
15 is in the corner. And in this little teeny one over  
16 here, that is Scottsdale Unified. But I think if we  
17 were to zoom in here that is the mountain park, so if  
18 we looked at it with aerial imagery we can see that  
19 that is one of the mountain parks in Phoenix.

20 COMMISSIONER LERNER: Thank you. Unoccupied,  
21 obviously.

22 MR. FLAHAN: Yep.

23 COMMISSIONER LERNER: Thank you.

24 MR. FLAHAN: And those are the compactness  
25 scores for District 1.

1           CHAIRPERSON NEUBERG: Any commentary from my  
2 colleagues on communities of interest in this area?  
3 You know, the one comment I want to make, I know Ivy  
4 mentioned the Salt River boundary at the southern  
5 border. I think there are other geographic borders  
6 that we could also look at in this area because there  
7 are certain communities of interest, particularly the  
8 zoo area, Papago Park, communities that I think could  
9 fit many -- many places, so, and none of that would  
10 change the compactness or contiguity. I'm not making  
11 any suggestions or ideas, just commenting on borders.

12           MR. FLAHAN: I will say some of these reports  
13 and numbers that we're showing you today, it is  
14 available live in the system. So for like compactness,  
15 if you wanted to hit the button here under the review  
16 tab that says "Compactness tests," there is all the  
17 numbers that we're showing you today right there in the  
18 system, so you can do that for any plan.

19           And if you wanted to get it more in a report  
20 form, you could hit the "Report" button. And you can  
21 go to district compactness, pick whatever report format  
22 you want -- PDF, Excel, HTML -- hit "Okay," and the  
23 system will generate your report, and there is a  
24 report. So these things are available in the system  
25 right now today, so anybody can run these.

1           Same with the cities. You can hit the  
2 "Assigned District Splits" report here, and you can run  
3 it against the cities that we're showing you. It will  
4 take minutes to run so I don't want to do it here live  
5 in the session, but I do -- can show you what one of  
6 them looks like if you want to see one because I've  
7 already ran a couple. I mean, if you want to see what  
8 one of the PDFs would come back with, this is what  
9 would come back out of the system, so same thing we  
10 showed you in Excel cleaned up, but it is available, so  
11 anybody can run those.

12           CHAIRPERSON NEUBERG: Okay. Anything else on  
13 D1? I presume, Mapping Team, I mean, it's not a  
14 competitive district. In order to, you know, try to  
15 make it more competitive we would be disrupting a lot  
16 of communities of interest.

17           MR. JOHNSON: With that we can jump to  
18 District 2, unless there is other comments or  
19 questions.

20           Okay. And we'll move just a little bit to the  
21 north. District 2 geographically is easy to describe.  
22 It's all in Phoenix, so it's a purely Maricopa and  
23 purely Phoenix district. By the numbers it is  
24 currently overpopulated. It's just short of 12,000  
25 people overpopulated at 4.98 percent above the target,

1 so it's within our, you know, rough plus or minus 5  
2 percent rule of thumb, but it does have extra people in  
3 it.

4 By Citizen Voting Age Population, it's  
5 19 percent Hispanic or Latino, 5 percent Black or  
6 African American, 3 percent Asian American, and by  
7 citizen voting age population and single race VAP it is  
8 2 percent Native American, with the rest being  
9 71 percent Non-Hispanic White.

10 On competitiveness, it is a highly competitive  
11 district. It's vote spread is 3.3 percent, and it's  
12 swing, looking at the nine elections we look at for  
13 swings, the Democratic party won six, the Republican  
14 party won three, so it did swing three different times.  
15 And, again, at under 20 percent Latino by citizen  
16 voting age population it's not one of the districts  
17 we're tracking for Voting Rights Act compliance or  
18 being an effective district, but it is a highly  
19 competitive district.

20 On the compactness side, this district  
21 actually does quite well. It's 0.63 on the Reock  
22 score, 0.9 on the Convex Hull score, 4.39 on Grofman,  
23 1.24 on the Schwartzberg, and 0.65 by Polsby Popper.

24 Any questions or comments about this?

25 COMMISSIONER LERNER: Doug, this is

1 Commissioner Lerner. I have a question about the  
2 overpopulation that we have. I assume we're going to  
3 be working on reducing those, right, because right now  
4 we have a number of districts that are over -- well,  
5 they are over and underpopulated. I assume as we work  
6 towards final we're going to try to move that as close  
7 to zero as possible with all of them?

8 MR. JOHNSON: Yes. That is a goal the  
9 Commission has request -- has expressed and certainly  
10 something we hope to do. In a district like this  
11 moving 4,000 folks is going to be just a small little  
12 notch of the corner kind of thing where they're in  
13 these dense urban districts, so, yes, we -- we are  
14 anticipating a request to do that after the Public  
15 Listening Tour.

16 MR. FLAHAN: District 28 here, this purple one  
17 up here, is short 11,000.

18 CHAIRPERSON NEUBERG: Let's not go into  
19 problem-solving, but I think that what we're hearing,  
20 and I, too, look at it and say if there is a way to  
21 decrease the population deviance that would be a goal  
22 worth looking into if it's not compromising, you know,  
23 higher principles, communities of interest and things  
24 like that.

25 MS. BELLER SAKANSKY: If I may also, and,

1 again, that District 2, it encompasses the Sunnyslope  
2 neighborhood of Phoenix.

3 COMMISSIONER LERNER: Yeah, I agree. I'm  
4 certainly not interested in problem-solving today. I  
5 just mentioned that because I know we've had other  
6 things come up underpopulated with, for example, the  
7 Navajo Nation,, so that's why I was asking about that.

8 CHAIRPERSON NEUBERG: And I see no other  
9 concerns on the other Constitutional criteria from my  
10 perspective.

11 MR. JOHNSON: Okay. Jump to District 3. We  
12 are staying in Maricopa County. This district has all  
13 of Carefree, Cave Creek, Fountain Hills, and Rio Verde.  
14 It has a large percentage of Scottsdale and a large  
15 share of northeast Phoenix as well.

16 On the numbers this district is a little bit  
17 short of the ideal. It's just over 1,000 people short,  
18 or 0.43 percent short of a perfect balance, so well  
19 within our rule of thumb.

20 Citizen voting age population, it is 5 percent  
21 Hispanic or Latino, 2 percent Black or African  
22 American, 4 percent Asian American, and then by both  
23 measures, citizen voting age population and single race  
24 voting age population, it's 1 percent Native American  
25 and then 88 percent Non-Hispanic White.

1           On our competitiveness scale, it's 20 percent  
2 spread, so it's not in the competitive range. And on  
3 the nine elections we looked at, the Republican  
4 candidates won all nine of them. And, obviously, with  
5 the percentages I mentioned earlier it's not a race  
6 we're tracking for Voting Rights Act compliance.

7           On the competitive scores, it is -- on the  
8 Reock score it's a 0.37. On the Convex Hull it's 0.83.  
9 Grofman is 5.86. Schwartzberg is 1.65, and Polsby  
10 Popper is 0.37.

11           Any comments or questions on this district?

12           CHAIRPERSON NEUBERG: I think it fulfills the  
13 six criteria nicely. I think they balance nicely. You  
14 know, it's contiguous. It unites communities of  
15 interest. It's definitely respecting, you know,  
16 geographic boundaries. And again, you know, it's hard  
17 to achieve competitiveness without compromising, you  
18 know, communities of interest, so onward.

19           MR. JOHNSON: Into District 4. This is a  
20 little to the south. And, again, staying in Maricopa  
21 County, this district has all of Paradise Valley, quite  
22 a bit of Scottsdale, and then it's mostly made up of  
23 Phoenix population.

24           By the numbers it's a little short. It's  
25 1,021 people short of perfect balance, which is



1 0.43 percent short.

2 MR. FLAHAN: Doug, check your number on that.

3 MR. JOHNSON: I'm reading the wrong row.

4 Sorry.

5 MR. FLAHAN: Yeah, check your numbers.

6 MR. JOHNSON: That was 3. Those numbers  
7 probably sounded familiar. That was 3; this is 4.

8 So for 4 we're over by 10,795 and  
9 4.53 percent.

10 On citizen voting age population it's  
11 11 percent Hispanic or Latino, Black or African  
12 American is 3 percent, Asian American is 4 percent, and  
13 by both Native American measures it's at 1 percent,  
14 leaving it 81 percent Non-Hispanic White.

15 It is almost perfectly competitive. It's vote  
16 spread is 0.5 percent. There is almost perfect balance  
17 between Democratic and Republican votes cast in the  
18 nine elections we're tracking. And same thing on the  
19 swing at 5 to 4, so it flipped back and forth, almost  
20 perfectly balanced between the two parties, with five  
21 Democratic wins and four Republican wins.

22 And obviously with those Latino citizen voting  
23 age percentage numbers, it's not a district we're  
24 tacking for Voting Rights Act effectiveness.

25 Moving over to the compactness scores, it's at

1 0.37 on the Reock score, 0.75 on the Convex Hull score,  
2 5.9 on Grofman, 1.67 on Schwartzberg, and 0.36 on  
3 Polsby Popper.

4 CHAIRPERSON NEUBERG: One request I would have  
5 would be to see the city boundaries of Scottsdale  
6 overlaid on this.

7 MR. FLAHAN: It is the yellow line on the  
8 screen.

9 CHAIRPERSON NEUBERG: Yeah, I see. So just  
10 one thing in terms of respecting boundaries and things  
11 like that, you know, it does -- I think it's a minor  
12 issue, but the shape of it does lead to the other  
13 district, Scottsdale, being divided up a lot, just  
14 something on this map I wanted to point out.

15 COMMISSIONER WATCHMAN: Madam Chair, just also  
16 pointing out that the Fort McDowell Reservation is in  
17 this picture, too.

18 CHAIRPERSON NEUBERG: And how does that fit as  
19 a community of interest, Vice Chair Watchman?

20 COMMISSIONER WATCHMAN: Well, they indicated,  
21 from what I can recall, they were more interested in  
22 being associated with Fountain Hills as a common  
23 community of interest, and so I think for the most part  
24 we're meeting what their leadership has expressed to  
25 us.

1           MR. JOHNSON: If there is nothing else we can  
2 go to District 5. Now we're moving out of Maricopa  
3 County, and District 5 is Yavapai county. It includes  
4 the whole county and follows the county border all the  
5 way around so it is easy to describe.

6           By the numbers it is slightly short of the  
7 ideal at 2,173 short, or 0.19 percent.

8           In terms of citizen voting age population,  
9 it's 10 percent Hispanic or Latino, 1 percent Black or  
10 African American, 1 percent Asian American, and by CVAP  
11 it's 2 percent Native American. By single race voting  
12 age population it's 1 percent Native American, and it's  
13 86 percent Native -- Non-Hispanic White.

14          On the vote spread it is not competitive with  
15 a 28.5 percent spread, and on the swing votes analysis  
16 the Republicans won all nine of the elections we looked  
17 at for that. And given the citizen voting age  
18 percentage numbers it's not a district we're tracking  
19 for Voting Rights Act effectiveness.

20          On the compactness scores, this is really just  
21 a measure of the county. The Reock score is 0.47. The  
22 Convex Hull is 0.89. Grofman is 5.07. Schwartzberg is  
23 1.43, and Polsby Popper is 0.49.

24          Any questions about this?

25          CHAIRPERSON NEUBERG: And, Doug, would you

1 like to share any assessment of how this does in terms  
2 of keeping communities of interest together versus  
3 separating communities of interest? Because I know,  
4 you know, particularly just looking at Sedona, west  
5 Sedona, they're broken up, and they are -- people have  
6 different views of what a community of interest is.  
7 Some people, you know, see Yavapai County as a whole as  
8 a community of interest and others don't, so I don't  
9 know if there is anything you want to share.

10 MR. JOHNSON: The only thing I would mention  
11 is to agree with you this is one of our hotly debated  
12 community of interest debates between the Verde Valley  
13 belonging in a Yavapai district or with Flagstaff, how  
14 should Sedona, which is a cross county -- the city  
15 crosses the county line, so there is lots of debate  
16 both ways on both of those questions.

17 CHAIRPERSON NEUBERG: Right. And then looking  
18 at county lines and looking at geographic  
19 transportation corridors, there is so many different  
20 ways in which, you know, you could argue based on these  
21 Constitutional criteria, so it sounds like you're not  
22 going to add to that. You're not going to weigh in  
23 because you're just concurring that there are choices  
24 that are going to have to be made, that nobody is going  
25 to get everything that they want here.

1           MR. JOHNSON: Yeah, and I think this is a  
2 debate that, you know, all three commissions have had,  
3 and it's a hotly contested debate that ultimately I'm  
4 not weighting into because ultimately it's the  
5 Commission's decision on which way you go into it, and  
6 I don't think there is a right or wrong on either side.

7           CHAIRPERSON NEUBERG: Right. But as it is  
8 it's -- you know, when I look through the  
9 Constitutional criteria there is justification. You  
10 know, it keeps Yavapai together, a lot of communities  
11 of interest together, respecting, you know, physical  
12 borders, boundaries. You know, again, this is one of  
13 the areas, that, you know, communities of interest tend  
14 to live together in geographic areas so  
15 competitiveness, you know, is difficult to achieve  
16 without compromising too much, you know, representation  
17 for communities of interest, so to me I'm comfortable  
18 with how this fulfills our, you know, Constitutional  
19 requirements, understanding that there is judgment  
20 calls.

21           MR. FLAHAN: Since you asked about cities and  
22 jurisdictions being split, if you look at the report  
23 you'll see some of these with an asterisk, and that  
24 would be a split of a jurisdiction. So you can see  
25 Peoria here is split because Peoria is in Maricopa and

1 Yavapai County, but there is actually zero population  
2 living in the Yavapai County split that's in this. But  
3 you can see Sedona down here has the asterisk, and here  
4 is the population that is currently in District 5, so  
5 that would mean that that's split.

6 CHAIRPERSON NEUBERG: And that's the kind of  
7 data, just Mark and Doug, that I think is helpful for  
8 you to keep reminding us of. You know, I thank you for  
9 showing us where to find the data, but sometimes we  
10 don't even know what to look for, and these are  
11 relevant data points when cities are being split up and  
12 we have to weigh the pros and cons, so thank you for  
13 highlighting that.

14 MR. FLAHAN: The other split is Wickenburg in  
15 District 5 because Wickenburg spans Maricopa and  
16 Yavapai County.

17 CHAIRPERSON NEUBERG: Anything else on 5?

18 MR. JOHNSON: Our last two to cover today get  
19 much more complicated as we wander out of districts  
20 that are entirely in a single county.

21 And so we'll start with District 6. District  
22 6 is our far northern district that encompasses a lot  
23 of tribal reservations. It has population from -- it  
24 has just over 50,000 people from Apache County. It has  
25 one hundred and -- almost 128,000 people from Coconino

1 County, including Flagstaff. It has 7,000 -- just over  
2 7,000 people from Gila County. It has the San Manuel  
3 tribal reservation portion of Graham County. It has,  
4 let's see, the tribal -- small piece of Mohave County,  
5 which is just the Kaibab and Hualapai reservation land.  
6 It has 42,000 people from Navajo County. So it's kind  
7 of eastern and northern tribal reservations along with  
8 Flagstaff, and then the far eastern part east of the  
9 highway connecting them and then lots of small  
10 communities around those different areas.

11 By the numbers it is 4,002 people short of the  
12 target population, or 1.68 percent.

13 Citizen voting age population, it's 7 percent  
14 Hispanic or Latino, 1 percent Black or African  
15 American, 1 percent Asian American, 33 percent  
16 Non-Hispanic White. And then by CVAP it's 68 percent  
17 Native American, and by single race the voting age  
18 population is 54 percent Native American, so this is  
19 our majority Native American district.

20 Competitiveness, the vote spread is  
21 42.4 percent, so nowhere near competitive, with the  
22 Democratic candidate winning all nine of our swing vote  
23 analysis elections. And because the focus is on Native  
24 American, not on Latino, voting age -- Voting Rights  
25 Act compliance for this district we're not tracking it

1 with a tracking election, but the Latino Democratic  
2 candidates do win both the 2018 governor's race and the  
3 2018 attorney general's race in this district.

4 On a compactness score, given the rural nature  
5 and the spread out communities of interest that this  
6 one is tying together, we do get a very high -- our  
7 highest -- I believe it's our highest Polygon score and  
8 our highest Perimeter scores of any district. By Reock  
9 it's a 0.4. Convex Hull it's a 0.64. Grofman is 8.61.  
10 Schwartzberg is 2.43, and Polsby Popper is 0.17.  
11 Obviously, as we're bringing together the different  
12 tribal reservations and a different focus on that  
13 community of interest we're not having super great  
14 compactness scores, but for a very clearly explainable  
15 reason.

16 Any questions or comments on District 6?

17 CHAIRPERSON NEUBERG: I think you explained it  
18 very well, Doug, that, you know, the compactness  
19 scores, the lack of competitiveness, is to honor the  
20 communities of interest, and they're geographically in  
21 different places, so --

22 MR. JOHNSON: If there are no other comments  
23 we can go on to District 7.

24 District 7, so the yellow district shown on  
25 the map you can see there, in Apache County we're



1 getting Concho, Eagar, Springerville, St. Johns and  
2 Vernon. In Coconino we're really getting roughly  
3 speaking from everything south or slightly west of  
4 Flagstaff down from south to the county line, including  
5 the eastern portion -- the Coconino County portion of  
6 Sedona.

7 In Gila County we're getting all of Gila  
8 County except for the tribal reservation lands.

9 Then we come in Navajo County, kind of going  
10 alphabetically, we get about 46,000 population,  
11 including places like Holbrook, Pinedale, Pinetop  
12 Lakeside, Show Low, Snowflake, and Woodruff.

13 And then coming down into Pinal County, this  
14 has part of Apache Junction, Dudleyville, part of  
15 Florence, Gold Canyon, Kearny, Mammoth, Oracle, San  
16 Manuel, Superior, and Winkelman.

17 By the numbers it is somewhat short of the  
18 ideal population at just under 6,000 short, or  
19 2.48 percent short of the target population, so well  
20 within our 10 percent overall plan deviation.

21 By citizen voting age population it's  
22 19 percent Hispanic or Latino, 2 percent Black or  
23 African American, 1 percent Asian American. By CVAP  
24 it's 5 percent Native American. By single race voting  
25 age population it's 4 percent Native American. And by

1 CVAP it's 72 percent Non-Hispanic White.

2 It is not competitive at a 29.8 percent vote  
3 spread and the Republicans winning all nine of the  
4 swing elections. And, obviously, with those numbers  
5 it's not a district we're tracking for effective Voting  
6 Rights Act compliance, and so those numbers are both,  
7 as noted, won by the Republican candidate.

8 On a compactness score, District 7, again, is  
9 a rural seat that has a high -- as a result has a high  
10 Polygon and Perimeter score. It's 0.32 on the Reock  
11 test, 0.52 on the Convex Hull test, 10.2 on the Grofman  
12 score, 2.87 on Schwartzberg, and 0.13 on Polsby Popper.

13 Any questions? This is the last of the  
14 districts we are going to walk through today, so if you  
15 have any questions --

16 CHAIRPERSON NEUBERG: I have one question,  
17 Doug. So the -- I was looking at the Hispanic CVAP. I  
18 think it was 19 percent. Is the Latino community  
19 living in one particular area in this LD7 map, or is it  
20 spread out?

21 MR. JOHNSON: Well, off the top of my head I  
22 know the kind of -- the Mammoth kind of southern tip of  
23 this district is a traditionally heavily Latino area.  
24 I don't think there are other particular concentrations  
25 other than that area.

1           CHAIRPERSON NEUBERG: All right. Thank you.

2           COMMISSIONER LERNER: Doug, just as a  
3 follow-up to that question, wouldn't a lot of Hispanic  
4 population be in that southern portion that's part of  
5 the mining areas up -- I'm, of course, circling it with  
6 my own cursor here, which you can't see.

7           MR. JOHNSON: Yes. I mean, as you mentioned,  
8 the mining areas, this is kind of a large portion at  
9 least of the Copper Corridor that's been referred to in  
10 numerous public comments. It's largely tied together  
11 in this district. And that region does have a  
12 significant Latino population.

13           And, again, the thought was we do these kind  
14 of in chunks so we'll come back with the next set next  
15 week.

16           CHAIRPERSON NEUBERG: And my reaction to  
17 District 7 in terms of just compactness and contiguity,  
18 you know, I see a lot of it as a reaction to, you know,  
19 District 6, that when you carve out, you know,  
20 different shapes to accommodate communities of interest  
21 it has, you know, ripple effect on the districts next  
22 to it that also may have, you know, more unusual shapes  
23 in order to, you know, bring together those  
24 communities, and I think that's what we're seeing, but  
25 I think they have done good jobs of trying to honor the

1 communities of interest so far.

2 MR. JOHNSON: If there is no other comments  
3 we'll hand it back to you for next agenda item.

4 CHAIRPERSON NEUBERG: Okay. Well, thank you,  
5 everybody. And just, Colleagues, we'll be prepared to  
6 be going through about a fourth of the districts at  
7 each business meeting. Staff will let us know, you  
8 know, soon which districts there will be. I presume  
9 they may just go in order, but we don't know.

10 Okay. With that we will move to Agenda Item  
11 Number VII, Executive Director's report and discussion  
12 thereof. I will turn it over to Director Schmitt and  
13 Lori Van Haren, if she's on the line.

14 MR. SCHMITT: Thank you, Madam Chair. Just  
15 give me one second while I pull up the PowerPoint.

16 All right. Can you all see it? All right.  
17 Can you all see the PowerPoint?

18 MS. NEUMANN: Yes, we can see it.

19 MR. SCHMITT: All right. Thanks, Val.

20 First I want to go over -- just reiterate the  
21 ways that the public can submit comment to the  
22 Commission. First is on our website. If you just go  
23 to the "Contact Us" link, you can send us any comments  
24 you have, any questions, and we will get them to the  
25 Commissioners. As Mark showed you earlier, you can

1 also submit them on the mapping hub, and those comments  
2 will be available for the public to see in the  
3 dashboard.

4 You can also show up to our public hearings.  
5 All of them are listed online. If you don't -- if you  
6 want to come to the meeting but not necessarily speak,  
7 we're going to have paper maps at each -- every  
8 district at all of the meetings, so you can submit that  
9 directly to us there.

10 And then also in writing. If you want to mail  
11 us your map our address is there and we will get it out  
12 to the Commissioners.

13 As Mark mentioned, we had our first Mapping  
14 Monday with Mark yesterday. It went really well. He  
15 goes over just the mapping hub, any questions that  
16 individuals have, so if you want to join us here are  
17 the next two that we have coming up.

18 And then I am going to turn it over to Lori to  
19 talk about the virtual town halls.

20 CHAIRPERSON NEUBERG: I have a question,  
21 Brian. For those who only speak Spanish is there an  
22 interpreter there on Monday, or how would that happen  
23 if somebody wanted help but needs somebody to direct  
24 them in Spanish?

25 MR. SCHMITT: Sure. So we are -- have been

1 talking about adding one that's all done in Spanish.  
2 Also, doing a virtual town hall that's all in Spanish.  
3 We're working with our -- the translation company we  
4 use to try and figure that out and finalize those  
5 details, and then we'll post it and let the public  
6 know, and hopefully they will join us.

7 CHAIRPERSON NEUBERG: Okay, great. Thanks.

8 MS. VAN HAREN: Thank you, Brian.

9 So we had our first virtual town hall on  
10 Saturday. We had 247 people show up to -- or register  
11 to speak. We actually had almost 355 people online at  
12 one point. About approximately 200 people actually  
13 ended up speaking, so it lasted almost I think just  
14 over six hours, almost seven hours.

15 So we have also scheduled -- and you'll see  
16 them on the meeting link that Brian was talking about  
17 before on the [irc.az.gov](http://irc.az.gov) website. We have three more  
18 virtual town halls, and we are this time going to be  
19 regionally focused. So the next one coming up on  
20 Friday is the southern and eastern Arizona. Then we'll  
21 have northern and western Arizona and Maricopa County  
22 as the final one. And the idea here is really for the  
23 Commissioners to be able to hear from constituents and  
24 citizens who are calling in about these specific areas.

25 And so we will again have registration open

1     until about an hour before the meeting so that we can  
2     organize the list and call people. One of the things I  
3     want to reiterate with the public is when -- how Webex  
4     works and how most online platforms work is the host  
5     cannot unmute you without you agreeing to be unmuted.  
6     So during these meetings when people log in, they have  
7     to be registered under the name that they signed up  
8     with or we will not be able to find you. First name is  
9     usually not good enough. At least the last initial  
10    would be helpful. And then the second thing is when we  
11    send you a request there will be a big pop-up box on  
12    your screen that says, "You've been requested to  
13    unmute," and then you'll be unmuted. We -- in order to  
14    keep meetings running smoothly we unmute about three  
15    people at a time, so you may not be speaking at that  
16    specific point. That's sometimes where you hear some  
17    feedback, but at least three people will be unmuted at  
18    a time.

19                   Do you have any questions about that,  
20    Commissioners?

21                   COMMISSIONER LERNER: Just, Lori, would you  
22    mind explaining how you organize the speakers? Because  
23    that would help.

24                   MS. VAN HAREN: So for Saturday we have -- as  
25    part of the registration from this last Saturday,

1 because we understood how helpful it is for the  
2 Commissioners to be to be able to be looking at one  
3 region at a time, we asked participants to let us know  
4 what parts of Arizona they were speaking about, so when  
5 we did that we were able to sort by those people who  
6 were speaking. We did a random sort, too, so it's not  
7 necessarily the first come, first serve, but  
8 essentially just anybody who signed up on Saturday was  
9 able to speak. For future town halls my understanding  
10 is there is a cut-off time at two hours so we'll just  
11 be taking the first people who want to speak. They  
12 will all be speaking about roughly the same areas, and  
13 we will cut off registration about an hour before the  
14 meeting.

15 COMMISSIONER LERNER: And if people have  
16 spoken before --

17 MS. VAN HAREN: Oh, I'm sorry, Commissioner  
18 Lerner. That was my next point.

19 So, also, because all of the comments have  
20 been recorded, all of the meetings have been recorded  
21 so the Commissioners can go back and watch any of the  
22 meetings that they were unable to attend or if they  
23 missed part of them. You know, sometimes we do that as  
24 well. They will be posted online on our website. If  
25 you have already spoken or if there is a number of



1 people who are saying the same thing, your comments  
2 will be recorded. We really want to encourage anybody  
3 who hasn't been able to participate who maybe can't go  
4 into any of the public meetings, we really want to  
5 encourage those people to come and speak. And just  
6 rest assured if you've already spoken, the  
7 Commissioners have been listening to it. It's been  
8 recorded. It's in our public record now, and so there  
9 is not a need to come out several times to say the same  
10 thing. We want to encourage participation for all  
11 Arizonans.

12 CHAIRPERSON NEUBERG: Lori, there is something  
13 I'm not clear on. So the upcoming virtual town halls  
14 are capped at two hours, but you're accepting  
15 registration to speak up until an hour before those  
16 events. Are you capping it at a certain number so  
17 that, you know, you let the public know that there is  
18 no more -- no more openings for registrations? Because  
19 what if we get 100 speakers that want to speak?

20 MS. VAN HAREN: And we will cap it at a  
21 certain number. It's just because we have only done  
22 one we weren't sure how many people are going to be  
23 able to show up for that time, so we didn't want to cut  
24 off registration if we're at number 59. We expect  
25 approximately 60 people to be registered, the first 60

1 people to be registered to be able to speak.

2 CHAIRPERSON NEUBERG: Okay. So there is an  
3 advantage to the public that if you're really  
4 interested in speaking at these other town halls that  
5 if you register sooner you're more likely to be  
6 guaranteed a spot.

7 MS. VAN HAREN: That's correct.

8 CHAIRPERSON NEUBERG: And you will, you know,  
9 either tweet or make it clear on our website if and  
10 when registration is finished so people, you know,  
11 understand.

12 MS. VAN HAREN: That's correct. Sorry,  
13 Chairwoman. One of the things we want to make sure of  
14 is not just because 60 people sign up doesn't mean  
15 they're all logged in on that time. Right? So we want  
16 to be able -- I don't want to cut off registration if  
17 we have an option for people to speak if other people  
18 decide at that time they're not going to speak. Does  
19 that make sense? So it's a little bit more complicated  
20 than that.

21 CHAIRPERSON NEUBERG: I hear what you're  
22 saying. Yes, we want to capitalize on the full two  
23 hours.

24 MS. VAN HAREN: Exactly.

25 COMMISSIONER LERNER: Lori, if we find -- I

1 mean, we had so many people, which was great. As our  
2 Chairwoman commented, the engagement is amazing. If we  
3 find that at this -- these next one or two hearings  
4 we're again having far more people attend than are able  
5 to speak, would we be considering adding another  
6 virtual town hall to accommodate the public? Because  
7 it was impressive on Saturday, but the two-hour limit  
8 is, I think, a good approach.

9 MS. VAN HAREN: Absolutely, Commissioner  
10 Lerner. We can add as many of the virtual town halls  
11 as the Commission would like.

12 MR. SCHMITT: And folks who register who -- if  
13 we have too many and we decide to add another one, we  
14 can still capture that information and let them know  
15 that we've scheduled another one if we need to.

16 CHAIRPERSON NEUBERG: And I want to make clear  
17 that we would be scheduling additional ones for the  
18 purpose of hearing people who have not yet been able to  
19 speak because to schedule them to have the same voices  
20 repeat the same messages, it will water down the  
21 quality of, you know, what we're hearing.

22 MS. VAN HAREN: And that was all I had. Are  
23 there any other questions? Thank you so much.

24 MR. SCHMITT: The next item I have is an  
25 overview of our budget expenditures to date. We are

1 still -- some of the expenses from the grid map tour  
2 are still coming in, so it will change -- it will  
3 change a little bit over time.

4 But year-to-date personal services and  
5 employee-related expenses are about \$133,000. Our  
6 professional and outside services are at about  
7 1.2 million. That includes mapping and legal fees.  
8 Travel is about \$2,000 right now. Expect that one to  
9 go up just based on all of our traveling and us hitting  
10 the road again tomorrow. Overall operating costs are  
11 about \$160,000. And then noncapital equipment is about  
12 \$18,000. So -- oops. Sorry. Year to date we're at  
13 about 1.5 million, which leaves us with about  
14 6.3 million left.

15 Are there any questions?

16 CHAIRPERSON NEUBERG: I think we're in a very  
17 solid position, and I think, as we've talked about  
18 before, the budget is something that's difficult to  
19 really nail down in terms of, you know, projections in  
20 the future because so much of it really depends on  
21 legally, you know, what we see coming up, you know,  
22 probably within the next six weeks or so after we  
23 approve the final maps, so, but nicely managed.

24 MR. SCHMITT: Thank you. And that is all we  
25 have for you all, unless you have any questions for us.

1           CHAIRPERSON NEUBERG: No questions? All  
2 right. Thank you for that update.

3           We'll move to Agenda Item Number VIII,  
4 discussion of future agenda item requests.

5           Okay. Agenda Item Number IX, announcements.  
6 As we discussed, we should expect regular business  
7 meetings for the foreseeable future, Tuesdays at 8:00  
8 a.m., for us to be able to review districts and address  
9 other business items that come up. We do have our  
10 public hearings. We have Yuma and Flagstaff tomorrow,  
11 Wednesday. In fact, I don't have this in front of me.  
12 We have -- does any staff member have just the next  
13 three public hearings available?

14           MR. SCHMITT: Let me pull those up. So  
15 Wednesday, November 10th at 6:00 p.m. we will be in  
16 Yuma at Yuma City Council Chambers, and also in  
17 Flagstaff at the High Country Conference Center. We'll  
18 have our virtual town hall on Friday the 12th, and then  
19 Saturday the 13th at 10:00 a.m. we will be at the Kroc  
20 Community Center in South Phoenix, and we will also be  
21 at -- we'll be in Florence at the Florence Community  
22 Center. And then next Monday is mapping with Mark at  
23 1:00, and then we'll have a regular business meeting  
24 next Tuesday.

25           CHAIRPERSON NEUBERG: Okay. Excellent. Thank

1 you.

2 And Agenda Item Number X, next meeting date.  
3 The business meeting will be next Tuesday at 8:00 a.m.,  
4 and I would imagine a similar timeframe.

5 COMMISSIONER LERNER: Chair Neuberg, if I  
6 could just make sort of an announcement but not really,  
7 but the Saturday meeting, which was extensive and very  
8 well-attended by the public, I just want to commend  
9 Mark for the work he did on the maps. He was -- as  
10 people were speaking he was locating what they were  
11 talking about. He was on top of it for five and a half  
12 hours, and I know that that was very stressful and  
13 strenuous as part of it. All I had to do was listen,  
14 but he had to work through it, so I just want to say  
15 thank you to Mark for that. I was very appreciative.

16 MR. FLAHAN: You're very welcome.

17 CHAIRPERSON NEUBERG: And our staff. I mean,  
18 you know, to navigate finding all of those people  
19 online, getting them muted, unmuted, training all of  
20 them how to use the technology, and then circling back  
21 to people who were missed and not losing track of them.  
22 I don't know how you did it, but I thought it was  
23 fabulous.

24 COMMISSIONER LERNER: And I 100 percent agree.  
25 It was really impressive with the staff to keep going

1 like that. It was very long day, and you kept good  
2 humor and positive perspective on the whole thing, so  
3 thank you for all of that.

4 CHAIRPERSON NEUBERG: Kudos all around.

5 All right. So next meeting date, Tuesday,  
6 like we said, in addition to the hearings.

7 We'll move to Agenda Item Number XI, closing  
8 of the public comments. We'll now close comments.  
9 Please note members of the Commission may not discuss  
10 items that are not specifically identified on the  
11 agenda. Therefore, pursuant to A.R.S. 38-43.01(H)  
12 action taken as a result of public comments will be  
13 limited to directing staff to study the matter,  
14 responding to any criticism, or scheduling the matter  
15 for further consideration and decision at a later date.

16 With that we'll move to Agenda Item Number  
17 XII, adjournment. I will entertain a motion to  
18 adjourn.

19 COMMISSIONER WATCHMAN: Madam Chair, Vice  
20 Chair Watchman motions to adjourn.

21 CHAIRPERSON NEUBERG: Do I have a second?

22 COMMISSIONER MEHL: Commissioner Mehl seconds.

23 CHAIRPERSON NEUBERG: With no further  
24 discussion, Vice Chair Watchman.

25 COMMISSIONER WATCHMAN: Aye.

1 CHAIRPERSON NEUBERG: Commissioner Mehl.

2 COMMISSIONER MEHL: Aye.

3 CHAIRPERSON NEUBERG: Commissioner Lerner.

4 COMMISSIONER LERNER: Aye.

5 CHAIRPERSON NEUBERG: Commissioner York.

6 COMMISSIONER YORK: Aye.

7 CHAIRPERSON NEUBERG: Commissioner Neuberg is  
8 an aye.

9 With that we will adjourn, and I look forward  
10 to seeing my colleagues and staff and as many of the  
11 public at the upcoming hearings. Have a great week,  
12 everybody. Thank you.

13 (Meeting concluded at 9:43 a.m.)

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C E R T I F I C A T E

I HEREBY CERTIFY that the proceedings had upon the foregoing meeting are contained in the shorthand record made by me thereof, and that the foregoing 64 pages constitute a full, true, and correct transcript of said shorthand record, all done to the best of my skill and ability.

DATED at Phoenix, Arizona, this 19th day of November, 2021.

*Deborah L. Wilks*

Deborah L. Wilks, RPR  
Certified Court Reporter  
Certificate No. 50849

\* \* \*

I CERTIFY that Miller Certified Reporting, LLC, has complied with the requirements set forth in ACJA 7-201 and 7-206.

Dated at Litchfield Park, Arizona, this 19th day of November, 2021.

*MCR*

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