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STATE OF ARIZONA

ARIZONA INDEPENDENT REDISTRICTING COMMISSION

PUBLIC

REPORTER'S TRANSCRIPT OF PROCEEDINGS

PUBLIC SESSION

**Phoenix, Arizona
January 23, 2004
9:30 a.m.**

**CERTIFIED
TRANSCRIPT
(COPY)**

PREPARED FOR:

**ARIZONA INDEPENDENT
REDISTRICTING COMMISSION**

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1 **The State of Arizona Independent**
2 **Redistricting Commission in convened Public Session on**
3 **January 23, 2004, at 9:30 o'clock a.m., at the Offices of**
4 **the Arizona Redistricting Commission, Suite B-1, 1400**
5 **West Washington, Phoenix, Arizona, in the presence of:**

6

7 **APPEARANCES:**

8

CHAIRMAN STEVEN W. LYNN

9

VICE CHAIRMAN ANDI MINKOFF, (present telephonically)

10

COMMISSIONER JAMES R. HUNTWORK

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COMMISSIONER DANIEL R. ELDER

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COMMISSIONER JOSHUA M. HALL

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2 **ADDITIONAL APPEARANCES:**

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4 **LISA T. HAUSER, Commission Counsel**

5 **JOSE de JESUS RIVERA, Commission Counsel**

6 **ADOLFO ECHEVESTE, IRC Executive Director**

7 **KRISTINA GOMEZ, IRC Staff**

8 **LISA A. NANCE, RPR, CCR, Court Reporter**

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PROCEEDINGS

CHAIRMAN LYNN: We'll call the meeting to

order.

We'll start with roll call.

Mr. Elder?

COMMISSIONER ELDER: Here.

CHAIRMAN LYNN: Mr. Huntwork?

COMMISSIONER HUNTWORK: Present.

CHAIRMAN LYNN: Mr. Hall?

COMMISSIONER HALL: Here.

CHAIRMAN LYNN: Chairman is present.

We're awaiting Ms. Minkoff to join us by

telephone. That will interrupt the proceedings at some

point early on. Because I anticipate that much of the

meeting today, meeting time today, may be consumed, may

be consumed by an Executive Session, I want to be sure to

give the public an opportunity to comment prior to that.

I'm not sure I could even give those in the

audience a guesstimate as to how long the Executive

Session may take. It will take as long as necessary to

do the work that we need to do in Executive Session. So,

1 let's start with call to the public.

2 This is the time for consideration and
3 discussion of comments and complaints from the public.
4 Those wishing to address the Commission shall fill out a
5 yellow slip.

6 MS. HAUSER: Mr. --

7 CHAIRMAN LYNN: Lisa?

8 MS. HAUSER: Can I clarify something you
9 said? You referenced "the work we have to do."

10 CHAIRMAN LYNN: Excuse me. No decisions
11 are made in Executive Session: Considerations of issues.

12 MS. HAUSER: I wanted to explain to the
13 public since we meet together only in publicly noticed
14 meetings, this is the Commission's first opportunity to
15 ask questions of legal counsel with respect to a very
16 large ruling from the trial court. So for that reason,
17 we just don't know. We expect that there may be a number
18 of questions they have from us and may want to get legal
19 advice. It may take a period of time.

20 There will not be any work or decisions
21 made in Executive Session relating to whether or not to
22 appeal. Those will take place in public session to
23 follow, just to clarify that.

24 CHAIRMAN LYNN: Thank you. I certainly
25 wouldn't want anyone to misconstrue what we do in

1 Executive Session, only what is allowed.

2 Call to the public first.

3 If you haven't filled one out, first, the

4 first speaker, Paul Donovan, retired, representing

5 Valley --

6 MR. DONOVAN: -- Interfaith Project.

7 Should I come up here?

8 CHAIRMAN LYNN: Mr. Donovan, only since the

9 microphones pick you up better there.

10 MR. DONOVAN: My name is Tom Donovan,
11 retired from Honeywell about five years ago, and spend
12 time with Valley Interfaith Project.

13 We're involved in the community organizing,
14 try to get church people, union people, intercity people,
15 et cetera, to come into the public square and be active
16 politically. Okay? We just finished working on prop
17 414, the county hospital bill. We're very interested in
18 moving forward. And we hope that you can comply with the
19 court order and redraw these districts so that we can
20 begin the, a very important election in 2004. We want to
21 get as many people, new people, voting as we possibly
22 can.

23 At the moment this is just another area of
24 confusion that is going to make it very difficult to
25 participate.

1 Thank you.

2 CHAIRMAN LYNN: Thank you.

3 MR. DONOVAN: Any questions?

4 CHAIRMAN LYNN: Any questions of

5 Mr. Donovan?

6 (Phone rings.)

7 CHAIRMAN LYNN: One moment.

8 OPERATOR: Kristina Gomez?

9 CHAIRMAN LYNN: She's present.

10 OPERATOR: One moment. I have Andi

11 Minkoff, Kristina.

12 CHAIRMAN LYNN: She's present.

13 Andi, good morning.

14 COMMISSIONER ELDER: Good morning.

15 COMMISSIONER MINKOFF: Good morning.

16 CHAIRMAN LYNN: We're in public comment.

17 Okay. If you can't hear, let me know.

18 I'll try to adjust volume.

19 COMMISSIONER MINKOFF: So far I can hear

20 just fine.

21 CHAIRMAN LYNN: The next speaker is Saul

22 Solis or Solis.

23 MR. SOLIS: Good morning.

24 I am Saul Solis from East Valley

25 Interfaith. And I and Mr. Donovan, we work together with

1 the community organizer. And I am from Mesa.

2 COMMISSIONER MINKOFF: I can't hear.

3 MR. SOLIS: I have a brief statement.

4 CHAIRMAN LYNN: Ms. Minkoff, thank you.

5 I'm not sure their volume will get any better. I'll ask

6 them to speak more loudly so you hear it.

7 Mr. Solis, speak a little more loudly so we

8 get everybody heard.

9 MR. SOLIS: I have a brief statement

10 concerning today.

11 We support the judge's decision, and we

12 believe that there aren't enough districts that are

13 competitive. And that we strongly recommend that the

14 Commission redraw the maps.

15 That's my statement. Thank you.

16 CHAIRMAN LYNN: Thank you, Mr. Solis.

17 Comments or questions?

18 COMMISSIONER MINKOFF: Mr. Chairman, I'm

19 sorry. I can hear you very well, but the microphone from

20 the speaker I think is breaking up. I got every other

21 word.

22 COMMISSIONER HALL: It probably is picking

23 up just from this.

24 CHAIRMAN LYNN: We'll get you closer to the

25 speakers. Hopefully that will do that.

1 **COMMISSIONER MINKOFF: Are you moving me?**

2 **MS. HAUSER: Yes, we are. You are floating**
3 **through the air.**

4 **CHAIRMAN LYNN: Don't fall off.**

5 **Andi, can you still hear me?**

6 **Of course not.**

7 **Hopefully that will help with the speakers.**

8 **We'll move you back later.**

9 **COMMISSIONER MINKOFF: Part of the problem**
10 **actually may be my cellphone transmission. I'm not**
11 **getting as strong a signal as I like. It may not be you,**
12 **may be me.**

13 **MR. RIVERA: Okay.**

14 **CHAIRMAN LYNN: The next speaker, Matt**
15 **Ryan, Chairman of the County Board of Supervisors,**
16 **Coconino County.**

17 **Good morning.**

18 **MR. RYAN: Good morning, Chairman and**
19 **Commissioners. I want to compliment you on the work you**
20 **have been doing. It's a very difficult task. Obviously**
21 **there are many varying interests and concerns that arise**
22 **with the task that you have. Our county's a tough nut to**
23 **crack. As you, I'm sure you are aware, in past**
24 **redistrictings, there have been challenges asserting**
25 **concerns for Hopi issues, Navajo issues, at the**

1 Supervisory District level, also at the Congressional
2 level. Meanwhile -- and we've worked hard to try and be
3 sensitive in our recommendations to the Commission. We
4 feel that the population, the Navajo population, is being
5 represented quite well. One-third of our population is
6 Navajo. I believe you did well in your redistricting.

7 A concern that we had in communities of
8 like interest, a definition you used, we have used, would
9 be that our Flagstaff metropolitan planning area, which
10 is the suburban area of Flagstaff and Flagstaff itself,
11 had been separated. And there are many common issues,
12 municipal administrative issues. The watershed issues,
13 forest issues, many common issues that we also find with
14 other municipalities, and from an administrative
15 perspective throughout the state. So the county does
16 share a position with Flagstaff that we would like to try
17 to keep the metro area whole, if possible, if that's an
18 area of consideration as you progress through your future
19 considerations.

20 I thank you for your time and really do
21 appreciate the very difficult task that you have.

22 CHAIRMAN LYNN: Thank you, Mr. Ryan.

23 The last slip I have for this morning's
24 session is from Mayor Joseph Donaldson, Mayor of the City
25 of Flagstaff.

1 **Mr. Mayor.**

2 **MAYOR DONALDSON: Mr. Chairman and**
3 **Commissioners, I am Joseph Donaldson.**

4 **As Mayor and on behalf of the Flagstaff**
5 **community, thank you for this opportunity to address you**
6 **this morning.**

7 **I recognize the challenges you have had in**
8 **conducting the business of the Independent Redistricting**
9 **Commission, and I applaud your efforts and conduct in**
10 **addressing these challenges.**

11 **As you consider your next steps in dealing**
12 **with new challenges, please know that I continue to offer**
13 **support to the Commission. And should there be a need**
14 **for further public process, I will offer information that**
15 **may be of use to the Commission.**

16 **The City of Flagstaff remains concerned**
17 **with the issue of communities of interest and would offer**
18 **input on a definition of that term when and if the time**
19 **is appropriate for doing so.**

20 **The city also would like the opportunity to**
21 **offer testimony and evidence on why the city and its**
22 **environs make a community of interest.**

23 **Thank you again for this opportunity to**
24 **address you and accept my appreciation for your efforts**
25 **in meeting the needs of the state.**

1 Thank you.

2 CHAIRMAN LYNN: Thank you, Mr. Mayor.

3 As always, it's good to see you. As we
4 progress through this process, as the court has
5 determined, we will certainly keep everybody apprised of
6 opportunities for input. As you know, there is
7 opportunity for input in every one of our public
8 meetings. And, you know, certainly continue to join us
9 whenever you can. We are always happy to see you.

10 MAYOR DONALDSON: Thank you, Mr. Chairman.

11 Likewise.

12 CHAIRMAN LYNN: We'll always have
13 opportunities through the website for opportunities for
14 input as well during the remainder of the process.

15 MAYOR DONALDSON: Thank you.

16 CHAIRMAN LYNN: Are there other members of
17 the public that wish to be heard at this time?

18 If not, we'll conclude Item II on the
19 agenda at this time.

20 I would ask at this time under Section
21 38-431.03(A)(3) and Section 38-431.03(A)(4) for a motion
22 for Executive Session.

23 COMMISSIONER ELDER: So moved.

24 CHAIRMAN LYNN: Is there a second?

25 COMMISSIONER MINKOFF: Second.

1 **CHAIRMAN LYNN: Discussion?**

2 **All those in favor of the motion, signify**

3 **by saying "Aye."**

4 **COMMISSIONER ELDER: "Aye."**

5 **COMMISSIONER HALL: "Aye."**

6 **COMMISSIONER MINKOFF: "Aye."**

7 **COMMISSIONER HUNTWORK: "Aye."**

8 **CHAIRMAN LYNN: Motion carries.**

9 **Ladies and gentlemen, we'll be in Executive**

10 **Session. It's hard to predict how long. I would say**

11 **that more than an hour is probably correct and maybe as**

12 **much as two hours. So it's somewhere in that range.**

13 **(Whereupon, the Commission recessed**

14 **open Public Session at 9:46 a.m. and**

15 **convened in Executive Session from**

16 **9:50 a.m. until 11:56 a.m. at which time**

17 **open Public Session reconvened.)**

18 **(Recess taken.)**

19 **CHAIRMAN LYNN: The Commission stands in**

20 **regular session.**

21 **Are there any motions with respect to**

22 **directions of attorneys with respect to the court's**

23 **order?**

24 **COMMISSIONER ELDER: Mr. Chairman.**

25 **CHAIRMAN LYNN: Mr. Elder.**

1 **COMMISSIONER ELDER: I would like to move**
2 **that we direct the attorneys for the Commission to file a**
3 **notice of appeal.**

4 **CHAIRMAN LYNN: Is there a second?**

5 **COMMISSIONER HALL: Second.**

6 **CHAIRMAN LYNN: Discussion on the motion?**

7 **If not, all those in favor of the motion**

8 **signify by saying "Aye."**

9 **COMMISSIONER ELDER: "Aye."**

10 **COMMISSIONER HALL: "Aye."**

11 **COMMISSIONER MINKOFF: "Aye."**

12 **COMMISSIONER HUNTWORK: "Aye."**

13 **CHAIRMAN LYNN: Motion carries unanimously**

14 **and is so ordered.**

15 **Any other motions?**

16 **Is there any motion with respect to a**

17 **specific request for a stay?**

18 **COMMISSIONER HALL: So moved.**

19 **COMMISSIONER ELDER: Second.**

20 **CHAIRMAN LYNN: I take that motion to mean**

21 **you are instructing the attorneys as a part of our appeal**

22 **process.**

23 **COMMISSIONER HALL: To specifically request**

24 **a stay.**

25 **CHAIRMAN LYNN: Moved and seconded.**

1 Discussion on the motion?

2 If not, all those in favor of the motion

3 signify by saying "Aye."

4 COMMISSIONER HUNTWORK: "Aye."

5 COMMISSIONER MINKOFF: "Aye."

6 COMMISSIONER ELDER: "Aye."

7 COMMISSIONER HALL: "Aye."

8 CHAIRMAN LYNN: Motion carries unanimously

9 and is so ordered.

10 Is there any other business under Item

11 III -- Item IV, pardon me, on the agenda?

12 If not, Item V, report from the Executive

13 Director.

14 MR. ECHEVESTE: Mr. Chairman, I placed in

15 your packet a --

16 COMMISSIONER MINKOFF: Mr. Chairman, can

17 you ask Adolfo to speak up a bit? I'm having trouble

18 hearing.

19 MR. ECHEVESTE: Mr. Chairman, Board

20 Members, you have in your packet a copy of the financial

21 report through December, the end of December. As of that

22 date we have \$1,471,757 available. And you also have in

23 your packet a running account that is approximately

24 \$1,128,692 effective as of today. That's an approximate

25 number that I keep a running tab on major expenditures.

1 You have those two items in your packet.

2 CHAIRMAN LYNN: Thank you.

3 COMMISSIONER MINKOFF: Mr. Chairman, I have

4 the original to-date expenditures, that makes sense to

5 me, and a memo from Mr. Echeveste with the 1,128,000

6 figure. But if there is some sort of a spread sheet

7 including that, I don't have it. And I wonder if

8 somebody can fax me.

9 CHAIRMAN LYNN: There is no spread sheet

10 for the 1.1 total. That would be next month's spread

11 sheet. You'll get that as a matter of course. We'll

12 certainly make the spread sheet available to anyone that

13 wishes a copy.

14 COMMISSIONER MINKOFF: Okay.

15 MR. ECHEVESTE: It will be at the end of

16 the third week in February, after we get all financial

17 information available.

18 COMMISSIONER HUNTWORK: Does the number

19 1,100,000 include the bills from our attorneys and

20 experts through December?

21 MR. ECHEVESTE: Actually, yes.

22 COMMISSIONER HUNTWORK: Okay.

23 MR. ECHEVESTE: Yes.

24 CHAIRMAN LYNN: In conjunction with

25 finances, I want the Commission to know that without

1 objection I am preparing a letter to the leadership of
2 the Legislature and the Governor indicating that now that
3 we have a court decision and a -- an agreement in terms
4 of an appeal process, that we are reinstating our concern
5 about the finances of the Commission on an ongoing basis.
6 And I want to put the Legislature on notice that the
7 balance of the amount originally requested will need to
8 be considered before the session is over in order that we
9 have the funds we need to continue not only the appeal
10 but the work of the court.

11 So without objection, I will write that
12 letter.

13 COMMISSIONER MINKOFF: Mr. Chairman, the
14 session usually doesn't end until sometime in May and
15 occasionally runs into June. I think we need an answer
16 before then. I would be concerned about before the end
17 of the session.

18 CHAIRMAN LYNN: They need action before the
19 end of the session. The letter will go forward
20 immediately.

21 COMMISSIONER MINKOFF: If they don't take
22 action until the end of the session, I'm concerned we may
23 run out of money.

24 CHAIRMAN LYNN: I understand.

25 Any other information from the Executive

1 Director?

2 MR. ECHEVESTE: No, sir. Not at this time.

3 CHAIRMAN LYNN: Okay. We are up to Item

4 VI, which is adjournment.

5 The Commission will be adjourned until a

6 notice is filed, proper notice is filed for our next

7 meeting.

8 Mr. Hall.

9 COMMISSIONER HALL: Mr. Chairman, I

10 wondered if we wanted to make another call to the public

11 in light of the fact additional folks showed up in case

12 anyone wanted to express opinions.

13 CHAIRMAN LYNN: I'm happy to do it. We

14 often as custom do it.

15 Is there any member of the public not able

16 to make a statement the first time that would like to

17 address the Commission?

18 Seeing no show of need to do that, the

19 Commission is adjourned.

20 Thanks, Andi.

21 COMMISSIONER MINKOFF: Thank you.

22 (Whereupon, the hearing concluded and the

23 Arizona Independent Redistricting

24 Commission stood adjourned at 12:04 p.m.)

25 * * * *

