

THE STATE OF ARIZONA
INDEPENDENT REDISTRICTING COMMISSION

REPORTER'S TRANSCRIPT OF PUBLIC MEETING

MORNING SESSION

Phoenix, Arizona

October 18, 2021

8:30 a.m.

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1 PUBLIC MEETING, BEFORE THE INDEPENDENT
2 REDISTRICTING COMMISSION, beginning at 8:30 a.m. on
3 October 18, 2021, at the Sheraton Crescent Hotel,
4 2620 West Dunlap Avenue, Phoenix, Arizona, in the
5 presence of the following Commissioners:

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

11 OTHERS PRESENT:

12 Mr. Brian Schmitt, Executive Director
13 Ms. Loriandra Van Haren, Deputy Director
14 Ms. Valerie Neumann, Executive Assistant
15 Mr. Alex Pena, Community Outreach Coordinator
16 Mr. Roy Herrera, Ballard Spahr
17 Mr. Daniel Arellano, Ballard Spahr
18 Mr. Shawn Summers, Ballard Spahr
19 Mr. Brett Johnson, Snell & Wilmer
20 Mr. Eric Spencer, Snell & Wilmer
21 Mr. Mark Flahan, Timmons Group
22 Mr. Douglas Johnson, National Demographics Corp.
23 Ms. Ivy Beller Sakansky, National Demographics
24 Corp.
25 Mr. Brian Kingery, Timmons Group
Mr. Parker Bradshaw, Timmons Group
Mr. Brody Helton, Timmons Group
Mr. Colby Chafin, Timmons Group
Ms. Sarah Hajnos, Timmons Group
Ms. Anna Mika, Timmons Group
Mr. Ken Chawkins, National Demographics Corp.

P R O C E E D I N G S

1
2
3 CHAIRPERSON NEUBERG: It looks like we have our
4 entire team assembled. Before we dive in, I'd like to
5 have our Spanish interpreter please stand up and
6 introduce yourself.

7 MS. LOPEZ: Good morning. My name is Brenda
8 Lopez. I'm here as a Spanish interpreter. If you need
9 my services, please come up to me and I'll give you a
10 headset so I can interpret for you.

11 (Speaking Spanish.)

12 CHAIRPERSON NEUBERG: Thank you. I'd like to
13 now ask everybody to please rise for the pledge of
14 allegiance.

15 (The pledge of allegiance was recited.)

16 CHAIRPERSON NEUBERG: Okay. Thank you. I hope
17 everybody had a wonderful weekend. And we're deeply
18 appreciative of our mapping team who may have had a fun
19 weekend playing with maps all weekend long, so thank you
20 for your hard work.

21 We'll dive in, Agenda Item I, call to order and
22 roll call. I(A), call for quorum. It is 8:06 a.m. on
23 Monday, October 18th, 2021. I call this meeting of the
24 Independent Redistricting Commission to order.

25 For the record, the executive assistant,

1 Valerie Neumann, will be taking roll. When your name is
2 called, please indicate you are present. If you are
3 unable to respond verbally, we ask that you please type
4 your name.

5 Val.

6 MS. NEUMANN: Thank you, Madam Chair.

7 Vice Chair Watchman.

8 VICE CHAIR WATCHMAN: Present.

9 MS. NEUMANN: Commissioner Lerner.

10 COMMISSIONER LERNER: Present.

11 MS. NEUMANN: Commissioner Mehl.

12 COMMISSIONER MEHL: Present.

13 MS. NEUMANN: Commissioner York.

14 COMMISSIONER YORK: Present.

15 MS. NEUMANN: Chairperson Neuberg.

16 CHAIRPERSON NEUBERG: Present.

17 MS. NEUMANN: And for the record, also in
18 attendance today is Executive Director Brian Schmitt;
19 Deputy Director Lori Van Haren; Community Outreach
20 Coordinator Alex Pena. From our legal team we have
21 Brett Johnson and Eric Spencer from Snell & Wilmer; Roy
22 Herrera, Daniel Arellano, and Shawn Summers from Ballard
23 Spahr. Our mapping consultants, we have Mark Flahan,
24 Parker Bradshaw, and Brian Kingery from Timmons; Doug
25 Johnson, Ivy Beller Sakansky, and Ken Chawkins from NDC

1 Research. And our transcriptionists today are Kim
2 Portonik [sic] and Angela Miller. Thank you.

3 CHAIRPERSON NEUBERG: Okay. Thank you. Please
4 note for the minutes that a quorum is present.

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

6 Val, was the notice and agenda for the
7 Commission meeting properly posted 48 hours in advance
8 of today's meeting?

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

10 CHAIRPERSON NEUBERG: Thank you very much.

11 Agenda Item II, approval of minutes from
12 October 15th, 2021. We have II(A), general session.
13 There was no e-session. I'll open it up to any
14 discussion. And if there is no discussion, I'll
15 entertain a motion to approve the minutes from October
16 15th.

17 VICE CHAIR WATCHMAN: Madam Chair, no
18 discussion for me.

19 CHAIRPERSON NEUBERG: I'll entertain a motion
20 to approve the minutes.

21 VICE CHAIR WATCHMAN: Vice Chair Watchman moves
22 to approve the minutes.

23 COMMISSIONER MEHL: Commissioner Mehl seconds.

24 CHAIRPERSON NEUBERG: We'll take a quick voice.
25 Vice Chair Watchman.

1 VICE CHAIR WATCHMAN: Aye.

2 CHAIRPERSON NEUBERG: Commissioner Mehl.

3 COMMISSIONER MEHL: Aye.

4 CHAIRPERSON NEUBERG: Commissioner Lerner.

5 COMMISSIONER LERNER: Aye.

6 CHAIRPERSON NEUBERG: Commissioner York.

7 COMMISSIONER YORK: Aye.

8 CHAIRPERSON NEUBERG: Commissioner Neuberg is
9 an aye.

10 And with that, we have approved the minutes
11 from October 15th, 2021.

12 We move to Agenda Item No. III, opportunity for
13 public comments. Public comment will now open for a
14 minimum of 30 minutes and remain open until the
15 adjournment of the meeting. Comments will only be
16 accepted electronically in writing on the link provided
17 in the notice and agenda for this public meeting and
18 will be limit to 3,000 characters.

19 Please note members of the Commission may not
20 discuss items that are not specifically identified on
21 the agenda. Therefore, pursuant to A.R.S. 38-431.01(H),
22 action taken as a result of public comment will be
23 limited to directing staff to study the matter,
24 responding to any criticism, or scheduling the matter
25 for further consideration and decision at a later date.

1 With that, we will move to Agenda Item No. IV,
2 discussion on public comments received prior to today's
3 meeting. I open it up to my colleagues.

4 COMMISSIONER LERNER: This is
5 Commissioner Lerner.

6 I just want to say thank you again to the
7 public. You are keeping very close track of what we're
8 talking about, and I appreciate the feedback that we're
9 receiving and the insight that you're providing.

10 CHAIRPERSON NEUBERG: And, yes, very specific,
11 very helpful feedback that, you know, I know that it's
12 not submitting a map, but that kind of data is, you
13 know, getting through.

14 I do know there were some specific questions
15 about whether or not we were receiving the paper maps.
16 There were quite a few paper maps submitted by the
17 Yavapai Apache tribe. Yes, we've received all of those
18 paper maps. We've reviewed them. The mapping team has
19 them on hand as well. They're remarkable. They're
20 great.

21 I do want to say from the mapping team's
22 perspective, the one issue is lining it up with a very
23 specific road or census block, but those are very fine
24 details we can, you know, address later. But we have
25 the paper maps. They are getting to us, and we're able

1 to study them.

2 Oh, one other thing I want to mention. There
3 were some questions about us not explicitly addressing
4 the majority-minority districts first while we're also,
5 you know, kind of addressing many challenges and, you
6 know, decision points across the map, but clearly
7 honoring the VRA is a top constitutional requirement.

8 We want to be sensitive that if we came across,
9 you know, as explicitly and only redistricting first and
10 foremost for our minority communities, that would
11 constitute racial gerrymandering. So, you know, it's
12 important that we consider all six constitutional
13 criteria, all as we're moving forward with the
14 decisions. The VRA will not be shortchanged in any way
15 whatsoever, and I imagine it's probably going to be a
16 big topic of conversation for today.

17 If no further comments from my colleagues on
18 public comments, we will move to Agenda Item No. V,
19 potential update, discussion, and potential action
20 concerning polarization data and report presentation
21 from mapping consultants regarding U.S. and Arizona
22 constitutional requirements, if the mapping team has
23 anything to update us on that item.

24 MR. FLAHAN: Good morning, everyone, on the
25 WebEx.

1 There we go. Now we're working.

2 Good morning, everybody. Happy Monday. We did
3 receive some more published plans from the public. We
4 started in the really low 80s on Friday. We are up to
5 86, and we probably had another five or six come in
6 yesterday that we're working on publishing out to the
7 web. I know there were some comments about the AZ
8 Latino Coalition's legislative districts. They did come
9 in over the weekend and we're getting them published
10 out. So just so you have an update there.

11 The team was really hard at work. We got nine
12 maps published out for you, six on the congressional and
13 three on the legislative. While we've been working
14 behind the scenes, we've also been keeping up the IRC's
15 redistricting hub, so a centralized spot where you can
16 find maps, data, everything that we're talking about
17 today in draft maps. And that is available to not only
18 the Commissioners but also open to the public so they
19 can follow along with us as we get things made.

20 So with that, I would like to turn it over to
21 Brian, who will walk you through the hub page and then
22 after we're done with that, we will jump into the maps.
23 We would prefer to start with congressional, if you are
24 okay with that, Madam Chairwoman.

25 CHAIRPERSON NEUBERG: Yes. And I --

1 MR. FLAHAN: Perfect.

2 CHAIRPERSON NEUBERG: I just want to be clear
3 on the distinction between Agenda Items Nos. VI and VII.

4 MR. FLAHAN: Sure.

5 CHAIRPERSON NEUBERG: Okay.

6 MR. FLAHAN: We'll finish the hub page and then
7 we can jump to VII --

8 CHAIRPERSON NEUBERG: Okay.

9 MR. FLAHAN: -- and then we'll go -- how's
10 that?

11 CHAIRPERSON NEUBERG: Wonderful. Thank you.

12 MR. FLAHAN: Perfect.

13 MR. KINGERY: All right. Good morning.

14 So with the draft maps page of the hub website,
15 we completely overhauled it. We wanted to add in as
16 much detail as we could, so the first thing you'll see
17 at the very top of the page are a couple quick links
18 that will jump to sections within the page since it is
19 getting long and there is a lot of material on here. So
20 the beginning of the page didn't change much. It still
21 has the same text for reference. Then we added sections
22 about how to use the draft maps and access them within
23 the redistricting system as well as within the published
24 planned viewer where you can view citizens submitted
25 ones as well as all these draft map versions.

1 Next in the series we have posted the audit
2 logs for Series 1, 2, and 3. So everything that we're
3 going to show today, the -- all of the links on this
4 page are active. You're able to provide feedback on
5 specific draft map versions, open them, get direct
6 access to the shapefiles, rest services, and see any of
7 the PDF print maps, large poster size ones as well as 8
8 and a half by 11 individual prints. So those are the
9 Series 1s that we talked about.

10 An addition that we added is we're having a lot
11 of drafts, draft maps versions. They are building off
12 one another. So to be able to quickly visualize this,
13 we started to create a flow chart. So when we met last
14 week to talk about the Series 2 maps, this is how they
15 were built on each other.

16 So for congressional, we started out with grid
17 map, 1.1, 2.1, and then we also presented 2.2, which
18 built off of 2.1, and ultimately 2.1 was adopted. And
19 same thing with legislative where it's more of a linear
20 path that we've presented so far. But there -- as of
21 Series 3, we're starting to have branches on here. So
22 same criteria for all the Series 2 maps.

23 And then when you get to Series 3, this is what
24 we're going to be presenting on today. So all the
25 Series 3 maps, like Mark said, we have six 3.Xs, 3.0 --

1 or 3.0 to 3.5 and legislative 3.0 to 3.2.

2 Audit logs are posted so the public can follow
3 along and as well access and provide direct feedback to
4 any of these plans that we are about to present.

5 Any questions?

6 COMMISSIONER LERNER: Madam Chair, if I -- this
7 is Commissioner Lerner. I just want to say I spent some
8 time on this, and this is great to see. It made -- it
9 was very easy to try to figure out where to go and also
10 to dig deeper into that. If you click on one of the
11 maps, I know you haven't shown all of that, but you show
12 the changes that have been made and audit logs and you
13 have a lot of great information there.

14 So I would encourage the public to use this as
15 a resource, because I think it really helps show how
16 we've been progressing and what you've been doing. So I
17 just want to say thank you, because I think this is a
18 really great addition.

19 COMMISSIONER MEHL: I have a simple technical
20 question. Every time I open a map, there's certain
21 demographics that I know I want to see. So I have to go
22 and click on create and do the demographics. And then
23 if I close that map and go look at another map, I have
24 to redo that again. And then when I go back to the map
25 I had open, I have to redo it again.

1 Is there any way to, like, set the demographic
2 things you want to see as a default where it would
3 automatically be there?

4 MR. KINGERY: So unfortunately they are set at
5 the owner -- the owner's discretion of the plan. So
6 what I have tried to do is when I publish these versions
7 of whether it is congressional or legislative, I try to
8 add the population target deviation percentage as well
9 as some of the competitiveness measures.

10 For you to add the demographic variables of
11 your choice, you can do that. And then to save it, you
12 just do a save as so it essentially becomes your plan.
13 So that way when you come back to it -- once it has been
14 published, we're not going to go back and change any of
15 the versions because we posted the audit log; they're
16 not going to change. But if you do save as after you've
17 added those variables, the next time you go in and
18 access your plan, your version of it, it'll be there.

19 COMMISSIONER MEHL: But if I understand you
20 correctly, then, if we as a Commission agreed to a set
21 of things we'd always like to see here, you could change
22 the default to that?

23 MR. KINGERY: Correct. Yeah. So if there are
24 key variables...

25 COMMISSIONER MEHL: I would then like to

1 suggest that we have the percentage of Latino voters,
2 the percentage of Native American voters, the aggregate
3 Dem percentage, and pick a race or two. I would go
4 attorney general's race Dem voter, Dem percentage.

5 COMMISSIONER LERNER: Well, I agree a hundred
6 percent with everything, because I've had that same
7 issue. And maybe just do the attorney general and the
8 governor for 2018.

9 COMMISSIONER MEHL: So attorney general and
10 governor and the aggregate, all Dem voter percentages.
11 Just the percentages.

12 MR. KINGERY: Okay. We can make that update.

13 COMMISSIONER MEHL: That would really help. So
14 if everybody is in agreement on that, I think we would
15 like to ask you to do that.

16 MR. KINGERY: Sounds good.

17 CHAIRPERSON NEUBERG: Thank you. It would
18 help.

19 COMMISSIONER MEHL: And that will be that way,
20 then, for the public when they open it.

21 MR. KINGERY: Uh-huh.

22 COMMISSIONER MEHL: So, yeah, I think that will
23 be helpful for everybody.

24 MR. KINGERY: And then as versions are
25 approved, they become template plans. So it would be a

1 good starting point, agreed.

2 MR. FLAHAN: Well, all I'd like to say is that
3 all this good work is a testament to all my staff that
4 came down and joined us this weekend. So I'd just like
5 to say good job, everyone, Timmons. You guys put in the
6 hard work.

7 (Applause.)

8 MR. FLAHAN: With that, I will turn it back
9 over to you.

10 CHAIRPERSON NEUBERG: Okay. So we are ready to
11 move into Agenda Item No. VII, draft map decision
12 discussion and possible action concerning revisions to
13 the grid map. We have Agenda Item A, legislative map
14 drawing, B congressional map drawing.

15 I believe we're going to start this morning
16 with the congressional district map. If there's time,
17 we'll move into LDs. We're aiming to work towards
18 11:00 a.m., at which point we'll take a break for a
19 couple of hours to give our mapping team some time to go
20 back and digest the feedback. We'll aim to come back
21 from 1:00 to 3:00 to dive into the legislative
22 districts. And then after, that convene for some
23 additional thoughts maybe on the congressional district
24 lines and additional staff updates.

25 So with that, I suggest that we start with the

1 congressional district map. And I don't know if you
2 want to walk us -- we have various options. If you want
3 to walk us through the options, we have had time to look
4 at them ourselves, so please know that you're not
5 leading us blind.

6 MR. FLAHAN: So we'd like to start with
7 Congressional 3.0. That is what we talked about on
8 Friday using a base and rolling the three changes that
9 we discussed into the map.

10 The first change here is District 3 and taking
11 the same boundary lines as the Arizona Latino Coalition
12 for District 3 and putting them in the map which you can
13 see here is the green, lime green district there in the
14 middle. That is the representation of it and we stuck
15 it into the 3.0 map.

16 Scroll down a little bit and go to the east.
17 Go to the east. Other east.

18 The other change that we made that we saw when
19 we were drawing boundaries is we did leave a tiny sliver
20 of the Gila Indian reservation off outside of
21 District 7, so we did add that.

22 Zoom in to the corner, D-5 and D-7. Yeah,
23 there you go. So scroll down. Scroll down. There you
24 go.

25 So right there in the jagged edge where D-7 and

1 D-5 meets, there was one little block that was missing
2 so we added that to D-7 to keep the entire Gila River
3 Indian Community together as a whole so that way it just
4 wasn't one parcel that was split off.

5 The next -- the next request that we had for
6 3.0 is all the way up in the north. Up on the tribal
7 reservation, there was a request where we brought in the
8 off-reservation land. And you can see over here we did
9 add that to District 2 as the overshoot. So that is now
10 put together with the rest of tribal lands in
11 District 6.

12 And the -- one of the last things that we did
13 is we went down to the Fort Yuma reservation, and you
14 can see in the brown that we got the two pieces of the
15 reservation that were in D-9 and we connected it back to
16 D-7 per your guys' request.

17 The last thing that we did do for Congressional
18 3.0 is we matched D-7 and D-9's steps down there on I-8.
19 Currently the map was divided along the highway for I-8
20 so you were dividing highway towns. So we changed D-9
21 to go into D-7 to sort of do the stairstep along the
22 Barry Goldwater range. That way we're not dividing any
23 of the small highway towns there.

24 The map status is unbalanced. We did not
25 balance this map because we are using it as a base to

1 build all the other maps off of. There is no population
2 that was unassigned so all the population is accounted
3 for in each of the nine districts. There was nothing in
4 this map that we were unable to fulfill out of your
5 requests. And those are the changes that we made to
6 your 3.0 map which in turn is what everything else is
7 built upon.

8 So I don't know if you need a motion to accept
9 3.0 or if there's questions, but that is everything that
10 is in 3.0 series.

11 MR. KINGERY: And one thing I would like to
12 point out is we started adding asterisks on these plans,
13 especially in the flow chart. That's just to indicate
14 that it is unbalanced. It won't pass integrity checks
15 because we do have some maps that we're going to show
16 today that guys wanted to see what it would look like.
17 So we only focused the plan on a certain area of the
18 state or within certain a district. So there are
19 unassigned populations for some of these plans.

20 CHAIRPERSON NEUBERG: I don't -- I don't know
21 if we need to adopt 3.0 necessarily unless we're going
22 to -- I mean, we could alternatively look at the
23 alternative 3.1 or other ones and adopt one of those; is
24 that correct? Or, I mean...

25 MR. FLAHAN: I would -- I would check with

1 legal. I'm not --

2 MR. HERRERA: Can you repeat that, Madam Chair?

3 CHAIRPERSON NEUBERG: Well, it -- they're
4 asking if we need to adopt 3.0, but there are other
5 iterations of the map that we could also start from.
6 And so I'm not sure it makes sense to vote to start from
7 3.0 until we discuss the other options and then vote for
8 a starting point. I'm confused.

9 MR. HERRERA: I think that's correct. I think
10 our advice would be to go through each iteration and
11 have Timmons walk you through them and then decide what
12 to adopt.

13 CHAIRPERSON NEUBERG: Okay. Does that sound
14 good?

15 MR. FLAHAN: That works.

16 CHAIRPERSON NEUBERG: Okay. Thank you.

17 MR. KINGERY: The core changes that we just
18 talked about, they are all in 3.0 and all the plans are
19 based off of 3.0. So those changes are included in all
20 the subsequent versions that we're about to show.

21 CHAIRPERSON NEUBERG: If we can't agree on any
22 of the others, we'll go back and adopt 3.0.

23 MR. KINGERY: Okay.

24 MR. FLAHAN: If there's no questions on 3.0,
25 then we'll move to 3.1. So the main goal of 3.1 was to

1 change District 2 to incorporate all of Mohave County
2 and take it to the west, creating a northern district
3 for District 2. And then remove Pinal County from
4 District 2 and add that to unassigned. And then take
5 District 1 and sort of extend that east going up to the
6 non-reservation half of Gila County.

7 So in this map here, you can see that we did
8 achieve a District 2 that was all the north, including
9 Mohave County. The population balance for District 2,
10 we were able to get it to over 977 people, so .12 of
11 1 percent, so it is able to be balanced there.

12 With that being said is you can see that Pinal
13 County right now is unaccounted for in the sense that it
14 is that slashed-through lines in the gray. That is the
15 current population that is unassigned, that if we were
16 to go this route would need to be assigned to a district
17 to be accounted for. This is -- so assigning that
18 population is addressed in draft map versions 3.2, 3.4
19 and 3.5.

20 In this request, we were able to fulfill all
21 the requests because the main goal out of this was to
22 draw an entire District 2 that spanned the north,
23 including Mohave County, and to population balance it.

24 Scroll to the bottom where it hits D-6.

25 You can see that D-2 then now -- now comes down

1 south, incorporating some of the other southern
2 reservations. And you can see D-1 goes into the Payson
3 area, into Gila County there.

4 District 1 is still short of 62,000 people if
5 we were to population balance this.

6 CHAIRPERSON NEUBERG: Would it -- would it make
7 sense just while we're looking at this, because we're
8 going to compare it next to the other iteration, to pull
9 up a few more of the demographics, like, you know, some
10 of the voting patterns or the key races?

11 MR. FLAHAN: Yes.

12 CHAIRPERSON NEUBERG: I'm presuming that my
13 colleagues are going to want to seriously look at the
14 performance of this district versus the next version.

15 MR. FLAHAN: Give a second while we set that
16 up.

17 CHAIRPERSON NEUBERG: No problem. We can all
18 watch how you do it and learn.

19 I do want to say to the public I have said how
20 difficult Esri is. The more you use it, it's really
21 actually pretty friendly.

22 MR. KINGERY: Are there any other variables on
23 the screen that would make sense to add right now that
24 you mentioned earlier?

25 COMMISSIONER MEHL: The ones we mentioned were

1 the Latino and Hispanic -- I mean, the Latino and the
2 Native American, the aggregate percentage of Dem
3 winners, AG's race, governor's race, the Dem winners.
4 So I don't know how quick you can change that on your
5 default, then you wouldn't have to keep doing this like
6 we kept -- had to keep doing it last night.

7 MR. FLAHAN: Okay. So now in the table we have
8 CompDemVotes and CompRepVotes, which is the aggregate
9 percentage of Democrat and Republican wins for those new
10 districts. So you can see for District 1 Democratic
11 would be 47.44 and Republican voters would be 52.56.
12 And the spread between those two numbers would be
13 your -- would be the vote spread. Yeah.

14 Then next we have president 2020 on the Dem
15 side. We have governor 2018 on the Dem side. We have
16 attorney general 2018 on the Dem side, which you guys
17 are using for the VRA tracking. M2, the ST1519_M2_ is
18 the total number of CVAP voters for all ethnicities in
19 that district. The ST1519_M21_P is the percentage of
20 Latino voters in that district. And the ST1519_M24_P is
21 the percentage of Native American CVAP voters in that
22 district.

23 COMMISSIONER LERNER: I'm sorry, Mark. Can you
24 just repeat? And are you going to save that so that way
25 we can -- we can all pull it up too? But can you just

1 repeat the one, third column to the left, what that one
2 is?

3 MR. FLAHAN: The TARGET_DEV_P, is that the one?

4 COMMISSIONER LERNER: ST1519_M2.

5 MR. FLAHAN: That is the overall voters, CVAP
6 voters, for that district. So -- including all
7 ethnicities. Standard demographics. So right there, so
8 standard total citizen voting age population, 2015
9 through 2019 special tabulation.

10 MR. D. JOHNSON: So it's a lot of census lingo,
11 obviously. So for the Voting Rights Act analysis, the
12 key ethnic number they focus on is the citizen voting
13 age percentage as the best available measure of eligible
14 voters. So that is the total number of citizens of
15 voting age or total number of roughly eligible voters.
16 And then 24 is the -- oh, wait. 21 is the Latino
17 percentage of the eligible voters and 24 is the Native
18 American percentage.

19 COMMISSIONER LERNER: Thank you.

20 MR. KINGERY: And then I'm going to go ahead
21 and pull up the competitiveness for Doug to speak about.

22 MR. D. JOHNSON: Yeah.

23 MR. KINGERY: Okay. So 3.1, demographic and
24 competitive data analysis.

25 MR. D. JOHNSON: So this is the -- this is the

1 easy PDF version of the same numbers. So for folks --

2 Can you go back to that draft map page just to
3 be able to see what you got there.

4 So if people aren't in the redistricting system
5 or they just want to see the numbers for one of these
6 maps, they don't have to go into the system and fill in
7 all those forms or fill in all those fields. It is
8 available live on the draft map page that Brian went
9 through before. One of the links, you can see the
10 shapefile, the rest service, then the demographic and
11 competitive data analysis. So all the numbers for each
12 of these maps is available there in just a straight PDF.

13 Go ahead and --

14 And as you can see, it's the same fields with
15 more common English titles on them. In this case,
16 District 2 is highlighted because, as Mark was just
17 saying, in this test it was to focus on can we change
18 District 2 and keep it population balanced and the other
19 districts we did not balance, so I wanted to highlight
20 that.

21 And you can see the salmon or orange colored
22 cells on the left showing that District 1 and District 9
23 are out of balance. But you can see the result of this
24 district is total population, Native Americans are
25 20 percent if you go to the right side of the total

1 population window, and then over in citizen voting age
2 Native Americans are 19 percent.

3 And then there's our competitive data, that
4 vote spread number and the swing vote counts that we
5 were just talking about, along with the Voting Rights
6 Act tracking numbers. So you can get it in the system
7 as Brian just showed you how to add those fields in and
8 you can also just get the straight PDF off the draft
9 maps page.

10 MR. KINGERY: And I have saved the -- this
11 version. So if you reload this plan, the variables will
12 be in there.

13 COMMISSIONER MEHL: As we go along today, if
14 you can do that on each version that'll be very helpful.
15 Thank you.

16 MR. FLAHAN: Any questions on 3.1 before we
17 move to 3.2?

18 CHAIRPERSON NEUBERG: No.

19 MR. FLAHAN: Okay.

20 MR. D. JOHNSON: While that's opening, I should
21 note, just I think the question you were -- the reason
22 people wanted to look at that data, from 3.0 to 3.1, the
23 Native American percentage in District 2 did not change.
24 So trading -- taking that area of Gila out and putting
25 Mohave in kept it at 20 percent of total population and

1 19 percent of citizen voting age population.

2 MR. FLAHAN: Okay. So here is the
3 Congressional Map 3.2. This builds upon 3.1 that you
4 guys just saw. And the goal here is to actually take
5 3.1 and balance all the districts and a move of Mohave
6 and La Paz counties into District 2.

7 So the steps that are required to accomplish
8 this balancing, the Cliff notes, is that all of La Paz
9 County is moved into District 2. District 6 is now
10 going to move north through the Copper Corridor up into
11 Payson, which you can see by the yellow northern part of
12 that district jetting up to Payson. And that takes
13 eastern part of Pinal County from that unassigned block
14 and the non-reservation half of Gila County from
15 District 1, which is the red district there.

16 District 9 pulls population from District 8.
17 So District 9 is the gray district there. And it starts
18 to come into the Phoenix metropolitan, if you zoom in
19 there, and it takes the population from -- from District
20 8 for balancing. Then District 8, to balance District
21 8, is going to pull more population out of District
22 10 -- or sorry, District 1. You can see that sort of
23 shifts everything to the east. District 1 is then going
24 to pull population from District 4, which is the purple
25 district there, for balancing, and it's going to take

1 Tempe and it's going to take Ahwatukee to be able to
2 balance it. Sort of coming through that corridor down
3 there into the Ahwatukee Foothills.

4 District 4 is going to pull population from
5 District 5. So purple is going to take population from
6 District 5, which is the gold, for balancing. It takes
7 a lot of Gilbert. And District 5 takes most of that
8 unassigned section of Pinal County, which includes
9 Maricopa, Casa Grande, and Red Rock. And District 5 is
10 in the orange there.

11 The map is balanced for population. There is
12 no population that is unassigned. We are -- we were
13 able to fulfill all of your requests, so there was
14 nothing on this request that was -- that was
15 unfulfilled.

16 MR. D. JOHNSON: The one thing, the top part of
17 6 that's in -- shown in yellow is a shape you'll see
18 quite a bit in various maps and different
19 configurations. It's obviously a little odd looking,
20 but that is the portion of Gila County that is not
21 tribal reservation land. So that arm that juts up to
22 the right is also non-reservation land. So that's what
23 dictates that shape. So we are keeping the whole county
24 together except for the tribal reservations which are in
25 two. So just so folks are familiar with that shape; it

1 comes up in a bunch of the meetings you're going to see
2 -- a bunch of the maps you're going to see today.

3 MR. KINGERY: The other shape - this is
4 Commissioner York - that is odd is in District 5, and I
5 think the public needs to understand that that's Pinal.
6 Right? That Maricopa and Casa Grande is not part of the
7 reservation.

8 MR. D. JOHNSON: Exactly right. That's keeping
9 the reservations in 7 and putting Maricopa in 5.
10 Correct.

11 The only piece that is an odd arm that is just
12 driven by population numbers is the arm of D-6 coming
13 left into Pinal County, and that's just where we
14 population balanced.

15 MR. FLAHAN: And in the west valley on District
16 9, the gray, it does keep together Sun City, Sun City
17 West, and Surprise.

18 So for 3.2, Brian has brought up the
19 demographic and competitive data spreadsheet, and you
20 can see all of the districts are balanced within 1
21 percent and can be balanced with plus or minus 1
22 percent.

23 MR. D. JOHNSON: And just for District 2 in
24 this map, the northern district, the only change in that
25 district is it picks up La Paz and it loses the southern

1 half of Gila County, which it had in 3.1. So that small
2 population shift doesn't change its demographics in any
3 notable way. It stays at 20 percent of total population
4 and 19 percent of Native American percent -- of Native
5 American citizen voting age population.

6 MR. FLAHAN: Any questions on 3.2?

7 CHAIRPERSON NEUBERG: No. I just want to point
8 that the vote spread in District 3 on that iteration is
9 extremely wide. It's 50 percent.

10 MR. D. JOHNSON: Yes.

11 CHAIRPERSON NEUBERG: Something to look at. Am
12 I reading that right?

13 COMMISSIONER MEHL: But I think District 3 is
14 going to be similar in all of -- all of the maps we're
15 looking at. That's the one where we went with the
16 Latino Coalition's request for that district. So I
17 think that just is going to be inherent in each of these
18 current maps. We may want to adjust that as we go
19 forward, but I think it will be similar in everything
20 we're looking at.

21 CHAIRPERSON NEUBERG: That's the point I want
22 to make. Yes, it's majority-minority and we want to
23 look at that point spread, and that relates to packing
24 and then more, you know, crossover vote, making more
25 majority-minority districts. I think we just have to

1 dive into that a little bit.

2 MR. KINGERY: So after presenting 3.2, that
3 finishes that branch of the versions and we can show 3.3
4 now.

5 MR. FLAHAN: So 3.3 goes back to that 3.0 map
6 and ignores the 3.1 and 3.2 changes.

7 MR. KINGERY: So I'll go ahead and save this.

8 MR. FLAHAN: Yeah.

9 So while Brian brings that up, the main goal of
10 CD-3.3 was to move District 2. Instead of taking Mohave
11 County was to move it into Graham and Greenlee counties,
12 down the eastern part of the state. So you can see
13 there the blue District 2, it leaves Mohave intact. It
14 keeps the wing that you see that comes off the left-hand
15 side to incorporate the Indian reservations -- or Native
16 American reservations into District 2, keeping them
17 whole, which is what we showed you in 3.0.

18 But now District 2 comes down the eastern half
19 of the state into Graham and Greenlee counties and comes
20 into a little bit of Pinal County. As you can see, it
21 comes in through Casa Grande into the city of Maricopa,
22 which is the blue spot in the middle of D-7.

23 District 6 then moves -- moves up out of the
24 Tucson area into taking some more of Pinal County, sort
25 of following the I-10 corridor there. It incorporates

1 the cities of Red Rock, Eloy, Arizona cities, and the
2 southern portions of Casa Grande and Coolidge. We did
3 have to split those two cities that I mentioned to be
4 able to get some population balanced.

5 This map has all of the population assigned to
6 all the districts for the state, but there is some
7 districts, as you can see, District 1, it still has a
8 11 percent shortage of population. So we'd have to come
9 back up to District 1 and balance it because that is
10 currently not balanced and the map is not balanced.

11 But the main point of this map was to show a
12 different configuration of District 2 coming down the
13 eastern half of the state instead of taking over Mohave
14 County. There was no request that we could not fulfill
15 from the Commissioners on this map.

16 The numbers there are on the bottom for the
17 population.

18 You want to bring up the spreadsheet?

19 Brian is going to blow up the demographics and
20 the competitive data here for this map.

21 MR. D. JOHNSON: Yeah. The only thing I
22 noticed, as Brian mentioned, 1 and 9 are not balanced
23 yet. But as we talked about on Friday, it's very clear
24 how you'd balance them. You know, 1 just takes
25 population from 8, 8 from 9, they're all right next to

1 each other. So just in the interest of time we
2 didn't -- we didn't take those steps in order to get
3 these maps done, but it's clear it could be balanced.

4 MR. FLAHAN: And you can see 1 and 9 are the
5 two -- the two districts there that are 11 percent
6 deviation from perfect balancing.

7 Any questions on 3.3? No? Okay.

8 So while Brian brings up 3.4, the main goal of
9 3.4 was removing the west valley cities from District 7.
10 If you recall in the Avondale/Goodyear area, it looked
11 like there was a little notch that stepped up north into
12 those cities from the southern district of District 7.
13 So the goal was to remove that -- great, there -- and
14 then as well as moving District 7 into Pinal County and
15 balancing the rest of the districts' populations.

16 So to get there, we removed the west valley
17 cities of Goodyear, Buckeye, and Avondale from
18 District 7 and added them to District 9, which is the
19 gray district. Yeah. And you can see Avondale,
20 Goodyear, and Buckeye are very linear in nature, so they
21 are very north/south cities.

22 We took Gila Bend and we incorporated Gila Bend
23 by moving it from District 7 -- or sorry, District 9
24 into District 7, which is right there where the freeway
25 meets I-8. District 7 will then push into Pinal County

1 and then it is going to incorporate the cities of
2 Maricopa and the western portion of Casa Grande.

3 District 2, which is the blue district -- yeah,
4 there's Casa Grande -- is going to go up to District 5
5 and pull population from District 5 for balancing. So
6 that means on that edge there District 2 is now
7 incorporating the city of Florence and the eastern
8 portion of San Tan Valley.

9 District 5 is going to move a little bit to the
10 west, as requested. And District 5 is going to pull in
11 most of Gilbert and take some of the east section of
12 Mesa.

13 And then District 4 is going to rotate to the
14 west and move north into District 2, and it is going to
15 unite north Tempe, south Scottsdale, and all of the Salt
16 River reservation.

17 District 1 is then going to pull population
18 from District 8, which is that pink district that was
19 out to the west of it, for population balancing. And
20 District 8, portions of it is going to move into
21 District 9. And District 8 is also going to keep
22 incorporating the cities of Sun City, Sun City West, and
23 Sun City Grand.

24 And then the northern portion of Peoria is
25 going to be moved from District 8 into District 9 for

1 population balancing. So you can see Peoria is another
2 north/south linear city, and the north part of the city
3 is going to move into District 9 and even the top notch
4 is going to be in District 2.

5 Map status, it is balanced. There is -- all
6 the population is assigned to districts, so no
7 population is unassigned. And there was no request that
8 we could not fulfill from the Commissioners.

9 MR. D. JOHNSON: We'd just note this is
10 obviously a big change for District 7. Looking at the
11 demographics, the previous version where it comes in the
12 west valley, District 7 is 46 percent Latino as a
13 percentage of citizen voting age population. So 46 is
14 was, and now it's 45. So very small, you know, just a
15 1 percent change, and it's still at 50 -- the Latino
16 candidate got 55 percent of the -- of the governor's
17 election race and 61 percent of the attorney general's
18 race. So just a 1 percent shift in that number and
19 the -- it still tracks and meets our Voting Rights Act
20 benchmarks.

21 MR. FLAHAN: Any questions on 3.4?

22 COMMISSIONER LERNER: Did you want to take a
23 look at the -- or you just looked at that with the
24 population. There was nothing else other than what you
25 just said, Doug; right?

1 MR. FLAHAN: Say that again?

2 COMMISSIONER LERNER: The Voting Rights Act, it
3 was -- there was nothing else you wanted to show us on
4 the PDF for 3.4, the competitiveness piece?

5 MR. FLAHAN: Yes, you're right. We -- yes,
6 you're right. Let us -- let us bring that up here.

7 MR. KINGERY: For 3.4?

8 MR. FLAHAN: Yeah, for 3.4.

9 So you can see the biggest population deviation
10 is in District 6, with just over 1400 -- short 1400
11 people.

12 Do you have any specific questions on the
13 demographic?

14 Open up 3.5.

15 MR. KINGERY: 3.5?

16 MR. FLAHAN: So Brian is going to open up 3.5,
17 and 3.5 is built off the last map, 3.4, as a base. So
18 the main goal of 3.5 is an alternate method for
19 balancing Districts 7, 6, and 2. And Brian is going to
20 set the demographics data for you and save it, that way
21 next time you open it it should be set and ready to go.

22 So the first part of this is District 7 in the
23 south, and District 7 is going to move into the Tucson
24 area.

25 Zoom in Tucson.

1 So it moves into the Tucson area south of the
2 Rillito River from District 6. Sorry if I just
3 butchered that.

4 COMMISSIONER MEHL: "Rillito."

5 MR. FLAHAN: Rillito. Gotcha. I'll remember
6 that.

7 So we kept the Rillito River as the dividing
8 line in Tucson. And then if you follow the District 6
9 north, it is going to go into Pinal County and it is
10 going to take population from District 2 -- zoom out,
11 yeah -- and it is -- District 6 is going to include the
12 cities of Red Rock, Eloy, Arizona City while also sort
13 of cutting through the western half of Casa Grande and
14 into -- to incorporate the city of Maricopa for
15 population balancing.

16 This is balanced. There is -- all population
17 is assigned. There was nothing that we could not
18 fulfill in this request. And those two things,
19 basically District 6 going north into Pinal County that
20 we just talked about and District 7 being divided at the
21 river area in Tucson, are the two changes between 3.4
22 and 3.5.

23 Bring up the demographics.

24 MR. D. JOHNSON: So one thing to highlight in
25 the demographics here is the difference in crossover

1 voting rates in different parts of the state that
2 Dr. Handley addressed. So you can see in this map where
3 District 7 is going into Tucson more, instead of going
4 into Pinal, the Hispanic citizen voting age population
5 of 7 is 44 percent. So it's down 2 percent from where
6 we started in -- in the 3.3.

7 So the Latino citizen voting age percent is 1
8 percent less than if you go into Pinal. But our voting
9 rights tracking elections, our reconstructed elections
10 on the right, the dem -- the Latino Democratic candidate
11 for governor and Latino Democratic candidate for
12 attorney general, actually go up. So this reflects the
13 pattern we've seen where there's more crossover voting
14 in Tucson.

15 So while the Hispanic percent goes down
16 1 percent more, the Hispanic-preferred candidates
17 actually do better in this district. So it's an
18 interesting dichotomy of data as we look at these
19 different options.

20 Oh, I know what I was going to mention.

21 Can you bring up the map, too.

22 One -- one thing that kind of jumps out when
23 you look at this map is we're getting roughly half of
24 Casa Grande and then going on to Maricopa. So residents
25 may ask why not just get Casa Grande? The problem is as

1 the mapping team learned, you know, we worked through
2 this quite a bit, if you take all of Casa Grande you cut
3 off Maricopa and it's just floating there and it would
4 then have to go into 7 or something like that. So in
5 order to avoid having an isolated pocket of quite a few
6 people, we had to take part of Casa Grande and pick up
7 Maricopa. So that's why you take half of a city and go
8 on to the next city. Something has to take that city,
9 and this was the most logical approach under the goals
10 of this plan.

11 MR. FLAHAN: That is all the congressional maps
12 that we have for you today.

13 CHAIRPERSON NEUBERG: I'd like to turn it over
14 to my colleagues to express your thoughts about your
15 opinion about the best starting point of the options
16 that we have heard from and to please explain why. And
17 to the extent that you can explain it in terms of how
18 that map best honors the six constitutional criteria, I
19 think that that would be a plus.

20 COMMISSIONER LERNER: Well, Madam Chair, I
21 don't think that bringing Mohave County in for
22 District -- I have to pull up the map. I'm sorry.

23 COMMISSIONER YORK: 2.

24 COMMISSIONER LERNER: Let me -- District --

25 COMMISSIONER YORK: 2.

1 COMMISSIONER LERNER: -- 2. Thank you. Yeah,
2 I always have -- I have to remember where everybody is.
3 -- into District 2 is effective. I think it is
4 not going to be something we can support in terms of how
5 it affects the Native American populations and their
6 ability to at least have a voice in that area. I think
7 3.3 works more effectively for the tribes and for
8 actually some of our other populations that are in that
9 area.

10 The 3.3 --

11 CHAIRPERSON NEUBERG: Commissioner Lerner --

12 COMMISSIONER LERNER: Yes.

13 CHAIRPERSON NEUBERG: -- when you say besides
14 the tribes and you say "other populations," do you mind
15 specifying which populations? Because that's on my
16 mind.

17 COMMISSIONER LERNER: Sure. I think actually
18 the Hispanic populations as well in those areas. I
19 think it affects -- I think it's actually a more
20 cohesive district for the rural communities as well.
21 The things that they have in common in those areas, if
22 we looked at District 2 in 3.3 -- you have that up,
23 thank you -- they have a lot in common in that area.
24 You have -- when we heard from the communities when we
25 were out in the rural areas, we heard about what they

1 have in common in terms of tourism, timber, forestry,
2 water issues that they all could speak to as part of
3 that.

4 And so that whole eastern part where we take
5 Graham and Greenlee, Graham and Greenlee have a lot in
6 common with Navajo and Apache counties in terms of what
7 they are actually dealing with on a daily basis, the
8 kind of -- the communities that they are -- exist in
9 those areas. We also see some of that area will be part
10 of the Copper Corridor, so that brings them together.
11 In that area you have mining as well. So I think when
12 we look at 3.3, we see that it actually ties together a
13 lot of the communities both economically and then
14 demographically as part of it.

15 And, you know, it goes -- it cuts across -- 3.3
16 cuts across conservative and -- well, I guess I will say
17 Republican and Democratic areas. So in terms of
18 partisan, it's kind of a blend of all of that. But more
19 so what I was looking at were the kinds of things that
20 bring them together, and that's what I looked at for the
21 rural communities and what they spoke about as their
22 concerns and how could a congressional representative
23 address those concerns effectively.

24 I also believe, my last point that I'll make,
25 is that it's actually a fairly more compact district

1 than certainly what we have now where it goes all the
2 way down to the border. So rather than go border to
3 border either way, I think this is more compact as well.

4 So those are some of my thoughts of 3.3.

5 COMMISSIONER MEHL: I would like us actually to
6 look more carefully at either 3.2 or 3.5. I think -- I
7 think, frankly, 3.2 with the northern areas all
8 connected -- because all of the other maps have that
9 northern district coming so far, you know, below
10 Maricopa County, below the Phoenix metro area, and the
11 3.2 just has a much more coherent northern district.
12 And -- and it has a big positive impact on all the
13 remaining districts.

14 So I actually -- and when you look at the
15 Native American population, it's identical in this
16 versus 3.3. It's 19 percent of the voting and 20
17 percent of the population in either version. So the
18 impact of the Native Americans on that district would be
19 the same no matter which direction we went with it. But
20 having the western part of the state as opposed to
21 coming so far south with that District 2 and then the
22 impact that then has on the remaining districts below,
23 and -- I just think it's really positive.

24 And as an alternative, I think 3.5 has some
25 positive things also. I definitely like what happens

1 with Districts 7 and 6 on the 3.2, but I would look at
2 either of these other -- rather than 3.3.

3 CHAIRPERSON NEUBERG: I would like to know in
4 these different iterations what the
5 Democratic/Republican point spread is. You know, in the
6 iteration that Commissioner Lerner has suggested, it's,
7 what, about a 9-point, close to 10-point spread. When
8 it gets up to 15 plus, I think there's not going to be a
9 way in which the Native American community is going to
10 be in any way, you know, a majority. I mean, there's
11 just simply not numbers. And so from my perspective, I
12 am most thinking about how we honor the entire state and
13 also not marginalize those northern tribes. So I want
14 to take a look at the point spread because I do think
15 how far that spread becomes may be relevant in how well
16 that minority group may be able to advocate for
17 themselves. So it's something we need to keep an eye
18 on.

19 VICE CHAIR WATCHMAN: Madam Chair, my
20 preference as a starting point is Map 3.3. And the big
21 point that I have is I think that Mohave County is --
22 has a very, very different community of interest, at
23 least in my opinion, than what you see if you take
24 Navajo County, Apache County, Graham, and Greenlee. You
25 basically have different tourism possibilities. You

1 have forest on the east side; you don't have forest on
2 the west side. So very, very different communities of
3 interest. And so basically supporting what Commissioner
4 Lerner is thinking, I think 3.3 has a better
5 presentation and better qualities for not only the
6 Native American communities but a lot of the communities
7 that rely on the Copper Corridor. So namely, you know,
8 Miami, Globe, Safford -- or Morenci, those have mining
9 qualities. You do have mining on Navajo, which is
10 obviously -- well, unfortunately is going away right
11 now, but they're still heavily impacted and still depend
12 on natural resource activities. And so the eastern side
13 of Arizona in CD-2 is very different than what you see,
14 I guess, on the Colorado River side. So I am more
15 inclined to, as a starting point, to look at 3.3. Thank
16 you.

17 COMMISSIONER MEHL: I'd like to just point out
18 that if you go with 3.3 or 3.5 instead of 3.2, you'll
19 end up with two congress people from the rural northern
20 area out of 9, whereas if you combine the northern
21 districts you'll have one congressional representative
22 representing the rural area on the northern part of the
23 state. And, frankly, I just think that's a far better
24 solution for our state. I think it's a more balanced
25 solution for our state.

1 COMMISSIONER LERNER: And I would just say I
2 think we have to look at -- it's not just the geography,
3 but it's the communities of interest. We heard a lot
4 from the folks along the Colorado River about the
5 commonalities in what they had in common up and -- up
6 and down the Colorado River from north to south. So I
7 think we need to take that into account.

8 The -- what they are talking about all along
9 Bullhead City, Lake Havasu City, all of those
10 communities, is very different in many ways, and the
11 communities themselves are very different from those
12 over to the east. What the east is dealing with in
13 terms of forestry and their issues of water are quite
14 different than what's going on in along the Colorado
15 River, and that's part of what I am looking at in terms
16 of communities of interest. We don't -- I just don't
17 see that alignment with those to the west, Kingman,
18 Bullhead City, Lake Havasu City, but you do see a lot of
19 alignment as you head south with the mining communities,
20 with the forestry areas as we go down.

21 No matter what we're going to have a big
22 district. District 2 is going to extend. There's no
23 avoiding it as a rural -- primarily rural district. So
24 to me, I was looking -- focusing on what do they have in
25 common and so how can their congressional representative

1 best serve them by those commonalities. And that's why
2 I don't think -- you know, we are trying to avoid having
3 a district from one end of the state to the other like
4 we've had in the past. Right? We had it going from the
5 north to the south. I don't think going from east to
6 west is going to help us in any way either. But I think
7 the current district -- the district in Map 3.3 really
8 accomplishes bringing those communities of interest, the
9 commonalities that we heard in terms of their concerns,
10 together.

11 COMMISSIONER MEHL: And I'd like to point out
12 that you're sacrificing all those areas south of the
13 Phoenix metro area that are suddenly in District 2
14 again. And so it's -- you either have Mohave in
15 District 2 or you have a lot of population, you've got
16 Casa Grande and all sorts of population down that has
17 no -- no commonality, no community of interest, no
18 reason, in fact has been really upset that they've been
19 part of this northern district. So we're just repeating
20 the problem. A little less than last time, but we're
21 repeating the problem if you don't include Mohave up in
22 District 2.

23 COMMISSIONER LERNER: But if you -- if you
24 recall -- I'm sorry, Madam Chair.

25 CHAIRPERSON NEUBERG: Can you repeat yourself,

1 Commissioner Mehl? Which communities in the south do
2 you feel that are going to be compromised?

3 COMMISSIONER MEHL: We've got so many versions
4 that it's confusing. So can we blow up the southern
5 edge of District 2 where it meets District 6 and see
6 what all is down in there?

7 COMMISSIONER LERNER: In 3.3?

8 MR. KINGERY: So this is 3.3 that is being
9 shown, and then I can, you know, flash 3 -- overlay 3.5
10 on top of it so you can start to see the differences
11 that 3.5 goes more northern, including those counties,
12 minus the tribal reservation, and going into more
13 central of the state.

14 COMMISSIONER MEHL: This has Casa Grande in
15 District 2; correct?

16 COMMISSIONER YORK: No. That's -- 3.3 does.
17 3.5 has Casa Grande in District 6.

18 MR. KINGERY: 3.5.

19 COMMISSIONER MEHL: Yeah, 3 -- I'm saying 3.3
20 has Casa Grande in District 2; is that correct? Or is
21 it not correct?

22 MR. KINGERY: Yes, District 2 includes Casa
23 Grande on 3.3.

24 COMMISSIONER YORK: There's -- and then --

25 COMMISSIONER MEHL: Which is -- just doesn't

1 make -- it's just not a good -- it's not good to do
2 that.

3 MR. D. JOHNSON: Yeah. Just to clarify, so
4 both of them have part of Casa Grande in District 2.
5 The big difference is District 2 has Maricopa, the city
6 of Maricopa in this map and doesn't in the other one.

7 COMMISSIONER YORK: 3.5 has Maricopa and 3.3
8 does not.

9 The thing I'd like to point out -- 3.3 is not
10 population balanced; correct? You guys balanced 3.2 and
11 3.4 and 3.5; correct?

12 MR. FLAHAN: Yeah. 3.5 is population balanced.
13 And you are right on 3.3, it is unbalanced right this
14 second as shown.

15 COMMISSIONER YORK: So I would only like to
16 make a point that we should move towards some more
17 balanced maps.

18 CHAIRPERSON NEUBERG: Are you saying 3.5
19 requires District 2 to tap into Maricopa County
20 population, is that what you're saying?

21 MR. D. JOHNSON: Oh, no. Sorry.

22 COMMISSIONER YORK: City of Maricopa.

23 MR. D. JOHNSON: It's the challenges of
24 Arizona. So it taps into the city of Maricopa.

25 CHAIRPERSON NEUBERG: The city of -- okay.

1 COMMISSIONER LERNER: So the other point is
2 that we are looking at -- if you look at the mining
3 community, we're talking about those areas do extend
4 further south. And we heard from folks -- either way,
5 no matter what map we take for the rural communities,
6 we're going to have some communities that don't feel as
7 connected because that's the -- that's our state.
8 Right? We are very large and we have these rural areas.

9 We do have the mining folks that will be
10 connected with 3.3 as we look at that. And we have --
11 and they talked about wanting to be part of that Copper
12 Corridor, that area.

13 These are starting points. I'm not so worried
14 about population balance right now because we're going
15 to make adjustments to these maps as we move forward.
16 So if 3.3 is not population balanced, we know we're
17 going to be making changes to that. So I'm more
18 concerned about the overarching starting point of where
19 do we begin philosophically, pulling together those
20 communities that have more in common.

21 So I understand your point, Commissioner Mehl,
22 but I feel that what we're doing with 3.3, where we're
23 pulling in these communities such as Safford, we're
24 taking them -- we can put Florence -- those are
25 communities we heard about, things like mining, that are

1 similar to things that we heard all across -- mining and
2 other issues, forestry, things like that that we heard
3 from other communities on the east side. We did not
4 hear those same things on the west. On the west, they
5 have really different interests, different communities
6 of interest, different economic interests that just
7 don't tie well together to those communities on the east
8 side of our state.

9 CHAIRPERSON NEUBERG: Commissioner Mehl, did
10 you say that you're comfortable with 3.5?

11 COMMISSIONER MEHL: I am more comfortable with
12 3.5 than 3.3. I have a -- I clearly think that 3.2
13 would be the matter map for our state to be working
14 from, but 3.5 at least had some other positives to it I
15 think that were better than 3.3.

16 Is it possible to overlay 3.5 and 3.3?

17 CHAIRPERSON NEUBERG: What I like about 3.5 is
18 that as a starting point we're reworking D-2, but yet it
19 keeps, you know, that spread within, you know, less than
20 10 points, which, you know, to me, again, I'm focused on
21 the Native American community and ensuring that they're,
22 you know, going to receive the kind of representation
23 that they're -- you know, deserve.

24 COMMISSIONER MEHL: But I don't think the
25 Native American community is going to be any different

1 between 3.2 and 3.3 and 3.5. In all of those they're
2 right around 19 percent of the voting age population.

3 CHAIRPERSON NEUBERG: Right. But I believe the
4 Republican/Democratic spread is different. And my sense
5 is that more of the Native American community aligns
6 with the Democratic party and so would probably feel a
7 little more represented if that, you know, division
8 wasn't quite as large.

9 COMMISSIONER YORK: This is Commissioner York.
10 One of the things I like about 3.5 and 3.4 is it pulls
11 the -- puts all the west valley cities into one district
12 along the I-10 corridor where the growth is and keeps
13 District 7 down in mostly the southern part of the
14 state.

15 COMMISSIONER LERNER: So one of the concerns I
16 have about 3.5, and I know we're just starting points,
17 to me philosophically again the difference between 3.2
18 and then 3.3, 3.4, and 3.5 is big. Are you taking
19 Mohave or are you taking -- you heading a little bit
20 further south.

21 So I support 3.3. I can see where we could do
22 a beginning point with 3.4 or 3.5 because those are
23 similar in some ways, not exactly the same. But one of
24 the concerns -- I'm sorry. One of the concerns I have
25 is how far District 7 -- you mentioned District 7,

1 Commissioner York -- how far it goes into Tucson as part
2 of that and what it does to the Latino population. So
3 we'd want to take a closer look at that at some point.
4 But again, I know these are just beginning points where
5 we will be making adjustments. It also I think maybe
6 adjusts -- 3.5 adjusts the competitiveness of District 6
7 as well, and it's just something for us to take a look
8 at.

9 COMMISSIONER MEHL: I am really enjoying this
10 debate, but I also enjoyed too much coffee this morning.
11 If it would be possible to take a break either now or
12 soon?

13 CHAIRPERSON NEUBERG: Yeah. Why don't we take
14 a ten-minute break. And what I would -- when we return,
15 I'd like to have a conversation about our rural
16 community and really understand are there significant
17 differences in the needs between the rural community
18 that, if we're looking at 3.5, those in Mohave County
19 versus those that are now in D-2. It's a big decision.
20 Do we have, you know, one representative for our
21 majority, you know, rural areas or two? And it makes a
22 very big difference on the rest of the map. So let's
23 take a ten-minute break and we can think and come back,
24 but I want to talk about it from the lens of these
25 different communities of interest. Ten-minute break.

1 (Whereupon a recess was taken from 9:47 a.m.
2 to 10:16 a.m.)

3 CHAIRPERSON NEUBERG: Okay. I think we're
4 ready to dive back in. And I think we were in the midst
5 of debating the options for CD maps.

6 MR. KINGERY: I do want to give one update.
7 3.4 on this flow chart when we originally presented the
8 options did have an asterisk next to it, and that was an
9 oversight by myself. I have updated this flow chart.
10 The description later, lower down on the page, it is
11 able to be submitted and passed integrity checks as it
12 stands right now. And the only discrepancy currently on
13 the website is if you look at the congressional Series 3
14 audit log, which we'll update to remove that asterisk.
15 But the descriptions and everything that we discussed
16 earlier is still valid.

17 CHAIRPERSON NEUBERG: Are there any additional
18 clarifying questions that my colleagues would like to
19 ask of mapping, or do we feel that we're ready to vote
20 on one of these options to start deliberation from the
21 congressional maps?

22 COMMISSIONER MEHL: I would like to jump in and
23 make a case again for 3.2. And when we were talking
24 communities of interest, what wasn't pointed out earlier
25 is that if you go away from 3.2, any of the other maps

1 have Mohave County going deep into Maricopa to get the
2 population. So, I mean, it's between Casa Grande being
3 in 2 and the -- and the, quote, river district not being
4 much of a river district. It ends up going deep into
5 Maricopa. So I just think the state is better. And
6 ironically we pack more Republicans into the district
7 the way I'm suggesting it, which has to help everybody
8 else on the rest of the -- rest of the state. So I
9 would actually like my colleagues to seriously consider
10 adopting 3.2 as our starting point, and I make a motion
11 to that effect.

12 COMMISSIONER YORK: This is Commissioner York,
13 and I'd second that motion.

14 CHAIRPERSON NEUBERG: Let's have discussion.

15 And one of my questions that I have,
16 Commissioner Mehl and Commissioner York, you mentioned
17 that this map is advantageous for the rest of the state.
18 And it sounds like you feel that the three other
19 colleagues here would find a lot, you know, advantageous
20 about this as it relates to the other eight districts.

21 Can you share with us what the value is to the
22 other eight districts and why in particular my two
23 colleagues to my right might find that attractive?

24 COMMISSIONER MEHL: All these are moving
25 targets, so everything I say could be adjusted. There's

1 going to be a lot of adjustments in the details of all
2 of these maps, but it is --

3 So this is 3.2 on the screen now; correct?

4 MR. KINGERY: Correct.

5 COMMISSIONER MEHL: The other districts are all
6 reasonably compact. We don't have any of these -- other
7 than that District 6 popping up the way it does, but I
8 think, frankly, we can adjust that later and pull that
9 into some -- to something that will work better. I just
10 think the whole map sets up better and it gets rid of
11 the Casa Grande, Pinal County, being part of a northern
12 rural district, which I admit has been a focus. And it
13 takes Mohave County away from dipping deep into the
14 Maricopa -- the main Phoenix metro population, which all
15 of these northern people have said that they don't want
16 to be a part of. So I think there's a number of
17 positives out of this map.

18 VICE CHAIR WATCHMAN: Madam Chair.

19 CHAIRPERSON NEUBERG: Please.

20 VICE CHAIR WATCHMAN: Before we went to session
21 or break, I thought one of the items that we were going
22 to discuss, and maybe we'll discuss it now, is just the
23 rural nature, kind of the -- what is being rural? I
24 thought that was one of your thoughts and --

25 CHAIRPERSON NEUBERG: Yes, please.

1 VICE CHAIR WATCHMAN: Yeah. I think that's
2 something that's important. I also, you know, want to
3 raise, you know, the voter rights act report and
4 analysis that I think our legal team is working on
5 because we also have to keep that in consideration,
6 especially for the Native American communities.
7 They fought very hard, you know, to be at the table.
8 And there's some -- some favorable court rulings out
9 there that do favor tribal communities as a community of
10 interest, and I think we need to understand that.

11 But getting into the rural nature of what we
12 see in front of us if you look at 3.2, I think that --
13 and Commissioner Lerner can speak to this -- there's --
14 if you look at the west side of the state, particularly
15 Mohave County as it borders the Colorado River, granted,
16 they are heavily involved in tourism. I think tourism
17 primarily is the biggest community. And, frankly,
18 they're -- if you look at south of Lake Havasu, I know
19 that the Colorado River tribe and Parker down south to
20 Yuma is heavily, heavily agriculture. Maybe go
21 Lake Havasu, Havasu up to perhaps Bullhead City and
22 maybe Henderson, I think that's more of a retirement
23 community for California. You know, that's how I would
24 interpret it. So you have primarily two big interests,
25 tourism and agriculture.

1 Now, if you move toward the east and you look
2 at Mohave County -- I'm sorry, if you look at Navajo
3 County, Coconino County, Apache County, Graham and
4 Greenlee, heavy, heavy ranching, forest, tourism, and
5 then mining. And so from a -- from a perspective of
6 rural county-ness, you have completely different, unique
7 markets, if you will. And I think we need to keep that
8 in mind.

9 And so those are things that I think are very,
10 very, very important, and we need to, you know, figure
11 out how to keep the two areas separate. And so that I
12 guess I'm trying to justify maybe 3.3 or maybe even 3.5,
13 but it's -- having grown up in the northern part of
14 Arizona and looking at, you know, my interests and what
15 I see in the eastern side of the state, it's very
16 different from what I see in the western Mohave County.

17 And so I will have to go back and look at, for
18 example, the Hualapai reservation and their -- and their
19 information, but I think they generally spoke to being a
20 part of the community of interest that fits the eastern
21 side of the state as opposed to the west. And so I
22 think it's very important that we look at the economic
23 interests as it relates to the communities of those
24 areas.

25 COMMISSIONER MEHL: But, Vice Chair Watchman, how can you

1 maintain that Mohave County has less community of
2 interest than the city of Maricopa or Casa Grande to the
3 northern part of the district? I just don't --

4 VICE CHAIR WATCHMAN: Yeah.

5 COMMISSIONER MEHL: -- think that holds water.

6 VICE CHAIR WATCHMAN: Yeah. And likewise on
7 the other side, you know, we're going to have to --
8 because, you know, the rural counties just don't have
9 enough population. One of these -- one of these
10 districts is going to have to dip into the greater
11 Phoenix area, Phoenix valley area. So, you know, do we
12 do it with -- do we do it from the west side of the
13 state or the east side of the state? And so that's
14 obviously our challenge that we're going to have to deal
15 with. And so coming -- yeah. I will stop there. I
16 think we're going to have to dip into to make the
17 numbers, and so I'll stop there.

18 COMMISSIONER LERNER: The other point I just
19 want to look -- I'm just looking at the demographics as
20 part of -- as part of that. Thank you for getting those
21 all prepared for us so we can pull those up. But we are
22 looking at the fact that we're going to have to pull in
23 some districts from rural areas into Maricopa County and
24 into the Tucson area. And if you look at 3.2 and then
25 take a look at District 9, what you're doing is

1 essentially taking the Colorado River all the way over
2 into Maricopa County as well. And so either way what
3 you are doing is you're going to be disenfranchising
4 somebody in terms of that because those folks who are
5 going to be in that area of District 9 and are then
6 going to get pulled in all the way over to western
7 Maricopa County are not going to feel connected with --
8 with that.

9 So as we've said, there's going to be --
10 there's always going to be a problem as part of that.
11 And I just don't see -- when I look at the numbers in
12 District 2 and think about the tribes there with an
13 almost 58 percent Republican swing in that state -- in
14 that district and then have the Native Americans who
15 tend to vote Democratic, I feel that they will be
16 disenfranchised more so than if it was a more
17 competitive district. And obviously that's what our
18 goal is; we'd love to see more competitive districts
19 throughout the state so everybody can have that voice.

20 But I also looked at -- besides District 2, I'm
21 looking -- and I know things will change. Of course
22 every map that we pick is going to be modified. But I
23 looked at District 9 as well in that case, and that's
24 sort of equally unbalanced and also will probably --
25 could potentially affect some tribes in that area as

1 well, but also Hispanic communities.

2 The other thing is just -- just as a point just
3 in general, right, travel, right, being able to address
4 the concerns of everybody in that district. We know how
5 difficult it is to go north/south. You have Phoenix in
6 the middle so you could -- from a congressional
7 perspective, you're heading up north and south. In this
8 case east/west, you're having a lot of land to cover to
9 effectively represent La Paz County and then head over
10 to Window Rock and then head down to San Carlos, just as
11 examples of different places to go. It's going to be
12 incredibly difficult to travel around that and
13 adequately represent the people over in Eagar and then
14 the people over in Lake Havasu. There aren't easy ways
15 to get from place to place as part of that. So that's
16 just another little piece.

17 CHAIRPERSON NEUBERG: If I were to ask my
18 colleagues to narrow down the vote between two options,
19 what would that be?

20 COMMISSIONER MEHL: We do have a motion on the
21 floor with a second. Should we vote on it?

22 CHAIRPERSON NEUBERG: Okay. We have a motion
23 to approve Map -- what is it? -- 3 point --

24 COMMISSIONER MEHL: 3.2.

25 CHAIRPERSON NEUBERG: -- 3.2. Any further --

1 we have a motion. Was there a second? Yes.

2 Okay. Any further discussion?

3 Vice Chair Watchman.

4 VICE CHAIR WATCHMAN: No.

5 CHAIRPERSON NEUBERG: Commissioner Mehl.

6 COMMISSIONER MEHL: Yes.

7 CHAIRPERSON NEUBERG: Commissioner Lerner.

8 COMMISSIONER LERNER: No.

9 CHAIRPERSON NEUBERG: Commissioner York.

10 COMMISSIONER YORK: Yes.

11 CHAIRPERSON NEUBERG: Commissioner Neuberg is a
12 no, and with that we will continue the dialogue.

13 Is there another option that my colleagues
14 would like to offer up?

15 And I'd like to clarify that my opposition is
16 not to the concept of the map; I'm actually quite drawn
17 to the concept of the map. My concern has to do with
18 the spread of the partisanship and representing many of
19 the communities of interest that lie within what seems
20 to be more than 50 percent of the geographic area of our
21 state. And so as we approve a starting point, I'm not
22 at all opposed to moving the lines in other directions
23 that may, you know, tap into some of these ideas.

24 So with that, any other proposals for a
25 starting point?

1 COMMISSIONER MEHL: Commissioners Lerner and
2 Watchman, I would just ask you a question, which is --
3 we can sort of go through the same thing with 3.3 and
4 probably end up in the same place, and the compromise
5 map I think is 3.5. Would you be willing to go with
6 3.5?

7 COMMISSIONER LERNER: Yeah. I think you're
8 correct. Right? 3.3 would be our preferred alternative
9 just as yours was 3.2. If we know that we're going to
10 end up with a -- I almost want to just for the sake of
11 the record go through the vote but then move to 3 -- I
12 also do feel that we could do a compromise.

13 So I am going to propose 3.3.

14 COMMISSIONER YORK: As a motion?

15 COMMISSIONER LERNER: That's my motion is to --
16 thank you. I move to approve Map 3.3.

17 CHAIRPERSON NEUBERG: Do I have a second?

18 VICE CHAIR WATCHMAN: Vice Chair Watchman
19 seconds.

20 CHAIRPERSON NEUBERG: Any further discussion?
21 Vice Chair Watchman.

22 VICE CHAIR WATCHMAN: Aye.

23 CHAIRPERSON NEUBERG: Commissioner Mehl.

24 COMMISSIONER MEHL: No.

25 CHAIRPERSON NEUBERG: Commissioner Lerner.

1 COMMISSIONER LERNER: Aye.

2 CHAIRPERSON NEUBERG: Commissioner York.

3 COMMISSIONER YORK: No.

4 CHAIRPERSON NEUBERG: Commissioner Neuberg is a
5 no, and with that the motion fails.

6 And so we'll entertain another motion for a
7 starting point.

8 COMMISSIONER MEHL: I move that we approve Map
9 3.5.

10 COMMISSIONER LERNER: I will second that
11 motion.

12 CHAIRPERSON NEUBERG: Any further discussion?
13 Vice Chair Watchman.

14 VICE CHAIR WATCHMAN: Aye.

15 CHAIRPERSON NEUBERG: Commissioner Mehl.

16 COMMISSIONER MEHL: Aye.

17 CHAIRPERSON NEUBERG: Commissioner Lerner.

18 COMMISSIONER LERNER: Aye.

19 CHAIRPERSON NEUBERG: Commissioner York.

20 COMMISSIONER YORK: Aye.

21 CHAIRPERSON NEUBERG: Commissioner Neuberg is
22 an aye.

23 And with that, we will start our deliberations
24 with 3.5.

25 Thank you, mapping team, again for providing so

1 many provocative and helpful choice points.

2 COMMISSIONER LERNER: Could I ask the mapping
3 team to pull up the spreadsheet that you had before so
4 we can just take a look at that now that approved that,
5 please.

6 COMMISSIONER YORK: Shereen, I think they
7 handed us one also.

8 COMMISSIONER LERNER: I know. I know I have it
9 on paper, but I --

10 COMMISSIONER YORK: Okay.

11 COMMISSIONER LERNER: -- I was thinking
12 actually for the public to have that pulled up.

13 And then if you could walk us through a little
14 bit again, since now we have that as our map -- we
15 walked through it at the very beginning, but if you
16 don't mind reviewing that one more time briefly about --
17 a little bit about the breakdown, the VRA piece and then
18 the competitiveness piece.

19 MR. D. JOHNSON: Sure. Happy to. So on each
20 of these spreadsheets, they're all laid out with the
21 same information. You get the district numbers, the
22 total population numbers on the left. As you can see,
23 as Brian has mentioned, this map is balanced. So none
24 of the -- none of the percent deviation cells are
25 highlighted as being out of balance. So we're good on

1 that.

2 The middle section is total population we
3 talked about. Then we get the citizen voting age
4 population numbers. Those become the focus of the
5 Voting Rights Act. So when we talk about if a seat is
6 complying with the Voting Rights Act, especially from
7 the Native American side, as the Commissioners have
8 mentioned we're not going to get anywhere close to a
9 majority Native American congressional district, but it
10 will be more of a focus of that -- on that number in the
11 legislative maps. So that's where we're getting that is
12 the section -- I guess the fourth section from the left
13 called citizen voting age population, those are all
14 pretty straightforward. You can see percentages.

15 One thing to note, and this becomes more
16 relevant as we get into competitiveness, the numbers at
17 the bottom where they're counts, so the total citizen
18 voting age population, the total population, those are a
19 sum of everything above them, but the percentages are
20 not an average of the people above them. So those are
21 just the statewide total percentages.

22 So, for example, Latinos are 23 percent of the
23 citizen voting age percent population state. We pull
24 that separately; we know it from the system. We're --
25 you can't calculate it from this table, which becomes

1 relevant when you get to competitiveness.

2 And the vote spread, we've talked about that's
3 the difference between the Democratic votes versus
4 Republican votes for our aggregated nine elections. So
5 a good measure of the spread on that. And as you can
6 see, as we just talked about by Commissioner -- Chair
7 Neuberg on that vote, in this map we're at 8.1 percent
8 spread in that District 2. In the 3.5, it was about 16
9 percent spread. So this one, it's not in our 7 percent
10 range, but it's much closer than District 2 in 3.5 and
11 3.2 was.

12 Then the Dem wins and the Republican wins, this
13 is the one where we probably get the most questions. So
14 that's the number of those nine elections that each
15 party won, and this is the idea that Professors Duchin
16 and White talked about. If a district swings in at
17 least one of those nine elections, and preferably two,
18 it shows that whatever the spread is the voters change
19 depending who the candidates are, which is kind of the
20 idea of elections. Right?

21 So ideally a competitive -- you can see
22 District 1, the Dem won four times, a Republican won
23 five times. That seat obviously is highly competitive
24 and flips back and forth from election to election. But
25 where we get down to the bottom, you see five and four.

1 Again, that is us pulling from the statewide database.
2 Each of those nine elections has a different number of
3 votes cast in different districts so you can't get five
4 versus four at the bottom by adding up the numbers above
5 or anything like that. It's one of the confusing
6 numbers in this process. The number 9 comes up all the
7 time just coincidentally. There are nine elections that
8 we're looking at. There were nine congressional
9 districts. And actually the redistricting tool shows
10 nine districts at a time on the screen. All those 9s
11 are coincidences. We didn't -- the number of elections
12 we're looking at is not nine because there are nine
13 districts; it just is a coincidence.

14 So the numbers -- the statewide numbers are
15 just there for comparison. They're not a sum and
16 they're not going to change from one map to another
17 based on what happens in the districts above them.
18 They're always going to be that number.

19 And then on the right-hand side, we talked
20 about Voting Rights Act tracking. This is the idea
21 of -- in the voting rights numbers that you received and
22 the analysis that you received, for Native Americans we
23 have a pretty good sense of -- especially on the
24 legislative side of the citizen voting age percentage
25 that it takes to elect the preferred candidate and our

1 target for that of trying to -- if we can't get over it
2 just because of population numbers to get as close as we
3 can to it.

4 On the Latino side, we get a lot more variation
5 in performance and crossover voting, as Dr. Handley
6 talked about a lot. So there her guidance was not to
7 follow the citizen -- per citizen voting age percentage
8 numbers as much as these two tracking elections. So if
9 we're in a heavily Latino area, congressionally we are
10 looking at Districts 3 and 7 on these maps, does the
11 Latino-preferred candidate, which is the Latino
12 Democratic candidate for governor in 2018 and Latino
13 Democratic candidate for attorney general in 2018, win.
14 And so in this one you can see District 3, if you go
15 across we're getting 68.9 percent and 73.9 percent. So,
16 yes, the Latino-preferred candidate as determined by
17 polarized voting did win that race. Same thing with
18 District 7.

19 If you go to citizen voting age population,
20 it's only 44 percent Latino. But when you get over to
21 the far right to see how the Latino-preferred candidates
22 performed, it's 58 percent for the Democratic candidate
23 for governor and 65 percent for the lieutenant governor.
24 So -- I'm sorry, for attorney general. So that's the
25 way we're looking.

1 Where there is a high Hispanic or Latino
2 citizen voting age percentage number, especially if it's
3 close to or around 50 percent, it's not so much for --
4 is that 49 percent of citizen voting age versus 51
5 percent; it's more if we have a significant Latino
6 population, does the Latino-preferred candidate tend a
7 win. So the right-hand tracking columns are where we
8 are focused.

9 Now, that doesn't mean that say -- let me see
10 if there's an example here. In some of the maps,
11 especially in the legislative maps -- you don't really
12 see it here -- you'll see the Democratic candidate for
13 attorney general win in a seat that's only, you know,
14 5 percent Latino or something. That doesn't mean that's
15 a voting rights seat. You -- first you just look at
16 which seats have a concentration of Latino voters. Then
17 in those seats do our tracking races perform for their
18 preferred candidate. So there's a refresher --

19 COMMISSIONER LERNER: Thank you.

20 MR. D. JOHNSON: -- on these tables, because we
21 are spending a lot of time on them.

22 COMMISSIONER LERNER: Right. I think it was
23 helpful just to go through that again now that we have
24 this particular map that we're looking at just to walk
25 through that. Thank you.

1 MR. D. JOHNSON: Yeah. And to your point about
2 this particular map, just to summarize, so we've got --
3 on the competitive side, the swing seats are actually
4 really easy to spot on these tables because you're just
5 looking for anything that's not a 9-0. So we've got
6 District 1 is -- is almost perfectly competitive, 4
7 versus 5, on the swing measure.

8 If we look at the vote spread on
9 competitiveness here, again District 1 is in the
10 4 percent. It's below -- you know, the spread is less
11 than 4 percent. District 6 actually gets there as well.
12 It's just outside at 4.1 percent, but it's inside of the
13 Commission's adopted 7 percent, so that would qualify as
14 a competitive seat under that -- under one of the two
15 measures. And then we have Districts 2, 4, and 8 that
16 are in the ball -- you know, they're in shooting
17 distance of the range at 8, 11, and almost 14 percent.

18 COMMISSIONER LERNER: But in looking at -- and
19 I appreciate going through that. You can see -- we can
20 see that it's pretty partisan in terms of we have
21 basically one -- District 1 -- in this particular map,
22 3.5, there's really only one district that looked like
23 it had elections go back and forth; all the others were
24 either -- even though they're within competitive range,
25 they all still went either one way or the other.

1 CHAIRPERSON NEUBERG: So at this point would it
2 make sense to bring up the map and for us to begin to
3 share thoughts about moving the lines?

4 COMMISSIONER YORK: So I would like to see us
5 move the north side of District 4 up to south
6 Scottsdale. It has more in common with Tempe, I
7 believe.

8 MR. KINGERY: Is there a certain break point
9 that you want me to go up to, or for a starting point
10 assign all of Scottsdale?

11 COMMISSIONER YORK: I just think that
12 Camelback Road as it moves through. That's the
13 entertainment district north boundary.

14 COMMISSIONER LERNER: And when we're making
15 these suggestions, just for clarity, we're not worried
16 right now about population. We're just talking about
17 ideas that we have. Correct?

18 COMMISSIONER YORK: Uh-huh. Correct.

19 COMMISSIONER LERNER: Okay.

20 MR. D. JOHNSON: Yeah. And just as a little
21 orientation around here --

22 Can you zoom out a little bit, Brian?

23 So the challenge we have in fine tuning is --
24 is the trade-offs and the rotations.

25 Can you zoom out so we can see all of Maricopa.

1 There you go. Zoom out a little more.

2 So we have District 7 -- actually, zoom out a
3 little bit more.

4 COMMISSIONER YORK: 7 is southern state.

5 MR. D. JOHNSON: So we've got District 7 and
6 District 2 kind of -- it would be very tricky. There
7 could be ideas the Commission can ask us to draw, but
8 it'd be very tricky to rotate anything outside of
9 Maricopa. So -- because of where 7 and 2 kind of are
10 set now. And so within Maricopa County, as we're
11 looking to trade population, we have to -- unless the
12 Commissioners have direction about how to rotate around
13 outside, we're really needing to know how we want to put
14 people into one and out of the other. So as we look at
15 moving the boundary of District 4 north, in the past we
16 would have just simply said, well, District 5 will shift
17 in and take it and balance that. But now District 5
18 can't really move in because the eastern border is hard
19 to move because then we start hitting 2 and 7.

20 COMMISSIONER YORK: Yeah. I had you moving
21 District 1 west into 8 and 8 around a little more into
22 9.

23 MR. D. JOHNSON: Yes. You've got the right
24 idea. The challenge is where does 4 give up population?
25 As those move west, eventually 9 is going to have to

1 take from 4. So it's really easy -- we can very easily
2 trade between 1, 5, 3, you know, in there. And between
3 1 and 4, if it was possible to trade-off, but we have
4 that reservation there as the challenge.

5 CHAIRPERSON NEUBERG: I don't think that Papago
6 Park area in 4 is -- has -- is necessarily part of Tempe
7 and south Scottsdale. I mean, so if you are needing
8 population on that middle west side of Papago Park in
9 D-4 --

10 COMMISSIONER YORK: I don't know that there's
11 any people there, though.

12 CHAIRPERSON NEUBERG: -- can flip. Up north,
13 yeah.

14 COMMISSIONER YORK: Northwest corner.

15 MR. D. JOHNSON: You're talking about right
16 along the border of 1 and 4?

17 CHAIRPERSON NEUBERG: Northwest corner up at
18 the top area.

19 COMMISSIONER YORK: District 4 there, along the
20 river, goes right along the 202.

21 CHAIRPERSON NEUBERG: Right there, uh-huh.
22 Exactly. That's typically been more in the Phoenix
23 area.

24 MR. D. JOHNSON: Yeah. So, Brian, can you
25 show -- did you find Camelback?

1 COMMISSIONER YORK: Camelback's up north. It's
2 that curved road.

3 MR. D. JOHNSON: Yeah. Okay.

4 COMMISSIONER YORK: The other one is Indian
5 School below it.

6 COMMISSIONER LERNER: Can you -- Commissioner
7 York, can you clare for me -- clarify for me, sorry,
8 what you're trying to do with this --

9 COMMISSIONER YORK: Well, you and I talked
10 about the fact that Tempe and south Scottsdale
11 entertainment district felt more similar in community
12 interest.

13 COMMISSIONER LERNER: Right.

14 COMMISSIONER YORK: You can argue part of
15 Arcadia, too. But the reality is we -- originally we
16 were trying to include that into the same -- same
17 congressional district.

18 COMMISSIONER LERNER: Well, isn't -- am I
19 missing -- this is D-4 you're talking about; correct?

20 COMMISSIONER YORK: Correct.

21 COMMISSIONER LERNER: Am I looking at the wrong
22 one? It seems like it's already there.

23 COMMISSIONER YORK: No. It goes across on
24 Thomas.

25 COMMISSIONER LERNER: Are you talking about on

1 the west side?

2 COMMISSIONER YORK: Well, the northwest corner.

3 COMMISSIONER LERNER: That northwest corner.

4 So how far are you talking about going up there? To
5 Camelback?

6 COMMISSIONER YORK: Well, you could go up to
7 Camelback or you could go up to Indian School. I just
8 thought we should include more of that entertainment
9 district which is sort of --

10 COMMISSIONER LERNER: You can certainly go up
11 to Thomas.

12 COMMISSIONER YORK: It's at Thomas currently.

13 COMMISSIONER LERNER: Right. But it moves down
14 a little bit. If we went straight across...

15 MR. D. JOHNSON: Yeah. To the -- to the
16 Chair's point, you're exactly right. If we can move D-4
17 northeast of a certain road and move D-1 southwest of
18 that road, we can trade populations between these two
19 and it's a straight trade. And Brian can actually look
20 at that right now.

21 CHAIRPERSON NEUBERG: That seems to me to make
22 sense.

23 COMMISSIONER YORK: Well, you moved -- yeah. I
24 wouldn't move it that far west.

25 MR. D. JOHNSON: Is there a border you think of

1 as the western edge of the entertainment district in
2 Scottsdale?

3 COMMISSIONER YORK: Sort of 68th Street
4 probably. So you got Mill Avenue runs north.

5 MR. KINGERY: It will incorporate all of those.
6 And then add all of District 1 that's within the yellow
7 that's on screen?

8 COMMISSIONER YORK: Yeah. Correct.

9 MR. D. JOHNSON: Oh, because we're going to
10 have to bring 1 south. So we don't want to cut off
11 where we're going to come south.

12 COMMISSIONER LERNER: I guess I'm not sure that
13 we need to be doing this move because I think we still
14 have what we basically were looking for prior to that,
15 which is the combination of west Mesa into Tempe and
16 parts of south Scottsdale. I'm not sure that we need
17 this additional piece to move into District 4. Because
18 District 4 right now is pretty balanced, and this would
19 impact then District 1 and probably impact the
20 competitiveness of District 1 as well.

21 Right now District 1 is very competitive
22 without making any moves. And if we take that piece
23 out, that will make it less competitive. So I guess I'm
24 just not sure. Since it's pretty balanced at this
25 point, District 4 seems like it's in -- it's pretty much

1 what we had been talking about prior to that, having
2 parts of -- the western parts of Mesa, parts of Gilbert
3 and Chandler and then south Scottsdale and the Salt
4 River Pima Maricopa Indian community. And without
5 making any changes, that -- if we make some changes,
6 then District 1 will be less competitive than it is
7 right now. And right now it's a Republican leaning, but
8 very close. And I see that as an advantage to seeing
9 that it's within two points. So it's almost as
10 competitive as it can be. So I don't think I would
11 necessarily support that move.

12 MR. D. JOHNSON: Yeah. And just to kind of
13 provide information for your discussion too, we're
14 trying to figure out how far south District 1 would need
15 to come to offset moving District 4 north. Need 30,000
16 people.

17 MR. KINGERY: Yeah, I know.

18 COMMISSIONER YORK: Yeah. There's no people
19 there. It's a zoo and a golf course.

20 COMMISSIONER LERNER: So I guess I'm just
21 saying I don't know that we need to -- I think
22 District 4 is well laid out based on our previous
23 discussion without having to make any changes. And
24 District 1 with the way it is right now also seems to
25 include what we had been suggesting, which is keeping

1 Cave Creek, Carefree, New River, those folks together,
2 also keeping Fountain Hills with Fort McDowell. And
3 because of the competitiveness, I kind of like the way
4 those two are looking as they are without making those
5 changes.

6 I have a whole separate thing I'd like to bring
7 up at some point when it's appropriate.

8 CHAIRPERSON NEUBERG: I do want to say that in
9 my conversations I don't see the D-4 general area as
10 being -- you know, considering that Papago Park area as
11 it abuts into Phoenix as part of their logical
12 community. I mean, you know, it's not a major touch
13 point, but I still see that as an area that can maybe be
14 moved around depending on needs.

15 COMMISSIONER YORK: Well, into D-3, you could
16 move that area.

17 MR. D. JOHNSON: Well, and one thing we're
18 seeing -- you're not there yet in terms of balancing the
19 population, but if we pick up all that Scottsdale
20 territory, to balance it we're already down to
21 Guadalupe --

22 COMMISSIONER YORK: Yeah.

23 MR. D. JOHNSON: -- in District 1. And we'd
24 have to go farther. We're still short.

25 COMMISSIONER YORK: Okay.

1 MR. D. JOHNSON: Oh, do we go over?

2 MR. KINGERY: Yeah. District 4 we're over by
3 4,000.

4 MR. D. JOHNSON: Oh, okay. So we get -- so not
5 quite all the way to Guadalupe, but we're close to.

6 COMMISSIONER YORK: Yeah. But that cuts off
7 the west side of Tempe, so that...

8 MR. D. JOHNSON: Yeah. We're definitely
9 picking up Tempe population, not just -- not just
10 Phoenix.

11 COMMISSIONER LERNER: And Papago Park is part
12 of both Phoenix and Tempe. They both have controlling
13 pieces of it. But like you said, there's not much
14 population in there so...

15 MR. D. JOHNSON: Oh, yeah. Oh, came back too
16 far.

17 COMMISSIONER LERNER: Can I bring up a
18 completely separate issue?

19 COMMISSIONER YORK: Sure.

20 COMMISSIONER LERNER: Would that be okay? So
21 I'm going to go back to the Latino Coalition map,
22 District 7, and then compare it to what we have in this
23 map with District 9.

24 In both cases, we are actually taking rural
25 areas and moving them into Phoenix, into Maricopa

1 County. And I'm going to suggest that since we tended
2 to -- we accepted District 3, though I think we can
3 certainly talk more about it because I know, Chairwoman,
4 you mentioned about the -- what was it? -- the spread,
5 the 50 percent that you mentioned, so certainly we can
6 talk more about it. But we were very quick to dismiss
7 District 7 because it actually extended into Tolleson
8 and said we shouldn't be having it go all the way up to
9 Maricopa County and pulling population up in there, but
10 we -- in this current configuration of the map, we have
11 District 9 doing that.

12 Tolleson is -- I know it looked odd, but
13 Tolleson -- the way the District 7 map was designed was
14 to just take a slice of a very high -- a very diverse
15 city, Tolleson, which is not growing to the extent of
16 Buckeye and other western communities, and include that
17 in District 7 to try to balance the population for VRA
18 purposes in there.

19 Tolleson has very distinct boundaries as does
20 Avondale. Neither one of them are growing to the extent
21 of the others. They are compact Latino areas which is
22 why they were included in the Latino Coalition map.

23 So I think if we take them out, we're going to
24 have to take a close look at what that does to the
25 majority-minority district and see whether that still

1 works. And right now with the way District 9 is going
2 in and pulling, I think we're in the same boat, right,
3 where we are also working on pulling in parts of
4 Maricopa County and in this case taking areas that are
5 high growth areas, Buckeye in particular we've talked
6 about, into the rural District 9 that's there.

7 So I guess what I'd like to do is make a
8 suggestion that we either go back to taking the original
9 District 7 that was placed in the Latino Coalition map,
10 put that back in here, or go back to the Latino
11 Coalition and ask them to give us an alternative which
12 would also include what we would do with District 3,
13 because --

14 COMMISSIONER YORK: We can add -- yeah. We
15 could add Tolleson to District 3 easily.

16 COMMISSIONER LERNER: Well, then we're really
17 over populating that --

18 COMMISSIONER YORK: Well --

19 COMMISSIONER LERNER: -- as part of.

20 COMMISSIONER YORK: -- it's running -- the
21 borders of District 3, currently 83rd Avenue and
22 75th Avenue, run along the edges of Tolleson. Tolleson
23 sits basically on I-10, at the intersection of the 202,
24 and it's a six-square-mile little town.

25 COMMISSIONER LERNER: The thing is that doesn't

1 solve the District 7 problem of what they did. I mean,
2 I guess I feel like --

3 COMMISSIONER YORK: Well, I would agree, but it
4 is right there closer to District 3. My issue more than
5 anything is that I just don't see how anything along the
6 I-10 corridor has any -- any relevance to Tucson or
7 Yuma. It's two totally different communities of
8 interest. Three, actually. You have border complexity
9 and river issues, and the communities up along I-10 are
10 all about growth, zoning, and the ability to add jobs in
11 the Maricopa County area.

12 COMMISSIONER LERNER: And I don't disagree that
13 there's differences with that, but I have the same issue
14 with District 9 in terms of that. I don't see them as
15 being connected and I feel like we can't -- and in those
16 cases, they are actually taking -- we've talked about
17 Buckeye wanting to be connected to the Valley, and
18 District 9 right now -- and Buckeye is a very big
19 growing area that's getting more and more connected in
20 terms of some of the economic -- the work that's going
21 on there to the Valley, whereas the other piece was
22 really just taking a slice of a community that would be
23 very connected to the other communities that it would be
24 part of. Because it was really just taking a small part
25 of -- it was taking Avondale and Tolleson. It wasn't

1 taking Buckeye because -- and it was keeping Buckeye
2 connected to the rest of Maricopa County.

3 COMMISSIONER YORK: Yeah, but Avondale and
4 Tolleson are on the west side -- Avondale and Goodyear
5 and Buckeye are on the west side of the Agua Fria River
6 there, where Tolleson is on the east side of it. I
7 don't see the connection between the touchingness of the
8 two. I don't know how we do that and stay compact and
9 some of the other constitutional requirements we need.

10 COMMISSIONER MEHL: And I would object to 7
11 going any farther north because you're going to then
12 just have troubles with populations and make adjustments
13 below that are going to be bad. And 7 is performing
14 quite well as a majority-minority district according to
15 the statistics we were given this morning as it's drawn
16 here.

17 COMMISSIONER LERNER: I think we look at the
18 implications of 7 on other districts. It's not just 7
19 itself, but what are the implications of what it does to
20 District 6 and also to Tucson in general. It basically
21 means that Tucson doesn't really even have -- it has --
22 it's split, and it doesn't really have -- it should have
23 different representation the way it is right now.

24 And if you look at the way that District 6 is
25 laid out, that is not going to be something that's going

1 to be amenable to sort of the needs or interests in
2 Tucson where you're placing it again -- what you're
3 doing is basically splitting Tucson into two with two
4 very rural districts, not acknowledging what is going on
5 there, the work that's there, University of Arizona.
6 You're connecting them to two very rural, very different
7 districts in that area. So it's not just District 7,
8 but it's also the impact on District 6 and on Tucson
9 that I am concerned about.

10 And I'm also concerned about the fact that we
11 were quick to manipulate one of the Latino Coalition
12 districts without consulting them and saying what do you
13 think would be best. If we do have questions about
14 Tolleson and Avondale, then let's go back and ask them
15 and say can you give us an alternative. We accepted
16 District 3 but not District 7, and I think it would be
17 worthwhile asking them, especially from a VRA
18 perspective, how other -- how could they otherwise
19 create a district that they feel would satisfy VRA and
20 the majority-minority area.

21 Taking it out of Maricopa County completely
22 might reduce its -- it into a opportunity district
23 versus into a majority, full majority-minority district.
24 So I guess I'm asking from that perspective that we
25 potentially go back to the Latino coalition or we go

1 back to the original map that they offered and then work
2 from there.

3 COMMISSIONER MEHL: I would strongly argue to
4 stay with this for the moment. And we're going to end
5 up at the end of this week or next week with approving
6 draft maps. And they are only going to be draft maps
7 and we're going to have a month of major opportunity for
8 people to give us comment. And I would certainly invite
9 the Latino Coalition and everybody else, and for us to
10 really look at that, but I don't think we're going to
11 fine tune and nail down these districts perfectly at the
12 draft map stage.

13 CHAIRPERSON NEUBERG: And of course nothing
14 precludes each of us as Commissioners from doing,
15 learning on our own to try to understand our state and
16 their needs. But, again, to create a precedent where to
17 make decisions we need to go back to each community of
18 interest to solicit feedback, I'm concerned that that
19 process will handcuff us a little bit with making, you
20 know, decisions in a timely way.

21 COMMISSIONER YORK: The only thing I'd like to
22 point out on District 7 is -- I agree with most
23 everything that's been said. But literally in the
24 southern district we take into account the two major
25 population cities, and I think they deserve a voice over

1 additional population in Maricopa County.

2 COMMISSIONER LERNER: Well, I have a -- and I
3 have issues with how it affects Tucson. I know that
4 that's not my home, but I do -- I do think that it's --
5 again, it's not just District 7, but it's also the
6 impact on that city. Tucson has over a million people.
7 The representation there should be better than what it's
8 showing up on this map with District 6.

9 The change actually puts Tucson -- when I roll
10 into this, it divides it up in a way that may not give
11 it the southern Arizona representation that it should
12 have. It doesn't necessarily improve by doing it this
13 way, it doesn't improve the VRA performance of
14 District 6, and it actually makes district -- I mean of
15 District 7, and it makes District 6 less competitive as
16 part of it.

17 So -- and District 9, the way it's laid out,
18 also does take -- because it's going -- I mean, we need
19 to kind of take a closer look at District 9. It takes
20 in very heavily Latino areas in the west side of
21 Maricopa County. And those folks should be in the
22 majority Latino congressional district. It will give
23 them less of a voice as part of that. So there's a
24 number of issues that pertain to District 9 and
25 District 7 and then how they impact District 6 that I'm

1 talking about. So it's a domino effect.

2 When we pulled that out, we -- and then we
3 opened this -- by picking -- by looking at 3.5, it
4 really affects the Latino population in the west valley
5 significantly and also affects Tucson's representation.

6 COMMISSIONER MEHL: I would argue strongly that
7 Tucson, with a million people, always will be split,
8 always has been split; isn't going to be a way to avoid
9 it. It's a question of where the splits occur. This
10 split is actually much closer to what it was in the past
11 than what it would be if you pull 7 all the way up into
12 Maricopa and have none of it into the city of Tucson.

13 So this actually -- it helps the VRA, we heard
14 that earlier, and it makes the Tucson districts much
15 more coherent. And, yeah, it's split and -- but that
16 District 6, as it's drawn right now, is the most
17 competitive district on the map, or extremely
18 competitive.

19 COMMISSIONER LERNER: And I'm not saying Tucson
20 shouldn't be split; I'm saying where the split is.
21 That's what I'm talking about. So certainly Tucson has
22 always been split, but I don't think that this
23 District 6, 7, and 9 is the best. I mean, that's what
24 I'm basically getting at. I've already said it a couple
25 of times.

1 MR. D. JOHNSON: Commissioner Lerner, if I may,
2 just for purposes of discussion, if you are talking
3 about District 7, with the west side still in
4 District 7, you're -- one of the beauties of these folks
5 putting -- there's so many maps over the weekend, you're
6 essentially talking about Map 3.0. So if you want to
7 talk about the two views of what happens in Tucson if
8 you put the west valley back in, you're comparing to
9 3.0. 3.0 shows up as not quite balanced, but that's
10 just because 1 and 9 need to trade some population. So
11 you can treat it as essentially balanced for the
12 purposes of 7 and 2 and 6. So just for comparison, if
13 you are thinking about if 7 stays in the west valley
14 area, we're talking about -- you're essentially talking
15 about 3.0.

16 COMMISSIONER LERNER: Well, part of what -- I'm
17 guess I'm just going back to -- for the piece of
18 District 7. Avondale and Tolleson are majority Latino
19 areas, and I do think that they should be -- we should
20 be looking at them in District 7. We go really far
21 north anyway. Right? We're on the edge. So are we
22 accepting District 9 going from the river into Maricopa
23 County but not accepting District 7 going from the
24 border into Maricopa County? So I don't think that's
25 consistent in terms of that, because both have -- we

1 obviously have -- both have different interests as we
2 move forward, but that's -- I don't know how we can
3 accept one and not the other.

4 COMMISSIONER YORK: Brian, isn't the river,
5 Salt River along there in southern Maricopa, isn't that
6 the border, the county line? I can't remember.

7 MR. D. JOHNSON: Are you talking about the
8 reservation?

9 COMMISSIONER YORK: Well, the reservation runs
10 up against the Salt River and then it looks like
11 Estrella Mountain Regional Park. Because I'm looking at
12 3.0, and Tolleson is not included in there. So I was
13 just curious where the county line was. Is the county
14 line the Salt River?

15 MR. D. JOHNSON: Oh. Oh, no. The county line
16 is down south of Gila Bend. Is that what you're talking
17 about?

18 COMMISSIONER YORK: Oh, okay.

19 MR. D. JOHNSON: Yeah.

20 COMMISSIONER YORK: For Maricopa?

21 MR. D. JOHNSON: That's where Maricopa has that
22 big foot off of it, down there.

23 COMMISSIONER LERNER: Also just as a point in
24 terms of you mentioned that it improves District 7's
25 performance. It doesn't as far as VRA. It may improve

1 it as part of Democratic votes, but I would actually --
2 it would be interesting, and I -- maybe I would
3 appreciate it at some point, we could get a VRA analysis
4 of the original Latino Coalition map and the map for
5 3.5, District 7. Would that be possible to get that?

6 COMMISSIONER MEHL: I thought that was already
7 presented today.

8 COMMISSIONER YORK: No.

9 COMMISSIONER MEHL: Didn't you --

10 COMMISSIONER LERNER: No.

11 COMMISSIONER MEHL: You were just looking at
12 the elections? You said it actually improved the chance
13 of a minority candidate because the voter propensity,
14 the crossover vote was greater.

15 MR. D. JOHNSON: Correct. When we're talking
16 about the shift in 3.5, you're right, I talked earlier
17 about the Latino citizen voting age percentage goes down
18 by 2 percent from 3.0, but the performance of our
19 benchmark elections, the Democratic candidates do do
20 better. If I am understanding the request properly,
21 it's a request to get those similar numbers for the
22 Latino Coalition map. So you're right, you have them
23 for 3.5. We would just generate those numbers for that
24 coalition map.

25 CHAIRPERSON NEUBERG: Well, let's turn it over

1 to Roy. It seems like you have a comment as it relates
2 to our majority-minority districts.

3 MR. HERRERA: Yeah. So I guess a question for
4 clarification, is Commissioner Lerner asking for legal
5 counsel's thoughts on the VRA compliance as opposed to
6 Timmons'?

7 COMMISSIONER LERNER: Yes.

8 MR. HERRERA: Because if that is the case, then
9 my suggestion would be to go into executive session to
10 provide that advice. I think we could provide some of
11 that today, you know, for the Commissioners. I think
12 there's some additional analysis to be done as well, but
13 I think we are in a position to provide some advice.

14 CHAIRPERSON NEUBERG: If this is a logical
15 point to, you know, get some of that legal analysis, is
16 there anything from my colleagues that you'd like to ask
17 in the public session? And if not, I'm going to suggest
18 that somebody make a motion for the Commission to go
19 into executive session, which will not be open to the
20 republic -- public, for the purpose of obtaining legal
21 advice with respect to acquiring the resources
22 referenced in this update as it relates to understanding
23 majority-minority districts pursuant to
24 A.R.S. 38-431.03(A) (3).

25 If there's no further discussion, I will

1 entertain a motion to go into executive session.

2 COMMISSIONER LERNER: So moved.

3 VICE CHAIR WATCHMAN: Vice Chair Watchman
4 seconds.

5 CHAIRPERSON NEUBERG: Vice Chair Watchman.

6 VICE CHAIR 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, we will move to go into
16 executive session to get legal advice as it relates to
17 honoring our responsibilities with majority-minority
18 districts. And it's uncertain how long we will be. But
19 when we are back, we will look forward to continuing the
20 work with the public.

21 And what we would like to suggest is that
22 e-session will remain in this larger room. So for legal
23 counsel, Commissioners, everybody part of e-session,
24 please stay. And everybody else, please go to the food
25 room.

1 (Whereupon the proceeding is in executive
2 session from 11:13 a.m. until 12:09 p.m.)

3
4 * * * * *

5
6 (Whereupon the proceeding resumes in general
7 session.)

8 CHAIRPERSON NEUBERG: Welcome back. Welcome
9 back, everybody. Let's dive right back in.

10 We are in the midst of discussing Agenda Item
11 No. VII(B), the congressional map.

12 What we'd like to do before we break is to give
13 our mapping consultants some direction on further
14 movements of the lines. We just returned from
15 e-session, where we talked a little bit about legal
16 advice as it relates to majority-minority districts, and
17 so I think that also is maybe a topic that we can cover
18 before we have a recess in terms of giving direction to
19 our mapping team.

20 So if you can, mapping team, please bring up
21 the latest congressional district iteration, and we'll
22 begin to give you some feedback about direction.

23 MR. FLAHAN: We're also logging into WebEx
24 right now so we can share that out with the public. I
25 said we also are getting Brian logged into WebEx so we

1 can share it out too, so one second.

2 CHAIRPERSON NEUBERG: And just in terms of
3 overall schedule, Commissioners, I think a nice goal
4 will be to be able to use this time to give our mapping
5 team some direction as it relates to the congressional
6 map. And then I'm going to suggest that we go into
7 executive session. We're going to jump to Agenda Item
8 No. VIII(B), public records update. We do have some
9 updates with public records, and there are some issues
10 there that I think makes sense for us to discuss with
11 our legal team. And when that item comes up, I will
12 give the appropriate direction. And then after that,
13 we'll do lunch.

14 MR. FLAHAN: All right. We are ready when you
15 are.

16 CHAIRPERSON NEUBERG: I'd like to ask you in
17 terms of if there's specific lines of questioning that
18 would be helpful from us? I know from our perspective
19 one thing that I think we'd like to talk about is just
20 the VRA and honing in on first the congressional
21 districts and, you know, subsequently the LDs will also
22 be relevant. But, you know, I do think it's time.
23 We've been, you know, working with all six
24 constructional criteria. We want to make sure that
25 we're honoring the VRA and making the majority-minority

1 districts to the extent possible.

2 Can we look up the Hispanic VAP for the two
3 congressional districts and see what they are? My --
4 and see if it's possible to get those numbers up above
5 50 percent.

6 MR. D. JOHNSON: So it's really going to -- so
7 District 3, I believe, is already there. Yeah, like at
8 50.1.

9 CHAIRPERSON NEUBERG: Okay.

10 COMMISSIONER YORK: So, yes. So if you look
11 over in that -- yeah, you're right. District 3 is at --
12 it's at 50 percent there. So it's majority. District 7
13 is --

14 Oh, no, not that.

15 COMMISSIONER YORK: We want to see their
16 suggestions.

17 MR. D. JOHNSON: Citizen voting age.

18 MR. D. JOHNSON: Oh, okay.

19 COMMISSIONER YORK: Oh, you want to see the
20 Latino Coalition map numbers?

21 COMMISSIONER YORK: Is that right, Erika?

22 CHAIRPERSON NEUBERG: Well, I'd like to see
23 both. I mean, I'd like to see what we have. I mean,
24 I'm more concerned about --

25 COMMISSIONER MEHL: What we have. Yeah.

1 CHAIRPERSON NEUBERG: -- us ultimately in
2 honoring.

3 COMMISSIONER MEHL: Okay.

4 CHAIRPERSON NEUBERG: -- our requirements.

5 MR. D. JOHNSON: Yes. So the numbers we were
6 just showing is the Map 3.5, and it's 50 percent Latino
7 in the citizen voting age column for District 3 and 44
8 percent for District 7.

9 MR. KINGERY: And you want to see the two focus
10 districts that were submitted?

11 CHAIRPERSON NEUBERG: And so District 7 is a
12 little low?

13 MR. D. JOHNSON: Well, it's below 50 percent,
14 but it's well over in the performance category, so yeah.

15 CHAIRPERSON NEUBERG: It may be over in the
16 performance carry -- category, but I'm not sure that
17 that will fulfill our obligation.

18 COMMISSIONER YORK: Okay.

19 COMMISSIONER MEHL: Can we see a map of that
20 Tucson area to see where Hispanic population is that may
21 be near District 7 but not in it at the moment, if there
22 are Hispanic neighborhoods that are not yet in there?

23 MR. D. JOHNSON: There you go. So if you look
24 up at the top of the colored part of the map, you can
25 see the scale. So it's a little hard to read on the

1 screen, but can you read off what those are, Brian?

2 MR. D. JOHNSON: 0.2 is orange; 0.4 is yellow;
3 to 0.6 is the light green; and 0.8 to 1, basically 80 to
4 100 percent is the brightest green.

5 COMMISSIONER MEHL: So what is 50 percent or
6 more? Would it have to be light green to be 50 percent?

7 MR. D. JOHNSON: I can change that. The
8 automatic choices didn't break at 50, but he can set it.

9 COMMISSIONER MEHL: .5.

10 COMMISSIONER YORK: So now the yellows and
11 greens are majority; the reds are less than --
12 25 percent, is it? -- yeah, less than 25 percent, and
13 orange is 25 to 50 percent.

14 COMMISSIONER MEHL: And could we do the similar
15 thing looking at Yuma and at Santa Cruz County?

16 COMMISSIONER MEHL: Can we see more of Tucson
17 first? There you --

18 COMMISSIONER YORK: Yeah. So there's some --
19 now, the trick to be careful of with percentages is as
20 you know the area, so you can see the big yellow census
21 block that is not in District 7 -- yeah, right there --
22 that of course is the air base. So it's overwhelmingly
23 Latino, but there are very few people actually on the
24 airstrip. So when we're looking at this, we do want to
25 look for areas that have high percentages and

1 significant -- and large numbers of people.

2 Oh, there you go. Thank you. Perfect. Yeah.

3 So that's Tucson. There's a little bit that
4 could be expanded that's majority Latino in the -- shown
5 in the yellow and green areas, but not a lot.

6 COMMISSIONER LERNER: I'd also like you to go
7 up to the Phoenix area and go to Tolleson, where they
8 originally requested. I mean, I am going to continue to
9 talk about this. I know that we may not all be in
10 agreement, but there's 1.3 million Latino population in
11 the Phoenix metropolitan area. And what we're basically
12 saying is we're going to have one Latino district if we
13 don't include a piece of Maricopa County. So I'd like
14 us to go back to that portion and do the same thing that
15 we did down in Tucson and take a look at the area in
16 Tolleson and Avondale, just the area that was part of
17 that district area, that sliver.

18 COMMISSIONER YORK: Yeah. So the --

19 COMMISSIONER MEHL: Although,
20 Commissioner Lerner, I'd like to correct you that we do
21 have currently two Latino performing districts. It's
22 just we're looking to see if we can improve the one.

23 COMMISSIONER LERNER: Well, I'm -- and I'm --
24 my point is -- you're correct. My point is that we are
25 shortchanging the Latino population in Phoenix with

1 that. And I'm -- I'd like to just look and see what the
2 original Coalition had. Thank you.

3 MR. D. JOHNSON: It's on the screen. So this
4 is -- so this is -- the district line you see there,
5 again, in this map we have taken the Latino Coalition's
6 proposed District 3 and followed that. So that's the
7 boundary of the district. And in this case, everything
8 west of that is in District 9.

9 Can you zoom out a little bit so we can see the
10 top of District 3 there. There you go.

11 COMMISSIONER LERNER: So the question is
12 whereas you said in Tucson we couldn't really add a
13 whole lot of population to change that, what would
14 happen here in terms of bringing -- because we're
15 talking about potentially bringing that portion up.

16 COMMISSIONER YORK: Well, in that particular
17 diagram, Avondale doesn't meet the requirement of
18 50 percent. Avondale is in the orange color. Tolleson
19 is in the green color.

20 MR. D. JOHNSON: Right. Right. So we could
21 add those areas that are shown as kind of the -- the
22 old -- obviously we wouldn't be going for the
23 high-growth areas; we would be going for the older
24 neighbors that are heavily Latino in the Avondale,
25 Tolleson area, and those could go into District 3.

1 District 3 would then have to give up, you know, some of
2 the other population because it is balanced as we look
3 at it now. But it could give up over on the eastern
4 side where it's more red colored or in the north end
5 where it's not as dense. But there could be
6 trade-offs --

7 COMMISSIONER LERNER: If it went into
8 District 7, that's what we're looking at. I'm just
9 curious about when you went down in Tucson and took a
10 look at what would happen in terms of asking for
11 population, I'm curious about the same question if we
12 added back that portion that the Latino Coalition
13 requested in there, what would happen to that number?
14 We're now at that 44 percent. What would happen? Could
15 we be adding enough population of the Latino population
16 in there to increase that proportion is what I was
17 curious about.

18 MR. D. JOHNSON: Oh, yeah. So that would take
19 us back more or less to the 3.0 map. It would be about
20 46 percent. As Commissioner York noted, was it Avondale
21 or Tolleson isn't in the --

22 COMMISSIONER YORK: Tolleson is the predominant
23 community.

24 MR. D. JOHNSON: Yeah. One of them isn't in
25 the Latino CD map. The reason it's not in there in 3.0

1 is that it was in our old -- our 2 point whatever
2 version in District 3. And when we put in the Latino
3 Coalition map, that -- the Latino Coalition map pulled a
4 little farther east. So it obviously could be moved
5 into 3 or 7. We didn't leave it out on purpose for any
6 reason other than the difference between the two maps.

7 So 3.0 would get you to 46 percent Latino from
8 44. We can -- we can get the numbers on the Coalition
9 map and see what those would be.

10 COMMISSIONER YORK: What about the additional
11 population in Tucson you just highlighted?

12 COMMISSIONER YORK: Pardon me?

13 COMMISSIONER MEHL: What about the additional
14 population in Tucson that was just highlighted in green?

15 MR. D. JOHNSON: We can certainly take a look
16 at putting that in. In all likelihood, we could add
17 that in and then District 7 could either give up --
18 where District 7 is right now, following the -- or I'm
19 sorry, the District 6/District 7 border is following the
20 river, we could, you know, pull that district farther
21 west up close to the river where it's red and pull the
22 border father east down where it's yellow and get those
23 kind of south Tucson neighborhoods. So that's --

24 COMMISSIONER MEHL: I think the better place to
25 pull out of District 7 or take out of District 7 would

1 be -- Santa Cruz County actually is very Hispanic on the
2 west and south. But there's a big swath of Santa Cruz,
3 not a lot of people, and Santa Cruz has been split
4 historically in the past. So I would look at taking the
5 non-Hispanic portion of Santa Cruz out of 7. I would
6 relook at the Yuma portion of 7 because I think there
7 are some non-Hispanic neighborhoods that could be pulled
8 back out of 7 there. And also Sahuarita and Green
9 Valley could be pulled back out of 7 in order to help
10 balance. So those would be three places I would look to
11 pull non-Hispanic voters out of 7 to try to help the
12 percentage.

13 CHAIRPERSON NEUBERG: Yeah. I think the
14 sentiment of the Commission is to get up to 50 percent
15 without encroaching further in the Maricopa population
16 if possible.

17 COMMISSIONER LERNER: I actually do think we
18 need to go up into Maricopa. I do want to get to close
19 to 50, but I am not there saying that -- my feeling is
20 that we do need to get into part of Maricopa. And,
21 again, I look at it as a population issue there too,
22 that we're sort of -- in my mind we're arbitrarily
23 saying that we don't want it to go into Maricopa County,
24 but it does impact the Latino voting strength in
25 Maricopa County. So I do want to get as close to 50 as

1 we can, realizing we may not get there. But I am
2 still --

3 VICE CHAIR WATCHMAN: And can we go back and
4 look at Tolleson. Is --

5 COMMISSIONER YORK: We have yet to look at
6 Yuma. Maybe we take a look at Yuma?

7 VICE CHAIR WATCHMAN: Okay. Can we look at --
8 Tolleson is in --

9 COMMISSIONER YORK: District 9.

10 COMMISSIONER LERNER: -- 3?

11 MR. D. JOHNSON: It is in District 9 currently.

12 VICE CHAIR WATCHMAN: Okay. I think I recall
13 something where they want to be included with the
14 southern district, which would be 7.

15 MR. D. JOHNSON: That's where they are
16 currently. I don't recall the specific testimony. Just
17 you remember it --

18 COMMISSIONER LERNER: Yeah.

19 COMMISSIONER YORK: You know more about the
20 testimony than I do.

21 COMMISSIONER LERNER: Yeah. Okay.

22 COMMISSIONER YORK: But, yes, currently --

23 VICE CHAIR WATCHMAN: Well, I guess what I'm
24 saying is that -- is that Tolleson could be a good
25 addition to D-7.

1 COMMISSIONER LERNER: Yeah. I think in the
2 Latino Coalition letter, the mayor of Tolleson was a
3 part of that saying that they would like to be a part of
4 that map, out of -- and part of District 7. So I know
5 there's been why are we putting it up there, but the --
6 actually the mayor requested to be part of that in
7 Maricopa County, as part of District 7, which is
8 probably part of why they were placed in there. So we
9 have -- we have the mayor requesting to be a part of it,
10 and we're saying we're going to remove it because we
11 don't want them going in there when they are actually
12 asking to be part of that particular district.

13 COMMISSIONER MEHL: But did I understand it
14 right that that's -- that is not a Hispanic area, so
15 that's actually going to hurt what we're trying to
16 accomplish.

17 COMMISSIONER YORK: No.

18 COMMISSIONER LERNER: No, I don't --

19 COMMISSIONER YORK: It's primarily warehouse
20 district. But the issue also becomes then compactness
21 and how do we make the district look proportional.

22 And I'd still like to see Yuma, Yuma County.
23 What's that look like, Brian? Okay.

24 MR. D. JOHNSON: Yeah. So there's -- there's a
25 little bit of kind of heavily Latino neighborhoods in

1 District 9 that could go up to come into District 7.
2 Not a -- but right now pretty much the whole densely
3 populated part of the kind of old city of Yuma is
4 already in 7, but there's a little bit that could be
5 added in.

6 COMMISSIONER YORK: Yeah.

7 COMMISSIONER MEHL: But if there are any parts
8 of the densely populated that are non-Hispanic, it would
9 help if they were removed, if they were -- if that
10 didn't goof up --

11 COMMISSIONER YORK: I don't know how you'd do
12 that.

13 COMMISSIONER MEHL: -- contiguity and all that,
14 so --

15 MR. D. JOHNSON: Yeah. Yeah. You can kind of
16 see that here with the red areas over on the right-hand
17 side of the screen, that's kind of the newer
18 construction parts of Yuma. Those could be swapped out.

19 COMMISSIONER MEHL: Yeah. If you can take
20 those out, then that's going to help.

21 COMMISSIONER LERNER: I will say I think we
22 have to resolve this one issue because I think we're not
23 going to find that percentage that we need -- or that
24 we're looking for, I should say, by -- it is great to do
25 a little bit here and a little bit there, but we're

1 basically talking about I think Maricopa County and
2 representation of the Latinos in Maricopa County, that
3 piece that's in there. So the fact that they requested
4 to be part of it to me is an important factor. It's not
5 just an arbitrary let's throw them up there, but they
6 said we want to be a part of that district, District 7,
7 that they feel aligned as a community -- aligned as a
8 community of interest and they feel connected as a
9 community of interest with that district, with the
10 people in that district, which is why they requested to
11 be in there. So it's not arbitrary; it is because of
12 their alignment in terms of their community.

13 CHAIRPERSON NEUBERG: Would it be possible --
14 would it be possible, Doug, to summarize, basically put
15 this into two choices, pros and cons, and then we'll
16 make a decision?

17 MR. D. JOHNSON: So I guess the question would
18 be one of two options. One would be to take 3.5 and
19 work in Yuma and in Santa Cruz and in Tucson, and we can
20 look in Pinal as well and see if there are changes that
21 can be made to -- as I'm understanding the request, to
22 bring that District 7 up to over 50 percent Latino while
23 following neighborhoods and things like that.

24 COMMISSIONER MEHL: At least as close as
25 possible.

1 MR. D. JOHNSON: Yeah. And see how close we
2 can get without reversing the decision to come into
3 Maricopa -- or up into the west valley, I should say,
4 because we do have Gila Bend.

5 The other -- sounds like it would be -- the
6 other side of the request or separate request I guess
7 would be to more go back to the D-7 in 3.0 and put
8 Tolleson into it and make adjustments and see if that
9 gets to 50 percent.

10 And I don't know if we are hearing both of
11 those requests or what was the other --

12 COMMISSIONER YORK: Sounds correct.

13 COMMISSIONER LERNER: I'd be comfortable with
14 us looking at both of those requests.

15 Just as a point, I'm looking at my notes,
16 Tolleson is about almost 78 percent Hispanic voting age
17 and Avondale almost 52 percent. So it would be
18 interesting for us to look at the -- that as part of it.
19 We're not -- again, we're kind of looking at a
20 population that could fit nicely in there. So I'm fine
21 with us looking at a couple of different options, but
22 again going back up into the -- into Maricopa County.
23 And part of it is again completing those rural districts
24 in many ways. We're looking at District 9 heading in
25 there as well.

1 CHAIRPERSON NEUBERG: I want to -- I want to be
2 careful that we don't capture Goodyear and Avondale and
3 suck it into D-7. I mean, I just think, you know --
4 okay.

5 MR. D. JOHNSON: Yeah. I think that's part of
6 the thing. I think as we shift D-7 to get into the
7 Tolleson areas that in earlier versions were in D-3 but
8 now are not, we would try to give up the high growths
9 Buckeye, Goodyear areas.

10 COMMISSIONER LERNER: Exactly. Yeah. We're
11 really just thinking of the older areas, not the high
12 growth, not the Buckeyes.

13 COMMISSIONER YORK: Well, if you -- if you
14 follow the river and stay to the -- east of the river,
15 you get the older part of the areas, but I'm not -- the
16 population grab there is going to mess up the map in
17 other spots. And so we have to be cognizant of that
18 also.

19 CHAIRPERSON NEUBERG: Can you please highlight
20 again for me the exact area that it would tap into
21 Maricopa County according to Commissioner Lerner's
22 preference? I want to see that area.

23 MR. D. JOHNSON: It's roughly Map 3.0.

24 COMMISSIONER YORK: Well, no. 3.0 is way more
25 into Maricopa County than I think we're talking about.

1 COMMISSIONER LERNER: I actually -- we -- I
2 think we'd have to just take the Latino Coalition map
3 maybe and overlay it onto 3.5. Could we do that?
4 Because that would -- should -- that's what -- that's
5 what I have here that I'm looking at in terms of the
6 differences, and it might help us as we look at what the
7 Coalition proposed to see how it fits with the 3.5.
8 Because it also would help with looking at Yuma.

9 MR. D. JOHNSON: We're getting that overlay of
10 the Coalition's proposed congressional map.

11 There you go. Zoom in there, up on that
12 Avondale area. You're fine. Just keep zooming in on
13 that neck that goes up.

14 Yeah. Yeah. So what you're looking at, so
15 Brian has highlighted the -- there you go, perfect --
16 the city of Avondale. And the red arm is the
17 Coalition's proposed D-7. So you are getting Avondale,
18 you are getting a little bit east of Avondale. And then
19 going up, the top part of that above Avondale is western
20 Glendale. You can kind of -- you can make out Luke Air
21 Force Base, kind of odd-shaped census block, just the --
22 just in the blue at the top there. So you're getting
23 the west end of Glendale but not the Air Force base.

24 And I think is Tolleson -- can you highlight
25 Tolleson?

1 COMMISSIONER YORK: Tolleson is just to the
2 east of Avondale on I-10.

3 MR. D. JOHNSON: Yeah. There you go. Yeah.
4 Yeah. So they're picking up Avondale and Tolleson and
5 then small areas around it.

6 COMMISSIONER LERNER: But it's not taking in
7 Goodyear or Buckeye at all. Right?

8 MR. D. JOHNSON: Zoom out a little bit.

9 COMMISSIONER LERNER: Because I think that was
10 the intent, was not to take those in since those are
11 high growth areas.

12 MR. D. JOHNSON: Yeah. It's getting just
13 that -- the more recent Goodyear annexations in the way
14 south there. But, yes, the kind of currently populated
15 parts of Goodyear are not in there. And same thing with
16 Buckeye, it's getting right down to the edge -- it goes
17 up to the edge of -- the southern edge of Buckeye but
18 not into it.

19 COMMISSIONER LERNER: And then could you --
20 could you maybe pull out a little bit so we can see how
21 that looks? Because we were talking about Yuma and sort
22 of how it looks further south at the differences.

23 MR. D. JOHNSON: So why don't you turn off our
24 map. There you go. And zoom down in Yuma.

25 It's pretty similar down in Yuma. They have a

1 little bit of a loop, loop at the end -- more of a loop
2 there at the end than ours does, but fairly similar.

3 COMMISSIONER LERNER: I mean, if you don't mind
4 going east, I just want to have us get a picture of all
5 the differences that are between the two maps because
6 there's a few. There's another one that's along I-10, I
7 think, that they've included that is not included in --

8 MR. D. JOHNSON: In -- you're talking in
9 Pinal -- in Maricopa County or --

10 COMMISSIONER LERNER: No, no. Up. Sorry.
11 Over -- yeah, over closer -- if you head east, you'll
12 see along I-10 there seems to be some difference and
13 then over in Tucson as well.

14 MR. D. JOHNSON: Oh, yeah. Yeah. So that's
15 the --

16 COMMISSIONER LERNER: Go further east.

17 COMMISSIONER YORK: 10 goes to Tucson.

18 COMMISSIONER LERNER: South. There you go.
19 That part of it.

20 MR. D. JOHNSON: There you go.

21 So they also take all of Santa Cruz County,
22 just like 3.5 does.

23 Are we comparing to 3 point -- yeah.

24 Yeah. So they take all of Santa Cruz County,
25 but in Tucson you can see a slightly different border.

1 3.5 is following the river. They don't get quite all
2 the way to the river along the edge there. And then
3 they -- kind of actually like we were just talking about
4 down by Davis-Monthan Air Force Base, you can see the
5 orange there, that's their map picking up those areas
6 that we were just looking at.

7 COMMISSIONER LERNER: And then if you go north,
8 what's -- what's that area, that orange area? I'm just
9 trying to look and see what that includes. Oh, Arizona
10 City.

11 MR. D. JOHNSON: So -- yeah. So that's Eloy
12 highlighted. So it's -- they're picking up about half
13 the territory of Eloy, a little -- the foot of Casa
14 Grande, and then areas around it. Coming to the freeway
15 obviously.

16 CHAIRPERSON NEUBERG: So I think the question
17 is how do we fill out this majority-minority district in
18 a way that honors our constitutional criteria.

19 MR. D. JOHNSON: Oh, wait. Did I say that
20 backwards?

21 CHAIRPERSON NEUBERG: And I'm open to
22 arguments, thoughts from my colleagues about which of
23 these proposals resonate with you most and why.

24 MR. D. JOHNSON: And, Chair Neuberg, let me
25 just clarify. Sorry. I flipped it there.

1 So can you just put 3.5 on. Oh, no. Okay.
2 I'm right. Okay. So sorry. I wasn't sure which of the
3 two maps was going to Casa Grande, but it is the Latino
4 Coalition map.

5 Turns our off so you can just see their --

6 Yeah. Okay. It is. All right. Sorry. It is
7 the Coalition map that's going in -- over to the freeway
8 there in Casa Grande.

9 COMMISSIONER LERNER: So were we going to ask
10 for the folks to come back with two -- the two options,
11 one which was the part that was -- we were looking at
12 before and then adding back the Coalition map into this
13 and then we could compare?

14 CHAIRPERSON NEUBERG: That's fine with me if
15 there's consensus for that.

16 Are there -- before we break, are there other
17 areas that you'd like direction on so we can maximize
18 your time?

19 MR. D. JOHNSON: Oh, I guess there was a
20 discussion earlier about the south Scottsdale, kind of
21 rotating Districts 4 and 1. The team did figure it out.
22 If we pick up that area of Scottsdale that we were
23 looking at and put that into 4, then District 1 has to
24 come down to Apache, to Apache to offset that.

25 COMMISSIONER YORK: Yeah, but Apache is in --

1 sorry. Apache is in Tempe downtown. It's almost
2 Main Street, so I think that doesn't solve our
3 problem -- or doesn't -- is not a solution that is a
4 benefit.

5 MR. D. JOHNSON: Okay.

6 COMMISSIONER LERNER: Yeah. I don't know that
7 we need to make major changes in District 4 the way it
8 is. Because it seems to meet a lot of the things that
9 we'd been talking about prior to that.

10 MR. D. JOHNSON: Yeah. And the challenge in
11 shifting that part of 4 is the other -- if we don't
12 bring 1 down to Apache, the only other options would be
13 to bring 3 into 4 or 1 into the reservation. And both
14 of those are decisions that the Commission has -- or
15 instructions the Commission has given us earlier not to
16 do that. So if you're comfortable just leaving it the
17 way it is, we can do that, or be open to future ideas.

18 COMMISSIONER LERNER: Could you do me a favor
19 and if we take a look at District 2 and District 6, that
20 area to the south. Yeah. No. Further up. Sorry. If
21 you -- it's over by Casa Grande and -- well, I guess I
22 want to check and see on this map. I haven't had a
23 chance to take a close look because I hadn't been --
24 I'll be honest, I hadn't been focusing on it. I want to
25 make sure and see where the Ak-Chin and Gila River

1 Indian communities are located and be sure that they're
2 entirely in one district.

3 COMMISSIONER YORK: They're in District 7.

4 COMMISSIONER LERNER: They're --

5 MR. KINGERY: 7.

6 COMMISSIONER LERNER: Are they in 7?

7 COMMISSIONER YORK: Yeah.

8 MR. KINGERY: Yeah.

9 COMMISSIONER LERNER: Okay. Are they
10 completely in 7? That's what I just wanted to
11 double-check because I couldn't quite tell from the map.

12 COMMISSIONER YORK: Yeah.

13 COMMISSIONER LERNER: Okay.

14 MR. D. JOHNSON: Yes. That was the correction
15 we made in 3.0, is there was a little piece of Gila
16 River that was -- that was missed in an earlier change.
17 So the 3.0 map that this is based off of united them
18 both entirely in 7, and this maintains that. So they
19 are entirely in 7.

20 COMMISSIONER LERNER: Thank you.

21 CHAIRPERSON NEUBERG: I think this is a logical
22 breaking point. And this doesn't mean that we need to
23 be done with the congressional maps. My understanding
24 is that the mapping team will break, they'll work on
25 some of this direction. We have a little business.

1 Then we'll break. We'll reconvene in a couple of hours.
2 We'll do the legislative work. And if time, we can even
3 see your most updated congressional map so that we are
4 leaving today with a new frame in mind to build
5 tomorrow.

6 So if there's nothing else for our mapping
7 team, I will excuse you all. Thank you very much.

8 What time is it now? Should we say -- what's a
9 good time for reconvening for you? Is 2:15 good? Or
10 2:00? How much time do you need? 2:00? Okay. We'll
11 see you at 2:00.

12 COMMISSIONER MEHL: But are we going to go into
13 the legislative maps?

14 CHAIRPERSON NEUBERG: Yes, later. But right
15 now we're going to dismiss the mapping folks. Yes?

16 MR. D. JOHNSON: Yes. Exactly. When we come
17 back at 2:00, we'll move to the congressional map -- I'm
18 sorry, to the legislative map while the team probably
19 continues to work on making the changes you just
20 requested.

21 CHAIRPERSON NEUBERG: Thank you.

22 And I'm going to ask my colleagues and the rest
23 of the staff, if you don't mind, we're going to do one
24 other item of business before we also break. We're
25 going to jump to Agenda Item VIII(B), which is Executive

1 Director's report and discussion thereof. We're going
2 to discuss public records update.

3 After our mapping team leaves, I'm going to
4 suggest we go into executive session just to get an
5 update. It's been a while for us to be able to get a
6 sense of where we are in honoring the requests and our
7 legal obligations moving forward.

8 And so I presume while they are moving we could
9 actually move forward with that item. If there's no
10 further discussion, I'll entertain a motion to go into
11 executive session for Agenda Item No. VIII(B), public
12 records update, in order to -- which would not be open
13 for the public for the purpose of obtaining legal advice
14 to further implement and/or advance the legal issues as
15 it relates to public records pursuant to
16 A.R.S. 38-431.03(A) (3).

17 And with that, I will take a vote to go into
18 executive session.

19 Vice Chair Watchman.

20 VICE CHAIR WATCHMAN: Aye.

21 CHAIRPERSON NEUBERG: Commissioner Mehl.

22 COMMISSIONER MEHL: Aye.

23 CHAIRPERSON NEUBERG: Commissioner Lerner.

24 COMMISSIONER LERNER: Aye.

25 CHAIRPERSON NEUBERG: Commissioner York.

1 COMMISSIONER YORK: Aye.

2 CHAIRPERSON NEUBERG: Commissioner Neuberg is
3 an aye.

4 And with that, we will move into executive
5 session, along with our staff and our core counsel and
6 our transcriptionist as always.

7 (Whereupon the proceeding is in executive
8 session from 12:46 p.m. until 2:08 p.m.)

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13 ***"This transcript represents an unofficial record.***

14 ***Please consult the accompanying video for the official***
15 ***record of IRC proceedings."***

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C E R T I F I C A T E

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2
3 STATE OF ARIZONA)
4) ss.
5 COUNTY OF MARICOPA)
6

7 BE IT KNOWN that the foregoing proceedings
8 were taken before me, Kimberly Portik, Certified
9 Reporter No. 50149, all done to the best of my skill and
10 ability; that the proceedings were taken down by me in
11 shorthand and thereafter reduced to print under my
12 direction.

13 I CERTIFY that I am in no way related to any
14 of the parties hereto nor am I in any way interested in
15 the outcome hereof.

16 I CERTIFY that I have complied with the
17 requirements set forth in ACJA 7-206. Dated at
18 Glendale, Arizona, this 8th day of November, 2021.

19
20 *Kimberly Portik*
21 Kimberly Portik, RMR, CRC
22 CERTIFIED REPORTER NO. 50149

23 * * *

24 I CERTIFY that Miller Certified Reporting,
25 LLC, has complied with the requirements set forth in
ACJA 7-201 and ACJA 7-206. Dated at LITCHFIELD PARK,
Arizona, this 8th day of November, 2021.

26
27 *MCR*
28 Miller Certified Reporting, LLC
29 Arizona RRF No. R1058