ARIZONA INDEPENDENT REDISTRICTING COMMISSION

Thursday, August 25, 2011
12:09 p.m.

Location

Holiday Inn Commerce
777 North Pinal Avenue
Casa Grande, Arizona 85122

Attending

Colleen C. Mathis, Chair
Jose M. Herrera, Vice Chair
Scott Day Freeman, Vice Chair
Linda C. McNulty, Commissioner
Richard P. Stertz, Commissioner
Raymond F. Bladine, Executive Director
Kristina Gomez, Deputy Executive Director
Buck Forst, Information Technology Specialist
Joe Kanefield, Counsel, Ballard Spahr
Jean-Jacques Cabou, Osborn Maledon

PREPARED BY:

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Certified Reporter
CR No. 50637
CHAIRPERSON MATHIS: Good afternoon.

This meeting of the Arizona Independent Redistricting Commission will now come to order.

The time is 12:09 p.m.

Today is Thursday, August 25th, and let's start with the Pledge of Allegiance. So if you will all please rise.

(Pledge was recited.)

CHAIRPERSON MATHIS: Great. It's good to see so many members of the public here today. Thank you for coming.

We've got a big agenda today, as usual, and we'll be getting to that shortly.

Let me do roll call first.

Vice Chair Freeman.

VICE CHAIR FREEMAN: Here.

CHAIRPERSON MATHIS: Vice Chair Herrera.

VICE CHAIR HERRERA: Here.

CHAIRPERSON MATHIS: Commissioner McNulty.

COMMISSIONER MCNULTY: Here.

CHAIRPERSON MATHIS: Commissioner Stertz.
COMMISSIONER STERTZ: Here.

CHAIRPERSON MATHIS: We have a quorum.

And other folks around the table today, our legal counsel is Joe Kanefield today.

Our mapping consultant, Willie Desmond.

We have other staff members here. Chief technology officer, Buck Forst; Stu Robinson is our PIO; our executive director, Ray Bladine, over here; Kristina Gomez, our deputy executive director. And anybody else from staff that I'm missing?

We have a court reporter, of course, as always, taking -- recording of the entire proceedings. So during public comment, when you come up, please be sure to spell your name for the record so that we get an accurate accounting and be sure to speak directly into the microphone when that happens.

I think those are all of the introductions.

So we'll move into agenda item II, which is Hispanic Coalition for Good Government presentation and submittal of Congressional and Legislative maps.

And I believe that Mary Rose Wilcox will be coming up first. She's already there.
MARY ROSE WILCOX: Yes.

CHAIRPERSON MATHIS: Cochair Hispanic Coalition for Better Government from Maricopa County.

MARY ROSE WILCOX: Thank you very much, Madame Chairman, members of the Commission.

CHAIRPERSON MATHIS: We can't hear you very well.

MARY ROSE WILCOX: Is it on?

Okay. Can you hear me?

Thank you very much, Madame Chairman, members of the Commission, for letting us come before you.

We feel that our presentation today will be one that will be very interesting and one that we hope can add a lot to your work as a Commission.

First of all, I would like to say the Hispanic Coalition for Better Government is a cross-section of people who have come together from throughout the state of Arizona to offer our version of a map that we think will fulfill the Voter Rights Act and federal guidelines.

We would like to say that the maps that you will be seeing today have been previewed by MALDF, the Mexican American Legal Defense Fund, who
as you know, is a premiere Hispanic law throughout our country who for the last three decades have been in the redistricting battles that have gone on and have always put voter rights and federal constitutional guidelines front and center.

We are happy to say they have endorsed our maps.

We, again, are made up of a cross-section of voters. You will see many of us today. We have approximately eight presenters. We are going to try to keep within the time frame. We ask your indulgence in case we go a little over and we will be available for questions.

We ask that you hold the questions until the end because we have a pretty concise presentation and we want to make sure we can fit everything in. And then we'll be open to anything you want to ask us.

Again, before I start, I am going to be talking about District 4 and I have a map up here, if I can work this.

We have a map with District 4 and also District 7. We will have speakers speaking on District 7, but I'm going to concentrate on District 4 at this point.
Let me first of all say -- here it is.

District 4 sits in the heart of Maricopa County. This district should be created and it meets all federal constitutional requirements, including compliance with the Voter Rights Act.

This district meets equal population. It is 60 percent Hispanic and the map arrives close to the needed 710,244 residents. I think it's about 200 people short.

It has contiguous boundaries. As you can see, it is very much compact and contiguous.

Natural boundaries are the northern part, which is Northern Avenue and the historic Glendale area, 7th Avenue and Bethany Home. And as it comes down, the historic neighborhoods are tied together in CD4.

We also have -- the eastern portion is the city of Phoenix Central City Village and we also have the town of Guadalupe. And then we come into the South Phoenix area where we have South Mountain as a border, the Laveen Villages. And we go up to the west side and have Tolleson and we also have Maryvale, Estrella, and Alhambra Villages.

As you can see, these are all natural boundaries that make it very, very much compact and
Let me talk about some of the shared transportation corridors. We have Grand Avenue, which cuts through the heart of the district connecting Glendale with the central city. It stops at 7th Avenue and Van Buren.

The corridor is very used by many people to come on into the center of the city. We have I-10 and we also have the Hohokam, which people use as transportation corridors to traverse the area. They are natural boundaries that tie our whole communities together.

We also have the city of Phoenix, we have 15 urban villages and villages that are contained are contained wholly in Maryvale, we have Estrella Village, we have the Laveen Village, we have Alhambra, Encanto, we have Central City, and South Mountain. All of these villages out to the 15 within the city are contained entirely within our populations.

The city of Tolleson and the city of Guadalupe are also fully contained in District 4.

Voter history within this district is strongly similar and strongly united, unlike neighboring communities outside of the proposed
Household income levels are very similar. There is a most -- for most part -- a working class low to middle income level district with a population that has less than 30 percent bachelor level education and with the majority of the population that has less than 60 percent with a high school diploma.

Our education facilities are very, very much shared by the whole district. We have South Mountain Community College with its satellite centers of Laveen and Guadalupe. We have Phoenix College -- Phoenix Community College. We have Estrella College to the west, which many people transverse to. We have the whole Phoenix Union High School District contained in our area. The Alhambra High School District. We have many of the elementary school districts wholly contained in here. Very few of them go outside of our boundaries.

We also have a common culture. Many of the peoples who live in District 4 generated in the central city and they have migrated just outside the central city core and their children are not living in Laveen, in South Mountain, 44th Street corridor.
They are living up in the Glendale area.

So you have a community that socializes together very, very much, culturally contained together. We have social events where you have families coming in to the central city to visit parents and to visit grandparents. So it is an area that meets, we feel, all of these populations.

Once again, we feel that District 4 meets all of the constitutional federal requirements and the Voter Rights Act. Again, our population is 60 percent Hispanic and we feel in drawing this map, this is what we can accept as a majority/minority district.

I also would like to talk a little bit about District 7.

District 7, which will be further explained by Chairman Richard Elias of the Pima County Board of Supervisors, comes into Maricopa County and it ties in similar communities of Goodyear, El Mirage. It ties into the cities of Goodyear, city of Buckeye, Cashion, Western Phoenix, and Avondale.

And what it does is it comes up this corridor, and this corridor has always been the home for many of the farm-working families. In fact,
there's a cemetery right in the middle of it where many of them have relatives who have been buried.

Again, many of the older people live on the western edge. Many of their children have migrated into the towns of Avondale and Goodyear, the newer population centers, but there is a contiguous historical connection.

I'm not very good at this red line. So I'm sorry if you're getting a headache with it, but I think what I would like to impact is that District 7, even though a portion of it will be very, very farther to the south, the portion that is in Maricopa is very contiguous to a shared culture that we appreciate, particularly among the farm-worker families.

District 4, in concluding, is, again, probably one of the most compact districts you can find and the rich cultural heritage is contiguous throughout the district with many, many families of sharing roots from Tolleson to Guadalupe to our northern, eastern, and southern boundaries.

With that, let me turn it over to Chairman Richard Elias of the Pima County Board of Supervisors.

RICHARD ELIAS: Thank you, Supervisor
Wilcox, and thank you, Commission, for allowing me
to come. Madame Chair, I appreciate the few minutes
that we have here to share with you today.

I am Richard Elias. I represent District
5 on the Pima County Board of Supervisors. We have
kind of a gaggle of county supervisors that are
coming here to talk to you all today. So we are
pleased and proud to do that.

The map that I'm going to speak about is
what is now Congressional District 7. And this map
has a population deviation of .02 percent with only
110 additional people needed to meet the goal of
710,224 people per Congressional district.

This map is considerably more compact
than the current minority/majority district known as
CD7 while still ensuring that the current district's
Hispanic majority will retain the ability to elect a
candidate of their choice. It has an HVAP number of
53.38 versus the current district HVAP of 50.03.

So moving into the central region of
Arizona, and we have a number of communities here in
this region that are included in our map, including
Picacho, Eloy, South Eloy, Toltec, Toltec South, and
Arizona City as well as native communities such as
T-Bird Farms, Stanfield, Hidden Valley, ChuChu, and
Ak-Chin.

These communities really create a corridor into that West Valley that Supervisor Wilcox just described and are the linchpins that really connect Pinal and Pima County and those western edges of Maricopa County to each other. So they are critical to us.

Next we move into Pima County, and that's really the largest Hispanic population base for this proposed district.

We have the combined Hispanic communities of the west and south side of Tucson and the southwest areas of Metropolitan Tucson as well. And it's aligned with the more naturally -- more racially mixed areas of midtown.

And there's some logic behind all of that, really. Ultimately, those areas are closely connected to those areas to the south, both through connections through some of our school districts, as you'll hear from another one of our speakers, but also the University of Arizona has continued to spread to the south with the biosciences center going in at 36th and Kino, and additionally the United Physician's Health Care Hospital at Kino now, which is being taken over by UA Healthcare as we
speak.

So there's a huge connection going down that Kino/Campbell corridor to the south that really connects those midtown neighborhoods which traditionally have been a strong link to those Hispanic neighborhoods to the west and south.

This map also links areas of Amado, Arivaca, and Tohono O'odham Nation up to the west and really provides a gateway down that Santa Cruz Valley corridor that's really so important to many of these communities as they continue to grow and feel pressure along the way there.

They are finding commonalties more and more and more between each other. And so it makes a great deal of sense to follow along the Santa Cruz River Valley and connect those communities in many ways.

Heading down into Santa Cruz County, Santa Cruz County is a majority Hispanic County. So we really need to make sure that their ability to elect a candidate of their choice is assured. Including them in this map is really the best way to ensure their rights granted by Section 5 and 2 of the Voting Rights Act.

In addition, along the way there heading
south we've included the communities of Carmen, Tumacacori, Patagonia, Sonoita, Rio Rico and really the arts community of Tubac as well.

Then heading out to the west in the western boundary of Yuma County, the western boundary is obviously the Colorado River with the southern boundary being the United States/Mexico border.

The Hispanic neighborhoods of Yuma, Somerton, and San Luis are included in our map. Growth in Yuma County has really changed that area significantly. And it's afforded the community an opportunity to increase its representation in Congress while maintaining the Voting Rights Act issues for those Hispanic communities in the area.

Placing these communities in a larger Colorado River district will really disenfranchise those Hispanic neighborhoods in Somerton and San Luis and the Hispanic areas of Yuma as well.

These are communities that share the same school system, they share the same churches, they go to the same funeral parlors when they suffer the loss of a loved one in their family. So it's important to remember that.

I was talking to a friend of mine who is
from Somerton just the other day and he was saying that when they would prepare to go out to the Yuma mall out there on the east side of town, it was like a road trip. They wanted their mom to make sandwiches for them. So that's a considerable distance from them and really shows how there's a community of interest there within Somerton and San Luis.

So with that I would mention also that as a fifth-generation Tucsonan and seventh-generation Arizonan, very proud to be here in front of the Arizona Independent Redistricting Committee and quite pleased and proud of the work that you all do. I know it's a serious challenge, but I think in these maps you'll find a proper roadmap to meeting Section 5 and Section 2 of the Voting Rights Act. And ultimately, I think that will help us get to the issue of competitive districts for the Congressional districts in the state of Arizona.

I believe our next speaker is going to be Melena Barajas.

Oh, Peter Rios. I'm sorry. I forgot, one of those supervisors. There's so many of us that it's hard to keep them straight.
PETE RIOS: Good morning -- or good afternoon. I think this is probably the third time that I've been before the IRC, and I thank you for your indulgence.

I am a cochair of the statewide minority coalition. I also serve as the chairman of the Pinal County Board of Supervisors, and this is my third rodeo when it comes to redistricting.

I did have the pleasure, I guess I'll say, of serving in the State Legislature in the '90s when the Legislature did redistricting and reapportionment.

I also had the pleasure of serving with the first Independent Redistricting Commission in the 2000s. I was also in the State Senate at the time and now I have the privilege of serving with you all on the new redistricting and reapportionment for 2010.

In the 30 years that I've been in elected office, I have found that there are some commonalties, because I'm speaking to the CD7 map, and there's some commonalties and similarities in minority population in rural areas and minority population in urban areas. And one of the things
that I have found is a common thread, because I represented areas like Apache Junction, Gold Canyon that considered themselves urban and part of East Mesa and the East Valley more than rural.

I represented in the '80s parts of Tucson that was clearly urban at the time. And I've represented communities like Dudleyville, Kearny, and San Manuel and Eloy that are clearly fairly rural, but one of the common threads that I have found in representing minorities whether they are in urban or rural areas is education. K-12 education regardless of where you live seems to be an extremely important issue not only just for minorities but obviously people in general, but there's a huge focus not only on K-12 but community colleges and university funding because people want their young to be able to get a better education and move ahead.

Health care issues, common thread in CD7, rural or urban, doesn't matter. Jobs, economic development, people want to bring home a paycheck to be able to pay the mortgage, be able to clothe their kids to go to school. So that's a big issue.

Culture, family values, language, and tradition, doesn't matter if you're in Winkelman,
Arizona, or if you are in Tucson. Those are things that are very important to Latino families.

And in conclusion, because they only gave me two minutes, let me say that I hope, and I know that the IRC in coming up with majority/minority districts in CDs will look at the Constitution, one man, one vote. I know that you all will look at Section 5 of the Voting Rights Act because those are two things that have to be the guiding principle for you all.

I remember spending time at U.S. Justice in the '90s dealing with these very issues. I remember in 2000 dealing with the Justice Department on some issues because the IRC had moved some things around that they didn't approve of, rejected the plans, they were not precleared.

But at the end of the day, I think if you take those two things into consideration, you will find that CD7 meets those requirements.

There is some people that want to speak, too, and should speak to competitiveness, and there's no reason, no reason why we all can't comply with the constitutional requirements, the Voting Rights Act, and then also consider competitiveness.

But the way this has been drafted,
clearly it's to meet the requirements of the Voting Rights Act.

And I thank you for your time. And if you have questions, we'll be available later.

MAGDALENA BARAJAS: Good afternoon. My name is Magdalena Barajas. I'm the clerk of the Sunnyside Unified School District governing board.

I'll spell my name for the record. It's M-a-g-d-a-l-e-n-a, B, as in bravo, a-r-a-j-a-s.

Our district represents nearly 18,000 students, 85 percent of them are minority students. The majority of those are Hispanic Mexican and the next group is Native American.

83 percent of our students are on free and reduced breakfast and lunch meals. Our students really do look like the majority of students sitting in southern Arizona classrooms and many of them will be of voting age within a decade.

During my service at the school district, I'm very proud of many of our initiatives including our nationally recognized Project Graduation Initiatives, our college academy for parents. These are initiatives that have improved our graduation rate and improved our postsecondary enrollment rate.

One of our major partners in
accomplishing some of those goals is the University of Arizona. Not only do they support us in those programs but additionally they support us on issues of health, public health, and health disparities which are unfortunately of really something that ties our urban and our rural areas in southern Arizona, i.e., the issue with diabetes.

And we -- at our school district and districts throughout southern Arizona, we really like to emphasize our relationship with the University of Arizona. We like to build awareness of its programs, its campus, and really focus on the opportunities that higher education and this institution in particular can afford to our families.

Like many of our families, I'm a first-generation American. In fact, I'm an immigrant and I love this country and I've been committed to service from a very early age.

I graduated from NAU and I served at the State Senate nonpartisan staff on the K-12 and the higher education committees. And after that I decided I wanted to return to Tucson and serve my community support, improving K-12 education and support development -- developing leaders among my
peers.

So at age 21, I moved back to Tucson. I bought a house within the Sunnyside School District and I chose that district not only because it's the community that reared me, but because I really felt that I wanted to live in a community with people with whom I could culturally identify, my neighbors and my partners are people whom I share values and also people who vote like I vote.

Legal districts really are key to offering my community an assurance, not just the possibility, that we'll be able to elect candidates of our choice who represent our values. Legal districts will also allow other young leaders such as myself to at some point be able to represent those very districts.

And thank you very much for your service.

ARNOLD PALACIOS: Good afternoon. I am Arnold Palacios, P-a-l-a-c-i-o-s, and I have served the Hispanic community in Tucson and Pima County and southern Arizona in education and employment training programs for close to 40 years.

I was the past cochair of the Council for Hispanic Affairs of the Diocese of Tucson. I'm presently in a leaders group of the Pima County
Interfaith Council.

And I wanted to say that we looked at the map that was presented to you for southern Arizona and it is a good starting point as you continue this work in the establishment of the majority/minority Congressional district for our area.

And I would like to take the opportunity to invite you, and I know that you reach out to the communities, to reach out to the faith-based communities in southern Arizona, specifically the Hispanic community and visit with us and be there for presentations to -- as you continue your work.

The southern part of Arizona is linked by tradition, by culture, by history, and by language that links Tucson and Santa Cruz County and Yuma and Douglas and it links also the history of our workforce with working in the mines and in the fields and even now in -- presently in technology and all of those are interrelated and we are a strong community of interest and I think what's presented to you today really helps to support you in developing a Congressional district that will respect and honor the Voting Rights Act and also ensure that the voice of the Hispanic community is heard in the future and that they can elect people
that will truly represent them.

And I thank you for your time. I'm pleased in your work. Come down and visit. We would like to see there in Tucson.

Thank you.

ALONZO MORADO: Good morning. My name is Alonzo Morado. It's A-l-o-n-z-o, and Morado is M-o-r-a-d-o.

I was born in Eloy, Arizona, and raised in Tolleson on the west side of Phoenix and then I spent my whole adult life in Tucson.

And one of the things that I have done is I have worked in that compact district called District 7 that we are presenting to you all over the place from the border of Nogales to Somerton and San Luis and Yuma area.

And in being from Tolleson and stuff, I know the whole Avondale area and my father owned a gas station in Buckeye. And it just happens that what I represented and where I hung out and stuff like this is this district. But there's more to that district than just that compactness that it is.

My family was migrant farm workers and that's why I was born in Eloy. I was nine of the ten kids. I was born there in Eloy and stuff. We
went to the Tolleson area because we worked in the migrant fields all over Tolleson.

And, you know, the district represents a lot of those migrant workers and stuff.

We went into the urban areas because we got educated. And so now we live in the urban areas but that rural area will never leave us. And that community and the Tucson community and that west side Phoenix is very representative of this district that we've -- that we are presenting to you. And that has been represented by the current representative and stuff.

So that compactness is extremely important for us because we want to make sure that what we present is something that's compact but not compacted with a bunch of Latinos and we want to make sure that we are not even -- that we are not split up in so many ways that we don't have that good representation.

Thank you.

REYES MEDRANO, JUNIOR: Good afternoon. Madame Chair Commissioner and commissioners, my name is Reyes Medrano. I'm the City Manager, the City of Tolleson. I'm also a proud native of the community. I've had the privilege of serving it for the last 20
I've also had the distinct pleasure of serving for Mayor Adolfo Gamez. Some of you may know him. He's been on the council for the last 30 years, although he could not be with us today, he asked me to share an excerpt from a letter that he sent the Arizona Legislative Latino Caucus regarding this very issue.

He states the city of Tolleson was incorporated on March 1929. Since it's incorporation and before, the city of Tolleson residential population -- Latino representation population has accounted for more than 50 percent of its populous. Today that number has grown to 80 percent.

We are a very well-established community with a clear vision and that is a direct result of the representation we've enjoyed -- the consistent representation we've enjoyed for the last almost a hundred years. We were actually founded in 1912.

He goes on to say that true equality mandates that Tolleson remains in a single district with West Phoenix, Glendale, South Phoenix, Guadalupe, and Central Phoenix because of the universal interests, views and characteristics they
share. Specifically the best example I think of that consortium is Tolleson and Guadalupe.

We remain small by design. We are very active with each other, helping each other when grants compete for different opportunities. More recently we helped Guadalupe recruit a grocery store. We understand the needs -- our universal needs.

As I stated, Tolleson specifically remains small for a reason. In our general plan, it states specifically, "maintain a small-town character," which is primarily Latino, as I stated, "while creating economic development opportunities."

And we've managed to achieve that balance. Today we are still about -- we're actually 6500 people within six square miles.

We've been able over the last 25 miles to recruit 30 Fortune 500 companies. We have a distribution center or a manufacturing facility in Tolleson. That equates to over 20,000 jobs in a six-square-foot mile area.

And we have been able to do that simply because of the representation we've enjoyed. We believe that the proposed map for CD4 that the coalition is offering not only maintains that
representation but it enhances it and gives us an opportunity to do even more extraordinary things and maintain the balance of our community.

With that, I thank you for your time.

CHAIRPERSON MATHIS: Mr. Medrano, do you mind spelling your name for the record?

REYES MEDRANO, JUNIOR: Sure. I'm sorry. First name R-e-y-e-s, last name M-e-d-r-a-n-o. And I am Junior. I do not want to be confused for my father.

CHAIRPERSON MATHIS: Thank you.

MARY ROSE WILCOX: Although his father was involved in the last redistricting.

Steve Gallardo, State Representative, could not be here. He was called away to the State House.

But in closing, what he was going to share with you is this coalition is a very active one. In the last two redistrictings, many of us were involved. We helped and served as a resource to the IRC. Last time around we set up meetings in churches and schools with nonprofits throughout our areas and social organizations and veteran organizations. We offer that again as a resource.

We know the Department of Justice will
look to see what kind of outreach that's been done, and we can serve that need in coordination with you all.

So we offer that to you. We also offer you a very rich history. Many of us fourth-generation, fifth-generation Hispanic, some first generation, such as Magdelana, we are very concerned that these maps get drawn so that they meet federal regulation and more importantly, the Voter Rights Act.

With that, I would like to invite Richard and Pete up and we will take questions.

I also want to let you know that we will be presenting Legislative maps. We are not quite prepared for that, but we hope to within a few -- really a couple of weeks perhaps present the Legislative maps at that time.

CHAIRPERSON MATHIS: Thank you. Any questions from other commissioners?

VICE CHAIR HERRERA: Madame Chair.

CHAIRPERSON MATHIS: Mr. Herrera.

VICE CHAIR HERRERA: I'm really interested in the area of current District 7 -- CD7 that takes up Yuma.

Can you tell me the border, where it
ends?

CHAIRPERSON MATHIS: Would you all --

RICHARD ELIAS: Are you asking where it ends on the northern part?

VICE CHAIR HERRERA: On the northern -- correct. Thank you.

RICHARD ELIAS: On the northern part, we go up to Avenue A, County Road, which is 14th Street, Avenue 1E and County 16th Street is what we have as well heading up Avenue 5E up to 14th and Street -- 14th and a Half Street. Excuse me.

CHAIRPERSON MATHIS: Mr. Elias and others, do you mind just stating your name before you speak, only that the recorder can get the right --

RICHARD ELIAS: Oh, I'm sorry.

This is Richard Elias, Pima County Supervisor, District 5.

VICE CHAIR HERRERA: What I had asked our mapping consultant, Strategic Telemetry, to do was to draw a river district, this is in one of our what-if scenarios. The river district takes Lake Havasu and Bullhead City and parts of Yuma ending at around Pacific Avenue and the County Road 14.

So County Road 14 approximately
north/south divide and then Pacific Avenue
approximately east/west divide.

RICHARD ELIAS: Okay.

VICE CHAIR HERRERA: If that's the case, you know, if it ends there, then the new district, which would be Grijalva -- currently Grijalva's district, would that be -- how would you -- what would you think of that scenario?

RICHARD ELIAS: Well, I think that's something that ensures that those people in Somerton and San Luis at least have a chance to hear their voice -- have their voice be heard in CD7 and not be included with people that really are very different from them in the northern areas of that district that you just described, sir.

VICE CHAIR HERRERA: Sure. I was born in San Luis. I'm very familiar with the Yuma area and I feel that there's a good chunk of Yuma that is highly Latino population that would benefit from being in CD7. So I just wanted to clarify that.

RICHARD ELIAS: Absolutely. Thank, you sir.

CHAIRPERSON MATHIS: Thank you.

Other questions on this proposal?

VICE CHAIR FREEMAN: Madame Chair.
CHAIRPERSON MATHIS: Mr. Freeman.

VICE CHAIR FREEMAN: In your presentation -- thank you your presentation -- and you mentioned the percentage of Hispanics within these two proposed districts.

Can you also give us the voting-age percentage of Hispanics for the two proposed districts?

MARY ROSE WILCOX: We can leave you a chart. I don't know if we have a percentage. I think we have numbers. We will submit this to you. Right now we have percentages.

60 percent, as I said, in District 4. 53 in District 7. The voter age -- we would have to provide those to you.

Oh, yes. Mary Rose Wilcox, Maricopa County.

We would provide those to you. We used those in our analysis, so we will get it sent to you immediately.

VICE CHAIR FREEMAN: And thank you, and I have that -- the material you gave us at the last Commission hearing.

And you mentioned that these proposed districts would be compliant with Section 5, you
believe.

   Have you all performed the -- we were
told at our last hearing by Mr. Adelson, he spoke of
the necessity of performing a -- the racial
polarized voting analysis for the districts.

   Has your coalition performed that form of
analysis?

MARY ROSE WILCOX: We are going to be
looking at that. We are going to have to bring
somebody aboard border to do that. We know that's
very, very important, so we will be providing you
more material as we get it.

VICE CHAIR FREEMAN: Thank you.

RICHARD ELIAS: I would add -- this is
Richard Elias, Pima County Supervisor -- I would
also add that I think the polarization issue is
becoming more clear in the latter part of the decade
that we've just left right now.

   And that's why I think we really need to
have a survey completed in order for us to fully
understand how polarized Arizona has become in part
because of immigration issues but also just the
needs of Arizonans and the income disparities that
exist throughout our state have caused us to
increasingly become more polarized. So I think it's
critical to your work in the future.

VICE CHAIR FREEMAN: Thank you.

MARY ROSE WILCOX: What we are finding --
Pete is going to come to you -- but what we are
finding, it's very different from the last time we
redistricted. Many events have taken place in
Arizona from 1070, some of the tragic events that
have taken place in Maricopa, particularly around
immigration issues. So that's why we feel we have
to bring on a polarization expert.

PETE RIOS: Pete Rios, Pinal County.

Even though the statistics for polarized
voting have not been presented, what we have
presented to you all is a baseline that complies
with the Voting Rights Act. And we are hoping that
that is what you take into consideration, because I
think this goes a long way in meeting the
requirements of the Voting Rights Act.

And I know that Mr. Adelson, because he
has worked with Pinal County, separate issue than
here, but he has identified some areas in Pinal
County that have polarized voting. I'm not sure
that any of those have been included in this
particular CD7.

CHAIRPERSON MATHIS: Questions from other
VICE CHAIR HERRERA: Madame Chair.

CHAIRPERSON MATHIS: Mr. Herrera.

VICE CHAIR HERRERA: I have I've said it before that I think we can meet the Voting Rights Act requirements and still make competitive -- as many competitive districts as possible.

I want you guys to talk about that because I think that that can happen. And there's been a lot of conversation that people that -- some people that have addressed the Commission to talk about the Voting Rights Act without addressing competitiveness and the importance of competitiveness.

Could you guys talk about that?

MARY ROSE WILCOX: I think we're all common on it. We believe in competitiveness, but we believe first you must meet the federal constitutional guidelines and the Voter Rights Act.

We believe that in these two maps that we are presenting, that you could obtain competitiveness throughout the state using these two maps.

PETE RIOS: Pete Rios, Pinal County.

I did address that at the end of my
presentation. I don't see any reason why we cannot have the two majority/minority districts and still have competitiveness because there's -- we're going to nine. There's still seven others where we can bring in a lot of competitiveness in those particular areas.

But I've been around this block a few times, and I know what the Justice Department is going to ask. And they are going to be looking at retrogression. That is going to be one of the key words, because I've been confronted with that in the past.

And we have to show that we did our due diligence in ensuring that that did not take place. That is why we are presenting a couple of baselines for CD4 and CD7 to start with. But that doesn't mean we can't do competitiveness in the other districts because right now we are meeting -- we have to meet constitutional requirements and the Voting Rights Act of 1965.

RICHARD ELIAS: Richard Elias, Pima County.

I think Supervisor Rios is absolutely correct. Retrogression is a big issue for us all here in this state and we don't want to see that
happen.

But again, competitive districts and meeting the needs of the voters in CD4 and CD7 as they were presented to you and complying with Section 5 of the Voting Rights Act, creating competitiveness districts are not mutually incompatible.

In fact, I think that we add to it. I think that we've created districts that are concise and compact and I think that will help you in putting together other districts that are more competitive while maintaining and not retrogressing on the commitment that we made to minority voters here in the state of Arizona.

VICE CHAIR HERRERA: Madame Chair one last question.

I think some of you attended -- I know that Mr. Rios has attended some of the public hearings. I know, Ms. Wilcox, you've done the same thing. And we've had some people present, individuals representing themselves or possibly other organizations, that speak -- that their first concern is meeting the Voting Rights Act. And these individuals, just in my opinion, typically don't -- with the exception of redistricting, they really
I don't care about minority issues other than when it comes to redistricting and possibly wanting to pack Hispanics into as few districts as possible.

I guess can you address that concern to making sure that you're not aligned with those types of individuals because, to me, that's a major concern of mine and I want to make sure that the Hispanic community addresses that.

PETE RIOS: Pete Rios, Pinal County.

I think we all walk a fine line when we look at packing or cracking. And if you're going to pack a whole bunch of minorities because you want to dilute other districts, Justice Department is going to pick up on that. And if you crack districts and take minorities out because you want to make that particular CD competitive, Justice Department will pick up on that.

So we do walk a fine line because of those two concepts.

MARY ROSE WILCOX: But I think the fact that MALDF has endorsed these maps goes a long way to show that we are not violating packing, you know, at all. I think these maps show that they are fair, they meet the federal guidelines, and the Voter Rights and they still allow other areas to be
competitive.

I cannot speak to other people, but our coalition is a very good cross-section of Hispanics from throughout the state of Arizona. But we don't represent everybody, so if somebody comes up, you know, who presents maps, these are the coalition's maps and I believe we are the greater percentage of Hispanics concerned for good government.

RICHARD ELIAS: Richard Elias, Pima County:

I would also add that in my presentation I talked about Pima County being really the largest Hispanic population base in CD7 as described in our map but I also took the time to mention those midtown neighborhoods that really are very different ethnically from other parts of CD7 that include intensely Hispanic neighborhoods, especially in Pima.

And I think it speaks well that they've been included because they really do create a community of interest surrounding the university and its needs.

But if you look at it, you'll also understand that the commonalities that they share with people on the west side and south side are
there and that helps us move away from that issue of packing and being real about what exists in our community today.

MARY ROSE WILCOX: Just a little addition. Mary Rose Wilcox, Maricopa County.

The Justice Department found these numbers compatible last time. These were the numbers that they really accepted last time and that is what we based a lot of our findings on.

CHAIRPERSON MATHIS: Questions from other commissioners?

Ms. McNulty.

COMMISSIONER McNULTY: Madame Chair, I do have a question.

Buck can't believe his eyes. Doesn't work again.

I'm curious about your comment, Ms. Wilcox. What happened with the baseline over the last ten years in these areas and how has the Hispanic population grown and changed?

And you mentioned that you will be a resource for us going forward. This is extremely helpful information.

How can we best communicate with you to better understand kind of the nuts and bolts that
made this up and how you arrived at the baseline and
how MALDF came to its conclusion and what issues
they looked at that we should also be cognizant of
as you develop this work?

MARY ROSE WILCOX: Well, let me speak to
District 4 particularly.

We know our areas very well, and the
Central Phoenix area -- again, Mary Rose Wilcox,
Maricopa County -- the Central Phoenix area was the
hub of Hispanic population. It has grown and our
to the northwest and east.

And what we tried to do in doing
communities of interest is keep account of the
growth of our community. And our community is still
very family orientated. We have generations of
families who still live in the same areas. And as
their children migrate out, we brought in those
areas to contain them.

We would be glad to set up meetings for
you with various groups. We would be glad to bring
in MALDF and have them go over their justification
for this map. You just have to contact us.

You can contact me -- we'll leave
business cards -- Richard in the Tucson area, Pete
in the Pinal County area, and we will bring together
community groups so that you can, you know, bounce
some of these ideas off of them.

But we do think it's important that MALDF
come in, if you would be willing to do that.

We -- because many of us are elected
officials, nonprofit groups who represent the
communities, we feel we know our communities very
well and can explain to you communities of interest,
patterns in our community, familial patterns that
will help explain how they are kept contiguous
together.

PETE RIOS: Pete Rios, Pinal County.

I recall the last IRC committee doing a
lot of outreach in the Latino community,
specifically holding public hearings with CPLC,
Chicanos por la Casa, both in the Valley, in the
Tucson area, also including other nonprofits like
the Friendly House, Villa Del Sol and getting input.
Because, again, Justice Department will be looking
at the IRC and trying to identify what kind of
outreach you did for those protected classes.

But the last IRC did do that and I think
that's what Supervisor Wilcox is basically
offering -- the minority coalition can be a resource
in helping you set up those meetings.
RICHARD ELIAS: Richard Elias, Pima County Supervisor.

I think the other thing that's crucial that we add into this discussion, and I appreciate your question, Commissioner McNulty, is that there's been a proliferation of Spanish language media over the last ten years that is a good place to help us get our word out and those press releases and information about the Commission's work is crucial.

That has not only happened in the area of television but also print media as well, and, of course, the long-term tenure of Spanish language radio has been an important connection to our community is still there and still alive and still used very often by many people.

I just dedicated a song to my wife this weekend.

CHAIRPERSON MATHIS: Thank you.

Other questions?

VICE CHAIR HERRERA: Madame Chair.

CHAIRPERSON MATHIS: Mr. Herrera.

VICE CHAIR HERRERA: I don't have a question to ask, just thank you guys for being here and presenting these maps. And I'm looking forward to seeing your maps on the Legislative side. So
thank you.

MARY ROSE WILCOX: Thank you.

CHAIRPERSON MATHIS: Any other questions before --

COMMISSIONER McNULTY: I want to ask what song, but I won't.

MARY ROSE WILCOX: We will then get you all of our e-mails and we'll -- points of contact in all of the counties.

CHAIRPERSON MATHIS: Mr. Bladine can coordinate that.

Mr. Stertz.

COMMISSIONER STERTZ: Madame Chair, I do have a question for probably Mr. Elias or anybody on the panel.

The development of these maps, how many iterations have you gone through to get to the maps that you are now representing?

RICHARD ELIAS: We've gone through countless iterations really since February of these maps and worked hard at being as fair as we could and taking into account what are the real communities of interest in these neighborhoods, in these districts, in these counties, in these Legislative districts as well.
I think all of those things have been taken into account and we've tried to be as careful as we could in doing that.

COMMISSIONER STERTZ: There was a discussion that was brought up regarding a polarization database that you are trying to pull together.

What is the -- who crafted it, who is doing that, and how is that data being called together?

RICHARD ELIAS: We have not done that yet but we are prepared to make sure we hire somebody to be able to do that polarization study as well.

COMMISSIONER STERTZ: And what is the intent, what would be the baseline data sets that you would be looking for?

RICHARD ELIAS: I think it's important to note, as I said earlier, what has been the effect over the last several elections, particularly in the last half of the decade that have impacted Latino populations. Significant Legislative issues and national issues have really served to polarize many of the people here in southern Arizona as well as throughout Arizona.

So we're trying to look at it from a very
broad perspective in that regard as well, sir.

But ultimately, people are very frustrated, they are hurt, and at times our community feels isolated and frustrated with the fact that we haven't been able to come to terms over very important issues like immigration while our population suffers and while anger continues to rise.

We see people like my father, who is seventh-generation, working-class man whose hands are crooked from the work that he's done all of his life. And two years ago we were out shopping for a stovetop and we couldn't get anybody to serve us in four different stores in Tucson because it didn't look like he was the kind of guy who was going to spend money, but he had a thousand dollars cash in his pocket to buy that stovetop that morning.

MARY ROSE WILCOX: Let me just add, we need to do the polarization to make sure that our baseline is right. And it may need to go up because of the terrible events that have happened over the last half of this decade. So we need it. We need to protect really ourselves so we can continue leadership into the next decade.

COMMISSIONER STERTZ: Madame Chair, this
might be a question for Mr. Rios, based on your history with the -- with this process.

There has been, and maybe you can give me a bit of an explanation about the voter turnout in Districts 4 and 7 and how they -- how you could see the reduction in voter turnout as it relates to the rest of the state and how we could keep from -- there was a recommendation given or discussion at the meeting or question made to Mr. Adelson regarding the perception of packing due to a lower voter turnout historically in majority/minority districts.

I would like you to give me some comments and your thoughts on that, please.

JOSE DE JESUS RIVERA: Jose de Jesus Rivera.

I am also with this Commission. They rarely let me speak, but I think will let me speak on this one.

You know, I was here when the comment about lower voter turnout was -- this has been an issue that's been litigated throughout the United States, and it's a false issue. It's a false issue, especially in minority districts because the reason you have perceived lower voter turnout is because
many of the people that are registered to vote at that point -- that are in that district may not be citizens and they are counted as nonvoters. Many of the people that are in these districts are under 21 and they are not counted -- they are counted as a nonvoter.

There has been a significant amount analysis by a number of experts that was present 20, 30 years when I first met Peter, we both had black hair, and 20 years ago when I was on the Commission and now it's -- people talk about voter turnout. It doesn't show what people reflect. It's not a voter turnout issue, it's a reflection of what your population is in that district.

And if you look at voter turnout in these minorities and you define it the way I've just defined it, you'll find it's not significantly lower than other districts.

COMMISSIONER STERTZ: Thank you.

CHAIRPERSON MATHIS: Ms. McNulty.

COMMISSIONER MCNULTY: Madame Chair, I guess I have two questions.

The benchmark data that we were provided for CD4 is 57.45 and for CD7 is 50.23 percent.

You'll be able to help us. How you did the analysis
to come to a different conclusion?

And let me ask a completely unrelated question so you can answer them both at the same time.

One thing that seems important to me is that all of these traditional communities along the border in what is now CD7 or in this area that you are describing have been there for centuries and they include not only Hispanic families but also Native American families.

And I wonder how your group is working with them on these issues. So two completely separate questions.

MARY ROSE WILCOX: Let me take the first one.

Yes, if you would like to host an event in our communities, we will be bringing the map drawers and the people who participated in all of the input and give you our analysis of that. We also provided it to the Commission, but we would do much better if we would have a community outreach meeting and talk to you about what we took into consideration.

RICHARD ELIAS: And down in Pima County we have had a number of different meetings with the
native tribes and members of the tribal council that have understood what process is going on and had some input into it. And traditionally we have very good relationships with our friends -- I as a County Supervisor in particular with Chairman Norris of the Tohono O'odham Nation and Peter Yucupicio, the chairman of the Pascua Yaqui tribe.

CHAIRPERSON MATHIS: Questions from anyone else?

Okay. Supervisors Elias and Rios and Wilcox, thank you very much for the presentation today and thanks to your coalition members for all coming and making statements as well. We appreciate you telling your story.

VICE CHAIR HERRERA: Thank you.

MARY ROSE WILCOX: Thank you.

CHAIRPERSON MATHIS: I think we might have a couple comments from the public. I know I have one request to speak form and if there is anyone else who needs to fill one out, please do so, with regard to this particular agenda item. So those are the only ones I'm talking about covering right now.

So David Cantelme from Fair trust.

DAVID CANTELME: Thank you, Madame
Chairman.

David Cantelme from Fair Trust. My last name is spelled C-a-n-t-e-l-m-e, and I'm from Cave Creek, Arizona.

I would like to say that we, of course, to do our due diligence, will want to study these maps and the information that went behind them, but I do want to say and emphasize very strongly as I have many times before this Commission, that we support the concepts that this group of citizens have brought forth to you. We support entirely and wholeheartedly the concept of no retrogression.

We also support and respect the Latino heritage and culture and communities of interest in the state with which we are very familiar.

We want to add, because I didn't hear much discussion of it, and perhaps it was just inadvertent. We also, of course, urge compliance with Section 2, which must be complied with just as much as Section 5.

We strongly urge you to accept Supervisor Wilcox's offer of outreach. I think that's a wonderful idea. And the more input you can get from the communities, I think the better off you are.

But we also want to dispel any notion,
any suggestion that we are Johnny-come-latelies to
the notion of the Voting Rights Act. I personally
supported it in 1981 and litigated it in 1981. I
supported it again in 1991. I supported it and
litigated it in 2001 and support it wholeheartedly
now 30 years later in 2011. And hopefully there
will be no litigation about it.

Mary Rose and I have been friends for
over 30 years. I supported her in her first race
for city council and later races that she made.

Jose Rivera and I have known each other
for more than 30 years. So any notion that this is
a put-up or anything less than sincerity is just not
true. It's false.

Thank you so much.

CHAIRPERSON MATHIS: Thank you.

This gentleman would like to speak, too,
on this topic.

And if you could spell -- say your name
and spell --

GREGORY C. SCHULLER, SENIOR: Gregory C.
Schuller, S-c-h-u-l-l-e-r, Senior.

I am part Native American and it looks to
me like what our presenters have given you is
diluting the minority/majority districts. And I
believe that that is totally out of the question.

You came up with, the last time you were here and voted on the grid map option two, giving three districts to the border. I believe that's the way to go. I believe the border needs three districts. We need the representation in Congress on the three districts.

And to have that split up like it was shown here on District 7, to me, was ridiculous. I mean, you've already cut up Pinal County so much that it's no longer a contiguous county, so to speak.

So keep in mind the majority -- minority/majority districts is what we should be striving for, not majority/minority, either way.

Thank you.

CHAIRPERSON MATHIS: Thank you.

And I think that's all the --

VICE CHAIR HERRERA: Madame Chair.

CHAIRPERSON MATHIS: Sorry, Mr. Herrera.

VICE CHAIR HERRERA: What I would like to do is on the issue of the two-border districts, I also proposed them in my draft map. I would like to see one of the -- just briefly, if one the -- whether it be Mr. Rios or one of the -- Elias would
talk about why the two-border districts as opposed to the three, from your perspective. I would appreciate hearing that.

RICHARD ELIAS: Well, along the border -- Richard Elias, Pima County Supervisor.

Along the border we have significant community of concern. Again, as much we certainly don't want to find ourselves splitting up the Tohono O'odham reservation, which is the second largest reservation in the United States. It's larger than the state of Connecticut unto itself and has a unique set of issues that have been well-represented over the last ten years in CD7.

As far as the other part of the state, Santa Cruz County, Cochise County, those are areas that really have long-term communities with long-time families that have been together there and have shared those communities of Palominas, of Hereford, of Sierra Vista, Bisbee, Elfrida, McNeal, Douglas, all of those are communities where families have lived and intermarried and understand each other and really worship in the same churches and share so much of their the rich diverse history together that it's important that they be represented by the districts that we put together.
for you in these proposed maps.

Santa Cruz County is a majority Hispanic county. One of the only ones here in the state -- well, it might the only one here in the state of Arizona. Again, it needs to be represented as a part of CD7.

VICE CHAIR HERRERA: Madame Chair, one quick question.

What would it mean for your organization, the people you represent, if we did create three or maybe even four-border district?

RICHARD ELIAS: I think we would find that those communities that I just described that have long-time histories that have worked together and have families that have lived together will find them split up, will find themselves split up and their voting power diluted.

So that's exactly the kind of retrogression that we need to avoid.

VICE CHAIR HERRERA: Thank you so much, sir.

RICHARD ELIAS: Thank you.

CHAIRPERSON MATHIS: Any other comments? Mr. Stertz.

COMMISSIONER STERTZ: Supervisor Elias,
I'm sorry for having you play musical chairs here, sir.

RICHARD ELIAS: I could use the exercise.

COMMISSIONER STERTZ: I just wanted to continue to go down that path of that -- if you would find a way that there could be no breaking up of Santa Cruz and Cochise in the communities that have been tightly aligned together and no breaking up of -- the reason I think this question has come up is because when we did our public hearing down in Yuma, there was a lot of public opinion about trying to create -- not to break Yuma in half as a community, that Yuma as a city would want to stay together, and the -- that's where some of this is evolving from.

If you could create a mechanism and a design which kept those communities intact, am I hearing that you are not opposed to breaking the border into three different districts or having three different representatives on that border, just that we should be cautious, careful and prudent in how we assemble so that we don't break you particular communities, neighborhoods, cities, et cetera?

RICHARD ELIAS: As the maps -- Richard
Elias, Pima County.

The maps that we presented you today were put together that way after much talk and working together since, like I said, February on this issue creating alternative maps. And really two districts is the optimal way of doing that because those people in those communities of Somerton, San Luis, and the Hispanic neighborhoods of Yuma find themselves with a legacy of being disenfranchised from the rest of the community.

And I think it's important that their voice be heard and they be assured the right to having a minority representative in Congress.

So I think that's critical for them over there in Yuma as well as the statements that I made about the rest of the border a minute ago.

COMMISSIONER STERTZ: Madame Chair, let me just continue on that.

Some of the comments that were made in Yuma were paralleled by some of the comments that were made when we had presences in Tucson as well, that the people that were in Tucson didn't feel that they had a lot of commonality with people that were living in Yuma and people in Yuma didn't have a lot of common interests with people living in the center
or midtown of Tucson.

Could you explore -- was there ever a consideration of looking at those two groups being broken up into -- Yuma staying intact and Tucson, et cetera, staying intact during your February to August analysis?

RICHARD ELIAS: I think it's very similar to what Mr. Morado said in his presentation about these communities in the central part of Arizona.

We have many community leaders there in Tucson that come from the Somerton, San Luis area. In fact, we have an affectionate name for them that, you know, that there's this gang of Somerton Mafia people that collect there in Tucson. That's only a joke.

Truly --

COMMISSIONER STERTZ: Did you want us to turn the camera off?

RICHARD ELIAS: One of our city council people in Tucson is from Somerton, a number of other community leaders also come from San Luis and Somerton and they made that journey to attend the University of Arizona primarily as a part of their educational process.

And they have grown to love Tucson, but
they maintain their roots with those same communities back in Somerton and San Luis in particular along the lines of faith-based communities as well. These are people who worship again at those same churches. They take their children back to Somerton and San Luis to receive their sacraments. There is a positive connection between those communities that exists in the Latino community that is palpable and real.

COMMISSIONER STERTZ: Thank you.

VICE CHAIR HERRERA: Madame Chair.

CHAIRPERSON MATHIS: Mr. Herrera.

RICHARD ELIAS: If I could just add that there's also a number of service providers here in the state of Arizona, Chicanos por la Casa, which is one of the original seven. CDC in the United States has offices over there in Somerton and Tucson as well as about 20 other communities here in Tucson. So that service provision also ties a lot of business connections to both that region of western Arizona and Pima County.

COMMISSIONER STERTZ: Thank you.

VICE CHAIR HERRERA: Mr. Elias, before you leave, Madame Chair, I couldn't agree more with your comments. I went to school with one of your
city council members at Kofa High School, so there's a lot of commonality, and I appreciate those comments, but if I can make a correction or a recommendation.

When you mention the areas of Somerton and San Luis, you are forgetting Gadsden, which is a small little town that --

RICHARD ELIAS: My apologies.

Absolutely, sir. I stand corrected.

VICE CHAIR HERRERA: Thank you.

CHAIRPERSON MATHIS: Thank you.

Any other comments before we leave this agenda item?

Okay. We'll move to agenda item III, which is --

LYNNE ST. ANGELO: Madame Chair, I have a card.

CHAIRPERSON MATHIS: Oh, I'm sorry. Lynn St. Angelo, I have a request to speak form.

LYNNE ST. ANGELO: I'm Lynne St. Angelo, L-y-n-n-e, S-t, period, A-n-g-e-l-o, from the current LD26. And I just want to say something about what was said.

On the Secretary of State's website, if you look at voter turnout, that voter turnout is
based on a percent of registered voters. It is not based on children or people in the area. It is based on a percent turnout of registered voters only.

I realize the Commission has drawn the grid maps based on only two of the six criteria, equal population and compact and contiguous and that you are now adjusting the grid maps for the Voting Rights Act criteria.

The maps we developed, and I will turn them in on the blue form, take the grid map and also satisfy communities of interest as expressed by public input. Competitiveness, conforming to geographical features and respecting city and school board district lines.

They also make the maps more compact than the current grid map while still satisfying the equal population.

On the new grid map, LD26 becomes LD11 and part of LD9. In the drawing, the grid map uses Oracle Road as a dividing line on the east until it hits 1st and then makes a jog up half of Rancho Vistoso Boulevard.

These holes in the grid map may have been how the program grabbed the census tracts. But the
reality is that this cuts the town of Oro Valley in half. It also makes a long skinny finger up the east side of Oracle Road along the Catalina Mountain Range that sticks out of the pink, the LD9, which is the pink color on your grid map and is virtually unattached from the pink LD9 because of the mountains. If you don't, just cover it with the pink color that show the mountain is there.

On the east side of Oracle Road nestled against the Catalina Mountains are many Oro Valley housing developments and the town of Catalina.

By using Oracle Road as the dividing line instead of the Catalina Mountains, the grid map cuts Oro Valley in half also along 1st and Rancho Vistoso Boulevard. A development we call Sun City is now outside of their school district and city boundaries. This could also just be cleaned up.

Here are our suggestions. First take Marana from the coral LD3 and give it to LD11, which is a tan color. Take Casa Grande and Coolidge from the tan LD11 and give them to the coral LD3. This keeps Casa Grande together instead of splitting it in half and keeps Marana, which is one mile away from Oro Valley at the closest point together with towns on the northwest side of Tucson.
Second, clean up the east side of the LD11 by using Catalina Mountains as the dividing line which would put Oro Valley completely inside LD11 and put little the town of Catalina in LD11 also instead of in LD9.

Give LD9 the south end of LD11 from either Miracle Mile south to Grant or from Prince south to Grant, whichever demarcation line balances out the population.

Anything below the river is really Tucson and so not a community of interest with northwest Tucson.

Areas now in LD9 that also could go into LD11 as communities of interest are Oracle all the way to San Manuel. They are also separated from the rest of LD9 by the Catalina Mountains, just like Oro Valley is kind of cut by the Catalina Mountains also. That's the dividing line for those communities as well.

This balances out the populations keeping towns close to each other in the same Legislative districts like Casa Grande with Arizona City and Coolidge and Marana and Catalina with Oro Valley. These areas are already competitive districts, especially when you drill down to the city council
levels as Mr. Adelson suggested.

At that level, Marana and Oro Valley city council has and have elected Independents, Democrats, and Republicans. All three groups are represented at the local level as well as having the Legislative district switch hands in the recent past.

We are looking forward to the Maptitude program getting up and running online so that we can also adjust the maps that we have drawn and make sure that all of the criteria are met.

Thank you for allowing me to present these maps that were adjusted by hand because the mapping program is now offline and cannot be used to do this tweaking.

CHAIRPERSON MATHIS: Thank you.

Any other comments on agenda item II? We'll be moving to agenda III, citizen presentations and submittals of Congressional and Legislative maps.

And I have a number of request to speak forms for this particular agenda item, so feel free to fill one out if you have one as well. The first person is Daryl Melvin from City of Flagstaff.
And to remind everyone to spell your name into the microphone and be sure to try to speak into the microphone, too.

Thank you.

DARYL MELVIN: Good afternoon, commissioners. I appreciate the opportunity to speak with you today.

My name is Daryl Melvin. Last name is M-e-l-v-i-n.

And if I could, chair, I have with me the city manager for the City of Flagstaff. We filled out two separate cards but we are speaking on the same topic. So if I could have him go first --

CHAIRPERSON MATHIS: Sure.

DARYL MELVIN: -- and introduce the maps and the discussion and I can follow him.

CHAIRPERSON MATHIS: Sure. So this is Kevin Burke, city manager from Flagstaff.

KEVIN BURKE: Yes, ma'am. Thank you. Again, Kevin Burke. Last name is B-u-r-k-e.

I'm going to just hand out -- I know we've got it on the screen, but just in case --

Well, first let me start by thanking you for the work that you are doing. I know you are
doing some extremely important work for the state of Arizona and doing it with almost no gratitude. So I think you've actually found a position that gets less gratitude than the collective bargaining negotiators. So well done on that accomplishment.

With that said, I did want to convey a bit of disappointment from the Flagstaff/Coconino communities.

I know that we had what I understand is the greatest turnout of any community in the first round of outreach, and unfortunately, and these happen to all of us, we had a mix-up and no commissioners present.

So we would -- again, I think both on behalf of the City of Flagstaff, on Coconino County, and on behalf of the Navajo Nation, we would like to invite the Commission back to Flagstaff for a mapping meeting.

We think that that is a most appropriate discussion point to have the -- you know, being the first one on the second round really doesn't accomplish -- when you have such an engaged community as we do. And with that many folks willing to take time out of their schedule to participate, we think that that would be the
appropriate interactions.

So we would like that. And, you know, not to mention it's only 84 degrees today. And I know you're wondering when is the heat wave going to end, but we will be back to 78, 80 by the end of the week.

We are good hosts, please come. On to the business.

We have a couple of items here and Flagstaff has been very engaged since probably January of this year in really working to help the Commission accomplish its job.

In order to do that, I think we can only do that by working within the confines that IRC is working. We did diligently stay within that enabling Legislation and subsequent court decision.

What you will see is that while we don't have something quite as powerful as the IRC, we have been very careful to stay with census tract data and data from city clerk -- or the county clerk's office to make sure that we are giving you real numbers here.

So I'll start with the value statements.

City of Flagstaff values a redistricting outcome that is first and foremost compliant with
the Voting Rights Act of 1965 and does not regress
in its representation of Native populations in
northern Arizona. Maximizes competitive districts
across the state and includes Flagstaff in such a
district.

We value placing Flagstaff in a district
whose communities share our same transportation,
economic, higher education, governance and natural
resource interests, such as forest health and water
issues, and we value placing the greater Flagstaff
area in a single Legislative district.

Values are all good but how does that
translate?

The next page -- actually if you can
flip, there was a spreadsheet that -- yes, I
apologize. It's a little more difficult to read on
the screen, but I won't go through every item but I
do want to hit a few of those here.

We did try to take each and every
criteria, provide some objective criteria -- or
objective subcriteria to that and then establish a
threshold. That's what you see on the left-hand
side of that spreadsheet, with the thresholds on the
district.

You then see a scenario -- and it says
scenario 3. We've been through quite a few, so I apologize. It probably has no meaning in this forum.

But that is the scenario that we are putting forth for your consideration and that is primarily focused on Legislative districts and then you'll see the Congressional district on the far right-hand column of that spreadsheet.

But going through that, and again focusing on the Legislative district, the first criteria, the Voting Rights Act. Again, in Northern Arizona, that means preserving a minority/majority population in Legislative District 2 -- or today had is Legislative District 2, and that is dominated by Navajo and Hopi tribes.

The City of Flagstaff looked at the entire Northern Arizona area in trying to accomplish the IRC objectives. And so certainly if that one is at the top and a mandatory issue, the City of Flagstaff supports maintaining that 63 percent native population threshold and any regression from that would be problematic.

The City of Flagstaff is supportive in trying to keep that district intact at 63 percent or higher.
Obviously, we address the equal populations, but I wanted to get into the discussion of competitiveness.

The City of Flagstaff, as you heard in our value statement, is interested in competitive districts. This division of Northern Arizona creates two competitive districts. Legislative District 1 and Legislative District 5.

So if you come down on that criteria sheet to item 4, you'll see that when we started our initiative, our goal was 5 percent difference between registered Democrats and Republicans. We haven't quite achieved that in all districts, but in LD1 we are at 6.2 percent and in LD5 we were at 2.5 percent. So again, this division creates two competitive districts.

You also can see that we measured competitiveness also from recent elections with both the governor's race and the attorney general's.

In the governor's race, there was an 11 percent differential. In the attorney general's race there was a 7.4 percent differential in Legislative District 1. Looking at Legislative District 5, was extremely competitive and 5 percent difference for governor and 2.6 for attorney
general.

So again, I think we helped accomplish that competitiveness goal, again, strictly looking at the legislative districts.

The last piece on Legislative districts and then I'll move to Congressional districts, is the communities of interest. And we've identified five different categories or criteria for that and I'm not going to go into each one, but certainly some of the obvious communities of interest happen to be the mountain areas, the border town aspects.

There is an association that you may not be aware of called the Greater Arizona Mayors Association. We have a lot of overlap associated with that with Legislative District 2. And so those are -- then obviously our ecotourism is very common throughout the map.

Switching to Congressional district, I think the easiest way to say it is this district has worked very well for Northern Arizona and for Flagstaff in particular.

If you look at Congressional Districts 1, eight of the last ten years the representative for Congressional District 1 has been in a majority party. So that has resulted in switching three
times.

That provides a great deal of return for not only the district but the state of Arizona because being a competitive district, being a vulnerable district each and every election gets the attention of Congressional leadership. When you have the attention of Congressional leadership, we tend to see more resources, more attention devoted to this Congressional district.

And for those reasons we think competitiveness is demonstrated to be very successful and very meaningful for the community.

The Congressional district that we are presenting is almost identical and, sir, if you can switch that map two-fold, one more -- nope, you had it. Thank you. That one.

So the northeast corner of the state shown by the white line, that is essentially Congressional District 1 as it stands today with two exceptions. One, the Hopi is now included in Congressional District 1 and approximately 65,000 population is removed from Pinal County on the southwest side of it.

So largely this is identical to what exists, and again, those demographics show that from
a competitive standpoint, just registered Democrats to Republicans, have a 4 percent spread. In the last governor's election, there was less than a 1 percent difference between the two candidates and for the attorney general's race, there was a 2.8 percent difference. So we have an extremely competitive district as it exists right now.

Those -- and if you could flip back one to Legislative district, I know that's harder to see, but you can see that is how Flagstaff has arranged the five Legislative districts to the north and we do come down quite a bit on District 5, but these are all rural districts that provide important representation for rural communities in the State House and we think that's a great value.

With that, I will answer any questions you may have or return to my seat.

But thank you again for your work. I know it's a difficult public service that you are doing and I appreciate it.

CHAIRPERSON MATHIS: Thank you.

Any questions for City Manager Burke or comments on his presentation?

COMMISSIONER STERTZ: Madame Chair.

CHAIRPERSON MATHIS: Mr. Stertz.
COMMISSIONER STERTZ: This is a well-studied process you have gone through.

KEVIN BURKE: Thank you, sir. We've spent quite a bit of time.

COMMISSIONER STERTZ: In your deliberations and the discussions with the Hopi Nation, was there discussion with the leadership of the Hopi Nation that led you to believe that they wanted to be included in this district?

KEVIN BURKE: They have communicated with us, and maybe I'll turn to Mr. Melvin because I think he's had those direct communications.

COMMISSIONER STERTZ: Thank you.

DARYL MELVIN: Commissioner, yes, we've been in discussions with both Navajo and Hopi. And in part of those discussions, Hopi did indicate through their chairman's office that they are agreeable to being in the same Legislative district as Navajo and Flagstaff.

COMMISSIONER STERTZ: Terrific.

And in the -- in the balancing of the districts, you've had an increase of HVAP in Legislative District 2, which is currently 58.99 percent increasing to 66.6 percent.

What drove -- was it just pure growth of
Hispanic population in LD2 or was there some -- I'm trying to pick up where the capture was.

DARYL MELVIN: If you look at the numbers that are shown in the Legislative District 2 for the Voting Rights Act, that predominantly is speaking to the Native American population.

COMMISSIONER STERTZ: Yes.

DARYL MELVIN: In our discussion with the Navajo Nation, they pretty much looked at -- if you can flip back to the Legislative map, you can see the Legislative district that includes Navajo now, too, includes also the Hualapai Nation which goes basically across the top of the state to the west and it drops down and includes Apache Nation.

Those changes predominantly picked up the percentages for Native American population in District 2.

COMMISSIONER STERTZ: I see it now.

Thank you.

COMMISSIONER MCNULTY: Madame Chair, are there any Native American nations, communities along the northern border that are not included within this district?

DARYL MELVIN: No. In this -- in District 2, it includes the Haulapai and Supai
Nations which are along the Grand Canyon and it also includes the Kaibab Paiute Nation, which is very much on the Arizona strip in the northern part of the state.

COMMISSIONER MCNULTY: Okay. So they would be up in the northwest corner of this map?

DARYL MELVIN: Correct, around Fredonia area.

CHAIRPERSON MATHIS: Just to follow on Mr. Stertz's question, so these other tribes that you've mentioned, you've spoken with all of them, I presume, and they have also agreed to be part of this map?

DARYL MELVIN: Most of the discussion that the city has had has been through the Human Rights Commission of the Navajo Nation and they have been tasked with the outreach discussions.

I know they've met with Hopi, I know they've met with the Apache Nation. I'm not familiar with their discussions with the other tribes.

CHAIRPERSON MATHIS: Thank you.

KEVIN BURKE: Madame Chair, if I could just clarify.

Our understanding is LD2 currently, we
would have a base native population of 63 percent. So not jumping from the 59, but increasing from a 63.

COMMISSIONER MCNULTY: Could you talk about the southwest area? Does that include a portion of Pinal County, the --

DARYL MELVIN: For District --

COMMISSIONER MCNULTY: The older more rural?

DARYL MELVIN: For District 1 in terms of this drawing?

COMMISSIONER MCNULTY: Yes, in terms of the Congressional district.

DARYL MELVIN: In the southeast corner for the Legislative or Congressional?

COMMISSIONER MCNULTY: The southwest corner of Congressional.

DARYL MELVIN: Under Congressional map --

COMMISSIONER MCNULTY: I'm trying to understand what the geography is there.

DARYL MELVIN: Correct. Again, the basic map for the current Congressional district was the starting point. Again, as Mr. Burke mentioned, the competitiveness was important for the city council. And in this particular drawing, other than in the
northern part, including Hopi and the southern part of Pinal County, we just removed sections out of Pinal County, which is directly south of the Maricopa community -- or Maricopa County proper. So it's a small section that drops underneath Phoenix area.

COMMISSIONER MCNULTY: That's been removed?

DARYL MELVIN: Correct.

COMMISSIONER MCNULTY: So this includes kind of the core of the older, more developed areas of Pinal County within CD -- this map of CD1?

DARYL MELVIN: The section to the east of Phoenix has not been changed in terms of the Congressional lines. Again, just directly south, 65,000 population was removed out.

COMMISSIONER MCNULTY: Okay.

CHAIRPERSON MATHIS: Any questions or other comments?

DARYL MELVIN: Commissioners, again, I want to thank for having us here and I look forward to our visit in Flagstaff.

CHAIRPERSON MATHIS: Thank you very much. Our next speaker is Teri Grier, president of T-Square Consulting and representing Flagstaff...
TERI GRIER: Madame Chairman, members of the Commission, my name is Teri Grier, and I've been asked to advise and represent the Flagstaff Forty throughout the redistricting process.

Flagstaff Forty is a small group of business members in the Flagstaff area that represent the community and where appropriate, they address critical needs of our community and our state.

These business leaders bring together talent and resources and the leadership to create action on priority issues that are taking place.

They also work closely with sister organizations such as the Greater Phoenix Leadership, Southern Arizona Leadership Council to address statewide issues.

As their representative, I bring to you over 20 years of experience of local, state, and federal policy issues. And I actually served on the staff in the early '90s when we were doing the Independent redistricting before it came part of the Redistricting Commission in the early 2000s. And I actually was the government relations person for Flagstaff Chamber of Commerce when the first
Independent Redistricting Commission went through this process. So I'm sympathetic to your plight and I understand exactly what you are going through. And thus I understand what the Northern Arizona business community has worked border with over the last ten years.

During the last round of redistricting, like I said, I worked with the Flagstaff Chamber of Commerce and just after that I was brought on staff as part of the transition team for Congressman Renzi.

So he was the newly elected congressman for the new Congressional district that was just formed, which is part of that map you see right there.

That map is about 58,000 square miles. It represents 120 cities, towns, and townships. It represents more Native Americans than any member of Congress in the entire country. And in a weekend, you could travel from one end to the other and put over a thousand miles on your car, and it's the fifth largest Congressional district in the entire country.

And so part of our job was to figure out how to provide representation to the constituency
and to make sure that we truly were able to service the population in a way.

So when you're trying to draw maps of compactness, believe me, I understand in a huge way because I have traveled every inch of that district.

With the experience, I can tell you the pros and cons of making a district of that size and how it serves to make it difficult for its constituency.

I know that -- I also know from a historical perspective kind of the transition that's taken place.

Prior to the last two rounds, this round and the previous round, if you looked at the way the lines were drawn, you would see that it was kind of a fan. And the points of the fan would either go to the Phoenix Metropolitan area or into the Tucson area.

So when all was said and done and your elected officials were elected, you would see they usually would come out of the Phoenix Metropolitan area or Tucson. Rarely do you ever have anyone elected from rural Arizona.

Now, for me, I take a personal interest in that. I'm a fifth-generation rural Arizonan. I
I grew up in Globe/Miami. My family continues to own a ranch that started in the 1800s down in Santa Cruz County. And so it's important that rural people have a rural representative.

It's also really important that they are able to have access to that person. And so I'm sure that if have you traveled around the state, that's one of the common messages that you heard. And ten years ago, there was a huge cry.

And so when you see these large land masses and you're faced with compactness, it's really a tough call because we basically are looking at a frontier area and you give up compactness in order to get rural. And so that's what you see right there.

When you're looking at the topography and land management and tourism and lifestyle and you look at Northern Arizona and you're trying to compare the differences between areas that are of interest, one of the things that I think is really important to look at that isn't as obvious is the economic situation of today.

Ten years ago and 20 years ago it wasn't as big of an issue, but right now the economy of Arizona, and especially rural Arizona, is at a very
serious situation. Arizona right now per capita, our debt ratio is worse than California. And so if there's any way that you can take that into consideration and look at our economic hubs and how our economic hubs play a role in the development of rural Arizona. So, for example, Flagstaff and the I-17 and the I-40 corridor and the business community in that area is a significant economic hub. And they have a community of interest with the Alpine communities, the tourism industry, the forest land management, the water areas, those are all very important to protect that community of interest. Because it's going to provide economic vitality to the entire area there.

And so making sure that those communities are able to continue to work together, to protect forest management, the water, the land, the natural resources is really important and it's something to consider because for the next ten years, as we work our way out of the national and international economic slump, it's going to make a big difference for the Arizona economy.

I can't tell you how important competitiveness is. You've already heard it. That Congressional district was one of 15 competitive
districts drawn in the United States of the 435 districts.

I will tell you in the first year that I served on staff, the President of United States came twice, the vice president came once, the first lady came to the Navajo Nation. We had one field hearing from the Forest Health Subcommittee, we had three members of the cabinet come and hold hearings, and that was just during the first year.

Northern Arizona or rural Arizona has never had that kind of attention before and it has continued for the entire ten years. No matter whether it was a Republican or a Democrat who was in office, they have continued to have that attention, because whoever was in office or whoever wasn't in office knew that they had to pay attention to this area because the power of the House of Representatives rested on a handful of districts across the country.

And so competitiveness, though I know there are those who would like very much to have a shoe-in, it really benefits the citizens of rural Arizona as far as financing, as far as attention, as far as getting what the citizens really need. It really benefits them.
I hope I have given you a couple of things to think about, and I just want to emphasize how much I appreciate your time. And I'm very empathetic to what you are doing. And if I have anything I can add, I'm happy to do.

CHAIRPERSON MATHIS: Thank you. Do you mind spelling your name for the record?

TERI GRIER: T-e-r-i, G-r-i-e-r.

CHAIRPERSON MATHIS: Thank you. Any questions for Ms. Grier or comments on her presentation?

COMMISSIONER STERTZ: Madame Chair.

CHAIRPERSON MATHIS: Mr. Stertz.

COMMISSIONER STERTZ: As a representative of Flagstaff Forty, there was -- some of your representatives came and spoke at the Casa Grande hearing and public hearing that we had. Are the maps that we were presented by the city manager of Flagstaff, were these compiled along with -- side by side with Flagstaff Forty?

TERI GRIER: The City of Flagstaff worked on the maps on their own; however, they have been wonderful at incorporating in Flagstaff Forty and
the other interest groups in the area in the process.

And so we feel very comfortable with those maps and also there was another group that has presented maps, including the -- make sure I get the name right. The Greater Association -- the Greater Arizonans for Success, the GAS maps. Both of those maps basically feel the basic concepts that the Flagstaff Forty has asked you to consider.

COMMISSIONER STERTZ: Thank you.

TERI GRIER: Any other questions? Thank you.

CHAIRPERSON MATHIS: Thank you very much for your time.

I think we'll -- what time do we have? I think we'll take one more that I have. It's 1:48, as long as Michelle will let me.

Great.

Matthew Capalby from Greater Arizona Success.

MATTHEW CAPALBY: Good afternoon, Madame Chair, commissioners. It's a pleasure to be here as always.

My name is Matthew Capalby, C-a-p-a-l-b-y, and I reside in Flagstaff, Arizona.
I am also a third-generation Northern Arizona resident. I've been involved in governmental affairs regionally throughout Northern Arizona for the last 15 years. I was also involved ten years ago on behalf of Mohave County in the redistricting process.

Subsequently, I was approached a number of months ago to get involved and help facilitate communication among the entities throughout Greater Arizona. So our particular unique interests will be addressed.

First of all, I would like to begin by endorsing Hispanic Coalition for Good Government's map, and we would like, of course, to adjust and send a new map that reflects the changes that were proposed by the Hispanic Coalition for Good Government. We would like to reflect those districts in our map.

But I think in concept, you see the opportunity here for Greater Arizona to actually have two Greater Arizona or rural Congressional districts now that there is enough population, especially in Yavapai and Mohave counties for the creation of the two separate districts. That's increasing the amount of representation in Greater
Arizona while not going into the two primary metropolitan areas of Tucson and Phoenix.

And I also would like to compliment and express my concurrence with my associates from the City of Flagstaff, Coconino County and the Flagstaff Forty. We have been in close communication for the last several months in regards to this effort and our goals are very, very similar.

But just one ticket point where we diverge, is you'll see significant differences in Greater Arizona Success map and the map presented by the City of Flagstaff.

The problem that we immediately identified with what was presented by the City of Flagstaff, while it's very much in keeping with the status quo of current Congressional District 1, it would prevent the river communities, the river counties from creating their own Congressional rural district without having to go into -- or which would actually cause them to have to go into Phoenix Metropolitan area in order to round off the population. That they would need to -- that we reflect that resides in Yavapai County.

So we want to be clear. We advocate for two rural Congressional districts and the City of
Flagstaff map would only allow for one Greater Arizona Congressional district to be construed or instructed.

And as many of the previous points that have been discussed as far as economy, quality of life, topography, environment, et cetera, we share a number of similarities that are reflected within those two districts.

There's very unique issues that are pertinent to the river communities. We think our district reflects that. The one on the left in the green and then to the mountain and smaller communities that have unique forest issues, mining issues, et cetera are reflected in the district on the right, in the blue.

So I know you've heard my spiel several times before. I won't quite get into some of the other semantic details, but I would like now that we have an opportunity to have an open discussion, discuss further these configurations for those two Congressional districts.

CHAIRPERSON MATHIS: Question, on the eastern purple side, why didn't you just stick with the one side of the Colorado? Just curious.

MATTHEW CAPALBY: That was actually --
CHAIRPERSON MATHIS: I assume that's the Colorado.

MATTHEW CAPALBY: Yeah that was actually drawing the Paiute -- the Kaibab Paiute Nation.

And there's actually a minor mistake on there, too. We left off the rest -- we have a portion of it where we left off the rest of the Hualapai Nation that goes into Mohave County. We need to correct that. And the subsequent map we'll be submitting we'll correct that as well.

And we have also been in close contact with the Hualapai Nation, the San Carlos Apache Nation, as well as attended several meetings of the Navajo Human Relations -- I'm sorry, Human Rights Commissions of which the Hopi and several of the other nations have been represented at those meetings as well.

CHAIRPERSON MATHIS: Thank you.

Other questions or comments?

COMMISSIONER MCNULTY: I do have one question.

It looks like a main population difference is probably Prescott and the Prescott environs which appear to be in the City of Flagstaff map and you draw a different boundary; is that
correct?

MATTHEW CAPALBY: Correct. We went into more of the Pinal County portion than the City of Flagstaff map illustrates. And again, it was to create -- in relation to competitiveness, the blue district is competitive. The green Congressional district river valley district is less competitive.

So that was also one of the objectives we were striving for was to have at least one of these two Congressional districts be competitive. And we found that if we were able to move Yavapai County in with Mohave, La Paz and Yuma, it addressed the issue of competitiveness in the eastern configuration.

COMMISSIONER MCNULTY: About how much population is that in Yavapai?

MATTHEW CAPALBY: As far as what we -- what we cut off? Roughly 65,000.

COMMISSIONER MCNULTY: All right.

MATTHEW CAPALBY: Then we came in and made up for that difference both with the Verde Valley -- you see that upper right corner of Yavapai County, we made up for that population difference there and also in Pinal County.

And also, too, just to make clear why that portion of Yavapai County is included into the
eastern district was reflective of the public comment that took place at the Prescott/Cottonwood meetings, the IRC hearings there. Because at that Cottonwood remote location, not one person at that site requested that they remain in the remainder of both Congressional and Legislative in with the rest of Yavapai County.

They feel from a community of like interest standpoint -- and there is a number of differences -- we've seen a number of different comments, but from that meeting, they all felt that they had community of like interests more in common with that of Flagstaff and the other mountain communities and Alpine communities than they did going to the west.

So these maps are reflective of the recent IRC hearings and public comment.

CHAIRPERSON MATHIS: Thank you.

Any other questions or comments?

COMMISSIONER STERTZ: Madame Chair.

CHAIRPERSON MATHIS: Mr. Stertz.

COMMISSIONER STERTZ: Are these documents going to be available to us other than --

MATTHEW CAPALBY: Yes. I actually have copies of the maps for the commissioners here.
COMMISSIONER STERTZ: Perfect.

MATTHEW CAPALBY: And they actually have been e-mailed, both the Legislative and Congressional configurations have been e-mailed to staff and we are hoping that they will be distributed to the commissioners.

COMMISSIONER STERTZ: And, Matthew, just as one last question.

What format did you create these maps in?

MATTHEW CAPALBY: Well, we actually used both Maptitude and the software through the Redistricting Coalition for Competitive Districts. We used that website as well initially and then we were able to compile these through an associate that had access to Maptitude.

COMMISSIONER STERTZ: Madame Chair, would it be appropriate if we could have the maps delivered to the executive director in electronic Maptitude format. It would be helpful to us to evaluate.

And that would be a general comment to anybody delivering maps. If they have got access leading up to us getting the Maptitude software being put online on the IRC, if you do have access to it, it would be a great help in the interim while
we're getting that up.

MATTHEW CAPALBY: Most certainly.

COMMISSIONER STERTZ: Thank you, sir.

MATTHEW CAPALBY: And as always, I appreciate your efforts and time.

CHAIRPERSON MATHIS: Thank you.

I thought we were going to end, but can we do one more because this is also sort of related. This gentleman wanted to comment on this presentation. Steve, and I'm sorry if it's Peru or Peri, county manager for Coconino County.

STEVE PERU: I'll be brief.

My name is Steve Peru, P-e-r-u.

County manager for Coconino County. I just wanted to briefly make a clarification regarding the county's position on the redistricting information that you've heard so far.

Coconino County has not taken the position of any scenario to date. And I say that out of respect for the individuals that have presented so far and credit them for the work they have done. But the fact is Coconino County is a very large County, 18,000 square miles, second largest county in the United States. Larger than the country of Switzerland.
It takes time for us to reach out to all of the stakeholders that comprise the community, the communities of interest. There are regional economic development, ecotourism, transportation, forestry, ranching, agriculture, institution of higher learning, rural and urban parts of the county as well ago tribal nations.

Our board members are currently in the process of reaching out to these stakeholders to determine what their preferences are. And as such, at this time however, given the vastness of the county and the number of stakeholders involved, we are not in a position to take a position on any scenarios.

Thank you.

CHAIRPERSON MATHIS: Thank you.

Mr. Stertz has a quick question.

COMMISSIONER STERTZ: Madame Chair, you've had an increase in Coconino County of about 18,000 population over the last census?

STEVE PERU: Correct.

COMMISSIONER STERTZ: Where is that centered?

STEVE PERU: Mostly in the Flagstaff area, the southern part and -- southern part of
Flagstaff to southwestern part of Flagstaff.

COMMISSIONER STERTZ: Has there been a -- in any of the northern reservation areas, has there been a reduction of population in any of those rural communities that have fed into the urban communities?

STEVE PERU: I don't know for a fact -- I don't know the numbers, but I know in our current redistricting within the county, because we are doing the same redistricting at the board of supervisor level, we have seen a reduction in the population that comprises the Navajo Nation.

COMMISSIONER STERTZ: I appreciate that. And the reason I was asking the question is because I've been watching the articles coming out of your -- that have been posted. So thank you.

STEVE PERU: You're welcome.

CHAIRPERSON MATHIS: Any other questions for Mr. Peru?

Okay. Thank you very much.

The time is 2 p.m., so we'll take a brief recess, ten minutes. And so if people could be back at 2:10, that would be great.

Thank you.

(A recess was taken from 2 p.m. to
2:25 p.m.)

CHAIRPERSON MATHIS: Okay. It's 2:25 p.m., and we'll enter back into public session. Recess is over, and we move to agenda item IV, which is review, discussion, and direction to mapping consultant regarding ideas for possible adjustments to Congressional grid map based on constitutional criteria.

And at our past couple of meetings we've talked about some what-if scenarios that we've given to our mapping consultants, and I believe that they might have some to present to us, some results of that work.

WILLIE DESMOND: Yes, I do, Madame Chair.

We have four what-if scenarios that were previously discussed that we can present today. There is one that shows the river district on the western side, there is a what-if scenario that shows no-split Native American populations. Those are both for Congressional. And then there are two Legislative what-if scenarios that show nine majority/minority districts.

The reason we did two of those is I believe Commissioner Freeman asked and it also very well illustrates the point that a lot of these
objectives can be accomplished in different ways.

So we can start with any one of those you like or I'm not exactly sure how you guys want me to proceed, so let me know.

CHAIRPERSON MATHIS: Let's start with Congressional.

WILLIE DESMOND: Okay. Would you prefer to start with the river district or the no-split Indian reservation?

CHAIRPERSON MATHIS: Either one.

WILLIE DESMOND: Okay. I'll start with the river district.

Okay. This --

CHAIRPERSON MATHIS: And as I recall, this one came from Mr. Herrera, right?

WILLIE DESMOND: Correct.

So what we've done here is try to keep all of the counties on the western side of the state together with the exception of the bottom part of Yuma. And we were able to do that without having to affect many of the other ones.

We did try several iterations to get three-border districts, but, you know, to reach the voting rights threshold that you guys had stated that we should use as a consideration in these
what-ifs, we weren't able to do that yet.

   It doesn't mean that we can't, but we have to keep looking at that later on.

   So this map as it's constituted -- I'll just show you the data table -- has -- it doesn't have a zero percent population deviation.

   Again, since this is just a what-if, we had -- if it was under a quarter of a percent or something, it can be cleaned up, obviously, to reach the zero percent population deviation if we were to move forward with it.

   But just in the matter of time, it was easier to not have to worry about those kind of finishing details for this map.

   It does have two majority Hispanic population districts. The second, which is the one on the southwestern corner, has 52.26 percent and the seventh has Hispanic population of 57.51 percent.

   Is there any areas you would like me to go into? I mean, I was just showing Commissioner Herrera the -- where it does split up Yuma County. I would be happy to zoom in there and show you some of the rationale behind that and discuss that.

   CHAIRPERSON MATHIS: That would be good.
WILLIE DESMOND: Okay. So in order to satisfy the voting rights consideration that we don't have any retrogressive districts, we did need to pull some of the Yuma Hispanic population into this second Congressional district.

If I turn on the tract level, you'll be able to see -- this is shaded by Hispanic population. So you can see that it kind of goes up and into Yuma and grabs a lot of the tracts that are higher percentage Hispanic population.

As you go over to the east, this is primarily the Goldwater range and has very little, if any, population in here. So that's kind of a cosmetic thing, but it does allow us to link it with Santa Cruz and then parts of Tucson.

I can zoom in and show you the streets that comprise this border if you would like or anything that any of the commissioners would like to see.

CHAIRPERSON MATHIS: I remember Mr. Herrera was pretty specific with the borderline there. Can you refresh our memory?

VICE CHAIR HERRERA: We did discuss this with Willie, and I think he used the census tract there that is with the -- divide the four from --
excuse me, two from the river district. So it
looked okay to me.

CHAIRPERSON MATHIS: Ms. McNulty.

COMMISSIONER MCNULTY: Mr. Desmond, can
you -- what would you need to compare this to the
two maps we've received today from the City of
Flagstaff and the Greater Arizona Success and tell
us what the significant differences are.

WILLIE DESMOND: Well, because both of
those were only partial maps of the state, I
couldn't -- I'm not sure that they have a district
that would run along the southern border.

The Greater Arizona Success map, it would
be very helpful if we could get that in a Maptitude
electronic format.

COMMISSIONER MCNULTY: I'm referring only
to 4 -- comparisons with this number 4 that
you've --

WILLIE DESMOND: Oh, okay.

COMMISSIONER MCNULTY: -- described.

WILLIE DESMOND: Well, it would be very
helpful to get it in an electronic format, then we
could just overlay it and you could see where the
lines diverge -- the differences.

Do you want it bigger?
Sure.

And I apologize that this isn't the highest quality just because of the projector.

VICE CHAIR HERRERA:  Madame Chair.

CHAIRPERSON MATHIS:  Mr. Herrera.

VICE CHAIR HERRERA:  Can we recommend that someone on the staff contact the coalition that did the presentation this morning to see if they can provide us a copy of their maps in Maptitude format or in a format that Mr. Desmond can use just to compare the differences?

Because I really did like their map. I thought it made sense. It is exactly what I would have wanted. So I want to see how it differs from the one that you created.

WILLIE DESMOND:  And just for clarification, a Maptitude file, ESRI shape file, or a block equivalency file would all work perfectly and we could load those up fairly easily.

VICE CHAIR FREEMAN:  And Madame Chair.

CHAIRPERSON MATHIS:  Yes.

VICE CHAIR FREEMAN:  Might I also suggest that when we get that data, we get it posted on our website so the public has access to it as well and can analyze it.
CHAIRPERSON MATHIS: Yes. I see Mr. Bladine taking notes. So thank you.

WILLIE DESMOND: Are there -- I guess I should also state that for these what-if maps, the only consideration used in this one, besides drawing the river district, was just to meet the two minority/majority Hispanic districts. It doesn't take into account communities of interest, competitiveness, or any of the other criteria.

So if you guys would like to see other maps or like to start seeing us combine some of these what-ifs, we would be more than happy to entertain any sort of things you would like to see and we could present.

VICE CHAIR FREEMAN: Madame Chair.

CHAIRPERSON MATHIS: Mr. Freeman.

VICE CHAIR FREEMAN: The one question or suggestion I might have is -- well, does this map respect tribal boundaries?

WILLIE DESMOND: This map does not. We do have the map that demonstrates a plan that would not split any reservation areas. That is another consideration, much like the two majority/minority that we would be happy to include in future plans if that's a priority of the Commission or something you
direct us to do.

But this one does split reservation lands. And I could show you -- I can overlay reservations and you can see some of the places where it does split.

I know that by and large, some of the districts haven't changed very much from the grid, and the grid did split reservation lands.

CHAIRPERSON MATHIS: That -- go ahead, Mr. Freeman.

COMMISSIONER FREEMAN: And this looks like it might split the city of Flagstaff as well.

WILLIE DESMOND: I believe it does, yes.

CHAIRPERSON MATHIS: To that end, I'm kind of wondering if there are some ground rules or not necessarily rules, but some guidelines, I guess, that we could give our mapping consultant so that maybe on all future what-if scenarios they do a baseline minimum of certain things.

And maybe it's keeping cities and towns whole to the extent possible or -- and, of course, the tribal reservations and two minority/majority districts on the Congressional. Just some of these sorts of things so that then at least those are always going to be there and then we can see what
happens.

Do you guys have any thoughts?

VICE CHAIR FREEMAN: Madame Chair.

COMMISSIONER MCNU LT Y: Madame Chair.

Go ahead, Scott.

VICE CHAIR FREEMAN: I agree. And maybe we can add to that based on practicable, respecting county lines as well, based on the Congressional maps.

CHAIRPERSON MATHIS: Did you say county lines?

VICE CHAIR FREEMAN: Yes.

CHAIRPERSON MATHIS: Other comments?

COMMISSIONER MCNU LT Y: I think it will be important not to split reservations. I'm going to be interested to see the Greater Arizona Success map and the City of Flagstaff maps compared and compared with this, so that we can address some of the issues that are reflected in those maps.

And I would also like to see the coalition map that we were presented this morning compared to this map so that we can understand some of the issues there.

I think it makes sense, just as a guideline and as -- not as any kind of rule, because
we are too early in the process, but to keep smaller communities together, municipalities. The larger municipalities we may not be able to -- clearly we may not be able to do that.

    WILLIE DESMOND: And that's something we can do as those come in. We could have those all ready to go and you could add those to any sort of what-if scenario that we are looking at or talking about at that time.

    COMMISSIONER MCNULTY: Okay. I had another thought but I lost it, so I'll come back to that.

    COMMISSIONER STERTZ: Madame Chair.

    CHAIRPERSON MATHIS: Mr. Stertz.

    COMMISSIONER STERTZ: Mr. Desmond, could you put back up the tribal lands, please?

    WILLIE DESMOND: Yeah, and I selected the wrong tribal -- excuse me for that. I need to grab the one from -- I'm trying to make it a color that is easily visible.

        Let me just change that one more time and make it a little easier to see on this screen.

            There you go.

    COMMISSIONER STERTZ: Could you in-fill those for me?
WILLIE DESMOND: Yes. I'll move the lines over the top of them.

So you can see, you know, part of this district cuts off -- part of District 2 cuts through a reservation as well as some of 1, 3 and 5 and then also down in this area.

COMMISSIONER MCNULTY: I'm sure these are things that were taken into account in those other maps that we looked at. So if we could get those and get those loaded up onto our Maptitude and work with those, I think that would be great.

The other question I had was can you show us in the river district draft that you've done here where the population centers are and give us some sense of what's needed to bring this to the 710,224?

WILLIE DESMOND: Let me -- I'll show you the cities that comprise it first.

A little busy. I apologize.

Are there any particular population centers you wanted to see if they were in or outside of the district?

COMMISSIONER MCNULTY: No. I'm more interested in what comprises the 700,000, you know, souls that we need to comprise the district, where they are. How many of them are along the river, how
much of Maricopa County is pulled in, if any, where the major population centers are.

WILLIE DESMOND: It might be helpful then if I shaded this by census tract or something.

COMMISSIONER MCNULTY: I think so. Yeah, I think we need to go to census data.

WILLIE DESMOND: Just one second.

Okay. So you can see -- and I apologize this is not very clear.

This is a shading by census tract that shows the number of people that live in each tract. So anything that is -- the darker the green is the more population that is centered there. This doesn't take into account the population density, necessarily, but kind of works under the assumption the tracts should be relatively close to the same size.

It does illustrate that there are stretches along the western border where there is not many people.

I would be happy to zoom in on any or just to slowly scroll through to show you things.

Some of the main population centers would be down in Yuma and as we go up through areas like Bullhead City and Lake Havasu and then a fair amount
of population would also come from the Flagstaff area.

VICE CHAIR FREEMAN: And could you maybe zoom in on where it goes into Maricopa County?

WILLIE DESMOND: Sure.

VICE CHAIR FREEMAN: See how much it --

WILLIE DESMOND: So if you can see, the Maricopa County boundary runs right along here. So, you know, the part that runs just north of Sun City and Wittmann and stuff is all included in this river district as it is currently comprised.

Is that -- do you want me to go any further or does that answer your question?

COMMISSIONER MCNULTY: Mr. Desmond, when we -- if we were to overlay the Greater Arizona Success map and I guess the boundary of the Flagstaff map so that we could see kind of what's left on the west side of the state, what is the best way for you to display for us in a way that we can, you know, study rather than just kind of look at colloquially where the population is?

WILLIE DESMOND: I guess the best way would be hopefully to receive electronic files. In the absence of that, it would take us a little time. I don't know if we would want to do it right now,
but there is, I think -- we call it rubber sheeting in Maptitude where you take an image file and then you can kind of slide the districts over it to try to line it up and if you get the scale right to fit.

COMMISSIONER MCNULTY: Let me interrupt you because that's not quite my question.

Assuming we get the electronic files, then can you just give us a -- can we just pull up a list of where the population centers are from highest to lowest?

WILLIE DESMOND: We could probably do that, yes.

So you can see where the -- which municipalities comprise the bulk of the population?

COMMISSIONER MCNULTY: Yes.

WILLIE DESMOND: That's a report we could work on putting together. I don't have that just now, though.

COMMISSIONER MCNULTY: Okay.

CHAIRPERSON MATHIS: I was just handed an electronic file for the minority coalition presentation from this morning. I don't know how long it takes for you to show us something like that. I know that was one of Ms. McNulty's questions, was overlaying that with what we have
here or if other commissioners are interested in seeing something like that.

WILLIE DESMOND: That's only going to take me a couple of minutes to probably get together.

If we could look at the Legislative district maps and if at that point you wanted to take a five-minute break or something, I could probably get it loaded up and come back to these.

Would that work?

CHAIRPERSON MATHIS: Sure, if you all -- if you thinks that's a worthwhile exercise.

COMMISSIONER MCNULTY: I just had one more question on these maps before we do that. Could you go back to the reservations?

WILLIE DESMOND: Yes.

COMMISSIONER MCNULTY: Is that the Grand Canyon in the northwest corner? Is that whole thing the Hualapai reservation or is part of that the Grand Canyon?

WILLIE DESMOND: The Hualapai is -- I'm sorry.

COMMISSIONER MCNULTY: I guess I might ask someone from the City of Flagstaff if they could tell us what that is and whether it's within their
map or outside of their map.

    Please, you need to come up to the -- 
sorry.

    DARYL MELVIN: Commissioner, Daryl Melvin
with the city of Flagstaff.

    Again, what you are seeing on the drawing
there, the Hualapai reservation, that's all included
in what we show as District 2 for the Legislative
and it's all included in the same Congressional
drawing on the Flagstaff map. Supai is the other
reservation that's up there in the corner.

    COMMISSIONER MCNULTY: So when we
overlay -- and can you get us an electronic copy of
the map that you --

    DARYL MELVIN: Yeah, we are going to go
ahead -- our GIS person is not in this week but
we'll be able to get it to you as soon as he gets
back.

    COMMISSIONER MCNULTY: All right. And
when we overlay that, that's going to show the
boundary of this district that you've shown us on
the west of it, the west side of that Hualapai
reservation?

    DARYL MELVIN: I'm sorry, I'm not clear
on your --
COMMISSIONER MCNULTY: That's within the Congressional District 1 proposed drawing that you gave us?

DARYL MELVIN: Correct. All of the tribes are in the same Congressional district in the Northern part of the state.

COMMISSIONER MCNULTY: Thank you.

VICE CHAIR HERRERA: Madame Chair.

CHAIRPERSON MATHIS: Mr. Herrera.

VICE CHAIR HERRERA: Mr. Desmond, for the river district, I get -- going back to my what-if scenario with the river district.

That Native American reservation that is -- that was cut in half going into -- if you can go way up -- no, I'm looking at the river district. Keep going a little bit up higher.

You see that arm, the one that is cut in half? So part of it is in with the --

WILLIE DESMOND: 2 and 4?

VICE CHAIR HERRERA: -- Coconino -- yeah. What I wanted, actually, and I should have made it a little more clear, for the Native American reservation to stay with the -- what is currently Congressional District 1 because I think they would have more -- it would make more sense if
they were represented by -- if they stick together in that area.

And I would not -- I would like to see the river district not take up any part of Flagstaff.

WILLIE DESMOND: Okay. Those are adjustments we could make --

VICE CHAIR HERRERA: I think --

WILLIE DESMOND: -- on second versions.

VICE CHAIR HERRERA: -- Yuma and Bullhead City and also Flagstaff, that's what they were talking about and making sure, you know, that they had -- that people in Bullhead City had nothing in common with the people in Flagstaff but had something in common with those in Parker, Yuma -- the parts of Yuma and Flagstaff wouldn't make sense to include them.

WILLIE DESMOND: Okay. Yeah, and we are happy to make another version and present that next week.

And just as a matter of protocol, I think we will work to -- since there is a little bit of a longer gap between this meeting and the next one, we'll work to submit those to all of the commissioners much earlier so that you have more of
an opportunity to evaluate them before the meeting and then we can maybe even make changes, another round of changes and present both options or something like that, if that would work better for you guys.

COMMISSIONER MCNULTY: I would just like to add I agree with what Mr. Herrera just said. I'm interested -- that's one of the reasons I'm very interested in seeing the two maps we got today shown on this. And maybe a third option would be for you to do another iteration reflecting the concepts that are in those maps.

WILLIE DESMOND: Okay.

VICE CHAIR HERRERA: And, Madame Chair, with the border district, which is -- I think was the old 7, the new 2, I want to make sure that doesn't go too much into the west Valley into Maricopa County.

WILLIE DESMOND: Okay.

VICE CHAIR HERRERA: I mean, if you do need either Hispanic population or just population in general, then you could probably creep into parts of the West Valley, Buckeye, Avondale, but, again, not going too far into that area. Again, that would be for Congressional District, the new one, I think
it's 2, old 7, correct?

And then a couple more items for -- let's see. And you talked about, as I had mentioned with the river district, I think that we also need to talk about another rural district on the east side of the state.

WILLIE DESMOND: Okay.

VICE CHAIR HERRERA: And I just -- I need to look at my notes. But until I look at my notes, can you guys talk about something else?

WILLIE DESMOND: I can also go to the other what-if we did for Congressional today which was no-split Native American, if you would like to see that.

CHAIRPERSON MATHIS: Yeah.

WILLIE DESMOND: In this map, the areas in blue are the reservations.

Any areas you wanted to take a closer look at right away?

CHAIRPERSON MATHIS: Can you fill them, just because it is easier to see them?

WILLIE DESMOND: Sure.

COMMISSIONER STERTZ: Madame Chair.

CHAIRPERSON MATHIS: Mr. Stertz.

COMMISSIONER STERTZ: Mr. Desmond, what
is the background map that you are working on right now?

WILLIE DESMOND: The -- just one second and I will --

The background map?

COMMISSIONER STERTZ: What is the map -- what is the map that you are working on right now?

WILLIE DESMOND: This is the no-split Native American. Is that the --

COMMISSIONER STERTZ: No. The background -- the Congressional district map as you've got it broken down, what is that map? What is the -- what's the basis for the map that you're working on, the backgrounds split the way you've got it in nine Congressionals?

WILLIE DESMOND: I'm sorry, I guess I --

COMMISSIONER STERTZ: What was the criteria of the map?

WILLIE DESMOND: The criteria here was simply to adjust the grid map --

COMMISSIONER STERTZ: That was the first -- that was your first pass on adjustment of the grid map?

WILLIE DESMOND: This was a pass -- in all of these what-ifs, we've gone back to the
original grid map, I believe then -- actually, no.

I didn't create this map. This one was created by Ken. I believe he started with the two Hispanic majority districts and then adjusted it to not move -- to not split any Native American population.

COMMISSIONER STERTZ: Okay. So have we seen this map before, this background?

WILLIE DESMOND: I don't believe so, no.

COMMISSIONER McNULTY: I think this is the one we looked at last time, isn't it? It's the two majority Hispanic voting-age population districts, I think is the background.

WILLIE DESMOND: This -- I believe that was the basis. And then it was adjusted because I believe in the one that had just two majority Hispanic districts, Navajo County was -- the Navajo reservation was split and so was the Hopi. So that's one area where this was adjusted and I believe there was other adjustments to make sure no Native American areas were split.

COMMISSIONER McNULTY: I would like to add on the east side also that Greater Arizona Success map so that we have these reservations in the north and the east side in that one district --
WILLIE DESMOND: Okay.

COMMISSIONER MCNULTY: -- coming down into the more rural areas of Pinal as they have shown on that map.

WILLIE DESMOND: Is there anything -- are there any other adjustments to this that any of the commissioners would like to see for the next meeting?

VICE CHAIR HERRERA: Mr. Desmond, on I think it's District -- the new District 7, what I would like to do, if we're moving the Tempe, Ahwatukee, South Scottsdale and Arcadia area from number -- from the new District 7 -- so can you use South Mountain and the 48th Street, this is the Tempe/Phoenix border as the line, but make sure you leave the town of Guadalupe in with District 7.

You can also move the western portion of District -- that particular District 7 up north as Glendale or Northern Road by grabbing Hispanic areas of current 8 and 9 -- of the new District 8 and 9.

WILLIE DESMOND: Okay.

VICE CHAIR HERRERA: And a couple more things.

The new District 5 -- so move Coconino County into District 5. I think that's what they
were talking about, the people that were representing the area of Coconino County and Flagstaff.

WILLIE DESMOND: Okay.

COMMISSIONER McNULTY: Can we look at 4 and the areas around the --

WILLIE DESMOND: Which areas?

COMMISSIONER McNULTY: I guess it's not -- the Phoenix majority/minority district, what are we calling that?

WILLIE DESMOND: I believe that is District 7 in this.

COMMISSIONER McNULTY: I would like to see -- Mr. Herrera knows these areas better than I do, but I -- there's some older Phoenix neighborhoods kind of north of where that concentration of majority/minority population is. I see we're kind of splitting that north/south.

I would like to see something in which those -- I think there's probably a competitive district there. If we are going to have a couple competitive districts in the Phoenix metro area, which I hope we will, I would think there would be one that kind of wraps around, perhaps 7. So I would like to look at that.
WILLIE DESMOND: Okay.

VICE CHAIR HERRERA: Mr. Desmond, some of the changes that Commissioner McNulty is proposing, I do agree with. I probably agree with most of them, if not all of them.

So in the what-if scenarios, can you put that in the what-if, the one that I started with the river district and the -- the ones -- the changes that I -- the what-if scenario, I proposed, if it's okay with Commissioner McNulty if she were to combine them in my what-if scenarios so we can create maybe one map, unless Commissioner McNulty disagrees.

COMMISSIONER MCNULTY: No, that's fine with me and then we can just --

WILLIE DESMOND: Do you want to relist the criteria for the one map so I can make sure I have everything you're looking for?

I believe you want to move all of Coconino into what is currently District --

VICE CHAIR HERRERA: Which is currently CD1, right?

WILLIE DESMOND: I think you wanted to move it into CD5.

VICE CHAIR HERRERA: Move it into CD5,
correct. Take it out of the river -- because you currently put a good chunk of it or part of it in the river district. So I want to make sure that they are separate, those are two --

WILLIE DESMOND: Okay. So all of Flagstaff and the rest of the county into CD5?

VICE CHAIR HERRERA: Correct, the Native American populations up there, including that arm that was sticking out, I want that in -- I would like that in CD5.

WILLIE DESMOND: Okay.

WILLIE DESMOND: Okay. Are there other criteria that the commissioners want me to add to this what-if scenario?

VICE CHAIR HERRERA: I had mentioned to you in the current 7, which is the old 4, to take off parts of -- to take out Ahwatukee, Tempe, Scottsdale and areas of -- out of the -- out of 7, which is the majority/minority district, one of the two.

WILLIE DESMOND: Okay. Let's see.
And then obviously other criteria was not to split any of the Native American areas -- reservation lands. So that's another criteria we will include in this other what-if.

VICE CHAIR HERRERA: Now, Mr. Desmond, on the CD -- the new CD5, I would like to group the following, and I kind of mentioned this, the following Native American groups, which would be the Navajo, Hopi, White Mountain Apache, San Carlos Apache, and the Gila River Indian reservations together with CD5.

WILLIE DESMOND: Okay.

VICE CHAIR HERRERA: And I think it would be helpful -- the maps that the coalition represented and also the people from Flagstaff, I think I would agree with those. So we can combine them and kind of see where the differences lay and see if we can correct some of the differences, because like I said, those maps I did like and I think I would like to see something in my draft map to reflect that.

WILLIE DESMOND: Okay.

Any other criteria for that draft map or any other Congressional what-if scenarios that you guys would like to see explored right away?
COMMISSIONER MCNULTY: Just to reiterate what I said earlier about this coming down into Pinal, I believe we've got -- I want to make sure the Ak-Chin reservation is not split off by itself and would be in with the majority/minority district that you've shown as 3.

And that the more traditional areas of Pinal County would be kept together, that -- if part of Pinal County is with Maricopa County, it's that kind of dense, you know, part of the county, that new growth rates near Maricopa.

WILLIE DESMOND: Okay.

COMMISSIONER STERTZ: Madame Chair.

CHAIRPERSON MATHIS: Mr. Stertz.

COMMISSIONER STERTZ: Mr. Desmond, when will you the three-border district map ready?

WILLIE DESMOND: The three-border district map -- the issue there so far has been it's been very difficult to draw that map and create the two majority/minority districts. I think it might be useful to go through as a Commission --

COMMISSIONER STERTZ: Would you like some help?

WILLIE DESMOND: Yes. Frankly, yeah, that would be great.
And the one thing that seems to be possible is that there will be a very, very narrow district running down on the eastern side of Santa Cruz would be possible.

And right now that's been the only thing that we've found to possibly be successful. But again, I haven't been doing that. That's been Ken's project, and I know he spent quite a bit of time looking at that so far.

But absolutely, we would love to go over that.

COMMISSIONER STERTZ: I would like to explore it for a couple reasons. One, in the meetings down in Yuma, the conversation was the combination of not breaking Yuma as a city, not breaking Yuma as a county, and combining Yuma County and La Paz County were all very, very important to that constituency in our public hearings.

Second, similar discussions to that in Tucson about connectivity to those. So I would like to -- I would like to run it to its course to find out whether or not it is an option to be played out or if we can or if it becomes something that is just not manageable.

WILLIE DESMOND: In that case, it might
be very helpful if we could just establish right away that one of the border districts would be a whole Yuma County.

Does that make sense?

COMMISSIONER STERTZ: By keeping Yuma and La Paz County together, you're able to assist in making that work.

WILLIE DESMOND: Can definitely do it to equal population. The problem has been that the Hispanic population down --

COMMISSIONER STERTZ: Will not work in that district?

WILLIE DESMOND: Well, it's that we need that population in order to not regress one of the majority/minority districts. So that needs to be kind of grouped with parts of Tucson or Santa Cruz, is the problem we've been running into. There is --

COMMISSIONER STERTZ: Or the midstate district becomes the majority/minority district?

WILLIE DESMOND: Yeah. And then in that case, it would have to go pretty far up into Maricopa to get quite a bit of that Hispanic population.

COMMISSIONER STERTZ: I would like to explore it for a couple of reasons --
WILLIE DESMOND: Absolutely.

COMMISSIONER STERTZ: -- one, it would retain contiguousness of the Native American areas of land tracts as well as there are transportation corridors that will feed into -- now this is creeping into the four criteria that we haven't discussed yet, which are going to be communities of interest.

And I'm creeping into those areas because it sounds like we're making these adjustments, that Commissioners McNulty and Herrera have made, that we're starting to make subtle adjustments to start to meet with some of the criteria of the other four constitutional requirements.

But I think that it's -- what I'm hearing is that our goal is going to be to keep the tribal lands intact and contiguous within Congressional districts.

There is going to be an attempt to keep counties and communities that are smaller communities, of course, not the large metropolitan areas, which are difficult to keep. You can't keep Phoenix metro intact and you can't keep metro Tucson intact, but those seem to be, at a bare minimum, two of the design criteria that are -- that we're
Also interlacing the considerations made by the City of Flagstaff, Flagstaff Forty, as well as the Hispanic Coalition in some of their --

And that was leading in, Madame Chair, to one of the questions that I had of their team about what they were -- what their design criteria was and what determined some of those.

And what I heard from them was that, yes, we don't want to break apart smaller communities and communities that had relationships over a period of time.

So I would still like to take this thing to its natural either evolution or conclusion.

WILLIE DESMOND: Okay. Can I just ask one clarification, then, for this what-if?

COMMISSIONER STERTZ: Sure.

WILLIE DESMOND: So I understand keeping La Paz and Yuma together and whole.

For Mohave, should we include the Indian reservation lands as part of that district or would you prefer those to be over with the Navajo and Hopi Nations?

COMMISSIONER STERTZ: I think that as you're starting to explore this, that the -- there's
some natural conclusions that will come from population --

WILLIE DESMOND: Okay.

COMMISSIONER STERTZ: -- centers that would try to keep contiguity of counties and tribal lands together. So I can't --

WILLIE DESMOND: Okay. We'll look at it both ways.

COMMISSIONER STERTZ: As I said, we're starting to creep into the other four criteria without setting baselines for any of these. And I think Commissioner McNulty was right, that we are early on in the process of setting any specific guidelines. These are a series of what-if scenarios.

WILLIE DESMOND: Absolutely.

Okay. Yeah.

VICE CHAIR HERRERA: Mr. Desmond.

WILLIE DESMOND: Yes.

VICE CHAIR HERRERA: If we can go back to my what-ifs, my what-if map with the river. Now we're going on the -- District 6. District 6, if you can include Tempe, Chandler, north of Pecos Road, Ahwatukee, South Scottsdale, and also the area where I live, not that it matters, Arcadia.
WILLIE DESMOND: I'm sorry, could you just say those --

VICE CHAIR HERRERA: Sure.

So, again, Tempe, Chandler, this is north of Pecos Road, then the city of Ahwatukee -- town of Ahwatukee, South Scottsdale, and Arcadia.

WILLIE DESMOND: Okay.

VICE CHAIR FREEMAN: Madame Chair.

CHAIRPERSON MATHIS: Mr. Freeman.

VICE CHAIR FREEMAN: Mr. Desmond, I guess I have a couple of questions.

First, Commissioners McNulty and Herrera have given a lot of very detailed suggestions for a what-if.

Are you going to give us snapshots, you know, of the various requests or are you going to compile them into one final map that you will present to us next time.

WILLIE DESMOND: I'm comfortable doing whatever makes more sense to you guys.

CHAIRPERSON MATHIS: I was thinking, commissioners, I don't know if this makes sense, but having some printouts of some of the more fully formed what-if scenarios and actually having them up so that we can see them.
I don't know how difficult that would be, but at some point, and I'm not saying it's at the next meeting, but just to kind of get a sense of those.

WILLIE DESMOND: I think that will be easier going forward both because there's a little bit more time before the next meeting and also because the printouts we have done so far have come from our office in Washington and now the Commission has a provider, so we will print maps here in Phoenix and print those. Turnaround is obviously shorter than when it's at the office.

CHAIRPERSON MATHIS: What do you guys think about having printouts of some of the what-ifs?

VICE CHAIR FREEMAN: I would like that. It would help, I think.

VICE CHAIR HERRERA: Sure.

CHAIRPERSON MATHIS: Okay. So, yeah, if we could maybe do that.

So we have right now the river district with the modifications that were mentioned today and the three-border district.

WILLIE DESMOND: I believe there's another one that's kind of a combination of the two
submitted maps, assuming we are able to get those electronically also.

CHAIRPERSON MATHIS: Right. The minority coalition and the Flagstaff.

WILLIE DESMOND: Are there any other Congressional what-if maps that you would like to see?

VICE CHAIR HERRERA: Madame Chair, the one that was submitted -- or will be submitted by those two organizations, I think they will be combined with our what-if map. Is correct, Commissioner McNulty, would you like that?

COMMISSIONER MCNULTY: I would like to see it both ways.

VICE CHAIR HERRERA: Okay.

COMMISSIONER MCNULTY: I would.

WILLIE DESMOND: So if I can understand what -- we'll be able to overlay those ones and also kind of adjust the grid map to meet those ones. Does that make sense?

COMMISSIONER STERTZ: Madame Chair.

CHAIRPERSON MATHIS: Mr. Stertz.

COMMISSIONER STERTZ: Mr. Desmond, assuming that you'll get the format in a way that's manipulatable by you, you'll be able to create these
in layers?

WILLIE DESMOND: Yes.

COMMISSIONER STERTZ: Okay. So those that -- you can be doing those in overlay colors to see what the different coalitions have brought forward and we will be able to keep a running track of how those would be and then we'll be able take snapshots of what the overlays look as it compares to the evolution maps that are coming out of the Commission; is that correct?

WILLIE DESMOND: Correct.

COMMISSIONER STERTZ: Okay. So that's going to be extraordinarily helpful to be able to take those -- and I'm assuming that you're going to want to reduce those to a simple -- like a pdf format that you could save, too, that would be easy to see those from the public's perspective on our website?

WILLIE DESMOND: Yes. I believe -- and we've been talking a little bit at the break and stuff that we'd like to perhaps create like a resources tab or a submitted maps page on the website so that there would be -- yeah, a snapshot but also when available for download, the actual electronic so that other members of the public can
also view these submitted maps in Maptitude or ESRI.

COMMISSIONER STERTZ: But, Madame Chair, for members of the public that don't have those accesses --

WILLIE DESMOND: Yeah, definitely.

COMMISSIONER STERTZ: I would suggest also, Madame Chair, that there be a narrative attached about as you bring a map up, that this is what it reflects. That this orange line reflects a dated submittal by a particular constituency group or a particular citizen that brought forth that map, placed that onto the record, and it was looked at as an integration or as a study component as we are looking at that criteria.

And I think that -- and I believe that this is what Commissioner McNulty was leading towards, is that as we capture this data, we are going to be able to cull down to more specific guidelines of which to be able to have this criteria for a starting place, which will be -- that we don't want to move off of these factual components and we'll be designing around those as we move past the Voters Rights Act design.

Does -- is that -- Commissioner McNulty, is that a good interpretation?
COMMISSIONER MCNULTY: I'm honestly not sure. Sorry.

COMMISSIONER STERTZ: Okay.

VICE CHAIR FREEMAN: Madame Chair.

CHAIRPERSON MATHIS: Yeah.

VICE CHAIR FREEMAN: My second question was, at which I throw out to counsel so Mr. Kanefield can have something to say and Mr. Desmond, which is basically with respect to the creation of the minority/majority districts, I think we have been kind of working with some loose guidelines in terms of the baseline districts.

But from Mr. Adelson's presentation, I get the impression there's a lot of backup that's going to be -- work that's going to be performed so that we can prove to Justice or the D.C. Court that these are compliant. And that includes the racial polarized voting analysis. And it's my understanding that's a lot of work.

And I know Ms. O'Grady said that's something maybe we can sort of do as we go along, but I'm a little concerned that if that is going to be a lot of work and we have to go back and reconstitute precincts from past elections to sort of -- and normalize them so we can uses them in that
analysis, that we might need to get on that sooner rather than later.

And just any thoughts from Mr. Kanefield or Mr. Desmond on that?

JOSEPH KANEFIELD: Madame Chair,

Mr. Freeman -- can you hear me?

CHAIRPERSON MATHIS: No.

JOSEPH KANEFIELD: Madame Chair,

Commissioner Freeman, thank you for allowing me a chance to speak at this meeting.

I agree with everything you just said. I'll try to respond as I best can ascertain from what you were asking.

I do agree that it's important that the Commission be prepared to do the kind of analysis that is necessary on the proposed maps for purposes of the Voting Rights Act.

What we plan to do is put on the agenda -- or ask the Chair to put on the agenda the suggestion that the Commission consider obtaining an expert -- a racial polarized voting expert that the previous Commission had done and pretty much every jurisdiction in -- Section 5 jurisdiction has to do so that we can have that person ready to -- and available to begin the analysis. Because as you
noted, Commissioner Freeman, percentages are a good starting point but the analysis itself has to go deeper. And Mr. Adelson, I think, made that point effectively in terms of what the Department of Justice is going to be looking at.

So I think your point is well taken, that we don't want to get too deep in without having -- without starting that process so that the Commission doesn't end up approving maps that may look good on their surface but have underlying issues that haven't -- that won't be identified until after the fact. So we want to be able to defend those maps.

So that's a long way of saying we're on the same page and that we will be proposing some individual experts.

There's quite a few of them around the country that do this kind of work that would work with counsel ultimately to help evaluate.

What we'll have to figure out is at what point do we want to start doing that analysis. It's my understanding at this point the Commission is still in the what-if phase exploring ideas, looking at the percentage of minority voters in the different proposed districts. But when the Commission starts getting closer to actually making
the decision, that would be the time.

WILLIE DESMOND: If I --

CHAIRPERSON MATHIS: I have a questions on that.

Go ahead.

WILLIE DESMOND: I was just going to say also talking with Ken today, I know he has begun some of that analysis, polarized racial voting analysis to date using the 2008 and 2010 election results.

He's working on that also to try to build the baselines for us to use kind of at least as a starting-off point before we do have an exerted.

CHAIRPERSON MATHIS: And I've heard him say that, too, that he can do some of that analysis himself, but ultimately, he would like to have a third-party independent person sort of expert brought in to validate.

A question on that, though.

So as folks are submitting ideas for us, study components, as Mr. Stertz said, like these maps that we got today -- and we also received a Navajo proposal when we were at their public hearing, can those start to be analyzed for racially polarized voting things and other criteria just on
their own as plans themselves?

JOSEPH KANEFIELD: Yeah, Madame Chair, we can begin that process with the assistance of Mr. Adelson and a racially polarized voting expert. As I think it was Commissioner Stertz asked the question whether they had done that analysis themselves and I think he indicated they had not but they intended to.

So that would also help because it's -- I'm assuming that they will do that analysis and present that to the Commission. Of course, it will be the Commission's burden and responsibility to be able to defend its maps. So it will need to do its own analysis.

So at any time the Commission wants to start that process, we stand at the ready to help you.

CHAIRPERSON MATHIS: Today, maybe.

JOSEPH KANEFIELD: Absolutely, Madame Chair.

CHAIRPERSON MATHIS: I really think it has to be on the next agenda in terms of who we are going to contract with or however that works because we got to get started quickly.

COMMISSIONER STERTZ: Madame Chair.
CHAIRPERSON MATHIS: Mr. Stertz.

COMMISSIONER STERTZ: I've got a question for Mr. Kanefield.

Mr. Adelson is a consultant to your firm?

JOSEPH KANEFIELD: Correct.

COMMISSIONER STERTZ: And will -- one of the conversations that took place, or part of the question/answer of earlier on whenever we -- I can't remember which day it was, a couple of days ago regarding 2004, 2006 data as needed to be part of the criteria.

Has there been a -- has that been brought full circle? And will 2004, 2006 data be ready to be integrated into Strategic's database?

JOSEPH KANEFIELD: Madame Chair, Commissioner Stertz, I know the question has been raised but I don't have the answer, if it's been brought full circle. So I will follow up.

COMMISSIONER STERTZ: Okay.

VICE CHAIR HERRERA: Madame Chair, I don't have a microphone, but I would like to -- if we can -- I don't know if 2004, 2006 -- in terms of the testing, I think I would prefer to look at 2008, 2010, most recent, and I think we -- if we're going to focus on most -- on some of the elections, that I
would prefer it would be 2008, 2010 to get an accurate and most recent picture of the -- of voters and how they voted.

CHAIRPERSON MATHIS: Mr. Stertz.

COMMISSIONER STERTZ: My understanding is that this is a Department of Justice requirement and not an AIRC decision.

So I would like to know what the criteria that DOJ is looking for. And if it is 2004 through current -- last election cycle, I would like to know that so at least the question for Mr. Herrera can be put to rest whether or not it should include 2004 and 2006 or not.

JOSEPH KANEFIELD: Madame Chair Commissioner Stertz, Commissioner Herrera, I will follow up.

CHAIRPERSON MATHIS: Thank you.

VICE CHAIR FREEMAN: Madame Chair.

CHAIRPERSON MATHIS: Mr. Freeman.

VICE CHAIR FREEMAN: I recall at our -- I believe it was our first public comment hearing that was in Casa Grande, the Pinal Governmental Alliance came to us with maps and a presentation. I don't recall whether they gave it to us in electronic format or not, but since we're integrating all of
these public proposals, if we don't have an electronic format, then perhaps we should reach out to them and ask for it so we could also get that included into the mix.

WILLIE DESMOND: I believe there's been at least half a dozen maps submitted to the Commission. I haven't been personally dealing with the incoming things. That's Andrew Drechsler on our staff, so he could probably coordinate with the AIRC and determine who should reach out to those people and request electronic maps when they are available.

COMMISSIONER STERTZ: Madame Chair.

CHAIRPERSON MATHIS: Mr. Stertz.

COMMISSIONER STERTZ: May I ask a question of Mr. Bladine? I think this would be an easy question.

For any of the people that are viewing this today or any of the people that are either reporting or blogging on this event today, for individuals that have drafted maps that wanted to submit them so that the -- so that we would be able to get them, where would they be sent to and what would the suffix be?

You had mentioned three -- Mr. Desmond, you might want to repeat that. And Mr. Bladine, if
you could at least give an announcement to the public of where those should be e-mailed to or sent to and in what format they should be sent.

WILLIE DESMOND: I think the three easiest to work with electronically would be a Maptitude file. There's two versions. There's a compact one and a full one. Either of those would work. The compact is probably smaller and easier to transfer.

An ESRI shapefile, a .shp, would also work and is very universal and kind of a lot of different software.

And the third would be probably the most universal, would be what's called a bloc equivalency file, which is simply the blocs number in a census and the district that that bloc would be under that plan. And that can be loaded up by just about any program.

COMMISSIONER STERTZ: Now, in regards to the drawing -- the maps that were drawn through the Azavea, which was the platform for azdistricting.com, those maps were saved -- are you aware whether or not they were able to be saved individually by the map drawer or whether or not they were contained within azredistricting.com's
WILLIE DESMOND: I'm not aware if they were saved. I don't know.

COMMISSIONER STERTZ: Okay. Thank you.

So, Mr. Bladine, what would -- not knowing that, what direction could we give to the public about where they should send their maps and in what format?

RAY BLADINE: Madame Chair, Commissioner Stertz, you know to never ask me an easy question. But I would say if we had people go to our website, which is the www.azredistricting.org and on the website there is a place to submit information, if they click that and then forward it, it would get to us or they could also just send it to my e-mail address and I'll see that it gets to Buck. And that's rbladine, b-l-a-d-d-i-n-e, @azredistricting, all one word, .org. And then I can make sure those files get to Buck.

Or if they send it to us and it doesn't get in the right format, we can then contact them and try to work it out. We can also go ahead and contact the competitiveness coalition and ask them about their files and what they would be willing to give to us to put on the website.
COMMISSIONER STERTZ: Thank you very much, Mr. Bladine.

RAY BLADINE: Sure.

COMMISSIONER MCNULTY: Mr. Bladine, before you head out, could you get to each of us a binder or a compilation of all of the plans that have been submitted so that we can kind of look through them and make sure they've all been built in electronically if we want them -- if we want to look at that? Would that be hard to do?

RAY BLADINE: Madame Chair, Commissioner McNulty, I think we have electronically scanned all of the maps that have come in, so I don't think it would be very hard for us to just print them out as a packet for you.

COMMISSIONER MCNULTY: That would be great. I know that Pinal County one, I think we need to have with these others.

RAY BLADINE: And I know we've also been working to put that into our Catalyst system to bring it back. So we can just go ahead I think, manually pull out what we have done and send it to you. And if there's a problem, I'll send you a memo. But I don't think that should be a problem.

COMMISSIONER MCNULTY: Okay. All right.
CHAIRPERSON MATHIS: Thank you.

COMMISSIONER MCNULTY: Madame Chair, I had one more thing for Mr. Desmond. I just -- I had asked this earlier but I just want to recap.

I want to see the majority/minority districts that you drew for us most recently compared to what the coalition gave us this morning so I can understand where the population is and where the overlap is, and if there are differences, what the differences are.

WILLIE DESMOND: Okay. And I believe that will be compared to several different iterations of ones that we have drawn.

I know -- speaking of the river district has a different majority/minority than the first majority/minority what-if we drew. So I'll have those all loaded up together and I'll make sure to do an overlay of the three, at least.

COMMISSIONER MCNULTY: Okay. All right. Thank you.

CHAIRPERSON MATHIS: Any other --

WILLIE DESMOND: Any other Congressional ones? Sorry.

COMMISSIONER MCNULTY: We talked about looking at what's north of the majority/minority
district in Phoenix, that area of central Phoenix that's kind of south of the 101, east of 60 in that area, that central part of -- or north central part of Phoenix for the beginnings of a competitive district in the central Valley.

WILLIE DESMOND: Okay.

CHAIRPERSON MATHIS: Any other direction on the Congressional district map?

WILLIE DESMOND: Can I actually just clarify one thing about that last one?

For making that one competitive, we have not yet -- I believe next week at one of the meetings Ken is hoping to present different measures of competitiveness. Is it possible that we push that one back --

COMMISSIONER MCNULTY: That's fine.

COMMISSIONER FREEMAN: -- until we've presented it? So we haven't been looking at competitiveness yet. Just wanted clarification.

COMMISSIONER MCNULTY: That's fine.

COMMISSIONER STERTZ: Madame Chair.

CHAIRPERSON MATHIS: Mr. Stertz.

COMMISSIONER STERTZ: As a follow-up to that, will you be bringing to us the options of competitive -- there are several different
methodologies that are standard, best practices for competitiveness as well as for compactness.

WILLIE DESMOND: Yeah, I believe he has presentations from last -- from the meeting earlier this week that got pushed back that go into both of those things, both an explanation of the different measures and kind of a summary of what was used by the last Commission.

COMMISSIONER STERTZ: And, Madame Chair, as the -- just as a point of clarification, the City of Flagstaff used the Polsby test for compactness. They also used the Schwartzberg test of compactness. So those were both items that -- I know that the previous Commission used the Polsby-Popper as their baseline for compactness.

WILLIE DESMOND: Yes.

COMMISSIONER STERTZ: Thank you.

CHAIRPERSON MATHIS: Thank you.

Anything else?

Okay. We've spent a little bit over an hour on the Congressional, and the next item on the agenda is V, which is adjustments to Legislative grid map based on constitutional criteria.

So it sounded like you had one right, nine majority/minority districts?
VICE CHAIR HERRERA: Madame Chair, before we go into the draft map and changes to the grid map, I was a little concerned when people talk about nine Congressional -- excuse me, nine competitive -- nine majority/minority districts, I don't know where they are getting nine.

I've looked at the information. This is what I'm getting. I'm getting for those that are Hispanic majority/minority, I'm getting 13, 14, 16, 27, 29, and 24. And the Native American one, Native American majority/minority district is just two. That comes out, if my math is correct, seven.

So where are you coming up with nine?

WILLIE DESMOND: Well, the nine came from Mr. Adelson's -- and I believe I know what he's speaking to.

As it's currently constituted, there are four majority Hispanic districts and one majority Native American. There's also two Hispanic districts that are 49.89 and 49.81. So he's including those.

VICE CHAIR HERRERA: Is that 15 and 25?

WILLIE DESMOND: I believe those are 27 -- it's up right now -- 27 and 29.

There's also District 15, which is a
coalition district, I believe is how he referred to it. So the non-Hispanic White is below 50 percent. So the different racial makeup constituted a majority there.

And then there is another district that is very close to that, the non-Hispanic White percentage is 50.29.

VICE CHAIR HERRERA: Which is?

WILLIE DESMOND: That is District 25.

VICE CHAIR HERRERA: Yeah, let me -- I would like to talk about those because those are the two ones that I thought he was -- Mr. Adelson was confusing them with majority/minority districts.

So let's look at 15 real quick.

District 15, he's saying that is a coalition -- they can coalesce and possibly would be like the minorities in that coalesce and elect a candidate of their choice.

Now, currently in the last election they elected three non-Hispanic legislators. So I don't believe it's a -- it's not a racially polarized area because they elected candidates of both parties. So in the previous election, that would be 2008, they elected a Hispanic legislator.

So I guess I don't see how that could be
a coalition group when they elected three
non-Hispanic legislators to represent that district.

So that's for 15.

And then I'm looking at 25. 25 has a
population I think of 50. 29 non-Hispanic voting-age
population. Again, I wouldn't consider that a
coalition of the majority/minority district.

They -- again, they elected -- this
particular district elected three non-Hispanic
Republicans in that district. And in two thousand
-- before that, so that was -- I guess it was
represented by Manny Alvarez. He was defeated in
25. Manny elected -- Manny was elected four out of
two times in the previous elections.

So I wouldn't consider that a coalition
district either. I don't know where -- so let me
give you some more information.

So Manny, in my opinion, was not elected
in the previous election because of his party -- he
was not elected because of his party affiliation,
not because of his ethnicity.

Minorities in 25 are better served by
being probably in a new Congressional district,
which would be in the new 29 with south Tucson and
Nogales, if given that opportunity to elect somebody
of their choice.

So I guess we need to discuss that issue of 15 and 25 truly being a majority/minority district or even if it's truly even a coalition district, which I would disagree with both.

WILLIE DESMOND: All right.

COMMISSIONER MCNULTY: I think Mrs. O'Grady had raised that earlier with us also. I think that was her perspective also, is that we --

VICE CHAIR HERRERA: I want to --

before -- I mean, you created a grid map based on the information that Mr. Adelson provided you?

WILLIE DESMOND: We were able to create a nine-district plan, two of them. They both have six majority Hispanic districts and one majority Native American and then one that kind of matched where it was a Hispanic plurality, so they were the largest group but not 50 percent, and one that was a coalition district. That's present in both of these scenarios that were -- that I prepared for today.

VICE CHAIR HERRERA: Mr. Desmond, can you explain to me -- a coalition would be that the -- so if the -- there are two minority -- or more than one minority group, District 15, Hispanics and something else that both combined are more than 50 percent of
the population?

WILLIE DESMOND: Yes, more than 50 percent.

VICE CHAIR HERRERA: So if that -- so if that were a true coalition district, they would be able to elect someone of their choosing; is that correct?

WILLIE DESMOND: I believe so.

VICE CHAIR HERRERA: That is the definition of a coalition group. That would be for 15 and 25.

They didn't elect someone of their choosing.

WILLIE DESMOND: And I don't know if Mr. Adelson -- this is not for sure, this is just simply a guess, but I do see that District 15 is now 57,000 people under the ideal district size. So it's possible there's been some population shift there over the last decade.

We base this off of the direction to look at nine districts and we're more than happy to explore other --

VICE CHAIR HERRERA: What I believe is incorrect information, and I think as Commissioner McNulty said and our attorney, Mary O'Grady raised
the issue and it hasn't been addressed properly. So I want to make sure that we do that today.

CHAIRPERSON MATHIS: Mr. Kanefield.

JOSEPH KANEFIELD: Madame Chair, Commissioner Herrera, we will follow up on your -- on the question you raised.

The only thing I would note is that I think from the Department of Justice's perspective, they are going to look at these influenced kinds of districts and they are going to be concerned if the final maps dilute those numbers.

So I think what you may be getting at is the -- well, I don't want to assume what you are getting at.

VICE CHAIR HERRERA: Please don't.

JOSEPH KANEFIELD: They are going to look at it on a statewide basis. So even though these districts and their lines may change, they are going to be looking at the percentage of the majority/minority districts that existed before and the districts that were these so-called influenced districts, too.

So I think we do need to keep that in mind. We'll talk more with Mr. Adelson about these issues and how the Department of Justice is going to
view them.

So I'm hesitant to make any hard -- to either agree or disagree with the points you're making at this moment, but I do think before we make the decision that there are not nine majority/minority, or at least majority/minority or influenced districts, we should think about this analysis. Think about this before we make any of these assumptions. Talk more with counsel and with Mr. Adelson and then we'll come back to you and make a recommendation. Because I don't want you to get too far down the map-drawing process --

VICE CHAIR HERRERA: Mr. Kanefield, what I want to do is -- correct me if I'm wrong, we've been -- Mr. Adelson presented this as a nine-minority/majority district, which is incorrect. I think if he would have said seven majority/minority districts with two districts that are influencing, that are creeping up to be a majority, that would probably be a little more accurate; is that correct?

JOSEPH KANEFIELD: Let me -- yeah, let me check with him and I will find out exactly what he intended to say, if he misspoke or if he does, in fact -- because I don't want to assume that what he
said was wrong. He knows his stuff. And I want to
make sure we characterize this correctly so that we
are not making any assumptions based on what the
Voting Rights Act is going to require of the
Commission.

I will check with him.

VICE CHAIR HERRERA: Thank you.

COMMISSIONER MCNULTY: Yeah, I just want
to add that I think we are kind of all saying the
same thing. I understand Mr. Herrera to be saying
we need to understand the analysis before we draw a
conclusion in the same way that the Justice
Department will.

So we are going to need some more
feedback from Mr. Adelson about how he got there and
what goes into that because he did talk quite a bit
about the possibility of coalition districts but he
did not talk about majority/minority districts with
regard to these other areas.

JOSEPH KANEFIELD: I will follow up.

Thank you, Madame Chair.

CHAIRPERSON MATHIS: Thank you.

Other -- well, so --

WILLIE DESMOND: I guess I can follow it
up --
CHAIRPERSON MATHIS: I'm not sure it makes sense yet to go into this in great until unless someone wants to.

Are there other things we would like to see in the future on just the Legislative district map, some of the guidelines we would like to provide? Like, I don't know, again, keeping counties whole or what Mr. Freeman said?

VICE CHAIR FREEMAN: Were we going to see the map that Mr. Desmond prepared?

There it is.

WILLIE DESMOND: So this is version one. I can also -- would it be more helpful to see them individually or for me to try to overlay the lines from the other one?

I think one thing to note is no matter what we do, we're going to have to adjust District Number 7 from as it was on the grid to encapsulate all of the Navajo Nation and make that a majority/minority district.

I think the voting rights analysis will be very helpful there to see what the -- you know, the percentage has to be, whether it needs to go up or down. I know they've had a lot of population change over the last decade. There might be a
different threshold that's been reached there. I'm not sure what that would be yet.

COMMISSIONER MCNULTY: Mr. Desmond, have you done the no-split Native American on this district other than what you just described?

WILLIE DESMOND: No, for the Legislative what-ifs, the only ones we've done have been the two that matched the majority/minority threshold.

COMMISSIONER MCNULTY: It seems as a guideline forward that that would be important, that we not be splitting the Native American communities.

WILLIE DESMOND: Is there any sort of agreement on how many? Should we aim to always have the seven that seem to be clear, the seven majority/minority districts also as a guideline?

VICE CHAIR HERRERA: Yes.

WILLIE DESMOND: So the six Hispanic districts and the one Native American also in the sort of what-ifs we come up with?

COMMISSIONER MCNULTY: At a minimum, yes.

WILLIE DESMOND: Okay.

COMMISSIONER STERTZ: Madame Chair.

CHAIRPERSON MATHIS: Mr. Stertz.

COMMISSIONER STERTZ: Can you, for the purpose of this exercise today, which is at best, a
simple exercise, could you turn -- could you change the colors to the -- or to indicate which are the majority/minority districts out of the 30 that you've got designed?

WILLIE DESMOND: Yes.

COMMISSIONER MCNULTY: Can you do that by showing us the census data so we can see where the concentrations of population are?

WILLIE DESMOND: Currently this is shaded 5 percent Hispanic.

Let me try to identify the districts that are -- sorry, just bear with me for one second.

So the darker shades of -- are the ones that are above 50 percent Hispanic. Right now -- I should also mention that number 7 should be included there. That is above 50 percent Native American.

Just have done this quickly, I did it just based off of Hispanic.

I will zoom into Maricopa and you'll be able to see some of the other --

So these are -- these three and then the three along the border are the six that are above 50 percent Hispanic, and again, 7 is above 50 percent Native American.

And then also in this plan, District 20
is not above 50 percent but it is 45.54 percent Hispanic, which is a plurality. The next largest
group is non-Hispanic Whites at 42.73. And District 29 is 38.02 percent Hispanic. And the -- and that's
a coalition district with non-Hispanic Whites comprising 49.51 percent of the district.

COMMISSIONER STERTZ: Madame Chair.

CHAIRPERSON MATHIS: Mr. Stertz.

COMMISSIONER STERTZ: Mr. Kanefield, in regards to retrogression in your conversations with
Mr. Adelson as far as definitions are concerned, would you get -- please get a determination of
retrogression as it -- in regards to a -- the percentage as voter Hispanic age population that
currently exists in a current Legislative district and whether or not that is the -- that would be the
design criteria.

For example, currently in Legislative District 13, there's 68.27 percent. It is -- the
question would be is it incumbent upon us to have one of the districts meeting or exceeding the
68.27 percent?

JOSEPH KANEFIELD: Madame Chair,

Commissioner Stertz, I will.

COMMISSIONER STERTZ: Thank you.
CHAIRPERSON MATHIS: Thank you.

WILLIE DESMOND: There's one thing I would like to point out, that we did not exceed the top two districts, I believe, here. We tried to come close. We did bring the two that were at 49 percent just above 50 percent. So we would very much also like some clarification if those have to be at that same level. But we didn't do that yet.

I can show you the -- again, it's on the screen, so it's a little hard to see.

This is the existing districts and then we have tables prepared, and I believe they were sent to you just before this meeting, so I apologize, for plan one and option two.

So I know option two has a lower top district, but I think a little bit higher on some of the just-above 50 percent. So there's some trade-offs both ways.

Is there anything else on this or would you like to see the other -- the other map?

CHAIRPERSON MATHIS: Remind me of the other one.

WILLIE DESMOND: It's -- they both show exactly the same thing, but it's just to kind of illustrate that there's ways to draw these districts
that accomplish the same goal.

There are some that have to be -- the Native American is going to have be largely in the same district in any version going forward.

Let me turn this back on.

So this is the second version. And I can do -- if you would be interested, I can show you -- again, the scale is a different color on this one. I apologize. The darker the green, I guess, the more Hispanic the area.

Are there any questions about this version or the underlying data table percents? Anything along those lines or any areas you would like to -- for me to look at?

COMMISSIONER MCNULTY: There's no way you can put them on top of one another?

WILLIE DESMOND: I think I could. Let's give it a shot.

Okay. So for the purposes -- I'm just going to make this -- just bear with me for one second.

Okay. So the red line is the first scenario we looked at. The green line is the second one. These both accomplish the goal of having six -- 50 percent Hispanic districts, one majority
Native American district, and then two either Hispanic plurality or coalition districts.

VICE CHAIR HERRERA: Mr. Desmond, if you were to increase the age of -- the current HVAP of those six Hispanic majority/minority districts, where would you take them from? Would you take them from --

WILLIE DESMOND: It's possible that -- it's kind of hard to say. It's different in both of them. It's possible that we would have to maybe lower the percentage of -- it would be impossible to more evenly distribute, I think, the HVAP across the six so that there wouldn't be one that's quite as high. And on both of them there's a district that's well above 60 to kind of match the current level. It may be possible to kind of lower that one and raise the other ones to make them all closer to 55 or something.

VICE CHAIR HERRERA: Sure. But then we go into possible retrogression --

WILLIE DESMOND: Retrogression of the one, yeah.

VICE CHAIR HERRERA: -- of the one. So would it be best, as I had mentioned before, that getting the ones that are coalition -- supposedly
coalition districts and bumping -- moving those up
-- moving those and spreading some of them across
the six?

WILLIE DESMOND: Yeah, that's a
possibility. I didn't fully explore those. I kind
of just stopped once I got to the six above
50 percent and the coalition and plurality.

It would be possible with tweaking to
increase the six to a higher threshold.

VICE CHAIR HERRERA: As long as they are
not increased too much. As I said with the
Congressional districts, that I would like them to
stay at the same level, or if it's increased, it's
maybe one -- a few percentage points. I feel the
same way about the Legislative districts, current
majority/minority.

WILLIE DESMOND: Well, I would say that
at least two -- you know, since the threshold is now
above 50 percent, the last threshold was -- they
were at 49.81 and 49.8, so they all have gone up a
little bit. We could probably raise them up even a
little bit more, if that's something you want us to
look at.

Is there a minimum threshold you want
them all to be above?
VICE CHAIR HERRERA: Not that I -- no, I haven't looked at it that closely. But as long, like I said, as they stay at the same levels or slightly above.

WILLIE DESMOND: All of these are at the same level or slightly above except for the top two, I believe, which were I think --

VICE CHAIR HERRERA: Top two are --

WILLIE DESMOND: Just bear with me for one second.

In the existing districts, the top district is 65.98 and then the second highest district is 56.08. In these, the top district is 63.81 and 55.41. So those have dipped a little bit, but the other four have all gone up.

VICE CHAIR HERRERA: Okay.

WILLIE DESMOND: And that's for scenario version two.

I'm sorry, I looked at that wrong.

Currently the top district is 68.27 and the second highest is 64.9. That's my mistake. I apologize.

VICE CHAIR HERRERA: And those two that are at high levels, I probably wouldn't want to increase them anymore. They are at pretty high
levels as it is. And I don't know if we could get away with decreasing them, but we can probably get away with keeping them at the same levels.

WILLIE DESMOND: I think that will depend on our racially polarized voting analysis to see what those levels need to be.

But as a starting-off point, we tried to get back up there without making anything look too crazy just at the beginning and also raising the other ones that are a little lower.

VICE CHAIR FREEMAN: Madame Chair.

CHAIRPERSON MATHIS: Mr. Freeman.

VICE CHAIR FREEMAN: I guess unless we perform that more detailed analysis, it's hard to know whether we are actually comparing apples to apples and whether any of these proposed districts would meet the benchmarks that are established.

WILLIE DESMOND: We'll continue working on that and then hopefully at the next meeting we can take a step further on that.

COMMISSIONER MCNULTY: Madame Chair, I agree, we really need that. And I also noticed -- noted that earlier today that the coalition said they were going to be giving us their input in the next couple of weeks and I think that's going to be
pretty important to receive also.

And I have a feeling that working on these districts in the absence of their input is probably not that productive, although we need to gather the information ourselves so that we understand what the analysis is.

CHAIRPERSON MATHIS: Okay. Anything else on the Legislative maps?

WILLIE DESMOND: Can I just clarify?

CHAIRPERSON MATHIS: Please.

WILLIE DESMOND: I believe the only what-if for next time, then, so far is just a Legislative map that does not split up any Native American reservations.

Was there any other what-ifs that I --

VICE CHAIR HERRERA: I thought we said keeping -- having six majority/minority districts, six and one. So the six Hispanic and the one Native American.

WILLIE DESMOND: Okay. And I think we have that right now with these two versions.

Is there any changes further you wanted to these?

VICE CHAIR HERRERA: I guess not.

WILLIE DESMOND: Okay.
COMMISSIONER MCNULTY: We have all of these? You've given us these? This is what you e-mailed to us last night or early this morning that we can load up and look at --

(Multiple speakers.)

WILLIE DESMOND: -- later on when we're prepared to send you guys the bloc equivalency files or Maptitude file also so you will be able to look at the maps in Maptitude.

CHAIRPERSON MATHIS: Do you want to see him respect county lines like we did on Congressional or any thoughts on that?

UNIDENTIFIED SPEAKER: Yes.

VICE CHAIR FREEMAN: Sure. Let's do that.

CHAIRPERSON MATHIS: Anything else?
Okay. Thank you, Mr. Desmond.

WILLIE DESMOND: Thank you.

CHAIRPERSON MATHIS: Our next item on the agenda is item VI, discussion of possible action regarding modifying contract amendment with Strategic Telemetry that requires documentation of contacts regarding the Redistricting Commission contract to exclude media and bloggers from documentation requirements.
We had this item on our agenda last time and we are requesting for guidance from counsel.

Mr. Kanefield.

JOSEPH KANEFIELD: Madame Chair, I had indicated to you that we may need a little bit more time, but my team has communicated to me the additional layer of research that we did in response to the commissioners' request has once again revealed -- we were unable to identify any legal issues associated with the contract amendment that would require Strategic Telemetry to log all contacts to and from the public, including members of the media.

I had asked my team -- and what I did, just to make sure we were covering all bases, is I had a different attorney on my team look at it to double-check the work of the other attorney to make sure -- sometimes attorneys run different word searches when they do these kinds of word search analyses.

And that counsel came to the same conclusion as the previous counsel, and I think it's fair to say that there's no First Amendment issues associated with requiring this type of log to -- requiring Strategic Telemetry to keep this type of
log. It's within the Commission's discretion.

The issue may involve something that's called the journalist privilege where the journalist will oftentimes want to keep confidential their sources. But as I understand it, from the analysis my team has done, and my understanding of the First Amendment law that that's a privilege enjoyed by the journalist's but qualified privilege. It doesn't necessarily mean that the consultant, or any other government agency for that matter, can't keep a log of contacts that from journalist or bloggers or anyone else.

One suggestion is that a lot of times the common practice is for calls from the media to be forwarded or referred to one central individual in the agency or Commission.

We have a Stu Robinson as the Commission's public information officer. It may make sense for the media inquiries to be forwarded to him or to Ray Bladine. And that may help, but again, we just weren't able to identify any issue.

We also looked to see if there was any case law that dealt with a similar situation, or at least brought up a situation where a board or commission may have -- is my time up -- where a
board or a commission may have undertaken a policy
similar to this one and whether it raised any issues
or concerns, and we just -- obviously, that opened
up quite a bit of cases, but we weren't able to find
one specifically I could bring back to you as an
example.

So I guess at this point, I just -- I'm
happy to write up the analysis if you want to see it
in writing. But this is the gist of it. It pretty
much mirrors what I had advised before.

I think it answers the question --

obviously, it's -- given that there's no
identifiable and significant legal questions
associated with the policy, the Commission has
adopted the amendment that's now being executed by
Strategic Telemetry.

If you wanted to bury that practice, that
would be a policy decision and not necessarily based
on any kind of legal liabilities.

I could answer any questions.

VICE CHAIR HERRERA: Madame Chair.

CHAIRPERSON MATHIS: Mr. Herrera.

VICE CHAIR HERRERA: Just to clarify,

when you did your research, you didn't find any
government agency similar to ours that has done
something that we are proposing or have proposed?

JOSEPH KANEFIELD: Madame Chair,
Commissioner Herrera, I specifically asked in doing the analysis if the attorney working on it could try to identify a similar situation.

The response I got back was that it was difficult to find -- we weren't quite sure what we were looking for. We were trying to find maybe a case where a Commission had asked for a log to be kept of media contacts, and in any type of legal question so at least we could come back and say in the case this had come up.

I think that's a specific fact scenario, we just weren't able to find one specifically. And we'll -- and I got this analysis today, so I want to look at it a little bit deeper to see if we were able to identify any case. But the response I got back was, no, we couldn't find anything. There were a lot of hits when you word searched the case log around the country, when you put in things like "media" and "board" border and "commission," but trying to whittle that down to find a case was a little more difficult.

It was easier to search "First Amendment" and "blogger" and that kind of stuff and try to
identify what the legal question might be in requiring this.

    So I'm pretty confident that we've done the legal analysis, I just -- I wasn't -- we just weren't able to identify a specific case that may have had a similar situation and blessed it in some kind of legal opinion.

    VICE CHAIR HERRERA: Madame Chair, just one more. I think you already answered it, but let me ask it again.

    Were you -- when you did your research, did you guys think of any unintended consequences from this amendment to Strategic Telemetry's contract that could occur if we keep enforcing it?

    JOSEPH KANEFIELD: Madame Chair, Commissioner Herrera, we really -- unintended consequences, to me really involves policy issues and public relations concerns and stuff like that.

    We were -- we tried to focus strictly on the legal question, whether there was any legal liability associated with the policy and the amendment.

    VICE CHAIR HERRERA: Thank you.

    JOSEPH KANEFIELD: Any other questions?

    CHAIRPERSON MATHIS: Other questions, any
thoughts?

VICE CHAIR FREEMAN: Madame Chair.

CHAIRPERSON MATHIS: Mr. Freeman.

VICE CHAIR FREEMAN: Sorry, Joe.

Did I hear you say you just received the analysis and you kind of prefer to go over it?

JOSEPH KANEFIELD: Madame Chair, Commissioner Freeman, that's correct. Initially I had talked to the chair earlier and suggested we maybe want to push this off to another meeting because I hadn't yet received the second level analysis, but I had -- because of modern technology, it's been done sooner than I thought it was going to be done.

So if you would like, I can just -- give me a second here because I don't have it -- it's in electronic form.

What I -- what was reported back to me from my team was that they found no authority that would indicate that requiring a consultant to log calls, including calls from journalists, violates the First Amendment.

But choosing to put the log requirement into the contract to avoid any appearance of impropriety on the part of the consultant, the
Commission was acting within the scope of its legal authority.

If the Commission is concerned that the log requirement is appropriate, then it shouldn't be persuaded from doing -- dissuaded from doing that because of alleged concerns regarding the First Amendment.

So in other words, that's the legal way of saying that you can do it. It's not going to dispose you, necessarily, to a First Amendment challenge. Based on our analysis -- again, I can't control the lawsuit that someone may want to bring against the Commission, but we believe the Commission's position is legally defensible.

The team went over the journalists' privilege cases, talked a little bit about that. A case -- because we don't really know what the exact concern is. I know that at least one or two of the commissioners had suggested that those that were raising these issues bring those concerns to our attention.

And even -- there was some discussion about I wasn't -- still wasn't quite clear what the allegation was or how the legal question was being characterized.
But we did look at the journalists' privileged cases. Those cases indicate that journalists have a qualified privilege from being compelled to reveal sources from material gathered during the course of their -- doing their journalistic work.

The source, however, has no privilege and can be compelled to reveal what he told the journalist -- he or she told the journalist.

There's some Ninth Circuit case law that was analyzed. Just as an example, there's a case called Schoen versus Schoen. That's a 1993 Ninth Circuit case that makes that principle clear as to -- in terms of what the journalist's privilege is.

Here, the consultant is the party speaking to the journalist. And while the journalist has a qualified privilege against being compelled to disclose the identities of the people to whom the journalist speaks and what they tell him, that privilege does not and cannot prevent people who speak to journalists from disclosing the fact that they spoke.

And the consultant has agreed by contract with the Commission to log all contacts. The
Commission is not violating the First Amendment in asking the consultant to make this log and the consultant has an absolute right to agree to make the log.

That's the scope of the analysis. Happy to embody that in more detailed memo if you would like.

But at this point, I think we are pretty comfortable with the advice that we are giving you on you this particular amendment.

CHAIRPERSON MATHIS: Thank you.

Mr. Bladine.

RAY BLADINE: Madame Chair, a question was asked a minute ago about unintended consequences and maybe more from, obviously, from a policy level, since I'm not an attorney, we've already had discussions with Strategic.

Does that include calls to vendors? Does that include calls getting data from prisons? Does that include calls that they get to try to get information?

I think that we could spend a lot of time trying to define who they need to record and who they don't.

One thought I would give you that's
clearly your decision to make is whether or not maybe the whole idea of trying to have them disclose all of the contacts is perhaps an overreaching, but to put on them that if they have contacts that they feel are taking too much of their time or are trying to overly influence them, that it's their responsibility to notify you versus you trying to place who it is that are contacting them.

I know this is not the way you were all going, but as I got to thinking about it the last several days, it seems like you could spend a lot of time and a lot of legal research trying to figure out a way to control this.

So I just wanted to bring this up as a thought.

VICE CHAIR FREEMAN: Madame Chair --

CHAIRPERSON MATHIS: Mr. Freeman.

COMMISSIONER FREEMAN: -- and Mr. Kanefield, I believe -- I don't know the language that you all crafted in front me, but I believe that contract related contacts were excluded from the log.

JOSEPH KANEFIELD: Madame Chair, Commissioner Freeman, that's what the language -- the language says, "The contractor shall maintain a
log describing all contacts, oral or written, with persons other than IRC staff, attorneys, and commissioners regarding the contract."

So it would be within the scope of the contract.

If I could, I'll just make two quick points.

I already suggested earlier that the Commission consider a policy of directing media contacts through the public information officer. It's common practice among any government offices and it enables that person to coordinate communication.

Oftentimes they will refer the media to the chair or another commissioner or even perhaps the consult, but at least there's one central place that the media knows to go and wish to have a communication with the Commission or staff.

Also, just finally to note, under public records law, we are all familiar with that, it's common practice also for any request for public records to be done in writing.

Most state agencies have -- even have a form available on their websites, and that includes public records request from journalists. It's
oftentimes journalists that are making public records requests.

And it's not uncommon for a journalist to ask to see all of the public records requests made by other journalists so they know what other journalists are looking for.

So it's common practice for these kinds of communications to be logged. Obviously, this is government. We are operating in an environment of openness and transparency. So this is one of the ways in which that is accomplished.

VICE CHAIR HERRERA: Madame Chair.
CHAIRPERSON MATHIS: Mr. Herrera.
VICE CHAIR HERRERA: The reason we -- one or two of the commissioners brought this up was to allay public concerns -- to be transparent. And if people were truly interested in being transparent and concerned about public concerns, individuals that have spoken to us in meetings, made comments that they represent certain organizations, and we don't know who they really truly are, we don't even bother asking.

So if we were truly concerned about, you know, public perception and transparency, we would have those individuals that are approaching the IRS
(sic) either here or individually as members or even the staff, for them to disclose who these people are, who they represent, and who makes up these individuals in their organization. We don't even do that.

So I think if we truly care about transparency or just transparency or to allay the concerns, maybe my fellow commissioners only want to allay the concerns of a certain group of citizens but don't care about the other ones.

I don't know, but I care about everyone. And if they truly cared, as I said about public concerns, then we would allow -- make these people disclose who they are representing.

And that's, to me, true transparency, not just picking on Strategic Telemetry because we -- we didn't like the fact that they got chosen.

So that's my comment.

CHAIRPERSON MATHIS: Thank you.

Other comments?

I think there's a couple people in the audience maybe who wanted to address this agenda item.

Mr. March.

JAMES MARCH: Thank you. I'll be
extremely brief.

All I ask is that -- I've seen certain variances of this proposal kicked around over the last few meetings where you guys are considering, at least, making a distinction between some bloggers and other bloggers or between bloggers and journalists or some kind of distinction along those lines.

I ask that you not do that. I ask that you not discriminate about who is and is not a member of the press for the purposes of this body.

And that's all I have to say.

Thank you.

CHAIRPERSON MATHIS: Thank you.

Anyone else from the public?

Onita Davis.

ONITA DAVIS: Onita Davis, O-n-i-t-a, D-a-v-i-s.

I'm not speaking for myself today.

Cheryl Lamana was not able to be here, and she asked that a letter be read, so I would like to have your permission to do that. And it is on the topic of this whole issue you are discussing now with transparency and bloggers.

Commissioners, in the August 17th AIRC
meeting, Steve Muratore, a local blogger, expressed his discomfort with the proposed requirement to include the media on the contact log maintained by Strategic Telemetry.

I, on the other hand, am decidedly uncomfortable with the thought of squelching transparency by excluding the media from the log.

There clearly has been a blurring of logging -- of blogging with the mass media over the years. According to Wikipedia, since 2002, blogs have gained increasing notice and coverage for their role in breaking, shaping, and spinning news stories.

By 2004, the role of blogs became increasingly mainstream as political consultants, news services, and candidates began using them as tools for outreach and opinion-forming.

Blogging was established by politicians and political candidates to express opinions on war and other issues and cemented blogs' role as a news source.

Many bloggers, particularly those engaged in participatory journalism, differentiate themselves from the mainstream media while others are members of that media working through a
different channel.

Some institutions see blogging as a means of getting around the filter and pushing messages directly to the public.

Many mainstream journalists, meanwhile, write their own blogs, well over 300, according, to cyberjournalists.net/jbloglist. Today media is not so much reporting on the news as much as it is influencing how the public perceives issues.

A 2005 article, Alexander Lynch, titled "The Media Lobby" states, "In fact, an increasingly bigger story that has hushed the notebooks of reporters, the waxing of columnists, and the demands of editorials is the story of how the media is entangled and interconnected with politicians, its supposed regulators, corporate interests and binding them all together: Lobbyist.

The simple fact is, objective journalists are not supposed to be proactive on issues, which is the definition of lobbying."

These facts support the need for the media to be included on the contact log. While there's no scale to weigh conflicts of interest, the AIRC should consider the favorite saying of government watchdogs, "Sunshine is the best
disinfectant."

After all, if the rule of law applies to the White House in terms of maintaining and releasing its visitor logs, then it should also apply to Strategic Telemetry's log for the AIRC.

Sincerely, Cheryl Lamana.

Thank you.

CHAIRPERSON MATHIS: Thank you.

Anyone else from the public?

Mr. Kelley.

JAMES KELLEY: My name is James Kelley, K-e-l-l-e-y.

I wear a lot of hats, as many of you know. I am a blogger as well as a journalist. I've been involved in journalism in my life for well over 30 years for different publications and different organizations.

I have absolutely zero objection to being logged in when I make contact with any politician, any commission, any contractors for government. It happens all of the time. I give -- my contact to them is logged.

Thank you, Mr. Kanefield, for saying -- giving us the law on sourcing.

I can keep you -- in other words, if you
tell me something, I can say, "I don't have to tell you who told me." But you could be compelled to say what did you tell that journalist.

Quite frankly, if you were working for a private company and they said -- they put a gag order on talking to a journalist and it was found out that they did talk to me, they could be fired or compelled to tell what they told me.

These are the way things are. It's life. It's just the way it is.

So I have no objection to being -- if I ever called you or Ken Strasma, I have no objection whatsoever to being logged in.

Thank you.

CHAIRPERSON MATHIS: Thank you.

Mr. Muratore.

STEVE MURATORE: Thank you, Madame Chair, commissioners.

Am I close enough to the mic?

Okay. A couple of points. As to Ms. Davis's letter, in fact, much of the media does intend to influence the issues.

The Arizona Capitol Times, in fact, on its own website declares its mission to be influencing the issues and defining public policy or
vice versa. So, yes, that is the case.

However, what she described is every
columnist in every newspaper. It's not just
bloggers.

Now, a couple of people talked about the
significance of transparency. As to transparency,
if you guys genuinely are interested in
transparency, I think Mr. Herrera touched on this a
little while ago, perhaps you guys are the ones that
need to be disclosing your contacts with the public
because people aren't going to be lobbying Strategic
Telemetry. They are already and have been and will
continue to be lobbying you, and we want to know who
is doing that.

Now, from my perspective, I think it is
very significant that two commissioners have
objected to excluding the media from this particular
contract change.

It's those two commissioners that I would
pose -- let's see your phone records. Now, I know
that's very uncomfortable and I don't seriously
expect you to submit yourselves to it. But that's
what you need to be thinking about.

If you are uncomfortable telling us who
is lobbying you, then you need to understand that
there's a relationship between the press, and I do consider myself press. I'm not just a blogger blogging about recipes or gardening or something. Everybody knows that I am reporting on what you guys do and a lot of people are relying on me to get that information out.

Now, I think it's significant. I provided copies to each of the commissioners of a blog that was posted on Blog for Arizona recently that makes a distinction that I think is very significant.

The FBI -- it cites how the FBI has considered the changing role of bloggers and how important they believe protecting the free speech rights of bloggers and the media are.

I'm not going to belabor the point. I just think that it's very important that consideration be given to the fact that there's been dramatic and often overwhelming noise from the public trying to distract you and trying to distract the voters and the citizens of Arizona.

That's not going away. What -- requiring this particular disclosure does is provide just another opportunity for opponents of this process to claim that something is going arye when there really
isn't.

You know, if we could trust everybody that would get the log that Strategic Telemetry were to provide to the public to properly construe what that means, I would have no problem with it.

But the fact of the matter is, it would be used and will be used to attempt to intimidate you and me. And I object to that.

CHAIRPERSON MATHIS: Thank you.

Any other -- anyone else from the public that I missed on this topic?

Okay. Any discussions among commissioners, comments?

COMMISSIONER MCNULTY: I have a question for Ray.

I don't think we intended to require that Strategic Telemetry spend their time logging contacts with government officials, vendors, calls that are made in the process of data-gathering.

If we were to exclude government officials and vendors, does that carve that universe out?

RAY BLADINE: Madame Chair, Commissioner McNulty, I think in a way when Commissioner Freeman talked about -- it's related to contract, that may
exclude a lot of that.

I guess if I start to say "government,"
then, is that elected officials or not elected
officials. I just think -- I don't know how you get
into a definition other than maybe making it -- I
don't know how to answer that.

COMMISSIONER MCNULTY: Okay.

CHAIRPERSON MATHIS: Any other questions
or comments?

VICE CHAIR FREEMAN: Madame Chair.

CHAIRPERSON MATHIS: Mr. Freeman.

VICE CHAIR FREEMAN: When the Commission
voted to retain Strategic Telemetry as the mapping
consultant, it was a fairly controversial decision,
at least in some quarters it was three-two vote.

Strategic Telemetry did not hide the fact
that they worked exclusively for Democrats and
Progressives. And that caused a lot of concern in
the public. There was a perception of bias out
there.

And I think that the Commission is --
probably has done the right thing in trying to take
some steps to modify the contract, the agreement
with Strategic Telemetry to attempt to at least
allay some of those concerns.
They -- one provision was to require Strategic Telemetry to draw the maps in Arizona rather than Washington D.C., or New York. I think that helped.

Another was to -- I'm drawing a blank. What was the second one we recently proposed?

Oh, to prohibit them from doing other work in Arizona for Arizona politicians. I think that was a step in the right direction.

This one is trying to allay concerns out there that perhaps they are going to be contacted by other clients in the Democratic party who will try to have some issue over redistricting in Arizona.

So I believe, and this was a modification prepared by counsel, that that's where this log -- that's where it was aimed. That if they are going to be having discussions with someone outside of the process, noncontract-related contacts, at least it's going to be logged and it's going to be turned over, the Commission is going to know about it.

The Commission approved that contract modification 5-0. I think we should stick with it. The only other alternative I would see would be to just instruct Strategic Telemetry and perhaps have counsel craft another proposed contract
modification that would supersede the one we
approved that would direct Strategic Telemetry to
direct all noncontract-related communications to the
PIO and/or the executive director.

    Either way, I think it achieves the same
end, which is to allay the public concern of bias
with the Commission's selection of Strategic
Telemetry.

    VICE CHAIR HERRERA: Madame Chair.

    CHAIRPERSON MATHIS: Mr. Herrera.

    VICE CHAIR HERRERA: We talk about public
concern, but we haven't addressed the issue of --
because there's been people that have addressed the
Commission that are concerned about people that are
lobbying, talking to the Commission and they don't
know who these individuals are or who they
represent, we make no mention of it. That seems to
be okay.

    So again, the issue of -- that -- it
doesn't appear that we were truly concerned about
the public and the public's concern because I've
been in all of the meetings and people from both
sides of the aisle are concerned about people that
are lobbying us, lobbying the staff, lobbying our
attorneys. Those are the individuals that are being
more likely to be lobbying than Strategic Telemetry.

    Strategic Telemetry follows our orders.

As far as I know -- Mr. Desmond, do you guys do maps
on your own?

    WILLIE DESMOND: No.

    VICE CHAIR HERRERA: So we give them
what -- as what happened today, we give them the
steps they need to take to create what-if scenarios.

    Again, as I said before, we're likely to
be lobbied, so is our staff, so is our attorney. So
again, if you truly cared about public concerns,
which I don't think we do -- if we did, we would be
asking people to disclose who they really represent.

    That's all I'm asking. Let's talk about
that as opposed to talking about Strategic
Telemetry, which, again, it's a mapping consultant.
We tell them what to do.

    CHAIRPERSON MATHIS: Ms. McNulty.

    COMMISSIONER MCNULTY: Mr. Kanefield,
could you read us the amendment, please?

    JOSEPH KANEFIELD: Madame Chair,
Commissioner McNulty, I'll read the amendment in its
entirety.

    It's 4 dash -- I'm sorry, 4.15, the
heading is "Documentation of contacts regarding
Contractor shall maintain a log describing all contacts, oral or written, with persons other than IRC staff, attorneys and commissioners regarding the contract. The log shall include the name of the person, the organization the person represents, the date, and the topic addressed. This does not apply to contacts made while attending a public hearing or meeting of the AIRC.

COMMISSIONER MCNULTY: So where is the language in there that excludes contacts in connection with the contract? I think that language includes. I just want to be clear. I don't want these guys to get themselves -- I don't want us, because we aren't clear, you know, putting them in a fix here. And to me, that language is inclusive. It's all contacts except those with IRC staff, commissioners -- and what was the third one?

JOSEPH KANEFIELD: IRC staff, attorneys, and commissioners.

COMMISSIONER MCNULTY: Regarding the contract. Everything else has to be logged?

JOSEPH KANEFIELD: That's correct.

COMMISSIONER MCNULTY: So the calls to
Maricopa County recorder have to be logged, and the
calls to the Maptitude vendor have been to be
logged. I don't think that's what we intend. Is
it?

VICE CHAIR HERRERA: (Inaudible.)

CHAIRPERSON MATHIS: We can't hear you.

VICE CHAIR HERRERA: One more point, if I
can.

The contract talks about not having to
log contacts that are made during a public hearing.
So there's already a way around that, correct?

So if Christian Palmer wants to talk to
Strategic Telemetry, they don't have to call them,
they just talk with them here and that doesn't need
to be logged.

Am I reading that correctly?

JOSEPH KANEFIELD: Madame Chair,
Commissioner Herrera, that last sentence says, "This
does not apply to contacts made while attending a
public hearing or a meeting of the AIRC."

VICE CHAIR HERRERA: I guess what I'm
cconcerned -- when we start doing these amendments,
it seems like we don't put much thought into them,
at least I don't think so, because there's a lot of
questions that are being raised and we are not able
to answer them.

    Why do them at all if we are not going to do them thoroughly and in making sure that there's no, again, unintended consequences, which there seems to be with this particular amendment.

    JOSEPH KANEFIELD: Madame Chair, members of the Commission, Commissioner Herrera, we are happy to refine this language even more to be more specific if you would like.

    VICE CHAIR FREEMAN: Madame Chair.

    CHAIRPERSON MATHIS: Mr. Freeman.

    VICE CHAIR FREEMAN: First of all, if someone contacts Strategic Telemetry in a public meeting, it's going to be a public contact. So I think that's probably some of the rationale behind that exclusion.

    But I would agree with Commissioner McNulty, perhaps we could tweak the language a little bit as such that we are not having them to log every contact with every county recorder. So if it is truly a contact that's been necessitated by their work pursuant to the contract, that doesn't necessarily have to be logged.

    JOSEPH KANEFIELD: Madame Chair, we will work on additional language.
CHAIRPERSON MATHIS: Any other comments from commissioners?

VICE CHAIR HERRERA: Madame Chair.

CHAIRPERSON MATHIS: Mr. Herrera.

VICE CHAIR HERRERA: I guess I would say this for the third time because nobody has addressed the issue of true transparency and having people disclose who they are when they approach the -- when they lobby us, when they lobby the staff, and lobby our attorneys.

So I guess people -- again, if we truly care about transparency, that will be an issue that we should be talking about. But it doesn't appear that we truly do.

CHAIRPERSON MATHIS: What do you propose, Mr. Herrera?

VICE CHAIR HERRERA: Well, for example, there's people that come and lobby us, lobby the staff and we don't know who they are. There's all these questions. There's public concern about some of these groups. And again, we don't know who they truly represent.

So what are we doing about that?

I know -- I think the majority of you know what I'm referring to, and there's probably
many, but there's some -- there's -- if you read the
blogs, if you read the newspaper, there are
organizations that are lobbying us and we don't know
who they are. Maybe they send one individual to
represent them, but they don't disclose who they
are. So how is that transparency?

So if -- I guess -- again, I say this, if
you're truly concerned about transparency, that's an
issue that we should be addressing. But if we're
not, let's stop pretending that we do and do away
with these types of amendments that don't really --
that don't add any value and truly don't add any
transparency. Only more work and more time for
Strategic Telemetry, which we will be paying for.

COMMISSIONER McNULTY: Madame Chair.

CHAIRPERSON MATHIS: Ms. McNulty.

COMMISSIONER McNULTY: I think that -- I
can speak only for myself. I do care about
transparency. And the issue that Mr. Herrera is
raising, I think to a certain extent that goes to
the way that each of us gives the comments that are
made. And when someone says we think X, Y, or Z and
you don't know who "we," is, you factor that into
the weight you give those comments.

Although I do appreciate the point, I'm
not sure we can fix that in the context of this
amendment.

I'm troubled by the fact that we -- you
know, in the interest of reaching consensus and
trying to allay a disagreement, that we did an
amendment that I really think is overly broad on the
one hand. I don't think it makes sense to be
carving out -- to be logging the media or the
blogger of record, bloggers of record. So that does
concern me.

And I would have, I think, felt more
comfortable if what we had done was done an
amendment that have them log contacts with any
member of any political party who is attempting to
influence them. I think that might have been more
to the point of what we were trying to protect
against.

Having said that, I would support an
amendment to back out the media, but I think it's
essential that we be clearer about these routine
contacts in the course of doing their work and not
put them in a position where they have to be logging
all of those things or be at risk for being told
that they've done something wrong, because I don't
think that's what we mean to do. I think from my
perspective, that's the first priority.

COMMISSIONER STERTZ: Madame Chair.

CHAIRPERSON MATHIS: Mr. Stertz.

COMMISSIONER STERTZ: At the last meeting I asked Mr. Strasma his opinion of whether or not he had felt that this amendment that was put onto the contract was beneficial from the perception of the public in regards to how the public is perceiving our process, and he answered to the affirmative.

In regards to transparency that's come up, in regards to lobbyists that may or may not be talking to individual members of the Commission or the staff or the legal counsel or that are coming to us at presentation, we're going to have -- we are going to be -- during this process, we have been and will continue to be, people come to us and speak, they will come to the podium and they will make comments about who they are and where they are from and we will hear the name of that organization and whether or not it is The Fair Trust or the Hispanic Caucus for Better Government. I'm skewing that name. I apologize.

There will be many different groups that will come of which unless we are looking for bios and historical information, we are going to have to
do the best we can as individuals of character and
trust in which the public has entrusted us with to
have our own individual good character to make good
judgments based on the information that we are being
provided to us.

I didn't make -- I was not the maker of
the motion. I actually abstained from this motion
that was made for other reasons. Four of the
commissioners voted for. I'm comfortable with it.

The company that is bearing the burden of
the -- keeping the log is comfortable with it for
multiple reasons, including the public's perception.
And I don't think that it's overly burdensome to
keep a tracking log.

And I'm going to guess that if we drill
down to some of the aspects of the core contract,
because we had asked for logs of every modification
that's taken place, every contact that was made
inclusive of -- and this is in their core
agreement -- going back so far as to take snapshots
of any -- as we get maps that are being sent in,
we're not going to know -- we are going to know that
a person made a modification to a map. That's going
to be logged into the history. That's part of the
core agreement with Strategic Telemetry in an effort
to keep a long log of all of the communications that
took place.

I don't think that this is overly
burdensome. I don't think that it is a -- as it's
been implied, as a fishing tool. And I think that
it was -- frankly, I think that it was a good choice
by the four commissioners when they voted for the
affirmative.

I think that the research that the legal
counsel has done has shown that there is no
precedent that is going to show that this is
something that's going to cause us any consternation
down the road.

CHAIRPERSON MATHIS: Thank you.

COMMISSIONER MCNULTY: Madame Chair.

CHAIRPERSON MATHIS: Ms. McNulty.

COMMISSIONER MCNULTY: How much time is
it -- I mean, is it a problem to log in all of these
calls? You may not be able to answer that on your
own.

WILLIE DESMOND: Well, it wasn't until
the last meeting that we found out we had to log
outgoing calls. So in the last two days we haven't
made many.

I imagine when we -- you know, if we
would have been doing that as we collected
information for the VTDs or for the prisons, some of
those, you know, county clerks we called a dozen
times trying to get things and you got passed around
to many people. So that might have been some added
work, but it hasn't been a burden as of yet.

VICE CHAIR HERRERA: Madame Chair.

CHAIRPERSON MATHIS: Mr. Herrera.

VICE CHAIR HERRERA: Willie, did you say
that you're now not making as many calls so you
won't have to log them in, the outbound calls or did
I misunderstand you?

WILLIE DESMOND: No. No. No. It was
just that we had already done a lot of outreach.
Right now there's not anything right in front of us
that requires a lot of calls. And I imagine as we
go forward -- you know, if we have to do election
results for 2004 and 2006, we would have to go
collect, you know, maps from those years. That will
be a lot of calls. Things like that. It's just
that there's nothing going on currently that
requires any calls.

VICE CHAIR HERRERA: Correct. But now
you understand that going forward, any outbound
calls you make, excluding the attorneys and the IRC
staff and the IRC commissioners, you have to log them.

    WILLIE DESMOND: Yes.

    VICE CHAIR HERRERA: You didn't know that before, correct?

    WILLIE DESMOND: That was just clarified at the meeting on Tuesday.

    CHAIRPERSON MATHIS: Right, at the last --

    VICE CHAIR HERRERA: Again, unintended consequences.

    I think we should scrap this amendment and then start -- and redo it, if we are going to do it at all. Because again, we weren't intending this, and I'm assuming we weren't, when we -- when Commissioner Freeman put together this amendment.

    And for the record, I did vote for it and when I'm hearing these concerns and I'm thinking it over, I regret that I did.

    VICE CHAIR FREEMAN: Commissioner Herrera, as I have noted several times, I did not prepare this amendment. This amendment was prepared by counsel --

    VICE CHAIR HERRERA: I apologize.

    VICE CHAIR FREEMAN: -- and presented to
the Commission.

JOSEPH KANEFIELD: Madame Chair, members of the Commission, as I understand it, we are going to -- my take away is to work on some modifications to this language so that Strategic Telemetry would with not necessarily have to log those types of calls that Mr. Desmond was referring to. We'll do our best to come up with language that will be acceptable to the Commission and present it to the Commission at a future meeting.

VICE CHAIR HERRERA: In the meantime, could we scrap the amendment until a new one is drafted? I would like to do that.

CHAIRPERSON MATHIS: Any comments from anyone on that, Mr. Herrera's suggestion?

COMMISSIONER STERTZ: Madame Chair.

VICE CHAIR FREEMAN: Madame Chair.

COMMISSIONER STERTZ: Go ahead.

VICE CHAIR FREEMAN: Go ahead.

COMMISSIONER STERTZ: I was going to say, Mr. Kanefield, you're going to -- your anticipation is that you are going to -- you would craft up a subtext item to this that would give a clarification that would preclude Strategic from any, what I would consider to be a series of ongoing just normal
business calls, the ongoing business of their business that would be excluded or contacts that would be excluded, that could be extraneous to what the core components of the contract would be?

JOSEPH KANEFIELD: Madame Chair,
Commissioner Stertz, that's correct.

So we'll try to come up with language that identifies contacts that Strategic Telemetry makes that are necessary to performing its work such as communications with the Secretary of State's Office or county election officials, that kind of -- those kinds of contacts that obviously they need to do on a day-to-day basis to do what's necessary to perform their work.

So I don't have the language in my head but we will work on amend -- it would be an amendment to this provision that we would come to present, because this provision has already been adopted by the Commission.

COMMISSIONER STERTZ: And, Mr. Kanefield, just as follow-up before Mr. Herrera speaks, you will be able to bring this to us at the next meeting and have it to us a day before so we can review so that we could properly move on it at that time?

JOSEPH KANEFIELD: Madame Chair,
Commissioner Stertz, we will have that for your review hopefully a day before the scheduled meeting at which it appears on the agenda.

COMMISSIONER STERTZ: Depending on when the scheduled meeting is.

Thank you.

CHAIRPERSON MATHIS: Okay.

VICE CHAIR HERRERA: I think Commissioner Freeman had a comment.

CHAIRPERSON MATHIS: Yeah, he did.

Mr. Freeman, did you have a comment?

VICE CHAIR FREEMAN: With respect to what the agenda item is for today, it concerns possible modification of the contract term. I don't know if that includes an ability to revoke a contract term, which I think is what Commissioner Herrera approached.

So I don't think that's properly on the agenda and I am completely fine with leaving the provision in place until we next meet and consider a modification to the term.

CHAIRPERSON MATHIS: Mr. Herrera.

VICE CHAIR HERRERA: What I would like to direct our attorney to do is scrap the second amendment that talks about excluding members of the
media, including bloggers.

So basically the same amendment, the only difference would be is including -- when you start excluding individuals, that would be members of the media, including bloggers. So if you can do two amendments and we vote on one of two.

JOSEPH KANEFIELD: Madame Chair,

Commissioner Herrera, we will -- if it's a consensus of the Commission, we will propose two --

VICE CHAIR HERRERA: I don't know that you need a consensus of the Commission. I would like for you to do that and we can vote on them.

So if it gets voted down, it gets voted down. I would appreciate that.

CHAIRPERSON MATHIS: Other comments?

Ms. McNulty.

COMMISSIONER MCNULTY: I would be interested in seeing that amendment.

CHAIRPERSON MATHIS: Okay.

JOSEPH KANEFIELD: Thank you, Madame Chair.

CHAIRPERSON MATHIS: Thank you.

So in the meantime, just to be clear, the amendment that we've already approved stands until such time as our next meeting, when I assume this
will be on the agenda and we can vote on any
modifying contract language if we want to.

Okay. That takes us to agenda item VII,
discussion of future meetings and future agenda
item.

Mr. Bladine had done some research into
our calendars to figure out when we can all get
together.

RAY BLADINE: That's why I really came up
here. I didn't mean to make a bad thing worse. And
I think it may have unintended consequence. I'm
sorry.

I believe I presented all of you with a
schedule that shows possible meeting dates for the
rest of September.

I did my best to go through the
information that all of you had provided me as to
when you would be available and not. I hope you'll
all review that because I very well could have made
a mistake in pulling that together, but I really
tried to work around those things that you already
had scheduled on your calendars.

Perhaps just quickly running down them,
our next meeting, if this schedule were to be
followed, would be Friday, September 2nd, and that
could be a long mapping meeting from potentially 9 a.m. to 7 p.m.

I had kind of looked at all of these meetings being in Casa Grande just for purposes of an hour travel from Tucson and an hour travel from Phoenix.

The next opportunity, and that would give us a little time in between, would be Saturday, September 3rd coming back to see whatever the consultant put together at a meeting of about -- starting at about 12:30 p.m.

And that would be the extent of meetings on that -- of next week.

VICE CHAIR HERRERA: Madame Chair.

CHAIRPERSON MATHIS: Mr. Herrera.

VICE CHAIR HERRERA: I have no problem with Saturday meetings, but I would prefer to do them the earlier the better as opposed to starting them at noon. I wake up early; I'm assuming that my commissioner friend here, Stertz, wakes up just as early as I do, probably. So 12 o'clock seems a bit late for a Saturday.

RAY BLADINE: Chairman Mathis, I think the commissioner next to you is up early but he also has a radio show on Saturday mornings.
VICE CHAIR HERRERA: Doesn't -- oh, I --

RAY BLADINE: So that's -- I could remember that one.

COMMISSIONER MCNULTY: Can't you pretape that?

COMMISSIONER STERTZ: No, actually we can't.

I could probably do a couple.

VICE CHAIR HERRERA: Do we need to make a motion to make Commissioner Stertz pretape his --

COMMISSIONER STERTZ: It's not up to me, it's up to the station.

RAY BLADINE: I'd prefer not to get involved in that discussion, please.

So those would be the meetings for next week, and hopefully we would get a sense of how far you would be able to get because it sounds like you've given good direction to the mapping consultant of incorporating maps that have been submitted to you and having them come back with some alternatives.

Then the following week potentially Wednesday, September 7th, the possibility of a meeting from 4:00 in the afternoon to 7:00. And that would require Commissioner Freeman to
participate via Skype because he will be out of town on business that day.

Similarly on Thursday, September 8th, from 2:00 until 7:00 would be another opportunity to get together but it would also require Commissioner Freeman to connect via Skype.

Friday, September 9th, would be the potential -- and I've tried to have some time in between these for the mapping consultant to be able to get together and do some work so that he would bring it back and there would be dialog back and forth.

The next meeting would be Friday, September 9th, 4:00 to 7 p.m., but it could be about a three-hour meeting. We could start earlier if we were in Tucson.

Saturday, September 10th, 12:30 to 3 p.m. That would be about a two-and-a-half-hour meeting. You may or may not want to get together and do the travel for a two-and-a-half-hour meeting, but that's the best we could do on that Saturday.

We would then jump to the next week and September 14th, we could do a meeting on Wednesday, 9 a.m. to 4 p.m.

We could do a meeting on Thursday, the
15th, 12:00 to 4 p.m. Those would be a seven-hour and a five-hour meeting. So that would probably be a good amount of time to go over the mapping.

And then finally, the following week on Thursday, the 22nd, we could do -- it looks like you could do a meeting, 1:00 to 7:00. And if you needed to do another day, Friday the 23rd, 1:00 to 7 p.m., and there had been some discussion about perhaps starting second-round hearings on that day, but I have scheduled it now as a possible meeting day.

The problem I've had, and I imagine you'll have, too, it's very hard to know how many meetings you'll need and how long you'll need because we haven't done this before and it really depends on how quickly things fall into place for you and you're able to make decisions.

But what I tried to do was maximize the time that you could have to get together for meetings based upon the information I had about your schedules.

CHAIRPERSON MATHIS: Okay. Thank you. It's complicated.

RAY BLADINE: Yes.

CHAIRPERSON MATHIS: Any thoughts, commissioners, on the schedule?
COMMISSIONER STERTZ: Madame Chair, that's -- if I've done my math right, I'm not saying that I have, we've got -- that gives us 52 and a half hours of public meeting between now and the time that we'll be delivering maps. 250 man-hours between the five of us to call this together and a very aggressive schedule between staff and mapping consultants.

We have our -- that's a good chunk of time. That's working essentially, you know, almost a week and a half full time for each one of us without distraction, working solely on this process.

CHAIRPERSON MATHIS: Significant.

COMMISSIONER STERTZ: It's a chunk, and it's achievable. We've made good progress to get to today.

CHAIRPERSON MATHIS: Other comments from commissioners?

COMMISSIONER STERTZ: And, Madame Chair --

CHAIRPERSON MATHIS: Mr. Stertz.

COMMISSIONER STERTZ: -- in regards to September 10th, I will do my best so that we can move that to an earlier meeting and get coverage for that. And Commissioner McNulty is correct, that if
I can make the adjustment -- I can't make it on the 3rd but I can make an adjustment on the 10th if I have coverage from someone else.

COMMISSIONER MCNULTY: That would be great.

VICE CHAIR FREEMAN: Just on the subject on the 10th, take off my restriction on the 10th. I will deal with the consequences if we have to stay late into the afternoon.

RAY BLADINE: Okay. I can't remember right now which one it was, but I'll -- do you know which day it was?

VICE CHAIR FREEMAN: September 10th.

RAY BLADINE: September 10th. I'll put you on for more time with us.

Do you want me to write an apology?

COMMISSIONER MCNULTY: It looks like we might be able to have -- if we got to the week of the 5th and we needed it, it looks like the 12th would be a possibility either in Tucson or here, would it not?

Maybe we could all reserve to the extent that we don't have conflicts on that day. It looks like Scott's got -- you've got a deposition on the 5th and then Rick is not available on the 19th, but
on Monday the 12th, we might be able to spend some -- get some good work time in.

RAY BLADINE: That would be the 12th in the morning, I would -- looking at it. Is that what you're looking at?

COMMISSIONER MCNULTY: Yes. If we were in Tucson, we could meet until 3:30. If we were here, we could meet until 2:30, maybe.

COMMISSIONER STERTZ: 2:00.

COMMISSIONER MCNULTY: 2:00. But we could do a 9:00 to 2:00 if we needed it. Would that work for you?

CHAIRPERSON MATHIS: Yes, it looks like Wednesday, the 31st, too, after -- you know, an afternoon meeting from 2:30 to 7:00 if people could do it.

VICE CHAIR HERRERA: Madame Chair.

CHAIRPERSON MATHIS: Mr. Herrera.

VICE CHAIR HERRERA: I had sent Mr. Bladine an e-mail letting him know that I coach football Monday, Wednesday, and Friday.

CHAIRPERSON MATHIS: Oh, okay.

VICE CHAIR HERRERA: Coaching starts at 6:00. So that's why I would like to start -- the earlier the better for me. And preferably either
here or in Phoenix as opposed to Tucson those three days.

CHAIRPERSON MATHIS: There's --

RAY BLADINE: Madame Chairman, just on the 30th, you were saying a potential meeting --

CHAIRPERSON MATHIS: I was actually on the 31st --

RAY BLADINE: 31st.

CHAIRPERSON MATHIS: -- but I didn't know that, because that would only allow us to meet for a couple of hours, so that probably doesn't make sense.

RAY BLADINE: Okay.

CHAIRPERSON MATHIS: Thursday, RS Foundation.

Oh, it wasn't connecting. Okay. Got it. So we could -- so it would only be between 11:00 and 2:00, is what that means, right?

Maybe we should talk about agenda items that we definitely want to have at the next meeting because I'm wondering, too, we could have a situation where we maybe can split commissioners, too, the way we've done in the past if it's not, you know, a substantive mapping meeting where we have some in Phoenix and some in Tucson.
The thing I'm most interested in is this racially polarized expert and having movement on that. So that's why I'm anxious to get a meeting sooner than Friday, September 2nd, if possible.

So I'm wondering if we could all have one of those Skype meetings if we wanted to discuss that and hear from counsel.

VICE CHAIR FREEMAN: And, Madame Chair, with respect to Thursday, September 1st, perhaps there was miscommunication. I am free after 2 p.m. I have a deposition that will start at 10:00 and probably concluded around 1:30 in Phoenix.

COMMISSIONER MCNULTY: So that should say yes after 2 p.m.?

RAY BLADINE: That was the 1st, you're available after 2 p.m.?

VICE CHAIR FREEMAN: Correct.

RAY BLADINE: Okay.

CHAIRPERSON MATHIS: That brings us up one day closer so we could all meet after 2:00 if it's up in the Phoenix area.

COMMISSIONER STERTZ: Madame Chair.

CHAIRPERSON MATHIS: Mr. Stertz.

COMMISSIONER STERTZ: I think that what we have is we've got some criteria that's going
to -- that we really need before we take some next steps. Some of that is coming from Mr. Kanefield, some of that is coming from Strategic Telemetry. We also have some business issues to take care of.

I'm going to suggest that we might hold open a time where we might easily do a telephonic conference to take care of business and data issues which would allow us not -- the travel is -- eats into all of us quite a bit. And if we can take care of the business -- it's also -- it might be interesting to the public, but I think what -- the issue of the time of us all getting together in the same room has got to be almost solely dedicated between now and the publication of the draft map has got to be on mapping. And we need data and we need input into your work.

And the big question is if that 2004, 2006 criteria is required, and DOJ is going to give you that counsel through Mr. Adelson, and that data needs to be input and you're going to have -- Mr. Strasma and the Strategic team are going to need some time for that data input or not, but we don't know what that is yet.

Some critical pieces need to get put together. We need to take care of some business.
We could probably do that telephonically through a Skype meeting. Our schedules would be a lot more adjustable based on that.

And then -- I love the Friday/Saturday sessions. Big Friday meeting gives us a big chance to clear up a lot of our own personal stuff during the course of next week -- gives consultants a chance to get their pieces and their questions together between now and then.

CHAIRPERSON MATHIS: Okay. I agree.

So should we talk about a telephonic meeting occurring sometime before the -- if we do a Friday/Saturday next week?

COMMISSIONER STERTZ: Maybe -- would you have information ready -- it's really up to them.

CHAIRPERSON MATHIS: Well, one of the things is the Ken Strasma presentation on competitiveness and compactness, the different methodologies. And I know he has that ready to go. I don't know if it could be done via -- in a Skype setting, but -- if that's an appropriate thing to do.

And then I don't know, legal counsel, how soon you guys could have some racially polarized voting advice.
JOSEPH KANEFIELD: Madame Chair, members of the Commission, Wednesday afternoon, if everybody is willing to do a conference call on Skype, we could have that information ready to present to the Commission at that time.

CHAIRPERSON MATHIS: Okay. Looks like we are all open Wednesday afternoon. I'm the one that had something. And if we're Skyping, I'm available by 1:30.

JAMES MARCH: Will you take public comment on agenda items?


JAMES MARCH: Thank you, Madame Chair. This will be the last time I speak today, and I won't be very long.

I asked that you put an agenda item on next meeting regarding -- or if not the very next one, at an upcoming meeting, regarding whether or not the Commission should independently incorporate the lobbying rules or something like them for people who professionally appear before this body.

Let me explain what I mean by that.

The Secretary of State has said that under state law, the statute book, the Secretary of
State cannot enforce lobbying rules against people applying for this Commission.

However, as an Independent Redistricting Commission, you are a Legislative branch power and you have the kind of abilities to run your own affairs that the State Legislature does.

So you -- I believe that you have the ability to set the rules for the people who appear before you. You are already considering that where contacts with your staffers are concerned. I believe you could adopt lobbying rules.

Let me tell you very briefly why it's important.

Earlier today, Mr. Cantelme whispered to me, you know, why didn't you just ask me about what I'm about and where I come from. I honestly -- or words to that effect. I'm paraphrasing here, but I looked at him like he was from Mars because not only if I talked to Steve Muratore sometime ago, but over the last few days, I've talked with Evan at the Capitol Times and Paul Davenport at the AP who both confirmed to me they've asked The Fair Trust guys who is behind you and gotten no answer.

So if Fair Trust won't answer that question for AP, Capitol Times, or Mr. Muratore,
then I don't think he's going to answer it from me.  

Another concern is that Mr. Cantelme came before this body just today and went on about how he personally has a long history with civil rights and appreciation of minority voting rights and all of that, and I believe him. Absolutely. It's absolutely -- he's probably telling the truth, except it doesn't matter. What matters is what are the opinions of the people behind him.

Look, the Ku Klux Klan could hire Martin Luther King's granddaughter as a lobbyist and her record in civil rights wouldn't matter a bit, would it? Okay.

Knowing whose -- who is the man behind the curtain is important. Now, I think -- one of the reasons it's become important to me over the last 24 hours is I know that I've gotten somebody's attention. I know that I've gotten some people upset with me because last night my gmail account was hacked. This morning I find my phone suddenly dead, invalid SIM card. Normally I would say maybe that's a glitch in the phone except there are ways of faking a SIM card, bringing it up on the same network and you'll crash the other guy's phone.

It looks to me like I've gotten
somebody's attention over the last few days, and I think your attention should be raised, too. I'll say it again, hidden agendas.

So consider what are your powers to set the rules for the people who come before you, especially on a professional basis.

Thank you for listening.

CHAIRPERSON MATHIS: Thank you.

Mr. Kanefield.

JOSEPH KANEFIELD: Madame Chair, I just want to make sure we are following the agenda.

I'm assuming that you -- the Commission is finished with agenda item VII, discussion of future meetings and agenda items and you have gone onto agenda item IX, there's a call for the public?

CHAIRPERSON MATHIS: Actually, no, I wasn't finished with the future meetings and future agenda items, but since Mr. March had asked if he could make a comment on future agenda items, I allowed him to do that.

So we are still on agenda item VII, discussion of future meetings, and it sounded like we had some consensus around Wednesday having a telephonic kind of meeting, Wednesday afternoon, the 31st.
And legal -- one of the items will be legal counsel providing guidance on racially polarized voting experts that we can consider.

They will also, I presume, have amended contract language dealing with our agenda item VI today, potential modifying contract amendment language.

Other business items that we could cover easily during phone -- maybe Mr. Bladine could check with Mr. Strasma and see if that presentation on competitiveness and compactness methodologies is something that could be achieved in that kind of meeting. And if not, we'll have it in a different meeting.

RAY BLADINE: I can certainly do that.

CHAIRPERSON MATHIS: Any other agenda items for the telephonic one, the 31st?

COMMISSIONER STERTZ: Madame Chair.

CHAIRPERSON MATHIS: Yes, Mr. Stertz.

COMMISSIONER STERTZ: It would probably be prudent for Mr. Bladine to give an executive director's report. He was able to distribute budget data. I think he can probably extrapolate a little bit on that and just, again, to start -- and making that part of a routine.
RAY BLADINE: Madame Chair, I will also -- I was hoping to have a list for you now. In the last several meetings you've had items you've asked to have carried over, and I started that list yesterday and I frankly didn't get it done. But I'll have that to you for the next meeting.

And my thought is I'll just keep a running list of those items that need to come on an agenda and there's certain items you told me we should put on the agenda each month, but I didn't want to fill each agenda up with items that we weren't ready.

So I'll have a list of those. We won't lose them. And if someone -- if anyone would like more detail on the budget stuff, if you tell me what, I'll get that together, but I will put a director's report on for next meeting.

COMMISSIONER STERTZ: Madame Commissioner and Mr. Bladine, in regards to any what would be considered consent agenda items, action items that need to be made part of the record, just acknowledgment of just the loose ends that have -- that may come about from time to time that need to come and go but be part of the record, would probably be good.
And I'm also going to suggest, Madame Chair, that we -- because mapping is such a time-absorbing component, that we may consider having these business meetings, possibly even telephonically, but business meetings or Skype meetings as part of our routine going forward because we can cluster a lot of these things together that are not -- necessarily need an enormous amount of interaction.

CHAIRPERSON MATHIS: I like that idea.

Anyone else want to comment on that?

Okay. Any other agenda items for the telephonic meeting on the 31st?

RAY BLADINE: Can I just clarify with you we added -- did we add September 12th also?

CHAIRPERSON MATHIS: Yeah, I was going to get to that.

Let me -- is there any other agenda item that we can think of right now for the telephonic meeting the 31st?

I don't know if any minutes will be ready by then.

RAY BLADINE: If there are, we'll add them. That's what I was understanding part of Commissioner Stertz's --
CHAIRPERSON MATHIS: Okay. So then let's talk about these meetings that Mr. Bladine has put on the sheet.

Are we agreeing that we want to meet the 2nd and 3rd of next week, too, for mapping?

Everyone is good?

Okay. Then the 7th through the 1th -- so if we could just all hold these times, unless there's anyone who doesn't want to hold them.

Did you have a question, Mr. Bladine about a certain date?

RAY BLADINE: I had two.

I wasn't sure whether you also added a September 1st, 2:00 to 7 p.m. or maybe the telephonic meeting on the 31st handles that.

CHAIRPERSON MATHIS: Right.

RAY BLADINE: And then the other one I wasn't sure whether you added a meeting on September 12th from 9:00 to 2:00.

COMMISSIONER MCNULTY: I was just suggesting that we all reserve that on our calendars and we would make that decision that week -- earlier that week.

RAY BLADINE: Okay.

CHAIRPERSON MATHIS: So we'll reserve
Monday, September 12th from 9:00 to 2:00.

COMMISSIONER MCNULTY: And then September 10th, we are thinking of 9 a.m. rather than 12:30, depending on your schedule?

COMMISSIONER STERTZ: I'll make that happen.

VICE CHAIR HERRERA: You know, when is the last time we had a Phoenix meeting? It's been a while.

COMMISSIONER MCNULTY: Okay. So the rest stands as it is on the sheet and we'll hold those times sacred.

Thank you, Mr. Bladine for figuring out our schedules.

RAY BLADINE: Thank you all for the help of making it correct.

CHAIRPERSON MATHIS: Okay. And then do we want to talk about other agenda items for any of the other future meetings?

VICE CHAIR HERRERA: Madame Chair, I think we all have given Mr. Bladine some future agenda items, I know that I have. I'm sure they weren't forgotten. So I'm in no hurry, as long as those items that I brought up eventually make it to a meeting.
RAY BLADINE: I do recall the list that I had started to get together. You wanted information on what was spend to get records request together was one item. I think another one was the Attorney General's inquiry.

Most of -- right now we don't have the data. We're going to have to go and break that out, so it will take at time. We'll do it as we can.

But this week we concentrated on trying to get these meetings set up and some other paperwork to all of you. So we'll get it done.

And I will give you a list ahead of time so you can let me know if I've missed anything. But I did start going through the last meetings pulling out agenda items that I thought you wanted to hear.

VICE CHAIR HERRERA: Thank you.

CHAIRPERSON MATHIS: Okay. I apologize, Michelle. We've gone way over what I should have for giving you a break.

Is anything else on agenda item VII?

VICE CHAIR HERRERA: Madame Chair, what I would like to do if -- when we get back from break is can you do public comments before -- hear from individuals we haven't heard from --

CHAIRPERSON MATHIS: Agreed.
VICE CHAIR HERRERA: -- before we go into executive session?

CHAIRPERSON MATHIS: We'll do that.
So let's take just a brief recess. Ten minutes. It's 5:12 p.m.

(A recess was taken from 5:12 p.m. to 5:29 p.m.)

CHAIRPERSON MATHIS: Okay. We'll enter back into public session. The time 5:29 p.m.
And our next item on the agenda -- we're going it skip VIII and do call for public comment first.
So I've got a few request to speak forms, and if anybody else spoke earlier and wants to speak again, feel free to let us know.
First up is Judith Dworkin, attorney for Navajo Nation.

JUDITH DWORINK: Do I have to pull hard? Can you hear me?
No.

CHAIRPERSON MATHIS: It has to be really close.

JUDITH DWORINK: It has to be really close. Okay.

Can you now hear me?
Okay. Good afternoon. My name is Judy Dworkin -- or Judith Dworkin. That's spelled D-w-o-r-k-i-n, from the law firm of Sacks Tierney, and I represent the Navajo Nation.

And as you've heard previously, the Navajo Nation is primarily spearheaded by the Navajo Nation Human Rights Commission that's appeared already before you.

And I just have a few specific comments that I would like to make.

The first is to address some questions I think you had earlier with regard -- they were directed to I believe either Mr. Burke or to one of the other people from Flagstaff regarding communications with other tribes that would be incorporated within the Legislative or Congressional district, which is very similar in the Flagstaff map and in the Navajo Nation map that was presented to you I believe last week.

The Navajo Nation has communicated with every tribe that is included in that district. For some of them we have meetings scheduled.

It is anticipated that we would try to obtain tribal council resolutions that we could provide to the Commission that would certainly
identify the fact that these tribes would like to be
within the same Congressional or Legislative
district as the Navajo Nation. So that's what we
intend to do, and I hope that is responsive to the
question that you had asked much earlier in the day.

Second of all, we have submitted and I
spoke to the assistant Kristine -- yes, Kristine
regarding the maps that we have sent. I believe
they have all -- you've received those in a
Maptitude form, but at the last meeting that
Mr. Gorman was asked -- that Mr. Gorman was at, I
believe there was a discussion of some lands that
the Navajo Nation owns but are not held in trust.
There is specifically three different tracts of
land.

The Winslow tract, which is northeast of
Winslow, the he Espil Ranch, E-s-p-i-l, Ranch, which
is northeast of Flagstaff and the Boquillas Ranch
which is north of Seligman.

And I have -- I was e-mailed but it was
after I was on my way here this afternoon that map,
and I will send that on to the Commission tomorrow
so that you will have that map as well identifying
where those specific ranches or lands are.

They are not held in trust but they are
owned by the Navajo Nation, and we consider those a community of interest with the Navajo Nation. And I believe that all of those are within the maps that we have provided to the Commission and they are similarly within the map that Flagstaff has also provided to the Commission today.

That's my second point.

My third point is that -- and at Mr. Burke's urging, I would like to reiterate the fact that the City of Flagstaff and the Northern Arizonans would like to have you hold another meeting before the second round in Flagstaff, and Mr. Burke whispered to me as he was leaving, maybe you could suggest to them that they do the September 9th and 10th meeting Flagstaff.

So without having much commitment to that, I'm iterating his request that I let you know that.

And finally, I believe that you have scheduled, although I actually couldn't find it on my phone as I was looking through, a second-round meeting that may be the second one in Window Rock for the September 27th, and I am to advise you that the Navajo Nation has secured a site on September 27th at the Navajo Nation Museum.
auditorium, Window Rock, Navajo Nation, state of Arizona. So that location has been secured for your use on that day.

Those are all of my comments, and I will take any questions that any commissioner would have.

Thank you.

CHAIRPERSON MATHIS: Thank you.

COMMISSIONER MCNULTY: Ms. Dworkin, could you spell the name of Boquillas Ranch, please?

JUDITH DWORKIN: Boquillas, it's the B-i-g, then B-o-q-u-i-l-l-a-s.

COMMISSIONER MCNULTY: Thank you.

CHAIRPERSON MATHIS: Thank you very much.

JUDITH DWORKIN: Thank you very much.


MOHUR SIDHWA: Yeah, I'm representing myself. Nobody is paying me. I'm just doing this on my own time.

As most of you know, I've been going to almost all of the meetings and most of the hearings that we had in Southern Arizona where people spoke to you.

And I was intrigued by a number of things, and one of the things I did notice that the
people -- can you hear me?

That the people who wanted to keep Yuma together didn't look like the people who were sitting behind me with the Hispanic Coalition. And there are almost about a hundred-plus Latinos living in Yuma County. And the unique characteristics and voting pattern do need to be considered and respected.

So it was just a thought that the southern minority/majority district that the Hispanic Coalition came up with, maybe it could be brought into it.

Because I was thinking, they have a lot in common -- there's all of that agriculture area in Yuma and it goes directly -- you know, comes from the border. There's a lot of travel between the two from the agriculture area to the new Yuma Port of Entry and there are also improvements being made to the Nogales area Port of Entry.

Again, Commissioner Herrera, you may understand this more, but keep in mind who wants these places to be in one city versus who doesn't. And you may kind of want to keep that in mind.

Another thing that concerned me, I am concerned about packing. So I don't know if the
data on that grid was current data of where the CDs are, where they were when the Department of Justice initially approved them. They may have been 50, 52 percent, but you certainly don't want to make it 60, 65 percent and stuff like that. That's absolutely packing and the DOJ may have problems with that also. Just a thought.

I mean well.

Thank you all again.

CHAIRPERSON MATHIS: Thank you.

Frank Bergen, representing self from Tucson.

FRANK BERGEN: Bergen is B-e-r-g-e-n.

And I thank you, Madame Chairman, and commissioners for the opportunity to be here.

I guess -- there we go. Is this okay?

In the interest of transparency and openness, I'm a Democrat. I've been active in many Democratic campaigns statewide and in Pima County over the last several election cycles.

And being slightly more specific, in the 2008 election campaign, I made a contribution to Mr. Andrei Cherny who was running for State Treasurer.

That seems to become a pertinent item in
the record of the Commission, so I just thought that I would let you know that I, too, have made such a contribution.

And I would add to that the interesting observation that Mr. Cherny's campaign chairman was Southern Arizona's most prominent Republican, the recently retired Congressman Jim Kolbe, and that's spelled K-o-l-b-e.

I'm here today to speak about transparency and openness. And I think that there are some items which may or may not be pertinent. I think they are pertinent or I wouldn't be up here talking about them, that to the best of my knowledge have not been made a matter of public record.

Early in last year's campaign season, a body cropped up in the Tucson area called Conservatives for Congress Committee. And that committee seemed at the very beginning to limit its efforts to personal and political attacks on the incumbent in Congressional District 8. After a time, it broadened its area to include the incumbent in Congressional District 7.

It even after the primaries were over and the incumbents had challengers, the Conservative for Congress Committee did very little to advocate for
those candidates but continued the unremitting
attacks upon the incumbents.

At the same time -- and actually earlier,
there came into existence, and I don't know just
exactly when, an outfit -- an entity called the
Tucson Business Fellowship, which is a group of
conservative Christians in the business community in
Tucson who meet monthly for breakfast.

The October meeting was given over to an
endorsement extolling of the two Republican
candidates in CD7 and CD8, including an exercitation
to the attendees to make contributions to their
campaigns.

Now, what is pertinent about this is
that -- and I believe it's not yet part of the
record -- that Commissioner Stertz, in his own
words, was likely involved with Conservatives for
Congress and is the CEO of the umbrella
organization, Vision 360 for Tucson, which includes
in its elements, the Tucson Business Fellowship.

Now, none of what either of these
organizations has done is anything wrong or to be
hidden or to be backed away from, I'm sure, but I
think that it should be on the record that these
organizations have this commonality that
Commissioner Stertz is involved or has been involved with them.

I don't know whether Conservatives for Congress is still in existence, but certainly the Tucson Business Fellowship and Vision 360 for Tucson are.

As a matter of fact, just about four weeks ago, the Arizona Corporation Commission received recorded -- accepted an application for incorporation as a not-for-profit entity of For Tucson.

With that, I hope that this particular bit of information, now that it is on the record, will fade as it should, along with a lot of other extraneous material into the background so that the five of you who are doing a marvelous job can continue with your work.

It certainly is not going to be in peace and quiet, but I hope it can be done with a certain degree of acceptance by the people of Arizona for whom you are working, and I thank you again very, very much.

CHAIRPERSON MATHIS: Thank you.

Nancy Hawkins, representing self from Pinal County.
NANCY HAWKINS: Do you need me to spell my name?

H-a-w-k-i-n-s.

I'm just a regular citizen, and I've only been able to attend all of one meeting. It was the first meeting that you had down here in Casa Grande. It was in the evening. And I just have one concern. Only half of the Commission was able to make it at that time.

But for us to be fairly represented, and that's the goal, is for us to be fairly represented when this is all done, I did have some concerns because a good part of that meeting between public officials and at the end, the Commission, a good part of it seemed to have been focused on competitive districts.

And it's my understanding that this is the last of the requirements. That the other requirements are supposed to be of priority concern and then if the other concerns have been met, then competitive districting can be taken into effect.

I understand it has to be taken into effect, but in order for us to be better represented, I would hope that the focus isn't on competitive districts, which it seems to be for
Thank you.

CHAIRPERSON MATHIS: Thank you.

And Mr. Muratore I think also wanted to speak. And anybody else that's already spoke -- okay, and Mr. Kelley, you'll be next.

STEVE MURATORE: Thank you, Madame Chair, commissioners. My name is Steve Muratore, M-u-r-a-t-o-r-e. I publish the Arizona Eagletarian and I just have one brief point.

At a meeting a week or two ago, David Cantelme, who represents Fair Trust, called me a liar. I had right before that expressed my concern that this Commission had made a decision on the choice of a mapping software for public use based in part on a risk that had been identified pursuant to a letter that he submitted to you.

Now, I've looked at that letter, and I've considered what you guys have decided and it's very clear that my concern and what I indicated that Mr. Cantelme intended, to at minimum, issue a veiled threat of litigation and that you guys made your decision, at least in part on that basis, is true. And it's important to me that Mr. Cantelme does not go without having that called to attention.
So that's what I needed to say.

Thanks.

CHAIRPERSON MATHIS: Thank you.

Mr. Kelley.


Madame Chairman, thank you so much for allowing me to speak again today and to address this Commission again, which I'm actually starting to enjoy on a regular basis now.

One of the things that I'm very concerned with is the sort of backing away from the three-border Congressional district idea.

I urge this Commission to please figure out a way to continue to meet the constitutional criteria and all of the other criteria before you just abandon the three-Congressional district idea. There's got to be a way to do this.

I think it's best for the state of Arizona, which is why we are here. We are also looking at the fact that there are three very distinct military presences along the border.

Sierra Vista has Fort Huachuca; Tucson has Davis-Monthan Air Force Base; and Yuma, of course, has the Marine Corps, along with the Barry Goldwater Bombing Range, which I don't consider a
military installation because it's shared by all of the other -- all of the military installations. We also have Luke Air Force Base up here in Phoenix to consider as well.

But with the three-border district, if only one congress person is in charge of the district that encompasses all three of those military bases, whatever happens with that goes with the wind of who gets elected.

If you decentralize the power structure of whose those districts are in, I think it would be better for the state of Arizona.

Secondly, they have very distinct missions and very distinct communities of people, whether it be Army, Air Force, or Marine Corps.

The point is, yes, it's all one military, but we were talking about very different needs economically, very different needs socially, very different needs communally.

So please do not abandon the three-border district -- Congressional district idea. Figure out a way to do it.

I do want to commend the Arizona Hispanic Coalition for Better Government -- Better Government, I think is what it is. I think they did
a fantastic job in their due diligence and the
research, particularly for CD4, except for that
little annoying issue of packing. To go up to
60 percent when previously they were at 57 percent,
it bothers me a little bit. Well, it bothers me a
great deal. I don't like packing. And packing is
Jim Crow ghettoizing of districts and I don't like
it.

Something that happens on the East Coast
often is as previous -- as minorities, ethnic
minorities rise in economic status -- they do their
best to move out of poorly-performing districts or
ghettoized districts.

And what happens then is during
redistricting, those politicians who have always had
them before then want to reach their fingers out to
where their people moved to. And this has happened
in Tucson.

As Hispanics have gone to the University
of Arizona, as their economic status has risen, they
have done their best to get out of the barrio and
buy new houses, bigger houses particularly in my
very Panathenaic neighborhood and precinct and they
want a way from those politics of that district but
the district keeps wanting to reach back and grab
them back and say, nope, you're our people and we need you to maintain these levels of minority/majority for the district. So keep that in mind as well.

Let's try to meet the DOJ criteria with the understanding that there's a heck of a lot of Hispanics who have risen in economic status and it's amazing how having a mortgage and children can turn you conservative in this country, particularly in Southern Arizona.

Younger ones around the university area, of course, they don't have as much invested but the others do and they want out of it. They want out of the ghetto district, they want out of the barrio. So let's not force a grab for them just for ethnic superiority in a particular district.

So please keep that in mind. And be willing to give up South Yuma for the river district so they could have continuity, so they can have Yuma in one district, and so that the people of Yuma can have a unification with the rest of the districts and the rest of the counties that are along the river for their economic prosperity that we need to be looking at in terms of a desalination plant and in terms of a port of Arizona at the mouth of the
So these are all things that I want you all to keep in mind while you make the decision and when you make the final decision in all of your little what-ifs, don't abandon the three Congressional district criteria.

Thank you very, very much.

CHAIRPERSON MATHIS: Thank you.

Anyone else?

I don't have any or request to speak forms.

Okay. So the time is now 5:51 p.m., and the only item left on the agenda is number VIII, report legal advice and direction to counsel regarding Attorney General inquiry. The Commission may vote to go into executive session which will not be open to the public for the purpose of obtaining legal advice and providing direction to counsel.

So with that, is there any update that our legal counsel wanted to provide in public?

JOSEPH KANEFIELD: Madame Chair, it would be our suggestion that the Commission go into executive session so we can give you legal advice and to give you an update on the Attorney General investigation.
CHAIRPERSON MATHIS: Okay. Is there a motion to go into executive session for these reasons?

VICE CHAIR HERRERA: Should we take a quick break to allow people to exit?

CHAIRPERSON MATHIS: Well, yeah, I mean, they can exit as we go into -- as we do this motion.

COMMISSIONER MCNULTY: I'll make a motion that we go into executive session to get legal advice and give direction.

CHAIRPERSON MATHIS: Okay. Is there a second?

VICE CHAIR HERRERA: I second that.

CHAIRPERSON MATHIS: All in favor?

("Aye.")

CHAIRPERSON MATHIS: Any opposed?

Okay. We'll exit out of public session. The time is 5:53 p.m. and enter into executive in a minute. We'll wait. Take a quick break.

(Whereupon the public session recessed and executive session ensued.)

* * * * * *
(Whereupon the public session resumes.)

CHAIRPERSON MATHIS: We'll enter back into public session.

The time is 6:35 p.m.

VICE CHAIR HERRERA: Is that being recorded?

CHAIRPERSON MATHIS: Good point.

COMMISSIONER STERTZ: We've done other meetings that don't have video.

CHAIRPERSON MATHIS: So we'll go ahead and adjourn the meeting.

The time 6:37 p.m.

(The meeting concluded at 6:37 p.m.)
I, MICHELLE D. ELAM, Certified Reporter No. 50637 for the State of Arizona, do hereby certify that the foregoing 282 printed pages constitute a full, true, and accurate transcript of the proceedings had in the foregoing matter, all done to the best of my skill and ability.

WITNESS my hand this 7th day of September, 2011.

MICHELLE D. ELAM
Certified Reporter
Certificate No. 50637