



Legal Action Report

City of Tucson Redistricting Advisory Committee (RAC)

DATE: **Monday, September 30, 2024**
TIME: 5:00 p.m.
LOCATION: City Hall
255 W. Alameda Street
Mayor and Council Chambers, 1st floor
Tucson, Arizona

1. Roll Call

The Redistricting Advisory Committee (RAC) meeting was called to order at 5:02 p.m. by Chair Ed Hendel.

Upon roll call, those present and absent were:

<u>Present:</u>	<u>Appointor:</u>
Maribel Alvarez	Mayor
Vanessa Gallego	Ward 1
Tre'Davon Rhodes, Vice Chair	Ward 2
Ed Hendel, Chair	Ward 3
Robert Jaramillo	Ward 5
Raquel Abel	Ward 6

Absent: None

Staff Present:

Suzanne Mesich, City Clerk
Maria Talamante, Assistant City Clerk
Jesus Acedo, City Clerk's Office
Shawna Lee, City Clerk's Office
Randy Hammel, City Clerk's Office
Robert Hunter, City Clerk's Office
Mike Rankin, City Attorney

2. Approval of Minutes from September 23, 2024

This item was continued to a future meeting.

3. Call to the Audience

There were no speakers.

4. Discussion and Possible Action regarding RAC's Recommendation to Mayor and Council

Chair Hendel reminded the Committee they previously voted to have their letter of recommendation to the Mayor and Council begin with the recommendation not to redistrict this year.

Discussion ensued regarding the process the RAC wanted to recommend to the Mayor and Council for the 2028 redistricting.

Committee Member Jaramillo stated the public education aspect of the process should include a history component, including information on the historic population growth of the Wards and projections of future population and demographic trends.

Committee Member Alvarez mentioned the development of a public portal could house information on redistricting, including data on population and demographic trends.

Committee Member Jaramillo stated a portal should also include maps and the visuals would be helpful to making connections to the data and the changes.

Chair Hendel noted it would be ideal if there could be an online tool to allow the public to create their own maps. He stated there should be a system in place where people outside of government were able to manipulate the map, create their own districts, and in turn gain a better understanding of the process.

Chair Hendel discussed the timeline for the process, recognizing Committee Member Alvarez' proposal to begin the process in 2026 and end with the appointment of the RAC in 2028. He noted the RAC should start towards the beginning of the calendar year and suggested the month of January.

Vice Chair Rhodes stated the task force should be a body separate from the RAC, so they would be able to operate outside of the open meeting law limitations restricting RAC interaction and exchange with the public. He suggested a body akin to a task force and noted the task force should engage neighborhood associations and community organizations and acknowledged Committee Member Jaramillo's idea of including youth through engagement with high schools and colleges.

Committee Member Alvarez asked there be an acknowledgement in the letter of recommendation of the confusion about certain redistricting terminology like "rough proportionality". She further noted the importance of expressing this sentiment as support for recommending a process of education.

Suzanne Mesich, City Clerk, stated the Clerk's Office would prepare a draft recommendation based on the Committee's discussion and this would be submitted to the Committee for their review and amendment.

Mike Rankin, City Attorney, spoke on issues relating to a task force and a formal board committee or commission. He noted the limitations on various bodies were derived from the Arizona Statutes on open meeting law. He further stated open meeting law would apply to any body appointed by the Mayor and Council, whether they were called a task force or not. He noted a task force appointed by the City Manager would not be subject to the open meeting law. This task force, he stated, could provide recommendations to the City Manager, as opposed to the Mayor and Council.

City Attorney Rankin stated the work of a task force could begin well in advance of a potential redistricting year and under the current Tucson Code, the RAC could start as early as January of the potential redistricting year. He also noted the Code could be changed and the Committee should keep this in mind when developing their recommendations.

Chair Hendel lead the Committee in discussion about the construction of a task force and who might appoint the members of such a task force. He noted the importance of having people from each ward represented on the task force.

Committee Member Alvarez stated she liked the idea of the City Manager appointing a citizen's task force, seeing as they were responsible for oversight of the city functions and this may override political divisions. She suggested language be included in the recommendation encouraging the appointment of a broad representation of the city and stakeholders on the task force.

Chair Hendel asked if there were alternative options to a task force appointed by the City Manager with regard to facilitating town hall style meetings and public engagement events. He further asked if there was any precedent for city-organized public education and listening session events involving back and forth communication with the public.

City Attorney Rankin expressed there were notice, agenda, quorum and open meeting law requirements associated with any body appointed by the Mayor and Council. He described a few examples of task forces the City has had to facilitate public outreach and engagement and inform City plans. He noted in addition to the appointment of a task force by the City Manager, Council offices and Council Members were also free to organize their own public outreach events, including town halls and they did this frequently. He further noted, while Wards could coordinate outreach events, it was important to a public education component that it be consistent.

City Attorney Rankin suggested the Committee focus on what it was they wanted to accomplish instead of the details of the mechanics of the process. He suggested focusing on the timelines, associated activities, audience, and objectives, and leaving the details of the coordination to the Mayor and Council and the City.

Chair Hendel stated any reports and findings generated by a task force should be made available to the RAC as a component of the process.

Committee Member Gallego noted the importance of mentioning adequate resources and funding be allocated towards the outreach and engagement effort. She further suggested the use of the term investment in lieu of funding.

Committee Member Alvarez agreed and suggested at least a couple of sentences in the recommendation speak to the proper funding of the process of a broad education campaign.

Discussion ensued regarding the inclusion of and outreach to all sectors of the community in the redistricting process, further development of the points to be included in their recommendation, and the need for clarification by the City on the priorities and goals for redistricting, noting the present difficulties associated with making any ward boundary changes or creating a third majority-minority ward.

Chair Hendel relayed the list of items the Committee would like included in the draft recommendation to the Mayor and Council. He stated the following:

1. The RAC does not recommend any redistricting this year per the recommendation of the City Attorney confirming that the MPD is comfortably below the 10% threshold.
2. The RAC recommends the creation of either a task force appointed by the City Manager or comprised of City staff for the purpose of conducting town halls and listening sessions, facilitating public outreach, engagement, education and acquiring public input.

This Committee recognizes this as preferable to starting the RAC early for the purpose of facilitating a public engagement and education process, because of the limitations on the Committee posed by the open meeting law, that prevents back and forth communication.

It is further recommended that topics for public education include rough proportionality, dilution, packing and other related redistricting topics and issues.

3. The RAC strongly recommends the process begin well in advance of 2028 and more specifically in 2026, further recommending the task force or series of town halls begin in 2026 and continue through the end of 2027, so there is ample time ahead of the work of the next RAC.
4. The RAC recommends the findings of the task force or from the series of town halls and other engagement events and activities, be made available to the next RAC by the end of 2027.

5. The RAC recommends the next RAC be started in January of 2028, so there is an appropriate amount of time for deliberations.

6. The RAC recommends the process of the task force or town halls, include notification of and invitation to all of the neighborhood associations via the normal channels of communication the City has with these associations.

Additionally, the outreach and engagement effort should be as inclusive as possible to secure participation from all segments of the community, being mindful of the participation of residents who were not in neighborhood associations, and also striving to include youth specifically through engagement with high schools and colleges.

7. The RAC recommends that proper investment in resources and funding be put to the outreach, education, and engagement effort.

8. The RAC recommends the current voting age minority percentage in the City of Tucson be clearly presented in the information and materials provided to the public when engaging in community education about the principle of “rough proportionality” and “dilution”.

9. The RAC recommends the outreach, education and engagement process include a discussion on the changes to current ward boundaries that would be required to achieve rough proportionality. Specifically, this should include the provision of sample maps as examples of the magnitude of ward boundary changes that might be necessary to achieve this. This should further include data showing the number of people that would need to be moved from one ward to another in order to achieve this. The goal of this information being to adequately inform the public on the changes that would be required to achieve rough proportionality and inform the prioritization of this consideration in future redistricting.

10. The RAC recommends public information and education related to redistricting be made available via a website. The information housed on the website should include a history of redistricting in the City, historical and current maps, historic and current population and demographic data, and population and demographic data projections.

11. The RAC recommends if it is possible, the inclusion on the website of a tool for public users to create their own redistricting maps. This will provide the public with further insight and understanding of the redistricting process, and better equip them to participate and contribute to the process in a meaningful way.

It was moved by Vice Chair Rhodes, duly seconded, and carried by a voice vote of 6 to 0, to direct the City Clerk’s Office to prepare a draft recommendation to the Mayor and Council, stating there will be no redistricting this year and including the 11

recommendations outlining the process for the next redistricting, for review by the RAC at the next meeting.

5. Future Agenda Items

The following agenda items were identified for the Meeting to be held on October 7, 2024:

- Call to the Audience
- Review of the draft recommendation letter to Mayor and Council

6. Adjournment

The meeting was adjourned at 6:25 p.m.