



Legal Action Report

City of Tucson Redistricting Advisory Committee (RAC)

DATE: **Monday, October 7, 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 5:00 p.m. by Chair Ed Hendel.

Upon roll call, those present and absent were:

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

<u>Absent:</u>	
Vanessa Gallego	Ward 1

Staff Present:
Suzanne Mesich, City Clerk
Yolanda Lozano, Chief Deputy City Clerk
Maria Talamante, Assistant City Clerk
Jesus Acedo, City Clerk's Office
Shawna Lee, City Clerk's Office
Zach McGovern, City Clerk's Office
Randy Hammel, City Clerk's Office
Robert Hunter, City Clerk's Office
Dennis P. McLaughlin, Principal Assistant City Attorney

2. Approval of Minutes from September 23, 2024

It was moved by Committee Member Alvarez, duly seconded, and carried by a voice vote of 5 to 0 (Committee Member Gallego absent), to approve the Minutes from the meeting of September 23, 2024.

3. Call to the Audience

There were no speakers.

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

Chair Hendel reviewed the draft Recommendation prepared for the Committee's consideration.

Committee Member Alvarez had a question on the meaning of the word "marginally."

Dennis P. McLaughlin, Principal Assistant City Attorney, stated he did not believe it was defined in the Tucson City Code, and was being used in the capacity of its common meaning.

Discussion ensued related to the inclusion of additional language in the Committee's Recommendation to Mayor and Council.

Vice Chair Rhodes stated he believed the Recommendation was accurate as it stood, and any wordsmithing would not provide the desired outcome.

Discussion ensued.

It was moved by Vice Chair Rhodes, duly seconded, that no changes be made to the Recommendation.

Committee Member Alvarez offered a friendly amendment to add the following additional language to Section II, bullet point 2 of the Recommendation:

"In 2024, the rough proportionality principle indicates that roughly 42.2% of the City wards should be majority-minority, meaning two (2) majority-minority wards is a slight under-representation and three (3) majority-minority wards would be a slight over-representation by a roughly equal amount, hence the rough proportionality principle is satisfied at the moment. If the voting age minority percentage increases in future years, the principle could indicate that we should strive for a third majority-minority ward."

The amendment was accepted by the motion-maker.

Dennis P. McLaughlin, Principal Assistant City Attorney, explained Tucson Code § 10A-43(g), regarding Committee members disqualification from running for office for four years, could be eliminated with a Tucson Code amendment or a retroactive amendment.

Committee Member Abel offered a friendly amendment to add the following additional bullet point to the end of Section II of the Recommendation:

“The Committee recommends that Mayor and Council consider granting the 2024 RAC Members a waiver to Tucson Code § 10A-43(g), which states that “Committee members shall be disqualified from election to the office of councilmember for a period of four (4) years from December 31st of the potential redistricting year in which the Committee is appointed.” The Committee believes this clause is meant to prevent RAC Members from making or preventing redistricting proposals that would provide them a personal advantage in an imminent city council election. Avoiding such conflict of interests is a reasonable policy. However, the 2024 RAC was instructed by the City Attorney, based on prior Mayor and Council action, not to make any redistricting proposals this year and is therefore only making process-related suggestions for 2028, so that logic does not apply this year.”

The amendment was accepted by the motion-maker.

It was moved by Vice Chair Rhodes, duly seconded, and carried by a voice vote of 5 to 0, (Committee Member Gallego absent) to accept the Recommendation as presented with the inclusion of the language from the two friendly amendments.

Dennis P. McLaughlin, Principal Assistant City Attorney, recommended two additional wording and grammar amendments.

It was moved by Committee Member Abel, duly seconded, and carried by a voice vote of 5 to 0, (Committee Member Gallego absent) to accept the additional wording and grammar amendments.

5. Future Agenda Items

There were no future agenda items.

6. Adjournment

The meeting was adjourned at 6:20 p.m.