

**Special Meeting Minutes
Thursday, June 30, 2022
9:30 AM**

**BOARD OF SUPERVISORS
Maricopa County, Arizona
(and the Boards of Directors of the Flood Control
District, Library District, Stadium District, Improvement
Districts and/or Board of Deposit)**



"The mission of Maricopa County is to provide regional leadership and fiscally responsible, necessary public services to its residents so they can enjoy living in healthy and safe communities"

Board Members

Bill Gates, Chairman, District 3
Clint Hickman, Vice Chairman, District 4
Jack Sellers, District 1
Thomas Galvin, District 2
Steve Gallardo, District 5

County Manager

Joy Rich

Clerk of the Board

Juanita Garza

Meeting Location

Supervisors' Conference Room
301 W Jefferson, 10th Floor
Phoenix, AZ 85003

BOARD OF SUPERVISORS

The Board of Supervisors of Maricopa County, Phoenix, Arizona, convened in Special Session at 9:30 AM on Thursday, June 30, 2022, in the Supervisors' Conference Room 301 W. Jefferson, 10th Floor Phoenix, AZ 85003, with the following members present: Bill Gates, Chairman, District 3; Clint Hickman, Vice Chairman, District 4; Jack Sellers, Supervisor, District 1; Thomas Galvin, Supervisor, District 2; Steve Gallardo, Supervisor, District 5.. Also present: Amy Loper, Deputy Clerk; Valerie Beckett, Assistant County Manager; Andrea Cummings, Legal Counsel; Kelly Gardiner, Minutes Coordinator.

1. EXECUTIVE SESSION

Vote to convene in Executive Session to consider the items on the Executive Agenda dated Thursday, June 30, 2022, for Board of Supervisors and relevant Special Districts pursuant to the statutory authority listed for each item.

Motion to approve by Supervisor Clint Hickman, seconded by Supervisor Thomas Galvin

Ayes: Bill Gates, Clint Hickman, Jack Sellers, Thomas Galvin, Steve Gallardo

~ After discussion in Executive Session, the Board reconvened in Open Session ~

OPEN SESSION RECONVENED

The Chairman reconvened the Board in the Board of Supervisors Conference Room.

OPEN SESSION

Superintendent of Schools

2. BUDGET ADJUSTMENT FOR MARICOPA COUNTY ACCOMMODATION SCHOOL

1. Approve a fund transfer in an amount not to exceed \$2,048,020 from the General Fund (100) to the Schools Transportation Fund (780).

2. Pursuant to A.R.S. § 42-17106(B), approve the following transfers of revenue and expenditure authority in FY 2022:

a. Decrease the Non Departmental (D470) General Fund (100) Operating (OPER) Contingency (4711) in the lines "Schools - Accommodation School Subsidy Contingency" for an amount not to exceed \$2,048,020

b. Increase Non Departmental (D470) General Fund (100) Operating (OPER) Other Programs (4712) in a new line, "Schools Accommodation Schools Subsidy Transfer", in an amount not-to-exceed \$2,048,020

c. Increase the County School Superintendent (D370) Schools Transportation Fund (780) Operating (OPER) revenue and expenditure appropriation by an amount not-to-exceed \$2,048,020

d. Adjust the Eliminations (D980) Eliminations Fund (900) revenue and expenditure appropriations by an amount not-to-exceed -\$2,048,020.

Approval of this action will have a net zero impact on the overall County budget and does not alter the budget constraining expenditures of local revenues duly adopted by the Board pursuant to A.R.S 42-17105.

This adjustment is necessary to provide the funding for the Maricopa County Accommodation School pursuant to 15-1001.A.5, "For necessary expenses for the establishment and conduct of accommodation schools pursuant to section 15-308." (C-37-22-028-X-00)

Chairman Gates asked Cindy Goelz, Chief Financial Officer, to come forward to answer any questions the Board might have.

Supervisor Hickman acknowledged that solid leadership brought the Board to this point. He said this was a very important step to take in this final hour of the fiscal year. Supervisor Hickman confirmed the publicly elected official is responsible for the operation of that office. The Board's involvement was the setting of the budget based on information provided by that office. Supervisor Hickman asked Ms. Goelz to explain why the amount being requested today was \$2,048,020, but the line of credit owed to Chase was \$1,200,000.

Ms. Goelz reviewed the case regarding the Accommodation School. She explained what was found when reviewing the accounts was the Chase line of credit balance was \$1,186,000 as of this morning. She said the operations and maintenance fund as of this morning was almost \$2.6 million in a deficit situation. She said the request of funds was greater than the line of credit in an effort to mitigate some of the deficit.

Supervisor Hickman noted he has asked questions of the School Superintendent and noted he was not attending this meeting. He asked how the County School Superintendent got this line of credit. Ms. Goelz explained she was not privy to this information because lines of credit go through the Treasurer's Office.

Supervisor Hickman noted the agenda item does not specifically mention paying back this line of credit and he asked how the County can be sure that the approved amount will go toward the line of credit. Ms. Goelz said a payment will be issued to the Accommodation School and the check will be delivered to the Treasurer. She will be requesting the County School Superintendent direct the Treasurer's Office to pay back the line of credit.

Supervisor Hickman asked if the full amount approved would make the district solvent. Ms. Goelz stated as of this morning, the deficit for the operations and maintenance funds was \$2,598,000 in a deficit situation. So, the full amount being requested would not be sufficient to cover this deficit.

Chairman Gates stated it was unfortunate this has occurred, and the County was essentially having to bail the district out of this situation. He said it was the Board's responsibility to make sure the County's debts are paid. He said there will be a statement made later today.

Motion to approve by Supervisor Clint Hickman, seconded by Supervisor Jack Sellers

Ayes: Bill Gates, Clint Hickman, Jack Sellers, Thomas Galvin, Steve Gallardo

3. BUDGET ADJUSTMENT FOR COUNTY SCHOOL SUPERINTENDENT COMMUNICATION FUND

Pursuant to A.R.S. 42-17106(B), approve the following FY 2022 Budget Adjustments:

1. Increase the revenue and expenditure authority in the County School Superintendent (D370) School Superintendent's Communications Fund (782) Operating (OPER) in the amount of \$419,330.

2. Decrease the revenue and expenditure authority in Non-Departmental (D470) Non-Departmental Grants Fund (249) Operating (OPER) in the amount of \$419,330.

Approval of this action will have a net zero impact on the overall County budget and does not alter the budget constraining expenditures of local revenues duly adopted by the Board pursuant to A.R.S 42-17105. (C-37-22-027-X-00)

Supervisor Hickman confirmed this item was for more clean up caused by the School Superintendent and he understood there would be an audit in July by the State Auditor General. Ms. Goelz said there would be a report from the State Auditor General in July for fiscal year 2021 and there was a finding associated with the County School Superintendent's office.

Supervisor Galvin thanked Ms. Goelz for her work with this matter and for being a good fiscal steward for Maricopa County. He also wished the School Superintendent, and his staff were present to account for this matter. He said all County officials should always make the taxpayers their top priority.

Motion to approve by Supervisor Clint Hickman, seconded by Supervisor Jack Sellers

Ayes: Bill Gates, Clint Hickman, Jack Sellers, Thomas Galvin, Steve Gallardo

Elections

4. Board of Supervisors Redistricting: Final Map Consideration

Discussion and consideration pursuant to A.R.S § 11-212, concerning the Maricopa County Board of Supervisors redistricting and adoption of the final Maricopa County Board of Supervisors map. Due to the Census delay, lawmakers passed SB1107, which extended the deadline to approve district changes to July 1, 2022. Because Supervisor District lines match Special Health Care and Community College Districts, changes made to Supervisor boundaries will be the same for these two special districts. (C-19-23-073-X-00)

Chairman Gates noted there has been community outreach concerning this item seeking the public's input. He provided a summary of activity so far. He said when there was more than a 10% variation in the population following a census in the Board of Supervisors' districts, redistricting was required. He explained that after the Independent Redistricting Commission (IRC) acts, the Board of Supervisors (BOS) performed its duties. Chairman Gates explained the requirements and steps involved in the redistricting process, including the constitutional and statutory laws that had to be met. Some of the requirements identified were:

- Equal population within a 10% variance in each of the Supervisorial Districts
- Respecting communities of interest
- Begin the process using existing district maps
- Compliance with the 14th amendment by retaining outside expert counsel for a racial block voting analysis

The Chairman shared a Tweet that complimented the BOS and this process. He then introduced Scott Jarrett, Elections Director, to make the following presentation.

Mr. Jarrett thanked the Board for the opportunity to present two new maps for consideration in the redistricting process. He reviewed the slide below.

Board of Supervisor Districts
What Boundaries Are Changing?

State law requires the Board of Supervisor Districts be redistricted after each decennial census.

Due to the Census delay, lawmakers passed SB1107, which extended the deadline to approve district changes to July 1, 2022.

Because Supervisor District lines match Special Health Care and Community College Districts, changes made to Supervisor boundaries will be the same for these two special districts. District changes approved by the Board of Supervisors will go into effect in 2024.

Mr. Jarret reviewed the resolution in the slide below that was passed by the BOS in March 2022.

Board of Supervisor District Boundaries
Redistricting Resolution

- Begin with existing Board of Supervisor boundaries;
- Districts shall be drawn with a goal of not more than a five percent difference in population and in no event with more than a ten percent difference in population, as required by A.R. §11212;
- Districts shall be geographically compact and contiguous to the extent practicable;
- District boundaries shall respect communities of interest to the extent practicable;
- To the extent practicable, district lines shall use visible geographic features, city and town boundaries, and undivided census tracts.
- Districts shall comply with the United States Constitution and the United States Voting Rights Act;

Approval Needed by July 1, 2022

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Mr. Jarrett reviewed the Local Communities slide below noting how important it was to refrain from splitting these communities as much as possible.

Supervisor Hickman asked if the Town of Youngtown would still be considered a retirement community if it lost its age overlay several years ago. Mr. Jarrett responded that Youngtown has historically been considered a retirement community and that was why it was listed in the grouping.

Supervisor Gallardo asked how a community is identified as being a minority community. He said Gila Bend was a minority community but was not listed as such in the slide below. Mr. Jarrett responded that those listed in the slide have been identified through several decades of redistricting and utilizing the IRC redistricting data.

Chairman Gates clarified the communities listed on the slide were examples and it was not an exhaustive listing.

Local Communities

Respecting Boundaries of Existing Communities of Interest

What is a community of interest? Some examples are listed below.

Retirement Communities

- Sun City
- Sun City West
- Sun City Grand
- Sun Lakes
- Youngtown

Historical Minority Communities

- Guadalupe
- South Phoenix
- Maryvale
- Tolleson
- Central Avondale
- Central Buckeye
- El Mirage

Native American Communities

- Salt River Pima-Maricopa Indian Community
- Fort McDowell Yavapai Nation
- Gila River Indian Community
- Tohono O'odham Nation



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Mr. Jarrett reviewed the slide below stating it originated with the original Map Option 2. He discussed the changes illustrated on the map specifically noting there were communities in the far southwest valley that were moved from District 4 into District 5. These changes dropped the population variance to 7%.

Supervisor Gallardo expressed his appreciation for all the work that went into this project. He wanted to clarify that the biggest adjustment to this map was for population purposes. He commented on several aspects of the map and noted that minority representation was good but could be better.

Chairman Gates acknowledged David Cantelme, the County's legal representative for this matter, who joined Mr. Jarrett at the table.

Map Option 2A



Map Info

- D1-890,669
- D2-888,443
- D3-900,175
- D4-873,884
- D5-867,397
- Population Variance:
 - 7.0%
- Opportunity Districts:
 - D1 & D5
- Functional Analysis:
 - 7 of 9

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Mr. Jarrett discussed the following slide noting the detailed changes made to the original Map Option 5. This Map Option 5a reduced the population variance to 3.7%.

Supervisor Gallardo stated he had no preferences concerning Opportunity Districts, but he noted his objections to splitting the City of Tempe. He stated it was a Community of Interest and should not be split because it would damage the political strength of Tempe. Supervisor Gallardo noted another objection he has with this map was the West Mesa split. He stated West Mesa should not be in a district that does not share an economic interest and that was why it should not be in District 2. Supervisor Gallardo went on to share his concerns about the Opportunity Districts.

Chairman Gates noted that District 3 on the Map Option 5a from a partisan standpoint, shows most of the voters are Independents, second are Democrats, and third are Republicans. He also noted the Arcadia area has become more of a Community of Interest in recent years.

Supervisor Gallardo explained his objections to the Map Option 5a noting the decrease of percentages for the Opportunity Districts.

The screenshot shows a presentation slide with a yellow sidebar on the left and a white main area. The sidebar contains the following text:

- Map
- Option 5a
- Map Info
 - D1–899,854
 - D2–875,545
 - D3–903,886
 - D4–866,781
 - D5–874,502
 - Population Variance:
 - 3.7%
 - Opportunity Districts:
 - D3 & D5
 - Functional Analysis:
 - 5 of 9

The main area features a small map of the City of Tempe in the top left, showing five colored districts. At the bottom of the slide, the text reads: "Maricopa County Elections Department-5662511 | Maricopa.Vote" and there is a small logo of a building in the bottom right corner.

Chairman Gates asked the Clerk if there were any public speakers for this item. The Clerk stated Cepand Alizadeh from the City of Tempe wished to speak.

Cepand Alizadeh, resident and employee with the City of Tempe, stated he represented Councilmember Berdetta Hodge. He asked that the City of Tempe not be split, and reiterated Ms. Hodges objections presented at the public hearing two weeks ago.

Supervisor Sellers said there has been so much to consider throughout this process, and his district was a very competitive district. He has objections to the Map Option 2a map because it takes away half of his constituents and would create a hardship for his district. The Map Option 5a would be his choice.

Supervisor Gallardo addressed David Cantelme concerning the creation of an Opportunity District. He asked what an Opportunity District was. Mr. Cantelme described an Opportunity District as one with a dominant minority population able to elect their preferred candidate most of the time.

There was a lengthy discussion on Opportunity Districts and the Voting Rights Act.

Supervisor Hickman asked if the maps would stand the test of lawsuits because lawsuits will come. He asked Mr. Cantelme if the Board has followed the Court's recommendations and can move forward. Mr. Cantelme said the Board and its staff have proceeded in good faith.

Mr. Jarrett stated that all seven maps meet the function analysis requirements. More than 50% of Hispanic voters have their resident or preferred choice, meeting the functional analysis on each map option.

Map
Option 5a

Map Info

- D1–899,854
- D2–875,545
- D3–903,886
- D4–866,781
- D5–874,502
- Population Variance:
 - 3.7%
- Opportunity Districts:
 - D3 & D5
- Functional Analysis:
 - 5 of 9

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Supervisor Hickman made a motion to approve the Map Option 5a as listed in Mr. Jarrett's presentation today and posted online at [Maricopa.gov/redistricting](https://maricopa.gov/redistricting) and to direct Mr. Jarrett and staff to create the legal description for the approved map and associated shape files to be provided to the Clerk of the Board by close of business July 1, 2022, with an operational date of January 1, 2024. The motion was seconded by Supervisor Jack Sellers

Supervisor Gallardo said he had a difficult time approving a map that does not serve the minority population. He reviewed each of the maps and discussed the backward motion of the redistricting. He said the minorities are not being represented and the Board was choosing to deny the representation of minorities.

Supervisor Galvin commented on the size and growth of Maricopa County and as an attorney he was confident the Board has satisfied the Voting Rights Act criteria and constitutional and statutory requirements. He said that he and Supervisor Sellers were both needed and working together in the east valley. He said he related to problems with ethnic inequality, and he was confident the Board was representing all its residents no matter their race, political affiliation, or any lawfully protected identification.

Chairman Gates talked about the redistricting process and said he was confident that the process has worked.

Ayes: Bill Gates, Clint Hickman, Jack Sellers, Thomas Galvin
Nays: Steve Gallardo

MEETING ADJOURNED

There being no further business to come before the Board, the meeting was adjourned.

Handwritten signature of Bill Gates in black ink.

Bill Gates, Chairman of the Board

ATTEST:

Handwritten signature of Amy Loper in blue ink.

Amy Loper, Deputy Clerk of the Board