RESOLUTION NO. 09-11

A RESOLUTION OF THE BOARD OF SUPERVISORS OF NAVAJO COUNTY, ARIZONA, ESTABLISHING A REDISTRICTING ADVISORY COMMITTEE, AND GUIDELINES FOR THE REDISTRICTING COMMITTEE

WHEREAS, pursuant to A.R.S. §11-212 the Navajo County Board of Supervisors shall meet at the county seat December 1 following the release of the United States decennial census data and divide the county into five districts and define the boundaries and limits of each district and make the division equal or with not more than ten percent difference in population, and;

WHEREAS, the Navajo County Board of Supervisors is desirous of establishing a Navajo County Redistricting Advisory Committee to collect public input to the redistricting process, and;

WHEREAS, the Navajo County Board of Supervisors desires and expects the Committee members to conduct themselves in a fair and unbiased manner, and to have a clear understanding of their role in the redistricting process; and;

WHEREAS, the Article 4 Part 2 Section 1 of the Arizona Constitution sets forth guidelines for the State independent redistricting commission, and;

WHEREAS, the Navajo County Board of Supervisors is desirous of establishing guidelines for selection of the Navajo County Redistricting Advisory Committee members.

NOW, THEREFORE, BE IT RESOLVED that the Navajo County Board of Supervisors does hereby establish the "Navajo County Redistricting Advisory Committee" (hereafter, "Committee") whose members shall be appointed consistently with, and who shall conduct themselves, in accordance with the following guidelines:

1. Each year following the decennial census, a five member Navajo County Redistricting Advisory Committee (hereinafter "Committee") shall be established to provide recommendations for the redistricting of the Navajo County Board of Supervisor Districts and other districts within the County requiring action by the Navajo County Board of Supervisors.

2. Committee Selection Guidelines:

   a) Each of the five (5) members of the Navajo County Board of Supervisors shall have the responsibility for nominating one member of the Committee who shall reside in the

nominating Supervisor's District. The Navajo County Board of Supervisors shall act to confirm all five members of the Committee upon their nomination.

b) Each member of the Committee shall be a registered Arizona voter.

c) Within the three years previous to appointment, members shall not have: (1) been appointed to, elected to, or a candidate for any partisan public office or community college board; (2) served as an officer of a political party; (3) served as a registered paid lobbyist; nor (4) served as an officer of a candidate's campaign committee.

d) Current County Employees may not serve as members of the Committee.

e) During their tenure on the Committee, members shall be ineligiblefor partisan public office or for registration as a paid lobbyist.

f) The Navajo County Recorder's Office in conjunction with the Navajo County Elections Office shall review applicant background information and remove any applicant who does not meet the qualifications of these guidelines.

g) Any vacancy in the above five Committee positions shall be filled by a nomination from the Supervisor from the District which nominated the resigning member, and upon approval by the Navajo County Board of Supervisors.

3. Duties and Responsibilities of Committee members include, but are not limited to:

a) Select a chair and vice chair. The five Committee members shall select by majority vote one of their members to serve as chair and one of their members to serve as vice-chair. If the Committee fails to select a chair or vice chair, the Board of Supervisors shall appoint a chair or vice-chair from amongst the five members.

b) Work on the Committee in an honest, independent, and impartial fashion and to upholding public confidence in the integrity of the redistricting process.

c) Work under the direction and guidance of the Navajo County's staff and consultants.

d) Attend a minimum of three (3) Redistricting Committee meetings with County's staff and consultants.

e) Each individual member of the Committee will be required to attend two rounds of public community fact-finding meetings to be hosted by the County in the District in which the Committee member resides. At those public meetings, the Committee member attending shall conduct an interactive dialogue with the public for the purposes of providing information and gathering public input. Each Committee member will be responsible for sharing the information learned from the public during those public meetings with the Redistricting Committee as a whole when it conducts its meetings and considers drawing new district boundaries. For the purposes of facilitating this requirement, community meetings shall be held in the following areas:

1) Kayenta
2) Pinon
3) Dilkon

4) Hopi Reservation
5) Snowflake
6) Taylor
7) Holbrook
8) Winslow
9) Show Low
10) Heber-Overgaard
11) Pinetop-Lakeside
12) Whiteriver

These meetings shall be facilitated by County staff, who shall keep written minutes at each meeting.

f) Provide for reporting of the outcome of its' public meetings. Outcome materials must be made available to the public. The official record shall be addressed to the Board of Supervisors and submitted to County staff for review and dissemination.

g) Evaluate public input and redistricting proposals under the direction and guidance of the County's staff and consultants.

h) Make formal presentations to the Board of Supervisors in conjunction with County staff and consultants.

i) Abide by Arizona Open Meeting Law and conduct meetings open to the public with 72 or more hours public notice provided of each meeting. Abide by all other applicable Federal and State laws.

j) Conduct its business meetings in public meetings only when a quorum is present. Three committee members shall constitute a quorum.

k) Present no less than two redistricting plans to the Board of Supervisors for consideration. In considering the drawing of district boundaries and the plans to be presented to the Board of Supervisors, the Committee shall consider the following to be the top priorities of the Board:

1.) In order to comply with A.R.S. § 11-212 and the constitutional principle of "one person, one vote," all districts should be as nearly equal in population as is feasible, and in no event should there be more than a ten per cent difference in population between the largest and smallest districts.

2.) The plan should be narrowly tailored to avoid retrogression in the position of racial minorities and language minorities as defined in the Voting Rights Act with respect to their effective exercise of the electoral franchise. Additionally, the plan should not fragment a geographically compact minority community or pack minority voters in the presence of polarized voting so as to create liability under Section 2 of the Voting Rights Act.

After assuring that the top two priorities above have been met, the Committee may consider the following desirable elements of any redistricting plan:

3.) The redistricting plan should, to the extent feasible, be based on the existing districts.

4.) The districts should be compact and composed of contiguous territory.

5.) Where possible, easily identifiable geographic boundaries should be followed.

6.) To the extent possible, incorporated municipalities should not be split

7.) Other communities of interest should be identified and maintained in a single district, where possible, and all reasonable attempts should be made to avoid splitting neighborhoods.

8.) To the extent possible, districts should be composed of whole voting precincts. Where this is not feasible, districts should be drawn in a way that permits the creation of practical voting precincts and ensures that adequate facilities for polling places exist within each precinct.

9.) Due consideration should be given to the preservation of incumbent-constituency relations by recognizing the residences of incumbents and their history in representing certain areas.

l) Serve from the date of appointment by the Navajo County Board of Supervisors through the preclearance of the new district boundary plan by the United States Department of Justice. Once the preclearance letter has been received, the committee shall meet to present the letter of preclearance to the Board of Supervisors. At that point, the Committee will automatically be dissolved.

m) Members of the Committee shall be eligible to receive per diem at established county rates for mileage from their home to the location of meetings of the Committee or the community meetings they are required to attend . Committee members may also be furnished meals at County expense when deemed appropriate and approved by the County Manager.

4. Resignation or Termination from Appointment:

a) After having been served written notice, and provided with an opportunity for a response, a member of the Committee may be removed by the Board of Supervisors for failure to attend scheduled Committee planning meetings or presentation/hearing meetings, substantial neglect of duty, gross misconduct in office, or inability to discharge the duties of office.

b) Committee members who must resign should provide two-weeks notice in a written letter addressed to the Navajo County Board of Supervisors and the County Manager.

c) In the event a vacancy on the Committee occurs, a new name shall be presented to the Board of Supervisors for appointment by the same member of the Board of Supervisors who submitted the vacating member's nomination. The nominee shall be of the same political party or status as was the member who vacated the office at the time of his or her appointment.

d) In the event there is a vacancy of the chair or vice chair, the appointment of a new chair or vice chair shall be made by the remaining Committee members.

e) Any newly appointed Committee member shall serve out the remainder of the original member's term.

PASSED, ADOPTED AND APPROVED at Holbrook, Arizona, on March 8, 2011.

NAVAJO COUNTY BOARD OF SUPERVISORS

By: _____
J.R. DeSpain ~~Chairman~~ - Vice Chairman

ATTEST:

Melissa W. Buckley

Melissa W. Buckley, Clerk of the Board