

Commission Meeting Minutes

The following are the minutes of the Utah Independent Redistricting Commission meeting. The meeting was held on Wednesday, October 13, 2021, in Moab City Hall - 217 E Center St, Moab, UT 84532.

Note: A copy of meeting materials, and an audio recording of the meeting can be found on the Public Notice Website. The minutes may refer to the recording found on the Public Notice Website with the approximate number on the recording where an issue is being discussed.

Attendance - Commission Members
Chair, Utah Independent Redistricting Commission - Rex Facer
Commissioner Christine Durham (virtually)
Commissioner Jeff Baker (virtually)
Commissioner Lyle Hillyard

Attendance - Staff and Others in Attendance at Anchor Location:
Julianne Kidd, Intern
Joey Fica, Intern
Kevin Walker, Grand County Commissioner
Emily Niehaus, Mayor of Moab
Brityn Ballard, Moab City Planning Commissioner
Katie Wright, Better Boundaries

I. Call to Order

Chair Facer began the meeting at 6:02 PM

II. Welcome – Chair Rex Facer

Chair Facer welcomed everyone to the meeting and noted that Commissioner Baker and Commissioner Durham were in attendance virtually.

III. Presentation: Redistricting Process – Rex Facer

Chair Facer moved to the next item and stated that he would explain some of the process of redistricting and how the commissioner functions.

He began by explaining that Proposition 4 in 2018 began the creation of the Utah Independent Redistricting Commission and after some compromise legislation in 2020 the commission was created. Chair Facer then explained how the selection process for the commission had worked and noted which commissioners had been appointed by which political party. Chair Facer explained that the Utah Independent Redistricting Commission is an advisory commission to the legislature and would be giving the legislature three drafted congressional, state house, state senate, and state school board maps. He explained the view of the commissioners that public input was a central part of their work. He then explained how the commissioners had been appointed and discussed some of the early work of the commissioner prior to receiving the census data, noting that that data had been delayed.

Chair Facer explained that the commissioners had split into teams for mapping and noted that each team had a member appointed by both political parties. He explained that for the last several weeks mapping teams had been coming together to draft maps based on the criteria decided on by the commissioners.

Chair Facer went on to explain the criteria to be used by the commission. More information about these criteria can be found here: <https://uirc.utah.gov/uirc-meeting/synopsis-criteria-and-standards/> In this explanation, Chair Facer mentioned the requirements for equal populations as being a fundamental criteria as the commission works to create maps for the Utah Congressional seats, Utah House, Utah Senate, and State School Board. He presented the various population numbers for each map type. He explained that while there were allowable deviations, much of the conversation around this criteria had suggested working towards a small a deviation as possible. In this explanation Chair Facer also explained that Moab had too few people to create their own district and asked the public to consider what direction they would suggest looking for that population.

A member of the public asked why the Utah State Senate did not have one senator per county in a similar fashion to the United States Senate having two senator per state.

Commissioner Hillyard explained that this was based on federal law.

Chair Facer then moved to explain the additional criteria adopted by the Utah Independent Redistricting Commission which can be found in the above link. In this explanation he touched on the importance of communities of interest, both as a way to ensure representation and to help the commissioners understand where communities can be split if necessary. He also mentioned that the commissioners have decided not to consider political data as they map.

Commissioner Hillyard explained that the population numbers are the most objective criteria used by the commissioners. He also explained that while the commissioners understood that the population had changed since the census data had been collected, the commissioners were obligated to use the data they had. He also mentioned the importance of understanding that any change to one district will affect another district. Commissioner Hillyard also mentioned that the commissioners would be submitting their maps before November 1 and so the timeframe was quickly approaching. Finally, he asked the attendees to consider what areas Grand County and San Juan County could be included with given the Colorado River's location and the size of the surrounding counties.

Chair Facer also noted that all mapping sessions are live streamed on YouTube.

IV. Presentation: Public Comments – Julianne Kidd

Chair Facer then turned the time to Julianne Kidd to present on the commission website uirc.utah.gov and how the public can use the website to submit comments. Julianne explained how the public can submit communities of interest, full maps, and written comments. Tutorials and links to these resources can be found at uirc.utah.gov.

Chair Facer then explained how important public comments are and explained how the commissioners work to use the input received from the public.

V. Presentation: Public Hearing Format – Gordon Haight

Chair Facer turned the time to Gordon Haight to explain the format for giving public comments.

Gordon briefly explained the format for giving public comments and explained that staff would be available after the meeting to answer any questions.

VI. Open Public Comment

Chair Facer turned the time to public comment.

Sam, a resident from Moab, then addressed the commissioners. His comments addressed the earlier comments relating to what communities to group with Moab. He explained that there was likely more in common with areas west of Grand County rather than north. He cited for example that Moab might have more in common with Escalante than Price, given the interests of rural, tourism driven communities. He also mentioned similar water and public land concerns.

A member of the public asked about thoughts on congressional districts and Sam responded that he was more concerned about smaller districts given the larger size of congressional districts.

Commissioner Hillyard expressed that he had some questions about house and senate districts as well. He and staff then presented the populations of the various counties in southern Utah and outlined several options for districts with the proper population numbers.

Sam suggested that Eastern Utah is fairly compact and also has some shared characteristics when looking at larger districts. He also noted some frustration with having the same congressional district as Provo.

Commissioner Hillyard suggested that Moab might have more in common with Vernal, and Duchesne, even up to Logan with united characteristics such as USU buildings.

Sam and the commissioners then looked again at possible combinations of counties for house districts. Sam noted liking a southeastern district for the Utah house similar to the district in the drafted Green team map.

Kevin Walker, from the Grand County Commission, addressed the commissioners. He requested that Grand County not be split when drafting maps. He also expressed his feelings that the communities that made the most sense to group Grand County with included San Juan County as well as Emery and Carbon Counties, noting shared characteristics as well as uniting economic and other factors. He noted that in one of the drafted house maps on uirc.utah.gov, the district line did not quite follow the Grand County boundary, and following the boundary instead would make very little population change. He again cited some travel corridors and intergovernmental groups as reasons to group Grand County with areas such as Price. Referring to a drafted senate map, he explained that Grand County doesn't make a lot of sense to group with the Uintah basin or Summit County, again citing things such as travel corridors.

Kevin then explained that outside of being a County Commissioner he was a mathematician, and expressed that he wanted to also make some comments outside of his job as a County Commissioner. He

then suggested that the commissioners use some various mathematical tools to assess drafted maps. He suggested that using such tools would help show the strengths of their maps.

Chair Facer explained that staff had some similar tools being used to grade the drafted maps, and that groups such as the Princeton Gerrymandering Project would be assessing the maps as well.

Commissioner Hillyard also explained that because the commissioners were not using political data, it would be possible that some tests might suggest that the commissioners were gerrymandering or otherwise acting improperly. He reminded attendees that the commissioners were following statute and working to avoid favoring or disfavoring any individual or party.

Kevin then suggested that analysis would still be a possible tool to use. He and Commissioner Hillyard discussed the commissioners avoiding partisan influence.

Emily Niehaus, the Mayor of Moab, then addressed the commissioners. She noted that for this meeting she was not speaking on behalf of the City Council but as a citizen. She explained that while San Juan, Grand, Carbon, and Emery Counties had their differences, they were the area that people thought of as southeastern Utah, and were essentially a united group through that. Mayor Niehaus then continued to explain some uniting characteristics of the mentioned counties, such as a rural identity and some tourism concerns. She further explained that while a community such as Kanab might also seem similar, Kanab was part of southern Utah, and southern Utah had a different identity than southeastern Utah. Mayor Niehaus then explained her concerns with some districts being connected to Provo, given that Provo was neither rural nor remote like Moab is. She then explained her thoughts for the drafted house maps on uirc.utah.gov, noting displeasure with a map like Orange House 1, that took Moab's district up north to Duchesne. She also expressed displeasure with splitting San Juan and Grand County along the county border given the communities near Moab continue south into San Juan County.

Commissioner Hillyard raised some concerns about splitting San Juan County to include the communities outside of Moab given the concerns of county clerks for voting precincts. Mayor Niehaus and Commissioner Hillyard discussed that in some detail and another member of the public suggested that Moab understood the election concerns given how they had been dealing with splits for years.

Mayor Niehaus then moved to discuss her thoughts on the drafted senate maps. She suggested that after the southeastern Utah counties, areas such as Capital Reef made more sense than moving into Utah County. She also suggested that areas such as Castle Dale might be similar to Moab as well. She also explained that being included with Richfield would not make sense to her. She then addressed congressional maps and explained she preferred the Purple Team maps at the time given how they keep the southern area together. Mayor Niehaus also mentioned that some of the area just south of the Grand County border goes to school in Moab.

Commissioner Hillyard explained that it was possible to make three congressional districts within the Wasatch Front, but he would be concerned about making a fourth district that circled the entire state. He explained that for that reason, it seemed inevitable that some portion of the Wasatch Front would be in all four congressional districts. He then explained some of the details of residency to run for congress and some of the concerns he had had in the past about whether the urban part of each district would drown out the other portion of the district. He explained that he understood the concern that if Utah County was included with Moab then Utah County might really control who the representative is.

Mayor Niehaus explained that so far, she had been very happy with interaction and representation John Curtis had provided, whether or not she agreed with him on everything. She explained that other representatives had interacted less. She then explained that to a point, they had a responsibility to reach

out to whoever the representative was. She ended her remarks by thanking Chair Facer and Commissioner Hillyard for coming out to Moab.

Brityn Ballard from the Moab City Planning Commission then addressed the commissioners. She noted that she was not speaking for the Planning Commission but as a citizen. She explained that she did not think that the current redistricting process was the best and felt that representation by area rather than by population may make more sense. She explained that focusing so heavily on population would result in splitting cities and communities. She then explained her understanding that while the process wouldn't change today, she felt that finding representatives based on geographic area would make more sense. She also suggested making the current maps more accessible on the commissioner website.

Chair Facer thanked Brityn for her comment and referred to Commissioner Hillyard's earlier comment regarding federal law-making population the driving force for districts. He agreed that it made for some boundaries that at time seemed less sensible, but explained that the hope from hearings like this was to get input to make boundaries more sensible.

A resident from Moab then addressed the commissioners. Her comments focused on approval with working to keep Moab whole, but agreed with earlier comments that Moab and Spanish Valley in San Juan County are a united community. She also mentioned that even though the Colorado River might represent a barrier, the people of both sides of the river have a lot in common with each other.

Katie Wright, from Better Boundaries, then addressed the commissioners. She thanked the commissioners for their work. She referred to the earlier conversation with Kevin Walker and explained that the criteria for avoiding undue favoring or disfavoring had remained the same through the proposition and compromise legislation and supported some of the suggested tools as ways to measure that criteria without actually favoring or disfavoring a party.

Commissioner Hillyard noted having heard some issues regarding the suggested bell curve measurements from others in the field. Katie explained that she had met with several experts in the fields supporting this tool, but suggested that the issue can center around what data is used for this measurement. Commissioner Hillyard expressed again that the commissioners were not looking at political data that would likely be included in such analysis.

Chair Facer explained that the commission could not favor or disfavor by statute, and that the commissioners had decided to avoid political data while mapping, and suggested that it would likely be used to evaluate a map, and if a report showed one map as drastically favoring one side they might use that report to inform their map.

Commissioner Hillyard expressed some skepticism still and suggested that he would look at the concerns he had heard about.

Chair Facer explained that while they didn't want to use political data to create maps, it might be used to evaluate them.

VII. Close Public Comment

With no additional comments Chair Facer closed the public comment portion of the meeting.

VIII. Adjourn

Commissioner Hillyard moved to adjourn the meeting.

The meeting was adjourned.