

THE STATE OF ARIZONA
INDEPENDENT REDISTRICTING COMMISSION

REPORTER'S TRANSCRIPT OF VIDEOCONFERENCE PUBLIC MEETING

Via GoogleMeets

May 25, 2021

8:04 a.m.

***Miller Certified Reporting, LLC
PO Box 513, Litchfield Park, AZ 85340
(P) 623-975-7472 (F) 623-975-7462
www.MillerCertifiedReporting.com***

Reported By:
Angela Furniss Miller, RPR
Certified Reporter (AZ 50127)

Miller Certified Reporting, LLC

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1 PUBLIC MEETING, BEFORE THE INDEPENDENT
2 REDISTRICTING COMMISSION, convened at 8:04 a.m. on
3 May 25, 2021, via GoogleMeets, Arizona, in the presence of
4 the following Commissioners:

5 Ms. Erika Neuberg, Chairperson
6 Mr. Derrick Watchman, Vice Chairman
7 Mr. David Mehle
8 Ms. Shereen Lerner
9 Mr. Douglas York

10 OTHERS PRESENT:

11 Mr. Brian Schmitt, Executive Director
12 Ms. Valerie Neumann, Executive Assistant
13 Mr. Roy Herrera, Ballard Spahr
14 Ms. Jillian Andrews, Ballard Spahr
15 Mr. Eric Spencer, Snell & Wilmer
16 Mr. Mark Flahan, Timmons Group
17 Mr. Mike Wiley, Timmons Group
18 Mr. John Stroud, Timmons Group
19 Mr. Doug Johnson, National Demographics Corp.
20 Ms. Ivy Bellar Sakansky, National Demographics
21 Corp.
22 Mr. Richard Leadbeater, ESRI
23 Mr. Scott Ferguson, ESRI
24
25

P R O C E E D I N G

1
2
3 CHAIRPERSON NEUBERG: Okay. I see a thumbs up.
4 So, with that, I think we can get our meeting moving. And
5 just to give everybody a heads up with what we expect with
6 our schedule, we are going to move forward with the first
7 four items, and then we're going to jump ahead to Item No.
8 IX, which is a presentation from our new mapping consultant
9 team, to take advantage of them participating on our call
10 this morning, and then we'll jump right back in to order;
11 and we also anticipate taking a brief break somewhere around
12 10:00 a.m. just to accommodate one of our Commissioner's
13 schedules.

14 So, with that, Agenda Item I, call to order and
15 roll call.

16 I(A), call for quorum. It is 8:04 a.m. on Tuesday,
17 May 25th, 2021. I call this meeting of the Independent
18 Redistricting Commission to order.

19 For the record, the executive assistant, Valerie
20 Neumann, will be taking roll. When your name is called,
21 please indicate you are present; if you are unable to
22 respond verbally, we ask that you please type your name.

23 Val.

24 MS. NEUMANN: Vice Chair Watchman.

25 VICE CHAIR WATCHMAN: Present.

1 MS. NEUMANN: Commissioner Lerner.

2 COMMISSIONER LERNER: Present.

3 MS. NEUMANN: Commissioner Mehl.

4 COMMISSIONER MEHL: Present.

5 MS. NEUMANN: Commissioner York.

6 COMMISSIONER YORK: Present.

7 MS. NEUMANN: Chairperson Neuberg.

8 CHAIRPERSON NEUBERG: Present.

9 MS. NEUMANN: For the record, we also have in
10 attendance our Executive Director, Brian Schmitt; Eric
11 Spencer from Snell & Wilmer; Roy Herrera and Jillian Andrews
12 from Ballard Spahr; and Angela Miller, our transcriptionist.
13 From Timmons Group we have Mark Flahan, Mike Wiley, and John
14 Stroud; from the National Demographics Corporation we've got
15 Doug Johnson, and Ivy Sakansky; and then from Environmental
16 Systems Research we've got Richard Leadbeater and Scott
17 Ferguson.

18 Back to you.

19 CHAIRPERSON NEUBERG: Okay. Thank you so much,
20 Val.

21 And please note for the minutes that a quorum is
22 present.

23 Agenda Item I(B), call for notice.

24 Val, was the notice and agenda for the Commission
25 meeting properly posted 48 hours in advance of today's

1 meeting?

2 MS. NEUMANN: Yes, Madam Chair.

3 CHAIRPERSON NEUBERG: Thank you very much.

4 Agenda Item II, approval of minutes from May 18th,
5 2021, (A) general session and (B) executive session.

6 The Commissioners have had time to review those
7 minutes and submit edits. Is there any further discussion
8 before I entertain a motion to support the general session
9 and executive session minutes to approve?

10 Can I entertain a motion to approve the general
11 session and executive session written minutes from May 18th,
12 2021?

13 COMMISSIONER YORK: This is Commissioner York. I
14 so move for the admission.

15 COMMISSIONER LERNER: This is Commissioner Lerner.
16 I second.

17 CHAIRPERSON NEUBERG: Any further discussion?

18 Vice Chair Watchman.

19 VICE CHAIR WATCHMAN: I abstain since I wasn't --

20 CHAIRPERSON NEUBERG: Oh, correct. Thank you very
21 much.

22 Commissioner Mehl.

23 COMMISSIONER MEHL: Aye.

24 CHAIRPERSON NEUBERG: Commissioner Lerner.

25 COMMISSIONER LERNER: Aye.

1 CHAIRPERSON NEUBERG: Commissioner York.

2 COMMISSIONER YORK: Aye.

3 CHAIRPERSON NEUBERG: Commissioner Neuberg is an
4 aye.

5 And, with that, a 4-0 vote, the general session and
6 executive session minutes are approved of May 18th; with
7 Vice Chair Watchman abstaining due to his absence.

8 We will move to Agenda Item No. III, opportunity
9 for public comments. Public comment will open for a minimum
10 of 30 minutes and remain open until the adjournment of the
11 meeting. Comments will only be accepted electronically in
12 the writing -- in writing on the link provided in the notice
13 and agenda for this public meeting and will be limited to
14 3,000 characters.

15 Please note members of the Commission may not
16 discuss items that are not specifically identified on the
17 agenda. Therefore, pursuant to A.R.S. 38-431.01(H), action
18 taken as a result of public comment will be limited to
19 directing staff to study the matter, responding to any
20 criticism, or scheduling the matter for further
21 consideration and decision at a later date.

22 With that, we move to Agenda Item IV, discussion on
23 public comments received prior to today's meeting of
24 May 25th.

25 I open it up to my Commissioners. Please.

1 Okay. I have a few, actually, I think important
2 but succinct comments. There were two in particular that I
3 felt were very constructive that -- that we are taking
4 action on. One, I'd like to thank the League of Women
5 Voters for highlighting how essential it is that the
6 Commissioners all understand what legal precedent has set
7 forth with regard to the six criteria and the hierarchal,
8 you know, order of that; and their suggestion, which is
9 something that I think we can all agree on, to have our
10 balanced legal counsel give us a full presentation on what
11 legal precedent does exist, so that when we go into this
12 very difficult stage, that we all do understand to the best
13 of our ability what the current law says.

14 At minimum, you know, we can assure -- because I
15 think with the essence of the comment was, was, you know, do
16 the Commissioners understand their obligation to consider
17 all six criteria as it relates to the decision *Arizona*
18 *Minority Coalition vs. Arizona IRC*; and the answer is, yes,
19 we will receive additional legal training, and that training
20 will absolutely guide the guiding -- will serve as the
21 guiding principle for which we'll think through the
22 decision.

23 So thank you.

24 There was another, you know, comment about really
25 relying on the many experts that we have in-house in our

1 university system in Arizona. Our legal counsel -- in fact,
2 it's part of our agenda even today, that that's something
3 that's on our mind. I think our state can be incredibly
4 proud of how advanced, you know, the scientists are and what
5 they could potentially offer in a neutral way. You know,
6 there's some limitations that they -- they lack that
7 in-depth knowledge where, you know, again redistricting is,
8 you know, once-a-decade area, but something we are on.

9 The last thing I want to mention is there's some, I
10 guess, I don't know, you know, frustration that public
11 comments are posted on our website, and yet people can
12 contact us 24/7, and people want that posted on our website.

13 You know, it's working. In our opinion our system
14 is working now. You know, people who reach us through the
15 "contact us" site the other, you know, six days a week,
16 there's some level of, you know, privacy or just an ability
17 to talk about things. It's all a matter of public record;
18 there's nothing, you know, nefarious going on, and I think
19 there's sufficient ability for our community to get feedback
20 to us in -- in many, many ways.

21 So that's all I have on the public comments unless
22 my fellow Commissioners would like to respond.

23 Okay. With that, we are going to move to Agenda
24 Item No. IX, which is presentation from the mapping
25 consultant team of Timmons. They have identified six areas

1 that they'd like to go into.

2 And, with that, rather than just reading the agenda
3 that is posted for everybody, I will turn it over to our
4 friends from Timmons to lead this item. And we just ask
5 that each of you could maybe introduce yourself and -- and
6 give the community -- I mean, some of us have a better idea
7 of who you are, but as you can tell me maybe, our public
8 is -- is really involved and they would love to know who you
9 are and, you know, a little bit of how you fit in with all
10 of this.

11 MR. FLAHAN: Perfect.

12 CHAIRPERSON NEUBERG: Please take it away.

13 MR. FLAHAN: Thank you, Madam Chairwoman and all
14 the Commissioners. We really appreciate being here, so good
15 morning to everyone.

16 We can do some quick introduction. My name is Mark
17 Flahan, I'm our senior project manager that's attached to
18 this project, so managing the day-to-day work and sort of be
19 your main contact for the project.

20 On the Timmons side we have two people here today
21 with us. One person is our program management, Mike Wiley,
22 who is also the director of our national business practice.

23 Mike, you want to go ahead and introduce yourself.

24 MR. WILEY: Yes. Thanks, Mark, and thank you
25 Commissioners.

1 You know, I first want to start by thanking you for
2 selecting Timmons Group and NDC. We recognize that
3 decisions can be tough; people have different opinions on
4 desired outcomes. All I can really, you know, assure you of
5 is you've hired a very capable team, and we will deliver
6 this project in a very independent way.

7 You know, when -- when we presented to you last, we
8 also mentioned that, you know, we were only the pursuing one
9 state project. These are large, complicated projects,
10 multi-month projects so we didn't want to get distracted on
11 other states. So we pursued Arizona. Thankful that you
12 selected us; we are not doing any other states, so we are
13 focused on your project.

14 So thank you.

15 MR. FLAHAN: And next for Timmons we got John
16 Stroud for client satisfaction.

17 John.

18 MR. STROUD: John Stroud. I've been in the GIS
19 business for about 26 years, and I'm a senior consultant and
20 the account manager for Arizona.

21 Thank you.

22 MR. FLAHAN: On the NDC side of the house for our
23 project team, we have Doug Johnson.

24 You want to go ahead and introduce yourself?

25 MR. JOHNSON: Sure. Good morning, everyone. I'm

1 Doug Johnson, president of National Demographics.

2 We at NDC have been working in redistricting for
3 over 40 years now; we started in 1979. I personally started
4 in the 1991 redistricting cycle, so this is I guess my
5 fourth rodeo to go through this. We've done a ton of work
6 in Arizona. We did the original move to district elections
7 for all of the cities that have district elections; and,
8 obviously, we -- as people are aware we worked with the 2001
9 Commission. We also do a ton of work with local governments
10 throughout the Southwest across Arizona and California.

11 So we're very excited to be working with you. We
12 are all about public engagement and getting the public to
13 participate and empowering them to draw the maps. So this
14 looks like a project where we -- our goals really parallel
15 with the Commissions, and we're looking forward to working
16 with you on that.

17 With me today is Ivy Sakansky. Ivy, you want to
18 introduce yourself?

19 MS. SAKANSKY: Sure. Thanks, Doug.

20 Good morning. Ivy Bellar Sakansky, and I have been
21 in Arizona for a very long time and have worked -- this is
22 my third redistricting cycle within Arizona. I've worked at
23 the county level, and I was the manager for the City of
24 Phoenix project in -- in '01.

25 We're thrilled to be here and looking forward to

1 the process.

2 Thank you.

3 MR. STROUD: Yeah, and just a quick note, you'll be
4 seeing two other NDC folks throughout this process. One is
5 vice president Justin Levitt, he actually lives in
6 California, as I do, but his family are all Arizona, so he's
7 very excited. And he wrote his master's and I think his
8 dissertation on redistricting and using Phoenix as an
9 example. So he's got extensive experience; he's been
10 working for NDC for 18 years.

11 And then Jeff Tilton, Dr. Jeff Tilton, will also be
12 joining us to help out with this project as well.

13 It's a big project, and we're looking forward to
14 it.

15 Thank you.

16 MR. FLAHAN: Thank you, Doug and Ivy.

17 From Esri we have Richard here. Richard, do you
18 want to introduce yourself?

19 MR. LEADBEATER: Richard Leadbeater, I'm the state
20 government industry manager, I worry about the
21 administrative functions of state and local government.

22 Esri is the creator of GIS technology, geographic
23 information system. And if you have seen electronic map
24 within the state and the county governments within Arizona,
25 that's our technology. So we -- we focus on base

1 technology, but in particular for redistricting we've
2 created this end application.

3 Thank you.

4 MR. FLAHAN: Thanks, Richard. Appreciate it.

5 So we get -- we have a couple of slides that we'd
6 like to show you guys and walk through. So if you don't
7 mind, I'm going to share my screen with you.

8 Okay. Do you guys see the slide deck? Is that a
9 yes? I'm moving the presenter screen up.

10 MR. LEADBEATER: Yes.

11 MR. FLAHAN: Thank you, Richard, appreciate it.
12 And a lot of thumbs up. Awesome.

13 Okay. So here's a quick agenda what we want to
14 discuss with you guys today. We'll talk about our project
15 overview, we'll talk about the schedule, software that we're
16 going to use, and then afterwards we want to open it up to
17 any questions and answers or discussion that you might have.

18 So project organization. We already did
19 introductions, so now we can see where all these people fit
20 into our project.

21 So here I am in the middle, Mark Flahan. Like I
22 said, I'm going to manage the project and be your day-to-day
23 activities and contact.

24 To the left of me, the principal in charge shows
25 that we do have executive sponsorship at the Timmons Group

1 side, Randy Trott; he was unfortunately -- could not be here
2 with us today.

3 On the right side of me in client satisfaction we
4 have Mike Wiley and John Stroud who introduced themselves.
5 You guys met just a little bit ago. They're going to really
6 make sure that you guys get exactly what you need, and this
7 project is a success.

8 Under me we have a project coordinator that is
9 attached to the project, Alex Wilson. So he'll be there
10 supporting me in any capacity that we're going to need.

11 And then really there's two legs that come under
12 me; and on the left side is the GIS tech side, so we have a
13 gentleman named Brian Kingery, who is going to lead our GIS
14 tech; and then under that we have analyst and some data
15 automation, because data is going to be key for this
16 project, and these are the people that we're looking at to
17 help lead that so you guys can get to a product that you can
18 be proud of.

19 On the right-hand side we have our subject matter
20 experts on -- on the NDC side. So Doug Johnson is going to
21 be our lead subject matter expert in the redistricting; and
22 under him we have Justin Levitt who we talked about, and Ivy
23 who you have already met.

24 And that's really the core of our project. If we
25 need more people, we do have more people on the Timmons'

1 side, so it shows you how flexible we are for the project.

2 Part of the project we came up with a good project
3 plan. We talk about breaking that project plan into five
4 sub-plans. Now, something to note here, we have not had an
5 official kickoff for the project so we haven't really dove
6 into really deep to these five project sub-plans; but from
7 the Timmons' side, we want to sit down and work with you
8 guys to actually develop these out so we have a solid
9 project management plan coming forward.

10 And what we want to talk about is public engagement
11 and what your -- what your plan is for public engagement and
12 how do we engage them.

13 Data management. So how do we manage our data; how
14 do we make sure we have an audit trail for our data? So we
15 want to sit down with you guys and talk about that.

16 Map cartography is very important. You know, this
17 is sort of going to be the face of the Commission's work, so
18 what does that look like, what kind of branding do you guys
19 see fit, and how do you want to represent yourself through
20 any of the map products that we produce? So we want to sit
21 down and build that with you.

22 System management plan is how are we going to
23 manage this system; how are we going to make sure that the
24 audit is available, and how do we make sure that we meet all
25 the criterias of the state of Arizona, make sure that's

1 there.

2 And then project communications. How are we going
3 to communicate with the project? And I think that's really
4 a three-leg stool there. So we have the Commissioners; we
5 have the executive staff for the Commission, and we have the
6 public. So how does that look like and how do you want us
7 to engage them, and that's where we're going to sit down and
8 build that communication plan with you.

9 Like I said, we haven't had a kickoff so we want to
10 sit down and actually go in depth in these so we have a
11 solid project management plan moving forward. I think that
12 will bring the success to the project.

13 Here's the schedule that we proposed from the RFP.
14 One note here is that this is proposed from the RFP, we have
15 not, you know, sat down with the Commission to go over this
16 schedule, so. The -- the key part about the schedule is
17 it's very fluid. So behind the scenes that we generated
18 this from, there's a 200-line-plus project plan; and we can
19 easily sit down with you guys and move the dates around and
20 plug things in to make that happen.

21 I think one of the key dates that have sort of
22 sitting in a red flag is that the census data is tentative
23 coming from the Feds on August 15th; and if that date
24 fluctuates, we're very easy, and we can go ahead and change
25 the dates on our side.

1 But in a nutshell at a high level, you know, here's
2 what we propose.

3 And you can see that there's also multiple things
4 happening at one time, so it's not we're only doing one
5 thing at one point. So we're able to overlap this to give
6 you the flexibility that you need.

7 For project data I want to turn it over to Richard
8 from Esri.

9 MR. LEADBEATER: So, thank you. Richard Leadbeater
10 from Esri again speaking.

11 Of course the core of all of this exercise is, you
12 know, the public law data: 94-171. It is a series of data;
13 it's a series of tables, four tables in all carrying about a
14 hundred-odd, 150-odd attributes in each of those four
15 details; it's a lot of detail.

16 But, fundamentally, how do you think about that
17 data? You think about the data from your neighborhood; from
18 your state, your county, from your neighborhood. Those are
19 very geographic.

20 I want to present to you -- you probably have seen
21 this; you probably know census data in a nutshell; but first
22 and foremost is the census block. And the PL data is one of
23 the only federal datasets that is delivered in such detail;
24 it's about 400 homes. It grows to the census blocks, groups
25 of blocks become block groups into census tracts. Census

1 tracks don't cross county boundaries, but do cross cities
2 and other details out there.

3 So we process this data prior to putting it into
4 the application so that these ideas, these concepts of place
5 are part of the application and you can work at these levels
6 and -- and build your plans from those.

7 Next slide, Mark.

8 I wanted to show you this, these drawings. This is
9 something that I drew a long time ago for a national
10 conference or state legislature at their redistricting
11 committee back in 2005.

12 The very small top left graphic was the state of
13 the art then. Fundamentally it was a desktop, you worked --
14 you had a professional working with the legislator or the
15 committee, and the communication was between them; the
16 public was kind of left out, they could go out and get their
17 own tools, but they couldn't share fully in the process.

18 The center graphic is an image that I drew in 2005
19 as a challenge to the redistricting market, honestly. This
20 is my idea of what could be done -- and this is my idea of
21 what is being done. We provided an application in 2010 and
22 again in 2020 with the application, that allows full
23 functionality, full interaction with the public, with the
24 professionals, the Timmons Group, and the committee itself.

25 This way the browser is the upmost technology that

1 a person needs to engage with. In other words, you don't
2 have to have a new computer with new software in every
3 public library or in every public meeting. People can come
4 in through a URL, through their web browser, any competent
5 web browser out there today will suffice as a technology
6 level. That way it's easy to use, people are using raw
7 data, one copy of the data, one copy of the software, and
8 one copy of everybody's plan that can be shared and
9 privileged and -- and publicized.

10 Next slide, please.

11 We have plenty of analytics. You might not know,
12 but Esri also works with the Department of Justice Civil
13 Rights Division. We are the technology that they use to
14 audit plans should they come under their purview. Section 5
15 -- of course the strength of Section 5 has been somewhat
16 diminished, happening less often; but, any plan that comes
17 before a civil rights review, gets used -- this is the same
18 software that's used for them to analyze, quality assure
19 plans from their point of view.

20 Next slide.

21 We had this -- this same application available to
22 the public in 2010, and we had many users back then.

23 I would say that in our development in bringing
24 this application to modern -- modern platform, modern
25 browsers, 80 percent of our development has been in the user

1 interface; we feel that's very, very important.

2 Redistricting is hard; it's complex. Purely from a
3 constitutional point of view, let's limit -- let's eliminate
4 the complexity that software brings to the situation.

5 So the UI, the user interface application is very
6 thought out, very purposeful. We used the ribbon idea, the
7 concept of a ribbon, kind of like Microsoft. So if you've
8 worked in Word or Office in any form, you'll be familiar
9 with this.

10 Fundamentally you work left to right, top to bottom
11 of these menus and you will have completed a legitimate,
12 submittal plan.

13 Next slide.

14 We also have features to quality share, quality
15 check, even compare plan so that you can take your plan,
16 somebody else's submitted plan, do -- do an overlay and find
17 out what the difference is.

18 The graphic on the right is showing all of the
19 validations that Department of Justice requires in that you
20 have complete polygons, you don't have islands, you don't
21 have -- you don't have census geography that's undefined,
22 that isn't defined somewhere; and it validates and it walks
23 you through all those possible edits until you have a plan
24 that's submitted. It's quite easy and quite user-centric.

25 And then in the center, the center graphic shows

1 that there is an audit to these plans. This is very
2 important that you know who wrote the plan, what they've
3 done with it, did they -- did they modify it at all, did
4 they take another plan and start from there? All legitimate
5 things to do; it just gives you the ability to look and
6 validate who has had custody of the plans as it proceeds
7 down the pipe.

8 Next slide.

9 Fundamentally, the application we -- we provide to
10 you is in three parts. The citizen and user access, that's
11 through a dedicated, trackable URL. Like I said, all you
12 need is a competent web browser, any web browser that allows
13 you to look at YouTube, check your e-mails, that -- you can
14 use that for this application as well.

15 The public interface, as I said, is through the URL
16 into the redistricting solution; and that redistricting
17 solution has many parts, but fundamentally the end user to
18 you, it's one package. It's run on an Amazon web service so
19 that you know dependability and expandability as you need it
20 is there.

21 Next slide.

22 I like to describe the application as a
23 three-legged stool. Of course, you have the data, the PL
24 data that we've already described, but you do have the
25 ability to bring in other support data as reference files,

1 as backgrounds to -- when you're working on a plan. Maybe
2 there's a cultural feature that you want to include,
3 neighborhood map from the -- the Maricopa County or a
4 topographical -- topographic map showing ridge lines and
5 streams and -- and other features that aren't in the census
6 data.

7 You can bring those to bear and use them as you're
8 developing plans. Perhaps there's a school -- a school
9 district map that you -- that you feel is important to your
10 building of the districts, you can bring in those polygons
11 as reference, select your school district that's important
12 to you; start building your -- your district plan with that
13 polygon and have it select the census geography, and then
14 you start -- then you're starting, you're building it up.

15 Second is plan management. Making sure that
16 there's one plan for everybody who submits one, that it's
17 trackable, and it's permissioned. You can have various
18 groups such as the League of Women Voters have already had a
19 comment today, they can have their own group, and that group
20 they can share amongst themselves and submit plans from that
21 grid up to the Commission itself. So plan management is
22 very important to this process.

23 As I said, one -- one copy of the data, one copy of
24 the software, one copy of everybody's plan. That's
25 important in that -- in that you don't have plans being

1 built on the wrong data or an old version of software.

2 Collaboration is unique to this application in that
3 you can provide full access to all of the tools and all of
4 the data that the Commission has at their fingertips;
5 everybody can share in the plan equally.

6 Next slide.

7 And, finally, the ability to audit. And from here
8 I'll pass it back to Timmons to describe their audit
9 process.

10 MR. STROUD: And I'll -- I'll take it from there.
11 Just we wanted to close with affirming how important this is
12 to -- to the overall project plan is, Esri has this great
13 audit capability that Richard showed you where it makes it
14 really easy to look map to map and see which areas have
15 changed. And, of course, we're expecting a lot of maps; we
16 really hope that people get engaged in this process and
17 really share their thoughts; and, of course, that the
18 Commission will go through many iterations of maps
19 particular to its process.

20 So combined between the features and the audit logs
21 that are in the Esri software, and then a log that we as
22 your Timmons Group team will be keeping, indicating which
23 maps and which map changes are resulting from which of the
24 constitutional criteria so that we keep that firm basis in
25 the legal requirements and legal goals of the map, and that

1 it's easily tracked. And that log will be online so
2 everybody can see it as we're working along.

3 With that, I'll hand it back to Mark for any last
4 thoughts.

5 MR. FLAHAN: Perfect. Thanks, Doug.

6 The last slide here we have, you know, discussion
7 questions and answers, but I think before we jump in there,
8 I noticed one of the slides got skipped over talking about
9 the public meetings, so I want to touch base with that
10 really quick.

11 So, you know, for public meetings and for the
12 hearings, you know, Timmons Group will be there with you;
13 we'll be able to, you know, facilitate any technology things
14 that you guys need to make sure happen. So we're definitely
15 going to be there with ya and supporting you guys along the
16 way.

17 We'll be able to take any, you know, public
18 submissions in, be able to code them correctly, and be able
19 to provide them to the Commission to make sure you guys can
20 incorporate them in your type of analysis.

21 With that being said, do we have any questions from
22 the Commission?

23 Chairwoman?

24 CHAIRPERSON NEUBERG: I -- I have a question. So
25 based on what you have just presented, and -- and it --

1 there may not be a right or wrong, you know, answer, but if
2 you could kind of walk us through what we should be thinking
3 about.

4 To what extent do we hit the road sooner as opposed
5 to later to do a listening tour, meaning to understand, you
6 know, the different communities of interest and -- and what
7 their needs are and what hasn't worked for them; and to what
8 extent we can use the legacy data appropriately at that time
9 to guide us, or is that just a waste of time?

10 I mean, I -- you know, we're -- we're -- we're
11 hungry to go out and meet our -- our, you know, fellow
12 citizens and understand who the communities are, what their
13 needs are, but we don't want to just duplicate a process
14 after the formal data comes. So we'd love your impressions
15 on that.

16 And -- and I understand that there's legal issues
17 as well, so it's -- we're not asking you for the right
18 answer, we're asking you for your thoughts about it.

19 MR. FLAHAN: I think that's a really good -- good
20 question. I think, you know, getting in front of the people
21 sooner rather than later is probably the best, but I think
22 Doug might be the best to answer that question so I'm going
23 to turn it over to him.

24 MR. JOHNSON: So thank you, Mark. And -- and, yes,
25 it's obviously the -- the biggest pressing question I think

1 for this Commission, is how the quickly can you get out
2 there.

3 Obviously, there's lots of logistical issues in --
4 planning a listening tour and you have to work through
5 those. But, yes, I think getting out as soon as you can to
6 hear from the communities is great.

7 One thing that might be causing some confusion is
8 the term "legacy data." Because the Census Bureau is
9 actually referring to the August 15th data release as being
10 in a legacy data format, it does cause confusion. That is
11 the official data, it's just the format they're releasing it
12 in is called the legacy data.

13 We also get a lot of references to legacy data
14 meaning other databases, like the American Community Survey
15 and other places like that; and that is -- actually, our
16 team has been spending quite a bit of time looking at that,
17 looking how we can clean that up and kind of take out some
18 of the statistical noise to try to make it as useful and as
19 accurate as possible.

20 It's a -- a big discussion about how useful and
21 reliable can we make it, and -- and it's probably an agenda
22 we probably want to schedule at a future meeting so we can
23 walk through what our thought is and get the public and your
24 reactions to that; but it is likely there will be some data
25 available.

1 The other thing to emphasize is, is that that
2 listening tour is mostly about, you know, communities of
3 interest and socioeconomic data; and the key thing to keep
4 in mind is that the only delayed data is really the total
5 population count. There is also some demographic data that
6 goes with it, but it's not the Voting Rights Act demographic
7 data.

8 The citizen voting age population data that is the
9 basis of the Voting Rights Act analysis and all the
10 socioeconomic data like income and language spoken at home,
11 all those demographics that we'll want to look at that, all
12 of those demographic and socioeconomic data are already out,
13 we have that at the American Community Survey notes, so we
14 can have that official data.

15 So there's a lot you can do on a listening tour,
16 definitely, it's just a matter of getting -- getting the
17 database built, which we're already working on, and getting
18 logistics in line for that challenging project to getting
19 out to the whole state.

20 CHAIRPERSON NEUBERG: I appreciate that, that's a
21 helpful clarification; and my sense is that the Commission
22 is very interested in a listening tour and doing as much of
23 the learning and the work in advance as is appropriate
24 before the, quote, "formal data" come in and what that
25 dat- -- you know, whatever we determine is formal data. And

1 that that's, I guess, will be a process that will evolve.

2 Other questions, please.

3 COMMISSIONER LERNER: Thank you for that. This is
4 Commissioner Lerner. Thank you very much for your
5 presentation, I appreciate it.

6 A quick question just on your flowchart, I'm sure
7 this isn't that critical. Richard, you're not listed on the
8 flowchart, what role do you have in that?

9 MR. LEADBEATER: So I'm -- I'm representing Esri,
10 so we are the solution.

11 COMMISSIONER LERNER: Okay.

12 MR. LEADBEATER: So we've actually done our part.
13 We -- we're supplying the software solution that -- that the
14 team will be using.

15 COMMISSIONER LERNER: Okay. So you don't need to
16 be -- you're just today presenting the information on the
17 technical piece.

18 MR. LEADBEATER: Correct.

19 COMMISSIONER LERNER: And after that you're pretty
20 much just making sure things run --

21 MR. LEADBEATER: Yes.

22 COMMISSIONER LERNER: -- in the background?

23 MR. LEADBEATER: Yes.

24 COMMISSIONER LERNER: Okay. Great. I just wanted
25 to check because it's very informative and seemed like we

1 might want to have.

2 So to kind of go back to Esri, I also have used
3 that in -- both in my classes and I was actually on a
4 National Science Foundation using Esri to get -- to get into
5 the classrooms, K-12 classrooms. So I'm not great at it at
6 all, but I understand the basics of it.

7 So I guess my question is training, because I went
8 through quite a bit of training just to get the base
9 knowledge of it, and I used things like StoryMaps and stuff
10 which are predone.

11 MR. LEADBEATER: Right.

12 COMMISSIONER LERNER: But -- but in terms of
13 building from the ground up --

14 MR. LEADBEATER: Yeah.

15 COMMISSIONER LERNER: -- that's a lot of training,
16 and I would like to have some of that so I can understand
17 better as things progress. Are we going to be provided
18 training as a Commission?

19 And will there will be YouTube videos or something
20 out there for the public also be provided? Because if they
21 want to get it on and start playing with it, there is --
22 there is some complexity to building the layers on there.

23 MR. LEADBEATER: Exactly. A couple -- a couple,
24 three parts to my answer.

25 Number one, you can -- currently the application is

1 available to universities, community colleges, and even high
2 school civic classes. A lot have -- I've talked to a number
3 of them where they're using that as a lab in their -- in
4 their political science classes today. We do have site
5 licenses and that -- that's -- in other words, I encourage
6 you to engage your universities to include this in their
7 education, because 2030 is going to come around, and we need
8 people to take our places.

9 Second is, that's why I spent a little bit of time
10 on the user interface. This is meant for the person who's
11 never touched GIS. And, in fact, GIS professionals will be
12 a little bit frustrated by the dogmatic walking through of a
13 menu that -- that the nontechnical need to walk them through
14 creating of the actual plan. So the application is aimed at
15 zero GIS background.

16 Number -- number three, part three, we do have a
17 very robust learning tab in the menu system; contact
18 sensitive where you can watch YouTube videos of each of the
19 elements and learn, "Oh, I can do this."

20 In several cases where we've talked with
21 Commissions, we've allowed them access to the software prior
22 to this meeting, and they've already created plans so that
23 kind of confirms to me that it is user friendly; that people
24 actually started -- started creating plans even before we
25 engaged them.

1 And third, I -- we do have a virtual class, that's
2 a (technical interruption) exercise that's free and open to
3 the public; all you need is a web browser. That will walk
4 you through the application and some redistricting concepts
5 that's available today. It's part of our learn lesson site,
6 and Mike and John will be -- can certainly show you those
7 links as well.

8 And, finally, the Timmons Group is -- is thoroughly
9 acquainted with Esri and deputized to start teaching about
10 the application, even though we -- we don't think it's
11 required or necessary. You know, adult education is adult
12 education, being walked through and made comfortable with
13 that is part of the scenarios, especially in the public
14 meetings that you'll want to -- you'll want to take care of.

15 So we have the learn lessons available to
16 everybody, include educational sites; we have the YouTube
17 videos as part of the application in itself that walk you
18 through the menus again; and then and then there's other --
19 there's other access that -- through the user interface that
20 you have.

21 One thing I will encourage you to do is make some
22 StoryMaps. In my original presentation I think I had an
23 example of Montana, the legislative staff used StoryMaps to
24 spell out the Constitutional requirements of redistricting,
25 and they opened up that -- they opened that up to the

1 public; and people were engaged in that in that, "Oh, I
2 didn't know Montana does it this way."

3 So that's -- there's lot of Esri-centered tools
4 that you have access to that can also help facilitate that
5 communication and outreach as well.

6 COMMISSIONER LERNER: So just as a -- thank you,
7 that's great, and I think it will be really helpful.

8 So at some point then will you be just sending
9 us -- do we need an account or is this going to be open?
10 Because I know, like, the community colleges you need -- I
11 mean, where I'm at, you need an account. But this is going
12 to be more open, right?

13 So I don't know if we're going to get accounts and
14 links, all of those be great to get those sooner than later
15 so we can go ahead and kind of start looking around and
16 seeing what's there. That would be helpful if we -- we can
17 get access to -- to that.

18 MR. LEADBEATER: I'll send Mark links to generic
19 accounts; but you -- however, whenever your account is set
20 up, that -- that should be easy to turn on for you.

21 COMMISSIONER LERNER: Okay.

22 MR. FLAHAN: And to sort of tie into that, as part
23 of the project, we are going to have customized training for
24 all the Commissioners.

25 COMMISSIONER LERNER: Great.

1 MR. FLAHAN: So that is going to part of our
2 project; and I believe it's a day or two training.

3 I don't know, John, if you want to touch on that or
4 not.

5 Nope.

6 So, no, we'll definitely have training for you
7 guys.

8 COMMISSIONER LERNER: Yeah, because I know just
9 enough to get into trouble, so. It would be better to not
10 be in trouble.

11 Thank you.

12 MR. FLAHAN: Yeah. No, we recognize that training
13 needs to happen and we recognize that you guys are going to
14 have a customized need than just the watching the -- the
15 YouTube videos that Esri has out there for everybody.

16 So we'll make sure you guys are good to go.

17 COMMISSIONER LERNER: Great. Thank you.

18 And then I -- I just as a follow-up, if that's
19 okay, just on the American Community Survey and how that
20 interfaces with the census data. As you said, Dr. Johnson,
21 about the fact that we have the census -- the census data
22 basically is out except for population count now, so that's
23 all we're missing? So that's all within census, right, that
24 you're talking about, not any other data set?

25 MR. JOHNSON: Right. So the American Community

1 Survey is also from the Census Bureau, yes.

2 COMMISSIONER LERNER: Right. Just wanted to make
3 sure it was clear in case people thought it was two separate
4 data sets, that's all.

5 Thank you.

6 CHAIRPERSON NEUBERG: And one other question and
7 I -- you know, maybe this is legal counsel needs to engage
8 as well.

9 You know, some -- so when we look at these general
10 data patterns, we have a decent sense of where the
11 population is as it relates to carving out the federal
12 districts. I mean, you know, but -- but the noise and some
13 of, you know, the data that's going to be more surprising
14 is -- is on the state legislative issues. So -- so to what
15 extent, you know, do we focus more early on on -- on the
16 federal districts and wait for the other details to come in?
17 Or is that not appropriate for us?

18 MR. JOHNSON: I think we'll leave that for a more
19 integrated presentation with the legal team if you don't
20 mind.

21 CHAIRPERSON NEUBERG: Okay. You got it.

22 We ask a lot of questions on the Commission, but
23 it -- that's good for our state.

24 MR. LEADBEATER: I -- I group that question as --
25 as having a mixology question and it all depends on what

1 stew you want to make as do you start on the north and work
2 down, do you start at the south and work up, and how you
3 want these districts to be.

4 The data is there. Yes, it's grown more since last
5 decade, but people -- people understand where large groups
6 of people live and that's -- that's your bias, that's --
7 that's where you're going to work from. So you can start
8 practicing -- what I call practicing -- now.

9 CHAIRPERSON NEUBERG: Okay. Thanks. Just wanted
10 to throw it out there.

11 What else, Commissioners?

12 COMMISSIONER LERNER: This is -- I have a
13 follow-up.

14 CHAIRPERSON NEUBERG: Go ahead.

15 COMMISSIONER LERNER: I have a follow-up if that's
16 okay. I was waiting to see if another Commissioner maybe --
17 I don't want to interrupt other Commissioners here.

18 So for the public just to kind of clarify what
19 their -- how -- how all of this will work for them, I'm just
20 trying to be sure that it's really clear on how they will
21 have access.

22 The public will have access to all the drafts that
23 are out there; they'll have access to giving input on the
24 drafts. How do you plan to use the public input? I mean, I
25 know they'll be doing their thing, but then as our

1 consultant how do you use -- I know you're very -- it's
2 great to have so much public involvement, but how do you
3 plan to incorporate the public comments into the draft maps?

4 MR. FLAHAN: Doug, you want to take that one.

5 MR. JOHNSON: Sure. Sure.

6 Essentially it boils down to the -- the public's
7 draft maps are just as much official draft maps for the
8 Commission to look at as as anything that Timmons and NDC
9 draw. So it's not like we'll be a screen or that we'll be
10 interpreting them or anything like that. Obviously, we'll
11 be putting them all together, putting them into the various
12 tech solutions so they can be presented to the public and
13 the Commission; and we'll be doing some summaries, and
14 hopefully we'll have so many maps that we -- from the
15 public, that we will be assisting you with the -- how to
16 boil them down from 50 or 60 maps down to four or five kind
17 of focused maps.

18 So we'll be assisting in that process, but
19 everything that comes in from the public will be shown to
20 the -- to the other members of the public online and to the
21 Commission; and then it will be up to you to give us
22 direction on, you know, what do you want to see in the maps,
23 what holes -- what possible maps are there out there that no
24 one has submitted that you'd like to see; and really drawing
25 from the ideas that the public submits and the ideas that

1 you come up with on your own and aren't in that pool yet.
2 We'll take your direction and we'll -- we'll draw maps based
3 on that or revise maps.

4 One thing that comes up a lot just to give you a
5 sense of the thinking process, is someone might say: We
6 really like Map X in the north; we really like Map Y in the
7 south, and Map Z in the middle. Mappers, can you find a way
8 to put those three maps together?

9 And the beauty of the Esri tool is that obviously
10 if we're directed to do that, we'll do that. But the beauty
11 of the Esri tool is that there will probably be five or six
12 people in the audience that will hear that direction and
13 will try to do it better than us; and we love that, you
14 know. So your direction will be not just to NDC and
15 Timmons, it will be open to everyone and everyone else can
16 try to achieve your goals even better than we do. And
17 thumbs up to us if -- if we've empowered the residents that
18 they feel ready and capable to do that.

19 COMMISSIONER LERNER: Thank you.

20 COMMISSIONER MEHL: This is Commissioner Mehl. I'm
21 a little uncertain as to what our next steps are. What is
22 our -- what is your priority for the next 30 days, and where
23 do you see us heading quickly?

24 MR. FLAHAN: You know, I think some of our
25 priorities for the next 30 days is we need to have an

1 official kickoff meeting where we really sit down and talk
2 about the project plan; we need to sit down with you guys
3 and flush out a schedule, and that way we can start to put
4 that together so we can have a good project plan moving
5 forward; we need to talk about how do you guys feel about
6 mapping and cartography; how do you guys feel about
7 communications and what does that look like.

8 I know in our RFP we put out there that, you know,
9 a listening tour should be coming. I don't know, Doug, if
10 you want to talk a little bit more about that, you've
11 already mentioned it a couple of times.

12 But I think it's really meeting together and
13 getting through a lot of the details so we know exactly how
14 we're moving forward I think is -- is the most critical
15 piece right this second.

16 CHAIRPERSON NEUBERG: Well, would it be fair to
17 say, Mark, that at next week's meeting you'll be able to
18 answer that question with a better sense of, like, weekly
19 targets and -- and goals?

20 MR. FLAHAN: I think we should have a better idea
21 next week; we might not have everything concrete by next
22 week.

23 CHAIRPERSON NEUBERG: Okay.

24 MR. JOHNSON: And I would just add that, too, keep
25 in mind our goal is for the Timmons/NDC group, your staff,

1 and your legal team to all be essentially on the same
2 page --

3 CHAIRPERSON NEUBERG: Yes.

4 MR. JOHNSON: -- and, you know, working
5 interactively. So that takes time to cover the things Mark
6 was just discussing, in addition to covering those with the
7 Commission.

8 CHAIRPERSON NEUBERG: Thank you for that point. I
9 think that's an essential point and something that actually
10 is working quite well so far and something we'll work to
11 protect is just the -- the working relationship between
12 legal counsel, now mapping consultants, IRC staff; and then
13 eventual, you know, the relaying of that information to the
14 Commissioners.

15 And, you know, I've been very appreciative so far
16 of how smooth the process has been. And -- and it adds, you
17 know, to those who are just concerned about bias or, you
18 know, whatever, it just adds so many layers of eyes and
19 checks and balances to the process of what we're doing, and
20 we're assembling a really competent, you know, kind of
21 thorough team. So for me I feel -- I feel comfortable and
22 excited.

23 MR. FLAHAN: I will add on the Timmons' side in the
24 next 30 days, you know, we're going to start spinning up the
25 system that we're going to use, so we're going to start

1 building that in the next 30 days, too. So I'll probably be
2 able to provide some more detail on that next week.

3 CHAIRPERSON NEUBERG: And any other comments,
4 thoughts, questions from my fellow Commissioners on Agenda
5 Item No. IX, our opportunity to be meeting with our mapping
6 consultant Timmons and partners?

7 COMMISSIONER LERNER: Chair Neuberg, this is a
8 really small minor point, but just for clarity for our
9 agendas, can we say "Timmons/NDC" for the future? I think
10 would be helpful because both are -- obviously NDC is going
11 to be doing a lot of the work. Just for the agenda.

12 CHAIRPERSON NEUBERG: I'm good as long as "Timmons
13 slash NDC" is good with -- with being identified as such.

14 MR. WILEY: We're friends; we're good.

15 CHAIRPERSON NEUBERG: Okay.

16 MR. WILEY: Timmons is good, I think Doug is good.

17 CHAIRPERSON NEUBERG: All right.

18 MR. JOHNSON: Yeah, we're good. It could just be
19 Timmons or Timmons/NDC, we're -- we take it all as the same.

20 CHAIRPERSON NEUBERG: The only reason why I haven't
21 lumped it together was just -- you know, it's just easier to
22 say one and not the other. But I can add that, you know,
23 two other syllables -- three syllables.

24 COMMISSIONER LERNER: I just thought it would be
25 good clarity for everybody to remember both firms are

1 involved.

2 CHAIRPERSON NEUBERG: You got --

3 COMMISSIONER LERNER: Thank you.

4 CHAIRPERSON NEUBERG: You got it.

5 All right. Well, we really look forward to your
6 partnership and, you know, it's going to be a great
7 collaboration. So thank you for joining us and, you know,
8 we look forward to having you join us I'm presuming next
9 week with some new and interesting information.

10 MR. FLAHAN: Sounds good. Thank you.

11 CHAIRPERSON NEUBERG: Fellow Commissioners,
12 anything? Can we release our fellow Timmons/NDC partners?
13 Unless they would like to stay and participate.

14 All right. Thank you so much. We will see you all
15 soon.

16 (Whereupon Timmons/NDC representatives exit the
17 meeting.)

18 CHAIRPERSON NEUBERG: Okay. With that, we are
19 going to move back to Agenda Item No. V, which is executive
20 director's report and discussion thereof.

21 I will turn it over to Director Brian Schmitt to
22 take it away on these items.

23 DIRECTOR SCHMITT: Thank you, Madam Chair.

24 Few updates for you today. We will be in our new
25 office on or before June 26th, we're just moving four or

1 five doors down in the same building. Once we have the
2 suite number confirmed, we'll -- we'll get that out there so
3 the public knows where they can send us anything.

4 Regarding the budget. Budget -- the budget bills
5 were introduced yesterday; they are going before the senate
6 committee this morning just in a couple minutes from now.
7 In those documents we -- it's a proposed \$7.9 million in
8 non-lapsing funds for the IRC next year. So that whole
9 situation is still a little fluid, but hopefully we'll have
10 some sort of resolution soon.

11 And that also wraps into the FT and hiring and
12 moving forward with -- with those positions as well.

13 The other documents I forwarded to you were quotes
14 for hardware and software for the Commission and staff;
15 still looking for approval for those items today.

16 CHAIRPERSON NEUBERG: Please, Commissioner Lerner.

17 COMMISSIONER LERNER: So, Brian, thank you. Can
18 you clarify on the hardware. So we all -- some of us have
19 received computers that we're using now from ADOA, is this
20 to replace what we already have received with new hardware?

21 Can you just clarify exactly that and did you get
22 several quotes for that as well? So if you could clarify
23 that, that request.

24 DIRECTOR SCHMITT: Yes, so we will be replacing all
25 of the hardware. The computers they gave us were 2015

1 laptops; I already had one that failed.

2 We did look through multiple quotes, we worked with
3 ADOA IT and our e-discovery folks at Ballard to make sure
4 it's the right system so that we're moving forward.

5 Yeah, good point.

6 COMMISSIONER LERNER: And then just as a
7 disclaimer, there was a comment in the public comments
8 somebody was asking about why we were moving to Microsoft.
9 So mostly for the sake of the public, could you please
10 clarify, you know, what -- why we're talking about doing
11 that?

12 DIRECTOR SCHMITT: Yeah, absolutely, Commissioner.

13 If you don't mind, I'll throw it over to Roy or
14 Eric. The reason for moving is more legal reasons and
15 e-discovery, setting us up for the future in case there are
16 lawsuits.

17 MR. SPENCER: Yeah, Brian, I think your -- your
18 point resolved around the e-discovery point, right?

19 DIRECTOR SCHMITT: Yes.

20 MR. SPENCER: We just want to make sure our systems
21 on the legal side fully integrate with the Commission's
22 system. Our goal in part is to have, for example, a public
23 records request response system that allows us to quickly
24 and efficiently produce public records; and -- and also to
25 be prepared for litigation.

1 So we plan to handle a lot of that in house with
2 our team at Ballard Spahr, and if we seamlessly integrate
3 that with the Commission's systems, we'll be able to quickly
4 produce records and be ready for litigation. Not that with
5 anyone wants to sue us.

6 CHAIRPERSON NEUBERG: Yeah, personally I'd -- I'd
7 like to say that it's money very well spent already. We've
8 had just setbacks because of technology problems with -- I
9 don't want to identify what company; but I just think that,
10 you know, going along with the advice of our legal counsel,
11 that will best prepare us to turn over the documents that
12 we're going to need to and communication with less, you
13 know, glitches, will save us so much in -- in the long run.

14 So I'm very supportive of this.

15 VICE CHAIR WATCHMAN: So, Madam Chair, this is
16 Vice Chair Watchman. So our director is asking for approval
17 to move forward with the computers, is that -- is the
18 request?

19 Did I hear that from your, Brian?

20 DIRECTOR SCHMITT: Yes, Vice Chair, that's the
21 request.

22 CHAIRPERSON NEUBERG: Our Executive Director is
23 recommending to the move forward with the purchase of -- of
24 the systems at the recommendation of legal counsel.

25 COMMISSIONER LERNER: Brian, can I just ask one

1 more quick question about the budget before we do the
2 approval?

3 So are you -- have you been speaking with the
4 Governor's Office primarily or are you also speaking with
5 legislators? So how --

6 DIRECTOR SCHMITT: How --

7 COMMISSIONER LERNER: No, go ahead.

8 DIRECTOR SCHMITT: Sorry to interrupt.

9 Primarily with the Governor's Office.

10 COMMISSIONER LERNER: Okay. Thank you.

11 DIRECTOR SCHMITT: Absolutely.

12 COMMISSIONER MEHL: This is Commissioner Mehl. I
13 move that we approve the request from Brian on hardware and
14 software.

15 VICE CHAIR WATCHMAN: Vice Chair Watchman seconds,
16 Madam Chair.

17 CHAIRPERSON NEUBERG: Any further discussion?

18 Vice Chair Watchman.

19 VICE CHAIR WATCHMAN: Aye.

20 CHAIRPERSON NEUBERG: Commissioner Mehl.

21 COMMISSIONER MEHL: Aye.

22 CHAIRPERSON NEUBERG: Commissioner Lerner.

23 COMMISSIONER LERNER: Aye.

24 CHAIRPERSON NEUBERG: Commissioner York.

25 COMMISSIONER YORK: Aye.

1 CHAIRPERSON NEUBERG: Commissioner Neuberg is an
2 aye.

3 With that, a 5-0 vote to support the purchasing of
4 the equipment that you have requested, Director Schmitt.

5 DIRECTOR SCHMITT: Thank you, Madam Chair.

6 With that, is there anything else on Agenda Item V
7 that you would like to address?

8 VICE CHAIR WATCHMAN: Yes, Madam Chair. This is
9 Vice Chair Watchman.

10 CHAIRPERSON NEUBERG: Please.

11 VICE CHAIR WATCHMAN: A couple things. One, is it
12 possible in our ongoing reports for our Executive Director,
13 that he gives us a fiscal report or financial report, you
14 know? I'm -- I know we're spending money and just want to
15 know how much we have expended. And I know we're almost at
16 the end of the fiscal year, but it would be pretty nice
17 since we're moving to the new fiscal year.

18 That's -- that's the first thing.

19 And you mention the budget and dealing with the
20 Governor's Office and the legislature. I don't -- you
21 mentioned 7.9 million, is there any documentation you can
22 send us? You know, how many FTEs and what it's -- and how
23 it's allocated?

24 Just curious to see how -- how our actual budget
25 looks like and the details.

1 DIRECTOR SCHMITT: Yes.

2 VICE CHAIR WATCHMAN: So I know it's a moving,
3 fluid item, but I'd like to see how the 7.9 is broken down.

4 And the third question is that, you know, what do
5 we have available? Hopefully it -- it won't lapse, and we
6 can use it in the following year, I don't know where we
7 stand on that. We have 500,000 for the fiscal year; we have
8 some it obligated, so the question is once we get to the end
9 of June, hopefully we can keep that.

10 So what -- what's the status on this year's budget
11 and is it -- is it lapsing or not?

12 DIRECTOR SCHMITT: Sure. First,
13 Vice Chair Watchman, in regards to fiscal report or a budget
14 update, I'll have better numbers for you next week. We're
15 getting our first legal bills so that will give us a sense
16 of where we are at.

17 We are also looking into the possibility of
18 potentially front-loading some of the costs for e-discovery
19 and maybe some of the mapping expenses as well. So I
20 don't -- at -- at this point, I don't -- I don't think we'll
21 have to worry about bringing funds over; in the next few
22 weeks we'll put together a plan to make sure that we don't
23 lose any of that money.

24 VICE CHAIR WATCHMAN: Okay. Thank you. Appreciate
25 it.

1 DIRECTOR SCHMITT: Yep.

2 COMMISSIONER MEHL: This is Commissioner Mehl. I
3 have a question.

4 We've gotten updates the morning of meetings and a
5 few times. To the extent practicable, if we could get
6 things by early afternoon the day before meetings, it really
7 is helpful for us to be able to review them and be better up
8 to speed. I know sometimes that's not possible, but
9 whenever that is possible, that would be appreciated.

10 DIRECTOR SCHMITT: Absolutely, Commissioner Mehl.

11 And my goal moving forward, once we get the whole
12 team on board, is to give you all a packet on Friday with
13 everything you'll need for a Tuesday morning. I don't like
14 sending you things Monday or Tuesday either -- I know you
15 all like to review it -- so that is a priority of mine.

16 COMMISSIONER MEHL: Thank you.

17 CHAIRPERSON NEUBERG: The good news is that the
18 material that is generally presented to us at the last
19 minute is not material that's required to make immediate
20 decisions, it's -- it's -- you know, as we actually discuss
21 the rest of the agenda today, a lot of the material ends up
22 making it into our public website or -- or those types of
23 things, so.

24 But, yes, duly noted. None of us are able to
25 review that quantity of information, you know, 30 minutes

1 before our meeting starts.

2 Okay. Anything else with that on Agenda Item
3 No. V?

4 Okay. Director Schmitt, anything on Agenda Item
5 No. VI, discussion and possible action on potential hires
6 and duties of all IRC staff positions?

7 DIRECTOR SCHMITT: Not today, Madam Chair.
8 Hopefully next week. It all kind of depends on what happens
9 with the budget.

10 CHAIRPERSON NEUBERG: Okay. Any questions from my
11 fellow Commissioners on that?

12 With that, we'll move to Agenda Item No. VII,
13 discussion and possible action on legal counsel briefing.

14 So as the public is very aware, we have spent, you
15 know, a considerable amount of time with legal counsel in
16 e-session receiving training on three central areas: public
17 records compliance, open meeting law compliance, and
18 conflicts of interest and governmental ethics.

19 Our legal counsel, you know, I believe did -- did
20 just an outstanding job of putting together PowerPoint
21 presentations that led to substantive conversations and
22 great dialogue about the Commissioners about our
23 interpretations of these laws and responsibilities, and now
24 we would like to share back with the public of the work that
25 we've been doing in executive session which I know has been

1 frustrating.

2 And so the objective is to basically decide, how is
3 it that we are going to memorialize the training that we
4 just received on these very important issues, to go on
5 record about our collective interpretations, and what our
6 responsibilities are.

7 I -- you know, I have one suggestion -- well, maybe
8 two suggestions. One is, I think it would be a fabulous
9 idea if -- if the Commissioners would approve to put the
10 presentations that we received from the -- the legal counsel
11 online so that everybody can, you know, learn from those
12 presentations that we learned from, and we're all on the
13 same page. I think that would be fabulous.

14 I think that if we wanted to, you know, give
15 direction or approval to our legal counsel to put together a
16 page or two on each of those three topics that summarizes
17 what we collectively, you know, talked about and -- and
18 learned about, something that we could then eventually put
19 on our website, I think that would be something that would
20 be very constructive. There was a tremendous amount of
21 consensus in -- in all of our conversations about this.

22 And then regarding the conflicts of interest in
23 governmental ethics, you know, we have the option to really
24 again ask our legal counsel to both come up with a page or
25 two of formal guidance on -- on ethics, or we could

1 potentially rely on what has already been vetted and
2 approved by state legislature. You know, unfortunately I
3 believe the Senate and the House has slightly different
4 versions of their conflicts of interest, so we would need to
5 make sure that there's some kind of merging of -- of that.

6 But that is really where we're headed with regard
7 to, you know, the -- the training we've received. We want
8 to now be transparent to the public, let you know what we've
9 learned, have all of you on the same page, and then
10 memorialize this.

11 So questions, thoughts, comments?

12 VICE CHAIR WATCHMAN: Madam Chair, this is Vice
13 Chair Watchman. For this agenda item are we suggesting that
14 what was presented to us, that we post it or adopt it and
15 that would be our attempt to reiterate and ratify how we're
16 going to do business regarding public records, open meeting,
17 et cetera? Is that the suggestion here?

18 CHAIRPERSON NEUBERG: So the first question is:
19 Are we all comfortable posting online the PowerPoint
20 presentations that we all received on these three issues,
21 which really truly summarizes the essence of what we all
22 collectively learned. So that's one question, so that the
23 public is aware of and -- and actually educated by what --
24 what we have already done.

25 The second question is: Are we comfortable asking

1 our -- our collective legal counsel based on, you know,
2 their experience with us in executive session talking
3 through these three issues, are we comfortable having them
4 maybe come up with a draft of a page or two of summary of --
5 of what seems to be the consensus of -- of what we agree in
6 our interpretation of the laws?

7 The purpose of this is to protect ourselves such
8 that we go on record and say this is what we're willing, you
9 know, and what we collectively agree is our responsibility
10 as it relates to open meeting laws.

11 You know, for example, we learned that it's
12 actually okay for two Commissioners to travel together to --
13 to some kind of a hearing that may be, you know. So maybe
14 we want to go on record to say well, you know, according to
15 our guidance, you know, two Commissioners are allowed to do
16 that provided that there is no quorum correspondence.

17 So it's our responsibility to really basically
18 collectively say we feel that this behavior meets open
19 meeting laws or we believe that we're fulfilling the
20 responsibilities with public records, and that it further
21 protects us six months from now if somebody says: "Well, we
22 didn't like what you did on that"; and we said, "But, you
23 know what, we memorialized what we collectively agreed met
24 state guidelines and statutes."

25 So that's really what our underlying motivation is.

1 And to be transparent to the public that that's,
2 you know, being able to post online the training that we
3 received is -- is one step that we can make to be more
4 transparent about what we've been thinking about and what
5 we've been learning.

6 COMMISSIONER MEHL: This is --

7 MR. HERRERA: Madam Chair, could I -- sorry,
8 Commissioner Mehl. Go ahead.

9 COMMISSIONER MEHL: I'm very comfortable with us
10 posting the training that we receive, and I would like to
11 ask our attorneys if they're -- what they think about doing
12 the summary of recommendations.

13 MR. HERRERA: Thank you, Commissioner Mehl. So on
14 the PowerPoint presentation piece, we believe that it would
15 be appropriate to post that online. So there's not a
16 concern from our end to make those presentations available
17 to the public.

18 On the second piece as far as distilling some of
19 the training into more formal guidance that eventually could
20 be adopted by the -- by the Commission and then posted
21 online, that's something that we can do. I think if that's
22 something that the Commission wanted to do, we could, you
23 know, return next week with perhaps some drafts of these
24 various areas of formal guidance that the Commission could
25 consider adopting, and then sort of discussion with the

1 Commission at that point what we wanted in it and whether
2 the drafts were acceptable or what changes needed to be
3 made.

4 So that's something we could do.

5 COMMISSIONER MEHL: I move that -- that we approve
6 posting all of the trainings online and that we direct our
7 counsel to present possible guidance for us to consider.

8 COMMISSIONER LERNER: This is Commissioner Lerner.
9 I'll second that motion.

10 CHAIRPERSON NEUBERG: Any further conversation or
11 concern?

12 I agree, this is in our collective best interest.

13 So, with that, I will move to take a vote on
14 putting the three public presentations online and advising
15 our counsel to move forward with looking into establishing
16 formal guidance on public records compliance, open meeting
17 law compliance, and conflicts of interest and government
18 ethics.

19 And so, with that, we need a vote, correct?

20 Vice Chair Watchman.

21 VICE CHAIR WATCHMAN: Aye.

22 CHAIRPERSON NEUBERG: Commissioner Mehl.

23 COMMISSIONER MEHL: Aye.

24 CHAIRPERSON NEUBERG: Commissioner Lerner.

25 COMMISSIONER LERNER: Aye.

1 CHAIRPERSON NEUBERG: Commissioner York.

2 COMMISSIONER YORK: Aye.

3 CHAIRPERSON NEUBERG: Commissioner Neuberg is an
4 aye.

5 And, with that, a 5-0 vote to move forward with
6 posting our training online and moving forward with crafting
7 some formal guidance that we can then come back and share
8 publicly with the community.

9 If there is no further conversation on that agenda
10 item, we'll move to Agenda Item No. VIII, discussion and
11 possible action on census data and delay and ways to
12 mitigate its disruption: (A) status of invitations to
13 Census Bureau and state demographer to provide presentation;
14 and (B), status of search of academic professors to analyze
15 Census Bureau privacy, differential impact. And just
16 connecting back to when we talked about public comment and
17 relying on academic experts.

18 With that, I'm going to turn it over to our
19 counsel.

20 MR. HERRERA: Thank you, Madam Chair.

21 Maybe there's an echo there.

22 I'll take the first piece which is the Census
23 Bureau. We have confirmed with the Census Bureau that they
24 will be available to present next week, June 1st, before the
25 Commission. We will receive a presentation from two

1 individuals from the Census Bureau, one is the chief of
2 redistricting and voting rights data, the other is a senior
3 advisor for a data rights and privacy. I think the two
4 presentations, one will be focused primarily on differential
5 privacy and the use of Census Bureau of differential
6 privacy; the other presentation will be more focused on --
7 on the actual data, both, you know, a timeline on the
8 rollout of the data and how it will be released, and then
9 answer any questions related to the census delay.

10 So those are confirmed for next week, and I'll turn
11 it over to Eric to talk about the demographer.

12 MR. SPENCER: Yes. Members of Commissioner,
13 Executive Director and myself had a very productive
14 conversation with the commerce authority yesterday, and we
15 have a tentative game plan in place to have the state
16 demographer come present in the very near future.

17 Mr. Schmitt and I will work on refining of a bullet
18 point list of topics that would be useful for the Commission
19 to hear a presentation on, and then we'll coordinate the
20 logistics for the state demographer to attend. But a
21 productive opening -- opening session there and we expect to
22 lock that down hopefully in June or July.

23 I don't know if Mr. Schmitt wants to add to that at
24 all, but very positive opening meeting.

25 DIRECTOR SCHMITT: No, Eric, I think you've

1 covered -- covered it all. Thanks.

2 MR. HERRERA: And unless there's any questions
3 about item number (A) or subtopic (A), I can move on to the
4 second piece, which is the use of academic professors on the
5 differential privacy, but are there any questions about the
6 Census Bureau or demographer appearing before the
7 Commission?

8 Okay. On -- on the differential privacy impact as
9 -- as you alluded to earlier, Madam Chair, we have reached
10 out to academic professors at the state universities to
11 inquire as to whether they'd be able to provide an analysis
12 to the Census Bureau on the differential privacy issue,
13 particularly its impact on the state of Arizona. We at this
14 point are talking to and received responses from four
15 different professors at the -- at the universities, and
16 we're working through with them on whether, you know, they
17 can do this work and then more importantly on what kind of
18 timeline they can do this work in order to have them come in
19 and have them present to the Commission on this particular
20 issue.

21 So we're still talking to those academics. We've
22 gotten, I think a better response than I expected, which is
23 great, but at this point we're just trying to figure out the
24 logistics.

25 COMMISSIONER MEHL: And, Roy, are there any updates

1 on any of the litigation nationwide regarding the census
2 issues?

3 MR. HERRERA: There is, and I'll turn it to Eric.

4 MR. SPENCER: Yes, Commissioner Mehl. This morning
5 in the Ohio-Census Bureau case, the state of Ohio and the
6 Census Bureau filed a stipulation whereby the bureau agreed
7 to provide biweekly updates on its progress in meeting the
8 August 16th legacy data delivery date. They did not agree
9 to push it up at all, and -- but they did agree on a
10 template statement that would be filed every two weeks
11 starting on June 14th, where the bureau would affirm that it
12 is still on track; and it's only if the bureau is not on
13 track will that deviate and explain what's going on.

14 So no real change, just some confidence-building
15 measures that I think the -- the litigants have agreed on
16 there. And, otherwise, they're asking the Court -- the
17 District Court in Ohio to stay the case while those progress
18 reports play out.

19 On the Alabama side, we haven't had any decisions
20 entered yet on that case, so no updates there.

21 COMMISSIONER MEHL: Is there any -- are any of the
22 states protesting the overall population by state
23 information, or is that pretty much gone away?

24 MR. HERRERA: Are you referring to the
25 reapportionment?

1 COMMISSIONER MEHL: Yes.

2 MR. HERRERA: We have not seen that.

3 COMMISSIONER MEHL: Thank you.

4 MR. HERRERA: And, Madam Chair, that's all we have
5 on this agenda item.

6 CHAIRPERSON NEUBERG: Okay. And stay tuned. I
7 mean, it's fluid and, you know, may change very, very
8 quickly.

9 With that, we have finished with Agenda Item
10 No. IX, which was our meeting with Timmons.

11 Moving to Agenda Item No. X, discussion of future
12 agenda item requests.

13 Anything from my fellow Commissioners?

14 The next agenda item we are going to be talking
15 about travel and invitation of some people to speak to us,
16 but aside from those specific areas and the continuation of
17 what's unfinished business today, is there anything on your
18 mind to add to our agenda?

19 COMMISSIONER LERNER: Commissioner Neuberg, I'm
20 just not sure where we are on with requests for speaking.
21 Do we want to be sending those in -- I don't know if that
22 needs to be an agenda item again, but we had talked about
23 which groups -- you know, kind of the parameters that we
24 had. Do we -- did we ever decide, I don't know, where we're
25 going to submit anything that says "Here's what I'm doing,"

1 do we have any follow-up with that?

2 CHAIRPERSON NEUBERG: So -- so the last that we --
3 we spoke about this, we spoke about ensuring that the
4 speaking engagement would tap into a certain quantity of --
5 of a community and for us to do due diligence to make sure
6 that we're not empowering any kind of group that maybe we
7 don't want to empower; and so up to now, personally, if I
8 get anything, I funnel it to Director Schmitt.

9 I only have one commitment on my calendar, and that
10 is June 7th with the League of Women Voters, and Director
11 Brian Schmitt will be joining me.

12 But, you know, anybody -- you know, there may be
13 some invitations that were slipped through the hundreds and
14 hundreds of other, you know, comments, but -- you know, if
15 anybody reaches out to us, they contact us, it's funneled
16 through our Executive Director, and then we look at really
17 the criteria that we discussed, which is: Is it a broad
18 enough group and a group that we feel comfortable bringing
19 attention to and meeting with?

20 COMMISSIONER LERNER: Thank you for clarifying. I
21 didn't know if we needed to add it again, but that's --
22 that's as I remember. Thank you.

23 VICE CHAIR WATCHMAN: So, Madam Chair, this is
24 Vice Chair Watchman. As -- as we go out and if we do,
25 perhaps a template, kind of a starter presentation, you

1 know, might be -- might be in order, you know. Kind of for
2 some folks maybe have no clue what redistricting is about,
3 who the Commissioners are, maybe a template IRC Commission
4 presentation that's on PowerPoint so that way we're all
5 familiar and, you know, we present the same data and
6 information because I'm sure that we'll probably get a few
7 more speaking requests.

8 And so working off a template might -- might be a
9 good point to think about.

10 CHAIRPERSON NEUBERG: I personally love the idea.
11 I mean, I -- I think now that we're -- I mean, we're not
12 fully staffed, but when we get fully staffed one of the
13 beautiful things that we could offer the State is a way to
14 engage our population. You know, thinking, you know, junior
15 high, high school kids, college kids, and learning and
16 providing meaningful information on website that's
17 accessible to -- to help our teachers, to engage. So I find
18 this very exciting, you know, for -- for our community.

19 So, yeah, I -- it's all -- I'm excited.

20 VICE CHAIR WATCHMAN: Well, I say that because
21 parts of my communities and, you know, the Natives, some of
22 them don't access or have access to the Internet or -- or
23 it's -- or they use their phone, and so sometimes it's hard
24 to -- you know, it's funny here on Navajo, people use their
25 phone more than a computer just because of, you know, the

1 cell phone situation.

2 And so I guess what I'm suggesting is that maybe we
3 have some type of presentation so that it can be available
4 if -- if need be, so. 'Cause there's -- there's different
5 forms of communication, and it's sometimes it's really -- in
6 the remote areas of Arizona, you know, it's a challenge.

7 So, you know, I'm not saying put it in hard copy,
8 but at least they'll have a canned presentation so that
9 folks understand.

10 And then a glimpse -- a glimpse and a very short
11 tutorial presentation of the Commission, the Commissioners
12 and our charge and, you know, kind of a canned -- I'll call
13 it a canned presentation. You know, I can't imagine that --
14 you know, the folks that are listening I'm sure they're
15 versed; they know what's the going on, but, you know, that's
16 probably a small component of our population. And so it
17 might behoove us to provide an overview of why we're here,
18 one of the primary focus points, and what our job is, so.

19 Something to think about, Madam Chair.

20 CHAIRPERSON NEUBERG: I love it. I love being
21 proactive and reaching out to our state and asking for
22 feedback from everybody and figuring out who has difficulty
23 connecting with us and how is it that we can compensate or
24 correct for that; and that will be, you know, as soon as our
25 public information officer, you know, joins us which will be

1 next week.

2 You know, it's -- the public comments have been
3 wonderful, but they're limited to -- to those who either
4 know how to submit them or have the time to submit them or
5 -- you know, and -- and the five of us and our team, we're
6 responsible for understanding a hundred percent of our
7 citizens; and so anything that we can do to make that
8 communication more successful I think is critically
9 important.

10 And -- and that actually relates to moving into
11 Agenda Item No. XI, which is discussion and possible action
12 on the scheduling of future meetings: (A), discussion of
13 travel and logistical issues; (B), it -- -- let's take them
14 separately actually. Let's first just talk about travel and
15 logistics.

16 We're now getting our team kind of coming together
17 with legal, mapping, Brian, you know, collecting the
18 infrastructure of our staff. We will have an important
19 decision of how much travel we do on our listening tour
20 without the ultimate final data. I want to -- you know, I
21 let everybody know when I interviewed, and I remain
22 committed to this, I'm so excited. This is what I'm most
23 looking forward to, I'm ready to travel; I'm ready to learn.
24 I don't need all the data in. I want to take advantage of
25 the summertime.

1 With the beauty of -- of, you know, Zoom, we've all
2 learned through COVID that there's other ways to achieve a
3 quorum, but we should begin to think through who is
4 traveling when. I'm traveling the whole time. I -- I am
5 going to be out of commission from July 14th through July
6 21st; and other than that block of time, I am really looking
7 forward to traveling the state and having meetings in
8 person.

9 COMMISSIONER LERNER: So this is
10 Commissioner Lerner. My understanding from the last time,
11 they did actually two different listening tours, right? One
12 sort of in advance to get some groundwork, hearing from the
13 public, and then a second one as we were having some maps to
14 get feedback.

15 I'm all for getting going on traveling and getting
16 out there as soon as we're able because I think it will be
17 great to get feedback before we get into the -- the heart of
18 map drawing, just to hear from folks and get some sense of
19 things.

20 So as far as I'm concerned, we could be starting to
21 set up meetings anytime as part of it. And perhaps we can
22 have dual meetings, dual approaches: Those who can travel
23 will travel, those who can go by Zoom can participate by
24 Zoom. That way we have options for folks.

25 But I'm -- I'm all for going whenever we can.

1 CHAIRPERSON NEUBERG: And I would like to confirm
2 with counsel, 'cause this is something that we discussed
3 actually I think prior to this transition or -- or maybe we
4 did discuss it early on. Let's say there are two
5 Commissioners physically present in, you know, Bisbee and a
6 third Commissioner joins in through Zoom. Is that now a
7 quorum?

8 MR. SPENCER: Madam Chair, this is Eric.
9 Generally, yes, but, you know, if it -- if the primary
10 purpose of the travel is -- is a listening tour where legal
11 decisions aren't being made, I think that reduces chances of
12 a -- or even eliminates chances of an open meeting law
13 issue. But, yes, that's -- that's perfectly appropriate.

14 I don't know if you have additional comments, Roy.

15 MR. HERRERA: Yeah, I think that's right. I mean,
16 it sort of depends on the nature of the meeting of course,
17 right? So if there's three Commissioners and, you know, the
18 nature of the meeting is to decide on IRC and make IRC
19 decisions, then that could be a different situation.

20 So it sort of kind of like what -- why that would
21 occur and what you'd be talking about; but if it's part of
22 this listening tour, there's less of a risk and that that
23 would be an issue.

24 COMMISSIONER MEHL: Isn't it true that any of the
25 public meetings that we would be having would be noticed

1 48 hours in advance anyway, so we'd be meeting the open
2 meeting law, even if -- even assuming that generally we will
3 have three -- certainly two and -- and more often three or
4 more of the Commissioners there?

5 MR. HERRERA: That's -- that's certainly correct,
6 Commissioner Mehl. I mean, if this was again sort of a
7 planned meeting, we would the want to ensure that the
8 appropriate notices going out were made. The concern would
9 be more if it was sort of a spontaneous type thing where we
10 would have to consider whether that will be a problem from
11 an open meetings law perspective.

12 COMMISSIONER MEHL: I don't think we're going to
13 generally be very spontaneous.

14 MR. HERRERA: As your counsel, I hope not.

15 COMMISSIONER YORK: Madam Chairman, this is
16 Commissioner York. I have a question. You know, I tell my
17 sales folks that work for me: Don't travel to travel, have
18 an agenda.

19 I -- I am still somewhat confused on what -- I
20 understand that go to the different markets, but the biggest
21 two markets are Pinal and Maricopa County where had most the
22 growth over the last ten years and so where -- I think we
23 just make -- make sure that our meetings are structured and
24 we have purpose, right?

25 That's all.

1 CHAIRPERSON NEUBERG: Very duly noted. I mean,
2 the -- you know, the meetings are only valuable if there's
3 something to be gained from them, and that's something that
4 I think will be a collective, you know, buy-in; it will be a
5 consensus agreement between the Commissioners, counsel, and
6 our -- our mapping consultants.

7 So -- and, yes, I mean it's frustrating, we won't
8 have an answer to the public today, but this is really of
9 paramount, you know, importance for us to be thinking about
10 how to be spending our time, you know, really over the next,
11 you know, few weeks, eight weeks to get us best positioned
12 to -- to receive the data.

13 COMMISSIONER MEHL: This is Commissioner Mehl. I
14 think Commissioner York's comment really spurs something
15 that is important, and that is that these -- at this
16 listening tour we need to inform the public in the public
17 notice what the purpose of the meeting is. And -- and we
18 should frame that so that they can understand what they're
19 being asked to comment on, and -- and I think we should
20 start working on a draft of that right away so that it would
21 be productive. You know, what is it we're trying to hear
22 from the public when we go out should -- should be right in
23 the notice of the meeting.

24 CHAIRPERSON NEUBERG: I -- I think absolutely. And
25 I think that ethically, you know, our counsel will need

1 to -- to help us determine this, but I think with our
2 mapping consultants we may have a sense of what the hot
3 spots might be and -- and what areas we can begin to solicit
4 feedback, understanding that that process of -- of dialogue
5 is going to be meaningful to our subsequent decision-making.

6 COMMISSIONER LERNER: And this is
7 Commissioner Lerner. I agree -- I'm sorry, Commissioner
8 Mehl. Go ahead.

9 COMMISSIONER MEHL: I think since we're -- I think
10 we're formally on a future agenda item request topic, I
11 think we should as soon as next week have Brian present a
12 draft -- and certainly no later than the following week --
13 of what a public notice might look like that we can all be
14 -- be staring at and -- and what questions we should be
15 addressing in that; and, obviously, he will need input from
16 the -- the legal team to properly present that to us.

17 I don't think we need a formal motion for that, but
18 I think that would be a good id- -- a good thing to be
19 looking at.

20 COMMISSIONER LERNER: And I agree. I think -- I
21 agree completely that we want that notice and determined. I
22 think you can probably look, Brian, at what was done the
23 past two times because they both -- in both cases they were
24 dual listening tours; one was prior to mapping -- maps, and
25 then the second one was after some initial maps were out

1 there to get feedback. So there's probably something in the
2 record that you can probably take a look at that we could --
3 we could follow.

4 And the other thing that I recall in looking at
5 records, not everybody -- not every Commissioner went to
6 every listening tour because we will have a record of that
7 as well now. So it's more a matter of getting out there.

8 And Commissioner York's comment, I agree we need to
9 make sure we have plenty of meeting in population centers,
10 but we also need to make sure we go out to the rural areas
11 all over the state, and make sure that we're listening to
12 what things that -- that they -- how do they feel about how
13 they've been heard, what do they think needs to happen for
14 the future.

15 But I -- I agree, if we can have something next
16 week, that will be great. That would help us structure it.

17 DIRECTOR SCHMITT: I will get working on that and
18 hopefully have it for you-all next week.

19 CHAIRPERSON NEUBERG: I think we're all on the same
20 page: We want to travel, we want to learn, we want it to be
21 meaningful and valuable, and at minimum do no harm.

22 So -- so we will approach this with caution and
23 consultation with our mapping consultants and our legal
24 team. But I'm glad that, you know, my fellow Commissioners
25 are -- are as excited as I am to -- to go out there and, you

1 know, meet our community.

2 Okay. So there's another agenda item with XI, (B),
3 discussion and potential direction to Arizona legislative
4 majority or minority members (or legislative staff) to
5 present on redistricting.

6 So with this agenda item, it really has the intent
7 of opening up our process in a transparent way to allow
8 those minority and majority leaders in our state legislature
9 who have been critically involved in the process -- and, in
10 fact, I believe selected the four of you -- to come and
11 share with us what their vision is of our responsibility
12 and -- and to have a comfort level with us.

13 We don't have to invite them; it's -- it's, I
14 think, a nice honor to, something that I'd like to discuss.
15 It's also something, to be honest, that if we do extend an
16 invitation, I think it would behoove us to carve out kind of
17 criteria or specific areas that -- that we would express to
18 them that we'd like to learn.

19 But -- but, with that, what are your thoughts about
20 inviting our legislative leaders to address us?

21 COMMISSIONER LERNER: Chair Neuberg, this is a
22 quick question. Did you -- have you spoken to them about
23 this idea or did they approach you? Just was wondering
24 where this came from.

25 CHAIRPERSON NEUBERG: No. To be honest, none of

1 them have approached me.

2 I believe the conversation may have started in a
3 meeting with counsel just thinking about ways to open up the
4 Commission to accountability and transparency, where
5 valuable sources of feedback, you know, could be found.

6 So it was really, to be honest, a brainstorming,
7 you know, open-ended idea to -- to maybe have our State, you
8 know, thinking about the same criteria and learning from
9 each other.

10 COMMISSIONER LERNER: I guess I -- I am not -- this
11 is Commissioner Lerner. I'm not exactly sure how I feel
12 about it. Because at the one hand we've been appointed to
13 be independent, you know, an independent commission to take
14 the politics out, but on the other hand they are one of many
15 stakeholders that are out there. Right? Because we have
16 the public, they're part of that as well.

17 So I have a little bit of a mixed view of this on
18 whether they get a separate voice from the public or whether
19 they should just be part of the public. They certainly are
20 stake- -- one of the stakeholders. There are many that are
21 out there, but our role out there is to be independent.

22 So I don't have a firm -- I don't have a firm view
23 of it at this point, but I wanted to express that, both
24 sides.

25 CHAIRPERSON NEUBERG: So -- so one of the things

1 that is on my mind about this is, you know, we open
2 ourselves up -- you know, which I think is wonderful -- to
3 public comments and -- and, you know, people could reach out
4 to us 24/7, all of that; but that doesn't necessarily mean
5 that we're tapping into the sentiments, the heart and soul
6 of a hundred percent of our state. And are there other
7 people maybe that we want to invite that will just share
8 with us their overarching perspective to make sure that,
9 from their perspective, we're doing our due diligence.

10 Only if we narrow the conversation because, as we
11 all know, to have an open-ended conversation, you know,
12 between political sides could go in, you know, really
13 unproductive areas.

14 So there's no particular recommendation here.
15 It's -- I -- I know that all five Commissioners have taken
16 it upon ourselves to reach out to the former commissioners
17 over the last 20 years to glean from -- from their
18 knowledge; I think many of us have spoken with staff members
19 over the last commissions to glean from that information. I
20 think in some ways this agenda item just opens up the
21 process to is there anybody that we want to bring to the
22 public in a way that's constructive? Not deconstructive,
23 constructive.

24 And if there's not and we feel -- you know, legal
25 counsel, if my fellow Commissioners feel that you guys,

1 like, provide us everything that we need to know, that's
2 amazing. But we want to open it up to how the different
3 factions are thinking.

4 So, with that, I'm done.

5 MR. SPENCER: Madam Chair?

6 CHAIRPERSON NEUBERG: Yes.

7 MR. SPENCER: This is Eric. I just want to add one
8 thing.

9 Commissioner Lerner brings up a great point. I
10 think the legislature is different to -- to some degree
11 because they have a constitutional right to provide formal
12 recommendations to this Commission after the draft maps have
13 been completed. So, really, this -- this proposal is a way
14 to begin that invitation early and not necessarily confine
15 it to the postdraft map period; but to extend an olive
16 branch prior to the draft maps being created in order to
17 potentially create a more cohesive and less adversarial
18 relationship.

19 But that's how I would distinguish the legislature
20 from -- from the public to some degree, is that explicit
21 constitutional right from the legislature to submit
22 recommendations to our Commission.

23 COMMISSIONER YORK: This is Commissioner York.
24 Madam Chair Neuberg, I -- I think it's a clever, productive
25 idea.

1 COMMISSIONER LERNER: This is Commissioner Lerner.
2 Just a follow-up question.

3 So thank you for that clarification, Eric. I
4 appreciate that.

5 What about our congressional representatives? Do
6 we -- they have a different role, right, because they don't
7 have that constitutional part of it. So we don't -- do we
8 invite them, do we not invite them, is that a whole separate
9 thing?

10 MR. SPENCER: I think that's really a policy
11 decision for the -- the Commission. You recognize astutely
12 that our -- our congressional delegation lacks the
13 constitutional voice that -- that the voters provided for
14 our state legislature.

15 But certainly a great policy discussion to have.

16 CHAIRPERSON NEUBERG: I -- I think with grave,
17 grave wariness given that there is tremendous conflict of
18 interest, and -- and so we would need to move into that area
19 with -- with great hesitancy.

20 COMMISSIONER LERNER: And I agree with you; I just
21 wanted to put it on the table.

22 I could support this as well based on -- on the
23 clarification received from Eric on -- on sort of where that
24 role is; that helped me with that understanding.

25 CHAIRPERSON NEUBERG: And we can build on it as

1 well if you feel there are other people we want to also ask
2 to present.

3 Again, I mean, you know, with the specific reason
4 for how it would advance our collective, you know, learning
5 process or agenda.

6 VICE CHAIR WATCHMAN: Well, Madam Chair --

7 CHAIRPERSON NEUBERG: Please.

8 VICE CHAIR WATCHMAN: -- Madam Chair, this is
9 Vice Chair Watchman. In the nature of us being independent
10 commission, I agree with Commissioner Lerner, but it -- it's
11 probably worth considering. And as you just said open it up
12 to the others, you've got the legislature, you've got the
13 executive branch, and you've got other branches, and do we
14 give them also due consideration? We also have the counties
15 and the cities and, you know, do we bring them into the
16 fold, and then you got the tribes. So we got different
17 political bodies and so, you know, to what extent do we, you
18 know, bring them into the fold?

19 But I guess I'm willing to -- to, you know,
20 entertain it. But, you know, the -- the big issue that
21 comes to mind right now is that, you know, we need to make
22 sure that all of our -- our community members have the
23 ability to -- you know, to vote and to register. And, you
24 know, there's some challenges right now in my community, you
25 know, the Native community. It's a challenge to go out and

1 register. It's a challenge.

2 You know, some of my grandmas and grandpas don't
3 have driver's licenses, and we have birth certificates or we
4 have -- so all of that kind of feeds into what we're talking
5 about today, and so I think we need to keep that in mind.
6 We need to make sure that we have an open process to where
7 everyone in -- in this state has the right to vote with --
8 in a simple -- in a simple fashion.

9 And so there's been a lot of great moves in this
10 state to make sure, like, in my case, the indigenous
11 community, you know, can -- can participate; before it was a
12 challenge. And so, you know, and I don't know how to
13 approach this, so those issues come to mind when we start
14 talking about bringing the legislature to talk to us about
15 redistricting. So, you know, we have to figure out how to
16 separate the issues.

17 But at this point I think it's a good idea, but,
18 you know, I'm -- I'm not -- I'm not fond of what the
19 legislature is currently discussing when it comes to voter
20 rights, especially for our Native communities. So I think
21 we need to keep that in mind.

22 So I'm not trying to mix the two, but it's actually
23 -- it's a grave area of concern that the lines are starting
24 to get blurry, and so.

25 But on this particular topic, it's a good start.

1 So I guess what I'm saying is that I support it at this
2 point, it's probably good to -- you know, to see who -- I
3 don't know what the leadership is of Arizona legislature, so
4 that's a good start for me.

5 So thank you.

6 CHAIRPERSON NEUBERG: You bring up an interesting
7 question, Vice Chair Watchman. Maybe we invite not just the
8 legislature majority and minority members, but maybe we
9 invite the leadership of the Native American community.

10 I mean, if we're going to be opening ourselves up
11 to, you know, listening to perspective and needs and all of
12 that, I mean, I -- you know, I think that's valid.

13 VICE CHAIR WATCHMAN: I -- I agree. Partly --
14 partly because, you know, it gets back to Native Americans
15 are dual citizens; you know, we -- we have the layering. We
16 have, you know the reservation boundaries and then on top of
17 that we have the state boundaries, and so sometimes it's --
18 it's an interesting challenge to maneuver through the two.

19 And in many cases where people vote for tribal
20 elections is different than where they vote for a state
21 election. I know on Navajo, sometimes it's a challenge
22 especially if -- if the elections are on the same day, you
23 know. So you have to cast your vote, a Navajo vote at the
24 Chapter House here on Navajo, and then you got to go to
25 maybe a nearby county which is 30 or 40 miles away, if not

1 longer, to cast your vote at a Arizona precinct. And so
2 it's a lot of maneuvering for tribal leadership in
3 conjunction with the county leadership, you know, to make
4 sure that it's seamless, transparent, and it's easy.

5 And so -- and then to top that off, if it's during
6 the winter, you know, we have I know on Navajo a lot of
7 roads that aren't paved, and it gets muddy. It's a
8 discussion right now with, you know, we got to pave the
9 roads just because during some days of the week it's
10 impassable.

11 So, you know, all kind of things that come to mind
12 when we start talking about bringing, you know, our Arizona
13 leadership because they're also the ones that control, you
14 know, appropriations and how projects are funded here in the
15 state.

16 So for me it brings to bear a lot of items. And
17 so, of course, we want to keep it focused on redistricting,
18 but, you know, it's -- it's hard to not bring into the
19 picture everything that I think is needed to address not
20 only any country, but rural Arizona. Sometimes it's
21 impassable, it's hard to get to, you know, many, many areas
22 where a lot of people -- where a lot of people live.

23 And so but -- but tribal leadership is important.
24 So I guess short answer is I agree we need to figure out how
25 to bring in our Arizona tribal leadership because they're

1 just as important as everybody else.

2 Thank you.

3 COMMISSIONER MEHL: This is Commissioner Mehl. I
4 have great respect for Commissioner Watchman and he brings
5 up some very important points about election issues, but I
6 think it's important for our Commission to stay focused on
7 redistricting and only on redistricting, and the discussions
8 that we have with the tribal community or with the state
9 legislatures should confine themselves not to election law
10 at large but to redistricting issues.

11 VICE CHAIR WATCHMAN: True. Thank you,
12 Commissioner Mehl. And that was my point, you know,
13 those -- those other issues will come up, and so in a public
14 forum it's going to be tough to focus just on redistricting,
15 but I just want to say -- but the other issues will most
16 likely come up, so.

17 But thank you, Commissioner Mehl, I appreciate
18 that.

19 CHAIRPERSON NEUBERG: And I think to bring it back
20 to really essence of this agenda item, the question is, is
21 there value to be -- you know, to invite the majority and
22 minority members of our state legislature to enter into
23 dialogue with us; and -- and, again, with the -- the
24 openness to maybe extend that to some Native American
25 communities, if appropriate.

1 And, if so, what would the boundary of that
2 conversation be? Meaning, you know, we'd love to invite
3 people to speak to us, but we need to give direction about
4 the specific content of what we're asking them to address.

5 I like the idea. I'm -- I mean, I just want to say
6 I'm more biased on open conversation and debate and -- and
7 real exchange of ideas, provided that it's focused on ideas
8 and facts and all of that. So -- so I like the idea, but,
9 you know, the decision is -- is a collective one.

10 COMMISSIONER LERNER: Chair Neuberg, I think that
11 if we could be very clear on the parameters, then I think we
12 could go forward. And maybe what we need to do is work
13 through that this week, coming week --

14 CHAIRPERSON NEUBERG: Okay.

15 COMMISSIONER LERNER: -- and say here are the
16 questions that we would want them to address so that we
17 didn't -- it doesn't divert from that, and then we could
18 come back next week and see if we got those figured out.

19 And with that -- sorry, I need to step off. I know
20 we need near the end of the session, but I need to step out
21 -- we're near the end of meeting.

22 So thank you.

23 CHAIRPERSON NEUBERG: Okay. You go, and thank you
24 so much.

25 COMMISSIONER LERNER: Thank you. And see you --

1 CHAIRPERSON NEUBERG: We'll probably finish because
2 there's nothing substantive.

3 COMMISSIONER LERNER: Thank you very much.
4 Thanks. Bye-bye.

5 (Commissioner Lerner exits the meeting at
6 10:00 a.m.)

7 CHAIRPERSON NEUBERG: Everybody,
8 Commissioner Lerner needs to sign off. And I believe that
9 we're really the -- I don't know if we need any kind of
10 motion on Agenda Item No. XI; it sounds like there's
11 consensus that we are, in fact, interested in potentially
12 inviting the leadership of the Arizona legislature to come
13 in and share with us, you know, what's on their mind, but
14 that maybe we'd like a little bit further time to clarify
15 exactly what questions we want to ask so it's targeted on
16 what would be constructive; and that while we're looking at
17 what those specific questions might be, we can also look at
18 whether there are other people we want to invite like the
19 leaders of the Native American community and things like
20 that.

21 So at this point, I don't think there's anything we
22 need to vote on outside of us just doing further diligence
23 with learning.

24 VICE CHAIR WATCHMAN: I agree.

25 CHAIRPERSON NEUBERG: Okay.

1 With that, we can move to Agenda Item No. XII,
2 announcements.

3 Next meeting date. Next meeting date is June 1st.
4 Do we know if everybody has any conflicts? Do we need a
5 break?

6 Vice Chair Watchman, sometimes there's an hour in
7 that window.

8 VICE CHAIR WATCHMAN: No. I -- I think -- we're
9 moving into the summer, Madam Chair, so I try to block out
10 the whole day for the Commission --

11 CHAIRPERSON NEUBERG: Okay.

12 VICE CHAIR WATCHMAN: -- Commission works, so we're
13 okay. You know the spring I did have some commitments on
14 Tuesday, but I think I'm past that. So we're good.

15 CHAIRPERSON NEUBERG: Okay. So, excellent. So we
16 should plan for the next couple of weeks 8:00 a.m. on
17 Tuesday morning June 1st, June 8th, all -- I mean every
18 June.

19 I had mentioned earlier, Director Schmitt, that I'm
20 going to be out of commission July 14th through July 21st.

21 Whatever travel, whatever -- you know, we'll see if
22 there's a quorum, but other than that, I will be here every
23 Tuesday.

24 Okay. Anything else on meeting dates?

25 We'll move to Agenda Item No. XIII, closing of the

1 public comments.

2 Please note, members of the Commission may not
3 discuss items that are not specifically identified on the
4 agenda. Therefore, pursuant to A.R.S. 38-431.01(H), action
5 taken as a result of public comment will be limited to
6 directing staff to study the matter, responding to any
7 criticism, or scheduling the matter for further
8 consideration and decision at a further date.

9 And, with that, we can move to Agenda Item No. XIV,
10 which is adjournment.

11 Do I have a motion to adjourn?

12 COMMISSIONER YORK: This is Commissioner York. So
13 moved the motion to adjourn.

14 CHAIRPERSON NEUBERG: Do I have a second?

15 VICE CHAIR WATCHMAN: Vice Chair Watchman seconds.

16 CHAIRPERSON NEUBERG: Any further conversation?

17 COMMISSIONER YORK: Nice job.

18 CHAIRPERSON NEUBERG: Okay. Vice Chair Watchman.

19 VICE CHAIR WATCHMAN: Aye.

20 CHAIRPERSON NEUBERG: Commissioner Mehl.

21 COMMISSIONER MEHL: Aye.

22 CHAIRPERSON NEUBERG: Commissioner York.

23 COMMISSIONER YORK: Aye.

24 CHAIRPERSON NEUBERG: Commissioner Neuberg is an
25 aye.

1 And, with that, a 4-0 vote, we adjourn.

2 And I look forward to seeing everybody next
3 Tuesday, June 1st, at 8:00 a.m.

4 And thank you to all our guests who joined us
5 today.

6 COMMISSIONER YORK: Thanks.

7 (Whereupon the proceeding concludes at 10:04 a.m.)

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C E R T I F I C A T E

STATE OF ARIZONA)

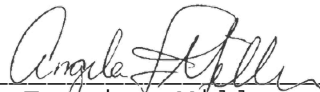
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COUNTY OF MARICOPA)

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