

THE STATE OF ARIZONA  
INDEPENDENT REDISTRICTING COMMISSION

REPORTER'S TRANSCRIPT OF VIDEOCONFERENCE PUBLIC MEETING

Via GoogleMeets

June 8, 2021

8:00 a.m.

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

Reported By:  
Deborah L. Wilks, RPR  
Certified Reporter (AZ 50849)

I N D E X

<u>PROCEEDING:</u>	<u>PAGE</u>
ITEM I	
ITEM I (A)	4
ITEM I (B)	4
ITEM II	
ITEM II (A)	5
ITEM II (B)	
ITEM III	6
ITEM IV	7
ITEM V	
ITEM V (A)	8
ITEM V (B)	9
ITEM V (C)	9
ITEM V (D)	9
ITEM V (D) (1)	9
ITEM V (D) (1) (a)	9
ITEM V (D) (1) (b)	9
ITEM V (D) (1) (c)	9
ITEM V (D) (2)	39
ITEM V (E)	10
ITEM V (F)	9
ITEM V (G)	10
ITEM V (H)	39
ITEM V (I)	39
ITEM VI	40
ITEM VII	
ITEM VII (A)	42
ITEM VII (B)	42
ITEM VII (C)	42
EXECUTIVE SESSION	48
ITEM VIII	
ITEM VIII (A)	56
ITEM VIII (B)	56
ITEM IX	56
ITEM X	58
ITEM XI	59
ITEM XII	59
ITEM XIII	59

1 PUBLIC MEETING, BEFORE THE INDEPENDENT  
2 REDISTRICTING COMMISSION, convened at 8:00 a.m. on  
3 June 8, 2021, via GoogleMeets, Arizona, in the presence  
4 of the following Commissioners:

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

10 OTHERS PRESENT:

11 Mr. Brian Schmitt, Executive Director  
12 Ms. Michelle Crank, Public Information Officer  
13 Ms. Valerie Neumann, Administrative Assistant  
14 Mr. Roy Herrera, Ballard Spahr  
15 Ms. Jillian Andrews, Ballard Spahr  
16 Mr. Eric Spencer, Snell & Wilmer  
17 Mr. Brett Johnson, Snell & Wilmer  
18  
19  
20  
21  
22  
23  
24  
25

P R O C E E D I N G

1  
2  
3 CHAIRPERSON NEUBERG: I think we have our  
4 entire team together, and with that I think we can get  
5 going, and the most important item being just  
6 congratulating the Phoenix Suns for a fantastic win  
7 last night and for putting most of us, I would say, in  
8 a really good mood.

9 Anyway, with that, Agenda Item No. I, call to  
10 order and roll call, I(A), call for quorum. It is 8:00  
11 on Tuesday, June 8th, 2021. I call this meeting of the  
12 Independent Redistricting Commission to order.

13 For the record the executive assistant,  
14 Valerie Neumann, will be taking roll. When your name  
15 is called please indicate you are present. If you are  
16 unable to respond verbally we ask that you please type  
17 your name.

18 Val.

19 MS. NEUMANN: Vice Chair Watchman.

20 VICE CHAIR WATCHMAN: Present.

21 MS. NEUMANN: Commissioner Lerner.

22 COMMISSIONER LERNER: Present.

23 MS. NEUMANN: Commissioner Mehle.

24 COMMISSIONER MEHL: Present.

25 MS. NEUMANN: Commissioner York.

1 COMMISSIONER YORK: Present.

2 MS. NEUMANN: Chairperson Neuberg.

3 CHAIRPERSON NEUBERG: Present.

4 MS. NEUMANN: And for the record we also have  
5 our executive director, Brian Schmitt; our public  
6 information officer, Michelle Crank. From Snell &  
7 Wilmer we have Brett Johnson and Eric Spencer, and from  
8 Ballard Spahr we have Roy Herrera, Jillian Andrews.  
9 And we have our transcriptionist, Debbie Wilks.

10 Thank you. Back to you.

11 CHAIRPERSON NEUBERG: Thank you so much.

12 And please note for the minutes a quorum is  
13 present.

14 Agenda Item I(B), call for notice. Val, was  
15 the notice and agenda for the Commission meeting  
16 properly posted 48 hours in advance of today's meeting?

17 MS. NEUMANN: Yes, it was.

18 CHAIRPERSON NEUBERG: Thank you very much.

19 Agenda Item No. II, approval of minutes from  
20 June 1st, 2021. We have just the general session  
21 minutes. Is there any discussion?

22 I'll entertain a motion to approve the general  
23 session minutes from June 1st of 2021.

24 COMMISSIONER MEHL: Commissioner Mehle. Move  
25 to approve the minutes.

1 CHAIRPERSON NEUBERG: A second?

2 VICE CHAIR WATCHMAN: Vice Chair Watchman  
3 seconds.

4 CHAIRPERSON NEUBERG: Any further discussion?  
5 With that, a vote.

6 Vice Chair Watchman.

7 VICE CHAIR WATCHMAN: Aye.

8 CHAIRPERSON NEUBERG: Commissioner Mehle.

9 COMMISSIONER MEHL: Aye.

10 CHAIRPERSON NEUBERG: Commissioner Lerner.

11 COMMISSIONER LERNER: Aye.

12 CHAIRPERSON NEUBERG: Commissioner York.

13 COMMISSIONER YORK: Aye.

14 CHAIRPERSON NEUBERG: Commissioner Neuberg is  
15 an aye.

16 And with that the minutes are approved 5-0.

17 We will move to Agenda Item No. III,  
18 opportunity for public comments, which are now opening.  
19 Public comment will open for a minimum of 30 minutes  
20 and remain open until the adjournment of the meeting.  
21 Comments will only be accepted electronically in  
22 writing on the link provided in the notice and agenda  
23 for this public meeting and will be limited to 3,000  
24 characters. Please note members of the Commission may  
25 not discuss items that are not specifically identified

1 on the agenda. Therefore, pursuant to A.R.S.  
2 38-431.01(H) action taken as a result of public  
3 comments will be limited to directing staff to study  
4 the matter, responding to any criticism, or scheduling  
5 the matter for further consideration and decision at a  
6 later date.

7 And with that we move to Agenda Item IV,  
8 discussion on public comments received prior to today's  
9 meeting. I open the floor first to my colleagues.

10 Well, I have, you know, a few thoughts.  
11 Number one, we definitely heard people about concern  
12 about the short notice of Town Halls and our public  
13 hearings. We will talk more about that later in our  
14 agenda, but please know there will be many, many  
15 opportunities to be interacting with the Commission.  
16 More details to follow.

17 There were also a lot of comments about the  
18 idea of inviting the majority and minority leaders in  
19 our state legislature, and that, too, we will discuss  
20 later in this agenda. And I think those were really  
21 probably the two items that were -- that spoke to the  
22 public the most.

23 And unless there is further discussion on  
24 that, we'll move to Agenda Item No. V, executive  
25 director's report and discussion and possible action

1 on -- thereof, and I turn it over to Director Schmitt.

2 MR. SCHMITT: Thank you, Madam Chair.

3 First of all, I would like to take a second  
4 just to let our public information officer, Michelle  
5 Crank, introduce herself to you all in the public.

6 So, Michelle, if you just want to say hi and  
7 give a quick intro.

8 I think she's on mute.

9 MS. CRANK: I guess I am on mute.

10 Good morning, again, Commissioners, and the --  
11 and the general listening public. I am so looking  
12 forward to working with each and every single one of  
13 you throughout this process and have been working very  
14 diligently with Brian on implementing some things that  
15 we -- that you all had discussed previously, so, again,  
16 I look forward to -- to working on this. I -- I come  
17 to you with an extensive background in public  
18 information with various different organizations and  
19 entities, so, again, I look forward to working with  
20 each of you.

21 Thank you, Brian.

22 MR. SCHMITT: Thank you, Michelle.

23 All right. So on the office our scheduled  
24 move date is still June 26th. Still working out all  
25 the small pieces, but we should be fully in our new



1 office just five doors down in the next few weeks.

2 The budget is still working its way through  
3 the legislature. They're negotiating. I'm sure you  
4 all have probably seen. In regards to our budget, I  
5 will have some year-end items for you all next week,  
6 some initial legal bills and mapping expenses before  
7 the end of the year.

8 The two -- two of the three positions have  
9 been posted online, the deputy and the outreach  
10 coordinator, so if anyone is interested in applying  
11 they are online.

12 In regards to the IT migration, I've been  
13 working with ASET, the Arizona Strategic Enterprise  
14 Technology folks at ADOA, on the migration project.  
15 It's taken a little longer than expected. The vendor  
16 that they were hoping could be our vendor recently  
17 signed an exclusive vending deal with Google so they  
18 only migrated people to the Google platform and not  
19 away from it, so we're working to find some other  
20 vendors who we think will hopefully get on board sooner  
21 rather than later.

22 On the website, shortly we'll have the public  
23 records request form on the website so folks can just  
24 go online and fill out the public records request  
25 there.

1           And then so I think the biggest part of the  
2 report today was the tentative travel schedule. I  
3 thought it would be important just to put together  
4 somewhat of a framework to get a conversation going,  
5 and I know everyone is kind of anxious to get the dates  
6 nailed down and get out and speak to the public.

7           Commissioner Lerner?

8           COMMISSIONER LERNER: Before we jump into that  
9 discussion, could I ask a question on the positions?  
10 What is the closing date of the positions?

11          MR. SCHMITT: They are open until filled.  
12 There is no set date on them.

13          COMMISSIONER LERNER: Okay. Do you anticipate  
14 having a certain point when you start to look at  
15 applications, just so the public understands the timing  
16 of this, if there is an interest?

17          MR. SCHMITT: Absolutely. Why I have it open  
18 until filled is just I want to see how many  
19 applications we get and -- and just see how the process  
20 works. I'll include you all along the way and send the  
21 applications and interview questions, like we've done  
22 with the previous positions.

23          COMMISSIONER LERNER: So I was just wondering  
24 are you going to wait one week to do that review? Are  
25 you going to review two weeks? I'm just kind of

1 curious when you'll start your review process.

2 MR. SCHMITT: One to two weeks. I think it  
3 depends on the applications we get.

4 COMMISSIONER LERNER: And then the other  
5 question -- thank you.

6 The other question I had before we jump into  
7 travel, which will be a longer discussion, is on the  
8 website is it possible for us to not only post the  
9 minutes but the transcripts as they are completed? I  
10 know that they're a little -- you know, they're not  
11 always -- they're not always ready at the same time,  
12 but I think it's helpful so that people don't have to  
13 go watch the YouTube videos if they're curious about  
14 something. Can we -- adding that to the website?

15 MR. SCHMITT: So that is something that I've  
16 discussed with Chairwoman Neuberg and the attorneys  
17 before. I believe they had some concerns, so if anyone  
18 from legal counsel would like to speak to posting the  
19 transcripts.

20 MR. JOHNSON: So this is Brett Johnson. Just  
21 so I -- last Commission definitely they posted the  
22 transcripts, but one thing that -- and a lot of times  
23 those were not timely, and that was definitely an  
24 issue. Definitely by the time the Commission was done  
25 with the substantive work it was there. The only --

1 it's not a concern, but just want to make sure the  
2 Commission is aware of is that as this becomes a public  
3 document when we are posting it and there could be  
4 inconsistencies with -- although our transcription  
5 person is awesome in every single regard, those still  
6 have to be reviewed for a legal review to ensure that  
7 they actually match up to what the public record is.  
8 We could enter in some sort of disclaimer on that and  
9 not to rely on the transcripts and you have to rely on  
10 the actual video, which is the true thing. But I think  
11 the only concern really was from a cost standpoint to  
12 ensure that there was consistency between the  
13 audio/video and the actual transcripts, which is what  
14 we do when we're in litigation purposes.

15 COMMISSIONER LERNER: Okay. So if we put in a  
16 disclaimer --

17 CHAIRPERSON NEUBERG: That -- that was my  
18 concern, I mean, you know, the amount of people power  
19 that would be required to ensure that the transcripts  
20 perfectly married the video. You know, we would be  
21 legally obligated to vote to say that happened. I  
22 mean, and why would we subject ourselves to that, you  
23 know, if we don't have to. But it's up to legal in  
24 terms of a disclaimer. I mean, I don't know if the  
25 disclaimer would hold.

1           COMMISSIONER LERNER: Yeah, I don't know. I  
2 just -- I think it had been mentioned on one of the  
3 public comments and just the idea if somebody is  
4 wanting to try to look up something that happened. I'm  
5 not tied to it, but I think it is something we should  
6 take a close -- closer look at it. I agree we don't  
7 want the people power of having to be sure that it's  
8 exactly precise, but if a disclaimer would take care of  
9 some of that maybe we can do that. Maybe we can find  
10 out if that would work, and if it -- if it would then  
11 we could post them, and if not then maybe we rethink  
12 that.

13           MR. JOHNSON: Commissioner Lerner, this is  
14 Brett Johnson again, and let us take a look at that as  
15 to what a disclaimer would entail and what kind of  
16 protections -- obviously, as we talked about before,  
17 you can never eliminate the risk, but we can try to  
18 mitigate as best as possible, which so long as the  
19 public knows that it's the minutes of the meetings as  
20 well as the audio/video of the Commission that is  
21 controlling, then we're not going to get into -- no  
22 offense, again, to the recorder -- a typographical  
23 error if we have to get in front of a judge as to what  
24 was -- what was the meaning.

25           COMMISSIONER LERNER: That sounds great.

1           MR. HERRERA: The only -- this is Roy. The  
2 only alternative, I suppose, is that when we talk about  
3 them posting them quickly after the meeting, you know,  
4 the longer time period, runway, we have for that the  
5 more time we have to make sure that it is correct,  
6 right, so I suppose there is a difference between  
7 posting the minutes the day after or a week after,  
8 right, so it could be posted, but it may take a little  
9 bit of time, so that's something to consider as well,  
10 because I think that's what happened the last  
11 Commission. They were posted, but it wasn't  
12 immediately after the -- the actual meeting.

13           COMMISSIONER LERNER: Sure. I understand  
14 that. If we can just look at it and if it works, it  
15 does, and if it doesn't, that's fine, too. I would  
16 appreciate it. Thank you.

17           Thank you. Those were my two questions.

18           MR. SCHMITT: Any other questions before we  
19 talk travel schedule?

20           All right. So with legal counsel and our  
21 mapping consultants we put together a very tentative  
22 schedule, and we're hoping to get some input today so  
23 we could start finalizing some of these dates. I've  
24 heard from a couple of the Commissioners about dates  
25 that might not work or just individual requests, so if

1 there is anything else anyone has, I would appreciate  
2 some --

3 VICE CHAIR WATCHMAN: Madam Chair, good  
4 morning. This is Vice Chair Watchman. For June 17th  
5 in Coconino County one of the Commissioners -- one of  
6 the supervisors called me and indicated that the county  
7 is not going to really be open for public meetings  
8 until July, July 1st, and so -- but the county is  
9 certainly willing and, in fact, you know, eager to be a  
10 part of it, and so the challenge for them is that I  
11 think July 1st is when public meetings can happen.  
12 Likewise with Navajo. You know, we have June 24th for  
13 Navajo County and Apache County. I think the last time  
14 they had a meeting in St. Michael's, which is near  
15 Window Rock. At this time the Navajo Nation is not  
16 open yet for public forums, and so I would really like  
17 to have a hearing on the reservation. The option right  
18 now is only off Navajo, which I guess would be, you  
19 know, Holbrook or St. Johns, so we may have to split  
20 that up. So I think June may be out of the question  
21 for these two meetings.

22 And so the other thing is just logistics. I'm  
23 sure you're reaching out to folks. It would be nice to  
24 have the actual location and the time. I don't know if  
25 we have a time. I saw in the last go-around that some

1 hearings are meetings in the afternoon and some were at  
2 night, and that some were on actually on a Saturday or  
3 Sunday, so I think we need to think about that as well,  
4 you know, what's convenient for the public to meet with  
5 us and to provide their comments. And so it looked to  
6 me the last time most of the bulk of the meetings were  
7 in the evening time so we need to -- we need to think  
8 about that. So my sense is we probably have to get an  
9 idea of the venue, where it is, what time, and then  
10 that will kind of dictate, you know, whether or not  
11 these -- these scheduled Thursdays are good and whether  
12 or not they are actually open for public meetings. And  
13 so, you know, despite the governor's rulings, the  
14 tribes, for example, they have their own laws to  
15 follow. So Navajo, I think Hohokam and some of the  
16 tribes may not be open right now. So -- so lots to  
17 think about as we further refine this schedule. Thank  
18 you.

19 COMMISSIONER LERNER: This is Commissioner  
20 Lerner. I'm glad to see us putting together a schedule  
21 and getting -- you know, we're all getting ready to get  
22 started to go out there. I would like to just talk a  
23 little bit also in similar vein with Vice Chair  
24 Watchman, potentially condense this a little bit.  
25 Instead of over two months, see if we could have more



1 meetings per week to try to condense the schedule. I  
2 did look last -- at the last time, and I'm not saying  
3 we should do the same as last time by any means, but  
4 they had 15 meetings in a matter of three weeks. They  
5 really condensed it as part of it, so then they were  
6 able to actually take some time afterwards to think  
7 about the comments. In this case we're stretching them  
8 out over about four and a half months with two per  
9 week, which may be okay, but I also think we might want  
10 to look at some Saturdays as well for people in terms  
11 of work schedule.

12 Also, travel schedule for some folks in the  
13 more rural areas, if they do want to attend they might  
14 have to drive an hour or two to come to a meeting, and  
15 if they are having to drive that it might be better on  
16 a Saturday for them rather than in the evening after a  
17 meeting ends at 8 or 9 or 10:00 than to have to drive  
18 home from that, if they want to attend in person.

19 I also think our technology is so much better  
20 than last time that we can do a lot to maybe have some  
21 opportunities, some ways for us to both have people  
22 come in person as well as call in or Zoom in in some  
23 way. In looking at last time I know they had some  
24 remote -- I don't know how that worked. I have no  
25 idea. But I noticed, for example, they had one in Yuma

1 and then it said Parker and San Luis remotely, so that  
2 people didn't have to drive. So if our technology is  
3 up to it, it would be nice if we could sort of  
4 condense, and that way we can actually increase the  
5 number of places for people.

6 And I think that's probably what you were  
7 thinking when you put things like Coconino, Northern  
8 Arizona, that you're actually thinking of grouping  
9 people. I would assume, Director Schmitt, that's part  
10 of what your logic was.

11 MR. SCHMITT: Yeah. This is a just a very  
12 bare bones, get-the-conversation-going kind of  
13 schedule, and then we can build from there.

14 COMMISSIONER LERNER: And so from my  
15 perspective it might be easier for us as we jump into  
16 this to start actually in either Pima or Maricopa  
17 County because it's local and we're here. We can kind  
18 of work out the bugs of how the system will work a  
19 little bit before we do our -- start our travel in some  
20 of those areas, just because of -- as we're working  
21 through the process. That was -- these are just some  
22 thoughts that I had as part of it.

23 On a bigger issue, because the order of  
24 things -- I mean, I can't make all of the days, either.  
25 There are some, but I know that we don't all have to be

1 at all of them, and maybe some of us could call in,  
2 Zoom in or something or -- I think it's important for  
3 us to talk about how we structure the meetings before  
4 we jump in next week to our first meeting, because we  
5 haven't really had that conversation, either, of how  
6 are we going to hold the meetings, what are we  
7 expecting in terms of the amount of time that somebody  
8 speaks, you know, things like that, the basic  
9 parameters for those public meetings. I think how  
10 should we -- how should the meetings be run as part of  
11 that, so -- and that's part of my thought, too, is that  
12 maybe this discussion can include sort of what's --  
13 what's a regular agenda for the meeting, what should  
14 the public expect if they attend in terms of what their  
15 opportunities to comment would be as well as what they  
16 expect from the Commissioners. These are just some  
17 initial thoughts.

18 MR. SCHMITT: Thank you, Commissioner Lerner.  
19 And I think that can be part of this conversation and  
20 probably should be. Last time I know they had a  
21 presentation by the mapping firm at the start and then  
22 opened it up to the public. They had a little more  
23 data than we did at that point. So, yeah, I think it  
24 should be a little more structured, and we really let  
25 the public know what we're looking to hear.

1           CHAIRPERSON NEUBERG: And our ideas from the  
2           Commissioners now about what you would like to see  
3           during this listening tour, because I do think it's a  
4           unique tour. We don't have data, and so, you know, I  
5           just want to reassure the public that as much as there  
6           will be a lot of focus and attention and, it's, you  
7           know, a great opportunity to communicate to the  
8           Commissioners over the summer, you know, much of this  
9           is going to be repeated when we have data, and we're  
10          going to come back to your communities with more  
11          specific data. And so in some ways we could almost see  
12          this as, you know, just additive in terms of data  
13          collection. But, yeah, I mean, let's have, you know,  
14          from my perspective, you know, public meetings over the  
15          summer, I'm particularly interested in hearing who  
16          feels that they're a community of interest, why are  
17          they a community of interest, how have the districts  
18          performed for them in the past, what do they feel has  
19          not, you know, worked for them. And so I do think it  
20          would be helpful to have a little guidance to, you  
21          know, be trying to find the information that would be  
22          helpful for us to do the end product. I know our  
23          mapping firm will, you know, like to work on some kind  
24          of stock presentation with the guidance of legal. So,  
25          yeah, I think it's exciting.

1           What -- what other ideas do people have?

2           COMMISSIONER MEHL: This is Commissioner  
3 Mehle. I strongly agree with the items that you  
4 outlined, Chairwoman, and I think those -- the  
5 communities of interest and how the current districts  
6 have worked or not worked, people's comments about how  
7 they're grouped with or not grouped in a way that they  
8 think are important, since we don't have data those are  
9 going to be by far the most important things that we're  
10 going to hear from the public.

11           And I also agree with trying to condense and  
12 group our meetings more than what the schedule shows  
13 and still trying to get them in by that August 16th  
14 date so that when we do have data now we can really  
15 turn to that.

16           CHAIRPERSON NEUBERG: Can I just ask a  
17 question? And I don't mean anything by the question.  
18 I'm just curious: What's the value of condensing the  
19 schedule as opposed to spreading it out? You know, we  
20 have a broad team. We have the five Commissioners. We  
21 have an entire staff. We have, you know, legal  
22 counsel. We have now, you know, more and more people.  
23 What -- help me understand what we get out of a  
24 condensed schedule versus a, you know, more relaxed  
25 schedule.

1           COMMISSIONER MEHL: Commissioner Mehle again.  
2 I think we just heard from Commissioner Watchman some  
3 concerns on some of the June meetings up north, and I  
4 think we need to respect that. And then I do think if  
5 you can condense it somewhat that it may be easier for  
6 some of us to make several meetings back to back as  
7 opposed to having them all spread out, but I don't feel  
8 strongly on that.

9           CHAIRPERSON NEUBERG: So, actually, what  
10 you're saying is condensing it means somewhat  
11 postponing it a little bit to give us advance time to  
12 figure out what works for the communities that we're  
13 going out to visit with. Now I get it. Okay.

14           COMMISSIONER LERNER: And I will say that I  
15 agree with everything you said in terms of the -- what  
16 we're looking for from the public. I was thinking,  
17 too, in addition to that guidance on, you know, do we  
18 give everybody two minutes, three minutes, four  
19 minutes, you know, some things like that so people come  
20 prepared, because if they know they have a three-minute  
21 speaking time they prepare for that. So there is  
22 little things like that that we could tweak as part of  
23 getting that organized.

24           But in terms of what we're hoping to hear, I  
25 agree with everything you've said with regard to

1 communities of interest and what has worked and what  
2 hasn't. We would also, I assume, want people to  
3 identify themselves with who they are, how they're  
4 related to the district that they're in or to the  
5 location that they're in, so to me the priority should  
6 be the people who reside in that general area for  
7 speaking versus people who are coming from outside of  
8 that. Not that they -- everybody shouldn't have an  
9 opportunity, but if we're in the Safford area I'd  
10 rather hear from people in that general region first  
11 before people who are coming from an outside area, just  
12 as a thought as part of that.

13 So and in terms of condensing, I think -- I do  
14 think we need to give some, yeah, some opportunities  
15 for these areas to also get the word out as part of it.  
16 For me, this is just my own thing, when I hear -- it's  
17 easier for me to kind of think about everything I've  
18 heard versus what I heard a month and a half ago in  
19 thinking about it, you know, that much later. If I  
20 hear things in a shorter amount of timeframe I can kind  
21 of do some comparisons and sort of see what patterns  
22 that we're hearing. I'm not tied to how we condense or  
23 any of that, but that's part of my -- why I was  
24 thinking of condensing it a little bit instead of  
25 spreading it out.

1                   COMMISSIONER MEHL: This is Commissioner  
2 Mehle. I think one of the other dynamics that we can  
3 anticipate is that many people will share the comments.  
4 So someone will speak and hopefully speak well, and  
5 other people will agree with it. And I think we need a  
6 technical -- technological way for people to just let  
7 us know there is someone else who agrees with what was  
8 just said without making them come and repeat the whole  
9 thing again, so if there is a way we can handle that I  
10 think that would really be helpful.

11                   MR. SCHMITT: That's a good idea, Commissioner  
12 Mehle.

13                   One other item that I talked about with the  
14 mapping firm was they have the ability to put together  
15 a survey that we could give to people ahead of time, so  
16 they could circle the areas they're talking about so  
17 that it could be displayed on the screen when they get  
18 up to speak, so we're working through that piece. And  
19 I'll check with them to see if there is some way that  
20 we could integrate that as well.

21                   COMMISSIONER MEHL: Thank you.

22                   COMMISSIONER LERNER: As another question just  
23 as we're thinking about this, have we looked into  
24 having things like ADA requirements, sign language,  
25 things like that as part of these?



1           MR. SCHMITT: Yes. We are looking into that,  
2 and thank you for your suggestion on that, Commissioner  
3 Lerner. We're looking into that and court reporters  
4 and translators and all of that.

5           COMMISSIONER LERNER: Thank you.

6           MR. SCHMITT: That will be an element of it.

7           COMMISSIONER LERNER: And I'll just say I like  
8 the idea of having something that maybe, as  
9 Commissioner Mehle said, if we have sort of a running  
10 list of maybe comments people have made that is on the  
11 screen somehow then somebody might sit back and go,  
12 Well, everything I wanted to say is done. I don't need  
13 to come up and say that. They could maybe just submit  
14 a card that says agreed or something. I think that's a  
15 great idea as part of it, although I know a lot of  
16 people like -- would want to hear numbers, right.  
17 Maybe at the end of the meeting there can be a little  
18 bit of a discussion of do most people agree with the  
19 following things, and that way instead of them coming  
20 up they can get a vote. I don't know. I don't know.  
21 That's part of where I guess we need to think about it.

22           MR. SCHMITT: Absolutely. And with the  
23 survey, too, we could look into an after-meeting report  
24 that people could comment on something like that as  
25 well, so --

1 COMMISSIONER LERNER: That's a great idea.

2 COMMISSIONER MEHL: I agree people are going  
3 to want to make sure that we as Commissioners know  
4 there is another person who agrees with it, so they  
5 need to be able to register that agreement in some  
6 formal fashion.

7 CHAIRPERSON NEUBERG: And related to this,  
8 although it's slightly different, and this may be a  
9 question for Michelle, our public information officer,  
10 what is our strategy to ensure that we're tapping  
11 into -- to the whole state, not just people who know  
12 about us, but -- but for us going and finding them.  
13 That -- that's my concern. My concern is understanding  
14 the people who would otherwise just fall under the  
15 radar. And so, you know, in our conversation, you  
16 know, Brian, Michelle, I would like to hear what kind  
17 of ideas we have to make sure we fully understand our  
18 state.

19 MR. SCHMITT: I think you're muted, Michelle.

20 MS. CRANK: Thank you, Commissioner Erika.

21 I think both Brian and I are looking at doing  
22 a number of things in making sure that we do reach the  
23 entire state and we do reach most of our, if not all of  
24 our public, and even concerned with the areas that  
25 Commissioner Watchman had -- had addressed earlier. We

1 know that there has not always been that broad  
2 overreach to the entire state of Arizona. There are  
3 some communities and some areas that we -- that have  
4 been missed in the past, and so I think we're going to  
5 utilize the aggressive approach of doing media  
6 releases, media alerts, public alerts, and making sure  
7 that we fall within the legal parameters when we do  
8 utilize our social media technology, whether it's  
9 Facebook, whether it's Twitter, or any of our social  
10 media technology. We need to make sure that we meet  
11 with our legal team and -- as individuals might comment  
12 on a lot of those social media aspects. We know that  
13 social media has gotten to be quite extensive over the  
14 pandemic, and virtual Zoom meetings, those types of  
15 meetings have been -- become an even greater part of  
16 our lives in reaching out to -- to the public and to  
17 the audience, so we will be exploring a lot of those --  
18 a lot of those pieces.

19 And as you look at -- as you look at social  
20 media you can do a target audience. You can target  
21 certain areas within your social media parameters and  
22 get the information out to a certain segment, to a  
23 certain group of individuals, to certain demographics,  
24 and so we'll utilize a lot of those -- a lot of those  
25 pieces once we get, you know, the legal -- legal

1 opinion in making sure that we're staying within those  
2 parameters and not stepping outside of those  
3 parameters.

4           And I think -- I've worked -- I mean, I worked  
5 with Director Brian in putting together a slide  
6 presentation, and we will have that slide presentation  
7 available, whether it's a video type presentation on  
8 our social media. So I do believe that within that  
9 slide presentation it outlines the parameters of our  
10 comments and what we're looking for from our -- from  
11 the communities that we will be visiting. And, again,  
12 looking at translators, bringing in translators and  
13 utilizing probably a lot of virtual-type situations for  
14 those communities that we cannot, you know, hold public  
15 meetings as of yet, like Commissioner Watchman had  
16 mentioned with some of the tribal communities. They're  
17 not allowing non -- non-tribal residents into those  
18 communities as of yet, so we'll be addressing some of  
19 those areas as well.

20           So I'm looking, you know, pretty diligently.  
21 We've already drafted a press release, and I've given  
22 that to Director Brian so he can take a look at it, and  
23 we will utilize a lot of -- a lot of our social media  
24 once we get the approval from our legal team on the  
25 parameters.

1           So I hope -- I hope that kind of gives you a  
2 little bit of steps that we're looking at,  
3 Commissioner.

4           CHAIRPERSON NEUBERG: It does. Thank you. It  
5 gives me confidence. You know, I appreciate that your  
6 eyes are on that and there is a plan, so thank you.

7           COMMISSIONER LERNER: Michelle, this is  
8 Commissioner Lerner. Just I assume also you'll be  
9 working closely with whatever -- wherever we are. So  
10 if we're in Flagstaff, for example, you'd work more  
11 closely with Flagstaff to publicize, you know, the  
12 city, the county, and that area to help publicize those  
13 things, as well any local organizations, the Chamber of  
14 Commerce, and any others that would be interested in  
15 this and getting the word out as well.

16          MS. CRANK: Yes, Commissioner Lerner. I'll be  
17 working with each of those communities before we go out  
18 to those communities and making sure that they have the  
19 ability to get our information out, whether it's via  
20 their local publication and/or their local media and/or  
21 their local social media. I think a lot of the  
22 communities have a social media platform, whether, like  
23 I said, it's Facebook or something of that nature,  
24 making sure that we get the information out to -- to  
25 those communities in advance, and they -- and they have

1 the ability to engage their communities.

2 MR. SCHMITT: I think it will be important to  
3 really tap into those systems that are already built  
4 and utilize them to get as many people notified and  
5 aware of what we're doing as possible.

6 One other thing that we could do is as we set  
7 up the listening tour we could reach out to local  
8 reporters and see if they would be interested in  
9 interviewing any of you ahead of time to maybe get some  
10 more coverage. Just another thought.

11 MS. CRANK: We'll be sending out those media  
12 alerts at least -- at least a week before -- before the  
13 meeting to let the communities know, and those media  
14 alerts will definitely go to the local publications,  
15 the local social media, so just to let you all know  
16 that the information will be -- will be presented at  
17 least -- at least a week before our meeting is  
18 scheduled.

19 COMMISSIONER LERNER: This is Commissioner  
20 Lerner. Just as a suggestion that if we -- if we can  
21 finalize this list and location and get that out to the  
22 media early people can plan, because one week may be  
23 difficult for people to plan ahead. They may need more  
24 time than that, especially in the more rural areas  
25 where it may take more of an effort to be able to

1 attend, so I think that's part of -- as much as I want  
2 to get on the road and listen like the rest of us, I  
3 think that's part of why I think we need to work a  
4 little bit more on the structure, getting things  
5 finalized, at least to have maybe the first three or  
6 four meetings finalized so we can -- a couple of weeks  
7 out so we can get that information out to people and  
8 have the schedule pretty well finalized of where we're  
9 going to be.

10           And I know there is a lot of work that has to  
11 be done for this in terms of finding location and  
12 working with local officials and local contents. It's  
13 a lot of work to put together a meeting schedule like  
14 this, and I appreciate all the hard work that you'll be  
15 doing for this. But that would be my suggestion is  
16 maybe we put off this for a couple of weeks to give you  
17 the chance to really work through those details and  
18 then we can set the meeting schedule.

19           And then as we're looking at the proposal for  
20 numbers of meetings, my only other suggestion would be  
21 to consider adding another meeting in the Phoenix area.  
22 We are a very large area, and we only have two  
23 meetings, and it might be helpful to have a third,  
24 whether it's doing it east, central, west, or however  
25 it is that you'd want to schedule it, but that might be

1 helpful to have another one because of the population  
2 size. And I see that there is one in Pima County, and  
3 I'm not sure if there is a second one, but, again,  
4 because Tucson is a very large area we want to be sure  
5 to have good coverage in the southern part as well. We  
6 want the coverage all over the state, but those high  
7 populations centers may need more than one or two in  
8 some way. We might want to just add one or two more.

9 MR. SCHMITT: Sure. I will definitely look  
10 into adding that. Mayor Gallego did reach out  
11 yesterday to offer the use of any city facilities for  
12 us to use for our meetings, so --

13 CHAIRPERSON NEUBERG: Commissioner Lerner --

14 MR. SCHMITT: -- that will be helpful in  
15 adding -- adding another one or two.

16 CHAIRPERSON NEUBERG: Commissioner Lerner, I  
17 want to thank you for acknowledging the amount of work  
18 that has already gone into this. I know it's  
19 frustrating for people that, you know, there is not,  
20 you know, a lot of advance timing, but, you know,  
21 Michelle, what is this, your fifth day on board? And,  
22 you know, prior to Michelle on board, you know, we have  
23 Director Schmitt, you know, basically running from, you  
24 know, department to department to department, and --  
25 but what's exciting is that we are kind of all coming



1 together. We have these additional hires coming on  
2 board, and, you know, I think it will be a little  
3 smoother moving forward, and it is exciting.

4 The other thing I just want to mention that I  
5 think this conversation also helps us understand the  
6 value of the preplanning, and given that we know now --  
7 I don't want to say know. We can estimate when we're  
8 going to get that initial grid map. We can have more,  
9 you know, forethought about our travel schedule and  
10 alert the public well more in advance and have things a  
11 bit more organized in the fall.

12 VICE CHAIR WATCHMAN: Madam Chair, this is  
13 Vice Chair Watchman. A couple other comments. I  
14 notice that on some of our weekly meetings we're  
15 combining it with a Town Hall. I'm inclined just to  
16 have the meeting only and then look at the Thursday,  
17 and maybe -- especially if we truncate our meetings in  
18 July I think that's where we're headed. You know, we  
19 look at our tour to start on Thursday and a Saturday,  
20 and for the Thursdays I think preferably in the evening  
21 is probably a good time. And then of course if we look  
22 at a Saturday, which I think may have to happen midday,  
23 so, but I would rather have our meetings just on  
24 business at hand and separate that from the hearings  
25 so -- because I know that we have like, for example, on

1 June -- what is it -- June 22nd it's combined,  
2 July 13th and July 27th. So just a thought. I'd like  
3 to have it separate so that we just have the meeting  
4 only and get the business done, because we have to meet  
5 obviously to decide -- approve different things like  
6 expenditures and whatnot, so my thought is to keep  
7 the -- again, the hearings separate from our -- our  
8 weekly meetings and then look at Thursdays. Thursday  
9 is a good time for me, especially in the evenings. And  
10 if we do add a couple of more meetings for Maricopa  
11 County, then a Saturday, likewise, in Tucson.

12 CHAIRPERSON NEUBERG: If we're going to be  
13 regularly scheduling weekend meetings, I think we may  
14 need to have occasionally Saturday, occasionally  
15 Sunday. You know, different religious groups observe  
16 Sabbath on different days. There is a lot of  
17 sensitivities there. So, you know, maybe we don't want  
18 it to be just every week a Thursday, Saturday, because  
19 somebody who works on Thursday and is Jewish, then,  
20 oops, you can't do that. So we'll take a look at maybe  
21 having enough flexibility to tap into, you know, the  
22 broader public.

23 COMMISSIONER LERNER: And if I could ask maybe  
24 on the Tuesdays, my -- and I may not have understand  
25 understood this correctly. I thought we were actually

1 going to have -- we would have a regular meeting, and  
2 then that evening there might be another meeting. We  
3 weren't combining them, right, or were we? Because  
4 that was my impression, so I may be misunderstanding  
5 how the schedule was reading, but I was thinking we  
6 would actually -- it was just we would do our regular  
7 meeting in the morning, or I guess we could do it in  
8 the afternoon, and then we would break and then have an  
9 evening meeting, but were you thinking of combining  
10 those?

11 MR. SCHMITT: Those proposed Town Halls -- oh,  
12 sorry. Yes. So those proposed Town Halls we're  
13 combining business and our regular meetings to give an  
14 online -- to give people the option to participate  
15 online with focuses on different regions. I know it  
16 makes it a little more difficult to do that being  
17 online, but it was just giving an option. But if the  
18 Commission would like to just do business meetings on  
19 Tuesday, that's definitely workable.

20 CHAIRPERSON NEUBERG: It may be more -- if you  
21 think about, you know, I'm thinking in July how much  
22 regular business are we going to be talking about  
23 beyond the substance of what we're doing? And so if  
24 you have, let's say, just an hour and a half of  
25 business, if we're all blocking off our schedule anyway

1 and it's virtual, maybe it's more efficient to combine  
2 them.

3 COMMISSIONER LERNER: And, Chair Neuberg,  
4 that's what I -- I would be okay with that. We  
5 potentially could move those business meetings into the  
6 afternoon instead of the morning if we have short ones  
7 and do something like from, you know, 3:30 to 5:00 for  
8 business, take a break, and then at 6:00 come back for  
9 evening meetings and then have the public meeting at  
10 that time if it's -- if it's virtual. Something  
11 like -- I don't know. I'm just throwing that out there  
12 as a possibility. As you say, we may not have as much  
13 business, but it might be an opportunity then for the  
14 public instead of dividing up our day morning and then  
15 evening, because I agree with Vice Chair Watchman that  
16 evening meetings would probably be better for people  
17 who work and can maybe attend at that time as well, so  
18 if we did it that way it might not be as difficult.

19 COMMISSIONER MEHL: I'm good with combining  
20 meetings, and if the timing that Commissioner Lerner  
21 just said works better for the public, then I'm fine  
22 with doing it that way.

23 MR. SCHMITT: Unless anyone else has anything,  
24 thank you for all your comments and thoughts on the  
25 tour. We'll work on putting together a little bit more

1 condensed schedule and adding some of those locations  
2 that you mentioned and come back with a full plan for  
3 what it would look like, timing, location, all those  
4 kinds of things, so we'll get working on it.

5 CHAIRPERSON NEUBERG: Vice Chair Watchman, it  
6 looked like you may have had a comment.

7 VICE CHAIR WATCHMAN: No. I was just going to  
8 comment that I agree with my fellow Commissioner Mehle  
9 and Lerner that, you know, for our Tuesday regular  
10 meetings move that to the afternoon and have regular  
11 meetings in the afternoon or vice versa. I think that  
12 will work. So combining a hearing with a regular  
13 meeting could get in the way, so if we can separate  
14 that and switch I'm okay with that. So I just want to  
15 make -- my point is that I would like to have a meeting  
16 just for business, you know, and then we separate that  
17 with another meeting that day and that that meeting is  
18 a hearing. So I'm agreeing with Commissioner Lerner  
19 and Commissioner Mehle. I think that will work for me.

20 COMMISSIONER MEHL: This is Commissioner  
21 Mehle. Brian, I would suggest that if you put together  
22 a revised version 2 of a possible meeting schedule that  
23 you don't need to wait for next week fully. You could  
24 circulate that to the Commissioners and start getting  
25 feedback as soon as you're able to do that, and that

1 might help you then refine that prior to next week.

2 MR. SCHMITT: Absolutely. We will start  
3 working on it once we're done with this meeting this  
4 morning and then start circulating it.

5 COMMISSIONER MEHL: Thank you.

6 COMMISSIONER LERNER: Again, this is  
7 Commissioner Lerner. I do want to thank you all for  
8 your hard work on getting this started. It's been  
9 something we've been thinking about, so I appreciate  
10 the work you've put in.

11 And the other last piece -- last mention is  
12 that you might want to just think about since we're  
13 able to do this now more efficiently than in the past  
14 maybe having one or two that are just virtual meetings  
15 in general. That would allow people to attend,  
16 potentially adding that, but as you're thinking through  
17 this again. Thanks again for the work.

18 MR. SCHMITT: No problem.

19 CHAIRPERSON NEUBERG: And also having hybrid  
20 events. I mean, you know, it doesn't have to be one or  
21 the other. I mean, you know, it's -- if you're going  
22 to go out into a rural community and you're physically  
23 there, you know, why not open it up to the residents  
24 who can't physically come in?

25 Thank you, Director Schmitt.

1 MR. SCHMITT: Thank you, Chairwoman.

2 CHAIRPERSON NEUBERG: And you have the -- so I  
3 think there is an Item H, discussion. Yes, you have a  
4 couple more items.

5 MR. SCHMITT: Okay. Thank you.

6 So speaking with our legal team they thought  
7 it would be a good idea to reach out to the state's  
8 chief information security officer to see if they would  
9 be willing to come and do a presentation for us to just  
10 kind of let us -- let us know what to look out for and  
11 the resources that they could provide to make sure once  
12 we have the data everything is secure and we're in a  
13 good spot, so I have an email into them asking them to  
14 join us for a presentation, so hopefully they will be  
15 able to in the next few weeks.

16 And then I think the only other item was the  
17 training of staff. Valerie and I have completed all of  
18 our training. Michelle is working through hers now so  
19 that should be done shortly.

20 I think that is all I have for today.

21 CHAIRPERSON NEUBERG: Okay. And any updates  
22 on mapping, training the Commissioner, staff and legal  
23 counsel from --

24 MR. SCHMITT: Yes. I've been working with our  
25 mapping consultant to set up a training with ESRI for

1 you all in the public so that will be in the next  
2 couple of weeks.

3 CHAIRPERSON NEUBERG: Okay. Excellent.

4 And item -- in addition to the cyber security  
5 I think we also have to unfortunately be sensitive to  
6 physical security when we are out and about, and so,  
7 you know, we will look into what kind of precautions  
8 are necessary.

9 MR. SCHMITT: Absolutely.

10 CHAIRPERSON NEUBERG: All right. Thank you so  
11 much, Director Schmitt, for that report and for your  
12 hard work.

13 With that we will move to Agenda Item No. VI,  
14 discussion and possible action regarding invitation to  
15 legislative leaders to present on Constitutional  
16 criteria and role of legislature report. If necessary  
17 to go into executive session I'll explain and provide  
18 the rationale, but prior to that I'll open it up to  
19 discussion with my colleagues. I alluded earlier that  
20 that was a hot spot in the public comments. So  
21 updates, thoughts, reactions.

22 COMMISSIONER MEHL: This is Commissioner  
23 Mehle. I agree with many of the public comments that  
24 it's not a good idea to have the legislators present.  
25 I think they have an official role to present after we



1 have draft maps, and I think to have them sooner than  
2 that is not -- is not wise.

3 VICE CHAIR WATCHMAN: This is Vice Chair  
4 Watchman. I agree with Commissioner Mehle. They have  
5 their statutory role, just like us, and we need to  
6 maintain our independentness, and so I would be  
7 inclined, you know, not to move forward with this item,  
8 and once the maps are done they certainly can offer  
9 their comments.

10 COMMISSIONER LERNER: This is Commissioner  
11 Lerner. I also agree that it would not be the time to  
12 have them come in. They have a Constitutional time  
13 that they can, and I would like to keep it. But, you  
14 know, I invite anybody who wants to come to our public  
15 meetings to speak at our public meetings, and that  
16 would be the appropriate time for any of our elected  
17 officials to participate, just like the rest of the  
18 public.

19 COMMISSIONER YORK: This is Commissioner York.  
20 I agree with the previous comments.

21 CHAIRPERSON NEUBERG: Okay. I think the  
22 community and the Commission has spoken. And so with  
23 that I don't think we need to have a vote because there  
24 is nothing that we're going to be doing on that item.  
25 Thank you for -- everybody for your thoughtful

1 conversation. You know, it's -- you know, it's sad to  
2 me. You know, maybe in another era just, you know, the  
3 tradition of it would have, you know, been something  
4 nice to celebrate and feel. I'm sorry for, you know,  
5 our state, our country that we're not in this position  
6 to be able to feel good about that, but maybe with our  
7 work, you know, we'll help instill a little bit more  
8 trust and confidence.

9           So with that very quick discussion, we'll move  
10 to Agenda Item No. VII, discussion and possible action  
11 on legal counsel briefing. There are three aspects to  
12 this item. One is public records, records retention --  
13 that was posted as Attachment B -- and open meeting law  
14 guidance, which was posted as Attachment C. I believe  
15 that we may be ready for approval for, you know,  
16 supporting that and putting it up for public posting.  
17 That's one item.

18           A second item is I don't think we're quite  
19 ready to have that agreement on ethics guidance. I  
20 know I personally have an additional question that I  
21 would like legal guidance and counsel on, and so for  
22 Item No. B I'm going to suggest that we have a vote to  
23 go into executive session. I will read the explanation  
24 when that is relevant.

25           And then Item C, the status of the stock IRC

1 presentation discussion and/or approval, as we alluded  
2 to earlier when we're on the road and we're having  
3 these public presentations what kind of presentation,  
4 you know, we would like to present at all our public  
5 meetings.

6           So maybe we can address the public items first  
7 regarding Agenda Item A. I believe that the  
8 Commissioners have had time to read the guidance on  
9 public records and records retention and open meeting  
10 law. Any conversation? Okay. I'm going -- you know  
11 what, I'm comfortable with it. I think it's the  
12 product of many, you know, sessions of training and  
13 thought. I would like to thank our counsel for their  
14 guidance and for their efforts in synthesizing the  
15 reflections of the Commissioners, and if there is no  
16 other, you know, comments I'll entertain a motion to  
17 approve the guidance in Attachment B and C on public  
18 records and open meeting laws and for us to post that  
19 publicly.

20           COMMISSIONER MEHL: This is Commissioner Mehl.  
21 I move -- I move the above.

22           CHAIRPERSON NEUBERG: Do I have a second?

23           COMMISSIONER YORK: Commissioner York.  
24 Second.

25           CHAIRPERSON NEUBERG: Any further

1 conversation? Okay. With that we have a motion to  
2 approve the guidance on public records and open meeting  
3 law guidance.

4 Vice Chair Watchman.

5 VICE CHAIR WATCHMAN: Aye.

6 CHAIRPERSON NEUBERG: Commissioner Mehle.

7 COMMISSIONER MEHL: Aye.

8 CHAIRPERSON NEUBERG: Commissioner Lerner.

9 COMMISSIONER LERNER: Aye.

10 CHAIRPERSON NEUBERG: Commissioner York.

11 COMMISSIONER YORK: Aye.

12 CHAIRPERSON NEUBERG: Commissioner Neuberg is  
13 an aye.

14 And with that a 5-0 vote to approve these  
15 guidance ethics and put them online for public posting.

16 I'm going to ask Counsel before we address  
17 Item No. B, which I'm going to suggest we go into  
18 executive session, is there anything you want to share  
19 with the public on Item C, status of stock IRC  
20 presentation discussion and/or approval?

21 MR. HERRERA: Yes, Madam Chair. This is Roy.  
22 And I guess I'll start with a question directed to  
23 Executive Director Schmitt: Was the stock presentation  
24 that we put together distributed to Commissioners? Is  
25 that something that the Commissioners have seen?

1 MR. SCHMITT: It was.

2 MR. HERRERA: Okay. So I think the purpose of  
3 the presentation, of course, is to provide when we go  
4 into public meetings and the Commissioners, you know,  
5 speak and receive comment, to provide some sort of  
6 opening presentation that informs the public about, you  
7 know, the nature of the Commission history, the history  
8 of the Commission, as well as the Constitutional  
9 requirements as far as the -- the factors that are  
10 listed in the Constitution. So it's basically in some  
11 ways designed to be an informational document, but then  
12 also sort of a conversation starter during the  
13 meetings, so I think that's what we tried to do with --  
14 with the presentation. But, of course, if the  
15 Commissioners have seen it and think that there is some  
16 information that maybe we need to add to it or change,  
17 you know, we can certainly do that for the  
18 Commissioners' consideration.

19 COMMISSIONER LERNER: I just have a question.  
20 This is Commissioner Lerner. Are we -- we received it  
21 I think last night. Correct? I think -- I know I did  
22 not have huge amount of time to -- I took a quick look  
23 at it this morning, but are we trying -- are we going  
24 to vote on this now, or are we just going to come back  
25 and review it and give feedback through the course of

1 this week? I just want to double check on what we are  
2 doing at this moment. I'm sorry if I'm --

3 MR. HERRERA: Thank you, Commissioner Lerner.  
4 I think the idea is just to receive feedback this week  
5 on the presentation, or throughout the week if you have  
6 a chance to look at it, again, you know, if you have  
7 comments or changes that you would like to make to it  
8 before we sort of finalize it.

9 MR. JOHNSON: Commissioner Lerner, this is not  
10 something -- this is an administrative task. There  
11 does not need to be a vote agreeing to the stock  
12 presentation. It's just seeking feedback.

13 COMMISSIONER LERNER: Thank you. Then if it's  
14 okay I would like to just take a little bit closer look  
15 at it and then provide feedback this week, if that's  
16 okay.

17 CHAIRPERSON NEUBERG: Yes. I thought it was a  
18 great first draft. I, too, didn't have sufficient time  
19 to really, you know, think not so much what was there  
20 but maybe what wasn't there, and along those lines of  
21 what wasn't there I just want to make sure that or ask  
22 is it appropriate that the mapping consultants also  
23 look at it or, you know, share. You know, the mapping  
24 consultants have done this a lot, and so just I want to  
25 make sure that you know as many eyes see it as is

1 appropriate.

2 VICE CHAIR WATCHMAN: Well, Madam Chair, this  
3 is Vice Chair Watchman. I think I heard earlier from  
4 Director Schmitt that maybe the mapping consultants  
5 would come up with their presentation, so if I'm not  
6 mistaken I think we should combine that so that way we  
7 have an overview of what the Commission is, what the  
8 Constitution says, you know, the plan. I think we need  
9 a schedule, a schedule for the entire term between now  
10 and December -- I didn't see that -- and then some data  
11 points which the mapping consultants would offer. So I  
12 think this is in line with what I was suggesting. And  
13 so like you said, good start, but I think we need to  
14 have a stock or a canned presentation so that it's  
15 available publicly and we go through that at the  
16 opening of our meetings so that everybody in the public  
17 is on the same page while we're here on the job that we  
18 need to do, and then looking at some data points the  
19 consultants put on the presentation for us. So it's a  
20 good start. I think I would like spend some time this  
21 week to offer a more -- more comment to make the  
22 presentation even better. Thank you.

23 CHAIRPERSON NEUBERG: Excellent.

24 If nobody has any other further comments on  
25 Agenda Item No. VII(C) I would like to entertain a

1 motion to go into executive session, which will not be  
2 open to the public, for the purpose of obtaining legal  
3 advice to further implement and/or discuss legal issues  
4 pursuant to A.R.S. 38-431.03(A)(3).

5 I have -- as the Commission is working through  
6 our final, you know, document about the ethics that we  
7 are going to, you know, uphold, I think, at least I do,  
8 maybe some of us have some additional legal questions  
9 that we would like to take advantage of the opportunity  
10 to ask our counsel.

11 So if there is no other comments I'll  
12 entertain a motion to go into executive session.

13 COMMISSIONER MEHL: So moved. And I would add  
14 a five-minute break to that.

15 CHAIRPERSON NEUBERG: You got it.

16 VICE CHAIR WATCHMAN: I'll second. Vice Chair  
17 Watchman seconds the motion.

18 CHAIRPERSON NEUBERG: Okay. Any further  
19 discussion?

20 Vice Chair Watchman.

21 VICE CHAIR WATCHMAN: Aye.

22 CHAIRPERSON NEUBERG: Commissioner Mehle.

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  
4 an aye.

5 With that a 5-0 vote to have a five-minute  
6 break, and we'll see you in executive session at about,  
7 what, 9:13.

8 (Whereupon the proceeding is in executive  
9 session from 9:14 a.m. until 9:36 a.m.)

10

11

\* \* \* \* \*

12

13 (Whereupon the proceeding resumes in general  
14 session.)

15

16 CHAIRPERSON NEUBERG: Welcome back, everybody.  
17 I want to make sure that Val is present and on the  
18 line, available for our minutes before we move forward  
19 with our agenda.

20 MS. NEUMANN: We are live.

21 CHAIRPERSON NEUBERG: Okay. Excellent. Thank  
22 you. I think we have our entire team.

23 Thank you for the public's patience. We had,  
24 I thought, a very constructive conversation on, you  
25 know, the boundaries of the ethics guidance. At

1 minimum we have all agreed to adhere to the Arizona  
2 State House guidelines as a basis. We have been  
3 discussing adding additional ideas and just trying to  
4 understand how these guidelines translate into our  
5 daily lives. And so, you know, we appreciate the  
6 opportunity to, you know, ask our legal counsel some of  
7 these very detailed questions. We have some options.

8 MR. JOHNSON: Commissioner Neuberg, if I may,  
9 Madam Chairwoman, just for clarification for the public  
10 record there were -- there was no agreement in  
11 executive session. All there was was just a discussion  
12 around the legal points of clarification. Is that a  
13 fair assessment as to what happened in executive  
14 session?

15 CHAIRPERSON NEUBERG: Absolutely. I'm sorry  
16 if I said agreement. I apologize. Just a great  
17 conversation. We're coming back to the public to  
18 synthesize what we've learned and to discuss next  
19 steps, and we have some options on the next steps. One  
20 option is to approve with some amendments that make the  
21 House legislative ethics guidelines, you know, unique  
22 to us. That's one option. We could table the  
23 conversation to next week and do additional study. We  
24 can entertain more debate in public right now.

25 And so I open it up to my colleagues to share

1 their thoughts and ideas on this, but I would like to  
2 just reassure the public that the questions we're  
3 talking about are that we are adhering to the highest  
4 ethics that we can apply to ourselves, which -- which,  
5 you know, I commend my fellow Commissioners on.

6 COMMISSIONER MEHL: This is Commissioner  
7 Mehle. I strongly think that we should be following  
8 the House rules and that those have been vetted and  
9 used for many, many years, so I would like to make a  
10 motion to redirect Counsel to conform the House rules  
11 to this Commission. And then as an aside I would  
12 invite any Commissioner that wants to present  
13 amendments to that to be prepared with amendments for  
14 next week. Thank you.

15 CHAIRPERSON NEUBERG: Any other thoughts on  
16 that?

17 COMMISSIONER MEHL: Do we have a second?

18 CHAIRPERSON NEUBERG: Okay. Do we have a  
19 second?

20 COMMISSIONER YORK: Commissioner York. I  
21 second.

22 CHAIRPERSON NEUBERG: Okay. Let's have  
23 discussion.

24 COMMISSIONER LERNER: Commissioner Mehle, just  
25 for clarity can you sort of repeat again. You want to

1 have us follow the House rules. You want to just have  
2 us come back next week with fine-tuned documents. I  
3 just want to be sure I'm exactly understanding.

4 COMMISSIONER MEHL: Yes. I was asking Counsel  
5 to do a revised draft. The House rules has certain  
6 words in it that don't make any sense for our  
7 Commission. They refer to the House and not to our  
8 Commission is an obvious one. So I'm asking Counsel to  
9 rewrite the House rules to correct things that would  
10 make it make sense for our Commission linguistically  
11 and stylistically and just reference-wise, mostly, and  
12 that is the motion. And then certainly recognize that  
13 any of us -- I'll invite any of us that have additional  
14 things you would like to add to it to present that as  
15 potential amendments.

16 COMMISSIONER LERNER: Just in question on  
17 this, the draft that we received has 1 through 3 that I  
18 think are taken from those House rules. Do those seem  
19 to be appropriate, or do they need to go back and  
20 revisit? Because as you said there is not everything  
21 in the House rules that we need to worry about, so I  
22 think that the 1 through 3 that we had as the draft  
23 documents followed some of that, but I just want to be  
24 clear, and legal can tell us if they took 1 through 3  
25 from the House rules.

1           MR. JOHNSON: Sorry about that. Commissioner  
2 Lerner, I think on some of the draft that has been  
3 kicked around discusses some of that, and it will  
4 definitely be broad, but one thing for sure is we'll  
5 have to publish 1 through 3 of what legal counsel sent  
6 out previously as part of the record, and then that's  
7 what will be discussed next week. And that's what I  
8 think Commissioner Mehle is saying is we get that out  
9 there to the public, and then there will be debate and  
10 possible amendments for next week.

11           Am I missing that, Commissioner Mehle?

12           COMMISSIONER MEHL: That is correct to the  
13 extent that you -- that Counsel -- I guess we're also  
14 asking you to relook at it and does that restate the  
15 House rules for us in its fullness, and that's a  
16 question I have for you and I don't know the answer to.

17           MR. JOHNSON: Understood.

18           CHAIRPERSON NEUBERG: What I'm hearing is the  
19 idea of adopting the base rule, which I think was, you  
20 know, encompassed in 1 through 3, and that if there are  
21 additional items that we would like to add to us  
22 uniquely that any Commissioner would like to propose  
23 that we come next week and recommend it as an  
24 amendment, and we'll publicly debate it. That's what  
25 I'm hearing.

1           COMMISSIONER MEHL: Question for Counsel: If  
2 a Commissioner wants to do an amendment does that need  
3 to be on the agenda published, or is that something  
4 that can be done at the meeting?

5           MR. JOHNSON: It can be -- Commissioner Mehle,  
6 this is Brett Johnson. It can be done at the meeting  
7 where any wording can be changed as part of a  
8 modification or an amendment or in addition to that.  
9 It does not need to be published ahead of time. It  
10 just needs to be something out there for purposes of  
11 public comment and the Commissioners' consideration.

12           COMMISSIONER MEHL: Thank you.

13           MR. JOHNSON: Commissioner Mehle, very similar  
14 to the schedule that we just put out. Right?

15           CHAIRPERSON NEUBERG: So thoughts about next  
16 steps, you know, option of we could certainly, you  
17 know, push a vote right now. We could, you know, push  
18 it to next week. Thoughts.

19           VICE CHAIR WATCHMAN: Well, Madam Chair, this  
20 is Vice Chair Watchman. There is already a motion on  
21 and second on the table to send this back to legal  
22 counsel to conform as much as possible to the House  
23 rules and then we go from there, so --

24           CHAIRPERSON NEUBERG: And are we comfortable  
25 with this?

1           VICE CHAIR WATCHMAN: I'm comfortable with  
2 that. And if I need to or others need to make  
3 amendments then we'll do so at that time.

4           CHAIRPERSON NEUBERG: Unless there is further  
5 discussion I'm comfortable with moving forward on a  
6 vote to support that we will have our counsel maintain  
7 the essence of, you know, the House ethics rules and  
8 come back, and we will debate as a Commission next week  
9 if there are additional amendments, and so with that I  
10 believe that we can open it up to a vote.

11           So Vice Chair Watchman.

12           VICE CHAIR WATCHMAN: Aye.

13           CHAIRPERSON NEUBERG: Commissioner Mehle.

14           COMMISSIONER MEHL: Aye.

15           CHAIRPERSON NEUBERG: Commissioner Lerner.

16           COMMISSIONER LERNER: Aye.

17           CHAIRPERSON NEUBERG: Commissioner York.

18           COMMISSIONER YORK: Aye.

19           CHAIRPERSON NEUBERG: Commissioner Neuberg is  
20 an aye.

21           And with that Counsel will synthesize this  
22 feedback, and we will work with the House rules as a  
23 basic foundation and discuss -- discuss additional  
24 amendments next week.

25           With that we move to Agenda Item No. VIII,

1 discussion and possible action on census data and delay  
2 and ways to mitigate its disruption. We have Agenda  
3 Item A, status of state demographers presentation, and,  
4 B, status of retaining Arizona professor to discuss  
5 impact of privacy differential action by U.S. Census on  
6 Arizona data.

7 With that, I will turn it to our Counsel and  
8 see if they have some updates to share with us.

9 MR. JOHNSON: Thank you, Commissioner -- or  
10 Chairwoman. As an update, the Arizona Commerce  
11 Authority, the official state demographer, has accepted  
12 to come present on June 22nd, and there will be a range  
13 of data that they are -- that he's going to be  
14 presenting.

15 And then in regard to the Point A -- or Point  
16 B, I apologize, under Roman Numeral VIII, we are in the  
17 process of finalizing the Arizona-based professor who  
18 is able to discuss this point, and we'll have more to  
19 report next week.

20 CHAIRPERSON NEUBERG: Okay. Thank you.

21 If there is no further questions or  
22 discussion, we'll move to Agenda Item No. IX,  
23 discussion of future agenda item requests.

24 Anything on the minds of our Commissioners  
25 outside of follow-up of our earlier items?



1           COMMISSIONER LERNER: This is Commissioner  
2 Lerner. I'm curious when we're going to have the  
3 mapping consultants back with us. I have a number of  
4 questions for them on how things are going to work, the  
5 process, just a lot of different questions that I've  
6 thought about, and I would love to have the time for us  
7 to have a dialogue with them, not only, you know,  
8 presentation, but more where we can actually ask them  
9 some questions about how things are going to -- how  
10 things are going to work, so if we could have them come  
11 at some point for that dialogue that would be great.

12           MR. SCHMITT: Absolutely. I'll make sure that  
13 they are on the agenda next week and ready to go.

14           COMMISSIONER LERNER: Thank you. It would  
15 help as we're thinking through the public meetings to  
16 have some of their feedback on how to think about some  
17 of these things.

18           CHAIRPERSON NEUBERG: I agree. I think it  
19 would be nice to have, you know, them just also, you  
20 know, around the tiles and participating. I think  
21 that's a great suggestion.

22           Commissioner Mehle, are you talking to us or  
23 somebody else?

24           COMMISSIONER MEHL: I'm talking to the wall.

25           I would encourage Director Schmitt -- you're

1 probably already doing this -- but as you're doing this  
2 next draft of meetings to really engage the mapping  
3 consultants and all their experience and how they've  
4 done meetings and what they recommend on timing and  
5 spreading of meetings and doing things back to back or  
6 not, and get their advice, because I think they  
7 could -- that will be an invaluable resource to you.

8 MR. SCHMITT: Definitely will continue talking  
9 to them, especially after some of the changes we heard.

10 CHAIRPERSON NEUBERG: Brian, how often are you  
11 in touch with them, by the way? I mean, you know, the  
12 rest of us haven't -- haven't had much interaction.  
13 You know, what's your interaction with them like?

14 MR. SCHMITT: Usually every other day, every  
15 day, every other day, just kind of depends on the week.

16 CHAIRPERSON NEUBERG: Okay. We look forward  
17 to meeting them.

18 Anything else with future agenda items?

19 Okay. We'll move to Agenda Item No. X,  
20 discussion of possible action on the scheduling of  
21 future meetings. We are still planning every Tuesday  
22 at 8:00 a.m., and our travel schedule, as everybody has  
23 been informed, is in flux, and we will be working, you  
24 know, diligently over the next few days to try to  
25 solidify logistics and details. Other than that, is

1 there anything else on meetings for my Commissioners?

2 Okay. Agenda Item No. XI. Next meeting date  
3 will be next Tuesday, the 15th, at 8:00 a.m.

4 And with that, Agenda Item No. XII, closing of  
5 public comments. Please note members of the Commission  
6 may not discuss items that are not specifically  
7 identified on the agenda. Therefore, pursuant to  
8 A.R.S. 38-431.01(H), action taken as a result of public  
9 comment will be limited to directing staff to study the  
10 matter, responding to any criticism, or scheduling the  
11 matter for further consideration and decision at a  
12 later date.

13 And with that we move to Item XIII,  
14 adjournment. I will entertain a motion to adjourn.

15 COMMISSIONER LERNER: This is Commissioner  
16 Lerner. So move.

17 CHAIRPERSON NEUBERG: Second?

18 COMMISSIONER YORK: Commissioner York seconds.

19 CHAIRPERSON NEUBERG: Okay. Vice Chair  
20 Watchman.

21 VICE CHAIR WATCHMAN: Aye.

22 CHAIRPERSON NEUBERG: Commissioner Mehle.

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  
4 an aye.

5                   And with that we will adjourn, and I thank  
6 everybody for your participation, and I look forward to  
7 seeing everybody next week at 8:00 a.m.

8                   (The proceedings concluded at 9:53 a.m.)

9

10

11

12

13

14

15

16

17

18

19

20

21

22

23

24

25

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25

C E R T I F I C A T E

STATE OF ARIZONA )

) ss.

COUNTY OF MARICOPA )

BE IT KNOWN that the foregoing proceedings were taken before me, Deborah L. Wilks, Certified Reporter No. 50849, all done to the best of my skill and ability; that the proceedings were taken down by me in shorthand and thereafter reduced to print under my direction.

I CERTIFY that I am in no way related to any of the parties hereto nor am I in any way interested in the outcome thereof.

I FURTHER CERTIFY that I have complied with the requirements set forth in ACJA 7-206.

Dated at Phoenix, Arizona, this 22nd day of June, 2021.

*Deborah L. Wilks*  
-----  
Deborah L. Wilks, RPR, CR  
CERTIFIED REPORTER (AZ50849)

\* \* \*

I CERTIFY that Miller Certified Reporting, LLC, has complied with the requirements set forth in ACJA 7-201 and 7-206.

Dated at Phoenix, Arizona, this 22nd day of June, 2021.

*MCR*  
-----  
Miller Certified Reporting, LLC  
Arizona RRF No. 1058