

THE STATE OF ARIZONA
INDEPENDENT REDISTRICTING COMMISSION

REPORTER'S TRANSCRIPT OF VIDEOCONFERENCE PUBLIC MEETING

Via GoogleMeets

June 15, 2021

8:00 a.m.

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1 PUBLIC MEETING, BEFORE THE INDEPENDENT
2 REDISTRICTING COMMISSION, convened at 8:00 a.m. on
3 June 15, 2021, via GoogleMeets, Arizona, in the
4 presence 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. Mark Flahan, Timmons Group
18 Mr. Douglas Johnson, NDC
19 Ms. Ivy Beller Sakansky, NDC
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P R O C E E D I N G

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3 CHAIRPERSON NEUBERG: With that, welcome
4 everyone. We will jump right in. You missed the best
5 part, which is the pregame. We talked about the Suns
6 already. Please share the good vibes, as well as I
7 believe it's the baseball team from U of A. Right?
8 Correct, Commissioner Mehl?

9 COMMISSIONER MEHL: Yes.

10 CHAIRPERSON NEUBERG: Okay. There are vibes
11 out there that are doing good stuff.

12 Agenda Item No. I, call to order and roll
13 call, I(A), call for quorum. It is 8:01 a.m. on
14 Tuesday, June 15th, 2021. I call this meeting of the
15 Independent Redistricting Commission to order. For the
16 record the executive assistant, Valerie Neumann, will
17 be taking roll. When your name is called please
18 indicate that you are present. If you are unable to
19 respond verbally we ask that you please type your name.

20 Val.

21 MS. NEUMANN: Vice Chair Watchman.

22 VICE CHAIR WATCHMAN: Present.

23 MS. NEUMANN: Commissioner Lerner.

24 COMMISSIONER LERNER: Present.

25 MS. NEUMANN: Commissioner Mehle.

1 COMMISSIONER MEHL: Present.

2 MS. NEUMANN: Commissioner York.

3 COMMISSIONER YORK: Present.

4 MS. NEUMANN: Chairperson Neuberg.

5 CHAIRPERSON NEUBERG: Present.

6 MS. NEUMANN: And for the record we have
7 executive director Brian Schmitt; public information
8 officer, Michelle Crank; Brett Johnson and Eric
9 Spencer -- Brett might not be with us, but from Snell
10 and Wilmer; and Roy Herrera and Jillian Andrews from
11 Ballard Spahr. And our mapping consultants are with
12 us. We've got Mark Flahan from Timmons, John Stroud
13 from Timmons; Doug Johnson and Ivy Beller Sakansky from
14 NDC Research; and Debbie Wilks, our transcriptionist.

15 Back to you.

16 CHAIRPERSON NEUBERG: Okay. Thank you.
17 Welcome. Big team here. And please note for the
18 minutes that a quorum is present.

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

22 MS. NEUMANN: Yes, ma'am, it was.

23 CHAIRPERSON NEUBERG: Thank you very much.

24 Agenda Item No. II, approval of minutes from
25 June 8th, 2021. We have (A), general session, and,

1 (B), one executive session. I open it up to any
2 conversation, and if there is no additional dialogue
3 I'll open it up to a motion to approve the minutes.

4 COMMISSIONER MEHL: I move we approve the
5 minutes.

6 CHAIRPERSON NEUBERG: Are you moving to
7 approve both the general session and executive session
8 minutes?

9 COMMISSIONER MEHL: Yes.

10 CHAIRPERSON NEUBERG: Okay. Thank you for
11 that clarification.

12 Do I have a second?

13 VICE CHAIR WATCHMAN: Vice Chair will second.

14 CHAIRPERSON NEUBERG: Any further discussion?
15 We'll take a vote on approving the minutes from
16 June 8th, 2021, both the general session and executive
17 session minutes.

18 Vice Chair Watchman.

19 VICE CHAIR WATCHMAN: Aye.

20 CHAIRPERSON NEUBERG: Commissioner Mehle.

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
2 an aye.

3 And with that the minutes are approved with a
4 5-0 vote. Thank you, Val, again, for your great
5 minutes. They're appreciated.

6 Item No. III, opportunity for public comments.
7 Public comment will now open for a minimum of
8 30 minutes and remain open until the adjournment of the
9 meeting. Comments will only be accepted electronically
10 in writing on the link provided in the notice and
11 agenda for this public meeting and will be limited to
12 3,000 characters. Please note members of the
13 Commission may not discuss items that are not
14 specifically identified on the agenda. Therefore,
15 pursuant to A.R.S. 38-431.01(H) action taken as a
16 result of public comment will be limited to directing
17 staff to study the matter, responding to any criticism,
18 or scheduling the matter for further consideration and
19 decision at a later date.

20 With that we move to Agenda Item No. IV,
21 discussion on public comments received prior to today's
22 meeting. I open the floor to my colleagues.

23 COMMISSIONER LERNER: This is Shereen -- I
24 mean Commissioner Lerner, both. I just wanted to say
25 thank you to our -- the folks who provided public

1 comments. You gave us lots of good ideas about public
2 meetings. I appreciate the suggestions that you have
3 on public meetings, both how to conduct them, ideas on
4 where to have them, how to organize, and even how to
5 advertise. We can take all great suggestions. All of
6 those kinds of things are helpful for us as we move
7 forward, so I appreciate the time and thought that
8 people put into giving us those comments. Thank you.

9 CHAIRPERSON NEUBERG: Anything else?

10 COMMISSIONER MEHL: I think that hopefully the
11 public will see as we get through this meeting that we
12 will have taken into account a lot of their comments
13 when we talk about our revised schedule on meetings and
14 how we anticipate going forward. So, again, thank you.

15 CHAIRPERSON NEUBERG: Right. I do -- I share
16 everything that's been said. Director Schmitt did
17 share with us last week that it was meant, you know, to
18 really be an opening round to, you know, really kind of
19 elicit the responses that we did get, which is
20 incredibly helpful, so that we can plan the most
21 meaningful tour that works for our state. It won't
22 work for everyone. Everybody is obviously going to
23 have to compromise. We'll get to this topic, but
24 obviously the Town Hall, the public hearings is the
25 most important I think hot topic that people are

1 focused on, and I would like to reassure the public
2 that we're -- as, you know, my previous Commissioners
3 mentioned, we're reading it. We're incorporating it.
4 It's also not your only bite of the apple. We have a
5 long way to go. We don't have data yet, even, and so
6 please, you know, whatever gaps there are you will let
7 us know, and we will, you know, make sure we cover
8 those gaps moving forward. So let's be patient, but
9 active.

10 Any other comments?

11 With that, we will move to Agenda Item No. V,
12 update from the mapping consultant team of Timmons/NDC.

13 We welcome you. Thank you for joining us and
14 joining our team. And, you know, the floor is yours.
15 We hope that -- you know, please make sure you just
16 introduce everybody, because it's not just us but the
17 public. It's their first opportunity to kind of put
18 faces to names. So welcome.

19 MR. FLAHAN: Well, thank you. It's good to be
20 back. All familiar faces.

21 Just for the record, Valerie, John Stroud was
22 unable to join us today from our team, for the list of
23 people attending.

24 So to start out with introductions, my name is
25 Mark Flahan. I'm our senior GIS project manager on

1 this project. I work for Timmons Group, so I'll be the
2 main point of contact for the Commission on this
3 project going forward and making sure we hit the
4 objectives that we are planning and said we would hit.

5 On the NDC side, Doug, you want to give
6 yourself an introduction?

7 MR. JOHNSON: Sure, briefly.

8 Good morning, and nice to see all of you
9 again. I am Doug Johnson. I'm president of National
10 Demographics. And just for those of you who NDC might
11 be new, we've been doing this kind of work since 1979
12 with state and local governments all over the
13 southwest, and we are pleased to be working with this
14 Commission and pleased to be working with the Timmons
15 Group. And I'm joined by Ivy Sakansky.

16 Ivy, do you want to say good morning?

17 MS. BELLER SAKANSKY: Sure.

18 Good morning, everybody. It's nice to see
19 everyone. Ivy Beller Sakansky. I'm a consultant with
20 NDC. This is my third round of redistricting here in
21 Arizona. I am a geographer out of ASU and looking
22 very, very forward to the process.

23 MR. FLAHAN: Perfect. So that's the
24 introductions from our team that we have present with
25 you guys today.

1 The quick update from our group is we've been
2 meeting with Esri and our software manufacturer on the
3 redistricting solution, and we've putting a plan in
4 place to get that up and running for you guys and to
5 talk about, you know, the data and what is the
6 timeframe and schedule for that. The good news for
7 right now is that everything that was in the proposal
8 for data timeline seems to be on track, but we're still
9 working with Esri on the final pieces of that. We are
10 working on the socioeconomic data report that's
11 currently in process as we speak moving forward. The
12 biggest thing for us, especially for the project plan
13 on the calendar, is finding out about --

14 CHAIRPERSON NEUBERG: Excuse me. Can I
15 interrupt just for a second, because I'm processing
16 everything that you're saying, and it's wonderful
17 information. You guys have done this for so many
18 years. All the buzz words you're using, if you don't
19 mind just making sure that not only the Commissioners
20 but also the public understand the jargon, the language
21 that you're using, because it's not common for
22 everybody. And I apologize for interrupting.

23 MR. FLAHAN: That's no problem. Do you have a
24 specific spot you want me to elaborate more on?

25 COMMISSIONER MEHL: The special

1 socioeconomic -- what did you just say, you were
2 working on a report?

3 MR. FLAHAN: Oh, socioeconomic data report.
4 Doug, do you want to give a quick --

5 MR. JOHNSON: Sure, sure. So there is --
6 obviously we all know there is the census number that
7 gives us the equal population for each district number,
8 and we're waiting for that. That's the latest you all
9 know. But almost as important and key to defining
10 communities of interest is all the socioeconomic data,
11 things like age, language spoken at home, immigrant,
12 nonimmigrants, income levels, renters versus
13 homeowner-occupied housing, single family housing
14 versus multifamily housing, all of those kinds of
15 demographic variables that could go into defining a
16 community of interest. So we're well into building
17 that database for the whole state, and the report that
18 I mentioned would be a database that Commissioners and
19 any -- or, actually, a website that Commissioners and
20 any member of the public could go to and look and see
21 that data at the smallest level of geography that is
22 available from the Bureau throughout the whole state,
23 so we're close to having that finished up.

24 And, obviously, people can't -- can't draw a
25 district because they won't have the total population

1 number until we get that, but they can start to say
2 this is a community that should be kept together. If
3 they identify, say, their community as being an area
4 that speaks lots of Spanish or has lots of Native
5 American or whatever demographics they think helps
6 define their neighborhood, they could look at that and
7 see the boundaries of that demographic group.

8 COMMISSIONER LERNER: This is Commissioner
9 Lerner. To ask a follow-up: Where are you getting
10 that data at this point since August 15th is when we
11 get the census data? So if you could explain that as
12 well, please.

13 MR. JOHNSON: Yeah. It's -- the general
14 public is certainly not aware, but starting in 2010
15 that data no longer came from the decennial census, so
16 the census really just gives us our total population
17 number. It doesn't give us ethnic backgrounds of the
18 total population and voting age population. But in the
19 west, in the 9th Circuit jurisdiction, the data we use
20 the most for Voting Rights Act enforcement is citizen
21 voting age population, and that along with all these
22 other characteristics comes from the American Community
23 Survey, which is an annual survey that the Census
24 Bureau does and thankfully is not delayed, so we
25 actually already have all of that socioeconomic data

1 available from the Census Bureau.

2 COMMISSIONER LERNER: And this is a follow-up.
3 Thank you. Is that data available where the public can
4 look at it as well?

5 MR. JOHNSON: It will be. That's the --
6 that's the report that Mark is referring to is putting
7 that up in a -- in a site that's easily accessible.
8 Right now, yes, the public could go to the Census
9 Bureau website and download this giant zip file that's
10 full of numbers, but unless they kind of know what
11 they're looking at and have the software it's not going
12 to be any good to them, so that's where we come in with
13 Timmons to put that up and get it so anyone can look at
14 it and see it very clearly.

15 MR. FLAHAN: Thanks, Doug.

16 And then sort of last piece on our puzzle is,
17 you know, we're excited to hear what you guys are going
18 to do about the listening tour in the future, because
19 we will be there with you, and what the dates and what
20 that looks like. So that's where we're at with the
21 project right this second. I don't know if you guys
22 have any direct questions for us.

23 COMMISSIONER MEHL: This is Commissioner
24 Mehle. When we get to the public meetings can you
25 describe what your role will be and how much guidance

1 you'll give us on how we run these meetings?

2 MR. FLAHAN: You know, I think the technical
3 piece behind the scenes, we're still trying to work out
4 the logistics of it, especially with your staff and
5 with the legal team. But we will be there and we'll be
6 playing a part, but like I said the logistics is still
7 being worked out.

8 COMMISSIONER LERNER: So I know that executive
9 director sent you questions from the Commissioners that
10 we had about these things. Can you address some of
11 those things, or do you need us to go through them here
12 again?

13 MR. FLAHAN: Sure. Do you want me to just
14 give you guys a summary of what the questions are and
15 what the answers are? Do you want me to read them one
16 by one? I was actually unsure how you wanted to go
17 about that, whether you guys were going to ask us live
18 or not.

19 COMMISSIONER LERNER: Just if you can just
20 address -- from my perspective if you can address them
21 however is easiest for you, rather than have -- rather
22 than us repeat them now. And then if we have any
23 follow-ups we can always do that, but that would be
24 helpful, I think.

25 MR. FLAHAN: Sure. There is a lot of

1 questions about the listening tour and public, you
2 know, hearings and everything. For the listening tour,
3 you know, the biggest thing is getting the community
4 interest input back from the community, and that is all
5 about what communities should be kept together and why.
6 There is a couple of questions about how do we get
7 information and responses back from, you know,
8 communities that might be not as digital, and we really
9 think that, you know, we're ready to handle paper
10 submissions, but your PIO is going to have to be the
11 one who really works on that strategy.

12 And there is another question about how we can
13 help facilitate engaging the public. Doug, do you want
14 to give a quick answer on that?

15 MR. JOHNSON: Sure. I think one of the things
16 that we're hoping is with this kind of cutting edge
17 tool kit that we're putting together and putting all
18 this information out to the public that will really
19 help get that message across about why this issue
20 matters and to educate people on how they can
21 participate effectively in this process. It's one
22 thing to come and just say I like or dislike something
23 or tell the Commission to do this right; it's another
24 to come in prepared, informed, and able to provide,
25 especially in the listening tour, concrete community of

1 interest definitions that can then be translated into
2 maps. So that's the big educate and -- well, engage
3 and educate part is to hook them on these issues, this
4 issue matters, and then educate them on how they can be
5 a constructive part of the process.

6 And then the last part, of course, empowering,
7 is -- that's what the tools are all about is getting
8 them the information they need and then letting folks,
9 you know, not just broadly using words try to describe
10 their neighborhood, but actually draw their
11 neighborhood on a map and eventually actually draw
12 maps. There is nothing better than that someone comes
13 in and says, This map stinks, and be able to say to
14 them, Fix it. You know, don't just tell us why it's
15 bad; show us how to do it right. And that's the --
16 that's the heart of the empowerment piece, when people
17 hopefully will feel like they're contributing in the
18 process and not -- not just hollering from outside.

19 MR. FLAHAN: Okay. There is -- there is some
20 questions about -- about, you know, guidance on how to
21 submit comments for -- from the public and different
22 pieces of data that you guys wanted to collect from the
23 public, and we can help support that, but we really
24 think that you guys need to work with your PIO to come
25 up with what type of guidance that you want, what type

1 of data do you want to collect when somebody submits
2 something.

3 CHAIRPERSON NEUBERG: Can I ask a follow-up
4 question on this -- on this? That question is actually
5 tapping into Doug Johnson's experience of somebody who
6 has just been around the block for decades working with
7 people like us, and I'm just curious if you've learned
8 any best practices with what actually elicits
9 constructive feedback and what doesn't. I mean, you
10 know, I just want to kind of pick your brains, if you
11 don't mind.

12 MR. JOHNSON: Sure. Ivy as well has been
13 through this a couple of cycles now, and there is a
14 couple of things. Number one is giving people real
15 information and real guidance on how they can be
16 productive, so demonstrating the tools for them, making
17 it easy to get to the tools so that they can really
18 contribute.

19 And the other -- a big one is really we call
20 it trusted messenger. Any of you who worked on kind of
21 the Census -- 2020 Census outreach efforts or efforts
22 to try to get people to participate in the census, that
23 was what that was all about is these are weird kind of
24 esoteric issues. This is not, you know, is there a cop
25 on the beat or is my street paved. This is how people

1 are elected. So the best way to get people engaged is
2 really through -- through people they already trust and
3 listen to and to get those people forwarding the
4 message of this issue matters, you should show up for
5 this and participate.

6 And then giving, you know, fair due to
7 comments you get in. We saw one city, not one of our
8 clients, that put out a mapping tool but then didn't
9 post the maps and didn't show them to the public unless
10 the council members went through the file and
11 specifically asked for mapping to be posted. Of
12 course, they didn't get any maps after that first wave
13 because everyone thought they were being ignored. So
14 this is where the Timmons Group platform I think comes
15 in so handy. Everything will be public, everything
16 will be posted, and everyone can weigh in on whatever
17 maps they think are best, and that will make the people
18 participating feel like they're being taken seriously
19 and they're a real part of the process.

20 COMMISSIONER LERNER: So I have a follow-up on
21 all of that, and I think it's great to have as much
22 transparency as you're talking about. That's what
23 we've been wanting all along is a lot of that so the
24 public can be part of that. But how do we -- one of
25 the questions I think we had was how do we evaluate who

1 is commenting? How do we make sure that the people who
2 live in a community are the ones where we're really
3 listening to them versus somebody who lives in
4 Minnesota who has decided to get involved in some way
5 or lobbyists who are -- nothing wrong with lobbyists,
6 but, you know, we want to hear from the people who live
7 in the community as a priority. You know, those are
8 the people who are -- who we want to engage. So if
9 we're working with people in, you know, northeastern
10 Arizona we want to make sure their voices are -- are
11 heard. And while there'll be -- there will be lots of
12 other comments that are coming in, and so one of the
13 questions I know I wanted to get from you is how do we
14 evaluate the different maps that come in and the
15 testimony on communities of interest to be sure that
16 we're hearing the voices from the people who are most
17 directly impacted? What would you suggest?

18 MR. FLAHAN: You want me to take that one,
19 Doug, or do you want to take that one?

20 MR. JOHNSON: Either way. Go ahead.

21 MR. FLAHAN: I mean, I think a lot of it is --
22 is that, you know, you guys are going to have to figure
23 out and come up with what that looks like with your
24 legal team and then provide us some guidance on how you
25 guys see that fit.

1 Doug, do you have anything else to add to
2 that?

3 MR. JOHNSON: Yeah, just to bring it in
4 context, you know, the tools and the various things
5 that -- that will go up, we'll all have that capability
6 to ask what's your address, those kinds of things.
7 It's a legal question about whether you can exclude
8 people who aren't in the state or that kind of thing.

9 One thing actually that comes to mind was when
10 Mark and Ivy and I were prepping for today is I've
11 already gotten a question from someone that was
12 involved 10 years ago and actually 20 years ago asking
13 which software package do I need to buy to draw maps
14 and participate in this, because 10, 20 years ago you
15 had to buy this \$7,000 piece of software. And when I
16 came back and said, "No, the Commission chose the
17 Timmons proposal, which has this public mapping tool,"
18 they were so happy. It means this puts the mapping
19 ability in everyone's hands, not just the lobbyists who
20 can afford \$7,000 worth of software. So I think you've
21 already taken a big step towards bringing in people who
22 aren't just lobbyists. But in terms of asking people
23 to disclose things when they submit their maps or their
24 input, that's more of a legal question. We can
25 certainly --

1 COMMISSIONER LERNER: If I could just
2 follow-up. I guess I'm curious on what you've done in
3 the past because, as our chair said, you have a great
4 deal of experience so you've already run into these
5 same questions. That's -- that's where I'm coming
6 from, I guess, with my questions is can you talk a
7 little bit about your past experience of how have you
8 determined validity of maps and how have you made sure
9 that you're hearing -- listening to the people within
10 that community of interest. I would just -- it would
11 be helpful for me to hear some of your perspective
12 based on your past experience.

13 CHAIRPERSON NEUBERG: And let me interject
14 that we are not asking you to give us legal advice. We
15 understand the sensitive position you're in. We're
16 asking for personal best practices that are just what
17 they are, which is really subjective. And so we --
18 it's really because we value your experience and want
19 to learn. At least in terms of my approach to
20 listening to you now, it's to not hold anybody
21 accountable to anything. It's to have a brainstorming
22 session where Commissioners can ask questions, learn,
23 and just like when we released the initial travel
24 schedule and it was like blown up in 12 hours,
25 everything is flexible. This is really a learning

1 opportunity. So with that I turn it back to you.

2 MR. JOHNSON: Sure. Hopefully without giving
3 everyone here heart attacks, I can gently venture in
4 and say typically jurisdictions will accept input from
5 anyone. Wherever the best idea comes from, fantastic.
6 The real challenge is in evaluating and weighting those
7 decisions and that input. And, you know, it's fairly
8 natural and common and I presume fine for the
9 Commissioners to weigh the input on, you know, what are
10 the definitions of South Phoenix more on people who
11 live in South Phoenix than on someone from, as you
12 said, Minneapolis. So that is kind of a personal --
13 typically that's a personal decision by the people who
14 are sitting in your seats making ultimate decisions.
15 There is obviously data that, as I mentioned, that we
16 talked about so when someone tells you, Here's my
17 community of interest or here's my neighborhood and
18 what ties us together are X, Y and Z, the parts of that
19 that are databased, you know, like most of us speak
20 Spanish, you'll be able to look at the map, look at the
21 data -- you and everyone in the state will be able to
22 look at the map and look at the data and confirm that
23 that's really true or not about that area. And if what
24 they're saying doesn't match up with the data, either
25 they can explain it, or, you know, that can just raise

1 a question in your mind about are they really pushing
2 another agenda that they're trying to hide. Those are
3 questions that we're obviously not going to be the ones
4 deciding that, but we're the ones that are going to
5 provide you the data and the tools so that you can
6 easily evaluate these things and make your own
7 decisions.

8 Some things we talk about we can do, you know,
9 that are just straight math. You know, we'll give you
10 compactness scores. We'll be able to tell you is the
11 plan within the allowable population deviations. Once
12 we have kind of competitiveness metrics we'll be able
13 to give you the competitiveness scores. Those kinds of
14 things we can give you because they're not straight
15 math. They're not evaluating this plan is better than
16 that plan. We'll leave that in your hands.

17 Does that help? Is that what you're looking
18 for?

19 COMMISSIONER LERNER: I think so. I mean, it
20 would be great to get as much guidance as we can from
21 you on things like how you've done public hearings in
22 the past and how you've done some of those evaluations,
23 just knowing that that's just guidance from you, not
24 telling us this is how we have to do it. But because
25 you have so much experience in this, rather than us

1 have to reinvent the wheel that's -- I think that's
2 from my perspective what I'm asking for is that
3 guidance with taking your experience and saying, So
4 here -- here are two or three ways you could evaluate
5 these maps. Here are two or three ways for us to run
6 these public meetings. And then we as a Commission
7 could make those decisions that you've done all of
8 these things, so that's -- that's where I'm coming from
9 with my questions.

10 MR. JOHNSON: Sure.

11 CHAIRPERSON NEUBERG: You know, I think this
12 is a healthy conversation because, you know, the only
13 conversations that really happen outside of what we
14 collectively do in public is our staff works together,
15 and so I think our collective team, our collective
16 staff, is hearing what's on the minds of the
17 Commissioners, and that is that we are thirsty for
18 learning best practices from the mapping team we hired,
19 which is a good thing.

20 COMMISSIONER LERNER: Just as a follow-up,
21 then, can you give an idea of how you in the past have
22 held your public hearings or how other states have done
23 that or cities as you've done that, maybe just in terms
24 of a structure or format?

25 MS. BELLER SAKANSKY: I can answer that

1 question, or I can certainly start to. As far as
2 running public hearings in the past, this first
3 listening tour hearing we had imagined it to be an
4 introduction, of course, to the Voting Rights Act and
5 the Constitutional requirements, a brief definition of
6 what redistricting is and how people can help us in the
7 process by their active participation, and -- and so
8 forth.

9 Doug?

10 MR. JOHNSON: Yeah, I think that's exactly
11 right, and essentially some introductions, some
12 framing, and then just listening.

13 The other piece of it, and as you mentioned
14 we're working closely with your staff and with Esri to
15 get the tools up and running, and the other piece of it
16 is obviously you will have the mapping tools live so
17 people can actually describe their community of
18 interest, and we'll show it on the map as they describe
19 it and get their confirmation there. We don't have
20 those tools up and running yet. There is a lot of
21 work, set-up work, to get those up and running, but
22 that will be kind of the interactive part of the
23 discussion. And then listening obviously gets a lot
24 more intense once the data is out and we're actually in
25 the phase where you're evaluating, getting public input

1 on the draft maps. At this stage we're really just
2 listening and hopefully hearing from folks of what
3 other -- the neighborhoods that are the building blocks
4 that will eventually become the districts.

5 MS. BELLER SAKANSKY: We will receive much
6 greater significant level of input once we start
7 presenting draft maps. We may initially have a reduced
8 level of participation. We're early in the process.

9 CHAIRPERSON NEUBERG: Yes, we are early in the
10 process. We're all just getting everything put in
11 place. It's exciting.

12 COMMISSIONER MEHL: This is Commissioner
13 Mehle. I have a question for Doug.

14 When we actually get to the public hearings
15 and people are giving their input will there be a
16 way -- I'm trying to think of how we manage the process
17 to get the best information in a reasonable amount of
18 time. Will you be able to help Brian and help our
19 team, the remainder of the team, so that people can
20 give input and can -- if someone speaks and 30 people
21 in the audience agree with what they're saying and 10
22 people violently disagree with what they're saying, is
23 is there a way for people to give input? Are there
24 tools that you can help us with that will make it where
25 we can really get a more widespread understanding of

1 what people are thinking?

2 MR. JOHNSON: Yes, definitely. And one thing
3 I think we'll emphasize as this goes on and as we have
4 more of the system set up is residents should
5 definitely not feel limited to sharing their thoughts
6 to your meetings. There will be tons of ways for
7 people to weigh in and share their opinions on, you
8 know, what our communities of interest in the first
9 phase and what's good and bad about the maps in the
10 second phase, every single day online, you know,
11 however they want to share it, because, you know,
12 weighing in on these maps is not limited to those just
13 who have the time to show up at your meetings. So
14 obviously we'll be collecting all of that. That will
15 all be part of the record and before you as you're
16 hearing from the folks at live meetings, too.

17 Yes, I think there are -- since we don't have
18 things finalized and up and running yet I don't have
19 specifics to share with you, but there are different
20 tools for capturing that. Sometimes some jurisdictions
21 do something that -- which is you let people group
22 their time, if there is 20 people there and -- from a
23 group and everyone has two minutes to speak or you let
24 them all give their time to one person so that they
25 give a more organized presentation. Some jurisdictions

1 love to do that; some don't love to do that. I would
2 say it's about half do that and half don't. But that's
3 a way, too, to get organized groups to have a more
4 coherent presentation to you. And the smart ones know
5 that anyone who speaks to you for 30 or 40 minutes is
6 going to lose everyone's attention, so even though they
7 might have 40 minutes to themselves they will generally
8 limit themselves to ten minutes or something like that.
9 But there is an administrative side of that, and some
10 jurisdictions don't do that, so that's one of those
11 approaches.

12 And then, of course, you know, we have
13 surveying -- I remember in San Diego I saw in 2011 the
14 most innovative approach from the public was instead of
15 signs to listen in public they had iPads, and depending
16 on how the meeting went they would switch the message
17 on the iPad for whatever sign the audience held up,
18 "yes" or "no" or "keep our neighborhood together." So
19 you would actually see interactive sign-making from the
20 audience and participation. So people -- people
21 certainly share their thoughts. We'll certainly be
22 ready to capture it. We're just not at the stage now
23 to say this is exactly how we'll do it.

24 COMMISSIONER MEHL: And as a follow-up to
25 that, how do you summarize and help us -- because let's

1 assume we're very effective in getting public input,
2 and so you have public input from people in person and
3 all these different ways of them submitting comments.
4 How do you help us read through that and understand it?

5 MR. JOHNSON: We mentioned a little bit of the
6 reports that we can present to you, you know,
7 compactness, population balance. Other things that
8 will be more substantive I think would be like city
9 split reports, so you'll have listings of which maps
10 split how many cities and counties and that kind of
11 thing. How -- we can probably work out some reports
12 that report on which map is key for which communities
13 of interest intact once we've kind of got those
14 identified. Mark is nodding. That's good, so I'm not
15 speaking too far out of school.

16 So we can do a lot of that. Ultimately,
17 though, it does come down to the Commissioners, you
18 know, deciding which input you give the most weight to,
19 and one of the things that you'll hear us talk about
20 constantly is reminding the public that it's not -- the
21 winner in that, in persuading the Commission, is not
22 the person that has more people raise their hands in
23 the audience. That's useful. That gives a little bit
24 of weight to it. But the winner in this is the best
25 idea and ultimately who has the most useful way or --

1 or what's the best way of meeting the statutory
2 criteria. So even if only one person supports it, a
3 given idea or map, that could be the map that the
4 Commission feels best meets the statutory criteria. So
5 I guess that's a challenge is we will give whatever
6 reports and summaries we can. We'll make it really
7 easy for you and the public to compare maps and to
8 weigh, you know, is splitting this town more in line
9 with the communities of interest than splitting that
10 town if we have to split one of them. But ultimately
11 we're not going to be the ones telling you, Here is the
12 best map. That will be the Commissioners picking on
13 which map you think best meets the requirements.

14 COMMISSIONER MEHL: Thank you.

15 COMMISSIONER LERNER: This is Commissioner
16 Lerner. I want to thank you about that comment just
17 now that you said about a numbers game because I do
18 have a little bit of concern about packing the public
19 meetings where you have people who come in and take
20 over a meeting, because we've been seeing that at
21 school boards nowadays in Arizona, so I worry a little
22 bit about that. We want to make sure we hear from
23 everybody, so we'll just have to be I think as a
24 Commission really careful to be sure that if people
25 couldn't get into a meeting that are in the hallway or

1 wherever they are they're still getting heard, and the
2 fact that we're going to look at the best maps, not the
3 one that just gets the most votes, to avoid something
4 like that, so I appreciate your comments on that.

5 CHAIRPERSON NEUBERG: You know, this actually
6 touches upon conceptually a question that I have, so if
7 you don't mind I'll ask it now, given it's
8 connectedness. I would like to again ask best
9 practices. I'm not asking for legal advice or policy
10 decision-making advice. I'm just curious about your
11 experience how to handle social media. It can create
12 echo -- it's a huge source of information, and it can
13 dramatically distort accurate data because it can
14 create echo chambers, and so we're wanting to
15 understand as empirically, you know, the base reality
16 of our state as possible any best practices about how
17 to sift through social media feedback and take
18 advantage of what it offers and mitigate the -- the
19 damage that it could do.

20 MR. JOHNSON: Yeah.

21 MR. FLAHAN: It's an interesting question.

22 MR. JOHNSON: Yeah, as Mark said, a lot of
23 this -- a lot of this is done in PIO as well, but
24 really, you know, just going from our work in recent
25 projects we focus on social media as an outgoing

1 communication channel. We don't try to monitor and
2 evaluate comments coming in on social media, and we try
3 to drive incoming thoughts to the official channels.
4 Whatever way that gets set up for people to share their
5 thoughts, people need to do that. You know, I think
6 social media is social media. You know, it's the
7 benefit and the curse of the modern -- of the current
8 political era, but I think that just purely people may
9 have other ideas and might have innovative solutions,
10 but I think primarily how projects have dealt with it
11 is to look at social media as an outgoing communication
12 channel, not as an incoming one.

13 CHAIRPERSON NEUBERG: Thank you for that
14 clarification. What I'm really hearing is we use it to
15 our advantage, and this gives me reassurance that it's
16 a great source of information for us to learn from,
17 and, okay, terrific.

18 MR. FLAHAN: And I think the tally on the tail
19 on that piece is that, you know, the last Commission --
20 social media has changed in the last ten years, also,
21 but I think Doug is exactly right on the social media
22 piece.

23 CHAIRPERSON NEUBERG: I have another question
24 but I don't want to hog it. I can turn it over to my
25 fellow Commissioners first. Anybody else have other

1 questions?

2 COMMISSIONER LERNER: Well, I just have one
3 more, but I feel like I'm hogging it, too, so --

4 CHAIRPERSON NEUBERG: It's okay. You go.

5 COMMISSIONER LERNER: I would like to know
6 sort of when we're talking best practices what lessons
7 have you learned as you've done your work in
8 communities? What are some -- some things you can
9 guide us on, things you feel have worked really
10 effectively and some things you say, This wasn't our
11 best -- not your best approach, but it wasn't the best
12 approach, so we can avoid especially the latter part
13 of -- of those.

14 MR. JOHNSON: Yeah, couple of things come to
15 mind. One is don't rely on your minutes to get the
16 word out, you know, with -- one of the key things is
17 just the inclination is always in every organization to
18 focus on the people who are in the audience at the
19 hearing, but, you know, even if you have a thousand
20 people in the hearing, you know, there is millions of
21 people in the state. You're still going to have a tiny
22 population. So one of the biggest challenges for
23 people trying to follow redistricting is knowing what
24 happened at your meetings. Your meetings are going to
25 be hours long. Most Arizonans don't have hours to sit

1 there and watch a meeting, so a quick summary available
2 of what decisions the Commission made, you know, either
3 that day or the next day going out on social media,
4 really, and on the Commission's website is invaluable
5 for folks that are trying to stay involved, that are
6 sharing their thoughts through the website and through
7 the communication channels with you and want to weigh
8 in and be active but don't have time to, you know,
9 spend all day in your meeting. And your minutes, you
10 know, don't go public until they're approved at the
11 next meeting, so anyone following your minutes is going
12 to be a meeting behind, and that's essentially out of
13 the game when you get close to the deadline. So -- so
14 that's the big thing is having kind of some kind of
15 summary. We actually -- on the institute side of like
16 past in 2011 we actually had the students live tweeting
17 the meetings, just very neutral, you know, this group
18 said this. The Commission voted this. You know, boom,
19 boom, boom. And that was insanely popular because
20 anyone could log in halfway through the meetings and in
21 five minutes know everything that happened so far or
22 could check in the next day and see what decisions had
23 been made and what maps were forwarded and what maps
24 weren't. So I think that's a big lesson learned and
25 kind of we learned this the hard way, you know, getting

1 the word out to the people who weren't in your meeting
2 so that they can stay engaged and informed on a timely
3 manner is a big lesson learned.

4 And then, yeah, as some of you were mentioning
5 earlier avoiding the group think of people in the room,
6 you know, remembering that we're looking for the best
7 idea, not the one with the most hands raised, and
8 certainly not the loudest group. One of my -- one of
9 my favorite meetings ever was a community workshop that
10 actually we were leading and didn't even have the -- it
11 was a city, so didn't have the city council there, and
12 two people started yelling at each other because they
13 didn't like each other. And I simply said, "Look, I'm
14 writing up a report from this hearing. All that the
15 council is going to see is my report, and it's only
16 going to have substance. You two yelling at each other
17 is not going in my report so you're just wasting your
18 own time. Why don't you guys go outside." And both of
19 them realized the pointlessness of it and got back to
20 focusing on what was the best idea, not who was the
21 loudest in the room kind of thing. So that kind of --
22 those kinds of messages are good, but keep everyone
23 informed in a timely manner who is not there and keep
24 people focused on the substance.

25 COMMISSIONER LERNER: Thank you.

1 CHAIRPERSON NEUBERG: This really fits, I
2 think, with what we collectively have been looking for.
3 I have one final question, and then I'll turn it over
4 to others for other final questions, and this may bleed
5 into our executive director's report following.

6 When should the Commissioners expect to be the
7 busiest? I mean, when you think about now and, you
8 know, thank you for being so considerate in your
9 proposal to the unique timelines of the Commissioners.
10 We're in a different phase, we have different data, and
11 so now we're coming up with a whole new timeline. Can
12 you share with the Commissioners when you expect the
13 work to be the busiest just -- and roughly. Again,
14 no -- we're not holding you to anything, but just a
15 broad overview of the ebbs and flows with the workload.

16 MR. JOHNSON: I think you'll spend a lot of
17 time on the road through the listening tour, but there
18 is not a lot of work for you to be doing, you know.
19 It's -- it's listening and reading stuff that comes in,
20 but there is no decisions to be made at that point. I
21 think the busiest time for you will be once the grid is
22 done and we're getting into actual substantive maps,
23 and really in between when the -- essentially the
24 agenda packet comes out and the meeting, because as we
25 chatted about there will be lots of reports from the

1 system. You'll probably want to get on the -- online
2 and look at the maps yourselves and come to your
3 thoughts. And there will be, of course, a ton of
4 public input that you'll want to read before the
5 meetings. The worst thing you can do is not read the
6 public input that comes in online because then everyone
7 feels like they need to show up at your meeting and
8 repeat to you what they wrote, so the best way to save
9 time in your public meeting is to have read what came
10 in online beforehand so people don't feel like they
11 have to read to you what they already wrote.

12 So that's really the intensive period.
13 Every -- I envision, and as you talk about this this is
14 all kind of going from best practices. This is a
15 unique experience, so none of this is decided, but I
16 envision that there will be ways the Commission will
17 have had a meeting and weigh in on their thoughts on
18 the maps at a given stage. There will be time for the
19 public to react to that, and then we'll gather that
20 public input and present it to you leading up to
21 another meeting, and our presentation on that will go
22 online, you know, a couple of days before the meeting.
23 So that window from when we gather that public input
24 and get it together for you and the public to review
25 and the meeting itself is going to be, you know,

1 full-time Commission work to go through everything and
2 be fully up to speed as far as that upcoming meeting.

3 CHAIRPERSON NEUBERG: Okay. Thank you.

4 And as a follow-up to that, more to Director
5 Schmitt, I think in the upcoming weeks as we get more
6 organized is to be able for us as Commissioners to plan
7 in the fall and even up through the holiday season just
8 to expect what weeks are going to be the most demanding
9 so we can accommodate that. And I know the audio is a
10 little off right now. I apologize if people are having
11 trouble hearing. But that's something on my mind, just
12 for the five of us to be -- and not just the five of
13 us, the whole -- the public as well, to be thoughtful
14 about which weeks in the next let's say six months plus
15 we should be prepared to be laser focused to have this
16 be a dominant part of our life.

17 MR. SCHMITT: Absolutely, Madam Chair. And I
18 have been working on a timeline of the previous two
19 Commissions and their meetings to give you all kind of
20 a better idea of what their schedule was.

21 CHAIRPERSON NEUBERG: Okay, great. Thank you.

22 Any other questions of our -- of our mapping
23 team?

24 Thank you. I mean, we're excited to have you
25 as part of the team, and the fact that we asked you so

1 many best practice questions only speaks to, you know,
2 the extent to which we appreciate your expertise and
3 welcome your involvement in helping us do the best job
4 that we can, you know, this iteration, the third
5 iteration, of the redistricting process in Arizona, and
6 we look forward to many more opportunities to be
7 exchanging, you know, thoughts and information.

8 MR. FLAHAN: Well, thank you very much. We
9 appreciate the time to come here and answer your guys's
10 questions. They're very thoughtful.

11 MR. JOHNSON: We'll be talking a lot.

12 CHAIRPERSON NEUBERG: Yes. Thank you.

13 Okay. With that I believe we can move to
14 Agenda Item No. VI, executive director's report and
15 discussion thereof, and I can turn it over to Director
16 Schmitt.

17 MR. SCHMITT: Thank you, Madam Chair. With
18 our current office space we are about halfway moved out
19 of there. We're a few days ahead of schedule, so
20 hoping to complete the move by Friday. Just waiting on
21 a few IT pieces and a little bit more build-out, but we
22 should be in the space by the end of the week.

23 With the budget, the legislature is still
24 negotiating. They're kind of at a standstill right
25 now, but we're keeping an eye on that and will keep you

1 guys apprised of any movement.

2 With our budget we have about \$430,000 left in
3 this fiscal year. We did just get a couple invoices
4 that I shared with you all.

5 And then in regards to IT, we're still trying
6 to find a vendor that can really help us make sure we
7 do this migration the right way. It's kind of -- the
8 state, all but two agencies are in Google, Google's
9 platform. The AG's office is one that's on Microsoft,
10 but they have a whole inhouse IT team that helps them.
11 The ACA is one of the others that is on Microsoft.
12 They actually have a contract that's already in place
13 with an IT vendor, so we're going to look in to see if
14 we can piggyback on that contract instead of having to
15 do an RFQ or RFP, so that's where we're at on the IT
16 side.

17 And then with the public --

18 CHAIRPERSON NEUBERG: Director Schmitt --

19 MR. SCHMITT: Sure.

20 CHAIRPERSON NEUBERG: -- do you mind just the
21 acronyms for the public? We've -- we have learned what
22 RFP is, but, I mean, if you don't mind just clarifying
23 for everybody the jargon. I apologize. Okay.

24 MR. SCHMITT: No worries. So RFP is a Request
25 for Proposal. It's what we went through with the

1 mapping consultant. It takes quite a bit more time.
2 It's a much more lengthy process, so if we're able to
3 find an IT vendor that already has a state contract it
4 will save us a lot of time.

5 And then, excuse me, the last item on this --
6 on Item VI is a public records request online
7 submission form. We're fine-tuning that just a little
8 bit. We've been working with IT to get that up. There
9 is just a few small changes we need to implement before
10 it goes live, but it should be up shortly.

11 COMMISSIONER LERNER: Brian, could you speak
12 to the FTE positions? What's the status of the
13 positions that are advertised and where are you with
14 that?

15 MR. SCHMITT: Sure. So the -- the outreach
16 coordinator and deputy are currently posted. We've
17 had -- let me pull up the number. I didn't -- I
18 haven't looked at any of the resumes yet, but for
19 community outreach we've had 56 applicants and for
20 deputy we've had 28. HR is getting me the -- kind of
21 the packet that we got before with the other
22 applicants, so as soon as I get that I'll forward it on
23 to you all.

24 CHAIRPERSON NEUBERG: From my perspective the
25 most important question is just taking advantage of

1 every dollar allocated to us in this fiscal year to
2 make sure we don't leave anything on the table. How
3 are you feeling we're doing along that, you know, goal
4 in mind?

5 MR. SCHMITT: We will -- we will use about
6 every dollar that was allocated. We're working with
7 Timmons to front load some of the cost of the software
8 so that should -- that should make sure that we don't
9 lose any of the funds that we -- that we were
10 allocated.

11 CHAIRPERSON NEUBERG: Okay.

12 MR. SCHMITT: So the only item that I may need
13 action on is the invoices. I know you all just
14 received them. We all just received them yesterday,
15 but I do need the authority to pay those.

16 CHAIRPERSON NEUBERG: I will entertain to my
17 colleagues a motion to pay our invoices. And, of
18 course, I begin if there is any discussion.

19 Do I have a motion to pay our bills for our
20 legal team, our staff, and the services that we have
21 employed?

22 VICE CHAIR WATCHMAN: Madam Chair, this is
23 Vice Chair Watchman. I motion to approve -- I think
24 there is two invoices from the two offices, if I'm not
25 mistaken, but maybe Brian can tell us what the amount

1 is and that way I can put that in my motion.

2 MR. SCHMITT: Pull up the -- for Snell &
3 Wilmer, it's \$160,712.50, and for Ballard Spahr it's
4 \$119,207, excuse me, and fifty cents.

5 VICE CHAIR WATCHMAN: So, Madam Chair, that's
6 my motion, to approve those two invoices for 160 plus
7 and 119,000.

8 CHAIRPERSON NEUBERG: Do I have a second?

9 COMMISSIONER MEHL: I'll second the motion.

10 CHAIRPERSON NEUBERG: Any further discussion?
11 Okay. With that we'll do a vote.

12 Vice Chair Watchman.

13 VICE CHAIR WATCHMAN: Aye.

14 CHAIRPERSON NEUBERG: Commissioner Mehl.

15 COMMISSIONER MEHL: Aye.

16 CHAIRPERSON NEUBERG: Commissioner Lerner.

17 COMMISSIONER LERNER: Aye.

18 CHAIRPERSON NEUBERG: Commissioner York.

19 COMMISSIONER YORK: Aye.

20 CHAIRPERSON NEUBERG: Commissioner Neuberg is
21 an aye.

22 And with that we approve paying the invoices
23 for our attorneys.

24 MR. SCHMITT: Thank you, Madam Chair.

25 CHAIRPERSON NEUBERG: Thank you. Anything

1 else?

2 VICE CHAIR WATCHMAN: Madam Chair, this is
3 Vice Chair Watchman. On the two positions that we're
4 advertising, our directors have 56 applicants with
5 outreach coordinator and 28 for the deputy. At what
6 point are you going to cut that off and start making a
7 decision and start scheduling interviews and, of
8 course, taking feedback from us as a Commission? You
9 have a plan on that?

10 CHAIRPERSON NEUBERG: Let me ask a question,
11 and I can defer to Vice Chair Watchman and Director
12 Schmitt. This is leading into Agenda Item No. IX,
13 which is discussion of these positions. We can
14 certainly -- we have the discretion to move into this
15 agenda item if everybody would like to.

16 VICE CHAIR WATCHMAN: We can wait. We can
17 wait for Agenda Item IX. That's fine.

18 CHAIRPERSON NEUBERG: Okay. Any other
19 conversation on Agenda Item No. VI with what Director
20 Schmitt has shared with us?

21 With that we will move to Agenda Item No. VII,
22 discussion and possible action on proposed revised
23 travel schedule.

24 Director Schmitt, would you like to give an
25 update?

1 MR. SCHMITT: Sure. Absolutely, Madam Chair.

2 As you said, last week's schedule is really
3 just trying to elicit response from the public and the
4 Commission to see what ideas everyone had for these
5 public hearings. After hearing from the public and the
6 Commission we worked on a schedule. It's still very
7 tentative that we're going to work to -- let me present
8 it.

9 All right. So with the updated public hearing
10 schedule we're going to try and hit every county and
11 also try and do satellite locations so people don't
12 have to drive as far. There is just a ton of logistics
13 that will go into this so I don't want to put dates out
14 to get anybody worried that they're going to be next
15 week. We'll give at least two weeks' notice. But I
16 want to make sure that we have all the logistics in
17 place before really announcing the dates and people
18 making plans around them. I'll just run through these
19 really quickly. If you have any questions, please ask.

20 In Apache, we would like to do the main
21 meeting in Window Rock. We have to work through that
22 because currently the Navajo Nation is closed. So
23 that's one of the logistics we're running into. And
24 then having satellite locations in St. Johns and
25 Alpine.

1 In Coconino we would do the main hub in
2 Flagstaff and then do satellite locations in Tuba City
3 and Page. Chairman Ryan from the Board of Supervisors
4 up there reached out and offered help, so we will be
5 taking them up on that offer.

6 For Gila we are going to have the main
7 location in Payson and then satellite locations in
8 Globe and San Carlos.

9 Graham-Greenlee, the main located will be in
10 Safford and satellite location in Clifton.

11 In Maricopa, we are going to try and do three
12 different days, one Saturday, one Sunday, and one
13 night, and split it into east, west, and central.

14 In Mojave, planning Kingman as the main
15 location and then Bullhead City and Lake Havasu as
16 satellite locations.

17 In Navajo County, main location in Show Low,
18 satellite in Holbrook and Kayenta.

19 In Pima, we envision doing two on a Saturday
20 and Sunday, one in the north and one in the south.
21 Mayor Romero reached out last night and offered help in
22 setting up these meetings so we'll continue to have
23 conversations with them. And then also one of the days
24 having a satellite location in Sells.

25 In Pinal the main location would be in Casa

1 Grande, and the satellite location would be in Sacaton
2 and Winkelman.

3 In Santa Cruz and Cochise, the main location
4 would be Nogales, and then Benson, Sierra Vista, and
5 Douglas would be satellites.

6 In Yavapai, Prescott would be the main hub,
7 and then satellite locations would be Cottonwood and
8 Sedona.

9 And then Yuma, La Paz, main location would be
10 in Yuma, and the satellite would be in Parker and San
11 Luis.

12 Again, we are still working through the
13 logistics of all of this. The satellite locations are
14 aspirational at this point. We have to lock down the
15 main locations before adding those on. But if we're
16 good with the direction then we can start planning and
17 nailing down the details.

18 COMMISSIONER MEHL: This is Commissioner
19 Mehle. Brian, a lot of the public comments and a lot
20 of the things I've been hearing have been people
21 wondering when we really would be starting this, so
22 even though we don't have exact dates yet I think
23 giving just a general idea of what the earliest meeting
24 would be would be very helpful for the public.

25 MR. SCHMITT: Sure. I think mid-July, mid to

1 late July. It's just also working with some of these
2 different locations, and they're still coming out of
3 COVID restrictions, and so it's just figuring out all
4 the logistics, but mid-July.

5 COMMISSIONER MEHL: I think that's so cool and
6 should take some of the angst away people have had and
7 certainly gives us more time to prepare properly.
8 Thank you.

9 MR. SCHMITT: Sure.

10 COMMISSIONER LERNER: And, Brian, the work
11 that you're doing with the satellite locations, would
12 you also anticipate having a digital format, a virtual
13 format so -- because that might assist in terms of
14 satellites that people can dial in, you know, call in
15 this way and then sign up to speak through the chat or
16 some other way so we could have that virtual component.
17 Are you anticipating that as well?

18 MR. SCHMITT: Yeah. We're still working
19 through the logistics of the virtual aspect of this,
20 but it's something we're definitely considering and
21 looking into.

22 COMMISSIONER MEHL: Will we as Commissioners
23 be able to attend by Zoom if we're not able to attend
24 in person on some of the meetings?

25 MR. SCHMITT: Yes. I will make sure if you're

1 not able to attend in person that between calling in or
2 doing -- being there via Zoom or video conference
3 you'll be able to participate.

4 COMMISSIONER LERNER: So this is a great start
5 in terms of just kind of giving an outline in terms of
6 the locations and what you're thinking, so I assume by
7 next week you might have a better idea of some of these
8 places since I know we have received some invitations
9 from some folks who are able to host, which is great,
10 and it can help maybe start to solidify that this is a
11 good start, just to give people a sense. And for those
12 who have watched over the past years, this is very
13 similar to what happened the last time. That works
14 really nicely, so thank you.

15 VICE CHAIR WATCHMAN: Madam Chair -- thank
16 you, Brian. Thank you for the schedule. Could you run
17 through what you call it, run a show, kind of your
18 agenda for this listening tour? I know you mentioned
19 that in one of the emails so maybe you can share that
20 with us. I know he's refined it, but tell us what
21 you're thinking on that.

22 MR. SCHMITT: So for run a show we were
23 thinking of combining the legal presentation with --
24 with the presentation from the mapping consultants as
25 well, so like Doug said we can explain what information

1 would be most helpful for you all to get at these
2 meetings and then open it up to those public comments.
3 Previous -- the previous Commission, they allowed
4 between two and five minutes at the initial hearings
5 for folks to give their feedback and input.

6 COMMISSIONER LERNER: My suggestion would be
7 to try to limit that to maybe three minutes, because
8 depending on numbers in some places we may not get many
9 people, but if we have 100 people, which would be
10 great, we might want to do a little bit of limiting,
11 knowing people can still submit in other ways, so not
12 trying to stop people from providing input, but just
13 try to give every voice -- everybody a voice.

14 MR. SCHMITT: Yeah, and even if someone
15 doesn't necessarily want to speak they could still, if
16 they want to, come to a meeting and turn in a card with
17 their input. We're going to make sure that everybody
18 can participate if they want.

19 CHAIRPERSON NEUBERG: That's actually an
20 important question. What if there is too much demand?
21 I mean, you know, there is a quantity of time. You
22 know, what do you do if there is more demand than we
23 can accommodate? We provide other -- other means
24 through which people can share information, I guess. I
25 mean, it's hard to judge how the interest is going to

1 compare, you know, versus the previous decades.

2 COMMISSIONER LERNER: Just as another
3 suggestion, it helps to have a staff person sort
4 through cards as well to ensure that we're hearing a
5 diversity of opinion so that we don't have -- if we do
6 get a lot of folks with one opinion we are sure that
7 the those that may have fewer with different opinions
8 are also heard, however that works. But to sort out to
9 make sure that we're getting all sides.

10 MR. SCHMITT: Absolutely.

11 CHAIRPERSON NEUBERG: Anything else on the
12 travel schedule?

13 Well, we look forward to the next step, and I
14 think we look forward to meeting each other.

15 We will move forward to Agenda Item No. VIII,
16 discussion and possible action on stock IRC
17 presentation for public use.

18 We began to touch upon this with our
19 conversation with our mapping team, but I open it up to
20 additional conversation from my colleagues.

21 COMMISSIONER LERNER: Do we have a draft of
22 something that we can react to? Because that would be
23 helpful.

24 CHAIRPERSON NEUBERG: There was -- there was a
25 draft that was sent.

1 Director Schmitt, maybe you can remind me when
2 the draft was sent.

3 MR. SCHMITT: Last Monday, I believe. So that
4 was the initial legal presentation. Timmons and NDC is
5 now -- they're going over it from a mapping consultant
6 perspective.

7 CHAIRPERSON NEUBERG: Anything that's on the
8 mind of our Commissioners that you feel would be
9 important, you know, to have as part of this
10 presentation? Personally, you know, I want to be
11 careful, but one slide that I thought might be helpful
12 was alluding to the Constitutional criteria and what
13 our legal obligations are in terms of considering all
14 six criteria and how they are differentially
15 considered, just as a way to, you know, articulate to
16 the community that it's something we're studying. But
17 if there are other thoughts of Commissioners what's on
18 your mind that you feel -- you know, we got again some
19 great advice from mapping, which we wanted, but if
20 there is additional feedback from anybody.

21 COMMISSIONER LERNER: Well, I will agree. I
22 did look at that -- the draft, and there was -- on one
23 of the early slides there was something that was a
24 brief summary of the Constitutional provision, and I
25 had looked at what was the provision -- I don't know

1 how to describe this. What people were signing, right,
2 when they were saying -- and what was listed in the
3 voting guide about what the provision would be for the
4 proposition, and it might be good to include that
5 statement. I'm trying to find it on my computer
6 because I have it somewhere. But -- but there was
7 something not included in there. I'll find it and
8 submit that later. But it was basically to include the
9 provision that was for Prop 106. It was something that
10 people were signing. And it included competitiveness
11 in that, but in the slide that I saw that was excluded,
12 so I wanted to be sure we were including the entire
13 statement, if that's -- that was taken out. And I'll
14 try to find that and be sure to send it over to Brian
15 for that particular slide. I know that's probably not
16 making any sense.

17 CHAIRPERSON NEUBERG: No, no, it made sense to
18 me, actually. Thank you. Made perfect sense.

19 My only final comment has to do with directing
20 staff, which is to incorporate the best practice
21 advice, knowledge, you know, that we can glean from our
22 mapping consultants.

23 COMMISSIONER MEHL: So are we to then expect
24 to see a revised draft in the next week or two that we
25 will then react to?

1 MR. SCHMITT: Yes, yeah. I'll get the updated
2 one from the mapping consultants and then share it with
3 you all.

4 COMMISSIONER LERNER: So do you think we'll
5 have that by next week to be able to start looking at
6 again?

7 MR. SCHMITT: I'll -- I'll find out. I will
8 try.

9 CHAIRPERSON NEUBERG: Yeah, it sounds like the
10 Commissioners have an interest in looking at this stock
11 presentation. It is a reflection of us. It's a
12 reflection of our team. It's a reflection of the
13 philosophy, the context through which we feel like
14 we're embracing this task. So I do -- you know, I'm
15 comforted that my Commissioners would like to take a
16 real look at this, and I do, too, so thank you. And
17 I'm -- and I'm glad that it's going to be the synthesis
18 of multiple minds and multiple, you know, team members,
19 so I think that's fabulous.

20 Any other conversation on Agenda Item VIII,
21 which is our stock IRC presentation for public use?

22 With that, we will move to Agenda Item No. IX,
23 discussion and possible action on community outreach
24 coordinator and other potential hires, including duties
25 of all IRC staff positions. That will be led by

1 Director Schmitt. I do want to be sensitive if anybody
2 wants a break before we move into this item, or if we
3 would like to plow through. I am open.

4 VICE CHAIR WATCHMAN: I could go for a break,
5 Madam Chair. I need a break.

6 CHAIRPERSON NEUBERG: Okay. How about we take
7 a five-minute break, and we will reconvene at 9:25 with
8 Agenda Item No. IX.

9 VICE CHAIR WATCHMAN: Thank you.

10 CHAIRPERSON NEUBERG: We'll see you in five.

11 (Recess taken.)

12 CHAIRPERSON NEUBERG: Okay. I believe I see
13 our entire team. I want to make sure our counsel is
14 also live. Okay, cool.

15 Brian, you good with us moving forward?

16 MR. SCHMITT: Yep.

17 CHAIRPERSON NEUBERG: Okay. We'll dive right
18 back into the agenda, I believe, and sometimes I am
19 mistaken, so you can correct me. I believe we are on
20 Agenda Item No. IX, which is discussion and possible
21 action on community outreach coordinator and other
22 potential hires, including duties of all IRC staff
23 positions. With that I'll turn it over to Director
24 Schmitt to share some updates.

25 MR. SCHMITT: Thank you, Madam Chair.

1 So so far we have received 28 applications for
2 the deputy position and 56 for the outreach
3 coordinator. HR, like I said earlier, is going to send
4 over a packet like they have in the past. As soon as I
5 have that I will share it with all of you. I am
6 probably going to start to go through them if I get
7 them this afternoon or tomorrow, and then hopefully
8 move forward with interviews end of the week, early
9 next week. That's kind of my game plan at the moment.

10 CHAIRPERSON NEUBERG: I think one of my most
11 important questions is just do you feel that there is
12 ample time to get your full staff up and running in
13 time for the listening tour? And I know that there has
14 just been a tremendous amount of responsibility kind of
15 all coming appropriately to you in integrating this
16 broad team. Are you feeling comfortable that the
17 broader staff will be able to come together at the
18 right moment? And related to that is there anything we
19 can do to try to help you make that happen?

20 MR. SCHMITT: Timing is definitely a factor at
21 this point. Even if we found the perfect candidate
22 today they still probably wouldn't be on board until
23 the first of July, so it's -- it's -- we're in a bit of
24 a time crunch right now, and I will try and keep you
25 all updated throughout the process. But I would hope

1 that it wouldn't take a couple of weeks to make these
2 hires, but I'll update you all along the way.

3 COMMISSIONER LERNER: Brian, not to add to
4 your work here, but I just had an idea of something
5 that might help, because we talked about both listening
6 sessions and then also maybe having to sort through
7 things in the fall, is maybe to get in touch with some
8 of the universities and see if we could get some
9 interns that could potentially work with us on some of
10 the community outreach, people who might be interested,
11 people majoring in political science, things like that
12 that might be able to -- I mean not right now because
13 first you got to get regular your staff up, but I'm
14 throwing out there as a potential something to think
15 about for the future, because there could be some good
16 roles for those folks in our public hearings, working
17 with community, also taking a look at some of the maps
18 as they come in. That might be something that we could
19 think about, so maybe if you can jot that down as a
20 possible idea for the future, getting in touch with
21 those folks might be something we could -- it might be
22 helpful to have some --

23 MR. SCHMITT: Absolutely. Absolutely. Thank
24 you for the suggestion. Valerie and I were actually
25 just joking about that the other day, so we'll

1 definitely look at it.

2 CHAIRPERSON NEUBERG: And I would actually
3 like to take it a step further and say not only might
4 it be advantageous for us, but it's a wonderful way to
5 engage our communities. I mean, you know, there is
6 nothing that I -- I find, I don't know, more exciting
7 than tapping into the interests and talents of the
8 up-and-coming, you know, leaders in our state, so if
9 there is something that they can be involved with I
10 find that advantageous to everybody's interests.

11 VICE CHAIR WATCHMAN: Well, Madam Chair, if I
12 can, I would like to add to that list the tribal
13 colleges, TCs, as they call them. They're a vital part
14 of the education system on many reservations, including
15 here on Navajo. So here in Navajo we have Dine College
16 and Navajo Technical University, so I think that may be
17 important.

18 The other thought is that I did mention to
19 Brian it would be nice to do outreach to all the tribal
20 leaders just to let them know that this is coming out.
21 I'm sure it's happening. But also there is a
22 consortium of tribes called the Inter Tribal Council of
23 Arizona, and the group is headed by Maria Dadgar. And
24 so I think ITC, as it's called, represents probably
25 half, if not two-thirds of the tribes here in the

1 state, so connecting with them to me would be important
2 just to see what -- what their thoughts are and whatnot
3 as a coalition the ITCA is planning. I mentioned that
4 to Brian, Madam Chair, a couple of days ago, but just
5 for the record I would like to have you do outreach to
6 them as well if you could, so thank you.

7 MR. SCHMITT: Absolutely, Vice Chair.

8 CHAIRPERSON NEUBERG: Any additional thoughts,
9 comments?

10 Okay. With that we will move to Agenda Item
11 No. X, discussion and possible action on legal counsel
12 briefing. We have two main agenda items here. One is
13 the amended IRC ethics conflict of interest rule
14 guidance, which was submitted as Attachment A with our
15 agenda, and all Commissioners have had the opportunity
16 to review. And then, secondly, discussing the posting
17 of the meeting transcripts to the Commission website.

18 So let's begin with the first item, which is
19 the amended IRC ethics conflict of interest rule
20 guidance. I do want to just let the public know that
21 if there are additional legal questions that the
22 Commissioners have we reserve the right to vote to go
23 into executive session, which we will explain, in order
24 for us to be able to best understand the legal aspects
25 of the decisions that we are making. But with that I

1 open it up to the Commissioners to discuss their
2 impressions of what was submitted as Attachment A for
3 our proposed ethics conflict of interest rule guidance.

4 COMMISSIONER MEHL: This is Commissioner
5 Mehle. I appreciate the revision on this conflict of
6 interest, and just to get the discussion going properly
7 I move that we adopt Attachment A as our conflict --
8 our ethics conflict of interest rule guidance.

9 CHAIRPERSON NEUBERG: Thank you, Commissioner
10 Mehle. Opening it up to broader conversation, and as
11 part of this conversation we are opening it up to both
12 approve it as it's presented as well as an amended
13 version, and if there are amendments that my fellow
14 Commissioners would like to advance, we entertain that
15 now.

16 Okay. I mean, in terms of the silence I would
17 like to thank our legal counsel for consolidating the
18 highest level of ethics from our state legislature and
19 then marrying that to our unique responsibilities as
20 Commissioners. I feel really good about that. I thank
21 our Commissioners for giving due diligence to
22 thoughtfully looking at the ethics. And with that I'll
23 entertain a motion to approve the guidance that has
24 been submitted as Attachment A.

25 COMMISSIONER MEHL: So moved.

1 CHAIRPERSON NEUBERG: Do I have a second?

2 COMMISSIONER YORK: Commissioner York seconds.

3 CHAIRPERSON NEUBERG: Any further discussion?

4 Okay. With that we will do a vote.

5 Vice Chair Watchman.

6 VICE CHAIR WATCHMAN: Aye.

7 CHAIRPERSON NEUBERG: Commissioner Mehle.

8 COMMISSIONER MEHL: Aye.

9 CHAIRPERSON NEUBERG: Commissioner Lerner.

10 COMMISSIONER LERNER: Aye.

11 CHAIRPERSON NEUBERG: Commissioner York.

12 COMMISSIONER YORK: Aye.

13 CHAIRPERSON NEUBERG: Commissioner Neuberg is
14 an aye.

15 And with that we unanimously approve the
16 amended IRC ethics conflict of interest rule guidance.

17 And the second item on this agenda Item No. X
18 is the posting of the meeting transcripts to the
19 Commission website. We've had some initial
20 conversation about the pros and cons, and just to
21 briefly summarize, you know, what the issues are here,
22 you know, we have the transcriptionist. Thank you so
23 much, you know. But what we have not done to date is
24 do our due diligence to ensure that those
25 transcriptions exactly marry the video-audio recordings

1 and the minutes that we propose to fulfill our official
2 responsibility to provide minutes. And so, you know, I
3 think it's a remarkable service to the public for
4 public ease of use of information to have these
5 transcripts available. I think it's important for us
6 as Commissioners to understand the legal compromise
7 that we would then be making to allow this to be
8 public, and that is that it subjects us to -- even
9 though we could put a disclaimer that we don't have the
10 people power to make sure that each word is -- marries
11 the word on the video script, but, you know, have -- if
12 we have that collective sense of -- of, you know, what
13 we can do, I leave it open to my Commissioners about
14 what they feel is right. You know, there is a balance
15 here. Is there ease of access to the public? Is it
16 legally protecting the Commission to each and every,
17 you know, word that's written in this transcription,
18 even if we have a disclaimer? So I open it up to
19 conversation.

20 COMMISSIONER LERNER: So, Chair Neuberg, I
21 think I was the one who was hoping to have the
22 transcripts ultimately be able to be posted. I
23 understand the concern, because we don't have the
24 manpower to -- to review those precisely against the
25 video as part of it. If there is a disclaimer that can

1 be used, I see the value. If I were in the public
2 watching -- or I take that back. If I were in the
3 public but unable to watch but I am interested in
4 certain items, having the transcript I can just flip
5 through, find what I was interested in, read that one
6 piece and move on, rather than have to scroll through a
7 YouTube video to try to find it, which is where my --
8 my interest in getting the transcripts out there was.
9 If there is something we can put on, a disclaimer, then
10 I would support that.

11 If not, then I would suggest that maybe in our
12 minutes instead we could just document in our minutes
13 Item VIII began at 10:12 a.m. so that somebody could go
14 to the video at 10:12 a.m. and start watching that
15 section, because that's where my -- my concern was.
16 People don't -- if they don't have the time to sit and
17 watch us, they don't have the time necessarily to watch
18 us later in the day, either, and they don't want to
19 necessarily watch the whole thing. So maybe that's a
20 compromise, that we actually add some timestamps in our
21 minutes for each item, so if somebody is interested in
22 that -- only that particular item they can scroll to
23 that, listen to that piece and then move on, if we
24 can't find a way to do the transcripts. Just a
25 suggestion.

1 COMMISSIONER MEHL: This is Commissioner
2 Mehle. I think that's a very clever suggestion,
3 Commissioner Lerner, and one that would be really
4 helpful. And I am one who is nervous about doing the
5 transcripts because we really -- we know the video is
6 accurate. We know the minutes are accurate. So if you
7 do the timestamps within the minutes, I like that as a
8 solution as opposed to posting the transcript.

9 VICE CHAIR WATCHMAN: This is Vice Chair
10 Watchman. Yeah, I agree with what Commissioner Lerner
11 is putting on the table. You know, obviously our goal
12 is to be as transparent as possible. And I know we're
13 trying to avoid a certain degree, you know, of being
14 caught in the middle of litigation. You know, I don't
15 know what other agencies do. I think we're not unique
16 in this situation. And so there is probably already
17 some template out there. I don't think we're
18 reinventing the wheel, but certainly, you know, we need
19 to have -- it's not going to be instantaneous, but we
20 need to have, you know, something written for our
21 public, as Commissioner Lerner is suggesting, something
22 almost needed to look at, and the minutes obviously is
23 one way. I do have -- you know, it's kind of
24 challenging to go through YouTube. But, you know, the
25 sooner the better we can get the written word out there

1 I think it's going to be beneficial for the public. So
2 in short I support what Commissioner Lerner is
3 contemplating or suggesting. Thank you.

4 COMMISSIONER LERNER: And just to be clear,
5 too, the transcripts will be available through public
6 records request.

7 CHAIRPERSON NEUBERG: I think this is a great
8 compromise. I mean, as I was struggling to balance the
9 needs of, you know, access to the community with
10 protecting us from a legal perspective, I think this
11 hits the sweet spot.

12 COMMISSIONER LERNER: Could I just ask our
13 legal counsel: Have you developed a disclaimer or had
14 you done some research on the idea of a disclaimer
15 based on what others do? I'm just curious about that.

16 MR. HERRERA: Yes, Commissioner Lerner. We
17 have looked into this. I mean, first of all, I think
18 it's unusual for a public body to post transcripts.
19 That's not something that's commonly done. We have
20 looked at the disclaimer option. That's certainly
21 something that we can draft and go that route. I think
22 our view is that it wouldn't eliminate all legal risk
23 associated with some sort of error in the transcript.
24 We could in the alternative, you know, I suppose, do a
25 review of the transcript to ensure -- you know, compare

1 them to the video to ensure that they're accurate. Of
2 course, there is a cost associated with that and some
3 time associated with that, but that is an option if you
4 wanted to do that. Otherwise, we could go the
5 disclaimer route, but we just wouldn't be eliminating
6 all legal risk. And it may be useful -- I mean, if
7 this is something that the Commission wants to continue
8 to consider we could circulate something like that so
9 you can see what a disclaimer would look like. That's
10 an option.

11 COMMISSIONER LERNER: I'm comfortable with the
12 alternative, if the other Commissioners are, on putting
13 a time on the minutes, and then people can access
14 our -- the records through public -- you know, go
15 through public records to get the transcripts.

16 CHAIRPERSON NEUBERG: I will support what the
17 broader Commission wants, so -- so I'm asking all of
18 you to share with me what you would like to see.

19 COMMISSIONER MEHL: Commissioner Lerner, do
20 you want to make a motion that we add the timestamp at
21 this time, or how would you like to proceed?

22 COMMISSIONER LERNER: Sure. I'll do that.

23 I'll -- I move that our future minutes all
24 include a timestamp, I guess is the best way, at the
25 beginning of each section in our -- on our agenda.

1 Each item on our agenda has a time on when we began
2 that discussion.

3 COMMISSIONER MEHL: I second that.

4 CHAIRPERSON NEUBERG: Any further discussion?
5 With that we will do 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 we unanimously approve that
17 motion.

18 And with that we are on Agenda Item I believe
19 Number XI. Correct?

20 COMMISSIONER YORK: Correct.

21 CHAIRPERSON NEUBERG: Discussion and possible
22 action on census data, census delays, and ways to
23 mitigate its disruption, status of Arizona-based
24 professor to speak on differential privacy in light of
25 recent privacy loss budget established by U.S. Census

1 Bureau.

2 With that, I will turn that over to our legal
3 counsel.

4 MR. HERRERA: Thank you, Madam Chair.

5 A couple of updates in this area. The first
6 is that some of you may have seen that the Census
7 Bureau has released their epsilon value. We've been
8 talking a lot about the issue of differential privacy,
9 and one of the aspects to that is the epsilon value.
10 Essentially it's a calibration that the Census Bureau
11 is making when it comes to, you know, the introduction
12 of that noise, that data, into the dataset. So we now
13 have an epsilon value of 19.61. If you recall, when
14 we -- when they released demonstrative data earlier
15 this summer to sort of test out this differential
16 privacy issue they were using epsilon values in the
17 eight to ten range, so this final epsilon value is, you
18 know, almost double what they used before. And just in
19 general and, again, in the cohesive next topic of an
20 expert, we are not experts in this necessarily from a
21 mathematical perspective, but the idea is that the
22 higher the epsilon value goes the more it favors
23 accuracy at the expense of privacy protection. So the
24 higher you go, the less privacy protection you get, the
25 more accuracy you get. So obviously the Census Bureau

1 has made a decision to increase that value
2 significantly. My guess is that it's in response to
3 some of the concerns that people have had. So that's
4 one update.

5 Second update, just so everyone knows, there
6 has been no further developments since Alabama
7 litigation, and so we're still waiting to hear what
8 happens back.

9 And the final piece here is, as the Commission
10 has directed, we have been trying to engage with and
11 communicate with Arizona university professors, have
12 one of them come in and speak to differential privacy
13 issue, give their opinion on the issue. We have been
14 talking in particular to one Arizona-based professor to
15 potentially do this. The concern, I think, is being
16 able to find somebody that can do this in a short time
17 period, because we would need the professor to, you
18 know, develop their analysis and present it to us
19 before the data is released by the Census Bureau in
20 mid-August, because at that point I think some of the
21 value of having a professor speak kind of diminishes.
22 And so it's, you know, difficult, I think, to get
23 somebody to do this in two months, but that's what
24 we're trying to do. We're still trying to get some --
25 one of the professors we've actually reached out to to

1 be able to agree.

2 CHAIRPERSON NEUBERG: Would it be fair to say,
3 Counsel, that the higher epsilon value -- I don't want
4 to say should make us comfortable, but is a sign that
5 they're erring on the side of accuracy?

6 MR. HERRERA: I think it would be fair to say
7 that, particularly of how much higher it was and what
8 they were using, you know, with the prior datasets.
9 So, you know, we have all seen in the Alabama
10 litigation as well as sort of academic commentary there
11 has been some concerns as to accuracy, and a lot of
12 that analysis was based on the lower epsilon value that
13 was used before. The Census Bureau has decided to go
14 much higher. I think, you know, just from a
15 mathematical perspective that means that the data
16 should be more accurate. Of course, you know, I'm not
17 sure -- maybe we'll see sort of from the Alabama
18 litigation that was fully briefed on whether using
19 differential privacy in general is problematic, but
20 certainly they have changed the epsilon value to favor
21 the accuracy piece instead of the private -- the
22 privacy protection piece.

23 CHAIRPERSON NEUBERG: Thank you. I think
24 that's really important information for us to hear.

25 Unless there is any other comments, questions

1 from our counsel on Agenda Item No. XI, we will move to
2 Agenda Item No. XII, discussion of future agenda item
3 requests. I know on my front something that I'm
4 personally looking forward to, which is coming up at I
5 think the end of the month, we're going to look forward
6 to our legal counsel giving us a full briefing on the
7 VRA, our counsel giving us a full briefing on
8 Constitutional criteria as it relates to the
9 redistricting criteria. And nothing written in stone,
10 but we anticipate that at the end of the month.

11 COMMISSIONER LERNER: Would it be possible to
12 get a draft of the public PowerPoint that's being
13 created and have us look at that together, or would you
14 rather us just to be replying to you individually as
15 we've been doing?

16 CHAIRPERSON NEUBERG: You mean with the stock
17 presentation?

18 COMMISSIONER LERNER: Yes. The stock
19 presentation where we kind of run through that a little
20 bit. Sometimes when you run through it you find, oh,
21 that doesn't work or something. But I'm just curious
22 whether that would be something we could do in a
23 meeting, or whether you would rather us continue to
24 just provide individual input on that.

25 CHAIRPERSON NEUBERG: Yeah, please.

1 MR. SCHMITT: Commissioner Lerner, I'm
2 comfortable with either, that would be if you think it
3 would be productive to do it at one of these meetings
4 we can certainly do that, as long as I think legal
5 counsel would also be okay going over it as well. With
6 the PowerPoint we're being careful on how it's
7 presented and what it says.

8 MR. HERRERA: From legal counsel perspective I
9 think we could go either way, so whatever is best and
10 most efficient to you as opposed to providing comment
11 before the meetings or actually discussing it during
12 the meetings or both.

13 COMMISSIONER LERNER: And we would be waiting
14 for the mapping consultant to weigh in as well.
15 Correct?

16 MR. SCHMITT: Yes, correct.

17 CHAIRPERSON NEUBERG: Then it sounds like both
18 approaches are appropriate, and then it would not be
19 inappropriate for a Commissioner to ask for information
20 and involvement. Okay. Any other discussion of future
21 agenda items?

22 Okay. With that we will move to Agenda Item
23 No. XVIII, announcements. I have no particular
24 announcements.

25 With that we'll move to Agenda Item No. XIV,

1 next meeting date. As is typical, I look forward to
2 meeting with our team next Tuesday, the 22nd, at
3 8:00 a.m., the listening tour dates to be determined.
4 Obviously, we will do our best to get that information
5 out as soon as we possibly can. But any other further
6 conversation about meeting dates?

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

16 And with that we move to Agenda Item No. XVI,
17 which is adjournment. I will entertain a motion to
18 adjourn.

19 COMMISSIONER LERNER: So moved.

20 VICE CHAIR WATCHMAN: I'll second. Vice Chair
21 Watchman seconds.

22 CHAIRPERSON NEUBERG: Okay. Any further
23 discussion?

24 Vice Chair Watchman.

25 VICE CHAIR WATCHMAN: Aye.

1 CHAIRPERSON NEUBERG: Commissioner Mehle.

2 COMMISSIONER MEHL: Aye.

3 CHAIRPERSON NEUBERG: Commissioner Lerner.

4 COMMISSIONER LERNER: Aye.

5 CHAIRPERSON NEUBERG: Commissioner York.

6 COMMISSIONER YORK: Aye.

7 CHAIRPERSON NEUBERG: Commissioner Neuberg is
8 an aye.

9 And with that we adjourn, and we look forward
10 to seeing our community next Tuesday at 8:00 a.m.

11 (The proceedings concluded at 9:55 a.m.)

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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 29th 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 29th day of June, 2021.

MCR

Miller Certified Reporting, LLC
Arizona RRF No. 1058

Miller Certified Reporting, LLC