

THE STATE OF ARIZONA
INDEPENDENT REDISTRICTING COMMISSION

REPORTER'S TRANSCRIPT OF VIDEOCONFERENCE PUBLIC MEETING

Via GoogleMeets

August 31, 2022

12:01 p.m.

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1 PUBLIC MEETING, BEFORE THE INDEPENDENT
2 REDISTRICTING COMMISSION, convened at 12:01 p.m. on
3 August 31, 2022, via GoogleMeets, Arizona, in the presence
4 of the following Commissioners:

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

10 OTHERS PRESENT:

11 Mr. Brian Schmitt, Executive Director
12 Ms. Valerie Neumann, Executive Assistant
13 Mr. Roy Herrera, Herrera Arellano
14 Mr. Daniel Arellano, Herrera Arellano
15 Mr. Eric Spencer, Snell & Wilmer
16 Mr. Brett Johnson, Snell & Wilmer
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P R O C E E D I N G

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3 CHAIRPERSON NEUBERG: Welcome, everybody. I
4 appreciate everybody's flexibility in getting this meeting
5 together in such short notice.

6 I apologize, my camera is not working but, you
7 know, it won't impede our business in any way.

8 So we'll jump right in. Agenda Item Number I, call
9 to order and roll call; I(A), call for quorum.

10 It is 12:02 p.m. on Wednesday, August 31st, 2022.
11 I call this meeting of the Independent Redistricting
12 Commission to order.

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

17 Val.

18 MS. NEUMANN: Thank you, Madam Chair.

19 Chairwoman Neuberg.

20 CHAIRPERSON NEUBERG: Present.

21 MS. NEUMANN: Vice Chair Watchman.

22 VICE CHAIR WATCHMAN: Present.

23 MS. NEUMANN: Commissioner Mehl.

24 COMMISSIONER MEHL: Present.

25 MS. NEUMANN: Commissioner Lerner.

1 COMMISSIONER LERNER: Present. And I also
2 apologize, I have very bad Wi-Fi, so I'm going to be keeping
3 my camera off.

4 MS. NEUMANN: Thank you.

5 Commissioner York.

6 COMMISSIONER YORK: Present.

7 MS. NEUMANN: Also in attendance, Executive
8 Director Schmitt; Brett Johnson and Eric Spencer from Snell
9 & Wilmer; Roy Herrera and I don't see Daniel Arellano from
10 Herrera Arellano; and our transcriptionist Angela Miller,
11 and that's everyone.

12 Thank you.

13 CHAIRPERSON NEUBERG: Okay. Thank you. Please
14 note for the minutes that a quorum is present.

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

16 Val, was the notice and agenda for the Commission
17 meeting properly posted 48 hours in advance of today's
18 meeting?

19 MS. NEUMANN: Yes, it was, Madam Chair.

20 CHAIRPERSON NEUBERG: Thank you.

21 Agenda Item Number II, approval of minutes. We
22 have II(A), the general session from earlier this week,
23 August 29th, 2022, and we have one executive session which
24 was Item V, legal presentation and possible action on
25 pending cases.

1 So if there's no discussion on the minutes, I will
2 entertain a motion to approve the general session and
3 executive session minutes from August 29th.

4 COMMISSIONER MEHL: I motion that we approve both
5 of those sets of minutes.

6 COMMISSIONER LERNER: I second the motion.

7 CHAIRPERSON NEUBERG: Commissioner Lerner, I heard
8 you say -- are you seconding the motion to approve the
9 minutes?

10 COMMISSIONER LERNER: Yes. I apologize for the
11 problems, yes.

12 CHAIRPERSON NEUBERG: Okay. Please note for the
13 record that Commissioner Lerner has seconded the approval of
14 the general session and executive session minutes.

15 With that, we'll take a vote.

16 Vice Chair Watchman.

17 VICE CHAIR WATCHMAN: I abstain; I wasn't involved.

18 CHAIRPERSON NEUBERG: That's right, I'm sorry.

19 VICE CHAIR WATCHMAN: Yeah.

20 CHAIRPERSON NEUBERG: Vice Chair Watchman had a
21 family situation. We missed you, Vice Chair Watchman.

22 Commissioner Mehl.

23 COMMISSIONER MEHL: Aye.

24 CHAIRPERSON NEUBERG: Commissioner Lerner.

25 COMMISSIONER LERNER: Aye.

1 CHAIRPERSON NEUBERG: Commissioner York.

2 COMMISSIONER YORK: Aye.

3 CHAIRPERSON NEUBERG: Chair Neuberg is an aye.

4 And with that, the minutes are approved 4-0.

5 We move to Agenda Item Number III, opportunity for
6 public comments.

7 Public comments will now open for a minimum of
8 30 minutes and remain open until the adjournment of the
9 meeting. The meeting today is -- has a very short agenda.
10 If for any reason the meeting were to conclude prior to the
11 30 minutes, we will keep the public comments open for a
12 minimum of 30 minutes and all Commissioners will be able to
13 review those public comments as usual.

14 Comments will only be accepted electronically in
15 writing on the link provided on the notice and agenda for
16 this public meeting and will be limited to 3,000 characters.

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

24 We now move to Agenda Item Number IV, discussion on
25 public comments received prior to today's meeting.

1 I open it up to my colleagues if there are any
2 comments.

3 Yeah, we -- I don't believe we've received much
4 since we last met.

5 With that, we will move to Agenda Item Number V,
6 legal presentation and potential action on pending case.

7 We had started a conversation on Monday on V(A),
8 *Moore v. Harper*, the North Carolina case that will be heard
9 before the Supreme -- United States Supreme Court.

10 Vice Chair Watchman, given that you were not able
11 to participate in our executive session in which we were
12 able to seek legal advice, I'd like to open it up to you;
13 and also my other colleagues if there's a desire or a need
14 to go into executive session, which would not be open to the
15 public for the purpose of obtaining additional legal advice
16 to further implement or advance these issues, we certainly
17 can; we don't have to.

18 So it's really if people have additional areas that
19 they would like to seek guidance on from our Counsel.

20 COMMISSIONER MEHL: I do not.

21 VICE CHAIR WATCHMAN: Madam Chair, this is
22 Vice Chair Watchman. I guess I don't have any comments or
23 questions, I did take a look at the minutes and I did review
24 the information prior to -- to Monday's meeting. And my
25 apologies for not being able to make it. I did have a

1 family emergency.

2 But I don't have any questions or comments. I
3 think I reviewed all the materials, so I have enough
4 information to move forward on.

5 Thank you.

6 COMMISSIONER MEHL: Madam Chair?

7 CHAIRPERSON NEUBERG: Yes.

8 COMMISSIONER MEHL: I've had time to really review
9 and think about the discussion from Monday, and I'm prepared
10 to make a motion that we approve filing the amicus brief on
11 *Harper versus Moore* (verbatim) and -- and for the attorneys
12 to take any actions that are necessary to get that brief
13 filed.

14 COMMISSIONER LERNER: Madam Chair, I second that
15 motion.

16 CHAIRPERSON NEUBERG: Okay. Commissioner Lerner,
17 you just said you seconded that motion?

18 COMMISSIONER LERNER: Yes.

19 CHAIRPERSON NEUBERG: Okay. Thank you.

20 Is there any further discussion?

21 I have nothing further that I need to add,
22 everything that I had to say I said at Monday's meeting.
23 And so if there's anybody that wants to -- to share
24 anything, I will, you know, open it up to the vote.

25 Okay. We are voting to approve the motion to move

1 forward with the amicus brief as written by our counsel.

2 Vice Chair Watchman.

3 VICE CHAIR WATCHMAN: I vote aye.

4 CHAIRPERSON NEUBERG: Commissioner Mehl.

5 COMMISSIONER MEHL: Aye.

6 CHAIRPERSON NEUBERG: Commissioner Lerner.

7 COMMISSIONER LERNER: Aye.

8 CHAIRPERSON NEUBERG: Commissioner York.

9 COMMISSIONER YORK: Aye.

10 CHAIRPERSON NEUBERG: Chair Neuberg is an aye.

11 With that, we approve 5-0 to have our counsel move
12 forward with filing the amicus brief.

13 As always, thank you for your excellent counsel
14 throughout the entire process.

15 Anything our counsel would -- would like to say on
16 this matter before we move on?

17 MR. B. JOHNSON: No, Madam Chair.

18 MR. HERRERA: (No audible response.)

19 CHAIRPERSON NEUBERG: Okay. Thank you.

20 Agenda Item Number VI, announcements.

21 The only thing that I have is I know that there has
22 been some questions about when people, the public, will have
23 access to the legal documents. They'll be made public after
24 they are officially filed and become a part of public
25 record, and -- and we will certainly try to facilitate that

1 process of getting the information out to -- to everybody
2 who is interested.

3 Any other announcements from Brian? Counsel?

4 Okay. With that, Agenda Item Number VII is the
5 closing of the public comment.

6 So Counsel, given that we're not officially closing
7 them, I typically note that we are not able to discuss
8 anything that comes up that was not on the agenda. Is there
9 anything I need to add further at this point?

10 We -- public comment opened at 12:06, so we will
11 ensure that public comment stays open until at least, you
12 know, 12:36. But is there anything else I need to say
13 related to Agenda Item Number VII before we adjourn?

14 MR. B. JOHNSON: No. Just also acknowledge that,
15 Madam Chair, that if anybody ever wants to make a Web
16 comment, they can do on the website outside of our public
17 hearings. There's multiple avenues to be heard by the
18 Commission. But other than that, you have it right.

19 CHAIRPERSON NEUBERG: Thank you. And that's an
20 excellent point, that we remain open to all different forms
21 of feedback through our website and -- and e-mail, so -- and
22 even the old-fashion way. Today we heard we have some
23 letters waiting for us.

24 So, thank you very much.

25 With that we will move to Agenda Item Number VIII,

1 adjournment.

2 I will open it up for a motion to adjourn.

3 COMMISSIONER LERNER: This is Commissioner Lerner,
4 I move to adjourn.

5 VICE CHAIR WATCHMAN: Watchman seconds.

6 CHAIRPERSON NEUBERG: Okay. Vice Chair Watchman.

7 VICE CHAIR WATCHMAN: Aye.

8 CHAIRPERSON NEUBERG: Commissioner Mehl.

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: Chair Neuberg is an aye.

15 With that, we will adjourn. And I thank everybody
16 again for your flexibility and, you know, hard work this
17 week.

18 We will be in touch. Bye-bye.

19 (Whereupon the proceeding concludes at 12:12 p.m.)

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23 "This transcript represents an unofficial record.

24 Please consult the accompanying video for the official

25 record of IRC proceedings."

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, Angela Furniss Miller, Certified Reporter No. 50127, 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 Litchfield Park, Arizona, this 12th of September, 2022.



Angela Furniss Miller, RPR, CR
CERTIFIED REPORTER (AZ50127)

* * *

I CERTIFY that Miller Certified Reporting, LLC, has complied with the requirements set forth in ACJA 7-201 and 7-206. Dated at LITCHFIELD PARK, Arizona, this 12th of September, 2022.



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