

ARIZONA INDEPENDENT REDISTRICTING COMMISSION

NOTICE OF PUBLIC MEETING AND POSSIBLE EXECUTIVE SESSION

Erika Schupak Neuberger, Chair

David Mehl, Commissioner

Derrick Watchman, Vice-Chair

Shereen Lerner, Commissioner

Douglas York, Commissioner

Location: Virtual via GoogleMeets

Members of the public may view the meeting at this link:

https://youtu.be/LfLRmMXX_N0

Members of the public who request to comment on an item on this agenda may provide their public comments at this link: <https://forms.gle/3ogmrWAC1J1nAQ5W6>

Date: Tuesday, June 15, 2021

Time: 8:00 a.m.

The Commission reserves the right to change the order of items on the agenda. The Commission may vote to go into executive session, which will not be open to the public, for any item listed on the agenda, for the following purposes: discussion or consideration of personnel matters pursuant to A.R.S. § 38-431.03(A)(1), for discussion or consideration of records exempt by law from public inspection, including the receipt and discussion of information or testimony that is specifically required to be maintained as confidential by state or federal law pursuant to A.R.S. § 38-431.03(A)(2), obtaining legal advice pursuant to A.R.S. § 38-431.03(A)(3), consultation with attorneys regarding pending or contemplated litigation pursuant to A.R.S. § 38-431.03(A)(4), or any other purpose as authorized under A.R.S. § 38-431.03. The executive session is not open to the public and all legal action will take place in a meeting that is open to the public.

A copy of the agenda for the meeting is available at <https://irc.az.gov/public-meetings> at least forty-eight hours in advance of the meeting, in addition to physically being posted at the Arizona Department of Environmental Equality, 1110 W. Washington St., Phoenix, AZ 85007. Background material provided to the Commission that is not otherwise exempt by law from public inspection is available for inspection upon request.

Persons with a disability may request reasonable accommodation, such as a sign language interpreter, by contacting Valerie Neumann at ircadmin@azdoa.gov. Requests should be made as early as possible to allow time to arrange the accommodation.

All matters on the agenda may be discussed, considered and are subject to action by the Commission. The Commission reserves the right to table any item on the agenda.

The agenda for the meeting is as follows:

- I. Call to Order and Roll Call.
 - Call for Quorum
 - Call for Notice
- II. Approval of minutes from June 8, 2021.
 - General Session
 - Executive Session
- III. Opportunity for Public Comments.

Public comment will open for a minimum of 30 minutes and remain open until the adjournment of the meeting. Comments will only be accepted electronically in writing on the following form: <https://forms.gle/3ogmrWAC1J1nAQ5W6> (comments will be limited to 3000 characters).

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

- IV. Discussion on public comments received prior to today's (June 15, 2021) meeting.
- V. Update from the mapping consultant, Timmons/NDC.
- VI. Executive Director's report and discussion thereof.
 - Office location update
 - Budget update, including status of FY2021 expenditures
 - FTE positions
 - Discussion of proposed timeline for IT integration and migration
 - Public Records Request online submission portal update

The Commission may vote to go into executive session, which will not be open to the public, for the purpose of obtaining legal advice with respect to acquiring the resources referenced in the Executive Director's Report (A.R.S. § 38-431.03(A)(3)).

- VII. Discussion and possible action on proposed revised travel schedule

The Commission may vote to go into executive session, which will not be open to the public, for the purpose of obtaining legal advice with respect to the legal issues implicated by public presentations at the proposed town halls (A.R.S. § 38-431.03(A)(3)).

- VIII. Discussion and possible action on stock IRC presentation for public use.

The Commission may vote to go into executive session, which will not be open to the public, for the purpose of obtaining legal advice with respect to the legal issues implicated by the stock IRC presentation (A.R.S. § 38-431.03(A)(3)).

- IX. Discussion and possible action on Community Outreach Coordinator and other potential hires, including duties of all IRC staff positions.

The Commission may vote to go into executive session, which will not be open to the public, for the purpose of obtaining legal advice with respect to staffing issues (A.R.S. § 38-431.03(A)(3)), as well as for the purpose of discussion or consideration of records exempt by law from public inspection, including the receipt and discussion of information or testimony that is specifically required to be maintained as confidential by state or federal law (A.R.S. § 38-431.03(A)(2)).

- X. Discussion and possible action on legal counsel briefing.
Amended IRC Ethics/Conflict of Interest Rule Guidance (Attachment A).
Posting meeting transcripts to the Commission website.

The Commission may vote to go into executive session, which will not be open to the public, for the purpose of obtaining legal advice to further implement and/or advance these legal issues (A.R.S. § 38-431.03(A)(3)).

- XI. Discussion and possible action on census data, census delays, and ways to mitigate its disruption.
Status of Arizona-based professor to speak on differential privacy in light of recent privacy loss budget established by U.S. Census Bureau.

The Commission may vote to go into executive session, which will not be open to the public, for the purpose of obtaining legal advice with respect to census data and delays (A.R.S. § 38-431.03(A)(3)).

- XII. Discussion of future agenda item requests.
- XIII. Announcements.
- XIV. Next meeting date.
- XV. Closing of the public comments.

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

- XVI. Adjournment.

Attachment A

Amended IRC Ethics/Conflict of Interest Rule Guidance

ARIZONA INDEPENDENT REDISTRICTING COMMISSION

Erika Schupak Neugberg, Chair
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Ethics Guidance

1. No Commissioner shall:

- a. Intentionally solicit, accept or agree to accept from any source, whether directly or indirectly and whether by himself/herself or through any other person, any personal financial benefit, including any gift for himself/herself or another, upon an agreement or understanding that his or her vote, opinion, judgment, exercise of discretion or other action as a public official will thereby be influenced.
- b. Disclose or use information designated by law as confidential in any manner prohibited by law or this Guidance.
- c. Knowingly disclose or use, other than in the performance of his or her official duties, information gained as a result of his or her official position and which is not available to the general public, for his or her personal financial benefit or the financial benefit of any other person, including compensation from any employment, transaction or investment entered into that utilizes or is based upon such information.
- d. Enter into any contract with a public agency or have an interest in the profits or benefits of a contract entered into with a public agency by any other person or entity, unless:
 - i. The total gross annual income value of the contract is less than one thousand dollars, or
 - ii. The contract is entered into by a business of which the Commissioner, his or her spouse or any minor child of the Commissioner, owns or controls, individually or combined, less than ten percent thereof, or
 - iii. The contract has been awarded through public and competitive bidding pursuant to law, or
 - iv. The subject of the contract between a member and a public agency is an appointment or employment for which an exception exists pursuant to Article IV, Part 2, Section 4 or 5 of the Constitution of Arizona.
- e. For the purposes of this Section:
 - i. A Commissioner shall be deemed to “have an interest in the profits of a contract” if the contract is entered into by the Commissioner or the Commissioner’s spouse or any minor child of the Commissioner.

- ii. “Public agency” means all courts and any department, agency, board, commission, institutional or instrumentality of this state but does not include counties, cities and towns or any other political subdivision.
2. A Commissioner who anticipates taking an action in the discharge of his or her official duties in which he or she may have a personal financial interest shall:
 - a. Prepare a written statement describing the matter to be acted upon and the nature of the potential interest; and
 - b. Deliver a copy of the statement to his or her fellow Commissioners. Such statement shall be retained by the Commission as a public record.
 - c. A Commissioner shall report a potential personal financial interest as soon as the Commissioner is aware of such potential interest. If, however, such awareness occurs when the Commission is convened in a public meeting, a Commissioner shall report a potential personal financial interest as soon after the adjournment of that meeting as is possible.
 - d. A Commissioner may abstain from taking any action in which he or she has a personal financial interest. Upon declining to participate in any Commission action, the Commissioner shall state his or her decision and such decision shall be recorded in the minutes of the Commission. Prior to declining to partake in any official action, a Commissioner must first prepare a written statement describing the nature of the personal financial interest or the reason why the Commissioner is declining to take part in official action and deliver the statement to his or her fellow Commissioners.
 - e. For the purposes of this Section:
 - i. “An action in the discharge of his or her official duties” means introduction, debate, amendment, passage, defeat, approval, consideration or any other official action on any matter pending or proposed for the Commission’s review or action.
 - ii. A personal financial interest exists if it is reasonably foreseeable that an action in the discharge of his or her official duties will have a material financial benefit or detriment either directly or indirectly on the Commissioner, his or her spouse or any minor child of the Commissioner, except that no personal financial interest exists if the Commissioner or such member of his or her household is a member of a class of persons and it reasonably appears that a majority of the total membership of that class is to be affected by such action.