

May 10, 2001, Minutes
Arizona Independent Redistricting Commission
Public Hearing

May 10, 2001, 9:15 a.m.
Public Hearing; Minutes of the Arizona Independent Redistricting Commission
State Capitol Executive Tower, Grand Canyon Room, Basement Level
1700 West Washington, Phoenix, Arizona

Commissioners present: Chairman Steven W. Lynn; Commissioner James R. Huntwork (as indicated); Commissioner Joshua M. Hall; Commissioner Andi Minkoff; Commissioner Daniel R. Elder.
Staff present: Executive Director Enrique Medina Ochoa.
Counsel: Lisa T. Hauser and Jose de Jesus Rivera.
Auxiliary staff present: Lisa A. Nance, RPR, CCR, court reporter with Atwood Reporting.
Consultants Present: Florence Adams; Marguerite Mary Leoni; Marion Porch; Karen Osborne; Tim Johnson.

Meeting was called to order at 10:15 a.m.

Call to the Public:

Matt Lore with Arizona League of Cities and Towns spoke indicating his agency was submitting a letter with their concerns. He indicated that they hope city and town boundaries are taken into consideration. He also offered their services in providing meeting places for the public hearings.

Jim Hartdegen, Government Affairs Advisor working with attorney Bob Lynch representing City of Casa Grande Farm Bureau, spoke requesting a meeting be held in Casa Grande and of their concerns after having had a very poor experience in the last redistricting.

Ron Lee, Executive Director of the Arizona Commission on Indian Affairs, introduced himself and that he wishes to be a good liaison between the state and its 21 Indian tribes. Mr. Lee also offered to assist in the outreach program with the tribal groups within the state.

Minutes: Request for additions or corrections to the April 5th and April 13th meeting minutes. Commissioner Minkoff requested that the minutes be submitted more timely as it made them difficult to correct or recall. Commissioner Hall indicated he had not received them. Mr. Ochoa indicated he had passed them out at the last hearing. Mr. Ochoa also explained the difficulty that had ensued with Kelley Services and the minutes and that Atwood Reporting was assisting in correcting the problem. Approval of the minutes was deferred until Commissioner Hall could review them.

Item IV on the agenda: Possible decision to schedule locations for the first round of public meetings, citizen kits, update on the process of grid overlay as required by the proposition. Dr. Adams spoke to the Commission and indicated that there was now discussion of having as many as 16 public hearings. She also pointed out her submitted memo outlined suggestions for some specifics for additional outreach methods. Meetings planned at this point: 4 in Maricopa County; 2 in Tucson; Casa Grande; Yuma; Nogales; Sierra Vista; Safford; Prescott; Lake Havasu City; Flagstaff; Show Low; and Window Rock.

Commissioner Elder put out the idea of allowing the possibility of additional meetings with individual groups prior or after the scheduled public meetings with groups.

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Mr. Rivera cautioned about the perception some people may have that people listen more closely to what is said in a private meeting.

Chairman Lynn indicated he would like to take as much input as possible and err on the side of hearing from anyone who wishes to speak to the Commission and would suggest requesting that they put their comments in writing, also.

Ms. Hauser reminded the Commission that the public meetings would be noticed, so as many Commissioners as are able to attend would be allowed to.

Dr. Adams indicated that once maps are circulated for comment, that it would be the same cities that would be revisited.

Mr. Rivera added that depending on input, some adjustments, either adding some cities or other slight changes might need to be made to the schedule.

It was indicated that the specifics of the schedule for the public hearings needs to get out as soon as possible to the Commissioners so they can plan which ones they can attend.

Dr. Adams moved on to the material sections, the citizen kits, citizen input form, and Power Point presentation. She indicated she had submitted an additional memo on those items. The Power Point presentation has been forwarded to the IRC attorneys for review. NDC's aim is to have it ready for the first meeting and hope to have the first meeting the week of the 1st.

NDC recommended some additional types of outreach, establishing a hotline, 800 number; putting materials as they become available on the website to keep it updated after IRC attorney review; local government broadcast channels; videotaping public meetings on the area's channels available, Phoenix Channel 11 meetings, rebroadcast to a larger audience; an advertising program; taking out ads in newspapers, getting the meetings dates and information out, making sure it's covered in the standard papers and also the Spanish language papers, and cover the Native American outreach.

Chairman Lynn suggested enlisting the aid of the Association of Broadcasters as a partner.

Dr. Adams went over the purpose of the citizen kits, being to define communities of interest. She also discussed the area citizen kits to be used if meeting with particulars groups, to be used at public and private meetings and having them available on the website and in the Commission office. The statewide citizen kits were also discussed.

Dr. Adams indicated, upon questioning, it would be a good idea to have all four area citizen kits available at the Phoenix area meetings in case people attend meetings out of their area for time or location convenience.

The importance of all materials being available in English and Spanish was re-emphasized and having videos or Native American speakers.

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Dr. Adams briefly described the public meeting structure giving a brief overview.

Commissioner Huntwork arrived.

Dr. Adams indicated that she, Dr. Heslop, and on occasion Ms. Leoni will be the Power Point presenters.

Discussed and agreed the Commission will get copies of the Power Point presentation and receive training from NDC so that the Commissioners can use it in their meetings they hold without NDC.

NDC will come back next week with a Power Point presentation where they share approaches to grid development. Several approaches that were discussed last week were discussed.

Upon questioning as to how many grids they will come back with, Dr. Adams indicated that once an approach is determined, NDC will only fully develop one approach, whichever one the Commission determines. Once that is determined, they will recommend three to five possible grid plans for each, legislative and congressional, for the Commission to look at in terms of the other criteria. Then those that most closely meet the criteria they will use for the final criteria.

Recess taken.

Next agenda item: Possible decision on protocol for citizen input and meetings.

Mr. Rivera indicated the importance of having a record of every contact that comes in, insurance that all views are being heard, and a record for DOJ for approval, of having a record of contacts not only with Commissioners, staff, NDC, and counsel.

The draft protocol and requested changes were discussed. Chairman Lynn indicated he liked the term "endeavor to document substantive input and we're going to request people provide written responses." Commissioner Hall indicated he wanted introductory language saying "One, you need to understand, I am one member of a Commission and cannot make decisions concerning your suggestions; two, you need to understand I'm obligated to document your comments and appropriately represent them as best as possible to my fellow Commissioners; and, three, I'd appreciate it, if possible, you go ahead and provide comments or suggestions in writing so we best accurately represent them."

The importance of keeping the chronological log of reports of contacts and dissemination of them was discussed, ie sending them to NDC, counsel, and when indicated by a Commissioner, sending them to the other Commissioners.

Mr. Rivera indicated he will bring back a final draft of the protocol at the next meeting based on the Commissioners' comments.

Agenda Item VI: Discussion and possible decision on additional voting history data requirements. What data is needed has now been identified. Ms. Hauser suggested wrapping Item VI into Item VII.

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Agenda Item VII: Now that the information needed from EDS and or RAS is known, Chairman Lynn and Commissioner Elder will proceed in the most expeditious fashion to obtain it.

Motion made, seconded, and carried Chairman Lynn and Commissioner Elder be given authority to negotiate contracts with EDS and RAS for providing data to the Commission.

Commissioner Minkoff requested a copy of the memo regarding the data requirements that Chairman Lynn received.

Executive Director's Report:

IGA with Maricopa County is ready for signing. Mr. Johnson is to be on an hourly rate and available as much or as little as needed.

Went over the PDQs and QARs for personnel issues.

Discussed the outreach position and efforts to get it established along with other positions.

Discussed the equipment needs and costs and that the prices came in much higher than anticipated. Went over the difficulties with leasing due to state regulations. Discussed various types of equipment, copiers, fax machines, projectors.

It was again asked by Commissioner Hall and verified by Ms. Hauser that the Commission has to go through State Procurement.

The Commission discussed whether projectors were really needed or whether the consultants may have one or some that could be used. Commissioner Elder indicated that for individual meetings the Commission would need to have their own, and he felt one in the southern part of the state and one in Phoenix would be appropriate. Commissioner Huntwork cautioned that 700 lumens was not sufficient, that something appropriate for use in a lighted room was necessary. Mr. Johnson indicated the County did have one he was able to check out on a part-time basis.

Software was brought up. Mr. Ochoa indicated that was not as problematic to acquire. Commissioner Elder recommended we purchase the items we need now, that leasing software did not seem practical.

Mr. Ochoa indicated he had personally purchased a fax machine and color printer and was letting the Commission use it.

The web page was discussed. Mr. Ochoa explained how the front page with limited information was open to the public and gave the Commissioners the password to access the portion under construction.

Without objection, Chairman Lynn will produce a logo for the Commission as he volunteered to do so.

Discussion was had regarding Commissioners being invited to attend meetings and how to decide who attends meetings when only two Commissioners are able to be present. The decision was that

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invitations would be announced to everyone through Mr. Ochoa when they come in and the first to say they can or wish to attend will have first shot at it.

Commissioner Huntwork indicated he feels the outreach position grade is too low and requested that Mr. Ochoa endeavor to have it raised.

Mr. Ochoa requested that several Commissioners be present with him in the interview process for the outreach position and the PIO position to expedite the process. He also requested authority to hire to expedite getting someone on board as quickly as possible.

Motion made, seconded, and carried to have Commissioners Minkoff and Huntwork work with Mr. Ochoa to interview candidates for the outreach position and PIO position and to bring back one or two candidates for each position to the Commission as a whole for final interview.

Motion made, seconded, and carried to authorize Mr. Ochoa to hire secretarial and administrative staff.

Commissioner Huntwork asked legal counsel about the open meeting laws and attending functions when they are not there for the purpose of conducting Commission business. Ms. Hauser indicated there is some dicta in cases regarding the subject and that she would research it and provide it to the Commissioners.

Commissioner Huntwork asked counsel whether subcommittees are subject to the open meeting law and do they need to keep minutes. Ms. Hauser indicated she would check on that as well.

Regarding private meetings, Mr. Rivera did indicate that the Commissioners can take their own minutes or the protocol form could be used as and characterized as minutes.

Public Comment:

Mr. Jim Hartdegen spoke and requested that notice of meetings be given as early as possible.

Future Meetings:

Discussed setting a regular day of the week for meetings of the Commission, Thursday or Friday. All Commissioners are requested to submit their availability for June and July to Mr. Ochoa ASAP so a schedule can be worked out. Counsel and NDC requested to be copied with that, also.

Whereupon, the Commission adjourned at approximately 2:27 p.m.

Minutes submitted by Lisa Nance