STATE OF ARIZONA

ARIZONA INDEPENDENT REDISTRICTING COMMISSION

REPORTER'S TRANSCRIPT OF PROCEEDINGS

PUBLIC SESSION

Phoenix, Arizona

May 4, 2001

9:20 a.m.

ARIZONA INDEPENDENT REDISTRICTING COMMISSION

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THE STATE OF ARIZONA INDEPENDENT REDISTRICTING

COMMISSION convened in Public Session on May 4, 2001, at 9:20 o'clock a.m. at the Capitol Building Executive Tower, 1700 West Washington, Grand Canyon Training Room, Basement Level, Phoenix, Arizona, in the presence of:

APPEARANCES:

CHAIRMAN STEVEN W. LYNN
COMMISSIONER JAMES R. HUNTWORK
COMMISSIONER JOSHUA M. HALL (telephonically)
COMMISSIONER ANDI MINKOFF
COMMISSIONER DANIEL R. ELDER
ENRIQUE MEDINA OCHOA, Executive Director
LISA T. HAUSER, Commission Counsel
JOSE de JESUS RIVERA, Commission Counsel
LISA A. NANCE, RPR, CCR, Court Reporter
JOHN ADLER, Arizona State Procurement
SPEAKERS FROM CALL TO THE PUBLIC:

None.

NATIONAL DEMOGRAPHICS CORPORATION:

FLORENCE ADAMS
MARGUERITE MARY LEONI

MARICOPA COUNTY ELECTIONS:
KAREN OSBORNE
TIM JOHNSON
CHAIRMAN LYNN: Call the meeting to order at 20 after 9:00.

The record would indicate four of the Commissioners are present, and one will be present by telephone. Mr. Hall will join us as soon as the operator completes that connection.

Again, for those in the audience, we will begin the meeting with public comment. And immediately following the public comment, we will go into a brief Executive Session. It will be brief. And then we will be back into regular session after that.

THE OPERATOR: Okay. This number is for Joshua?

MR. OCHOA: That's who we wanted.

THE OPERATOR: We don't have a number to get a hold of you.

MR. OCHOA: The number listed on this is 542-1729.

THE OPERATOR: All right. You do have a large conference to be set up. We'll start now.
MR. OCHOA: Joshua Hall is the only one to be brought in.

THE OPERATOR: The others you don't want?

MR. OCHOA: Just Mr. Hall.

CHAIRMAN LYNN: I think, in the interests of time, she'll call back whenever Mr. Hall is with us.

If there are members of the public that wish to address the Commission this morning?

Seeing none, then I would ask that they excuse themselves. And again, it will be relatively brief.

MS. HAUSER: Mr. Chairman, you need to state the reason and vote to go into Executive Session.

CHAIRMAN LYNN: Thank you for keeping me in line.

We are going to go into Executive Session to receive advice from legal counsel. I don't know specifically --

MS. HAUSER: This is item nine on the agenda, moving it up.

CHAIRMAN LYNN: Actually 10 on mine. 10 on mine. Legal counsel, discussion, and consultation of legal advice.

Motion to go into Executive Session?
COMMISSIONER MINKOFF: So moved.

CHAIRMAN LYNN: Second?

COMMISSIONER ELDER: Second.

CHAIRMAN LYNN: All in favor, say "aye."

(Vote taken.)

CHAIRMAN LYNN: Opposed, say "no."

Motion carried.

We will go into Executive Session.

(Whereupon, at 9:26 a.m., the Commission recessed Open Public Session and convened in Executive Session.)

(Recess taken.)

(Whereupon, at approximately 10:06 a.m., the Executive Session concluded and the Commission reconvened in Open Public Session at approximately 10:10 a.m.)

CHAIRMAN LYNN: Next item on the agenda is minutes of April 13th and April 5th. Given the lengthy nature and that we just received it, we'll defer that until another meeting. We'll defer it and make additions or corrections at another meeting.

Mr. Hall, we'll get them to you.

COMMISSIONER HALL: Thank you.

CHAIRMAN LYNN: Next item, discussion, meeting with National Demographics Corporation.
I believe I saw Dr. Adams here as well.

MS. LEONI: Did you see her?

MS. HAUSER: No, that was not her.

MS. LEONI: I expected her. I know she's in town. She was delayed getting over here. I expect her any minute. I expected her by quarter to.

MR. RIVERA: Did you tell her the meeting was over here?

MS. LEONI: My concern is she'd have gone to the offices at 1400, the offices over there in the basement. I'm a little concerned I may have misled her. When I said "basement," I did not say the same building as before.

COMMISSIONER ELDER: We call it the garden suite.

MS. LEONI: I went over to the garden suite, and it was locked up tight.

CHAIRMAN LYNN: In the interests of time, let us defer that issue until Dr. Adams gets here. Or are there issues we could take up with Ms. Leoni regarding some --

I think Dr. Adams needs to be here for those issues, just needs to be here.

MS. HAUSER: Number seven.

CHAIRMAN LYNN: Seven? Want to go to
Without objection, let's take item seven, inter-governmental agreement with Maricopa County.

MR. OCHOA: Mr. Chairman, we were going to start working on the inter-governmental agreement. My impression --

And here is Dr. Adams.

There was an issue that arose as to whether you and Mr. Elder and subcommittee members were to be involved in those discussions. After speaking with Lisa and Karen, we remembered that it was the intention, somebody discussed that you should all be involved. But there wasn't a motion to authorize the two members to actually be involved as the subcommittee.

And we thought we'd address that issue at this time.

CHAIRMAN LYNN: I think we were constituted as a subcommittee to deal with any and all offerers under that RFP. I don't think we needed a separate motion on a consultant-by-consultant basis.

Mr. Elder and I were to deal with consultants, any consultants under that RFP, Maricopa County, EDS, NDC.

Mr. Elder, do you have different understanding?

COMMISSIONER ELDER: That's my understanding.
CHAIRMAN LYNN: Unless that's a problem,
we'll do that.

We'll, perhaps, depending on when we
conclude the agenda today, have an opportunity when
we're here to begin that process.

MR. OCHOA: Great. We, when I spoke with
Ms. Osborne, the idea was that, again, they were more
than willing to address the considerations that had been
voiced by the Commission. And, of course, it will
probably be even more productive now after we have
discussions with NDC, because the picture will become a
little bit clearer.

Also, I did take advantage of meeting with
Mr. Tim Johnson and addressing some issues that had to
do with equipment so that we could get rolling on that
and be ready to hit the road.

To that effect, I'm going to pass these
out so that people can see these. And they will have
some information in that regard.

CHAIRMAN LYNN: Okay. Why don't we do
that as a part of -- since we'll meet with Maricopa
County at the conclusion, pass that out as part of your
Executive Director's report.

MR. OCHOA: Also, we also discussed the
web page.
COMMISSIONER ELDER: Mr. Chairman, can I ask Tim and Karen if they are willing to participate in without a contract on responsibilities of NDC and how it fits in --

COMMISSIONER HUNTWORK: I can't remember.

My intention, I thought I made a motion for you and Dan to conclude the agreement, expanding the authority granted to you in the original motion. If I didn't, I'd like to do that now, if I can.

CHAIRMAN LYNN: The minutes might reflect it. I have no idea.

Ms. Hauser.

MS. HAUSER: My notes from the meeting indicate there was a motion made following clarification it was a services motion, made to execute the agreement. Shouldn't be a motion to execute the agreement, how much to decide --

COMMISSIONER HUNTWORK: I recall the motion included you two to conclude it.

COMMISSIONER ELDER: Should we make the motion again?

COMMISSIONER HUNTWORK: I don't think we need.

CHAIRMAN LYNN: If --

COMMISSIONER HUNTWORK: If it's on the
agenda, it's in order.

CHAIRMAN LYNN: If it's duplicative.

COMMISSIONER MINKOFF: I second.

CHAIRMAN LYNN: Moved and seconded.

Discussion?

All in favor, say "aye"?

(Vote taken.)

CHAIRMAN LYNN: Opposed, "no."

Motion carries unanimously.

Back up to item four.

Welcome, Dr. Adams.

DR. ADAMS: Thank you.

CHAIRMAN LYNN: And Ms. Marguarite Leoni, and we'll engage in, I guess, the way we ought to begin this discussion first and foremost, we should say how glad we are to have you under contract, which I believe is the case.

MR. ADLER: Yes.

CHAIRMAN LYNN: Signed.

DR. ADAMS: Offer and acceptance, signed, sealed and delivered.

CHAIRMAN LYNN: We're pressed into service, summer upon us, and we need to begin the formal discussion of your time line, your process, how you will proceed from this point and, essentially, what would
have constituted the week-one deliverables, to begin
that process so we start off the block and all know what
proceeds from that point.

So if you are prepared to engage in
discussion, maybe that's the way to do it, or if you'd
rather have us ask questions relative to the time line,
do it whichever way you prefer.

DR. ADAMS: Let me speak to it,
Mr. Chairman and members of the Commission.

We've started developing week-one
materials. I have them in draft form. I'd like to
finalize those materials and forward them to the
Commission attorneys so they can take a look at them and
then have them available to you on Monday. That's our
aim.

We'd also like to have a draft of the
Power Point available to you on Monday. We're trying to
hit the ground running. We do have memos addressing all
those issues that are in the first week realizing that
we are now probably back up a week or maybe two. But I
think we can make up some of that time as well.

CHAIRMAN LYNN: All right. And would
those materials also include a revised timetable?

DR. ADAMS: Yes. We'd be happy to do
that.
The timetable we're talking, week one, week two, you'd like to see that compressed some, if we can possibly do that?

CHAIRMAN LYNN: I think that anything you can, again, speaking only for myself, I think we'd like to see the beginning, have two things as quickly as possible: First, we are -- we are under an obligation to begin to develop a set of districts, both congressional and legislative, that are constructed in a grid-like fashion. And we need to do that as rapidly as possible. That is part of our charge, to do that first. The other thing that we need to do and certainly could be done, or have begun simultaneously, is an outreach process to the public to begin working on the AURs.

DR. ADAMS: That's right.

CHAIRMAN LYNN: In terms of the proposal. So to the extent that those two things can simultaneously track, I think we'd like to do that.

MS. LEONI: I think one of the things we might want to bring back to you very early next week for your consideration is a proposed schedule for hearings. Right now the Commission is considering only six. Our initial reaction to that is that may be shy of what we need on this first round. I think what we'd like to hear from you right now are perhaps your views and
suggestions about what areas and additional areas where, from your personal knowledge is, your knowledge of the state, and your local constituencies, areas you are from, where you believe would be good areas for holding those hearings, let us early this week, perhaps even Monday, have a tentative schedule to review with counsel and have that for you as well.

A number of technical things, a number of procedures, there are a number of operational things to get hearings off the ground.

I believe that we, if -- we'd like to speak with your counsel as well on that, see where those matters stand, issue notices, translation services, et cetera, perhaps maybe have -- hear from them on their report.

Frankly, we'd like to start that AUR hearing process next week, if possible. Then simultaneously with that I believe one of first issues next week, deliverables, start discussing approaches to equal the population grid.

I think it would be helpful, also, for us, on a -- as a separate issue, to hear from you what approaches you have thought through and would like to see tested so we can bring those back to you as well.

Obviously, we've been thinking about it,
have independent thoughts, and have seen thoughts put out there in the public. I think all of these are worth taking a look at initially and bringing in these approaches for you to take a look at.

It would be good for us to hear from you.

Really, it's going to be a busy weekend, busy beginning of the week, bring those back to you at the beginning of the week, to bring those back to you as to what we pursue.

COMMISSIONER MINKOFF: When you talk about approaches, approaches to what, to the grid?

DR. ADAMS: To the grid.

MS. LEONI: To the grid.

DR. ADAMS: I should say one thing right at the outset. We must use census geography and data as the basis. That's what we have to use, given there are many ways to approach the grid. And Mr. Osterloh has suggested an approach to the grid. Mr. Grest had an approach to the grid. We've looked at approaches to the grid. I suspect you've looked at approaches to the grid. We'd like to list out all those approaches, anything that comes to us from you in addition to the ones we know are out there, and then take a quick look at those, have counsel take a good look at those, and see if we can't move ahead fairly quickly.
CHAIRMAN LYNN: Is it appropriate at this time to give you that input in terms of our thoughts about grid construction?

MS. LEONI: Both issues, areas for hearings and --

CHAIRMAN LYNN: Let's deal separately.

Grid construction first and move to hearings and other, to keep them confined and in order.

Mr. Elder.

COMMISSIONER ELDER: Reverse order, easiest one first.

CHAIRMAN LYNN: Hearings first. Shows who's in charge.

Mr. Elder.

COMMISSIONER ELDER: I think we want to be closer to 11 or 12. Just looking at the state, drawing Xs and squares where I think we have masses of population, it comes out to about 11. My preference, or the preference, what I'm looking at, is something up in the Kingman area, far north; Yuma, river communities in the Southwest; we probably need somewhere in the range of four meetings, don't know what to call it, west valley, north, south, going around the mountain, something like that, metropolitan area, Maricopa County; Flagstaff might include the northern, north central
portion of the state; Springerville area, hit the east
central portion; and southeast, which would include
Sierra Vista, Benson, Wilcox, Safford area; two in the
Tucson area, one to the north, south being Nogales,
Green Valley, southern part of it, metropolitan area,
and north picking up, go as far as Casa Grande or not.
Maybe Casa Grande is the southern part, southern part of
the Phoenix metropolitan area.

When you look at that, that's 11 sites.
Asking people to travel clear across the State to
participate, if we limit it to six, that's what we'd be
doing. That's reference quantity or numbers.

Anybody have --

COMMISSIONER MINKOFF: One thing I'd add
to that, that's excellent coverage of the state from a
geographic standpoint. I'm impressed with the map of
the state from that. One concern I have is when we get
input as you travel, these AURs, I'm sort of equating
them to communities of interest Prop 106 talks about.
One community of interest I want to make sure we provide
easy access to the process, and actually communities of
interest, is Native American groups within the state. I
think we need to look at that and make sure we provide
them easy access to the process. There are a number of
them geographically disbursed throughout the state. We
need to make sure that their input is taken very
seriously.

COMMISSIONER ELDER: Maybe that's
something to talk to Joshua in that part of the state, Springerville, goes to Winslow, northern areas, and
other parts of populations.

COMMISSIONER HALL: To that point,
Mr. Elder and Minkoff, some questions -- I think we need
to go to Window Rock. That's the capital, as it were, of the Navajo Nation. I think we definitely need to have something there. You can go to Apache County, St. Johns, Navajo County, Show Low is more central. Hopi tribes would probably attend in Flagstaff. San Carlos, White Mountain Tribes as well. I agree we need to hold a few more meetings that we include input of these communities of interest.

CHAIRMAN LYNN: The other thing that needs to be taken into account in terms of outreach, that's but one of the methodologies we want to employ in terms of outreach. Whatever schedule, have something on the website, in the office, other ways to capture information from people that may or may not be able to make one or more meetings, however many we schedule in whatever part of the state.

COMMISSIONER HALL: I agree.
I suggest we have computers, as it were, have formal meetings discussing, as Mr. Elder eloquently outlined, and may also have a second tier of maybe a couple Commission meetings and some formal meetings with specific communities of interest just to be sure we've received all the input we can in addition to whatever comes through technology or the web.

CHAIRMAN LYNN: Mr. Huntwork and then Mr. Elder.

COMMISSIONER HUNTWORK: I'm seeing two different outreach programs here. One is a more or less geographical one, and that one involves posting -- picking convenient sites, giving adequate notice, and meeting with whoever chooses to attend. I think the other thrust that we need to focus on equally is a proactive outreach effort to interact with communities of interest insofar as we can manage to identify them. And that's not necessarily geographic at all.

And it may -- it's an issue we haven't gotten to yet, but it involves perhaps staffing that we haven't completely fulfilled yet as a way of initiating some of those contacts.

CHAIRMAN LYNN: Mr. Elder?

COMMISSIONER ELDER: I think listening to Joshua's comments there, we're mixing categories. One
is geographic population mass of the state. I think we
take a risk if we address specific tribes. We have 21
communities, Native American communities, Navajo, Apache
White Mountain, then not address Asians, Hispanics,
other communities of interest. We need to look at that
as maybe a parallel second tier, communities of
interest, and then have access by the general public
being a different type of thing.

COMMISSIONER HALL: I absolutely agree
with that. I think similar, Mr. Elder, think similar to
what Ms. Minkoff said of the Latino population was
appropriate, and the second tier, if you will, and we
ought to identify every possible community of interest
to address and hear their specific concerns and their
issues.

CHAIRMAN LYNN: Now, the question arises,
again, you can have an infinite number of meetings in
the time allotted. The question of, number one,
staffing those meetings and, perhaps, as importantly,
Commission representation at those meetings. There are
some limitations in terms of if we feel it is important
for at least one member of the Commission to be present
at all those meetings, then we better have a fairly
complete list fairly early on of what those meetings are
going to look like so we divide them up in some fashion
and know what they look like. It will be virtually impossible, I believe, unless we're all prepared to take leaves of absence from --

COMMISSIONER MINKOFF: -- life.

CHAIRMAN LYNN: -- our places of employment to attend all these meetings.

I believe it's important for us to make a determination to say if the presence of the Commission is appropriate at meetings, then the meetings will not be held without the presence of at least one Commissioner, that is to say we shouldn't have two kinds of meetings, meetings where commissioners are present and meetings where commissioners aren't present. That would indicate we have sort of greater and lesser meetings, if I can use those terms. I don't think that would be appropriate.

We should derive a schedule, doable, we can commit to. Might be nice to have four meetings around the Phoenix area because of size of the area. Might be better to have four meetings not necessarily geographically based, two geographically based, two based on communities of interest, if that's of more benefit.

I don't think we'll be able to get all of us to 20, 30 meetings around the state.
COMMISSIONER HALL: No doubt.

COMMISSIONER MINKOFF: I'm glad we took the easy topic first.

I have a question as to whether we can combine both of these things we're trying to do. We need to be in the state in terms of geographic consideration. We also need to address certain communities of interest. In geographic consideration, there may be communities of interest we need to hear from. Is it possible when we go to a particular area to compartmentalize a meeting in any way so we listen to representatives from a community of interest, and then another community of interest, and just kind of combine it in a large meeting, in a sense do it at once?

MS. LEONI: I don't see why not.

DR. ADAMS: I don't see why not.

MS. LEONI: Some of these areas perhaps are close enough to Indian groups, or Spanish communities, the meeting could be a general community meeting followed by a break and then hear individual community concerns.

Perhaps what we'll be doing is thinking that through in the schedule we propose to you for your reaction and maybe under a geographical area, and we'll consult with your attorneys on this as well, identify
some specific interest groups that could be invited at
that same location. I think it's wise.

MS. HAUSER: Mr. Chairman, to that end,
following the last meeting, I did request of each of the
county recorders and election directors interest group
information. They deal with interest groups when they
draw supervisor districts, Justice of the Peace
boundaries, as they draw voting right boundaries. The
interest groups they're used to dealing with, folks
they're used to having come up and say are ones they're
used to having come up and say something, I hope to have
that soon to give to Dr. Adams.

MR. RIVERA: One of the things we did
based on Commissioner Hall's information is map all
Native American tribes. All the chairmen, four-fifths
of them I personally know. In terms of Mr. Hall and
NDC, we can see what we can arrange with the Native
Americans. There is an inter-tribal governmental
association that meets on a regular basis. We can find
out their schedule so we can meet with them.

I was looking at Mr. Elder from a
geographical aspect when he talked about that, and
Ms. Minkoff in the process of compartmentalizing it, and
actually hit all the areas, large areas of Native
Americans. Maybe make a side trip, NDC make a side trip
on the hearings.

We are working on that, were working on
that last night, with Native Americans. Mr. Hall
mentioned a desire to speak to some of these and should
be getting those pretty soon.

CHAIRMAN LYNN: Mr. Huntwork?

COMMISSIONER HUNTWORK: Mr. Chairman, in
consideration of public meetings and private meetings,
I'd like to consider whether that's appropriate. One of
the thoughts that I had is through staff and with
members of the Commission present but not necessarily --
not a quorum, it's possible for us to have private
meetings and receive input in a different way. The
question is whether it is appropriate. My reaction, my
thought is that it is appropriate. In fact it might be
appropriate for us to have a staff member who helps to
coordinate such activities over the next few months. I
want to put it on the table as an explicit part of
concern.

CHAIRMAN LYNN: My concern, let me react
to it. My concern is every citizen of the state,
regardless of which community or communities of interest
they may belong to or consider themselves, have the
opportunity to address the Commission and that the
weight of that input is by and large equal in
consideration. That's very important to me.

If there are private meetings held, my concern would be that -- I think we're held to a high standard when we hear something in public and don't respond to it. Everyone knows it. We've all been told it. If we hear something in private and don't respond to it, I don't know there's same the level of responsibility. I'd be concerned about it.

I'm also concerned about the process, one of us present at each of the meetings along with staff, and hopefully legal counsel, that all of that information will get back to us in a fashion that receives the same kind of fair treatment.

Ms. Hauser, if you want to comment on that, Mr. Elder was asking to be heard, let me ask you --

MS. HAUSER: Want me to go first?

CHAIRMAN LYNN: Mr. Elder.

COMMISSIONER ELDER: My question to Mr. Huntwork, when you say "private," I think the proposition said: Hey, we're going to conduct our business open to the public. Are you just meaning it's not a quorum? Are you meaning -- to me, I think if a Commissioner is there, and taking on Steve's lead there, we have documentation, get it into the system, it gets
equal weight, I don't think we really have private
meetings, just not a full quorum.

COMMISSIONER HUNTWORK: That's right.
The distinction, it's important to keep in
mind, one other question on the table, too, I don't know
about the rest of you, but I have received numerous
private inquiries or attempts to talk to me.

COMMISSIONER ELDER: Attempts.

COMMISSIONER HUNTWORK: By various people
and/or groups. And personally, I have resisted those.
I don't know what the practice has been with the rest of
the Commission. We haven't talked about it in our
meetings, and obviously we haven't talked about it
privately. I have resisted those for exactly the
reasons you are talking about.

My thought on these, quote, private
meetings, end quote, there would be a report kept and
ultimately that would be available for consideration by
the Commission.

CHAIRMAN LYNN: Ms. Hauser.

MS. HAUSER: The point I wanted to make to
the members of the Commission is that certainly as
Mr. Huntwork indicated you are going to get a lot of
requests for meetings that -- from various interest
groups who may or may not be able to attend various
public meetings and just want to sit down with you.
There is nothing inappropriate about doing that as long
as there is not a quorum of Commission members present.
But with any meetings, whether public meetings or any
phone call you get from an interest group, or any
sit-down kind of meeting that you have with someone, it
is imperative that those meetings all be documented and
that you -- that we know, essentially, exactly what was
requested of you.

Mr. Lynn, to your point, it's important to
know or that we might not know in some of those meetings
we failed to consider something submitted to us. That's
exactly the point.

We have to keep a record of what is
presented to us and how we dealt with it. That's
exactly the kind of information Department of Justice
will look to later on.

CHAIRMAN LYNN: Mr. Huntwork.

COMMISSIONER HUNTWORK: Mr. Chairman, what
I had in front, I think I expressed this, was a member
of the staff, a member or a couple members of the
Commission, and probably a memorandum or summary of what
was discussed in such a meeting. I think that provides
some safeguard if it allows for the intent, at least, is
to allow for greater input. But, you know, it has
pluses and minuses.

I think we actually ought to seriously consider either doing that or deciding that we're not going to do it. And if we're not going to do that, we really ought to consider adopting some sort of formal policy about the Commission members meeting in private on a one-to-one basis with such groups. Because that would be even more problematical. This is sort of a safety belt, provides a middle ground that perhaps accomplishes both objectives.

DR. ADAMS: Mr. Chairman.

CHAIRMAN LYNN: Dr. Adams.

DR. ADAMS: We're going to have materials that are appropriate for such meetings; so if somebody does approach you, you could have a printout, the Power Point, even if you didn't have the Power Point presentation to hand that person. You can have an instrument we actually already have in draft form, take input from that person so they can fill out that form. You can hand them a citizen kit. There are going to be ways of being able to address those people with raw materials we're going to be developing for the public process.

CHAIRMAN LYNN: I also make a distinction, want to be clear about the distinction of taking
meetings that have the purpose of giving information as opposed to collecting information. I've received a number of requests to give information about the process, what we're doing. I have no problems with those happening whenever those are appropriate as long as we all understand we should give the same information or information consistent with someone else's. But to -- unless we use a significantly structured process for those private meetings which includes literally answering a series of questions or filling out a form or condensing that information into a form that will look like information gathered at other venues through other means, I would have a problem with doing it. If we have that kind of process and all agree those meetings would follow that process, so regardless of the source it comes back looking like information we've seen everywhere and gotten from whomever wishes to meet with us, I have less of a problem with it.

MS. LEONI: Commissioner Lynn, it's not unusual for Commissions to have policies on nonpublic contacts that include a disclosure provision.

Part of that disclosure could be the instruments and citizen kits you are going to be receiving from NDC. But you may, if you -- I appreciate very much Mr. Huntwork's comment that this can be a
method to expand contact. You may want to ask your legal counsel to propose back to you an ex parte contact protocol to propose back to you to use on who made contact, details of contact, what was discussed, and have attached to that the instruments developed in the course of the meeting. And it may turn out to be an additional source of information and important information for the Commission.

CHAIRMAN LYNN: Ms. Minkoff.

COMMISSIONER MINKOFF: I would have a question about that. If we go ahead with the scenario that Mr. Huntwork has proposed and have such meetings and a record of the meeting is created, memorandum of who attended, who said what, et cetera, I'm wondering if it would be appropriate to share that with the Commission but people who came to the meeting, this is our understanding of what transpired at our meeting, just make sure they see it in the same way we do. If no objection to it, we have a record agreed to all parties at the meeting says this is what we said, this is what they said.

MR. RIVERA: Public record irrespective.

MS. HAUSER: Your point being for them to correct it?

COMMISSIONER MINKOFF: Feedback from them
later on that's not what we said at all.

MS. HAUSER: That's very appropriate. If the Commission likes the idea of an ex parte protocol being developed, that's something we should include or could include.

COMMISSIONER ELDER: Don't know if it takes a motion. I'd like to see that. I'd like to make sure it's more in common language. When you say "ex parte," I don't know what ex parte is, a really wild party?

MR. RIVERA: And you weren't invited.

COMMISSIONER ELDER: Something I can understand.

MS. LEONI: A party where only you are there.

COMMISSIONER ELDER: Something as an instructor we can use.

CHAIRMAN LYNN: If you'd like a motion to have that instrument drawn up, that protocol -- sounds like the right way to do it.

Again, the concern is everyone has access and all access is considered and all access is taken on equal basis.

COMMISSIONER ELDER: I'd so move and like that to extend. Discussion --
CHAIRMAN LYNN: Can I run the meeting, Mr. Elder?

Just make the motion. I'll take it from there.

COMMISSIONER ELDER: So moved.

CHAIRMAN LYNN: Is there a second?

COMMISSIONER HUNTWORK: Second.

CHAIRMAN LYNN: Discussion.

COMMISSIONER ELDER: I was going to amend the motion to say to include staff and consultants.

Now, does that hinder how you work? I don't know like what would come in the door like in the garden apartment we have, how that would work.

DR. ADAMS: I think we should be included.

MS. LEONI: My recommendation is we be included, no private contacts where we're not included.

COMMISSIONER ELDER: Compatible with categories.

CHAIRMAN LYNN: Ms. Minkoff, acceptable with that --

COMMISSIONER MINKOFF: Yes.

CHAIRMAN LYNN: There is a motion on the floor as amended.

COMMISSIONER HALL: I don't know. I guess I'd ask legal counsel. My preference, I think there
needs to be at least two people at every meeting. I think if only two are able to be there, at least one of those members should be a Commissioner and legal counsel. Is that going to spread counsel too thin in answering those several requests for solicitations?

CHAIRMAN LYNN: Are you referring to all meetings or referring to only those publicly noticed?

COMMISSIONER HALL: Referring to like if a particular Commissioner wants to meet with member or leader of a community of interest, in my mind, it would be ideal to have one member of counsel there.

CHAIRMAN LYNN: As a practical matter, I think that may be difficult if not impossible. It's for that reason I guess my personal preference was and may still be to limit those meetings so as to -- if the feeling is that there needs to be a record kept of those meetings, if we can't get that protocol in place, the subject of the motion, where the individual can have the meeting, which I think relieves the burden to have legal staff and others present, I think it wouldn't work.

COMMISSIONER HALL: Protocol, what would be the specifics of the protocol, Lisa, maybe an overview of what you had in mind?

MS. HAUSER: Protocol, I think, would be one that would certainly provide for essentially the
record keeping component of the meeting as well as just
providing a public record of that but also for purposes
of providing some protection for the Commission with
respect to the information brought to it. And if the
protocol adequately addresses those issues, I don't
think it will matter considerably whether or not there
is a Commission member present for each one, legal
counsel present for each one. I can imagine members of
the public coming into the Commission office and wanting
to leave input with the Executive Director or other
staff and the protocol, as I would envision it, would allow for that to occur. We'd just have a rather
standardized format for doing that.

MR. RIVERA: It seems to me we're really -- some things we could do. Regular protocol, regular people, do a checklist, check off who's there, who is present, how long it was held, comments that were made, and then the questions that were asked to be addressed later on, and go through a central repository, like the executive director, and he'd keep a log of the requests coming in.

I think Mr. Hall is talking about something beyond that. Mr. Hall, tell me if I'm wrong. Like if he wants to meet with a group or leader, Chairman of the Navajo Tribe, and I think that's a
little different than just the checklist. And those kind meetings I think it might be wise to have not only a Commissioner, either staff, particularly maybe legal counsel, if you can afford it, not very many of them, those will have larger, broader questions than an individual coming in asking or talking with one person.

I guess I'm somewhat, having seen group dynamics work in the past and going through group dynamics, the last one with Commissioner Huntwork and Commissioner Minkoff, the last one set up by the Commissioner, you may want different protocol, may want a Commissioner and counsel. I don't think there will be very many of that, on that group protocol, to handle different than individual citizens that want to come in and talk to you.

MS. HAUSER: Mr. Chairman, if I can add one thing, Mr. Hall is thinking in some things of meeting with tribal leaders in his area. It's difficult to have a one-size-fits-all scenario with respect to who should be in attendance at every meeting.

My experience with Indian tribes' protocol, it's very important we need at all times to make sure we have the appropriate level person meeting with whoever is coming from that Indian community. If you have a Tribal Chairman, for example, you are
definitely going to want to have a member of the Commission there, not send a staff person. Observing some cultural protocols is important and you have to deal with them as they come up.

CHAIRMAN LYNN: Does that answer your concern, Mr. Hall?

COMMISSIONER HALL: I guess so. That speaks to some of the points.

There are members of tribes I have a desire to meet. I'm more than happy to do that. My preference, whether Ms. Hauser or -- I'm sorry, Jose --

CHAIRMAN LYNN: Or Lisa --

COMMISSIONER HALL: I'd prefer one of those be there to sit down and hear. I think it should also be clear as we meet, we're there to listen. We want to listen. We welcome any and all input. It should be clear to any and all members of the Commission, we're one member of the Commission. We do not have authority to make any decisions, don't make any promises.

CHAIRMAN LYNN: I think the protocol can speak to exactly what should transpire in the meetings.

There's a motion on the floor. Further discussion on the motion? If not --

COMMISSIONER MINKOFF: Remind me.
CHAIRMAN LYNN: The motion is to develop a protocol for Commissioners and staff and consultants to address the way in which a private meeting to collect input might occur.

COMMISSIONER HALL: Would that include telephone calls?

CHAIRMAN LYNN: It should.

MS. HAUSER: Yes.

COMMISSIONER HALL: Okay.

CHAIRMAN LYNN: All those in favor of the motion, say "aye"?

(Vote taken.)

CHAIRMAN LYNN: Opposed, say "no"?

CHAIRMAN LYNN: Motion carries. And we'll develop that protocol to be brought back to the Commission.

CHAIRMAN LYNN: Mr. Elder.

COMMISSIONER ELDER: Protocol. I'd like to be able to send an e-mail to all Commissioners and the Executive Director when the request comes in from a particular group to see if any other Commissioners want to attend as long as we don't get into any more than a quorum. Is that -- is there some way of accomplishing that if I wanted attend a meeting with Joshua or Steve, I could?
MR. RIVERA: I think that could be answered in part of the protocol. The wisest way, off the top, that Commissioner goes to the Executive Director, Executive Director says ta-da going to X meeting, anybody else, run through staff and executive office, easiest way to do it.

COMMISSIONER ELDER: He can help control it so there's not a quorum.

MS. HAUSER: Definitely not sending e-mails to each other.

COMMISSIONER ELDER: Okay.

CHAIRMAN LYNN: Let's clear up that. The question that goes along with that, if, for example, there are meetings in -- pick Phoenix, for the sake of argument, because two commissioners live in Phoenix. If one of the meetings is in Phoenix and either Mr. Elder or I or Mr. Hall want to join that meeting creating a quorum, that meeting then needs to be noticed.

MS. HAUSER: Right.

CHAIRMAN LYNN: The meeting would be noticed anyway. Wouldn't be noticed as an official meeting notice. It would be noticed --

MS. HAUSER: Wouldn't be noticed as an official notice of --
I think the best thing, on any of these, to encourage maximum attendance, go ahead and notice them all as if there were three members of the Commission there.

CHAIRMAN LYNN: That would cover it if more showed up.

MS. HAUSER: Yes.

CHAIRMAN LYNN: You wouldn't have to worry if there were a quorum or the entire representation of the Commission.

COMMISSIONER HUNTWORK: I can see that happening on some types of meetings but not all meetings.

I still have in mind less formal contacts that will promote input where we wouldn't want to wait 48 hours or give notice --

If notice, a formal record, court reporter --

MS. HAUSER: Scheduled meetings.

COMMISSIONER ELDER: Clarify. Somebody that says I have somebody in town, would like to see if we can set up a meeting with the rest of the constituency, user group, whoever it might be. I'd like to be able to say I'm going to agree to this as a group. I think we should get the input from. I'll be doing it
on the 5th, which might be tomorrow, whoever. And if
anybody could attend, if not, so everybody knows kind of
what the next contacts and responses have been and not
as a formal, oh, going to have a hearing, make a formal
presentation.

CHAIRMAN LYNN: Ms. Minkoff.

COMMISSIONER MINKOFF: I have problem with
that. If three or four of us are there, it becomes a
public meeting. We have to open it up to everybody that
wants to attend. If a particular group has come, wants
to attend, wants to talk to you, wants to express their
concerns about the process, and three or more of us are
there, then it no more becomes conversation between just
that group. It's open up to the public, may become a
problem how open the group chooses to be with us.

COMMISSIONER ELDER: Run it through the
Executive Director, limit it to two or less, make it
fly, don't have to notice.

COMMISSIONER HALL: I think that's
certainly the best way to handle it.

I think as a practical matter, similar I
think for everybody, the Maricopa meeting, obviously,
attend, from a practical standpoint, it would be prudent
on occasion to mix and match attendees at different
locations, different meetings, so the same people aren't
representing the same geographic area.

CHAIRMAN LYNN: Ms. Hauser.

MS. HAUSER: To try to respond to that question, if -- any time we have a meeting, what the protocol I think will address is developing the public record of that meeting. And none of the meetings, even though people may be more comfortable with having a dialogue with a member outside of a formally set meeting of a quorum of the Commission, it will be a public meeting in the sense that it will be part of the public record of the Commission. I just want to clarify that, as far as the comfort level you are talking about.

COMMISSIONER MINKOFF: That's not what I have a problem with, not just a public record made of it. If a public meeting, other people choose to have input at that meeting, can speak to Commissioners who may be there.

There may be a particular community of interest or particular group that says we want to have a dialogue with you. And that's all they want, even though a public record is made. The communication is restricted to that community of interest and an appropriate Commissioner or Commissioners choose to attend. It's a very different meeting, don't have press there, don't have other people there, don't have other
people there as part of the conversation. A private
cornerstone of which a public record is made, very
different than a public meeting.

MS. HAUSER: That's correct.

CHAIRMAN LYNN: Mr. Huntwork.

COMMISSIONER HUNTWORK: Technical

question. I want to make sure we've really thought this
through. Is a communication among us simply over who is
going to attend the meeting a potential violation of the
open meeting law?

MR. RIVERA: You are reaching a decision.

MS. HAUSER: Yes.

MR. RIVERA: Reaching a consensus
decision. To be technical with you, yes, that's a
violation of the open meeting law.

CHAIRMAN LYNN: Again, I want to express a
continuing concern that to the greatest extent possible,
we should hear and receive, it's my opinion, we should
hear and receive information in a form that is open.

Having said that, I understand we may want
to reach out to specific groups to have conversations
about their feelings about this process. And I respect
that. I also have some concerns that in some cases, the
representatives of communities of interest may be very
formal and very clear. In other cases, they may be
people who purport to represent a community of interest
who have no more standing in that community than anyone
else in that community.

I'm not sure we're going to be able to
discern that.

When we're all making individual
judgments, it becomes, I think, more troublesome. So to
the largest extent possible, I would like to see the
input come through as formalized a process, whether both
public and private, but as formalized a process as
possible. That's why protocol is important to me.

Mr. Elder.

COMMISSIONER ELDER: I guess I want to ask
Andi the question, that people might be more open and
ready to speak to specific issues if among their own
group, I tend to go with Mr. Lynn on the -- has to be a
public record. Once we make that protocol or that ex
parte whatever it is review, it goes back in, I would
feel we would want to have every one of those carried in
a log, chronological sequence, open for anybody to
review at the garden office: We met this group; we met
this group; this is what talked about.

MR. RIVERA: That's required for open
meeting law, not only good for the public, also good for
our preclearance.
COMMISSIONER ELDER: Okay.

CHAIRMAN LYNN: Thanks for sharing that.

Appreciate that as well.

All right. Any more discussion that needs to occur with respect, particularly, with Dr. Adams and Ms. Leoni about this process, collection of data process that we're talking about?

COMMISSIONER HALL: My question is, on this protocol, is when do we see this forthcoming? We need to get this. We're so far behind, we think we're ahead. I think we need to move ASAP on a lot of these issues.

CHAIRMAN LYNN: Sounds like we're moving toward a meeting next week and we can have it at that time.

COMMISSIONER MINKOFF: Do you have enough from us?

DR. ADAMS: Yes.

MS. LEONI: Yes.

CHAIRMAN LYNN: Let's move to the second item, then, consideration of data.

Let's take a five-minute break and we'll resume.

(Recess taken from 11:10 until 11:19 a.m.)

CHAIRMAN LYNN: I'd call the Commission
back in session.

Mr. Hall, are you there?

COMMISSIONER HALL: Yes, sir.

CHAIRMAN LYNN: Second item, with respect to the process with NDC, some direction on development of the grid and the units that we want to consider. Let's engage in that discussion, if we can.

Mr. Elder.

COMMISSIONER ELDER: Mr. Chairman, probably the first thing we need to do is agree or at least consider what the basis of the unit is that we're talking about. And I think I would like to propose that we at least initially, unless we find that we run into some problems, use a census block or smallest census unit we have, not try to subdivide census blocks until we see we have a problem, if we have a problem.

CHAIRMAN LYNN: Mrs. Minkoff.

COMMISSIONER MINKOFF: Dr. Adams, as I recall during your initial proposal before the Commission, when we were talking about the grid and you said you wanted input from the commissioners, I got the impression it was your intention then to draw up several attempts at grids. Was that your intention, is it still, and can you expend on it?

DR. ADAMS: Once we determine an approach,
once you have an approach for developing a grid, you
could start anywhere, start in the middle of the state,
start up in the northeast, Southwest, whatever. What
we're suggesting is that there may be different starting
points that would actually give different results, and
you may want to explore the possibility of each
selecting a starting point so that you have a number of
options.

CHAIRMAN LYNN: Mr. Huntwork?

COMMISSIONER HUNTWORK: Mr. Chairman, I
did internet research on mathematical research of tiling
a plane. I found out it is an extremely complex issue.

CHAIRMAN LYNN: You've seen the tile in my
great room. It is indeed complex.

COMMISSIONER HUNTWORK: There are
something like 17 different mathematical ways to tile a
plane. Each number of those have a finite to infinite
number of variations. And, furthermore, the research
indicates mathmetaticians refer to those patterns as
grids, as a result of the tiling pattern called a grid.

Therefore, two thoughts emerge. If we view this as a
mathematical exercise, it is an extremely -- it could be
an extremely complex one, and it's one that has no
unique solution, mathematically speaking.

What the proposition literally requires us
to do is start the mapping process by creating a grid. It doesn't require us to start our work by creating a grid. That's not the first thing we do as a Commission. It's simply to start a mapping process. We -- for example, the first thing we do is we had to select a Chairman, Vice Chairman, then staff, consultants, lawyers, and so on. And we are in the process of collecting data. We're in the process of scheduling and holding meetings in which we will seek additional information. I personally did not see anything in Proposition 106 that says that we cannot consider the information, whatever information we have available, in the process of deciding which grid to start with, which, in my personal reading of it, therefore, and subject to advice from our legal counsel, and so on, my thought was that this process is about people and not about geometry; and that even though we start the mapping process, if, to the extent we have any information, it could be used to help us produce a wise grid as opposed to a purely random one, we would be able to take that into consideration at that time. That's thought number one.

Thought number two is to the extent that we cannot do that, either legally or practically, because we need to get going and it is going to be
awhile before we have any such information, there's one other approach that is both simple and unique, and that is to try to create a grid consisting of as close as possible two squares, that is right angle boxes with sides as close as possible to equal length containing as close as possible to equal population based on census population and which have, as the sum of the lengths of the sides of all of these boxes the minimum distance.

Now, that is a unique solution which could be derived by -- I don't know if our consultants in Maricopa County could do that. I'm confident the Computer Science Department at ASU or University of Arizona could provide us a solution to that. Lines are not perfectly straight because we have to follow the census blocks in creating the edges. But on a grand scale, if we took the space shuttle view of it, they'd be very close to straight lines. And it is a unique solution. Which if we have to pick a random result, it would probably come as close to the purely neutral standard as anything could. Thank you.

CHAIRMAN LYNN: Let me see if I understand the proposal. First, assuming that we're not otherwise restricted by the amendment, constitutional amendment, if I understand what you are saying, Mr. Huntwork, we would use the census blocks, I'm going to use a term, as
the basic building block for grid making and that we
would aggregate those blocks using, as best we could,
straight lines, to aggregate in a fashion, in the case
of congressional, eight equal population groupings of
blocks and legislatively 30 groupings of blocks that
would have been aggregated in such a fashion as to try
to maintain a shape that is recognizable as straight
lines, basically.

COMMISSIONER HUNTWORK: Squares, as much
as possible.

COMMISSIONER MINKOFF: Correct angles.

COMMISSIONER HUNTWORK: But the minimum
distance, pretty close to square. Square angle, minimum
distance is a square.

CHAIRMAN LYNN: That might very well
constitute the grid required under the constitutional
amendment.

COMMISSIONER HUNTWORK: And it is a unique
solution. There would be only one of those --

CHAIRMAN LYNN: Do I understand that?

MS. LEONI: May I ask?

COMMISSIONER HUNTWORK: Yes.

MS. LEONI: Unique, only one of those
because of the constraints of the relationship of the
sides?
COMMISSIONER HUNTWORK: Constraints of the pattern, minimum length, total length of sides of the squares, smallest square.

CHAIRMAN LYNN: Issue of compactness.

Each would be as compact as possible.

COMMISSIONER ELDER: Not necessarily. If looking for absolutely minimum length of line, a circle or something that stacks as a circle, gets into hexagons, or something, if using that criteria, minimum length of line. Squares don't get it.

COMMISSIONER HUNTWORK: Correct.

COMMISSIONER ELDER: Centroid population, create square units, take a centroid at that census population, based on the blocks, go out, let's aggregate to that centroid, where that would go with the various building blocks as Steve would have it, have something with the least perimeter.

COMMISSIONER HUNTWORK: Mr. Chairman, with a slight correction, circles won't completely pattern -- tile a plane. But hexagons will. So just with that caveat, yes, hexagon has smaller total lines than squares would. If we took the idea of the grid as including right angles, then the square would be the minimum solution.

CHAIRMAN LYNN: Wouldn't it also make
sense, just as an academic question, you indicate that
solution would be unique. I want to get to uniqueness,
want to talk about that uniqueness a moment. Unique I
guess is dependent on where you began the process.

COMMISSIONER HUNTWORK: I don't believe
so. I could be wrong about this. I think if you put in
constraints, equal population, right angles, minimum
length of lines --

CHAIRMAN LYNN: Only one way to do it.

COMMISSIONER HUNTWORK: -- in the
computer, there's one way to do it, one unique solution
to that problem, I think.

CHAIRMAN LYNN: Let's assume for a moment
that's correct. Then that would be fine. If it's not
correct, it would seem to me that the place to start, if
you were going to pick one --

COMMISSIONER HUNTWORK: Yeah.

CHAIRMAN LYNN: -- is a point that would
either be defined as the geographic center of the state
or, conversely, a point or a --

COMMISSIONER MINKOFF: Population center.

CHAIRMAN LYNN: -- or let's say a building
block that is most dense. That is to say wherever the
most dense census block occurs, start there. And
whether that's correct or not, it's at least random.
COMMISSIONER ELDER: The other thing that would make it random would be if you took a weighted point, every person was weighted the same amount in the state, each precinct block was weighed the same amount in the state, wherever that point fell, that would be the mass central of the population. Instead of the densest precinct, densest precinct in the middle of Yuma, random, start there, I suppose.

CHAIRMAN LYNN: That would be a point.

COMMISSIONER MINKOFF: I'm having a real problem trying to reconcile what I see as the meaning of Prop 106 with the Voting Rights Act and preclearance we're going to need to get from the Department of Justice.

It seems to me, and Jose and Lisa, maybe you can correct me or guide me, in my interpretation, that when it talks about creating a grid and then says that the grid may be adjusted according to various criteria that are enumerated, that the initial grid is supposed to be prepared without regard to those criteria. Is that correct?

MR. RIVERA: That's correct.

COMMISSIONER MINKOFF: So it has to be --

MR. RIVERA: Just population.

COMMISSIONER MINKOFF: -- blind to
everything except equal population.

MR. RIVERA: Yes.

COMMISSIONER MINKOFF: My concern is if we come up with a grid, by whatever process we use, yours or some other process, eight congressional districts, equal population, 30 legislative districts, substantially equal population, without regard to anything else than the required Voting Rights Act, take into consideration communities of interest, take into consideration avoiding retrogression, minority representation, et cetera, maybe we have to take the initial grid and kind of put it in the trash can and start over again. I'm wondering if that runs us afoul of 106. So help.

CHAIRMAN LYNN: To the -- let me just give you a reaction to that while legal counsel is thinking about the right answer.

My reaction to that is as long as you are working with minimal building blocks that are census blocks which essentially shouldn't be cut up, shouldn't be invaded, if there is at all a possibility to not do it, that initial grid doesn't ever get thrown out. It simply morphs as information is added to the list of considerations, because those initial building blocks stay the same, initial building block components of the
initial grid. As lines move to achieve some of the
other subsets of things we have to achieve, the essence
of that grid still remains. It may very well wind up
not looking very much not like the initial grid, but it
will be a logical grid from where we start to where we
wind up by doing that.

Now give another answer.

MR. RIVERA: My answer is are you
interested in finding a job as an associate?

CHAIRMAN LYNN: Heck, I can't even chair
the meeting.

MR. RIVERA: Ms. Minkoff, the Chairman is
correct. The only starting point is you start off with
a grid. Proposition 106 doesn't say you have to end
with a grid. You don't -- the process, like
Commissioner Lynn said, morphs into it. Voting Rights
Act, Proposition 106, communities of interest,
compactness, all of that. May not look very much like
the map at first. First criteria, only criteria at
first, is population.

CHAIRMAN LYNN: Mr. Hall, I'll get to you
in a second. Keep reminding me you are there, if you
want to say something.

COMMISSIONER HALL: I'm here.

CHAIRMAN LYNN: Mr. Elder, then I'll get
to you.

COMMISSIONER ELDER: I'd almost like to propose what we do is try to generate a range of ways that are impartial gridding, blocking of the state. We may very well, from the presentation Mr. Osterloh made several meetings ago, come up with an approach. Instead of vertically, horizontally, north, south, make it population based, come up with five, six different approaches we'd like NDC to then put into the GIS program, do management of data, generate these grids, and also look at how these grids may fit with communities of interest, when we get to that stage, and if see if there's a reasonable way of gridding, tiling the state, that does give us a sense of either communities of interest or compactness.

CHAIRMAN LYNN: Mr. Hall?

COMMISSIONER HALL: Has anyone seen a map based on census blocks yet?

CHAIRMAN LYNN: For the entire state, I don't think we have.

DR. ADAMS: We have the census geography.

CHAIRMAN LYNN: The consultants do.

COMMISSIONER HALL: They have a map that already constitutes consensus blocks throughout the state.
DR. ADAMS: Correct.

COMMISSIONER HALL: I wonder if it's appropriate in consideration, since proposals have been discussed, if we were to have something in front of us so we're speaking in a little less esoteric terms at this first point. My second point is let's assume for the sake of discussion the most dense block is central Phoenix, or whatever. Then which way do we progress, north, south, east then west? How do we move from there as far as trying to aggregate those blocks?

CHAIRMAN LYNN: Okay. Mr. Huntwork?

COMMISSIONER HUNTWORK: My thought is regardless of where we start, again, I'm not sure we have to pick a starting place in order to do this. If we do, you know, regardless of where we start, we still have to follow a rule for how we proceed from there, which is exactly what Commissioner Hall just said. The idea of using right angle figures might be something that we could all agree on as opposed to triangles, which can also be used, or hexagons, or pentagons, not regular pentagons, irregular pentagons can be used, for the same purpose. I don't think we can agree on right angles.

The idea of compactness, again, if we're choosing right angles, the idea would be to make things
as closely to square shaped as possible, if that's as closely to compact right angle figures.

COMMISSIONER HALL: Is that what census blocks use? Are they at right angles?

MS. LEONI: Sorry. I was consulting with my client.

CHAIRMAN LYNN: Are the shapes of census blocks consistent or are they quite different block to block?

MS. LEONI: It depends on the area of the state. If you are looking at census geography of Phoenix, some other cities, it's a grid. Get to the outskirts, census tracks are very irregular in shape, some being just slivers of territory blocks, also get irregular. It's great inside cities. Problems in geometrical symmetry problems are outside of cities.

MR. ELDER: The western boundary of the state.

COMMISSIONER HALL: That is the answer, right angles. That works good in between Osborn and Thomas. I don't know how we set a standard as we -- census blocks shape change.

CHAIRMAN LYNN: Ms. Hauser, then Mr. Huntwork.

MS. HAUSER: Mr. Chairman, a suggestion, I
think, since this particular portion noticed the meeting with NDC to solicit from Dr. Adams or ask her, basically, if she feels that she has enough sense of what the Commission's concerns are to move forward and then at a later meeting provide you with enough alternative maps for the Commission to consider for the grid if or if she needs additional information or information she needs she hasn't gotten so far.

CHAIRMAN LYNN: Dr. Adams?

DR. ADAMS: I would just, Chairman Lynn, Commissioners, you have all your concerns out. As I've been listening and taking notes, we've been working on an approach, one approach that has a historical basis on township lines in the state. There is a base line principle, meridian the state is divided in the point the townships is the grid except for Indian reservations and national park lands. So one of the approaches we've been considering is looking at those township lines and then within those township lines there are units which can be aggregated. As you do that, though, aggregate it, aggregate it to the closest census block or closest census tract, which I suggested might be a number of starting points, yes, that's true, might be a way of approaching that starting point.

Maybe look at historical development of
counties. We do have the Historical Atlas of Arizona, go county by county. Be able to justify every decision you make, some sort of context like that, possibly historical context.

But that's one of the approaches we're looking at that may to some degree address your concerns.

I would also like to explore the mathematical approach. And we would be able to do that as well.

CHAIRMAN LYNN: Mr. Huntwork.

COMMISSIONER HUNTWORK: Mr. Chairman, the surveying grid basis, surveying, is simply a right angle grid of the state. Does that include the concept of right angles and regularly shaped squares and correct angles? And the only difference is that the Gila and Salt River Basin Meridian is an arbitrary basin, totally arbitrary, not an otherwise logical starting place, to the extent it involves right angles and squares very similar to other ideas we've been discussing.

CHAIRMAN LYNN: Ms. Minkoff.

COMMISSIONER MINKOFF: I was going to mention the same thing in terms of the Gila and Salt Base Line Meridian, once the name for a great band.

If you are comfortable doing more than one
grid, then maybe an appropriate way to proceed would be
to identify a series of logical starting points. One of
them, I think, the Gila and Salt Base Line Meridian, one
might be geographical center of the state, one might be
geographical center of the state. Those are three
starting points we can justify. There may be others.

DR. ADAMS: May I follow up on that?

CHAIRMAN LYNN: Please.

DR. ADAMS: One of the things we suggested
in the initial presentation we made to you is that we
have possibly a number of 30 section grids and eight
section grids that then we take a look at and make a
determination based on our analysis as to which fit most
closely with the rest of the criteria and then the Board
can make a decision as to which of those -- which of
those plans one would proceed with to develop into a
fully developed plan so that as that plan morphs, as you
say, then it will be actually morphing from one, a
fairly decent one that had been analyzed and met at
least some of the criteria already.

MS. MINKOFF: How many of you would you
suggest preparing?

DR. ADAMS: I think a starting point for
each Commissioner or starting points for each
Commissioner.
CHAIRMAN LYNN: Mr. Huntwork.

DR. ADAMS: Once you have a set, moving through aggregate.

COMMISSIONER HUNTWORK: Mr. Chairman, this resonates with me, if it's permissible, if our counsel will allow us to do it. Again, in my mind, this is about people, not about geometry. I still want to stick with geometry for a minute. Because, again, I made this point recently. I just want to reference it again. We don't necessarily have to have a starting point. Even if we have a starting point, we then need to have a series of rules to fall from that point on. Talked about right angles. Talked about compactness. The idea is no matter what starting point we choose, right angles, areas of minimum length of sides, it's still a very complicated exercise. If we don't have that, then what rule do we have?

DR. ADAMS: I'll address that as well.

Dr. Hardy, back in Claremont, has been actually working on this a little bit. And he has suggested a set of rules. Each of these units goes one, two, three, four, five, six, seven, eight, nine, 10, 11, 12.

COMMISSIONER MINKOFF: Townships?

DR. ADAMS: The way we move through
townships and aggregate them. Logical -- they are numbered. Once you start -- once you find the starting point, just move through the numbers of those townships and aggregate.

COMMISSIONER HUNTWORK: That rule has nothing to do with the other criteria.

DR. ADAMS: Nothing to do with it.

COMMISSIONER HUNTWORK: Even nothing to do with compactness.

MS. LEONI: And up.

COMMISSIONER HALL: Nor should it.

MS. LEONI: It's established in history of the state. Nothing to do with criteria of 106, provides a rule of progress that exists and relates to the state's history.

COMMISSIONER MINKOFF: The problem with states' townships, sections, the townships are a mile square.

COMMISSIONER HALL: Get ready.

COMMISSIONER MINKOFF: In a rural area, no problem. Phoenix, Tucson, a mile square, mile square, no problem.

DR. ADAMS: He has a set of rules, can bring information back to you when I bring information back. He's been working on it and he's the expert.
CHAIRMAN LYNN: Dr. Adams, if we schedule a meeting next week, is that enough time for you to begin that process?

MS. LEONI: Let's talk about the meeting. A meeting to talk about approaches?

CHAIRMAN LYNN: Bring back approaches.

MS. LEONI: I've listed four approaches now. I think there may be others. I think we could bring back an approach. Florence?

DR. ADAMS: You'd want more it developed. Want some fully developed approaches?

COMMISSIONER HUNTWORK: I'd like to see what the rules are in detail and what the -- what the consequence to applying that rule leads to. See what graphing looks like if we follow the suggested rule, following the township and subtownships, what does that do? What kind of map does that create?

DR. ADAMS: I'm trying to think of things we do need to bring back to the meeting next week. One very important thing is items for the public process. I'm wondering if I'm -- if getting that done and materials that have to be done for that meeting, plus fully developing these grid approaches, if we'd be able to do that.

CHAIRMAN LYNN: May not be next week.
DR. ADAMS: May be able to do draft materials.

CHAIRMAN LYNN: Maybe in terms of process.

Again, from my perspective, so long as we begin with, I'll use the term again, building blocks definable in terms of not only whatever shape they happen to be in, characteristics, ultimately have to do other things with them, ultimately other tests will have to be applied. I'm not so concerned so long as we can agree that census blocks are the basic building block of construction.

DR. ADAMS: Yes.

CHAIRMAN LYNN: I'm not concerned what the first grid looks like from the standpoint of where it starts and how it's constructed. Others may be, and that's valid for them.

My concern would be that we begin with something that when we try to make adjustments, based on input, we're able to do that knowing what the implication of those adjustments are in terms of all the other variables. That's my primary concern.

In my mind, I think each of us has played this out in our own little video game in our head. If we start with a grid, however that grid is constructed and begin to do the kinds of changes that the process
will dictate, the final product is going to look quite
different from that original grid.

However, one could make a very logical
case to say where we started, wherever that is, and how
we moved from where we started to where we ended up, and
give a reason for each change that occurred, if we can
do that, I'm satisfied we have done the process
properly.

I'm less concerned about how that initial
grid is constructed so long as we all understand how
it's constructed.

COMMISSIONER HALL: Mr. Chairman.

CHAIRMAN LYNN: Mr. Hall.

COMMISSIONER HALL: I like this idea.

It's something I haven't considered, with respect to the
Gila and Salt River Basin Meridian, legal descriptions,
legal descriptions based on that particular point. And
with respect to the idea if you go to townships and
sections, go to quarter sections, and quarter quarters,
and subsequently probably to actual census blocks.

And the things I like about what NDC is
proposing is as they indicated there is historical basis
as far as a starting point and it is very independent,
very arbitrary, and I think provides us some ground
cover, for lack of a better term, with respect to
challenges.

But the reason for this amendment, we're open to state board challenges. And they're going to attack this grid saying the starting point is biased. Subsequent results, if we're independent and thoughtful like with respect to legal description starting points, I think the proposal where we start with something they're suggesting and when we get to smaller building blocks, get to what you are saying, census blocks. In rural blocks, may not need to go that far until trying to get the numbers to crunch. In central cities, that would be necessary.

CHAIRMAN LYNN: Mr. Huntwork.

COMMISSIONER HALL: And I'd like to hear some things regarding that.

CHAIRMAN LYNN: I'm sorry, Mr. Hall, you were asking -- the last question you asked?

COMMISSIONER HALL: I'm curious what their reaction is to that, township, sections, need to get smaller, go to census blocks?

DR. ADAMS: Yes. That's correct.

CHAIRMAN LYNN: Mr. Huntwork.

COMMISSIONER HUNTWORK: Just one final thought on the approach. If we conclude we're absolutely prohibited from considering any of the
adjustment criteria until after we've put out the initial grid, then compactness is not a factor. But it just means the final map will be morphed just that much more in its overall appearance, not necessarily in population changes, et cetera, but overall appearance. If we conclude we can consider any of those factors at all, it would seem the first one we ought to consider is compactness, seems we should consider the rule of varying squares.

MS. LEONI: Mr. Huntwork, if I may offer a thought on that, the focus of the Gila and Salt River Base Line Meridian approach is not compactness which might flow over a bit into your proposal but the idea of grid. Grid carries a geometrical overtone with it.

So rather than moving into the criteria in 106, we were looking at the words "grid-like" and "equal population." And "grid-like" we have not at this point equated with "compactness," because of the two-tiered system set up in the proposition. Clearly there's a relationship between grid-like and compactness.

At this point, I'm not creating a mathematical measure just because it tends to flow below the line, process line. But we are concerned with the grid-like approach. And at least one feature of this approach is it uses something that exists out there and
has been the geographical basis and layout of the state.

CHAIRMAN LYNN: Ms. Minkoff.

COMMISSIONER MINKOFF: If you look at the
first image and last image of something that has been
morphed, you can't imagine by looking at the last image
it started at the first image. The only way you can
tell is seeing the process as it goes along. It seems
to me that's what we're looking at in terms of looking
at the grid we're going to start out with and final
lines we'll end up with.

Looking at the grid and final district
lines, nobody is going to see how final district lines
came from the grid. However, if, as we talked about,
every change is documented in terms of the reason for
it, that's kind of our morphing and our back-up of how
we got from the grid to the final districts.

I'm not -- I'm now beginning to get more
of a comfort level in terms of doing this geometrically
and not at this point spending a lot of time worrying
over the other criteria listed in Prop 106. And I would
feel comfortable if you feel comfortable having our next
input from you on the grid be some draft maps. If they
are here by next week, great. If they can't be done by
next week, as soon as you can get them.

I think you hear from us, we want building
blocks to be census blocks. We've already identified if
you want several starting points, at least three of
them, the survey, you know, Gila and Salt River,
geographical center, population center of the state.
Beyond that, if you decide you want to begin in the
northeast corner of the state, southeast corner of the
state, do it one, that way, that's fine, too.
Personally I feel fine at this point charging you with
coming back to us with a 30-district grid and
eight-district grid based solely on population criteria
using the census blocks.
CHAIRMAN LYNN: Mr. Elder and then
Mr. Huntwork.
COMMISSIONER ELDER: I, too, Andi, am
concerned with the process to make sure we have that, we
have a traceable process.
I think right from the beginning we ought
to establish some criteria which we evaluate the various
decisions, or the various morphing, if that's what we
want to call it, of the grid.
I think it will be important, A, in being
able to have a defensible position of how we approach
it. B, we're going to be getting, we want to call them,
competing plans from interest groups, from communities
of interest, say what would happen if we move this line
here, that would best portray this community of interest. We can sit down: If we make that move it, it will reduce the compactness quotient this much, reduce -- we can come up with the effect of change on one man one vote, one person one vote, excuse me, the compactness, the distance it is to -- whatever.

We should establish criteria, designate each one of changes or test each grid options, and which is best informed. Take back something statistical, something that says this fits standard deviation better than this option does.

CHAIRMAN LYNN: Mr. Huntwork.

COMMISSIONER HUNTWORK: Mr. Chairman, I do think I'd like to see an approach suggested or played out. The person devised that the rules here to explain them to us. I'd like to see other things played out, too, working with consultants.

DR. ADAMS: I agree.

COMMISSIONER HUNTWORK: I don't want decisions made and us rubber stamped.

I do remain unconvinced we can't at least consider compactness.

I just urgently request we see that as well. If we don't consider compactness, there's nothing wrong with, for example, the approach that one of the
members of the public suggested, drawing lines through
the state and cross lines adjusting up by an inch or
foot if necessary until we get close as possible to
equal population. The only trouble with that grid, it
has nothing to do with compactness, does lay the state
out in a grid-like pattern and does have equal
population.

Again, I think underlying all of our
dealings here is some notion there ought to be a degree
of compactness.

MS. LEONI: Grid like.

CHAIRMAN LYNN: Mr. Hall?

COMMISSIONER HALL: I had 106 in front of
me. It says, The Independent Redistricting Commission
shall establish Congressional and Legislative districts.
The commencement of the mapping process for both the
Congressional and Legislative Districts shall be the
creation of districts of equal population in a grid-like
pattern across the state. Adjustments to the grid shall
then be made as necessary to accommodate the goals as
set forth below: A, Districts shall comply with the
United States Constitution and the United States Voting
Rights Act; B, Congressional Districts shall have equal
population to the extent practicable, and State
Legislative Districts shall have equal population to the
extent possible; C, districts shall be geographically compact and contiguous to the extent possible.

So a grid out there complies with equal population first. I think it's really clear and very straightforward. Get a grid out, bring back three, four, five proposals, assumptions they need in creating the maps. We go from there.

CHAIRMAN LYNN: When the maps are brought back, again, forget about time frame, when it's appropriate to bring maps back. Those are the first maps to look at, the only criteria in the first maps to look at. We can do other things in the meantime. When those maps come back, as long as we understand that, how we arrived at it, what methodology, what the rules were, and what results of mapping show us, we ought to be able to determine which of those we'd like to begin with. If it takes -- if one is just as good as the other in terms of meeting criteria, settling on one and moving from there so they all have the same criteria as the other and know where we started so we figure out where need to end up. I do think that will take care of itself. Any other input you need to make that happen in terms of time frame you'll tell us is appropriate?

DR. ADAMS: I'd like to make certain,
though, we also test Mr. Osterloh's method. I'm hoping to get your materials so we can also test that method. I think we want to take even a closer look at your method, Mr. Huntwork, and look at that mathematical method.

Everything that has come out, I think we should make sure we look at it, consider it, and show you what the results of it would be, so we move forward having explored everything that has come to us in the way of suggestion.

CHAIRMAN LYNN: Okay.

Is there then other input you need from us today or anything you want to share with us in order for you to be fully engaged and started on the road down to the final submission?

DR. ADAMS: I think we're okay.

CHAIRMAN LYNN: Other questions or comments for either Dr. Adams or Ms. Leoni before we send them off to start gridding and other things?

COMMISSIONER MINKOFF: And citizening.

CHAIRMAN LYNN: Mr. Hall?

COMMISSIONER HALL: I want to confirm the next meeting, in addition to those, or whatever specified, in addition to the map. We'll be having draft packets for public outreach meetings.
CHAIRMAN LYNN: I take it from earlier comments, Mr. Hall, we'll likely see draft packets before draft grids. At the next meeting, we should be able to see packets for public outreach, hopefully scheduled for next week.

COMMISSIONER MINKOFF: Maybe we should ask before they leave to go grid, what is the earliest point at which you'd been prepared to come back to us to take that into consideration for us?

CHAIRMAN LYNN: The entire presentation on the revised process at which we can time line out all the rest the meetings. What we'll do is set a date for next week to consider the public packets and other things that need to be on that agenda. I don't want to rush that process.

COMMISSIONER MINKOFF: That's what I'm asking. Set a meeting -- can't set it for Monday. Is Tuesday too early? Friday too late?

COMMISSIONER HALL: Mr. Chairman, is it appropriate to move to 11, have NDC with us, coordinate --

CHAIRMAN LYNN: I wasn't suggesting they leave us, moving on to the next agenda item. I don't know what their travel plans are.

MS. LEONI: The only day I'm not available
is Friday.

CHAIRMAN LYNN: Of next week. I'm not available Friday either.

DR. ADAMS: Wednesday is the earliest.

COMMISSIONER HUNTWORK: I'm not available Thursday.

COMMISSIONER MINKOFF: I'm not available Wednesday.

COMMISSIONER HALL: Friday is my best day.

DR. ADAMS: Throw out an alternative.

Push for Tuesday, is that possible?

CHAIRMAN LYNN: Have to post 48 hours, Tuesday meeting.

MR. RIVERA: Says 48 hours only. We've been supercautious, not counting the weekend.

MS. HAUSER: Excluding that, if we did this in the afternoon, have an afternoon hearing, that would be 48 hours.

MR. OCHOA: Tuesday?

COMMISSIONER ELDER: Monday. Tuesday isn't okay for me.

COMMISSIONER HALL: Mr. Chairman, is the 14th too late?

CHAIRMAN LYNN: Probably.

COMMISSIONER MINKOFF: Then have a meeting
without everybody here.

CHAIRMAN LYNN: Tuesday afternoon as opposed to Tuesday morning.

DR. ADAMS: Afternoon is better for me and also getting things for me.

CHAIRMAN LYNN: Okay. Well, works for me.

Who can't be here Tuesday?

CHAIRMAN LYNN: Mr. Elder cannot be.

DR. ADAMS: May I suggest, may want to do this by conference call. It may be possible for this kind of meeting. Wouldn't be appropriate for many kinds of meetings. This meeting on schedules, if we got all the materials, I'm planning on sending them to the attorneys over the weekend, you would be able to have materials at the meeting through the attorneys and view them, have a meeting via conference call if you prefer, if that works, conference call.

COMMISSIONER HUNTWORK: I was saying, I would rather have the meeting when the Chairman and Mr. Elder can be present since they've been through the contract in more detail at this point. I'm the one that can't attend Thursday.

CHAIRMAN LYNN: Is anyone else not able to attend on Thursday?

Why don't we try for a Thursday meeting.
Are you unavailable by telephone as well?

COMMISSIONER HUNTWORK: It also gives me a few days to change stuff.

CHAIRMAN LYNN: I appreciate that.

Let's tentatively talk about Thursday morning, either by conference call or in person. But let's tentatively say 9:00 o'clock Thursday for the sake of planning on this point.

COMMISSIONER HALL: Mr. Chairman, would 10:00 be too late?

COMMISSIONER MINKOFF: Fine.

CHAIRMAN LYNN: 10:00 o'clock Thursday morning.

COMMISSIONER MINKOFF: Anticipate pretty much an all-day meeting?

CHAIRMAN LYNN: Hope not, but we'll see. I think --

COMMISSIONER HUNTWORK: The sole purpose is this discussion?

CHAIRMAN LYNN: Not the sole purpose.

Look at scheduling, look at the public outreach materials, review those, may be other matters of staffing and other things we need to consider.

MS. HAUSER: Protocol for meeting with people.
COMMISSIONER ELDER: I would really like to see, even if just a conceptual bubble diagram, concept diagram, for going now, doing the grid, work this way, here's a narrative, here's another diagram, or conceptual diagram, doesn't even have to fit the state, square, something else, give me a visual graphic, different approaches we're looking at as either an effect of the starting point, effect of going clockwise or counterclockwise, population centroid, whatever we're talking about there. Get that -- not even based on population census data. Have your guy doing township sections say this is how it's going to work, at least present how it's going to work.

CHAIRMAN LYNN: Unless that makes more work. If it's outside the scope of the process he'd have to go through anyway.

DR. ADAMS: We're fully prepared to do it. I'm not sure we'll be able to have it Thursday. I'll work toward it and attempt to have it. I'm hoping we can compress some of these.

CHAIRMAN LYNN: We'll put it on the agenda and hope it's there.

DR. ADAMS: And maybe have part of it there. Certainly the township approach and perhaps Mr. Osterloh's approach, maybe be able to.
Mathematical approach, I have a mathematician.

COMMISSIONER ELDER: On the township approach, if one paragraph how -- I don't know whether let's start township, pick townships until --

DR. ADAMS: Exactly how --

COMMISSIONER ELDER: Oh, yeah, that's random or -- can be placed around the state and still work. That would still help.

CHAIRMAN LYNN: Okay. Then, having sort of dispatched item 11, at the same time, move back up and pick up some of the other items on the agenda, discussion, legal advice, and possible decision on adding additional voting history data requirements.

MR. RIVERA: We discussed that and thought that would be good to postpone.

CHAIRMAN LYNN: Wise thing.

COMMISSIONER HUNTWORK: I'm concerned with missing the meeting next Thursday with the things now on the agenda.

CHAIRMAN LYNN: I understand. Maybe this is as good a time as any to talk about conceptually about the number of meetings we'll have to have and the freedom of our schedules to accommodate meetings in a general sense. I'm very sensitive to make sure we all
want to make the meetings. However, we all have other things we have to do in our lives. And it's difficult at best to make every meeting available to every person in person and keep to the schedule, I think. I'm not certain. But when we get the schedule from consultants about the rest of the process, we will do our best to try to synchronize calendars to make sure we do the best job of that.

I'm as concerned as you are we've expanded the agenda beyond your comfort level in terms of missing that meeting. So the question is since it's Thursday, we still have time on Monday and Tuesday in terms of agenda creation. If you're not able at least to join us by telephone, we'll modify the agenda, hold items you don't feel comfortable with that aren't critical.

COMMISSIONER HUNTWORK: I appreciate that.

We were about to do it Tuesday when I could. I offered to do it because of limitations.

CHAIRMAN LYNN: I appreciate that. We'll make sure we're in consultation with you before the agenda is put together. Between now and then perhaps you can adjust, see what your availability would be.

MS. HAUSER: To that end, could the Chair direct the draft agenda be circulated to everyone Wednesday morning, no later than Wednesday morning? I'm
sure even before that, make sure --

CHAIRMAN LYNN: What we need in this instance is before it's posted.

MS. HAUSER: Correct.

CHAIRMAN LYNN: Monday, circulate the agenda and -- I'd ask all prospective agendas go to the Commissioners, both legal counsel and consultants, at a minimum, prior to the time posted.

MR. RIVERA: 24 hours before posted.

CHAIRMAN LYNN: We'd like to, in every case. Unless in a time crunch, in which case it was done at the meeting, we'd like to do it 24 hours in advance for input.

That said, item six I believe we took care of at an earlier point in the meeting. Clarify that.

At this point, the best and final offer status, other selected offerers, I believe by motion earlier in the meeting it was delegated to Mr. Elder and me to the extent we at some point have a clear list of what needs are from other venders, and it was already suggested we'd meet with Maricopa County at the conclusion of this meeting and simply move ahead to contract for services based on our agreement on scope of services.

Without objection, I think we dealt with
that issue.

Which brings us, need another quarter in Mr. Hall?

COMMISSIONER HALL: I'm back.

CHAIRMAN LYNN: Let us know when you go, not when you come back.

CHAIRMAN LYNN: Executive Director's report.

Mr. Ochoa.

MR. OCHOA: What I mentioned and started to talk about earlier was a meeting that we had had with Tim Johnson from Maricopa County. And we discussed basically equipment, hardware and software, lists of things we might need.

I'm going to pass these out to the Commissioners. And Tim put out summary website status issues.

I'd like to pass this out right now, this momento.

DR. ADAMS: Chairman Lynn, might I interrupt. Is it appropriate for us to go now? Is there anything else for us to address?

CHAIRMAN LYNN: I don't think there's anything for you to address.

DR. ADAMS: We have flights. I can change
COMMISSIONER ELDER: Can we take 15 minutes with Mr. Johnson while NDC is here? Part of what I was seeing in these issues and scope of work, I want to make sure that Tim and NDC are going in the direction the Commission wants them to go.

CHAIRMAN LYNN: They can do that by themselves without us. They can meet for 10, 15 minutes.

DR. ADAMS: Want to write me an e-mail of concerns? Fine. If you want me to stay, that's fine.

CHAIRMAN LYNN: Make your plane, and thank you very much for coming.

COMMISSIONER ELDER: Do we have fax numbers, phone numbers for NDC?

CHAIRMAN LYNN: Mr. Ochoa?

MR. OCHOA: Yes.

I'd like to go over first website status and issues. We discussed -- we discussed specifically the naming of the website. Perhaps that's something we can address. Tim and I went down the list and gave some suggestions.
CHAIRMAN LYNN: I think we did that informally earlier. I think what we agreed on was azredistricting whatever.

COMMISSIONER MINKOFF: Option two.

MR. OCHOA: Option two is number one.

We'll see if that is available.

MR. JOHNSON: It's available.

CHAIRMAN LYNN: Tim did a domain search.

Good for you.

MR. OCHOA: One of the things we need to do, you can do for us, if you already have it available, is pictures of Commissioners or information you would like.

Let me go back one second. Tim, did you get a chance to print out the graphics of the website?

MR. JOHNSON: I gave it to Marguerite.

MR. OCHOA: All right. What we will do with that, then, is --

What we will do, then, Tim sent one over to me last night. I'll forward that presentation over to you all.

I think what will happen --

Thank you very much.

MS. OSBORNE: You are welcome.

MR. OCHOA: Very similar to what you had
seen previously in the presentation Tim did for us.
What I'm thinking, I'll send it to everybody so you can
review the language, the content. And easiest, of
course, is Proposition 106, because it's exactly the way
it was written and passed. But there are other things
that need the consideration of the Commission. And if
we are also successful in hiring some of the other
positions that have -- are near establishment and hire,
for example, a media person, I'd want that person to
also review the content.

But I will make a copy of that of this
prior to everybody leaving or also send it over via
e-mail so you will have an attached copy of it. It is
still in draft.

One of the things it looks for is pictures
of yourselves, if you'd like to include a picture. We
suggest a picture be included, biography. Preferential
is a biography. What we can do in that regard is give
you a basic outline of the things we'd want to include
so there's some uniformity to those biographies.

COMMISSIONER MINKOFF: Enrique, in terms
of biographies, can't you extrapolate those from the
applications?

MR. OCHOA: Yes, ma'am. I want to make
sure we share it with you all prior to being distributed
or posted on the website. That's kind of the idea behind it.

Tim can correct me if I'm stepping out of line. He indicated to me, if I recall correctly, once we make a decision as to content, we can pretty much get it on line three days after. If we get pictures, biographies, approval on content, it's a go, three days after, be on line.

An important consideration I wanted to share with you is this: One of the -- and I gave Tim my opinion on it. It had to do with the control of the website. I don't understand it fully. He can explain further if necessary.

My concern is we can have it on the state site or have it at Maricopa County or have an independent server for our website. We had discussed it on different occasions. The Commission discussed it. Maybe okay to put it with the state, maybe okay to put it with the county.

I think we're going to have to have some kind of repository with the county for sure, with the county have a link. He explained if we have approval with the webmaster, have a link identified, go directly to ours, that's possible. The idea is have an independent server for our organization. That way we
have control.

If we have it at another site, the people that control the other site can turn it on or turn it off. This way we are independent. We can control just about everything.

CHAIRMAN LYNN: Mr. Elder.

COMMISSIONER ELDER: I'm not quite sure I understand that. Because the website, management of the State or Maricopa County, the machine is on, has a lot greater capacity than we would have on our own system.

Maybe it's more of a question for Mr. Johnson. If we have a website, and it's set at the one at the State or Maricopa County, it's on all the time, no turning on and off of the website, is that correct?

MR. JOHNSON: That's correct,

Mr. Chairman, Mr. Elder.

MS. OSBORNE: I'm sorry, a little training.

MR. JOHNSON: The issue is where the server hardware --

That issue has essentially been resolved.

The County Recorder has it.

To start, that's where it will be. The question is whether you want the domain name, actual
address the public could access it to be, a part of the
state domain, that is the state, that is like US, or
your own, azredistricting.org, by choosing
azredistricting.org.

CHAIRMAN LYNN: In this case Maricopa
County.

MR. JOHNSON: No, the actual --

CHAIRMAN LYNN: Or are we buying a web
server?

MR. JOHNSON: You could if you want to.

CHAIRMAN LYNN: I don't want to. Where
would it be hosted? Who would have the hardware?

MR. JOHNSON: Maricopa County.

CHAIRMAN LYNN: The hardware running your
computer. That domain name would be at your computer.

MR. JOHNSON: Domain names are elsewhere,
central, tells that azredistricting.org actually is this
machine name. Stateaz.us would be on the state saying
goes over here. That is something that could be turned
off or on.

CHAIRMAN LYNN: A question of security
comes up. Information comes in to that web server. If
it's housed at the county, do other people have access
to it?

MR. JOHNSON: The county webmaster does
and myself, that's it.

CHAIRMAN LYNN: Password protected?

MR. JOHNSON: Yes.

CHAIRMAN LYNN: Okay. Other comments or questions?

COMMISSIONER HALL: Chairman?

CHAIRMAN LYNN: Mr. Hall.

COMMISSIONER HALL: I need to leave. I wanted to let you know if there's anything else you needed from me before I go.

CHAIRMAN LYNN: I don't think so other than have a nice weekend.

COMMISSIONER HALL: All right. Have a nice weekend.

CHAIRMAN LYNN: Good-bye, Mr. Hall.

COMMISSIONER ELDER: There's an issue of capacity. 50 gigabyte Maricopa County, if we buy a 10 gigabyte server, or less, or whatever, I mean, do we have a better capacity for better data management through the county or state than by going in-house?

MR. JOHNSON: Mr. Chairman, Elder, the county capacity is almost unlimited. It's an Enterprise server, is redundant. It can by its own server mimic that type capacity, and so on. It's at a cost, but you can.
CHAIRMAN LYNN: Mr. Huntwork?

COMMISSIONER HUNTWORK: Mr. Chairman, I think that the purpose is to provide access to the public. It's not going to have confidential data on it. There is no need for security other than I suppose if somebody broke into it and tampered with it. The only question in my mind is will there be a duplicate or back-up so if that happened it could be completely rebooted and restored. If that's the case, I'm perfectly comfortable having Maricopa County host it.

CHAIRMAN LYNN: Mr. Johnson.

MR. JOHNSON: Chairman Lynn, Commissioner Huntwork, there are a pair of servers. One goes down, another comes up.

CHAIRMAN LYNN: Backed up, stored off site?

MR. JOHNSON: It is.

CHAIRMAN LYNN: All that sort of thing?

MR. JOHNSON: It is.

MR. OCHOA: The second part of that same handout has a listing of equipment and hardware we mentioned. This is probably max end. For instance, if we talk about, let's go directly to the hardest one to decide, that's laptops, how many laptops do we need. Should we order one per Commissioner, one per legal
counsel? One per legal counsel? One for the media person?

When we discussed software, and goes to licensing of software, how many people are actually going to be able to use the software to the extent of doing presentations with it or working with the materials from the consultant? If you are going to do it, have to have an interest and license in software.

My recommendation, have a computer. We do not want you putting that software on your computer or any material that has to do with IRC material on your home computer. We want to separate anything AIRC from anything personal. Goes to somebody subpoenaed, documentation, that's it, be the software, the programs, equipment provided by the Independent Redistricting Commission rather than yours. Takes your hard drive, could put you out of business awhile.

COMMISSIONER MINKOFF: I'm trying to understand why each one of the Commissioners would need a laptop.

COMMISSIONER ELDER: I think based on previous discussions here, in terms of private, individual meetings as opposed to private, I don't think we need software, GIS software or other programs, autoBound, Maptitude, whatever the things are that comes
out of the interface with Tim Johnson.

I would like to have the potential of a

Power Point there when we go out, whether we use a video

projector or not, who knows, Rotary Club of Benson,

whatever, go out with a laptop, do that, a canned

presentation for outreach.

To see how a line gets moved, the effects,

that's beyond what I want to get into.

COMMISSIONER MINKOFF: Just to do Power

Point?

COMMISSIONER ELDER: That's excessive,

probably. This machine will do everything they are

supposed to do. We don't need --

CHAIRMAN LYNN: These specs are too high.

COMMISSIONER MINKOFF: I think if there's

one at the office, I could pick it up. I don't need my

own. I'm easy. I'm going somewhere, I'd go by, pick

one up.

MR. RIVERA: Chairman, from legal
counsels' viewpoint, we'll work a lot with NDC. We do

need Maptitude and GIS.

CHAIRMAN LYNN: That's a distinction.

Commissioners' laptops.

MR. RIVERA: You guys all share one.

CHAIRMAN LYNN: Mr. Huntwork?
COMMISSIONER HUNTWORK: Couple thoughts.

I understand the desire to keep Commission business separate from individual. I have a laptop that meets these specs, but I think it is a wise precaution. Receiving e-mails at my office along with confidential information from clients, I have some concern. Those are not going to be the type of concern that will arise when we start doing mapping and adjusting maps.

Now, that leads me to an issue I've been wondering about from the beginning. We've touched on it. Now come back to it, don't have a resolution. In a way, this question is a much deeper question.

Am I going to have the ability, should I have the ability, to sit in my den at night and look at different alternatives? Technology today is completely different than it was 10 years ago. Had stories about a super computer, every night change things around. We've seen exactly how you push a button, drag a line, wait five seconds and it's done, a new district is done and adjoining districts have been adjusted. It's astonishing. So personally, I would like to have that option. That makes me more independent, less dependent on our consultants, less dependent on our legal counsel, also raises some questions.

What is going to be discoverable? What,
if I'm doing that, what will I be required to save if
anything? What will I be required to disclose if
anything? Those are complicated questions. Maybe there
are simple answers to complicated questions.

I'd like to be able to do that, just as
part and parcel of doing the job.

MR. OCHOA: Mr. Chairman, an issue came
up, thought I had in mind, also, if Mr. Huntwork is in
Washington, or Mr. Hall is in Apache County, and they do
bring us a presentation, maybe they send it the night
before in an electronic format, let's say the maps we're
discussing, if the Commissioners do not have the
software and computer to look at it, they will not be
able to look at it, will not have the advantage of
reviewing, analyzing, maybe what's done in the meeting.

CHAIRMAN LYNN: I understand that.

Mr. Huntwork's point, I have a couple of
comments on that area. One is, to the extent it is
appropriate for us to keep records separate from a
potential liability standpoint, or whatever, I think the
separate computer is an appropriate way to do that. I
would ask a couple things relative to that. One is that
if the domain site has the ability to service e-mail,
that we maintain an e-mail address at the Commission
site and all correspondence, all official correspondence
come to us through that site so downloading that e-mail
is different from getting it on our regular computer,
which means we get it separate.

That's possible, is it not, Mr. Johnson?

MR. JOHNSON: Yes.

CHAIRMAN LYNN: Second thing I suggest,
these laptops be wireless internet ready. The reason I
say that is twofold. One is I don't know all of us have
separate telephone hookups in our office to hook up
internet and the second thing is we may be in some
places that don't have ready access to the internet. If
we have wireless capability, we have internet
capability.

COMMISSIONER MINKOFF: Will we have
wireless capability?

CHAIRMAN LYNN: Yes. There are some
sites, I'm talking about convenience more than anything
else. If we do it, do wireless ready.

MR. OCHOA: Two questions. Another
question discussed, partly answered, a question
mentioned when I spoke with Tim, if I understood
incorrectly, be able to get, for instance, our own
e-mail, azredistricting.com and forwarded to your own,
those e-mails, what is discoverable would be the
original e-mail at azredistricting.com, because it's the
only thing receiving in your own personal e-mail is a
copy of the original. I'm saying that because that adds
some convenience to it. You don't have to go to that
other site to get e-mail for business of the Commission.
You have the option, however. Two options.

COMMISSIONER MINKOFF: The only thing, I
do have e-mail forwarded to my e-mail from another
e-mail address. When I see that e-mail, I can't tell
it's a forwarded e-mail until it's opened up. Is that a
problem? Once I open it, I know it's forwarded from
another e-mail address. Until it's opened, I don't it's
from you, Steve, whatever.

CHAIRMAN LYNN: How careful and separate
do these need to be?

MR. RIVERA: You know, unless it's a
criminal litigation and they come in and grab your hard
drive, that's a bit hard to imagine. I anticipate Lisa
and I will give you legal advice, you'll take it, and
that such investigation will not occur.

CHAIRMAN LYNN: I like your spirit.

MR. RIVERA: Aside from that, they'll ask
you give all e-mails. They won't take hard drives. You
could have a person in the office or somebody separate
e-mails from that aspect. There'd never be a point
they'd come in and grab everything. That would be
MS. HAUSER: Keep a record of e-mails you receive. If receiving e-mails at home, I suggest that you keep some record of them, not be deleting e-mails. I know it's possible to get things, even deleted, not deleted, or a printout -- it's not something like that. I don't see a huge issue.

It's certainly nice if we have an e-mail address for communicating in that fashion, but things are going to happen where we're using personal e-mail.

CHAIRMAN LYNN: The other part of Mr. Huntwork's comments I wanted to clarify in my own mind, I think it's very convenient to take files and look at them and view them wherever we are. I would be concerned if we have the ability to make changes in those files individually. And the reason I say that is I don't know if they can be sent read only. They might be able to. I don't know. If we're fully capable in terms of doing what the consultants can do, then I worry about having not just a controlled set of maps but an uncontrolled set of maps might be created. That concerns me from a legal standpoint and also a procedural standpoint.

MR. RIVERA: That's something that causes me concern. If there's litigation, asks me for any maps
you may have reviewed, and each Commissioner has 150
maps in their laptop he's been messing around with, that
causes me concern.

COMMISSIONER MINKOFF: I presume if we
want to play with maps, do what the public does, go on
the website and play there.

COMMISSIONER HUNTWORK: Read only.

COMMISSIONER MINKOFF: I thought we were
going to allow the public to move lines, play with that.

MR. JOHNSON: Mr. Chairman, Commissioner
Minkoff, it's possible, part of your decision.

COMMISSIONER MINKOFF: The other comment,
e-mail, another reason I'm not sure it's such a good
idea, I don't know about e-mail, to me, I get a lot of
spam: Have I got a mortgage for you. I won't open them
up. E-mail addresses I've never heard of, subject "from
me" -- I'd rather have a discrete site I know at that
site I have to open every single e-mail.

CHAIRMAN LYNN: Don't think you won't get
spammed over here.

COMMISSIONER MINKOFF: That's okay.

Hopefully less over here.

I don't open that junk in my mailbox.

CHAIRMAN LYNN: I want to bring this to
some closure.
I think what we're saying is we don't know the exact number of laptops to be determined. We are saying it will be useful for Commissioners, for Commissioners to have access to laptops and be of sufficient configuration to do what we need to do with them. We don't know what that means.

COMMISSIONER HUNTWORK: Mr. Commissioner, I agree. The question is how much each one of us is going to be able to do and, therefore, we don't really know what the capability will be -- will need to be until we resolve that issue.

MS. HAUSER: We need to get ours, though. COMMISSIONER ELDER: I propose we go ahead with like maybe seven computers that have the capabilities to go whatever range we want to go.

COMMISSIONER MINKOFF: Laptops? CHAIRMAN LYNN: Laptops. COMMISSIONER ELDER: Laptops. Desktops, desktops, three-day turnaround, equip a station, equip a station Wednesday, Tuesday. The difference, this laptop and the low end is in the 500 to thousand dollar range. So for five, seven of them, I would rather go ahead and say have the capacity and then download software based on the needs of the individual user. How would that fly?
MR. OCHOA: I think -- appreciate it.

I wanted to discuss it, have a general idea. Hadn't identified, discussed it. I can have it, share it with other people. How about eight, though.

Also, I've been thinking of this in terms of lease, leasing any and all equipment possible unless absolutely necessary to purchase it. That's the attitude I'll take with this.

COMMISSIONER HUNTWORK: That was a motion there. I'd like to second.

CHAIRMAN LYNN: Sorry.

COMMISSIONER HUNTWORK: He amended to eight.

CHAIRMAN LYNN: No second.

COMMISSIONER MINKOFF: Buy or lease?

COMMISSIONER HUNTWORK: Acquire.

CHAIRMAN LYNN: By lease, if possible.

CHAIRMAN LYNN: All those in favor, signify by saying "aye"?

(Vote taken.)

CHAIRMAN LYNN: Opposed, "no."

(Motion passes.)

MR. OCHOA: General approval to get software down the line or formal motion down the line for all equipment?
COMMISSIONER ELDER: There's a lot stuff on here.

MR. OCHOA: I didn't want to have to come back for decision from the Board.

COMMISSIONER MINKOFF: Can we authorize the Chairman to approve?

CHAIRMAN LYNN: Be happy to.

COMMISSIONER MINKOFF: I'll make a motion the Chairman be authorized to approve any purchases on this list or leases.

COMMISSIONER HUNTWORK: Second.

CHAIRMAN LYNN: All in favor?

(Vote taken.)

CHAIRMAN LYNN: Motion passes.

MR. OCHOA: Personnel matters.

We, as you know, I have moved to hire an office manager. As I mentioned in e-mail I sent you, Iva Rockwell, worked at Department of Administration, Department of Economic Security, Department of Health Services. I think that person will be able to help me out in terms of streamlining a lot of the process within the state.

I wanted, however, to maybe recommend, based on -- oh, and maybe -- I wanted to recommend, however, for instance, in regard to hiring of a media
person or some of the other positions, we go through a
process, a process where myself, a couple of the
Commissioners, maybe a representative from personnel
would review the candidates.

It's my understanding we can do it rather
quickly, very quickly.

I have the forms that basically would
approve different positions requested. And they
promised me a 24-hour turnaround upon signature.
Thereafter, they said after we signed that afternoon,
set up an interview process, two, three individuals,
or as many individuals as desired, after the interview
desired, make an offer to an individual and the
individual can be hired. In other words, we're talking
at times a 24-hour turnaround.

Based on that, I wanted to share that with
you, see if that was your opinion it was a good way to
go.

This process has been streamlined, by the
way, even more so as a result of the meeting had with
Department of Administration, legal counsel Lisa Hauser,
set up for Chairman Steve Lynn and myself. Next day,
after that meeting, I received these forms that
authorized the establishment of the various positions.

That positions will be established does
not mean, as I said, doesn't mean we have to fill them.  

Doesn't mean we have to fill them. If we want to fill 
on a half-time basis, we can. That's an option we have.  

Again, the idea was to share with you it 
is my recommendation we go through a process as to 
hiring of various other individuals various other 
positions we have since we can do it on a quick 
turnaround.  

CHAIRMAN LYNN: Ms. Minkoff?  

COMMISSIONER MINKOFF: A couple comments.  

I'd like to suggest amending that to requiring that 
process for professional positions. I don't think we 
need to do it for clerical help. I think that's your 
call.  

MR. OCHOA: Appreciate that.  

COMMISSIONER MINKOFF: The other thing I 
would suggest is that wherever possible, it seems in 
many cases people come to us from other governmental 
entities. It becomes very, very easy to check 
references. I think before an interview is scheduled, 
references be checked so we have some information of a 
person's work history.  

I'd also like to suggest in such cases the 
position, one comes to mind, public information officer, 
a person, public information officer, work product is
involved. Ask the person to come to the interview with
samples of their work product they've done previously so
we can evaluate them on that basis.

CHAIRMAN LYNN: Mr. Huntwork.

COMMISSIONER HUNTWORK: Mr. Chairman, I
certainly agree there are a lot of staff positions that
I would expect the Executive Director to fill. I don't
think I've seen or we've approved an overall staffing
plan, have we?

Has this board taken any action on that?

CHAIRMAN LYNN: I think we've seen a
preliminary plan. I think that plan has subsequently
been revised. I don't think it's taken current action.

COMMISSIONER HUNTWORK: We don't have
by-laws. We don't have authority for the Executive
Director to do anything. I think we need to proceed
with approving a plan and authorizing him to proceed
with respect to certain positions on that plan. If we
don't, we run the risk of having misunderstandings among
ourselves.

COMMISSIONER ELDER: My understanding, at
the last teleconference I requested we have that
staffing, that it had not been done. What had been
done, Mr. Ochoa had gone to State Administrative
Services, requested classification of six different
employee classes he might need, or that had been done, or to shorten the process. I didn't know we ever had reviewed or looked at the staffing.

COMMISSIONER HUNTWORK: Okay. This plan, I'd like to have an opportunity to think about this and then talk to Enrique about it and get your thoughts on it so I understand it better.

MR. OCHOA: Okay.

COMMISSIONER HUNTWORK: And then approve it so we can move forward with it.

I'm concerned about it. I would want to personally interview and maybe approve. To the extent of media relations and community relations in particular, those are individuals who will in effect be representing our Commission to the public, be representing me and each one of us to the public. And I want to personally have the opportunity to get to know and approve those particular individuals.

MR. OCHOA: I would feel that way as well, Mr. Chairman.

MS. HAUSER: You might want to clarify, on this chart, a couple things, at least one, are taken care of by the contract with Maricopa County, the GIS position.

COMMISSIONER MINKOFF: Tim Johnson.
MS. HAUSER: Yes, that's Tim.

In meeting with Mr. Hibbs, the position of contract officer, administrative officer, contract officer, Mr. Hibbs indicated they are incredibly difficult to find, contract specialists. If we hired an ASO, contract service officer, a good one with a state agency, that one should be able to handle contract compliance.

CHAIRMAN LYNN: Which one, Ms. Rockwell?

MR. OCHOA: Administrative assistant, executive staff, different title. About the same thing. Other one, combine press secretary and outreach to a certain degree. No problem. No problem. When I did propose the idea, it was based on staffing patterns utilized in the State of Colorado, Washington, other places I called in researching and taking input from the Commission on what we needed to do as well as looking at the proposition and determining how to go about getting to the goal we have.

CHAIRMAN LYNN: Mr. Elder.

COMMISSIONER ELDER: Mr. Ochoa and Ms. Hauser, maybe I'm missing something here, but it seems like we have a whole bunch of administrative whatever. How much contract management will we have? There are three contracts.
CHAIRMAN LYNN: Not much.

MS. HAUSER: That's right.

COMMISSIONER ELDER: A person to do that -- seems as though the Executive Assistant or Director would be looking at reviewing and submitting to the Board or to the Commission that review of the contracts. Same thing, administrative officer or procurement, ASO, what form, function do they play?

MS. HAUSER: Mr. Elder, an administrative service officer is usually the person in an agency who deals with budgetary issues, deals with all other agencies within the Department of Administration, takes care of claims that come in, getting all bills paid, taking care of all of those kind of things, interacts with the treasurer's office and various finance issues as well as -- it's been awhile since I worked with one.

COMMISSIONER ELDER: That's not what the Executive Director does?

MS. HAUSER: Not typically. Because that person has special experience with respect to state finance and those kind of issues.

It's hard to explain, I guess, until you've actually seen what they do. But every aspect of the flow of the agency's work, essentially, with respect to payroll, as I said, all the bills getting paid,
monies coming in, all those kind of things are really
the purview of the administrative service officer.

In most agencies, there's a whole slew of
people who work under the administrative officer, get
those things done. Because of the fact it's contract
management -- I don't think we need one whole person
doing that. This person would be -- have experience
necessary to do those things.

COMMISSIONER ELDER: I guess to follow
those things, ADOA financial services, financial
accounting and bookkeeping, seems we get requests on a
certain breakdown by line item what expenses are and
what claims against the state via IRC, we either then
have the Executive Director, based on directions to him
and then have ASO on top of that? I don't know what --
ever mind.

COMMISSIONER HUNTWORK: Mr. Chairman, can I
ask a question?

CHAIRMAN LYNN: Mr. Huntwork.

COMMISSIONER HUNTWORK: In plain English,
does this ASO position involve expertise that only a
specialist would have?

MS. HAUSER: As opposed to an Executive
Director?

COMMISSIONER HUNTWORK: Yes.
MS. HAUSER: In operation in state agencies, there is specialized training, and also deals with personnel issues. We will have things, just garden variety things state agencies have to deal with, nothing to deal with redistricting, we need to get taken care of.

COMMISSIONER HUNTWORK: This person is a resource for the Executive Director to call on a limited basis to make sure we're compliant?

MS. HAUSER: Yes.

COMMISSIONER MINKOFF: Need a person full time, support service, Bill Hernandez can provide us on an as-needed basis. We don't have as large a staff, compliment, as most state agencies. Do we really need that person?

MS. HAUSER: I think Enrique should answer that question. I understand our ability to use some of the DOA personnel may be more limited than we thought originally.

MR. OCHOA: Yes. Even more limited than after we discussed with Mr. Hibbs.

In the area of procurement, for example, an area, an ASO could help. Right now we're having to go through -- having to go through the state procurement process. The other agencies see us as an independent
agency. Even though those services are made available or have been made available to us, it's not necessarily because they were budgeted or they were programmed in for them to help us or to address our particular needs.

So these further requests, the more requests we make of them, the more they're considering of another IGA, IGA, give us another person on a part-time basis, give another person, put somebody on 40 hours a week for a month. In essence, our ability to call on the services of Bill are, as of now, when I came on board, no longer available to us.

CHAIRMAN LYNN: I do think as a general rule, you can have fewer generalists than many specialists, as a rule of thumb, with administrative capability, able to do a variety of things, a few of them in the office to cover what we need doing.

The point of this is there's really no other responsibility. That seems to me the contract management, administrative office at the bottom, and one of the other positions up top, ought to be able to be combined into a generalist who could perform most of those functions. I think we'll have bursts of procurement need and periods of no need at all. Buy some stuff, probably not buy anything else for a while of any consequence. Have certain -- one thing critical
for me, and, one, I'm concerned we don't have time to
wait on, and I understand Mr. Huntwork's concern is with
that person, that person, that is to say start public
outreach as early as next week in some form.

That individual should have been on board
three weeks ago.

We need to do whatever we can to not delay
that process. Whether it means a subcommittee, however
we need to do it, to get somebody on board as quickly as
possible becomes critical. We have to get that out
there. I'm up for any solution to make that go as
rapidly as possible.

Others we can fill in as we go along a
week or two behind as we have to.

Those are my comments on staffing.

I think probably we're looking at this
shows -- below the Executive Director position, one,
two, three, four, five, six, seven, eight -- instead of
eight, probably looking at three to four, total, if we
go generalists. I think those four could be -- most of
them could be filled in, as Ms. Rockwell was, with the
exception of an outreach PR person. That really needs
to be on board soon and needs to take a good look at.

MR. OCHOA: Okay.

CHAIRMAN LYNN: Next.
MR. OCHOA: I appreciate it.

Office space is ready for us to move in.

The telephones have been transferred over. I have been spending the last couple of days there, half over there, half over here.

Once we get some of the equipment in there, I'll be spending -- I foresee that to be beginning of next week -- I'll be spending all of the time.

It's ready to move in. There are desks, places for everybody to come in and work.

I think we're moving along. We'll be ready to work with the contractors as soon as they come to Arizona.

Other than that, I think that concludes my report.

CHAIRMAN LYNN: Any questions or comments for Mr. Ochoa?

Mr. Elder?

COMMISSIONER ELDER: I don't know if this comes under Mr. Ochoa or Tim Johnson. Some things need to get in place in the next week or so. I don't know whether they're in place in the office or not. I'd like to set up the website, authorize him to do that, if we have to file a hundred, two hundred dollars for a domain
name, whatever, get the domain name established, set up
so that can be processed. Then as we need to go into
office network, is the cabling done? Do we have
coordination between maybe a desk computer out on the
reception, secretary station as well as Mr. Ochoa's
office space units to get set up immediately as we add
in other people, add in others? Get that and get it
networked, linkage printers, plotters, communications
via modem, or T line, and other stations get linked.
Those are things I saw in the next week period of time
we need to get under way and authorize him to do. If it
needs a motion to expend funds, whatever, or using that
contract with Maricopa County as pick and choose.

CHAIRMAN LYNN: Next agenda item.

COMMISSIONER ELDER: Next agenda item and
do it.

CHAIRMAN LYNN: That's marching orders
once the IGA is in place, if you can do that.

COMMISSIONER ELDER: How much latitude do
you wish to give Steve and I in negotiation of that
contract and also authorize purchase, coordination of
purchase of equipment, lease, excuse me, acquisition of
equipment?

MR. RIVERA: Didn't you already do that to
the Chairman?
CHAIRMAN LYNN: I have that.

COMMISSIONER ELDER: Never mind.

CHAIRMAN LYNN: Website, soon as we have copies of this and approve it for content, it goes up three days later.

MR. JOHNSON: Right.

CHAIRMAN LYNN: Get that up as soon as we approve it for content.

COMMISSIONER ELDER: Even if we don't have all the logos.

CHAIRMAN LYNN: Karen, did I misspeak?

MS. OSBORNE: Mr. Chairman, one of the discussions I'm having, I'm sure it's complicated, all the terms in government, administrative services officer. It takes an inordinate time to get government services to pay for anything. We'll front the money, pay the $200 to get the website up, otherwise you'll have the redistricting done by the time that's --

COMMISSIONER ELDER: That's what I meant, authorize expenditure.

MS. OSBORNE: We'll put it on the bottom of the bill.

CHAIRMAN LYNN: Appreciate that. Thank you very much.

I also assume, not that it makes a
difference in terms of equipment vendors, the state
already signed up with, assume you have material, we can
order as fast as you can order it in terms of hardware?

MS. OSBORNE: Mr. Chairman, that's
correct. Equipment, all that, the only issue right now
is to try to get the few hundred dollars they require.
That's one point that may be helpful to you.

CHAIRMAN LYNN: Thank you very much.

Comments, questions for Mr. Ochoa?

COMMISSIONER ELDER: As a matter of
procedure in management of that contract, it's my
opinion that we should either as a Commission or
Chairman authorize them to go into each one of the line
items to a certain level that we need to have a chain
when billing comes in to Mr. Ochoa, said authorized me
do line item for, yes, we did. I don't think we want
Tim or Mr. Ochoa going off, yeah, we need you to prepare
an evaluation of and none of us knew anything about it.
Is that reasonable or -- we have a shopping list nine
miles long from Maricopa County. We're not authorizing
them to conduct everything on that list.

CHAIRMAN LYNN: I think -- I think the
best way to do that would be hopefully have two of us
meet with Maricopa County, figure out which things need
to happen first, theorize those two be started, and
bring back sort of a work --

COMMISSIONER ELDER: Okay. Fine.

CHAIRMAN LYNN: -- a work program for the

County's IGA.

Can we do that, without objection?

COMMISSIONER MINKOFF: Absolutely.

CHAIRMAN LYNN: Other comments for

Mr. Ochoa?

Legal counsel, any reason for an

additional Executive Session at this point or other

matters?

MR. RIVERA: No.

MS. HAUSER: No.

MR. OCHOA: Excuse me. Could I, Lisa --

I'll give a copy.

COMMISSIONER HUNTWORK: Item nine on the

agenda, I saw public relations program consultant.

CHAIRMAN LYNN: Oh, if I were working off

the same one you were.

COMMISSIONER HUNTWORK: Signed and posted.

COMMISSIONER MINKOFF: I have one. Steve

has one. We need to all get the same.

COMMISSIONER HUNTWORK: Is this one

posted --

MR. OCHOA: If does not say draft copy,
it's the one posted.

CHAIRMAN LYNN: Mr. Huntwork, number nine, public relations consultant.

COMMISSIONER HUNTWORK: You had spoken once, let's continue the discussion. If I may go first on this, I have had in my mind something very specific I want to do.

When we were interviewing for the position of Executive Director, a young woman presented herself for that role I was very impressed with, although we were more impressed with someone else for that position; I nevertheless felt in my own mind at least -- Where did everybody go?

CHAIRMAN LYNN: Still here and listening. Trying to get the agenda people are working off.

COMMISSIONER HUNTWORK: And I don't know if Ms. Terrazas is available or on precisely what terms. But I would personally very much like to have her as our community outreach director, if she's available to us on reasonable terms.

I would like to know what her terms would be so we can consider whether we can do that.

If I understand it, if she's willing to be hired as an employee, even on a part-time basis, we would have the ability to hire her. That position has
been requested and we could now hire her to fill that
position without having to advertise and do competitive
bidding; is that correct?

MS. HAUSER: That's correct. If she's
hired as an employee.

COMMISSIONER HUNTWORK: Right.

MS. HAUSER: Even part-time, different
than a contract situation.

COMMISSIONER HUNTWORK: Covered,
noncovered employee, there's limitations on how or what
we can pay her, or negotiate, for example, an hourly
rate for her as a part-time employee?

MS. HAUSER: Mr. Huntwork, if she is a
part-time employee, it would have to be within the range
set by Department of Administration for the position.

COMMISSIONER HUNTWORK: Has the
Department --

MS. HAUSER: Sorry.

COMMISSIONER HUNTWORK: Has the Department
of Administration -- was there a range set when
requested --

MS. HAUSER: They do that. You give them
a range of activities you want the person to perform.
They look at the rest of the state system and say a
person doing these things fits this position as compared
to this, and this is the salary appropriate.

CHAIRMAN LYNN: We've received that back from Department of Administration, haven't we?

MR. OCHOA: Yeah. A way to repeat what Lisa explained, they look commensurate with other classifications, titles, duties. Somebody doing PIO outreach, it coincides with a range in state government.

COMMISSIONER HUNTWORK: What range is approved?

MR. OCHOA: Those changes --

MR. OCHOA: Haven't approved the range. I can tell you the range -- 17 and a 21. Those are the numbers of classifications they have. It is my understanding that that basically means -- please don't quote me on this. I'll get specific information for this. Bring in a PIO person, outreach person, $35,000, maybe tops at 65. That's kind of the general range.

Arguably a figure, mid range, anywhere between 15 and 20 some dollars per hour.

COMMISSIONER HUNTWORK: Okay.

MR. OCHOA: If I might add two comments, I did on direction of the Chair and comments from Commissioners approach Ms. Terrazas. I approached Ms. Terrazas about working for us on a full-time basis.

She wanted to continue to work with her company doing --
she had taken on some accounts and would prefer to work
with us on a contractual basis. That was pretty much
what she told me.

At that time she proposed various options
to me and I wasn't -- they were a little bit on the
expensive side. But at the same time I told her in
reality if going to go on a contractual basis, it was
premature for me to address the issue from a monetary
standpoint.

And that issue, by the way, we did discuss
at that meeting that we had with Mr. Hibbs. And the
Director of the Department of Administration, a
contractual basis, we can do quick a turnaround. Have
to go with people listed as state venders. If it's a
job that the state already has a contract for, for the
service, then we have to go with those people selected.
However if it's not specific to what we need, then
that's when we do the RFP and we can turn it around
rather quick he promised us, do that particular process
rather fluid, and then we can invite anybody that we
identify to compete.

COMMISSIONER HUNTWORK: Yes.

MR. OCHOA: In addition to the people on
the list that might provide the service.

MS. HAUSER: Mr. Chairman, I'd like to
correct a statement made a bit ago in answer to one of
Mr. Huntwork's questions, having been corrected by a
personnel expert.

Karen Osborne was Assistant Secretary of
State under the former Secretary of State. She has
extensive personnel experience.

In fact, if we hire someone, a temporary
employee, a temporary employee that doesn't last longer
than six months, you can even through hire pay someone
on an hourly basis. So that may be the way to go, an
approach you were looking for.

COMMISSIONER HUNTWORK: A stop-gap
measure.

COMMISSIONER HUNTWORK: Ms. Terrazas may
consider being an employee on a stop-gap basis until the
RFP community outreach RFP goes out.

CHAIRMAN LYNN: My problem, if the
ultimate goal is a contractor hire, either employee or
contract, Ms. Terrazas and/or her firm to do something,
we probably ought not to put her on ahead of the
process, might show a preference to that person once we
go out with the RFP.

What I'm intrigued with is the notion,
Karen, if you wouldn't mind acting as our expert on the
record now that you've been identified as an expert, if
a job is slotted for X dollars, a $60,000-a-year job, if
you do the math, 60 bucks an hour for a normal year. If
there's someone out there we'd like to hire for no more
than six months to do that job, are we constrained by a
$30-an-hour figure in terms of hiring that person or on
a part-time basis could we make a deal with somebody for
$50 an hour or $100 an hour, some other number?

MS. OSBORNE: Mr. Chairman, it depends how
you approach it. I think it's very wise if you have
this person for an amount of money outside of this range
of dollars per hour you go ahead with the RFP. It's the
cleanest, fast, get it over with. It doesn't take a
tremendous amount of time.

They'll come back, say this activity, no
matter how much you need it, this is the range of money
you can pay it.

You have some latitude in there as to what
you can do. If you want this person, along with that
comes other constraints.

I think you'd be best to do the RFP, get
it over with and do it cleanly.

CHAIRMAN LYNN: A follow-up question: Do
we know for certain whether or not the State currently
gets the kind of services, I'm not now talking about a
general public relations classification, I'm talking
about somebody skilled with outreach into communities to
create dialogues and input, does the State currently get
that kind of service from somebody? And if they don't,
can we go through a waiver that doesn't exist and go
directly to a vendor that does that?

MR. OCHOA: Mr. Chairman, to that end, I
learned from Lisa and Jose it's a yes, no answer.

COMMISSIONER MINKOFF: Why am I surprised?

COMMISSIONER ELDER: Yes and no or no and
yes?

MS. HAUSER: Now I know we've arrived.

MR. OCHOA: Mr. Chairman, there are
similar contractors that have been identified by the
State to do part of what we want to do. They gave me a
copy, review on the Arizona Lottery, Kids Care, and the
latest one is the Clean Elections Commission. They are
doing somewhat similar to what we want to do except
they're going to have hearings where they are trying to
get debates going. A little different. I couldn't just
get a vendor list of people doing outreach for Kids Care
or people doing marketing for the Arizona Lottery. It's
a new RFP for that purpose. We're talking a little
marketing, talking a little outreach, a little
coordination.

CHAIRMAN LYNN: Then, what is, Mr. Ochoa
and/or Ms. Osborne, when you say a very short period of

time to do an RFP, is that a month, two weeks, tomorrow,

what is it?

MR. OCHOA: Karen has been privy to.

MS. OSBORNE: A couple questions to ask

legal counsel.

Have these been established as exempt from

the merit system?

MS. HAUSER: Yes.

MS. OSBORNE: If exempt from the merit

system, you have a great deal more latitude. If exempt

from the merit system, there are things you can do.

MR. OCHOA: I know uncovered. I don't

know about exempt from the merit system.

MS. HAUSER: Those are the same thing.

MS. OSBORNE: Uncovered means you don't

pay overtime. State government, as exempt, as the

Executive Director, you can fire at will, don't have a

lot of coverage of personnel, don't have a lot of

things. If, knowing that now, you have a lot more

ability to go out and hire these people. You can say

this is a person that we want. This is a person we want

that fits within the range, and we can do that. You

have a lot --

CHAIRMAN LYNN: Hiring. RFP for services.
MS. OSBORNE: To that point, the RFP, if you want to expand that, I do believe you can go back through Mr. Hibbs. Mr. Ochoa will be able to fast track that to an even greater degree, that would be within a month, simply because you are not talking about having someone that is going to be there forever.

CHAIRMAN LYNN: True. A needed service today.

COMMISSIONER ELDER: Four days. A way through some tool to do it in four days, Thursday next week.

MS. OSBORNE: Mr. Chairman, Commissioner Elder, the only thing I'm aware of you that you can do is just go out and hire someone.

COMMISSIONER HUNTWORK: Mr. Chairman.

CHAIRMAN LYNN: Mr. Huntwork.

COMMISSIONER HUNTWORK: I want to say if we go out with the RFP, whether we have hired Ms. Terrazas part-time or not, when the responses to that come back, we will have to look at them, evaluate them fairly. I as well as every other member of the Commission would intend to do exactly that.

The idea of hiring her on a part-time basis in the meantime precisely to cover the gap and get started with somebody, I believe, is obviously very
capable.

CHAIRMAN LYNN: I hear that. I'm trying
to accomplish that same thing.
To go with Ms. Terrazas, here's what we'd
like to do in the interim basis. While applying on a
part-time basis, we can only pay $30 an hour.

COMMISSIONER ELDER: Private sector,
they'd double that.

COMMISSIONER HUNTWORK: Freedom to ask the
question.

MS. OSBORNE: Mr. Chairman, to that
particular point, now I know they are exempt, you have a
great deal more latitude to up the anti in the range.

CHAIRMAN LYNN: Thank you. Now that's
something to work with.

MS. OSBORNE: There are a lot less
restraints, a lot more things to do. Literally go to --
Mr. Ochoa can go to personnel. "Here's the range
they're going to us with. My Commission wants to pay
this person X dollars. They're uncovered. Do it."

CHAIRMAN LYNN: Part-time, interim basis.

MS. OSBORNE: "This is what they want to
do." If within the range, you should be able to do it.

CHAIRMAN LYNN: How long would it take?

MS. HAUSER: A day.
MS. OSBORNE: This afternoon, tomorrow.

MR. OCHOA: I wouldn't say part of a day, talking -- give me -- can't do it in one day. No.

Can't do it in one day. 48 hours, three days, that's a possibility.

COMMISSIONER ELDER: Big furniture.

CHAIRMAN LYNN: All right. Let's stay on task.

Where I am in listening to discussion, I want to conclude this issue. Is it the sense of the Commission, let me ask it that way, in the form of a question, is it the sense of the Commission you would like Mr. Ochoa to pursue as rapidly, as fast as possible, the following: To get approval to engage Ms. Terrazas for this purpose on an interim basis and at the same time expedite an RFP for ongoing services for this particular function and to do the former as quickly as possible so that we can get services available to the Commission as early as next week and to do the latter as quickly as possible so we have ongoing continuing services through the process?

Ms. Minkoff?

COMMISSIONER MINKOFF: Number one, if able to get an agreement with Ms. Terrazas to come on at a salary acceptable to us and acceptable to her, we might
not have to do the RFP. I say do an RFP only if we have
to. If willing to come on a part-time basis for the
duration of the job, let's do it. My question is would
we then need either of these two positions, press
secretary, outreach coordinator, or would she cover one
or both positions?

CHAIRMAN LYNN: My sense, knowing
something about those two areas of life, we need both.

COMMISSIONER MINKOFF: She'd do this.

CHAIRMAN LYNN: She'd do this. We'd hire
somebody to do this.

MR. RIVERA: Identify "this" for the
record.

CHAIRMAN LYNN: Lisa, I'm sorry.

Ms. Terrazas would do outreach
coordination. We'd still need somebody to be the public
information officer, public relations person.

MS. MINKOFF: Full-time position.

CHAIRMAN LYNN: I think she will be for
the Commission, press relations, other kinds of things,
that will require full-time attention. They are two
different positions.

COMMISSIONER HUNTWORK: Mr. Chairman,
that's what I was thinking as well. I didn't say it
clearly.
CHAIRMAN LYNN: Is it then the sense, as I stated it, we'd like to try to engage Ms. Terrazas in the position of outreach coordinator either on a continuing part-time basis, obviate the need for an RFP, or failing that, to engage her part-time until the RFP can be put out?

COMMISSIONER ELDER: Yes.

COMMISSIONER HUNTWORK: So moved.

COMMISSIONER ELDER: Second.

MR. RIVERA: If I can --

CHAIRMAN LYNN: Mr. Rivera?

MR. RIVERA: I'd put some limitations in this thing. It's giving Ms. Terrazas an opportunity to demand whatever she wants to demand in terms of a monetary hourly rate. You have to put limitations on it.

CHAIRMAN LYNN: We don't know what they are.

COMMISSIONER HUNTWORK: I agree with this. I think the idea would be to formally approve this at the meeting on Thursday or disapprove it. I would like to --

CHAIRMAN LYNN: Try to get it done and bring back a number.

COMMISSIONER HUNTWORK: I'm not suggesting
hire her under any terms whatsoever. Get the last best offer.

MR. OCHOA: Within that, Mr. Chairman, if the procedure requires we stay within the bounds of the salary range given the outreach person, I'll report on that.

CHAIRMAN LYNN: Odds are we won't, but we need to proceed with that.

COMMISSIONER HUNTWORK: Mr. Chairman, it is my understanding a part time person --

We can't use this person for longer than six months.

CHAIRMAN LYNN: Won't need her longer than six months.

CHAIRMAN LYNN: Right.

COMMISSIONER HUNTWORK: That's an express part of the stipulation.

CHAIRMAN LYNN: I understand.

MS. HAUSER: Mr. Chairman.

CHAIRMAN LYNN: Ms. Hauser.

MS. HAUSER: I'm sure that in -- when Enrique moves through personnel to try to get this accomplished, we may need to get it clarified, get direction. I'm happy to try do that. I'm wondering if the Chairman would request Ms. Osborne walk through a
couple mind fields as he walks through personnel. She's quite used to it.

CHAIRMAN LYNN: It's outside the scope of services Maricopa County offered to do for us. As a public servant of Maricopa County, perhaps Maricopa County would offer to do it.

COMMISSIONER HUNTWORK: Isn't there a clause "other services as assigned"?

CHAIRMAN LYNN: There's a motion on the floor.

Move back to the motion. Those in favor?

(Vote taken.)

CHAIRMAN LYNN: Opposed, no.

Motion carried.

Anything else under this item?

MR. RIVERA: No.

CHAIRMAN LYNN: I have item nine, public relations consultant.

Number 10, call to audience.

Anyone wishing to be heard?

Seeing no one seeking recognition, move to item 13.

The Commission will stand adjourned until May 10th, Thursday next, 10:00 a.m., at a location to be determined.
COMMISSIONER MINKOFF: Hopefully not here.

CHAIRMAN LYNN: Editorially we'll add that

(Whereupon, the hearing concluded at

approximately 1:33 p.m.)

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BE IT KNOWN that the foregoing hearing was
taken before me, LISA A. NANCE, RPR, CCR, Certified
Court Reporter in and for the State of Arizona,
Certificate Number 50349; that the proceedings were
taken down by me in shorthand and thereafter reduced to
typewriting under my direction; that the foregoing 132
pages constitute a true and accurate transcript of all
proceedings had upon the taking of said hearing, all
done to the best of my ability.

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

DATED at Phoenix, Arizona, this 17th day

LISA A. NANCE, RPR
Certified Court Reporter
Certificate Number 50349