PUBLIC MEETING

DATE: April 14, 2011
Time: 10:01 a.m.

Location: Industrial Commission - Auditorium
800 West Washington Street - First Floor
Phoenix, Arizona

MEMBERS PRESENT:
Colleen Coyle Mathis, Chair
Scott D. Freeman, Vice Chair
Jose M. Herrera, Vice Chair
Linda C. McNulty, Commissioner
Richard P. Stertz, Commissioner

Also present: James E. Barton II
Assistant Arizona Attorney General
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CHAIR MATHIS: The meeting of the Arizona Independent Redistricting Commission will now come to order.

Today is Thursday, April 14th, and it's 10:01 a.m. according to my phone.

Please rise for the Pledge of Allegiance.

(Pledge of Allegiance)
CHAIR MATHIS: I'd just like to remind everyone we have a court reporter transcribing today's meeting, Debi, up here in front. And she would, I'm sure, appreciate it if we all remember to speak one at a time, so that she can take an accurate record.

I'd also like to remind anyone in the public who would like to address us to be sure to fill out a "Request To Speak" form and give that to me, and we'll get you on the docket to do so.

If I can now begin with roll call.

Vice Chair Freeman?

VICE CHAIR FREEMAN: Here.

CHAIR MATHIS: Vice Chair Herrera?

VICE CHAIR HERRERA: Here.

CHAIR MATHIS: Commissioner McNulty?

COMMISSIONER MCNULTY: Here.

CHAIR MATHIS: Commissioner Stertz?

COMMISSIONER STERTZ: Here.

CHAIR MATHIS: We have a quorum.

And I'd like to acknowledge today Assistant Attorney General Jim Barton, who's been providing counsel to us. Thank you, Jim.

And this brings us to Item II on the agenda, approval of the March 31st, 2011, minutes in the form of a meeting transcript, as well as the April 8th draft minutes. So we'll handle these individually.

Did everyone have a chance to review the March 31st transcript?
VICE CHAIR FREEMAN: Madam Chair?

COMMISSIONER STERTZ: No.

CHAIR MATHIS: Yes, Commissioner Freeman.

VICE CHAIR FREEMAN: You're speaking of a transcript from a court reporter or from the minutes --

CHAIR MATHIS: Yes. The minutes that are in the form of a transcript for the March 31st meeting.

VICE CHAIR HERRERA: Madam Chair, I, unfortunately, did not finish them. I think there's about a hundred pages.

CHAIR MATHIS: Yes.

VICE CHAIR HERRERA: I did not finish them.

CHAIR MATHIS: Okay.

VICE CHAIR FREEMAN: Madam Chair, with respect to the transcript, I have one correction.

CHAIR MATHIS: Okay.

VICE CHAIR FREEMAN: It's found on Page 38 of the transcript, which appears on Page 32 when I printed it out.

CHAIR MATHIS: Page 38 of the transcript.

Okay.

VICE CHAIR FREEMAN: Which the page I have, it says Page 32 at the bottom of the page.


Okay. Let me get to that. All right. Go ahead.

VICE CHAIR FREEMAN: Okay. Line 8, it should read -- excuse me -- Line 38 (sic) Page 30 (sic), it's at the very bottom of the page, it should say principally, quote,
CHAIR MATHIS: I'm still trying to find where you are. Sorry. It's Page 38 of the transcript?
VICE CHAIR FREEMAN: On the -- on the version that I printed out --
CHAIR MATHIS: Yeah.
VICE CHAIR FREEMAN: -- the word "Page 32" appears at the very bottom of the page.
CHAIR MATHIS: Right.
VICE CHAIR FREEMAN: But for the transcript itself, you'll see it's actually Page 38.

CHAIR MATHIS: Okay.
VICE CHAIR FREEMAN: And it is Line 8 of that page. You've got to look at the very bottom.
CHAIR MATHIS: Oh. Right here. "This RFP contains principally to"?
VICE CHAIR FREEMAN: Do you follow me?
CHAIR MATHIS: Uh-huh.
VICE CHAIR FREEMAN: So the word "two," t-w-o, should be deleted and replaced with, open quote, t-o, period, end quote. I was correcting a typographical error.
CHAIR MATHIS: Okay.
VICE CHAIR FREEMAN: And with respect to the rest of the transcript, I mainly focused on portions that I spoke. I mean, I cannot acknowledge that I read through every page. But that was the only correction I had in the transcript.
CHAIR MATHIS: Okay. Any other commissioners
that want to submit any corrections to this transcript?

COMMISSIONER MCNULTY: Madam Chair? I don't think my mic is on. Can you hear me?

CHAIR MATHIS: Yes.

COMMISSIONER MCNULTY: There's a reference to Ms. Busching's name that is spelled incorrectly. And I'm not finding the page here. I thought I had turned it over.

But if we could check the spelling of her name. She only spoke once, so it shouldn't be hard to find.

CHAIR MATHIS: Okay.

COMMISSIONER MCNULTY: On Page 61, Line 4, "Thank a lot, Buck," should be "Thanks a lot, Buck." And I would request on the first page, again, that we use Mr. Stertz's and my middle initials, Linda C. McNulty and Richard -- P?

COMMISSIONER STERTZ: Yes.

COMMISSIONER MCNULTY: -- Stertz. I did the same thing Commissioner Herrera did, I focused mostly on my own comments.

CHAIR MATHIS: Okay.

COMMISSIONER MCNULTY: Those are my only changes.

CHAIR MATHIS: Thank you, Commissioner McNulty. Any other comments from other commissioners?

MR. BARTON: Madam Chair?

CHAIR MATHIS: Mr. Barton.

MR. BARTON: This might be a good time to point out that the way these changes are entered is

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they're -- attorneys will be familiar with this -- is we're just going to have a correction sheet in the back of the minutes that will correct the mistakes, and they'll go at the end.

So for the transcripts, it will be clear what the transcript was initially and then just we'll put these changes at the end in correction sheets.

For the minutes, you can make changes into the document that will be -- then we'll put up a revised document on the Web site that will just have the corrected version.

CHAIR MATHIS: Thank you for that clarification. And that's what the public will see, then, on the Web site is this correction sheet to our transcripts.

Any other comments on the transcript?

(No verbal response.)

CHAIR MATHIS: Do I hear a motion to approve the transcript or the minutes in the form of a transcript from the March 31st meeting as amended?

COMMISSIONER STERTZ: As amended, so moved.

CHAIR MATHIS: Second, anyone?

VICE CHAIR FREEMAN: Second.

CHAIR MATHIS: All in favor?

VOICE VOTES: Aye.

CHAIR MATHIS: Any opposed?

(No verbal response.)

CHAIR MATHIS: Okay. The transcript for the March 31st meeting passes as amended.

The next item is the April 8th minutes.
24 Did everyone receive those and have a chance
25 to review them, and are there any corrections?

VICE CHAIR FREEMAN: Madam Chair?
CHAIR MATHIS: Commissioner Freeman.

VICE CHAIR FREEMAN: With respect to the
minutes of our April 8th, 2011, hearing, both the public
session and the executive session, there is definitely a
difference in format between these and the minutes on the
March 31 hearing, which we've already approved.

And I had a number of changes. And my concern
when I was going through it, this may be a moment where
everyone needs to have a seat and grab a pillow, because we
would be spending about 15 minutes going through these.

And I'm wondering if we should, perhaps,
discuss and then -- you can just see some of my markups
here --

CHAIR MATHIS: Extensive.
VICE CHAIR FREEMAN: -- perhaps we entertain a
motion to table approval of these minutes, and the Chair,
perhaps, delegate to a commissioner -- and I'm not looking to
do it myself -- to take a run at redrafting these minutes, so
that, perhaps, they're more a format -- I like the format of
our March 31st minutes.

CHAIR MATHIS: Okay.
VICE CHAIR FREEMAN: I think they're -- by
ease of reference for us and for the public to understand
what we did, I think they're the appropriate level of detail.
And I think we benefit by having sort of that similar format going forward.

I'm more than happy to start wading through my respective changes here, but, like I said...

CHAIR MATHIS: Okay. So we have a motion on the floor to table the approval of these minutes. Is there a second to that motion?

COMMISSIONER MCNULTY: Second.

CHAIR MATHIS: Any discussion?

VICE CHAIR HERRERA: Madam Chair?

CHAIR MATHIS: Yes.

VICE CHAIR HERRERA: Just for clarification, whoever is typing those minutes, not only the -- actually, just focusing on the meeting minutes, just going forward, asking Commissioner Freeman what he's looking for to make sure that the individual who's typing those minutes has an idea of what he or anyone else is looking for. So we can, in the future -- because I've seen the markings, and that's quite a few -- so make it easier for that individual, because my corrections were minor.

CHAIR MATHIS: Yeah. That's great. And it has been a challenge, because we have met in various locations and had different minute takers and court reporters throughout our tenure so far.

So I'm hoping that we'll be able to
standardize somewhat on the people doing that, and they'll get used to our style and what we like.

But I think that's a great suggestion to communicate to them how we'd like to see that. And maybe Commissioner Freeman could take the charge on that in terms of future minutes.

VICE CHAIR FREEMAN: I'm happy to do that, Madam Chair. I think, perhaps, everyone agrees the March 31st minutes, the format of those, could serve as a guide.

And I would commend everyone at breaks, if someone's name comes up, a spelling, unusual word, if you'd take a moment, if you think of it, to talk with our court reporter and our minute taker to make sure they've got proper spellings, so we don't have to deal with that going forward.

I think the minutes, to provide an effective reference, should reflect who's speaking to us, who they represent or who they work for and generally describe what they -- they discuss.

I mean, preparing minutes is kind of an art form. It's too much detail, too little detail -- you know, where do you strike the balance? It's hard to know how to advise people.

I also think in terms of, quote, action this board takes in terms of motions, amendments to motions, seconds, approvals, that needs to be -- I would like to have that be explicit in our minutes. I see that in our March 31st minutes. I didn't quite see it as well in the -- in the draft of the April 6th (sic) minutes. And it's something, if
we could get a handle on that, I think we'd all benefit.

CHAIR MATHIS: I agree. Any other comments or discussion?

VICE CHAIR FREEMAN: It should -- we've -- I believe we've moved to table approval.

CHAIR MATHIS: And it was seconded.

VICE CHAIR FREEMAN: I would move that the Chair delegate to a commissioner the responsibility of taking a run at preparing a second draft of these minutes that we can then consider and approve at the next hearing.

CHAIR MATHIS: Okay. Well, we have the motion that was seconded to table these minutes, at least, for the approval. So should we vote on that one?

VICE CHAIR FREEMAN: Yes, we should.

CHAIR MATHIS: All in favor of the motion to table the approval of these minutes until such time that commissioners can -- Commissioner, I guess, Freeman would take the lead on making those edits and suggesting them to -- maybe -- I'm kind of not sure how we do this.

We should centralize the minute correction function with Commissioner Freeman?

VICE CHAIR FREEMAN: Madam Chair?

CHAIR MATHIS: Yes.

VICE CHAIR FREEMAN: Perhaps let's just take them in order. The first motion was to table the approval of the April 6th (sic) minutes --

CHAIR MATHIS: Okay.

VICE CHAIR FREEMAN: -- which was seconded.
Let's --

CHAIR MATHIS: Let's --

VICE CHAIR FREEMAN: -- vote on that.

CHAIR MATHIS: -- vote on that.

So do I -- all in favor of that motion?

VOICE VOTES: Aye.

CHAIR MATHIS: Any opposed?

(No verbal response.)

CHAIR MATHIS: Okay. Hearing none, that motion carries. So we'll table the approval of these April 8th minutes. And now there is a new motion on the table from Commissioner Freeman to --

VICE CHAIR FREEMAN: Yeah, I would move that the Chair select a commissioner to prepare a revised draft of the April -- of the minutes of the April 6th, (sic) 2011, hearing, both the public session minutes and the executive session minutes. And then present them at the next hearing of this Commission for approval by a motion.

CHAIR MATHIS: Is there a second?

VICE CHAIR HERRERA: Madam Chair, before you go forward --

CHAIR MATHIS: Yes.

VICE CHAIR HERRERA: -- can I then make an amendment that the individual in charge of that also provide some guidance to the individual writing up the meeting minutes --

CHAIR MATHIS: Uh-huh. Right.

VICE CHAIR HERRERA: -- to the formatting and
the type of style?

VICE CHAIR FREEMAN: I would accept that.

CHAIR MATHIS: Okay.

COMMISSIONER STERTZ: Then second as amended.

CHAIR MATHIS: Any discussion?

COMMISSIONER MCNULTY: Only a request that we receive them a day in advance of the meeting, so that we can review them.

CHAIR MATHIS: All in favor?

VOICE VOTES: Aye.

CHAIR MATHIS: Any opposed?

(No verbal response.)

CHAIR MATHIS: Okay. The motion carries. And the Chair will designate someone on the Commission to revise this -- these April 8th draft meeting minutes. And then also communicate to our future minute takers the format that we'd like to see those minutes be.

Okay. Thank you. So this brings us to Item III, call for public comment. So far, I only have one request to speak.

Are there any other forms that anybody has that they want to give me?

(No verbal response.)

CHAIR MATHIS: Okay. So if Mr. Steve Muratore could come up. He's the publisher for Arizona Eagletarian, and the subject is hiring.

MR. MURATORE: Right here?

VICE CHAIR HERRERA: Sure.
CHAIR MATHIS: Yeah.

MR. MURATORE: Okay. Good morning, Madam Chairman, Commissioners. Before I hit on the hiring, last week I mentioned a concern I had with the spreadsheet on the prior Commission's expenditures. And the handout looks to be, essentially, the same today, with no identifying information.

Now, Mr. Whitmer suggested I talk to Ms. Darian. She said she would e-mail me a spreadsheet that has proper attestation. But my concern is that what's made available to everybody is clearly indicated with identifying information.

Now, as to hiring, my concern is whether or not you're going to hire today for the executive director position. And I know that would be, in my opinion, very short turnaround for checking references.

I don't know what DOA personnel has done in that regard. But in addition to checking references, I would think that a position as significant as the executive director, you would want to be doing, at least, some kind of background checks to public records or whatever. And I would think that that takes time.

So I would suggest that I would be concerned if you hired today. Thanks.

CHAIR MATHIS: Thanks. Okay. That ends the Public Comment section. So that takes us to Item IV on the agenda, something that was tabled from last time because we ran out of time. And this is discussion and possible action.
on office space options, including ADA compliance, HVAC and other technology features.

And Nola Barnes and Buck Forst from ADOA have been helping us on our office space options. And I'm going to ask either or both of them to come up and tell us a little bit about some of the properties.

Since our last meeting, we -- some of the commissioners have seen some of the spaces that are available to us. And we haven't had a chance to talk as a group in a public meeting to go over what people's preferences and thoughts are, so -- but I think Nola has some additional information to present also.

MS. BARNES: I think specifically you asked about, for today's meeting -- is this on? -- for today's meeting about Evans House and then this building here, the ICA Building.

So for Evans house, it is not illegal to occupy Evans House, because they've updated ADA issues. It was updated in the early '90s to then standards. There are limitations what you can do in addition to that, just because of the historical nature of the building. But there is a wheelchair lift and it is operable, but there is no backup power.

The legislature approved the budget. The rent is 1,508 per rentable -- per square foot. So annually -- that's based for the first floor -- would be 27,900. And that's a full-service gross lease.

Tenant improvements are paid exclusively by
the tenant if there were to be any tenant improvements; although, the options for any tenant improvements are extremely limited. And that is for the first floor.

CHAIR MATHIS: And is it true that the Secretary of State pays the rent currently on that property?

MS. BARNES: They do. They -- they were the last occupant of the space.

CHAIR MATHIS: And is that rent paid through the end of the fiscal year, or --

MS. BARNES: It's paid through FY11, beginning FY12. If the Industrial -- not the Industrial Commission, sorry -- the Redistricting Commission were to occupy the first floor, you would pick up that portion of the rent, offset their rent.

CHAIR MATHIS: Okay. Thank you. I believe, too, just to interrupt before you start again, I think if any commissioners wanted to see the Evans House space today, if there's time during the recess or something, that that opportunity might be available to us. So let us know -- let me know.

So, yeah, then we learned about the Industrial Commission's fifth floor space as another potential.

MS. BARNES: The fifth floor -- I met with the executive director last week. The Industrial Commission will split the space up into, approximately, a 4,720 rentable square foot footprint. Their rate is 1,650ish. They can charge -- the base is the legislatively approved rate. DOA doesn't have control of
this particular building. The 1,508 doesn't cover their cost for this building, so they believe it would be in the 1,650 range.

At 4,720 square feet, annual rent would be

seventy-seven eight, closer to seventy-seven nine. And one smaller carve out of the space would be 3,305, and the annual rent would be fifty-four five.

CHAIR MATHIS: And I'm sorry, Nola. Can you say the square footage of the first floor in the Evans house again?

MS. BARNES: The first floor of the Evans House is 1,851 rentable square feet.

CHAIR MATHIS: Okay. Thank you. And so I think there were other issues that were going to be just checked into; especially, regarding the Evans House with air conditioning and IT. And I just wondered if you've --

MS. BARNES: The air conditioning was replaced a couple of years ago. I looked back over three or four years of work orders, and there haven't been, you know, chronic issues. I think the worst issues were, you know, maybe it was hot once or twice. But it didn't appear to be an ongoing kind of problem.

CHAIR MATHIS: Okay.

MS. BARNES: And the parking would be in the ADEQ garage just behind the building.

CHAIR MATHIS: Okay. Okay. Great. And, Buck, did you find out anything on IT?

MR. FORST: I need one more week to get you
did hear yesterday that they -- it is possible to put that location on the state magnet without doing any trenching. So --

CHAIR MATHIS: Oh. Good.

MR. FORST: -- the cost will be --

CHAIR MATHIS: without heavy equipment --

MR. FORST: -- significantly cheaper.

(whereupon, the reporter asks for clarification.)

CHAIR MATHIS: I'm sorry. It was my fault.

MR. FORST: The cost for networking that location and putting it on the state magnet would be significantly cheaper than originally quoted.

CHAIR MATHIS: Great.

MR. FORST: So we should have those numbers at the next meeting.

CHAIR MATHIS: Okay. So I open this up. Any other comments from either of you on properties or space?

MS. BARNES: Well, on this particular space, with the Evans House, there is no dedicated security to that building. With this space, the security is offered at no charge, as well as the auditorium and the hearing rooms.

So that's my only addition there.

CHAIR MATHIS: If we're not in this building, are we charged for using this hearing room?
MS. BARNES: I don't believe so. I don't believe there was a charge for today. But if it were to occur regularly, we would have to address that with the executive director.

CHAIR MATHIS: Okay. Then open it up for any comments from the commissioners.

COMMISSIONER STERTZ: Madam Chair, on the 1,650 a square foot, an estimated square foot, was that an estimated gross?

MS. BARNES: That was an estimated gross.

COMMISSIONER STERTZ: Okay. That would be against the hard number gross of the 1,508 a square foot?

MS. BARNES: Right.

COMMISSIONER STERTZ: Okay. And the original number of 4,720 as a recommendation of leasable square footage, would they -- we just happened to tour that space this morning. There appeared to be an opportunity for some flexibility of -- the opportunity to decrease that number substantively?

MS. BARNES: We -- yeah, the 3,305 in the kind of carved out area there, that's the smallest amount that we're willing to reduce the space to.

CHAIR MATHIS: So it's 4,720 square feet or 3,305 in the Industrial Commission building.

COMMISSIONER McNULTY: Could you just describe what these footprints are as you come in the door?

You know, I think we've all come in the door.
now. We know there's the bank of glass-walled offices on the left, and then there's a little L on the -- I mean, on the right, a little L on the left.

How does that --

MS. BARNES: Well, that's on the fifth floor. And I'm not completely familiar with this building, but I believe when you come off the elevators, you would go, I want to say, right.

COMMISSIONER MCNULTY: Is it south? Which would be left.

MR. FORST: Sure. You go south off the elevators, through the doors. You go east. And then I think it's your first or second door on your right.

COMMISSIONER STERTZ: I've made a demarcation on your drawing. I apologize for this. This was the -- this was the spaces indicated to us, that I've marked in red, that they would allow us to lease, which is more in keeping of the 1,850 square footage.

MS. BARNES: I can certainly go back to the executive director and ask her if we can negotiate that.

COMMISSIONER STERTZ: Yeah, I'd like to -- I think we need to be really sensitive to a couple of things. And I think Commissioner McNulty brought up very clearly the security of this -- of this is really important.

And even though I think the Evans House is a -- its importance, it's a significant building, it's charming, it meets the qualifications as we've requested you to, if the opportunity for that space -- the difference.
between the dollar thirty-two a square -- dollar forty-two a square foot with the ongoing use of security and the free use of this space, which we know positively would occur in that, might have some merit.

MS. BARNES: Any lease with the ICA is contingent upon their investment committee's approval as well.

COMMISSIONER STERTZ: Sure.

CHAIR MATHIS: Any other comments from commissioners on the space or questions for Nola and Buck?

VICE CHAIR HERRERA: Madam Chair?

CHAIR MATHIS: Yes, Commissioner Herrera.

VICE CHAIR HERRERA: You know, I had an opportunity with the Commission to go through both the Evans House and this area. And, initially, I was thinking the Evans House is a charming place.

But after seeing this building and the newer building, the security and the available space without probably much updating compared to the Evans House, it'd probably make more sense to focus our efforts on getting space in this building.

CHAIR MATHIS: Okay. Any other comments?

I guess I would want to confirm, too, with Nola, if she could, to find out is this hearing room free of charge to any tenant in the building if it's available.

MS. BARNES: I did confirm that --

CHAIR MATHIS: You did that?

MS. BARNES: -- when I spoke with her last
CHAIR MATHIS: Okay. But it's -- if you're coming from -- if you're not a tenant --

MS. BARNES: Yeah, I don't know their policy --

CHAIR MATHIS: Okay.

MS. BARNES: -- if you're not --

CHAIR MATHIS: That would be good to know --

MS. BARNES: -- a tenant in the building.

CHAIR MATHIS: -- if they charge.

VICE CHAIR HERRERA: Madam Chair, I think there's another hearing room, I think a little smaller, as well.

MS. BARNES: There are a couple of other hearing rooms. There is --

VICE CHAIR HERRERA: So there is that flexibility in case this room is being booked on the day we need to schedule a meeting.

MS. BARNES: That's correct.

CHAIR MATHIS: Yeah, this is a great meeting room --

VICE CHAIR HERRERA: It is.

CHAIR MATHIS: -- of the ones we've been in so far. So it's a nice one. Any other comments?

It sounds like we don't have all of the information yet on the IT for Evans House and -- oh.

On security, is there any sort of alarm system at Evans House; do you know?
MS. BARNES: I think there may be an intrusion alarm. I'll have to double check. Most of our state buildings do have an intrusion alarm, but that would probably be the limit.

CHAIR MATHIS: Okay. Any other comments? Commissioner McNulty?

COMMISSIONER MCNULTY: When we get feedback on whether the ICA is willing to do the configuration that Commissioner Stertz just described or something similar to it, can you also -- will you also explain to us the process for getting their investment committee to approve the lease?

MS. BARNES: Sure. I might suggest, Madam Chairman, that one of the commission members attend a meeting with me and the executive director to maybe get a better sense than just waiting to hear from me.

CHAIR MATHIS: Okay. Are you volunteering for that, Commissioner Stertz?

COMMISSIONER STERTZ: Yes. Yes, I am.

CHAIR MATHIS: That would be fine if you would like to do that. So Commissioner Stertz and Nola can meet with the executive director of the Industrial Commission.

MS. BARNES: Her name is Laura McGrory.

CHAIR MATHIS: Okay. Great. Thanks for your help. Okay. Next item on the agenda, Item V, discussion and possible action regarding setting up a Web site for the Commission, including any desired security features, public access features, or other desired functionality.

I'm happy to report that Buck Forst has been
extremely helpful -- he's from the ADOA -- in getting our Web site off the ground, it's launched.

We had hoped to talk about this at the last meeting. It's been in place for a couple of weeks now I think. And thank you very much --

MR. FORST: You're welcome.

CHAIR MATHIS: -- for all you did to make that happen. And he also is preserving, of course, the work of the previous Commission. There's a tab on that Web site so that you can link to everything the previous Commission did.

And we're using the same URL, azredistricting.org, and you can go there and see agendas and minutes. And we will be posting our agendas on there, so that's a great resource for people to always go there for sure. We'll still continue to post it in other places as well, but that's your best bet I would say.

Anything that you want to report on the Web site itself, Buck?

MR. FORST: No. You know, the maps for the previous Commission were not working properly. I got those fixed this morning, so --

CHAIR MATHIS: Okay.

MR. FORST: -- you can actually click on the maps and you can view the maps now.

CHAIR MATHIS: Great.

MR. FORST: There was an issue with renaming it to the 2001 dot azredistricting, but it's all fixed now. And that's -- that's about it.
CHAIR MATHIS: Thank you. Great. Any questions for Buck on the Web site, comments?

COMMISSIONER MCNULTY: I have one question. Did the Commission last time have e-mail addresses through the Web site?

MR. FORST: I don't know. There is one address set up right now. It's on the contact form for the contact page. When you fill out the form and submit it, it goes to an info app, azredistricting. And right now, the interim executive director is picking up those e-mails. But we can create them as needed. They're exchange accounts.

CHAIR MATHIS: Okay. Any other comments or questions?

VICE CHAIR HERRERA: Madam Chair, just to clarify Commissioner McNulty, are you saying, Commissioner McNulty, for people, members of the public, people contact commissioners via our Web site?

COMMISSIONER MCNULTY: Yes, that was my question --

MR. FORST: Oh.

COMMISSIONER MCNULTY: -- whether they -- whether that's the way they did the e-mail last time.

MR. FORST: I guess that would be up to you. If you want your e-mail address on the Web site, we're happy to add it there. Or if you want your own, you know, Linda azredistricting, we're happy to facilitate that as well.
COMMISSIONER MCNULTY: I think right now, we all have Gmail addresses that aren't the most user-friendly thing in the world. But we were thinking about looking at what the possibility might be of having consistent -- each of us having consistent e-mail using the Web site.

MR. FORST: Sure.

COMMISSIONER MCNULTY: Just a thought.


CHAIR MATHIS: Okay. Any other comments?

(No verbal response.)

CHAIR MATHIS: Okay. Thanks very much, Buck.

VICE CHAIR HERRERA: Thank you, Buck. Thank you, Nola.

CHAIR MATHIS: Can the public hear okay? Are we -- no, it's not loud enough. So everyone really needs to try to speak --

COMMISSIONER STERTZ: We're not working.

CHAIR MATHIS: -- into the mics as well as possible.

COMMISSIONER MCNULTY: The mic's not working.

COMMISSIONER STERTZ: The mic's not working.

CHAIR MATHIS: At all?

MR. FORST: Yes, they are. Pull them closer.

COMMISSIONER STERTZ: Hello. All right.

CHAIR MATHIS: Okay. We're at Item VI on the agenda, discussion and possible action regarding renting versus buy decision. Uh-oh. Did Buck just step out?

COMMISSIONER MCNULTY: He went to see if we
around. We received a quote. In fact, it's one of the
handouts outside as well. Buck did some research into
renting versus buying the A/V equipment that's necessary to
stream our meetings, so that people can go to a link and
watch their -- watch this action from the privacy of their
own homes if they wish.

And so we've all expressed a great desire to
make these meetings as accessible as possible to people in
the state. And Buck's been doing some research to this end
and provided these two quotes. One's for renting the
equipment versus buying the equipment.

And the challenge with renting, of course,
too, is the fact that we do have some meetings in Tucson.
We're a very nomadic commission in many ways, and we'll be
having hearings in other places. So we do need to think
about the mobility factor and being able to get the equipment
to where we need to go.

So did anyone have a chance to look at the
quotations that Buck provided, and any comments or questions
on it?

COMMISSIONER STERTZ: Madam Chair?

CHAIR MATHIS: Yes, Commissioner Stertz.

COMMISSIONER STERTZ: On two points. As a
point of reference, the reason why we were talking about this
type of equipment is not just for these meetings. It is so
that as we're going out into the public and having our public
sessions, our meet and greets for the sake of a better
description, that we've got that able to -- to have outreach
to anybody that wants to have availability to it and be able
to stream it live. So that was the primary -- the cause and
effect of this.

The other piece was I checked with a couple of
private vendors. Not having the list of the inventory of the
equipment that you were choosing, but having familiarity of
the equipment and the manufacturers, I gave them a similar
description of what our costs -- or what our intent was.

And they ranged in price from $12- to $20,000
for an acquisition of a similar, transportable set of
equipment. So if the -- it's going to be my recommendation
to the Commission that we go ahead and that this is a fair --
it fits within the brackets, it meets the expectations.

We'll want to take a -- one last step to
verify that it's going to hit all of the points for
transportability and applicability of remote locations, so
that when we're working in Greer or Yuma or wherever we're
traveling to, that we'll be able to have access, so that we
can get these meetings live streaming.

But this includes everything from wireless
microphones to microphones for public input, to a sound
system for the space, plus a videocam.
MR. FORST: Sure. The only difference with this, the purchase quote, is that these are all wired microphones. The wireless option for all of the microphones, I think, was an extra $2,000, which I can create a new quote for you from this company if you'd like.

But that might be a great suggestion because of the problems or difficulties we've been having at the previous meetings.

COMMISSIONER STERTZ: Yeah.

MR. FORST: So that might be great, yes. And this -- just to clarify, this purchase option is a turn-key option and it has portability and it includes a day of training.

COMMISSIONER MCNULTY: But not wireless?

MR. FORST: No, this is a wire solution. So the microphones would physically have the wires coming off and to the tricaster unit that would then record the meeting and, you know, put it on the web for display.

COMMISSIONER MCNULTY: If it's wireless, does it suggest that we have to have -- obviously, you have to have an outlet. But do you have to have any more substantial, you know, electric facilities wherever we're going?

MR. FORST: Not with the wireless, no. You would have a microphone.

COMMISSIONER MCNULTY: But if it's wired --

MR. FORST: Oh.

COMMISSIONER MCNULTY: -- if we choose the
wired option, do we --

MR. FORST: No.

COMMISSIONER MCNULTY: Okay.

MR. FORST: It would be the same either way.

CHAIR MATHIS: Any other questions or comments for Buck on the quotes?

COMMISSIONER STERTZ: Just a quick clarification. Commissioner McNulty, on wireless, the setup is probably 20 percent of the time. I mean, it's 20 percent of what it would be for a wired system.

MR. FORST: Sure. And it would be --

COMMISSIONER STERTZ: You're up and down very quickly.

MR. FORST: Yeah. It would be much quicker to get the information (sic) set up than the wired.

COMMISSIONER MCNULTY: I saw you taking down the equipment last time.

MR. FORST: It's a pain in the butt, yeah.

COMMISSIONER MCNULTY: It's a big job.

CHAIR MATHIS: Okay. Anything else?

COMMISSIONER STERTZ: Madam Chair, since we do not have a final number, I'm going to suggest that we -- to go ahead and to be able to move this forward, that we set a top of $16,000, tax included, setup included, and make a motion to approve DOA, under Buck's recommendations, with the outline as we've got, to go with the acquisition of a wireless system, so that we can get this on board, get this equipment up and running and get the IT proponent of this
MR. FORST: Sure.

CHAIR MATHIS: Is there a second to Commissioner Stertz's motion?

COMMISSIONER MCNULTY: Second.

CHAIR MATHIS: Any discussion?

VICE CHAIR HERRERA: Madam Chair, where are we planning on housing this? Where is it staying? Who's going to take care of it, making sure that it's --

MR. FORST: That's a good question. I would believe that whoever you would hire into one of your -- is it the project coordinator position? -- would probably be the one taking care of this after you get that hired.

In the meantime, ISD or the Department of Administration would be happy to.

VICE CHAIR HERRERA: But mostly, as to buying stuff, you know, long term, what do we do with it? I mean, does it go out of, you know --

MR. FORST: There's several options. You know, the State of Arizona has surplus property. This is going to be relatively, you know, upgraded equipment for a lot of these facilities. So I'm sure the Industrial Commission would appreciate the equipment being left here or transferring that asset over to them.

I mean, either way, it's going to save you a lot of money down the road.

VICE CHAIR HERRERA: Instead of leasing it, you mean?
MR. FORST: Renting, yeah. I believe the cost associated with renting -- Broadcast Rentals gave me a quote here -- the 1,300 doesn't even include the recording of the meeting or the streaming of the meeting, which would bring each meeting rental up to about $1,900.

So you can see after eight meetings, you've paid for the equipment.

VICE CHAIR HERRERA: Correct. Okay.

CHAIR MATHIS: My only -- anything else?

VICE CHAIR HERRERA: No.

CHAIR MATHIS: My only comment was, yeah, I'm wondering -- we talked about last time this Information Technology Specialist IV position that we want to hire. And, in fact, we'll be getting to that later in the agenda.

But I'm wondering, do we wait until that person is on board, and they can -- they may have their own preferences, too, as to what systems we buy. I'm not trying to hold up the train. I don't know how quickly this kind of thing can be acquired, if it's the kind of thing that gets shipped the moment you --

MR. FORST: That's --

CHAIR MATHIS: -- purchase it.

MR. FORST: -- a good question. I don't know that I have a timeline, you know, from the day we say, yes, we want to buy it to it being on site. But I would assume it would be relatively quick.

CHAIR MATHIS: Uh-huh. So one thought is we wait until that person's hired to help make the decision on
buying, but --

COMMISSIONER STERTZ: I guess, Madam Chair,
from my perspective is that nothing so far has happened
quickly. And I think the more that we can get -- we know
what brackets we're going to be in so far. I've been -- I've
done sufficient research to know that we're going to be
spending this amount of money with this type of equipment.

And whether or not there's some nuances that
are going to be brought forth by a typical IT guy, I've
not -- Buck has been hitting home runs since -- everything
that he's brought forward to us so far.

I'm not going to guess that he's bringing us
any bad information now or would be recommending anything
other than what we're going to be wanting to do in the
future.

CHAIR MATHIS: Right. And for the record, I'm
not suggesting Buck would be bringing us bad information.

COMMISSIONER STERTZ: Yeah. I'm not either,
so -- I'm not implying that, so --

VICE CHAIR HERRERA: Madam Chair?

CHAIR MATHIS: Yes.

VICE CHAIR HERRERA: Yeah, I hope we're going
forward if Buck recommends this particular, you know,
software technology, that this is what we'll need. I would
rather hate for us to buy something now and then realize
later on it's not doing what we want it to do.

But if we're all in agreement this is what we
want and we can't find anything better for the price, then I
am okay with moving forward with recommendations that he's made.

CHAIR MATHIS: Okay. Any other discussion and comments?

VICE CHAIR FREEMAN: So, Madam Chair, just for clarification, if we've authorized -- what we're authorizing Buck to do is negotiate and purchase this equipment; is that correct, Commissioner Stertz?

COMMISSIONER STERTZ: Yes, with a limit of up to $16,000, including tax.

VICE CHAIR FREEMAN: And then if it's purchased, it is going to be kept where?

COMMISSIONER STERTZ: Temporarily, it's going to be kept under the -- under Buck's management and tutelage until our office space is set, our executive director is hired, and then it will be managed at that location.

VICE CHAIR FREEMAN: Okay. Thank you.

CHAIR MATHIS: So we have -- any other discussion?

(No verbal response.)

CHAIR MATHIS: We have the seconded motion to proceed with giving Buck the authority to purchase this equipment up to a limit of $16,000, including tax. And this will be housed at the ADOA in some secure location until such time that the Commission has its own space and executive director on board to keep it secure. So --

VICE CHAIR HERRERA: Madam Chair?
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CHAIR MATHIS: Yes.

VICE CHAIR HERRERA: I have one more comment for Buck.

CHAIR MATHIS: Sure. Of course.

VICE CHAIR HERRERA: Is the 16,000 sufficient for the system, the wireless system we're considering purchasing?

MR. FORST: I believe 16,000, yes, would take care of everything with wireless and tax. Yeah, that's definitely feasible.

VICE CHAIR HERRERA: And is that -- would that include the company providing any type of training?

Obviously, it includes one day of training.

MR. FORST: Sure. Yes.

VICE CHAIR HERRERA: But going forward, if we need more than that, obviously, we would have to pay additional for --

MR. FORST: I would assume, yes. I didn't ask for that information when I got the quote.

VICE CHAIR HERRERA: Okay.

COMMISSIONER STERTZ: Buck, I'm going to ask you to squeeze an extra day out, so that when the IT guy gets hired --

MR. FORST: Sure.

COMMISSIONER STERTZ: -- that he gets a day of training as well.

MR. FORST: Absolutely. No problem. Yes, I'm happy to help --
(No verbal response.)

CHAIR MATHIS: All in favor?

VOICE VOTES: Aye.

CHAIR MATHIS: Any opposed?

(No verbal response.)

CHAIR MATHIS: Okay. The motion carries.

COMMISSIONER STERTZ: Great work, Buck.

MR. FORST: Thank you.

CHAIR MATHIS: Thank you very much for the quotes. All right. We are at Item VII on the agenda, discussion and possible action on budget and appropriations for the Commission. And this has been a recurring item on our agenda since the March 9th meeting, when we all received a copy of that initial expenditures list of the previous Commission.

And we determined we really wanted to better understand the burn rate of the previous Commission, so that we could appropriately plan ourselves.

And, thankfully, Joe Whitmer is with us today. He's a controller at ADOA and was able to do some research into this and provide us with the spreadsheet that is also a handout and gives the Commission a sense of what happened year by year, annually, by month. So you can see what exactly occurred starting in 2001 and gives us a good sense
So I don't know if -- Joe, if there was anything you wanted to present on this particular spreadsheet, or if any of the commissioners have questions regarding what Joe found for us, but I open it for discussion.

COMMISSIONER STERTZ: Madam Chair?

CHAIR MATHIS: Yes, Commissioner Stertz.

COMMISSIONER STERTZ: The -- when we were having discussions regarding burn rate and -- at the last hearing, we talked about the detail that backs all of this up. And there was a comment made during the call of the audience regarding that detail being delivered.

General feeling is that the public should have complete access to it, so should the Commission. So as the data is being delivered out to the general public, the Commission should have access -- equal access to it as well.

So I want to make sure that we get the -- we get the data at the same time the general public would. I'm also going to be in favor, as we are managing these funds, that these be part of our public accessibility for data, that we keep a -- an ongoing accounting that is accessible publicly, so that we can have -- so the public has an understanding about what these decisions that are being made, what these meetings that are being called for actually cost to put together.
I think that people look at numbers in broad brush and don't realize that, oh, that meeting that needed to be called again for another reason, to have another meeting to be called again just cost the State of Arizona taxpayers X amount of dollars.

And having that sort of data available on an ongoing basis, it's just part of -- exposure of general accounting.

CHAIR MATHIS: Good comment. Any other comments? Joe, is there information on the Governor's signed budget that came forward with regards to appropriations for our Commission --

MR. WHITMER: Yes.

CHAIR MATHIS: -- since our last meeting?

MR. WHITMER: Yes. The budget that the Governor signed has $3 million for this coming year -- fiscal year.

CHAIR MATHIS: And is that in addition to the $250,000 that we already have?

MR. WHITMER: That is in addition to the $500,000.

CHAIR MATHIS: Oh, 500. I'm sorry. So 500,000 through fiscal year '11?

MR. WHITMER: Well, they're both nonlapsing, which means they will continue on until they're gone or the Commission is done with their work.

CHAIR MATHIS: Okay.
MR. WHITMER: Also, we talked about the --

MR. BARTON: Joe -- I'm sorry -- can I ask you to come forward?

MR. WHITMER: Yeah.

MR. BARTON: Simply for the reporter here. She's trying to keep up, and it makes it a lot easier if you're standing in front of her and talking.

MR. WHITMER: I would just like to comment on -- Commissioner Stertz talked about the transparency in all of the transactions, the detail.

The general accounting office does have a transparency web site that people can go to to find out the detail of all the transactions of all the money being spent. You might be able to put a link on your web site to that web site and kind of a little instruction on how they can get to, to find out what you're spending the money on.

COMMISSIONER STERTZ: That works.

CHAIR MATHIS: Yeah.

VICE CHAIR HERRERA: Madam Chair?

CHAIR MATHIS: Commissioner Herrera.

VICE CHAIR HERRERA: How -- for example, we authorized Buck to go and purchase a piece of equipment.

Let's just say we find what we're looking for, we purchase it. How quickly would that go on that information, so that people know that we spent this much on this?

MR. WHITMER: It would go on the web site as soon as it's paid for.
VICE CHAIR HERRERA: Okay.

MR. WHITMER: The -- what the general accounting office does is they take extracts from the accounting system, and they just load the data directly into it. And I'm not sure if it's on a monthly basis or if it's a nightly basis. I'm not really sure exactly how often it's updated. But I know that they do take the raw data from the system to put out there.

VICE CHAIR HERRERA: Because I do agree with Commissioner Stertz that that information should be public. I mean, obviously, it should be available. Everything we are able to see and have access to, so should the public.

And the information being on the web site makes perfect sense. If there's a link that has to be, you know, added to the web site to link them to the general accounting office, that's fine, as long as people -- members of the public have access to all of that information.

MR. WHITMER: There's also the possibility of -- with some of the reporting -- reports that I showed you on, I believe, it was the March 9th meeting --

COMMISSIONER STERTZ: Yes.

MR. WHITMER: -- you might be able to put those out there in PDF format on a monthly basis directly on your web site, so they have access to that, along with, you know, the link to the general accounting office web site.

COMMISSIONER STERTZ: Yeah. And I believe Commissioner Herrera's had the opportunity to go through that briefing session with ADOA. So the three Pima County
9 representatives are a leg up on it, and we can show you some
10 of that data we carried with us, so --
11 VICE CHAIR HERRERA: Sure.
12 COMMISSIONER STERTZ: But it is -- what they
13 do is they deliver a certain culled down encapsulation on a
14 monthly basis about what -- what these types of commissions
15 do, so that we can make that discernible, easy to read, easy
16 to understand, so that you don't have to sort of go through
17 all kinds of layers and layers and layers to get to data.
18 And that's terrific to do.
19 VICE CHAIR HERRERA: Madam Chair? And I don't
20 know if this question would be forwarded to the -- asked of
21 Buck instead. Does the web site -- would that have areas
22 where we have the budget singled out, so people can go on the
23 web site, they know what they're looking for and things are
24 easy to find, as opposed to -- because right now, there's not
25 much on there.

But I guess going forward, we're going to be
2 starting to add more information, and I want the information
3 that we add to make sense of where we put it. So if it's
4 budget items of expenditures, I want that to be --
5 CHAIR MATHIS: A separate tab or --
6 VICE CHAIR HERRERA: -- a separate tab. I
7 think it's pretty important for members of the public to be
8 able to access that right away, as opposed to having to dig
9 through it.
10 CHAIR MATHIS: Agreed. Yeah. Any other
11 comments on this, questions for Joe?
COMMISSIONER STERTZ: Madam Chair, my question's for you. You've got this as a possible action item. What action are you --

CHAIR MATHIS: The reason it's like that, it's been this recurring item, my thought was that if we did find out anything about burn rate that made us want to suggest that maybe we do need to speak with the leadership on both sides to just kind of let them know that, you know, we're up and running and we're grateful for the appropriations we have. And if there was any reason to suggest that we might need more funding, that we could, at least, authorize one of us to do so.

But there wasn't anything other than that that I had in mind.

VICE CHAIR HERRERA: Madam Chair?

CHAIR MATHIS: Yes, Commissioner --

VICE CHAIR HERRERA: And I think once --

CHAIR MATHIS: -- Herrera.

VICE CHAIR HERRERA: Thank you. Once we hire the executive director, hopefully, that individual would be able to keep tabs on our burn rate and keep you or the Commission up to date instead of -- and then making it an agenda item if, indeed, it is an issue that we need to address with the legislature.

CHAIR MATHIS: Right. Great. Good suggestion. And I'm forgetting from my training that -- Joe, how often do we get reports on just -- it sounds like with
expenditures, if we wanted to, you'd find out that night, it would come through, possibly --

MR. WHITMER: Yes, that is --

CHAIR MATHIS: -- it'd show up?

MR. WHITMER: That is correct. We -- we get a nightly file with -- with all of the transactions on it that could be provided to you.

CHAIR MATHIS: Okay. And then we get reports, is it weekly -- or the executive director would get them?

MR. WHITMER: On a monthly basis.

CHAIR MATHIS: Monthly. Sorry. Okay. Thank you. Okay. Any other comments or questions?

(No verbal response.)

MR. WHITMER: Also, one more thing I'd like to say.

CHAIR MATHIS: Oh. Sure.

MR. WHITMER: Once the executive director is on board, the budget process will start up again shortly after the end of this fiscal year. And the request for funding for 2013 will need to be submitted usually around the August/September time frame.

VICE CHAIR HERRERA: That would be for funds for 2013?

MR. WHITMER: Yes.

CHAIR MATHIS: Thank you.

VICE CHAIR HERRERA: Madam Chair?

CHAIR MATHIS: Yes.

VICE CHAIR HERRERA: Joe, but now we don't
know -- I know the funding for 2012 is, approximately, 3

MR. WHITMER: Yes.

VICE CHAIR HERRERA: Do we have any idea of
what the Governor's suggesting for 2013, or is that --

MR. WHITMER: I have not seen anything.

Usually, the Governor's budget recommendation
won't come out for a while.

VICE CHAIR HERRERA: Thank you.

CHAIR MATHIS: Okay. Any other comments,

questions for Joe?

(No verbal response.)

CHAIR MATHIS: Thank you, Joe.

MR. WHITMER: Sure.

CHAIR MATHIS: All right. Let's move to the
next agenda item, Item VIII, discussion on IRC timeline.
This was tabled from the last meeting. But the meeting prior
to that, Lisa Hauser heard our discussions.

She was counsel to the last Commission and --
legal counsel to the last Commission and heard our
discussions at one of our public meetings and was kind enough
to provide us with a timeline that she had from the previous
Commission, which you all have a copy of. It's entitled
"2001 Arizona Independent Redistricting Commission Mapping
Timeline."

And this was just to give people a sense of,
at least, what was happening by month with the previous
Commission. It's really just for informational purposes, but
I thought if anyone wanted to make any comments about this or ask questions, we could discuss them.

MR. BARTON: Madam Chair?

CHAIR MATHIS: Yes, Mr. Barton.

MR. BARTON: You had asked me to look at this also from -- for statutory concerns. And --

CHAIR MATHIS: Right.

MR. BARTON: -- what I can tell you is that, generally speaking, the statutory concerns are few. And what generally drives the -- is going to set the deadlines for the Commission are really two considerations, the first being the practical requirements for having the legislative districts drawn in time for the next election.

That was what you'll recall Karen Osborn spoke to the Commission about. That's where Ms. Osborn derived her October 1st deadline from, was that that would give enough time for the Commission lines to be drawn far enough ahead of the elections so they can be used. So that's where that deadline comes from.

The second sort of major consideration is the line of time to receive public comment. And so I think, you know, the requirement from the Constitution comes from Article 4, Part 2, Section 1, Paragraph 16. And that's where it says that you need to take comment for, at least, thirty days.

But I think the Commission probably would like to take comment for more than thirty days. And if you look at what the Commission did last time, you can see that they...
that's where the driving force behind we need to get the work done early is, is to allow you to take multiple rounds of comments. And then, also, so there's sufficient time for, you know, the downstream political subdivisions to draw their lines. You know, when you give it to the counties, they'll have lines that they need to draw based on what this Commission -- the lines this Commission draws.

I will point out that in the last Commission, they had an executive director on March 1st of the year. And I think that that is something that sort of abled them and abled that Commission to get some of the things -- some of these sort of administrative things that we've been struggling with focused and worked on.

And so I just think that that's a key point that you can take from this handout. Another thing I think you can take from this handout is you can see the time between having the grid and then having something -- an equal population grid drawn is not -- not that long.

And you can see also about how long they were able to take comments and then sort of have the final maps drawn and the final thirty days of comments.

So I guess the morale of the story for me is this is mostly a practical concern, but the statutory concerns are not -- are, hopefully, not going to be the limiting factor.
CHAIR MATHIS: Thank you, Mr. Barton.

Any other comments or questions from other commissioners -- from the commissioners?

COMMISSIONER MCNULTY: I would just comment that -- from a practical perspective, that the last Commission was appointed quite a bit earlier than we were. I think I was the last appointee -- person appointed. And I hadn't even been appointed when the last Commission had their first meeting.

So we're kind of -- they were ahead of us by a couple of weeks. I also think this is done generally -- this is very general in terms of months. And that when you look back at the minutes, the dates in March that people were actually retained were March 20th. So it was later in the month.

So to the extent that we're kind of comparing where we are to where they were then, we're kind of on track. We aren't that far off track even when we were appointed.

CHAIR MATHIS: Any other comments or thoughts on this timeline?

(No verbal response.)

CHAIR MATHIS: Okay. Yeah. I would only note I was sworn in on March 1st. And the last Commission hired their counsel and executive director on March 1st. So we're definitely behind in that regard.
But I do think that we're all very aware of the importance of getting our work done as efficiently as possible and are trying hard to make that happen, so...

Any other questions before we move on to the next agenda item?

COMMISSIONER STERTZ: I do have one for Mr. Barton.

CHAIR MATHIS: Sure.

COMMISSIONER STERTZ: And this is -- I understand that there is no -- there is a practical date, but it's not a statutory date. Has there been a discussion about what the practical date of delivery of the final draft -- or final documents would be?

MR. BARTON: Madam Chair, Commissioner Stertz, I think the October 1 date from Karen Osborn is -- I think that that is a good date to shoot for. I think that is a -- I think that's a -- that would be -- that would be best.

If you're asking what would be the more of a drop-dead date for giving the counties enough time to do their work, I don't have that date. And, frankly, I'll tell you that might be a difficult date to get from the counties, because I think that you can understand why they're not -- they're sort of negotiating against themselves if they start, at this point out, making comments about when the last possible moment is that they can get their work done.

I think that they have a reasonable concern about not, you know, causing -- you know, to have to rush their work and that sort of thing.
COMMISSIONER STERTZ: That was -- I think what
I am hearing you say is that it is incumbent upon this
Commission to deliver its final map on or before October 1st
of 2011.

MR. BARTON: Madam Chair, Commissioner Stertz,
yes. I suppose I'm saying that I don't have any reason to
doubt what Karen Osborn said at the first meeting.

COMMISSIONER STERTZ: Okay. So if we were
going to -- if we were going to begin as a -- as an agenda
item, as we look forward to this, we need to look at what
we'd be doing to backup, knowing that there are statutory
requirements of deliverables of documents that are required
by mapping consultants, as well as our public requirements
for -- for time of input. Then -- and then the reaction time
to that --

CHAIR MATHIS: Right.

COMMISSIONER STERTZ: -- that we need to.
Then I think that that's the reason why this
is incumbent upon us to take great strides and not hesitate.
And, again, at the same time, be as diligent as possible to
hire the best and brightest to do this work.

CHAIR MATHIS: Right. Agreed.

COMMISSIONER STERTZ: So those are my points.

CHAIR MATHIS: It's my understanding that the
previous Commission ended up submitting -- despite the
County's request to get this information October 1, they
ended up submitting it, I think, in November.

But I -- I'm all for trying to meet their
requirement -- and it's a great goal to shoot for -- of October 1st. So we'll do all we can to make that happen.

VICE CHAIR FREEMAN: And, Madam Chair --
CHAIR MATHIS: Yes.
VICE CHAIR FREEMAN: -- they submitted it in November, and they had a head start on us. So --
CHAIR MATHIS: Good.
VICE CHAIR FREEMAN: -- all the more to keep the sense of urgency.
CHAIR MATHIS: Yes. That's very true.
Any other comments on the timeline?
(No verbal response.)
CHAIR MATHIS: Okay. Hearing none, we'll move on to Item IX, discussion of request to DOJ to make presentation to the Commission about the preclearance process. And Commissioner McNulty had suggested this item to us. And we added that to the agenda last time, but, unfortunately, weren't able to cover it due to time.

And I don't know if Commissioner McNulty would like to address us on this one.

COMMISSIONER McNULTY: I do have a couple of comments.
CHAIR MATHIS: Okay.
COMMISSIONER McNULTY: I suggested it largely because of the discussion we just had. I think when we look ahead to the dates next year when decisions need to be made about primaries, the primaries, in particular, and then move back from that to our schedule, what looms in the middle is
And the timing of that is, you know, something that we don't know too much about. And while the Department of Justice regulations are in the federal register, and I see we've got the most recent register here as a handout today, it had been suggested to me that it made sense to make contact with the Department of Justice earlier rather than later.

Even though they probably won't, you know, share with us their intimate thoughts about how they go about doing things, they may give us a general sense of what's involved in process and the timing. So I thought it made sense, at least, to ask, and that's why I thought we might put this on the agenda.

I did speak with one of the professors who presented at the Morrison Institute Program last week that Mr. Freeman and I both attended, Professor Levitt. And he said that what typically happens is the Justice Department designates teams for each state, a team of lawyers and individuals that are responsible for each state. And that those points of contact had been -- he didn't know if the lawyers had been designated, but the points of contact had been designated for each state.

And if you go onto -- I think it was the Justice Department Web site he directed me to, there is a list of points of contact. And our contact is someone named Autumn Payne. And there was an 800 number, so I called and I
left a message for her that, you know, we're hard at work and
we're interested in, you know, hearing from them.

So that's all I have to report.

CHAIR MATHIS: Thank you. Thanks for the
legwork on that. Any other comments or questions on this
agenda item?

VICE CHAIR FREEMAN: Madam Chair?

CHAIR MATHIS: Yes.

VICE CHAIR FREEMAN: Commissioner McNulty and
I did have a brief conversation about this subject, and I am
all in favor of all of us trying to do whatever we can to
learn as much about our duties and responsibilities as we
can. Commissioner McNulty and I were lucky or fortunate

enough to attend the seminar.

I would commend the Department of Justice Web
site to everyone. They do have links there that provide good
primers about voting rights, compliance, and that is one of
the handouts we have today. There is also a link on their
web site that talks about the procedures for preclearance if
that's the road we go down. And, basically, when you go to
that, you click on that link, you get directed to the CFRs,
the Code of Federal Regulations.

And my thought is right now, we don't have our
outside counsel in place that we're contemplating hiring. I
think if I put myself in the shoes of a Department of Justice
lawyer -- you know, whether we like it or not the DOJ is a
potential -- to use the vernacular of lawyers, a potential
adverse party to us. I mean, the last time, the Department
of Justice objected to the maps the IRC proposed.

And if I were a lawyer in their shoes, at this stage of the process I would be advising us follow along and not much more than that, and then we'll talk to you later when you present our maps.

So what I'm looking for -- I think it's great that we talk about this and get up to speed on these issues, but I would kind of prefer to have our own counsel in place, to hear what our lawyers advise us on what we need to do in terms of getting our maps approved before we talk to any outsiders.

CHAIR MATHIS: Thank you, Commissioner Freeman. Any other comments?

COMMISSIONER MCNULTY: Only that I don't disagree with any of that. I thought it would be helpful to have the conversation and make the contact, but I wouldn't expect we would have -- if anything were to evolve from it, that it wouldn't evolve until we have our own attorneys.

CHAIR MATHIS: Okay. Again, thank you, Commissioner McNulty, though, for raising the issue for us.

And it behooves all of us, as Commissioner Freeman said, to become very familiar with the items in this handout and other information that's on the DOJ Web site.

So that takes us to Item X, discussion of obtaining county census data information. And Commissioner McNulty also suggested this item, and I'd like to see if she, again, wanted to provide any context for us.

COMMISSIONER MCNULTY: Only, again -- and I
think we aren't -- we aren't really focused on this yet. I think we have a lot of administrative things that we need to attend to. But looking ahead, we are going to need to understand both the census data and the election data.

I thought we might start thinking about resources that would be available to us. I think it's census.gov. There's a lot of information, as Mr. Freeman just described, with respect to the DOJ Web site. And I think maybe some of that is in our handout today, this information on a state-by-state basis.

What got me thinking about it was I think the last Commission had someone from Maricopa County Department of Elections on their agenda early on just to talk to them about big picture things about election data, census data, how to merge them, et cetera.

But I think we probably have enough on our plate right now. Once we get our consultant and our counsel on board, we can refocus on this.

CHAIR MATHIS: Sure. And, Mr. Barton, you had provided this handout, I think -- right? -- the census.gov?

MR. BARTON: Yes, Madam Chair. And on the front of it is just the legislation that discusses what sort of census data you use. You don't use the estimated census data to draw districts. You use the -- the -- whatever the actual counts.

And then behind that in the handout is this press release from the Census Bureau from March 10th. And in there, it gives you some of the contacts that you would use...
I suppose that the other point to discuss here is that the state's data, the registration, voter registration information, the way they've handled that, just so everyone remembers, is once there's a contractor in place that the Commission is going to use, the Commission will authorize the Secretary of State to release that data to that contractor, so that the contractor has the data.

And so what you do is first you draw the grids without regard to the voter registration, and then you use the voter registration to test the grids against the various criteria.

In any case, I think the handouts just give you an idea of sort of the -- frankly, the census data is pretty widely available. It's pretty easy, I think, for -- our contractors will be able to get in touch with that, whoever the Commission decides to go with.

COMMISSIONER McNULTY: Thank you, Mr. Barton.
CHAIR MATHIS: Any other comments?
(No verbal response.)
CHAIR MATHIS: Okay. Well, hearing none, we'll move on to Item XI, discussion and possible action on hiring process for executive director, public information officer, information technology support, community outreach officer and other administrative support positions.

So at our last meeting, the Commission discussed prospects for the executive director position and identified a slate of five candidates that it would like to
with these five applicants.

And -- and so that's the executive director position. And I, again, thank Susan Laurence from ADOA for helping us with this executive director recruitment process.

And the other positions, though, we talked about, the information technology support specialist, for instance, at our last meeting, we all agreed that we really liked the position description questionnaire that Ron Loyd had drafted for us.

And he captured all of the job duties that we wanted in that position, and we all agreed to move forward with the "Justification To Fill Form," which I sent to -- this is with regards to the fact that there's a hiring freeze with State positions.

So that form has been sent to Mr. Smith at ADOA, who will consider it and then, hopefully, approve it, and we'll be able to move forward with that position.

The other positions, though, there are other ones that we know about that have been hired for this Commission in the past. And I just wondered if anyone wanted to discuss any of those further today.

One I had thought about was just the public information officer. We're seeing a lot of interest in our Commission, which is great, from the press and others. And I
do see some merit in having a public information officer.  

But I don't know if we're quite ready to hire someone like that, or if it's -- we want to wait until we get the executive director hired. I just thought I'd have it on the agenda in case anyone wanted to discuss it today or any of the other positions.

COMMISSIONER STERTZ: Madam Chair?

CHAIR MATHIS: Yes, Commissioner Stertz.

COMMISSIONER STERTZ: We need to get the executive director hired, and the executive director is going to -- is going to drive the -- his office staff.

We know that the IT person is an important one. That's the reason why we want to get that out into the marketplace. But as he or she builds their staff, I think that it's incumbent upon us to let that operation be built from the executive director, with our guidance, and management down.

CHAIR MATHIS: Great. Any other thoughts from other commissioners?

COMMISSIONER MCNULTY: I just have a question. Is the IT out? Is the IT proposal that we approved being advertised?

CHAIR MATHIS: No. No, not yet. It has to first be approved by the head --

COMMISSIONER MCNULTY: Oh. That's right.

CHAIR MATHIS: -- of the ADOA --

COMMISSIONER MCNULTY: Okay.
CHAIR MATHIS: -- the position itself in order for us to hire, and then we can take those next steps. And Ron Loyd is helping us with that, and we thank him for his work on that.

COMMISSIONER STERTZ: Again, Madam Chair, because this a possible action item --

CHAIR MATHIS: Yes.

COMMISSIONER STERTZ: -- is this something that needs to continue on the agenda, or is it incumbent upon us to go ahead and take action today and say that, by virtue of a motion, to have these individuals under the hiring sequence post selection of executive director?

CHAIR MATHIS: We could do something like that. We'll probably want to discuss -- I'm hoping that we'll hear approval of that "Justification To Fill" of the IT support specialist position.

So we may end up wanting to have it on the future agenda, like the next one maybe even, because we could hear back quickly, and there may be a reason that we need to discuss with Ron the recruitment process for that position.

The other positions, no. There's -- unless -- if the Commission agrees that we want to hold off hiring those people until we have the executive director in place, we can not have that on future agendas until that person's hired.

COMMISSIONER MCNULTY: Madam Chair?

CHAIR MATHIS: Commissioner McNulty.

COMMISSIONER MCNULTY: I agree 110 percent
with what Commissioner Stertz just said. I also recall Susan Laurence suggesting to us, that made sense, to keep these positions in the back of our mind as we're doing interviews. And I think probably we already are as we're looking at resumes. So I would ask that we not foreclose our options; although, I agree completely with what you've said. But I'm not sure we actually need to take official action on it.

COMMISSIONER STERTZ: Agreed.

CHAIR MATHIS: Great. Okay. Any other comments? Commissioner Freeman?

VICE CHAIR FREEMAN: Madam Chair, I would agree. But I would suggest that we keep it as an agenda item for future hearings. If there's nothing for us to discuss, we can move right through it. But let's give ourselves the flexibility. If something comes up or we run into a snag, we can come back and raise up these issues at every hearing.

CHAIR MATHIS: Great. Okay. Thank you, Commissioner Freeman. Any other comments?

(No verbal response.)
good, given the amount of work that we have to do. However, next week, we do get into the Easter weekend and Passover. So I wanted to see what people's thoughts are on next Wednesday or Thursday, for instance. Any conflicts of meeting next week?

COMMISSIONER McNULTY: Madam Chair, I can meet Wednesday or Thursday. If it's Wednesday, I'd ask that it be early in the day.

CHAIR MATHIS: That's the 20th. Wednesday the 20th, or Thursday the 21st.

COMMISSIONER STERTZ: Madam Chair, Holy Thursday, the 21st, anytime during the day is -- works fine leading up to four o'clock. And after four o'clock, I'll be unavailable.

CHAIR MATHIS: Okay.

COMMISSIONER STERTZ: And Wednesday, I'm unavailable. And looking forward to the following week, I will be unavailable for the week, other than by phone.

CHAIR MATHIS: The week of the 25th?

COMMISSIONER STERTZ: That's correct.

CHAIR MATHIS: Okay. But you would be available to dial in?

COMMISSIONER STERTZ: I would be.

CHAIR MATHIS: Okay. Any other scheduling conflicts over the next couple of weeks?

VICE CHAIR HERRERA: Madam Chair?

CHAIR MATHIS: Yes, Commissioner Herrera.

VICE CHAIR HERRERA: The week of -- the day of
the 24th, which is a Thursday, I have a conflict in the
afternoon.

CHAIR MATHIS: The 21st?
VICE CHAIR HERRERA: That's correct.
CHAIR MATHIS: Okay. It's -- oh. I'm sorry.
VICE CHAIR FREEMAN: Madam Chair, I'm pretty
flexible, so --
CHAIR MATHIS: Oh, good.
VICE CHAIR FREEMAN: -- no issues.
CHAIR MATHIS: Thank you. So given that, I'm
just trying -- well, maybe -- perhaps we should just, since
this is part of the agenda item, talk about the items that we
want to have on that next agenda, because that could drive
the actual date and location that we choose.

So any agenda items that anyone wanted to
raise or add? We know that we'll be talking about space, for
instance, and getting some additional information from Nola
and Buck. So that's definitely on there.

And let's see if there's any others.
VICE CHAIR HERRERA: Madam Chair?
CHAIR MATHIS: Yes.
VICE CHAIR HERRERA: I think the agenda item
that we will be discussing the next time we meet will be
the -- going over what the -- I think Commissioner Freeman's
ideas regarding the meeting minutes and format. I suspect
that that will be a short agenda item.
CHAIR MATHIS: Uh-huh.
VICE CHAIR HERRERA: So that will be...
CHAIR MATHIS: And we have the -- of course, the positions -- anything on the hiring process for any of the staffing positions will be an agenda item again.

VICE CHAIR FREEMAN: And, Madam Chair, to preserve our flexibility, should we have an item to discuss any responses to any of the RFPs that have been issued?

Which I'm not sure whether either of them have been issued.

CHAIR MATHIS: Am I allowed to comment on that, Mr. Barton?

MR. BARTON: Yes, Madam Chair. Yes, you can comment on the RFPs that are posted. The legal counsel RFP was posted this morning, correct?

CHAIR MATHIS: Correct. And it will be -- it will remain open until April 28th. And I've been told by a State Procurement official that we need to consider those responses in totality. We can't look at them as they come in. Because I was wondering if there was a way to accelerate that process by, at least, being able to start evaluations as people respond. But that's not how it works.

So the earliest we would see any responses for legal counsel would be sometime on the 28th of April.

COMMISSIONER STERTZ: Madam Chair?

CHAIR MATHIS: Yes.

COMMISSIONER STERTZ: Could you please just repeat what you just said?

CHAIR MATHIS: Yes. I spoke with a State Procurement official, who informed me -- I had asked if there
was a way to begin evaluating responses to the RFP for legal
counsel that just went out this morning, just so that we
could accelerate the process and, at least, be reading the
information people are giving us as it comes in.

But you need to consider, according to them,
the totality of all responses. And you need to just wait
until it closes, and then you can look at all of the
responses at that time, which means April 28th. Because by

1 statute, it has to be up for two weeks.
2 COMMISSIONER STERTZ: Madam Chair, I don't
3 believe that we're governed by those rules.
4 CHAIR MATHIS: Well, I think --
5 COMMISSIONER STERTZ: And I happen to disagree
6 with the recommendation.
7 CHAIR MATHIS: I don't have an answer, except
8 that I think we agreed at our last meeting -- or I think it
9 was the meeting, last meeting or meeting before where we
decided as a Commission to follow the State Procurement
Office's RFP process, because we felt that it was the safest
way to move forward in terms of covering ourselves with that
whole process as opposed to going out on our own.
10 And that's my recollection on it. Any
11 thoughts or comments?
12 VICE CHAIR HERRERA: Madam Chair, that was
13 exactly what we had decided, I think, as a group just to
14 avoid any potential -- I don't know if there were legal
15 issues we were worried about, but just make sure we were
16 following things, that, you know, there was a guideline we

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were following on, that we weren't going off on our own, making up our own -- you know, our own rules as we went along. So I am comfortable with that. I still am.

CHAIR MATHIS: Okay. Thank you, Mr. Herrera. Any other comments from commissioners?

VICE CHAIR HERRERA: Madam Chair?

CHAIR MATHIS: Yes.

VICE CHAIR HERRERA: Although, this is not an agenda item, I wanted to again encourage Mr. Barton and the Attorney's Office General, if you'd also respond to the RFP for legal counsel, and I'm encouraging them to do so.

CHAIR MATHIS: Thank you, Mr. Herrera.

COMMISSIONER STERTZ: So, Madam Chair, am I correct that we are going to receive a stack of all of the RFP responses after the 28th of April?

CHAIR MATHIS: Or maybe on the 28th.

COMMISSIONER STERTZ: On the 28th of April. And what -- what is your anticipation of review and response based on -- based on the large amount of data that I anticipate us having to cull through as individual commissioners as far as a timeline?

CHAIR MATHIS: I don't know what -- you know, what kind of response we'll get. I assume there'll be a lot of interest in this. And I would hope -- and then maybe we can get some sort of special exemption of some kind from Jean Clark or the State Procurement Office to begin to, at least, be able to consider responses as they come in, just so that we can move quickly. So that on the 28th, we actually have a
good sense of who we want to interview.

And, actually, Mr. Red Horse, who spoke to us last time, said that he would address us on the evaluation process itself. Because I don't have all of the details as to exactly how they go about evaluating those responses, if they first, for instance, have to provide some kind of -- you know, check to see if, yes, these people met all of the qualifications that we've stipulated, and then we get only those, or if we see all of the responses, whether they've met the criteria or not. So I don't know.

VICE CHAIR HERRERA: Madam Chair?

CHAIR MATHIS: Yes, Mr. Herrera.

VICE CHAIR HERRERA: I would encourage Mr. Red Horse and whomever, the staff, to make it as easy as possible for us by -- I think what they did with the applicants for the ED position were we received all of them, but they created some type of matrix that allowed us to be able to sift through the people that really shouldn't have applied.

But we -- but we still end up getting all of the applicants' information. So if they can -- whatever they can do directly to help us, make this process easier for us, that'd be recommended.

CHAIR MATHIS: Understood. I agree. And I will definitely be contacting State Procurement Office to see what kind of possibilities exist for us.

COMMISSIONER STERTZ: I'd like to -- now we need to be pointed out back in the transcript where we
would've agreed to acquiesce to a constitutional statement
that -- where we've got procurements and contracting
authority, that we would acquiesce to the governing rules and
the regulations of the ADOA. I don't recall that ever being
a discussion. But I'm not going to make a big deal about
this.

But I also want to make sure that it's on
record that one hundred percent of the applications from one
hundred percent of the -- of the legal counsels that will be
applying need to be delivered to all of the consultants and
not be -- giving complete opportunity for all of the
commissioners to review them in their entirety. And that's
not the dictated or graded based on criteria that we have not
agreed to.

CHAIR MATHIS: Understood. I agree. And I
don't know enough about the State Procurement Office request
for proposal procedures, what they do and don't do, but I
will make sure that Mr. Red Horse and others know our
feelings on this.

COMMISSIONER STERTZ: Okay.

VICE CHAIR FREEMAN: Madam Chair?

CHAIR MATHIS: Yes, Commissioner.

VICE CHAIR FREEMAN: Indulge me by allowing me
to vent some frustration. I mean, the first -- IRC's first
meeting, I believe, was conducted on February 13th. So maybe
they had a head start on this. But I believe it was said earlier at today's hearing that they had an ED and counsel in place on March 1st.

That suggests to me that maybe we're missing something, that they did something a little differently. They clearly did not go through the steps that we're going through, and I'd just like us to preserve options. And if we do have authority under the Constitution to do things independently of ADOA, let's not throw that option away. Because if we continue to get bogged down, we are going to get into a time crunch here.

CHAIR MATHIS: Agreed. Thank you.

MR. BARTON: Madam Chair, just --

CHAIR MATHIS: Mr. Barton.

MR. BARTON: And this is a mistake that I -- is in this handout that -- where it says the March 1st for hiring counsel. I said March 1st -- I apologize -- but it's actually March of 2001. As it happens, it was close to the end of March. It was March 20 before they had those in place. It doesn't change the point dramatically, but it does -- it does change it a little bit as far as the difference -- the difference in time.

COMMISSIONER MCNULTY: I would just add that I agree. I don't -- I think we do have our own authority, and I don't think we should cede that.

On the other hand, this is an important position, and two weeks probably is ample time to have it open. And it's going to be a big job to review everything,
and we aren't going to be able to finish that job until we have everything.

So while I agree with all of the comments about reserving our authority, I think we're going to give people two weeks, and then we're going to work hard the first week in May.

COMMISSIONER STERTZ: Madam Chair --

CHAIR MATHIS: Commissioner Stertz.

COMMISSIONER STERTZ: -- and Commissioner McNulty, I don't disagree with that at all. What I'm saying to you is that we're -- we're doing nothing from now until the 28th. And that's -- and that's where I'm looking at, is that -- getting a big stack of RFPs.

And I would want them all. I'd want to see everything, including all of their backup, all of their data, all of their support and not some sort of toned down matrix --

CHAIR MATHIS: Right. And --

COMMISSIONER STERTZ: -- where we're picking off of a couple of names.

CHAIR MATHIS: For the record, I don't know that that's what they do.

COMMISSIONER STERTZ: Okay.

CHAIR MATHIS: I'm just saying I don't know their process, so...

COMMISSIONER STERTZ: Yeah. And I think it's incumbent upon all of us, so -- so if we can start getting this data, so that we can, at least, start to distill it...
during this time frame. Because it's going to -- all we're doing is we're dragging out the process. And we've got constitutional authority to do this. So all this is doing is it's compressing the time frame between -- if it's October 1st, that is a practical deadline, which we just discussed, of deliverables. And we may not -- under this condition, we may not have counsel on board till potentially after contracts are negotiated. Okay? If we get delivery of documents on the 28th, we might not have counsel on board until the middle of June.

VICE CHAIR HERRERA: Madam Chair?

CHAIR MATHIS: Commissioner Herrera.

VICE CHAIR HERRERA: I guess what I'm not understanding is the -- we do have counsel. I think he's sitting there. So the -- to me, the most important thing if you're looking at both RFPs, the counsel -- the consultants for the map are much more important.

We currently have counsel that I'm very comfortable with, very capable. So this isn't delaying anything. I think the -- we'll still go through the RFP process for legal counsel. We have not made a decision on which option we're going to choose. So I don't see us delaying anything with this.

I think that the priority is, to me, hiring the executive director, hiring the consultants. And legal counsel, to me -- every meeting we have, we're having legal counsel, very capable legal counsel. So I don't see us
COMMISSIONER STERTZ: Madam Chair, Commissioner Herrera, what I -- I want to go back to make sure that we did not somewhere in the record make a statement and agreement that we are following -- we are acquiescing our constitutional authority to an ADOA procurement process. 

And, Madam Chair, that's what you just had alluded to, and that's what got my reaction to where that it is. And I don't I believe that we ever did.

And because, Commissioner Herrera, that would lead right into the consultant process as well. And it would -- so the same -- same condition would apply.

The RFP, assuming that it would be released within a week to ten days, which is how long it took after we gave authority to the ADOA to release the document, then a two-week period and then a review period and then a contracting period, we might not have the consultant on board until the same time frame.

So what I'm saying is that we've got the authority to move this thing forward, and it is incumbent upon us to move it forward quickly.

I respect the hard work of the ADOA and what they've brought forward. I respect Mr. Barton and legal counsel that he's brought forward.

But we need to get these RFPs out. We need to get the data back from the RFPs. We need the time frame to review them as individual commissioners, and we need to pick some folks.
VICE CHAIR HERRERA: Madam Chair, I would suggest that we invite Mr. Red Horse or whomever is helping us with this -- and I think it is him -- to come, because I don't think we're going to solve anything here.

We don't know -- we probably need to bring someone from the ADOA and explain what our concerns are and then go forward.

CHAIR MATHIS: Agreed. And I will also just be contacting Mr. Red Horse separately anyway on this process to let him know the concerns. And we'll invite him to come to our next meeting, which I think he had planned to do anyway, because we'll be wanting to talk about the RFP process.

And just, Commissioner Stertz, to address your comments, I'm not sure exactly what we agreed to. We'll have to check the transcript, but I don't think we delegated any authority away from us, saying that, you know, even though we're a constitutional agency, we agree to do everything according to ADOA's procurement process or rules.

But I thought we agreed, just as a Commission, to follow their procedures in obtaining legal counsel and mapping services, using their process. But I can't remember if it was an official motion. I don't know if Mr. Barton remembers anything on that.

MR. BARTON: Madam --

CHAIR MATHIS: But we'll have to check the transcript to see what we did agree to.

Yes, Mr. Barton.
MR. BARTON: Madam Chair, I agree with checking the transcript just to see the specific language. But I think you characterized it properly just then. Based on my memory, is that the counsel -- the Commission did not suggest that it had delegated any authority or given up any authority that's provided in the Constitution.

I believe the Commission recognized that there needs to be a process to bring on -- to issue RFPs. And rather than create its own process, it would use the process that was used by DOA.

And I think that it's -- we can certainly have conversation with DOA about, you know, particular aspects of the process that the Commission decides not to use.

CHAIR MATHIS: Thank you, Mr. Barton.

Any other comments on this issue?

VICE CHAIR HERRERA: Madam Chair?

CHAIR MATHIS: Yes, Mr. Herrera.

VICE CHAIR HERRERA: I think we were focusing on picking a date for the next meeting.

CHAIR MATHIS: We were, and we got into agenda items.

VICE CHAIR HERRERA: So can we focus our attention on that?

CHAIR MATHIS: Yes. So it sounds like we will -- the other -- I just want to mention one other agenda item, because it potentially drives where we're meeting and when, and that's depending on what we do with the executive
director position, too, you know, I don't know if that will be a future agenda item, how that would move forward.

So it seems as though given that potential, maybe the meeting should be in Phoenix and would be next week, if possible, for everyone.

So it sounded like Wednesday and Thursday would work, except Thursday afternoon isn't as great. And then -- I'm sorry -- Commissioner McNulty, on Wednesday, you're --

COMMISSIONER MCNULTY: Wednesday is fine. Earlier in the day would be nice.

CHAIR MATHIS: Early is better? Okay.

COMMISSIONER MCNULTY: If we were done by 4:00, that would be great.

CHAIR MATHIS: So would anyone care to propose a date? Either the morning of the 20th, Wednesday, or Thursday morning, too, would be -- would be good.

And it would probably be in Phoenix, unless there's --

VICE CHAIR HERRERA: Madam Chair, I'm okay with Wednesday morning. We had a ten o'clock start time today. It would be -- I would propose that we meet on -- but I think -- Commissioner Stertz, are you able to meet on Wednesday?

COMMISSIONER STERTZ: Not -- if we made it 11:00, the answer would be yes. I've got a fellowship meeting that morning, so --

VICE CHAIR HERRERA: Wednesday at 11:00? That
work for me. Which is the 20th?

CHAIR MATHIS: Correct. And that will be in Phoenix and likely this room, if we can start to standardize on a room. We'll see if it's available.

Any other comments? Did we want to talk about a date for the following week as well?

COMMISSIONER McNULTY: Madam Chair, I wonder whether we -- we might not want to talk about dates for the following two weeks.

CHAIR MATHIS: Sure.

COMMISSIONER McNULTY: Given that we know the RFPs are going to come out on the 28th, whether we want to set a date for the first week of May.

CHAIR MATHIS: Sure. So the 28th is a Thursday. And I don't know if we'll actually have those RFPs on that day or not. We could, you know, meet on the 29th, so that we could discuss some of that more. We'd have more information on the 29th, which is a Friday.

Or we could -- oh. And Commissioner Stertz will be dialing in if we meet that week. Otherwise, we could aim for early that -- in May, either May 2nd or 3rd.

COMMISSIONER STERTZ: And on Friday, I'll be traveling all day, so I will be unavailable on that day. I'd love to be part of that conversation, so --

CHAIR MATHIS: Okay.

COMMISSIONER STERTZ: -- Monday the 2nd.

Everything after that week is wide open.

CHAIR MATHIS: Okay. How are people on
COMMISSIONER McNULTY: I'm good.

COMMISSIONER STERTZ: Golden.

VICE CHAIR FREEMAN: I'm good.

VICE CHAIR HERRERA: Good.

CHAIR MATHIS: Okay. If we could aim -- could we aim for early afternoon on that Monday, a 1:00 p.m. meeting? Would that work?

COMMISSIONER STERTZ: Perfect. Madam Chair?

CHAIR MATHIS: Yes.

COMMISSIONER STERTZ: May I suggest that on the -- if the collection of the RFPs are all in hand on the 28th, that they be collected and distributed on the 29th to each one of us, so that we've got them on Saturday delivery, so that we can spend a moment of time on Saturday and Sunday reviewing them if we're going to have a Monday morning discussion, in an effort to expedite, at least, our first-pass comments.

CHAIR MATHIS: Okay. Agreed. And my only comment would be I think we're talking about Monday afternoon, so --

COMMISSIONER STERTZ: One o'clock.

CHAIR MATHIS: -- 1:00 p.m.?

COMMISSIONER STERTZ: You bet.

VICE CHAIR HERRERA: On the 2nd?

CHAIR MATHIS: On the 2nd. So we have
Wednesday, April 20th, is our next meeting at 11:00 a.m. in Phoenix. And our Monday meeting, any preferences on Phoenix or Tucson?

VICE CHAIR HERRERA: Well, if you're asking me --

CHAIR MATHIS: There's some bias.

COMMISSIONER STERTZ: Are you asking the majority?

VICE CHAIR HERRERA: The majority would say probably Phoenix.

CHAIR MATHIS: Everybody gets to say.

VICE CHAIR HERRERA: I love this room. This is a -- this would be a nice meeting room for us to get used to probably staying here.

CHAIR MATHIS: That's a nice try.

COMMISSIONER STERTZ: Madam Chair, I'm going to suggest that we meet -- that we meet here in Phoenix as if all goes well, we'll have an executive director and an office in place in Phoenix on this -- by that date in place.

It would be a nice place to make an introduction of an executive director and a notification of office location.

CHAIR MATHIS: Okay.

COMMISSIONER STERTZ: That gives us the time to get that put to bed --

CHAIR MATHIS: Great.

COMMISSIONER STERTZ: -- and agreements put
into place with executive directors and even a letter of
intent on an office space, what would be engaged in.

CHAIR MATHIS: Okay. That sounds like a good
plan. So we'll plan to meet in Phoenix for both of our next
two meetings, April 20th and May 2nd.

VICE CHAIR HERRERA: Madam Chair?

CHAIR MATHIS: Yes, Mr. Herrera.

VICE CHAIR HERRERA: We'll try to get this
location?

CHAIR MATHIS: Yes. Yes, we will. Great.
Okay. And any other agenda items anyone wanted to raise?

COMMISSIONER STERTZ: I would -- Madam Chair?

CHAIR MATHIS: Yes.

COMMISSIONER STERTZ: I would tell you that
I've had an incredible amount of interest in representatives
of Southern Arizona that having every third meeting or every
fourth meeting being in Pima County.

They're really wanting to become highly
engaged in this level of process as we've -- even though this
is sort of the business of doing business as a Commission,
there's been -- I've had a lot of people contacting me that
are very enthusiastic about that, expanding it.

It was unfortunate that our last meeting in

Tucson, 85 percent of it was held in executive session --

CHAIR MATHIS: Right.

COMMISSIONER STERTZ: -- which was a
disappointment to a lot of the attendees, so -- but they're
looking forward to getting really involved in the spirit of
what we are doing, so...

CHAIR MATHIS: You have no objection from me.

Any other comments on having every third or fourth meeting in Pima County?

VICE CHAIR HERRERA: Madam Chair, I would be okay with every fourth meeting. And I'm not saying that because I'm in Phoenix. I mean, like Commissioner Stertz, I've also been getting--been getting contacted from people that they're--Phoenix is, you know, the media--the last meeting I went to in Tucson, there was no media there at all. I don't know. I was participating by phone in the last meeting. I couldn't see if there was any media. But I think it makes sense for us to have the bulk of the meetings in Phoenix, until we start traveling to different areas. But I would be okay with every fourth meeting.

CHAIR MATHIS: Okay. Any other comments from other commissioners?

COMMISSIONER MCNULTY: I do have a comment. I thought it was very interesting how well attended the last Tucson meeting was. And I think that if we do meet regularly in Tucson--I think there were as many people there as there are here today.

COMMISSIONER STERTZ: Probably more.

COMMISSIONER MCNULTY: And probably more. And I think if we do meet regularly in Tucson and if we Web streamed to other communities, I think we'll find that we're getting the public participating in all of these communities.

So I think it's important to meet in Tucson
regularly, and I think it will pay --

COMMISSIONER STERTZ: Dividends.

COMMISSIONER MCNUILTY: -- dividends to us. I really do.

CHAIR MATHIS: To that end, we're looking for alternative meeting space in Tucson that's more -- that accommodates our needs more, because the meeting room we've been in in the past two meetings in Tucson does not have Internet access. So there's no way to do any kind of streaming from that facility, unfortunately.

But I have spoken with some people at the University of Arizona, who can work out arrangements through ADOA for us to utilize space that the Arizona Board of Regents, for instance, uses when they have their meetings. And they do a lot of streaming and video, maybe, types of things during their meetings, so, hopefully --

MR. FORST: Madam Chair? You know, there was one thing that I had forgot to mention --

CHAIR MATHIS: Sure.

MR. FORST: -- on the audio/video equipment. You know, this equipment is subject to Internet availability. So I'm currently looking into finding solutions via Verizon Wireless --

COMMISSIONER STERTZ: Air cards?

MR. FORST: -- that will allow us to stream the broadcast from any location.

CHAIR MATHIS: Oh. Wonderful. Good.
MR. FORST: So that wasn't included in the $16,000, I understand that. But I'm looking to get pricing on that as well.

CHAIR MATHIS: Okay.

COMMISSIONER STERTZ: And an air card expense, something like that, is going to be an operating expense on a monthly basis anyway.

MR. FORST: Absolutely.

COMMISSIONER STERTZ: It's not a capital expense.

MR. FORST: Correct. Correct.

CHAIR MATHIS: Okay. Any other comments, questions?

(No verbal response.)

CHAIR MATHIS: Okay. I think we're at the recess point. I'm not sure of the time, if someone has that.

COMMISSIONER STERTZ: 11:45.

CHAIR MATHIS: Great. Okay. We'll be going to lunch, and then the interviews begin, I believe, at 1:00 p.m. So should we strive to be back in our seats, ready to -- for the next part of our meeting a little bit before 1:00, maybe 12:50? Does that -- go ahead.

COMMISSIONER MCNULTY: For the benefit of the public, are we doing those in executive session? And are we going to be in this room, so the public knows --

COMMISSIONER STERTZ: Yes and no.

CHAIR MATHIS: Yes. We'll be voting to go into executive session. And if we vote to do so, yeah, the
interviews will be conducted in executive session.

COMMISSIONER MCNULTY: In this room, or in a different room?

CHAIR MATHIS: In this room, right. Yes, this room. So with that, we recess?

COMMISSIONER STERTZ: Madam Chair?

CHAIR MATHIS: Yes, Commissioner Stertz.

COMMISSIONER STERTZ: My understanding is that the interviews are going to be done in a location other than this room.

CHAIR MATHIS: No. I'm looking at the person who arranged it. And, no, the meeting will be -- interviews will be conducted in here.

COMMISSIONER STERTZ: Okay.

CHAIR MATHIS: Okay. Thanks everyone. So we'll recess for lunch.

(Whereupon, a lunch break was taken at 11:46 a.m., and the following was had commencing at 1:00 p.m.):

CHAIR MATHIS: I'd like to call the meeting back to order. We're now -- excuse me, while I -- I thought there was an agenda with me, but now I'm missing it. Yes, here it is. Agenda Item XIV, interviews of candidates for executive director is where we are.

And I believe Susan Laurence, who's been managing the executive recruitment process for us is here, and she wanted to give us a few comments on the process itself.

MS. LAURENCE: Okay. Madam Chair,
Commissioners, I've placed a packet in front of your seats, and in that packet are all of the resumes and information related to our candidates today.

During their interviews, which the first one begins at one o'clock and ends at 3:30, I will go out and bring the candidates in and introduce them to all of you.

I also included some blank pages inside your packets for notes, and those notes I will take at the end of the interviews and we'll keep those in a confidential manner at ADOA as always is our process.

I believe it should go very well today. And is there any questions that you have for me at this point before we get started?

VICE CHAIR HERRERA: Madam Chair?

CHAIR MATHIS: Go ahead.

VICE CHAIR HERRERA: I believe I have a question regarding if we were to ask questions that are outside of these sample questions that we were given, should we know that ahead of time that we are going to be doing that?

MS. LAURENCE: The only thing I would advise you is to ask the same question of each candidate. And that's all, you know, obvious to be able to provide fairness and then a fair evaluation of each candidate's skills and abilities. So that's -- I would suggest that, yes.

VICE CHAIR HERRERA: Thank you.

CHAIR MATHIS: And I think you had recommended in the past that we go -- do this in a round robin format.
COMMISSIONER STERTZ: That's correct.

CHAIR MATHIS: So how -- should we decide on that order now, or how would you like to proceed, Commissioners, in terms of just asking questions?

VICE CHAIR HERRERA: I guess we would start at one end and just keep going this way, instead of skipping. Because then we'll go, "Well, who went? I don't remember."

CHAIR MATHIS: Any preferences from anyone? You're okay?

VICE CHAIR FREEMAN: I don't know if we should tie ourselves to any format.

CHAIR MATHIS: Special order? Yeah.

VICE CHAIR FREEMAN: And I want to make certain that commissioners, if they want to ask questions and then follow-ups, draw down on something, I want to feel free to do that. And if my question is asked by somebody else, I guess I would pass.

MS. LAURENCE: And please understand I don't mean to be so rigid that if you ask a question, someone -- I may have a follow-up question that maybe someone else might not. So, you know, if it's related to that question, that's not a problem.

VICE CHAIR HERRERA: So you'll be bringing in all of the candidates at the same time for us to meet?

CHAIR MATHIS: Oh, no. No.

VICE CHAIR HERRERA: Individually?

MS. LAURENCE: They each have a different time slot. So when it's close to their time, I'll go out and get Page 84
them and bring them in and introduce them.

COMMISSIONER STERTZ: Madam Chair, because we are starting off hour, I think that the thirty-minute windows should remain intact.

CHAIR MATHIS: Okay.

COMMISSIONER STERTZ: And the starting time should -- so once we begin with Mr. Luhan, that should be -- once he's appointed here, the clock should tick for the thirty minutes. And I think what we should try to do is be as diligent as possible to remain on schedule, but if -- it's incumbent upon us, this is our -- this is our opportunity, Commissioners, to ask these questions. And we should take those opportunities to do so without overextending ourselves --

CHAIR MATHIS: Okay. I agree.

COMMISSIONER STERTZ: -- but to give each candidate no less than thirty minutes' worth of interview time.

CHAIR MATHIS: I agree. Any other comments?

(No verbal response.)

CHAIR MATHIS: Okay.

MS. LAURENCE: Please let me know when you're ready, and I'll go get Mr. Luhan.

CHAIR MATHIS: Okay. Thanks, Susan.

COMMISSIONER STERTZ: Great work by the way.

MS. LAURENCE: My pleasure.

CHAIR MATHIS: Yes, thanks for putting all of
this together for us.

MS. LAURENCE: My pleasure.

CHAIR MATHIS: So do I hear a motion to go into executive session for the purposes of discussing personnel matters?

COMMISSIONER STERTZ: So moved.

CHAIR MATHIS: All in favor?

VOICE VOTES: AYE.

CHAIR MATHIS: Any opposed?

VICE CHAIR HERRERA: Aye.

CHAIR MATHIS: We have one opposed, Commissioner Herrera. The motion carries with four to one to go into executive session to discuss personnel matters.

(whereupon, a recess ensued at 1:04 p.m., and the following was had commencing at 4:34 p.m.):

CHAIR MATHIS: Great. Well, it's 4:34, and we'll go back into public session now. And I'd like to entertain a motion that we publicly interview Ray Bladine and Geoffrey Gonsher at our next meeting on April 20th at 11:00 a.m. here in this room.

VICE CHAIR HERRERA: I second that.

COMMISSIONER STERTZ: No, you are making the motion.

VICE CHAIR HERRERA: I make that motion.

COMMISSIONER STERTZ: And I second that
VICE CHAIR HERRERA: That's what I meant.

CHAIR MATHIS: Any discussion?

COMMISSIONER STERTZ: Madam Chair, what should the time allotment be for the interviews?

CHAIR MATHIS: That's an excellent question. Today we did half-hour interviews. We could do the same, we could go 45 minutes. Does anyone have any preferences?

COMMISSIONER STERTZ: I'd like to defer that to Susan. What is your -- what is your recommendation?

VICE CHAIR HERRERA: Pick a time.

MS. LAURENCE: You know, let's go 45 minutes, and then no one feels rushed.

CHAIR MATHIS: Okay.

VICE CHAIR HERRERA: I think, as we did in previous interviews, the candidates will not be in the same room when the other one is being interviewed. I think it's only fair. So --

MS. LAURENCE: I think you're right.

VICE CHAIR HERRERA: -- if we interview Mr. Gonsher first, Mr. Bladine will be outside.

MS. LAURENCE: That's a good idea.

CHAIR MATHIS: Sounds good.

COMMISSIONER STERTZ: And that will be --

Madam Chair, will that also be first on the agenda for...

CHAIR MATHIS: We have the power, I think, to make that happen.
COMMISSIONER STERTZ: Thank you very much.

CHAIR MATHIS: Do we want to do our minutes first?

VICE CHAIR FREEMAN: It depends.

CHAIR MATHIS: Yeah, really. But we can make that Agenda Item I to make it easy, so that the --

VICE CHAIR HERRERA: Yeah.

CHAIR MATHIS: -- candidates know that they --

the first one will be interviewed at 11:00 a.m.

VICE CHAIR HERRERA: And then I'd love to have public comments second. I'd love to see what the public says, because I'm assuming they will probably comment on each of them. I would guess somebody would. That would be interesting to see what they say.

COMMISSIONER MCNULTY: Before or after?

COMMISSIONER STERTZ: After.

CHAIR MATHIS: After.

VICE CHAIR FREEMAN: So then perhaps we need another agenda item after that --

COMMISSIONER STERTZ: For a general vote.

VICE CHAIR FREEMAN: -- for consideration of the position --

COMMISSIONER STERTZ: Yes.

VICE CHAIR FREEMAN: -- to give us an opportunity then later on in our agenda to vote --

COMMISSIONER STERTZ: Yes.

VICE CHAIR FREEMAN: -- to vote or do whatever we want.
VICE CHAIR HERRERA: And I'm assuming that would be executive session.

COMMISSIONER STERTZ: Yes.

CHAIR MATHIS: Can you repeat that?

VICE CHAIR FREEMAN: If we're going to start our agenda with the public interviews, and then follow with Item II, which would be the call for public comment --

CHAIR MATHIS: Right.

VICE CHAIR FREEMAN: -- then at some point subsequent to that, have another agenda item, consideration of hiring the executive director or some words to that effect.

VICE CHAIR HERRERA: So we'd go into executive session on personnel matters --

CHAIR MATHIS: Great.

VICE CHAIR HERRERA: -- and then do the vote.

CHAIR MATHIS: Okay. That sounds reasonable.

VICE CHAIR HERRERA: We already have three or four agenda items right there.

CHAIR MATHIS: Yeah.

COMMISSIONER STERTZ: Okay.

MR. BARTON: Madam Chair, just to be clear --

CHAIR MATHIS: Mr. Barton.

MR. BARTON: -- to the members of the public that are in attendance --

PUBLIC MEMBER: Member.

MR. BARTON: -- we would go into executive session to discuss the candidates, and then we would come out
VICE CHAIR HERRERA: That is correct.
COMMISSIONER MCNULTY: The hardy member.
CHAIR MATHIS: Okay. Any other -- so we have any other discussion on that before we vote?
(No verbal response.)
CHAIR MATHIS: Okay. All in favor?
VOICE VOTES: Aye.
CHAIR MATHIS: Any opposed?
(No verbal response.)
CHAIR MATHIS: Great. The motion carries.
And I believe that takes us to the end of the agenda.
VICE CHAIR HERRERA: That does.
CHAIR MATHIS: Yes, we're at Item XV now, adjournment.
COMMISSIONER STERTZ: I move to adjourn.

VICE CHAIR HERRERA: I move to adjourn and --
CHAIR MATHIS: I'll take a second, even though it's on the agenda.
COMMISSIONER STERTZ: I love to move to adjourn.
CHAIR MATHIS: All in favor?
VOICE VOTES: Aye.
CHAIR MATHIS: The meeting's adjourned.
(whereupon, the public meeting was concluded at 4:38 p.m.)

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STATE OF ARIZONA
   }
COUNTY OF MARICOPA    }

I, Debra Galvin, hereby certify that the foregoing
pages 1 to 100, inclusive, constitute a full, true, and
accurate transcript of the proceedings had in the above
matter, all to the best of my skill and ability.

DATED at Phoenix, Arizona, this 28th day of April,
2011.

Debra M. Galvin, CSR #50375

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