Monday, June 6, 2011
10:35 a.m.

Location
Evans House
1100 West Washington
Phoenix, Arizona 85007

Attending
Colleen C. Mathis, Chair (Via Skype)
Jose M. Herrera, Vice Chair (Via Skype)
Scott Day Freeman, Vice Chair
Linda C. McNulty, Commissioner (Via Skype)
Richard P. Stertz, Commissioner (Via Skype)

Raymond F. Bladine, Executive Director
Kristina Gomez, Deputy Executive Director
Buck Forst, Information Technology Specialist
Mary O'Grady, Counsel, Osborn Maledon
Joe Kanefield, Counsel, Ballard Spahr

PREPARED BY:
AZ Litigation Support, LLC
Michelle D. Elam, CR
Certified Reporter
CR No. 50637
CHAIRPERSON MATHIS: I would like to call to order this meeting of the Arizona Independent Redistricting Commission. Today is June 6th at 10:35 in the morning.

And I would like to inform everyone who would like to speak during public comment to fill out a request to speak form and give it to our executive director, Ray Bladine.

I would also like to note that we have a court reporter transcribing the meeting. So everyone be sure to speak clearly and not over one another so we can get an accurate record.

I'll go ahead and start with roll call.

Vice Chair Freeman?

VICE CHAIR FREEMAN: Here.

CHAIRPERSON MATHIS: Vice Chair Herrera?

COMMISSIONER HERRERA: Here.

CHAIRPERSON MATHIS: Commissioner McNulty?

COMMISSIONER MCNULTY: Here.

CHAIRPERSON MATHIS: Commissioner Stertz?

COMMISSIONER STERTZ: Here.
CHAIRPERSON MATHIS: We have a quorum.
And I also would like to acknowledge our legal counsel with us today in Phoenix. We have Joe Kanefield from Ballard Spahr and Mary O'Grady from Osborn Maledon. And I see Ray Bladine in the background.

And we have an agenda that everyone should have gotten a copy of. It's been posted. And the second item on the agenda is the call for public comment.

So did we receive any request to speak forms in Phoenix?

VICE CHAIR FREEMAN: Yes, Madame Chair. I have two slips completed. And if you would like --

CHAIRPERSON MATHIS: Great.

VICE CHAIR FREEMAN: -- I'll go ahead and call them to the microphone.

CHAIRPERSON MATHIS: Thank you.

VICE CHAIR FREEMAN: The first slip I have is Marilyn Zerull.

I apologize if I mispronounced that.

If you could please state your name and tell us who you are here representing.

MARILYN ZERULL: My name is Marilyn Zerull, and I represent the PCRWC.
COMMISSIONER HERRERA: I can't hear.

MARILYN ZERULL: Can you not hear?

VICE CHAIR FREEMAN: Let's make sure that they can hear.

MARILYN ZERULL: My name is Marilyn Zerull, and I'm representing the PCRWC from Pima County.

VICE CHAIR FREEMAN: Could you tell me what PCRW (sic) represents?

MARILYN ZERULL: It stands for the Pima County Republicans --

COMMISSIONER HERRERA: We can't hear on this end.

VICE CHAIR FREEMAN: Okay. Let's wait. Let's get that addressed.

COMMISSIONER HERRERA: I can't hear anything.

MARILYN ZERULL: Can you hear me?

Can you hear me?

Can you hear me?

VICE CHAIR FREEMAN: Didn't last time we strapped one of these mikes on?

BUCK FORST: Yeah.

CHAIRPERSON MATHIS: Hello?

VICE CHAIR FREEMAN: We're working on it.

CHAIRPERSON MATHIS: Okay.

MARILYN ZERULL: Can you hear me?
CHAIRPERSON MATHIS: Yes. Much better.

MARILYN ZERULL: Well, my name is Marilyn Zerull. I'm representing the PCRWC from Pima County. That's the Pima County Republican Women.

After watching the video of the last meeting, I hope that the public will be able to see the companies who respond to the mapping RFPs as they are interviewed by the Redistricting Commission.

And as an added note, I would like to express my dismay as to the vote that this committee made concerning legal representation.

The decision to have the two proliberal oriented firms be involved in a redistricting smacks of liberal bias.

This decision can be rectified, and that would be to your credit, as a fair-minded commission. If you choose to not have the republicans get the representation that they wanted, then it would tell the public that a fix is in the play and then the shame will be on you.

Please, do the right thing.

Thank you very much.

VICE CHAIR FREEMAN: Thank you.

The next slip I have is Geri Ottoboni.
If you could please take the microphone and tell us -- state your name and who you are here representing.

GERI OTTOBONI: Yes. Hello. My name is -- can you hear me?

COMMISSIONER HERRERA: Yes.

CHAIRPERSON MATHIS: Yes.

GERI OTTOBONI: Okay. My name is Geri Ottoboni I represent the NETOT, which is the network of Tucson.

VICE CHAIR FREEMAN: Thank you.

GERI OTTOBONI: Having a meeting in Tucson, or at least allowing the people from Tucson to go to the Skype site -- although you stated that you wanted to have meetings in Phoenix and Tucson, most meetings have been here in Phoenix.

I have to hire a baby-sitter, believe it or not, so it would cost me twice -- cost as much to come up here as would be if I went down to Tucson.

Since three of the commissioners are broadcasting from Tucson on Skype, why can't we go to the Skype location in Tucson?

To accommodate this, though, the next meeting announcement would have to give the Tucson location as well as the Phoenix location.
I respectfully request the commission this request, and thank you very much.

VICE CHAIR FREEMAN: Thank you.

I have a third slip that's from Leonard Gorman. If you could please take the microphone and tell us who you are here representing.

LEONARD GORMAN: Good morning, Commissioners.

My name is Leonard Gorman. I'm with the Navajo Nation Human Rights Commission, and I just want to express appreciation for the opportunity to say a couple of words here and also implore on the commission when establishing the processes and the procedures and the thresholds that would be met along with the competitiveness on contiguity issues like that, that upon establishing the community of interest definition, that all indigenous nations throughout the state of Arizona would be considered as a community of interest.

And when mapping out the districts, that the final maps would allow these indigenous nations to be in those single districts and not be split, as it was proposed ten years ago when, for example, the Navajo Nation was split in the legislative grid that was developed.

So -- secondly, the Navajo Nation Human Rights Commission.
Rights Commission is looking at the current pre-tan data to -- when populating the current districts. That's 63.97 percent Native American population in the current legislative district two.

So Navajo Nation is looking forward to being in a legislative district that meets that threshold of 63.97 percent Native American population.

Secondly, the Navajo Nation Human Rights Commission has been involved in numerous meetings in the north region of the state of Arizona and we've met with the City of Flagstaff and also the Apache Nations and we are very interested in coming in unison to this commission soon so that we could submit a map that would make the commission's job a lot easier, at least on the north -- northern region of the state of Arizona.

And finally, making the request on behalf of the Navajo Nation that the commission somehow establish maybe a Skype site or visit the city of Flagstaff, at least, to host a meeting in the near future where the Navajo Nation representatives from the other indigenous nations can be able to attend.

Thank you very much.

VICE CHAIR FREEMAN: Thank you.
Is there anyone else who wishes to address the commission at this time?

I see no one, Madame Commissioner.

Madame Chairman, there are no other public comments.

CHAIRPERSON MATHIS: Great, and thank you, public, for your comments.

That takes us to agenda item III, update from State Procurement Office staff regarding the status of the mapping consultant RFP.

So I hope that Jean Clark and Christine Fruitman from the State Procurement Office might be there.

JEAN CLARK: Yes, ma'am.

Jean Clark from the State Procurement Office.

CHAIRPERSON MATHIS: Good morning.

JEAN CLARK: Good morning.

We did as a -- following our meeting last week, did issue the solicitation amendment. I believe it went out on Wednesday or Thursday last week.

We did extend that opening, so proposals are due this Thursday, June 9th at 3 p.m.

CHAIRPERSON MATHIS: Great.
Any other comments on that from commissioners? Questions for Jean?

Okay. Commission Herrera.

COMMISSIONER HERRERA: Yeah, one question.

If they are due on the 9th, when will we be receiving the copy or a disk?

JEAN CLARK: You know, our goal will be able to -- you know, part of it depends on volume. So our deal is -- I mean, we'll try to burn all of the proposals that we can Thursday night and be able to get those out so hopefully you would have them possibly Friday, but for sure you would have them by Saturday if we overnight them.

CHAIRPERSON MATHIS: Okay. And now -- so we'll need to make sure everybody has grabbed their nondisclosure agreement release so SPO can release those to us when the bid is open.

JEAN CLARK: Correct.

CHAIRPERSON MATHIS: Okay. Any other questions or comments?

That takes us to agenda item IV, discussion and consideration of confidential documents associated with the evaluation of responses to the mapping consultant RFP and possible action.
Do I hear a motion to go into executive
session to discuss these confidential documents?

COMMISSIONER McNULTY: So moved.

COMMISSIONER HERRERA: Second that.

CHAIRPERSON MATHIS: Any discussion?

All in favor?

("Aye.")

CHAIRPERSON MATHIS: Opposed?

(No oral response.)

CHAIRPERSON MATHIS: Okay. The time is 10:47.

We'll go into executive session now.

RAY BLADINE: If we could ask you all to
leave, while we go into executive session. I
suspect there's room in the lobby of the building
right over here and it's a nice enough day, I guess,
the benches might work for some of you and we'll
call when the executive session is over and they
are.

(Whereupon the public session recessed
and executive session ensued.)

* * * * * *

(Whereupon the public session resumes.)

VICE CHAIR FREEMAN: Okay. Looks like we're
CHAIRPERSON MATHIS: Great. Thank you, Vice Chair Freeman.

It is 11:15 a.m. and we'll enter back into public record now.

Thank you for the good discussion and consideration of the special documents associated with the evaluation of the responses to the mapping consultant RFP.

And I very much appreciate the guidance that SPO has given us on this matter and for their appreciation of our interest in doing this in as fast a manner as possible, but also in a safer manner. So I know that they understand our situation and I very much appreciate both Jean Clark and Christine Fruitman, as does the rest of the commission.

So moving to agenda item V -- well, agenda items and dates of future meetings.

So we need to figure out -- coordinate calendars, and Ray Bladine was going to send out some dates for us in terms of when it looked like we were all free, but it's clear we're going to want to talk about the conflicts on that for mapping the RFP, which is due, as we said, 3 p.m. on June 9th
and then SPO will be burning those responses onto a DVD so we all get a copy of everything that came in and then we'll have a little bit of time to consider those through the weekend and looking like the week of the 13th. We need to figure out maybe a time to meet to initially discuss those responses. And keeping in mind that we also want to give -- build in a little bit of time so that SPO can collect our initial responses.

So that's -- Monday June 13th, we could start there. That wouldn't give -- we would -- the earliest I think we could meet is the afternoon of June 13th because we would want to kill some time over SPO, but otherwise, 14th, 15th, 16th, if we could talk about those days, maybe.

Any hard commitments that would prevent people from meeting?

COMMISSIONER McNULTY: I'm open then.

COMMISSIONER STERTZ: Tuesday I'm open all day. Wednesday I am only open in the afternoon.

CHAIRPERSON MATHIS: Starting at what time, Ray?

COMMISSIONER STERTZ: Depends on where we are. If we're in Tucson, I'll be available at 9:30. If we're in Phoenix, I'll be available at 11:30.
CHAIRPERSON MATHIS: So you would available in the morning on Wednesday?

COMMISSIONER STERTZ: At 9:30 in Tucson.

CHAIRPERSON MATHIS: 9:30 in Tucson. 11:30 in Phoenix.

Okay.

Mr. Herrera or Freeman?

COMMISSIONER HERRERA: Madame Chair?

CHAIRPERSON MATHIS: Yes, Mr. Herrera.

COMMISSIONER HERRERA: Next week is pretty open for me. I have a lunch commitment but I can change it.

CHAIRPERSON MATHIS: Okay.

VICE CHAIR FREEMAN: Madame Chair?

CHAIRPERSON MATHIS: Mr. Freeman.

VICE CHAIR FREEMAN: My schedule is wide open next week.

CHAIRPERSON MATHIS: Wow, that's great.

Well, my only commitment would be late Monday afternoon at 4 p.m., so I'm open any time before that and then on Tuesday I have a meeting at 1:30, unfortunately, until 2:30, but I would be open either before or after that. And Wednesday I'm wide open. So --

VICE CHAIR FREEMAN: Madame Chair?
CHAIRPERSON MATHIS: Yes, Mr. Freeman.

VICE CHAIR FREEMAN: It sounds like we're either going to try to squeeze one in beginning early Monday afternoon or it looks like we could conceivably -- the next open spot for us would be Wednesday morning at 9:30 in Tucson. Just depends how aggressive we want to be with this.

CHAIRPERSON MATHIS: Okay. I'm hearing a vote for 9:30 on Wednesday. I am happy to do Monday afternoon, if that -- if we think that gives all of us enough time to evaluate the responses. I know it's hard to know, since we have no idea how many people will be responding -- how many firms.

COMMISSIONER STERTZ: Madame Chair, I think not knowing that, I think that we're better served to set a date giving us the opportunity.

CHAIRPERSON MATHIS: Okay. How then is 9:30 in the morning Tuesday for folks? And that would be in Tucson -- I'm sorry, Wednesday. Sorry you guys. I wasn't thinking. Wednesday.

COMMISSIONER HERRERA: Madame Chair?

CHAIRPERSON MATHIS: Mr. Herrera.

COMMISSIONER HERRERA: Now, is SPO available on Wednesday at 9:30 to go to Tucson or would they be able to participate via Skype?
CHAIRPERSON MATHIS: That's a good question, Mr. Herrera.

Is Jean there?

JEAN CLARK: Yes, ma'am.

We would be available on Wednesday and we actually could be in Tucson.

CHAIRPERSON MATHIS: Okay. So 9:30 in the morning in Tucson on Wednesday June 15th.

VICE CHAIR FREEMAN: That's also -- that sounds good with counsel as well. They are available.

CHAIRPERSON MATHIS: Oh, great.

Mr. Herrera, did you have something?

COMMISSIONER HERRERA: Yeah. I just wanted to confirm. That will be the initial meeting when we will be evaluating the applicant; is that correct?

CHAIRPERSON MATHIS: Yes.

JEAN CLARK: Yes.

COMMISSIONER HERRERA: Thank you.

CHAIRPERSON MATHIS: Okay. That leads us with the 15th we'll do that initial response. We'll want to meet again, but, of course, it's going to be -- we can maybe hold a soft date for ourselves to at least be planning that we'll want to probably meet again on the RFP, the people who responded.
So I don't know if people are open to maybe looking at also a subsequent date?

COMMISSIONER STERTZ: Madame Chair?

CHAIRPERSON MATHIS: Mr. Stertz.

COMMISSIONER STERTZ: Question for Ms. Clark.

Knowing that there will be -- there is quite likelihood that there's going to be some out-of-town proposals on this, is one week enough or too long or too little time from next week, Wednesday, to be able to give notification for travel and for preparation?

JEAN CLARK: If we are able to give notification, I believe, to firms at some point on Thursday, it probably might be late Thursday by the time we complete things on Wednesday, I would anticipate that I would not do it until at least the -- the earliest, the following Thursday, and you may actually be better the beginning of the following week.

CHAIRPERSON MATHIS: So we could be looking at Wednesday the 22nd, Thursday the 23rd. Is that -- are people going to be open those days, just out of curiosity?

COMMISSIONER STERTZ: I am wide open on the 23rd.
COMMISSIONER MCNULTY: I'm open on the 23rd, 24th, 22nd.

COMMISSIONER STERTZ: Me, too. 22nd I'm not, but 23rd and 24th I am.

CHAIRPERSON MATHIS: Okay. How about Mr. Herrera and Mr. Freeman?

COMMISSIONER HERRERA: Madame Chair, I am -- I have a commitment on the 23rd; I'll be in Tucson in the afternoon, but I was going to ask you, can we -- what would prevent us from scheduling the ones that are local as soon as possible?

JEAN CLARK: I would have to advise that I would recommend that we give all of the participants the same duration of time to prepare for the interviews and the presentation, just from an equity perspective.

VICE CHAIR FREEMAN: Madame Chair, I'm --

CHAIRPERSON MATHIS: Mr. Freeman.

VICE CHAIR FREEMAN: I'm available Wednesday June 23rd -- no, 22nd. Sorry. 23rd and 24th. I'm available those three days.

CHAIRPERSON MATHIS: Okay. That's the 22nd through the 24th, Mr. Freeman?

VICE CHAIR FREEMAN: Correct.

CHAIRPERSON MATHIS: Okay. Well, I'm hopeful
that we could maybe plan on one of those days that we would meet.

Mr. Herrera, did you say you're tied up in the afternoon of the 23rd?

COMMISSIONER HERRERA: That is correct. The 22nd I'm wide open and I'm wide open on the 24th. So the 23rd, which is the Thursday, I have a prior commitment in the afternoon. So the -- you know what, just to be on the safe side, the 23rd probably would not be a good day, but the 22nd and 24th would be.

CHAIRPERSON MATHIS: Okay.

COMMISSIONER STERTZ: So do we want to hold those two days open?

CHAIRPERSON MATHIS: Yes, I think we will.

Let's all hold the 22nd and 24th available for a potential meeting date.

And in terms of agenda items for that, it's going to be pretty well -- fully subscribed by just dealing with the responses to the RFP for mapping services.

COMMISSIONER HERRERA: Madame Chair?

CHAIRPERSON MATHIS: Yes, Mr. Herrera.

COMMISSIONER HERRERA: When we meet on the 9th to review the proposal mapping consultant, are we
going to decide what type of presentation we would want? Just to be uniform and when we contact these individuals, this is the -- they will have a certain amount of time to present, this is what we are going to need so they can all, I guess, compare apples to apples in what we need from them in terms of a presentation?

CHAIRPERSON MATHIS: Yes, that's a good idea. It would be the 15th that we would be meeting to discuss that.

COMMISSIONER HERRERA: Okay. Just making sure.

CHAIRPERSON MATHIS: Mr. Freeman, did you have something?

VICE CHAIR FREEMAN: No, I agree.

CHAIRPERSON MATHIS: Okay. All right. Good idea.

So that will definitely be part of our discussion on the 15th.

Okay. Any other comments on the agenda item V?

Okay.

COMMISSIONER STERTZ: Madame Chair?

CHAIRPERSON MATHIS: Mr. Stertz.

COMMISSIONER STERTZ: Who is the going to
sending the disks out? Will it be the executive
director or will it be ADOA or SPO?

JEAN CLARK: The executive director is
pointing to us. So yes, we will.

COMMISSIONER STERTZ: I'll get my correct
mailing address to Mr. Bladine so it can be sent
directly to my home.

JEAN CLARK: Okay. Great.

CHAIRPERSON MATHIS: Okay. Any other
comments, questions?

I would just like to thank our staff for
making this happen today. We are continuing to
proceed with our Skype abilities and I really
appreciate all they've done to allow us to meet
remotely in this fashion, and I am sure that it will
only get smoother and better as the days go by.

So thanks to all of you for making that
happen. I know it's not a simple process.

COMMISSIONER HERRERA: Madame Chair?

CHAIRPERSON MATHIS: Yes, Mr. Herrera?

COMMISSIONER HERRERA: May I ask our executive
director relating an update on the technology for
allowing the public to participate in these in the
Skype or video conferencing?

RAY BLADINE: I know that it's on the agenda.
MARY O'GRADY: That's not on the agenda. Can we give an update at the next meeting?

COMMISSIONER HERRERA: Of course.

CHAIRPERSON MATHIS: We'll add that to the next meeting agenda and cover it first.

Okay. Great. Well, it's 11:29 in the morning and our next item is adjournment. So I declare this meeting adjourned.

Oh, I think I see Mr. Herrera.

COMMISSIONER HERRERA: I just want to thank you for starting the meeting on time and ending it on time. It's amazing. I think this is a first.

CHAIRPERSON MATHIS: It is some kind of record.

Great. Thanks, everyone.

We'll declare the meeting adjourned at 11:29 a.m.

(The meeting adjourned at 11:29 a.m.)
I, MICHELLE D. ELAM, Certified Reporter No. 50637 for the State of Arizona, do hereby certify that the foregoing 43 printed pages constitute a full, true, and accurate transcript of the proceedings had in the foregoing matter, all done to the best of my skill and ability.

WITNESS my hand this 10th day of June, 2011.

__________________________
MICHELLE D. ELAM
Certified Reporter
Certificate No. 50637