

April 30, 2001, Public Hearing
Minutes of the Arizona Independent Redistricting Commission

April 30, 2001, 8:25 a.m.

**Telephonic Public Hearing; Minutes of the Arizona Independent Redistricting Commission
State Capitol Executive Tower, Governor's Reception Room, Second Floor
1700 West Washington, Phoenix, Arizona**

Commissioners present: Chairman Steven W. Lynn, telephonically; Commissioner James R. Huntwork, in person; Commissioner Joshua M. Hall, in person; Commissioner Andi Minkoff, telephonically; Commissioner Daniel R. Elder, telephonically, as indicated.

Staff present: Executive Director Enrique Medina Ochoa, in person.

Counsel: Lisa T. Hauser and Jose de Jesus Rivera, in person.

Auxiliary staff present: Lisa A. Nance, RPR, CCR, court reporter with Atwood Reporting, in person.

State Procurement Official: John Adler, telephonically.

Consultants Present: Florence Adams, telephonically as indicated; Karen Osborne, in person; Tim Johnson, in person; R. Anthony Sissons, in person.

Meeting was called to order at 8:25 a.m.

Call to the Public: Mark Osterloh spoke and gave the Commissioners a handout. His emphasis was on treating everyone equal and the randomness of the process.

Executive Director Ochoa presented a sample map brought to the Commission by Representatives Lugo, Miranda and Camarot earlier in the morning.

Item three on the agenda, consultants' best and final offer, review, discussion, and possible final selection: Chairman Lynn shared that in talks it became clear NDC's primary contract needed to be finalized first before the other contracts could be settled and they would necessarily have to take a subsequent sequential role. The goal currently is to put NDC on contract as best we can, move forward with the list of deliverables they've outlined so public outreach and initial grid preparation is started.

Discussion was had that as the scope of work in NDC's current proposal is set out, drafting various maps at the outset ought to be development of the grid. Reassurance was given by counsel and Mr. Adler that overall timing of the contract is fine and that things can be addressed in the changes clause of the contract, so there is adequate flexibility there.

Commissioner Elder indicated he asked for identification of mountain ranges, rivers, edges that divide access throughout the state without any geopolitical reference.

Discussion was had that the week-one deliverable had to be the grid. It was also discussed that inasmuch as the contract provides for NDC to take direction from the Commission on timing of tasks, a redraft was not necessary.

Commissioner Elder exited the meeting for a period of time.

Counsel reaffirmed that the first map has to be the grid.

Commissioner Huntwork moved to approve the proposed agreement with NDC subject to the clarifications that the intent of the contract with NDC is to allow flexibility in adjusting items on the time line from week to week and in fact adjusting scope of work generally pursuant to the changes clause and, secondly, in reference to working closely with communities of interest consisting of Native American groups, particularly in the Navajo and Apache counties, the idea was that was not an exclusive list of the communities of interest that would need focus.

Commissioner Hall seconded the motion.

Vote was taken. Motion passed unanimously.

Mr. Alder was given the authority to go forward and execute the contract with NDC.

Regarding the other consultant contracts, as there is finalizing yet to do on the Memorandum of Understanding with Leg. Counsel and the IGA with Maricopa County, those two contracts are not yet ready for discussion.

Discussed that after the MOU is done, a definitive list of data needs to be secured from EDS or RAS should be able to be put together and it would then be appropriate to make those subcontracts.

Mr. Adler was directed to please make sure that it's very clear in the contracts that once the Commission has satisfied its end of the contract financially, that the data belongs to the Commission to replicate and share at the Commission's pleasure, that it's Commission property.

Commissioner Hall brought up the desire to have direction put in place that subcontractors can't talk to the press about Commission business; that there be a designated PR person in place to handle that. He requested that clause, that they not talk to the press, be in the contracts.

Mr. Elder returns to the meeting.

The MOU with Leg. Counsel was further discussed. Ms. Hauser indicated that the tone of the agreement, and consistent with its purpose, is any data would be shared on an immediate basis, although that is not spelled out. She suggested it perhaps not being necessary to take it through all four caucuses to amend unless the Commissioners were uncomfortable with that.

Commission Hall made a motion to accept the Memorandum of Understanding with Legislative Counsel. Commissioner Minkoff seconded the motion.

Discussion was had on the motion.

It was clarified that the MOU relates only to raw data and that any interpretation or value added to the data is not subject to the agreement. Further, data will be shared both ways at no cost. There is, however, an issue that the Commission hasn't yet addressed of what it will choose to charge others, other than Leg. Counsel, who make requests for data.

April 30, 2001, Public Hearing
Minutes of the Arizona Independent Redistricting Commission

Vote was had on the motion. Motion carried unanimously.

Motion was made by Commissioner Huntwork to authorize the Executive Director to execute the MOU with Leg. Counsel. Motion was seconded by Mr. Hall.

Vote was had on the motion. Motion carried unanimously.

Discussed that without formal by-laws in place, to the extent authority is granted to the Executive Director to enter into contracts, etc., it should be on a case-by-case basis.

Regarding the IGA with Maricopa County, it was discussed that the primary tasks would be management of the local website and providing local GIS support. It was also discussed that Maricopa County's proposal was a listing of what could be provided, not what had to be. It was a menu of services from which any or none could be selected. Whether to have Tim Johnson working full time or hourly was discussed. Ms. Osborne added she wanted it clear that any of the items could be accepted and there was no additional cost for those services.

Commissioner Huntwork made a motion the Commission proceed with the agreement with Maricopa County and authorize Chairman Lynn and Dan Elder to finalize it and execute it on the Commission's behalf. This motion is with the clarification that the services would be provided at the request of the Commission pursuant to a procedure to be worked out at a later time.

Commissioner Minkoff seconded the motion.

It was pointed out that there is the option of leasing or purchasing equipment. Where possible, the Commission would like to explore leasing as the bulk of the equipment won't be needed after six months.

Vote was taken. Motion carried unanimously.

Executive Director's Report: Office remodeling is now done and was approximately 20,000. They are now doing the three additional offices.

Discussed the gallery wall and possible placement for maps for viewing.

Dr. Adams joined the meeting and was informed that the contract was approved with two minor changes. She was told the Commission will now negotiate contracts for data with EDS, RAS, and coordination of that data will be through NDC.

Dr. Adams was asked for two things. First, to schedule a subsequent meeting of the Commission at which time the time frame and process could be gone over in more detail so the Commission can clear whatever parts of the calendar are necessary to complete the task and better understand the methodology being used to gather data; second, take the Commission through the process of both the grid and subsequent mapping.

April 30, 2001, Public Hearing
Minutes of the Arizona Independent Redistricting Commission

Returning to the Executive Director's Report, Mr. Ochoa distributed a copy of the office plans. The additional remodeling cost \$6,000. He indicated there was also an additional \$2,800 to finish the initial job for air conditioning duct changes.

Regarding personnel, a mobility assignment has been put in place to make it more attractive for current state employees to come to work for the Commission with the guarantee their position will still be there for them when they return.

Discussed the positions that Mr. Ochoa sees as necessary in the office, that he would first like to hire the office management position.

The phone system is in.

Two or three of the offices will be internet capable.

Discussed that currently an answering machine answers the phone when Mr. Ochoa is not able to answer personally, that the services from DOA via Ms. Meeks were not being utilized in that regard.

Mr. Ochoa was directed to submit financial reports for the Commission.

The PR position was discussed, the difficulties with an RFP, establishing positions, etc.

Mr. Adler indicated that Procurement would provide the Commission with delegation of authority up to \$10,000 per transaction to procure items not on State contract.

Mr. Adler clarified that for items that are on state contract, the Commission can give Mr. Ochoa authority to procure hypothetically a million dollars, explaining that most of what is needed for the office is under State contract.

Mr. Adler indicated what is not covered are services like public relations or outreach services. Those have to be contracted separately.

Commissioner Elder indicated concerns about making large purchases, such as a copier, and went into reduction ratio questions, etc. In general, the topic of deciding on purchasing authority was discussed as a concern to make sure the Commission knows what it's getting and for what purpose.

Mr. Ochoa was directed to prepare a draft budget for the office.

Mr. Ochoa was directed to prepare, along with the draft budget, a draft of production needs and/or equipment needed along with the rationale for what it's needed for and why.

Commissioner Minkoff asked that it be looked into as to whether the State has a publishing center.

April 30, 2001, Public Hearing
Minutes of the Arizona Independent Redistricting Commission

Mr. Ochoa reported on the Latino Fair Representation Conference he, Commissioner Huntwork, Commissioner Minkoff, and Jose Rivera attended. It was indicated that was a positive and worthwhile effort.

Regarding outsourcing PR, the difficulties with the system were discussed in more depth. Mr. Adler suggested going with the RFP and being done with it. The concept of hiring an individual was discussed. Ms. Hauser agreed to try to expedite the hiring process and set up a meeting between Chairman Lynn, Enrique, herself or Mr. Rivera, and the Director of DOA to get things moving quicker.

Commissioner Huntwork indicated he did want to leave the possibility open of having an outside firm for PR as he wants to be able to get the very best talent.

Without objection, Chairman Lynn will work with Mr. Ochoa and counsel to try to set up some protocols for press relations so as to better manage the information flow that goes to the public.

As part of public outreach, it was mentioned that a good source would be to contact the 15 county election directors for outreach sources to their communities so the Commission can tap into that existing outreach network.

Commissioner Huntwork indicated for PR he felt that the Commission may need an outside contractor for the most creative thinking and a staff person to assist with a lot of the more routine work..

Call to the Public:

Ms. Rosie Lopez, Redistricting Chair and Founder of the Arizona Hispanic Committee Forum, spoke. She applauded the Commission's hiring of Enrique Medina Ochoa and Jose de Jesus Rivera. She indicated she wants to attend future meetings and be on the mailing list.

Future agenda items:

There will need to be one further section on the Commission Training. That person is available on a number of days in May and it will be scheduled in the agenda.

Commissioner Huntwork moved to go into Executive Session to receive advice from legal counsel.

Commissioner Minkoff seconded the motion.

Vote was taken. Motion carried.

Commission went into Executive Session from 10:35 until 11:04.

Commission resumed Open Public Session.

Meeting adjourned at 11:05 a.m.
Minutes submitted by Lisa A. Nance