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STATE OF ARIZONA  
ARIZONA INDEPENDENT REDISTRICTING COMMISSION

REPORTER'S TRANSCRIPT OF PROCEEDINGS

PUBLIC SESSION

Phoenix, Arizona  
May 4, 2001  
9:20 a.m.

ARIZONA INDEPENDENT  
REDISTRICTING  
COMMISSION

LISA A. NANCE, RPR  
Certified Court Reporter  
Certificate No. 50349

1           THE STATE OF ARIZONA INDEPENDENT REDISTRICTING  
2           COMMISSION convened in Public Session on May 4, 2001, at  
3           9:20 o'clock a.m. at the Capitol Building Executive  
4           Tower, 1700 West Washington, Grand Canyon Training Room,  
5           Basement Level, Phoenix, Arizona, in the presence of:

6

7           APPEARANCES:

8

          CHAIRMAN STEVEN W. LYNN

9

          COMMISSIONER JAMES R. HUNTWORK

10

          COMMISSIONER JOSHUA M. HALL (telephonically)

11

          COMMISSIONER ANDI MINKOFF

12

          COMMISSIONER DANIEL R. ELDER

13

          ENRIQUE MEDINA OCHOA, Executive Director

14

          LISA T. HAUSER, Commission Counsel

15

          JOSE de JESUS RIVERA, Commission Counsel

16

          LISA A. NANCE, RPR, CCR, Court Reporter

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          JOHN ADLER, Arizona State Procurement

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SPEAKERS FROM CALL TO THE PUBLIC:

None.

NATIONAL DEMOGRAPHICS CORPORATION:

FLORENCE ADAMS  
MARGUERITE MARY LEONI

MARICOPA COUNTY ELECTIONS:

KAREN OSBORNE  
TIM JOHNSON

1 Public Session  
2 Phoenix, Arizona  
3 May 4, 2001  
4 9:20 o'clock a.m.

5  
6 P R O C E E D I N G S

7 CHAIRMAN LYNN: Call the meeting to order  
8 at 20 after 9:00.

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

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

18 THE OPERATOR: Okay. This number is for  
19 Joshua?

20 MR. OCHOA: That's who we wanted.

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

23 MR. OCHOA: The number listed on this is  
24 542-1729.

25 THE OPERATOR: All right. You do have a  
large conference to be set up. We'll start now.

1 542-1729.

2 MR. OCHOA: Joshua Hall is the only one to  
3 be brought in.

4 THE OPERATOR: The others you don't want?

5 MR. OCHOA: Just Mr. Hall.

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

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

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

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

15 CHAIRMAN LYNN: Thank you for keeping me  
16 in line.

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

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

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

25 Motion to go into Executive Session?

1 COMMISSIONER MINKOFF: So moved.

2 CHAIRMAN LYNN: Second?

3 COMMISSIONER ELDER: Second.

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

5 (Vote taken.)

6 CHAIRMAN LYNN: Opposed, say "no."

7 Motion carried.

8 We will go into Executive Session.

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

12 (Recess taken.)

13 (Whereupon, at approximately 10:06 a.m.,  
14 the Executive Session concluded and the Commission  
15 reconvened in Open Public Session at approximately  
16 10:10 a.m.)

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

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

23 COMMISSIONER HALL: Thank you.

24 CHAIRMAN LYNN: Next item, discussion,  
25 meeting with National Demographics Corporation.

1 I believe I saw Dr. Adams here as well.

2 MS. LEONI: Did you see her?

3 MS. HAUSER: No, that was not her.

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

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

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

14 COMMISSIONER ELDER: We call it the garden  
15 suite.

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

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

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

24 MS. HAUSER: Number seven.

25 CHAIRMAN LYNN: Seven? Want to go to

1 seven?

2 Without objection, let's take item seven,  
3 inter-governmental agreement with Maricopa County.

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

7 And here is Dr. Adams.

8 There was an issue that arose as to  
9 whether you and Mr. Elder and subcommittee members were  
10 to be involved in those discussions. After speaking  
11 with Lisa and Karen, we remembered that it was the  
12 intention, somebody discussed that you should all be  
13 involved. But there wasn't a motion to authorize the  
14 two members to actually be involved as the subcommittee.  
15 And we thought we'd address that issue at this time.

16 CHAIRMAN LYNN: I think we were  
17 constituted as a subcommittee to deal with any and all  
18 offerers under that RFP. I don't think we needed a  
19 separate motion on a consultant-by-consultant basis.  
20 Mr. Elder and I were to deal with consultants, any  
21 consultants under that RFP, Maricopa County, EDS, NDC.

22 Mr. Elder, do you have different  
23 understanding?

24 COMMISSIONER ELDER: That's my  
25 understanding.



1                   CHAIRMAN LYNN: Unless that's a problem,  
2 we'll do that.

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

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

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

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

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

24                  MR. OCHOA: Also, we also discussed the  
25 web page.

1                   COMMISSIONER ELDER: Mr. Chairman, can I  
2 ask Tim and Karen if they are willing to participate in  
3 without a contract on responsibilities of NDC and how it  
4 fits in --

5                   COMMISSIONER HUNTWORK: I can't remember.  
6 My intention, I thought I made a motion for you and Dan  
7 to conclude the agreement, expanding the authority  
8 granted to you in the original motion. If I didn't, I'd  
9 like to do that now, if I can.

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

12                  Ms. Hauser.

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

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

20                  COMMISSIONER ELDER: Should we make the  
21 motion again?

22                  COMMISSIONER HUNTWORK: I don't think we  
23 need.

24                  CHAIRMAN LYNN: If --

25                  COMMISSIONER HUNTWORK: If it's on the

1 agenda, it's in order.

2 CHAIRMAN LYNN: If it's duplicative.

3 COMMISSIONER MINKOFF: I second.

4 CHAIRMAN LYNN: Moved and seconded.

5 Discussion?

6 All in favor, say "aye"?

7 (Vote taken.)

8 CHAIRMAN LYNN: Opposed, "no."

9 Motion carries unanimously.

10 Back up to item four.

11 Welcome, Dr. Adams.

12 DR. ADAMS: Thank you.

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

18 MR. ADLER: Yes.

19 CHAIRMAN LYNN: Signed.

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

22 CHAIRMAN LYNN: We're pressed into  
23 service, summer upon us, and we need to begin the formal  
24 discussion of your time line, your process, how you will  
25 proceed from this point and, essentially, what would

1 have constituted the week-one deliverables, to begin  
2 that process so we start off the block and all know what  
3 proceeds from that point.

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

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

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

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

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

24 DR. ADAMS: Yes. We'd be happy to do  
25 that.

1                   The timetable we're talking, week one,  
2 week two, you'd like to see that compressed some, if we  
3 can possibly do that?

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

15                   DR. ADAMS: That's right.

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

19                   MS. LEONI: I think one of the things we  
20 might want to bring back to you very early next week for  
21 your consideration is a proposed schedule for hearings.  
22 Right now the Commission is considering only six. Our  
23 initial reaction to that is that may be shy of what we  
24 need on this first round. I think what we'd like to  
25 hear from you right now are perhaps your views and

1 suggestions about what areas and additional areas where,  
2 from your personal knowledge is, your knowledge of the  
3 state, and your local constituencies, areas you are  
4 from, where you believe would be good areas for holding  
5 those hearings, let us early this week, perhaps even  
6 Monday, have a tentative schedule to review with counsel  
7 and have that for you as well.

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

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

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

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

25 Obviously, we've been thinking about it,

1 have independent thoughts, and have seen thoughts put  
2 out there in the public. I think all of these are worth  
3 taking a look at initially and bringing in these  
4 approaches for you to take a look at.

5 It would be good for us to hear from you.

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

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

12 DR. ADAMS: To the grid.

13 MS. LEONI: To the grid.

14 DR. ADAMS: I should say one thing right  
15 at the outset. We must use census geography and data as  
16 the basis. That's what we have to use, given there are  
17 many ways to approach the grid. And Mr. Osterloh has  
18 suggested an approach to the grid. Mr. Grest had an  
19 approach to the grid. We've looked at approaches to the  
20 grid. I suspect you've looked at approaches to the  
21 grid. We'd like to list out all those approaches,  
22 anything that comes to us from you in addition to the  
23 ones we know are out there, and then take a quick look  
24 at those, have counsel take a good look at those, and  
25 see if we can't move ahead fairly quickly.

1                   CHAIRMAN LYNN: Is it appropriate at this  
2 time to give you that input in terms of our thoughts  
3 about grid construction?

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

6                   CHAIRMAN LYNN: Let's deal separately.  
7 Grid construction first and move to hearings and other,  
8 to keep them confined and in order.

9                   Mr. Elder.

10                  COMMISSIONER ELDER: Reverse order,  
11 easiest one first.

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

14                  Mr. Elder.

15                  COMMISSIONER ELDER: I think we want to be  
16 closer to 11 or 12. Just looking at the state, drawing  
17 Xs and squares where I think we have masses of  
18 population, it comes out to about 11. My preference, or  
19 the preference, what I'm looking at, is something up in  
20 the Kingman area, far north; Yuma, river communities in  
21 the Southwest; we probably need somewhere in the range  
22 of four meetings, don't know what to call it, west  
23 valley, north, south, going around the mountain,  
24 something like that, metropolitan area, Maricopa County;  
25 Flagstaff might include the northern, north central



1 portion of the state; Springerville area, hit the east  
2 central portion; and southeast, which would include  
3 Sierra Vista, Benson, Wilcox, Safford area; two in the  
4 Tucson area, one to the north, south being Nogales,  
5 Green Valley, southern part of it, metropolitan area,  
6 and north picking up, go as far as Casa Grande or not.  
7 Maybe Casa Grande is the southern part, southern part of  
8 the Phoenix metropolitan area.

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

13                   Anybody have --

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

1 need to make sure that their input is taken very  
2 seriously.

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

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

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

25 COMMISSIONER HALL: I agree.

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

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

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

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

23          CHAIRMAN LYNN: Mr. Elder?

24          COMMISSIONER ELDER: I think listening to  
25     Joshua's comments there, we're mixing categories. One

1 is geographic population mass of the state. I think we  
2 take a risk if we address specific tribes. We have 21  
3 communities, Native American communities, Navajo, Apache  
4 White Mountain, then not address Asians, Hispanics,  
5 other communities of interest. We need to look at that  
6 as maybe a parallel second tier, communities of  
7 interest, and then have access by the general public  
8 being a different type of thing.

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

16 CHAIRMAN LYNN: Now, the question arises,  
17 again, you can have an infinite number of meetings in  
18 the time allotted. The question of, number one,  
19 staffing those meetings and, perhaps, as importantly,  
20 Commission representation at those meetings. There are  
21 some limitations in terms of if we feel it is important  
22 for at least one member of the Commission to be present  
23 at all those meetings, then we better have a fairly  
24 complete list fairly early on of what those meetings are  
25 going to look like so we divide them up in some fashion

1 and know what they look like. It will be virtually  
2 impossible, I believe, unless we're all prepared to take  
3 leaves of absence from --

4 COMMISSIONER MINKOFF: -- life.

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

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

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

24 I don't think we'll be able to get all of  
25 us to 20, 30 meetings around the state.

1                   COMMISSIONER HALL: No doubt.

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

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

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

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

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

22                   Perhaps what we'll be doing is thinking  
23 that through in the schedule we propose to you for your  
24 reaction and maybe under a geographical area, and we'll  
25 consult with your attorneys on this as well, identify

1 some specific interest groups that could be invited at  
2 that same location. I think it's wise.

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

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

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

1 on the hearings.

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

6 CHAIRMAN LYNN: Mr. Huntwork?

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

20 CHAIRMAN LYNN: My concern, let me react  
21 to it. My concern is every citizen of the state,  
22 regardless of which community or communities of interest  
23 they may belong to or consider themselves, have the  
24 opportunity to address the Commission and that the  
25 weight of that input is by and large equal in



1 consideration. That's very important to me.

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

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

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

17           MS. HAUSER: Want me to go first?

18           CHAIRMAN LYNN: Mr. Elder.

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

1 equal weight, I don't think we really have private  
2 meetings, just not a full quorum.

3 COMMISSIONER HUNTWORK: That's right.

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

8 COMMISSIONER ELDER: Attempts.

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

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

20 CHAIRMAN LYNN: Ms. Hauser.

21 MS. HAUSER: The point I wanted to make to  
22 the members of the Commission is that certainly as  
23 Mr. Huntwork indicated you are going to get a lot of  
24 requests for meetings that -- from various interest  
25 groups who may or may not be able to attend various

1 public meetings and just want to sit down with you.  
2 There is nothing inappropriate about doing that as long  
3 as there is not a quorum of Commission members present.  
4 But with any meetings, whether public meetings or any  
5 phone call you get from an interest group, or any  
6 sit-down kind of meeting that you have with someone, it  
7 is imperative that those meetings all be documented and  
8 that you -- that we know, essentially, exactly what was  
9 requested of you.

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

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

18 CHAIRMAN LYNN: Mr. Huntwork.

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

1 pluses and minuses.

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

11 DR. ADAMS: Mr. Chairman.

12 CHAIRMAN LYNN: Dr. Adams.

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

24 CHAIRMAN LYNN: I also make a distinction,  
25 want to be clear about the distinction of taking

1 meetings that have the purpose of giving information as  
2 opposed to collecting information. I've received a  
3 number of requests to give information about the  
4 process, what we're doing. I have no problems with  
5 those happening whenever those are appropriate as long  
6 as we all understand we should give the same information  
7 or information consistent with someone else's. But  
8 to -- unless we use a significantly structured process  
9 for those private meetings which includes literally  
10 answering a series of questions or filling out a form or  
11 condensing that information into a form that will look  
12 like information gathered at other venues through other  
13 means, I would have a problem with doing it. If we have  
14 that kind of process and all agree those meetings would  
15 follow that process, so regardless of the source it  
16 comes back looking like information we've seen  
17 everywhere and gotten from whomever wishes to meet with  
18 us, I have less of a problem with it.

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

22 Part of that disclosure could be the  
23 instruments and citizen kits you are going to be  
24 receiving from NDC. But you may, if you -- I appreciate  
25 very much Mr. Huntwork's comment that this can be a

1 method to expand contact. You may want to ask your  
2 legal counsel to propose back to you an ex parte contact  
3 protocol to propose back to you to use on who made  
4 contact, details of contact, what was discussed, and  
5 have attached to that the instruments developed in the  
6 course of the meeting. And it may turn out to be an  
7 additional source of information and important  
8 information for the Commission.

9 CHAIRMAN LYNN: Ms. Minkoff.

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

22 MR. RIVERA: Public record irrespective.

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

25 COMMISSIONER MINKOFF: Feedback from them

1 later on that's not what we said at all.

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

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

11 MR. RIVERA: And you weren't invited.

12 COMMISSIONER ELDER: Something I can  
13 understand.

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

16 COMMISSIONER ELDER: Something as an  
17 instructor we can use.

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

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

24 COMMISSIONER ELDER: I'd so move and like  
25 that to extend. Discussion --

1 CHAIRMAN LYNN: Can I run the meeting,  
2 Mr. Elder?

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

5 COMMISSIONER ELDER: So moved.

6 CHAIRMAN LYNN: Is there a second?

7 COMMISSIONER HUNTWORK: Second.

8 CHAIRMAN LYNN: Discussion.

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

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

14 DR. ADAMS: I think we should be included.

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

17 COMMISSIONER ELDER: Compatible with  
18 categories.

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

21 COMMISSIONER MINKOFF: Yes.

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

24 COMMISSIONER HALL: I don't know. I guess  
25 I'd ask legal counsel. My preference, I think there



1 needs to be at least two people at every meeting. I  
2 think if only two are able to be there, at least one of  
3 those members should be a Commissioner and legal  
4 counsel. Is that going to spread counsel too thin in  
5 answering those several requests for solicitations?

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

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

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

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

24 MS. HAUSER: Protocol, I think, would be  
25 one that would certainly provide for essentially the

1 record keeping component of the meeting as well as just  
2 providing a public record of that but also for purposes  
3 of providing some protection for the Commission with  
4 respect to the information brought to it. And if the  
5 protocol adequately addresses those issues, I don't  
6 think it will matter considerably whether or not there  
7 is a Commission member present for each one, legal  
8 counsel present for each one. I can imagine members of  
9 the public coming into the Commission office and wanting  
10 to leave input with the Executive Director or other  
11 staff and the protocol, as I would envision it, would  
12 allow for that to occur. We'd just have a rather  
13 standardized format for doing that.

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

22 I think Mr. Hall is talking about  
23 something beyond that. Mr. Hall, tell me if I'm wrong.  
24 Like if he wants to meet with a group or leader,  
25 Chairman of the Navajo Tribe, and I think that's a

1 little different than just the checklist. And those  
2 kind meetings I think it might be wise to have not only  
3 a Commissioner, either staff, particularly maybe legal  
4 counsel, if you can afford it, not very many of them,  
5 those will have larger, broader questions than an  
6 individual coming in asking or talking with one person.

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

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

21 My experience with Indian tribes'  
22 protocol, it's very important we need at all times to  
23 make sure we have the appropriate level person meeting  
24 with whoever is coming from that Indian community. If  
25 you have a Tribal Chairman, for example, you are

1 definitely going to want to have a member of the  
2 Commission there, not send a staff person. Observing  
3 some cultural protocols is important and you have to  
4 deal with them as they come up.

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

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

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

12 CHAIRMAN LYNN: Or Lisa --

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

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

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

25 COMMISSIONER MINKOFF: Remind me.

1                   CHAIRMAN LYNN: The motion is to develop a  
2 protocol for Commissioners and staff and consultants to  
3 address the way in which a private meeting to collect  
4 input might occur.

5                   COMMISSIONER HALL: Would that include  
6 telephone calls?

7                   CHAIRMAN LYNN: It should.

8                   MS. HAUSER: Yes.

9                   COMMISSIONER HALL: Okay.

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

12                  (Vote taken.)

13                  CHAIRMAN LYNN: Opposed, say "no"?

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

17                  CHAIRMAN LYNN: Mr. Elder.

18                  COMMISSIONER ELDER: Protocol. I'd like  
19 to be able to send an e-mail to all Commissioners and  
20 the Executive Director when the request comes in from a  
21 particular group to see if any other Commissioners want  
22 to attend as long as we don't get into any more than a  
23 quorum. Is that -- is there some way of accomplishing  
24 that if I wanted attend a meeting with Joshua or Steve,  
25 I could?

1                   MR. RIVERA: I think that could be  
2 answered in part of the protocol. The wisest way, off  
3 the top, that Commissioner goes to the Executive  
4 Director, Executive Director says ta-da going to X  
5 meeting, anybody else, run through staff and executive  
6 office, easiest way to do it.

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

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

11                   COMMISSIONER ELDER: Okay.

12                   CHAIRMAN LYNN: Let's clear up that.

13                   The question that goes along with that,  
14 if, for example, there are meetings in -- pick Phoenix,  
15 for the sake of argument, because two commissioners live  
16 in Phoenix. If one of the meetings is in Phoenix and  
17 either Mr. Elder or I or Mr. Hall want to join that  
18 meeting creating a quorum, that meeting then needs to be  
19 noticed.

20                   MS. HAUSER: Right.

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

24                   MS. HAUSER: Wouldn't be noticed as an  
25 official notice of --

1                   I think the best thing, on any of these,  
2                   to encourage maximum attendance, go ahead and notice  
3                   them all as if there were three members of the  
4                   Commission there.

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

7                   MS. HAUSER: Yes.

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

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

14                  I still have in mind less formal contacts  
15                  that will promote input where we wouldn't want to wait  
16                  48 hours or give notice --

17                  If notice, a formal record, court  
18                  reporter --

19                  MS. HAUSER: Scheduled meetings.

20                  COMMISSIONER ELDER: Clarify. Somebody  
21                  that says I have somebody in town, would like to see if  
22                  we can set up a meeting with the rest of the  
23                  constituency, user group, whoever it might be. I'd like  
24                  to be able to say I'm going to agree to this as a group.  
25                  I think we should get the input from. I'll be doing it

1 on the 5th, which might be tomorrow, whoever. And if  
2 anybody could attend, if not, so everybody knows kind of  
3 what the next contacts and responses have been and not  
4 as a formal, oh, going to have a hearing, make a formal  
5 presentation.

6 CHAIRMAN LYNN: Ms. Minkoff.

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

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

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

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



1 representing the same geographic area.

2 CHAIRMAN LYNN: Ms. Hauser.

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

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

18 There may be a particular community of  
19 interest or particular group that says we want to have a  
20 dialogue with you. And that's all they want, even  
21 though a public record is made. The communication is  
22 restricted to that community of interest and an  
23 appropriate Commissioner or Commissioners choose to  
24 attend. It's a very different meeting, don't have press  
25 there, don't have other people there, don't have other

1 people there as part of the conversation. A private  
2 conversation of which a public record is made, very  
3 different than a public meeting.

4 MS. HAUSER: That's correct.

5 CHAIRMAN LYNN: Mr. Huntwork.

6 COMMISSIONER HUNTWORK: Technical  
7 question. I want to make sure we've really thought this  
8 through. Is a communication among us simply over who is  
9 going to attend the meeting a potential violation of the  
10 open meeting law?

11 MR. RIVERA: You are reaching a decision.

12 MS. HAUSER: Yes.

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

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

20 Having said that, I understand we may want  
21 to reach out to specific groups to have conversations  
22 about their feelings about this process. And I respect  
23 that. I also have some concerns that in some cases, the  
24 representatives of communities of interest may be very  
25 formal and very clear. In other cases, they may be

1 people who purport to represent a community of interest  
2 who have no more standing in that community than anyone  
3 else in that community.

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

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

12 Mr. Elder.

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

23 MR. RIVERA: That's required for open  
24 meeting law, not only good for the public, also good for  
25 our preclearance.

1 COMMISSIONER ELDER: Okay.

2 CHAIRMAN LYNN: Thanks for sharing that.  
3 Appreciate that as well.

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

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

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

16 COMMISSIONER MINKOFF: Do you have enough  
17 from us?

18 DR. ADAMS: Yes.

19 MS. LEONI: Yes.

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

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

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

25 CHAIRMAN LYNN: I'd call the Commission

1 back in session.

2 Mr. Hall, are you there?

3 COMMISSIONER HALL: Yes, sir.

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

8 Mr. Elder.

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

17 CHAIRMAN LYNN: Mrs. Minkoff.

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

25 DR. ADAMS: Once we determine an approach,

1 once you have an approach for developing a grid, you  
2 could start anywhere, start in the middle of the state,  
3 start up in the northeast, Southwest, whatever. What  
4 we're suggesting is that there may be different starting  
5 points that would actually give different results, and  
6 you may want to explore the possibility of each  
7 selecting a starting point so that you have a number of  
8 options.

9 CHAIRMAN LYNN: Mr. Huntwork?

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

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

15 COMMISSIONER HUNTWORK: There are  
16 something like 17 different mathematical ways to tile a  
17 plane. Each number of those have a finite to infinite  
18 number of variations. And, furthermore, the research  
19 indicates mathematicians refer to those patterns as  
20 grids, as a result of the tiling pattern called a grid.  
21 Therefore, two thoughts emerge. If we view this as a  
22 mathematical exercise, it is an extremely -- it could be  
23 an extremely complex one, and it's one that has no  
24 unique solution, mathematically speaking.

25 What the proposition literally requires us

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

23 Thought number two is to the extent that  
24 we cannot do that, either legally or practically,  
25 because we need to get going and it is going to be

1     awhile before we have any such information, there's one  
2     other approach that is both simple and unique, and that  
3     is to try to create a grid consisting of as close as  
4     possible two squares, that is right angle boxes with  
5     sides as close as possible to equal length containing as  
6     close as possible to equal population based on census  
7     population and which have, as the sum of the lengths of  
8     the sides of all of these boxes the minimum distance.

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

21                    CHAIRMAN LYNN: Let me see if I understand  
22    the proposal. First, assuming that we're not otherwise  
23    restricted by the amendment, constitutional amendment,  
24    if I understand what you are saying, Mr. Huntwork, we  
25    would use the census blocks, I'm going to use a term, as



1 the basic building block for grid making and that we  
2 would aggregate those blocks using, as best we could,  
3 straight lines, to aggregate in a fashion, in the case  
4 of congressional, eight equal population groupings of  
5 blocks and legislatively 30 groupings of blocks that  
6 would have been aggregated in such a fashion as to try  
7 to maintain a shape that is recognizable as straight  
8 lines, basically.

9 COMMISSIONER HUNTWORK: Squares, as much  
10 as possible.

11 COMMISSIONER MINKOFF: Correct angles.

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

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

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

20 CHAIRMAN LYNN: Do I understand that?

21 MS. LEONI: May I ask?

22 COMMISSIONER HUNTWORK: Yes.

23 MS. LEONI: Unique, only one of those  
24 because of the constraints of the relationship of the  
25 sides?

1                   COMMISSIONER HUNTWORK: Constraints of the  
2 pattern, minimum length, total length of sides of the  
3 squares, smallest square.

4                   CHAIRMAN LYNN: Issue of compactness.  
5 Each would be as compact as possible.

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

11                  COMMISSIONER HUNTWORK: Correct.

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

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

25                  CHAIRMAN LYNN: Wouldn't it also make

1 sense, just as an academic question, you indicate that  
2 solution would be unique. I want to get to uniqueness,  
3 want to talk about that uniqueness a moment. Unique I  
4 guess is dependent on where you began the process.

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

9 CHAIRMAN LYNN: Only one way to do it.

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

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

17 COMMISSIONER HUNTWORK: Yeah.

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

21 COMMISSIONER MINKOFF: Population center.

22 CHAIRMAN LYNN: -- or let's say a building  
23 block that is most dense. That is to say wherever the  
24 most dense census block occurs, start there. And  
25 whether that's correct or not, it's at least random.

1                   COMMISSIONER ELDER: The other thing that  
2 would make it random would be if you took a weighted  
3 point, every person was weighted the same amount in the  
4 state, each precinct block was weighed the same amount  
5 in the state, wherever that point fell, that would be  
6 the mass central of the population. Instead of the  
7 densest precinct, densest precinct in the middle of  
8 Yuma, random, start there, I suppose.

9                   CHAIRMAN LYNN: That would be a point.

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

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

22                  MR. RIVERA: That's correct.

23                  COMMISSIONER MINKOFF: So it has to be --

24                  MR. RIVERA: Just population.

25                  COMMISSIONER MINKOFF: -- blind to

1 everything except equal population.

2 MR. RIVERA: Yes.

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

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

18 My reaction to that is as long as you are  
19 working with minimal building blocks that are census  
20 blocks which essentially shouldn't be cut up, shouldn't  
21 be invaded, if there is at all a possibility to not do  
22 it, that initial grid doesn't ever get thrown out. It  
23 simply morphs as information is added to the list of  
24 considerations, because those initial building blocks  
25 stay the same, initial building block components of the

1 initial grid. As lines move to achieve some of the  
2 other subsets of things we have to achieve, the essence  
3 of that grid still remains. It may very well wind up  
4 not looking very much not like the initial grid, but it  
5 will be a logical grid from where we start to where we  
6 wind up by doing that.

7 Now give another answer.

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

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

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

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

24 COMMISSIONER HALL: I'm here.

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

1 to you.

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

16 CHAIRMAN LYNN: Mr. Hall?

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

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

21 DR. ADAMS: We have the census geography.

22 CHAIRMAN LYNN: The consultants do.

23 COMMISSIONER HALL: They have a map that  
24 already constitutes consensus blocks throughout the  
25 state.

1 DR. ADAMS: Correct.

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

11 CHAIRMAN LYNN: Okay. Mr. Huntwork?

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

24 The idea of compactness, again, if we're  
25 choosing right angles, the idea would be to make things



1 as closely to square shaped as possible, if that's as  
2 closely to compact right angle figures.

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

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

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

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

17 MR. ELDER: The western boundary of the  
18 state.

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

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

25 MS. HAUSER: Mr. Chairman, a suggestion, I

1 think, since this particular portion noticed the meeting  
2 with NDC to solicit from Dr. Adams or ask her,  
3 basically, if she feels that she has enough sense of  
4 what the Commission's concerns are to move forward and  
5 then at a later meeting provide you with enough  
6 alternative maps for the Commission to consider for the  
7 grid if or if she needs additional information or  
8 information she needs she hasn't gotten so far.

9 CHAIRMAN LYNN: Dr. Adams?

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

25 Maybe look at historical development of

1 counties. We do have the Historical Atlas of Arizona,  
2 go county by county. Be able to justify every decision  
3 you make, some sort of context like that, possibly  
4 historical context.

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

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

11 CHAIRMAN LYNN: Mr. Huntwork.

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

21 CHAIRMAN LYNN: Ms. Minkoff.

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

25 If you are comfortable doing more than one

1 grid, then maybe an appropriate way to proceed would be  
2 to identify a series of logical starting points. One of  
3 them, I think, the Gila and Salt Base Line Meridian, one  
4 might be geographical center of the state, one might be  
5 geographical center of the state. Those are three  
6 starting points we can justify. There may be others.

7 DR. ADAMS: May I follow up on that?

8 CHAIRMAN LYNN: Please.

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

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

23 DR. ADAMS: I think a starting point for  
24 each Commissioner or starting points for each  
25 Commissioner.

1 CHAIRMAN LYNN: Mr. Huntwork.

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

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

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

19 Dr. Hardy, back in Claremont, has been  
20 actually working on this a little bit. And he has  
21 suggested a set of rules. Each of these units goes one,  
22 two, three, four, five, six, seven, eight, nine, 10, 11,  
23 12.

24 COMMISSIONER MINKOFF: Townships?

25 DR. ADAMS: The way we move through

1 townships and aggregate them. Logical -- they are  
2 numbered. Once you start -- once you find the starting  
3 point, just move through the numbers of those townships  
4 and aggregate.

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

7 DR. ADAMS: Nothing to do with it.

8 COMMISSIONER HUNTWORK: Even nothing to do  
9 with compactness.

10 MS. LEONI: And up.

11 COMMISSIONER HALL: Nor should it.

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

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

19 COMMISSIONER HALL: Get ready.

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

23 DR. ADAMS: He has a set of rules, can  
24 bring information back to you when I bring information  
25 back. He's been working on it and he's the expert.

1                   CHAIRMAN LYNN: Dr. Adams, if we schedule  
2 a meeting next week, is that enough time for you to  
3 begin that process?

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

6                   CHAIRMAN LYNN: Bring back approaches.

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

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

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

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

25                  CHAIRMAN LYNN: May not be next week.

1 DR. ADAMS: May be able to do draft  
2 materials.

3 CHAIRMAN LYNN: Maybe in terms of process.  
4 Again, from my perspective, so long as we  
5 begin with, I'll use the term again, building blocks  
6 definable in terms of not only whatever shape they  
7 happen to be in, characteristics, ultimately have to do  
8 other things with them, ultimately other tests will have  
9 to be applied. I'm not so concerned so long as we can  
10 agree that census blocks are the basic building block of  
11 construction.

12 DR. ADAMS: Yes.

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

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

22 In my mind, I think each of us has played  
23 this out in our own little video game in our head. If  
24 we start with a grid, however that grid is constructed  
25 and begin to do the kinds of changes that the process



1 will dictate, the final product is going to look quite  
2 different from that original grid.

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

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

12                   COMMISSIONER HALL: Mr. Chairman.

13                   CHAIRMAN LYNN: Mr. Hall.

14                   COMMISSIONER HALL: I like this idea.  
15 It's something I haven't considered, with respect to the  
16 Gila and Salt River Basin Meridian, legal descriptions,  
17 legal descriptions based on that particular point. And  
18 with respect to the idea if you go to townships and  
19 sections, go to quarter sections, and quarter quarters,  
20 and subsequently probably to actual census blocks.

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

1 challenges.

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

13 CHAIRMAN LYNN: Mr. Huntwork.

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

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

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

21 DR. ADAMS: Yes. That's correct.

22 CHAIRMAN LYNN: Mr. Huntwork.

23 COMMISSIONER HUNTWORK: Just one final  
24 thought on the approach. If we conclude we're  
25 absolutely prohibited from considering any of the

1 adjustment criteria until after we've put out the  
2 initial grid, then compactness is not a factor. But it  
3 just means the final map will be morphed just that much  
4 more in its overall appearance, not necessarily in  
5 population changes, et cetera, but overall appearance.  
6 If we conclude we can consider any of those factors at  
7 all, it would seem the first one we ought to consider is  
8 compactness, seems we should consider the rule of  
9 varying squares.

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

15 So rather than moving into the criteria in  
16 106, we were looking at the words "grid-like" and "equal  
17 population." And "grid-like" we have not at this point  
18 equated with "compactness," because of the two-tiered  
19 system set up in the proposition. Clearly there's a  
20 relationship between grid-like and compactness.

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

1 has been the geographical basis and layout of the state.

2 CHAIRMAN LYNN: Ms. Minkoff.

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

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

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

25 I think you hear from us, we want building

1 blocks to be census blocks. We've already identified if  
2 you want several starting points, at least three of  
3 them, the survey, you know, Gila and Salt River,  
4 geographical center, population center of the state.  
5 Beyond that, if you decide you want to begin in the  
6 northeast corner of the state, southeast corner of the  
7 state, do it one, that way, that's fine, too.  
8 Personally I feel fine at this point charging you with  
9 coming back to us with a 30-district grid and  
10 eight-district grid based solely on population criteria  
11 using the census blocks.

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

14 COMMISSIONER ELDER: I, too, Andi, am  
15 concerned with the process to make sure we have that, we  
16 have a traceable process.

17 I think right from the beginning we ought  
18 to establish some criteria which we evaluate the various  
19 decisions, or the various morphing, if that's what we  
20 want to call it, of the grid.

21 I think it will be important, A, in being  
22 able to have a defensible position of how we approach  
23 it. B, we're going to be getting, we want to call them,  
24 competing plans from interest groups, from communities  
25 of interest, say what would happen if we move this line

1 here, that would best portray this community of  
2 interest. We can sit down: If we make that move it, it  
3 will reduce the compactness quotient this much,  
4 reduce -- we can come up with the effect of change on  
5 one man one vote, one person one vote, excuse me, the  
6 compactness, the distance it is to -- whatever.

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

12 CHAIRMAN LYNN: Mr. Huntwork.

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

18 DR. ADAMS: I agree.

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

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

23 I just urgently request we see that as  
24 well. If we don't consider compactness, there's nothing  
25 wrong with, for example, the approach that one of the

1 members of the public suggested, drawing lines through  
2 the state and cross lines adjusting up by an inch or  
3 foot if necessary until we get close as possible to  
4 equal population. The only trouble with that grid, it  
5 has nothing to do with compactness, does lay the state  
6 out in a grid-like pattern and does have equal  
7 population.

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

11                   MS. LEONI: Grid like.

12                   CHAIRMAN LYNN: Mr. Hall?

13                   COMMISSIONER HALL: I had 106 in front of  
14 me. It says, The Independent Redistricting Commission  
15 shall establish Congressional and Legislative districts.  
16 The commencement of the mapping process for both the  
17 Congressional and Legislative Districts shall be the  
18 creation of districts of equal population in a grid-like  
19 pattern across the state. Adjustments to the grid shall  
20 then be made as necessary to accommodate the goals as  
21 set forth below: A, Districts shall comply with the  
22 United States Constitution and the United States Voting  
23 Rights Act; B, Congressional Districts shall have equal  
24 population to the extent practicable, and State  
25 Legislative Districts shall have equal population to the

1 extent possible; C, districts shall be geographically  
2 compact and contiguous to the extent possible.

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

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

22 Any other input you need to make that  
23 happen in terms of time frame you'll tell us is  
24 appropriate?

25 DR. ADAMS: I'd like to make certain,



1     though, we also test Mr. Osterloh's method. I'm hoping  
2     to get your materials so we can also test that method.  
3     I think we want to take even a closer look at your  
4     method, Mr. Huntwork, and look at that mathematical  
5     method.

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

11                   CHAIRMAN LYNN: Okay.

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

16                   DR. ADAMS: I think we're okay.

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

20                   COMMISSIONER MINKOFF: And citizenizing.

21                   CHAIRMAN LYNN: Mr. Hall?

22                   COMMISSIONER HALL: I want to confirm the  
23    next meeting, in addition to those, or whatever  
24    specified, in addition to the map. We'll be having  
25    draft packets for public outreach meetings.

1                   CHAIRMAN LYNN: I take it from earlier  
2           comments, Mr. Hall, we'll likely see draft packets  
3           before draft grids. At the next meeting, we should be  
4           able to see packets for public outreach, hopefully  
5           scheduled for next week.

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

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

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

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

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

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

1 is Friday.

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

4 DR. ADAMS: Wednesday is the earliest.

5 COMMISSIONER HUNTWORK: I'm not available  
6 Thursday.

7 COMMISSIONER MINKOFF: I'm not available  
8 Wednesday.

9 COMMISSIONER HALL: Friday is my best day.

10 DR. ADAMS: Throw out an alternative.  
11 Push for Tuesday, is that possible?

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

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

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

19 MR. OCHOA: Tuesday?

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

22 COMMISSIONER HALL: Mr. Chairman, is the  
23 14th too late?

24 CHAIRMAN LYNN: Probably.

25 COMMISSIONER MINKOFF: Then have a meeting

1 without everybody here.

2 CHAIRMAN LYNN: Tuesday afternoon as  
3 opposed to Tuesday morning.

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

6 CHAIRMAN LYNN: Okay. Well, works for me.  
7 Who can't be here Tuesday?

8 CHAIRMAN LYNN: Mr. Elder cannot be.

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

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

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

25 Why don't we try for a Thursday meeting.

1 Are you unavailable by telephone as well?

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

4 CHAIRMAN LYNN: I appreciate that.

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

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

11 COMMISSIONER MINKOFF: Fine.

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

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

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

18 COMMISSIONER HUNTWORK: The sole purpose  
19 is this discussion?

20 CHAIRMAN LYNN: Not the sole purpose.  
21 Look at scheduling, look at the public outreach  
22 materials, review those, may be other matters of  
23 staffing and other things we need to consider.

24 MS. HAUSER: Protocol for meeting with  
25 people.

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

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

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

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

23                   DR. ADAMS: And maybe have part of it  
24 there. Certainly the township approach and perhaps  
25 Mr. Osterloh's approach, maybe be able to.

1                   Mathematical approach, I have a  
2 mathematician.

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

6                   DR. ADAMS: Exactly how --

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

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

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

17                  CHAIRMAN LYNN: Wise thing.

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

21                  CHAIRMAN LYNN: I understand. Maybe this  
22 is as good a time as any to talk about conceptually  
23 about the number of meetings we'll have to have and the  
24 freedom of our schedules to accommodate meetings in a  
25 general sense. I'm very sensitive to make sure we all

1 want to make the meetings. However, we all have other  
2 things we have to do in our lives. And it's difficult  
3 at best to make every meeting available to every person  
4 in person and keep to the schedule, I think. I'm not  
5 certain. But when we get the schedule from consultants  
6 about the rest of the process, we will do our best to  
7 try to synchronize calendars to make sure we do the best  
8 job of that.

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

16 COMMISSIONER HUNTWORK: I appreciate that.  
17 We were about to do it Tuesday when I could. I offered  
18 to do it because of limitations.

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

23 MS. HAUSER: To that end, could the Chair  
24 direct the draft agenda be circulated to everyone  
25 Wednesday morning, no later than Wednesday morning? I'm





1 that issue.

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

4 COMMISSIONER HALL: I'm back.

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

7 CHAIRMAN LYNN: Executive Director's  
8 report.

9 Mr. Ochoa.

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

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

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

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

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

25 DR. ADAMS: We have flights. I can change

1       them.

2                       COMMISSIONER ELDER:  Can we take 15  
3 minutes with Mr. Johnson while NDC is here?

4                       Part of what I was seeing in these issues  
5 and scope of work, I want to make sure that Tim and NDC  
6 are going in the direction the Commission wants them to  
7 go.

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

11                      DR. ADAMS:  Want to write me an e-mail of  
12 concerns?

13                      Fine.  If you want me to stay, that's  
14 fine.

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

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

19                      CHAIRMAN LYNN:  Mr. Ochoa?

20                      MR. OCHOA:  Yes.

21                      I'd like to go over first website status  
22 and issues.  We discussed -- we discussed specifically  
23 the naming of the website.  Perhaps that's something we  
24 can address.  Tim and I went down the list and gave some  
25 suggestions.

1                   CHAIRMAN LYNN: I think we did that  
2 informally earlier. I think what we agreed on was  
3 azredistricting whatever.

4                   COMMISSIONER MINKOFF: Option two.

5                   MR. OCHOA: Option two is number one.

6                   We'll see if that is available.

7                   MR. JOHNSON: It's available.

8                   CHAIRMAN LYNN: Tim did a domain search.

9 Good for you.

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

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

16                  MR. JOHNSON: I gave it to Marguerite.

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

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

22                  I think what will happen --

23 Thank you very much.

24                  MS. OSBORNE: You are welcome.

25                  MR. OCHOA: Very similar to what you had

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

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

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

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

24                   MR. OCHOA: Yes, ma'am. I want to make  
25      sure we share it with you all prior to being distributed

1 or posted on the website. That's kind of the idea  
2 behind it.

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

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

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

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

1 have control.

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

6 CHAIRMAN LYNN: Mr. Elder.

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

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

16 MR. JOHNSON: That's correct,  
17 Mr. Chairman, Mr. Elder.

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

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

22 That issue has essentially been resolved.  
23 The County Recorder has it.

24 To start, that's where it will be. The  
25 question is whether you want the domain name, actual

1 address the public could access it to be, a part of the  
2 state domain, that is the state, that is like US, or  
3 your own, azredistricting.org, by choosing  
4 azredistricting.org.

5 CHAIRMAN LYNN: In this case Maricopa  
6 County.

7 MR. JOHNSON: No, the actual --

8 CHAIRMAN LYNN: Or are we buying a web  
9 server?

10 MR. JOHNSON: You could if you want to.

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

13 MR. JOHNSON: Maricopa County.

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

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

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

25 MR. JOHNSON: The county webmaster does



1 and myself, that's it.

2 CHAIRMAN LYNN: Password protected?

3 MR. JOHNSON: Yes.

4 CHAIRMAN LYNN: Okay. Other comments or  
5 questions?

6 COMMISSIONER HALL: Chairman?

7 CHAIRMAN LYNN: Mr. Hall.

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

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

13 COMMISSIONER HALL: All right. Have a  
14 nice weekend.

15 CHAIRMAN LYNN: Good-bye, Mr. Hall.

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

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

1 CHAIRMAN LYNN: Mr. Huntwork?

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

11 CHAIRMAN LYNN: Mr. Johnson.

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

15 CHAIRMAN LYNN: Backed up, stored off  
16 site?

17 MR. JOHNSON: It is.

18 CHAIRMAN LYNN: All that sort of thing?

19 MR. JOHNSON: It is.

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

1 counsel? One per legal counsel? One for the media  
2 person?

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

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

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

21 COMMISSIONER ELDER: I think based on  
22 previous discussions here, in terms of private,  
23 individual meetings as opposed to private, I don't think  
24 we need software, GIS software or other programs,  
25 autoBound, Maptitude, whatever the things are that comes

1 out of the interface with Tim Johnson.

2 I would like to have the potential of a  
3 Power Point there when we go out, whether we use a video  
4 projector or not, who knows, Rotary Club of Benson,  
5 whatever, go out with a laptop, do that, a canned  
6 presentation for outreach.

7 To see how a line gets moved, the effects,  
8 that's beyond what I want to get into.

9 COMMISSIONER MINKOFF: Just to do Power  
10 Point?

11 COMMISSIONER ELDER: That's excessive,  
12 probably. This machine will do everything they are  
13 supposed to do. We don't need --

14 CHAIRMAN LYNN: These specs are too high.

15 COMMISSIONER MINKOFF: I think if there's  
16 one at the office, I could pick it up. I don't need my  
17 own. I'm easy. I'm going somewhere, I'd go by, pick  
18 one up.

19 MR. RIVERA: Chairman, from legal  
20 counsels' viewpoint, we'll work a lot with NDC. We do  
21 need Maptitude and GIS.

22 CHAIRMAN LYNN: That's a distinction.  
23 Commissioners' laptops.

24 MR. RIVERA: You guys all share one.

25 CHAIRMAN LYNN: Mr. Huntwork?



1 if I'm doing that, what will I be required to save if  
2 anything? What will I be required to disclose if  
3 anything? Those are complicated questions. Maybe there  
4 are simple answers to complicated questions.

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

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

16 CHAIRMAN LYNN: I understand that.

17 Mr. Huntwork's point, I have a couple of  
18 comments on that area. One is, to the extent it is  
19 appropriate for us to keep records separate from a  
20 potential liability standpoint, or whatever, I think the  
21 separate computer is an appropriate way to do that. I  
22 would ask a couple things relative to that. One is that  
23 if the domain site has the ability to service e-mail,  
24 that we maintain an e-mail address at the Commission  
25 site and all correspondence, all official correspondence

1       come to us through that site so downloading that e-mail  
2       is different from getting it on our regular computer,  
3       which means we get it separate.

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

5                       MR. JOHNSON: Yes.

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

14                      COMMISSIONER MINKOFF: Will we have  
15      wireless capability?

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

19                      MR. OCHOA: Two questions. Another  
20      question discussed, partly answered, a question  
21      mentioned when I spoke with Tim, if I understood  
22      incorrectly, be able to get, for instance, our own  
23      e-mail, azredistricting.com and forwarded to your own,  
24      those e-mails, what is discoverable would be the  
25      original e-mail at azredistricting.com, because it's the

1       only thing receiving in your own personal e-mail is a  
2       copy of the original. I'm saying that because that adds  
3       some convenience to it. You don't have to go to that  
4       other site to get e-mail for business of the Commission.  
5       You have the option, however. Two options.

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

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

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

20                      CHAIRMAN LYNN: I like your spirit.

21                      MR. RIVERA: Aside from that, they'll ask  
22      you give all e-mails. They won't take hard drives. You  
23      could have a person in the office or somebody separate  
24      e-mails from that aspect. There'd never be a point  
25      they'd come in and grab everything. That would be



1 mind --

2 MS. HAUSER: Keep a record of e-mails you  
3 receive. If receiving e-mails at home, I suggest that  
4 you keep some some record of them, not be deleting  
5 e-mails. I know it's possible to get things, even  
6 deleted, not deleted, or a printout -- it's not  
7 something like that. I don't see a huge issue.

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

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

24 MR. RIVERA: That's something that causes  
25 me concern. If there's litigation, asks me for any maps

1 you may have reviewed, and each Commissioner has 150  
2 maps in their laptop he's been messing around with, that  
3 causes me concern.

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

7 COMMISSIONER HUNTWORK: Read only.

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

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

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

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

21 COMMISSIONER MINKOFF: That's okay.  
22 Hopefully less over here.

23 I don't open that junk in my mailbox.

24 CHAIRMAN LYNN: I want to bring this to  
25 some closure.

1                   I think what we're saying is we don't know  
2 the exact number of laptops to be determined. We are  
3 saying it will be useful for Commissioners, for  
4 Commissioners to have access to laptops and be of  
5 sufficient configuration to do what we need to do with  
6 them. We don't know what that means.

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

12                   MS. HAUSER: We need to get ours, though.

13                   COMMISSIONER ELDER: I propose we go ahead  
14 with like maybe seven computers that have the  
15 capabilities to go whatever range we want to go.

16                   COMMISSIONER MINKOFF: Laptops?

17                   CHAIRMAN LYNN: Laptops.

18                   COMMISSIONER ELDER: Laptops.

19                   Desktops, desktops, three-day turnaround,  
20 equip a station, equip a station Wednesday, Tuesday.  
21 The difference, this laptop and the low end is in the  
22 500 to thousand dollar range. So for five, seven of  
23 them, I would rather go ahead and say have the capacity  
24 and then download software based on the needs of the  
25 individual user. How would that fly?

1 MR. OCHOA: I think -- appreciate it.

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

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

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

11 CHAIRMAN LYNN: Sorry.

12 COMMISSIONER HUNTWORK: He amended to  
13 eight.

14 CHAIRMAN LYNN: No second.

15 COMMISSIONER MINKOFF: Buy or lease?

16 COMMISSIONER HUNTWORK: Acquire.

17 CHAIRMAN LYNN: By lease, if possible.

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

20 (Vote taken.)

21 CHAIRMAN LYNN: Opposed, "no."

22 (Motion passes.)

23 MR. OCHOA: General approval to get  
24 software down the line or formal motion down the line  
25 for all equipment?

1                   COMMISSIONER ELDER:  There's a a lot stuff  
2   on here.

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

5                   COMMISSIONER MINKOFF:  Can we authorize  
6   the Chairman to approve?

7                   CHAIRMAN LYNN:  Be happy to.

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

11                  COMMISSIONER HUNTWORK:  Second.

12                  CHAIRMAN LYNN:  All in favor?

13                  (Vote taken.)

14                  CHAIRMAN LYNN:  Motion passes.

15                  MR. OCHOA:  Personnel matters.

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

23                  I wanted, however, to maybe recommend,  
24  based on -- oh, and maybe -- I wanted to recommend,  
25  however, for instance, in regard to hiring of a media

1 person or some of the other positions, we go through a  
2 process, a process where myself, a couple of the  
3 Commissioners, maybe a representative from personnel  
4 would review the candidates.

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

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

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

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

25 That positions will be established does

1 not mean, as I said, doesn't mean we have to fill them.  
2 Doesn't mean we have to fill them. If we want to fill  
3 on a half-time basis, we can. That's an option we have.

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

9 CHAIRMAN LYNN: Ms. Minkoff?

10 COMMISSIONER MINKOFF: A couple comments.  
11 I'd like to suggest amending that to requiring that  
12 process for professional positions. I don't think we  
13 need to do it for clerical help. I think that's your  
14 call.

15 MR. OCHOA: Appreciate that.

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

23 I'd also like to suggest in such cases the  
24 position, one comes to mind, public information officer,  
25 a person, public information officer, work product is

1 involved. Ask the person to come to the interview with  
2 samples of their work product they've done previously so  
3 we can evaluate them on that basis.

4 CHAIRMAN LYNN: Mr. Huntwork.

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

10 Has this board taken any action on that?

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

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

21 COMMISSIONER ELDER: My understanding, at  
22 the last teleconference I requested we have that  
23 staffing, that it had not been done. What had been  
24 done, Mr. Ochoa had gone to State Administrative  
25 Services, requested classification of six different



1 employee classes he might need, or that had been done,  
2 or to shorten the process. I didn't know we ever had  
3 reviewed or looked at the staffing.

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

8 MR. OCHOA: Okay.

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

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

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

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

25 COMMISSIONER MINKOFF: Tim Johnson.

1 MS. HAUSER: Yes, that's Tim.

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

9 CHAIRMAN LYNN: Which one, Ms. Rockwell?

10 MR. OCHOA: Administrative assistant,  
11 executive staff, different title. About the same thing.

12 Other one, combine press secretary and  
13 outreach to a certain degree. No problem. No problem.

14 When I did propose the idea, it was based  
15 on staffing patterns utilized in the State of Colorado,  
16 Washington, other places I called in researching and  
17 taking input from the Commission on what we needed to do  
18 as well as looking at the proposition and determining  
19 how to go about getting to the goal we have.

20 CHAIRMAN LYNN: Mr. Elder.

21 COMMISSIONER ELDER: Mr. Ochoa and  
22 Ms. Hauser, maybe I'm missing something here, but it  
23 seems like we have a whole bunch of administrative  
24 whatever. How much contract management will we have?  
25 There are three contracts.

1                   CHAIRMAN LYNN: Not much.

2                   MS. HAUSER: That's right.

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

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

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

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

22                   It's hard to explain, I guess, until  
23 you've actually seen what they do. But every aspect of  
24 the flow of the agency's work, essentially, with respect  
25 to payroll, as I said, all the bills getting paid,

1 monies coming in, all those kind of things are really  
2 the purview of the administrative service officer.

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

9 COMMISSIONER ELDER: I guess to follow  
10 those things, ADOA financial services, financial  
11 accounting and bookkeeping, seems we get requests on a  
12 certain breakdown by line item what expenses are and  
13 what claims against the state via IRC, we either then  
14 have the Executive Director, based on directions to him  
15 and then have ASO on top of that? I don't know what --  
16 never mind.

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

19 CHAIRMAN LYNN: Mr. Huntwork.

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

23 MS. HAUSER: As opposed to an Executive  
24 Director?

25 COMMISSIONER HUNTWORK: Yes.

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

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

10 MS. HAUSER: Yes.

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

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

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

22 In the area of procurement, for example,  
23 an area, an ASO could help. Right now we're having to  
24 go through -- having to go through the state procurement  
25 process. The other agencies see us as an independent

1 agency. Even though those services are made available  
2 or have been made available to us, it's not necessarily  
3 because they were budgeted or they were programmed in  
4 for them to help us or to address our particular needs.

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

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

17           The point of this is there's really no  
18 other responsibility. That seems to me the contract  
19 management, administrative office at the bottom, and one  
20 of the other positions up top, ought to be able to be  
21 combined into a generalist who could perform most of  
22 those functions. I think we'll have bursts of  
23 procurement need and periods of no need at all. Buy  
24 some stuff, probably not buy anything else for a while  
25 of any consequence. Have certain -- one thing critical

1 for me, and, one, I'm concerned we don't have time to  
2 wait on, and I understand Mr. Huntwork's concern is with  
3 that person, that person, that is to say start public  
4 outreach as early as next week in some form.

5 That individual should have been on board  
6 three weeks ago.

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

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

15 Those are my comments on staffing.

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

24 MR. OCHOA: Okay.

25 CHAIRMAN LYNN: Next.

1 MR. OCHOA: I appreciate it.

2 Office space is ready for us to move in.  
3 The telephones have been transferred over. I have been  
4 spending the last couple of days there, half over there,  
5 half over here.

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

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

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

15 Other than that, I think that concludes my  
16 report.

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

19 Mr. Elder?

20 COMMISSIONER ELDER: I don't know if this  
21 comes under Mr. Ochoa or Tim Johnson. Some things need  
22 to get in place in the next week or so. I don't know  
23 whether they're in place in the office or not. I'd like  
24 to set up the website, authorize him to do that, if we  
25 have to file a hundred, two hundred dollars for a domain



1 name, whatever, get the domain name established, set up  
2 so that can be processed. Then as we need to go into  
3 office network, is the cabling done? Do we have  
4 coordination between maybe a desk computer out on the  
5 reception, secretary station as well as Mr. Ochoa's  
6 office space units to get set up immediately as we add  
7 in other people, add in others? Get that and get it  
8 networked, linkage printers, plotters, communications  
9 via modem, or T line, and other stations get linked.  
10 Those are things I saw in the next week period of time  
11 we need to get under way and authorize him to do. If it  
12 needs a motion to expend funds, whatever, or using that  
13 contract with Maricopa County as pick and choose.

14 CHAIRMAN LYNN: Next agenda item.

15 COMMISSIONER ELDER: Next agenda item and  
16 do it.

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

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

24 MR. RIVERA: Didn't you already do that to  
25 the Chairman?

1 CHAIRMAN LYNN: I have that.

2 COMMISSIONER ELDER: Never mind.

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

6 MR. JOHNSON: Right.

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

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

11 CHAIRMAN LYNN: Karen, did I misspeak?

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

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

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

23 CHAIRMAN LYNN: Appreciate that. Thank  
24 you very much.

25 I also assume, not that it makes a

1 difference in terms of equipment venders, the state  
2 already signed up with, assume you have material, we can  
3 order as fast as you can order it in terms of hardware?

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

8 CHAIRMAN LYNN: Thank you very much.  
9 Comments, questions for Mr. Ochoa?

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

22 CHAIRMAN LYNN: I think -- I think the  
23 best way to do that would be hopefully have two of us  
24 meet with Maricopa County, figure out which things need  
25 to happen first, theorize those two be started, and

1 bring back sort of a work --

2 COMMISSIONER ELDER: Okay. Fine.

3 CHAIRMAN LYNN: -- a work program for the  
4 County's IGA.

5 Can we do that, without objection?

6 COMMISSIONER MINKOFF: Absolutely.

7 CHAIRMAN LYNN: Other comments for

8 Mr. Ochoa?

9 Legal counsel, any reason for an  
10 additional Executive Session at this point or other  
11 matters?

12 MR. RIVERA: No.

13 MS. HAUSER: No.

14 MR. OCHOA: Excuse me. Could I, Lisa --  
15 I'll give a copy.

16 COMMISSIONER HUNTWORK: Item nine on the  
17 agenda, I saw public relations program consultant.

18 CHAIRMAN LYNN: Oh, if I were working off  
19 the same one you were.

20 COMMISSIONER HUNTWORK: Signed and posted.

21 COMMISSIONER MINKOFF: I have one. Steve  
22 has one. We need to all get the same.

23 COMMISSIONER HUNTWORK: Is this one  
24 posted --

25 MR. OCHOA: If does not say draft copy,

1 it's the one posted.

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

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

8 When we were interviewing for the position  
9 of Executive Director, a young woman presented herself  
10 for that role I was very impressed with, although we  
11 were more impressed with someone else for that position;  
12 I nevertheless felt in my own mind at least --

13 Where did everybody go?

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

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

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

23 If I understand it, if she's willing to be  
24 hired as an employee, even on a part-time basis, we  
25 would have the ability to hire her. That position has

1     been requested and we could now hire her to fill that  
2     position without having to advertise and do competitive  
3     bidding; is that correct?

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

6                   COMMISSIONER HUNTWORK:  Right.

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

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

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

16                  COMMISSIONER HUNTWORK:  Has the  
17    Department --

18                  MS. HAUSER:  Sorry.

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

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

1 to this, and this is the salary appropriate.

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

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

8 COMMISSIONER HUNTWORK: What range is  
9 approved?

10 MR. OCHOA: Those changes --

11 MR. OCHOA: Haven't approved the range. I  
12 can tell you the range -- 17 and a 21. Those are the  
13 numbers of classifications they have. It is my  
14 understanding that that basically means -- please don't  
15 quote me on this. I'll get specific information for  
16 this. Bring in a PIO person, outreach person, \$35,000,  
17 maybe tops at 65. That's kind of the general range.  
18 Arguably a figure, mid range, anywhere between 15 and 20  
19 some dollars per hour.

20 COMMISSIONER HUNTWORK: Okay.

21 MR. OCHOA: If I might add two comments, I  
22 did on direction of the Chair and comments from  
23 Commissioners approach Ms. Terrazas. I approached  
24 Ms. Terrazas about working for us on a full-time basis.  
25 She wanted to continue to work with her company doing --

1 she had taken on some accounts and would prefer to work  
2 with us on a contractual basis. That was pretty much  
3 what she told me.

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

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

22 COMMISSIONER HUNTWORK: Yes.

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

25 MS. HAUSER: Mr. Chairman, I'd like to



1 correct a statement made a bit ago in answer to one of  
2 Mr. Huntwork's questions, having been corrected by a  
3 personnel expert.

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

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

12 COMMISSIONER HUNTWORK: A stop-gap  
13 measure.

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

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

23 What I'm intrigued with is the notion,  
24 Karen, if you wouldn't mind acting as our expert on the  
25 record now that you've been identified as an expert, if

1 a job is slotted for X dollars, a \$60,000-a-year job, if  
2 you do the math, 60 bucks an hour for a normal year. If  
3 there's someone out there we'd like to hire for no more  
4 than six months to do that job, are we constrained by a  
5 \$30-an-hour figure in terms of hiring that person or on  
6 a part-time basis could we make a deal with somebody for  
7 \$50 an hour or \$100 an hour, some other number?

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

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

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

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

22 CHAIRMAN LYNN: A follow-up question: Do  
23 we know for certain whether or not the State currently  
24 gets the kind of services, I'm not now talking about a  
25 general public relations classification, I'm talking

1 about somebody skilled with outreach into communities to  
2 create dialogues and input, does the State currently get  
3 that kind of service from somebody? And if they don't,  
4 can we go through a waiver that doesn't exist and go  
5 directly to a vender that does that?

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

8 COMMISSIONER MINKOFF: Why am I surprised?

9 COMMISSIONER ELDER: Yes and no or no and  
10 yes?

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

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

25 CHAIRMAN LYNN: Then, what is, Mr. Ochoa

1 and/or Ms. Osborne, when you say a very short period of  
2 time to do an RFP, is that a month, two weeks, tomorrow,  
3 what is it?

4 MR. OCHOA: Karen has been privy to.

5 MS. OSBORNE: A couple questions to ask  
6 legal counsel.

7 Have these been established as exempt from  
8 the merit system?

9 MS. HAUSER: Yes.

10 MS. OSBORNE: If exempt from the merit  
11 system, you have a great deal more latitude. If exempt  
12 from the merit system, there are things can you do.

13 MR. OCHOA: I know uncovered. I don't  
14 know about exempt from the merit system.

15 MS. HAUSER: Those are the same thing.

16 MS. OSBORNE: Uncovered means you don't  
17 pay overtime. State government, as exempt, as the  
18 Executive Director, you can fire at will, don't have a  
19 lot of coverage of personnel, don't have a lot of  
20 things. If, knowing that now, you have a lot more  
21 ability to go out and hire these people. You can say  
22 this is a person that we want. This is a person we want  
23 that fits within the range, and we can do that. You  
24 have a lot --

25 CHAIRMAN LYNN: Hiring. RFP for services.

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

7 CHAIRMAN LYNN: True. A needed service  
8 today.

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

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

15 COMMISSIONER HUNTWORK: Mr. Chairman.

16 CHAIRMAN LYNN: Mr. Huntwork.

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

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

1 capable.

2 CHAIRMAN LYNN: I hear that. I'm trying  
3 to accomplish that same thing.

4 To go with Ms. Terrazas, here's what we'd  
5 like to do in the interim basis. While applying on a  
6 part-time basis, we can only pay \$30 an hour.

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

9 COMMISSIONER HUNTWORK: Freedom to ask the  
10 question.

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

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

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

21 CHAIRMAN LYNN: Part-time, interim basis.

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

24 CHAIRMAN LYNN: How long would it take?

25 MS. HAUSER: A day.

1 MS. OSBORNE: This afternoon, tomorrow.

2 MR. OCHOA: I wouldn't say part of a day,  
3 talking -- give me -- can't do it in one day. No.  
4 Can't do it in one day. 48 hours, three days, that's a  
5 possibility.

6 COMMISSIONER ELDER: Big furniture.

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

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

22 Ms. Minkoff?

23 COMMISSIONER MINKOFF: Number one, if able  
24 to get an agreement with Ms. Terrazas to come on at a  
25 salary acceptable to us and acceptable to her, we might

1 not have to do the RFP. I say do an RFP only if we have  
2 to. If willing to come on a part-time basis for the  
3 duration of the job, let's do it. My question is would  
4 we then need either of these two positions, press  
5 secretary, outreach coordinator, or would she cover one  
6 or both positions?

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

9 COMMISSIONER MINKOFF: She'd do this.

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

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

14 CHAIRMAN LYNN: Lisa, I'm sorry.

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

18 MS. MINKOFF: Full-time position.

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

23 COMMISSIONER HUNTWORK: Mr. Chairman,  
24 that's what I was thinking as well. I didn't say it  
25 clearly.



1                   CHAIRMAN LYNN: Is it then the sense, as I  
2                   stated it, we'd like to try to engage Ms. Terrazas in  
3                   the position of outreach coordinator either on a  
4                   continuing part-time basis, obviate the need for an RFP,  
5                   or failing that, to engage her part-time until the RFP  
6                   can be put out?

7                   COMMISSIONER ELDER: Yes.

8                   COMMISSIONER HUNTWORK: So moved.

9                   COMMISSIONER ELDER: Second.

10                  MR. RIVERA: If I can --

11                  CHAIRMAN LYNN: Mr. Rivera?

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

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

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

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

25                  COMMISSIONER HUNTWORK: I'm not suggesting

1 hire her under any terms whatsoever. Get the last best  
2 offer.

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

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

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

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

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

15 CHAIRMAN LYNN: Right.

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

18 CHAIRMAN LYNN: I understand.

19 MS. HAUSER: Mr. Chairman.

20 CHAIRMAN LYNN: Ms. Hauser.

21 MS. HAUSER: I'm sure that in -- when  
22 Enrique moves through personnel to try to get this  
23 accomplished, we may need to get it clarified, get  
24 direction. I'm happy to try do that. I'm wondering if  
25 the Chairman would request Ms. Osborne walk through a

1 couple mind fields as he walks through personnel. She's  
2 quite used to it.

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

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

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

11 Move back to the motion. Those in favor?

12 (Vote taken.)

13 CHAIRMAN LYNN: Opposed, no.

14 Motion carried.

15 Anything else under this item?

16 MR. RIVERA: No.

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

19 Number 10, call to audience.

20 Anyone wishing to be heard?

21 Seeing no one seeking recognition, move to  
22 item 13.

23 The Commission will stand adjourned until  
24 May 10th, Thursday next, 10:00 a.m., at a location to be  
25 determined.

1 COMMISSIONER MINKOFF: Hopefully not here.

2 CHAIRMAN LYNN: Editorially we'll add that

3 (Whereupon, the hearing concluded at

4 approximately 1:33 p.m.)

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