

ARIZONA INDEPENDENT REDISTRICTING COMMISSION

Wednesday, August 17, 2011
1:04 p.m.

Location

**City of Phoenix City Council Chambers
200 West Jefferson Street
Phoenix, Arizona 85003**

Attending

Colleen C. Mathis, Chair
Jose M. Herrera, Vice Chair
Scott Day Freeman, Vice Chair
Linda C. McNulty, Commissioner
Richard P. Stertz, Commissioner

Ray Bladine, Executive Director
Buck Forst, Information Technology Specialist

Mary O'Grady, Legal Counsel
Joe Kanefield, Legal Counsel

Reported By:
Marty Herder, CCR
Certified Court Reporter #50162
www.CourtReportersAz.com

Phoenix, Arizona
August 17, 2011
1:04 p.m.

P R O C E E D I N G S

CHAIRPERSON MATHIS: This meeting of the Arizona Independent Redistricting Commission will now come to order.

Today is Wednesday, August 17th, 2011, and the time is 1:05 p.m.

Will you please all rise and join me in the Pledge of Allegiance.

(Whereupon, the Pledge of Allegiance was recited.)

CHAIRPERSON MATHIS: Welcome, everyone. It's great to see so many members of the public here in attendance today at this meeting. I have a feeling I know why you're here, a special day.

But let me introduce a few folks around the room first that are helping us.

I will go through roll call first. Then we'll introduce the other guests, so let's start with roll call.

Vice-Chair Freeman.

VICE-CHAIR FREEMAN: Here.

CHAIRPERSON MATHIS: Vice-Chair Herrera.

VICE-CHAIR HERRERA: Here.

1 CHAIRPERSON MATHIS: Commissioner McNulty.

2 COMMISSIONER McNULTY: Here.

3 CHAIRPERSON MATHIS: Commissioner Stertz.

4 COMMISSIONER STERTZ: Here.

5 CHAIRPERSON MATHIS: We have a quorum.

6 And the other members of our team are executive
7 director Ray Bladine is sitting here in a blue shirt and a
8 tie. And if you need to talk to him, please feel free to
9 ask him any questions throughout the day.

10 Our deputy executive director, Kristina Gomez, is
11 also sitting with Ray, not at the moment, but you'll see her
12 soon.

13 Our public information officer, Stu Robinson, is
14 here.

15 Our chief technology officer, Bob Forst.

16 Our legal counsel, Mary O'Grady and Joe Kanefield.

17 Our mapping consultant is here, Ken Strasma and
18 Andrew Drechsler.

19 And am I forgetting anyone else?

20 Then we have a team of outreach coordinators too
21 actually. We have Christy Olsen, Shane Shields, and Lisa
22 Schmelling also too.

23 So any of these folks will be happy to help you
24 should you need anything today.

25 So moving to the next item on the agenda, this is

1 a real treat. It's a rare privilege to have the opportunity
2 to be in the presence of -- let alone introduce -- a true
3 statesman and an American hero.

4 Her list of accomplishments, awards, and honors is
5 too lengthy to detail here. But notably it includes our
6 nation's highest civilian honor, the Presidential Medal of
7 Freedom.

8 There's one aspect of her past that I find
9 especially intriguing, that she served in all three branches
10 of Arizona state government before being nominated by
11 President Reagan to be the first female member of the
12 Supreme Court of the United States.

13 The Arizona Independent Redistricting Commission
14 is very pleased to have with us today the
15 Honorable Justice Sandra Day O'Connor.

16 (Applause.)

17 HONORABLE SANDRA DAY O'CONNOR: Thank you so much.
18 Thank you. I'm the one that's honored to be here.

19 I really am delighted to have a few minutes. I'm
20 going to try to be brief, but I'm here for a couple of main
21 reasons.

22 I want to thank each and every one of you for
23 tackling this job. It's hard job.

24 And I'm sure about now in the process you're
25 saying why did I ever agree to do this.

1 But somebody has to, and you're the somebodies.

2 And I am not here today as a judge or a former
3 legislator. I'm here because I'm a long-time citizen of
4 Arizona. You know, my family lived over in Greenlee County
5 near Duncan out in the middle of no place.

6 And Arizona's my home. I care very much about its
7 past, we're celebrating 100 years, and about its future.

8 We do have a future.

9 And part of what we accomplished is going -- is in
10 your hands.

11 And in recent times we've noticed, not just here
12 but other places in our country as well, a lot of political
13 gridlock.

14 We've seen what I think may be an increase in
15 partisanship and polarization on a good many issues.

16 And what we have not seen enough of is thoughtful
17 civil discussion on the issues that divide us and an attempt
18 to really develop consensus as we go along on things that
19 we're charged with deciding.

20 And our Democratic government is based on the
21 concept of fair representation.

22 And unlike many countries still in the world
23 today, we enjoy the right to vote at the local levels, state
24 level, and national level.

25 And to make that system work, we have, we have to

1 have legislative and congressional districts that represent
2 our population.

3 We didn't always have that, as you know.

4 In fact, I remember the days when Greenlee County,
5 Arizona, had two members in the legislature and all of
6 Maricopa County had two members in the legislature. And
7 what kind of system was that? Greenlee County had very few
8 people at all and Maricopa County had over half the
9 population of the state.

10 And so I was present for those changes that
11 recognized that population difference.

12 And now what you're doing is to try to divide up
13 the districts so that it is fair and roughly equal in all
14 respects, which it certainly wasn't when I grew up.

15 And you have a very difficult job.

16 I think you're going to be pressured by all sides
17 to accommodate different agendas. And you're just going to
18 have to listen to what many people who come before you have
19 to say, and then you're going to have to put your thinking
20 caps on and look at the data that you have before you, and
21 try to be fair and impartial in drawing boundaries.

22 And it's hard, because inevitably due to
23 population changes there will be some changes in boundaries
24 from last time. And those changes never make everyone
25 happy.

1 So I guess you have to come to grips with that.

2 You are apt to have a lot of criticism and a lot
3 of unwanted publicity. But this is not an agency that's in
4 there for a popularity contest. That's not why you're
5 serving.

6 And you just don't have an easy job. But thank
7 goodness there are intelligent, decent people who were
8 willing to take it on. And that's you.

9 Now, redistricting is not an exact science, as
10 you've already learned.

11 There are lots of things you're going to have to
12 decide based not entirely on the numbers.

13 You have to weigh competing interests and follow
14 the legal requirements.

15 Arizona, I think, is fortunate to have the law
16 that it now does on redistricting. It looks like a pretty
17 good one to me.

18 And so you're able to make that work and be
19 effective.

20 And that's where you have to apply your intellect
21 to reach fair and appropriate decisions.

22 And I think when the voters in Arizona passed
23 Proposition 106 to take redistricting away from the
24 legislature and put it in the hands of an Independent
25 Redistricting Commission, the voters in Arizona, I think,

1 sent a special message. And that message was we want to
2 take partisan politics out of the redistricting process and
3 we want to create fair representation in our legislative and
4 congressional districts.

5 I think the citizens of Arizona have confidence in
6 you as an Independent Redistricting Commission to draw
7 boundaries that aren't drawn to favor any elected official,
8 any particular elected official, or political party, or
9 special interest, but districts that will serve Arizona as a
10 whole.

11 And I wish all of you very well, as you undertake
12 this task.

13 And I want to thank you again for your willingness
14 to take what must seem to be about now as a pretty thankless
15 job.

16 Don't give up. Just do it well. We'll thank you
17 later.

18 Thank you for listening.

19 Do you have anything you want to ask me?

20 I can't answer any questions that will matter, but
21 I don't want to cut you off if there's anything you want to
22 ask me.

23 CHAIRPERSON MATHIS: Any questions from
24 commissioners?

25 (No oral response.)

1 HONORABLE SANDRA DAY O'CONNOR: Well, good luck to
2 all of you.

3 CHAIRPERSON MATHIS: Thank you very much.

4 (Standing ovation.)

5 CHAIRPERSON MATHIS: Thank you for those words of
6 wisdom, Justice O'Connor.

7 And thanks to the O'Connor House, Lucia Howard for
8 helping coordinate this today. We really appreciate that.

9 I'd like to also recognize another gentleman in
10 the audience, Bud Jones, the former Arizona Supreme Court
11 chief justice is here today, I understand.

12 (Applause.)

13 CHAIRPERSON MATHIS: You know, if you would like
14 to say a few words, you're welcome to.

15 HONORABLE CHARLES JONES: I always have something
16 to say, but I'm unprepared today.

17 CHAIRPERSON MATHIS: Okay.

18 HONORABLE CHARLES JONES: And I will just add one
19 thing.

20 The thought occurs to me, listening to
21 Justice O'Connor, that one of the main components of this
22 process is the ability that this Commission has to step
23 forward and set an example for the other branches and for
24 all of the other units in state and local government in
25 Arizona.

1 I love Arizona. I've lived here most of my life.
2 My father's people came here in the 1870s and
3 settled in Prescott. They were loyal Arizonans.

4 And we must bring this state to a higher level and
5 therefore avoid the polarization and the politics of this
6 work, but step up and set an example for the rest of the
7 state, and let the rest of the state know that there are
8 people who are willing to do this in that way.

9 Thank you very much.

10 CHAIRPERSON MATHIS: Thank you.

11 (Applause.)

12 CHAIRPERSON MATHIS: Well, that was a very
13 inspirational start to this meeting, and I thank you both
14 for being here and sharing the wisdom with us.

15 Our next item on the agenda is the executive
16 director's report, summary of most recent events and
17 activities by staff. There won't be any action required,
18 but our executive director Raymond Bladine will brief us.

19 RAY BLADINE: After those comments, my executive
20 director's report seems pretty mundane.

21 And it really is.

22 I just wanted to comment that as everyone knows we
23 finished the first round of public hearings. We had a good
24 attendance at all of the hearings we had.

25 And on today's agenda we have approval of the

1 second round of hearings.

2 And as you know, we sent out copies of that to you
3 earlier so that we can get the locations approved and then
4 start trying to move ahead to set up the specific places
5 that we will be holding the second round.

6 Second round we're expecting to start on
7 September 18th, thereabouts. And hopefully by that time you
8 will have completed a draft map and adopted that, which
9 means the next several weeks will probably require a lot of
10 meetings, probably more than one a week.

11 And as all of you know, I've asked for information
12 on availability, and we'll continue to follow up with you
13 and see how we can all get together.

14 I do want to comment since one of the things
15 that's very different this year is the streaming of our
16 meetings and the ability for people to respond on the
17 Internet.

18 Right now we have 11,146 subscribers that get
19 e-mails from us about the meetings.

20 We have had 11,483 unique visitors to the website.

21 And we've also had a lot of viewers on the
22 streaming, about 2,239 on that.

23 So clearly the web page and the streaming is
24 allowing the public to keep up with what you're doing.

25 Finally, I will by next week have a budget report

1 for you as to where we are. Still most of the expenditures
2 that have been going on this month are -- won't be in for
3 another month, primarily related to legal services that
4 relate to some of the activity recently we've had
5 unanticipated.

6 So I will have something for you next week on
7 that.

8 And I think that pretty well covers it.

9 We'll see you tomorrow in Casa Grande for our
10 first official mapping meeting, and then again on Monday,
11 the 22nd, following up on what the mapping people were able
12 to put together at your direction.

13 Thank you very much.

14 CHAIRPERSON MATHIS: Thank you.

15 Any questions for Mr. Bladine?

16 VICE-CHAIR HERRERA: Madam Chair.

17 CHAIRPERSON MATHIS: Mr. Herrera.

18 VICE-CHAIR HERRERA: I don't have a question.

19 What I do have is I just want to congratulate the staff for
20 all their hard work, the outreach that we've been doing, the
21 staff and Commission have been doing since the beginning.

22 It's amazing the number of people that are
23 reaching out and the number of people who are able to
24 provide as to the direction of the IRC, how it should go in
25 creating the maps. It's really amazing, so I really want to

1 thank the staff and thank Ray and the Commission for doing
2 this.

3 RAY BLADINE: Thank you. We all appreciate that.

4 COMMISSIONER STERTZ: Madam Chair.

5 CHAIRPERSON MATHIS: Mr. Stertz.

6 COMMISSIONER STERTZ: Mr. Bladine, when speaking
7 about the budget being delivered next week, what -- is this
8 going to have history through what date, and how will you be
9 breaking up the services that have been provided so far and
10 through what date, and will you also be forecasting our
11 expenditures, and how long will you forecasting those going
12 forward?

13 RAY BLADINE: We will basically be using,
14 Commissioner Stertz, the same form that I submitted to you I
15 think it was last month that shows the appropriation for
16 last year and the current year, and then has the budget
17 categories down, I'll revise those budget categories, and
18 probably the information will be based upon August 1st.

19 And that's why I was kind of cautioning. There's
20 been a lot of expenditure in the last couple weeks than
21 there were in the first part of August.

22 It will be the same format that I provided you
23 with earlier.

24 COMMISSIONER STERTZ: In regards to services for
25 the two consulting legal firms as well as the mapping

1 consultant, will you be breaking those down by -- will they
2 be just bulk numbers or will you be breaking them down
3 toward what the moneys were applied to?

4 RAY BLADINE: They would be bulk numbers for legal
5 services.

6 COMMISSIONER STERTZ: Are you able to break those
7 numbers down so that we can have a split of money that would
8 be spent towards the activities of the Commission versus the
9 activities of any potential --

10 VICE-CHAIR HERRERA: Madam Chair, this is not on
11 the agenda. So I want to make sure, are we able to discuss
12 this in detail without it being on the agenda?

13 MARY O'GRADY: Madam Chair, Commissioner Herrera
14 raises a good point. This really should be deferred until
15 that budget discussion is properly on the agenda and have
16 some additional legal issues in terms of how much of a
17 breakdown is appropriate in terms of the budget discussion,
18 and we'll request with staff on that as well.

19 COMMISSIONER STERTZ: Madam Chair, I'm going to
20 suggest that -- well, when we get to future agenda items,
21 I'll make some suggestions about the level of detail and the
22 Q and A available to us when we have executive director's
23 report.

24 Because this would be the time and place that I
25 want to have the rest of the Commission be able to drill

1 some of these questions down.

2 CHAIRPERSON MATHIS: Okay. Thank you.

3 COMMISSIONER STERTZ: So thank you, Mr. Bladine.

4 CHAIRPERSON MATHIS: Any other questions for
5 Mr. Bladine?

6 (No oral response.)

7 CHAIRPERSON MATHIS: Okay.

8 RAY BLADINE: Thank you.

9 CHAIRPERSON MATHIS: Thank you, Mr. Bladine.

10 I don't know if we want to take a brief recess at
11 all just to allow folks who maybe don't want to stay for the
12 meeting.

13 I don't know if we have people like that, but I
14 didn't want people to feel like they were forced to sit
15 through our meeting if they wanted to leave at this time.

16 VICE-CHAIR HERRERA: Madam Chair, is there a photo
17 opportunity with Justice O'Connor? I'd love to take my
18 picture with her.

19 CHAIRPERSON MATHIS: I would too, but I didn't
20 know if that was appropriate.

21 But if you're open to that, maybe take a brief
22 recess for five minutes, and allow folks who don't want to
23 stay to go, and we can also do a photo.

24 Thank you.

25 It's 1:23 p.m.

1 We'll exit out of public session just for a brief
2 recess.

3 (Brief recess taken.)

4 CHAIRPERSON MATHIS: We'll go ahead and enter back
5 into public session.

6 The time is 1:29 p.m.

7 And I was neglectful in recognizing our court
8 reporter today. Marty Herder is right up here up front
9 doing his usual great job for us.

10 So, we'll move on to the next item on the agenda,
11 which is agenda item four, legal briefing concerning the
12 procurement of online services and Commission selection of
13 the provider.

14 I believe our legal counsel is leading us in this
15 discussion.

16 Is that right?

17 MARY O'GRADY: Yes, Madam Chair.

18 We were -- Joe and I were going to address this.
19 And rather than going into detail, I might kind of just lead
20 with a recommendation.

21 We reviewed the issues that were raised at the
22 last Commission hearing. We received a follow-up letter
23 from Dave Cantelme representing Fair Trust that addressed
24 the issue that -- concerns he had about the Azavea proposal.
25 And so -- and we've reviewed those issues.

1 And overall ESRI bid was 116,000, Maptitude at
2 87,000, Azavea at 49,651.

3 And frankly when we looked at all the packages,
4 the bottom line recommendation would be to encourage perhaps
5 the Maptitude approach on this, in light of we have some
6 legal issues here that have been raised and looking at the
7 overall cost with the original proposal.

8 I would toss out that as a recommendation,
9 notwithstanding any technical issues that are addressed by
10 others.

11 CHAIRPERSON MATHIS: I should mention that since
12 our last meeting those three proposals were put on our
13 website.

14 So any member of the public can view those, should
15 you choose, at AZredistricting.org.

16 Go ahead.

17 MARY O'GRADY: One other issue.

18 You know, whether it's a subcontract or a contract
19 with the Commission, we probably could work out that detail
20 in terms of with Ray Bladine and Strategic as a matter of
21 what is going to make the most sense from an administrative
22 standpoint.

23 I believe the purchase order for the Maptitude
24 purchase was previously listed as reimbursable expenses in
25 the proposal. I think either one of would work, so follow

1 up with that.

2 And the procurement officer does have the
3 authority to enter into a subcontract to go back out and
4 certainly within your authority as the procurement officer,
5 we obviously wanted to brief the Commission and get its
6 authorization regarding which way to go on this.

7 CHAIRPERSON MATHIS: Thank you.

8 Any comments or discussion among the
9 commissioners?

10 COMMISSIONER STERTZ: Madam Chair.

11 CHAIRPERSON MATHIS: Mr. Stertz.

12 COMMISSIONER STERTZ: I've had the opportunity for
13 the last week and a half to be operating with Maptitude. I
14 was provided the Maptitude grid maps that were provided by
15 Strategic Telemetry for me to operate in.

16 I find the program system to be -- to have a high
17 level of ease of operation and a level of complexity of data
18 management.

19 And I will make the motion that we provide -- that
20 we go ahead and ask our executive director to enter into a
21 contract either by -- if the contract is to purchase through
22 Strategic Telemetry, I'm assuming there will be no mark up
23 or transfer, this would be a straight through. If there's
24 any cost deficiencies by going direct and not through
25 Strategic Telemetry, or in the opposite direction, we would

1 take that -- but it makes sense, I would like to make a
2 motion to authorize Ray Bladine to explore, negotiate, and
3 enter into agreement for the acquisition of the online
4 Maptitude software.

5 CHAIRPERSON MATHIS: Is there a second?

6 VICE-CHAIR FREEMAN: I'll second that.

7 CHAIRPERSON MATHIS: Any discussion on that
8 motion?

9 Mr. Herrera.

10 VICE-CHAIR HERRERA: Yeah, I'd like to have our
11 legal counsel go into some detail as to why you wouldn't
12 recommend going with Azavea.

13 I'm assuming that the people sending letters or
14 that were opposed to Azavea at the meeting on the, I think,
15 the 3rd had some influence, but I want to know if we decide
16 on Azavea what would be the issue.

17 MARY O'GRADY: Madam Chair, Commissioner Herrera,
18 I think there is, you know, single we've got legal risk
19 associated and cost difference to the state of 87,000 from
20 49,000, from a practical risk assessment standpoint that it
21 seemed to make sense to, among other reasons, go with the
22 Maptitude approach, and then we avoid some of the legal
23 issues that are, that are raised with regard to Azavea.

24 Without making any final determination in terms
25 of, you know, how those would play out, but I'm -- I was not

1 persuaded that when I looked at the whole package of issues,
2 including those that Commissioner Stertz raised in terms of
3 practical use of any other maps, that it seemed to support
4 the Maptitude recommendation as a bottom line
5 recommendation.

6 VICE-CHAIR HERRERA: Madam Chair.

7 CHAIRPERSON MATHIS: Mr. Herrera.

8 VICE-CHAIR HERRERA: Can you -- I mean, I
9 appreciate your explanation, but that still doesn't answer
10 the question, what issues are you referring to? I mean,
11 other than some of the issues out there, that's their
12 opinion, it's not necessarily -- you know.

13 I'd like to see what the true issues are of not
14 going with Azavea and legal ramifications if we are not
15 going to with them.

16 I don't see it, and I want to understand.

17 MARY O'GRADY: Madam Chair, Commissioner Herrera,
18 I'll rely on the communication from David Cantelme in terms
19 of what the issues were raised -- what issues --

20 VICE-CHAIR HERRERA: Sure. Those are his
21 opinions.

22 What are your opinions?

23 MARY O'GRADY: My opinions are, as I mentioned,
24 that the better course is not to go down that path, and in
25 light -- and, and pursue a course that might require

1 additional -- that raises some legal risk at least.

2 Maybe not be significant legal risk, but when I
3 looked at the numbers, sufficient there that it supports
4 going with the Maptitude.

5 And one of the issues that they did raise, the
6 third -- they have issues of fairness to the other bidders,
7 issues of whether there is a subsidy of contractual
8 obligation, you know, of a nonprofit.

9 And then also raise whether there's some sort of
10 political benefit to a certain group who may have used that
11 nonprofit service in the past, and whether their experience
12 with that particular software would give them an advantage
13 over others, with others not experienced with that software
14 in another region.

15 And then they raise issues regarding -- with
16 regard to the way the voting rights analysis had worked now.

17 Without questioning about all those details, there
18 was at least sufficient information -- sufficient issues
19 raised there that when I looked at the whole package, I
20 thought -- I looked at it as I highly recommend the
21 Maptitude approach.

22 VICE-CHAIR HERRERA: Madam Chair, did anybody send
23 any letters or documentation providing contrary views to
24 Mr. Cantelme's letter?

25 MARY O'GRADY: Mr. Kanefield will have some

1 additional comments that he wanted to make.

2 VICE-CHAIR HERRERA: Before you speak,
3 Mr. Kanefield, I just wanted to see did anybody send
4 information to the AIRC, maybe stating their case for why we
5 shouldn't go with Azavea?

6 MARY O'GRADY: Madam Chair, Commissioner Herrera,
7 I was working off the Dave Cantelme legal letter that I
8 have, and I don't remember receiving a specific rebuttal of
9 that information.

10 VICE-CHAIR HERRERA: So you're making your
11 decision based on David Cantelme's letter.

12 MARY O'GRADY: Madam Chair, Commissioner Herrera,
13 in light -- in view of the issues that he's raised in that
14 letter.

15 JOSEPH KANEFIELD: Madam Chair.

16 CHAIRPERSON MATHIS: Mr. Kanefield.

17 JOSEPH KANEFIELD: I concur with Mary's analysis.
18 My review is not just based on Mr. Cantelme's letter,
19 although he did raise some legal questions.

20 It was looking at the procurement issue with
21 respect to this -- to obtaining this software.

22 As I went back and looked at all this, it was
23 clear that the proposal from Strategic Telemetry included an
24 online mapping tool for the public to use. As part of the
25 proposal, the Commission asked specifically for how the

1 consultants were going to propose the public have input in
2 this process.

3 They came back with some suggestions on what
4 vendors they might choose.

5 The question was raised as to whether or not that
6 process would raise procurement issues.

7 And frankly after I looked at the law on this, if,
8 if Strategic Telemetry has proposed that and it works and
9 that was part of the analysis, because that was part of
10 their proposal, they've obviously come to the Commission
11 asking the Commission to have some input on it.

12 But if it's not going to be through Strategic
13 Telemetry, and the Commission wants to do it a different
14 way, then we'll have to do a competitive bidding RFP.

15 I don't think that's necessary.

16 But in light of the proposal, and after we looked
17 at it, as Mary said, the risk analysis and the legal issues
18 that were raised, legally the Commission is solid if it
19 chooses Maptitude. That's the software that the Commission
20 and Strategic Telemetry are using to draw maps and to grade
21 them, and it was a fair proposal, and seemed to work with
22 us, and alleviated some of the legal issues that had been
23 raised.

24 VICE-CHAIR HERRERA: Thank you.

25 CHAIRPERSON MATHIS: Other comments from other

1 commissioners or questions?

2 (No oral response.)

3 CHAIRPERSON MATHIS: Okay. Well, we have a motion
4 on the floor that's been seconded.

5 All in favor?

6 ("Aye.")

7 CHAIRPERSON MATHIS: Any opposed?

8 VICE-CHAIR HERRERA: Aye -- or nay.

9 CHAIRPERSON MATHIS: So we have four commissioners
10 voting for that, that would be Stertz, Mathis, Freeman,
11 McNulty. One nay, that's Herrera.

12 So we are authorizing our executive director, Ray
13 Bladine, to explore, negotiate, and enter into a contract
14 either through Strategic Telemetry or directly for this
15 online mapping software, whichever is most advantageous.
16 This would be the Maptitude version.

17 Okay.

18 Moving on to the next agenda item.

19 Which is agenda item five, discussion and possible
20 action regarding contract modification for Strategic
21 Telemetry to clarify possible clients and documentation of
22 contracts regarding the Redistricting Commission.

23 This has come up in previous meetings since we
24 negotiated the contract with Strategic Telemetry, and I'm
25 glad to see it's an agenda item today that we can all

1 discuss openly.

2 So who was going to lead that discussion?

3 Is that Mr. Bladine or legal counsel?

4 MARY O'GRADY: Madam Chair, I was going to start,
5 and then others may join.

6 As the Chair mentioned, this dates back to a prior
7 meeting in terms of proposed amendment, and we looked at
8 issues including screens within Strategic from some of their
9 current contracts, in this contract, and other issues, and a
10 screen which one of the proposals didn't make sense in terms
11 of dealing with small business under Strategic, but made
12 sense it seems to restrict during the life of this contract
13 their ability to enter into contracts that involve candidate
14 work in the state of Arizona.

15 And so that would be one proposed amendment.

16 And then the other, although the agenda says
17 documentation of contracts, but really regarding
18 Redistricting Commission is document contacts. And this
19 requires they maintain a log describing contacts that they
20 receive forward about this work.

21 And it doesn't apply to the contacts you receive
22 from staff and commissioners and us or at the public
23 meetings, but it would apply to other written or oral
24 communications that they get in the course of their work
25 about the project.

1 So that's all documented and available and adds to
2 the transparency of the work that's being done.

3 So those -- that was the recommendation.

4 Under the contract, the executive director, the
5 procurement officer has the authority to enter into contract
6 amendments. And so to some extent he wouldn't necessarily
7 require Commission approval for all contract amendments that
8 might come up, but we thought this might make sense to bring
9 this up because it did originate with the Commission and
10 bring it forward for your review and consideration.

11 And we have reviewed this with Strategic
12 Telemetry, and so it's agreeable. We would recommend it as
13 counsel, and they would also agree to the proposal.

14 VICE-CHAIR FREEMAN: Madam Chair.

15 CHAIRPERSON MATHIS: Mr. Freeman.

16 VICE-CHAIR FREEMAN: Counsel, do you have proposed
17 language for the two modification proposals you just
18 described?

19 Do you have language?

20 MARY O'GRADY: Madam Chair, Commissioner Freeman,
21 yes, there is language, and that language also was available
22 to the public in the handout.

23 If you don't have it in front of you, I can pass
24 it along and I can also --

25 VICE-CHAIR FREEMAN: I just -- it was just

1 directed to me. It was in my packet for today.

2 MARY O'GRADY: And if it's helpful, for the public
3 listening, the contractor shall not accept any work,
4 contractor being Strategic Telemetry, related to candidates
5 within the state of Arizona for the duration of this
6 contract, which refers to the contract with the
7 Redistricting Commission, including any extensions thereof.

8 And that documentation regarding contacts --
9 documentation of contacts regarding contractor shall
10 maintain a log regarding all contracts oral or written with
11 persons other than IRC staff, attorneys, and commissioners
12 regarding the contract.

13 The law shall include the person -- organization
14 or person, represents the date, and the topic addressed.
15 This is not about contacts made while attending a public
16 hearing or meeting of the AIRC.

17 And I see we need to add an A to one of my IRCs in
18 the paperwork.

19 And so there's other words in the thing we may do
20 that, but this certainly would be the concept and the
21 language that we had discussed.

22 CHAIRPERSON MATHIS: I'm just reading through the
23 language. If anyone has comments or questions they want to
24 raise, feel free.

25 VICE-CHAIR HERRERA: Madam Chair.

1 CHAIRPERSON MATHIS: Mr. Herrera.

2 VICE-CHAIR HERRERA: So to read -- explain to us,
3 if one, for clarification, if somebody was in the audience
4 and wanted to speak to Strategic Telemetry, any question,
5 Steve Muratore were to call and calls him up, this amendment
6 is already in place, so he would have to log that call? I
7 just want to make sure I understand this.

8 MARY O'GRADY: Madam Chair, Commissioner Herrera,
9 yes, he comes up to the meeting and we're not going to
10 require they log that kind of a contact.

11 But if they get a call at the office from any
12 media or anyone else, those would be logged.

13 VICE-CHAIR HERRERA: Thank you.

14 CHAIRPERSON MATHIS: And the question, how does
15 the public or anyone else have access to the log?

16 MARY O'GRADY: Madam Chair, my thinking is that
17 this would be a public record. And if someone wanted to ask
18 for it, they could get it.

19 CHAIRPERSON MATHIS: Okay.

20 Other questions or comments on this proposed
21 language?

22 KENNETH STRASMA: Madam Chair, may I request
23 clarification on two points?

24 One, for questions directed to us via public
25 meetings, does that include public hearings as well?

1 My understanding would be that it would, and I
2 would want to clarify that.

3 MARY O'GRADY: Madam Chair, Commissioners,
4 Mr. Strasma, it does include in there comments made at a
5 public hearing or meeting of the AIRC.

6 I thought about adding your family, but I thought
7 that was going out -- but, you know, maybe sort of other
8 contacts that are not logged. This is about contacts in the
9 course of your work on this contract.

10 KENNETH STRASMA: And my second point of
11 clarification was, this would be going forward? We have not
12 been meticulous in logging contacts to date, but we would
13 begin at the time at which this memo is adopted.

14 And I would appreciate exemption from family, but
15 happy to log those in.

16 CHAIRPERSON MATHIS: Okay.

17 MARY O'GRADY: We can include the family
18 exception, but I think it would be -- under comments it
19 would be implemented and it would be going forward from the
20 date of execution.

21 CHAIRPERSON MATHIS: Other comments or questions?

22 VICE-CHAIR FREEMAN: Madam Chair.

23 CHAIRPERSON MATHIS: Mr. Freeman.

24 VICE-CHAIR FREEMAN: So, counsel, we need to take
25 action as a Commission right now, direct Mr. Bladine to

1 implement these contract modifications?

2 MARY O'GRADY: Madam Chair, commissioners, I think
3 he has the authority, but if you would like to make a motion
4 to approve it, that would certainly be fine.

5 CHAIRPERSON MATHIS: Other comments or questions?

6 VICE-CHAIR FREEMAN: Madam Chair, I certainly
7 think these modifications are helpful. We should go ahead
8 with these. And if we need to further tweak, it sounds like
9 what counsel is saying is Mr. Bladine has that authority
10 going forward.

11 Correct?

12 MARY O'GRADY: Madam Chair, Commissioner Freeman,
13 the procurement officer has the ability to do contract
14 amendments.

15 CHAIRPERSON MATHIS: Okay. Any other comments or
16 questions?

17 VICE-CHAIR HERRERA: Madam Chair.

18 CHAIRPERSON MATHIS: Mr. Herrera.

19 VICE-CHAIR HERRERA: I don't know if anybody knows
20 the answer to this, but -- I don't disagree with the
21 amendment. I think the amendment -- I wanted to see, if
22 this amendment appeared in the contract with NDC ten years
23 ago, was it the same, did they have a similar thing?

24 MARY O'GRADY: Madam Chair, Commission Herrera, I
25 did not go back and review that, but -- so I don't know

1 specifically. But, since we kind of made this up, I doubt
2 it was included.

3 VICE-CHAIR HERRERA: Thank you.

4 CHAIRPERSON MATHIS: Other comments or questions,
5 discussion?

6 COMMISSIONER McNULTY: I support the amendment and
7 the direction we're taking.

8 CHAIRPERSON MATHIS: Okay. Great.

9 And we don't need to do a motion --

10 MARY O'GRADY: If you would like to do a motion
11 that might -- that would be fine.

12 COMMISSIONER McNULTY: Madam Chair.

13 CHAIRPERSON MATHIS: Ms. McNulty.

14 COMMISSIONER McNULTY: I would move that we
15 acknowledge Mr. Bladine's authorization to do an amendment
16 to the contract and request that he pursue -- that he
17 complete that with the two clarifications that we discussed
18 here today.

19 VICE-CHAIR HERRERA: I second that.

20 CHAIRPERSON MATHIS: All in favor?

21 (Simultaneous "Aye.")

22 CHAIRPERSON MATHIS: Any opposed?

23 (No oral response.)

24 VICE-CHAIR FREEMAN: Was there going to be
25 discussion?

1 CHAIRPERSON MATHIS: I felt we had discussed, but
2 I'm happy to have more discussion.

3 VICE-CHAIR FREEMAN: Before I vote, I just wanted
4 to say that I still reserve my prior objection that the
5 Commission did not authorize Mr. Bladine to enter into and
6 authorize that contract.

7 That being said, I vote aye.

8 CHAIRPERSON MATHIS: So we have the motion carried
9 unanimously.

10 So, Mr. Bladine, you'll be moving forward with
11 that.

12 RAY BLADINE: We will.

13 CHAIRPERSON MATHIS: Great. Thank you very much.

14 So --

15 COMMISSIONER STERTZ: Madam Chair.

16 CHAIRPERSON MATHIS: Yes.

17 COMMISSIONER STERTZ: Point of clarification, I'm
18 abstaining from voting on this.

19 CHAIRPERSON MATHIS: Oh, I didn't realize that.
20 I'm sorry.

21 COMMISSIONER STERTZ: I'm abstaining from voting
22 on this.

23 I'm still questioning whether or not there's
24 validity to execution of the contract.

25 So, I prefer to abstain until that issue is

1 resolved.

2 CHAIRPERSON MATHIS: Okay. For the record, we
3 have four ayes and one abstention with Mr. Stertz.

4 Our next item on the agenda items is item six,
5 discussion and possible action regarding open meeting law
6 training for the Commission with respect to communications
7 outside of public meetings.

8 I think in talking with counsel, we decided that
9 this would probably be something we do at a later time, just
10 because of the agenda items that we have in front of us
11 today.

12 But I'm open to discussion.

13 If counsel has something to say too, fine.

14 MARY O'GRADY: Madam Chair, that's correct.
15 That's our recommendation to not move on this, but to move
16 on to substantive issues on the agenda.

17 CHAIRPERSON MATHIS: Okay.

18 We'll move forward to discussion and possible
19 action on mapping definitions.

20 So, I think as everyone is aware, there's a number
21 of definitions out there for things like communities of
22 interest and how is competitiveness measured and things like
23 that.

24 If you look at what the last Commission did, on
25 our website there's a link to the previous Commission's

1 work. You can see the definitions that they ended up
2 adopting.

3 We heard during our public hearings when we were
4 out across the state some folks wanted us to define that and
5 have this Commission do that.

6 Others said differently. They said keep it open.

7 So we thought it would be a good thing to discuss
8 with everybody and come up with the pros and cons of
9 defining them now or do we want to keep that open for later.

10 And it would be helpful to know the timing of when
11 the last Commission adopted those definitions and how they
12 came to those, if anybody has that historical knowledge.

13 JOSEPH KANEFIELD: Madam Chair, members of the
14 Commission, I'll briefly give you my understanding.

15 These definitions that have been on the Commission
16 website from the last Commission came as a result of a court
17 order based on the legal challenge to the legislative lines.
18 One of the arguments was that the -- by not having
19 definitions, the Commission had violated the Equal
20 Protection Clause of the United States Constitution.

21 And it was a Superior Court judge agreed with the
22 challengers.

23 As a result the Commission had come up with these
24 definitions, and they are still on the website.

25 Subsequently, on appeal the Court Of Appeals

1 reversed that ruling by the Superior Court.

2 I don't believe the Commission ever took any
3 action to do anything with the definitions at that point.

4 But effectively they were -- they weren't
5 necessary, I suppose, in light of the court's -- the Court
6 of Appeals' ruling, which is still the law.

7 CHAIRPERSON MATHIS: When were those definitions
8 adopted? Just generally, ballpark estimate.

9 VICE-CHAIR HERRERA: I think it was 2004.

10 JOSEPH KANEFIELD: Madam Chair,
11 Commissioner Herrera, I think that sounds right.

12 I can go back and find out.

13 CHAIRPERSON MATHIS: I'm sorry, can you repeat it?
14 Was it 2004?

15 JOSEPH KANEFIELD: I believe, because it came
16 after the court -- I think the lawsuit was brought in 2002,
17 took a while for the court to give its ruling and had to
18 reconvene. So that sounds right. But I hesitate to give --
19 to confirm that without actually looking.

20 CHAIRPERSON MATHIS: Okay.

21 Any comments or questions on this topic from
22 commissioners?

23 JOSEPH KANEFIELD: Madam Chair, members of the
24 Commission, I thought I would take a quick second to
25 summarize what the Court of Appeals said in its ruling so

1 you have context.

2 It was a very lengthy opinion. This was one of
3 many issues. It got to this issue, they essentially
4 rejected the argument that the equal protection clause
5 required that there be these kinds of definitions.

6 The court acknowledged that the districting
7 decisions require a judgment in particular because the
8 Commission was charged with considering a number of
9 variables that may often conflict with each other.

10 And then the court went on to note that it's
11 impossible to define what a perfect map is, and the
12 Commission needs some flexibility. And the court did note
13 the existence of standards may aid the Commission in
14 reaching its agreement, but they do not guarantee enmity nor
15 is enmity mandated by the Commission.

16 A quorum, a majority quorum is always required to
17 properly make decisions.

18 The court didn't say, I think it's important to
19 note, that the Commission cannot ignore any of the
20 constitutional criteria, favor one criteria over another --
21 let me make -- let me read it exactly.

22 This is not saying the Commission can ignore any
23 of the constitutional criteria, favor one criteria without
24 considering others or can apply or terminate in a way that
25 no rational Commission would.

1 So it did clearly state that obviously the
2 Commission's decision to be rationally based.

3 In our opinion, in my opinion, as based on
4 deliberations and community input among the body itself
5 coordinates those decisions.

6 CHAIRPERSON MATHIS: Thank you.

7 Mr. Strasma.

8 KENNETH STRASMA: If I may, this item is on the
9 agenda for tomorrow and Monday as well, in case the issues
10 come up again. I would recommend regardless of whether the
11 Commission chooses to adopt definitions or not that at least
12 some of them be deferred until after a presentation tomorrow
13 is scheduled on public input for the first round of
14 hearings. And many of these criteria were topics that came
15 up frequently in those meetings.

16 And at Monday's meeting we have scheduled a
17 presentation on electoral data and competitiveness, which I
18 think would speak to the Commission's decision on definition
19 of competitiveness.

20 So I would recommend not taking the action on at
21 least those two items until after the presentations.

22 MARY O'GRADY: Madam Chair, we also have some
23 folks who are here bringing slips specifically for on the
24 definitions, so I saw an ASU professor and also Dave
25 Cantelme of Fair Trust. I don't know if there are others.

1 But, again, at the discretion of the chair in terms of
2 whether we hear that kind of comment now or at the end.

3 CHAIRPERSON MATHIS: Thank you.

4 Let me look and see.

5 I don't only see two -- I don't think my mic is
6 on.

7 We'll take a five-minute recess. The time is
8 2:00 p.m.

9 (Brief recess taken.)

10 CHAIRPERSON MATHIS: We'll go ahead and enter back
11 into public session.

12 The time is 2:13 p.m.

13 So, we were in the midst of agenda item seven,
14 discussion and possible action on mapping definitions. And
15 we've gotten some public comment actually on a couple agenda
16 items that I thought we could go ahead and address now,
17 since it's an appropriate time.

18 One actually goes back to our last agenda item,
19 contract modification for Strategic Telemetry.

20 And a request to speak form from Steve Muratore,
21 publisher of Arizona Eagletarian.

22 If you would like to come up for a public comment
23 and address a few things.

24 STEVE MURATORE: Thank you, Madam Chair,
25 commissioners.

1 I wanted to indicate that I'm very uncomfortable
2 with the proposed modification for the purpose of requiring
3 the mapping consultant to log contacts with media, blogger.

4 I understand the intent of the contract
5 modifications being to keep track of any attempts to lobby
6 the Commission or the mapping consultant, but inquiries from
7 the media just seems like it's inappropriate.

8 So I would hope that you would revisit that.

9 And as a matter of fact, Commissioner Herrera
10 noted that as a concern.

11 And so hopefully that is something that you will
12 give additional thought to.

13 I also wanted to mention briefly that I'm very
14 uncomfortable with the Commission yielding to threats from a
15 clandestine lobbying group. And Fair Trust is clandestine
16 and is a lobbying group that is addressing this Commission.

17 And it's my understanding that the risk that legal
18 counsel was addressing really is a threat of litigation from
19 a clandestine lobbying group to try to get you guys to do
20 something that's going to cost more money.

21 So I think that's incredibly inappropriate for
22 that particular consideration to be made.

23 That's what I got. Thanks.

24 CHAIRPERSON MATHIS: Thank you.

25 Our next speaker is Jennifer Steen, assistant

1 professor at Arizona State University, and this is on
2 mapping definitions.

3 JENNIFER STEEN: Thank you, Madam Chair.

4 And thanks to all the Commissioners on their -- as
5 an Arizonian as well as a professor -- so I appreciate that
6 you're doing this thankless, unglamorous, hard job.

7 I wasn't even sure I wanted to come and testify
8 today.

9 So you guys show up, put yourselves on the line a
10 lot. So thank you very much.

11 I wanted to speak a little bit about mapping
12 definitions.

13 I think you should adopt them. I think it will
14 provide a good benchmark and sort of give -- we all know
15 there's going to be litigation. There's no doubt. There
16 will be litigation of some kind after this is all said and
17 done. And I think if you can demonstrate that you were
18 operating in good faith off of well-defined standards, that
19 that will help in that process.

20 But, assuming that you do end up adopting some
21 definitions, I wanted to offer comments on just a couple of
22 them.

23 Some of the criteria will be really quite easy to
24 define.

25 Equal population is not ambiguous, especially in

1 the congressional context where you just don't have the
2 latitude to define that. And it's plus or minus one person.
3 The Supreme Court is really clear on that.

4 There are other, there are other criteria that
5 offer you a range of objective, numeric measures that you
6 can employ. For example, the issue of compactness. There
7 are a variety of things like the Polsby-Popper scores, and
8 it's very well known. And so to be -- I don't have a dog in
9 that race, but you can choose that fairly easily among
10 yourselves.

11 The definitions of competitiveness and communities
12 of interest will be a little bit trickier to deal with.

13 And with respect to competitiveness, you know, I
14 know you've already received a lot of comments on this. I
15 want to add my voice to those who urge you to consider
16 election results as the primary basis of your
17 competitiveness measure rather than voter registration.

18 There's a fallacy that I've heard repeated many
19 times as I talk to people and have listened to folks that
20 have appeared before this body; a fallacy that treats
21 Independent voters as the swing vote.

22 And that's not really very accurate. In fact,
23 it's not accurate at all.

24 Empirically it's been really well demonstrated
25 that the vast majority of people who identify as Independent

1 actually lean towards one party or another. And, in fact,
2 those folks, when they vote, are just as loyal as most
3 partisans.

4 And this has been documented over and over again
5 with hardcore data. The most prominent example, Keith's
6 book called the Myth of the Independent Voter. That's a
7 little bit old now, 20 years old, but that analysis has been
8 replicated over and over again. And in my written comments
9 I've actually provided to both sides to look into that, and
10 you can read that yourselves.

11 So that would be my recommendation, with respect
12 to competitiveness, is to emphasize election results over
13 voter registration.

14 Defining communities of interest is really not
15 straightforward at all. There's no numeric score that you
16 can rely on to define community of interest. You do have a
17 lot of models available to you from other states and from
18 your predecessors here on the AIRC in 2001.

19 Most of those definitions are very inclusive, and
20 they recognize communities of interest that are based on
21 shared interests in a wide variety of categories, including
22 racial, ethnic, language, religious, social, cultural, you
23 name it, kind of all of the kitchen sink.

24 Although there is one notable exclusion.
25 California excludes communities of interest that are based

1 on a particular party or a candidate or office holder. And
2 so you might wish to consider whether you want to make
3 such an exclusion. It would seem consistent with the spirit
4 of Prop 106 to do so.

5 Most of these definitions leave implicit the
6 requirement that the shared interest has to have some
7 relationship to representation or to public policy and
8 legislation. And I think that's actually a big fault in
9 most definitions of communities of interest.

10 Arizona does not have that fault.

11 Your predecessors chose to include key language in
12 their definition, and I urge you to replicate that this time
13 around.

14 At the end of their definition of communities of
15 interest, they state -- you all have this in front of you,
16 but they define as a group of people in a defined geographic
17 area with concerns about common issues, for example, that
18 would benefit from common representation.

19 And I think those six words are really very key.
20 That you want to differentiate between interests of affinity
21 and interests that relate to the matters that the folks that
22 will be elected from these districts will consider.

23 All right.

24 State candidates have a similar note. They
25 recognize communities of interest where those interests are

1 probable subjects or relate to probable subjects of
2 legislation.

3 And I think one reason you might want to do this
4 is because you're eventually going to face very difficult
5 choices that will require you to differentiate among the
6 variety of communities of interest that present themselves
7 to you.

8 I think that it's inevitable that you'll find
9 conflict among the communities of interest, right, they all
10 have preferences, or even between the preferences of some
11 communities of interest and the other criteria that you have
12 to consider.

13 And so one way that you can differentiate is by
14 considering how central is this interest to the business of
15 the state legislature or of the congress.

16 Okay.

17 And so, for example, I've heard -- I've seen a
18 number of -- in a number of locations a number of different
19 citizens have testified about their school districts
20 constituting a community of interest. That seems quite
21 compelling to me because it's a very well-defined geographic
22 area, but you also know that the families who send their
23 children to the same schools are similarly affected by state
24 policy and state funding for education.

25 All right. So that's unambiguously related to

1 politics.

2 We've heard other groups who talked about feeling
3 a strong sense of community, but in kind of vague terms.
4 They feel a strong affinity with their neighbors but they
5 don't ever describe how that relates to their ability to be
6 represented in the legislature or the congressional
7 delegations.

8 So I think claims like that should be considered.
9 They present themselves as communities of interest, but
10 where they come into conflict with other interests that are
11 more community related to government activity or where they
12 come into conflict with the other constitutionally mandated
13 criteria, I don't think they should be favored. So I urge
14 you to consider that.

15 One last thing I also want to speak about the
16 definition of significant detriment in the context of
17 communities of interest.

18 Of course you have to determine the degree to
19 which you create competitive districts without causing
20 significant detriment to the other criteria. And, again,
21 you know, it's very difficult, but what I urge you to do
22 when you're considering how to evaluate the detriment, the
23 level of detriment to communities of interest, is to
24 consider them as a whole or as a collective. Right. Not
25 consider them serially.

1 Don't say, oh, there is a significant detriment to
2 this community of interest. Oh, well, you know, yes or no,
3 is there a significant detriment to this community of
4 interest?

5 You want to look at the big picture.

6 Ask yourself questions like, how many communities
7 of interest have presented themselves to us,
8 self-identified? How many of those interests can we
9 accommodate? How many of them have inherent conflicts with
10 the other criteria, whether it's the geographic -- existing
11 geographic features, or natural boundaries, the
12 Voting Rights Act, et cetera.

13 Think about the degree to which communities of
14 interest in general are affected by modifications to the map
15 to create competitive districts, rather than going one by
16 one through each community of interest. Because, of course,
17 if a single community of interest has their representation
18 diminished by competitiveness, that group is naturally going
19 to feel like that's a significant detriment.

20 But if it's one group out of dozens or hundreds
21 that present themselves, that may be tolerable.

22 In fact, I think it is tolerable because we all
23 recognize that there's no way you can perfectly accommodate
24 all six of the criteria you're charged with. Of course the
25 framers of Prop 106 recognize that as well, so that's why

1 they put in to the extent practical, to the extent
2 practical. That qualifies every single one of those
3 criteria.

4 So we know that we have to tolerate some
5 imperfections. Not everybody can get everything they want.

6 So when you're considering the possibility of
7 significant detriment to the communities of interest, keep
8 that in mind. It's not fair to have perfect, everybody who
9 asks for it gets it, as a standard to compare the models
10 you're asked to.

11 With that, I thank you.

12 Do you have any questions?

13 I'm used to taking questions. Also used to
14 talking for 80 minutes.

15 So thank you.

16 CHAIRPERSON MATHIS: Okay. Thank you.

17 Our next speaker on the same issue, definitions,
18 is David Cantelme, Fair Trust.

19 DAVID CANTELME: Madam Chair, members of the
20 Commission, thank you again for the opportunity to speak to
21 you. I very much appreciate the way you're doing this in an
22 open way.

23 I would join with Professor Steen in urging you to
24 adopt definitions. I've been urging the Commission to do
25 that in one way or another since 2002 or 2003.

1 I would also urge you, before you adopt any
2 particular definitions, to publish them, the proposed
3 definitions, on your website so that you can get public
4 input.

5 I don't today offer any specific or particular
6 definition, but I do urge a process and that process be open
7 and give notice to the public and then you do indeed adopt
8 definitions.

9 And the reason for adopting definitions is because
10 it assists the Commission in performing its work in a
11 reasoned and impartial fashion.

12 Now, it's likely that you're not going to please
13 everybody. Nobody ever does. But it's important for
14 everyone to feel the process has been fair.

15 And if you have definitions and they are reasoned
16 and they're uniformly applied, or if not, applied with
17 reasoned distinctions, then that supports your work product,
18 it supports the public trust in which you've done, and I
19 think it's the better way to do it, and I would recommend it
20 to you very highly.

21 Thank you so much for the opportunity to speak.

22 CHAIRPERSON MATHIS: Thank you.

23 I think that's all from my request to speak forms
24 that are relating to that topic.

25 Just checking.

1 COMMISSIONER McNULTY: Madam Chair.

2 CHAIRPERSON MATHIS: Yes. Ms. McNulty.

3 COMMISSIONER McNULTY: Are we -- may I make a
4 comment on the definition question, or are we done with
5 discussion of that issue until the next agenda?

6 CHAIRPERSON MATHIS: We haven't, we haven't left
7 that agenda item yet, so if people have other thoughts. It
8 sounds like it is on our agenda for the next couple of
9 meetings, both tomorrow and Monday. But if people have
10 other thoughts that they would like to raise now, they're
11 welcome to.

12 COMMISSIONER McNULTY: I think I'll reserve my
13 specific thoughts about these two issues for our other
14 meetings, but generally speaking I believe that it's
15 important that we each as commissioners have clear thoughts
16 about each of the concepts and how we're going to -- and
17 that we articulate those in the process of making our
18 decisions on the mapping.

19 Whether we can all as a Commission reach agreement
20 on a definition of competitiveness and/or communities of
21 interest is another question, and we may be able to do that.

22 However, if we are not, I think it is equally
23 important that we each as individuals have well-reasoned
24 thoughts about how we approach each of those criteria and
25 can explain those as we move forward -- I think my mic just

1 went out.

2 These mics are so touchy everywhere we go.

3 I also think that it makes sense for us to have a
4 session perhaps about what each of us thinks, our thoughts
5 about what the -- what needs to be considered with respect
6 to each of the criteria as distinct from coming up with a
7 hard and fast definition.

8 Because at the end of the day I think each of
9 these things is going to be kind of case by case, sort of
10 tailored to each particular situation.

11 So I think that we as a Commission, we all differ
12 greatly from talking with one another, and probably with our
13 mapping consultants and each others, about the various
14 factors that we would think about that would go into
15 definitions. But at the end of the day we may all wind up
16 having slightly different thoughts about what each of these
17 things mean, and I think that would be consistent with both
18 the constitution and with the case law on the constitution
19 as long as we exercise those in a reasonable and rational
20 way.

21 CHAIRPERSON MATHIS: Thank you. Other thoughts
22 from other commissioners on this item?

23 VICE-CHAIR FREEMAN: Madam Chair.

24 CHAIRPERSON MATHIS: Mr. Freeman.

25 VICE-CHAIR FREEMAN: I definitely need the

1 microphone.

2 I agree with Commissioner McNulty to the extent I
3 think this is the first step. Whether we adopt definitions
4 or not, I think we pose this issue to the public during our
5 public comment sessions. This is the first time it's really
6 been tee'd up in our agenda. Counsel recommendation is that
7 we not adopt definitions today. And Mr. Strasma also wants
8 to talk with us, and I certainly agree with that.

9 I think it does not make sense for us to take too
10 many steps down that road today because we don't want to
11 define ourselves into a potential box, which is why it's
12 important to hear from counsel and our mapping consultant
13 and from the public as well.

14 And I know we'll probably want a lot more comments
15 from the public, maybe at the end of today's hearing, maybe
16 tomorrow, and on Monday.

17 And I agreement with Commissioner McNulty,
18 the commissioners should put pen to paper and formulate
19 some definitions, if that's the road we're going to take,
20 and take those and discuss them publicly, put them out to
21 the public for the public to comment upon what we come up
22 with.

23 CHAIRPERSON MATHIS: Thank you.

24 Other comments from other commissioners?

25 Good discussion. Thanks, everyone.

1 And thank you to the public for your comments on
2 that as well.

3 Our next agenda item, authorization of second
4 round public hearing general locations.

5 It's item eight.

6 We all received a draft of what that might look
7 like from our deputy executive director, Kristina Gomez.
8 I'm not sure --

9 RAY BLADINE: We're hiding right in front of you.

10 CHAIRPERSON MATHIS: Oh, right in front of me. I
11 was looking for you there.

12 Okay. Sorry.

13 So if you wouldn't mind telling us about the memo
14 and giving us an intro into the second round, that would be
15 great.

16 KRISTINA GOMEZ: So, we just finished with the
17 first round of public hearing. And the first round of
18 public hearings really is an educational piece for the
19 public to learn more about redistricting in general and for
20 the Commission to also become more aware of the different
21 cities and towns and regions within the entire state.

22 So our next step is the second round. And the
23 second round of public hearings really consists of a
24 critiqued up draft of a draft legislative and congressional
25 map.

1 So how I went about creating this schedule is I
2 actually went through the 2010 census redistricting data, I
3 looked at the most populated cities and towns, and then I
4 also looked at heavy populated or a high concentration of
5 minority groups within these cities and towns as well.

6 I -- we did try the remote locations during the
7 first round of public hearings, and it actually worked out
8 pretty well in certain cities. However, in the more rural
9 parts of our state, the Skyping system didn't really work
10 for us.

11 So when I was thinking of this schedule, I
12 contacted a few community colleges, and they do have
13 videoconferencing available.

14 However, the issue that I came across was school
15 has just started, so a lot of these classrooms are taken.
16 These classrooms can hold between 30 to 40 people, which is
17 kind of small considering the second round of public
18 hearings will probably be a higher attendance given that
19 people will have a map to comment on.

20 So that was the other issue that I faced there.

21 So I did make a few phone calls though. And
22 specifically with the city of Flagstaff, I did contact
23 Coconino Community College.

24 They are able to host us during the week of
25 September -- the week of September 18th. However, with

1 school starting, they can't accommodate a videoconferencing
2 connection between Tuba City and Page.

3 So during this second round of public hearings as
4 well, this is the time where we will see a greater increase
5 in public comment. So staff will be extremely busy
6 receiving and recording and sending out this public --
7 public comments back out to you all.

8 And we do have a system that we are working with,
9 and I believe Mr. Bladine and Mrs. O'Grady will be talking
10 about this later on.

11 But second round is -- the volume is very, very
12 high with public comments input.

13 And we are also recommending that the public
14 hearings for the second round take place in the evening
15 hours as well.

16 Weekdays, after 6:00 o'clock, 6:00 to 9:00 p.m.,
17 and then weekends from 1:00 to 4:00 p.m. And that would be
18 on a Saturday.

19 And you have also received a list of cities and
20 towns, as the public has as well.

21 CHAIRPERSON MATHIS: Great. And this is a draft,
22 but I know you're hoping to get some sort of authorization
23 to move forward, right, on some of this?

24 KRISTINA GOMEZ: Yes.

25 CHAIRPERSON MATHIS: Okay.

1 So did commissioners have a chance to review the
2 memo and also the attachment showing the list of second
3 round public hearings potential?

4 (No oral response.)

5 CHAIRPERSON MATHIS: Any comments or questions?

6 VICE-CHAIR HERRERA: Madam Chair.

7 CHAIRPERSON MATHIS: Yes, Mr. Herrera.

8 VICE-CHAIR HERRERA: Is the goal before we start
9 the second round hearings to have the initial draft map for
10 the first round?

11 KRISTINA GOMEZ: Yes.

12 VICE-CHAIR HERRERA: Thank you.

13 VICE-CHAIR FREEMAN: Madam Chair.

14 CHAIRPERSON MATHIS: Mr. Freeman.

15 VICE-CHAIR FREEMAN: Ms. Gomez, I was pleased to
16 see that we got a few more rural on this and a few of the
17 other locations I suggested on round one.

18 It was my understanding that we would not attempt
19 the satellite in for round two; correct?

20 KRISTINA GOMEZ: We will try, but however I don't
21 want to put down cities just yet and go back like the last
22 time and give some bad news to folks that we're not able to
23 do -- to videoconference them in.

24 VICE-CHAIR FREEMAN: But I guess we're covering a
25 lot of ground here. There's the option if somebody wants to

1 speak up and say there's an urgent need, we could maybe tie
2 into one that's currently on this list.

3 KRISTINA GOMEZ: That's up to you all.

4 VICE-CHAIR FREEMAN: And is this the proposed
5 order that we would go in?

6 KRISTINA GOMEZ: I just put them in this order
7 just to make sure I was covering every major city and town
8 that I possibly -- that I wrote out during my draft.

9 So I looked at the map, I went down through my --
10 I went through my redistricting U.S. census data sheet, and
11 I just wanted to make sure that I was keeping track of
12 cities and towns. This is mostly for me really.

13 VICE-CHAIR FREEMAN: And I know we've heard
14 throughout this process from certain groups and
15 organizations, tribes, that they're going to be meeting and
16 formulating responses and comments to the Commission.

17 Are we taking that into consideration as we put
18 this schedule together so that we -- so that we don't, in
19 September, we don't put it in too early to not give them the
20 opportunity to meet and bring their concerns to us?

21 RAY BLADINE: Madam Chair, Commissioner Freeman,
22 when Kristina was developing the schedule, we talked about
23 the best we can do is give you what we think is in order
24 just as you're bringing up.

25 As we started implementing round two, we had

1 requests, can I go later, can I go earlier, we have a
2 conflict in the city council meeting that day.

3 So we would look at this as a draft, hoping you
4 would approve us moving in this direction, with the
5 understanding it very well could change in order so that we
6 could accommodate the things you're bringing up.

7 VICE-CHAIR FREEMAN: Okay. Thank you.

8 COMMISSIONER McNULTY: Ms. Gomez, does the
9 community college system not have a central location where
10 we could stream a meeting to all their other locations?

11 KRISTINA GOMEZ: I could look into that.

12 COMMISSIONER McNULTY: Well, one thought that I
13 had was if we could -- if we began our second round of
14 hearings with something like that, which wasn't necessarily
15 attractive at every location, but provided the maps to
16 people and gave them an opportunity to hear what the
17 presentation is and hear what the public comment is at the
18 location where the maps are being presented, that that might
19 be helpful for people in deciding whether they wanted to
20 attend a location, a live location.

21 Just a thought, so I would ask that we at least
22 look into that and consider that.

23 My other comment is that I want to be careful that
24 we don't lock ourselves into a time frame or an order or a
25 schedule that we cannot ultimately meet and therefore we

1 disappoint people.

2 I think we have a lot of work to do.

3 It's already August 16th.

4 We need to do a good job on these maps. That's
5 first and foremost.

6 If we get to September 18th and we aren't ready or
7 we haven't done a good job, no one is going to say, well,
8 that's okay, we understand, because you were trying to do a
9 good job.

10 I'd rather that we make sure before we start
11 nailing down dates that it's something that we can actually
12 accomplish.

13 Having said that, I understand that you need to
14 start looking at venues and so forth, and I think that's
15 great, and the list looks good to me, although I'm certainly
16 open to comments from my fellow commissioners about where we
17 go and when. But I'd like, on the one hand, to begin the
18 process of getting things queued up and on the other hand
19 not commit to something that either something that's not
20 being able to meet it or not being able to do the work we
21 need to do and not being able to complete the work that we
22 need to do before we start this round.

23 RAY BLADINE: Madam Chair, Commissioner McNulty,
24 we, being the legal staff and the mapping staff, discussed
25 that very issue this morning as to the starting time on the

1 18th. And we felt that that's really the drop dead date
2 that we have to have an adopted map so that we could go out.

3 And we felt very comfortable that we could make
4 that.

5 It, of course, depends on us putting a lot of
6 pressure on you for a number of meetings over the next
7 several weeks.

8 But we do believe that the 18th is a reasonable
9 time to start round two.

10 And perhaps Ken or Joe would like to comment. But
11 we were concerned just about what you're saying. We didn't
12 want to start out and find out we couldn't meet it.

13 COMMISSIONER McNULTY: I feel pretty strongly
14 about that. Although I really appreciate all of your
15 optimism, we're the ones that are going to be driving that
16 boat. And maybe we will accomplish it, but I think we need
17 to be prudent about it for the reasons I just brought up.

18 CHAIRPERSON MATHIS: Thank you, Ms. McNulty.

19 Comments, questions from other commissioners on
20 the schedule or the memo?

21 COMMISSIONER STERTZ: Madam Chair.

22 CHAIRPERSON MATHIS: Mr. Stertz.

23 COMMISSIONER STERTZ: Mr. Bladine, Ms. Gomez,
24 obviously September's are -- not being September, if we not
25 starting until the 18th, being the most obvious thing. I

1 concur with Commissioner McNulty that we have to set a
2 target date for ourselves. Deadlines are always important.
3 But we also have to realize that as we get closer to that
4 date I don't have any intention to compromise what we would
5 be putting out in our first draft in an effort to
6 distribute.

7 So I'd like to hear comment back from that.

8 Second is that obviously it's going to be running
9 into the month of October. There's 22 dates. There's --
10 that you've got listed on here, 22 different locations.

11 I'm also going to suggest that you cluster, for
12 the purposes of staff and legal counsel and commissioners,
13 that you try to cluster these into parts of the state. For
14 the last go-around I know that you needed to make
15 adjustments based on availability of sites.

16 But there were dates where you were in southern
17 Arizona and northern Arizona, southern Arizona, northern
18 Arizona four days in a row, and that put an enormous amount
19 of stress on staff and legal counsel, as well as on the
20 Commission.

21 So if you'd take these things into consideration.

22 We realize and recognize that there are deadlines
23 and priorities involved. We do need to set a date that
24 we're going to pull the trigger. And I think as
25 commissioners we should just -- we're going to have to sort

1 of self-apply it, because there's going to have to be a date
2 for staff to be able to begin locking down locations.

3 Because that's what your critical issue is right
4 here.

5 KRISTINA GOMEZ: Yes, sir.

6 COMMISSIONER STERTZ: Okay. Thank you.

7 CHAIRPERSON MATHIS: Other comments, questions?

8 COMMISSIONER McNULTY: One question about a
9 location, Bullhead City.

10 I recall when we were there people were asking us
11 if next time we were going to meet in Lake Havasu City. Is
12 that a facility issue?

13 And I think perhaps we had commented that although
14 we went to Bullhead City for the first round we might go to
15 Lake Havasu for the second round.

16 KRISTINA GOMEZ: We can do that.

17 COMMISSIONER McNULTY: We may want to consider
18 that.

19 I think it was something that had been raised.

20 CHAIRPERSON MATHIS: Along those lines, I had a
21 comment too on location.

22 I notice on some of these you have two towns
23 listed, either/or, and then some are listed with a slash,
24 which I assume is also a choice between two locations.

25 And I was wondering on Globe, forgive my Arizona

1 geography, I'm not sure how far that is from Payson, but
2 Payson is another town that was mentioned at some of these
3 public hearings as one that we might want to consider for
4 the second round.

5 KRISTINA GOMEZ: Madam Chair, we can put that down
6 as well.

7 CHAIRPERSON MATHIS: Okay. Great.

8 And each of these locations we will be able to
9 stream from; right? The streaming of the meeting on the
10 Internet, or no? Not necessarily?

11 KRISTINA GOMEZ: Madam Chair, the other problem
12 that we had with some of these facilities was Internet
13 connection. So it depends on what type of connection they
14 have.

15 CHAIRPERSON MATHIS: Okay.

16 KRISTINA GOMEZ: And we usually don't -- well, we
17 didn't know until we actually arrived and started the stream
18 to actually know if it would work or not.

19 And also to your question regarding, for example,
20 the "or," Marana or Oro Valley.

21 I just left that up to you all, because I wasn't
22 sure which town you would like to visit there.

23 CHAIRPERSON MATHIS: Okay. Yeah, Sahuarita or
24 Green Valley.

25 COMMISSIONER McNULTY: I thought it would depend

1 on the available of a facility because they're very close to
2 one another.

3 RAY BLADINE: Madam Chair, I think what Kristina
4 was just saying, our goal is to try to find locations that
5 stream. And we found last time that what we thought would
6 work wouldn't necessarily, but we still try to find
7 streaming.

8 And we also found last time cities we thought
9 would work didn't work, but a neighboring city would work.
10 And that was like Lake Havasu and Bullhead.

11 So we just want you to be aware that for us to
12 actually implement it, we may have to have that kind of
13 flexibility, but our goals will still be the same to
14 maximize the streaming and get the cities first laid out.

15 VICE-CHAIR HERRERA: Madam Chair.

16 CHAIRPERSON MATHIS: Mr. Herrera.

17 VICE-CHAIR HERRERA: I attended a good chunk of
18 the meetings during the first round. And the --
19 obviously -- it was very obvious to me and the rest of the
20 Commission that attended these meetings that the staff was
21 stretched pretty thin making this 15 meetings, and we're
22 adding 22, I think 23 with Payson, if we decide to do that,
23 that seems, unless we hire more staff, I see that could be
24 problematic.

25 It was tough. I mean, Buck attended most of them.

1 He's our only IT on staff. And now we're going to require
2 him at every meeting, that's 23, including Payson.

3 So although I said this is my favorite part of the
4 meetings, I want to make a comment that I want to be fair to
5 the staff, and the Commission as well, if this is truly
6 reasonable and doable. Because last time we ended up
7 canceling some of the towns that we ended up promising, and
8 I know some commissioners were not happy with that. I don't
9 want that to happen again.

10 CHAIRPERSON MATHIS: Comment.

11 I do look to Mr. Bladine to let us know about
12 staffing. And I know we have three public outreach
13 coordinators and helping. But if -- you know, we look to
14 you to give us that recommendation as to if you think you
15 need more staff.

16 RAY BLADINE: Madam Chair, Kristina and I have
17 talked about how we think we can accomplish this.

18 And we don't have a definitive answer for you, but
19 probably our biggest issue is the streaming, recording.

20 We have one Buck.

21 We have talked about the possibility -- as you
22 recall we had a few places last time where they could do the
23 recording for us and the streaming. We'll try to see if
24 there's more facilities so that we cannot have all of this
25 fall on Buck.

1 We've also talked about the possibility of
2 exploring hiring a service that might do one or two of these
3 and perhaps the ability to even do two on one day.

4 So we're not prepared to answer how we're going to
5 do it, but we do understand it will be a challenge for us to
6 get this done and look for alternative ways to bring it
7 about.

8 It seems Kristina and I, when we talked about it,
9 that the big issue will be handling the recording and the
10 streaming.

11 We probably have enough staff to cover several
12 locations if you're all willing, you know, to do perhaps on
13 one day two different locations.

14 So we'll bring you back more detail once we start
15 to see what we can do.

16 COMMISSIONER McNULTY: Madam Chair.

17 CHAIRPERSON MATHIS: Ms. McNulty.

18 COMMISSIONER McNULTY: Fellow commissioners, I
19 just looked at a calendar, and I would suggest that
20 September 26th, which is the Monday after, September 18th is
21 a Sunday, the following Monday is September 26th, to me it
22 feels like a more realistic target date. So I throw that
23 out there for comment.

24 CHAIRPERSON MATHIS: The week of September 26th.

25 COMMISSIONER McNULTY: So that Kristina could

1 begin looking at locations, seeing what availability is
2 out there, maybe coming up with a plan for grouping cities
3 and towns geographically, looking at what alternatives might
4 be.

5 And while she's doing that preliminary work, we
6 can be working with the mapping consultant about what our
7 trajectory is going to be and get a little better sense of
8 what the time is going to be before we actually start
9 noticing some things.

10 RAY BLADINE: Madam Chair, obviously from the
11 staff perspective, for setting the second round, more time
12 is better, easier for us. But I would also raise the issue
13 that it will put more pressure on the tail end to -- in
14 terms of getting the maps adopted after the hearing if our
15 goal is October 31st.

16 So if we do that, I think we need to make sure the
17 mapping consultant has told us how that would affect them if
18 we went back.

19 The 18th was based upon their schedule. And I'm
20 not saying we should stay with the 18th, but I think we need
21 to recognize if we move back it may have an effect on when
22 we'll get the adopted plan.

23 COMMISSIONER McNULTY: I understand that,
24 Mr. Bladine, but the maps are what this collective process
25 is about, and we need the time to do that job properly.

1 COMMISSIONER STERTZ: Madam Chair.

2 CHAIRPERSON MATHIS: Mr. Stertz.

3 COMMISSIONER STERTZ: Starting on the 26th,
4 leading up to the 26th or 27th of October, that's 30 days,
5 of which I think we can fit 23, including Saturdays, we can
6 fit 23 meetings into. So the target would start on the
7 26th, but we can fit 23 days in those 30 working days.

8 I concur with Commissioner McNulty, and that gives
9 us a deadline starting place.

10 What Commissioner McNulty is looking for is we're
11 looking as a Commission for another week of -- another week
12 window so that we can flush out the issues so that what
13 we're giving out in the public is actually that's been
14 drilled out to something other than something that we really
15 worked through.

16 So, there I go.

17 CHAIRPERSON MATHIS: Thank you.

18 Other thoughts?

19 VICE-CHAIR HERRERA: Madam Chair.

20 CHAIRPERSON MATHIS: Mr. Herrera.

21 VICE-CHAIR HERRERA: Although I don't disagree
22 with Commissioner McNulty, my only concern is that pushing
23 the date to the week of September 26th, what does that mean?
24 So we will have a whole month of public comment, and then
25 wrapping up late October, then having a few days to compile

1 that, get that information, along with other criteria and
2 other information, and put together a map. That doesn't
3 seem like it is enough time to do that.

4 I think I agree with Mr. Bladine that, yes, we'll
5 be allowing more time for us to create that initial map, but
6 at the end we'll be running out of time to create that map
7 that we need.

8 I'm a little cautious.

9 CHAIRPERSON MATHIS: Mr. Strasma, would you like
10 to comment on the timeline?

11 KENNETH STRASMA: Thank you, Madam Chair.

12 The timeline starting at the end of 18th would
13 allow roughly two weeks at the completion of the 30-day
14 public comment period for adjustments based on the public
15 comment and adoption of the final plan in order to make the
16 deadline of October 31st.

17 Moving it back changes that to one week.

18 So it is still doable, but I've told a number of
19 commissioners that I will speak up if ever there are changes
20 to the timeline that make it impossible to meet the deadline
21 of the 31st.

22 Basically this is a question of do we want to
23 spend more time on the first draft map that goes out to the
24 public at the expense of having less time to make
25 adjustments based on the public comments.

1 It is still doable to make the 31st, but it would
2 mean an intense week of meetings and adjustments the final
3 week of October.

4 CHAIRPERSON MATHIS: Thank you.

5 COMMISSIONER STERTZ: Madam Chair.

6 CHAIRPERSON MATHIS: Mr. Stertz.

7 COMMISSIONER STERTZ: Is there anything that would
8 preclude adjustments being made during the 30-day process?

9 KENNETH STRASMA: That's direction that we would
10 seek from the Commission.

11 We did discuss that this morning. I know there
12 has been discussion of what-if scenarios, if there is public
13 input during the 30-day period, can you try this.
14 Commissioners come to us and say, you know, can you see what
15 the implication of this change is.

16 That's certainly the sort of thing we can be
17 working on during the 30-day comment period. And expect to
18 be.

19 I am -- it's a decision for the Commission. My
20 guess would be that the Commission would choose not to give
21 actual direction as to the map until all the communities
22 have been heard in the 30-day comment period. But as
23 recurring themes come up, we can definitely be working
24 through the what-if scenarios. So it's not like we have to
25 be waiting to start adjustments until the end of the

1 30 days.

2 VICE-CHAIR HERRERA: Madam Chair.

3 CHAIRPERSON MATHIS: Mr. Herrera.

4 VICE CHAIR HERRERA: We had talked when we had
5 hired Strategic Telemetry, and provided with the timeline,
6 that we wanted to meet that timeline, and we want to do
7 everything we can to help them with that timeline.

8 So moving the date to the 26th really is not
9 helping the Commission, I don't think. So I would propose
10 that we keep the 18th, as they're recommending. Give the
11 public enough time to make their comments. It would be
12 unfair for us to be making changes at the beginning of the
13 public comments when we have -- maybe people feel a little
14 left out, you know, you've already created the map without
15 our input. So I would not be in favor of that happening.

16 So I would prefer that we keep a date that they
17 recommended, we'll stick with that timeline that they
18 proposed, and I want to make sure that we are on time.

19 CHAIRPERSON MATHIS: Thank you.

20 Mr. Kanefield.

21 JOSEPH KANEFIELD: Madam Chair, members of the
22 Commission, I am just looking at the constitutional language
23 we may need to look at this a little more carefully. But as
24 I read it, what the constitutional provision, a map
25 finalized and then advertised or put out for public comment

1 for a period of at least 30 days.

2 If during that period the map is changed, you
3 know, you have to analyze whether or not that would reset
4 the 30-day period. And that's kind of what the timeline
5 you're operating on is the time 30-day period change would
6 be.

7 CHAIRPERSON MATHIS: Good point. Thank you.

8 COMMISSIONER STERTZ: Madam Chair.

9 CHAIRPERSON MATHIS: Mr. Stertz.

10 COMMISSIONER STERTZ: Mr. Strasma, now that we've
11 given the green light to purchase the online mapping for the
12 public access to it, when will that be implemented?

13 KENNETH STRASMA: We expect that will be available
14 within three weeks.

15 COMMISSIONER STERTZ: Okay. So three weeks will
16 put us at the week prior to the 18th.

17 KENNETH STRASMA: Yes.

18 COMMISSIONER STERTZ: Okay. So that would give
19 essentially one week for the public to start to look at the
20 grid maps.

21 KENNETH STRASMA: Correct.

22 COMMISSIONER STERTZ: Okay.

23 What I'm driving at is I want to give as much
24 opportunity for the review of the grid maps and as much
25 opportunity for the public to get an understanding of the

1 maps and software so that they can as they're -- because our
2 goal is that during the 30-day period collection of data is
3 that the public is going to be reviewing the map that we're
4 going to be distributing and getting comments as to which
5 you're going to be cataloging that comment during that time
6 period; is that correct?

7 KENNETH STRASMA: That's correct.

8 COMMISSIONER STERTZ: Okay. So my hope is that,
9 and with all due respect to Mr. Herrera's time frame, it
10 would be great to give the public the opportunity to fully
11 vet the software that will be online and then to fully vet
12 and participate during the process.

13 So I'm going to stick with the start date of the
14 26th.

15 I think we can make it work, and I think we're --
16 I think if we're able to compress on our end, on the front
17 end, I don't think that's changing the process of getting
18 the information out to the public.

19 And lastly, I'll close with this, that it's really
20 incumbent upon staff to be able to -- and I think it was
21 mentioned by Mr. Bladine and Ms. Gomez, that having two a
22 day, I don't think it's going to hurt anyone's feelings. If
23 we're going to do Oro Valley in the morning and south Tucson
24 in the afternoon, I don't think that's going to bother
25 anybody. The more that you can be efficient with your time

1 and your scheduling and the public's -- and the dynamic with
2 the public, I'm sure that you can be smart in finding
3 locations that will be able to accommodate that as well.

4 CHAIRPERSON MATHIS: Thank you.

5 Other comments, questions?

6 Mr. Kanefield.

7 COMMISSIONER McNULTY: Could you read that
8 language one more time? Are we advertising the final map?
9 Is that what I heard you say? Or the initial?

10 JOSEPH KANEFIELD: Madam Chair,
11 Commissioner McNulty, reading paragraph 16 from the
12 Proposition 106, says the Arizona Independent Redistricting
13 Commission shall advertise a draft map of congressional
14 districts and a draft map of legislative districts to the
15 public for comment, which comments shall be taken for at
16 least 30 days, either or both bodies of the legislature may
17 act within this period to make recommendations to the
18 Commission by memorial or by minority report, which
19 recommendations shall be considered by the Commission, the
20 Commission shall then establish district boundaries.

21 CHAIRPERSON MATHIS: Thank you.

22 COMMISSIONER STERTZ: Madam Chair.

23 CHAIRPERSON MATHIS: Oh, sorry.

24 COMMISSIONER STERTZ: Mr. Kanefield, I don't --
25 does that preclude creating a working analysis during the

1 course of the 30-day period by the Commission?

2 JOSEPH KANEFIELD: Madam Chair,
3 Commissioner Stertz, I don't believe so, but I think the map
4 that would be advertised is the map that's being out for
5 public comments. So certainly this process envisioned that
6 during that period you will not only receive public comment,
7 but I'm sure the commissioners will probably have thoughts
8 and ideas on how that map may be adjusted at the end of the
9 period.

10 The question is whether, from what I understood,
11 could a change -- maybe I misunderstood, if a change was
12 made and the Commission adopted it in that period, then
13 arguably will that reset the 30-day time period.

14 I don't believe that any of the commissioners
15 individually working with the consultant based on public
16 input from making proposed changes, and during that process
17 that would ultimately consider the end of the 30-day public
18 comment.

19 COMMISSIONER STERTZ: Mr. Kanefield, I had no
20 intention of coming up with the idea that we would be
21 re-ratifying or ratifying new draft maps for publication.
22 This would be just a time when the Commission would be able
23 to analyze the information almost on a daily basis at our
24 will.

25 We're all being provided with the software. We're

1 all being provided with the maps. And as we -- as
2 Commissioner McNulty had inferred, we're all going to have
3 our own personal baseline of criteria which we're going to
4 be making some decisions on.

5 And we'll be able to drill down on some of those
6 thoughts and see whether or not they're functional as we get
7 the public comment during that 30-day period.

8 I had no intention of reissuing a new draft.

9 So, hope that clarifies it.

10 CHAIRPERSON MATHIS: Thank you.

11 Ms. O'Grady.

12 MARY O'GRADY: Just one point, Madam Chair,
13 commissioners.

14 In terms of the October 31st date, we require in
15 the contract amendment a schedule that would permit
16 completion by October 31st.

17 So that's the timeline that's been valid.

18 We all need that and that Strategic has and is
19 prepared to meet. But obviously, if the Commission in the
20 process decides that they would like to go beyond the 31st
21 in order to do the kind of job that they think -- you know,
22 to take the time to assess, they can do that, you can do
23 that.

24 We were also developing the first deadline taking
25 into consideration comments that we received from election

1 officials in Maricopa County, which was they're looking at
2 their December 1st deadlines as far as local precincts, that
3 sort of thing.

4 But there is some real validity in terms of the
5 completion date.

6 I just want to say that.

7 CHAIRPERSON MATHIS: Thank you.

8 So I guess is there some middle ground? Do we
9 start midweek?

10 COMMISSIONER STERTZ: Madam Chair, does this
11 require a motion?

12 CHAIRPERSON MATHIS: I think it probably would be
13 good to do a motion and to authorize Kristina to be able to
14 move forward with the draft agenda given the things we
15 talked about, the potential changes and edits to it, just so
16 that she can begin to start putting something together.

17 COMMISSIONER STERTZ: Madam Chair, I move to --

18 VICE-CHAIR HERRERA: Madam Chair, before we vote
19 today, can I make a quick comment?

20 I mean, just, I want to make sure that we go back
21 to what the commitment we made to Strategic Telemetry that
22 we would be helping them meet that timeline. Pushing the
23 date back to the 26th is not helping them meet that
24 timeline.

25 And, like I said, I think we can do it by the day

1 they proposed.

2 We would just have to sacrifice our time and meet
3 as often as we could, and by that timeline, and then start
4 the public comments on the 18th.

5 Like I said, if you want us to take that time,
6 which I do, I think we all agree that was a reasonable
7 timeline.

8 Let's respect Mr. Strasma and his comments and
9 let's go with the timeline that they recommend.

10 VICE-CHAIR FREEMAN: Madam Chair.

11 CHAIRPERSON MATHIS: Mr. Freeman.

12 VICE-CHAIR FREEMAN: First of all, nobody agreed
13 to the timeline. It was something that was a product of the
14 contract negotiations with Mr. Bladine that Strategic
15 Telemetry negotiated.

16 My question for Mr. Bladine and Ms. Gomez is how
17 much lead time do these locations typically need from us?
18 Probably more lead time the better.

19 But a couple weeks before we really need to
20 decide?

21 RAY BLADINE: I guess I'll let Kristina answer in
22 more detail.

23 I think to a certain extent we kind of know some
24 things we won't go back to and some things we will, so that
25 will probably make it a little easier.

1 But it seems to me it takes about a week to really
2 firm up three or four locations, by the time it falls back
3 and forth. So that's the kind of -- there is an awful lot
4 of trying to work with the community, working with the
5 facility.

6 So it seems to me in a week we do three or four
7 and then it may pick up after that.

8 Let me just also make a comment that relates to
9 timing.

10 Clearly you all need to decide where you want to
11 put your time and whether you think it's going to be more
12 necessary at the front end or more necessary at the back.

13 As Commissioner Freeman pointed out, this is what
14 we contractually said we would do and to meet an end.

15 But the hard part for all of us is we really don't
16 know how long it's going to take for all of you to come up
17 with that first map.

18 And I am hearing let's caution on the side of not
19 being forced into a hearing before we're ready.

20 We kind of thought we did that, but I'm not
21 sitting up there with all of you, so you have probably a
22 better sense of what you're going to need to go through. So
23 I guess all I'm saying is whatever you decide, we'll work
24 very hard to make that happen.

25 But getting some direction today will help us a

1 lot in moving forward and demonstrating that.

2 And finally, the chairman a minute seemed to have
3 said is said is there a compromise. Perhaps we could start
4 Thursday or Friday before the 26th.

5 Again, you may need that for mapping.

6 So now that I've opened my mouth, I really think
7 it's your all decision, and we'll do our best to make it
8 happen.

9 CHAIRPERSON MATHIS: Thank you.

10 COMMISSIONER McNULTY: Madam Chair, I would
11 suggest to the Committee to get started midweek. When we
12 get there, we may need Thursday, Friday, Saturday, Sunday.
13 We may be doing what the last Commission did, get the
14 Holiday Inn in Casa Grande for a week straight or two weeks
15 straight. I don't know.

16 But, it's taken us until August 17th to get where
17 we are now. We're talking about doing our maps in
18 four weeks. I feel very strongly that we need to approach
19 this with prudence, and the date I would be comfortable with
20 is kind of September 26th.

21 I think we're -- we are committed to the Arizona
22 Constitution that takes precedence over what we committed to
23 Strategic Telemetry in their contract. And I think it's
24 great that they're willing to bust their chops to be there
25 for us when we need them.

1 That doesn't mean that we have to shorten what we
2 need to do in order to meet that deadline. We need to do
3 our jobs.

4 CHAIRPERSON MATHIS: Thank you.

5 Other comments? Discussion?

6 COMMISSIONER STERTZ: Madam Chair.

7 CHAIRPERSON MATHIS: Mr. Stertz.

8 COMMISSIONER STERTZ: I move that we set a
9 schedule for a second round of hearings beginning
10 September 26th to take place in an orderly and organized
11 fashion whereas we try to combine cities in parts of the
12 state in -- so that in the best possible fashion, that we do
13 so in such a way as to not embroil the staff or the
14 consultants in an overly aggressive schedule that does not
15 allow us to properly meet our objectives, which are to be
16 alert and fair with all of the public, and that we -- as a
17 part of this motion I want to make it that these dates need
18 to get up and published to the general public in significant
19 advance so that they can have full participation and
20 knowledge of what's forthcoming and what the expectations
21 are of the public at these meetings.

22 And that if an extension or contemplation of
23 extension may be required to a date to Strategic Telemetry,
24 that that can be contemplated at a later date, in regards to
25 their end date.

1 CHAIRPERSON MATHIS: Is there a second?

2 VICE-CHAIR FREEMAN: Madam Chair.

3 CHAIRPERSON MATHIS: Mr. Freeman.

4 VICE-CHAIR FREEMAN: I have a question for
5 counsel.

6 Agenda eight is authorization of second round
7 public hearing general locations.

8 Can the Commission take action as proposed or what
9 does that mean in terms of whatever we need to do?

10 MARY O'GRADY: Madam Chair, Commissioner Freeman,
11 you make the point in terms of the language of this
12 particular agenda item, so perhaps we need to defer that
13 particular motion until a later meeting. I think staff has
14 gotten the direction that they need to proceed.

15 So perhaps we don't make a formal motion in terms
16 of today, since this is focused on general locations rather
17 than the date at which the committee meeting begin and some
18 of the other issues related to that.

19 VICE-CHAIR FREEMAN: And I hate to scuttle such a
20 well-stated motion.

21 CHAIRPERSON MATHIS: It's the attorney in you.

22 Thank you for noticing that, Mr. Freeman.

23 COMMISSIONER STERTZ: Marty's got it down.

24 COMMISSIONER McNULTY: Marty's got it down,
25 exactly.

1 CHAIRPERSON MATHIS: Okay. Well, given all that,
2 thanks for the discussions.

3 Are there any other -- anything else that you
4 wanted to bring up on the second round of public hearings?

5 (No oral response.)

6 CHAIRPERSON MATHIS: Okay. I'd like to thank
7 Kristina for her hard work on putting this together and the
8 memo, and thank you for being prepared for us today, and
9 hopefully you have the authorization to move forward as you
10 heard our discussion today.

11 KRISTINA GOMEZ: Thank you.

12 CHAIRPERSON MATHIS: Thanks.

13 Okay. It's now -- the time is 3:12 p.m. I'm
14 being asked if we could take a five-minute recess, so we'll
15 go ahead and do that and enter back into public session very
16 shortly. 3:12 p.m.

17 (Brief recess taken.)

18 CHAIRPERSON MATHIS: Okay. We'll enter back into
19 public session.

20 The time is 3:26 p.m.

21 And I think we concluded agenda item eight.

22 Moving on to agenda item nine, discussion and
23 possible action regarding the approval of Catalyst contract.

24 I don't know who is leading this discussion. Is
25 that legal counsel?

1 MARY O'GRADY: Madam Chair, I think I can get this
2 started.

3 This is really just an online discovery tool
4 database for the lawyers that we'll have access to the
5 searchable data that Strategic is working on coding. And so
6 Catalyst is an e-discovery company that we're working with
7 on target litigation solutions. We'll be entering a
8 subcontract that will provide Joe and I access to what we
9 need to do the electronic submission to the Department of
10 Justice.

11 And the idea is that the cost savings, we only
12 have to do this once in terms of entering the -- getting
13 access to the database that Strategic will have access to
14 and that we will have access to and Joe will have access to.

15 So, I don't have the subcontract, but -- and,
16 again, the procurement officer, Ray Bladine, does have
17 authority under the contract to approve subcontracts.

18 But we just wanted to advise -- it's been
19 mentioned before, so we wanted to advise the Commission that
20 we were moving forward with this work.

21 CHAIRPERSON MATHIS: So is the idea that you're
22 not looking for action from us today on this?

23 MARY O'GRADY: Madam Chair, I don't think
24 specific -- no, I would not be. We will move forward and
25 we'll get the subcontract in place under Mr. Bladine's legal

1 authority as procurement officer.

2 CHAIRPERSON MATHIS: Does anyone have any
3 questions or comments?

4 COMMISSIONER STERTZ: Madam Chair.

5 CHAIRPERSON MATHIS: Mr. Stertz.

6 COMMISSIONER STERTZ: Ms. O'Grady, the name of the
7 company is.

8 MARY O'GRADY: The actual software is called
9 Catalyst. And the website, if you're interested in
10 information, is -- it's C-A-T-A-L-Y-S-T is the name of the
11 software, and there's information on the software at
12 CatalystSecure.com.

13 COMMISSIONER STERTZ: So that's C-A-T-A-L-Y-S-T.

14 MARY O'GRADY: A-L-Y-S-T. Secure.com.

15 COMMISSIONER STERTZ: Secure, S-E-C-U-R-E,
16 dot-com.

17 MARY O'GRADY: So that's the software, and we'll
18 be working with an e-discovery vendor who will post us.

19 We've been working on this quite some time with
20 staff and looking at a number of options, and with Strategic
21 also, to develop something that would work for anyone and
22 hopefully save staff time while Strategic does what they
23 need to do and give Joe Kanefield and I the access to the
24 documents that we need to do and not have to process these
25 documents downstream more than once.

1 COMMISSIONER STERTZ: Is this a document type of
2 sky drive sort of approach? Is it a central locator of
3 documents? I'm trying to determine what the --

4 MARY O'GRADY: I think I'll defer to some
5 technical people. I have, kind of an electronic filing
6 cabinet is the way I view it. And perhaps Andrew can help
7 me.

8 ANDREW DRECHSLER: Madam Chair,
9 Commissioner Stertz, this is a document -- it's a cloud
10 server for all the documents from the Commission, anything
11 that's been submitted, whether it's been a web submission,
12 mail, all information that's been presented at public
13 hearings and handed in at public hearings, all this
14 information will be there along with the transcripts. We
15 have the ability to put up all media articles on there. So
16 it's really a one-stop place.

17 And the only thing I would add to Ms. O'Grady is
18 that the commissioners as well will have access to this.
19 And if there's -- they will have a log in, and we will go
20 through a training to show you how you can do searches. So
21 if you're thinking of a meeting back in March and remember
22 somebody had a comment, you can do an easy search, and that
23 should pop right up in terms of what you're looking for.

24 COMMISSIONER STERTZ: So this is a -- there are
25 many different companies out there that provide this type of

1 online file cabinets type of -- there's Base Camp, there's
2 other types.

3 Catalyst Secure is one that has been typically
4 used by legal counsel? Is that a --

5 ANDREW DRECHSLER: Yes, it's a recommendation
6 from -- I think your law firm, Ms. O'Grady, was the original
7 one who had looked at a number of different databases, and
8 that.

9 RAY BLADINE: Madam Chair.

10 CHAIRPERSON MATHIS: Mr. Bladine.

11 RAY BLADINE: Perhaps I can just give some
12 background.

13 What we really did was early on, as we mentioned
14 to you, we would have a tracking system for public comments.

15 And the early versions you saw were spreadsheets
16 that Kristina prepared and documented what came in and was
17 sent out to you.

18 At the same time we were looking at a system for
19 staff to do that.

20 We realized that the law -- the legal part would
21 need a similar sort of system, but more designed around
22 retrieving documents for submission to the Department of
23 Justice and if there were future litigations.

24 We also realized in the contract with Strategic
25 there was certain information they would provide.

1 So in the series of last probably month and a
2 half, we've had internal meetings to look at what might be
3 the best approach to do this that would give everybody what
4 they need. Our concern primarily being to provide
5 information to you that you would have available that's
6 searchable for input coming in on the mapping, the legal
7 staff having the documentation already prepared so they
8 wouldn't be pulling it together when they needed to make
9 their final for the Justice Department, and then
10 coordinating with Strategic so they would need some of the
11 documents for maps in their activity, but other documents
12 they ship into this, including copies of the transcripts,
13 we'd have all in one place.

14 We started out by taking a look at a system that
15 was not aimed towards legal but was more aimed towards our
16 desires in terms of just gathering data, and realized that
17 there was a legal system out there, and relied upon the
18 expertise of Osborn Maledon's IT staff, in working with
19 Buck, to come up with -- we thought the best thing to do
20 would be to arrange for that system through Osborn Maledon,
21 but as we really had -- we've only talked about bits and
22 pieces, we thought we should bring it forward to make sure
23 that everybody understands what we're proposing to do.

24 COMMISSIONER STERTZ: Madam Chair.

25 CHAIRPERSON MATHIS: Mr. Stertz.

1 COMMISSIONER STERTZ: This is a question for
2 either Ms. O'Grady or Mr. Bladine.

3 We are buying a license? Is this an online
4 service that we're procuring? Is it, are we purchasing it
5 by space? How much space that we will be utilizing? And if
6 it is Osborn Maledon, who will be the owner of the license
7 for the use access?

8 RAY BLADINE: My understanding, you're getting
9 into some detail I'm not prepared to answer in terms of the
10 space.

11 I can tell you that the way it worked is basically
12 by we get -- lease the program, and then we're responsible
13 for the data input.

14 The cost of managing that streaming, we're not
15 sure, but it could be 5,000 to perhaps 20.

16 COMMISSIONER STERTZ: Over the term of the life of
17 the Commission.

18 RAY BLADINE: That's right.

19 COMMISSIONER STERTZ: Okay.

20 RAY BLADINE: I would believe that since we would
21 be purchasing it as part of a legal contract, it would be
22 available to us, it would be our license, but I don't know
23 the answer to that, Commissioner Stertz.

24 MARY O'GRADY: Madam Chair, Commissioner Stertz,
25 I'll follow up. I don't have that precise language, but I

1 will follow up.

2 COMMISSIONER STERTZ: Thank you.

3 CHAIRPERSON MATHIS: Other comments or questions?

4 Ms. McNulty.

5 COMMISSIONER McNULTY: Just so I understand
6 correctly, the information that would be in this cloud would
7 be Commission information and it would be available to the
8 commissioners and legal staff and consultants, but it would
9 not be available to third parties for any purpose unrelated
10 to Commission business; is that correct?

11 RAY BLADINE: That would be my understanding of
12 how these documents would be handled under the open meeting
13 law, but, yes, that --

14 COMMISSIONER McNULTY: So these are all documents
15 that are public documents anyway that would be in this
16 cloud, and it's really for the purpose of allowing us more
17 efficient access to the information so that we can get at
18 public comments, for example, when we remember something
19 that we want to bring up as we're doing the mapping, and so
20 that Osborn Maledon and Ballard Spahr can use the
21 information more efficiently to prepare the preclearance
22 submittal.

23 Is that right?

24 It's not going to be for use by the consultants in
25 any other venue or for any other purpose whatsoever?

1 And even if it were, it's all public anyway and on
2 our website.

3 RAY BLADINE: Madam Chair, Commissioner McNulty, I
4 think you did a better job of explaining what it will do
5 than I did.

6 COMMISSIONER McNULTY: Only because I listened to
7 you.

8 RAY BLADINE: Well, thank you.

9 CHAIRPERSON MATHIS: Other questions or comments?

10 VICE-CHAIR FREEMAN: Madam Chair.

11 CHAIRPERSON MATHIS: Mr. Freeman.

12 VICE-CHAIR FREEMAN: Mr. Bladine, there will be a
13 portal available to us that we can log on and we will have
14 access to this database?

15 RAY BLADINE: Yes, that's correct.

16 VICE-CHAIR FREEMAN: And then my question for
17 Mr. Kanefield is: Do you have any experience with this
18 software package basically?

19 JOSEPH KANEFIELD: Madam Chair,
20 Commissioner Freeman, I don't. I've looked at it. It's
21 been shown to me.

22 If it been works as it's been demonstrated, it
23 will be fabulous to deal with, work with. So, but I have
24 not myself used it, and I'm not sure about the firm. I can
25 check. But, like I said, I think it's a format that I was

1 shown, it will be very helpful for us to use.

2 CHAIRPERSON MATHIS: Other questions or comments?

3 So will this become -- will be an agenda item for
4 later, or how are we going to proceed in terms of answering
5 everyone's questions?

6 MARY O'GRADY: Madam Chair, we will execute a
7 subcontract to our contract with Ray Bladine to get that
8 done, and I don't see this coming back as an agenda item.

9 I can follow up with Commissioner Stertz on his
10 technical questions, and if there are other questions,
11 technical questions, I will do so, but I don't see it coming
12 back to the Commission.

13 CHAIRPERSON MATHIS: Okay. Thank you.

14 Any other discussion on this?

15 Hearing none, we move to the agenda item ten.

16 We have a consent agenda in front of us. There's
17 numerous sets of meeting minutes that you all should have
18 received from Anna Garcia. I believe July 26 she sent out
19 all of those. And we had this on a previous agenda but
20 unfortunately ran out of time.

21 So if there's no objection, the consent agenda
22 will be adopted.

23 Any discussion?

24 COMMISSIONER McNULTY: Madam Chair, I do have a
25 few comments on these minutes that I'd like on make.

1 CHAIRPERSON MATHIS: Would you like to go through
2 each one individually?

3 COMMISSIONER McNULTY: I'm going to speak
4 generally. There are a couple specific comments, but in
5 large measure they apply to all of the minutes.

6 We say in a footnote that a copy of the searchable
7 transcript can be found on our website.

8 I think that's not yet the case with respect to a
9 number of these minutes. So I want to point that out.

10 I think if we're going to post it on our website
11 with that notation, we need to close that loop.

12 I would request that we -- when we recite the law,
13 our lawyers, the people who are present in the meeting, I
14 would ask that we have a uniform format and that we list
15 their names and their law firms and say that they're legal
16 counsel and we do that in a different way.

17 I'd like to request that given that Mr. Muratore
18 attends every one of our hearings that we spell the name of
19 his organization correctly. And that's in the May 12th
20 minutes.

21 And also that we spell Ms. Geri Ottoboni's name
22 correctly, and that's in the May 31st minutes.

23 Some other typos that I'm not going to raise.

24 In the June 29th minutes, we refer to Jean Clark,
25 she will be delegating her authority some of the mapping

1 consultant to the Commission in accordance with
2 A.R.D. 41-2112. That should be A.R.S. Section 41-2112.

3 And I think my last request would be that in the
4 minutes of Thursday, June 30th, we refer to a number of
5 individuals as representing self and we have initial capital
6 letters. And I think we can remove those initial capitals
7 and just say representing self, lower case letters.

8 Thank you.

9 CHAIRPERSON MATHIS: Thank you.

10 Other comments?

11 VICE-CHAIR FREEMAN: Madam Chair.

12 CHAIRPERSON MATHIS: Mr. Freeman.

13 VICE-CHAIR FREEMAN: I would agree I think there
14 are a number of what I would categorize as minor grammatic
15 and typographical issues. Substantively I thought -- and
16 Commissioner McNulty identified a number of them.
17 Substantively I thought they were reflective of our
18 meetings.

19 CHAIRPERSON MATHIS: Thank you.

20 Yeah, I thought this was just mostly proper noun
21 misspellings. That was my input. Which we can get
22 corrected before they're posted.

23 Other comments from other commissioners?

24 Is there a motion to accept these minutes given
25 the changes that Ms. McNulty suggested, so once those are

1 made they'll be considered approved?

2 COMMISSIONER STERTZ: So moved.

3 COMMISSIONER McNULTY: Second.

4 CHAIRPERSON MATHIS: Any discussion?

5 (No oral response.)

6 CHAIRPERSON MATHIS: All in favor?

7 ("Aye.")

8 CHAIRPERSON MATHIS: Any opposed?

9 (No oral response.)

10 CHAIRPERSON MATHIS: Great. We'll request
11 Mr. Bladine make sure those edits get incorporated and we'll
12 get them posted on our website.

13 COMMISSIONER STERTZ: Madam Chair.

14 CHAIRPERSON MATHIS: Yes, Mr. Stertz.

15 COMMISSIONER STERTZ: Because it is dealing with
16 minutes still, may I also make a recommendation that when --
17 that I noticed that it was picked up on our website
18 subsequently, but minutes were posted without the word or
19 the phrase draft on them.

20 And I wanted to remind staff that draft needs to
21 be posted. You picked it up, but it took a day to pick it
22 up.

23 RAY BLADINE: Okay. We'll watch that. I didn't
24 realize that we had made that error.

25 COMMISSIONER STERTZ: I appreciate the fact that

1 minutes are getting up in draft form and that transcripts
2 are being put up in place of minutes. So I appreciate it.

3 CHAIRPERSON MATHIS: Thank you.

4 Any other comments?

5 Hearing none, we'll move to agenda item 11,
6 discussion of future meetings.

7 I know we have two on the books, I think right
8 now, tomorrow in Casa Grande at 10:00 a.m. And Monday? Is
9 that -- I should be looking at Mr. Bladine.

10 RAY BLADINE: Yes. Monday, Tucson. I don't know
11 that we have the location yet in Tucson. But it will be in
12 Tucson. I believe we have it set for 9:00 o'clock start
13 time, to be done by 3:00, I believe.

14 I didn't bring it with me.

15 That's our -- that's the plan for Monday.

16 CHAIRPERSON MATHIS: Okay. The agenda for
17 tomorrow is set. It's been posted.

18 Have the agenda items been planned for the Monday
19 meeting?

20 RAY BLADINE: There would be some continuation of
21 the items we've had today.

22 But the primary purpose would be to review the
23 submissions that the mapping consultants would work on over
24 the weekend and on Friday in our office based upon
25 directions you give them on Friday.

1 So that's the main purpose of the Monday meeting
2 will be the continuation of -- continue the mapping activity
3 that you will begin tomorrow.

4 CHAIRPERSON MATHIS: You mean on Thursday.

5 RAY BLADINE: I'm sorry, on Thursday, correct,
6 yes.

7 CHAIRPERSON MATHIS: No problem.

8 We won't be meeting Friday. I know we talked
9 about a Friday and Saturday, but ultimately --

10 RAY BLADINE: Right. We ended up with Thursday
11 and then no Friday, no Saturday, but Monday coming back
12 after the mapping consultants had a chance to follow
13 whatever it is that you would like them to bring back.

14 And that's as far as we've gotten on a schedule is
15 Monday of next week in Tucson.

16 CHAIRPERSON MATHIS: Okay.

17 COMMISSIONER STERTZ: Madam Chair.

18 CHAIRPERSON MATHIS: Yes, Mr. Stertz.

19 COMMISSIONER STERTZ: Regarding Monday's meeting,
20 from Strategic Telemetry who will be there?

21 KENNETH STRASMA: Madam Chair, commissioners,
22 myself and Willie Desmond.

23 COMMISSIONER STERTZ: Thank you.

24 VICE-CHAIR HERRERA: Madam Chair.

25 CHAIRPERSON MATHIS: Mr. Herrera.

1 VICE-CHAIR HERRERA: I don't -- maybe I just
2 missed it. Is there -- on this agenda there's no discussion
3 of future agenda items.

4 So. . .

5 CHAIRPERSON MATHIS: Normally, that's in other
6 catch --

7 VICE-CHAIR HERRERA: What I wanted to do --

8 CHAIRPERSON MATHIS: Yeah, just discussion of
9 future meetings. I'm not sure if that can include agenda
10 items.

11 VICE-CHAIR HERRERA: What I'd like to do Monday,
12 I'd like to go back to the amendment that we -- that was
13 approved or that the amendment regarding Strategic Telemetry
14 making a log entry when they speak to members of the public
15 outside of public hearing, public meetings.

16 I would like to exclude media, and that would
17 include bloggers as well. I see them in meetings as well.

18 CHAIRPERSON MATHIS: So that would be an agenda
19 item for Monday?

20 VICE-CHAIR HERRERA: Sure. We can do it Monday.

21 CHAIRPERSON MATHIS: And what else is happening on
22 Monday?

23 Is Mr. Adelson also going to make a presentation?

24 RAY BLADINE: That's correct, Madam Chair.

25 Thought we put him on the agenda to give further information

1 on the Voting Rights Act and what we need to do to comply.

2 We'd also carry over an item, any item we didn't
3 finish Thursday or didn't think we finished, and also the
4 potential for a briefing on the activities of our legal
5 counsel and the Attorney General's Office.

6 And I don't recall right now that we have any
7 other items, but those are the ones that I think of right
8 off the top of my head.

9 CHAIRPERSON MATHIS: Okay.

10 RAY BLADINE: We certainly can later circulate a
11 draft of items for all to see and add and subtract and send
12 it back to us.

13 CHAIRPERSON MATHIS: And it would have to be
14 posted tomorrow?

15 RAY BLADINE: We could actually post on Friday.

16 CHAIRPERSON MATHIS: On Friday, because Saturday
17 counts. Okay.

18 RAY BLADINE: Correct.

19 CHAIRPERSON MATHIS: So we have until Friday.
20 Good.

21 Okay.

22 Other agenda items people thought of or want to
23 bring up now?

24 COMMISSIONER STERTZ: Madam Chair.

25 CHAIRPERSON MATHIS: Mr. Stertz.

1 COMMISSIONER STERTZ: With regards to
2 Mr. Herrera's suggestion, and my question for legal counsel,
3 would they have an opportunity between now and Monday to do
4 a cursory legal review of the question that he's brought
5 forward on the table?

6 MARY O'GRADY: Sure.

7 COMMISSIONER STERTZ: Thank you.

8 COMMISSIONER McNULTY: Madam Chair, I would just
9 like to add that I think that's an important point that
10 Mr. Herrera has brought up. I know we have approved a
11 motion, but I would like to have further discussion about
12 that issue Monday also.

13 CHAIRPERSON MATHIS: Okay. Thank you.
14 Anything else?

15 Okay.

16 COMMISSIONER STERTZ: Madam Chair.

17 CHAIRPERSON MATHIS: Mr. Stertz.

18 COMMISSIONER STERTZ: I want to make sure that the
19 discussion of future agenda items is on the next agenda.

20 CHAIRPERSON MATHIS: We will do that.

21 It normally says that, so we'll get that on there
22 next time.

23 That takes us to agenda item 12, call for public
24 comment.

25 VICE-CHAIR HERRERA: Madam Chair.

1 CHAIRPERSON MATHIS: Oh.

2 VICE-CHAIR HERRERA: I just have one more item.
3 This will be quick.

4 CHAIRPERSON MATHIS: Okay.

5 VICE-CHAIR HERRERA: Mr. Bladine during his report
6 talked about the progress we're making reaching out to
7 members of the community through the website, through public
8 hearings.

9 I want to make sure that that's part of every -- I
10 think it's important that we educate the people that are in
11 attendance, and also the Commission, the work that we're
12 doing in reaching out to members of the public via the
13 website, public hearings, all other forms, that we're
14 allowing and encouraging members of the public to make input
15 and reach out to the Commission. I would like an update
16 every. . .

17 CHAIRPERSON MATHIS: I would agree. I think those
18 statistics are powerful, and I think it's worth talking
19 about them. And maybe our public information officer can
20 help with that, Stu Robinson.

21 Thank you.

22 Okay. Moving on to agenda item 12, call for
23 public comment. This is the time for public to comment on
24 the agenda or redistricting maps. Members of the Commission
25 may not discuss items that are specifically identified on

1 the agenda. Therefore, action taken as a result of public
2 comment on matters not on the agenda will be limited to
3 directing staff to study the matter, responding to any
4 criticism, or scheduling the matter for further
5 consideration and decision at a later date.

6 And I have a number of request to speak forms.

7 Those that we already covered on specific agenda
8 items, and then I have a number of others here that we'll go
9 through.

10 Again, for our court reporter, if everyone could
11 be sure to speak directly into the microphone and spell your
12 name so that we get an accurate account. And if you could
13 also say where you're from, what city, town, or county that
14 you reside in, that would be great.

15 Our first speaker is Representative Albert Hale
16 from the Arizona House of Representatives, representing
17 LD 2, the Navajo Nation.

18 REPRESENTATIVE ALBERT HALE: Ya at eeh.

19 I don't know how to spell that.

20 Ya at ehh ahehee.

21 It is good. That's what ya at eeh means.

22 Ahehee. Thank you.

23 I'm called Albert Hale, representative,
24 Legislative District No. 2, which is the northeast corner of
25 the state of Arizona. I've been a representative for one

1 year now, but I served before then in the Arizona Senate for
2 nine years.

3 And I also have been the president of the Navajo
4 Nation, chairman of the Navajo Nation Water Rights
5 Commission.

6 So you can call me representative, president,
7 senator, chairman -- what did I leave out? Something else,
8 whatever.

9 Anyway, I just want to address a number of issues
10 with you.

11 I spoke with the Commission, at least the two who
12 were present when they had -- when you had your public
13 meetings, public meeting in St. Michaels. At the time I
14 mentioned a number of things that I think is worth repeating
15 in light of what you have done so far.

16 What I understand that you've done so far is to
17 produce a grid map basically coming up with, as I understand
18 it, coming up with a map that is based on population, and
19 how you would draw a map solely based on population to come
20 up with an equal number of population in the different
21 legislative districts.

22 So I think you've done your task there, which to
23 me it seems like that's the easy part.

24 But the difficult part lies ahead. The harder
25 part lies ahead.

1 But this gives you, as I understand it, a jumping
2 off point, a reference point, so that you can now apply
3 those other requirements, including community of interests,
4 which I want to speak at. Retrogression and dilution of
5 voting.

6 Those are some of the things I want to speak at.

7 In the grid maps that you have produced for state
8 of Arizona in the legislative district, and I want to
9 address the legislative district maps first, what I see has
10 happened based on the population is that populations that
11 have existed historically together have been split.

12 If you look at the legislative district that I
13 represent, which includes five Indian nations, the Navajo
14 Nation, Hopi Nation, San Juan Paiute Indian Nation, Hualapai
15 and Havasupai Indian Nations down the canyon, and the city
16 of Flag. If you look at those communities, those nations,
17 particularly Navajo Nation, they have existed in these parts
18 of the state long before Arizona became a state.

19 But in this grid map that you have, now you
20 splitting them up, because the line that I saw goes on --
21 the western Navajo County line is the line that cuts them
22 off.

23 But Navajo Nation goes beyond that, into Coconino
24 County.

25 So that's a problem. And that has to be addressed

1 in order to meet those other requirements that you have to
2 take into consideration.

3 So immediately what that does, if you're going to
4 draw the lines that way, there are a number of issues, like
5 dilution of voting by Navajo people.

6 Their votes are going to be diluted if you keep
7 the map as it is.

8 And then you're also -- this will also result in
9 retrogression, which is something that is prohibited, as I
10 understand it, in the Voting Rights Act. If you pursue the
11 grid maps and allow that to be in place, then what is
12 happening is that the current LD 2, which is my legislative
13 district, you now have 30 -- or 63 percent Native Americans
14 in that district, which allows that district to send
15 consistently, and they've done this consistently, a
16 Native American to the state legislature in both houses.

17 That has never happened before. But it's
18 happening consistently with the type of legislative lines
19 that you have with Legislative District No. 2.

20 And you're going to be moving away from this. If
21 there's no adjustments made, there will be retrogression.
22 Like I said, the 63 percent Native Americans in this
23 legislative district will be reduced to a real smaller
24 amount, I dare say probably to 25 percent, 30 percent.

25 So that's an issue that needs to be, that needs to

1 be addressed.

2 Lastly, which I mentioned earlier in my
3 presentation, is the splitting of people who have
4 commonality and people who have lived together, communities
5 that have been treated as a whole, as a whole for centuries.
6 They have common issues, common interests. Splitting the
7 Navajo Nation and other nations.

8 So that's the other issue that I think needs to be
9 addressed.

10 The other one that applies generally, not only to
11 legislative districts but also to the congressional
12 district, is the community of interest.

13 When it comes to Native American people, community
14 of interest from my perspective as a Native American, and I
15 dare say from the perspective of all Native Americans, is
16 the fulfillment of treaty obligations.

17 And that stems from the recognition by the
18 United States government that Indian nations are sovereign
19 from day one.

20 That means Indian nations have existed as
21 sovereign entities long before the formation of the
22 United States and the state of Arizona.

23 As a result, the constitution did not apply to
24 Indian people for a very, very long time.

25 Indian people, Native American people, have been

1 here from time immemorial. But under United States federal
2 law, they were not declared to be citizens of these
3 United States until 1924.

4 So first here, last to be citizens.

5 And on the voting issue, Native Americans were not
6 given a right to vote, and they had to fight for it, until
7 1935 in Arizona.

8 And even as late as 1970, when in Apache County
9 the Navajo people for the first time elected a Navajo to the
10 Apache County Board of Supervisors, there was opposition.

11 The opposition from the county that's outside the
12 Navajo Nation filed a lawsuit to stop the supervisor that
13 was voted in by the Navajo people, Tom Shirley.

14 And the Navajo Nation had to go to court to secure
15 his place, and by doing that, secure and affirm the rights
16 of Native American people to vote. And that was only done
17 in 1970.

18 And once that happened, now you're beginning to
19 see a move in the direction where I think we're finally
20 beginning to realize that Native American people are
21 citizens of these states. And as citizens of these states,
22 they enjoy and are entitled to all the rights that are
23 afforded to other citizens outside Indian nations.

24 So I bring these to your attention because I think
25 those are the things that need to be addressed in what you

1 have before you.

2 What I would suggest to you in terms of the LD 2,
3 the legislative district, and the grid map that you have
4 before you, is to work off of that legislative district as
5 it now is composed.

6 I know that that legislative district has lost a
7 tremendous amount of population. And the reason why should
8 be very evident. The legislative district, as I mentioned
9 before, consists of five Indian nations. And Indian
10 nations, because they were put on reservations, all the
11 development, economic development, everything else, bypass
12 Indian reservations.

13 So now you have Indian reservations that are
14 similar to third world countries that exist here in the
15 United States.

16 And for that reason a lot of our young people,
17 Native Americans, are moving off the reservation. And
18 they're moving to cities like Phoenix. And I believe that
19 in the last count, the last centennial count, Phoenix has
20 about the third highest population of Native Americans.

21 The city of Flagstaff -- or the city of
22 Albuquerque being number two, and the city of L.A. being
23 number one.

24 So there has been a shift away from the
25 reservations because of there's lack of jobs there. There's

1 lack of economic development there. There's lack of
2 opportunities, educational and otherwise, on Indian
3 reservations.

4 A lot of the population has moved to what we call
5 the border towns. For example, the city of Flag has a
6 significant Native American population, and for that reason,
7 they are a part of Legislative District No. 2.

8 The city of Winslow/Holbrook has significant
9 Native American population, but currently they're outside
10 Legislative District No. 2.

11 My suggestion, my recommendation is to add those
12 border towns to Legislative District No. 2 to pick up the
13 population that has been lost. And you have a reason to do
14 that, because of the significant population of
15 Native Americans in those towns and cities.

16 In addition to that, because we are -- and part of
17 the definition that you're looking at in terms of the
18 community of interest is religion and culture.

19 People who have commonality in those areas,
20 religion, culture, history, there are lands that Indian
21 nations own outside of Indian reservations.

22 For example, Navajo Nation owns the northwestern
23 part of the Peaks, even though it's off the Navajo Nation.

24 And they also own the Big Boquillas, right there
25 right outside of Williams, the Big Boquillas Ranch.

1 And they also own some tracts from -- between
2 Winslow and Holbrook.

3 And the Hopi Nation also owns land tracts around
4 Winslow and all the way down to Eager.

5 So if you add those lands that are, that are owned
6 by Native American nations, you can pick up those
7 populations also.

8 And I think that will help you get to meeting or
9 complying with the requirement of community of interest.

10 I offer that to you. I offer that to you as a
11 solution.

12 And I know the Navajo Nation has considered a
13 number of options and it has come up with its own options,
14 not only with regard to legislative districts but also with
15 regard to congressional districts.

16 So that deserves an examination on your part to
17 meet these requirements.

18 So I won't get into the legislative district
19 aspect of it, but I think that the -- if you're picking up
20 in those -- excuse me, the congressional district, if you're
21 looking at the congressional district, you'll have the same
22 type of problem in turn -- problem in terms of community of
23 interest, which is the Indian nations that are in those CDs,
24 their primary interest is going to be fulfillment of treaty
25 obligations. And those obligations are obligations of the

1 federal government and also of the state.

2 They are obligations of the United States.

3 And there are treaty promises that promised that
4 Indian people in return for moving to Indian reservations
5 and agreeing not to go beyond that anymore, and all their
6 indigenous land being taken, they were promised all these
7 things.

8 A right to education. Health. Social assistance.
9 All of those things were promised.

10 And Indian people have paid for that already.

11 So those are considerations. And I urge you to
12 take a look at that and take a look at my suggestions.

13 And I thank you again very much. And I'm glad to
14 see that you're planning to go back up to Window Rock. For
15 those of you who missed the last trip, it's a wonderful
16 place.

17 And I would also add that the Navajo Nation is
18 larger than the state of West Virginia. The Navajo Nation
19 is larger than most of the counties here in the state of
20 Arizona.

21 So, on that basis, I would highly recommend that
22 in addition to having your next hearing in Window Rock, you
23 add Kayenta, which is the northernmost part of the Navajo
24 Nation, almost close to the Utah line. And then also add
25 Tuba City, where Tuba City is the largest community on the

1 Navajo Nation.

2 So I would urge you to do that, so you can listen
3 to my people and have them express -- have them be given the
4 opportunity to express their desires regarding the task
5 before you.

6 Thank you very much. May the holy people be with
7 you always.

8 Thank you.

9 CHAIRPERSON MATHIS: Thank you.

10 Continuing in that same vein, our next speaker is
11 Leonard Gorman.

12 Let me announce, I'll ask legal counsel, I know we
13 have a meeting noticed for 4:00 p.m.

14 I'm not sure, I thought you were allowed to start
15 those meetings later as long as it was noticed by 4:00. But
16 I don't know if there's a time limit that you need to start
17 it by.

18 JOSEPH KANEFIELD: Madam Chair, I think there is a
19 separate meeting notice for 4:00. If you let the public
20 know this meeting is running late and that meeting will
21 start later, that's appropriate.

22 CHAIRPERSON MATHIS: Okay.

23 So our meeting at 4:00 p.m. will be starting later
24 than 4:00 p.m., and we'll continue with our public comment.

25 Leonard Gorman, executive director of the Navajo

1 Nation Human Rights, from Window Rock, Navajo Nation.

2 VICE-CHAIR HERRERA: Madam Chair, can I make a
3 quick suggestion?

4 CHAIRPERSON MATHIS: Mr. Herrera.

5 VICE-CHAIR HERRERA: Let's stick to a four- or
6 five-minute time frame.

7 CHAIRPERSON MATHIS: Okay. Is everybody -- okay,
8 we'll go with four minutes, if everyone could try to provide
9 their input.

10 But if you go over, I'm not going to pull you off,
11 so I'm just telling you.

12 Thank you.

13 LEONARD GORMAN: Good afternoon, Madam Chair and
14 members of the Commission.

15 I'm not going to take a whole lot of time on
16 behalf of the Navajo Nation Human Rights condition. I
17 sincerely express the appreciation for the Commission coming
18 to visit with us in St. Michaels and looking forward to the
19 September meeting again up there.

20 And whatever help we can provide to the Commission
21 to feel comfortable in our neck of the woods, please have
22 your staff call us in advance to help you make those
23 arrangements.

24 At that meeting in St. Michaels, I mentioned to
25 you that the Navajo Nation council was in session at that

1 point and had been considering the maps for the state of
2 Arizona, New Mexico, and Utah.

3 We have made significant progress in those areas,
4 and I will be submitting the written portion of the
5 Navajo Nations' recommendation for Legislative District 2,
6 and also the congressional district, the northeast corner of
7 the state of Arizona.

8 Just to highlight some of the comments that have
9 been made about the definitions, I think it's important that
10 definitions be written. I notice that the definition of
11 community of interest is important with respect to the
12 Navajo Nation, the Navajo people, and how those languages
13 are to be devised, and the word significant is very
14 important to the Navajo people.

15 For example, while ethnicity is an integral part
16 of the Navajo people, it's an equal group of people as a
17 community of interest. Also not only as a group of people,
18 as a people with land base -- a distinct unique land base.
19 It makes it a very interesting part of the community of
20 interest, particularly indigenous nation to the state of
21 Arizona.

22 So we look forward to having you publish the
23 languages on the specific terms, and we do have a
24 presentation made by Representative Hale, and look forward
25 to having make further presentations in the future.

1 Thank you very much.

2 CHAIRPERSON MATHIS: Thank you.

3 Our next speaker is Steve Titla from San Carlo
4 Apache, Gila County.

5 I'll going to read the next few names. Gene
6 Dufoe, Andrew Sanchez, and Karyn Cushing.

7 STEVE TITLA: Good afternoon.

8 CHAIRPERSON MATHIS: Good afternoon.

9 STEVE TITLA: Redistricting committee, I commend
10 you for doing a very difficult job for the state of Arizona
11 in congressional and legislative districts.

12 I spoke to you in Hondah. I don't remember if you
13 remember me, Madam Chair, and in Hondah, White Mountain
14 Apache.

15 I'm from San Carlo Apache. And I looked at the
16 maps that -- the grid map that you produced here, grid map
17 option one and option two. I'll be referring to these two
18 maps.

19 And I'll try to keep it under four minutes as the
20 gentleman requested.

21 I was looking at the definitions under the
22 Voting Rights Act. As you know, everybody's knows about
23 compliance with the Voting Rights Act. And I was looking at
24 the definition for community of interest here. And that
25 fits the San Carlo Apache and White Mountain Apache, Navajo

1 Nation, and the tribes together, I would think. Because we
2 as Apaches, we have common interest in religion, we have
3 political ties, history, tradition, geography, ethnicity,
4 culture, social economic status. So all of that fits us
5 very well, that definition.

6 And with respect to communities of interest and
7 significant detriment, I think that any split in our vote,
8 dilution of our vote, or retrogression in our vote, really
9 has a significant detriment to effective representation to
10 the native tribes in Arizona.

11 And looking at your option one method, already --
12 it seems to split the San Carlo Apache reservation already.

13 And for sure it splits the White Mountain Apache
14 reservation and splits the Navajo Nation, and maybe Hopi
15 too.

16 But it seems -- I don't speak for those tribes,
17 but that's what it seems to do is what your option one map
18 does.

19 And I think that map is contrary to the
20 communities of interest definitions that we're trying to
21 work toward.

22 Your option two then does the same thing too.

23 I think it seems to split San Carlo Apache
24 reservation.

25 I would like to have a bigger map to look at, but

1 it seems to split our reservation, and then for sure splits
2 White Mountain Apache reservation and splits Navajo Nation.
3 Hopi is not in there.

4 So a lot of the native tribes of Arizona seem to
5 be split. That would dilute our vote, and that would give
6 us no chance to send any sort of representation to the
7 congressional district or the legislative district.

8 And we, San Carlo Apache, we are treaty tribes
9 since 1852, and under international law, we're recognized as
10 sovereign prior to the U.S. as the senator eloquently
11 stated.

12 So as you work forward to this, we are going to
13 provide our input. And I think that San Carlo Apache will
14 be providing input as they go along.

15 But today I speak for myself here, and thank you
16 for going forward here. And I saw that you'll be in
17 San Carlos at one of your visits, so we welcome you when you
18 get there to Apache land.

19 Thank you.

20 THE REPORTER: Spell your name, please.

21 STEVE TITLA: Steve Titla, T-I-T-L-A.

22 CHAIRPERSON MATHIS: Thank you. Our next speaker
23 is Gene Dufoe, from Mesa.

24 GENE DUFOE: Hello. My name is spelled G-E-N-E,
25 Dufoe, D-U-F-O-E.

1 Chair and Commission, I object to the deferral of
2 the open meeting law for the Commission.

3 It's very important that you have the benefit of
4 this training with communications outside of the public
5 meetings. If you have not had this, it's very important
6 that you do have it.

7 The public needs confidence that the Redistricting
8 Commission is in compliance with the open meeting law. And
9 there seems to have been a number of objections from the
10 public that are being invested by -- being investigated by
11 the attorney general. So, I don't want to defer this when
12 this is such an important decision to make.

13 And that will complete my conclusion. And now
14 what is your response?

15 CHAIRPERSON MATHIS: We cannot respond to members
16 of the public on this, on any item actually.

17 So our next speaker is Andrew Sanchez, council
18 member of the town of Guadalupe, from Maricopa County.

19 (No oral response.)

20 CHAIRPERSON MATHIS: Set that aside.

21 Karyn Curbing, representing self, from Cave Creek.

22 KARYN CURBING: Hello, everyone. Karyn Cushing,
23 K-A-R-Y-N, C-U-S-H-I-N-G.

24 I've been to a few of these redistricting
25 meetings, and I'm just a little bit concerned about how our

1 state is going to look when the maps are complete.

2 You know, all this talk about communities of
3 interest and competitiveness, when really what does that
4 mean? I mean, does any of that matter when you guys have
5 hired these companies, such as Strategic Telemetry, and now
6 I just hear this other company by the name of Catalyst, I
7 don't know, I guess it's a software company, who have a
8 specific agenda to transform our state into a liberal
9 progressive voting block.

10 I object to the Arizona Independent Redistricting
11 Commission and Strategic Telemetry's hiring of Catalyst, a
12 data mining mining company, microtargeting organization, who
13 promotes a progressive agenda and promotes candidates and
14 organizations such as the ACLU, Arizona Democratic Party,
15 La Raza, SEIU, and the AFL-CIO, just to name a few.

16 This sounds like gerrymandering to me.

17 I don't understand why the AIRC could not have
18 just hired a company out of Arizona, and why they had to
19 hire this out-of-state company at all?

20 Why couldn't you guys have done this redistricting
21 yourself? I don't understand.

22 I mean, I know you can't -- you can't tell me, but
23 I'd like to know.

24 Now I hear that the taxpayers here in Arizona are
25 having to pay somewhere in the amount of \$600,000 for

1 Strategic Telemetry.

2 I just want this to be a fair and nonpartisan
3 process. That's all.

4 Thank you.

5 CHAIRPERSON MATHIS: Thank you.

6 Our next speaker is Bryan Berkland, representing
7 self.

8 And you'll tell us where you from.

9 And he'll be followed by Pete Bengtson, William
10 Engler, and Mohur Sidhwa.

11 BRYAN BERKLAND: Hi. My name is Bryan Berkland,
12 spelled B-R-Y-A-N, B-E-R-K-L-A-N-D.

13 I'm from Mesa, Arizona.

14 I live here in Arizona. I take my representation
15 in Washington, D.C., very seriously.

16 And I've been following this Commission. It seems
17 to me a number of the decisions this Independent Commission
18 has made are fishy at best.

19 And, you know, what I really just want to say is
20 it seems to me that Strategic Telemetry, in conjunction with
21 this Catalyst organization, has the ability and intention, I
22 would say, to engineer congressional redistricting in
23 anything but an independent and technical manner.

24 The level of technology in database information
25 that's available today, unavailable to prior census data and

1 redistricting, is -- well, it allowed these companies to
2 continue the progressive agenda and profit from it right
3 underneath your noses without even really knowing about it.

4 It's such a technical manner that they're
5 incorporating into this redistricting process that I
6 really -- it takes the fringes, the people right on the
7 fringe, and allows these organizations to really manipulate
8 the information without you guys even really being able to
9 see how they're manipulating the lines, the redistricting
10 lines.

11 So, I just caution you guys, and I want you to
12 realize that this is my main concern, that these guys can
13 really, underneath your noses, sway how my vote is counted
14 on the national level.

15 And I don't agree with that.

16 I don't agree with a number of things that this
17 Commission has decided.

18 But I'm going to leave you with a closing
19 statement here. And that is, the commissioners should
20 remember that a flawed process will bring flawed results and
21 a tainted system will just add to the scepticism of the
22 American people.

23 Thank you.

24 CHAIRPERSON MATHIS: Thank you.

25 Our next speaker is Pete Bengtson, representing

1 self, from LD 26.

2 PETE BENGTSON: Good afternoon. My name is Pete
3 Bengtson. That's B-E-N-G-T-S-O-N.

4 I live in Pima County, LD 26.

5 First I want to repeat what I normally say. I
6 really support the Commission, especially Chairman Mathis.
7 I think you're doing a great job, keep it up. I also
8 support Strategic Telemetry.

9 Normally I go on and then talk about competitive
10 districts. I'm going to switch topics now and talk about
11 measuring.

12 I'm a retired engineer, also got a master's degree
13 in systems analysis.

14 And I firmly believe in measuring what your goal
15 is.

16 If you can't measure what you're trying to do, you
17 can't tell whether you're getting there or not.

18 I believe you really need to have some kind of
19 measurement for competitive and contiguous districts.

20 I think you ought to really add in another
21 measurement for this geographic dispersion of the boundary
22 lines that you're supposed to have, boundary lines that
23 follow city, town, and county boundaries.

24 And that's just as an important goal as
25 competitive districts or any of the other goals.

1 I can see how you can measure competitive
2 districts. Professor Steen mentioned one way to do that,
3 and I want to follow up on some of those definitions.

4 This -- communities of interest has bothered me
5 ever since I've been hearing people support communities of
6 interest.

7 I can easily see how Indian tribes are communities
8 of interest.

9 I live in LD 26, and you've heard a lot of
10 testimony, the northern part of LD 26 seeing themselves as a
11 community of interest with Oro Valley and Marana.

12 In the suburbs, I just can't see community of
13 interests. The people are very differentiated. Where you
14 go to church or where you shop or where you play bridge or
15 where you recreate, doesn't strike me as a valid community
16 of interest.

17 I can sort of see the rural urban boundary
18 distinction as a community of interest, but the only one
19 that really makes sense to me is Indian tribes.

20 Thank you, and see you tomorrow.

21 CHAIRPERSON MATHIS: Thank you.

22 Our next speaker is William Engler, from --
23 representing District 6 Democrats, from Maricopa.

24 WILLIAM ENGLER: Thank you, Madam Chair,
25 commissioners.

1 First of all, I'd like -- the name is William
2 Engler, E-N-G-L-E-R.

3 I live in Anthem.

4 I want to thank you, all of you, for the job
5 you've done so far. I commend you for taking the heat
6 you've been taking up to this point.

7 I speak from the perspective of the chair of a
8 district that is not competitive.

9 My district as well as too many others in this
10 state, the results are handled at the primary stage.

11 So I believe that disenfranchises so many voters,
12 because they don't have an incentive to come out and vote
13 because they know their vote doesn't count.

14 I know you've got many criteria you've got to look
15 at in your deliberations, but I believe that you can arrive
16 at just conclusions and also have competitive districts to a
17 far greater extent than we enjoy today.

18 Thank you very much, and continue the good work.

19 CHAIRPERSON MATHIS: Thank you.

20 Our next speaker is Mohur Sidhwa, followed by Jim
21 March, Betty Bengtson, Ken Clark.

22 MOHUR SIDHWA: Hello again. A slight variation on
23 a theme today.

24 Yes, I'm still for competitive districts, and I
25 will still use the same definition.

1 And like the previous speaker said, when we hand
2 over selection of candidates to a party rather than to the
3 public, it's a selection and not an election.

4 Because this leaves out the Independents, the
5 Libertarians, the Greens, and those who are genuinely
6 Independent.

7 And this does dilute the application of democracy,
8 and it is dangerous. And it has happened in the other parts
9 of the world constantly. I've lived there. This must not
10 be allowed to happen in Arizona, so we have to look at
11 competitiveness.

12 The other issue that I spoke about last time I
13 want to speak about a bit more is about inmates.

14 Inmates cannot vote.

15 Then they should not be counted for the purposes
16 of redistricting. Using inmates when counting populations
17 is important because it leads to voter disenfranchisement.

18 In general counting prison populations as
19 residents of that district artificially inflates the
20 population, because those people cannot vote, and those
21 small towns nearby end up getting twice the bang for their
22 voting buck.

23 And instead of one person, one vote, we are
24 looking at destruction of the 14th and the 15th Amendment
25 right there.

1 It violates the equal protection of the
2 14th Amendment, and the minority voting principle of the
3 15th Amendment, which taken together creates the one person,
4 one vote.

5 And the moment you put a district, an LD, like
6 somebody had once suggested that came in a brief stretching
7 from said farms to Yuma, you're looking at a very diluted
8 district. So just be alert to that. I don't know who has
9 to be alert, but I suspect not all five of you are aware of
10 it. You will make sure that you are alert to it.

11 Prop 106 faces its final criteria for
12 redistricting requiring competitiveness unless there is a
13 substantial detriment to other criteria. I would like to
14 emphasize the word substantial.

15 Bypass doctor's offices, incumbency protection are
16 not substantial.

17 What Representative Hale mentioned earlier, that's
18 substantial. That's a community of interest.

19 So we're looking at the nations of northern
20 Arizona as well as southern Arizona. Just kind of keep that
21 in mind.

22 Most of the people who have been urging community
23 of interest is important have given their reasons. Which to
24 them, I'm sure, are very valid, wherever they decide to
25 bicycle or jog or whatever.

1 It just concerns me that they would sell the
2 uniquely American concept of a competitive democracy as it's
3 trying our constitution and its amendments on such trivial
4 grounds. Yes, they don't think it's trivial, but those are.
5 Competitiveness is important.

6 Or equally horrifying is selling us a system for
7 the sake of protecting incumbents. This must not be allowed
8 to happen here.

9 A lack of competitiveness hurts the very concept
10 of democracy by making a mockery of the democratic process.
11 And that's un-American.

12 Yet I would keep certain communities of interest
13 together. And it doesn't take a rocket scientist to know
14 what a community of interest really is.

15 The Navajo Nation, or other nations together.

16 You need to talk to those people, be it at Window
17 Rock or wherever, and find out from them, and take it from
18 there.

19 Thank you very much.

20 CHAIRPERSON MATHIS: I'm sorry, Ms. Sidhwa, would
21 you mind spelling your name for the record.

22 And I should have said representing self, from
23 Pima.

24 MOHUR SIDHWA: Yes. First name, M-O-H-U-R; middle
25 name Sarah, S-A-R-A-H; last name Sidhwa, S-I-D-H-W-A.

1 CHAIRPERSON MATHIS: Thank you.

2 Jim March, Second Vice Chair, Pima County LP.

3 JIM MARCH: Libertarian Party.

4 CHAIRPERSON MATHIS: Ah, thank you.

5 JIM MARCH: Folks, I appreciate your being here.

6 I'm glad I'm able to come.

7 First thing I'd like to say is something I've been
8 wanting to say in previous meetings.

9 My understanding is -- well, I've actually seen
10 various people make a lot of light of the fact that the AG
11 is apparently investigating you. And they've used that to
12 kind of harangue you in a straighten up and fly right kind
13 of a manner.

14 I just want to point something out. And I'm
15 sorry, somebody has got to say it.

16 Tom Horne, our attorney general, was thrown out of
17 the stock market by the SEC for life for a number of ethical
18 problems.

19 So if Tom Horne is investigating your ethics, I
20 find that downright weird.

21 Okay. I find that really funky.

22 So if you're concerned about the fact that
23 Mr. Horne's investigating you, keep that in mind because he
24 may not be the best qualified person to do so.

25 The other thing that I've looked at is the grid

1 maps.

2 I guess they're a preliminary review, a starting
3 point, if you will, on how you're going to do the maps going
4 forward. And that's fine so far as it goes.

5 And you have set one congressional and legislative
6 and set two congressional and legislative.

7 As you progress with this process, I would like to
8 urge you to take the set one maps, both the congressional
9 and legislative, and toss them in the nearest fireplace and
10 use them as kindling.

11 The reason I say that is the classic gerrymander
12 was Governor Gerry of Massachusetts 199 years ago came up
13 with a squirrely looking map that looked like a salamander.
14 That's why we call it gerrymandering ever since.

15 When you've got really screwy looking districts,
16 bent and misshapen, it's a sure sign that something has gone
17 wrong with the process, either deliberately or accidentally
18 or somehow.

19 If you look at the congressional district maps for
20 the set one, they have two huge bookends, either side of the
21 state, going -- running top to bottom. So on the east side,
22 one congressman is supposed to be dealing with issues on the
23 southern border on one day and then issues with Apache
24 Navajo counties on the next day. That just seems bizarre to
25 me.

1 And when I looked at the map carefully, I realized
2 in horror there were a pair of vertical lines that are
3 curving inwards. And I looked at it, and said, oh, my God,
4 they're turning Arizona into Darth Vader's spaceship. Which
5 puts Darth himself right somewhere around Camp Verde, which
6 is downright bizarre.

7 If you look at the map one legislative districts,
8 you have this one huge district flopping left all the way
9 over the top. Oh, my God, it's Donald Trump's comb-over.

10 Seriously though, seriously, funky looking maps,
11 we can laugh at them, but they're a sign that something went
12 wrong with the process.

13 The map -- obviously the district -- I'm sorry,
14 the set two maps still need a lot of work.

15 We understand that.

16 But to me, at least using the low rez maps we have
17 so far, they look like a much better starting point.

18 I'll add one last thing, and I will be real quick
19 with this.

20 If you have two districts that are sitting next to
21 each other, normally if you have a long squiggly line
22 reaching into the other district curling around something
23 and coming back out, that's a bad thing.

24 But if that's what you have to do to solve the
25 prison issue, to -- if what you should be doing is what

1 Ms. Sidhwa just asked you to do was to ignore the prison
2 population if you can. But if you can't, if the law forces
3 you include the prison population, God forbid the detention
4 centers, in your process, if you have to, then you should be
5 spreading the prisons out among the various districts to
6 minimize their imbalancing effects of putting them all in
7 one. And if you have to do that with a long funky line,
8 reach out one district, grab that prison, come back, that
9 particular kind of weirdness can be accepted for the purpose
10 of negating the harmful effects of piling all the prisons
11 into too few districts.

12 With that, I'll close out.

13 Thank you very much.

14 CHAIRPERSON MATHIS: Thank you.

15 Our next speaker is Betty Bengtson, representing
16 self, from LD 26.

17 Followed by Ken Clark, Bob Rosenberg, and Lynne
18 St. Angelo.

19 BETTY BENGTON: My name is Betty Bengtson.
20 That's B-E-T-T-Y, B-E-N-G-T-S-O-N.

21 And I live in Pima County, LD 26.

22 I came today prepared to talk about competitive
23 districts and communities of interest, and to urge the
24 Commission to come to some agreement on definitions for what
25 those are.

1 And I was pleased to see that you are -- that you
2 do have that under consideration.

3 I'm a little disturbed that there seems to be some
4 uncertainty as to whether you really wanted to come up with
5 those definitions or not.

6 And I certainly urge you to do so.

7 I particularly commend to you Professor Steen's
8 comments about competitive districts and communities of
9 interest.

10 As I thought about communities of interest, I was
11 somewhat confused as to what they are. People, again, had
12 talked about where they shopped and where they play bridge
13 or recreate or whatever.

14 And I was quite happy to hear Professor Steen
15 articulate the importance of the interaction between
16 community of interest or communities of interest and how
17 they might be affected by actions at the legislature or in
18 congress and how important that is in deciding what is
19 actually a community of interest that is important with
20 regard to redistricting.

21 So, again, I would hope you would take a really
22 close look at those comments and give some serious
23 consideration to coming to an agreement on definitions for
24 the various goals and criteria that are prescribed for your
25 work.

1 Thank you.

2 CHAIRPERSON MATHIS: Thank you.

3 All right. Ken Clark.

4 UNIDENTIFIED AUDIENCE MEMBER: He's not here.

5 CHAIRPERSON MATHIS: Okay.

6 Bob Rosenberg, representing self, from Phoenix.

7 (No oral response.)

8 CHAIRPERSON MATHIS: Okay.

9 Lynne St. Angelo.

10 And following Lynne will be Wendy Schops and
11 Laramar Mace.

12 LYNNE ST. ANGELO: Commissioners, it's Lynne
13 St. Angelo, L-Y-N-N-E, S-T, period, A-N-G-E-L-O. I'm from
14 Oro Valley in Tucson.

15 I too, since we're giving credentials, have a
16 bachelor's of science in mathematics, so numbers are very
17 important to me as well.

18 The competitive definition, I think if you can get
19 seven percent or less, you're doing really well.

20 Since the numbers in Arizona with voter
21 registrations are 36 percent Republicans and 31 percent
22 Democrats, if you count that a certain way, that is
23 six already spread points apart.

24 So to get to seven or less in every district is
25 going to be quite a challenge.

1 The 33 percent of Independents do swing the vote.
2 If you look at the voting records, you'll see that they
3 swing it different years one way, different years another
4 way. And they really are the vote that's determining the
5 outcome of the elections pretty much.

6 To use election polls as was suggested by, I
7 think, the professor, those are really not measurable. They
8 depend on what polling company you use and how you even look
9 at it. Many times polls are wrong.

10 So I would say that is not a hard number that
11 could be used in any case and that you shouldn't really even
12 consider that.

13 So that was -- because that was brought up
14 earlier, I wanted to talk about that for just a minute.

15 The other thing I would suggest is that when you
16 put something in the minutes, like this new company that we
17 didn't hear about before, this Catalyst company as a
18 subcontract, that you spell it out so that we can look it up
19 online and find out about the company before the next public
20 hearing.

21 We knew that Strategic Telemetry in the RFP said
22 they didn't need any subcontractors, and now all of a sudden
23 we're going to be paying for another company, another
24 out-of-state company, using taxpayer funds.

25 And when we Google Catalyst, we got a very far

1 right -- far left ultra-progressive liberal company that may
2 or may not be this company that you actually are considering
3 simply because the information that was provided in the
4 minutes weren't sufficient.

5 So if that isn't true, then I'm going to apologize
6 for what I have to say, because I will tell you what we
7 found. Okay. Why this raises real red flags to us in the
8 public.

9 Laurel Quinn is founder of Catalyst, and their
10 clients have included Strategic Telemetry, the DNC, every
11 Democratic presidential campaign from 1966 to 2008, and a
12 wide range of progressive organizations and nonprofits.

13 They said they provide data and related services
14 to progressive advocacy and not-for-profit organizations,
15 campaigns, consultants, and academics. Catalyst maintains
16 and constantly updates complete national database of
17 265,000,000 people, more than 180 million registered voters,
18 and 85 million unregistered adults.

19 The Catalyst also derives synthetic data through
20 modeling, offering insights about persons such as relative
21 likelihood of turning out to vote, likelihood to be married
22 or have a college degree, to name just a few.

23 Some state voter data may not be available to
24 certain customers based on applicable state voter data laws.

25 And then they said they have no other mission than

1 to serve the data needs of the progressive community.

2 If this is not the company you're using, I
3 apologize, but next time please put the information on your
4 agenda, the correct information.

5 Thank you.

6 CHAIRPERSON MATHIS: Thank you.

7 COMMISSIONER McNULTY: Madam Chair, I believe that
8 was in on your agenda, so we can make a comment.

9 MARY O'GRADY: Yes, that's right.

10 COMMISSIONER McNULTY: It's a different company.
11 It's spelled differently. It's not spelled the
12 way the company on our agenda was spelled.

13 The two companies are completely unrelated.

14 The company that will be providing document
15 management services for us will only be doing the kinds of
16 things that we talked about during our meeting.

17 CHAIRPERSON MATHIS: Thank you.

18 Wendy Schops, Sons of Liberty Riders, and she's
19 president.

20 WENDY SCHOPS: W-E-N-D-Y, S-C-H-O-P-S.

21 I'm the president for this group here in Arizona,
22 and one of things we talked about at the last meeting is
23 definitions.

24 And I really appreciate this jump start getting
25 this out to the public.

1 As you know, I attended several of these meetings.
2 And what concerns me is these terms, competitive districts
3 and communities of interest. What this seems to be doing is
4 causing a lot of division within our state.

5 There are so many communities of interest that
6 have been brought up throughout these meetings, culturally,
7 religiously, language barriers, whatever it may be.

8 And what I want to say is that we're Americans.
9 We're not supposed to be saying we're from this country or
10 this country and having these divisions.

11 And I would like the Commission to take that into
12 consideration.

13 This redistricting is about population.

14 And if we keep focusing on communities of
15 interest, this is going to make this more difficult and
16 complex. As much as I appreciate and respect all of the
17 cultures in our state, I still want us to at one point say
18 we're Americans.

19 So please don't take too much when people come up
20 and talk about every single thing about their community,
21 because we really are one community.

22 Thank you.

23 CHAIRPERSON MATHIS: Thank you.

24 And our last speaker, last request to speak form I
25 have is Laramer Mace, representing self, from Yavapai

1 County.

2 LARAMER MACE: My name is Laramer Mace. First
3 name is L-A-R-A-M-E-R. Last name M-A-C-E.

4 Speaking first on the grid maps that were
5 provided, it looks to me like what has been done is you've
6 given us one map that is so terrible that the other bad
7 choice looks halfway decent.

8 Neither of them is acceptable in my mind.

9 I am a member of the Yavapai Republican Committee,
10 but I am speaking for myself and a number of friends who
11 could not afford the trip down here from the Verde Valley.

12 I assume that none of you have served as precinct
13 committeemen or you would recognize that the LD options are
14 a joke.

15 Legislative districts hold monthly meetings. On
16 your grid map, one option for the legislative districts, as
17 explained before we have a district that runs from the
18 western edge of the state all the way across the northern,
19 all the way down the eastern almost to the southern border.

20 If they're holding a monthly meeting, a question
21 is where would that meeting be held and number two is how
22 are they going to get there.

23 The districts, the legislative districts
24 particularly, must be as close to a square as you can get.

25 My current district, LD 4, runs from Seligman at

1 Highway 66 to Bell Road in Sun City.

2 The Yavapai County portion is very sparsely
3 populated. Therefore the majority population is in
4 Sun City.

5 Guess what, the meetings are held in Sun City. So
6 our PC committeeman in Seligman would have to drive over
7 200 miles one way to make a monthly meeting.

8 This is ridiculous.

9 They don't go.

10 I myself have to drive over 100 miles to get to a
11 monthly meeting.

12 Yavapai County is mostly rural. And except for my
13 age, I have absolutely nothing in common with Sun City.

14 I could care less when they get speakers from the
15 Sun City fire board candidates. Therefore I have nothing in
16 common with them.

17 Likewise the people in the Verde Valley have
18 nothing in common with the liberal academics of Flagstaff.

19 Yavapai County would prefer to be a single
20 legislative district by itself.

21 Our population base is within two percent of the
22 required population.

23 Therefore, likewise, it comes about as close to a
24 square as you can get.

25 Likewise, Yavapai County would prefer to be

1 completely within whatever congressional district we're put
2 in.

3 In conclusion, I would just like to say that
4 Yavapai County does not want to be used to balance other
5 districts, as people's -- these maps show.

6 We want to be a single entity. We have a common
7 interest, common goals.

8 And if you split us up, we're going to scream
9 bloody murder.

10 Thank you.

11 CHAIRPERSON MATHIS: Thank you.

12 Are there any other requests to speak? Anyone
13 that would like to address the Commission?

14 (No oral response.)

15 CHAIRPERSON MATHIS: Okay. Seeing none, that
16 takes us to the adjournment of this meeting.

17 I don't know how -- what's the proper procedure
18 here?

19 We're going to recess and moving into the next
20 meeting? We're just adjourning?

21 We need a break, so is it okay to adjourn and
22 we'll start the next one?

23 Great.

24 Okay. Given that the time is 4:50 p.m., this
25 meeting is adjourned.

1 Thank you all for coming and for your input and
2 patience.

3 (Whereupon, the meeting adjourned at 4:50 p.m.)

4

5

6

* * * * *

7

8

9

10

11

12

13

14

15

16

17

18

19

20

21

22

23

24

25

1 STATE OF ARIZONA)
)
2 COUNTY OF MARICOPA) ss.

3

4 BE IT KNOWN that the foregoing proceeding was
5 taken before me, Marty Herder, a Certified Court Reporter,
6 CCR No. 50162, State of Arizona; that the foregoing 140
7 pages constitute a true and accurate transcript of all
8 proceedings had upon the taking of said meeting, all done to
9 the best of my skill and ability.

10 DATED at Chandler, Arizona, this 26th day of
11 August, 2011.

12

13

14

C. Martin Herder, CCR
Certified Court Reporter
Certificate No. 50162

15

16

17

18

19

20

21

22

23

24

25