



PUBLIC MEETING MINUTES - JULY 19, 2021

In Attendance:

Chairwoman Erika Neuberg
Vice-Chair Derrick Watchman
Commissioner Shereen Lerner
Commissioner David Mehl
Commissioner Douglas York
Executive Director, Brian Schmitt Deputy
Director Lori Van Haren
Public Information Officer, Michelle Crank
Brett Johnson, Snell & Wilmer
Eric Spencer, Esq. Snell & Wilmer
Roy Herrera, Esq. Ballard Spahr
Jillian Andrews, Esq. Ballard Spahr
Mark Flahan, Timmons Group
Doug Johnson, NDC Research
Ivy Beller Sakansky, NDC Research
Angla Miller, Transcriptionist

I. Call to Order and Roll Call *(4:44 YouTube)*

- A. Call for Quorum
- B. Call for Notice

Present:

Chairwoman Neuberg
Commissioner Lerner
Commissioner Mehl
Commissioner York

Absent: Vice Chair Watchman (joined meeting at 9:23am)

A quorum is present.

Executive Assistant Valerie Neumann confirmed that the meeting agenda was properly posted at least 48 hours prior to the meeting.

II. Approval of minutes from July 13, 2021 *(8:36 YouTube)*

A. General Session

Commissioner Lerner made a motion to approve the General Session minutes from the July 13, 2021 meeting, seconded by Commissioner York. The motion was approved 4-0. There were no Executive Session minutes for the July 13, 2021 meeting.

III. Opportunity for Public Comments *(9:19 YouTube)*

At 8:05am Chairwoman Neuberg opened public comments and indicated that public comments would be open for a minimum of 30 minutes and would remain open until the adjournment of the meeting.

IV. Discussion on Public Comments received prior to the July 13, 2021 meeting. *(10:06 YouTube)*

Chairwoman Neuberg addresses some concerns from the public on our satellite locations and our ability to reach out to far away areas. Neuberg suggests that the public reach out to the Commission via the IRC website to allow their comments to be heard if the meetings do not take place in their geographical location and that general guidelines of the meetings will be presented at the beginning of each meeting.

V. Executive Director's Report and discussion thereof. *(14:07 YouTube)*

- A. Budget Update
- B. FTE Positions
- C. Discussion of proposed timeline for IT integration and migration
- D. Discussion and possible action on Community Outreach Coordinator

Executive Director Schmitt introduced Deputy Director Lori Van Haren. Schmitt provided an overview of last fiscal year's spending. In total the budget was \$500K. Legal fees accounted for \$291K, mapping software and hosting services cost \$128,928, personnel services totaled approximately 50K, professional and outside services were \$16K, employee related expenses were \$11K, and general operating expenses totaled \$1,600. Schmitt will put together an estimated budget for the upcoming year.

A recommendation for the IT migration should be forthcoming next week, Schmitt is working with a vendor to make sure all the Commissions needs will be met.

Schmitt advised that he has received numerous applications for the Community Outreach position, but does not have a recommendation at this time and that the open IT position may be solved with the hiring of the IT migration firm.

VI. Update from the Mapping Consultants, Timmons, NDC. *(19:40 YouTube)*

- A. Discussion and potential action on Proposed IRC Timeline of Events.
- B. Presentation, discussion and action on differential measurements of competitiveness and potential presenters.

Mark Flahan from Timmons, NDC provides an update to the Commission which included the project schedule, the Listening Tour Community of Interest Survey, Elections Database, Redistricting Training Session, and Competitiveness Training.

After discussion, the Commission moves to adopt “Option #2” as the timeline schedule provided as an attachment in the agenda. The legal team advised that there were no legal barriers to adjust the agreed upon schedule, and that the requested deadline given by the Secretary of State, is not a hard deadline and there will be no legal repercussions if the deadline is not met.

Mark Flahan gave a demonstration of the Community of Interest survey that will be posted to the IRC website which allows the public to enter their map suggestions to the Commission. It was agreed that a zip code field would be added as a mandatory field.

Vice-Chair Watchman joined the meeting at (9:23am) and Chairwoman Neuberg left the meeting to join via phone, and Vice-Chair Watchman conducted the remainder of the meeting. (1:27:11 YouTube)

Executive Director Schmitt gives a tentative “run of show” and explained how the meetings will be conducted: Call to order, pledge of allegiance, Commissioner introductions, mapping consultant, legal and staff introductions, followed by a brief presentation on the redistricting process, and then the meeting will be opened up for public comments. The Commissioners agreed upon a 3 minute time limit for each speaker.

Mark Flahan gave a live demonstration of the web based Socioeconomic report application which will be posted to the IRC website. The public may view various CVAP (Citizen Voting Age Population) data.

Redistricting Training is scheduled for the first week in August.

Doug Johnson from NDC gave a presentation on Competitiveness in the Constitution. The presentation topics included, challenges, how to measure competitiveness, recent legal developments, partisan gerrymandering measurements, elements of measurements, competitiveness measures can disagree, usefulness of measures, incumbency impact, simple measures to measure competitiveness, complicated measures, and options.

VII. Discussion and possible action on proposed revised travel schedule. [\(2:52:29 YouTube\)](#)

Executive Director Schmitt updated the Commission on several items regarding the travel schedule. All updates to meeting locations have been posted on the website.

VIII. Discussion and possible action on stock IRC presentation for public use. [\(2:55:50 YouTube\)](#)

Executive Director Schmitt advises that the stock presentation is being modified to be a little less legal orientated and more user friendly. Once completed, it will be posted to the website and translated into Spanish.

IX. Discussion and possible action on information received by the privacy differential presenters on July 13, 2021, census data, census delays and ways to mitigate its disruption. [\(2:57:14 YouTube\)](#)

The Commission did not have any questions about the privacy differential presentations, and after hearing the presentations, they feel very comfortable using the Census Data information, as required by law.

X. Legal update regarding the *State v. Alabama v. U.S. Department of Commerce; U.S. Census Bureau* court opinions and related findings. [\(3:01:30 YouTube\)](#)

The legal team gave an update as to the decision of the Alabama case. The decision will not change anything the Commission will be doing. Regarding differential privacy issues, the plaintiffs asked for the Census Bureau to deliver the data two and one half weeks prior to the promised delivery date; the court will not make them produce the information any earlier and there is no proof yet of injury from the differential privacy imposed that the court could act on. The claims are dismissed without prejudice and may be refiled in the future.

XI. Discussion of future agenda item requests. [\(3:08:46 YouTube\)](#)

The Commission agreed to continue the weekly Tuesday morning meetings virtually at 8:00am throughout the Listening Tour.

XII. Announcements. *(3:11:08 YouTube)*

No announcements.

XIII. Next Meeting Date. *(3:12:19 YouTube)*

Tuesday, July 20, 2021 at 8:00am.

XIV. Closing of the Public Comments. *(3:12:46 YouTube)*

Public Comments were closed at 11:08am.

XV. Adjournment. *(3:13:39 YouTube)*

The meeting was adjourned at 11:10am. Commissioner Mehl made a motion to adjourn the meeting, and Commissioner Lerner seconded the motion. The motion was unanimously approved 5-0.