

April 13, 2001, 11:15 a.m.

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

Commissioners present: Chairman Steven W. Lynn, telephonically; Commissioner James R. Huntwork, in person; Commissioner Joshua M. Hall, telephonically, Commissioner Andi Minkoff, telephonically as indicated; Commissioner Daniel R. Elder, telephonically.
Staff present: Executive Director Enrique Medina Ochoa, in person.
Counsel: Lisa T. Hauser and Jose de Jesus Rivera, in person.
Auxiliary staff present: Lisa A. Nance, RPR, CCR, court reporter with Atwood Reporting, in person.
State Procurement Official: John Adler, in person.
Consultants Present: Florence Adams, telephonically as indicated; Alan Heslop, telephonically; Marguerite Mary Leoni, telephonically; Kimball Brace, telephonically; Karen Osborne, telephonically; Tim Johnson, telephonically; R. Anthony Sissons, in person.

Meeting was called to order at 11:15 a.m.

Call to the Public: No one indicated a desire to speak.

Discussion was had regarding the relationship of Commission counsel and NDC counsel.

Discussion was had regarding PR, that to be done by NDC and the possible addition of some local PR work.

Clarification was made that communication between counsel was vital and that Commission counsel would be writing the DOJ document.

Discussed that NDC would be very involved in the public outreach process liaising with Commission staff; possibly having more than the six meetings; and possibly having a local company augment NDC's efforts in PR and public outreach.

Discussed the increased in the legal costs in the proposal.

Discussed that EDS' data base was far expanded from that which NDC originally proposed.

Discussed the need for the 2000, '98, '94, and '92 historical voting data and the level of detail needed, e.g. down to county levels.

Upon questioning, NDC did state that they felt EDS' data base was a necessary component as they now understood the needs.

Upon questioning, Mr. Brace indicated that he felt Mr. Sissons' data was necessary to meet the Commission's needs.

After discussing the legal services to be provided by Ms. Leoni and Commission counsel and the desire to insure there not be overlapping, duplicative work, Ms. Leoni indicated she did not know the scope of work to be done by Commission counsel at this point.

Commissioners clarified that it was understood that the Commission's counsel were the final word on directing work.

Mr. Sissons was asked to make his proposal more specific with a breakdown of scope of work, written list of deliverables, written timetable, and cost proposal in detailed breakdown format.

Confidentiality issues of counsel and scope of work issues were discussed.

Mr. Brace indicated, for Leg. Counsel, EDS is putting all election results back to '96 into uniform electronic format, filling holes in data, etc. They are doing this for primary and general elections.

Mr. Adler was directed in negotiations to insure that duplication was deleted and that the Commission is only charged for work once or where necessary duplication exists, that only appropriate charges are made to the Commission. He was asked to work with all four consultant groups to insure they not duplicate either cost or activity.

Discussion was had on whether with EDS, NDC, and Mr. Sissons working if there was still a need for Mr. Johnson full time. He indicated he felt there would still be sufficient work, with the website and other data matters, to keep him busy at a full-time level.

Mr. Sissons indicated his data goes down through all federal, statewide, county elected officials, legislative, congressional races, and propositions.

Ms. Hauser indicated she would be meeting with Leg. Counsel following the meeting to discuss obtaining their data and negotiating the price they want for it.

Motion was made by Commissioner Huntwork to go into Executive Session pursuant to 38.431.01 which pertains to discussion or consideration of records exempt by law from public inspection.

Motion was seconded by Commissioner Elder. **Vote was taken. Motion carried unanimously.**

WHEREUPON, the Commission recessed Open Public Session at approximately 1:05 p.m., entered Executive Session, and reconvened in Open Public Session at approximately 2:21 p.m. Let it be noted the consultants were no longer present for the Executive Session or the resumed Open Public Session.

Commissioner Huntwork made a motion as follows:

I will make a motion that we delegate to the Chairman and to one other Commissioner, specifically Mr. Elder, the task of working with Mr. Adler and our legal counsel to continue negotiations of our prime contract with NDC and our agreement with Maricopa County including, without limitation, specifying, to the extent possible, the scope of work of each subcontractor previously authorized and clarifying the role of separate counsel to NDC, including their costs and the manner in which they would work with the counsel for the Commission, and that we tentatively schedule another meeting of

the Commission for Friday of next week for the purpose of discussing further and possibly taking action on such contracts, including any appropriate Executive Sessions.

Motion was seconded by Commissioner Elder. Discussion was had on the motion.

Upon request by Commissioner Minkoff, **Commissioner Huntwork amended his motion** to delete that a meeting be tentatively scheduled next Friday to state: Before we enter into the contract, we will have to have another meeting to approve the contract.

Commissioner Huntwork reworded the amended phrase to: Schedule a meeting at the earliest time determined by the Chairman.

Commissioner Elder indicated the amendment was acceptable to his second.

Vote was taken. Motion passed unanimously.

Call for Public Comment was made: No one was present to indicate a desire to speak.

Agenda items for the next meeting were brought up: Ethics training for the Commissioners, report from counsel as an ongoing agenda item, Executive Director's Report, as an ongoing agenda item.

Ms. Hauser indicated she expected to have a proposal from Leg. Counsel and, if so, she would put that in the form of an inter-agency service agreement for presentation to the Commission at the next meeting.

Commissioner Elder requested that pertinent data and information to get the web site up and running be on the agenda for next meeting. Ms. Hauser suggested that be negotiated in the IGA.

Meeting adjourned.

Minutes Submitted by Lisa A. Nance