THE STATE OF ARIZONA

INDEPENDENT REDISTRICTING COMMISSION

REPORTER'S TRANSCRIPT OF VIDEOCONFERENCE PUBLIC MEETING

Via Google Meet

February 9, 2021

9:09 a.m.

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1 VIDEOCONFERENCE PUBLIC MEETING, BEFORE THE
2 INDEPENDENT REDISTRICTING COMMISSION, convened at
3 9:09 a.m. on February 9, 2021, via Google Meet, Arizona,
4 in the presence of the following commissioners:
5 Ms. Erika Neuberg, Chairperson
Mr. Derrick Watchman, Vice Chairman
6 Mr. David Mehl
Ms. Shereen Lerner
7 Mr. Douglas York
8 OTHERS PRESENT:
9 Ms. Yasmin Ramos, Administrative Assistant
Ms. Pamela Peiser, Assistant Attorney General
10 Ms. Caroline Guerrero, Assistant Attorney General
11 Mr. Kyle Cummings, Assistant Attorney General
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1 P R O C E E D I N G
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3 CHAIRPERSON NEUBERG: Welcome, everyone. I am
4 Chairwoman Erika Neuberg, and we're going to get right to
5 the meeting with the call to order for our Agenda
6 Item I(A).
7 It is 9 o'clock on Tuesday, February 9th, 2021.
8 I call this meeting of the Independent Redistricting
9 Commission to order.
10 For the record, the administrative assistant,
11 Yasmin Ramos, will be taking roll. When your name is
12 called, please indicate that you are present. If for
13 technological reasons you're not able to respond, please
14 type your name.
15 Yasmin, I turn it over to you.
16 MS. RAMOS: Thank you, madam chairwoman.
17 Commissioner Watchman.
18 VICE CHAIR WATCHMAN: Present.
19 MS. RAMOS: Commissioner Mehl.
20 COMMISSIONER MEHL: Present.
21 MS. RAMOS: Commissioner Lerner.
22 COMMISSIONER LERNER: Present.
23 MS. RAMOS: Commissioner York.
24 COMMISSIONER YORK: Present.
25 MS. RAMOS: Chairman Neuberg.

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1 CHAIRPERSON NEUBERG: Present.
2 MS. RAMOS: And then I'll also introduce Pamela
3 Linnins, Kyle Cummings, and Caroline Guerrero from the
4 AG's office who is our legal team. And then we also have
5 Penny Segundo, our court reporter, who will be
6 transcribing for the commission today.
7 CHAIRPERSON NEUBERG: Thank you.
8 Please note for the minutes that a quorum is
9 present. And we'll move on to 1B, call for notice.
10 Yasmin, was the notice and agenda for the
11 commission meeting properly posted 48 hours in advance of
12 today's meeting?
13 MS. RAMOS: Yes. It was posted prior to
14 48 hours.
15 CHAIRPERSON NEUBERG: Thank you very much.
16 We'll move on to 2A, which is approval of the
17 general session minutes for last week's February 2nd,
18 2021, public meeting.
19 For the record, again, as a reminder, a video
20 recording fulfills all statutory requirements for minutes.
21 And the question is, Does that video recording adequately
22 reflect the business that transpired?
23 Is there any discussion regarding the public
24 session minutes for February 2nd of last week?
25 Do I have a motion to approve the public session

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1 recording for February 2nd of last week?
2 COMMISSIONER LERNER: So moved. This is Shereen
3 Lerner.
4 CHAIRPERSON NEUBERG: Okay. Do I have a second?
5 COMMISSIONER YORK: Second. Commissioner York.
6 CHAIRPERSON NEUBERG: Any discussion?
7 Okay. Quick vote.
8 Commissioner Watchman.
9 VICE CHAIR WATCHMAN: Aye.
10 CHAIRPERSON NEUBERG: Commissioner Mehl.
11 COMMISSIONER MEHL: Aye.
12 CHAIRPERSON NEUBERG: Commissioner Lerner.
13 COMMISSIONER LERNER: Aye.
14 CHAIRPERSON NEUBERG: Commissioner York.
15 COMMISSIONER YORK: Aye.
16 CHAIRPERSON NEUBERG: Commissioner Neuberg is an
17 aye. The motion carries.
18 We will now move on to Item II(B), which is
19 approval of the executive session minutes for
20 February 2nd, 2021, for the public meeting.
21 Similar with the above item is a reminder the
22 video recording fulfills all statutory requirements.
23 Is there any discussion on these minutes, the
24 recording? Do I have a motion to approve the executive
25 session minutes of February 2nd of last week?

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1 VICE CHAIR WATCHMAN: Commissioner Watchman moves
2 to approve the minutes for the executive session.
3 CHAIRPERSON NEUBERG: Do I have a second?
4 COMMISSIONER MEHL: Commissioner Mehl seconds.
5 CHAIRPERSON NEUBERG: Okay. Quick roll call.
6 All in favor. Commissioner Watchman.
7 VICE CHAIR WATCHMAN: Aye.
8 CHAIRPERSON NEUBERG: Commissioner Mehl.
9 COMMISSIONER MEHL: Aye.
10 CHAIRPERSON NEUBERG: Commissioner Lerner.
11 COMMISSIONER LERNER: Aye.
12 CHAIRPERSON NEUBERG: Commissioner York.
13 COMMISSIONER YORK: Aye.
14 CHAIRPERSON NEUBERG: Commissioner Neuberg is an
15 aye, and the motion carries.
16 Moving on to Item III, the opportunity for public
17 comments.
18 I am now going to announce for the public, the
19 public comment period will now officially be open at
20 9:04 a.m. for a period of 30 minutes and will end at
21 9:34 a.m. I don't know if I said "p.m." It's a.m.
22 Comments will only be accepted electronically in writing
23 on the link provided in the notice and agenda for this
24 public meeting, and comments will be limited to 3,000
25 characters. The public can look up on the screen, and

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1 that link is provided.
2 Please also note that members of the commission
3 may not discuss items that are not specifically identified
4 on the agenda. Therefore, pursuant to ARS 38-431, action
5 taken as a result of public comment will be limited to
6 directing staff to study the matter responding to any
7 criticism or scheduling the matter for further
8 consideration and decision at a later date.
9 And with that, let's move on to Item IV, which is
10 discussion of the public comments that we have all
11 received prior to today's meeting. I have read them all,
12 and I would like to open it up for discussion and
13 impressions and responses.
14 COMMISSIONER LERNER: Commissioner -- this is
15 Shereen Lerner. I -- in reading the public comments, one
16 of the things that struck me is the question about the
17 amount of time that we're allowing for public comment,
18 that it seems to be limited with the 30 minutes. I'm not
19 sure why we do the 30 minutes, actually, unless there's a
20 legal reason.
21 So from my perspective, I think that there's some
22 really valid points that have been raised in the public
23 comments about that.
24 So that's one aspect, I guess, from my
25 perspective. I'd like to have us consider at some

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1 point -- I don't know when we can do an action item. I'm
2 not sure if it's this time or when, but I'd like us to
3 consider having longer periods for public comment,
4 comments to last the entire duration of the meeting rather
5 than a 30-minute window as part of that.
6 So I'll stop there with one comment on what
7 I glean from the public comments, asking -- considering
8 periods -- longer -- longer time for public comment.
9 CHAIRPERSON NEUBERG: Commissioner York, I had
10 seen your box go off. I don't know if you had a response.
11 COMMISSIONER YORK: No. I -- I would have to
12 agree with Commissioner Lerner that it was pretty evident
13 the public was looking for some more time.
14 The only thing I would say is that it appeared to
15 me that the bulk of the comments we received were in
16 reference to the frustration of time. So I'm not sure how
17 much the public -- the -- the amount of comments didn't
18 vary much. It was all sort of directed around the
19 inclusion piece. So we might need to visit on that.
20 I don't know if there's statute around how many minutes we
21 need. Other than that, I felt that they were pretty
22 consistent.
23 CHAIRPERSON NEUBERG: For clarification purposes,
24 we are not obligated to do even any public comments. This
25 is all an effort to be transparent, accessible. And as

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1 many of the people commented, have that sixth chair as
2 part of -- part of our process.
3 COMMISSIONER MEHL: I don't know if there's
4 any le- -- this is Commissioner Mehl. I don't know if
5 there's any legal reason to have -- to not have it open to
6 the end of the meeting and then close comments at the end
7 of the meeting or if we need to set a time. Obviously,
8 30 minutes is not perceived as long enough. I think --
9 I think we're all in agreement on that.
10 So I would like to ask our attorney, can we just
11 leave public comments? Can we open it at the beginning of
12 the meeting and leave it without a fixed time and just
13 close public comments before we adjourn.
14 CHAIRPERSON NEUBERG: And --
15 MS. PEISER: This is Pamela --
16 CHAIRPERSON NEUBERG: Pam, before you respond,
17 I just -- as we discuss this, I just want to share that
18 we're creating precedent and predictability for our
19 public. Not all meetings are going to last hours. And
20 whatever precedent we set, if we require ourselves to have
21 public comment for, let's say, 60 minutes, 2 hours, we are
22 then required to stay on that call to receive that public
23 comment.
24 And so with that, Pam, I don't know if there are
25 legal ways where we can assure that there's a minimum

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1 amount of time but that we pledge to stay open until the
2 formal meeting closes.
3 MS. PEISER: This is Pamela Peiser.
4 My first question would be do you want this in
5 open session or -- maybe would be better for me to say is
6 if you want to do this in executive session, I'll leave it
7 to you guys to say that; otherwise, I'll presume we're
8 doing any advice from me in the open session.
9 CHAIRPERSON NEUBERG: I personally don't see any
10 reason to do this in executive session unless any other
11 commissioner disagrees.
12 VICE CHAIR WATCHMAN: No.
13 COMMISSIONER LERNER: No.
14 MS. PEISER: Okay. So going from there, as
15 you've already stated, there is no requirement to have
16 public comment. The only issue with public comment is if
17 you are going to accept public comment, it needs to be
18 done while the meeting is open.
19 So if you have public comment continuing until
20 the meeting concludes, that's fine. If you have public
21 comment for 2 hours, then you need to have the meeting
22 last at least 2 hours. So you can do it either way. You
23 can also go with no public comment. Obviously, that's not
24 what anybody wants, but, you know, that's one end of the
25 spectrum.

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1 COMMISSIONER LERNER: So -- Commissioner --
2 Commissioner Lerner. It sounds like we could just say
3 open at the open of the meeting and ends at the end of the
4 meeting, and then we're not bound by a certain number of
5 hours where if our meeting ends early, we still have to
6 continue.
7 So that would be my recommendation then if we can
8 make a recommendation now if we can do that.
9 CHAIRPERSON NEUBERG: Yes. Commissioner Lerner,
10 just as a matter of principal, on the agenda, we notified
11 the public that all matters on the agenda may be
12 discussed, considered, and are subject to action by the
13 commission.
14 So, yes, I do believe given that language, we
15 have the ability to take action on this.
16 MS. PEISER: Just as a point of clarification,
17 the one thing you'd want to do leaving -- leaving public
18 comment open to the end of the meeting is close it just
19 before adjournment so that it's formally closed.
20 COMMISSIONER MEHL: I -- this is Commissioner
21 Mehl. I suggest we follow Commissioner Lerner's
22 suggestion and do that for the next few meetings or until
23 we change our mind, make that the method that we do it.
24 It seems like that would work pretty smoothly.
25 CHAIRPERSON NEUBERG: With perhaps one addition

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1 that we ensure a minimum of 30 minutes. So I like the
2 idea, Look, all of our business must be done in public.
3 And so there may be weeks that we have something that's
4 quite concise and we want to be able to convene to -- to
5 not be delayed. And, who knows, I mean, there may not be
6 times that we always are meeting for hours.
7 And so I do think it's important that the public,
8 if they're going to, you know, make the effort to arrive
9 at 9:00 a.m. that they know that every week at least or
10 when we're meeting in public that there's, at minimum, a
11 30-minute window.
12 COMMISSIONER MEHL: This is Commissioner Mehl.
13 I make a motion that for future meetings that we
14 begin the public comment period after we -- shortly after
15 approving the minutes and then we leave it open for a
16 minimum of 30 minutes and close it prior to adjourning the
17 meeting.
18 COMMISSIONER LERNER: This is Commissioner
19 Lerner.
20 And I'll second that motion.
21 CHAIRPERSON NEUBERG: Okay.
22 VICE CHAIR WATCHMAN: I have a question, Madam
23 Chair.
24 CHAIRPERSON NEUBERG: Yes, any discussion?
25 Commissioner Watchman?

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VICE CHAIR WATCHMAN: Okay. Thank you. Commissioner Watchman here. Thank you.

In reference to perhaps having a public comment on our website, something that -- you know, separate from the meeting and -- it seems to me that, you know, not everybody's going to be available to attend our meetings and participate via public comment.

And so I'm not sure what the rules are pertaining to having other public comments as was recommended by the public comment, i.e., put it on our website or having some type of email or something so that our -- obviously, the Arizona public can participate any time they want.

And so I'd like to throw that out as something to consider.

But having said that, I'll -- Commissioner Watchman seconds the motion.

COMMISSIONER YORK: Commissioner Lerner seconded the motion. That was the discussion.

VICE CHAIR WATCHMAN: Oh, I'm sorry. Okay.

COMMISSIONER MEHL: This is Commissioner Mehl.

I think we have an agenda item coming up about our website. And I agree with Commissioner Watchman that when we discuss the website, we should just have a place for people to make comments as an ongoing part of that website.

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1 CHAIRPERSON NEUBERG: Excellent.
2 We absolutely -- I do anticipate that we'll
3 revisit this. And so for now, let's just close this
4 particular item.
5 Do we have a second regarding how we're going to
6 handle public comments? The minimum 30 minutes, extending
7 it through the end of the meeting, and then we will do a
8 formal close prior to ending the meeting.
9 COMMISSIONER LERNER: Well, Commissioner Neuberg,
10 I think we've already had a second on that.
11 CHAIRPERSON NEUBERG: Oh, okay. Sorry.
12 All in favor. Commissioner Watchman. We're
13 doing a quick vote.
14 VICE CHAIR WATCHMAN: Aye.
15 CHAIRPERSON NEUBERG: Mehl.
16 COMMISSIONER MEHL: Aye.
17 CHAIRPERSON NEUBERG: Lerner.
18 COMMISSIONER LERNER: Aye.
19 CHAIRPERSON NEUBERG: York.
20 COMMISSIONER YORK: Aye.
21 CHAIRPERSON NEUBERG: Neuberg is an aye. The
22 motion carries.
23 COMMISSIONER LERNER: Commissioner Neuberg, I
24 have another question about public comment, and if it's
25 inappropriate here, just let me know.

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1 But as long as we're talking --
2 CHAIRPERSON NEUBERG: Sure.
3 COMMISSIONER LERNER: -- about public comments,
4 how does the public access public comment? Or do they?
5 How are they able to see other people's comments? I mean,
6 we get that. We're sent that information, but is there a
7 way for the public to have access? Because we're trying
8 to be as transparent as possible. And, you know,
9 eventually we might be posting these. But for right now,
10 who can access and see the public comments that are like
11 what we just got?
12 CHAIRPERSON NEUBERG: Yes. They are a matter of
13 public record. I do believe it takes effort to get them.
14 And with that, I would like to defer to Yasmin
15 and/or Pam to discuss the process because we have had
16 requests for them.
17 MS. RAMOS: This is Yasmin Ramos.
18 And they would have to submit a public records
19 request or send an email requesting these documents, and
20 we will fulfill that information at that time.
21 COMMISSIONER LERNER: Okay. This is Commissioner
22 Lerner.
23 So that's the only way; right? We don't post
24 them? And that's the common way; right? Public comments
25 are only by public records request --

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1 MS. RAMOS: That is -- yeah. Yes, that is
2 correct. Because sometimes they put their, you know,
3 personal information, and we have to redact.
4 COMMISSIONER LERNER: Okay. Thank you.
5 CHAIRPERSON NEUBERG: And, Commissioner Lerner,
6 let's -- I mean, I think we can have a robust discussion
7 when we talk about our website about what we really want
8 to include. And so let's revisit this issue. I think
9 it's important.
10 MS. PEISER: If I can provide a point of
11 clarification on that. This is Pam.
12 The public comments are part of the open meeting.
13 So any public comments that come in are going to need to
14 be posted with the minutes from each meeting, and they
15 still need to comply with the time frames under the
16 statutes. If material is publicly available, you can
17 direct people to request them or to specifically pull them
18 down from the website rather than a request.
19 COMMISSIONER LERNER: So just for clarification
20 then at this time, there's no -- until we get our website,
21 right now they need a public record request, but then once
22 we get our website, that may not be the case? I'm just
23 trying to understand.
24 MS. PEISER: The minutes from each meeting still
25 need to be posted --

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1 COMMISSIONER LERNER: Right.
2 MS. PEISER: -- wherever the notices are being
3 currently stored because there is open-meeting
4 requirements as to how long the publication needs to last
5 for -- I believe it's a year -- to be publicly accessible.
6 COMMISSIONER LERNER: Yeah. I understood that
7 about the minutes. I thought you were referring to the
8 public comment. I'm sorry. The minutes I understand.
9 MS. PEISER: The comments should follow the
10 minutes because they're part of the meeting.
11 COMMISSIONER LERNER: Okay.
12 CHAIRPERSON NEUBERG: Okay. So it sounds like it
13 will expedite our conversation because there's a strong
14 legal obligation here.
15 So public comments eventually will be, you know,
16 attached in some format to our soon-to-be emerging,
17 wonderful, new website.
18 So thank you for that.
19 Are we ready to move on to the next item?
20 With that, we'll move on to Item V, discussion
21 and possible action on executive director and other
22 administrative support positions.
23 With opening up this discussion, I suggest that
24 we first address the executive director, and then after
25 that, the administrative assistant and other conversations

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1 just for organization purposes.
2 COMMISSIONER MEHL: This is Commissioner Mehl.
3 Can we have -- can you share on our screen the
4 position description that was sent out? Is that a
5 possibility or not?
6 CHAIRPERSON NEUBERG: That's a question for
7 Yasmin.
8 MS. RAMOS: Let me go ahead and try to present
9 that right now.
10 CHAIRPERSON NEUBERG: Okay.
11 COMMISSIONER LERNER: And, Commissioners, while
12 we're waiting for that, I'd like to make a suggestion in
13 addition to us looking at the description. Would it be
14 appropriate for us to invite the past executive
15 director -- as long as that person is not applying for
16 this position -- for a discussion about skill sets and
17 what that -- the person, I think it was Ray Blake -- Ray
18 Bladine --
19 CHAIRPERSON NEUBERG: Yes.
20 COMMISSIONER LERNER: -- right? And maybe that
21 person while we're waiting -- because we'll have -- we'll
22 have a period of time from the time we post until the time
23 we hire. It might be interesting to have his perspective
24 over what skill sets did he feel were important, what
25 worked, what didn't work. That could help us guide us as

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1 we do our selection for this executive director.
2 So as part of our discussion, I guess that would
3 be a question I have for the other commissioners. Do we
4 want to consider that for a future time -- a future
5 meeting inviting a past director for insight?
6 CHAIRPERSON NEUBERG: Does anybody have any
7 responses to that?
8 COMMISSIONER MEHL: This is Commissioner Mehl.
9 I think that would be an interesting thing to do.
10 I have no objection to that, if we can invite him to the
11 next meeting. I do think it's really important for us to
12 move this along as quickly as we can. I'm hoping by the
13 end of this discussion today, we can approve a position
14 description and get it posted.
15 CHAIRPERSON NEUBERG: Yeah.
16 COMMISSIONER MEHL: And I think we can do that
17 and still invite him to speak to us next week, because
18 it'll take us a number of weeks to get applications in and
19 then for us to select someone.
20 CHAIRPERSON NEUBERG: You know, I -- I agree with
21 that sentiment.
22 And, Commissioner Lerner, let me express some
23 concern on my part. First of all, just for the sake of
24 transparency, I've had a thorough conversation with Ray
25 Bladine as -- as with Kristina Gomez, who is the deputy

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1 executive director. They are gracious. They have much
2 information to share. And I know that they would welcome
3 calls from all of you to discuss all of their insights.
4 My concern about providing a public forum for
5 this is once you start opening it up, how do you then
6 decide who gets to speak about their view? We had another
7 commission 10 years prior, and I would also remind the
8 commission that each commission prior to us had their own
9 complications. And so, you know, there's much to be
10 learned, but we also want to do things our way. And if we
11 limit public opportunity to influence the process to one
12 voice, I'm a little concerned about that.
13 But I want feedback. And so I'm certainly not
14 saying this to squash education. It's just once you open
15 something up, I feel that it becomes quite large.
16 So any thoughts or responses to that?
17 COMMISSIONER LERNER: Well, I -- this is
18 Commissioner Lerner.
19 I guess, yeah. I mean, if they don't mind
20 getting five phone calls. I was thinking it would be
21 easier, really, if we all just heard that. We can all ask
22 questions. We might not repeat ourselves because we might
23 have the same questions.
24 So I didn't -- I understand what you're saying.
25 I -- Commissioner Neuberg, I just -- this is a very

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1 specific item to be asking about a particular position.
2 So, to me, I thought that that would be of value.
3 I'll leave it to the other commissioners to
4 decide. I'm fine. If it ends up that we decide not to do
5 that, then I'll just make my own phone call and hope that
6 they don't mind having several calls.
7 But from my perspective, I thought it might be
8 helpful to hear -- of course, every commission is going to
9 be different. But I was thinking of skill sets in
10 particular, what was valuable and what wasn't, as part of
11 it. But I'll leave it to the other commissioners to make
12 those determinations.
13 COMMISSIONER MEHL: This is Commissioner Mehl.
14 Having heard Commissioner Neuberg's
15 comments, I actually -- I -- I agree with that. And
16 I would rather us not than do that in a public forum,
17 and I welcome anyone who wants to call them and do that.
18 But I do think we need to be careful about what we try to
19 do in public. And, like you say, that sort of forecloses
20 other opinions and other -- other opinions about how we
21 should go about that. So I am good with us not doing
22 that.
23 VICE CHAIR WATCHMAN: Madam Chair, this is
24 Commissioner Watchman.
25 I agree with your thoughts, and I also agree with

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1 Commissioner Mehl that we should, by the end of this
2 meeting, move forward with the position description for
3 our executive director.
4 But I'm open -- and we'll perhaps reach out to
5 the prior directors just to get a feel, but, you know, we
6 obviously need to set the mark for this commission and
7 move forward. And the skill sets, I'm sure, you know,
8 we'll pick it up as we go.
9 And so -- but I -- I guess I agree with what
10 you're saying, Madam Chair. And so -- but great
11 discussion.
12 Thank you.
13 MS. PEISER: This is Pamela Peiser.
14 As a point of caution, I would just like to
15 remind everybody that in any conversations that may occur,
16 you can receive information, but there should be no
17 conversation regarding what anyone else may or may not
18 have discussed because that could potentially lead to an
19 open meeting violation.
20 CHAIRPERSON NEUBERG: Thank you.
21 It sounds like there's consensus that I think
22 both the executive director and assistant -- deputy
23 assistant director have a wealth of information. And
24 Commissioner Lerner, I do feel that they would be willing
25 to receive five phone calls. They were remarkably

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1 gracious, dedicated public servants, and I encourage
2 everybody to tap into the wealth of their information.
3 COMMISSIONER LERNER: Thank you.
4 If I could just receive their contact
5 information, that would be great.
6 CHAIRPERSON NEUBERG: Yasmin can forward that to
7 you.
8 COMMISSIONER LERNER: Okay. Sounds good.
9 CHAIRPERSON NEUBERG: With that, it sounds like
10 there is definitely consensus that we need an
11 advertisement and job description out there for our
12 executive director.
13 So let's take a look at these criteria. I did a
14 brief glance prior to the meeting. I think we need to
15 look at it from the lens of are there, you know, changes
16 or additions?
17 And one thing that I wasn't sure of, Yasmin, in
18 reading it with the advertisement of the description, does
19 it ask for vitas, resumes, and letters of reference?
20 Because I think calling references are -- you know, is
21 incredibly important.
22 MS. RAMOS: Yes. I believe our human resources
23 department will -- will follow through with that.
24 CHAIRPERSON NEUBERG: Okay.
25 COMMISSIONER MEHL: This is Commissioner Mehl.

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1 I thought this was very -- very well done and
2 very detailed. It may say too much, but I would be happy
3 just publishing this, unless -- but I look forward to more
4 detailed comments if someone has any.
5 COMMISSIONER YORK: This is Commissioner York.
6 I had a question related to salary. It hadn't
7 mentioned a salary, but I was curious if there was a
8 range. Grade E-3, I don't know what that is in the State.
9 So...
10 CHAIRPERSON NEUBERG: And I -- I -- if there is a
11 representative -- well, Yasmin, if you are able to answer
12 this, I am not -- not familiar with these kinds of State
13 codes.
14 MS. RAMOS: Yes. I am sure there is a range for
15 an E-3. I think that was just a recommendation based on,
16 you know, previous encumbrance. And I think that's --
17 that's what the recommendation was.
18 I believe before was 105-, but that was 10 years
19 ago. And based on now, that was the recommendation. But
20 I can get, you know, the starting point and the end point
21 for you guys to decide.
22 CHAIRPERSON NEUBERG: And, Yasmin, listing it
23 does not require us to stay at that figure; is that
24 correct? I mean, that is a target and is up for, you
25 know, discussion.

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1 MS. RAMOS: I believe that is correct. I believe
2 if we post it, it would just kind of depend on what you
3 guys want to do. We can post it with this 121- or we can
4 post it with the range, you know, saying between -- and
5 depending on the candidate and what they bring to the
6 table and their qualifications. You guys can determine
7 that.
8 COMMISSIONER MEHL: This is Commissioner Mehl.
9 In today's world, the 100,000 won't be
10 sufficient. I think we're more likely to be in the 120-
11 to 160- and -- and very likely to be in the upper end of
12 that range.
13 COMMISSIONER LERNER: I guess, maybe we can ask
14 him to clarify that, of course -- this is Commissioner
15 Lerner -- on the salary scale.
16 And I think a range would be helpful on that, a
17 minimum and max. I agree that we probably need to start
18 with 121- versus where it was in the past. I also think
19 that this is well done.
20 And the only thing I have a question on is where
21 does it say that this is not -- I know it says at-will
22 status, but it wasn't filled out there. I mean, this is
23 something that is only about a 1 year, maybe a couple
24 year, depending on what's needed. So to be sure -- to be
25 clear that this is a long-term, temporary position,

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I guess, is -- where does that come into play?

MS. RAMOS: And I'm sorry. What was that? I didn't catch it.

COMMISSIONER LERNER: Where does it show, when we advertise this position, that it is not permanent, that it's a long -- it's a 1- to 2-year position?

MS. RAMOS: I think we can post that in the description as well. It'll be in the job posting. So this is just a position description, this is not the job posting.

COMMISSIONER LERNER: Okay.

COMMISSIONER MEHL: This is Commissioner Mehl.

I suggest after the "121" we just put a plus.

CHAIRPERSON NEUBERG: Yeah. I -- you know, my -- my sense of this is we are best off coming to consensus and deciding on something today so we can move forward with getting this out. So if we -- if we wait for further advice on some of this, this may delay us another week.

COMMISSIONER MEHL: Madam Chairman, that's why I said just do the 121- plus, and I think that leaves it open-ended enough and obviously indicates that salary is going to be at least 121- and maybe higher depending on their qualifications.

COMMISSIONER LERNER: And I agree with Commissioner Mehl. I mean, as long as there's a range in

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there -- I mean, we don't have to list the range, but if it says E-3 and the range starts at 121- plus, I think we're fine.

This is a very minor point. Under knowledge -- under the list of knowledge, there's a small typo where it says "lobbying." It should be -- there's just a small typo there, "state lobbying laws," towards the end of the knowledge list. Otherwise, I -- I am -- I am good with this job description.

CHAIRPERSON NEUBERG: My suggestion, Commissioners, is, you know, we're going to have some other content issues to discuss related to the hiring. I'm going to propose that we have, along the way, you know, specific motions so that once we agree on something, we lock that in, and then do it that way rather than waiting for a very, you know, kind of robust motion.

So with this fixing of the typo, are we ready to have a motion to approve this job description for our executive director with the clarification that the salary is to be listed at 121- -- 121,000 per year plus with a limited time frame of, you know, the job?

VICE CHAIR WATCHMAN: I think that's -- this is Commissioner Watchman -- at will. But, basically, I think we're good.

So Commissioner Watchman motions to approve this

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1 job description for the executive director with the salary
2 at 121- plus at an E-3 schedule, at will, and also
3 recognizing some of the typos that Commissioner Lerner
4 noted.
5 CHAIRPERSON NEUBERG: Thank you, Commissioner
6 Watchman.
7 Do we have a second?
8 COMMISSIONER YORK: Commissioner York seconds.
9 CHAIRPERSON NEUBERG: Okay. Quick vote.
10 Commissioner Watchman.
11 VICE CHAIR WATCHMAN: Aye.
12 CHAIRPERSON NEUBERG: Commissioner Mehl.
13 COMMISSIONER MEHL: Aye.
14 CHAIRPERSON NEUBERG: Commissioner Lerner.
15 COMMISSIONER LERNER: Aye.
16 CHAIRPERSON NEUBERG: Commissioner York.
17 COMMISSIONER YORK: Aye.
18 CHAIRPERSON NEUBERG: Commissioner Neuberg is an
19 aye. The motion carries unanimously.
20 Let's move --
21 COMMISSIONER MEHL: This is Commissioner Mehl.
22 I have an additional comment. There are some
23 blanks and other things that still need to be filled out
24 that I assume will require someone to approve it.
25 So I make a motion that we authorize Chairwoman

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1 Neuberg to work with staff and to use her discretion to
2 complete whatever forms and whatever other information is
3 required for the posting.
4 COMMISSIONER LERNER: Commissioner Lerner
5 seconds.
6 CHAIRPERSON NEUBERG: Any discussion? All in
7 favor. Commissioner Watchman.
8 VICE CHAIR WATCHMAN: Aye.
9 CHAIRPERSON NEUBERG: Mehl.
10 COMMISSIONER MEHL: Aye.
11 CHAIRPERSON NEUBERG: York.
12 COMMISSIONER YORK: Aye.
13 CHAIRPERSON NEUBERG: I screwed up the order.
14 Sorry. I messed up.
15 Commissioner Lerner.
16 COMMISSIONER LERNER: Aye.
17 CHAIRPERSON NEUBERG: I'm going across the
18 screen.
19 The motion carries unanimously.
20 Let's move on to talking a little bit about the
21 method of advertising, number of days we want to
22 advertise, where. Any thoughts on that issue?
23 COMMISSIONER YORK: This is Commissioner York.
24 I'm not sure where to advertise, but I do know we
25 need to limit it probably to 14 to 21 days because of the

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1 fact of the essence -- that time is of the essence.
2 COMMISSIONER LERNER: This is Commissioner
3 Lerner.
4 I agree with Commissioner York. I say 14 to 21
5 at most and just get the word out there. I'm sure word
6 will spread quickly.
7 COMMISSIONER MEHL: This is Commissioner Mehl.
8 I have a question. What -- when the Government
9 posts on their standard procedures, where does it go to?
10 CHAIRPERSON NEUBERG: Yasmin, can you please
11 clarify where we would anticipate this being posted?
12 MS. RAMOS: It goes to our job board for the
13 State of Arizona. I'm not sure if it's actually linked to
14 other entities or not. I would have to get back to you on
15 that. But I know for -- you know, for State Government,
16 it goes on our job board for sure. I'm just not sure if
17 it's linked further out.
18 CHAIRPERSON NEUBERG: But it sounds like, you
19 know -- Commissioner Lerner alluded to this -- that we
20 feel confident that -- with it being released on that --
21 that Government job board, that it will get sufficient
22 attention and notice that we'll have a wide enough range
23 of candidates to tap into. I think that's really the
24 essence of what we need to be concerned about, that
25 there's a big group of people to pull from.

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1 COMMISSIONER LERNER: And as another note, if
2 possible for -- this is Commissioner Lerner. When it does
3 get posted, if we could be notified so that we are all
4 aware, because sometimes things get posted and we don't
5 know because, you know, I'm not looking at the job posting
6 board, so I wouldn't be aware. If that could be something
7 we're aware of, that would be helpful as well.
8 MS. RAMOS: Absolutely. I'll be sure to share
9 that.
10 COMMISSIONER LERNER: Thank you.
11 CHAIRPERSON NEUBERG: Okay. I'd like to also
12 discuss -- and we can absolutely table this for -- for
13 next week, but I think we ought to begin to be thinking
14 about this: Our interview process. To what extent will
15 those interviews be in public? To what extent might we
16 have questions that are better asked in executive session?
17 This actually is a hot topic. It's a serious topic. And
18 to what extent do we have a hybrid?
19 You know, in light of our public comments up to
20 date, there's a sentiment of doing as much of our business
21 in public. I'm a huge fan of that. Look, all five of us
22 really did all of our work in public.
23 And so, you know, I don't know if the other
24 commissioners want to begin this conversation or discuss
25 this next week, but we have some work to do with thinking

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about the process and also thinking about the explicit questions we want to ask because they're related. The greater the sensitivity of the questions, the more people may need private avenues for which they can share. You know, I don't know if there are prior work complications. We may have, you know, questions that we want to ask.

And so are there any conversations or discussion points that you would like to address today?

COMMISSIONER MEHL: This is Commissioner Mehl.

I suspect we will get a fairly good number of applicants. And like the Judicial Appellate Commission did, I would suggest that we, in public, review those applicants and narrow the list down to three to -- to the top three to five, depending on what the applications look like, and then only interview that number of people and not -- not put ourselves in a position where we're saying we're going to interview everybody that applies.

COMMISSIONER LERNER: This is Commissioner Lerner.

I think that's a good strategy to follow.

VICE CHAIR WATCHMAN: Commissioner Watchman agrees. I -- I think in terms of, you know, advertising and talking to folks, we're constrained, for the most part, by what the Arizona employment laws are. So, you know, the quicker, the better.

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1 But narrow it down to three or five, I think,
2 would be -- would be good. But I'll leave it to your
3 discretion, Madam Chair, you know, working with the
4 Department of Administration as to the length of time and
5 the applicants, and then we can go from there and discuss
6 how many -- or discuss the top three or top five
7 candidates.
8 So thank you.
9 COMMISSIONER LERNER: And this is Commissioner
10 Lerner.
11 To follow up, since I think we agree with
12 Commissioner Mehl's proposal, I know that we had mentioned
13 we all did interviews which were public. And so the
14 questions became public after the first interview.
15 So we were -- at least I know we were advised not
16 to watch in advance so we didn't see what was coming. So
17 if we wanted to, we could try to follow that same
18 strategy. I think that's what you suggested, Commissioner
19 Neuberg, is to follow that same practice of looking at --
20 of having the interviews be public; is that correct? Is
21 that what you were suggesting?
22 CHAIRPERSON NEUBERG: Well -- well, I'm opening
23 it up to conversation.
24 So what I'm hearing consensus is we'll do our due
25 diligence, narrow down the list to maybe the top three to

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1 five. I mean, you know, part of me slightly wonders what
2 if we find six really great people? If we have a motion
3 to limit it to five, I'm slightly worried. We can maybe
4 have a little more room to have flexibility just in case.
5 But, yes, I think, you know, what I'm hearing is
6 that there's an openness that once we narrow the list,
7 that we do conduct our first round of interviews in
8 public.
9 COMMISSIONER MEHL: Yes. This is Chairman Mehl.
10 I'm fine with not putting a number on it. I just
11 think as a format, we're going to want to look through
12 everything, narrow the list down, and then interview those
13 that we think are appropriate as just a general direction.
14 I don't even think we need to do a motion or anything.
15 I think that's just -- if we just sort of keep that in
16 mind as we go forward, I think that would be good.
17 CHAIRPERSON NEUBERG: Okay. I mean, it sounds
18 like there's consensus that we will, you know, get the
19 best candidates, do our due diligence, narrow it down, and
20 that we will begin the process with public interviews.
21 And to be determined if there's other sensitive, you know,
22 questions or issues that may require executive session, of
23 course, we reserve the right to ask for that under
24 necessary circumstances.
25 Given that we're not taking action on this,

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1 again, as Commissioner Mehl said, I don't believe we need
2 a motion here.
3 Any other discussion?
4 VICE CHAIR WATCHMAN: No.
5 CHAIRPERSON NEUBERG: We will -- and I believe we
6 will have time. We may want to defer this to next week.
7 We do need to think through our interview questions. And,
8 actually, a relevant question along this is when we decide
9 the interview questions we want to ask, does anybody feel
10 we need to go into executive session for that? Might
11 there be sensitive questions that we want legal counsel
12 for in determining what questions are appropriate?
13 Because if we do expect to go into executive session next
14 week to, you know, work through our specific interview
15 questions, if we think we need legal advice, it's better
16 to alert the public now of that possibility.
17 COMMISSIONER YORK: This is Commissioner York.
18 Erika, I believe that we need to allow ourselves
19 the flexibility for that. So I would notify the public
20 now that that could be a possibility when we have that as
21 an agenda item for our next meeting.
22 CHAIRPERSON NEUBERG: Okay. And any other
23 discussion on that?
24 Any other discussion on the executive director
25 position? We've already had a motion. We've approved the

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job description. We're going to move forward with advertising the job. We're beginning to narrow down our process.

Any other discussion for this week?

VICE CHAIR WATCHMAN: Nope.

MS. PEISER: Excuse me, Chair.

CHAIRPERSON NEUBERG: Yes.

THE WITNESS: No discussion, but is public comment still open, or has it closed?

CHAIRPERSON NEUBERG: You know what, it is literally closing as you speak. Thank you so much, Pam, our attorney.

It is now 9:44, and public comment is now closed.

Please note, members of the commission may not discuss items that are not specifically identified on the agenda; therefore, pursuant to ARS 38-431, action taken as a result of public comment will be limited to directing staff to study the matter, responding to any criticism, or scheduling the matter for further consideration and decision at a later date.

Okay. With that, we'll move on to discussion of the executive assistant position.

Yasmin, I believe you sent out a description of that as well?

MS. RAMOS: Yes. Did you want me to present that

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1 as well?
2 CHAIRPERSON NEUBERG: If you don't mind, thank
3 you.
4 Okay. You know, with this discussion as we, you
5 know, think through the different elements of our
6 executive director conversation, just starting with the
7 job description and other criteria, is there any
8 discussion?
9 COMMISSIONER MEHL: This is Commissioner Mehl.
10 Once again, I would put a plus sign after the
11 53,000. And I do think this job description makes it
12 sound like we're looking for a super person to some
13 degree, but I don't think there's anything wrong with it
14 and not untypical of a job description. I would be fine
15 with it.
16 COMMISSIONER LERNER: This is Commissioner
17 Lerner.
18 I agree, and I don't know -- this is the
19 executive assistant, not the deputy director; correct?
20 But I had no other comments other than I agree with
21 Commissioner Mehl. This is --
22 CHAIRPERSON NEUBERG: Okay. I want to clarify.
23 Is this description, Yasmin, for the executive assistant
24 or the deputy executive director? They are two
25 fundamentally different positions.

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1 MS. RAMOS: Yes. This is for the executive
2 assistant.
3 CHAIRPERSON NEUBERG: Okay.
4 COMMISSIONER LERNER: This looks fine to me too.
5 COMMISSIONER MEHL: This is Chairman Mehl --
6 I mean Commissioner Mehl.
7 This is, I think, the replacement for Yasmin, so
8 she's probably cheering us on to get this.
9 CHAIRPERSON NEUBERG: I don't know. I'm getting
10 a little attached to Yasmin.
11 VICE CHAIR WATCHMAN: Madam Chair, this is
12 Commissioner Watchman.
13 The job description looks good. The only thing
14 I see is the translation services. It lists the several
15 tribes. Are we also going to have translation in Spanish
16 as well? And so, you know, not to point out -- I think
17 this is needed for the -- for the different languages in
18 our state, but also translation for the other parts of our
19 community.
20 CHAIRPERSON NEUBERG: You know, Commissioner
21 Watchman, I noticed the same thing, and I think I saw
22 maybe in a slightly different area that it included
23 Spanish. But that is, I think, an important point to be
24 consistent.
25 So, Yasmin, I do think that there's value if

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1 we're getting somebody multilingual or, you know, able to
2 communicate in different languages. Spanish is very
3 important in our state.
4 COMMISSIONER YORK: This is Commissioner York.
5 It was down on the bottom towards --
6 VICE CHAIR WATCHMAN: Towards the bottom. Okay.
7 COMMISSIONER YORK: -- coordinating all and enter
8 the interpretations.
9 CHAIRPERSON NEUBERG: Right. It was listed on
10 one place and not another. But to be consistent, I think
11 that would be terrific.
12 VICE CHAIR WATCHMAN: We should make it
13 consistent.
14 CHAIRPERSON NEUBERG: Right.
15 COMMISSIONER LERNER: This is Commissioner
16 Lerner.
17 It is under the functions on the third part, but
18 it -- under the functions of the fifth line -- fifth item.
19 But in the summary, it does not have all of the same -- it
20 has a misspelling of "Hopi" up there. Sorry. I'm a
21 spellcheck person. You'll know this for now. But it also
22 doesn't list Spanish there. So maybe we can just make
23 those two items the same under the summary and under the
24 function list for consistency's sake.
25 COMMISSIONER MEHL: And this is Commissioner

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1 Mehl.
2 I just want to point out that we're not expecting
3 this person to be multilingual, but part of their
4 responsibility is to make sure that translating services
5 do occur and that it's translated to these different
6 languages.
7 COMMISSIONER LERNER: Correct.
8 CHAIRPERSON NEUBERG: Right. That's an excellent
9 point because I think that there may well be somebody that
10 is explicitly tasked with outreach in our community and
11 media, and being multilingual in that role, I think, will
12 be a little more important.
13 Any conversation about timing of -- you know, are
14 we ready to post this? And relative to this, any
15 conversation about do we want the executive director that
16 we ultimately hire to have any involvement in this hire,
17 or is this a hire we want to move on as soon as possible
18 and take under, you know, our own responsibility?
19 COMMISSIONER LERNER: This is Commissioner
20 Lerner.
21 As a thought, I thought we could move forward
22 with the advertisement, but once we hire the executive
23 director, have the executive director actually do the hire
24 so we don't have a delay of then having to wait 2 to
25 3 weeks again. But that way the executive director can

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move quickly with the number of people who have applied. They could look at the applications and make that hire or be directly involved in it. I'm not sure whether the commission wants to be involved but, certainly, the executive director should be.

CHAIRPERSON NEUBERG: Any other discussion?

That makes sense to me. I'm very comfortable with that. We're not delayed in any kind of way, but with the timing, we hope that our executive director would have some involvement.

So with that, I do think we need a motion to move forward with this job description and, you know, our intention to move forward with advertising the position.

Do I have a motion on this?

VICE CHAIR WATCHMAN: Commissioner Watchman motions to move forward with the advertisement, and into that, approving the job description that's presented herein. So I motion to move forward with the executive assistant.

CHAIRPERSON NEUBERG: Do we have a second?

COMMISSIONER YORK: Commissioner York seconds.

CHAIRPERSON NEUBERG: Any discussion?

Okay. With that, we'll do a quick vote.

Commissioner Watchman.

VICE CHAIR WATCHMAN: Aye.

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1 CHAIRPERSON NEUBERG: Commissioner Mehl.
2 COMMISSIONER MEHL: Aye.
3 CHAIRPERSON NEUBERG: All right. I think there's
4 a little --
5 MS. RAMOS: Commissioner Mehl, I believe you have
6 joined the meeting twice. I think you have to close out
7 of one of them. That's where the echo is coming from.
8 COMMISSIONER MEHL: I'll try.
9 CHAIRPERSON NEUBERG: Commissioner Lerner.
10 COMMISSIONER LERNER: Aye.
11 CHAIRPERSON NEUBERG: Commissioner York.
12 COMMISSIONER YORK: Aye.
13 CHAIRPERSON NEUBERG: And Commissioner Neuberg is
14 an aye, and, again, unanimously, the motion is approved on
15 moving forward with the job description and advertising of
16 the executive assistant position.
17 With that, we'll move on to Item VI, which is
18 discussion and possible action on securing legal counsel
19 and other consultative support.
20 Do we have any discussion?
21 You received, I think recently, a list of
22 firms -- you know, attorney firms that have been -- that
23 are contracted with the State. I personally have not had
24 sufficient time to really kind of dive deep through that
25 information, and my sense is that this is going to be a

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1 cumbersome process, an extremely important process, and
2 having the executive director and the executive assistant
3 in place is going to be a huge, you know, source of
4 support for us.
5 Having said that, you know, continuing the
6 conversation like we did, you know, last week, it sounded
7 like there was consensus of looking at firms that -- that
8 represented both -- both a Republican side, a Democratic
9 side. I'd like to make sure that not only do I represent
10 the consensus building of the Rs and Ds, but I actually
11 also represent what is 32 percent of the Arizona
12 registered voters, which are the unaffiliated or also
13 known as the independents.
14 You know, we'll meet again next week. So we do
15 have some time, but if there's initial discussion on this
16 topic, the floor is all of yours. And if not, we can
17 table this to next week.
18 COMMISSIONER YORK: This is Commissioner York.
19 Commissioner Neuberg, I move we table this agenda
20 item until next week to allow us time to review the list
21 and talk with the representatives to maybe narrow down our
22 choices.
23 CHAIRPERSON NEUBERG: Okay.
24 MS. RAMOS: Just a quick comment. Just in case
25 you don't like any of these, you can let us know as well

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1 and we'll get a scope of work together to look at other
2 options.
3 COMMISSIONER LERNER: This is Commissioner
4 Lerner.
5 Is this list going to be public that was sent to
6 us, or is this -- I guess that's my question. Is this
7 list public, what you sent to us?
8 MS. RAMOS: I'm sorry. I'm not understanding
9 your question.
10 COMMISSIONER LERNER: Is the information that you
11 sent to us on the planning -- that document, the planning
12 for legal services, is this something that will be public
13 for the -- or -- or not? Just something that we can
14 share, cannot share, or will be shared? I guess that's
15 what I'm under- --
16 MS. RAMOS: I guess I defer to Pam. I'm not
17 sure.
18 MS. PEISER: This is Pamela Peiser.
19 The list itself -- and I'm sorry. I don't have
20 it in front of me, so, obviously, I can't comment on the
21 specific comments, but I cannot see why it would not be
22 public. These are people who have contracted with the
23 State to provide services. They went through a certain
24 process. There's nothing secret about that.
25 COMMISSIONER LERNER: So this is Commissioner

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1 Lerner.
2 So in that sense then, if this is available for
3 people, I support Commissioner York's suggestion to wait,
4 because we might get public comment on -- although,
5 they -- I don't know if we'd be able to look at that
6 public comment next week. I guess I'm trying to think in
7 terms of public feedback on this list, on how they would
8 a- -- how the public would access this and then provide us
9 feedback as part of it. I'm throwing out there the
10 question.
11 CHAIRPERSON NEUBERG: Yeah. You know,
12 Commissioner Lerner, with the timing of our ultimate hire,
13 I do believe there will be sufficient time for the public
14 to weigh in. You know, all of the lists, you know, the
15 firms that we receive, they all have been vetted by the
16 State. And so there -- it's all available to the public.
17 And this is going to be played out over several weeks. So
18 I really do think there will be time.
19 COMMISSIONER LERNER: Okay. Thank you.
20 COMMISSIONER MEHL: This is Commissioner Mehl.
21 I would like to see, if possible, a draft of --
22 if we decided to go beyond this list and post what we're
23 looking for, I would like to see a draft of what that
24 would look like --
25 COMMISSIONER YORK: Scope of work --

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1 COMMISSIONER MEHL: Yeah -- so that we can be
2 looking at that at the same time.
3 COMMISSIONER YORK: This is Commissioner York.
4 Commissioner Mehl, you meant you would like to
5 see a draft of the scope of work that's --
6 COMMISSIONER MEHL: Yes. A draft of the scope of
7 work, yes.
8 COMMISSIONER LERNER: So, Commissioners, I think
9 on the -- after the list of -- and I don't know if this is
10 the full comprehensive qualifications list, but after the
11 list -- I'm looking at it now of what we were just sent --
12 of the list of firms, there is something that says
13 [as read] "qualifications planning for legal services,"
14 and it has some specific items in there that we probably
15 would need to look at to be sure that it was as
16 comprehensive as we would like. But there are some things
17 listed there.
18 COMMISSIONER YORK: There it is.
19 COMMISSIONER MEHL: Thank you. I had not seen
20 that.
21 CHAIRPERSON NEUBERG: Right. You know, we have
22 not had a lot of time to take a look at the job
23 descriptions and the list. Commissioner York has
24 suggested we table this to next week. I think that might
25 be a good idea to give us time to go through it.

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And I just want to reiterate that, number one, we are not obligated as a commission to go with the firms that have been, you know, already approved and vetted by the State. Although, there is a lot of value to the work that the State has already done with insuring that these firms have specialty and -- and, you know, have, as I said, been appropriately vetted.

With that, is there any other discussion for today prior to tabling this for a more substantive conversation next week about what we're specifically looking for and the process by which we'll move forward?

MS. PEISER: As a point of clarification, I believe this list is on the SPO website, so it may already be out there. You may have comments by next week.

MS. RAMOS: I don't believe so. I think this one we got it from the attorney general's list. I don't believe it was part of our SPO website.

MS. GUERRERO: It's the AG contracts list.

VICE CHAIR WATCHMAN: Well, Madam Chair, I'll second -- this is Commissioner Watchman -- I'll second Commissioner York's motion to table this pending further review give us time to look at the different sites and consider maybe having staff draft the scope of work too. Another week will give us time to further review this. So I'll second Commissioner York's motion.

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1 CHAIRPERSON NEUBERG: Thank you, Commissioner
2 Watchman.
3 Any further discussion?
4 We'll take a quick vote.
5 Commissioner Watchman.
6 I saw your word -- I saw you say "aye" with your
7 mouth. Can you turn your mic on?
8 VICE CHAIR WATCHMAN: Aye. Sorry.
9 CHAIRPERSON NEUBERG: Okay. No problem.
10 Commissioner Mehl.
11 COMMISSIONER MEHL: Aye.
12 CHAIRPERSON NEUBERG: Commissioner Lerner.
13 COMMISSIONER LERNER: Aye.
14 CHAIRPERSON NEUBERG: Commissioner York.
15 COMMISSIONER YORK: Aye.
16 CHAIRPERSON NEUBERG: Commissioner Neuberg is an
17 aye.
18 And with that, the motion carries. We will bring
19 this up again next week.
20 And with that, we will move -- let me ask
21 quickly. Before we move on to Item VII, we could take a
22 very quick 5-, you know, 10-minute break now or we could
23 do this after Item VII. Any preference amongst the
24 commissioners?
25 COMMISSIONER YORK: After.

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1 CHAIRPERSON NEUBERG: Okay. If there's no
2 dissension, we're moving on with Item VII, discussion and
3 possible action on the Arizona Independent Redistricting
4 Commission website and IT needs.
5 And as we begin this conversation, I'd like to
6 let the commissioners know that I did meet virtually with
7 Soodabeh Saed -- and if I destroyed your name, I
8 apologize -- who is the engagement manager with ADOA, and
9 Justin Turner, who handles our website. And so we have
10 two major conversations to talk about, one being the
11 website and the second issue being our IT needs.
12 Let's begin with the website. Just as a
13 reminder, currently, our website is registered under
14 GoDaddy, and it is quite stale and outdated.
15 And we have the ability to use the resources that
16 are available to us at the Department of Administration.
17 Actually, it could be free. They have done considerable
18 work with many other agencies in the State with freshening
19 up the look, providing current security, because by
20 bringing the website within our Arizona.gov domain, we
21 enjoy the layer of security and protection that all of
22 our -- our government agencies now have.
23 And we have the ability, hopefully, to archive
24 and bring forward the old information from the past ones.
25 If we're not, we would continue to register and make sure

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1 that those archives are accessible to the public.
2 But the five commissioners have received just an
3 example of what the Department of Administration can
4 provide in terms of these basic templates.
5 And with that, let's open it up to conversation
6 about what we feel the website needs are for us.
7 VICE CHAIR WATCHMAN: Well, this is Commissioner
8 Watchman.
9 I'll start. First, the -- I don't know, this
10 speaks to the logo. But the website features the logo,
11 and I like the logo that was designed for us; it's plain
12 and simple. It seems like it's consistent with many other
13 state agencies with the look. So I like that.
14 Regarding the GoDaddy, I'm sure there's --
15 there's rules, but it'd be nice to basically -- I don't
16 know how we can reference those websites, but in our new
17 website, we should reference our old for the archive
18 purposes, and then we can have one built for us and go
19 from there.
20 But I think we got to get something going right
21 away as a template. I don't know if we can get some
22 templates going. If we can get a template, that would
23 help me decide, you know, what's the best approach.
24 But the logo looks good to me. I don't know how
25 they do it administratively. If it's GoDaddy, do we then

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1 authorize and move it into an Arizona Government domain?
2 And that's basically a part of the State. If we can do
3 that, I think that would be great and then start
4 populating with the information that we need.
5 So those are my thoughts at this point, Madam
6 Chair.
7 CHAIRPERSON NEUBERG: Thank you.
8 MS. RAMOS: And do you want me to present the old
9 website versus the kind of new website we're proposing?
10 CHAIRPERSON NEUBERG: That'd be fabulous, Yasmin.
11 Why don't you, for the sake of the public, where they
12 could just see visually -- you know, the older sites on
13 GoDaddy were, at least in my opinion, quite difficult to
14 navigate. You know, the format isn't as user friendly
15 with, I think, the way our minds work in this decade.
16 And along with that, you know, we talked earlier
17 about, you know, accessibility, things that we could add
18 on our website. I have two particular ideas. One we
19 talked already about: Do we want to have a way in which
20 the public can, in a more ongoing way, submit comments and
21 feedback? I think there are pros and cons to that.
22 And as we address that, I have one slight concern
23 about unfettered access to give us comments, and that is
24 the old saying of the squeaky wheel gets the grease. Our
25 process attracts wonderful attention, and there's some

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1 that are following it with greater acuity than others.
2 And if we open it up 24/7, will we potentially get in --
3 you know, just overwhelmed by a volume of feedback that
4 distracts us from the quality and the cross-representation
5 of our entire state? So as we discuss that, I think
6 that's an important concept to think about.
7 But -- but I love the idea when we're thinking
8 about our website of thinking about how does the public
9 access us, because that's their channel through which they
10 know what we're doing. It needs to be user friendly.
11 The second thing that I think we could
12 potentially do with this has to do with an issue of
13 education. You know, once every 10 years, we have the
14 opportunity to capture the imaginations of the entire
15 state. We're one of, you know, a minority of states that
16 handles this redistricting process in a way of engaging
17 citizens.
18 And so to all the teachers out there that want to
19 teach their students civics and the way government works
20 and how representation works -- to my sense, if we have
21 some educational component to this website that engaged
22 our students at all ages, that would be a win for
23 everybody across the board.
24 So with that, additional conversation.
25 COMMISSIONER LERNER: Commissioner Neuberg, this

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1 is Commissioner Lerner.
2 I agree with what you said. I think we have to
3 think about these parameters. But I do think having a
4 website that's clean and easy to use for the public and
5 for teaching -- I can tell you, it'd be nice when I teach
6 and go to some of these old websites, it becomes pretty
7 convoluted to try to get the information out. So I agree
8 with what you're saying.
9 And I do think we will have to think more about
10 the public comment piece, but that's just part of the
11 whole big picture. And I -- also, I guess I will just
12 mention too, I agree with Commissioner Watchman as well on
13 the idea of that linkage between past and present.
14 I think that is a very important piece, however we do
15 that.
16 CHAIRPERSON NEUBERG: Any other conversation on
17 the website?
18 COMMISSIONER YORK: This is Commissioner York.
19 I'm in favor of the logo change. I'm also in
20 favor of having the security of our website being under
21 the State; that eliminates some costs as well as hopefully
22 give us the generic blanket to protect any sort of hacking
23 or manipulation in the future.
24 CHAIRPERSON NEUBERG: And it's also easily
25 changed. In the past, people needed to learn code in

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1 order to be able to make these small changes. This will
2 be highly adaptable so that, eventually, our executive
3 director, at the advice of us collectively, can update
4 things very rapidly and, you know, respond.
5 If we're ready for a motion, we will need a
6 motion to recommend that we, you know, turn over the
7 management of our website to the ADOA and to give them the
8 ability to move forward with the redesign and beginning to
9 move our information into that format. And if we're ready
10 for it, I will entertain a motion.
11 COMMISSIONER MEHL: Commissioner Mehl.
12 I so move.
13 COMMISSIONER LERNER: I will --
14 CHAIRPERSON NEUBERG: Do we have a second?
15 COMMISSIONER LERNER: Commissioner Lerner.
16 I will second Commissioner Mehl.
17 CHAIRPERSON NEUBERG: Any other discussion?
18 With that, we'll do a vote.
19 Commissioner Watchman.
20 VICE CHAIR WATCHMAN: Aye.
21 CHAIRPERSON NEUBERG: Commissioner Mehl.
22 COMMISSIONER MEHL: Aye.
23 CHAIRPERSON NEUBERG: Commissioner Lerner.
24 COMMISSIONER LERNER: Aye.
25 CHAIRPERSON NEUBERG: Commissioner York.

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1 COMMISSIONER YORK: Aye.
2 CHAIRPERSON NEUBERG: Commissioner Neuberg is an
3 aye.
4 And with that, the motion passes unanimously with
5 the website.
6 Moving on to IT.
7 So as we talk through IT -- and with that, what
8 I really mean, things related to State-issued computers,
9 cell phones, our phone service, laptops -- we ought to
10 move into this conversation with the expectation that
11 there's close to 100 percent chance that all of our
12 records will be subpoenaed as a matter of public record.
13 So everything that we do related to this business is a
14 right of the State, and we are obligated to keep records
15 of all of that information. And given the interested
16 parties, I think we should presume that we will need to
17 produce that information.
18 With that, the State ADOA can make it relatively
19 easy for us. They have already refurbished 10 laptops
20 that are ready to go for the five of us, should we want to
21 use one, as well as any immediate staff that we handle.
22 The value of those laptops -- they are Chromebooks -- is
23 the security and the ability to completely separate our
24 worlds such that 100 percent of your commission work can
25 be traced to that one device.

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1 With that, also, cell phones can be ready to go
2 such that any calls or texts that we make in relation to
3 this business will be identified on a separate device. We
4 can choose ourselves to, of course, purchase new material
5 down the road if we wanted to allocate those resources,
6 but for now, this is being available to us on behalf of
7 ADOA, the Department of Administration. And I would also
8 like to add that we can get access to State-issued email
9 addresses such that, again, we can separate our business
10 for the sake of public records.
11 With that, I open up to conversation and would
12 love to hear your feedback about whether you'd like to
13 take advantage of this offer.
14 COMMISSIONER LERNER: This is Commissioner
15 Lerner.
16 I think that it's a good idea to separate these
17 things out from personal to -- to our work on the
18 commission. For me, I'm a Mac person, so having to learn
19 Google Chrome would be -- just kidding.
20 Anyway, I don't -- I think that the idea of the
21 computers are a good idea. I don't know about phones, but
22 certainly the computers. But I'd like to hear what others
23 would like to say.
24 VICE CHAIR WATCHMAN: Madam Chair, is this a
25 requirement, or are you making this as a suggestion?

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I say that because, you know, everything that we discuss could be public record. And so, for me -- like, for example, I'm in Flagstaff today. I'm running this through my hotspot because my -- my in-laws don't have Internet here. And so for me having a hotspot because I travel around -- I try not to, but I had to get around Navajo, and, you know, hotspots are my only form of connecting to the Internet.

And so if I go to a Chrome, then I have to use my hotspot, and I don't know if that's, you know -- whether or not that falls out of the realm of State law.

So I guess my question is, is it a requirement? If it's not, I'm okay with what I have right now. So right now, I'm just on Google Meet, and that's about it. So...

CHAIRPERSON NEUBERG: Yeah. Let me give an answer, and then I'm going to turn it over for our counsel.

My sense is that this is entirely our choice. It is something that the State can provide for us. I would like to share that I personally am going to take the State up on all of these options just because I do presume that my records will be subpoenaed, and, you know, I want to compartmentalize my life. I mean, you know, the volume of -- of emails and texts and phone calls and potentially

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1 files that we access and save, it's going to be pretty
2 onerous.
3 And just -- I encourage all of you to think
4 through in the reasonable case that your records are
5 subpoenaed, just the difficulty of you going back and
6 having to navigate what business was what and separating
7 that all. So it's really just an issue of the State
8 offering these services or, you know, this -- this
9 equipment.
10 And with that, before we take a motion on whether
11 or not we want to take advantage of what the State can
12 offer, I'd like to ask Counsel if they have anything to
13 add on this issue.
14 MS. PEISER: The only -- this is Pamela Peiser.
15 The only thing I would add is that the email and
16 voicemail potential would be separate and apart, perhaps,
17 from equipment. So you have emails, and that's, you know,
18 a method of communication. If it's a State-issued
19 email -- and I'm not necessarily an IT person -- but my
20 understanding is that the State maintains those and would
21 have a method for potentially assisting, should it be
22 necessary.
23 The physical hardware is a completely different
24 issue because, you know, those -- whatever you guys get
25 now probably won't be used by the next commission in

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1 10 years because I'm sure technology will have proceeded
2 such that, you know, the equipment is all outdated by
3 then.
4 So there's no actual requirements. It's really
5 more so a convenience situation because when you do have a
6 separate email address, it allows you to identify things
7 by that email address. Even with, you know, using a
8 State-issued cell phone, that's not necessarily going to
9 keep your voicemail separate unless you have a
10 State-issued phone number.
11 CHAIRPERSON NEUBERG: Yes. That's a good point.
12 I actually presumed it was a separate number, but maybe
13 for tex- -- even if it's the same number maybe for
14 texting. Okay.
15 Well, for now, I think the important decision
16 that we have to make is, is everybody comfortable with
17 moving forward with having the State provide us access to
18 State-issued computers and cell phones, should we choose
19 to use them, and to use these State-issued email
20 addresses? And, again, it's per your discretion.
21 MS. PEISER: If I could provide one final point
22 of clarification: You know, use of these different
23 equipment resources or the different lists, like, for
24 instance, with the ADOA providing the list of potential
25 attorneys, this is about convenience. You can still

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1 obtain the equipment in a separate manner or attorneys in
2 a separate manner, but the process is a little bit longer.
3 As far as it impacts, though, public records,
4 which is what a lot of you touched on for the question
5 about equipment, the public records are public records
6 whether it's on your personal computer or a State-issued
7 computer. It's just a matter of convenience.
8 You know, if everything you do is on a
9 State-issued laptop and there's a public records request,
10 you provide the laptop to the person gathering the records
11 and, you know, in theory, it's, you know, at least
12 contained.
13 If it's on your home computer, you know, if
14 you're going to turn over the home computer for somebody
15 to review to gather up the records, then you don't have
16 access to the computer while the records are being
17 gathered.
18 But the records are public records regardless of
19 where they're located.
20 COMMISSIONER MEHL: This is Commissioner Mehl.
21 I think I'd like to take advantage of all of the
22 above then.
23 CHAIRPERSON NEUBERG: And, again, you know, this
24 is a lot to digest, and we all collectively don't need to
25 make personal decisions right here and now with how we'll

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do our business.

The question is do we want to move forward and accept, you know, what the State is offering us, which is a method to separate our business life such that when, you know, if we're subpoenaed, it will be relatively easier for us to provide the public records?

COMMISSIONER LERNER: This is Commissioner Lerner, and I would support that.

CHAIRPERSON NEUBERG: Okay.

COMMISSIONER LERNER: And I could make that motion as you --

CHAIRPERSON NEUBERG: Thank you.

Do we have a second?

VICE CHAIR WATCHMAN: Commissioner Watchman seconds.

CHAIRPERSON NEUBERG: Okay. Any other discussion?

With that, we'll do a quick vote.

Vice Chairman Watchman.

VICE CHAIR WATCHMAN: Aye.

CHAIRPERSON NEUBERG: Commissioner Mehl.

COMMISSIONER MEHL: Aye.

CHAIRPERSON NEUBERG: Commissioner Lerner.

COMMISSIONER LERNER: Aye.

CHAIRPERSON NEUBERG: Commissioner York.

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1 COMMISSIONER YORK: Aye.
2 CHAIRPERSON NEUBERG: Neuberg is an aye.
3 And with that, the motion carries unanimously,
4 and we will take advantage very appreciatively of ADOA's
5 offer to provide us with State-issued computers, cell
6 phones, and laptops. Well, I guess laptops is computers.
7 So with that, I would like to move that we take
8 just a quick 5-, 10-minute break.
9 I don't -- do we need a motion for that, Counsel?
10 MS. PEISER: No. You just recess for however
11 long you wish to recess.
12 CHAIRPERSON NEUBERG: How about we recess until
13 10:30 sharp. And the Tom Coughlin rule, if anybody's a
14 few minutes early, that's amazing.
15 (Recess was taken from 10:22 a.m. to 10:31 a.m.)
16 CHAIRPERSON NEUBERG: We are ready to reconvene.
17 And with that, we will move on to Item No. VIII, which is
18 discussion and possible action on ADOA, Arizona Department
19 of Administration, Resources.
20 The item that I think is most appropriate to this
21 category is our physical location. Based on the
22 recommendation last week or the authority that the
23 commission placed in me being able to scout out potential
24 locations, I was able to view a location that is
25 immediately accessible. It is at 1110 West Washington in

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1 Phoenix. It has the appropriate distance from the State
2 Capitol and the governor's offices, but also highly
3 accessible to, you know, potential meetings and other
4 locations that our staff may ultimately need to access.
5 I was impressed with the location. It's very
6 practical. It is 2,000 square feet, so it's large. It
7 has a couple of large, separate, private offices such that
8 an executive director and a deputy executive director
9 would be fully able to have confidential, private meetings
10 and phone calls. There's a large space for additional
11 staff with cubbies to be able to carve out separate work
12 areas. A very nice area for an administrative assistant
13 to welcome guests and seat potential people who are
14 waiting.
15 And I think what's also very attractive is that
16 because it's a State building and we share it with -- with
17 many other departments and commissions, we have access to
18 a lot of different-size board meeting -- board meeting
19 rooms and public convening rooms that we don't have to
20 necessarily pay for on a regular basis. But with advance
21 notice, we can reserve such that large public meetings or
22 smaller commission meetings. We could have all the
23 physical space that would accommodate our needs that we're
24 not personally financially responsible for on a regular
25 basis.

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1 There's great parking. It's secure. There is
2 metal detectors. It's a State-run building, and so nobody
3 can access it without proper authority or going through
4 security, you know, protocols. The space is just below
5 $50,000 a year.
6 And here is what's also, I think, particularly
7 attractive. The space is already prepaid through the end
8 of July. And so because it's already covered, it would
9 save the commission over $20,000. That's not, obviously,
10 the criteria that we make the decision, but I thought
11 I would just throw that in. Has great Wi-Fi. I think
12 it's a very convenient location for us and our staff.
13 And with that, I open up to discussion and --
14 and, of course, we don't need to necessarily decide on
15 this location. You are all welcome to go and personally
16 visit it, but I wanted to at least bring it up to your
17 attention and open it up to conversation.
18 COMMISSIONER MEHL: Commissioner Mehl.
19 I'm good with us going ahead with that office
20 space based on that presentation.
21 COMMISSIONER LERNER: This is Commissioner
22 Lerner.
23 I -- I concur.
24 COMMISSIONER YORK: Commissioner York.
25 That's exciting. And, Erika, you found a great

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space.

VICE CHAIR WATCHMAN: Commissioner Watchman agrees. Let's move forward.

CHAIRPERSON NEUBERG: And you know what, it's not me. I credit the State. It's terrific when a good deal is presented to us. You know, it's a nice thing.

And with that, if we could have a motion to move forward with telling the State that we will move forward with securing this location, I will entertain that motion.

VICE CHAIR WATCHMAN: Commissioner Watchman motions to move forward with the office space that our Madam Chair described.

CHAIRPERSON NEUBERG: Do we have a second?

COMMISSIONER YORK: Commissioner York will second.

CHAIRPERSON NEUBERG: Any additional conversation or discussion?

Okay. With that, we'll have a vote.

Commissioner Watchman.

VICE CHAIR WATCHMAN: Aye.

CHAIRPERSON NEUBERG: Commissioner Mehl.

COMMISSIONER MEHL: Aye.

CHAIRPERSON NEUBERG: Commissioner Lerner.

COMMISSIONER LERNER: Aye.

CHAIRPERSON NEUBERG: Commissioner York.

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1 COMMISSIONER YORK: Aye.
2 CHAIRPERSON NEUBERG: And commissioner Neuberg is
3 an aye.
4 And with that, the motion carries to move forward
5 with this location at 1110 West Washington. And thank you
6 again to the Arizona Department of Administration.
7 With that, we'll move on to Item No. IX, which is
8 discussion and possible action on social media and media
9 in general.
10 With that, I want to open it up. There is no
11 specific issue here that we need to wrestle with or
12 really, you know, make any explicit decisions on. We
13 opened it up to just garner opinions, thoughts about
14 moving forward. And I'd say that as we think about this,
15 we should think about it through the lens of an
16 opportunity for transparency, accessibility, and education
17 to the broader public.
18 COMMISSIONER YORK: This is commissioner York.
19 You know, in all businesses today, we tend to
20 want to be successful in social media. The issue that
21 I see with the commissioners at least is that our ability
22 to stay current and active in a way that would be helpful
23 for the public as far as transparency.
24 So as -- from my perspective, I think using
25 social media could be helpful to the commission, but

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1 I also think we ought to take the input from the executive
2 director that we hire.
3 COMMISSIONER LERNER: This is Commissioner
4 Lerner.
5 I tend to agree. I think if we can put this off
6 until we hire an executive director, then we can get a
7 sense from the director and staff on what they believe
8 would be the best means participating in social
9 media. I think that would be great. So I concur.
10 CHAIRPERSON NEUBERG: I -- I think, you know, the
11 social media is an enormous source of influence and
12 ability to educate but an enormous responsibility and
13 right for misinterpretation. And it sounds like the
14 commission collectively agrees that waiting until we have
15 an executive director -- where if we were to choose to go
16 in any route that we would advertise ourselves, it would
17 be done in a way that we had great quality control and
18 responsible deliberation on that. It's a major issue.
19 You know, in the media, which has more to do
20 with -- and I don't know about the four of you. I'm
21 presuming that you've received calls from different media
22 sources for public comment.
23 You know, I just want to share my own personal
24 struggles with these requests that -- that I -- I want to
25 personally be as accessible and as available, and as one

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1 of five, would love for our commission to be as
2 transparent as accessible.
3 And I think the five of us, as long as we
4 approach that responsibility understanding that the
5 underlying motive for all of that has to do with
6 advocating for our collective mission and educating the
7 public, I hope that we all see that through that similar
8 lens.
9 I'm not sure we need to limit anything. But if
10 there's any general discussion about this topic at this
11 point, until we hire staff, it's an opportunity for all of
12 you to chime in.
13 VICE CHAIR WATCHMAN: Madam Chair, this is
14 Commissioner Watchman.
15 I think I raised the issue at our last meeting.
16 And I -- I'm gradually trying to understand social media.
17 And I don't use it a whole lot, but I do see a lot of --
18 I use social media, like, for example, Facebook and
19 Twitter, as a means, you know, for meeting notices and
20 basic transmission of information. And, you know, our
21 public basically includes 18 years and above.
22 And so I'm -- I'm an old-email kind of guy, but,
23 you know, I do see, you know, a lot of information which
24 I miss, you know, that's transmitted via Twitter and
25 Facebook.

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1 And so I think for the public, we have to keep
2 that in mind because, you know, we're here serving the
3 entire, basically, voting base of Arizona.
4 But I do agree with my colleague Commissioner
5 York that we should have this issue in tandem with our new
6 director. But, you know, I'm open. And I think in terms
7 of transparency and reaching any of our constituents, if
8 you will, you know, it probably is a must to include
9 social media in our outreach in addition to what we have
10 on our new website.
11 So, you know, I'm not -- I'm still trying to
12 understand it with my business, but it's something that --
13 that is here that we have to use. So, you know, I'll stop
14 with that. But those are, you know, a few words that
15 I have.
16 COMMISSIONER YORK: This is Commissioner York.
17 The only other comments I would make is that as
18 you evolve your public information path, I would believe
19 that the website would be first, and then tying to the
20 website would then next be either Instagram, Twitter, or
21 Facebook, depending on which tools we would use. I would
22 also then encourage at that time the executive director to
23 limit the tools to two, not everything. And then we would
24 just go forward to have that particular link to the -- on
25 the website as well, and that would just sort of start the

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1 process.
2 But right now, I also feel that the commission,
3 as we sit here, the five of us, aren't really qualified to
4 begin on a journey on social media with just the five of
5 us. So that's why I'd like to wait a little bit,
6 definitely after the website is developed.
7 CHAIRPERSON NEUBERG: It sounds like there's
8 overwhelming consensus on this that the five of us are not
9 suited to manage any social media endeavor and that there
10 is tremendous value to being transparent and accessible,
11 but we want to wait until we have the appropriate staff in
12 place to responsibly manage that process.
13 And with that, I don't think we need a motion
14 because we're not taking any action on this.
15 Thank you very much for that discussion.
16 With that, we'll move on to Item X, which is an
17 update on the status of the Howard Open Meeting Law
18 complaint. This will be provided by the attorney
19 general's office.
20 And just as a reminder for the public, there was
21 a complaint filed on January 21st, and it's -- the essence
22 of the complaint was questioning the validity of going
23 into executive session to select the independent chair on
24 meeting dates of January 14th and 21st of 2021.
25 And with that, I'd like to ask our counsel to

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1 please say some few words on any updates here.
2 MS. PEISER: Pamela Peiser speaking.
3 I have reached out to the County attorney's
4 office myself. Another member of my legal team also did
5 the same. We are still waiting to hear back on who the
6 assigned investigator and attorney is. So as soon as we
7 get something back, I will be able to provide a more
8 detailed update.
9 CHAIRPERSON NEUBERG: Thank you, Pam.
10 Any questions from our commissioners?
11 Okay. And with that, we will keep the public
12 informed of the status of this complaint. And we, again,
13 commit to the public to doing as much of the business as
14 we can within the public eye, understanding that, legally,
15 we must err on the side of caution to protect the
16 integrity of this process.
17 And with that, we will move on to Item No. XI,
18 which is discussion and possible action on the scheduling
19 of upcoming meetings.
20 We had -- this relates, actually, to
21 Item No. XIII, which is our next meeting date. Based on
22 our conversation last week, we are tentatively planning on
23 a commission meeting every Tuesday beginning at 9:00 a.m.
24 We do not know how long our business will take. So we
25 can't commit to an explicit time frame.

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1 But any conversation of our upcoming schedule of
2 meetings?
3 COMMISSIONER YORK: This is Commissioner York.
4 Unfortunately, I was not able to move all of my
5 calendar Tuesdays. And so next Tuesday, I have a conflict
6 until roughly -- starting at 9:30 and going to -- no,
7 starting at 10 o'clock. So I'd have to leave the meeting
8 at, say, 9:50, and my speaking engagement would be done
9 sometime around 10:40.
10 CHAIRPERSON NEUBERG: Okay. You know, as we --
11 and this relates to Item No. XII. And per the agenda, we
12 do have the ability to move through items per our
13 discretion.
14 My sense of our agenda items next week, given
15 that we will not be ready to start the actual interview
16 process and we've done a significant amount of early
17 business, I don't anticipate our meeting next week being
18 extremely long. I don't know how the commissioners would
19 feel if we continued with our meeting starting at 9:00,
20 and if Commissioner York needed to remove himself for a
21 period of time. Alternatively, I am open to rescheduling
22 it. This is my priority.
23 And so with that, I open it up to other comments
24 and discussion.
25 COMMISSIONER LERNER: This is Commissioner

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1 Lerner.
2 Just as a full disclosure, I have a conflict on
3 the 23rd that would be most of the day. That begins at
4 8:15. I might be able to be around in the afternoon.
5 I probably would be able to be around in the afternoon on
6 that date, actually. But certainly all morning on the
7 23rd would be difficult for me.
8 And then, Commissioner York, I didn't catch --
9 did you say you would be available in the afternoon, or
10 you would be busy all day?
11 COMMISSIONER YORK: No, I'm -- this is
12 Commissioner York. I would be available in the afternoon.
13 I have a -- I have an engagement where I'm speaking from
14 9:50 to 10:40 on that Tuesday, and then I could come back
15 to the meeting for the ICR -- IRC.
16 COMMISSIONER MEHL: This is Commissioner Mehl.
17 I wonder if maybe we could start at 8 o'clock
18 next week and have a good chance of finishing certainly
19 the key items while Commissioner York is available.
20 COMMISSIONER YORK: That would work for me.
21 COMMISSIONER LERNER: That would be fine for me
22 as well.
23 VICE CHAIR WATCHMAN: That works for me, Madam
24 Chair. 8 o'clock. That helps.
25 CHAIRPERSON NEUBERG: That works for me as well.

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1 I -- the earlier, the better.
2 Regarding -- so the 16th -- and we will make
3 formal motions on this upcoming. But then on the 23rd --
4 and, you know, I'm thinking that -- that our -- our
5 longest meetings are going to be when we get the
6 applications in hand and we begin with our -- with our
7 interviews.
8 On the 23rd, I don't think we're going to be
9 starting with the interviews at that point yet. Do we
10 want to move to a different day [sic] that day? Do we
11 want to move to later in the afternoon? We could even
12 table this to next week to see what our agenda items might
13 look like. I'm available per your discretion.
14 COMMISSIONER YORK: I suggest possibly tabling
15 the time adjustment for the 23rd until next week.
16 CHAIRPERSON NEUBERG: Commissioner Lerner, you
17 know, we will accommodate your schedule. Are you okay if
18 we table this specific calendaring until next Tuesday?
19 COMMISSIONER LERNER: Sure. That would be --
20 that would be helpful. Thank you. So I know that I --
21 that'd be great. Thank you.
22 CHAIRPERSON NEUBERG: Yes. We will accommodate
23 your schedule.
24 COMMISSIONER MEHL: This is Commissioner Mehl.
25 I definitely would like to accommodate Shereen's

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schedule. My calendar tends to get full if I don't block something out. Do we have an idea of when we might want to reschedule that to? Would we want to do it later in that same day or the next day? If I could have some indication, I'll block it out now.

COMMISSIONER YORK: I would suggest later in that day.

COMMISSIONER MEHL: Okay. I will just keep -- I'll keep the 23rd totally open then.

CHAIRPERSON NEUBERG: Commissioner Lerner, when do you anticipate being available on that day, conservatively speaking, so you're not stressing about, you know, getting in on time?

COMMISSIONER LERNER: 2 o'clock. Would that work?

COMMISSIONER YORK: Works.

COMMISSIONER MEHL: Yes.

CHAIRPERSON NEUBERG: Commissioner Watchman?

VICE CHAIR WATCHMAN: That works for me. I have a presentation at 5:00 that day, so that should be plenty of time. So I'm good with 2 o'clock on the 23rd.

CHAIRPERSON NEUBERG: Okay. Yeah. I don't -- I don't anticipate, you know, needing to go that long on that day.

And so if we can get a motion to approve next

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week's meeting starting at 8:00 a.m. on February 16th and then on the 23rd starting at 2:00 p.m., I need a motion to support that.

COMMISSIONER YORK: This is Commissioner York.

I'd like to make a motion to propose the meeting on February 16th to commence at 8:00 a.m. in the morning. And I would also like to propose that the meeting for February 23rd commence at 2:00 p.m.

CHAIRPERSON NEUBERG: Okay.

VICE CHAIR WATCHMAN: Commissioner Watchman seconds.

CHAIRPERSON NEUBERG: Any further discussion?

Okay. With that, we'll have a quick vote.

Vice Chair Watchman.

VICE CHAIR WATCHMAN: Aye.

CHAIRPERSON NEUBERG: Commissioner Mehl.

COMMISSIONER MEHL: Aye.

CHAIRPERSON NEUBERG: Commissioner Lerner.

COMMISSIONER LERNER: Aye.

CHAIRPERSON NEUBERG: Commissioner York.

COMMISSIONER YORK: Aye.

CHAIRPERSON NEUBERG: Neuberg is an aye. And so the motion carries. We will meet next Tuesday at 8:00 a.m. and then on the 23rd at 2:00 p.m.

With that, we'll move to Item No. XII, which is

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1 discussion of --
2 COMMISSIONER LERNER: Commissioner --
3 CHAIRPERSON NEUBERG: Excuse me.
4 COMMISSIONER LERNER: I'm sorry, Commissioner
5 Neuberg. At some point, can we discuss -- I know we don't
6 have any idea on scheduling yet, but I know when I looked
7 at last -- 10 years ago, they had some time in the summer
8 that they did not meet.
9 And I know with -- I have family that I would
10 like to see that I have not seen in over a year. And so
11 while I will do my best to always be online and available,
12 I'd like us to at some point be considering some time --
13 some periods of time that we will be able to do that where
14 it might -- because at some point, we may be meeting in
15 person, hopefully, especially at public meetings, public
16 hearings.
17 So I guess at some point, I'd like to be able to
18 have that discussion for a future time so that all the
19 commissioners will have some sense of when there might be
20 a week or two that we might have that availability later
21 on this year.
22 CHAIRPERSON NEUBERG: You know, that's an
23 excellent idea because I have heard also from other
24 commissioners interested in wondering when in the summer
25 might be times that there'll be less IRC demand. We -- we

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1 can absolutely start looking at our collective schedules.
2 Also, remembering from our -- our agenda last
3 week, there is a census delay, and, unfortunately or
4 fortunately, I think there will be windows in the summer
5 where -- where if we do our early work well and create the
6 infrastructure that there will be time.
7 MS. PEISER: If I could provide some guidance on
8 this. As long as there's a quorum present, you can
9 continue business. So that means you need at least three
10 members. Occasionally, somebody may get sick or may be
11 unable to make it. So one to two persons missing doesn't
12 hold up commission business, but more than that would.
13 COMMISSIONER LERNER: Commissioner Lerner has a
14 question too. If we are meeting in person and one of our
15 members can call in, would that work as part of our
16 meeting?
17 MS. PEISER: That is legally appropriate as long
18 as you've noticed it.
19 COMMISSIONER LERNER: Okay.
20 CHAIRPERSON NEUBERG: And, Commissioner Lerner,
21 we actually discussed this last week. When -- we
22 recognize that with geographic distance that we did
23 provide ourselves some room to have people call in. And I
24 think that -- it's obviously not ideal, but, when
25 necessary, you know, it's workable.

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1 COMMISSIONER LERNER: Thank you.
2 CHAIRPERSON NEUBERG: You know, maybe not today,
3 but in the next few weeks, how about we all collectively
4 look at our summer schedules. If there is anything that
5 is, you know, protected time where you know for sure
6 you're not available, can you submit that to Yasmin so she
7 can be the central cog to collect the schedules as of now?
8 And my sense of the five of us, I don't think
9 we're going to have a problem working around each other's
10 schedules and making sure that everybody has the ability
11 to, you know, do what they need to do but also fulfill
12 their responsibilities.
13 Any other discussion with upcoming meetings?
14 Do we need -- I don't believe -- do we need a
15 motion to approve these specific times, Pam?
16 MS. PEISER: Since they are on the agenda for
17 discussion, then yes.
18 CHAIRPERSON NEUBERG: Okay. So let's have a
19 motion to approve that we will meet next Tuesday at
20 8:00 a.m. and that we will meet again on February 23rd,
21 2021, at 2:00 p.m.
22 Do I have a motion?
23 COMMISSIONER MEHL: I thought we'd already done
24 that.
25 COMMISSIONER YORK: Commissioner Neuberg, we

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1 already did.
2 CHAIRPERSON NEUBERG: Oh, I'm sorry. Okay.
3 Okay. I apologize.
4 So then we're moving on to Item No. XII, which is
5 discussion of future agenda item requests.
6 You know, just moving through the agenda for
7 today, I know that we will likely need additional
8 conversation for public comments so that we can keep
9 abreast every week of the comments that are coming
10 in. I believe that we'll need to continue our ongoing
11 conversation about the executive director and
12 administrative assistant hiring.
13 I believe that we'll need an ongoing item
14 regarding legal consultation. We will, I think, best be
15 served to have an ongoing item with possible action on any
16 ADOA resources in case the Department of Administration
17 would like to update us on any of the services they're
18 providing. Let's also have an item on an update of the
19 Howard Open Meeting complaint in case there is any update
20 on that.
21 And other than that, I'm not aware of any other
22 agenda items, unless on the commissioners' minds, you'd
23 like to propose something.
24 COMMISSIONER YORK: This is Commissioner York.
25 We received some information on mapping and the

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1 guidelines by the State of Arizona to selecting that firm,
2 and we should have a discussion, or at least that should
3 be at least on the agenda to cover for next week.
4 CHAIRPERSON NEUBERG: Okay. So let's also add an
5 agenda item on an initial discussion on mapping firms.
6 COMMISSIONER LERNER: And, Commissioner Neuberg,
7 did you include the website and IT needs? You included
8 DOA resources. Do you want to just have an umbrella over
9 all of that as part of it?
10 CHAIRPERSON NEUBERG: Yes. We can specify
11 website and IT, and that does fall within the confines of
12 ADOA resources and updates.
13 Okay. With that, do we need a motion to approve
14 these agenda items?
15 MS. PEISER: You do not.
16 CHAIRPERSON NEUBERG: Okay.
17 MS. PEISER: You just direct Yasmin to include
18 them for the next meeting.
19 CHAIRPERSON NEUBERG: Yasmin, please include
20 these.
21 And as a reminder to the other commissioners, if
22 you have items that you would like to add to the agenda,
23 you are welcome to email Yasmin with your suggestion, and
24 she could make sure that those items are added. That is
25 the appropriate protocol.

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1 With that, we will move to Item XIII, which is
2 just announcing the next meeting date, which we already
3 determined will be next week, the 16th at 8:00 a.m. for a
4 public meeting.
5 And with that, we can entertain a motion to
6 adjourn, unless there are any other items that somebody
7 would like to bring up that is appropriate per our agenda.
8 COMMISSIONER YORK: This is Commissioner York.
9 I motion that we adjourn our meeting.
10 CHAIRPERSON NEUBERG: Do we have a second?
11 COMMISSIONER LERNER: Commissioner Lerner.
12 I second.
13 CHAIRPERSON NEUBERG: Okay. Any discussion?
14 Okay. With deep appreciation to the public and
15 our commissioners, we will do a vote to adjourn this
16 meeting.
17 Vice Chairman Watchman.
18 VICE CHAIR WATCHMAN: Aye.
19 CHAIRPERSON NEUBERG: Commissioner Mehl.
20 COMMISSIONER MEHL: Aye.
21 CHAIRPERSON NEUBERG: Commissioner Lerner.
22 COMMISSIONER LERNER: Aye.
23 CHAIRPERSON NEUBERG: Commissioner York.
24 COMMISSIONER YORK: Aye. And thank you for
25 accommodating my times next week.

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1 CHAIRPERSON NEUBERG: Of course.
2 And Commissioner Neuberg is in aye.
3 With that, the motion carries. We are adjourned,
4 and I look forward to seeing all of our colleagues again
5 next week at 8:00 a.m.
6 Have a wonderful day, everybody.
7 VICE CHAIR WATCHMAN: Thank you, Madam Chair.
8 So long, everybody.
9 CHAIRPERSON NEUBERG: Bye-bye.
10 (The proceedings concluded at 11:02 a.m.)
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1 C E R T I F I C A T E

2 STATE OF ARIZONA)
) ss.
3 COUNTY OF MARICOPA)

4 BE IT KNOWN that the foregoing proceedings were taken before me, Penny Segundo, Certified Reporter
5 No. 50959; that the foregoing 83 pages are a full, true, and accurate record of the proceedings, all done to the
6 best of my skill and ability; that the proceedings were taken down by me in shorthand and thereafter reduced to
7 print under my direction.

8

[ ] Review and signature was requested.
9 [ ] Review and signature was waived.
[X] Review and signature not required.
10

11 I CERTIFY that I am in no way related to any of the parties hereto nor am I in any way interested in the
12 outcome thereof.

13 I FURTHER CERTIFY that I have complied with the requirements set forth in ACJA 7-206. Dated at Phoenix,
14 Arizona, this 19th day of February, 2021.

15 Penny Segundo
16 Penny Segundo, RPR
CERTIFIED REPORTER (AZ50959)
17

18 * * *

19

I CERTIFY that Miller Certified Reporting, LLC,
20 has complied with the requirements set forth in ACJA 7-206. Dated at LITCHFIELD PARK, Arizona, this 19th day
21 of February, 2021.

22

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