

1 need to set aside the time for this. If we don't want to
2 delay the movement of all of this and we would like the
3 legal training, you know, are we all willing to add on, you
4 know, a chunk of time, whether it's an hour or two, to a
5 meeting in advance?

6 Because, remember, it's going to get busy, we have
7 our interviews, you know, coming up, so.

8 I mean, for me, I personally feel that it's a
9 priority. I feel it's important, and I would like it. But
10 I'm -- I'm open to, you know -- I don't want to spend other
11 people's time.

12 COMMISSIONER YORK: Commissioner Neuberg, this is
13 Commissioner York, I concur with your points you made
14 earlier, I think also the education for the Commission on
15 RFP process would be valuable. So I would like to see us
16 have the flexibility to have the time.

17 I would guess we do that on the 16th; is that
18 right? No, we were going to extend them a week, so probably
19 the 23rd, I guess. Right?

20 CHAIRPERSON NEUBERG: I don't --

21 COMMISSIONER LERNER: And I concur. I was just
22 wondering if we -- we don't necessarily need to wait to get
23 the education piece, right? We can move -- move forward
24 with that whenever. But I do concur with wanting the
25 information.

1 CHAIRPERSON NEUBERG: It's actually possible, so I
2 did speak with one of the experts in the AG's Office who has
3 been highly involved in already kind of compiling summaries,
4 and I -- she is thinking about potentially being ready to
5 present as early as next week. So given that we're not
6 going to be interviewing next week but rather just culling
7 the list, if it's possible to get this training in next
8 week, that might be an efficient use of time.

9 But we can look into that. I mean, you know, we'll
10 see what -- what we can do with our staff.

11 COMMISSIONER MEHL: This is Commissioner Mehl.

12 I agree with that. Because we don't want to do it
13 the same week we're going to be doing the interviews, the
14 interviews will be lengthy. So next -- next week would be
15 good.

16 CHAIRPERSON NEUBERG: Okay.

17 COMMISSIONER LERNER: I concur.

18 MS. PEISER: If I could ask a question for
19 clarification. If it's possible to bifurcate any of the
20 procurement process, like perhaps training separate and
21 apart from actually evaluating the RFP, would you like that
22 to be something that's done to kind of spread out the time
23 constraints? Or is it you want one big meeting?

24 CHAIRPERSON NEUBERG: So what --

25 MS. PEISER: What --

1 CHAIRPERSON NEUBERG: When would -- Pam, when would
2 somebody be ready to provide that training? What's the
3 soonest they could provide that training?

4 MS. PEISER: I would defer to Yasmin on that. I
5 believe I was told March 9th, but I don't -- you know, I
6 haven't had a subsequent follow-up conversation on that
7 either, so I don't know if she reached out to Yasmin or not.

8 MS. RAMOS: No, they did not. The last I heard it
9 was that you were going to have a conversation with them,
10 and then I never heard again from anyone.

11 CHAIRPERSON NEUBERG: I would imagine that we would
12 have time. I mean, I -- I think next week if we focus on --
13 I mean, we've done a lot of the -- the preparing today, I
14 think we would have time next week to do the legal training
15 and the RFP training.

16 We could aim for it if the -- if the experts are
17 capable of putting their information together in time.

18 Okay. Well, we'll -- we'll add this to the agenda
19 items for Item No. XIV.

20 Anything else, Pam, you want to add on that?

21 MS. PEISER: No. I just wanted to make sure that I
22 threw out, you know, the consideration for you guys since
23 time sometimes gets a little tight.

24 CHAIRPERSON NEUBERG: Yes.

25 Okay. With that, we'll move on to Item No. XI,

1 which is discussion and poss- -- excuse me?

2 COMMISSIONER LERNER: Commissioner Neuberg, I just
3 have a quick question. I'm sorry.

4 CHAIRPERSON NEUBERG: Sure.

5 COMMISSIONER LERNER: Did we decide to keep the
6 March 12th date for legal counsel or were we thinking of
7 extending that as part of this?

8 CHAIRPERSON NEUBERG: Yeah, thank you. We will
9 need a motion if we want to extend the RFP as we discussed
10 if we're extending everything a week.

11 COMMISSIONER YORK: This is Commissioner York.
12 I motion that we extend the RFP for the legal
13 counsel for the Commission one week from March 12th to
14 March 19th.

15 CHAIRPERSON NEUBERG: Do I have a second?

16 VICE CHAIR WATCHMAN: Vice Chair Watchman seconds.

17 CHAIRPERSON NEUBERG: Any further discussion?

18 With that, we'll take a quick vote.

19 Vice Chair 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.

1 COMMISSIONER YORK: Aye.

2 CHAIRPERSON NEUBERG: Neuberg is an aye.

3 And with that, the motion passes.

4 We will move -- extend the deadline for RFPs for
5 legal counsel a week to March 19th.

6 With that, we'll move on to Agenda Item No. XI,
7 which is discussion and possible action on mapping
8 consultant support.

9 That initially was slated to close March 12th, I'm
10 guessing that we may want to extend that a week as well, and
11 I open it up for any other conversation that anybody might
12 have on this topic.

13 COMMISSIONER LERNER: This is Commissioner Lerner.

14 I actually would like to suggest we extend that
15 just a little bit longer to have the potential for the
16 executive director maybe to participate in the process as
17 well, since they would be working -- that person would be
18 working closely with the mapping consultant.

19 So, just as a thought, maybe to extend it 'til the
20 end of the month, the 26th, and then it would close when the
21 executive director potentially could be involved in looking
22 at applications and it would maximize our numbers.

23 So two weeks instead of one week is all I'm
24 suggesting.

25 CHAIRPERSON NEUBERG: You know, the only -- I'm --

1 I'm comfortable with this. I just want to say I only have
2 one urgency with the mapping consultant, and that has to do
3 with putting our entire team together and coming up with a
4 strategy about what we can and can't do with preparing maps
5 in advance. But I -- I don't think, you know, extending it
6 two weeks is going to interfere with that -- that goal at
7 all.

8 COMMISSIONER YORK: This is Commissioner York.

9 CHAIRPERSON NEUBERG: Is anybody opposed to
10 extending it?

11 Does somebody want to make a motion?

12 COMMISSIONER YORK: Shereen, go ahead.

13 COMMISSIONER LERNER: Okay. I'll move we extend
14 the mapping consultant closing date until March 26th.

15 CHAIRPERSON NEUBERG: Do I have a second?

16 COMMISSIONER YORK: Commissioner York seconded.

17 CHAIRPERSON NEUBERG: Any further discussion?

18 Okay a vote.

19 Vice Chair 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.

1 COMMISSIONER YORK: Aye.

2 CHAIRPERSON NEUBERG: Neuberg is an aye.

3 And with that, the motion passes. We will extend
4 the mapping consulting support opening until March 26th.

5 And with that, we'll move on to Item No. XII, which
6 is a discussion on ADOA resources and updates.

7 Thank you to Commissioners Watchman and Lerner for
8 picking up your laptops.

9 I think additionally our website is up and running.
10 It is bare-bones, and I want to just let the public know as
11 well that, you know, we are going to wait until we have our
12 executive director and our public information officer
13 available for us to build out the website in a
14 comprehensive, you know, thoughtful way. But for now, you
15 know, I think it's a great resource and so it's there for --
16 for everybody's accessibility.

17 Yasmin, I don't know if you have any other updates,
18 or if anybody has questions on these items.

19 MS. RAMOS: No. I think we touched on human
20 resources, which are the job postings that we have,
21 procurement, the RFPs that are out; and the facilities we're
22 still waiting for the auto theft authority to move out in
23 order for us to be able to possess space.

24 CHAIRPERSON NEUBERG: Right.

25 COMMISSIONER LERNER: This is Commissioner Lerner.

1 Just so the public has that address, could we just again
2 announce so it will be in public record the address for the
3 website so everybody is familiar. Just again.

4 MS. RAMOS: The website I believe it is IRC.AZ.gov.

5 COMMISSIONER LERNER: Thank you.

6 COMMISSIONER YORK: And --

7 CHAIRPERSON NEUBERG: And the --

8 MS. RAMOS: And the old link, the old IRC website,
9 I believe at the top it has the link to the new website as
10 well and vice versa.

11 CHAIRPERSON NEUBERG: Okay. Thank you very much,
12 Yasmin.

13 And thank you again to ADOA for all of these
14 amazing resources to just help position us for success.
15 We're -- we're really truly deeply appreciative. You know,
16 we can't -- we can't do this without you right now. So --
17 so thank you.

18 With that, we'll move to Item No. XIII, which is an
19 update on the status of the Howard open meeting law
20 complaint provided by our AGA legal counsel -- AGO.

21 MS. PEISER: Thank you. Again this is Pamela
22 Peiser with the AG's Office.

23 Did you want information to be done in executive
24 session or in the open session?

25 CHAIRPERSON NEUBERG: For now the open session, and

1 if there's something that we need to move into executive
2 session, we can certainly evaluate that.

3 MS. PEISER: All right. So just as a point of
4 clarification, the way this was agendized, it's only a
5 discussion. I will wrap it up, though, with some
6 considerations for you guys for future meetings.

7 The Howard complaint itself was sent from the AG's
8 Office to Maricopa County because the AG's Office is at this
9 point providing representation to the Commission, so it
10 wouldn't be appropriate for the AG to -- or the AG's Office
11 to undertake an investigation when they're providing advice
12 to you.

13 Maricopa County, I did make contact with them
14 eventually; they felt that with their caseload it would need
15 to be sent elsewhere because it wasn't something they were
16 going to be able to get to in the time frame I think that
17 they prefer to work in. It was sent to Pinal County; it has
18 been assigned to a Deputy County Attorney there. I did make
19 contact with her.

20 So for future consideration at the next meeting,
21 the Commission is going to need to decide if they want the
22 AG's Office to continue with representation on this or if
23 they want to go with outside counsel or handle the complaint
24 response on their own as a group. So it's something for you
25 guys to consider, and then it can be discussed in greater

1 detail or voted on at the next meeting.

2 CHAIRPERSON NEUBERG: Will -- will somebody from
3 the AG or you or somebody else be prepared to -- to brief us
4 in more depth on -- on the decision-making process here?

5 MS. PEISER: Do you mean as to what each
6 possibility entails?

7 CHAIRPERSON NEUBERG: Exactly. I mean, you know.

8 MS. PEISER: Yes.

9 CHAIRPERSON NEUBERG: And -- and should --

10 MS. PEISER: Go ahead.

11 CHAIRPERSON NEUBERG: Is that something that you
12 want to do now or next week, and is it something that should
13 be done in executive session?

14 MS. PEISER: Well, it is considered legal advice,
15 so I can certainly -- I am prepared to do it now, although
16 there's nothing in terms of legal action that can occur
17 today based on the agenda.

18 Because it's legal advice, it can be done in
19 executive session or it can be done in open if you wish to
20 waive that confidentiality. I can do it today or I can do
21 it on the next meeting, whatever the preference is.

22 CHAIRPERSON NEUBERG: Let -- let me ask my -- the
23 other Commissioners. Well, two questions: One -- there's
24 two questions -- do -- do we want to hear from Pam now on
25 this?

1 Number two, do we feel we need to go into executive
2 session and we don't have to decide right -- I imagine we
3 can hear and then decide if we want to move in executive
4 session.

5 And the other item is we haven't taken a break yet.
6 We're close to the end. Does anybody want a quick break or
7 do we want to just plow through? So those are the questions
8 to think about.

9 COMMISSIONER YORK: I'm in favor of plowing
10 through.

11 I'm also, this is Commissioner York, in favor of
12 going into executive session regarding this is our first
13 legal challenge that we have ever dealt with as a
14 Commission, and maybe we need some ability to have that
15 executive session so go in the future, we might be able to
16 make a decision whether or not to have it in open meeting or
17 not.

18 Those are my answers.

19 CHAIRPERSON NEUBERG: Any other discussion?

20 I see Commissioner Lerner and Watchman nodding, so
21 please speak for the transcription.

22 VICE CHAIR WATCHMAN: This is Vice Chair Watchman.
23 I support Commissioner York's comments to go into executive
24 session, that way we can hear more details. I think that's
25 appropriate.

1 COMMISSIONER LERNER: This is Commissioner Lerner.
2 I concur and also that we continue through. We have -- we
3 have the time to have this discussion today.

4 MS. PEISER: Commissioners, I apologize. As I'm
5 looking at the agenda, it says "update on status." The best
6 practice would be to table this because it only says
7 "update."

8 Although the general agenda notices provide for the
9 ability to go into executive session for all appropriate
10 reasons, the line item on it just talks about an update.
11 And just so you're aware, I didn't get this information
12 until yesterday, so it would not have been timely for
13 updating the agenda to make it in greater detail.

14 CHAIRPERSON NEUBERG: Okay. Well, I think to me
15 then, out of an abundance of caution, I prefer to table it
16 just because there's nothing urgent and I -- I'd rather for
17 the sake of just erring on the side of caution, you know, be
18 responsible.

19 It -- does anybody disagree with that?

20 VICE CHAIR WATCHMAN: No.

21 CHAIRPERSON NEUBERG: Okay. So, Yasmin, let --
22 let's add this to the agenda item for next week, and please
23 note that we may go into executive session to discuss that.

24 MS. RAMOS: Okay.

25 CHAIRPERSON NEUBERG: Okay. Anything else, Pam, on

1 that item?

2 MS. PEISER: No.

3 Oops. No.

4 CHAIRPERSON NEUBERG: Okay. With that, we'll move
5 on to Item No. XIV, which is discussion of future agenda
6 item requests.

7 We just had the last one, Yasmin. I know that
8 items number -- from today's agenda I through IV, I suggest
9 we continue to keep in the agenda in case there are
10 additional updates. We'll have our conversation about the
11 executive director candidates. We may want to keep items on
12 budget and bill paying just in case there are additional
13 bills that, you, know incur each week.

14 And there's only one item that I don't see that's
15 already been listed that we may want to talk about. So --
16 so in the agenda we have the next meeting date itemized, but
17 we don't have a general schedule item, and I know that we
18 talked briefly last week about some conflicts of schedules
19 over the summer.

20 Given that we don't have an agenda item today to
21 discuss, like, ongoing scheduling, Pam, is that something we
22 have to table until next week?

23 MS. PEISER: The conversation had occurred in the
24 past. As I recall, you guys did discuss it; I don't recall
25 if it went to an actual vote.

1 The scheduling of meetings is typically done as an
2 administrative matter, so it doesn't usually, in commissions
3 and boards, get presented to the whole board for a vote. I
4 think it's okay to have your announcement for the next date,
5 but if there's going to be a big discussion on perhaps
6 scheduling, you know, certain types of meetings, that would
7 need to be more specifically agendized.

8 CHAIRPERSON NEUBERG: Okay.

9 MS. PEISER: General meetings I think you can go
10 ahead and have it set.

11 CHAIRPERSON NEUBERG: Okay. So let -- let's add,
12 Yasmin -- can I suggest that Commissioners begin to think
13 through their summer schedules, and if there are blocks of
14 time that they would like to be able to take off over the
15 summer or times that they know in advance they have a
16 conflict, to submit that to Yasmin so we can begin to
17 compare schedules and work with each other to find common
18 times to take off.

19 And we could add that to the sched- -- to the
20 agenda item next week, but I would like everybody to begin
21 to really think through their summer schedules and be
22 prepared to -- to discuss them.

23 COMMISSIONER LERNER: Commissioner Neuberg, can I
24 ask a question, too, regarding schedules and meetings. If
25 we at some point move to live -- and this may be not the

1 appropriate time, I recognize that, I'm always saying that
2 now -- if we move to live meetings, which I know we would
3 like to, if a Commissioner is not available at that time to
4 be live, they could still potentially call in and
5 participate.

6 So it may not -- it may not be as difficult if we
7 are able to, now that we have this technology all worked
8 out, we may be able to have people who are not in town still
9 participate even if we're live; is that correct?

10 CHAIRPERSON NEUBERG: Yes. And, in fact, we -- we
11 explicitly discussed this as a Commission early on where we
12 felt mutually comfortable with that arrangement.

13 COMMISSIONER MEHL: This is Commissioner Mehl. I
14 don't know if this fits right here.

15 But we had talked about trying to do some meetings
16 live, but right now even for the interviews, I can see
17 everybody better on Zoom than I can if we're in the same
18 room all wearing masks. So I think until the mask
19 requirements are down, I would prefer the virtual meetings.
20 I'm not sure what anyone else feels about that.

21 MS. PEISER: This is Pamela Peiser. If I can just
22 interject, the way it was left at least as I recall, you
23 guys had already discussed and voted to do virtual meetings
24 for the time being. If there's going to be any extended
25 conversation, it would be best to schedule this on the

1 agenda so that you can have a candid conversation with
2 notice to the public and that way it could go from there.

3 CHAIRPERSON NEUBERG: Thank you, Pam.

4 Yeah, for now our interviews are scheduled to be
5 done virtually. It's just, you know, an unfortunate reality
6 of the COVID world, and I look forward to hopefully within a
7 matter of weeks that we can agendi- -- you know, put this on
8 the agenda and talk about when we can resume in-person
9 meetings and begin to travel. I don't think it's that far
10 away, to be honest, where our staff is soon going to be, you
11 know, hired and convened and, you know, not too far away.

12 Any other agenda items to be added?

13 And, again, just as a matter of process, you have a
14 couple of days, I know, you know, the weeks are short and
15 with the 48-hour notice to the public, we really need to get
16 this done by Thursday morning, but if there are additional
17 items that you think about in the next 48 hours, go to
18 Yasmin. You know, you're welcome to add, you know, items to
19 the agenda for our consideration.

20 MS. RAMOS: Chairwoman, this is Yasmin. I have a
21 question.

22 Are we going to add legal training and RFP training
23 to the next agenda, the next week's meeting?

24 CHAIRPERSON NEUBERG: Potentially, yes, if we can
25 get the staff experts to present.

1 MS. RAMOS: Okay.

2 CHAIRPERSON NEUBERG: Anything else on future
3 agenda items?

4 MS. PEISER: As a point of reminder, you guys do
5 have the ability to put things on the agenda and then if for
6 whatever reason it can't be done, like the person becomes
7 unavailable or you don't have a quorum to hold the meeting,
8 you can always table something or the meeting as
9 appropriate; but if it's not there, you most certainly can't
10 move forward.

11 CHAIRPERSON NEUBERG: So, yes, let's add it,
12 Yasmin, please.

13 Okay. With that, we'll move on to Item -- Item No.
14 XV, which is announcements.

15 We will meet -- let me ask, actually. We are
16 tentatively scheduled to meet every Tuesday 9:00 a.m. I was
17 told there might be a conflict next week. Is everybody
18 available next week on the 2nd [sic] at 9:00 a.m.?

19 COMMISSIONER YORK: I have a comment,
20 Commissioner Neuberg. This is Commissioner York.

21 I have a conflict in the morning, so I would like
22 to move our meeting time 'til 12:00 -- 12:00 noon, if that's
23 possible on this. On the 9th.

24 CHAIRPERSON NEUBERG: How does that look for
25 everybody's schedule? And by "everybody," I mean

1 Commissioners and staff alike.

2 COMMISSIONER MEHL: Commissioner Mehl is okay with
3 that.

4 VICE CHAIR WATCHMAN: Vice Chair Watchman is okay
5 with it.

6 COMMISSIONER LERNER: Commissioner Lerner has --

7 VICE CHAIR WATCHMAN: Did you say 12 o'clock or
8 1:00?

9 COMMISSIONER YORK: 12 o'clock. Or 1:00. Anything
10 after 12:00 is good, so.

11 VICE CHAIR WATCHMAN: Okay. I'm fine with that.

12 COMMISSIONER LERNER: Commissioner Lerner, I have a
13 3:00 p.m., but I will do what I can to change that to push
14 that back, and then I have something again at 4:00.
15 Hopefully by then -- that I can't change, but I'll do my
16 best to change that -- to change the 3 o'clock, so I should
17 be able to do this.

18 CHAIRPERSON NEUBERG: I -- I think with the
19 three-hour block, I think we could get the bulk of our work
20 done. We are -- are looking for additional training next
21 week that that extends it a little bit. I would like to
22 request that -- that we all collectively try to block the
23 9 o'clock, you know, on time on Tuesdays only because it's
24 not just us, it's also the public. It's, you know,
25 everybody is trying to put aside the time but, obviously,

1 you know, life happens.

2 So I'm comfortable with the noon to -- to 3:00 or 4
3 o'clock time next week for our next meeting.

4 We don't -- we don't need a motion for that, Pam,
5 do we?

6 MS. PEISER: No. Not if it's done
7 administratively.

8 CHAIRPERSON NEUBERG: Okay. So we will meet next
9 week at noon on the 9th.

10 With that, Item No. XVI, closing of the public
11 comments.

12 Please note, members of the Commission may not
13 discuss items that are not specifically identified on the
14 agenda. Therefore, pursuant to A.R.S. 38-431, action taken
15 as a result of public comment will be limited to directing
16 staff to study the matter, responding to any criticism, or
17 scheduling the matter for further consideration and decision
18 at a later date.

19 And with that, we come up to Item No. XVII, which
20 is adjournment.

21 Do I have a motion to adjourn?

22 VICE CHAIR WATCHMAN: So moved.

23 Vice Chair Watchman. Adjourn meeting.

24 CHAIRPERSON NEUBERG: Second?

25 COMMISSIONER YORK: Commissioner York. Second.

1 CHAIRPERSON NEUBERG: Presuming no discussion,
2 we'll take a quick vote.

3 Commissioner Watchman.

4 VICE CHAIR WATCHMAN: Aye.

5 CHAIRPERSON NEUBERG: Commissioner Mehl.

6 COMMISSIONER MEHL: Aye.

7 CHAIRPERSON NEUBERG: Commissioner Lerner.

8 COMMISSIONER LERNER: Aye.

9 CHAIRPERSON NEUBERG: Commissioner York.

10 COMMISSIONER YORK: Commissioner York would like to
11 aye. But thank you Commissioner Neuberg for your job.

12 CHAIRPERSON NEUBERG: Thank you.

13 And Commissioner Neuberg is an aye.

14 And with that, we adjourn, and I look forward to
15 seeing everybody next week at noon.

16 COMMISSIONER YORK: Thank you.

17 CHAIRPERSON NEUBERG: Have a good week, everybody.

18 (Whereupon the proceeding concludes at 10:41 a.m.)
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25

C E R T I F I C A T E

STATE OF ARIZONA)

) ss.

COUNTY OF MARICOPA)

BE IT KNOWN that the foregoing proceedings were taken before me, Angela Furniss Miller, Certified Reporter No. 50127, all done to the best of my skill and ability; that the proceedings were taken down by me in shorthand and thereafter reduced to print under my direction.

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

I FURTHER CERTIFY that I have complied with the requirements set forth in ACJA 7-206. Dated at Litchfield Park, Arizona, this 15th of March, 2021.

Angela Furniss Miller

Angela Furniss Miller, RPR, CR
CERTIFIED REPORTER (AZ50127)

* * *

I CERTIFY that Miller Certified Reporting, LLC, has complied with the requirements set forth in ACJA 7-201 and 7-206. Dated at LITCHFIELD PARK, Arizona, this 15th of March, 2021.

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