THE STATE OF ARIZONA

INDEPENDENT REDISTRICTING COMMISSION

REPORTER'S TRANSCRIPT OF VIDEOCONFERENCE PUBLIC MEETING

Via GoogleMeets

August 17, 2021

8:00 a.m.

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1 PUBLIC MEETING, BEFORE THE INDEPENDENT
2 REDISTRICTING COMMISSION, convened at 8:00 a.m. on
3 August 17, 2021, via GoogleMeets, Arizona, in the presence
4 of the following Commissioners:
5 Ms. Erika Neuberg, Chairperson
Mr. Derrick Watchman, Vice Chairman
6 Mr. David Mehle
Ms. Shereen Lerner
7 Mr. Douglas York
8 OTHERS PRESENT:
9 Mr. Brian Schmitt, Executive Director
Ms. Loriandra Van Haren, Deputy Director
10 Ms. Valerie Neumann, Executive Assistant
Ms. Michele Crank, Public Information Officer
11 Ms. Marie Chapple Camacho, Outreach Coordinator
Mr. Alex Pena, Outreach Coordinator
12 Mr. Roy Herrera, Ballard Spahr
Ms. Jillian Andrews, Ballard Spahr
13 Mr. Eric Spencer, Snell & Wilmer
Mr. Brett Johnson, Snell & Wilmer
14 Mr. Mark Flahan, Timmons Group
Mr. Douglas Johnson, National Demographics Corp.
15 Ms. Ivy Beller Sakansky, National Demographics,
Corp.
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1 P R O C E E D I N G
2
3 CHAIRPERSON NEUBERG: To let everybody know,
4 Vice Chair Watchman is held up due to some weather
5 challenges. We hope he will join us in about an hour but,
6 you know, per his request, you know, we'll move forward with
7 our business.
8 I believe, Val, if you can just confirm we have our
9 counsel, we have everybody in place ready to get the meeting
10 in order; staff; Brian.
11 MS. NEUMANN: Yes, we're ready.
12 CHAIRPERSON NEUBERG: Okay. Excellent.
13 Welcome, everybody. If you did not hear my earlier
14 announcement, Vice Chair Watchman is struggling with some
15 weather challenges getting access to Wi-Fi and will
16 participate, we hope, in about an hour, but we will move
17 forward with our agenda.
18 So Agenda Item No. I, call to order and roll call.
19 I(A), call for quorum.
20 It is 8:01 a.m. on Tuesday, August 17th, 2021. I
21 call this meeting of the Independent Redistricting
22 Commission to order. For the record, the executive
23 assistant Valerie Neumann will be taking roll. When your
24 name is called, please indicate you are present; if you're
25 unable to respond verbally, we ask that you please type your

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name.

Val.

MS. NEUMANN: Commissioner Lerner.

COMMISSIONER LERNER: Present.

MS. NEUMANN: Commissioner Mehl.

COMMISSIONER MEHL: Present.

MS. NEUMANN: Commissioner York.

COMMISSIONER YORK: Present.

MS. NEUMANN: Chairperson Neuberg.

CHAIRPERSON NEUBERG: Present.

MS. NEUMANN: And for the record, we also have in attendance Executive Director Brian Schmitt; Deputy Director Lori Van Haren; Public Information Officer Michele Crank; our two new community outreach people, we've got Marie Chapple, we've got Alex Pena; on the legal team, Brett Johnson and Eric Spencer from Snell & Wilmer, Roy Herrera and Jillian Andrews from Ballard Spahr; our mapping consultants, we've got Mark Flahan from Timmons, Doug Johnson from NDC Research, and Ivy Beller Sakansky from NDC Research; and Angela Miller, our transcriptionist.

Back to you. Thank you.

CHAIRPERSON NEUBERG: Thank you.

And please note for the minutes that a quorum is present.

Agenda Item No. I(B), call for notice.

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1 Val, was the notice and agenda for the Commission
2 meeting properly posted 48 hours in advance of today's
3 meeting?
4 MS. NEUMANN: Yes, it was, Madam Chair.
5 CHAIRPERSON NEUBERG: Thank you.
6 Agenda Item No. II, approval of minutes from
7 August 10th, 2021, our last week's general business meeting.
8 We have just our general session minutes.
9 I'll open it up to any comments/edits; and if there
10 is not, I will entertain a motion to approve the minutes.
11 COMMISSIONER LERNER: This is Shereen --
12 Commissioner Shereen Lerner, Commissioner Lerner -- I don't
13 know what I am today.
14 Commissioner Lerner, I move to approve the minutes.
15 COMMISSIONER MEHL: Commissioner Mehl seconds.
16 CHAIRPERSON NEUBERG: Any further discussion?
17 All right. We'll do a vote. And not having
18 Vice Chair Watchman, you know, messes up my order.
19 So, anyway, Commissioner Mehl.
20 COMMISSIONER MEHL: Aye.
21 CHAIRPERSON NEUBERG: Commissioner Lerner.
22 COMMISSIONER LERNER: Aye.
23 CHAIRPERSON NEUBERG: Commissioner York.
24 COMMISSIONER YORK: Aye.
25 CHAIRPERSON NEUBERG: Commissioner Neuberg is an

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aye.

And, with that, the minutes of last week are approved 4-0. Thank you again, Val.

With that, we will move to Agenda Item No. III, opportunity for public comments.

Public comment will open for a minimum of 30 minutes and remain open until the adjournment of the meeting. Comments will only with be accepted electronically in writing on the link provided in the notice and agenda for this public meeting and will be limited to 3,000 characters.

Please note, members of the Commission may not discuss items that are not specifically identified on the agenda. Therefore, pursuant to A.R.S. 38-431.01(H), 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.

With that we'll move to Agenda Item No. IV, discussion on public comments received prior to today's meeting.

I open it up to my colleagues.

COMMISSIONER LERNER: This is Commissioner Lerner.

I just want to, again, thank the public for their comments; we got some really in-depth comments. Some of you who added to comments from our public hearings from our

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listening tour, so I wanted to say thank you for that.

And also we understand some of the comments were some concerns about perhaps people that had not participated in the public hearings, and I know that we'll be talking about some of those issues later on in the agenda, so thank you for your feedback.

CHAIRPERSON NEUBERG: Yeah, if there is no other further discussion on the public comments, and I don't have much else to add aside from what we've collectively, you know, discussed. I think most of the comments and substance is directed to our mapping team who is, you know, taking notes and following it and we will discuss, you know, later on in the agenda.

One item in particular that struck me, and we will discuss it in the upcoming, you know, items is, you know, we had 3 of our 15 listening tour events in Maricopa County, 20 percent; yet, upwards of 60 percent of our population is in Maricopa County, maybe that was a spot that we need to go back and collect more data.

But aside from that, if there's no further discussion, we can move to Agenda Item No. V, which is an update from our mapping consultants, Timmons/NDC.

And, with that, I will turn it over to Mark and Doug.

MR. FLAHAN: Good morning, Commissioners. Hope

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everybody is having a lovely morning so far.

The first thing that I'll touch on is you guys mentioned the public comments, so the last meeting we extended the community of interest survey by one day.

So let me share my screen with you guys.

Can you guys see the dashboard?

MR. D. JOHNSON: Yes, we can.

MR. FLAHAN: So we got 910 submissions in total for the entire state.

We've taken the dashboard that we had out there for the public comments and added some analytics there to the bottom of it. So what we can see is the Monday and Tuesday of last week we were receiving upwards of 200 surveys a day; the Wednesday before we closed it off, we received 80, so there was definitely a big push in people putting in community of interest surveys at the very end.

You can sort of see in the map we turned on the transparency a little bit more and you can see a lot of lines that overlap each other. We're working on processing this for the community of interest report, but just wanted to notate that on the map.

And you can see you've got some in Yavapai; you've got some in Maricopa; you have some between Pinal and Nogales and Santa Cruz County.

Just some visuals there for you.

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1 I think a couple other analytic pieces that are
2 interesting, is that we asked the question: "Are you
3 submitting comments as a part or on behalf of an
4 organization?" And just a little bit over 5 percent said
5 "yes," so almost 90 percent of the public there said "no."
6 We also asked: "Are you being paid to submit
7 comments?" And under 1 percent, right under .99 of 1
8 percent said "yes" to that. So over 99 percent of the
9 respondents said, no, they're not being paid to submit
10 comments.
11 So we are getting a lot of comments from, you know,
12 just from the regular citizen.
13 And then here's where we asked: "Are you planning
14 on attending a listening tour?" So, you know, only about
15 34, 35 percent said "yes." So, you know, over 65 percent of
16 the people said, no, they just are going to submit us their
17 data in the community of interest survey.
18 So, you know, here's some analytics that we put
19 together from the questions that we asked to -- to give you
20 some answers. It is, again, at the dashboard open to the
21 public, anybody is willing to cycle through the analytics or
22 look at the submissions just like we've had before.
23 And then if you click back to the original screen,
24 here's the amount of surveys we received per day.
25 Do we have any questions on the listening tour

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1 stuff?
2 No? Okay.
3 I will stop sharing my screen there.
4 So I think for us, you know, the -- the meetings
5 update, that's sort of, you know, the action items for the
6 last meeting that we had.
7 Going forward we have a bunch of things to sort of
8 discuss about meetings. I know a bunch of different topics
9 are there, and I think the question has always become is:
10 What are we going to do about increasing meetings per sort
11 of our schedule going forward.
12 And right now I think the -- the biggest piece to
13 actually increase the meetings is not until we get the grid
14 map; and once the grid map's done, then we need to start
15 looking at how do we, you know, get the public comments on
16 the grid map?
17 And for right now what our thoughts are is, you
18 know, 1.5 to 2 meetings per week. So the week of the 20th,
19 that Monday that, you know, we do two meetings, maybe a
20 Tuesday and a Friday; the week after that, we do a
21 Wednesday -- because, remember, we got to intake a bunch of
22 data, so people are going to be submitting public comments,
23 e-mailing you guys, handing you stuff, all kinds of stuff
24 that we're going to have to process on the back end; and
25 then the week after that, you know, do two more meetings.

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1 So that would be -- that would be a total of five
2 public map meetings. If you wanted to submit in the very
3 middle that week of the, let's see, 26th, we could probably
4 insert one more, so it would be two meetings a week for
5 public comments.
6 But that's sort -- that's sort of our schedule for,
7 you know, when we want to increase the number of meetings.
8 And, Doug, feel free to jump in if you got
9 something on that.
10 MR. D. JOHNSON: No. I think you covered it well.
11 CHAIRPERSON NEUBERG: Just -- just to be clear, are
12 you suggesting two explicit meetings for mapping purposes in
13 addition to the business meeting on Tuesday or are you
14 suggesting one additional meeting to potentially a longer
15 Tuesday?
16 Because the week in between you mentioned an
17 additional day that -- so to me that would have been two
18 meetings each week.
19 MR. FLAHAN: Those were just meetings on hearings
20 to get comments back on the grid map.
21 CHAIRPERSON NEUBERG: So in --
22 MR. FLAHAN: I didn't take into your account
23 your --
24 CHAIRPERSON NEUBERG: In addition.
25 MR. FLAHAN: Yeah, I didn't take into account your

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business meetings.

CHAIRPERSON NEUBERG: Okay. Thank you.

MR. FLAHAN: So if you wanted to run your business meeting in the morning and do that in the afternoon or evening time or reverse that, vice versa, that's what we're suggesting.

COMMISSIONER YORK: And, Mark, you're suggesting September 20th, right?

MR. FLAHAN: Yes -- no. 21st.

COMMISSIONER YORK: Yeah, but so starting that week, though?

MR. FLAHAN: Yes, yes, yes.

COMMISSIONER LERNER: So what you're suggesting is September 21st which is a Tuesday -- because I had to pull up my calendar to figure out --

MR. FLAHAN: Right.

COMMISSIONER YORK: And then on Friday.

COMMISSIONER LERNER: -- and then on Friday, but we would maybe have our business meeting in the morning on the 21st, and then a mapping piece in the afternoon? Is that what you're thinking?

And then 24th just for the public hearing piece, to review those on the 24th? And then the next week would it be we have our regular meeting on the 28th and then the public piece on the 29th?

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1 Just, it would help if we had that --
2 MR. FLAHAN: Right.
3 COMMISSIONER LERNER: -- clarified.
4 MR. FLAHAN: Yes, yes. Correct.
5 So the week of the 20th there would be two meetings
6 on the 22nd -- or, sorry, on the 21st and 24th; the second
7 week, we would have one meeting on the 29th; and the third
8 week we would have two meetings in there on the 5th -- on
9 the 5th and the 7th.
10 COMMISSIONER LERNER: The 7th.
11 MR. FLAHAN: And if we needed to squeeze a second
12 meeting into the second week that we only talked about one
13 on the 22nd, we could sneak one in there.
14 COMMISSIONER LERNER: On the 29th you mean, right?
15 COMMISSIONER YORK: Yes.
16 MR. FLAHAN: Yeah. Sorry. Yep, you're right.
17 COMMISSIONER LERNER: And then that's on top of our
18 regular meetings that we have --
19 MR. FLAHAN: Correct.
20 COMMISSIONER LERNER: -- correct, Chair?
21 COMMISSIONER MEHL: This is Commissioner Mehl.
22 I thought we talked about maybe not doing public
23 meetings other than virtual meetings until we had a draft
24 map. So are we going to get things back during this period,
25 comments on the grid maps that are really worth going out to

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1 the public and then doing a third round, which I assume will
2 be more intense once we have the draft map?
3 MR. FLAHAN: I would think we would getting bunch
4 of comments back on the grid maps. This will be the first
5 time that the public is seeing any type of map product that
6 they would have some comments on.
7 Doug, you might want to elaborate on that.
8 MR. D. JOHNSON: Yeah, I would agree with that.
9 You know, the grid is the grid, it's going to be a mess. By
10 design it's a mess.
11 So this is really the opportunity where people
12 will -- typically will submit a whole bunch of maps. You
13 know, really technically modifying versions of the grid, but
14 all but starting from scratch in the public's perspective in
15 all likelihood. So, yeah, I think you will get a lot of
16 radically different maps in this time period.
17 And -- and I think we're talking about is not doing
18 a listening tour, but having meetings where the public can
19 participate and share their thoughts without traveling
20 around the state; but, obviously, having a way for residents
21 from across the state to participate in these meetings.
22 CHAIRPERSON NEUBERG: It's -- it's also our first
23 time to really collectively be starting to do the meat of
24 the work, which I think will be substantive and -- and I --
25 I think very valuable.

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COMMISSIONER LERNER: So, Mark and Doug Johnson, which I'm going to always say the last name now, we -- basically this is going to be the first opportunity for us to be seeing from the public their potential starting points of versions of the maps that they would like to see, right?

They're going to take the grid map, and they're going to change it up to the way they think it should look, correct?

And you're talking about having these as virtual meetings just like we're doing now and then the public can give input; is that correct?

MR. D. JOHNSON: Yes. I don't know if there's an in-person component that will be able to be part of this versus virtual, but certainly a virtual element, yes.

MR. FLAHAN: And then if -- if those meetings go well and that's the schedule, then we would think that a public decision meeting would be the week of the 18th of October, and then going into the 25th, 26th, and 27th time frame if the extra days are needed.

COMMISSIONER LERNER: So sorry, I was looking at the calendar. So would that be the 8th of October, did you say, Mark, that that would be the conclusion of that?

MR. FLAHAN: 18th.

COMMISSIONER LERNER: Okay. So that's different from the --

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MR. D. JOHNSON: Well, it will be the week of the 18th.

COMMISSIONER LERNER: The week of the 18th.

MR. D. JOHNSON: And possibly spilling over into the next week as well.

COMMISSIONER YORK: This is for the -- this is for the draft maps, correct? No?

MR. D. JOHNSON: Yes.

COMMISSIONER YORK: Okay. So we're basically transitioning from grid maps in the first week of October to draft maps after that, correct?

I was looking at -- I have your -- I printed out your original schedule.

MR. D. JOHNSON: Yeah, the -- the date -- the public input would be the public input on the grid map, which will take the form of them proposing draft maps. So that week of October 18th and -- and probably a couple days in the following week, you'll be adopting your draft map, yes.

COMMISSIONER YORK: Yes.

COMMISSIONER LERNER: So I'm just trying to coordinate with what's on your calendar --

MR. D. JOHNSON: Mm-hm.

COMMISSIONER LERNER: -- with what we're talking about as clearly as possible.

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1 The grid map 23-day review you had from
2 September 15th to October 8th. That's the revised version
3 of what you gave us. That's what we're talking about with
4 these meetings right now, correct?
5 That -- that grid map 23-day review and us looking
6 at those options?
7 COMMISSIONER YORK: Yeah, that's --
8 COMMISSIONER LERNER: That's correct?
9 COMMISSIONER YORK: I had that through the
10 October 7th, right?
11 COMMISSIONER LERNER: I just have it from the --
12 this is the schedule Option 2.
13 COMMISSIONER YORK: Right. No, I got it. I got
14 it.
15 COMMISSIONER LERNER: Yeah.
16 MR. D. JOHNSON: Yes, yeah. So in that schedule
17 Option 2 you got the 23-day review which is when the public
18 is commenting all -- on all this through October 7th or 8th,
19 depending on which version you have.
20 And then as you just heard, we got 900 comments in
21 the first listening tour. I would expect to get more than
22 that this time around, so we need some time to process all
23 of that obviously and prepare that for your decision
24 meetings, which have you been, as you know and I --
25 essentially we're putting the, what having listed as draft

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1 map development and draft map public decision meeting, all
2 that time together in one series of meetings.
3 COMMISSIONER LERNER: So basically the next week we
4 would start to meet more intensely, as Commissioner Mehl has
5 talked about, we need to meet on a regular basis, when we
6 would be actually then looking at developing our maps.
7 Right.
8 So these are sort of the preliminary meetings to
9 look at the public's views and what they're submitting, and
10 we had talked about having less time, I think a pretty
11 intense period where we will be meeting fairly often, and on
12 your schedule it talks about draft map development from
13 10/15 to basically around the 27th.
14 So I'm just trying to put all of that together
15 because if we can have all of that at one time, that will
16 be -- that will be helpful for all of us, I think, to kind
17 of go through from a scheduling perspective.
18 CHAIRPERSON NEUBERG: But -- but I do think that
19 these proposed additional dates of -- of, you know,
20 Commission time to be working on the grid map, putting
21 together the information that we've learned, applying it,
22 that to me sounds right.
23 When we talk about an additional meeting on the
24 Tuesday to the business meeting, my sense of the Commission
25 is that, particularly maybe the business at that time, may

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1 be, you know, small relative to the actual mapping work,
2 that -- that maybe we do both on those Tuesdays, you know,
3 from 8:00 a.m. onward.
4 But this is also a logistical task for the staff to
5 firm up these specific dates, get it all on the
6 Commissioner's calendars, staff calendars, and block off the
7 time.
8 MR. FLAHAN: And if -- if you guys didn't want to
9 do two meetings on a Tuesday, it would be possible to move
10 that Tuesday meeting to probably a Monday if need be.
11 CHAIRPERSON NEUBERG: Well, or what I'm getting at
12 is my sense of my colleagues is they prefer, like, just a
13 really long Tuesday. Like, once we convene, let's just
14 work. With a break every hour and a half.
15 COMMISSIONER LERNER: This is Commissioner Lerner
16 again.
17 This is fine. You know, I do think we need to --
18 we'll need to meet more often, and I'm very good with long
19 Tuesdays and then adding in whatever we need and -- and
20 getting it on our calendars as soon as possible. But I
21 guess I'm still asking for a clarification for the week
22 after we had talked about just, again, for calendaring
23 mostly so that we can have that and -- and connecting to the
24 schedule that we have from you.
25 So after the week of October 5th through 7th, can

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1 you clarify for us the next meetings and what we -- whether
2 we'd be again needing to increase the meetings per this V(B)
3 and -- and how that -- and what we would be covering in that
4 next phase, that next round.
5 MR. FLAHAN: Sure. So if we stick to the -- the
6 grid map public meetings, with it ending on the 7th, and the
7 way that we've seen the data come in for the community of
8 interest, we're going to have probably a big push towards
9 the end of a lot more data coming in than the very
10 beginning, so right after that, we're going to have to
11 compile all of that data for you and get that together; and,
12 you know, it was probably a four or five time increase on
13 the day's previous -- don't quote me on that number, that's
14 just some quick math in my head.
15 So right after that we're going to probably need
16 three or four days to finish compiling that data.
17 And then starting sort of the 18th and bleeding
18 into the 27th would be the time that we would actually be
19 meeting probably almost daily to discuss the data that we
20 compiled, and then in that time talk about what the draft
21 map development would look like.
22 And, Doug, correct me if I'm wrong, but I believe
23 that's going to be bringing up, you know, what's the
24 public's given us, what we put together for you, and you
25 guys are going to decide: Well, we need to make a tweak

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here; we need to make a tweak here. And then we're going to have -- we'll go back and make it for you and then present it to you.

And that is my understanding. Doug, do you want to add anything to that?

MR. D. JOHNSON: Yeah, I think, you know, the public is free to submit however they want and add whatever comments they want.

In particular for your, as you decide which of those elements you want to incorporate, you'll need to tie them into: "I want to make this change to the grid map because of this Prop 106 criterion." So we'll need to very carefully document those.

But other than that, yeah, you're just taking that public input and seeing which pieces of it we can put together into a map that you would like as your draft map eventually. But, yes, there will be a lot of incremental change in that very short time frame.

COMMISSIONER MEHL: And, Doug, that's the period where you talked about the fact that we don't want to forget we're doing two maps, the legislative and congressional, and you were suggesting in the past you've seen Commissions take one day and do legislative, the next day congressional; and while we're doing the next day, then our mapping team behind the scenes is doing all the things we talked about the

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1 previous day on the other map and working our way through
2 both maps in that period?
3 MR. D. JOHNSON: Correct.
4 COMMISSIONER MEHL: But the goal being by the 27th
5 to have a draft map of each one.
6 MR. D. JOHNSON: Exactly. Yep.
7 COMMISSIONER LERNER: And -- and during that time
8 we'll be measuring, like you said, against the different
9 parts of the proposition, you know, the constitution, right?
10 The six criteria.
11 At some point -- and this probably, this may or may
12 not belong here, so correct me or stop me -- will we hear
13 from you ways that we can measure things like compactness
14 and contiguous, the measurements that we'll be using that
15 will help us as we're doing those assessments on the
16 mapping. And we can put that in a separate place, like, if
17 we need to, but that will be part of what we're doing,
18 right, is looking at the measures?
19 MR. D. JOHNSON: Yes. The legal team earlier gave
20 a presentation on sort of all those criteria, but we -- we
21 can certainly return to that and revisit it as there's been
22 a lot of material we've covered in the last several months,
23 and certainly that -- those key things will be top of mind
24 as we're getting into the mapping, so we can certainly do a
25 refresher on that.

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1 COMMISSIONER MEHL: And, Doug Johnson, just for all
2 of our (technical/audio disruption) here, how much change
3 from the draft map to a final map do you see typically?
4 MR. D. JOHNSON: There's usually quite a bit. You
5 know, just drawing in the last two Commissions, there's a --
6 there's quite a bit.
7 You know, the -- the grid kind of releases people
8 to then draw whatever they, you know, feel appropriate and
9 best for the state, so you get stuff all across the board;
10 then the Commission adopting a draft map really focus --
11 tends to focus that discussion, and you get much more kind
12 of people -- everyone kind of works from that one map,
13 and -- and comes in with all kinds of changes to it.
14 So it's likely to be quite a bit of change.
15 COMMISSIONER MEHL: So we don't -- at the end of
16 the day on the draft map, we're not anywhere near done so --
17 MR. D. JOHNSON: Correct.
18 COMMISSIONER MEHL: -- it's just important to get a
19 draft map out there.
20 MR. D. JOHNSON: Yep.
21 CHAIRPERSON NEUBERG: A quality draft map out
22 there.
23 COMMISSIONER MEHL: Well, hopefully a draft map
24 that we like, but --
25 CHAIRPERSON NEUBERG: Yeah.

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1 COMMISSIONER MEHL: -- but knowing there's still
2 going to be a lot of input and -- and quite a bit of change,
3 so...
4 MR. D. JOHNSON: Yeah, I -- I -- I didn't follow
5 the step-by-step ten years ago that closely, but I do know
6 20 years ago the adopted draft legislative map actually had
7 a district that was referred to as "the leftover district."
8 It was just whatever -- whatever else was left in the map,
9 because it got to the point that you're making,
10 Commissioner, the decision was rather than try to fine tune
11 it for a day or two, get it back out to the public, let them
12 react to it, and move on the next stage knowing that -- that
13 the other the district was not going to be there the next
14 time, that the only thing they had going was: Well, the
15 districts around it looked pretty good and this was just the
16 leftovers.
17 So, yes, I -- you do reach a point of us, it is:
18 Let's get back out there in their case on the final
19 listening tour and knowing the map is going to change.
20 But hopefully -- hopefully we'll get there, and it
21 will look gorgeous and only need minor changes; but that may
22 or may not be the case.
23 CHAIRPERSON NEUBERG: Well, and to the extent that
24 we do our best early on, all of that pays dividends. We
25 will have a better product if we try to understand the

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1 information we're receiving now and incorporate it to the
2 best of our ability each step of the way.
3 COMMISSIONER MEHL: So the meetings in September
4 and early October on the grid map, are these virtual
5 meetings? And if they're virtual meetings, how do we queue
6 up people to actually testify? How does -- how does that
7 work?
8 CHAIRPERSON NEUBERG: I want to be careful that --
9 there are two separate conversations: One is the explicit
10 mapping work that we as Commissioners will do and convene
11 with the mapping team and incorporate the data; the separate
12 conversation, which we also need to have, is our strategy
13 with collecting public testimony during that time.
14 So one is the method of collecting the data, the
15 other is what we -- how we manage and execute the data.
16 COMMISSIONER MEHL: So I'd like to hear comments on
17 both those questions, then.
18 MR. D. JOHNSON: Yeah, I think -- Brian or Mark,
19 correct me if I'm wrong. I think the actual format,
20 interaction, layout of these meetings is still being figured
21 out. In part because they need to know the dates that we're
22 looking at in order to nail down those details.
23 In terms of how it will be gathered, you know,
24 hopefully folks will feel very comfortable with the online
25 mapping tool, will actually draw maps using the online

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1 mapping tool; but -- 'cause that certainly, number one,
2 gives them the most data and the most control to draw
3 precise, useful map that can be implemented most easily.
4 But people can give verbal testimony, written
5 testimony, send in whatever -- they can print the map that
6 will be posted and available of the grid maps and draw on
7 them. You know, that obviously is the hardest to interpret
8 and implement, but they can testify however they want.
9 Mark, anything to add on that?
10 MR. FLAHAN: No, I don't. I don't think so. I
11 think you got the good gist of it.
12 I -- I think the key here is that there's going to
13 be multiple avenues to participate in and we're going to
14 have to be ready to accept data in all those multiple
15 avenues.
16 CHAIRPERSON NEUBERG: And -- and we'll have a
17 conversation, Commissioner Mehl, when Director Schmitt
18 reports; we'll talk about outreach and we'll begin a
19 conversation about the -- the process method, the process
20 question of how we're going to collect additional data from
21 the public.
22 So -- so there will be time carved out in our
23 agenda today to dive into that a little bit.
24 COMMISSIONER MEHL: Obviously, if we were doing it
25 all online we wouldn't need to set dates. So I assume we're

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1 setting dates 'cause we're going to set aside time for
2 direct testimony of some type, and I was curious if we're
3 thinking that's going to be virtual testimony or if we're
4 thinking we're going to actually have meetings in different
5 locations again.
6 MR. FLAHAN: Is that a question for us?
7 COMMISSIONER MEHL: Yes.
8 MR. FLAHAN: I know the Commission doesn't want to
9 do another road trip for another tour around the state, but
10 there could be a central location somewhere that the
11 Commission is at that people could show up in person. But
12 that's totally up to the Commission to decide; I'm not
13 deciding that for you, just providing feedback.
14 And then there's also probably a virtual option,
15 the logistics would have to be worked out on how to get
16 people to be able testimon- -- testify in a virtual setting.
17 So I know there -- there's a couple of different
18 options. You guys can do satellites again if you really
19 wanted to, but just not -- not the Commissioners making the
20 travel around the state.
21 So there's -- I think there's a lot of options that
22 as a Commission you guys are going to need weigh in, how you
23 feel you should take in public testimony and move forward.
24 I don't know if I have the right answer or solution
25 for you, but you know those are sort of the three options.

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1 I will say that, you know, once the grid map gets
2 adopted, we can publish a -- a web map out there that people
3 just want to view it without having to log in or create an
4 account with the redistricting system, it will just be out
5 there so people can view it.
6 Doug, you have anything else -- or, go ahead.
7 Question?
8 COMMISSIONER LERNER: I think that's helpful. And
9 then perhaps we can also when Director Schmitt gives his
10 report or talks about this, we can hear.
11 I don't know exactly what the other Commissioners
12 did -- obviously, 20 years ago they didn't have the virtual
13 options like we do, 10 years not as much either, so it would
14 be interesting just to hear how they went about getting the
15 feedback during that phase and use that as part of our
16 thought process in trying to make a decision.
17 MR. FLAHAN: Doug, you want to talk about IRC
18 20 years ago?
19 MR. D. JOHNSON: Yeah. It was actually
20 interesting, 20 years ago they received over 50 drawn
21 GIS-based maps throughout the whole process from residents;
22 10 years I think they only got about 10. So there is --
23 there has always been some capability for folks to draw maps
24 if they had the systems back then.
25 Now, of course, as mentioned, there will be a free

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online tool that anyone with Internet access can use, so that's a big step up than having to buy expensive software.

But I think, you know, people having the ability to appear in the past in person, this time either in person or virtually, and actually share their maps and show their maps and talk about their maps to you has always been a key part of the process.

MR. FLAHAN: So I think one thing to consider for virtual option is somebody wants to show you a map, how do they show you what they are trying to -- to discuss? Do they share their screen with you, do they show it in their camera? Those kind of things. And then how -- how could you possibly intake that.

So do you need to get a screen capture of it, do they send it in, what does that -- what does that look like?

Maybe you don't have to do anything of that, maybe that's just what we have to process. So those are some questions you'd have on the technology side too.

CHAIRPERSON NEUBERG: Other questions?

Mark and Doug, do you want to move on on the agenda?

MR. FLAHAN: If there's no other questions then, yeah, I think we can move on.

I think one of the next topics is training on the redistricting system. I know we've talked about it for the

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1 last two Tuesdays in a row, so there's a couple of options
2 out there for you.
3 There is a four-hour Esri training that we could
4 do. The Esri training would be, as far as I'm aware, in a
5 private setting for the Commissioners. If we want to -- and
6 then Timmons would conduct training for the public via maybe
7 YouTube videos or maybe something live here on the screen,
8 but will probably be more YouTube videos.
9 And then the second piece could be if the
10 Commission wants to be trained in the public -- in a public
11 meeting, that Timmons would then provide you guys with a
12 live training in the public meeting.
13 And I think those are really the -- the two options
14 that we have. I guess there is a third option if you wanted
15 an eight-hour Esri private training, but I would -- I would
16 highly steer you probably more towards the four-hour, but
17 there is the option of the eight-hour.
18 And the -- the goal would be to provide training
19 next Tuesday if we can make a decision at the meeting today.
20 And, you know, that's -- that's critical because
21 we're processing the data in that -- you know, the time
22 frame gets shorter and shorter as we get closer and closer
23 to -- to the grid map.
24 And if you would like Esri to provide the training,
25 that their calendar really tightens up, and it's pretty much

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either next week or early September because they're doing a lot of other stuff for redistricting.

So those are sort of the options that I put out for you. I don't know if there's questions from the Commission, if you guys have a feel for what kind of training you would like, but those are sort of the three options out there.

CHAIRPERSON NEUBERG: I'd like to understand better the differences of the training. So -- so how does it differ if you train us versus Esri and what does it look like?

MR. FLAHAN: So if -- if Esri trains us, the -- it would be a four-hour session, they have sort of between eight and ten modules that they would train you on; it would be live, hands-on in the system, but it would be -- it would be of a private setting.

If we trained you --

CHAIRPERSON NEUBERG: Meaning the five Commissioners and our staff alone with representatives of Es- -- Esri?

MR. FLAHAN: Correct.

CHAIRPERSON NEUBERG: Okay.

MR. FLAHAN: Correct.

COMMISSIONER LERNER: How could that happen? We'd still have to have a meeting called, wouldn't we, for us to be together?

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MR. FLAHAN: Correct.

MR. D. JOHNSON: It's not -- it's not a recommended approach.

MR. FLAHAN: I would pass that over to the legal team to answer that one.

MR. B. JOHNSON: It's -- it is an approach, and it's definitely within the Commissioners wherewithal to make that decision, let's just put that straight.

However, it -- it would be a specially noticed meeting for purposes of training only, happens all the time with agencies that you need to get trained on Microsoft Excel, et cetera. You're able to go in, you're not able to do any type of deliberative process, not able to talk about how the maps will be drawn in this -- in this realm; and then you're basically getting software training just as if you were in orientation for a brand-new job. And that's -- that's it.

But it would still need to a specially noticed meeting that would be closed for that sole purpose; but, again, no deliberation and no discuss.

CHAIRPERSON NEUBERG: Okay. And then walk us through what the other two options look like.

MR. FLAHAN: Well, the third option would be the same Esri training but it would be for an eight-hour time frame instead of a four-hour time frame.

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1 CHAIRPERSON NEUBERG: So what you're proposing is
2 for you to do the training with us in public?
3 MR. FLAHAN: That -- that is a second option. But,
4 yes, Timmons -- Timmons could do the training in public live
5 with you guys with public watching.
6 Probably the -- the most -- I don't know --
7 probably the best option in a sense, that way everybody has
8 the exact same training that everybody has seen and up to
9 date.
10 I'd have to figure out a time frame. I would think
11 that it would be more of a two, two- to four-hour training
12 if Timmons would give it, and I can come up with more
13 specifics down the road on that.
14 COMMISSIONER LERNER: Well, what's the difference
15 between -- because I think -- I know I blocked off next
16 Tuesday because we had talked about that the last time, that
17 maybe we would do it in the afternoon on that day. But
18 what's the difference between a Timmons two- to
19 four-training and an Esri two- to four-hour training?
20 Just in terms of who is -- who is doing it? Or --
21 I mean, we want to have the same skill set when we're doing
22 whichever way we're doing the training.
23 MR. FLAHAN: I think the difference would be is
24 that, you know, the Timmons' side we have to go develop some
25 slides, we have to go develop some, you know, maybe

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exercises for you guys to do or to show you how to walk through it. So I would say that if we were to do it for Timmons, I don't know if we would be a hundred percent ready for next Tuesday afternoon because we're going to have some work to do.

MR. D. JOHNSON: And -- and the flip side, Mark, correct me if I'm wrong, but Esri won't do it in public as a company legal policy. So that's the big difference.

MR. FLAHAN: Yeah.

MR. D. JOHNSON: And just to give you a little bit of context, too, the City of Sacramento is using Esri tool as well and they have videos on their website how to do it, and the total video -- that's broken up in five pieces, but it totals about 35 minutes.

So when we're talking about a two- to four-hour training, it's a pretty in depth detail review of all -- in part because you're going to be using the analytical tools more than I suspect a city would need to, but you're getting a very in-depth exposure to everything that you need to do.

CHAIRPERSON NEUBERG: You know, this is a -- just a very practical question. Executive Director Schmitt, are our current State-issued laptops sufficient to be doing this mapping work?

DIRECTOR SCHMITT: We do have new ones that should be ready for you all in the next week or so; they're imaging

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'em, and then we'll exchange them so that you'll have those for the mapping process.

CHAIRPERSON NEUBERG: I mean, per -- if we're learning on one tool and then switching, I don't know if there's a way for us to have, you know --

DIRECTOR SCHMITT: Sure.

CHAIRPERSON NEUBERG: -- the computer that we're going to use and be trained on it.

DIRECTOR SCHMITT: Yeah. Let me double back with IT, and I will let you all know.

MR. FLAHAN: Well, just to be certain here, it's all web based in a browser. So as long as your computer can run a browser sufficiently, I don't think you're going to have an issue.

CHAIRPERSON NEUBERG: Okay.

MR. FLAHAN: And -- well, I was going to say, you might want to have Excel on it or an equivalent to have Excel on it. But there's also PDF version of it, too, so.

COMMISSIONER LERNER: So I guess I'd like to just get a feel for what the best suggestion is.

We've been talking about this training now for several weeks and, personally, if we're going to start to get information from the public soon, I'd like to be able to start looking at it and know what I'm looking at as part of it.

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1 So what is the best -- the recommendation that you
2 all have that we could -- we could do? Honestly, I'm fine
3 with any of the options. Not the eight-hour option, I will
4 say I cannot take that.
5 MR. FLAHAN: I'll give you a thumbs up for that.
6 COMMISSIONER LERNER: Yeah, I won't for sure -- I
7 will say the two- to four-hour option either in special
8 training noticed one where we -- and in some ways a special
9 training like that might leave us open to have a lot more
10 questions about the training versus in public, but I don't
11 know that that matters, I think we can ask the same
12 questions no matter where we are.
13 If we do it in public, the public then is getting
14 trained at the same time and those videos go up online so
15 they can always go back up and watch it, so there's
16 certainly an advantage to the public piece of -- of training
17 because they're also waiting to get the YouTube videos from
18 you of how to do this. So that might take care of both of
19 those at one time.
20 So, for me, it doesn't matter to me which one other
21 than no eight hours.
22 COMMISSIONER YORK: It's been my experience is that
23 the software companies that develop the tools usually have
24 the best trainers. Am I right on that?
25 MR. D. JOHNSON: Let's just say training is not

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1 Esri's specialty. So, yes, they are good at it, but I
2 don't...
3 COMMISSIONER YORK: Okay.
4 MR. D. JOHNSON: I don't think you're going to lose
5 much.
6 COMMISSIONER YORK: Okay.
7 MR. FLAHAN: I would say their trainers are
8 definitely good and they -- they do build the software. So
9 they might have the most -- yeah, I'll leave it at that.
10 CHAIRPERSON NEUBERG: What I'm hearing is that it's
11 not rocket science, that maybe we'll be able to, you know,
12 learn it along with the public and maybe we don't
13 necessarily need it from Esri themselves, that -- that you
14 have the ability to teach us, that two to four hours is the
15 sweet spot.
16 If you're not ready for Tuesday, I don't -- you
17 know, it sounds like the Commissioners are ready to be
18 trained and ready to go, so as soon as you're ready.
19 And I don't want to cut off dialogue. If -- if
20 there's further debate and discussion about the method, you
21 know, please.
22 COMMISSIONER MEHL: This is Commissioner Mehl.
23 If it's -- if we're going to meet in person next
24 week works much better for me than the following week, any
25 day next week; but if we're going to do this by -- by Zoom

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anyway, then it doesn't matter at all.

CHAIRPERSON NEUBERG: It's virtual, correct?

MR. FLAHAN: It -- yeah, both options -- both options would be virtual.

COMMISSIONER MEHL: Okay.

MR. FLAHAN: I think the biggest difference between just the person doing the training would be if you wanted training next day in the afternoon, it would be Esri. Timmons would not be ready that soon to provide you guys training because we would have to actually develop the training.

So just -- just put that out there, it would probably be one week after that if Timmons were to -- to conduct the training.

COMMISSIONER LERNER: So, Mark, my question is: Have you done -- has Timmons done this kind of training before because what we don't want -- and I have full confidence in you, nothing against that, just clarifying, but I don't want to have us, you know, you develop a training and then we start asking questions and you're like: Oh, we didn't actually -- you know, we don't have that in our toolbox so to speak.

So I just want to be sure that you'd feel confident that whatever the training is that can -- that you will develop will be as -- as comprehensive as Esri's in the

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1 sense that you'll have those -- you know, you never know
2 what we're going to ask -- the questions. You understand
3 what I'm asking?
4 MR. FLAHAN: No, I totally understand what you're
5 asking.
6 Timmons, we've done GIS training in the past, not
7 specifically on the redistricting system, so that would be
8 something that we would need to go develop. So I would say
9 for trainings for GIS just in general purposes, yes, we've
10 definitely done that; but there would be some steps and some
11 development for a course on the redistricting system itself
12 that Timmons would have to put together.
13 MR. D. JOHNSON: And -- and I would add that too,
14 that just we can never say never, there's -- there's a very
15 good chance where you could come up with a question in an
16 Esri-led session where the Esri trainer would say, "I have
17 to go get that answer," so. So it's certainly the
18 possibility that, you know, if you're asking really advanced
19 questions, they might have to go find out regardless of who
20 is doing the training.
21 COMMISSIONER YORK: Well, it sounds like to me -- I
22 mean, we set aside the 24th for this training. And, you
23 know, the time, energy, and expense to go develop -- for
24 Timmons to go develop a class for us, I don't -- I mean, I
25 don't have time on the 31st taking an extra four hours. So,

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1 I mean, I'd sort of in favor of using the vendor and Esri
2 doing the training on the 24th.
3 COMMISSIONER MEHL: I'm good with that. I'm good
4 with about anything so.
5 COMMISSIONER LERNER: Yeah.
6 CHAIRPERSON NEUBERG: So the down -- help us
7 understand the downside of working directly with Esri in a
8 private setting.
9 There's obviously the -- it's not a challenge, we
10 need to disclose to the public as counsel mentioned, you
11 know, that -- that we will convene as a group in this unique
12 way, but public is excluded -- go ahead, Brett, please.
13 MR. B. JOHNSON: Right. And just to the extent
14 before mapping consultants were to respond to that, the
15 extent that that goes into litigation or legal experience,
16 make sure that if -- if the recommendation is to go into
17 executive to get some litigation or legal advice, we're
18 happy to do so.
19 CHAIRPERSON NEUBERG: Okay.
20 COMMISSIONER LERNER: And then the other piece that
21 would have to happen is that concurrently, because we've
22 been promising the public a training of some kind, there
23 would still have to be something published -- whether it's
24 through 35 minutes total of YouTube videos like you were
25 mentioning, Doug Johnson, or whatever it would be, we still

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need to provide either way the public with some form of training and access, correct?

MR. FLAHAN: Correct.

MR. D. JOHNSON: Right. Yeah. Yeah, we would be doing this in a special session for just the Commissioners and then doing a separate training program of some kind for the public.

MR. B. JOHNSON: And -- and, Commissioner Lerner, my understanding from Mark is that these YouTube videos are already out there in the domain and we -- we'd easily get those linked up to a public link on our website; is that right, Mark?

MR. FLAHAN: Yeah, Esri has some YouTube videos that are already out there just in the public domain already in YouTube, but we would create you guys something -- something a little more tailored, I think, for Arizona. But there are YouTube videos out there.

MR. B. JOHNSON: And that -- that presentation you're talking about, Mark, could also be done via video and that's a PowerPoint presentation?

I've done enough of these computer trainings where it's a bunch of cartoons and make it very, very simple. We could put that on the Commission website, and people from now until December can go look at that and get refresher; in addition, they can also contact staff for questions about

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how to use the software, correct?

MR. FLAHAN: Yes.

You're saying the -- you're talking about the Esri PowerPoint slides being saved on the Commission's website?

MR. B. JOHNSON: Or giving links to them, yes.

MR. FLAHAN: Okay. Are you talking about putting that on the public side or the private side?

MR. B. JOHNSON: The public side. And then in addition whatever training Timmons wants to give us, make it Arizona specific, you can do that in video, put that also on the Commission's website about how to put that -- step by step how to use the software, correct?

MR. FLAHAN: Yeah, anything that Timmons producing we can -- for -- for training purposes, yeah, on the redistricting software we can put on the website.

On the slide thing I'll have to find out for you, I'm not a hundred percent sure on Esri-generated slides.

MR. B. JOHNSON: No problem.

COMMISSIONER LERNER: So, Mark, then -- and I'm fine with whatever, I mean, I also have next Tuesday set aside and I'm fine with any -- any of the trainings, but are you -- the training you would do for the public, would you do the same training you would otherwise be developing for us if you were going to do it or just a modified version of that?

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1 MR. FLAHAN: I think the training would be probably
2 modified a little bit in that it would be a little shorter
3 of YouTube videos in a digestible clip than just like a 1-2
4 hour YouTube video and fast forward to find your spot. So,
5 I would envision it would be a series of YouTube videos that
6 would have a specific topic that we are talking about, and
7 it would take you through that topic from start to scratch.
8 The easiest one to describe would be: How do you
9 create an account? How do you log in to the system? You
10 know, that would be one YouTube video that could be, you
11 know, probably five minutes long; another one could be how
12 to use a specific toolset; another one could be exactly how
13 do you submit a proposed map or how do you comment on them.
14 That's how I would envision the training to go in very
15 specific tailored YouTube videos instead of just a giant
16 long one.
17 Because generally when you're searching for help,
18 right, you want help on the topic that you want, you don't
19 want to pull up here's my giant help dialogue, and I need to
20 just sort of hunt through there to find the answer you need.
21 CHAIRPERSON NEUBERG: Mark and Doug, let me ask you
22 a very practical question.
23 You know, the conversation shifted when we spoke
24 about our calendars and our availability next Tuesday and
25 the Tuesday after that. It sounds like the Commissioners

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1 really set a side a chunk of time next Tuesday.
2 Is there any way that you would be ready to conduct
3 the training next Tuesday even if it was in the afternoon or
4 is that not an option?
5 MR. FLAHAN: I don't think that is an option.
6 CHAIRPERSON NEUBERG: Okay.
7 MR. FLAHAN: I don't think we would be a hundred
8 percent ready for that.
9 CHAIRPERSON NEUBERG: Okay.
10 I think there's a lot of open minds amongst the
11 Commissioners which means I'm not sure that there's, you
12 know, an ideal choice or, you know, one that's bad.
13 Thoughts?
14 COMMISSIONER YORK: My thoughts are sort of that
15 one training doesn't make an expert and I -- and I think we
16 need to get started, so I'm in favor continuing to hold the
17 schedule we had set a couple of weeks ago for next Tuesday.
18 CHAIRPERSON NEUBERG: And what -- what you're
19 saying is that doesn't preclude Timmons from doing an
20 additional training maybe for the public or, you know,
21 ensuring that basic training is available for everybody to
22 participate, whether it's YouTube or, you know, these
23 different options?
24 COMMISSIONER YORK: Right.
25 CHAIRPERSON NEUBERG: Commissioners Lerner and

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1 Mehl, how do you feel about this?
2 COMMISSIONER MEHL: That would be fine with me.
3 COMMISSIONER LERNER: I'm fine with whatever --
4 with -- with either approach.
5 And if Commissioner York has next week and that's
6 the best day for him, I'm happy to do that as well.
7 CHAIRPERSON NEUBERG: Okay. It sounds like based
8 on just, you know, practicality schedules, the Commissioners
9 would like to move forward with training next week. If it's
10 private with Esri, we'll have to rely on our counsel with
11 how to alert the public to that and, you know, obviously
12 ensure that no business is done.
13 And then after that we can, you know, discuss what
14 kind of general public training you want to provide.
15 COMMISSIONER LERNER: Well -- well, Chair Neuberg,
16 in the meantime I assume Timmons can start to do some work
17 on posting some YouTube, you know, getting that -- that
18 compilation together; is that correct?
19 MR. FLAHAN: Yeah, we'll -- we'll work on getting
20 some videos together and we can definitely grab the videos
21 that Esri already has posted publicly online.
22 CHAIRPERSON NEUBERG: Okay. I believe is this an
23 administrative decision or do we need a formal motion?
24 MR. HERRERA: Madam Chair, we do not need a formal
25 motion.

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1 CHAIRPERSON NEUBERG: Okay. Thank you.
2 If there's no further discussion, feel free to move
3 on.
4 MR. FLAHAN: Okay.
5 I know there's a couple of topics on data between
6 grid and draft maps and understanding public comment and map
7 submission during various map termination phases. I think
8 our conversation before training might have bled into those
9 topics, are there any questions specific on those topics
10 that we have not answered?
11 COMMISSIONER LERNER: Mark, I think we -- we talked
12 about the fact we will be receiving a lot of data. I guess
13 my question all along has been: How do we as Commissioners
14 process that data, assess that information?
15 I know you're going to be doing a lot of
16 compilation, but me as a Commissioner I want -- I'm
17 responsible for kind of looking at what the public is
18 submitting and -- and doing some evaluation and then kind
19 of -- and that's I guess where my big question has been all
20 along is: How do I do that?
21 We'll be getting a lot of maps but then I'm not
22 sure if that -- if my question fits with that actually, mine
23 says: How do you obtain data? For me it's a matter of how
24 am I assessing that data, how am I assessing those maps.
25 MR. FLAHAN: And I think that just goes into

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1 understanding the public comments and, you know, any type of
2 data that we would get or submissions that we would get
3 during the public phases.
4 Doug, you want to take that one?
5 MR. D. JOHNSON: Yeah, I think we've been working
6 with Timmons on -- and they've got some handy tools that I
7 think will generate some very nice focus maps out of those
8 900 community of interest submissions we have, so that we'll
9 be able to say: In this region here, you know, we got this
10 many communities of interest maps, here are -- they all
11 included this part, half of them added in this part as part
12 of community, 10 percent of them went this part as part of
13 that community.
14 So that will make the 900 -- still a bit
15 overwhelming, you know, it's a good problem to have, we got
16 so much public input, but will help focus on where was the
17 community focused on it.
18 And then you'll be getting these maps in, they'll
19 hopefully all come in with comments explaining what their
20 purpose and focus was; and you'll have to look at them
21 and -- and see which ones persuade you that those are
22 proposed changes to the grid that -- that you agree with.
23 So will be a lot of material to go through without
24 a doubt, and then just using your discretion about which
25 ones best meet the goals of the constitution criteria and --

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1 and the public input that you've received related to that.
2 So it will be a lot of data, there's no just quick,
3 you know, flip through yes/no, yes/no, like in the eye
4 doctor "Is this better; is this better?" There's no tool
5 that does it that simply. It's more sort of just having to
6 go through a lot of material, understanding what you feel as
7 a Commissioner is -- as a Commissioner what you feel is
8 important to implement and less important, and then similar
9 to those changes you can -- we -- the part where your
10 mapping consultants really come in, is helping you
11 understand: Can I put this goal with Pinal County together
12 with this goal for Gila County? You know. And as you try
13 to blend those different regional pieces into a map with
14 what works and what conflicts.
15 But it is a lot of material to go through without a
16 doubt.
17 COMMISSIONER LERNER: And -- and just as a
18 follow-up, we're using the 900 as a number of what was
19 submitted, but then we also have all the individual comments
20 from our public hearings and the paper submissions, which I
21 assume are in addition to those 900; is that correct? So
22 all of that will be in one big basket, correct?
23 MR. FLAHAN: Yeah, so the 910 is just the digital
24 surveys that people submitted online; and then we got
25 paper-based surveys that people filled out during the actual

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listening tour in person that they submitted back to staff. We are working on transcribing that into a big Excel table; and then we have received one -- one batch of comments from the public comments sphere that was sent to me from IRC and we're processing that and putting that into the Excel table; and then we have the notes from public comments section.

So those are really the three data pieces that we have that we are processing that we will give to you back to -- to make decisions.

CHAIRPERSON NEUBERG: And I don't know, Commissioner Lerner, if you're asking about the format through which that information will be shared with us. I mean, you know, when we look at that graph of -- of the maps that were submitted and you see all those dark lines, I mean, you know, to me it's like a big mud pie. And I -- I wonder the language, you know, that's going to be used for us to interpret the data.

I don't know if that, Commissioner Lerner, is what you're asking, but at least that's also on my mind.

COMMISSIONER LERNER: No, that's a great follow-up. Thank you, Chair Neuberg.

MR. D. JOHNSON: Let me ask, what do you mean by "the language"?

CHAIRPERSON NEUBERG: So there's just an enormous amount of data and you say an Excel sheet. Well, what data

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is on that Excel sheet and will it be intuitive? Will we -- will we know how to understand that data that you're trying to communicate to us?

'Cause there's so many different ways to understand data.

I don't know if I'm being clear.

MR. FLAHAN: And on -- on the digital data where they actually submitted us a geography, you know, that provides two different types of data pieces that the Commission could -- could take in: One being a GIS data set, there's the actual tabular data about all the attributes of what people actually typed into the field like you'd see in a normal spreadsheet; but then they also have the GIS data that could be map based that could, you know, start to talk about exactly where Doug was mentioning the overlaps. Here's a hundred percent; here's 50 percent agreement; here's 10 percent agreement.

Those are the products we can give you in the back end for two different ways of -- of digesting it, a visual and a tabular data set.

CHAIRPERSON NEUBERG: And maybe a narrative.

You know, so maybe there's, you know, the empirical data, there's a narrative about ways of -- of collecting or interpreting the data, there's visuals. You know, people interpret the data differently and -- anyway.

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1 MR. D. JOHNSON: Yeah, let me show you one thing.
2 This is from a paper but it's using the script that
3 I was talking about. Let me just very briefly show this.
4 Yeah.
5 So the -- the top map that you see here, this is
6 from a paper on this -- the Santa Barbara City districting
7 effort. The top map is community of interest map, kind of
8 like the 910 that we have of people drawing Downtown Santa
9 Barbara and kind of the heart of Santa Barbara; and what the
10 script does is it gives you the map below where you can see
11 the dark brown, almost everyone included it, you know.
12 60 percent or more people included that area.
13 The slightly lighter brown is, you know, 50 -- over
14 half the people included that.
15 So it takes that big blob of lines and makes it
16 into a much more understandable point.
17 And then there's the little "X"s on there for the
18 center point of each person's chart.
19 So that's one way we can take that data and make
20 it -- we group it into, for example, in this case: Who drew
21 State Street in Downtown Santa Barbara, we group all those
22 and give you something to follow much easier in that way.
23 Narrative is kind of by nature has to be extremely
24 limited, because that's us imposing our interpretation and
25 our beliefs on it, but we can certainly kind of give you

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1 descriptive groupings like that.
2 CHAIRPERSON NEUBERG: You just gave a narrative and
3 that was wonderful. That's -- that's the level of narrative
4 that I'm speaking about.
5 MR. D. JOHNSON: Perfect.
6 MR. FLAHAN: Okay.
7 COMMISSIONER LERNER: And we'll also be receiving
8 all the raw data, right? You'll be giving us, you know:
9 Here's all the information submitted, now here's what we've
10 done with it. Right? That way if we want to go back -- I
11 don't know that I would because I have a feeling it's going
12 to be overwhelming, but you never know. We can always go
13 back to the raw data and say: Oh, well, we got, you know,
14 50 submissions or something, right?
15 We'll also see that same data set that you're using
16 to create those compilations; is that correct?
17 MR. FLAHAN: Yeah, correct. You'll get the raw
18 data back too.
19 And Brian can build you a bunch of stuff.
20 MR. D. JOHNSON: And in particular, you know, if
21 you recall a particular persuasive comment that was made
22 during the first listening tour, so you can go back, pull
23 that person's map or written comments or whatever they
24 submitted, and refer to it that way.
25 COMMISSIONER LERNER: And just speaking -- speaking

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1 and then I'll stop, I'm sorry, I've already warned you about
2 my data nerdness. But just as another quick question, then.
3 At one of our meetings up in Show Low I think it
4 was, we had a lot of people supporting one particular map.
5 So how does it happen when we get a lot of duplicates. For
6 example, if we have 30 people who are all submitting the
7 same map, how do we distinguish between that which was maybe
8 sort of a group effort, we're all going to pile on our --
9 our view, you know, this group versus two or three folks who
10 might have another, how do you distinguish from that?
11 And I'm using Show Low because it was interesting
12 how many people had come together as a community and said
13 "We like this particular map."
14 MR. FLAHAN: So just so I understand, let me read
15 it back to you just to make sure, are you talking about 30
16 different people that submitted basically the same map in
17 the community of interest survey online? Or, are you
18 talking about people that stood up and said, "I agree with
19 what the person said before me"?
20 COMMISSIONER LERNER: The latter. And I'm using
21 "30" as a made-up number. I don't remember how many it was,
22 but it was just several people spoke.
23 But I guess I'm saying in the big picture. And
24 we've seen that before where we see duplicate comments in
25 our web comments, where people are citing the same kinds of

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1 things. That's what I guess I'm asking is, how do we
2 distinguish among that as we are looking at understanding
3 the public comments and the web submissions, map
4 submissions, and all.
5 MR. FLAHAN: I think that's actually a really good
6 question.
7 Trying to think about that off of the back of my
8 head, wasn't prepared to answer that one.
9 MR. D. JOHNSON: Yeah, let me -- let me jump in a
10 little, Mark, because this comes up a lot.
11 MR. FLAHAN: Okay.
12 MR. D. JOHNSON: So people should not feel any need
13 to submit a copy of someone else's comments, it's perfectly
14 fine for them to say, "I agree with the map that Joe
15 submitted." They don't need to copy and resubmit Joe's map,
16 that's just flooding the system with noise. And as you
17 noted, it's fine to just sign on to the one map or -- or
18 e-mailing and saying "I agree with the map that so and so
19 sent in."
20 And, ultimately, how much weight you give to that
21 as a Commissioner is up to you. You know, we don't want
22 this to become a, you know, an Astroturf effort of who can
23 generate the most people who send in copy and paste the most
24 e-mails, we want this to be more of a, you know, "who can
25 come up with the best map" challenge.

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It may be that the best map you end up and you end up adopting only one person sends in, but it best meets your goals, the public's goals, and the goals of the constitutional criteria. So this is not a the Commission going to choose the map that has 10,000 people sending in an e-mail to endorse it.

As you've been through that actually copying and paste campaign can actually turn people off.

But -- but, yes, there are -- if, you know, all of the people of one development want to be kept together and there's a map of the development, they should just sign on to one. They don't need to each send in a copy of the same thing.

COMMISSIONER MEHL: And we didn't get -- would we then get a note that 30 people said that they like this map?

MR. D. JOHNSON: Yes, yes. Similar to what you get with the public comments submitted. In all likelihood, they would do through it your public comment form, so you get it in that format just as you have with all the public comments coming in. Not just how many but you'll actually see the names of the people sending it in.

COMMISSIONER LERNER: Thank you.

CHAIRPERSON NEUBERG: Yeah and, Commissioner Lerner, I mean, I see all of these specific questions as the Commissioners are all excited to get our

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1 hands on the data and -- and are really kind of mentally
2 trying to wrap our hands around, you know, interpreting the
3 data and -- and doing our job.
4 So, you know, I -- I know, Doug, you've done this
5 before and we haven't, and so thank you for indulging us
6 with -- with the questions to help us, you know, just make
7 it more real.
8 MR. D. JOHNSON: Yeah, it's -- it's always a bit of
9 a struggle when you're talking about theoretically. I think
10 once you start getting maps in, then it will all become very
11 concrete very fast.
12 COMMISSIONER LERNER: Then we'll have lots more
13 questions.
14 CHAIRPERSON NEUBERG: Okay. I think you still have
15 additional items if you want to move forward if there are no
16 other questions from my Commissioners on map submission and
17 public comment.
18 MR. FLAHAN: Doug, would you like to introduce the
19 polarization expert?
20 MR. D. JOHNSON: Oh. Yes.
21 So a piece of very good news, given the -- you
22 know, the importance of this effort and the time crunch
23 we're all operating under in this post-COVID census, I
24 reached out to Dr. Lisa Handley, who is a very highly
25 respected and -- and well-known and widely published expert

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1 in polarized voting analysis.
2 It's late in the cycle, so it was sort of bit of a
3 wing and a prayer, but it turns out she is willing to help
4 out. So work with your staff and we're bringing her on as
5 just a member -- another member of the NDC team with the
6 Timmons Group to help you out.
7 If -- if the name sounds familiar, she was the
8 polarized voting expert for the 2001 Commission; and,
9 notably, in all the litigation and the contentiousness
10 around that, both side of the litigation without the 2001
11 Commission's work, relied and endorsed her work. It may
12 have been the only uncontested part of the 2001 or the 2011
13 Commissions.
14 But her -- she has published numerous books; she
15 has a firm called Frontier Consulting; and the best part is
16 that not only is she an expert in the field but she has
17 worked on Arizona before, so she understands the quirks of,
18 you know, the multimember Corporation Commission elections
19 and the multimember State House elections and the
20 complexities of that, and she also understands the regional
21 demographics of the state.
22 Still definitely don't envision this having a
23 budget impact, she's so good that actually she charges more
24 per hour than I do, but she's much faster than I am; so I
25 think in the net it will at least be a wash.

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1 And very happy to have her on board, and we're
2 already working with her on getting all those scripts in
3 place, so once we have the data we can run that as fast as
4 we can. So given the -- the very short time we're going to
5 have to -- to get all this done, I'm happy to bring her on
6 board and want to let everybody know that Dr. Handley is
7 with us.
8 COMMISSIONER MEHL: This is Commissioner Mehl.
9 Doug, would you refresh us and the public as to
10 what is a polarized voting analyst and what -- what do we
11 learn from that?
12 MR. D. JOHNSON: Oh, sure. Sure. Good question.
13 And I will send her résumé out as well just so you know who
14 she is.
15 But so the polarized voting study is part of your
16 Voting Rights Act analysis. So this is the look at where --
17 how large does a protected class population need to be in
18 order to have the opportunity to elect their preferred
19 candidates. So if you recall the references to Section 2 of
20 the Federal Voting Rights Act, this is the analysis that
21 much of the drawing of districts to comply with Section 2 is
22 based upon.
23 And what we do is we look at past elections where
24 there may have been a split between the protected class
25 voters and nonprotected class voters over who they

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1 preferred, and to see in which districts how high were the
2 protected class percentages in the districts where they won,
3 how high were they in the districts where they lost, how
4 much crossover voting was there in each case in order to
5 determine what is that target effective or compliance level.
6 I will defer to Legal if they have any concerns
7 with how I summarized that.
8 MR. HERRERA: Nothing from our end.
9 COMMISSIONER LERNER: Doug Johnson, is this -- will
10 she be working with Legal on these kinds of questions and
11 issues?
12 MR. D. JOHNSON: Of course the report that we put
13 together will be reviewed by Legal as part of our -- our
14 report there. So, yes, in that respect.
15 We're bringing her on as part of the NDC team not
16 as part of the legal team, however.
17 COMMISSIONER MEHL: So, Doug, when we -- if we're
18 looking at trying to compare two, three, four, five maps
19 that were all in the vicinity of things that we're
20 considering, will -- will this end up comparing those maps
21 as to how they -- how the polarized voting expert thinks
22 they would comply with Section 2?
23 MR. D. JOHNSON: Yes, to I think the -- I think the
24 answer to that would be yes.
25 There -- there would be a level of: Yes, this is

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1 sufficiently -- if it's a Voting Rights Act sensitive area,
2 we can confirm, yes, that we believe this meets the level
3 necessary to be an effective decision for that protected
4 class.
5 CHAIRPERSON NEUBERG: This -- this item does touch
6 upon Agenda Item No. VIII, which is update, discussion, and
7 potential action regarding Voting Rights Act consultants.
8 This is -- what Doug Johnson is getting at is identifying a
9 data point through which we analyze it as it relates to the
10 Voting Rights Act. So this is collecting relevant essential
11 data for us to uphold our responsibility to observe the --
12 the VRA.
13 And -- and we will discuss Voting Rights Act
14 experts coming up shortly.
15 MR. D. JOHNSON: So I think the key thing we have
16 in there is we have an expert coming on, and we don't
17 anticipate a budget impact from this.
18 CHAIRPERSON NEUBERG: Sounds fantastic.
19 MR. D. JOHNSON: Yep.
20 CHAIRPERSON NEUBERG: Okay. Anything else from my
21 colleagues on Agenda Item No. V from our mapping team?
22 They're going to come back, I believe, in Agenda
23 Item No. VII with census data, but for now the substance of
24 this.
25 Okay. Thank you very much, Mark, Doug.

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1 And, with that, we will move to Agenda Item No. VI,
2 Executive Director's report and discussion thereof.
3 I turn it over to Director Schmitt.
4 DIRECTOR SCHMITT: Thank you, Madam Chair.
5 First off I would like to have Alex Pena who just
6 joined us really yesterday, he was in Tucson but his first
7 full day in the office was yesterday, introduce himself.
8 He's one of our new community outreach coordinators.
9 So, Alex, if you would introduce yourself.
10 MR. PENA: Good morning, everyone. My name is
11 Alex, and I'm very honored to be joining the team.
12 If you guys need anything at all, please do not
13 hesitate to reach out to me.
14 DIRECTOR SCHMITT: Great. Thank you, Alex.
15 Next, Marie from the outreach team is going to talk
16 kind of broadly about the plan we're putting together that
17 we should have finalized for you all next week.
18 So, Marie.
19 MS. CAMACHO: Thank you, Brian. Good morning,
20 Chair and Commissioners.
21 I was fortunate to be at the last meeting that you
22 held in person in Mesa and talked to a number of people who
23 were attending, and so that helped me understand what they
24 needed to, you know, participate in the meetings. I also
25 read through most, if not all, of the public comments about,

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1 you know, the meetings and the process that people wanted to
2 be involved in.
3 And so it came down to three a basic categories:
4 Notification, preparation, and participation. People wanted
5 earlier and broader notification, that's one of the things
6 Alex will be working on; they wanted to understand how they
7 prepare for the meeting, everything from the format of the
8 meeting to the goal of the meeting and then background
9 information on how they can prepare themselves such as a
10 YouTube videos you were talking about.
11 And then they wanted to know the ways they can
12 participate, is it going to be in person, is it going
13 through a portal. Some people weren't so comfortable with
14 using technology, they even struggle with the QR code that
15 we gave them. So the various ways that they can
16 participate; and as many as possible seems to be what they
17 would be comfortable with.
18 So we want to use these broad categories to
19 formulate our outreach approach; and then we hope by
20 organizing information under these categories that will help
21 people figure out ways they can participate.
22 Brian, your mics are off.
23 I'm sorry, I can't hear.
24 DIRECTOR SCHMITT: I was muted. Thank you, Marie.
25 So we're working to finalize that plan, and I

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1 should have it for you all next while we continue adding to
2 our outreach efforts.
3 I know moving forward we're going to make sure that
4 cities, towns, counties, once we have that communities of
5 interest report, that they receive it, and we give them the
6 opportunity to comment as well. So we're going to continue
7 adding throughout the process.
8 Next up --
9 (Whereupon Commissioner Watchman joins the meeting
10 at 9:23 a.m.)
11 COMMISSIONER LERNER: Wait. Director Schmitt and
12 Marie and maybe perhaps Michele, how does this connect with
13 the public information plan and where does all of that fit
14 together in getting information out?
15 So how that sounded great, Marie, thank you. But
16 where does that also fit with some of the other comments
17 that we heard from people saying: How do we -- how did we
18 even find out about these meetings?
19 That was, I assume that's the public -- well, I
20 don't know how these -- these connect, I guess. That's my
21 question.
22 MS. CAMACHO: That will be the notification part
23 that I think Michele could speak better to.
24 MS. CRANK: Madam Chair and Commissioner Lerner, I
25 do believe that together with the two new outreach

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1 individuals, we'll be able to reach some areas of media
2 applications such as social media and in addition to sending
3 out releases and getting communication out, we're in the
4 process of -- of looking at how we can make our website a
5 little bit more user friendly, recreating and redesigning
6 our website; and in addition to that, implementing our
7 various forms of social media within our website.
8 We know that just attending a lot of the recent
9 listening sessions, you know, there are a lot of people who
10 are not comfortable with -- with modern technology, and so
11 they prefer to utilize, you know, the submittal of
12 old-fashioned paper forms and everything else. So we'll --
13 we'll be looking at and working hand in hand with Alex and
14 Marie in how -- how to better address the communication
15 pieces and getting information out to the -- the state of
16 Arizona.
17 I hope that answered your -- your question.
18 COMMISSIONER LERNER: Yes. I mean, I know that
19 there were comments, at least there were a number of
20 comments about how things are -- I just was wondering how
21 you all were connecting together, so that helped with how --
22 how the team is going to work. Thank you.
23 VICE CHAIR WATCHMAN: Madam Chair, this is
24 Vice Chair Watchman. I apologize for being late. I had
25 some challenges to connect here.

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1 Can I add to the questions that Commissioner Lerner
2 is putting on the table?
3 CHAIRPERSON NEUBERG: Please. Welcome.
4 VICE CHAIR WATCHMAN: Okay. Yes, thank you. Good
5 morning, everybody.
6 I, too, did hear a lot of feedback during our
7 hearings about certain communities/sectors that maybe were
8 not informed or we didn't reach out to. And so my thought
9 similar to what Shereen is saying, is it possible to target
10 the community groups that maybe were not present?
11 And so -- like, for example, for me, I think we
12 only heard -- there's 22 -- 22 or 23 tribes in Arizona; we
13 only heard from three tribal leaders. I would really like
14 the opportunity to hear from the other tribal leaders if
15 possible. And so I know that -- that there's organizations
16 called the Intertribal Council of Arizona, and they can help
17 facilitate that.
18 But then I also heard that some folks from the
19 Black community, the Asian community, we only heard a couple
20 minutes. So I would really like to hear at least from --
21 well, I would like to hear from more members of those
22 respected communities what they think their communities of
23 interest are. You know, since we're at that point where
24 we're trying to receive feedback.
25 And, yes, you know, the public in other areas of

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1 our state provided great testimony, great information, you
2 know, good -- good data for us to use in our work, but I
3 think we have a few holes, and that's from the tribal
4 community, the Latino community, Black community and so
5 forth.
6 And so I don't know if there's a way to do it.
7 Yes, you know, we can't -- you know, to me it seems that
8 they need to be provided notice that, yes, we're willing and
9 if possible we'll sit and listen to you. And so the -- the
10 new way of communicating is challenging, especially in rural
11 parts of Arizona. And in some cases, you know, the -- the
12 communities where perhaps the incomes and levels are not as
13 high, so sometimes -- you know, I think in this state the
14 Internet is still a luxury. You know, I know on the
15 reservation, Internet is still a luxury; it's not
16 commonplace, so.
17 But, you know, I appreciate Commissioner Lerner
18 raising the issue and, you know, I think we have a little
19 time before we start generating the reports. And as we get
20 to the grid maps, and I would really like to hear from those
21 community sectors that we didn't hear from during the
22 listening tour, so.
23 I'll stop there but those are my thoughts. Thank
24 you, Madam Chair.
25 DIRECTOR SCHMITT: Thank you, Vice Chair.

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1 Yes, we are going to continue making sure we try to
2 include and encourage as many different community members to
3 participate as possible. Michele is working on -- or,
4 sorry, not Michele. Marie is working on a list of
5 organizations, and we're going to make sure that we touch
6 base with all of them and really try to activate them and
7 get them involved in the process because it is a complicated
8 process, and we don't want people to get involved in the end
9 when they're mad because the process in the beginning was so
10 complicated. So we want them to know what the process is
11 early on and know that they can and should participate.
12 COMMISSIONER LERNER: And, Director Schmitt, just
13 to clarify now, I think we kind of -- and actually, Chair
14 Neuberg, maybe we can -- to make sure that I'm on this, I
15 think we're talking now about Item (C) in your report,
16 'cause I think we did the introductions and I think we moved
17 into that plan. Is that correct, just for clarification?
18 DIRECTOR SCHMITT: Yes.
19 COMMISSIONER LERNER: And so maybe when we get to
20 Item (D), we can talk more about some of those specific
21 groups and all that you're thinking of.
22 I just to want clarify where we are. I think we
23 jumped in because we introduced Alex and...
24 DIRECTOR SCHMITT: Yeah.
25 CHAIRPERSON NEUBERG: You know, I would like to

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1 suggest now that, you know, the listening tour is done, the
2 staff has had an opportunity just to, you know, regroup and
3 catch up, maybe next week to come back with an overall
4 strategy of how we approach the next month or two with
5 collecting feedback from the public.
6 There are gaps, you know, that my fellow
7 Commissioners identified in our information collecting. I
8 would say Maricopa County, as I alluded to earlier, is a
9 significant gap.
10 There are different ways through which we can
11 collect data and we want to be efficient and effective to
12 collect the most meaningful data efficiently, whether that
13 means maybe adding a few public hearings if necessary,
14 whether it's identifying those specific groups that we have
15 not heard from where we initiate and/or receive invitations
16 to have dialogue; but I think this does warrant a
17 comprehensive strategy that's coordinated to make sure that
18 we're doing our due diligence to redistrict for the entire
19 state.
20 And -- and there's questions of return on
21 investment that, to be honest, I think the staff has unique
22 information knowing, you know, what it requires to -- to
23 have a public hearing, the amount of data we hear, and, you
24 know, being strategic. But -- but I think it's a collective
25 sense from my colleagues and myself that -- that we want to

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1 be deliberate as we move forward with hearing from all
2 communities of interest in the state.
3 DIRECTOR SCHMITT: Absolutely.
4 And we do want to make sure we're including
5 everyone who may not have participated and find those holes,
6 and we are -- we'll come back next week with a more
7 comprehensive plan that really integrates the two.
8 We're still processing the data, so we probably
9 need another week, but we're going to continue reaching out
10 where we can, we're not going to let -- we're not going to
11 waste another week.
12 CHAIRPERSON NEUBERG: Okay. Iff you need two
13 weeks, that's okay. I mean, we want quality. We want --
14 you know, I think what we're -- we're basically articulating
15 is just a general desire of a plan, but we want to be
16 sensitive to, you know, what's on our -- our staff members'
17 plates.
18 DIRECTOR SCHMITT: Yes. We will work on that and
19 -- and come back to you.
20 And then on Item (D), that was just a -- we're
21 still trying to nail down a couple of those speakers for the
22 five C's meeting, trying to coordinate everyone's schedules.
23 So once we have that -- it should be in the next three weeks
24 are kind of the dates that might work out, so we'll keep you
25 apprised of that.

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1 But if there are any other -- I didn't know if
2 Commissioner Lerner wanted to talk about --
3 COMMISSIONER LERNER: Yes.
4 DIRECTOR SCHMITT: -- a specific...
5 COMMISSIONER LERNER: I guess I want to clarify
6 where we are, I think we kind of got -- on the agenda, I'm a
7 little -- I actually started creating a list of
8 organizations, and I could easily just send those to Marie
9 and to you, that -- that have either sent us in through
10 public comments and said, "We would like an opportunity to
11 speak."
12 In my mind what I had been thinking which goes with
13 your plans, and -- and I'll certainly send these ideas, with
14 that we could set some time in our meetings over the next
15 few weeks where we maybe have some of these folks come in,
16 once -- once there's a plan and we agree on who, and do a
17 five-minute presentation of their perspective just as they
18 would do as if they'd been at public hearings. But we've
19 heard from some folks saying we felt like we didn't have an
20 opportunity.
21 So maybe all of the Commissioners could send some
22 ideas to you of who our organ- -- what organizations. And
23 I'm thinking of nonpartisan organizations might -- might we
24 want to invite or hear from in some way, whatever the
25 decision is.

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1 So when I looked at the Agenda Item (D), that's
2 what I was thinking was the potential not only on those
3 categories but on other areas of communities of interest,
4 some of the groups that have Commissioner Watchman mentioned
5 ITCA, I think there was LULAC that had written something,
6 there's a few out there.
7 So perhaps if you -- if that would work,
8 Chair Neuberg, we could send those directly to the staff --
9 our suggestions so that they could look at that as they're
10 developing their plan.
11 CHAIRPERSON NEUBERG: Yes. I'd like to add a
12 comment to that, I think we need -- and part of why I've
13 asked staff to come to us with this strategic plan, I
14 believe we as Commissioners would need to set parameters
15 such that it's, you know, objective and fair to the entire
16 state.
17 So -- so once you open up that opportunity, it's
18 incumbent upon us to define what the criteria are for those
19 who would rise to the level of -- of speaking to us. So --
20 so I'd like a thoughtful conversation, a strategic
21 conversation about the different buckets through which we
22 can learn and the relative pros and cons to each, and then
23 try to have a thoughtful conversation about making it
24 equitable to all communities of interest in our state.
25 So I think it all fits together.

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1 COMMISSIONER MEHL: This is Commissioner Mehl.
2 Just to remind all of us, a lot of groups claim to
3 be nonpartisan that are extremely partisan, and so I think
4 we need to be very cautious in this area.
5 CHAIRPERSON NEUBERG: Right.
6 DIRECTOR SCHMITT: So we -- yeah, if any other
7 Commissioners would like to send a list of groups or
8 organizations they're thinking that we should make sure we
9 reach out to or potentially have speakers, please send them
10 to Marie and I. I know Marie has been proactively putting
11 together a list of organizations she thinks, so we'll come
12 back with a more comprehensive plan for you all.
13 CHAIRPERSON NEUBERG: Great.
14 I think it's a wonderful thing that the Commission
15 is -- is, you know, hungry for just, you know, learning
16 about everybody in our state; it's a good thing.
17 And we'll take a break, we're close to the end,
18 but -- but I am cognizant of the time. Is there anything
19 else on this Agenda Item No. VI before we take a quick break
20 and reconvene for the last few items?
21 DIRECTOR SCHMITT: I don't have anything else for
22 you today, Madam Chair.
23 COMMISSIONER LERNER: Director Schmitt, I don't
24 know that you covered (A) or (B).
25 DIRECTOR SCHMITT: So (A), the budget, we're still

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working with CSB -- Central Services Bureau to get some final numbers so we can present those to you all. So I should have those next week, in anticipation of our budget submission September 1st.

And then I touched briefly on the local elected when I was talking about making sure that they're involved and received the communities of interest report and are able to respond to it or add additional comments.

CHAIRPERSON NEUBERG: Any other questions for Director Schmitt?

Okay. Let's take a brief break. And we'll reconvene at maybe 9:45 if everybody can be ready.

Okay. We'll see you very soon.

Thank you.

(Recess taken from 9:39 a.m. to 9:45 a.m.)

CHAIRPERSON NEUBERG: Okay. Welcome back, everybody. I think I see all Commissioners and our staff.

So, with that, let's dive right back in to our agenda. We just finished with Agenda Item No. VI, our Executive Director's report.

With that we will move to Agenda Item No. VII, update, discussion, and potential action regarding the release of census data, integration of competitive measures, creation of grid map, and impact on established schedule.

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1 And we will turn it back over to Mark and Doug.
2 MR. FLAHAN: So Esri has -- is currently processing
3 the census data; they were able to pick that up last week
4 when it was released.
5 As of right now we don't see any -- any delays
6 in -- in getting the data or getting the grid map up, so as
7 of right now I don't see any impact to the schedule.
8 I know there was a question that the data came out
9 four days earlier, I don't see that impacting our schedule
10 or getting the data four days earlier processed from Esri
11 and into our system.
12 So, yes, the four days were nice, but it's not
13 helping us right this second.
14 CHAIRPERSON NEUBERG: Any sense of the data?
15 I -- I've heard a little bit of buzz that maybe
16 there's some bugs in the data. Just in terms of your
17 touching/feeling the data, you know, any sense that you want
18 to share? Because we're all just anxiously awaiting your
19 feedback.
20 MR. FLAHAN: Esri and I have been going back and
21 forth on -- on, you know, whether -- you know, whether
22 there's any issues with the census data or not. As of right
23 now, I don't see anything going forward that's going to
24 affect our time frame.
25 But I did ask them to make me aware as soon as

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1 possible if they do find any -- anything.
2 MR. D. JOHNSON: Yeah, I think the only thing I'd
3 add to that is not drawn from the latest data release, but
4 keeping in mind the big picture that we know from the
5 apportionment numbers that came out a month ago, is the fact
6 that the state is well short of where we thought it was
7 going to be, means at least most of the localities will also
8 come out well short of where they had expected to be.
9 So we are expecting to see that data, but we are
10 not quite where we have seen anything yet.
11 CHAIRPERSON NEUBERG: So -- so we just need to be
12 patient along with the public to wait until we have a way to
13 interpret the data; we're excited.
14 MR. FLAHAN: Yes. Yes.
15 CHAIRPERSON NEUBERG: Okay. Anything else on that?
16 Competitive measures, grid map, anything?
17 MR. FLAHAN: No, because we need -- we need the
18 data first.
19 CHAIRPERSON NEUBERG: Okay.
20 MR. FLAHAN: But we are -- we are working on it.
21 CHAIRPERSON NEUBERG: Thank you.
22 With that, we'll move to Agenda Item No. VIII,
23 update, discussion, and potential action regarding retention
24 of Voting Rights Act consultants.
25 And I will turn it over to our legal counsel.

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1 MR. HERRERA: Thank you, Madam Chair.
2 So to update the Commission, the legal team is in
3 the process of retaining consulting experts that will assist
4 the legal team in providing advice, you know, during the
5 mapmaking process.
6 These are individuals who are nationally recognized
7 experts in the Voting Rights Act and other constitutional
8 principles that will apply to redistricting. I think we'll
9 be in a position where next week we can tell you who they
10 are, have a CV ready for you review; we're still in a
11 process of retaining them, but we're wanted to inform the
12 Commission now that we're almost to that point and, you
13 know, obviously open it up to any questions you may have.
14 CHAIRPERSON NEUBERG: Roy, do -- do you mind just
15 reminding us and the public what role these experts will
16 play in the process and as it relates to our responsibility
17 to adhere to the VRA?
18 MR. HERRERA: Yeah.
19 So these will be experts that will serve as
20 consultants to the legal team. So the purpose of -- of
21 their role is to advise us as your counsel as we are
22 providing advice to the Commission in determining whether,
23 you know, the various maps that the Commission are
24 considering are legally compliant with the Voting Rights Act
25 and other constitution principles, like the 14th Amendment,

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1 for example, of the U.S. Constitution. So that is their
2 role.
3 As you mentioned earlier I think in the earlier
4 agenda item with Timmons related to racial polarization, the
5 racial polarization as you well put it, Madam Chair, is a
6 data point that that particular expert and Doug Johnson is
7 going to consider, these experts that we're discussing as
8 consultants with the legal team, I think we will be looking
9 at all aspects of the Voting Rights Act in a more holistic
10 fashion and provide us with their expertise in consulting
11 advice related again to the compliance that the maps will
12 have with the Voting Rights Act and other legal principles.
13 So that will be their role. And as I said, I think
14 we will be ready to discuss who they are next week.
15 CHAIRPERSON NEUBERG: Excellent. We look forward
16 to, you know, welcoming them to our team.
17 VICE CHAIR WATCHMAN: Madam Chair, this is Vice
18 Chair Watchman.
19 CHAIRPERSON NEUBERG: Please.
20 VICE CHAIR WATCHMAN: I think Roy is going to know,
21 you know, my question, but make sure they include experts on
22 the Indian or Native American aspect of the Voting Rights
23 Act; because, you know, there's a whole body of Indian law
24 which still includes the Voting Rights Act and kind of
25 stemming off of your presentation that we did the last

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1 couple weeks ago, I guess make sure we include that
2 component too.
3 And I'm sure you are.
4 MR. HERRERA: Thank you, Vice Chair. Yeah, I can
5 assure you that the consultants we're considering are
6 consultants that have a great deal of experience in the
7 Voting Rights Act overall, but certainly as it applies to
8 Native American -- Native Americans as a community of
9 interest and as a -- you know, as population, a voting
10 population in the United States.
11 VICE CHAIR WATCHMAN: Thank you.
12 CHAIRPERSON NEUBERG: Anything else on this agenda
13 item?
14 Thank you, Counsel, for your due diligence in
15 securing these types of expert witnesses.
16 With that, we'll move to Agenda Item No. IX,
17 discussion of future agenda item requests.
18 I know we did ask our staff to come back with an
19 overall strategic plan regarding outreach and additional
20 public testimony.
21 In addition to that, any other topics?
22 Okay. With that, Agenda Item No. X, announcements.
23 I have no specific announcements.
24 With that, we'll move to Agenda Item No. XI, next
25 meeting date.

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1 We are planning to convene again next Tuesday,
2 8:00 a.m., on August 24th.
3 A reminder, we will be taking a break Tuesday,
4 the 7th. So we will have our regular Tuesday business
5 meetings 8:00 a.m. with the break on September 7th.
6 COMMISSIONER MEHL: Madam Chair, the next Tuesday
7 that we're doing the training, will that just be part of our
8 normal agenda and then we'll just go into essentially an
9 executive session for that two, three, four hours and then
10 in the regular meeting? Or are we doing it as a separate
11 meeting with a separate time later in the day?
12 Either one works for me, I'm just curious which way
13 we -- we want to go.
14 CHAIRPERSON NEUBERG: I'm not sure we're able to
15 lock that in right now, we probably need to get in touch
16 with Esri.
17 But, Director Schmitt, do you have any initial
18 comment on that?
19 DIRECTOR SCHMITT: Mark, were you going to say
20 something?
21 MR. FLAHAN: I was going to say, sorry, what was
22 the exact question for Esri?
23 DIRECTOR SCHMITT: What's their availability for
24 training next Tuesday?
25 MR. FLAHAN: What -- what I sort of put on the

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1 books to ask for a hold is 11:30 to 3:30 Arizona time.
2 So hopefully that everybody could have an early
3 lunch, if that works for you.
4 COMMISSIONER MEHL: And my question, then, would be
5 to Brett and to -- to both our lawyers, would we then want
6 to notice that as a separate meeting?
7 MR. B. JOHNSON: Yes, we would go out of one
8 meeting and have a special notice for the second meeting.
9 CHAIRPERSON NEUBERG: And in terms of timing, I
10 don't anticipate a robust, you know, business meeting in the
11 early morning, so I think that there will be a time between
12 the business and then the subsequent training if it were to
13 happen at 11:30.
14 MR. FLAHAN: Is that a yes for 11:30?
15 CHAIRPERSON NEUBERG: It works with me.
16 Commissioners?
17 COMMISSIONER LERNER: It's fine with me.
18 CHAIRPERSON NEUBERG: Let's go with it.
19 VICE CHAIR WATCHMAN: Let's go with it.
20 MR. FLAHAN: Okay.
21 CHAIRPERSON NEUBERG: 8:00 a.m. business meeting
22 and 11:30 executive session training session with Esri, and
23 it will be agendized per, you know, Counsels'
24 recommendations of how to do that.
25 Okay. With that, we'll move to Agenda

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1 Item No. XII, closing of public comments.
2 Please note, members of the Commission may not
3 discuss items that are not specifically identified on the
4 agenda. Therefore, pursuant to A.R.S. 38-431.01(H), 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 With that, we move to Agenda Item No. XIII,
10 adjournment.
11 I will entertain a motion to adjourn.
12 COMMISSIONER LERNER: Commissioner Lerner moves to
13 adjourn.
14 CHAIRPERSON NEUBERG: Do I have a second?
15 COMMISSIONER YORK: Commissioner York seconds.
16 CHAIRPERSON NEUBERG: With that, we will do a vote.
17 Commissioner Mehl.
18 COMMISSIONER MEHL: Aye.
19 CHAIRPERSON NEUBERG: Commissioner Lerner.
20 COMMISSIONER LERNER: Aye.
21 CHAIRPERSON NEUBERG: Commissioner York.
22 COMMISSIONER YORK: Aye.
23 CHAIRPERSON NEUBERG: And I forgot
24 Vice Chair Watchman. Because I was out of earlier in the
25 meeting, I forgot you, your vote.

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1 VICE CHAIR WATCHMAN: Yeah, no problem. Thank you.
2 Aye. I vote aye.
3 CHAIRPERSON NEUBERG: And Chairwoman Neuberg is an
4 aye.
5 With that, we will adjourn the meeting.
6 And I look forward to seeing everybody next Tuesday
7 at 8:00 a.m.
8 Have a great week, everybody.
9 (Whereupon the proceeding concludes at 9:57 a.m.)
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1 C E R T I F I C A T E

2

3 STATE OF ARIZONA)

4) ss.

5 COUNTY OF MARICOPA)

6

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11 thereof.

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13 Park, Arizona, this 1st of September, 2021.

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Angela Furniss Miller, RPR, CR
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* * *

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