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John Binkley, Chair  
Melanie Bahnke  
Nicole Borromeo  
Bethany Marcum  
Budd Simpson

## **ALASKA REDISTRICTING BOARD**

Date: April 16, 2021

Time: 2:30 pm

Place: *Public Numbers: Anchorage 563-9085, Juneau 586-9085, Other 844-586-9085*

### **Agenda**

1. Call to Order
2. Establish a Quorum
3. Adoption of Agenda
4. Public Testimony
5. Adoption of Minutes from past meetings
6. Request for Information for Voting Rights Act Consultant
7. Adjournment



## ALASKA REDISTRICTING BOARD

The Alaska Redistricting Board virtually met on September 10, 2020. Present participants are below:

**DRAFT**

John Binkley	Chair of the Board
Melanie Bahnke	Board Member
Bethany Marcum	Board Member
Budd Simpson	Board Member
Nicole Borromeo	Board Member

### Call to Order

Mr. Binkley called the meeting to order at 3:02 p.m. With all board members present, a quorum was established.

### Adoption of Agenda

Ms. Bahnke noted that the Planning Committee report included a suggested training for the board to participate in. Mr. Binkley proposed to add this as a discussion item under board member comments on the agenda.

Ms. Marcum noted that the board should consider hiring a court reporter or an individual to record meeting minutes for all board meetings. This has been created as an action item and added to the agenda for discussion.

Ms. Borromeo motioned to adopt the agenda as amended. Mr. Simpson seconded the motion.

The motion passed unanimously.

### Presentation: IT Services and Managed Services Options

Mr. Binkley introduced Tim Banaszak, Information Technology Manager for the Legislative Affairs Agency. Mr. Banaszak reviewed the attached proposal and options (ACS and GCI) for IT and managed services. Upon Ms. Borromeo's request to provide a recommendation, Mr. Banaszak recommended ACS for all services except for internet connection services, which can be provided by GCI. Both vendors confirmed they could work together for internet connectivity.

Ms. Marcum motioned to choose ACS' IT proposal without the internet service and for three in-office lines and to choose GCI for internet service. Ms. Bahnke seconded the motion.

The motion passed unanimously.

### Cell Phone Service Quotes

Mr. Kestel, Procurement Officer of Legislative Affairs Agency, reviewed the cell phone quotes and noted that the AT&T quote has expired and would need to be updated. Each board member will



## **ALASKA REDISTRICTING BOARD**

work directly with Mr. Kestel to obtain cell phone service.

Mr. Simpson motioned to purchase all items in section two of the managed services proposal. Ms. Bahnke seconded the motion.

The motion passed unanimously.

### **Staff Hiring Process**

Mr. Binkley is seeking support from Skiff Lobaugh, Human Resources Manager, at the Legislative Affairs Agency for the staff hiring process.

The board discussed staffing requirements for the board. Ms. Marcum noted that in her discussion with the previous executive director, it suggested that two to three staff members was appropriate, with the addition of legal counsel.

Mr. Binkley will work with Mr. Lobaugh on job descriptions and provide these drafts to the board for comments. A meeting will be held to formalize the job descriptions and the recruitment process.

Ms. Binkley noted that after hiring for the Executive Director position, the board will need to seek legal counsel from a law firm to represent the board. Ms. Marcum advised that legal counsel be hired soon.

### **Court Reporter for Meeting Minutes**

Mr. Binkley acknowledged Ms. Marcum's comment on retaining a court reporter to record meeting minutes for all board meetings. Ms. Marcum suggested that Mr. Binkley contact the Chairman of the Redistricting Planning Committee for more information on an offer made to provide meeting minutes.

### **Board Member Comments**

Mr. Binkley will obtain more details on the webinar trainings made available to board members as suggested by the Planning Committee. Mr. Kestel will assist the board with the webinar trainings as well.

### **Adjournment**

Mr. Simpson motioned to adjourn the meeting. Ms. Marcum seconded the motion.

The meeting adjourned at 4:01 p.m.



## ALASKA REDISTRICTING BOARD

The Alaska Redistricting Board virtually met on December 3, 2020. Present participants are below:

**DRAFT**

John Binkley  
Melanie Bahnke  
Bethany Marcum  
Budd Simpson  
Nicole Borromeo  
JC Kestel  
Tim Banaszak

Chair of the Board  
Board Member  
Board Member  
Board Member  
Board Member  
Procurement Officer, LAA  
IT Manager, LAA

### Call to Order

Mr. Binkley called the meeting to order at 3:30 p.m. With all board members present, a quorum was established.

### Adoption of Agenda

Ms. Bahnke motioned to adopt the agenda as presented. Mr. Simpson seconded the motion.

The motion passed unanimously.

### IT Updates

Mr. Banaszak reported the following updates:

Laptops are configured and ready to be used with Microsoft Office and redistricting software loaded. Mr. Banaszak will individually e-mail board members to get their preference on whether to ship or hold their laptops until census data has been received.

Email accounts have been created, configured, and ready to be set up across multiple devices. Contractors will contact each board member to provide them with their email account credentials.

The redistricting software is ready for 2020 census data once ready. Training for the redistricting software is available through pre-recorded videos, a live training session, or an on-site training session further in the future. Mr. Banaszak recommended beginning this training once census data has been received.

Mr. Kestel recommended that Mr. Presley test the software configuration to ensure the software provides all features needed as intended to be procured by the Planning Committee and the board. Ms. Marcum offered to participate in testing user features. The board had no objections in having Ms. Marcum and Mr. Presley work together to test software features.

### Discussion: Virtual Redistricting Seminar



## **ALASKA REDISTRICTING BOARD**

Mr. Binkley noted that the board is registered for the seminar in January 2021. All board members were encouraged to attend.

### **Discussion: Executive Director Hiring & Timing**

Mr. Binkley noted that an executive session will take place to begin discussion on the details of the applicants.

Board members discussed how the board should proceed with hiring and the timing of the process. The board agreed that each board member will individually review the applicant list, create a reduced list of selected applicants, and compare each list as a whole to identify overlaps. Then, interviews will be scheduled, and then the board will reconvene to make a final decision.

Mr. Binkley expressed urgency for the process to take place and noted that the timeline for receiving census data is still unknown. This provides the board with an opportunity to begin working on maps in the interim using data from 2018 and 2019.

### **Executive Session**

Ms. Bahnke motioned to enter executive session to discuss personnel matters. Ms. Marcum seconded the motion.

The board entered executive session at 4:12 p.m.

The board exited executive session at 4:51 p.m.

### **Board Member Comments**

The board had no comments.

### **Adjournment**

Ms. Bahnke motioned to adjourn the meeting. Mr. Simpson seconded the motion.

The meeting adjourned at 4:53 p.m.



## ALASKA REDISTRICTING BOARD

The Alaska Redistricting Board virtually met on December 10, 2020. Present participants are below:

**DRAFT**

John Binkley	Chair of the Board
Melanie Bahnke	Board Member
Bethany Marcum	Board Member
Nicole Borromeo	Board Member

The following board member was absent:

Budd Simpson	Board Member
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### **Call to Order**

Mr. Binkley called the meeting to order at 8:41 a.m. A quorum was established.

### **Adoption of Agenda**

Mr. Binkley noted that the board will spend the day conducting interviews for the Executive Director position. Once interviews are complete, the board will return to public session and then adjourn the meeting.

Ms. Marcum motioned to adopt the agenda as written. Ms. Bahnke seconded the motion.

The motion passed unanimously.

### **Executive Session: Executive Director Candidates**

Ms. Bahnke motioned to move into executive session. Ms. Marcum seconded the motion.

The board entered executive session at 8:43 a.m.

The board exited executive session.

Mr. Binkley noted that a board meeting will be held on December 12, 2020 at 1:00 p.m. to discuss the hiring of the Executive Director position.

### **Adjournment**

Ms. Borromeo motioned to adjourn the meeting. Ms. Bahnke seconded the motion.

The meeting adjourned.



## ALASKA REDISTRICTING BOARD

The Alaska Redistricting Board virtually met on December 12, 2020. Present participants are below:

**DRAFT**

John Binkley	Chair of the Board
Melanie Bahnke	Board Member
Bethany Marcum	Board Member
Budd Simpson	Board Member
Nicole Borromeo	Board Member

### **Call to Order**

Mr. Binkley called the meeting to order at 1:06 p.m. With all members present, a quorum was established.

### **Adoption of Agenda**

Ms. Borromeo motioned to adopt the agenda as written. Mr. Simpson seconded the motion.

The motion passed unanimously.

### **Executive Director Hiring for the Alaska Redistricting Board**

Mr. Binkley noted that the Executive Director position was advertised for thirty days after which the board went through a review process of the applicants. The board selected several finalists and spent a full day interviewing the finalists.

Ms. Bahnke motioned to hire Peter Torkelson for the Executive Director position and to authorize the Chairman of the board to negotiate with Mr. Torkelson on the salary. Ms. Borromeo seconded the motion.

The motion passed unanimously.

### **Adjournment**

Ms. Marcum motioned to adjourn the meeting. Ms. Bahnke seconded the motion.

The meeting adjourned at 1:13 p.m.



## ALASKA REDISTRICTING BOARD

The Alaska Redistricting Board virtually met on December 19, 2020. Present participants are below:

**DRAFT**

John Binkley	Chair of the Board
Bethany Marcum	Board Member
Melanie Bahnke	Board Member
Budd Simpson	Board Member
Nicole Borromeo	Board Member
Peter Torkelson	Executive Director

### Call to Order

Mr. Binkley called the meeting to order at 10:09 a.m. With all board members present, a quorum was established.

### Adoption of Agenda

Ms. Marcum motioned to adopt the agenda as written. Mr. Simpson seconded the motion.

The motion passed unanimously.

### General Discussion with Executive Director

Mr. Torkelson confirmed that the board can attend workplace environment and ethics trainings with other legislative employees in January 2021, and that the board has been offered a dedicated training session for board members and staff. Training also includes components specific to the Alaska legislative ethics law that applies to all legislative employees.

Board members provided thoughts on the discussion above:

The board should proceed in participating in workplace environment and ethics training sessions.

Training sessions should include a component on maintaining confidentiality. Mr. Torkelson will seek training that covers this topic.

It was requested that Mr. Torkelson provide additional details and information on training topics on legislative staff training.

Mr. Torkelson has been advised by the previous board Chair and Executive Director to retain legal counsel for the board as soon as possible. Mr. Torkelson noted that facilitating this process would likely involve putting out a request for proposal (RFP) and gave an overview of the RFP process.

The board expressed the need for the RFP process to begin soon and for the board to be involved in the hiring process.

Mr. Torkelson reviewed the proposed draft organizational chart and noted that a Deputy Director



## ALASKA REDISTRICTING BOARD

should be hired quickly. Additionally, Mr. Torkelson recommended that if the board sees the need to hire additional staff outside of the Executive Director and the Deputy Director, this hiring should occur earlier in the process to be prepared.

Ms. Bahnke proposed two additions to the organizational chart: 1) a redistricting consultant and 2) the board's attorney – both positions should report to the board and the public should be aware of their positions in the redistricting process. Ms. Bahnke also noted that the legislature and administration should be aware that additional resources may be needed for board staffing through the redistricting process.

The board discussed the development of the budget. Ms. Marcum noted that some items listed as purchased in the board budget were already paid for in the Redistricting Planning Committee's funds. Mr. Torkelson will provide additional budget details to present to the board for further discussion.

Mr. Torkelson recommended that the board adopt the legislative procurement code now that the board is under the legislative branch. The board requested additional information on both the administrative and legislative procurement codes to understand the key differences and procurement processes.

The board agreed that a procurement code should be adopted soon to expedite the process in seeking legal counsel and agreed to meet again on December 28<sup>th</sup> or 29<sup>th</sup> to review additional details on both codes and decide on which code to adopt.

### **Executive Session: Additional Personnel Matters**

Ms. Bahnke motioned to enter executive session for the purpose of discussing personnel matters. Mr. Simpson seconded the motion.

The board entered executive session at 11:10 a.m.

The board exited executive session at 1:43 p.m.

### **Board Member Comments**

No board member comments were given.

### **Adjournment**

Mr. Simpson motioned to adjourn the meeting. Ms. Bahnke seconded the motion.

The meeting adjourned at 1:45 p.m.



## ALASKA REDISTRICTING BOARD

The Alaska Redistricting Board virtually met on December 29, 2020. Present participants are below:

**DRAFT**

John Binkley	Chair of the Board
Melanie Bahnke	Board Member
Bethany Marcum	Board Member
Budd Simpson	Board Member
Nicole Borromeo	Board Member
Peter Torkelson	Executive Director
TJ Presley	Deputy Director

### Call to Order

Mr. Binkley called the meeting to order at 2:35 p.m. With all board members present, a quorum was established.

### Adoption of Agenda

Ms. Borromeo motioned to adopt the agenda as written. Ms. Bahnke seconded the motion.

The motion passed unanimously.

### Discussion: Procurement Code Options, Legislative Vs. Administrative

Mr. Torkelson stated that in the previous cycle, the legislature appropriated funds to be administered to the governor's office. At this time, the board used the administrative procurement code to manage its purchases. In this cycle, the legislature appropriated funds to be administered to the legislative branch. As an independent body, the board now has a choice to adopt the legislative or the administrative procurement codes.

The board discussed modifying the chosen code to accurately reflect the board as the body rather than the Legislative Council. Mr. Torkelson noted that provisions to either code may be made if the board's motion to adopt the code reflects these proposed changes.

### Adoption of a Procurement Code

Ms. Bahnke motioned to adopt the legislative code with the following changes: 1) Replaces the term "agency" with "Alaska Redistricting Board" and 2) restrict protests to procurement bidders only. Ms. Marcum seconded the motion.

The board with adoption of the code with the understanding that the code has been adopted with the proposed changes. Staff will modify the code and present the revised code to the board.

The motion passed unanimously.



## **ALASKA REDISTRICTING BOARD**

### **Discussion: Request for Proposals for Independent Legal Services**

Mr. Torkelson referenced the 2010 Request for Proposal (RFP) responses for legal services and the winning RFP response in the board meeting packet. Mr. Torkelson noted that a request for proposal (RFP) process or a request for Information (RFI) process could be pursued and requested for direction from the board on which process to pursue.

The board discussed their preference for which process to pursue based on the current need to expedite the pursuance of legal counsel. The following concerns were expressed:

- Mr. Binkley expressed concern for pursuing the RFP process and the timing required to pursue this process and recommended pursuing the RFI process due to its shorter timeline.
- Mr. Simpson noted his support for pursuing the RFI process with a thirty-day window, rather than a ten-day window, for the RFI being open to submissions to allow for as many qualified respondents as possible to submit their information.
- Ms. Borromeo directed for the RFI to be open for submissions by January 11, 2021 through January 29, 2021. The board agreed on this timeline.

Ms. Borromeo motioned for the board to begin a RFI process for legal counsel and appoint Budd Simpson as the project director with the understanding that the board must approve the final RFI document prior to publishing. Ms. Bahnke seconded the motion.

The motion passed unanimously.

Mr. Torkelson confirmed that staff is pursuing court reporter recommendations for board meeting minutes to be developed.

### **Adjournment**

Ms. Marcum motioned to adjourn the meeting. Ms. Borromeo seconded the motion.

The meeting adjourned at 3:17 p.m.



## ALASKA REDISTRICTING BOARD

The Alaska Redistricting Board virtually met on January 8, 2021. Present participants are below:

**DRAFT**

John Binkley	Chair of the Board
Melanie Bahnke	Board Member
Bethany Marcum	Board Member
Budd Simpson	Board Member
Nicole Borromeo	Board Member
Peter Torkelson	Executive Director
TJ Presley	Deputy Director

### **Call to Order**

Mr. Binkley called the meeting to order at 1:35 p.m. With all board members present, a quorum was established.

### **Adoption of Agenda**

Ms. Borromeo motioned to adopt the agenda as written. Mr. Simpson seconded the motion.

The motion passed unanimously.

### **Discussion: Request for Information (RFI) for Legal Services**

Mr. Torkelson noted that submissions for the RFI are due on January 29 and asked board members for their feedback on the deadline. Board members agreed that the submission deadline was adequate in providing respondents with sufficient time to submit a response.

Based on feedback from board members, it was decided that Mr. Torkelson will serve as the single point of contact for general inquiries regarding the RFI. Other inquiries will be brought to the board's attention to address.

### **Adoption of Request for Information (RFI) for Legal Services**

Ms. Marcum motioned to adopt the request for information for legal services as presented. Mr. Simpson seconded the motion.

The board discussed the need to consider the participation a respondent has had in other litigation matters involving redistricting, ensuring that a respondent is not litigating for more than one party, and evaluating a firms' ability to be objective.

The motion passed unanimously.



## **ALASKA REDISTRICTING BOARD**

### **Approval of Procurement Code**

Ms. Borromeo motioned to amend the agenda to add the approval of the procurement code as presented by staff. Ms. Bahnke seconded the motion.

Mr. Simpson noted that the changes made by staff to the code were ministerial. The draft was provided several days in advance of the current board meeting date allowing board members ample time to review and provide feedback on the code.

To add context to the discussion, Mr. Binkley noted that the board had two options for codes: the general state procurement code and the legislative procurement code. Because the board was funded through the legislative branch, it was appropriate to adopt the legislative procurement code, which refers to the legislature on actions. Due to this, the code was modified to change the areas in that code referring to the legislature to refer to the board instead and redefines interested parties to individuals who have responded with a bid or an offer.

The revised code document is posted to the public documents section of this meeting on the Alaska Redistricting Board website.

The motion passed unanimously.

### **Adjournment**

Ms. Bahnke motioned to adjourn the meeting. Ms. Borromeo seconded the motion.

The meeting adjourned at 2:05 p.m.



## ALASKA REDISTRICTING BOARD

The Alaska Redistricting Board virtually met on January 26, 2021. Present participants are below:

**DRAFT**

John Binkley	Chair of the Board
Melanie Bahnke	Board Member
Bethany Marcum	Board Member
Budd Simpson	Board Member
Nicole Borromeo	Board Member
Peter Torkelson	Executive Director
TJ Presley	Deputy Director

### Call to Order

Mr. Binkley called the meeting to order at 2:30 p.m. With all board members present, a quorum was established.

### Adoption of Agenda

Ms. Borromeo motioned to adopt the agenda as presented. The motion was amended to add an additional discussion regarding the board's web page as the sixth agenda item and to move adjournment to the seventh agenda item. Mr. Simpson seconded the motion.

The motion passed unanimously.

### Board Policy Review & Discussion

The following draft polices were presented and reviewed by Mr. Presley and Mr. Torkelson:

- Public Meeting and Notice Requirement Policy
- Public Records Policy
- Board Member Compensation Policy
- Board Member and Staff Per Diem Policy

The following clarifications, concerns, and questions were raised regarding the policies above:

Board meeting notices are being posted on [notice.alaska.gov](http://notice.alaska.gov), [akleg.gov](http://akleg.gov), and the Alaska Redistricting Board website. The public can also sign up to receive board meeting notifications.

The daily compensation rate for board members encompasses the time that board members also spend outside of meetings on board matters.

Ms. Bahnke requested that her compensation be provided to her employer and not directly to her as a reimbursement for her wages. Staff will consult with legislative legal services regarding this request and follow up. The Board Member Compensation Policy may be amended after adoption to reflect any changes pending the advice from legislative legal services.



## **ALASKA REDISTRICTING BOARD**

- Mr. Simpson and Ms. Borromeo expressed concern for the board receiving a full day's worth of compensation for a short length meeting. Ms. Borromeo noted that a sliding scale could be implemented for compensation to be made to board members based on the amount of time spent in the meeting.
- The board discussed modifying the Board Member Compensation Policy to include language that board member compensation applies to board meetings and/or public hearings.
- The board agreed to move forward with the Board Member Compensation Policy with the agreement that the policy would be revisited in the future.
- For the Board Member and Staff Per Diem Policy, the maximum reimbursement for lodging is capped at \$229 per day, meals reimbursements are capped at \$60 per day, and incidentals reimbursements are capped at up to \$25 total.
- Ms. Borromeo raised concern for the meal cap set at \$60 as it may not be enough for three meals in one day.
- Mr. Simpson suggested merging incidentals and meals together for a total of \$85 per day. The board agreed to adopt this modification to the Board Member and Staff Per Diem Policy.

### **Adoption of Board Policies**

Ms. Marcum motioned to adopt all four policies with the following amendments: 1) Inserting language into the Board Member Compensation Policy that compensation applies to board meetings and/or public hearings, 2) merging meals and incidentals totals together in the Board Member and Staff Per Diem Policy for a total of \$85 per day, and 3) expenses incurred under the Board Member and Staff Per Diem Policy must be submitted for approval at the discretion of the Board Chair for meals and incidentals expenses totaling over \$85. Ms. Borromeo seconded the motion.

The motion passed unanimously.

### **Web Page Discussion**

Mr. Torkelson reported that the web page is anticipated to go live in the next two weeks and will serve as the single point of access for maps. Board members have received some web page mockups and Mr. Torkelson requested feedback from board members.

### **Adjournment**

Ms. Borromeo requested that the board and staff prioritize meeting with the public to educate on the board, redistricting, and the overall process.

Ms. Borromeo motioned to adjourn the meeting. Mr. Simpson seconded the motion.

The meeting adjourned at 3:38 p.m.



## ALASKA REDISTRICTING BOARD

The Alaska Redistricting Board virtually met on February 26, 2021. Present participants are below:

**DRAFT**

John Binkley	Chair of the Board
Melanie Bahnke	Board Member
Bethany Marcum	Board Member
Budd Simpson	Board Member
Nicole Borromeo	Board Member
Peter Torkelson	Executive Director
TJ Presley	Deputy Director

### Call to Order

Mr. Binkley called the meeting to order at 2:31 p.m. With all board members present, a quorum was established.

### Adoption of Agenda

Ms. Borromeo motioned to adopt the agenda as presented. Ms. Bahnke seconded the motion.

The motion passed unanimously.

### Staff Public Outreach Directive

Mr. Torkelson stated that staff received notice from the US Census Bureau stating that the census results would not be provided until September 30, 2021 at the latest. Due to the delay in census information, staff have discussed the idea of being proactive in outreach, primarily to interest groups that have historically been involved in redistricting (i.e., local governments), and forming new relationships. During this time, staff could take the opportunity to network and educate on the following: 1) census timeline, 2) how the timeline impacts the board's schedule and 3) the board's constitutional requirements.

Mr. Torkelson requested that board members guide staff and inform on the local governments within their areas that are the most active and would be the most interested in hearing from the board.

The board discussed the following regarding public outreach:

Educating the general public, community groups, and non-profits during this effort is important.



## **ALASKA REDISTRICTING BOARD**

- It was requested that staff develop a presentation and/or bullet points to fully inform on the outreach support needed from board members.
- The outline of the outreach directive provided to the board could be modified to add more community groups, timelines, locations, and additional outreach planning.
- It was suggested that a process to request formal engagement from the board be developed specifically for outreach matters.

There was a consensus among the board for staff to move forward with outreach efforts.

### **Response Protocol for Meeting Requests**

Mr. Torkelson anticipates numerous requests from various entities and individuals for the board to engage in various meetings. Staff requested direction from the board on the protocol for meeting requests.

The board held a discussion regarding the protocol for meeting requests and highlighted the following:

- Although it may be helpful for there be a policy for individual board members not to engage in off-record discussions, this is also a valuable way to gain public input.
- Ms. Bahnke suggested that if the board allows itself to individually engage with the public and community groups in their formal role as Redistricting Board members, a record of the engagement activities of each board member should be publicly shared.
- Ms. Marcum acknowledged that there will be a challenge in defining and tracking the varying types of conversations between board members and the public.
- It was requested that all group meeting requests be directed to staff. If an individual board member receives a cold call, the caller will be redirected to staff. This procedure will serve as the interim policy until a formal protocol is in place.

### **Software Training Availability**

Mr. Torkelson noted that there are twelve virtual software trainings available for board members. Staff will provide board members with the links for these trainings. Additionally, the software training contractor has offered to provide a corporate virtual training seminar to the board.

### **Executive Session: Interview with Legal Services RFI Respondents**

Ms. Marcum motioned to enter executive session to interview a respondent of the legal services RFI. Ms. Borromeo seconded the motion.

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John Binkley, Chair  
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Budd Simpson

## **ALASKA REDISTRICTING BOARD**

The board entered executive session at 3:14 p.m.

The board exited executive session at 4:22 p.m.

One more interview will be held with the second RFP respondent on March 2, 2021.

Ms. Bahnke asked if resources available for the board's outreach efforts, such as a public relations firm to develop messaging with a goal to educate and engage the public on the redistricting process. Mr. Presley answered that staff will include public relations firm suggestions and collateral for the board to review and approve.

### **Adjournment**

Mr. Simpson motioned to adjourn the meeting. Ms. Borrromeo seconded the motion.

The meeting adjourned at 4:24 p.m.



## ALASKA REDISTRICTING BOARD

The Alaska Redistricting Board virtually met on March 2, 2021. Present participants are below:

**DRAFT**

John Binkley	Chair of the Board
Melanie Bahnke	Board Member
Bethany Marcum	Board Member
Budd Simpson	Board Member
Nicole Borromeo	Board Member
Peter Torkelson	Executive Director
TJ Presley	Deputy Director

### Call to Order

Mr. Binkley called the meeting to order at 3:03 p.m. With all board members present, a quorum was established.

### Adoption of Agenda

Mr. Simpson motioned to adopt the agenda as presented. Ms. Bahnke seconded the motion.

The motion passed unanimously.

### Executive Session: Interview with Legal Services RFI Respondents

Mr. Torkelson stated that staff has consulted with the Legislative Council on whether an executive session would be the appropriate forum to discuss request for information (RFI) responses. The legislative attorney provided informal advice and referred to the following:

Section 195 of the board's procurement code states that until a selection has been made, proposals are to be opened in a confidential manner. Thus, discussion of the proposal is permissible under the Open Meetings Act referenced in Alaska Statute AS 44.62.310 (c)(4) which states that an executive session may be used for matters involving consideration of government records that by law are not subject to public disclosure.

Because the board is discussing ideas from respondents about the legal strategies to avoid litigation or to prevail in the event of a lawsuit, these topics of discussion are permissible in an executive session as stated in AS 44.62.310 (c)(1).

Because the board is interviewing attorneys regarding their performance potential, the board could unintentionally prejudice a reputation. This subject may be discussed in executive session as stated in AS 44.62.310 (c)(2)

With these recommendations from the legislative attorney, Mr. Torkelson recommended that the board proceed with discussion in executive session.

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John Binkley, Chair  
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## ALASKA REDISTRICTING BOARD

Mr. Simpson motioned to enter executive session to interview a proposing law firm and to implement one of the Open Meetings Act exceptions in subsection (c)(4) relating to records that are not subject to public disclosure. Unanimous consent to the motion was requested. Ms. Borromeo seconded the motion.

The motion passed unanimously.

The board entered executive session at 3:09 p.m.

The board exited executive session at 4:28 p.m.

Mr. Binkley stated that no decisions were made while in executive session after interviewing the respondents for the RFI.

The board will reschedule its meeting on March 12, 2021 to March 6, 2021 in the afternoon to discuss the selection of RFI respondents. Once a time has been confirmed, this time will be advertised.

Mr. Torkelson requested an additional agenda item to the March 6<sup>th</sup> meeting to discuss formal meeting protocols. Mr. Binkley confirmed this addition to the agenda.

### **Adjournment**

Ms. Borromeo motioned to adjourn the meeting. Mr. Simpson seconded the motion.

The meeting adjourned at 4:30 p.m.



## ALASKA REDISTRICTING BOARD

The Alaska Redistricting Board virtually met on March 6, 2021. Present participants are below:

**DRAFT**

John Binkley  
Melanie Bahnke  
Bethany Marcum  
Budd Simpson  
Nicole Borromeo  
Peter Torkelson  
TJ Presley

Chair of the Board  
Board Member  
Board Member  
Board Member  
Board Member  
Executive Director  
Deputy Director

### Call to Order

Mr. Binkley called the meeting to order at 3:30 p.m. With all board members present, a quorum was established.

### Adoption of Agenda

Ms. Bahnke motioned to adopt the agenda as presented. Ms. Borromeo seconded the motion.

The motion passed unanimously.

### Discussion: Legal Services RFI Responses

Mr. Torkelson stated that the Alaska Constitution, Article 6, Section 9 requires that the board contract for independent legal counsel. In December, the board adopted a procurement code and issued a formal request for information (RFI) for legal services in January. Five responses to the RFI were received. Per the board's procurement code, all RFI responses must remain confidential until a selection has been made. Upon selection, copies of RFI responses may be provided to the public upon request. Requests can be made on the Alaska Redistricting Board website at [www.akredistrict.org](http://www.akredistrict.org) on the "Contact Us" page.

A subcommittee of the board reviewed the responses and upon consensus, two respondents were selected to proceed to the interview process which have both taken place.

Mr. Simpson motioned to enter executive session to discuss the selection of a potential legal counsel with reference to Alaska Statute AS 44.62.310 (c)(4) regarding matters involving consideration of government records that by law are not subject to public disclosure. Ms. Bahnke seconded the motion.

The board directed Mr. Torkelson to follow up with both law firms regarding financial arrangements and fee structures. These items will be discussed in executive session.

The board entered executive session at 3:37 p.m.



## **ALASKA REDISTRICTING BOARD**

The board exited executive session at 3:56 p.m.

### **Select Legal Representation**

Mr. Simpson motioned for the selection of the Schwabe, Williamson, and Wyatt to provide legal services to the Alaska Redistricting Board and this selection is subject to the negotiation and execution of a satisfactory written engagement agreement with this firm. Ms. Marcum seconded the motion.

The motion passed unanimously.

Mr. Simpson requested that the Executive Director draft and send correspondence on behalf of the board to all RFI respondents notifying them that a respondent has been selected.

### **Meeting Request Protocol**

Mr. Torkelson reported that a draft staff meeting request protocol was sent to board members. The public can access this information on [notice.alaska.gov](http://notice.alaska.gov) and [akleg.gov](http://akleg.gov). This protocol states that 1) meeting requests and attachments informing the request will be forwarded to board members and 2) staff members may assist with meeting arrangements and preparation at the request of a board member.

The following items were discussed:

- It was clarified that requests are for private meetings as opposed to public presentations.
- If members of the public request to make a public testimony, they will be directed to the board's next public hearing.
- Staff has contacted the Anchorage Legislative Information Office (LIO), which has a large conference room that is designed for in-person and virtual meetings. The Anchorage LIO manager has permitted the board to use this facility as needed for future meetings.
- Ms. Bahnke suggested adding an additional item to future meeting agendas for public comments.

The board agreed to withhold taking action on the meeting request protocol until proper legal review of the protocol has been completed.

### **Adjournment**

Ms. Bahnke motioned to adjourn the meeting. Ms. Borromeo seconded the motion.

The meeting adjourned at 4:11 p.m.



## ALASKA REDISTRICTING BOARD

# **SCHWABE DRAFT Request for Information (RFI)** **Voting Rights Consultant**

### **Background**

The State of Alaska, Alaska Redistricting Board, issues this Request for Information (Request) for a Voting Rights Consultant to assist the Board, and prepare a statistical racial bloc voting analysis of statewide and state legislative elections held in Alaska in 2012, 2014, 2016, 2018 and 2020.

### **Scope of Work**

The contractor shall provide Consulting Services and Voting Rights Assistance as directed by the Redistricting Board and Project Director.

Services shall include but are not be limited to the following:

1. Preparing a statistical racial bloc voting analysis of the 2012, 2014, 2016, 2018 and 2020 statewide and state legislative elections in the State of Alaska to determine whether voting in the State of Alaska, or in specific regions of the state, is polarized by race and assist the Board in complying with the Voting Rights Act while creating new legislative districts for the 2022 election cycle. This may include a vote dilution analysis of proposed plans.

This service will include the following tasks:

1. Assisting in the preparation and design of the database needed to conduct racial bloc voting analyses.
2. Preparing a draft written report and a final written report to the Board outlining the results of the racial bloc voting analysis.
3. Making an oral presentation to the Board of the results of the analysis.
4. Advising the Board on matters pertaining U.S. Voting Rights Act of 1965.

This service may include the following tasks:

1. Assist the Board in determining if one or more proposed redistricting plans may comply with Section 2 of the Voting Rights Act.

2. Serving as an expert witness for the Redistricting Board on Voting Rights Act issues in any court challenges to the Board's redistricting plan, including testifying in deposition and/or trial as requested.
3. Performing these tasks and other Redistricting Board Consulting Services/Voting Rights Assistance as required by the Project Director.
4. Travel to the Redistricting Board Office in Anchorage for consulting as requested. Two or more visits may be needed.

## **Response Requirements**

Responses must include the complete name, mailing address, telephone number and email address of the responder(s). Responses must, if applicable, provide notice that the offeror qualifies as an Alaskan bidder. Responses must be signed and dated by the responder.

Offeror must provide:

1. Comprehensive narrative statements that illustrate their understanding of the purpose and scope of this project, any pertinent issues and potential problems, and statements that illustrate their understanding of the Voting Rights Act of 1965 and the impact of subsequent amendments and court decisions.
2. A description of the offeror's qualifications and experience in preparing racial bloc voting analyses in Alaska and other jurisdictions.
3. A description of expert witness experience the offeror has provided.
4. A description of the statistical analytical methodology the offeror will employ to perform the required services.
5. A listing of current or past clients similar to the Redistricting Board, a brief description of service provided and a contact name and phone number of each client.
6. A listing of staff experience in advising clients on redistricting/reapportionment in Alaska and other states and jurisdictions.
7. Information on the company ownership, headquarters, branch or affiliate offices, length of time in business,
8. Indicate if the award of this contract would require the acquisition of additional office space, equipment, personnel or any other items. Be as specific as possible, i.e., how much additional space, specific equipment, the number and function of additional employees, etc.

9. A description of any distinct and substantive qualifications for undertaking the proposed contract, such as the availability of specialized equipment, awards and recognition received for similar services or special approaches or concepts relevant to the required services under this Request

## **Costs & Expenses**

1. Offeror's must provide an hourly rate schedule for services provided in order for the proposal to be considered responsive. Proposals received that do not included hourly rate(s) shall be considered non-responsive and shall be rejected.
2. *NOTE: Reimbursement for all travel and out-of-pocket expenses shall be limited to the items authorized by the Project Director as set out in a contract resulting from this Request.*

Travel to the Redistricting Board Office in Anchorage for consulting as requested. Two or more visits may be needed.

## **References**

Responders are encouraged to provide a list of references the Board may contact to verify the responder's character, qualifications and experience.

## **Funding Source**

Funding for the Alaska Redistricting Board is subject to Legislative appropriation.

## **Submission Details, Deadline**

Provide one electronic copy of the requested information to the email address below. Responses to this Request must be received by 4:00 p.m. AST, on May 3, 2021.

- [Peter.Torkelson@akredistrict.org](mailto:Peter.Torkelson@akredistrict.org)

This Request in no manner obligates the Board to pursue a contractual relationship with an entity that responds to this Request or limits or restricts the Board to pursue a contractual relationship with an entity that does not respond to this Request.

This Request in no manner obligates the Board to pay any costs incurred in the preparation of any response to this Request. A party responding to this Request is responsible for all costs associated with their response. Responses become the property of the Board and may be subject to public disclosure.

Questions should also be directed to Peter Torkelson at

- [Peter.Torkelson@akredistrict.org](mailto:Peter.Torkelson@akredistrict.org)
- 907-406-2894