09:11:24-09:40:36

PUBLIC MEETING BEFORE THE CITIZENS CLEAN
ELECTIONS COMMISSION convened at 9:39 a.m. on April 27, 2017, at the State of Arizona, Clean Elections Commission, 1616 West Adams, Conference Room, Phoenix, Arizona, in the presence of the following Board members:
Mr. Steve M. Titla, Chairperson (Telephonic)
Mr. Mark S. Kimble (Telephonic)
Mr. Damien Meyer (Telephonic)
Ms. Amy B. Chan (Telephonic)
Mr. Galen D. Paton (Telephonic)

OTHERS PRESENT:
Thomas M. Collins, Executive Director
Paula Thomas, Executive Officer
Sara Larsen, Financial Affairs Officer
Mike Becker, Policy Director
Alec Shaffer, Web Content Manager
Amy Jicha, Legal Admin and VE Intern
Lee Miller, Secretary of State
Joseph Roth, Osborn Maledon (Telephonic)

09:40:38-09:41:55

CHAIRPERSON TITLA: Okay.  This is a call of the meeting to order, special meeting of the Clean Elections Commission, on May -- or April 27, 9:39 a.m. And can we have a roll call?

MR. COLLINS: So, Commissioners, if you could --

COMMISSIONER CHAN: This is Commissioner Chan.  I'm here.

CHAIRPERSON TITLA: Okay.  Can somebody call the roll?

MR. COLLINS: Yes, I can do that,

Mr. Chairman.

CHAIRPERSON TITLA: Okay.

MR. COLLINS: Commissioner Kimble?

COMMISSIONER KIMBLE: I'm here.

MR. COLLINS: Commissioner Paton?

COMMISSIONER PATON: Here.

MR. COLLINS: Commissioner Chan?

MR. COLLINS: And Commissioner Meyer is on his way and will -- will dial in.

Hello?

CHAIRPERSON TITLA: Okay.  We have a one-item agenda, right?

MS. THOMAS: Yes, sir.

CHAIRPERSON TITLA: Okay.  Board -- or, Commissioners, do we have a motion to approve the agenda?

MR. COLLINS: Mr. Chairman, I'm sorry.  If I could interrupt you one quick second.  Yeah, I just want to make clear what we're -- the motion would be to approve what is -- the document that is the modified document that was in your materials that you were emailed.  That is the email -- that is the document that is dated 4-21-2017 at 9:57 a.m. I'm sorry --

thank you.

And then, Commissioners, when you speak, we need to make sure that you announce yourself for the court reporter when you do speak.

I'm sorry, Mr. Chairman.  I just needed to make sure that everybody has that on the record.

CHAIRPERSON TITLA: Okay.

COMMISSIONER MEYER: Damien Meyer.

CHAIRPERSON TITLA: Okay.  Commissioners, this is Steve Titla, Chairman of the Commission.  So do we need to pass the agenda, then, with this one item that you mentioned, Tom?

MR. COLLINS: Mr. Chairman, Commissioners, yes.  We're looking for a motion to --

THE OPERATOR: Joining the meeting.

09:41:56-09:43:07

COMMISSIONER MEYER: Damien Meyer.

CHAIRPERSON TITLA: Okay.  Commissioners, this is Steve Titla.

Is there a motion by any of the commissioners to approve this one-item agenda?

COMMISSIONER CHAN: Mr. Chairman, this is Amy Chan, and I would -- I would so move what Tom said, but may I just make a brief comment before we get a second?

So I just wanted to put that out there before we make our vote.  I know we have a voice vote.  I feel like that would be more appropriate than
1 explaining my vote. I have a background at the legislature where that's what we would do, but I just felt like I wanted to make sure that we had that on the record at this final juncture where we're voting on this.
2 So having said that, I, again, would just, you know, restate my motion to approve the Interagency Service Agreement with the Secretary of State's office, as Tom mentioned.
3
4 COMMISSIONER KIMBLE: This is Mark Kimble, and I second it.
5
6 CHAIRPERSON TITLA: Commissioner Kimble.
7 This is Steve Titla, again, the chairman.
8 And do we have a -- can we have a vote -- a roll call vote, Tom?
9 MR. COLLINS: There's no reason why you can't have a roll call vote. And given that we're all on the phone, I mean, that certainly would make some sense. Although we don't usually do that, there's nothing that prohibits that.
10 COMMISSIONER KIMBLE: Mr. Chairman, this is -- this is Mark Kimble.
11 Could I say one thing?
12
13 COMMISSIONER TITLA: Okay. Can we get a roll call vote?
14
15 COMMISSIONER KIMBLE: Mr. Chairman, this is Mark Kimble.
16 Could I say one thing?
17
18 COMMISSIONER TITLA: Okay.
19 COMMISSIONER KIMBLE: I do have -- I am supportive of this agreement. I think the changes that have been made since we initially saw it are very positive. I do have a couple minor concerns. One of them is on page 4 in the document we have under number B where it says "The Commission and the Secretary agree that the Secretary may request payment for delivering some objectives of a particular phase of the project without having delivered every objective of a particular phase." That -- I understand that there are some issues with writing computer programs and that unexpected things come up. I am concerned, though, that we are already outlining a process by which we would make a payment for something that is not completed to that phase. That somewhat concerns me, although I understand the reasoning for it.
19
20 CHAIRPERSON TITLA: Okay. This is Steve Titla. Again, thank you for your comments, Commissioner Chan.
21
22 This is Steve Titla, again, the chairman.
23 And do we have a -- can we have a vote -- a roll call vote, Tom?
24 MR. COLLINS: There's no reason why you can't have a roll call vote. And given that we're all on the phone, I mean, that certainly would make some sense. Although we don't usually do that, there's nothing that prohibits that.
25
and then -- then we will need a motion to approve the
execution of the modified agreement dated 4-21-2017 at
9:57 a.m. subsequently. So that would be the
procedural -- what we need to do currently to achieve
all that.
So that's what I would recommend at this
point. If Commissioner Kimble would withdraw his
second and Commissioner Chan will withdraw her motion
and a new motion was made to approve the agenda item
with a second, I will call the roll and then we will
move on to the -- the item -- the ISA itself.
Does that -- is that clear with you,
Mr. Chairman? Does that work for you?
CHAIRPERSON TITLA: Yes.
Is that clear with all the commissioners?
COMMISSIONER KIMBLE: This is Commissioner
Kimble. I withdraw my second.
COMMISSIONER CHAN: This is Commissioner
Chan. I'll withdraw my motion.
CHAIRPERSON TITLA: Okay. The motions are
withdrawn and we go to the -- what point, Tom?
MR. COLLINS: So now we would need a
motion. Mr. -- Chairman Titla, on your recommendation,
we would need a motion to approve the agenda and a
second.

09:49:20-09:50:04

CHAIRPERSON TITLA: Okay. Is there a
motion to approve the agenda?
COMMISSIONER MEYER: This is Commissioner
Meyer. I will move to approve the agenda.
CHAIRPERSON TITLA: Commissioner Meyer
moves to approve the agenda.
Second?
COMMISSIONER CHAN: I'll second that
motion.

09:49:20-09:50:04

CHAIRPERSON TITLA: Second by Commissioner
Chan.
Can we have a roll call vote?
MR. COLLINS: Yes, Mr. Chairman.
Commissioner Meyer?
COMMISSIONER MEYER: Yes.
MR. COLLINS: Commissioner Kimble?
COMMISSIONER KIMBLE: Yes.
MR. COLLINS: Commissioner Paton?
COMMISSIONER PATON: Yes.
MR. COLLINS: Commissioner Chan?
COMMISSIONER CHAN: I vote aye.
MR. COLLINS: Chairman Titla?
CHAIRPERSON TITLA: Aye.
MR. COLLINS: So, Mr. Chairman, you have
the -- if you want to announce the vote, there are five
votes to approve the agenda.
CHAIRPERSON TITLA: Okay. We have a
unanimous vote to approve the agenda. So we go to the
one-item agenda now which is the IAS -- or ISA
agreement.
And, Tom, can you give us a summary?
MR. COLLINS: Yes, Mr. Chairman,
 Commissioners. We have worked with the Secretary of
State's office to develop a document that in the view
of -- my view and as a staff member achieves a number
of objectives.
First, it will help ensure that the State
does have the infrastructure in place to have a broader
availability of public access to campaign finance
information and it -- which I think is a benefit to all
voters from a voter education perspective.
I also believe that this document is
drafted in a way that protects the Commission's
downside risk which, as the Secretary of State's office
is aware, was a principal priority of mine and also
ensures that our -- that the Commission's own reports
respecting participating candidates and certain
independent expenditure reports will be part of that,
the candidate finance system, which, again, will ensure
that all of the filings that folks would want access to
are in one place and folks can get access to them.
So we think it's a -- it's an appropriate
expenditure. We think it's -- we've worked well with
the Secretary of State to do it. We're appreciate of
Mr. Miller being here and his help on this. And so I
recognize the comments with respect to Commissioner
Kimble's comments. I think those are well taken.
My observation would be twofold. I think
he's correct that there does -- and I personally
discussed the issue of flexibility with the Secretary's
office and agree with the language that is in there
that allows flexibility. It also requires them to
continue to make best efforts which we think will -- is
a meaningful term.
And, in addition, frankly, the payment
structure is -- one way to look at it is it is a large
payment in October, but another way to look at that is
that we're not making a payment in this fiscal -- in
this Secretary of State's fiscal year or July of this
fiscal year. So they will have gone, in effect, two
quarters into this project before we make any payment.
And so there's a -- there's actually a --
from -- harking back to Deputy Secretary Miller's
comments at the last meeting, the Secretary does bear
some risk there that if there -- they will have paid
have -- I have too many pieces of paper in front of me.

accept the changes and formalize -- memorialize that

that is the document that -- it is a -- it is

That is not 4-21 at 2:17.  It's 4-25 at 2:17 which is

We're talking about 4-25 at 2:16 p.m.  I apologize.

That is kind of a -- it does have a balance

to it that I -- that I think is -- puts the Secretary's

office in a position where they have skin in the game

leading up to that six-month payment, and I think

that's -- that's -- that's an important thing to

acknowledge.

And other than that, I would just ask that

you approve the execution of the agreement that is

dated 4-21-2017 at 9:57 a.m. and approve my execution

of that -- of that agreement or to -- well --

reasonable efforts they are making.

and also be able to talk to them about -- about what

completed, we would have an accounting of why that was

invoicing the Commission.  So those provisions read

Secretary shall -- under Section 4F, the Secretary

continuing to make their best -- their best efforts.

that.  One, the provision requires the Secretary to be

running into an issue and can't deliver

essentially says, you know, even if the Secretary of

State's office runs into an issue and can't deliver

project, that they won't be in breach.

And I guess I want us to understand that.

does this mean that the Commission is still going to

make -- be obligated to make their payments pursuant to

the schedule that's on Exhibit I?  And then I had a

follow-up to that.

Commissioner Meyer, if I can answer the first question

speaking?  Commissioner Meyer?

COMMISSIONER MEYER: Yes, Mr. Chairman.

CHAIRPERSON TITLA: Okay.  Go ahead.

COMMISSIONER MEYER: Thank you.

CHAIRPERSON TITLA: Okay.  Who was that

speaking?  Commissioner Meyer?

COMMISSIONER MEYER: Yes, Mr. Chairman.

CHAIRPERSON TITLA: Okay.  Go ahead.

COMMISSIONER MEYER: Thank you.

And, Tom, thank you for your comments.  I

had a question on this -- it's page 4.  It's paragraph

B.  I think it's the same paragraph that Commissioner

Kimble was asking about.  And I guess when I read this

paragraph, you know, it's essentially -- let's start

from the premise that we're agreeing to pay these funds

once we have the deliverables.  And this paragraph
10:00:17-10:01:28

1 something isn't done at that time, what discretion, if
2 any, does the Commission have to say, you know what,
3 we're not sending you $150,000 right now. We're going
4 to send you 100, but not 150. And once you complete
5 this other deliverable, then we'll send you the other
6 50.
7 Is there any type of discretion like that
8 and does anyone think there should be if there's not?
9 MR. COLLINS: Well, to answer your question
10 before the commissioners discuss it, Chairman Titla,
11 Commissioner Meyer, let me put it this way: I would
12 anticipate that in the event that reasonable steps are
13 being taken, that that would not come up. I don't
14 think that the -- the terms are structured in such a
15 way that that -- that if there are reasonable efforts
16 there is not breach.
17 If we determine that efforts -- reasonable
18 efforts are not being made, then there is an argument
19 for breach and we would raise that issue through the
20 breach provisions of the provision which they're --
21 and Lee Miller can speak to that. He's actually come
22 to the podium and he may be able to speak to that, if
23 that's helpful to you, Commissioner Meyer.
24 COMMISSIONER MEYER: Sure. And I thank
25 you, Tom. And I'd also like to get the other

10:01:30-10:03:04

1 commissioners' thoughts on that as well as
2 Mr. Miller's.
3 CHAIRPERSON TITLA: Okay. Any comments by
4 the commissioners?
5 COMMISSIONER KIMBLE: This is Mark Kimble.
6 I think Commissioner Meyer reflects my concern.
7 And, Tom, I understand what you're saying
8 about Item F about making an accounting of the
9 expenditure, but my concern is the same as Commissioner
10 Meyer that they may well have -- have paid people the
11 money to do what they said they were going to do, but
12 our concern is we want to make sure that we're getting
13 what -- we're getting a product they said they would
14 produce, not just that they're paying the people to do
15 it because that was kind of the problem with the --
16 with the last undertaking even though we weren't
17 involved in it. They had paid a lot of money for it
18 but didn't have the product.
19 So I am supportive of Commissioner Meyer's
20 concern that we need some kind of way to make sure that
21 as the process goes along, that there are -- there's a
22 way for us to say the deliverables are not here.
23 Therefore, what are we going to do about the payment?
24 CHAIRPERSON TITLA: Any more comments,
25 Commissioners?
Mr. Miller, thank you for your comments. And I think Mr. Miller is sort of setting the stage. I don't think there's a question that the purpose of the agreement is to have this done in a working order is stronger than -- well, as strong as it could be. It is as strong as it could be. The Secretary's office doesn't have the discretion to unilaterally announce modifications, changes to the project plan. That discretion is entirely yours, and so we will have to convince you, especially Tom, that we're doing -- that our efforts and the Secretary's efforts, you are -- and if you would care to recognize me.

I don't have -- I don't the discretion. I have that I'm raising, and if there's a way to add a phrase in here -- I don't think it has to be a significant reworking of the agreement, but is there a way to add a phrase in here that's something in the lines that the Commission has the discretion to evaluate -- you know, if deliverables aren't made, that is as strong as it could be.

So I guess that's -- that's just a concern to be enforceable. None of that -- and these representations aren't going to be enforceable.

So I guess that's just a concern to be enforceable. None of that -- and these representations aren't going to be enforceable.
The State of Arizona Citizens Clean Elections Commission
Transcript of Proceedings - Public Session
April 27, 2017

10:11:10-10:12:25

1 the agreement?
2 MR. MILLER: Yes, sir.
3 CHAIRPERSON TITLA: You're saying the last
4 sentence should address this concern, and the last
5 sentence, as I read it, says that "All the execution of
6 all duties and responsibilities of either the Secretary
7 or the Commission respecting See the Money shall follow
8 the See the Money Project Plan, as it may be revised
9 and modified from time to time, with the written
10 consent of the Commission or its executive director."
11 So, Mr. Miller, so you are saying that that
12 sentence to you means that if only 90 percent is
13 finished by you at a certain time, then only 90 percent
14 can be paid by the Commission for this project plan?
15 Is that what you're saying?
16 MR. MILLER: Mr. Chairman, yes.
17 CHAIRPERSON TITLA: Okay. Any -- any
18 questions by the Commission on this issue?
19 MR. COLLINS: Mr. Chairman, this is Tom, if
20 I could just get -- be recognized real briefly.
21 CHAIRPERSON TITLA: Okay, Tom.
22 MR. COLLINS: The version -- the version
23 that we're actually looking to execute, that language
24 is a little different. It's substantially the same,
25 but it actually reads "No modification to the See the

10:12:28-10:13:58

1 Money Project Plan is effective until approved in
2 writing by the executive director of the Commission or
3 its designee." So we -- we sharpened that sentence a
4 little bit in the draft that you actually were looking
5 to approve. That's -- the Secretary wrote that
6 sentence.
7 So -- and, you know, the -- so I just
8 wanted to make sure that we're all working from the
9 same version given that I created a confusion at the
10 very beginning. The --
11 COMMISSIONER PATON: So this is the
12 comparison draft? This is Galen Paton.
13 MR. COLLINS: Right. That's right. The
14 comparison draft is -- is the correct version.
15 And I guess I'll leave it there. I just
16 want to make sure everyone is on the right draft.
17 CHAIRPERSON TITLA: Okay, Tom. Thank you
18 for the corrections.
19 Now, from what Commissioner Meyer and
20 Commissioner Kimble expressed, I can understand what
21 they're saying there because what we're saying, I
22 think, here is that if -- just for example,
23 hypothetically, if only 90 percent is done at a certain
24 time, then only 90 percent will be paid on the project.
25 And we're saying that this sentence that you read means

10:14:01-10:15:16

1 that, but the concern, I think, is that it doesn't
2 really say that outright clearly. And in agreements
3 that are made or in contracts that are made, it is
4 within the four corners of the document, I think is
5 what they told me in contract 101 at law school, if I
6 remember correctly.
7 MR. COLLINS: You do.
8 CHAIRPERSON TITLA: So we're saying here
9 that that means that, but it really doesn't say that is
10 what I'm saying.
11 MR. COLLINS: Mr. Chairman --
12 CHAIRPERSON TITLA: So is there a way to
13 say what we're saying it means?
14 MR. COLLINS: Mr. Chairman and with
15 Mr. Miller in the room and everybody on the phone, I
16 think I have a suggestion for that and -- which is in
17 item -- turning back to Item 4F on page 5 of the
18 4-25-16, 2016 [sic] document, if we were to add a line
19 to Section F that says the Commission shall consider
20 this accounting in determining its payment obligation
21 pursuant to Exhibit 1 on a pro-rata basis.
22 CHAIRPERSON TITLA: Okay. Commissioners,
23 what do you think?
24 MR. COLLINS: And, Lee, what do you think?
25 COMMISSIONER MEYER: This is Commissioner

10:15:17-10:16:11

1 Meyer.
2 CHAIRPERSON TITLA: Commissioner Meyer?
3 COMMISSIONER MEYER: I think that is a good
4 idea. And can I make another suggestion?
5 CHAIRPERSON TITLA: Okay. Go ahead.
6 COMMISSIONER MEYER: That would be on
7 page 4 in paragraph B where we kind of all started
8 here.
9 CHAIRPERSON TITLA: Okay.
10 COMMISSIONER MEYER: And I think it's the
11 second-to-the-last sentence where it says the
12 Secretary's inability to deliver every objective of a
13 particular phase of the project, that entire sentence.
14 CHAIRPERSON TITLA: Okay.
15 COMMISSIONER MEYER: That's the sentence
16 that worries me. And that line that says discretion,
17 that's the -- that's the concern I have because I read
18 that to mean, well, the Secretary can provide, you
19 know, three out of the four deliverables but it's not
20 going to be a breach. And there's no sort of equal
21 discretion for the Commission to say, well, in that
22 instance, we'll evaluate what you've done and pay you
23 pro-rata.
24 So I think a sentence after that and before
25 the one that says "notwithstanding," maybe you could
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<td>1 add a sentence in there about the, you know, in the event this takes place, in the event the Secretary fails to deliver every objective, the Commission shall have -- you know, use reasonable discretion and detain making a pro-rata payment for what's been delivered, something along those lines.</td>
<td>1 is that you end that proposed sentence with some language which essentially says reflective of what is actually delivered.</td>
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<td>MR. COLLINS: Is that the same thing?</td>
<td>MR. COLLINS: Okay. So pro-rata basis reflective of what is actually delivered.</td>
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<td>Okay.</td>
<td>6 Is that -- okay. So, Mr. Chairman, Mr. Meyer, does that -- does that sentence -- so I'll read it back to you one more time just for the record here.</td>
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<td>COMMISSIONER MEYER: Based on what Tom was just suggesting, I just think it's maybe a more --</td>
<td>10 So after the word &quot;Project,&quot; new sentence: In the event the Secretary is unable to complete an objective, the Commission shall have discretion to make payment on a pro-rata basis actually reflective of the -- of the work completed.</td>
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<td>MR. COLLINS: Okay.</td>
<td>MR. MILLER: Sure.</td>
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<td>COMMISSIONER MEYER: -- a more appropriate location.</td>
<td>MR. COLLINS: Any thoughts?</td>
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<td>MR. COLLINS: Okay. So that's helpful.</td>
<td>COMMISSIONER MEYER: This is Commissioner Meyer. I mean, I think that works. That addresses my concern. I'm always hesitant to draft contractual language on the fly.</td>
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<td>Mr. Chairman, if I could have this floor for one minute just to read back what I think this is and then we will put Mr. Miller on the spot here a little bit and ask him if this is going to work, but --</td>
<td>CHAIRPERSON TITLA: Any comments by the Commission?</td>
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<td>CHAIRPERSON TITLA: Tom, go ahead.</td>
<td>COMMISSIONER MEYER: Mr. Chairman, this is Meyer.</td>
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<td>MR. COLLINS: So that would say, then, the Secretary is using reasonable efforts and diligence to deliver the required objective in each phase of the project, period. In the event the Secretary is unable to complete an objective, the Commission shall have discretion to make payment on a pro-rata basis.</td>
<td>COMMISSIONER MEYER: Based on what the -- of the work completed.</td>
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<td>MR. COLLINS: Okay.</td>
<td>COMMISSIONER MEYER: -- a more appropriate location.</td>
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<td>MR. MILLER: The only request we would make is that you end that proposed sentence with some language which essentially says reflective of what is actually delivered.</td>
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<td>And then to -- and then to try to kind of keep this consistent with where we're -- where we are,</td>
<td>again and then send it out to the commissioners and let's have another special meeting to review final, a document that we have actually read and seen and reviewed?</td>
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<td>Mr. Miller, that we also add a line that says but -- but shall determine that some payment shall be made, you know, or that -- you know, that we need to -- we also need to not -- frankly, to make this deal work, I don't want to put -- and this is up to Lee, to some extent, whether or not he needs this or not. So if the sentence is -- let me back up a second.</td>
<td>MR. COLLINS: That is the Commission's -- if that's the Commission's pleasure, that is something we can -- we can certainly do.</td>
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<td>So the sentence as I understand, Commissioner Meyer, would be new sentence after the work &quot;Project&quot;: In the event the Secretary is unable to complete an objective, the -- the Commission shall have discretion to make pro -- make payments on a pro-rata basis -- to make payment on a pro-rata basis.</td>
<td>CHAIRPERSON TITLA: Commissioners, is that okay with you?</td>
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<td>You know, so the question then becomes -- and,</td>
<td>COMMISSIONER MEYER: Mr. Chairman, this is Commissioner Meyer --</td>
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<td>Mr. Chairman, if I could -- if you could indulge me in somewhat of a conversation with Lee about this here just -- does that work or --</td>
<td>COMMISSIONER KIMBLE: I quite honestly don't feel that's necessary. I'm -- I'm very comfortable with the language as Tom read it back. I yield to the numerous lawyers involved in this process, but I think that that protects the concerns that I have and I think it also protects the Secretary's office.</td>
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<td>CHAIRPERSON TITLA: Yeah, go ahead, Tom.</td>
<td>And I don't know there's a need for additional redrafting, but that's more of a lawyerly question than -- than I think anything I can deal with.</td>
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<td>MR. COLLINS: Is there -- is there additional language that would be helpful to sort of balance that out if that's acceptable?</td>
<td>COMMISSIONER CHAN: Mr. Chairman, this is Commissioner Chan. I would -- I would agree with Commissioner Kimble. That's just my opinion and, of course, if any of the other commissioners --</td>
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| MR. MILLER: The only request we would make specifically, Commissioner Meyer, if you prefer to take
Mr. Chairman, Commissioner Meyer, I'm comfortable with this language. Are you comfortable with this language?

COMMISSIONER MEYER: Tom, are you comfortable with this language?

MR. COLLINS: Yeah. Mr. Chairman -- or Mr. Meyer.

COMMISSIONER MEYER: Commissioner Chan -- excuse me. I said "Chairman Chan," but Commissioner Chan.

MR. COLLINS: Okay. Commissioner Meyer?

COMMISSIONER MEYER: Mr. Chairman, one last question.

MR. COLLINS: Okay. Commissioner Meyer?

COMMISSIONER MEYER: Tom, are you comfortable? Are you comfortable with this language?

MR. COLLINS: Yeah. Mr. Chairman -- or Mr. Meyer.

MR. COLLINS: Commissioner Paton?Can I ask, do you want to participate in this? Can I ask, do you want to participate in this?

COMMISSIONER PATON: This is Galen Paton.

I would agree with Commissioner Chan. I know time is of the essence to the Secretary's office, and I think -- from what I heard from that statement, I think that it addresses the concerns of Mr. Kimble and Mr. Meyer.

Commissioner Meyer. One last point.

Based upon the comments of my fellow commissioners, if they're comfortable with this language and Mr. Collins is comfortable, then I don't see a need to, you know, terminate the meeting -- adjourn the meeting and then reconvene at a later date. And we can just approve it today if that's -- if that's what the Commission chooses to do.

And I also just want to put on the record, I'm not meaning to be a stickler on this, Mr. Miller. I'm just -- essentially what I'm trying to do is just draft into the contract, you know, what we're hearing today. And I appreciate your willingness to do that and I appreciate Tom and Staff's willingness to kind of work with us on this as well. So I hope that all makes sense why I'm requesting this provision.

Okay. That is understandable with me, Commissioner Meyer. I think that's a good point to make here because having dealt with numerous contracts over the years of my 33 years as an attorney, what they say is that the devil is in the detail. And I find that to be true, and I'll be most comfortable if we had -- what Commissioner Meyer said, if we had another document that we reviewed. That would be my most comfortable zone, but seeing that the majority of the Commission are saying that let's approve the document, then is there a motion to approve this document, Commissioners?
MR. COLLINS: And Chairman Titla?
CHAIRPERSON TITLA: Yeah, aye.
MR. COLLINS: Okay. Mr. Chairman, there are five aye votes.
CHAIRPERSON TITLA: Okay. The motion passes. The document is passed with the changes as noted by Executive Director Collins. So it is approved.

Tom, can you send us the final document?

MR. COLLINS: Of course.

CHAIRPERSON TITLA: Okay. Is there any more discussion on anything else?
COMMISSIONER MEYER: Mr. Chairman, Commissioner Meyer.
CHAIRPERSON TITLA: Okay. Commissioner Meyer?
COMMISSIONER MEYER: I want to again thank Mr. Miller and Mr. Collins for their work on this and for their ability to work with us and their willingness to work with us today.

Thank you.

CHAIRPERSON TITLA: Any more comments?
COMMISSIONER CHAN: Mr. Chairman, this is Commissioner Chan. I would echo Commissioner Meyer's, you know, thanking of Mr. Miller for being so willing to be here. And, frankly, it's been very nice to have you work with us on this.

And, Tom, thank you for your hard work and all the staff for getting this done.

CHAIRPERSON TITLA: Okay. Any more comments by the commissioners?

(No response.)

CHAIRPERSON TITLA: If not, those comments are good.

Good work, Tom, and Mr. Miller. Good work.

Is there a motion to adjourn?

MR. COLLINS: Just as a formal matter,

Mr. Chairman, there is a public comment item, but there is no one --

CHAIRPERSON TITLA: Okay.

MR. COLLINS: There are -- no one seems willing to comment, unless we make Mike do it.

CHAIRPERSON TITLA: Wait. Let me call for it.

MR. COLLINS: Yes, please.

CHAIRPERSON TITLA: Okay. Let's go to public comment.

Is there any public comment by anyone?

(No response.)
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