

BEFORE THE
CALIFORNIA SECRETARY OF STATE

Citizens Redistricting Commission

1500 11th Street
Sacramento, CA

FRIDAY, JANUARY 28, 2011
9:30 A.M.

Reported by:
Peter Petty

APPEARANCES

MEMBERS PRESENT:

Cynthia Dai, Chair
Michael Ward, Vice Chair
Gabino T. Aguirre
Vincent Barabba
Maria Blanco
Michelle Di Guilio
Jodie Filkins Webber
Stanley Forbes
Connie Galambos Malloy
Lilbert "Gil" Ontai
Jeanne Raya
Peter Yao

MEMBERS ABSENT:

M. Andre Parvenu

STAFF PRESENT:

Dan Claypool, Executive Director
Raul Villanueva, Office Manager

SECRETARY OF STATE'S OFFICE:

Cy Rickards, Staff Counsel
Anne Osborne, Staff Secretary

PRESENTERS:

Karin MacDonald, Statewide Database, UC Berkeley
Ditas Katague, Former Director of CCCC (CA Census)
Sarah Rubin, Center for Collaborative Policy, CSUS
Charlotte Chorneau, Center for Collaborative Policy, CSUS

PUBLIC COMMENT:

Sam Walton, NAACP

I N D E X

Page

| | | |
|-----|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------|
| 1. | Swearing-in of last six commissioners. | |
| 2. | Discussion and selection of Chair and Vice Chair, and introductory remarks. | |
| 3. | Commission governance, such as limiting time for comments, establishing advisory committees, per diem guidelines and other governance matters. | |
| 4. | Appointment of Committee comprised of the last six commissioners for limited purpose of receiving Bagley-Keene Act training. | |
| 5. | Bagley-Keene training - last six commissioners. | |
| 6. | Secretary of State support efforts - update and decision. | |
| 7. | Recruiting and hiring, including training, criteria, interviewing, and choosing staff and consultants. | 77 |
| 8. | Discussion and action regarding redistricting matters. | |
| 9. | Schedule, operation and location of future meetings. | 67 |
| 10. | Discussion and action regarding future training. | |
| 11. | Evaluation of candidates and selection of commissioner, pursuant to Government Code section 8252.5(b), to replace Commissioner Elaine Kuo who resigned effective January 14, 2011. | 5 |
| 12. | Adoption of Commission staff salary schedules. | 50 |
| 13. | Approval of Meeting Minutes. | 59 |
| | Public Comment | 70, 92 |
| | Adjournment | 247 |
| | Certificate of Reporter | 248 |

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2
3
4
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7
8
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14
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P R O C E E D I N G S

JANUARY 28, 2011 9:41 A.M.

CHAIRMAN DAI: The time is 9:41, we are continuing our tradition of starting a little bit late. We are in the process of setting up a lot of technical details so that our agenda will go smoothly today, so let me start first with roll call.

MR. VILLANUEVA: Commissioner Aguirre - Here; Commissioner Barraba - Here; Commissioner Dai - Here; Commissioner Di Guilio - Here; Commissioner Filkins Webber - Here; Commissioner Forbes - Here; Commissioner Galambos Malloy - Here; Commissioner Ontai - Here; Commissioner Parvenu - [Absent]; Commissioner Raya - Here; Commissioner Ward - Here; Commissioner Yao - Here; Commissioner Blanco - Here.

CHAIRMAN DAI: Thank you. Seeing now we have a quorum, we're going to go ahead. So, the first order of business today will be the selection of a replacement Commissioner. We have a number of other items on our agenda if you refer to the items for discussion that we passed out on Wednesday, including the Minutes, approving the final staff schedules, and hopefully we'll be able to do an approval of a number of positions that we're trying to fill this week. Also, note that you should have received a handout with the changes to the Advisory

1 Subcommittee Assignments, so it's in your stack of
2 handouts, so if you want to just take a quick look at
3 that, we can take care of that item just quickly. Are
4 there anymore of these? So, note that these are subject
5 to change. Obviously, the minute we swear in our 14th
6 Commissioner, he or she will probably want to join one of
7 these, so we may revisit them again, but just for now,
8 this is just for information, unless there are any
9 inaccuracies, it's already been posted on the website.

10 Okay, so let's go ahead and - sorry, one other
11 thing I wanted to mention is that we will have two expert
12 presentations this afternoon at 2:00, and immediately
13 following, probably around 3:30, and that should inform a
14 lot of our discussion about our outreach efforts. So, we
15 will also be looking at finalizing a potential agenda so
16 that it can be noticed for a meeting in Claremont, a
17 potential outreach meeting there. So, I think it would
18 be appropriate to talk about that after the expert
19 presentations.

20 **11. Evaluation of candidates and selection of**
21 **commissioner, pursuant to Government Code section**
22 **8252.5(b), to replace Commissioner Elaine Kuo who**
23 **resigned effective January 14, 2011.**

24 CHAIRMAN DAI: Okay, with that, we will go ahead
25 with the selection of a replacement Commissioner. As we

1 discussed before, just as a reminder, we are going to,
2 each of us, select three potential choices, this will be
3 projected up on the screen so that all that information
4 is available to the public on how we voted, and when you
5 propose your candidates, say a little bit about why
6 you've chosen these three candidates and, again, the
7 criteria that we talked about are the ones required under
8 the Voters First Act, including geographic diversity,
9 race and ethnic diversity, the gender, and economic
10 status, and the last thing that we had added was skill
11 sets and what they can contribute to the Commission in
12 terms of actual skills, and in that, of course, we
13 include ability to work well with the 13 Commissioners
14 who are already seated. So, just say a little bit about
15 your choices when you put them up and, then, after
16 everyone has had a chance to put their votes up, we will
17 take the top three vote getters, and then move on to the
18 next round. Are there any questions?

19 COMMISSIONER DI GIULIO: I just have a logistical
20 question and I'm not sure if it's for now or for later,
21 so you can help me. I'm assuming the material we've been
22 given was distributed to the public, as well?

23 CHAIRMAN DAI: Yeah.

24 COMMISSIONER DI GIULIO: I have a question about
25 the map in terms of its accuracy, so I don't know if we

1 want to do it now or later.

2 CHAIRMAN DAI: Sure. Can we get the map
3 projected up there?

4 COMMISSIONER DI GIULIO: With the stars or
5 asterisks.

6 CHAIRMAN DAI: Okay.

7 COMMISSIONER DI GIULIO: I see there's - it looks
8 like there's only five yellow stars and maybe you want to
9 clarify, but I believe there are two on top of each other
10 for Los Angeles, with the yellows being the six?

11 CHAIRMAN DAI: There are two.

12 COMMISSIONER DI GIULIO: Yeah, I just wanted to
13 clarify because it looks visually like there's just five.
14 And also, it looks as if Commission Kuo is still on
15 there, if I'm not mistaken, in one of the red stars?

16 CHAIRMAN DAI: You're probably correct, yes.

17 COMMISSIONER DI GIULIO: Yeah, so just to make
18 sure that we know that there is actually just two red
19 stars.

20 CHAIRMAN DAI: And can you remove the red star
21 from Santa Clara County?

22 COMMISSIONER DI GIULIO: Thank you, that's all.

23 CHAIRMAN DAI: Is it possible for you to edit
24 that later? Okay, just as a note to the public, while
25 we're working on removing the red star, please be advised

1 that the red star in Santa Clara represented former
2 Commissioner Elaine Kuo and is no longer there, so we'll
3 work on getting this - oh, there we go. Okay, so Ms.
4 Osborne, why don't you switch to the voting sheet and
5 we'll come back to the map a little bit later?

6 Okay, so as everyone can see, we have the seven
7 Democratic candidates up there and across the top and
8 along the side, and we have each of the Commissioners.
9 Would any of the Commissioners like to start?

10 COMMISSIONER DI GUILIO: Can I just ask one more
11 logistical question?

12 CHAIRMAN DAI: Sure.

13 COMMISSIONER DI GUILIO: It sounds like we're
14 going to individually - as I understand it - individually
15 offer up and maybe say a word. Since it's my
16 understanding we have three votes each, and if those
17 three votes are taken by other people, do we just
18 reiterate in the first round at this point?

19 CHAIRMAN DAI: Correct, everyone has three votes.

20 COMMISSIONER DI GUILIO: So it's not a matter,
21 once that person has been nominated, okay. Thank you.

22 CHAIRMAN DAI: Okay, who would like to start?
23 All right, Commissioner Galambos Malloy is the brave
24 person who is going to start.

25 COMMISSIONER GALAMBOS MALLOY: All right, so I

1 will throw out my three picks in no particular order, and
2 I will, a background, say I think across all these
3 candidates, through their interviews, felt like they
4 would be a strong fit in terms of working relationships,
5 personality-wise, that was also a consideration that
6 folks had thrown out they were interested in. So, I
7 could see all these folks just jumping right in. The
8 first person I would put up is somebody who really ranked
9 high, even back in December as we were thinking about the
10 final six additions to the Commission, Lillian Judd, who
11 is - I think the things that really stood out to me for
12 her application was her background doing advertising,
13 public relations, market research, all things that will
14 really help us in getting the word out, doing our
15 outreach. I think the geographic diversity
16 considerations are significant, she comes from the
17 Central Coast Area from San Luis Obispo, she has a wealth
18 of project management experience, which is something we
19 will be in need of across the Commission. And also, she
20 is on the more modest end of the economic scale, which
21 given the statistics we've heard about the average income
22 in the State of California, I think, is an important
23 consideration. So, Lillian Judd is my first pick, not in
24 order that I would vote for them, just in the order I'm
25 talking about. The second person I will put for

1 consideration is Maria Harris from Los Angeles, Southern
2 Coastal Region. I think, given the size of Los Angeles
3 County, it would make sense to have an additional
4 Commissioner coming from that area. Also, her
5 professional experience, some of the things she
6 mentioned, were around managing a weekly newspaper and
7 the research and writing tasks that went along with that.
8 Also, her expertise around providing technical assistance
9 on how Boards function, roles and responsibilities,
10 running effective meetings, clearly from our experience
11 together over the recent weeks, those would be skills
12 that we could really take advantage of. She also is on
13 the more modest end of the economic scale. The third
14 person I would put up is Angelo Ancheta and, while there
15 are considerations in terms of what he would like for the
16 diversity mix on the Commission, I do feel like, as a
17 Commission, we are already diverse in the 13 members we
18 have, and his technical expertise that he brings around
19 the voting rights act, and around redistricting is
20 something that we are very lacking in right now, only
21 really one Commissioner that brings some Voting Rights
22 Act background, we have another Commissioner or two who
23 have been involved in local redistricting efforts. So,
24 those are the three folks I would put up for
25 consideration.

1 CHAIRMAN DAI: Thank you, Commissioner. Who
2 would like to go next? Commissioner Forbes.

3 COMMISSIONER FORBES: My three, and in no
4 particular order, and I do think I would agree that we
5 are blessed with seven people who can do the job. I
6 personally did not feel any constraint, and that was
7 really quite a freeing experience, regarding both
8 regional or ethnically because I thought that we were
9 very diverse and we were safe in that regard, that those
10 have been taken care of regardless of whom we picked.
11 So, having said that and, again, this is not in any
12 particular order, my first listed was Victoria Schupbach
13 and I picked her in large part because of her NLRB
14 experience, I thought she had - that's very diverse
15 experience, she is used to dealing, I think, in a very
16 fair way with labor and management, and I think in some
17 ways that put me in a place of a judge on the Commission.
18 My second choice was also Mr. Ancheta. I had a slight -
19 I mean, the redistricting experience was important to me,
20 but also, I was taken by the fact that he had been on the
21 Board of Directors of the California Rural Legal
22 Assistants, and so he had experience with dealing with
23 the Central Valley low income residents in rural and
24 agricultural areas, and recognized my own very strong
25 powers in the area, I think we could use some more of

1 that. And lastly, my third choice was Anne Marie
2 Machamer and I was impressed by the fact that she was
3 relatively young and I thought that her experience being
4 a program person at the junior college level was good,
5 but also, frankly, I was impressed by the fact that she
6 was named as one of the 40 under-40 leaders of the Native
7 American Community, nationally, and that, I think, would
8 be of use to us.

9 CHAIRMAN DAI: Thank you, Commissioner Forbes.
10 Commissioner Raya.

11 COMMISSIONER RAYA: My three choices, I go also
12 with Lillian Judd, she was one of my nominees, so to
13 speak, in the beginning. And apart from the
14 qualifications and experience that have already been
15 discussed, I do think that the geographic diversity is
16 something that could be enhanced with her presence. My
17 other two choices are Maria Harris, I will second
18 everything that Commissioner Galambos Malloy said, but
19 add one thing, and that is that she has been very active
20 in her local community, so she has, I think, a really
21 good sense of how to connect way down on that local level
22 with people. And my third choice would be Tangerine
23 Brigham. Some of my considerations were, obviously, they
24 all, to me, appeared to have relatively equal skills in
25 terms of outreach experience, working with different

1 ethnic communities, but I think that would also be a good
2 addition in terms of our racial diversity.

3 CHAIRMAN DAI: Commissioner Aguirre.

4 COMMISSIONER AGUIRRE: Yes, thank you very much.
5 Certainly, I appreciate the make-up of the present
6 committee, given the variety of personalities and levels
7 of enthusiasm, and just I think overall a very diverse
8 background for this Commission. And I want to recognize
9 the work of the original three panelists who put together
10 and sifted through almost 34,000 applications to get down
11 to the 14, and here we are at the end of the road kind of
12 looking for one replacement out of potentially all of
13 those even though we're down to just six or seven. So,
14 my selections, in no particular order, are Victoria
15 Aguayo Schupbach. I was impressed with the fact that she
16 has worked with the National Labor Relations Board and I
17 think, within that, she came across as somebody who can
18 be unbiased in dealing with issues and also the issue of
19 labor and workplace Democracy, to me, were very important
20 as background, and of course she mentioned that she is
21 fluent in Spanish, as well, which I think would be of
22 great benefit to us. My second choice, not in priority,
23 would be Angelo Ancheta, and his previous involvement
24 with redistricting, I think, is a big plus. He has been
25 involved in civil rights and immigrants rights, and as

1 was mentioned before, has worked with CRLA and, in that
2 regard, I think is in touch with the rural community and
3 rural issues throughout California, and of course, it's
4 good to have somebody who is familiar with the Voting
5 Rights Act on a technical level. And then, my third one
6 would be Lillian Judd. She works with the Community
7 Action agency in San Luis Obispo and, as a CA agency,
8 then, they are the premier - or one of the premier -
9 poverty fighting agencies in the country. Being that
10 there's about a thousand of those, and those result from
11 the War on Poverty, so-called War on Poverty Programs
12 from the mid-'60s, that really dealt with issues of
13 exclusion, especially economic exclusion, and at that
14 time, the lack of empowerment of minority communities.
15 So, overall, I think she would do very well. The fact
16 that she's from the Central Coast, I think, is also good
17 because of the fact that, when we look at the map, there
18 is really a blank area there. And so those would be my
19 three.

20 CHAIRMAN DAI: Thank you. Who would like to go
21 next? Commissioner Ontai.

22 COMMISSIONER ONTAI: It's amazing, we picked the
23 same three. I picked Lillian Judd of all the reasons
24 that Gabino just mentioned, and her tremendous background
25 in outreach. She is in the central part of the state and

1 I do think we need to have some representation from that
2 area. My second choice is Angelo Ancheta. His
3 tremendous background in VRA issues is, I think, going to
4 be helpful to this Commission as we proceed in the next
5 six and a half months. And my third is Victoria
6 Schupbach and, again, for all the reasons that were
7 mentioned by Commissioner Aguirre, I think she is well
8 qualified to join this commission.

9 CHAIRMAN DAI: Thank you. Next? Okay,
10 Commissioner Filkins Webber.

11 COMMISSIONER FILKINS WEBBER: Thank you. I need
12 not repeat what many of my colleagues have already spoken
13 about in regard to my selection, again, in no particular
14 order. I would like to remind our Commission, as well,
15 though, that it appears, based on some of the comments
16 that have been made, that there are certain hierarchies
17 being placed on some of the categories that we've looked
18 at. The last six, not being privy to our actual meeting
19 of December 10th, and taking a look at some of the
20 suggestions that we've made, and also looking at the
21 Voters First Act, which does require us to still look at
22 geographic diversity, racial diversity, we do pride
23 ourselves on the fact that this Commission is well
24 diverse, but we certainly must keep that in mind, as
25 well. My first selection, again, in no particular order,

1 Lillian Judd. One thing I would like to point out, other
2 than everything that has been said about her is also the
3 geographic diversity, that she does bring in San Luis
4 Obispo, for a gap between that area where it was blank on
5 our map. My second selection is Anne Marie Machamer,
6 again, as I think has been spoken of previously, I think
7 she's a very well spoken individual, she has formal
8 training in statistics. I certainly appreciate and
9 admire her award as a Tribal Spokesperson. I believe
10 that she has a very good sense of humor, and certainly
11 would get along well with all of us. And my final
12 selection is Brightstar Ohlson. She is in Northern
13 California, but she has an interesting background as far
14 as - I believe if I recall correctly, she has a
15 background of being Nicaraguan, which I thought brought
16 even greater diversity to her ethnic category that she
17 selected. She has worked in public policy, she has
18 experience in community meetings, break-out groups,
19 overall, I also was interested in her background in
20 Anthropology, so that would be my last vote. Thank you.

21 CHAIRMAN DAI: Commissioner Ward.

22 VICE CHAIR WARD: Thank you. My three choices,
23 in no particular order, are Lillian Judd, Anne Marie
24 Machamer, and Angelo Ancheta. All three are excellent
25 choices.

1 CHAIRMAN DAI: Thank you. Next. Who would like
2 to go next, even though we have very few? Commissioner
3 Barraba.

4 COMMISSIONER BARRABA: Yes, to speed things
5 along, I would have said everything that's been said, I
6 would identify Angelo Ancheta, Tangerine Brigham, and
7 adding to the Central Coast because one of us already is
8 from the Central Coast, but adding to the southern part
9 of the Central Coast, I would go with Lillian Judd.

10 CHAIRMAN DAI: Thank you, Commissioner Barraba.
11 Okay, Commissioner Blanco.

12 COMMISSIONER BLANCO: So, I have three choices,
13 as well, and in no particular order at this time, Mr.
14 Ancheta, who brings an enormous wealth of knowledge in
15 the area of redistricting and voting, and as others have
16 said, I think we're a pretty diverse Commission now, so
17 I'm not worried so much about those factors. The last
18 few days, when we've been talking more about substance
19 and less procedural sort of setting up shop for business,
20 I think I have been struck, and I think some of the
21 Commissioners have been struck by how much we're really
22 going to need talent in the area of redistricting and
23 voting rights, that no matter how many consultants we
24 hire, and we can't hire a lot because of our budget, that
25 we have to be very mindful that, the more we have top

1 talent in-house, so to speak, among the Commissioners,
2 the quicker we can move with our work. And so that's a
3 big factor for me with Mr. Ancheta. My other choice, I
4 have two more, I think its pronounced Ohlson, not sure, I
5 thought - I was very impressed with her knowledge of
6 data, how she has worked with data, she's been a project
7 director doing fairly complex research. Again, I think
8 I'm leaning in a lot of my choices towards experience and
9 ability to work with complexity because that's what we're
10 going to be doing, is working with very complex data and
11 making difficult decisions, and her research really
12 impressed me, and the fact that she knows how to direct
13 projects. That's a hard - to me, a project director
14 means you would have to be able to be on top of all the
15 information and know where the gaps are, and know how to
16 supplement them. And so I think that's a great skill
17 that we need to have on this body. And my third choice
18 was Ms. Aguayo Schupbach. As others have mentioned, I
19 think it would be very helpful. Her skill in sort of
20 mediation arbitration, etc. is I think very valuable.
21 Again, we've already seen that we're going to need those
22 kinds of skills where we are able to get to the point
23 quickly and facilitate conversations, even among us, and
24 with the public, so I think that's a really great skill
25 that we're a little bit weak in, I think. And so that

1 would be my third choice.

2 CHAIRMAN DAI: Okay. Commissioner Yao, are you
3 ready?

4 COMMISSIONER YAO: My three choices are Lillian
5 Judd, Central Coastal area needs additional
6 representation, and her work in United Way and Community
7 Partnership is very impressive. Second, not in any
8 order, is Brightstar Ohlson, age diversity is an area
9 we're lacking, and for a person of the young age, she
10 certainly has accomplished a great deal. The third one
11 would be Tangerine Brigham. Her work in Public Health
12 also impressed me greatly.

13 CHAIRMAN DAI: Commissioner Di Giulio.

14 COMMISSIONER DI GIULIO: Okay, my three choices
15 would be Amber Machamer, Brightstar Ohlson and Lillian
16 Judd, and I think that, again, to reiterate what many
17 people have said, trying to balance many of the criteria
18 we had, I thought that the technical skills that
19 Brightstar Ohlson brought would be a great value. I
20 thought Annie Marie (Amber) Machamer, again, anticipated
21 a lot of the issues that we are facing right now, and I
22 think that was pretty astute of her at that time in the
23 process. Ms. Lillian Judd also, again, is very
24 experienced, though I do have to say, the issue of the
25 Central Valley representation, while I think it is one we

1 are addressing, we do have a Central Coast representation
2 and I did struggle with that a little bit, but in terms
3 of overall population, I think the first eight
4 Commissioners did have an issue with other parts of the
5 state that had very little representation, but percentage
6 wise and population, also maybe didn't support having -
7 it was taken into consideration, and I think the Central
8 Coast also faces some of those challenges with overall
9 population. And lastly, I would just like to say, is one
10 thing I found very important to me was also the
11 collegiality issue, and I did actually watch all the
12 interviews over a very long period of time because I did
13 feel it gave a sense for individuals. We all look one
14 way on paper, but one of the big things is keeping the
15 momentum that we have going, and I was very impressed
16 with these three candidates' ability to do that, and I
17 think that's very important as we move forward.

18 CHAIRMAN DAI: Okay, as the Chair's privilege, I
19 get to go last. So, in alphabetical order, I would put
20 Angelo Ancheta, I do agree with Commissioner Blanco that,
21 particularly with our deliberation over Chief Counsel,
22 the need for Voting Rights Act and previous redistricting
23 experience has become very apparent. I also really liked
24 his sense of humor, I think he would be a fun member of
25 this group. Second, I would put Tangerine Brigham up.

1 Like Commissioner Yao said, I'm impressed with her
2 background in Public Health and in the nonprofit sector,
3 so I think she would add something to this group. And
4 last, but certainly not least, Lillian Judd for all of
5 the reasons that have been stated and I do believe that
6 the first eight of us were quite thoughtful and she was
7 the runner up in the first round. I was also
8 particularly impressed by her passion.

9 Okay, so taking a look at this, we agree to work
10 with the top three vote getters and take any ties. We
11 have a number of ties for third place, and I want to just
12 throw out to the Commission whether, since there is a
13 very obvious break point after the first two candidates,
14 whether we want to just move forward and consider the top
15 two vote getters.

16 COMMISSIONER FORBES: I think that's a useful
17 suggestion, personally. And we might just go to the
18 point, if we each get one vote at this point, just skip
19 the second round and go right to the final round.

20 CHAIRMAN DAI: Okay. Is there general agreement
21 on that?

22 COMMISSIONER BARRABA: I would concur.

23 VICE CHAIR WARD: I agree.

24 CHAIRMAN DAI: Okay, it sounds like we're ready
25 to do that. I believe that leaves us with Mr. Ancheta

1 and Ms. Judd. And we will go to the next block of voting
2 and I think this will be a hard choice that we only get
3 one vote here. I would also like to suggest to the
4 Commission that we use all of our hard work here and
5 consider having an alternate in case we lose another
6 Commissioner in the future, so that this could be
7 expedited. So I wonder if, whoever is not selected, that
8 we officially designate that person as an alternate and
9 ask that person to stay involved. What are some thoughts
10 on that? Commissioner Yao?

11 COMMISSIONER YAO: I would second that motion.

12 CHAIRMAN DAI: Commissioner Barraba?

13 COMMISSIONER BARRABA: I concur.

14 COMMISSIONER FORBES: I'm going to dissent from
15 that idea because I think that we don't know who is going
16 to be missing, and we will have pre-selected a Democrat,
17 but not pre-selected a Republican or an Independent. And
18 I think that's a mistake.

19 CHAIRMAN DAI: That's a fair point.

20 COMMISSIONER DI GIULIO: I agree, as well, too.
21 I'd like to keep it open for our discussion based on what
22 position we need to fill.

23 CHAIRMAN DAI: Commissioner Filkins Webber.

24 COMMISSIONER FILKINS WEBBER: I'm not certain
25 that there is authority in the Voters First Act to

1 consider an alternate. I would, unfortunately, given we
2 would probably have to consider all of the factors
3 necessary under the Act for the Commission member that
4 would likely - that may resign - and therefore we would
5 have to look at all of these factors again, so I don't
6 believe that we can consider an alternate based on the
7 provisions under the Voter First Act.

8 CHAIRMAN DAI: Excellent point. Any other
9 thoughts? I actually didn't make an official motion,
10 even though it got seconded, but I will unofficially
11 withdraw my unofficial motion. These are excellent
12 points and I think it continues to demonstrate why a
13 diverse commission is very valuable, I always appreciate
14 the different points of view, things that I may not have
15 thought of, initially. Commissioner Forbes?

16 COMMISSIONER FORBES: Well, I was just going to
17 get ready to vote.

18 CHAIRMAN DAI: Okay, let's go on.

19 COMMISSIONER FORBES: I'm going to cast my vote
20 for Angelo Ancheta, and there's really two reasons, the
21 reasons I said - for the reasons I said before, but at
22 this point, I think skill set trumps geography - for me.
23 The other thing is, I think we talked about the Central
24 Coast, and I think the point was made earlier that that
25 is true, that if you look at a map, you know, there is no

1 star there. On the other hand, there is no star in all
2 of the other California north of Yolo County. And it's
3 because there's not the population base there. And it's
4 not because, I mean, it looks like there's not much over
5 by Bishop, there are large parts of the state that don't
6 have a lot of population. So, I don't think the
7 geographic component here is the decisive one. I think
8 we need the skill sets that Mr. Ancheta has, so I'm going
9 to vote for him.

10 CHAIRMAN DAI: Commissioner Barraba.

11 COMMISSIONER BARRABA: I would just point out
12 there is a star in the Central Coast!

13 COMMISSIONER FORBES: And such a star!

14 CHAIRMAN DAI: Yes, who would like to go next and
15 cast a vote? Commissioner Galambos Malloy?

16 COMMISSIONER GALAMBOS MALLOY: Yes. I would like
17 to cast my vote also for Angelo Ancheta. I think, given
18 all the work we've been doing in closed session to really
19 look at our resources that we have available, what type
20 of expertise we need, I think this is the smartest
21 decision that we can make.

22 CHAIRMAN DAI: Commissioner Barraba.

23 COMMISSIONER BARRABA: I would support the vote
24 curve. Mr. Ancheta, I do believe his experience would
25 add to the capabilities of the existing Commission.

1 CHAIRMAN DAI: Commissioner Raya.

2 COMMISSIONER RAYA: There's no denying Mr.
3 Ancheta's skills and experience. Skills set was farther
4 down on the list because it's not one of the required
5 factors in the law, and I think that's an important
6 consideration. I also think that we should not under
7 estimate, yes, it's a huge thing for us to really get
8 completely up to speed on this matter, but I think we're
9 capable of doing it, and I have a little bit of concern
10 about something sounds - it sounds to me a little bit
11 like we're bringing on our VRA lawyer as a Commissioner,
12 and I think the other factors are important and we had a
13 lot of discussion when we selected the six about doing
14 our best to satisfy all the diversity elements, one of
15 them being geography, we struggled with that a lot in the
16 selection of the first six, trying to have as broad a
17 reach as we can. One of the factors mentioned in Mr.
18 Ancheta's favor was familiarity with rural communities
19 and I think, certainly, Lillian Judd fits that. We also
20 know that our outreach efforts are going to be probably
21 the most challenging aspect of our work, just in terms of
22 creating it and setting it up. The rest - the
23 information is going to come to us, but to go out, read
24 the maps, and all that, you know, is going to come to us.
25 But to actually go out and conduct the outreach, I think,

1 is a really major task and for that reason, I would vote
2 for Lillian Judd because I think she brings those skills.

3 COMMISSIONER GALAMBOS MALLOY: I have a
4 clarification, a question for our legal counsel.

5 CHAIRMAN DAI: Sure. Commissioner Galambos
6 Malloy, what is your question?

7 COMMISSIONER GALAMBOS MALLOY: So, my question
8 is, I'm referring to a document that the first eight of
9 us received from the BSA when we were considering the
10 final six Commissioners. And in it, it quotes some of
11 the legal guidance that we have to take into
12 consideration. It says the six appointees should be
13 chosen based on three considerations, and it lays out the
14 consideration around diversity, the consideration around
15 analytical skills, and around ability to be impartial.
16 Is there any precedents that any one of those
17 considerations takes over the other two? Or are they all
18 to be weighed equally?

19 MR. RICKARDS: I think they're all to be weighed,
20 and there are a couple sections that talk about the basis
21 for choosing. All of them, to one degree or another,
22 include analytical skills, as well as diversity. It
23 doesn't indicate to you that there's a hierarchy of
24 skills, but I think it's certainly - just my reading of
25 this - it is certainly appropriate to consider the

1 hierarchy in the law vis a vis any individual, but also
2 vis a vis the total make-up of the Commission. And
3 analytical skills are certainly mentioned there with
4 other things, as well as the ability to be impartial.
5 But, again, I don't see any hierarchy of skills, and I
6 think you could consider it with regard to individuals.
7 I mean, we've discussed, and I think in the training,
8 that there are certain things you can't do, you can't
9 choose an individual solely based on race, or established
10 quotes, but you can certainly consider all these factors
11 in your choice. Is that responsive?

12 COMMISSIONER GALAMBOS MALLOY: That's helpful.
13 Then, underneath analytical skills, the categories
14 mentioned are gathering and comprehending information
15 that bears upon redistricting, evaluating validity and
16 significance of information gathered by the Commission to
17 make sound decisions about proper placement of
18 communities and districts, applying appropriate legal
19 standards, including but not limited to, the United
20 States Constitution and Voting Rights Act of 1965, and
21 finally, working effectively as a member of the public to
22 promote redistricting decisions that are factually and
23 legally defensible and that the Commission can agree
24 upon.

25 COMMISSIONER BLANCO: I think your mic went out.

1 COMMISSIONER GALAMBOS MALLOY: Well, you guys
2 heard me.

3 MR. RICKARDS: I think that second iteration is
4 their suggestions for how you would look at analytical
5 skills -- unless you're reading from a regulation.

6 COMMISSIONER GALAMBOS MALLOY: I can pull the
7 regulation.

8 MR. RICKARDS: I still think those are all good
9 things to consider, they're not in the organic law
10 itself, but they just are sensible things given your task
11 and skills you need.

12 COMMISSIONER GALAMBOS MALLOY: According to this
13 document, and I can pull the full document, these are
14 pulled from the actual -

15 COMMISSIONER FILKINS WEBBER: Section 60827.

16 COMMISSIONER GALAMBOS MALLOY: Feel free to
17 continue.

18 CHAIRMAN DAI: Okay, Commissioner Filkins Webber,
19 I think, was next.

20 COMMISSIONER FILKINS WEBBER: I certainly agree
21 that both of these candidates, obviously getting to the
22 points that are out right now, that they are more than
23 qualified. But I would like to remind this Commission
24 that one factor that exists in the creation of the Voters
25 First Act to begin with is that this was supposed to be a

1 citizens redistricting group - I mean, a citizens' group.
2 This was not a panel of experts, so although we certainly
3 recognize the expertise that Mr. Ancheta has, if you
4 balance all of the factors, and if you look at all of the
5 factors including obviously his skill set in comparison
6 to Ms. Judd, since we are comparing the two in making
7 that determination, you have to balance also everything
8 else in the Act, including ethnicity, and including
9 geographic diversity. So, if we take a look at Ms. Judd
10 and what she has to offer, her extensive project
11 management skills, she has worked with the American
12 Community Survey Data for many years, which certainly
13 fits into 60827 in evaluating the validity and
14 significance of information gathered by the commission in
15 order to make sound decisions. It sounds as if she has
16 certainly done that for her 30 years of experience with -
17 I think it was with her last job. She recognizes Section
18 5 districts for pre-clearance, she obviously brings a
19 significant amount of experience in community outreach,
20 and her interest and knowledge of actually recognizing
21 the challenge we may very well have as to identifying
22 communities of interest. So, on the one hand,
23 analytically, you have a woman who can certainly aid us
24 in her skills for community outreach, analyzing technical
25 data, while on the other hand you have Mr. Ancheta, who

1 brings expertise that we certainly can consult out for,
2 and that's where I see that there's a big difference. If
3 we also look at the other required factors, Ms. Judd is
4 female, and if we also look at her geographic diversity,
5 I feel that San Luis Obispo is an area that otherwise did
6 not - that we did not consider previously. So, when you
7 take all of these factors together, I feel she can bring
8 more and fits into more of the categories that we are
9 required to look at for a candidate on this Commission.
10 So my vote is for Lillian Judd. Thank you.

11 CHAIRMAN DAI: Thank you. Next, Commissioner
12 Yao.

13 COMMISSIONER YAO: Again, one of the main
14 criteria used when we were selecting the final six
15 Commissioners was representation. I felt that skill set
16 - I know we're tight on budget at this point in time, but
17 skill set, we can purchase or find and fill what we're
18 lacking as far as the Commission is concerned, but
19 representation is something that money can't buy. And
20 besides everything that Commissioner Webber has
21 identified, she also would represent the lower economic
22 status group, and that's an area that I believe we're shy
23 on. So, on that basis - I think we're splitting hairs at
24 this point in time, both candidates are very well
25 qualified. Based on the representation aspect of it, I

1 think I would have to go with Lillian Judd.

2 CHAIRMAN DAI: Okay, would you like to go next,
3 Commissioner Aguirre?

4 COMMISSIONER AGUIRRE: Yes, certainly these two
5 candidates received overwhelming support from the whole
6 present commission. The backgrounds and experiences of
7 both of them are very compelling, and between the two, I
8 would kind of vote for Lillian Judd for all of the
9 reasons that have already been stated and not to diminish
10 any of the qualifications of Mr. Ancheta, but I find that
11 Lillian Judd, for one, I think economically living at
12 that level, and also with her involvement with the
13 Community Action agency which, as I mentioned before,
14 really deals with what we might term the under-class
15 society, and I don't mean that derogatorily in any way.
16 So, I would cast my vote for Lillian Judd.

17 CHAIRMAN DAI: Thank you. Commissioner Ontai,
18 were you going next?

19 COMMISSIONER ONTAI: Yes, I would concur. I am
20 going to cast my vote for Lillian Judd. I think highest
21 in my mind is she is representing a geography that I
22 think would be helpful for this Commission, and she does
23 fall under the income level distribution that I think
24 would help balance this commission, and add some economic
25 diversity. And her previous experience in community

1 outreach is, I think, significant, so I am going to cast
2 my vote for Lillian Judd.

3 CHAIRMAN DAI: Thank you. Commissioner Blanco.

4 COMMISSIONER BLANCO: We are splitting hairs, I
5 think we have to really agree, on the final candidate.
6 My vote will be with Mr. Ancheta. I still stand by my
7 comments. I know we're really trying hard to have a
8 citizens commission, I also think that we have really
9 difficult work ahead of us and that this is not just an
10 exercise in Democracy, it's also a job that we have to
11 get done, that is a very difficult job. And the more
12 relevant skills we have on the commission, and I'm not
13 saying Ms. Judd doesn't have analytical skills, I'm
14 talking about skills related to the task ahead of us,
15 that the better we'll be able to move and the more
16 quickly we'll be able to move, so my vote is with Mr.
17 Ancheta.

18 CHAIRMAN DAI: Okay, who would like to go next?
19 Commissioner Di Giulio?

20 COMMISSIONER DI GIULIO: To be honest, I have
21 considered dissenting because - not because these are not
22 two very qualified candidates, and bring a very big skill
23 set, but I did not feel they were my top choices. But,
24 based on the fact that I think a decision does have to be
25 made, I'm going to go with Lillian Judd. I think, while

1 they're both very talented individuals, I do need to go
2 back to what the Proposition says about how we are to
3 look for candidates and, based on that, I think the
4 geographic diversity, the ethnic diversity, is something
5 that needs to be put into consideration here. My one
6 concern is that we are not a very diverse group in terms
7 of age and, with my vote, we become less so, but I do
8 believe Ms. Judd would be an asset to this Commission.

9 CHAIRMAN DAI: Commissioner Ward.

10 VICE CHAIR WARD: Again, I think both were
11 excellent candidates and we're lucky to have both
12 candidates in this pool. But my vote goes with Angelo
13 Ancheta.

14 CHIARMAN DAI: This was a difficult decision for
15 me because I think they are both excellent candidates, as
16 were all of the folks who made it to this level. I am
17 swayed by Commissioner Yao's comment, as I was back when
18 we were deliberating on the slate, which is that we can
19 buy skills, but we can't buy representation. I also
20 believe that we do need to focus on what the Act says and
21 there are required factors that we must consider. And I
22 do believe that we could improve our geographic diversity
23 by bringing Lillian Judd on, as well as economic status.
24 It also happens to nicely balance out gender, once again,
25 and brings another Caucasian commissioner onto the

1 commission, as well. So, having said that, again, my
2 fellow Commissioners know how much I value passion and
3 motivation, I also think - not to diminish in any way
4 Professor Ancheta's interest in this and demonstrated
5 experience, but I do think that came through very
6 strongly in her interview, that's something I tell my
7 students that you can't buy, either, you can be very
8 smart, you can be very skilled, and you can be completely
9 unmotivated, and that will make all the difference in the
10 world in your performance. I also think her experience
11 as a Census 2000 Enumerator is highly relevant, and
12 strong background in the Social Services and social
13 sector would be a great add to the Commission. So,
14 Lillian Judd is my vote.

15 So it may be obvious to everyone that we do not
16 have the requisite nine votes to replace a Commissioner.
17 It is also 10:35 and probably time for a much needed bio
18 break, so I would like to suggest we take a 15-minute
19 break because some Commissioners are going to have to
20 change their mind for us to come to a resolution on this
21 today. So I hope that everyone would reflect on the
22 comments of your fellow commissioners and see if that
23 moves you to change your vote and, then, we'll reconvene
24 at 10 'til and hopefully we'll have the ability to come
25 to a conclusion. Commissioner Aguirre?

1 COMMISSIONER AGUIRRE: Yes, and those requisite
2 nine votes need to be three, three, three?

3 CHAIRMAN DAI: Actually, according to the Voters
4 First Act, it is not stipulated that way, so it's not
5 required, so I believe we should probably take the
6 latitude to do nine votes, in general.

7 COMMISSIONER AGUIRRE: All right, thank you.

8 CHAIRMAN DAI: Any other questions before we
9 break? Okay, let's take a break and reconvene at 10
10 'til, and think about it. Thank you.

11 (Recess at 10:36 a.m.)

12 (Back on the record at 10:51 a.m.)

13 CHAIRMAN DAI: Okay, it is ten to 11:00 and we
14 are back from our recess. So, as I mentioned before the
15 recess, a couple of commissioners will hopefully consider
16 changing their vote so that we can actually get to a
17 minimum nine votes. Commissioner Yao?

18 COMMISSIONER YAO: Let me test the water by
19 making a motion that we select Lillian Judd as our
20 replacement Commissioner.

21 COMMISSIONER FILKINS WEBBER: Second.

22 CHAIRMAN DAI: It's been moved and seconded that
23 we select Lillian Judd as a replacement for former
24 Commissioner Elaine Kuo. Any discussion? Commissioner
25 Ward.

1 VICE CHAIR WARD: Again, both excellent
2 candidates and, again, we are really lucky to have them
3 both. I really listened this morning and I think, again,
4 we can't lose with either, but I think that, for me, in
5 evaluating the criteria, I think that that was
6 established as a baseline to create a Commission, and
7 it's done a fantastic job, there is diversity in all
8 areas sitting on this panel right now, as you can see by
9 the discussion and the different angles at which we see
10 and apply the criteria. This position that we're voting
11 for now is going to be a unique opportunity with Dr.
12 Kuo's resignation, and I think it provides us an
13 opportunity to look at that criteria, but also as a
14 Commission, knowing our strengths, our weaknesses,
15 knowing what each brings to the table, to look at what we
16 can - what would best supplement, and would best add to
17 the Commission's work, and what the people expect from us
18 at the end of this process. I think if we were to just
19 simply apply the criteria as listed, we could have
20 anybody do that. The lawyers could do that, we could
21 have the Executive Director sit and decide who is
22 geographically absent. Obviously, there are a lot of
23 California that is geographically absent on the
24 Commission with just 14 members, in such a big state.
25 All of these criteria matter and they're all important.

1 Being that both candidates are exceptional and have so
2 much that they bring, with Angelo, I believe there is a
3 skill set that we also recognize above and beyond the
4 rest that would immediately impact the Commission, would
5 immediately help us in our work, and help us fulfill what
6 the people expect from us. And I just think that skill
7 set is, again, not looking at this as a baseline hire and
8 trying to build a Commission, but looking at it from the
9 position that we are already a 13-member panel that has
10 strengths, weaknesses, and great expertise and gaps in
11 that expertise. And I just think that that, in this
12 unique position, should weigh heavily when we look at the
13 two candidates and what they can bring to the table, so
14 we can continue to run towards the finish line. Thank
15 you.

16 CHAIRMAN DAI: Commissioner Forbes?

17 COMMISSIONER FORBES: Yes, I was considering what
18 Commissioner Yao was saying about skills, or things we
19 can buy vs. things that we can't, and I think - and, I
20 mean, I feel this way in part because I think, to some
21 degree, I represent rural California, I'm sort of the
22 farmer in the group. And I think - and we had this
23 discussion when there were eight of us - how concerned we
24 were about the representation of the Central Valley and
25 the Agricultural community. And I think, for me, the

1 decisive skill that we cannot buy is Mr. Ancheta's
2 experience with the California Rural Legal Assistance. I
3 think that the rural part of California needs to be more
4 represented than it is now. And now, granted, he doesn't
5 live there, but he does have contacts and he does access
6 there, and again, I go back to the fact that each of us
7 represents roughly two and three-quarter million people,
8 more or less, and the Central California Coast probably
9 doesn't have more than a couple hundred thousand. So, I
10 think the geographic need is not as great as it is the
11 need for us to have representation in the rural parts. I
12 mean, there's like 19 counties in this - we have our map
13 here - in that area. And I just think that it would
14 behoove us to have better access to the rural areas of
15 California.

16 CHAIRMAN DAI: Thank you. Commissioner Blanco.

17 COMMISSIONER BLANCO: I think Commissioner Ward
18 made some really great points about the opportunity that
19 we have here. I don't see that we're under-represented
20 in any category right now. I know that there are
21 concerns about picking up parts of the Coast, but I feel
22 like there are parts of the state, like in the northeast,
23 that have nobody and we're not - and we don't feel that
24 we can't function without that in order to do the job
25 that we have to do. So, to me, you know, trying to go

1 down every county and pick up here, pick up there, it
2 just - that would not be the basis for my decision is
3 regional diversity or geographic diversity, because in
4 some ways we have it and in some ways we're missing it
5 already, and this person doesn't supplement what we're
6 missing as far as I'm concerned with it, and that's way
7 bigger areas of California. And if we're going to talk
8 about other kinds of diversity, I'm not concerned about
9 the fact that, you know, there were concerns earlier with
10 the random draw that there was somewhat of an over-
11 representation given the population of the state of
12 Asians. I'm not concerned about over-representation of a
13 particularly racial group. You know, so diversity right
14 now, I guess I feel like we've got it. And what I would
15 like to hear in the discussion if it's about diversity is
16 a discussion about where we're lacking diversity, or if
17 we think we're over-represented, or under-represented in
18 diversity. So, let's have that discussion, and I'd like
19 to have that discussion. If we aren't really talking
20 about diversity and we're talking about skill set, then I
21 think let's have that conversation, and then I think I'm
22 looking at the skill set between the two candidates and I
23 think that I'm looking at a very specific - both have the
24 skills, but we have a candidate that has the skills that
25 are absolutely relevant, and it's like when you do a job

1 hire and you do whatever that acronym is for skills;
2 here, we have the skill set that is absolutely relevant,
3 and not just capacity, but the one that is relevant to
4 the task at hand. So I really want us to not - if we're
5 going to discuss diversity, discuss where we're not
6 diverse, or where people think that we're over-
7 represented, and separate that from the skills
8 discussion.

9 CHAIRMAN DAI: Thank you. I just also wanted to
10 clarify for the public, in the previous voting
11 spreadsheet that was projected, Commissioner Ward and my
12 votes were not recorded, so can we correct that? So that
13 the final vote was actually 5:7, I just wanted to clarify
14 that for everyone. I wasn't able to change that, so
15 there may be a technical issue. All right. Okay, thank
16 you. Commissioner Di Giulio.

17 COMMISSIONER GI GUILIO: I think, just to jump
18 off of Commissioner Blanco's earlier statements, if we
19 have a discussion about diversity, precisely, it is not
20 how are we trying to fill in diversity, I don't think
21 that's the goal we're trying to do, but what are the
22 implications of our choice on our diversity in our group.
23 And that's not because what we would like to see in terms
24 of diversity, but it is what has been mandated in the
25 Proposition.

1 CHAIRMAN DAI: Commissioner Galambos Malloy?

2 COMMISSIONER GALAMBOS MALLOY: I feel like one of
3 the strongest and most compelling to me, personally,
4 supports that I've heard for Lillian Judd's candidacy
5 and, remember, she was one of my top picks, so I'm
6 thrilled with either one of these as Commissioners, just
7 to be clear, but one of the consistent reasons that I've
8 heard is regarding her representation of an area that we
9 don't currently have representation on the Commission
10 for. But when I take a step back and I really think
11 about what our role is in terms of redistricting, I think
12 about this 10-year redistricting period and the
13 information that we've heard from the statewide data
14 base, for those of us who were here in November, and for
15 other Commissioners who watched the presentation online,
16 about the shifting demographics of California over the
17 last 10 years, you know, part of the thinking of why it
18 was so crucial to have Commissioner Di Giulio join the
19 Commission was actually because of our under-
20 representation in the valley area, in the inland areas,
21 coupled with the fact that we've actually seen
22 significant population shifts to the inland areas over
23 the past 10 years, and that's likely to be something that
24 we're really grappling with as we look at the districts.
25 With that said, as I compare these top two candidates,

1 you know, I really concur with Commissioner Forbes and
2 his analysis around the relationships that Mr. Ancheta
3 brings in the rural inland areas of California, which are
4 very different than rural coastal areas, and it was
5 something that I think, for the first eight and now with
6 the Commissioners that have joined, we are going to be
7 grappling with extensively. And currently on the
8 Commission we have really one person, Commissioner Di
9 Guilio, who brings some of those relationship, and given
10 the population base, I personally just do not think we
11 can justify using this seat to seat someone on the
12 Central Coastal area. And with that, I really appreciate
13 hearing from everybody on their feedback, but I will not
14 be changing my vote.

15 CHAIRMAN DAI: Commissioner Barraba.

16 COMMISSIONER BARRABA: The issue of
17 representation, we've had this discussion before, and I
18 do not represent, characteristically, Santa Cruz County,
19 I can tell you that right now. And I don't think I find
20 myself here representing Santa Cruz County or the Central
21 Coast, I'm representing the people of California based on
22 my experience and my understanding of the entire state.
23 And so, whether the Central Coast is sufficiently
24 represented or not is not high on my list of discussions.

25 CHAIRMAN DAI: Commissioner Ontai?

1 COMMISSIONER ONTAI: Well, you know, I voted for
2 Lillian Judd, but after hearing my colleagues' comments
3 here, I'm really moving towards Angelo. I do think that,
4 as we look beyond six and a half months, the next 10
5 months, we're going to have a lot of challenges before us
6 in terms of meeting the VRA requirements. And I can see
7 someone of this caliber, Angelo, on this Commission
8 internally, providing some assistance to us, and so I
9 think this, in addition to the fact that he's got a
10 number of experiences in the rural areas, I'm persuaded
11 that that type of experience covers the geographic area
12 that is important to us in terms of the Central areas.

13 CHAIRMAN DAI: Commissioner Yao, did you have a
14 comment? So I'll make a comment. As I mentioned before,
15 this was a really difficult decision for me, so I'm
16 persuaded by Commissioner Blanco's argument, given that
17 she is one of our attorneys on the Commission, that
18 perhaps we have already fulfilled the intent of the
19 Voters First Act in setting up the selection of the 13
20 out of 14 of the Commissioners so far because I actually
21 do believe we have adequate diversity on all of those
22 factors with the exception of significant representation
23 of rural California, and I think it's true that coastal
24 communities are quite different from rural communities,
25 and it's important that they have representation. Much

1 of the population growth in California has been inland,
2 and then, of course, I would love to have Professor
3 Ancheta's skills set. I do think that's something that
4 would add to the commission and it wouldn't hurt to have
5 extra on. So, I have been moved by the arguments of my
6 fellow commissioners. Commissioner Aguirre.

7 COMMISSIONER AGUIRRE: Yes, thank you very much.
8 It is a very difficult decision here and the
9 qualifications of both candidates, upon reflection,
10 regarding the representation of rural areas, and the fact
11 that I was just recently in the San Joaquin Valley
12 visiting some friends of mine, families that continue to
13 be farm workers in that area, and knowing the large
14 number of farm workers that continue to go unrepresented
15 and with one of the few organizations representing their
16 legal interests being CRLA, and also having revisited the
17 San Joaquin Valley recently to see my in-laws, who happen
18 to be farmers themselves, and seeing some of the issues
19 that they are facing with water, and a depressed economy,
20 and so in that regard, and also notwithstanding the
21 qualifications, skills set of Mr. Ancheta, then I also
22 will switch my vote from Lillian to Angelo.

23 CHAIRMAN DAI: Commissioner Yao?

24 COMMISSIONER YAO: Call for the question.

25 CHAIRMAN DAI: Okay, so it's been moved and

1 seconded to put Lillian Judd as the replacement
2 Commissioner, since you were the person who made the
3 motion, I wonder if you want to rephrase that or change
4 your motion in any way?

5 COMMISSIONER YAO: As I said earlier, we're
6 splitting hairs. It's both - in fact, all seven
7 candidates are exceptional candidates as demonstrated by
8 the fact that they all received votes from this
9 commission at the onset of the meeting - at the onset of
10 the selection. Without picking one or the other, the way
11 I would propose that we do it, since there is a motion,
12 let's vote on it, and if it gets voted down, then we'll
13 motion for the other candidates to be selected and see
14 where it goes from there. I would hope that we would get
15 that nine votes that we need to pick a Commissioner. I'm
16 not sure it's really fruitful at this point to continue
17 the splitting of hair. So, I call the question, I need a
18 second.

19 COMMISSIONER FILKINS WEBBER: Second.

20 CHAIRMAN DAI : Okay, the question has been called
21 and seconded. It actually takes a two-thirds vote - the
22 question was to replace Commissioner Elaine Kuo with
23 Lillian Judd, so if you want more time to discuss this,
24 you will not vote on calling the question. If you would
25 like to call - let me try this with a voice vote - if you

1 would like to call the question and go ahead and vote on
2 this, please raise your hand and signify by saying "Aye."

3 (Ayes.) Opposed? Any abstentions? Okay,
4 unanimately, you want to vote on it. This needs to be a
5 roll call vote. So, if you would do the honors? The
6 reason I didn't ask for public comment is that our
7 auditorium is empty today, but I'm sure many of you are
8 watching online. So, with that, can we proceed with the
9 roll call vote?

10 MS. OSBORNE: Commissioner Aguirre - No;
11 Commissioner Barraba - No; Commissioner Blanco - No;
12 Commissioner Dai - No; Commissioner Di Guilio - Yes;
13 Commissioner Filkins Webber - Yes; Commissioner Forbes -
14 No; Commissioner Galambos Malloy - No; Commissioner Ontai
15 - No; Commissioner Parvenu - [absent]; Commissioner Raya
16 - Yes; Commissioner Ward - No; Commissioner Yao - Yes.

17 CHAIRMAN DAI: Okay, the motion fails.

18 COMMISSIONER YAO: I would like to make another
19 motion. I would like a motion that we select Angelo
20 Ancheta as the replacement commissioner.

21 COMMISSIONER FORBES [presumed]: Second that.

22 CHAIRMAN DAI: It has been moved and seconded
23 that Angelo Ancheta replace former Commissioner Elaine
24 Kuo. Any discussion?

25 COMMISSIONER YAO: I'll call for the question

1 again, please.

2 CHAIRMAN DAI: Seeing that there was no
3 discussion, I don't think we need to vote on calling the
4 question, so let's make this a roll call vote, as well.

5 MS. OSBORNE: Commissioner Aguirre - One comment
6 before I vote. Could not go alphabetically on every
7 single vote? [Laughter]

8 MS. OSBORNE: Okay, I'll start this in reverse.
9 Commissioner Yao - Yes; Commissioner Ward - Yes;
10 Commissioner Raya - No; Commissioner Parvenu - [absent];
11 Commissioner Ontai - Aye; Commissioner Galambos Malloy -
12 Aye; Commissioner Forbes - Yes; Commissioner Filkins
13 Webber - No; Commissioner Di Guilio - No; Commissioner
14 Dai - Yes; Commissioner Blanco - Yes; Commissioner
15 Barraba - Yes; Commissioner Aguirre - Yes.

16 CHAIRMAN DAI: I count nine.

17 MS. OSBORNE: It is nine.

18 CHAIRMAN DAI: Okay, congratulations, we have
19 selected a new Commissioner, Professor Angelo Ancheta.
20 So, let me direct staff to notify him and make sure he
21 makes plane reservations for Claremont. All right -

22 COMMISSIONER YAO: And encourage him to watch all
23 the training videos from the archives.

24 CHAIRMAN DAI: Yes, he has plenty of homework.
25 He is a professor, he should be used to that.

1 Commissioner Aguirre first, and then Commissioner Filkins
2 Webber.

3 COMMISSIONER AGUIRRE: Yes, and to the other
4 candidates, of course, this is a 10-year appointment and
5 there will probably be the opportunity for the Commission
6 to replace any absent Commissioners who may retire,
7 resign, whatever, so I would encourage those candidates,
8 as well qualified as they are, to continue with the
9 process and we will be going on some outreach meetings,
10 perhaps business meetings, as well, out to all areas, so
11 we'll be coming to your area and we hope that you will
12 continue to be engaged with the process.

13 CHAIRMAN DAI: Thank you. Well said.
14 Commissioner Filkins Webber, do you have a comment?

15 COMMISSIONER FILKINS WEBBER: Will Professor -

16 CHAIRMAN DAI: Ancheta.

17 COMMISSIONER FILKINS WEBBER: -- Ancheta be able
18 to be sworn in?

19 CHAIRMAN DAI: In Claremont, yes.

20 COMMISSIONER FILKINS WEBBER: Thank you.

21 CHAIRMAN DAI: Commissioner Ontai.

22 COMMISSIONER ONTAI: Again, I just want to say to
23 Lillian Judd that we all feel very strongly that she was
24 an excellent candidate and it was a very difficult choice
25 for us.

1 CHAIRMAN DAI: Well said, and again, to echo
2 Commissioner Aguirre's comment, not only for Ms. Judd,
3 but for all of the candidates that remain in the pool,
4 and the other sub pools, as well, this is a 10-year
5 appointment, we do anticipate our duties to continue for
6 quite a while, and personal circumstances, given that
7 this is a citizens commission, may cause others with
8 great reluctance to also have to resign, and so
9 definitely encourage everyone in the finalist pool to
10 stay engaged and be active, and keep on top, because
11 otherwise you will have a lot of homework at some later
12 point in the process. Okay, congratulations, that was
13 less painful than I thought it might be.

14 COMMISSIONER FORBES: Can I just make a comment?

15 CHAIRMAN DAI: Sure.

16 COMMISSIONER FORBES: I do want to thank my
17 fellow Commissioners for what was a vigorous conversation
18 and I really appreciate it, it was very candid and open,
19 and I appreciated that.

20 COMMISSIONER BLANCO: I would like to second
21 that. This is my first vote on the Commission and, you
22 know, I think it was a really difficult vote and I got a
23 chance to see first-hand the open-mindedness of this
24 Commission and it's really quite remarkable, so thank
25 you, everybody.

1 CHAIRMAN DAI: Yes, I mean, speaking personally,
2 I continue to be just delighted at the ability of my
3 fellow Commissioners to give me new thoughts and swing me
4 because they are always well thought out, and very
5 reasonable. All right, so moving on to other items on
6 the agenda, we have a couple of housekeeping items that
7 we were not able to talk about until today because they
8 were put on the agenda late, and I would like to take
9 care of those.

10 **Item 12. Adoption of Commission staff salary schedules.**

11 CHAIRMAN DAI: So, the first step was Item 12,
12 the adoption of Commission staff salary schedules. And I
13 believe this has been posted on the website, this was
14 sent out to all of the Commissioners in advance and this
15 is just setting salary ranges for various levels of
16 positions that we may or may not hire in the future, so
17 that staff has something to work from. It's, I believe,
18 fairly standard, a State Government staff schedule, so
19 let me see if there are any questions about this schedule
20 and we can direct to our counsel or our new Office
21 Manager, Raul Villanueva, who is sitting in for our
22 Executive Director, who is working hard on some other
23 staffing issues right now. Has everyone been able to
24 find that? I can direct you to your e-mail. There is an
25 attachment to an e-mail that was sent out before the

1 meeting started. Let me see if I can find which one it
2 was.

3 COMMISSIONER BLANCO: This is the salary
4 schedule, right?

5 CHAIRMAN DAI: Correct.

6 COMMISSIONER FILKINS WEBBER: January 24th.

7 COMMISSIONER BLANCO: Oh, yeah, it says
8 "Forward?" No, the e-mail -

9 CHAIRMAN DAI: Yeah, it's called "E-mailing CRC
10 Salary Schedule 2011," and it was sent on January 24th.
11 And for the benefit of members of the public, that has
12 been posted under "Meeting Handouts or," or - yeah, it
13 would be under Meeting Handouts.

14 COMMISSIONER YAO: This is the one with the first
15 column labeled "Category" labeled from A to O. Are we
16 looking at the same document?

17 CHAIRMAN DAI: I'm just opening it right now.

18 VICE CHAIR WARD: Can I get a clarification?

19 CHAIRMAN DAI: Sure.

20 COMMISSIOENR WARD: The schedule that was e-
21 mailed to us, my understanding is that is based off of an
22 already established State scale. Is that correct?

23 CHAIRMAN DAI: Correct, it is a pretty standard
24 State Government scale.

25 VICE CHAIR WARD: Thank you.

1 CHAIRMAN DAI: Yes, and it is labeled A through
2 O. And again, this is just to establish ranges for
3 positions we may or may not hire in the future. We have
4 to vote on this and specific salaries for particular
5 positions are approved individually.

6 VICE CHAIR WARD: I'll move to adopt the salary
7 schedule as listed.

8 CHAIRMAN DAI: Thank you.

9 COMMISSIONER AGUIRRE: Second.

10 CHAIRMAN DAI: Okay, it's been moved and seconded
11 to adopt the salary schedule as presented in the document
12 entitled CRC Salary Schedule 2011. Any discussion about
13 this? Questions?

14 COMMISSIONER BLANCO: I have a question.

15 CHAIRMAN DAI: Commissioner Blanco?

16 COMMISSIONER BLANCO: What are our alternatives?

17 CHAIRMAN DAI: Well, if you object to something
18 on the schedule, we could amend it.

19 COMMISSIONER BLANCO: But it's a serious
20 question, I don't know what our statutory - how much of
21 this has latitude for change, and how much of it doesn't,
22 or what the classifications are. So, I really have that
23 question.

24 CHAIRMAN DAI: Counsel?

25 MR. RICKARDS: Not having - I have a dead mic,

1 sorry. You have the option of setting your own schedules
2 and paying your own salaries. This was, my understanding
3 from talking to Mr. Claypool, this was looking at set-up
4 based on if you were a standard State agency, how the
5 salary schedules would go. It was thought that would be
6 an appropriate way to deal with staff. If you wanted to
7 have, for example, hired out legal counsel at a greater
8 rate, you're free to do that, but given your salary
9 restraints, it seemed this would be an appropriate way to
10 start. This doesn't box you in at all in terms of
11 consulting contracts. I hope that is responsive, I don't
12 know.

13 COMMISSIONER BLANCO: It is, thank you.

14 CHAIRMAN DAI: Other questions or comments on the
15 Salary Schedule?

16 COMMISSIONER FORBES: I guess -

17 CHAIRMAN DAI: Go ahead, Commissioner Ontai.

18 COMMISSIONER ONTAI: So, if we adopt this Salary
19 scale, and in the future we wanted to step out of it and
20 look at different salary scales, circumstances unknown,
21 could we do that?

22 MR. RICKARDS: Let's see if this works - yeah, I
23 don't see anything that precludes you from doing that,
24 you could just bring it back. This requirement for
25 dealing with compensation in public really comes out of

1 a case that interpreted the Brown Act, but that the
2 Attorney General's general advice is that you could do
3 that, as opposed to doing that in closed session. If you
4 want to come back and say, you know, for example, we want
5 a pay X position at a different salary scale, or in a
6 different fashion, I see no reason why you're not free to
7 do that.

8 COMMISSIONER ONTAI: Thank you.

9 CHAIRMAN DAI: Commissioner Forbes.

10 COMMISSIONER FORBES: Yes, is this something - I
11 mean, before I approve this, I would like personally to
12 have the Finance and Administrative Subcommittee talk
13 about it and make a recommendation. I mean, I think -
14 sure, you can come back and change it, but that makes
15 things, I think, much harder. And this may be a
16 perfectly fine schedule, but I feel, personally, that the
17 subcommittee should talk about it first before we approve
18 it.

19 CHAIRMAN DAI: Commissioner Yao.

20 COMMISSIONER YAO: Commissioner Forbes, I believe
21 the salary schedule is holding up our offer to our
22 Executive Director, for example. It may be appropriate
23 for this first iteration to approve something, and then
24 to take time out to do it, otherwise this may hold up all
25 the positions that we're about to staff between now and

1 the next time that we meet. I'm with you in that it's
2 perhaps appropriate to discuss it further; on the other
3 hand, it will be holding up work.

4 COMMISSIONER FORBES: Then, I think what might be
5 a better thing, rather than to approve a general salary
6 scale, would be to approve specific salaries for the
7 specific positions that we're hiring, and then that will
8 take care of the problem of being able to fill those
9 slots, but we won't have the encumbrance of a full salary
10 scale at that point with our prior discussion.

11 VICE CHAIR WARD: The only comment I would have
12 on that is just simply I don't know what we gain from the
13 standpoint of any offers we make on the fly today are
14 probably going to be based off of this schedule. The
15 Finance Subcommittee is made up of members of this panel
16 that have all had since the 24th to review this document,
17 so if there was any glaring issues that could be raised
18 at this point, and we also do have at the end of the day
19 the freedom to amend it as we need to. So, just strictly
20 from the perspective of trying to be able to make sure
21 that we can move forward with staffing needs, without any
22 spending room withstanding, it seems like it might be
23 appropriate to approve this general document that is
24 based off of established standards, of which - and,
25 again, unless there's an input, I wouldn't see us

1 deviating too greatly from.

2 CHAIRMAN DAI: I would note that, in addition to
3 several positions that I hope we are going to be able to
4 approve before the end of the day, that there are open
5 positions that need a salary range affiliated with them
6 in order for Mr. Claypool to move in our absence. So, I
7 would tend to agree with Commissioner Ward that we should
8 approve something and the Finance and Administration
9 Committee will take a look at that and any amendments at
10 the first opportunity it has to meet. Commissioner Yao.

11 COMMISSIONER YAO: The other option we have is
12 maybe approve it between now and maybe February 1st
13 meeting, second meeting, and then we approve that in
14 terms of a time duration from that point on, and that
15 would give you greater control over the situation.

16 COMMISSIONER FORBES: That is agreeable.

17 CHAIRMAN DAI: Okay, so -

18 COMMISSIONER YAO: So allow me to make a motion
19 approving this schedule -

20 CHAIRMAN DAI: I believe we have a motion on the
21 floor already -

22 COMMISSIONER BLANCO: Has it been seconded?

23 COMMISSIONER DI GIULIO: I'll second.

24 COMMISSIONER YAO: Let me try to make an
25 amendment to that motion, then. In lieu of approving the

1 schedule in its entirety, I would put a time application
2 of this salary schedule to be effective between now and,
3 I think, the Sunday of the first session in Claremont.

4 CHAIRMAN DAI: February 13th.

5 COMMISSIONER YAO: February 13th. Effective
6 between now and February 13th. This way, if we want to
7 take up the issue in the first meeting in February, we
8 can readdress this again.

9 CHAIRMAN DAI: Okay, Commissioner Barraba?

10 COMMISSIONER BARRABA: I have a question of
11 counsel. Would this in any way make it difficult to make
12 these offers that are already agreed to? This amendment.

13 MR. RICKARDS: I think you can make the offer in
14 the time period that you have a salary schedule to
15 approve for, I mean, there are some ongoing awkwardness
16 with this and you will have to take it up. I'm trying to
17 remember if it is on the agenda for the Claremont
18 meetings.

19 CHAIRMAN DAI: I believe it is.

20 MR. RICKARDS: If it is, then we're fine.

21 CHAIRMAN DAI: Yeah, I believe we left it on the
22 agenda. Can we double-check?

23 MR. RICKARDS: Okay, so that's not a problem. So
24 it's noticed.

25 CHAIRMAN DAI: It's been noticed. Commissioner

1 Raya.

2 COMMISSIONER RAYA: I have a question about
3 having the need to take action on February 13th. If I'm
4 understanding correctly, that somewhere before February
5 13th, we would have to take further action, and whether
6 that might fall on a day - I think we were still kind of
7 having a question about having enough Commissioners
8 present.

9 CHAIRMAN DAI: I believe we will have enough
10 Commissioners present for Thursday and Friday, so as long
11 as we take action Thursday and Friday, please take note,
12 Mr. Vice Chair. Mr. Vice Chair?

13 VICE CHAIR WARD: Yes. I have cleared it is on
14 the agenda, as well.

15 CHAIRMAN DAI: Okay, so there was a proposed
16 amendment to go ahead and approve this for now, with an
17 expiration date of February 13th. I'm sorry, did I hear a
18 second?

19 COMMISSIONER FORBES: Second.

20 CHAIRMAN DAI: Okay, and there was a second, so
21 we need to vote on the amendment first and it will take a
22 two-thirds vote, so I'm going to try this, even if there
23 is general agreement, if we can have a voice vote,
24 everyone who agrees with the amendment, please indicate
25 by raising your hand and saying "Ayes."

1 (Ayes.) Any nays? Any abstentions? Okay, the
2 amendment carries unanimously. So, the motion on the
3 floor now is hopefully clear. Is there any further
4 discussion? Okay, let's go ahead and vote. Let's do a
5 voice vote, this is to approve the salary schedules for
6 2011 with an expiration date of February 13th. All those
7 in favor, please signify by raising your hand and saying
8 "Aye."

9 (Ayes.) Okay, any nays? Abstentions? Okay, the
10 motion carries unanimously, we have a staff salary
11 schedule.

12 VICE CHAIR WARD: Madam Chair?

13 CHAIRMAN DAI: Yes.

14 VICE CHAIR WARD: I just wanted to remind you
15 that it's 11:30 and we have a scheduled appointment at
16 11:45. So we need to break.

17 **13. Approval of Meeting Minutes.**

18 CHAIRMAN DAI: We have one more item I'm hoping
19 to take care of before our break. That is approval of
20 the Minutes for the meetings of the first eight
21 commissioners. I guess because the Minutes were
22 generated, we have to approve them. And there may be
23 some amendments to these Minutes.

24 COMMISSIONER YAO: We will probably need
25 direction as to whether we need a majority approval just

1 because we won't have nine people that can vote on this.

2 CHAIRMAN DAI: Good question. Counsel?

3 MR. RICKARDS: That's an interesting question.

4 And so, I'm going to, if you will allow me to essentially
5 wing it with this, nobody who - I think you had to be
6 present at the meeting in order to vote on the minutes.
7 So, these minutes will be by Commissioners who were the
8 Commissioners at that meeting and I just believe, given
9 that situation, which is not covered in the Act, a
10 majority will do.

11 COMMISSIONER ONTAI: All right, then, I'll be the
12 first to recues myself.

13 CHAIRMAN DAI: So, I think that will be
14 automatically noted, then. I do have a question about
15 whether we need to have Minutes for our future meetings
16 because we did have that discussion, that it may not be
17 as useful as actually having daily summaries. But before
18 we get into that discussion, any corrections?

19 COMMISSIONER FILKINS WEBBER: I apologize, I
20 suspect that maybe these minutes were sent to us via e-
21 mail and, if they certainly were, I apologize, but I was
22 just handed a copy today, so I'm afraid I would like an
23 opportunity to review them now that I recognize that they
24 are going all the way back to November 30th. So, Madam
25 Chair, can we take this as the first point of order after

1 our break?

2 CHAIRMAN DAI: We certainly can.

3 COMMISSIONER FILKINS WEBBER: And then I would
4 read it.

5 CHAIRMAN DAI: Yeah, I do think since they are
6 official Minutes, that you should definitely read it
7 before approving them. Commissioner Yao.

8 COMMISSIONER YAO: Why don't we table this item
9 until the next time we meet, it's not that urgent to have
10 approval.

11 CHAIRMAN DAI: Okay, that's fine, too. I just
12 don't want to leave it going out too far, so if it's
13 possible for people to read it over lunch, I would just
14 like to get this off our list. Okay, so let's defer this
15 until after lunch. I will note for the record that I
16 believe there is at least one error on the first page,
17 which indicated a 10-day notice requirement under the
18 Bagley-Keene Open Meeting Act, and it really should be a
19 14-day notice requirement. Under Voters First, if I
20 understand that correctly; if I don't, we should probably
21 make sure we understand that since we have been giving 14
22 days notice.

23 MR. RICKARDS: Not having watched this meeting,
24 I'm not exactly sure what this was about. My best guess,
25 and I can find out, is that you didn't have a full

1 Commission.

2 COMMISSIONER YAO: Madam Chair, I think this is
3 matter of a capture of what we did, if we wanted to
4 correct that misunderstanding, I think we can do it
5 outside of approving the meeting.

6 MR. RICKARDS: I think that's correct. These are
7 - I mean, if you look at these Minutes for approval, they
8 are supposed to be a reflection of what occurred in the
9 meeting. Whether it was correct or incorrect, or why it
10 was done is another thing altogether.

11 CHAIRMAN DAI: Okay, so I don't actually remember
12 if there was a 10-day notice or a 14-day notice that was
13 given, but I just wanted to note that we do have to give
14 14 days' notice under the Voters First Act for the full
15 Commission, so we might want to check on that fact. But
16 Commissioner Yao is correct, this isn't particularly
17 urgent, but it is one of those housekeeping items that we
18 want to get out of the way. And then, other than that, I
19 think that's all that we have time to take care of before
20 we break for lunch. So let's go ahead and do that, and
21 let's say come back at 1:00. We have a few other items
22 to deal with before our expert presentations at 2:00.
23 Any other thoughts or final words? Okay, with that,
24 let's recess until 1:00. We will see you at 1:00.

25 (Recess at 11:36 a.m.)

1 (Reconvene at 1:02 p.m.)

2 CHAIRMAN DAI: It is 1:03 and we're back in
3 order. A couple of things that we need to take care of
4 before we have our expert presentations at 2:00. One
5 item is that we had talked about the possibility of doing
6 a public input outreach session at Claremont and this was
7 not originally added to the agenda, that was before we
8 realized we were going to have to shift our meeting
9 schedule by a day. It may turn out that we will not be
10 ready to do an outreach meeting, but I think we should
11 get it noticed regardless, just in case, to preserve that
12 option. So, Mr. Rickards has made the suggestion, which
13 I think is a good one, that we simply revise our meeting
14 notice to add the outreach, rather than having a separate
15 notice that we then have to completely cancel. So, let
16 me just read what has been suggested and then see if any
17 of the other Commissioners have comment on it. So, this
18 would be in addition to the original meeting notice, if
19 you note, it is revised, and we'll add a paragraph that
20 says, "The Commission may hold its first public outreach
21 meeting on Sunday, February 13th, 2011, at Claremont
22 College. If held, this meeting will be specifically to
23 solicit public input regarding redistricting, an
24 announcement as to whether the meeting will take place
25 and, if so, the time and specific location will be made

1 on Thursday or Friday, September [sic] 10th or 11th." And
2 then we've added under the actual open session items in
3 Item 12, Public Outreach. Any thoughts or comments on
4 this? Or any modifications?

5 VICE CHAIR WARD: My prior understanding was that
6 we were discussing doing the outreach on Saturday. Did
7 we change that to Sunday, now? Or Saturday night?

8 CHAIRMAN DAI: This is what is currently
9 proposed, this is why I want to discuss this because I
10 know for a fact that a number of Commissioners aren't
11 even going to be able to stay through Saturday, or will
12 have to leave Friday night. And that's fine, not all
13 Commissioners need to be there, as we've discussed
14 before. So, would there be a preference to do this
15 Saturday night? It would be good for us all to know
16 since we're trying to make the flight reservations.
17 Saturday night, consider the attendance on a Saturday
18 night vs. a Sunday morning. Commissioner Yao?

19 COMMISSIONER YAO: Yeah, if it is Sunday, I
20 suspect it likely would be Sunday after the church hours
21 and not competing with the faith community.

22 CHAIRMAN DAI: Right. So that's another
23 consideration. Commissioner Ward.

24 VICE CHAIR WARD: Just looking at the schedule
25 and with the adjustments that we made this week, alone,

1 it seems like it might make sense to consider Saturday as
2 a primary option if we do decide to go ahead and do the
3 outreach simply out of logistical, budgetary, and agenda
4 reasons.

5 CHAIRMAN DAI: We could also simply say "may hold
6 its first public outreach meeting on Saturday, February
7 12th, or Sunday, February 13th," and then we can make that
8 decision when we get there. I do believe we're going to
9 get some interesting data later this afternoon, which may
10 or may not change our minds on that, but at least it
11 gives us the option to have it some time on the weekend.
12 Does that make sense?

13 COMMISSIONER BARRABA: I would support that.

14 CHAIRMAN DAI: Did you get that?

15 MR. RICKARDS: Okay, let me read it. "The
16 Commission may hold its first public outreach meeting on
17 Saturday, February 12th, or Sunday, February 13th, 2011 at
18 Claremont College." And then, again, the rest of it, "If
19 held, this meeting will be specifically to solicit public
20 input regarding redistricting, and the announcement as to
21 whether the meeting will take place and, if so, the time
22 and specific location will be made on Thursday or Friday,
23 September [sic] 10th or 11th, 2011.

24 CHAIRMAN DAI: Okay, Mr. Vice Chair?

25 VICE CHAIR WARD: Sounds good.

1 CHAIRMAN DAI: Great. Do you have what you need?

2 MR. RICKARDS: That's good. We're going to go
3 with this. We may have to call on our messenger to get
4 it posted physically.

5 CHAIRMAN DAI: Yeah, this is just for the
6 Commission's information, that in addition to posting
7 this on the website, we actually have to have physical
8 public notice 14 days in advance.

9 COMMISSIONER YAO: Right. Posting will happen on
10 Saturday, so I can do it myself.

11 CHAIRMAN DAI: Excellent. Thank you for
12 volunteering, Commissioner Yao. So, yeah, physically
13 there has to be a sign on the venue.

14 MR. RICKARDS: And in case anybody has a copy of
15 this, don't worry, the announcement time will not be made
16 in September 2011, that will be changed to February.

17 CHAIRMAN DAI: Right. I had a couple other
18 announcements. First of all, that, as you know, we've
19 all been set up now with our new e-mails, our new CRC e-
20 mails, and some of us originally had not been getting e-
21 mails through the official channels, and so we've been
22 copying other e-mail addresses, but, from now on, all
23 official e-mails will go only to your CRC address, so
24 please make a note of it, make sure it is set up on your
25 phones and laptops, and whatever, so that you can read

1 them in a timely fashion. Any questions about that?
2 Okay. And the other announcement is, as you know, we had
3 spoken about trying to get the Sexual Harassment training
4 out of the way, so Ms. Mejia has been looking into an
5 online product that will fulfill the State requirements,
6 so that we can all do that individually on our own time.
7 So, as soon as we've made a decision on the recommended
8 vendor, we'll get that out to the Commission, so we will
9 take care of that State requirement.

10 **Item 9. Schedule, operation and location of future meetings.**

11 CHAIRMAN DAI: So, I had just a couple more
12 items, Item 9, the schedule, operation, and location of
13 future meetings. I just wanted to just recap the details
14 for the February meetings for the benefit of the public
15 and just to remind everyone that, after we adjourn the
16 January meeting, today, that we will reconvene on
17 February 10th, which is a Thursday, which is a day later
18 than originally planned, at 9:00 a.m., and that right now
19 the plan is for Thursday to start with subcommittee
20 meetings, with the newly formed subcommittees that we
21 have. This is subject to change based on any further
22 developments, based on attendance and availability of
23 Commissioners, it's possible that the schedule will
24 change. But right now, we anticipate the subcommittee
25 meetings will meet starting at 9:00 in three different

1 sessions for two hours a piece, and then we will go into
2 a full commission meeting starting at 3:00. That's the
3 current plan. As I said, details of this will be posted
4 as soon as, if any, changes or specifics are made.
5 Commissioner Filkins Webber.

6 COMMISSIONER FILKINS WEBBER: Just one
7 clarification. For instance, I am on the Legal
8 Subcommittee and, based on the schedule that was passed
9 out this morning, it appears that our scheduled meeting
10 is not set to commence until 1:00 p.m., 1:00 to 3:00, so
11 although other subcommittees may be convening at 9:00, is
12 it reasonable for me to assume that the Legal
13 Subcommittee - I would not need to be present until
14 Thursday, until 1:00 p.m., and then for the full
15 Commission at 3:00?

16 CHAIRMAN DAI: That is correct.

17 COMMISSIONER FILKINS WEBBER: Thank you.

18 CHAIRMAN DAI: Commissioner Yao.

19 COMMISSIONER YAO: It may be appropriate to,
20 because we're at a host facility, I think a couple
21 comments from maybe the Mayor and a couple comments from
22 the host organization would be appropriate to start off
23 the session. So, I think the agenda will allow us to
24 meet as a group starting at 9:00 and maybe take a few
25 minutes for that to happen, and maybe, in addition to

1 that, summarize what we have done, what we're doing, and
2 where we are, so that before we break into the
3 subcommittees, it's not necessarily the entire Commission
4 there, but if that would be the process, I think that
5 would be welcome.

6 CHAIRMAN DAI: I would leave that to the
7 discretion of your new Chair, who will be Commissioner
8 Ward, and your new Vice Chair, Commissioner Galambos
9 Malloy. They will work with Commissioner Claypool to
10 finalize the details on the agenda and make any revisions
11 and get them posted as necessary, but certainly we would
12 like to thank our host city and facility, so when that
13 takes place, I will leave it to their discretion.

14 So, I would like to spend some time summarizing
15 what we have done for the January meeting before we leave
16 today.

17 COMMISSIONER YAO: Maybe before we go onto the
18 next item, it would be appropriate to open our public mic
19 in the event anybody is interested in addressing us both
20 on the agenda or any other business.

21 CHAIRMAN DAI: I just wanted to note that we
22 are going to do that today, so, in fact, that was my next
23 item, which is to open the floor to public comment. I
24 know that there's at least one individual who would like
25 to address the Commission, so please come forward, Mr.

1 Walton.

2 MR. WALTON: My name is Sam Walton and I'm
3 working with the NAACP, and I've been tracking with you
4 guys and, first of all, I want to just commend you for
5 the endurance that you've experienced already. I mean,
6 I'm sure none of you anticipated the amount of weight
7 that this thing has dropped on you already because I'm
8 not full time like you are, I'm not engaged in it as
9 regularly as you are, and it's been a pressure for me to
10 just keep track of it, so I can just tell you, you would
11 be respected, and I hope you can sustain it, I hope you
12 can hang in there, I encourage you to do it, this is an
13 important responsibility. It's the first time that
14 California has placed this kind of responsibility in the
15 hands of people like yourselves, like us. And so I
16 implore you to continue to push and to stay in there and
17 be determined to accomplish this task.

18 I have one question and then I have an
19 observation. My first question has to do with the
20 building of your staff. I noticed that there was a
21 public notice for an Executive Director, a Public
22 Information Officer, Administrative Assistant, and Legal
23 Counsel, but I haven't seen a public notice on anything
24 else. And I think it's really important, as credible as
25 you are as Commissioners, the diversity you reflect is

1 what will add credibility to the maps you draw, and I
2 think having a diverse staff is also important. And I
3 think that it's important to be able to open that process
4 up and make sure as you're making these staff decisions
5 that the notice has been extended far and wide, and that
6 everyone has an opportunity to participate in the process
7 as was the case when you were selected. The one thing
8 that I was really encouraged by with your selections is
9 there was a tremendous outreach. People who would never
10 have thought about participating in this process got
11 involved in this process. People were encouraged to
12 believe that they could actually participate in making
13 California a better place. So, as you go forward, you
14 reflect the hopes and dreams of a whole lot of Americans,
15 a whole lot of Californians. So, just remember that the
16 next wave, the people who are going to be hired, should
17 also reflect that. And try to figure out a way to
18 broaden your outreach so that those of us, like me, who
19 are waiting to help you, who have tremendous networks,
20 and outreach opportunities, we can put the word out for
21 you. When you're preparing to bring somebody in, try to
22 give us a notice so that we can help you to at least have
23 the choice like you had this morning to select people who
24 are as talented as you are. I guess my question is, is
25 there a process to do that?

1 COMMISSIONER BLANCO: I'm not sure that I can
2 answer about the process, and I'm sure somebody will, but
3 I just wanted to welcome your comments, Mr. Walton. It's
4 something I've been thinking about, the how do we balance
5 expediency with diversity and, as you indicated, the
6 effort that went into producing this commission required
7 extensive outreach, extensive. And we have to be very
8 mindful, I agree, that because now we're trying to work
9 under the gun, that our staff hires are also diverse and
10 that we - this is always a problem, like expediency seems
11 to trump, you know, the time it takes to do good
12 outreach. So, I think some of us are aware of this, but
13 what I would ask of you and maybe - I don't know if
14 you're involved in the California Redistricting
15 Collaborative - is that you discuss this as a group and
16 figure out also ways how to help us, you know, in terms
17 of getting out the word about the positions that we post,
18 which are all posted on the wedrawthelines website. But
19 I think it would be great to have your help. Thank you.

20 MR. WALTON: Okay. They are not all posted, I
21 guess that's the first thing.

22 COMMISSIONER BLANCO: Okay.

23 MR. WALTON: So, if they were all posted, then
24 you would have a different question, but they're not all
25 posted.

1 CHAIRMAN DAI: Yeah, I'd like our Executive
2 Director to address that. I'd also like to point out
3 that the first postings for the first four positions were
4 put out before the full Commission was seated on our
5 behalf by the Secretary of State, again, trying to
6 expedite the process so that we would not come together
7 the first time and basically start from zero. So, I
8 don't know if Mr. Claypool can comment on where those
9 were posted, as well, but he can certainly comment on
10 what his plan is for the other positions.

11 MR. CLAYPOOL: Good afternoon, Mr. Walton. I
12 remember you. The Secretary of State posted the job
13 announcements both for the first positions, both on the
14 wedrawthelines website, as well, as I understand it, the
15 vacant position referred to as V-Pos in State Government,
16 into that system. How many other places it was posted, I
17 can't tell you at this time, I can get back to you and
18 let you know, but it certainly had a long enough reach in
19 its posting, or where it was posted, to reach Southern
20 California and some of those areas. On the remaining
21 positions that we're hiring, there are actually very few.
22 The Commission has asked that it be a very streamlined
23 structure because of funding and those are also currently
24 - for the remaining ones that are being advertised,
25 they're on V-Pos, as well, and that would be the Budget

1 Officer position.

2 MR. WALTON: Well, when I looked, and I'll just
3 check it, I'm just sharing with you my observation here,
4 when I did go to the website, I saw four positions
5 posted, and I remember when the Secretary of State posted
6 those four positions. I have not seen any other
7 position. And I went to a variety of different places
8 and I didn't see it. And even when you look at the
9 Secretary of State's postings, it didn't say, "Send your
10 application here." So, if someone is interested, you can
11 go online and find out more about the benefits that would
12 come with the position, but you could not find a place
13 where you could submit your application. So, I just
14 raise that - I don't want to push the issue further and I
15 don't want to present it in the context of conflicting or
16 combating because your job is already difficult. What I
17 am trying to do is work with you, and I am working with
18 the Redistricting Collaboration, and I am trying to work
19 with you to facilitate a very difficult job. And from
20 the Collaboration's side, we'll do everything we can to
21 help. And so, I'm not sure how or what your process is,
22 and maybe I can talk to you later about the mechanics of
23 how it works so I won't spend the time with this.

24 The next observation I want to make is that
25 it's difficult to track with you as a Commission because

1 you have a broad agenda, and you have listed like seven
2 major issues, and then you've said, "We're going to
3 handle these issues over the next 20 days, or the next 30
4 days, so at any point, you could take any one of those
5 issues and have a conversation on them, but if I'm the
6 public, I can't sit with you every day, and I can't sit
7 with you from 9:30 to 5:00, so I don't know when the
8 issue I'm concerned about is going to come up, so that if
9 I wanted to give you input, I have no way of doing that.
10 And I raise that as an observation because it's something
11 that you may want to think about. I don't know, perhaps
12 at the beginning of your meeting, maybe you can just post
13 the seven issues you're going to talk about, so maybe
14 you've done your broad notice that allows you to comply
15 with the Bagley-Keene, but then maybe for the purpose of
16 trying to get the public tuned in to you, there's another
17 list that can be posted before the meeting that says
18 "here's the seven issues that we're going to talk about"
19 because I know, somewhere in the scheme of things, you
20 have talked about the structure for your organization,
21 your staffing, etc., but I couldn't tell you where that
22 was, or when that happened, but I do see in the Minutes
23 somewhere there's something that says that structure, and
24 I printed it out, and there were some things on there
25 that says "deleted," and some are still there. I don't

1 know if those are the positions. I'm just sharing with
2 you that, if you want the public to continue to tune in
3 with you, and I'm sure you do, you would have to try to
4 find a way, while complying with the Bagley-Keene Act is
5 important, what the Bagley-Keene Act is trying to get you
6 to do is to include me. So, it's not useful to comply
7 with Bagley-Keene and leave me sitting on the sidelines.
8 So, that's my only observation and I want to close by
9 saying I encourage you to continue to do what you're
10 doing, it's really important.

11 CHAIRMAN DAI: Thank you very much, Mr. Walton.
12 I will note for the record that, at the beginning of this
13 three-day meeting, we did post a detailed list of items
14 for discussion by day, which we have fairly closely
15 adhered to, we've had to bump a few things, and we'll try
16 to get in the practice of doing that, and we also, as I
17 mentioned just a few minutes earlier, we're going to try
18 to move to - I believe that most of the Commission is in
19 agreement of this - to the daily kind of end of day
20 update on any decisions or actions that we made, so that
21 you can tune in for the last five minutes and see what we
22 covered, so you'll have an idea at the beginning and an
23 idea at the end, because we're well aware from our own
24 experience that it's very difficult to stay tuned in the
25 whole time if you have another job.

1 MR. WALTON: No, you were in Executive Session
2 yesterday. Did you guys fill those four positions or -

3 CHAIRMAN DAI: As a matter of fact, unless you
4 have another comment, we're ready to move on to another
5 agenda item and that may answer that question.

6 MR. WALTON: Oh, okay.

7 CHAIRMAN DAI: So, with that, I think Mr.
8 Claypool has some updates for us.

9 **Item 7. Recruiting and hiring, including training,**
10 **criteria, interviewing, and choosing staff and consultants.**

11 MR. CLAYPOOL: I do. I have called the
12 references and checked the personnel jackets for our
13 Chief Counsel, the nomination for the Chief Counsel.
14 There's nothing in the jacket that was adverse at all,
15 and the references were just extraordinary. Speaking to
16 - oh, excuse me.

17 CHAIRMAN DAI: Yeah, I think what we can put
18 the candidate forward because we'll be voting on this
19 shortly.

20 MR. CLAYPOOL: So we're speaking of -- Mr.
21 Miller had references from CEOs that he had worked for in
22 private industry, also individuals that he had worked for
23 in the State, because he had some broad experience. They
24 spoke to his compassion, they spoke to his kindness, they
25 spoke to his absolute diligence to his profession, and

1 recommended him highly. So, I would say that there is no
2 impediment whatsoever in making him an offer.

3 CHAIRMAN DAI: Okay. At this point, this is
4 what we did in closed session, for the benefit of the
5 public, we interviewed candidates for Chief Counsel
6 yesterday, we did not make a decision because it was
7 pending background and reference checks, which as you
8 heard have now been completed. So, with that, I'd like
9 to entertain a motion to formally approve the selection
10 of Kirk Miller for Chief Counsel.

11 COMMISSIONER BLANCO: I would move that.

12 CHAIRMAN DAI: Okay, Commissioner Blanco has
13 moved.

14 COMMISSIONER ONTAI: I will second it.

15 CHAIRMAN DAI: Thank you, Commissioner Ontai.
16 It has been moved and seconded that we approve Kirk
17 Miller as the Citizens Redistricting Commission's Chief
18 Counsel. Any discussion on this matter? Or questions?
19 Would any member of the public like to comment or ask any
20 questions regarding this action? Yes, Mr. Walton.

21 MR. WALTON: I heard the first name the first
22 time you said it, you said Rick, and then the second time
23 you said Kirk.

24 CHAIRMAN DAI: No, Kirk - Kirk Miller.

25 MR. WALTON: Oh.

1 CHAIRMAN DAI: Any other questions or comments
2 from the public? Okay. Seeing no one else approaching
3 the podium, I would like to turn this back to the
4 Commission. Would any of the Commissioners like to make
5 a comment about Mr. Miller for the benefit of the public?
6 Commissioner Filkins Webber.

7 COMMISSIONER FILKINS WEBBER: We certainly
8 appreciate all of the candidates that are interested in
9 this position, and I would on behalf of the Commission
10 like to welcome Mr. Miller, he is a fine candidate.
11 Speaking as an attorney myself, I think this commission
12 will be satisfied in having the utmost confidence in Mr.
13 Miller, and I certainly would like the public to also be
14 assured that, when you consider selection of counsel, you
15 should have confidence in the representative that you
16 select, and I certainly want the public to know that,
17 unanimously, this commission will likely have confidence
18 in Mr. Miller, and I certainly look forward to his
19 participation with the Commission and I welcome him if he
20 is selected, as the vote may very well go.

21 CHAIRMAN DAI: Thank you, Commissioner.
22 Commissioner Yao.

23 COMMISSIONER YAO: Commissioner Webber, would
24 you represent the commission and give a synopsis of Mr.
25 Miller's background for us?

1 COMMISSIONER FILKINS WEBBER: You have his
2 application right in front of you.

3 CHAIRMAN DAI: Or any other commissioner can
4 feel free to comment on why there was a unanimous
5 selection.

6 COMMISSIONER BLANCO: I'd like to - I guess the
7 two attorneys are going to comment on the attorney -
8 well, there are more than two attorneys on the
9 commission. No, I'd like to echo my fellow
10 Commissioner's comments. I think we've made a - first of
11 all, welcome, Mr. Miller. And I think that we thought
12 long and hard about this decision, the demands of this
13 position are incredible, it requires a very broad set of
14 skills, which are not easily found in one person. And I
15 think we were extremely fortunate and I think we found a
16 person that can be extremely nimble in addressing a lot
17 of our needs. Is his resume up? I don't know, or his
18 vitae, or anything like that?

19 CHAIRMAN DAI: No, privacy.

20 COMMISSIONER BLANCO: Yeah, there may be
21 privacy issues, I don't know, but just to let the public
22 know, his experience ranges from private practice in
23 complex matters to in-house counsel for major companies,
24 both public and private companies, and now a stint in -
25 not a stint, but a very difficult job with the Natural

1 Resources - Commission?

2 COMMISSIONER YAO: Agency.

3 COMMISSIONER BLANCO: Agency, thank you, which
4 deals with very complex matters around natural resources
5 in California. So, I mention all those things just to
6 say that it's that diversity of experience that really
7 made us feel comfortable that this was the kind of
8 counsel that we could really rely on, and therefore that
9 the folks that will be impacted by the work of the
10 Commission could rely on.

11 CHAIRMAN DAI: Commissioner Filkins Webber.

12 COMMISSIONER FILKINS WEBBER: One other note in
13 that regard and for the public's benefit, Mr. Miller has
14 certainly expressed to this Commission that he found this
15 position more of a calling, rather than a job, and he has
16 been fascinated and very interested and has followed
17 redistricting for quite some time. So, though his
18 experience is quite broad and may not, in particular
19 relate to redistricting, he certainly has expressed his
20 confidence in the issues, recognizes all of the issues,
21 and will certainly be a fine counselor for us as we
22 proceed with drawing the maps.

23 CHAIRMAN DAI: Okay, thank you. Any other
24 Commissioner want to make a comment? Commissioner
25 Galambos Malloy.

1 COMMISSIONER GALAMBOS MALLOY: We feel that
2 this candidate was the best one to really suit the role
3 of General Counsel and I want it to be on the record that
4 we don't necessarily assume this is the only legal
5 support that we'll need throughout this process, but
6 given our needs at this time, this candidate was the best
7 fit.

8 CHAIRMAN DAI: Great, thank you. So, just a
9 reminder that this is a super majority vote. I don't
10 believe this is going to be a problem, but just for the
11 benefit of the public, and that Mr. Miller has been
12 offered a salary at the mid-point of the range at
13 \$134,000 a year. Okay? So, I believe we need to take a
14 roll call vote for this, so are we ready to do a roll
15 call vote? Or shall we take care of this one first and
16 then move on?

17 MR. CLAYPOOL: We have to vote for each
18 candidate, so let's go ahead and take the roll call vote.

19 CHAIRMAN DAI: Okay, great.

20 COMMISSIONER GALAMBOS MALLOY: Chairperson Dai,
21 can I have you clarify the term of service, the length of
22 the hire that we're offering the position for, or Dan?

23 MR. CLAYPOOL: I spoke extensively with Kirk
24 this morning, he had a thousand questions, and I
25 explained to him that the length of service is for

1 however long he needs to represent the Commission. I
2 also explained to him the budget situation and that, if
3 the budget dictated that we end it early, he would be
4 ending early with it, as well, as would all your staff.
5 He was fine with that. He asked whether the Commission
6 had any intention to do some wrap-up work at the end of
7 the process. I told him certainly, we would have
8 archiving issues for a while, because he was interested
9 in staying with it as long as he could. But he
10 understands that it is predicated on our funding, as well
11 as just the length of the work that's involved with the
12 process.

13 CHAIRMAN DAI: Are we ready for the roll call
14 vote? Okay.

15 MS. OSBORNE: Okay, I'm going to start at the
16 top because I ended at the top. Commissioner Aguirre -
17 Yes; Commissioner Barraba - Yes; Commissioner Blanco -
18 Yes; Commissioner Dai - Yes; Commissioner Di Guilio -
19 Yes; Commissioner Filkins Webber - Yes; Commissioner
20 Forbes - Yes; Commissioner Galambos Malloy - Yes;
21 Commissioner Ontai - Yes; Commissioner Parvenu -
22 [absent]; Commissioner Raya - Yes; Commissioner Ward -
23 Yes; Commissioner Yao - Yes.

24 CHAIRMAN DAI: I believe we have a unanimous
25 vote of the Commissioners present, so we have a new Chief

1 Counsel. Please welcome him on behalf of the Commission
2 and, by the way, did you check whether he can fly down to
3 Claremont with us?

4 MR. CLAYPOOL: Yes, I spoke with him and, as
5 soon as we can bring him aboard, he knows that you would
6 like him at all your meetings.

7 CHAIRMAN DAI: Okay, so there's a question as
8 to whether he can be there?

9 MR. CLAYPOOL: We should be able to have him on
10 board. He will take seven days, as he explained, as to
11 wrap up. We should give him that opportunity and
12 hopefully it won't take that much longer because he has a
13 very important position with Resources. But I believe
14 there won't be any problem with him being there.

15 CHAIRMAN DAI: Great, that's very exciting.
16 Commissioner Ward, do you have a question?

17 VICE CHAIR WARD: I just want to thank Dan, I
18 know we put a big burden on you to get all that wrapped
19 up quickly and accurately today, and just thank you for
20 getting all that done so we could make that happen today,
21 thank you.

22 CHAIRMAN DAI: So, there was another position
23 that we are trying to fill this week, and that is for the
24 position of Public Information Officer, and I believe
25 that Mr. Claypool has an update for us on that, too. Oh,

1 Commissioner Yao.

2 COMMISSIONER YAO: If Mr. Miller is going to be
3 on board with us the next time we meet, I want to at this
4 point thank our interim legal counsel, supplied by the
5 SOS, Secretary of State, to help this Commission get
6 started. I think, without the guidance and support of
7 Mr. Cy Rickards, I don't think we would be where we are
8 today, I think all these decisions have been extremely
9 valuable to us and we are forever indebted to him.

10 CHAIRMAN DAI: Thank you, Commissioner Yao.
11 Definitely, Mr. Rickards isn't sitting here right now,
12 but he'll be back and we'll remind him when he comes
13 back. And by the way, Mr. Rickards has offered to help
14 with any transition issues and continue to support Mr.
15 Miller to make sure it's a smooth transition, so his help
16 has definitely been appreciated, the millions of
17 questions that have been raised by the new Act. Okay, so
18 are you ready?

19 MR. CLAYPOOL: I am. So, I have also checked
20 the references for our top candidate for Communications
21 Director, that would be Rob Wilcox. His references all
22 spoke highly of him. He was with the former Inspector
23 General in charge of ARRA funds for well over 10 years,
24 and she said that we were going to be very lucky to get a
25 person with his energy and with his excitement. All of

1 his references also spoke to how he was an innovative
2 individual when it came to solving problems, and there
3 were no problems whatsoever in the references.

4 CHAIRMAN DAI: Any questions for Mr. Claypool?
5 Can I entertain an appropriate motion? I'm not going to
6 state every single motion for everyone, so we need some
7 practice making a motion now.

8 COMMISSIONER ONTAI: I will make a motion that
9 we approve his position as the Director of Communications
10 for the Commission.

11 CHAIRMAN DAI: Okay, is there a second?

12 COMMISSIONER BLANCO: Second.

13 CHAIRMAN DAI: Okay. Any discussion, or would
14 someone like to provide the public a little color on our
15 candidate for - are we going with "Public Information
16 Officer," or "Communications Director?"

17 MR. CLAYPOOL: "Communications Director" is
18 what it was advertised as, and so - and he requested that
19 it be stated as such.

20 CHAIRMAN DAI: Okay, let's stick with
21 Communications Director." Would anyone like to provide a
22 little background on Mr. Wilcox?

23 COMMISSIONER YAO: I would ask Mr. Claypool to
24 do that on our behalf.

25 MR. CLAYPOOL: Background, he has well over 20

1 years of experience in public relations work, he started
2 out in Los Angeles with his own public relations firm.
3 He moved into public service with former Inspector
4 General Laura Chick when she was working for the City of
5 Los Angeles and moved forward with her to Sacramento to
6 set up from scratch a brand new Public Relations and
7 Communications Director position with her. They did
8 extensive work doing audits with the American Recovery
9 Act funds and would have still been working at that
10 today, but the position was cut because of the budget.
11 But he is highly qualified and very well suited for our
12 position.

13 CHAIRMAN DAI: I will just note for the record
14 that the Commission did not interview candidates for the
15 Communications Director, we delegated that responsibility
16 to Mr. Claypool, but he did report back out on the
17 candidates and we did ask him to do the reference checks
18 and background checks, accordingly. Mr. Ward, do you
19 have any comments as a member of the Public Information
20 Committee?

21 VICE CHAIR WARD: Well, I think just to add to
22 your statement that all of the positions were very
23 carefully contemplated by the Commission before
24 selection, and one of the things that, although we didn't
25 do the interview directly, that stood out for us was just

1 the breadth and the success of Mr. Wilcox's background,
2 and his willingness to work hard at outreach and partner
3 in outreach with the community and with established
4 organizations. So, we're really excited by having Mr.
5 Wilcox not just as a candidate, but now officially as our
6 Communications Director, and believe that he's going to
7 be just a fantastic conduit for the Commission, for
8 outreach, and as a partner with other agencies. Thank
9 you.

10 CHAIRMAN DAI: And just for everyone's
11 information, Mr. Wilcox was offered a salary at the top
12 of the range, which is a pay cut, so... Okay, are we
13 ready to vote on this? This will be a roll call vote.
14 Okay, let's go ahead.

15 MS. OSBORNE: Commissioner Yao - Yes;
16 Commissioner Ward - Yes; Commissioner Raya - I'm sorry,
17 we just raised a question.

18 COMMISSIONER RAYA: I believe these candidates
19 were reviewed on Wednesday in - the candidates for this
20 position were discussed on Wednesday in closed session. I
21 was not present, neither was Commissioner Filkins Webber.
22 However, we did our due diligence in preparing. I just
23 want a point of order; are we able to vote, having not
24 been a part of the discussion?

25 CHAIRMAN DAI: Absolutely. We delegated the

1 responsibility to the Executive Director and this is his
2 recommended candidate.

3 COMMISSIONER RAYA: Thank you, then I vote yes.

4 MS. OSBORNE: Commissioner Parvenu - [absent];
5 Commissioner Ontai - Yes; Commissioner Galambos Malloy -
6 Yes; Commissioner Forbes - Yes; Commissioner Filkins
7 Webber - Yes; Commissioner Di Guilio - Yes; Commissioner
8 Dai - Yes; Commissioner Blanco - Yes; Commissioner
9 Barraba - Yes; Commissioner Aguirre - Yes.

10 CHAIRMAN DAI: Okay, I believe we have a
11 unanimous vote of those Commissioners present, so we now
12 have a new Communications Director. I would like to
13 welcome Mr. Wilcox to join the team. We have two more
14 positions for desperately needed administrative
15 assistance for the Commission and for Mr. Claypool, so
16 please tell us about the final positions.

17 MR. CLAYPOOL: I had interviewed 11 different
18 people for these positions, virtually all that we
19 received, and know the credentials of all of the
20 candidates that applied. Two stood out, very much so,
21 the first is Christina Shupe and Christina is currently
22 the Business Development Manager for the Western Carwash
23 Association that handles a national budget for them. I
24 spoke with her about the different things that she would
25 have to do, and also the time constraints and just the

1 multitude of tasks that we had. She said she was
2 absolutely interested, she has followed this Commission
3 since the first day, she had applied, but then, because
4 of her promotion within the Association, she decided to
5 go ahead and say with them because she felt obligated to
6 help them through a crisis period. Today, she was
7 offered the Executive Director position for them and
8 turned it down to take this position, and she is highly
9 qualified, she was marketing director, small business
10 consultant. She has network and desktop support skills,
11 she worked as a technical support trainer for Apple
12 Computer. She has been an independent contractor for
13 Intel, VIC Insurance Company, Applied Materials, and her
14 list of advanced computer skills include both
15 publications and Web design and editing, which could come
16 in very handy for us. The second individual that I would
17 be recommending is Janeece Sargis. Janeece was a
18 consultant for the Court Reporter's Board and she has
19 served as their liaison between the Executive Officer of
20 the Board and the Office of Exam Services. She held that
21 position for over five years, provided that she was an
22 Examination Specialist, and she also worked at a variety
23 of private industry positions, including the owner of her
24 own business. So, she comes highly qualified and, again,
25 is excited. She has followed the process also from the

1 beginning, and is looking forward to working for us if
2 you approve her. Yes, sir.

3 CHAIRMAN DAI: Commissioner Aguirre.

4 COMMISSIONER AGUIRRE: Yes, just one question,
5 Mr. Claypool. Could you for the record give us the
6 titles to those two individuals?

7 MR. CLAYPOOL: Both the titles would be
8 Administrative Assistants. We had - one of the things
9 that I think was discussed earlier were the - you had
10 discussed the salary schedule that had been given to us
11 by the Secretary of State's Office. Because we are an
12 independent Board, or an independent Commission, we gave
13 a salary structure that is based on State salary
14 structure, but we give them the titles we need them to
15 have. These persons will work effectively at the salary
16 structure of an Associate Government Program Analyst, but
17 will be, for our purposes, Administrative Assistants.

18 CHAIRMAN DAI: Any other questions or comments
19 from Commissioners? Any comments from the public, if you
20 would like to make a comment, feel free to come toward
21 the mic. Seeing no one approaching the mic, I will bring
22 it back to the Commission. Are we ready to vote? This
23 again has to be a super majority vote, all staffing
24 positions require this. Unless there's a problem, we can
25 vote both together. Okay? All right, roll call.

1 MS. OSBORNE: Okay, I'm going to start from the
2 top because I started from the top, down. Commissioner
3 Aguirre - Yes; Commissioner Barraba - Yes; Commissioner
4 Blanco - Yes; Commissioner Dai - Yes; Commissioner Di
5 Guilio - Yes; Commissioner Filkins Webber - Yes;
6 Commissioner Forbes - Yes; Commissioner Galambos Malloy -
7 Yes; Commissioner Ontai - Yes; Commissioner Parvenu -
8 [absent]; Commissioner Raya - Yes; Commissioner Ward -
9 Yes; Commissioner Yao - Yes.

10 CHAIRMAN DAI: Okay, it's another unanimous
11 vote of those Commissioners present. We now have an
12 almost complete staff. I'm sure that Mr. Claypool is
13 overjoyed.

14 MR. CLAYPOOL: Thank you.

15 CHAIRMAN DAI: Okay, I think we may want to
16 take a break now before expert presentations because we
17 probably are going to go straight through, I imagine,
18 once we have guests here. However, it looks like there
19 may be a public comment, so let me go ahead and take that
20 before we break.

21 MR. WALTON: I want to follow-up on a question
22 I had earlier. The positions that were just hired, I
23 assume they were probably noticed and we'll just look at
24 it, but the question is, are the other positions -

25 CHAIRMAN DAI: Just the one.

1 MR. WALTON: I'm looking at the - I guess I
2 just don't know - if - how many positions there are, what
3 kinds of positions they are, and they seem to be getting
4 filled and there's just no information on them.

5 CHAIRMAN DAI: So, for the benefit of the
6 public, this was reviewed earlier in our meeting, but,
7 Mr. Claypool, do you mind going over the recommended
8 staffing structure that you went over?

9 MR. CLAYPOOL: Yes, sir. Under the current
10 structure, there is only one other position and that is
11 for a Budget Officer, and it is being advertised now
12 through the Vacant Position List and through whatever
13 other mechanisms the Secretary of State had used prior to
14 this. And we'll tell you that this doesn't mean that
15 these are all the positions, but these are the positions
16 that I recommended now, as we get this up and running and
17 get staff just completing the basic work of planning what
18 is ahead of us. If there are further positions to be
19 advertised, we're certainly open to whatever means we
20 need to get them advertised so that everyone hears about
21 them and has the opportunity to apply for them.

22 MR. WALTON: Well, that's - I guess that was
23 the question. I mean, I'm hearing there are no
24 positions, there is one more position, but then I'm
25 hearing you say there are other positions.

1 MR. CLAYPOOL: Okay if I can clarify, no, under
2 the current structure that was approved, there is one
3 more position, and that would be for the Budget Officer,
4 however, we have to put a structure in place to do all of
5 the different things that the Commission is going to need
6 and if further positions were needed and approved by the
7 Commission at that time, we would want to make sure that
8 they are advertised as widely as possible. So, I'm
9 saying I'm not sure additional positions will be needed,
10 but there is only one right now.

11 CHAIRMAN DAI: Right. And, again, this was
12 presented with the staffing and budget plan that Mr.
13 Claypool presented to us on Wednesday, and this was a
14 significantly slimmed down plan from what he originally
15 proposed last week, understanding our limited funding
16 situation and our desire to move quickly with the limited
17 set of resources that we have, and hopefully have enough
18 money left to do what we have really been charged to do.
19 So, it's a challenge. We may, as Mr. Claypool mentioned,
20 we may find that we will need more staff over time. And
21 we'll probably need to request the budget to go with
22 that. But right now, we plan to operate in a pretty
23 lean and mean kind of situation. Yes, Commissioner Ward.

24 VICE CHAIR WARD: Thank you. Congratulations
25 to Christine and Janeece, and I was wondering, Mr.

1 Claypool, if you could tell us when they're going to be
2 up and running on staff, officially?

3 MR. CLAYPOOL: We're going to work through the
4 HR here at the Secretary of State's Office which, by the
5 way, can't be commended enough for what they've done for
6 us. I would hope that they would be available Monday or
7 Tuesday to start filling in and helping with the many
8 things that we all and I and Anne need them to do.

9 VICE CHAIR WARD: Thank you.

10 CHAIRMAN DAI: Okay, with that, let's take a
11 brief break and reconvene at 2:00 -

12 COMMISSIONER GALAMBOS MALLOY: I'm sorry, same
13 topic. Mr. Claypool, has the staffing structure
14 information that you provided to us been posted online
15 for the public?

16 MR. CLAYPOOL: Yes, it was that document that
17 we all reviewed that showed my original list, and then
18 the second one.

19 COMMISSIONER GALAMBOS MALLOY: I just wanted to
20 confirm that since -

21 CHAIRMAN DAI: Yeah, all these documents are
22 under Meeting Handouts, so if you click on Meeting
23 Handouts, it's posted by the day and the title of the
24 document, so this is the Proposed Staffing Structure.

25 MR. WALTON: And that was why I had the

1 observation, is that it's difficult to track you, so
2 those documents are up there and the document that you're
3 referring to, it's not clear. The documents that you
4 approved, some of them says "deleted," and some of them
5 don't. Now, does that mean the ones you deleted are gone
6 and the others are still there? So, that's the document
7 you have posted right now?

8 MR. CLAYPOOL: Yes, it does in fact. When we -
9 in my original proposal, there were approximately 18
10 positions, 17 or 18 positions, counting myself it would
11 be 18, and so many of those positions were deleted
12 because we had to move to a smaller structure, so that we
13 didn't spend the bulk of the Commission's money on staff.

14 MR. WALTON: I didn't see 18 deletions, I guess
15 that's what I'm saying.

16 MR. CLAYPOOL: Oh, okay. We certainly can work
17 with you if you'd like to contact us, I can make that
18 clear.

19 COMMISSIONER BLANCO: Mr. Walton, I'd just like
20 to point out that this is one of the reasons we're hiring
21 an Information Officer. I mean, we're really hoping that
22 with these hires, you know, on our website, our manner of
23 communicating with the public, really gets - becomes
24 clearer. I mean, we know we've had some hiccups, some
25 bumps, and all of that, and hopefully with a designated

1 position on this, it's not us having to rely on different
2 agencies who have been wonderful, that with having a full
3 time staff person and, again, as I mentioned when you
4 brought up the issue of staff, I think all of us, in all
5 of these endeavors, it would be really helpful to get
6 input about what would be a more user-friendly way of
7 posting things, etc. etc. and I really mean that. And
8 that's what this person - one of the persons that is
9 coming on board - is going to help us do, along with
10 other sort of public information tasks, that's a big one.

11 MR. WALTON: Yeah, I think that - I certainly
12 appreciate your comments and, as I said, I encourage you
13 all, and it is important to just keep in mind that we
14 trust that you will be the citizens and not the pawns, so
15 that you have to pay attention, so that we don't wind up
16 having a sweep of four or five positions, and everybody
17 from the same basic ilk. We trust that you will pay
18 attention to that because the credibility of us going
19 forward is going to hinge on that, so that I've raised
20 this issue only because it was just confusing, and I've
21 been watching it. And if I'm confused about it. And the
22 challenge you face is that you all have to be careful
23 about how you communicate outside, so it's kind of like
24 how do we have a conversation here so that we wind up
25 with something that's real, and that's not plastic, or an

1 end product that is inconsistent with your own views.
2 And I know some of you, and I know that you're sensitive
3 to the interests of the minority community, but I'm not
4 sure your actions have just reflected that, so that I'm
5 raising it today because we're early, we're upfront, and
6 as we go forward, let's not let expediency be the sole
7 solution. And if expediency is important, then we have
8 to figure out a different way to do it. So, I raise
9 that, I appreciate you giving me an opportunity to speak
10 to you and share my point of view.

11 CHAIRMAN DAI: Thank you, Mr. Walton.

12 COMMISSIONER WALTON: Madam Chair, as your
13 designated timekeeper, I'd just like to make an extension
14 to the time to two minutes to 2:00.

15 CHAIRMAN DAI: Yes, I think at this point we're
16 going to be able to stand up and sit down, but I do
17 recommend you take that stretch because we're going to
18 probably be sitting for a while. So, have a two-minute
19 stretch break, literally.

20 (Recess at 1:58 p.m.)

21 (Reconvene at 2:07 p.m.)

22 CHAIRMAN DAI: We are reassembled now, and it
23 was pointed out to me that apparently we voted on our two
24 administrative assistants without a formal motion on the
25 floor, so I missed that, so I just want to point out to

1 the public that, in some cases, it's even hard for us to
2 track things at the speed that we're trying to move, and
3 it continues to be a challenge, and we are doing our best
4 to start it quickly and efficiently. One of the things I
5 remember from - I think this was addressed to the first
6 eight Commissioners when Ms. Mejia came to address us -
7 she said that we are doing our best to set up the State
8 agency and I don't know if that's sort of been done in
9 eight months, so we're trying to do that in much less
10 time. So, we'll try to do the best that we can, and we
11 trust the public will continue to watch us, and advise us
12 when they can help, and we'll try to move on that. So,
13 with that, may I entertain a motion to approve our new
14 Administrative Assistants as recommended by Mr. Claypool?

15 COMMISSIONER FORBES: So moved.

16 COMMISSIONER BARRABA: Second.

17 CHAIRMAN DAI: Okay, did you catch that?

18 MS. OSBORNE: Uh huh.

19 CHAIRMAN DAI: All right, I think we have to do
20 a roll call, is that correct? So, let's go ahead and do
21 that as quickly as we can.

22 MS. OSBORNE: Okay, Commissioner Yao - Yes;
23 Commissioner Ward - Yes; Commissioner Parvenu - [absent];
24 Commissioner Ontai - Yes; Commissioner Galambos Malloy -
25 Yes; Commissioner Forbes - Yes; Commissioner Filkins

1 Webber - Yes; Commissioner Di Giulio - Yes; Commissioner
2 Dai - Yes; Commissioner Blanco - Yes; Commissioner
3 Barraba - Yes; Commissioner Aguirre - Yes; Commissioner
4 Raya - [left meeting].

5 CHAIRMAN DAI: I believe we have an adequate
6 vote. Okay, thank you very much. We once again welcome
7 our Administrative Assistants. And with that, I'd like
8 to welcome - we have a special guest, as promised, we are
9 moving into our expert presentations. Ms. Karin
10 MacDonald from the Statewide Database is here to help us
11 out with some ideas about process and outreach, and I
12 want to thank her for responding on extremely short
13 notice to the Commission's request from last week. So,
14 please take it away.

15 MS. MACDONALD: My please. Thank you very much
16 for inviting me back, Commissioners. And very nice
17 meeting all of you that I haven't met before. So, to
18 begin, this was a little short notice, especially since I
19 got a clarifying e-mail this morning from Mr. Claypool
20 about really what should be in the presentation. I have
21 a general idea, so I was actually sitting across the
22 street in the parking garage finishing this Powerpoint,
23 so please don't expect anything that is perfect and that
24 you can just go ahead and implement, okay? So, this is
25 going to be more of a pulling together of some things

1 that we've done in the past with Commissions in some of
2 the areas that I've worked in, and kind of looking at
3 what you need to do looking at the bigger picture and
4 just coming up with some ideas and we can then perhaps
5 together try to strategize about because this is going to
6 have to be an interactive process to design this.

7 All right, so, again, as I always say, first
8 you go about to your marching orders, right? So, pulling
9 together what we have to do, first, we look at the
10 California Constitution, of course, Article 21. I'm sure
11 you've looked at it plenty of times. Section 2(B) says
12 "the Commission shall conduct an open and transparent
13 process, enabling full public consideration of, and
14 comment on, the drawing of district lines." In another
15 section, it says, "The Commission shall issue with each
16 of the four final maps a report that explains the basis
17 on which the Commission made its decisions in achieving
18 compliance with the criteria listed in Subdivision (D).
19 And you may think that this section perhaps doesn't fit
20 perfectly in here, but I'm going to make a case in a
21 second for why it actually does. Then, we go on to
22 Government Code, and I've done a little highlighting here
23 in the various sections again. It talks about the
24 Commission "establishing and implementing an open hearing
25 process for public input and deliberation that shall be

1 subject to public notice," of course, "...and promoted
2 through a thorough outreach program to solicit broad
3 public participation." So, again, I've highlighted kind
4 of the key words here and the key terms that we're going
5 to try and implement later with some sort of a strategy.
6 In the next point, it says, "The hearing process shall
7 include hearings to receive public input before the
8 Commission draws any maps." So, we already know we have
9 to go out before we start drawing, so obviously before we
10 have data, and that would be now. Hearings follow the
11 drawings, so, here we know that we have to go out
12 afterwards. And display of any commission maps. "In
13 addition, hearings shall be supplemented with other
14 activities," so we have some thinking to do on that
15 particular section, what are we supplementing with? What
16 are those activities? "To further increase opportunities
17 for the public to observe and participate in the review
18 process." And then there is a section that talks about
19 "displaying the maps for public comment in a manner
20 designed to achieve the widest public access reasonably
21 possible," and that we have to take public comment for at
22 least 14 days from the date of public display of any map.
23 And that section really talks about our timeline because
24 we're going to have to work backwards from those 14 days.

25 So, let's very quickly go into distinguishing

1 the types and purposes of meetings, and I should tell
2 you, I have not been watching your hearings, so -

3 CHAIRMAN DAI: I'm shocked.

4 MS. MACDONALD: I know, I'm sorry, I'm sorry.
5 I will be over the weekend, I will be watching the
6 progress. So, I have not been able to do that,
7 unfortunately, so I may be repeating some things that you
8 have talked about, or that you've already dismissed.
9 But, really, thinking about these various sections and
10 also kind of responding to some phone calls and some e-
11 mails that I've received about the hearings from people
12 that have watched them, I kind of came up with three
13 different categories. So, you have Business Meetings
14 which basically include, generally speaking, Commission
15 decision-making, planning, administrative processes, and
16 just, you know, general discussions about whatever you
17 need to talk about. Then, you have Input Meetings, and
18 I've put a little star up there because that's really
19 required by Government Code 8253, as well as the Outreach
20 Meetings. So, this comes specifically out of the
21 Government Code, so that's why I put both of these
22 separately onto this particular slide. An Input Meeting,
23 really, if you think about it, what do you want? What do
24 you want to achieve at an input meeting? You want to get
25 feedback from the public about where the lines should or

1 should not go, right? And you want to get community of
2 interest testimony, which is a very important criteria,
3 obviously, because that's not going to be met by anything
4 else, you need the public for that. And you also need
5 feedback on neighborhood lines. So, that's really Input
6 Meetings. Outreach Meetings - what's outreach? Just by
7 the book, you are informing the public about the
8 Commission, about the process, about participation
9 opportunities. Of course, participation opportunities at
10 this point would have to be defined. We have to come up
11 with a way by which we will encourage the public to
12 participate and, then, outline what that participation
13 should optimally look like. And then there is
14 Educational - what is redistricting? And that is really
15 the meaningful public input that comes in here, you have
16 to really tell people, you cannot just go out there and
17 say, "Okay, here we are," you know, "it's all of us,
18 we're visiting you in your area, and now tell us
19 something about what you need in terms of redistricting,"
20 because people just don't respond to that, especially if
21 they have nothing to respond to. So, really, you have to
22 have some sort of an educational component in every
23 single meeting, or every single Input/Outreach Meeting,
24 whether these are separate, or whether these are
25 together, because I'm not necessarily saying that these

1 have to be separate meetings. So, there has to be a
2 component at the very beginning that basically explains
3 to people why they should be coming to you, why they
4 should be communicating with you, why it is important to
5 them, what the criteria are, and why they should
6 participate because, really, you are asking the public to
7 give you a lot of their time and perhaps, actually, go
8 out and talk to their neighbors, that's even more time,
9 and then come back and give you something that you can
10 use. So, you really are asking for a lot from the public
11 so that we can do a good job here and really fulfill the
12 mission of this commission.

13 So, what needs to happen now? I'm just going
14 to go through this really quickly and then perhaps we can
15 go back slide to slide, if you wish, and just kind of
16 pull some of these points out. What needs to happen now,
17 and quickly, is we need to decide on how many meetings -
18 and you can call them "meetings," you can call them
19 "convening's," you can call them "hearings," some of
20 those, of course, are legal terms. You have to figure
21 out what you are going to call them. And what you're
22 going to call them probably will have to do with some
23 other issues that we're going to raise here. So, you
24 want to know - you really want to decide how many
25 meetings you want to have in each category. And what you

1 need to think about is what can you get at this point
2 because we're in the before data is released stage; what
3 can you get in the while we are drawing lines stage; and
4 perhaps how many hears or meetings - I'm just going to
5 call them "meetings" right now - how many meetings do you
6 want to have while you're drawing the lines, and where do
7 you want to have those; and then, the after phase,
8 because there really are three distinct phases here.
9 Right now, we're before data release, so we really don't
10 know what our districts are looking like, we just really
11 don't know how over or under they are. What we could, of
12 course, do and this goes into meeting design, really, is
13 we could do some over/under maps with the ACS data, with
14 the American Community Survey data, just really
15 straightforward, which I think some of you have seen my
16 maps, I've done a few maps every time the ACS has
17 released some data, and basically it just shows that, you
18 know, the coastal districts have lost populations, and
19 the inland has basically gained population, so we could
20 do some maps like that so that people at least have
21 something to look at, and they kind of know which way the
22 district might be moving. Because, you know, if your
23 district is under, obviously you're going to be moving
24 outwards, and if your district is over, then the district
25 is going to shrink a little bit. So, that gives people

1 something to respond to already, but in any event, right
2 now we're in the before data stage and, really, what can
3 we get now, and what do we want to achieve now. Then
4 there is the in between stage while we're drawing, will
5 we be out there while the lines are being drawn,
6 collecting the information? I would say yes, we have to
7 be out there because, to me, that is one of the most
8 important stages, and that's really where you're going to
9 get a lot of public input because you're making decisions
10 and then people really see what's happening, and they
11 really see whether or not their neighborhood, their
12 community, their city, is going to be involved. And then
13 there is the after stage, where we have to be out because
14 you have to show the maps, and you want to get public
15 input because there are probably some things that happen
16 that could potentially be undone, no harm done,
17 accidental moves, you know, we just didn't know about it,
18 and that can prevent a lawsuit. I mean, that's a really
19 important stage. And I'm not saying that any stage is
20 more important than the other, but in some stages you're
21 going to get different types of testimony than in others.
22 You know, the testimony you're going to get right now is
23 probably a little different than the one that you're
24 going to get in between or in the after map drawing
25 stage.

1 So we're looking at designing meetings, we have
2 to do that very quickly, as well. What should that look
3 like? How many Commissioners should be, or have to be,
4 at the meetings? How many have to be present and how
5 does that in any way influence whether you can talk to
6 the public, whether you have to have somebody else there
7 talking to the public, can you actually engage in a
8 dialogue? And for that, we'll probably have to talk to
9 an attorney. I don't know if you've done that already.
10 Where should the meetings be, or the hearings be? And
11 there is numerous methodologies that you can employ from
12 very simple to very complex. I mean, we could basically
13 design a strategy of the before, you know, before data
14 are released stage.

15 So, where should we be right now? And some of
16 you have seen this methodology that we use to select the
17 areas for the Redistricting Outreach Centers, and I'll
18 talk about that later, it's Redistricting Assistance
19 Sites. I keep on using the wrong term - Redistricting
20 Assistance Sites. And, initially, we came up with a
21 strategy of eight sites and we looked at basically
22 population that would be served by them, we looked at how
23 long people would have to drive from various areas, you
24 know, just population density, various centers, and then
25 we did some analysis, as well, of racial populations

1 served, and so forth. And you can do something like
2 that, you could also overlay the various current
3 districts if you wanted to, so basically just map the
4 Assembly, Senate, Congressional Districts, and the Board
5 of Equalization, and figure out, you know, in how many
6 locations you have overlap of X many districts. You
7 could look at geographic regions, that's something that I
8 would absolutely advocate doing before you do anything
9 else, just kind of look at just the commonly accepted
10 regions and, of course, you probably know that there is a
11 little bit of - depending on whom you ask, there is not
12 agreement on how many regions we have in California. I
13 mean, I think I know how many we have, but once I started
14 doing some research on that, I realized that everybody
15 has a different definition and it goes from four regions
16 to six to eight to 12, some people have 18, and it
17 depends on whether you're looking for geography, geology,
18 environment, you know, there are all these different
19 departments that have different regional definitions.
20 So, we could come up with something that basically makes
21 sense and look at how many people we're serving with each
22 particular location.

23 So, that's something to talk about and that's
24 something we should decide on very quickly. The, we
25 should really do a preliminary timeline very quickly

1 because we already have some dates and we need to start
2 mapping backwards, and I don't know if that's been done,
3 but I think that's very important to do because you know,
4 that you have to have 15 days after the final map;
5 luckily, you don't have to submit anything to pre-
6 clearance until you're done, so basically on the 15th, we
7 have a unanimous decision, 15th of August, a unanimous
8 decision, everybody loves the map, you know, standing
9 ovations from the public, and then it's prepared by the
10 SOS, I believe, and then sent to the Department of
11 Justice for pre-clearance, so we don't have to allow time
12 for that. But it's just something to put on the
13 timeline, basically. We also know roughly when the data
14 are going to be released and, you know, the Census Bureau
15 is doing a phenomenal job this time, well, they always
16 do, but they're just turning the data around much faster.
17 And so they will probably be two weeks ahead this time,
18 and so we may get the data in mid-March, and not the very
19 last day of March. Of course, with large data sets, you
20 don't count your chickens before they roost because lots
21 of things can happen, but I'm pretty hopeful because
22 they've really been getting data out very quickly.

23 So, and then, a really important piece is we
24 need to immediately start designing a data capture
25 methodology and that's really a second redistricting

1 database, if you think about it. And that piece, I
2 actually have thought about a little bit more than just a
3 few hours in the parking garage. I just gave a talk on
4 this at the NCSL last weekend. With all the public input
5 that we're going to get, you're not going to be able to
6 determine when that public input comes in, especially if
7 you have multiple meeting strategies going on, and you
8 are in different parts of the state. You may be in
9 Southern California, and somebody comes in and just tells
10 you about their neighborhood, you know, up north in
11 whatever, in Yolo County, or something like that. And
12 you want to have a way to keep track of that particular
13 testimony, along with all the other testimony that comes
14 in. And some of this will come in, you know, in ways
15 that you don't anticipate. So, that's why I was saying
16 we also need to figure out very quickly how we want to
17 capture - how we want the public to communicate with us.
18 Do you want only electronic maps? Will you accept hand
19 drawn maps? Will you accept a print-out of a Google Map?
20 You know, all of these things have to basically be
21 designed right now, and then we have to have a database
22 design on our end where we can capture everything so we
23 don't lose it, and that goes back to the first slide
24 where - I'm just going to hop back to that - where it
25 says at the very end, "You shall issue with each of the

1 four maps a report that explains the basis on which the
2 Commission made its decisions. Well, part of that is
3 your public input. So, that that gets really taken care
4 of and inputted in a structured way so you have it
5 accessible to you when you need it, so basically once you
6 are at that Yolo County district, and you're trying to
7 make some decisions, and you have some wiggle room there,
8 okay, I could draw the line here, or I could draw it
9 there, you want to be able to say, "Okay, somebody pull
10 up if we have some testimony on that area." And what do
11 you know? There's a neighborhood group right there, you
12 heard about that six weeks earlier, but here's the
13 testimony, and then you can use that, and you can use it
14 for decision-making. So, I think that's really important
15 to think about how you're going to capture that and if
16 you're going to do it by latitude, longitude, or
17 whatever, somebody needs to really think through this
18 very quickly.

19 And then, finally, we also obviously need to
20 look into these alternative outreach and access methods,
21 so what does that mean? I mean, does that mean that
22 perhaps is there going to be an online redistricting
23 tool? Should we talk about that? Is there going to be
24 something that this Commission will push forth? I mean,
25 you know there is a lot going on already and we're going

1 to talk about that right now, very quickly. But let's
2 talk about starting points for meeting design very
3 quickly, to summarize what I've already said. They have
4 to have an educational component, so we need to design
5 who is going to do that, you know, who is going to make a
6 presentation, "this is why we're here and this is how
7 we're going to do it." There have to be guidelines and
8 then tools to aid the testimony, so basically handouts,
9 design some handouts of how people should be submitting
10 testimony in a perfect world; that doesn't mean that
11 that's going to be the only testimony you're going to
12 get, but it's really helpful oftentimes in the process
13 that is as complex as this one if you can give people
14 just an outline, "This is how you start, this is what is
15 really helpful," so don't just tell us about your
16 community and what unites your community, but please let
17 us know what streets form the boundaries of your
18 community because, if I don't have that, I can't put it
19 into any dataset and you're going to have a really hard
20 time figuring out how to keep that community together
21 later.

22 So, then, the question is how do you want to do
23 that. Do you want to have a Mapper sitting there - and
24 this is just an idea - and it kind of popped up because I
25 was thinking about the San Francisco Redistricting

1 yesterday during a conversation, and they actually had a
2 Mapper there during some of the hearings who could just
3 right away kind of go to a map and just say, "Okay, this
4 is the area that we're talking about," and kind of
5 capture that information right away. And sometimes it'll
6 just be, "Well, you know, I'm in this particular area,"
7 and then one of the Commissioners might say, "Okay, can
8 we just pull that area up on the screen so we can
9 visualize it," when people didn't bring a map. And I
10 think that might actually be almost more important in the
11 first stage before we have the data because we don't have
12 a whole lot to look at, at that point, because we don't
13 have a map that we're working on at that point. But on
14 the other side, if you have that, if you have a Mapper,
15 and you are constantly going back to the maps, your
16 meeting will take longer. I guess there is also a little
17 bit of down time while the Mapper kind of tries to find
18 wherever they are on the map, and what people are talking
19 about, and then there's a lot of, "No, no, it's over to
20 the left, it's over to the right a little bit," you know,
21 it's that sort of thing, so it affects whatever decision
22 you make will really affect the time it takes to conclude
23 the hearing or the meeting.

24 Then, really, you've got to think about this
25 being a multi-step process, and this is one of those

1 decisions about how many meetings you're going to have,
2 or how many hearings you're going to have. Is it better
3 to go to many places once, or is it better to go to fewer
4 places and then go to those places multiple times? You
5 know, you could, in theory, have a strategy that says,
6 okay, we're going to go to - I don't know, give me some
7 number - 15 places before, during, and after. I think
8 you're going to find that, during, you're going to want
9 to go to places more often than before or after because
10 the during stage will kind of determine how much public
11 input you have and you may not get through all the public
12 input in a particular area, in the same day, so you may
13 have to go back. Okay, go ahead, please.

14 COMMISSIONER BARRABA: Karin, would it be
15 conceivable to design the more places that we go out to,
16 but in a sense regionalize them so that, when you go to
17 the during stage, you'd ask the individual places to come
18 to a more central location?

19 MS. MACDONALD: Absolutely.

20 COMMISSIONER BARRABA: That would be a
21 possibility?

22 MS. MACDONALD: Sure. Yeah. So, this is
23 basically part of the framework that we need to decide
24 on, and pretty quickly. So, you could go to the same
25 region like three times, but then, go maybe to a

1 different city, you know, and just capture that input. I
2 would absolutely urge you to leave a little bit of wiggle
3 room for hearings in the middle while you're drawing
4 because, seriously, that's really when people get engaged
5 and that's where you can iron out a lot of the glitches,
6 so no matter how many you decide right now, just leave
7 some time for, you know, these kinds of like last minute
8 decisions that you need to make where you just feel there
9 is a need, we absolutely need to go to this area again,
10 and all that. And then, again, data capture, it's just
11 really essential. Before you start going out, you should
12 have something in place, you know, even if it's not very
13 sophisticated, to just make sure that you really are
14 capturing absolutely every comment and that that starts
15 getting digitized pretty quickly because this is going to
16 be a very fast moving train here, and yeah, I don't want
17 to go back to the conference we just had on Tuesday,
18 which had a train theme on it. But, really, it really is
19 a fast moving train, so if you have to go back three
20 weeks down the road and figure out who said what to you,
21 and start digitizing that, it's not a good thing. That's
22 how mistakes happen. That's how oversight happens.

23 So, really quickly, since we're talking about
24 outreach and education and all that, I thought I'd just
25 put on the slide, or a couple of slides really quickly

1 what's going on already. And this is, I'm sure, not an
2 exclusive list, so these are just some of the
3 organizations that we could put together very quickly
4 that we know of. So, as you all know, the James Irvine
5 Foundation has done a phenomenal job of funding groups
6 and just to do outreach and bring people into the
7 process, and do education and all that. So, these are
8 some of the groups that are doing outreach and I would
9 say, as soon as you have an Outreach Consultant, the
10 Outreach Consultant immediately needs to be put in touch
11 with these groups to make sure that they know what each
12 other are doing, and also to ask for advice on what works
13 and what doesn't work because a lot of these groups have,
14 with respect to this particular topic, been on the
15 ground, so they know how to talk to people, they know
16 their stuff, they know exactly how people are reacting at
17 this point and, you know, where you have to push a little
18 bit more, where you need a little bit more time and a
19 little less time, that sort of thing. So, it's really
20 important, so why reinvent the wheel, you know? Let's
21 just go and talk to these guys. So, the first one is the
22 Asian Pacific American Legal Center out of LA, they're
23 doing a phenomenal job, as are the Coalition for Asian
24 Pacific Americans for Fair Redistricting. They actually
25 have, I think, eight regional groups that are connected

1 to that particular effort. Then, there is the Green
2 Lining Institute that is out there, and NALEAO, the
3 National Association of Latino Elected and Appointed
4 Officials Educational Fund, there is the African American
5 Redistricting Collaborative, California Common Cause, of
6 course, is doing a lot and they are actually doing a lot
7 to bridge these groups in the Redistricting California
8 Alliance, and we're part of that, as well, out of
9 Berkeley. So it's like the redistricting group at
10 Berkeley which is, you know, statewide database and then
11 Berkeley Law. And then more effort is underway and,
12 again, this is not a complete list, who is also in the
13 field is the Central Coast Alliance United for
14 Sustainable Economy Cause, so they are basically along
15 the coast down, you know, northern LA, that area, then
16 north of L.A., National Association for the Advancement
17 of Colored People, NAACP of California, Sam was here
18 talking to you earlier, and they are also in the field.
19 MALDEF is in the field. That doesn't mean that they are
20 all doing the same thing, you know, there are different
21 strategies being pursued, and a lot of these groups are
22 working together, again. But they are out there, and
23 they are talking to people. Then, there is General
24 Educational Outreach with, for example, the League of
25 Women Voters of California, because they are constantly

1 mentioning the process, there is a lot written, they are
2 encouraging their members to participate, and they are
3 also doing an observation process, or an observation
4 project of the process of redistricting, so there are
5 League members that are basically observing you all, you
6 know, how this process is actually working. And then,
7 some of the local chapters are very involved, as well,
8 and you know that the League has been really interested
9 in redistricting, of course, for a long time, so that's
10 also a good group to kind of touch base with. General
11 educational outreach is also done by the New American
12 Media and other ethnic media, they are doing news pieces
13 on why it's important to participate in redistricting,
14 and that's a really super important piece because they
15 are reaching a lot of populations that have traditionally
16 not been involved in redistricting, so that that's
17 already going, it's a really great thing, and I should
18 also tell you, we've been doing - we've done one media
19 training already up at Berkeley, we invited every
20 journalist who has ever written anything on redistricting
21 in California, and we had a really great training right
22 before the holidays, I think on the 20th of December or
23 so. It was really well received. And we're doing
24 another journalist training here at the Press Club, I
25 think in a couple of weeks or so, it's scheduled. So,

1 we're doing a lot to just make sure that the media know
2 where to go and get the news, how to cover redistricting
3 better, you know, that they understand the data, and all
4 of the criteria because, obviously, it's not just
5 difficult for all of us, it's difficult for people that
6 have to write on a different topic every day. So, that
7 basically, that message is going to go out that way, as
8 well. And we have a really good group of people that
9 really want to cover things and will help us get the word
10 out. There's local outreach going on already. I gave a
11 couple of presentations down in San Diego already, which
12 is why I know about this, the foundation for change, for
13 example, is very active, and then also Empower San Diego.
14 And then, finally, there is our redistricting assistance
15 sites, and I hope I'm using the right term this time.
16 And that, of course, I've talked to you before about. We
17 ended up receiving partial funding for six sites who are
18 in the process of hiring site managers and just to be
19 brief, just in case there are people here that don't know
20 what this is, so it's a James Irvine Foundation funded
21 project to essentially have a technical assistance site
22 in various regions in California so that people can come
23 there, they have access to full blown redistricting
24 software, to computer technology, they can follow what
25 you all have done, so they can go online there. They

1 have a little space to meet with their communities to
2 figure out what their community boundaries are, and there
3 will be a techy sitting there who will help them use the
4 technology, kind of figure out what the data are, and how
5 to submit the stuff because, you know, it's not easy, it
6 just all takes time. So, if you have somebody sitting
7 there who can explain it to you, great. It's less people
8 losing their patience just over something not working in
9 technology, I know that very well, so I think it's a good
10 thing. Again, we're funded right now to open just two
11 and a half days a week, and we're open mainly - well, one
12 weekend day, and then, I think, two evenings, like late
13 afternoon/evenings, so that people that have a job and
14 have something to do during the day can access the sites,
15 as well, obviously. But that also goes to your hearings
16 because, when you're out there, you know, I mean, we're
17 thinking about the strategy of, okay, when can we get the
18 most people in? What's the most convenient? If you're
19 going to go out there and hold hearings or meetings,
20 you're probably going to have to be out there when people
21 are not working. And we were just talking to somebody in
22 LA about how late the Assistance site should stay open,
23 and this woman was just very very determined to let us
24 know that it should be open until 10:00 because, you
25 know, the traffic doesn't die down in LA until I don't

1 know when, you know, having been stuck in there very
2 recently myself for a very long time, I can empathize.
3 So, leaving that center open an hour longer just to kind
4 of give people the opportunity to get out of traffic and
5 into the Center and start drawing lines is a really good
6 idea, but that's something you have to incorporate into
7 your meeting strategy, as well. So, when you're saying
8 you want to have 10 meetings, 10 hearings, are you all
9 available in the evenings 10 times, you know, or on
10 weekends? And that's it, so that's what I put together.
11 And I hope that was helpful. And I'm glad to go back to
12 the slides here and, please, start talking to me.

13 COMMISSIONER ONTAI: Karin, do you have print-
14 outs of these?

15 MS. MACDONALD: We can give you a print-out,
16 absolutely. I don't have one right now.

17 COMMISSIONER ONTAI: I need it for my timeline.

18 MS. MACDONALD: Yeah.

19 CHAIRMAN DAI: So, that was Commissioner Ontai
20 who was talking about timelines. I actually hope that
21 you guys can come back to the mic because otherwise none
22 of this is being captured, sorry.

23 COMMISSIONER BARRABA: While my colleagues are
24 coming back up, it sounds to me like there is a major
25 component of what we either call Outreach, or - but

1 either of those terms pretty much, I wouldn't say,
2 completely in place, but certainly being organized.

3 MS. MACDONALD: Yes.

4 COMMISSIONER BARRABA: Is it being structured
5 in such a way that we could become a part of reaching out
6 to that group and making really effective use of it? Is
7 that something you think is conceivable?

8 MS. MACDONALD: I don't know, I don't think they
9 can collect testimony from you, I think you probably have
10 to do that yourself. And we would have to talk to the
11 various groups and see if they have, perhaps, meetings or
12 hearings scheduled, or some sort of a meeting scheduled
13 that you might be able to co-host with them. That might
14 be a good thing. What we were planning on doing with the
15 Centers, if you are up for it, is once these Centers
16 open, which we hope is going to be the first week or
17 second week of March at the latest, we're going to be in
18 these different regions, and if we could perhaps host a
19 meeting with you to introduce people to the facility, and
20 let them know it's there, and perhaps you could come out
21 and just tell them that you really want to hear from
22 them, I think that would be fabulous, if we could
23 collaborate on that. But that would only be six, of
24 course.

25 COMMISSIONER FILKINS WEBBER: Are you opening

1 them up at the same time?

2 MS. MACDONALD: Yeah.

3 COMMISSIONER FILKINS WEBBER: Okay, and so
4 would it be possible, as your suggestion, I know one is
5 in San Bernardino, and I would certainly love to
6 volunteer to do something brief, I don't know that it's
7 something that we anticipate would need to be necessarily
8 on an agenda, but if we do talk about it, I think it's
9 absolutely fascinating and I would love certainly for
10 this Commission to be present during something like that,
11 so that we could help facilitate this educational process
12 and understand and let the public know that we encourage
13 these centers, as well, and we're certainly looking
14 forward to their use of these centers and to get as much
15 out of it as possible. So, I'll volunteer for San
16 Bernardino.

17 MS. MACDONALD: Yeah, I think that's great and,
18 also, if I just may, that's a really great piece for the
19 press to capture because this is a very very unique
20 effort, you know? And Irvine, they were like, "Okay,
21 well, we're going to put a whole lot of money into this,
22 we're not going to give you a much to keep them open all
23 the time because we don't know if it's going to work,"
24 but just, they really went out there and said, "Okay, we
25 believe in this and let's just see if we can make it

1 work." So I'm going to do anything I can to make this
2 work, first of all, and I think, you know, to make this
3 Commission work, if we collaborate on that and get some
4 media on it, that's just a win-win for all of us.

5 CHAIRMAN DAI: Yeah, Ms. MacDonald, also one of
6 the things that we had discussed at a previous meeting,
7 that you may not have viewed, was the idea of actually
8 making these centers potential call-in sites for
9 meetings, as well, because not everyone can come in
10 person to give public comment at a meeting.

11 MS. MACDONALD: Yeah, we could probably do
12 that. I have to tell you, again, we're not exactly
13 swimming in money, so some of these - actually,
14 Sacramento, they're giving us a site for free, I think
15 we're paying for Internet access, but that's how
16 underfunded this is in some areas, you know. So, the
17 rooms that we're renting, they're rather small, so some
18 of the locations they actually have bigger meeting rooms
19 that we have access to, but if we're thinking of doing
20 something together, I think a call-in center, that would
21 probably work, I think they're all big enough for that.
22 But if we're thinking about perhaps co-hosting some sort
23 of an event, we might want to just look down the street
24 to see if perhaps there's an auditorium in a school, or
25 something like that going on that we could tap into.

1 CHAIRMAN DAI: Commissioner Ontai.

2 COMMISSIONER ONTAI: Karin, slow down a little
3 bit.

4 MS. MACDONALD: I'm sorry!

5 COMMISSIONER ONTAI: I've never seen these
6 sites before. Where are they? In shopping centers and
7 offices? Give me some idea of where they're located.

8 MS. MACDONALD: Basically, they are in areas
9 that are easily reachable by public transportation, that
10 have parking. They are affordable to us, like the one in
11 Sacramento is actually going to be in the downtown
12 Sacramento Library, so they are giving us a really really
13 great space, and they are co-locating, I think, a local
14 redistricting assistance site, as well. The San Diego
15 site, just to give you some specifics, we have not nailed
16 them all down, we're going through - we just found out -
17 the pleasures of being at UC Berkeley - we just found
18 another layer of bureaucracy we have to go through.

19 COMMISSIONER BLANCO: Amazing.

20 MS. MACDONALD: Anyway, so it's not completely
21 nailed down yet where they are because there are rental
22 contract layers involved. But I could tell you that the
23 one in San Diego is at Market and Euclid, roughly.
24 That's at least at the Jacob [Javits] Center, which is a
25 nonprofit, and I actually went down there and looked at

1 the space, met with everybody, 24-hour security, right at
2 the trolley stop, you know, lots of secure parking, that
3 is basically what we're looking at, those kinds of sites.

4 COMMISSIONER ONTAI: That's Market Creek
5 Shopping Center, then.

6 MS. MACDONALD: Yeah, exactly.

7 CHAIRMAN DAI: And the Berkeley one is at Cal?

8 MS. MACDONALD: Yeah, the Berkeley one is
9 basically just right in our office, right next to my
10 office.

11 CHAIRMAN DAI: Commissioner Blanco.

12 COMMISSIONER BLANCO: Yeah, Karin, could you
13 put up - I guess it was the first or second slide that
14 had the language from the Regs on the types of hearings.

15 MS. MACDONALD: Uh huh, this one.

16 COMMISSIONER BLANCO: Yeah, this one. Is that
17 the one that talks about education, or was it the next
18 slide?

19 COMMISSIONER YAO: Next one.

20 COMMISSIONER BLANCO: Next one. Okay, there.
21 So, one of the things we're really struggling with, as
22 you can imagine, is the timeline, right?

23 MS. MACDONALD: Yeah.

24 COMMISSIONER BLANCO: And which things are
25 absolutely required, and which are things we'd like to do

1 vs. which things are required and, so, one of the
2 Commissioners, Commissioner Ontai is doing that timeline,
3 working backwards, obviously, from the drawing of the -
4 posting of the maps, and all of that. One of the things
5 we obviously realize is, this is really a short timeline
6 and we know we have to do the input hearing where we
7 receive input, and obviously we have to do the presenting
8 of - going back out with the proposed maps.

9 MS. MACDONALD: Right.

10 COMMISSIONER BLANCO: The educational is
11 something we all want to do because, you know, we feel
12 it's really important to - you know, everything you just
13 said. But one of the things we were talking about
14 earlier this week is, there are a lot of groups engaged
15 in the educational part of this, why it's important, you
16 know, and some of them, and they're funded, and we're
17 trying to figure out if we have limited resources, if we
18 have a short timeline, should we be as engaged in the
19 educational component as opposed to the other two
20 required components? And are there ways that we can kind
21 of combine education with some of the required statutory
22 requirements and sort of do two things at once? And I
23 think, I mean, I just think the clock is going to force
24 us to do that, frankly. We're not going to have a
25 choice.

1 MS. MACDONALD: Right.

2 COMMISSIONER BLANCO: And so, I'm assuming
3 that's the case and we go first to Input - let's say we
4 try to collapse Input and Education, right? Can that
5 really - two questions, 1) is that too much to try and
6 do?

7 MS. MACDONALD: No.

8 COMMISSIONER BLANCO: I don't think so. But
9 here's the other thing, we also talked about the fact
10 that, even to go do the Input session where we receive
11 input, we need to know something about the places where
12 we're going, like you said, even at least have the
13 survey, or something that, when we get there, we already
14 know in a sense what's happening in this region where
15 we're going to go do our meeting, right? Like are they
16 contracting? Have they lost population? Have they
17 gained population? So that, when we go out and get
18 input, we know - we want to know something. So, anyway,
19 those are a lot of questions, but you see the point,
20 which is where can we combine and, if we're going to
21 combine, and those Input meetings are early on, what kind
22 of preparation do we need to do to be able to do that?

23 MS. MACDONALD: Okay, so two things, really. I
24 think there has to be an educational component to really
25 every public hearing or meeting that you're going to do,

1 it doesn't have to be a two-hour meeting, it doesn't have
2 to be, you know, the crash course on how you become a
3 redistricting expert. And, also, I should say there is
4 also going to be this website that is going live, I
5 think, next week that we've been working on, also, it's
6 also Irvine funded, that has a lot of materials already
7 that you can probably use just, you know, put the
8 Commission logo on it, make sure it says what you want it
9 to say, and start using it as handouts and also put it on
10 your website. So, there's a lot of explanations on how
11 to do that. So, that's one thing. You could just give a
12 brief overview, "This is what we're doing, this is why
13 we're here;" it doesn't have to take more than 10 or 15
14 minutes, and you've just educated people, you give them
15 clear guidelines of what they need to tell you, what you
16 need from them right now. And those 15 minutes are worth
17 a lot. The other thing is, if you get a request for more
18 educational meetings, you can send a consultant out
19 there. We did this, actually, in San Francisco, that
20 some of the training hearings or meetings that were in
21 the different supervisorial districts, there was no
22 commissioner there, so it was basically just somebody
23 going out there and just giving a training on
24 redistricting and that may come to you, and then you can
25 just send somebody down there just to give a training if

1 that is necessary. And if that need cannot be filled by
2 one of the other groups, that they may be able to tap
3 into, or the educational materials that are out there. I
4 don't think that request is going to come up very often
5 because I know how often I get requests right now, it's a
6 lot, but it's all being taken care of at this point, but
7 there may just be some -

8 COMMISSIONER BLANCO: You feel there is a lot
9 of coverage?

10 MS. MACDONALD: There is pretty good coverage.
11 But, you know, once we really start going, there be more
12 of a demand for that, and that point there's also a
13 different infrastructure in place. I just think that you
14 cannot go and not have any educational component in any
15 of these hearings because you're going to leave people
16 behind.

17 CHAIRMAN DAI: Commissioner Filkins Webber.

18 MS. MACDONALD: Okay, so that's the first part.
19 So, the second part - what was the second part?

20 COMMISSIONER BLANCO: How can we - what do we
21 need to know before we go out and receive input?

22 MS. MACDONALD: Okay, so again, I think you can
23 do an over/under map if you want to. I don't honestly
24 think you need to know too much about that area because
25 you're going to find out about that area once you're

1 there. People are going to come and tell you about it.
2 And there are some things - and this is part of what you
3 really want to gather, what you really want to get from
4 people, is it really a good idea to ask people to submit
5 an entire district? I'll tell you, a lot of people that
6 have drawn statewide districts for California will tell
7 you, it's probably not that good of an idea to ask a
8 community group or just a regular citizen, or just
9 participant, to just submit one district because it's
10 such a puzzle, and they may not know the entire district.
11 So, they may be just drawing the district because you
12 asked them to. Really, there is a piece that they know
13 very well, that they want to keep together, but then
14 everything else around it is just what they are guessing,
15 and then you're going to ignore that district because it
16 doesn't fit into all the districts that you've already
17 drawn because it doesn't fit in perfectly, and you're
18 going to ignore that particular testimony. I would say,
19 for 95 percent of people, it's probably the smartest idea
20 to just submit their neighborhoods, their community of
21 interest boundaries, to tell you perhaps if they want to
22 do more, they can tell you what other neighborhoods they
23 could be put together with that would make sense in a
24 district. But essentially give smaller building blocks,
25 you know? So, that's basically something that I think

1 you should get from a public hearing. And if you
2 approach it like that, then you don't really need to know
3 whether a district is going to grow and shrink because,
4 really, what you just want to know is what should be kept
5 together, and that's what you're communicating. But,
6 again, it's always nice for people to have something to
7 look at. And part of the educational component could be,
8 okay, here's an over/under map, very straightforward,
9 ACS-released data, and we know that these districts are
10 going to have to shrink, so this is likely the way the
11 line is going to move. Is there something in this
12 particular area that you can tell us? Are there any
13 neighborhoods in this particular area that may be
14 affected when this line moves inward rather than outward,
15 that sort of thing. I think that's a really good thing
16 to do that's really straightforward, it's a really -
17 that's like 15 minutes for a - okay, make it an hour - an
18 hour for a good Mapper to just do that, and then you can
19 just kind of zoom in, and then you know something.

20 COMMISSIONER BLANCO: Thanks a lot.

21 MS. MACDONALD: Does that help?

22 COMMISSIONER BLANCO: Yeah, it helps a lot.

23 CHAIRMAN DAI: Commissioner Filkins Webber.

24 COMMISSIONER FILKINS WEBBER: Two questions.

25 You had mentioned about a website that is going to be

1 released, what is that website? Next week? I'm putting
2 you on the spot, I apologize.

3 MS. MACDONALD: I'm going to have to e-mail
4 you, it's the Redistricting California website and I have
5 to send you the -

6 COMMISSIONER FILKINS WEBBER: And, I'm sorry,
7 that's sponsored by -

8 MS. MACDONALD: It's the James Irvine
9 Foundation, basically, yeah.

10 COMMISSIONER FILKINS WEBBER: The other
11 question that I had is, you made a recommendation, and
12 pardon me, I wasn't here for the Commission meetings last
13 week and it might very well have been something that's
14 discussed, but this is a huge area that I don't see staff
15 necessarily considered by this Commission just yet, not
16 certain if it's subject area for any of our
17 subcommittees, but it is capturing this data, and this
18 capturing methodology, you said that we need to figure
19 out how to capture this information, you also had used
20 the comment of digitizing comments and basically slowing
21 down this fast-moving train. What are some of your
22 recommendations about possibility of the staff we need?
23 We're right now in a situation where we're considering
24 staff; can you provide us some of your insight as to what
25 staff you may recommend that we might need at these

1 meetings to capture this public information?

2 MS. MACDONALD: Well, for one, you're going to
3 have somebody capturing public input anyway because you
4 have to have a transcript, right?

5 COMMISSIONER FILKINS WEBBER: Sure, but I mean,
6 to limit the time that somebody would have to go through
7 a transcript after the fact -

8 MS. MACDONALD: No, that's what I'm saying, so
9 basically I think you have to have just the Mapper there.
10 I mean, once you have a redistricting consultant on
11 staff, they come with Mappers, so you have to have just
12 the Mapper there if that's what you decide to do, and
13 that Mapper can basically look at it, and depending on
14 how fast that testimony comes in, you may want to add a
15 second Mapper. But, you know, I would start with one
16 just to see how it goes, you know, digitize that
17 information, and just to keep track of it. I mean,
18 designing of the database like that is - it's kind of
19 pretty straightforward. I mean, there's going to be a
20 few pointy heads in the same room and just kind of
21 figuring out, do we do it this way or that way, and once
22 you have it, it's there. So, I don't see that as too
23 much of a problem.

24 COMMISSIONER FILKINS WEBBER: Okay, thank you.

25 CHAIRMAN DAI: Okay, Commissioner Yao.

1 COMMISSIONER YAO: When you mentioned the
2 over/under map -

3 MS. MACDONALD: Yeah.

4 COMMISSIONER YAO: -- I think you are making an
5 assumption that we're going to start off with the
6 existing map. Is that your -

7 MS. MACDONALD: Not necessarily. You can do an
8 over/under map by county, too, you don't have to do it by
9 district. It just kind of shows the same thing, it
10 doesn't matter what layer you have on there, it shows
11 really that, you know, the coast lost population and the
12 inland basically gained population. Of course, what we
13 don't know right now is whether or not all those people
14 that moved east moved back because of the foreclosure
15 crisis, and now they're on the coast again. We don't
16 know that, that's really why we're waiting for the new
17 data to come out. But you don't have to do it by
18 district if you don't want to, you can do it by county or
19 anything else.

20 COMMISSIONER YAO: Can I follow-up with another
21 question? Using your definition, the outreach and
22 education, a lot of groups are currently doing it, is
23 there a need for coordination of that material, another
24 quality control? The meeting that we had maybe a couple
25 days ago, we pretty much reached a consensus we're going

1 to let somebody else do it, okay? But my thinking is, if
2 we're counting on that material to be sufficient so that
3 we can go into that input process, is there a need for
4 this Commission, or a body like this, to be involved with
5 that education outreach process?

6 MS. MACDONALD: Well, again, I think
7 collaboration is the key here, you know, to see what's
8 already being done and, I mean, if I were on this
9 Commission, I would most certainly take a look at the
10 materials that are being developed and that are going to
11 be on that website just to make sure you're comfortable
12 with them. I can speak for the ones that we're
13 developing right now, I mean, we have an attorney who
14 works with us, who used to work for the Voting Rights
15 section of the DOJ, you know, Anna, she certainly knows
16 what she's doing and we're all pretty uptight, we do what
17 we can, you know, we want to make sure we're not - we're
18 in no way biased, or tell people something that they
19 shouldn't know. I think I feel pretty confident about
20 what we're doing right now, but that doesn't mean that
21 you're going to be comfortable with it. So, I think, you
22 know, this is your Commission, take a look at it, see
23 what you can use, and use whatever you want to. I think
24 we probably can save you a whole lot of time.

25 CHAIRMAN DAI: I think this is probably a -

1 COMMISSIONER YAO: Let me turn around and
2 follow-up on that question with counsel. Up to now, the
3 counsel recommendation is that we individually as
4 Commissioners do not attend any of these sessions. We
5 want to receive the material as an entire group. And what
6 I heard is that we need to do that. So, I need a little
7 more clear direction. For example, the Alliance Group,
8 or the Common Cause, had their conference in Los Angeles
9 and we were discouraged from sitting through the entire
10 conference. At this point, we really need to get a feel
11 as to exactly which way we should go.

12 MR. RICKARDS: Peter, I'm not sure - I'm sorry,
13 Commissioner, I'm not sure that we've taken a decision
14 that you can't attend conferences. You know, I could go
15 into that, I hate to do it on the fly, it might be
16 something - either I could get back to you in a hurry
17 about it if I knew the parameters of the question, or you
18 could have your new counsel look at it.

19 COMMISSIONER YAO: It may not have come from
20 you directly, but I think over the last month or so, that
21 was the impression I got, I don't know whether the rest
22 of you received the same - for example, there was a
23 conference in Washington, D.C. and I think one or more
24 Commissioners were thinking about attending that on their
25 own penny, and they were discouraged from doing that,

1 okay? And so, on that basis, I would welcome some kind
2 of direction as to -

3 MR. RICKARDS: Oh, I can get that. I mean, and
4 generally speaking, you can attend something like that if
5 it's open to the public and you don't meet, and you don't
6 discuss business. But I see the finger down there,
7 Jodie, maybe you can add something.

8 CHAIRMAN DAI: Go ahead.

9 COMMISSIONER FILKINS WEBBER: Madam Chair,
10 thank you. I would just ask that counsel, before
11 actually presenting that as an opinion, to look closer at
12 the Voters First Act and, as I recall, and I can't cite
13 anything at this point, if I'm not mistaken, there may
14 very well be some prohibition against the ability of this
15 Commission to accept redistricting information outside of
16 a formally noticed public hearing of this Commission, and
17 that's my recollection. So, attending conferences
18 individually outside of a public hearing, it has the
19 tendency to influence the Commissioner member, especially
20 if the group that is putting on that activity knows that
21 there is a Commission member that is present. If I'm not
22 mistaken, and I would ask counsel the specific question,
23 and it should be addressed as whether there is a
24 prohibition under the Voters First Act regarding the
25 manner in which we are allowed to receive redistricting

1 information. And, again, it's my understanding we can't
2 unless it is a full public hearing.

3 MR. RICKARDS: I think, you know, you're right.
4 I'm thinking of Bagley-Keene. You do have that extra
5 Voters First Act and you're going to have to sort of
6 wrestle with the parameters of that, but I think, in
7 terms of attending a meeting, I was kind of listening
8 along and the Bagley-Keene would allow you - the Voters
9 First Act, I don't think, would allow you. And we just
10 have to deal with that as you go along. It's sort of an
11 unfortunate way of keeping you from information, but it
12 does say specifically you can't communicate or be
13 communicated to, or could be communicated from somebody
14 outside a public meeting. So, that would mean that you
15 could not do that. And that, I think, is what
16 Commissioner Yao was referring to and why you were
17 discouraged from going to those meetings. In terms of -
18 and we have to deal with that in terms of written
19 information that is given to us, too, it has to come to
20 us in some fashion so that it is through a public
21 meeting, and that's why what we're doing is accepting it
22 and putting it on our website. So, let me just correct
23 myself on that, my head was in Bagley-Keene, and it is
24 more than Bagley-Keene, that's the problem.

25 CHAIRMAN DAI: Okay, I think Commissioner

1 Aguirre had a question, and then Commissioner Ontai.

2 COMMISSIONER AGUIRRE: Sure. Well, certainly,
3 if there is a way of setting up parameters so we can
4 collaborate with folks that are doing work already, I
5 think that would be advisable for us to establish those,
6 given that, as a Commission, it would be tough to silo
7 ourselves, and without any kind of communication with
8 other groups that are doing some great work. And
9 certainly, these six agencies that are moving forward on
10 the educational front, it would be great for us to know -
11 at least to be aware of - what is it that they're doing
12 and how they're doing it. But, going back to the
13 information presented by Ms. MacDonald, we were told, or
14 it is my understanding, that we could not begin drawing
15 until the outreach was completed. Is that true? No?

16 CHAIRMAN DAI: No.

17 COMMISSIONER AGUIRRE: Okay. So, one question
18 that has come up that I'm interested in the technical
19 aspect of it, is the whole mapping process itself. You
20 are suggesting that we have Mappers that go to these
21 outreach hearings, or these feedback hearings, so that we
22 can kind of tweak in public, you know, what the input is
23 being received. So, we talk with somebody just as
24 recently as a couple days ago who said that the actual
25 drafting of maps is really pretty simple, that those

1 could be done within a couple of weeks is - and this is
2 somebody who has done it before. And it doesn't seem
3 like that's possible, or at least advisable to just have
4 such a cursory drawing of maps and say that, you know, we
5 have a product that we're talking back. So, I was
6 interested in getting some information from you on how
7 complex these drawings are, maybe the basic elements of
8 that. And then, another point - question - would have to
9 do with data capture. I understand that quantitative
10 data is a slam dunk almost, but in terms of qualitative
11 data, especially if it's being provided in multiple
12 languages, what would you recommend as far as that goes?

13 MS. MACDONALD: Right. So, first, I should
14 probably say that the word "simple" and "redistricting"
15 usually don't go in the same sentence. I mean, I think
16 it's just - it's a very complicated task. I mean, could
17 you in theory draw a statewide plan if you had all the
18 public input and just all of your ducks in a row, could
19 you do a polarized voting analysis wherever you needed
20 to, and all of that? It's possible, it depends on how
21 much public input you have and how many conflicts you run
22 into. But that's really not what we're talking about
23 with the public hearings, and I should qualify that. I
24 think the input hearings where people are talking about,
25 say, their communities of interest, I was suggesting that

1 you might consider having a Mapper there just so people
2 can look at the areas that they're talking about, where
3 they can basically give you a description, and then the
4 Mapper can just capture that right away once they're
5 delineating it, and that would just be a tiny little
6 chunk and would by no means be drawing of lines in public
7 at that particular point, it would just really be input.
8 So, that's that piece. And in terms of just keeping
9 track of it, you just basically just keep track of all
10 the puzzle pieces and make sure you have them available,
11 as I said earlier. And what else? Actually, I should
12 say something else which I forgot to address earlier with
13 Commissioner Blanco, if I may really quickly.
14 Commissioner Blanco asked would you absolutely have to do
15 and, then, what you could do, what is optional - what you
16 ought to do, perhaps. And, really, if you're looking at
17 the Constitution and you're looking at the Regs, at the
18 Guidelines, you have to do it before, and you have to do
19 it after, it doesn't talk about in between. And what I
20 was suggesting to you was that the in between stage is
21 actually a very important one because the in between,
22 while you are already drawing, I mean, you may be getting
23 some input, let's just say you decide you're going to
24 start drawing up north, and then you just work your way
25 down, and you get a lot of input, you give that input to

1 your Mappers, and you start constructing districts that
2 way. You get public testimony on every step of the way,
3 basically. Let's just say you have a lot of input today,
4 Mappers go home, you implement all of that, see how total
5 population and all the different criteria work out, you
6 know, are we going to have a problem? Is there some sort
7 of Voting Rights Act testing that we need to do? Could
8 we perhaps keep more cities and counties together if we
9 were to do X, Y, and Z, give you some suggestions, that
10 sort of thing. The next year you come back, you say,
11 "Okay, let's look at the maps, what have you done?" You
12 know, Mappers present that, basically; here is a basic
13 map of the implemented testimony that you've received and
14 the things you wanted us to do, here are some of the
15 options, here is some of the feedback, you make some
16 decisions, you get feedback on that. So, that is kind of
17 how it could work. And that's the in between stage, that
18 is when people really see the way that the map is being
19 constructed. To me, that's a very important one because
20 that's the part that really makes sense to people because
21 you're not just throwing an entire map up before the
22 public because there are so many components in that map,
23 there are so many cities, so many districts, so many
24 counties, so many different aspects to absolutely
25 everything. You know, it's just overwhelming to actually

1 look at an entire map and really say, "Okay, this is a
2 good map." I mean, there's always a map that is good for
3 somebody and it may be bad for a whole lot of other
4 people, you know, taking it in components and really
5 communicating that, and getting feedback on every piece
6 you're doing, I think, is a good way to communicate with
7 the public and, in my opinion, that's really the piece
8 that keeps you out of court, hopefully.

9 CHAIRMAN DAI: Thank you. Commissioner Ontai.

10 COMMISSIONER ONTAI: I want to go back to
11 Commissioner Yao and Commissioner Filkins Webber's
12 comments. And this is a good case in point; I'm going to
13 be making some opening remarks tomorrow morning at the
14 Asian Pacific American Redistricting Conference, and this
15 conference is being sponsored by three of the
16 organizations that you mentioned. And I'm going to be
17 there just to give encouraging remarks and to tell them
18 that we want them to participate in the process, and
19 we'll look forward to their coming before the Commission,
20 and suggesting alternatives maps. But I don't want to be
21 there for the remainder of the event because any
22 information that I receive at that point, I would
23 consider, to be ex parte information, not privileged to
24 the rest of you. So, that's the reason why I think we
25 have to be careful on some of these guidelines.

1 CHAIRMAN DAI: Thank you. Commissioner Blanco.

2 COMMISSIONER BLANCO: So, mapping it all out, I
3 think the point you made is really key and I don't know
4 that I understand it, about getting public testimony all
5 along the way, okay, so - in other words, that part I
6 understand to mean don't just present a final map at the
7 end, even if it's to different communities; you don't go
8 around and say, "Here's the map." Right? And get
9 feedback. So, you've got the initial input phase that
10 becomes the building block for the information, and
11 particularly about communities of interest, but maybe
12 other things, as well. What happens, say, with that
13 community that you went to, where you received input, and
14 then you've got the map at the end? In this in between
15 process, which seems to me, intuitively, you're right,
16 you've got to go back once in between, is that another
17 layer of hearings or meetings? Or what is that? Or how
18 does that look on the timeline? Do you understand my
19 question?

20 MS. MACDONALD: Yeah, I think so. I think the
21 way it looks on the timeline is, well, actually, let me
22 back up, I think you have to figure out what kind of
23 input you're going to get right now, and that once you're
24 starting to draw, some of that input may not actually be
25 applicable because your line may go someplace completely

1 different, let's just say you're getting a lot of input
2 about this particular city right here that people really
3 want to keep together because it's been split like 15
4 times in the last redistrictings, whatever, you know,
5 just fill in the blank. But, once you get the
6 population, you realize that that city is going to be
7 kept together no matter what because that's just the way
8 the population breaks down, so all of that testimony,
9 it's like you're glad you had it, but now you really need
10 testimony that is a little bit further, say, to the east.
11 I'm just making this up, right? Because that's the way
12 your district is moving. So that's already kind of a
13 different population group that you're talking to. So,
14 if your public hearing, the first one, was in that city
15 because you know there were some issues, there were some
16 concerns, they really wanted you to have a hearing there,
17 and they really needed to be heard, right? You may not
18 want to have the next hearing exactly in that location,
19 you may just move a little bit over just so you capture
20 the conversation and the input from the people that are
21 actually going to be affected because now you have the
22 data and now you actually have more specifics. That
23 doesn't necessarily mean that your first input strategy
24 was in any way obsolete, or that you can't use it,
25 because you're going to get a whole lot about save

1 regions, keep regions together, blah, blah, blah, there
2 is this particular mountain range, you don't want to go
3 on the other side, that sort of thing, you're going to
4 get a lot of that in the first round of hearings, I'm
5 sure, but there is also going to be some very specific
6 stuff that may not be as useful at that particular point,
7 or may not be useful at all. So, I do think that, I
8 mean, you're going to have to start making some decisions
9 on how you want to draw - at some point. You're just
10 going to have to tell whoever is going to draw the maps,
11 "Okay, we're going to start at the top, here is the
12 testimony that we have, here are all the criteria, give
13 us an idea of what this would look like without violating
14 any of them, you know, what would this particular, say,
15 northern section, let's just say the upper fifth, or the
16 upper fourth, of the state look like?" Or, these
17 particular counties. "Give us some districts so we can
18 get some testimony on that." So, I don't think you want
19 to be in the south when you're talking about the northern
20 districts, you know? It helps you to basically figure
21 out where you're going to be because people from the
22 north hopefully will not have to go to San Diego to give
23 you input, right, if they really want to talk to you
24 because sometimes, in person, you can make a whole, as
25 you know, much more forceful presentation and really get

1 your point across a whole lot better than if you're just
2 filling out a piece of paper, or you're sending an e-
3 mail, or you're sending a file. And really just explain
4 it and kind of just respond to maybe what comes up. So,
5 I think that makes sense to me that you would basically
6 just start at some point, look at the districts, get
7 public testimony, and then, you know, keep on going like
8 that through the state. But that's just a suggestion,
9 there are many many different ways to redistrict
10 California, you could start with the Section 5 counties
11 and just see how that works, there could be a multiple
12 strategy that looks at Section 5 counties, and some of
13 the regions at the same time, you know, and we can figure
14 that out. But I think what you have to do right now,
15 though, hopefully before you go home today, is figure out
16 how many meetings and what regions. And, you know, if
17 you want me to come up with some sort of strategy of
18 where these could be, or give you something to kind of
19 bounce ideas off of, we could probably turn something
20 around over the weekend and just look at populations -
21 give me some basic criteria and then you have a map to
22 look at, you can figure out, you know, how many evenings
23 you are available, how many of you have to be there,
24 figure all of that out, perhaps the Commissioner that is
25 working on the timeline can factor some of these things

1 in, and then, from that process we can figure out how
2 many meetings we can have, or how many hearings we can
3 have before the data come out.

4 CHAIRMAN BLANCO: Thank you very much.

5 CHAIRMAN DAI: Yes, and actually, Ms.
6 MacDonald, I was going to say, you know, based on the
7 Commissioners' previous discussions, we had talked about
8 50 as the order of magnitude of these input meetings -

9 MS. MACDONALD: Before?

10 CHAIRMAN DAI: Before. Followed by Regional
11 meetings - I can tell you're laughing, that's good,
12 that's helpful.

13 MS. MACDONALD: No, you're not planning on
14 sleeping at all, are you?

15 CHAIRMAN DAI: So, now, we did talk about
16 splitting up, so it's divide and conquer. We've talked
17 about having three Commissioners per - so, it would be
18 very helpful for us to get a reality check on this
19 because it's probably not based on your wealth of
20 experience.

21 MS. MACDONALD: Well, you know, especially
22 because we have to develop a bit of meeting design and
23 perhaps a handout, just - you have to make decisions of
24 what you want to tell the public, on how you want to
25 receive public input and all that, so that will take a

1 little bit of time, then they have to be noticed, we have
2 to find proper places. I mean, logistically, I don't
3 think that's possible, I have to tell you.

4 CHAIRMAN DAI: That's helpful.

5 COMMISSIONER YAO: How many meetings are
6 possible?

7 MS. MACDONALD: Oh, boy, I don't know. Can I
8 tell you next week? Let me think this through and I
9 really look at your availability and, also, at the
10 timeline -

11 CHAIRMAN DAI: Commissioner Yao, and then
12 Commissioner Di Giulio.

13 COMMISSIONER YAO: Sorry. Last, earlier this
14 week, before we had this presentation, we truly were
15 thinking about 50 meetings before we started drawing the
16 lines, okay? In light of the fact that you said that
17 some of the data may be earlier, so we're basically
18 looking at between now and mid-March, for example. How
19 many - I think we all would welcome a number from you as
20 to what is practical, what is reasonable, in terms of
21 ability to handle; 2) what kinds of questions have been
22 asked previously in similar types of situations? Maybe
23 it may not be a state redistricting, but some of the
24 other redistricting experiences, what kind of data have
25 been asked that were effective in terms of pulling in the

1 data? If you have some of that, I'd love to have you
2 share it with us.

3 MS. MACDONALD: Yeah, I certainly - I mean, a
4 handout, I can give you some ideas of how we can develop
5 a handout because that is something I do when I do talks,
6 because I've been training trainers, basically, for the
7 last year. And what trainers ask is, you know, "What do
8 you teach communities about what kinds of testimony they
9 should be preparing?" So it's just working backwards
10 from that. I can bring that next week and you can take
11 a look at that, and that will be pretty straightforward.
12 In terms of how many - I mean, basically we're looking at
13 six weeks, you need like 10 days to notice a hearing, you
14 have to find places. You know, there are some logistics
15 in there, and I know we have some outreach people right
16 after me, and I think this may be a conversation that
17 needs to be held between, you know, like you, the
18 Outreach person, and then perhaps us when we come back
19 with the map of the various regions and give you some
20 ideas, or the various places. And I think what I would
21 like from you, though, to be able to really respond to
22 your questions, is some idea of whether you would want
23 these - if you want me to come up with some suggestions
24 of how these locations would be best selected, given the
25 time constraint, I mean, I don't think you want to have

1 the hearing every night for the next six weeks, I think
2 that's too much. I think there's something about
3 quantity and quality, there is a little bit of a trade-
4 off, and we don't all want to be burned out already, I
5 mean, there's only so many of you, and even if just a
6 subsection of you goes to each one of these, I mean, it's
7 a tremendous amount of work, especially since you're
8 probably going to keep on doing it until the end of July,
9 and maybe even longer. And given what we talked about,
10 that there's really like three different sections here to
11 hearings and collecting public input, you know, before
12 the data come out, the in between stage when you're
13 drawing, and the after. I would say that perhaps save
14 some of the 50 for the in between stage, and also factor
15 in that there may be some emergency meetings where you
16 just become aware of a particular conflict that you want
17 to resolve, so you want to go back out, and so there has
18 to be some sort of an allowance made for that. So,
19 honestly, I will give you just the over the thumb what I
20 think you can realistically do well before the data come
21 out, just kind of right now? Max - 10. To do it well.

22 CHAIRMAN DAI: That's helpful. Commissioner Di
23 Guilio.

24 MS. MACDONALD: But that's without looking at
25 the data.

1 COMMISSIONER DI GIULIO: I guess I was just
2 going to suggest throwing out some additional information
3 for Ms. MacDonald, that I think part of the reason we've
4 come to 50, just so you could kind of know our reasoning
5 for that, and maybe when you develop some
6 recommendations, was we were hoping to get beyond just
7 the typical large regional areas, and what we really
8 wanted to do was to reach out to places that typically
9 are always asked to drive that hour to two to three hours
10 just because they're not centrally located. So, I don't
11 know if that's going to be reasonable based on your
12 recommendation, or if we just have to be realistic, but I
13 think originally 50 was just for that reason of trying to
14 do as much outreach to underserved areas as possible.

15 MS. MACDONALD: Okay, I think that's a really
16 good thing to keep in mind when we're looking at it.

17 COMMISSIONER FORBES: Yeah, the other thing we
18 talked about was, after an initial batch of these smaller
19 meetings, was that we would go to a more regional
20 approach for the follow-up meetings.

21 MS. MACDONALD: I would probably flip that.

22 COMMISSIONER FORBES: The initial meeting was a
23 little bit to show the flag, like no one goes to Eureka
24 and no one goes to Susanville, but that we didn't know
25 how much work it was going several times to those kinds

1 of places. So, that was the concept we talked about, was
2 having multiple regional meetings, having done one set of
3 outreach in small communities.

4 MS. MACDONALD: Right. I think, if I may,
5 there are some areas that are never going to be split, no
6 matter what you do, you know? And those are sometimes
7 the areas that are kind of hard to reach, just because
8 that's the way the population is going to break down.
9 So, I mean, it's really great to go to those places, but
10 that's not necessarily where you're going to get the best
11 input on where your lines should go.

12 MR. FORBES: No, I understand that, but I think
13 the other component here is that part of this is a public
14 perception issue, and so it's okay to go to places that
15 may never be split, just to let the public know that
16 we're aware of them.

17 MS. MACDONALD: Point well taken.

18 CHAIRMAN DAI: Go ahead, Commissioner Yao.

19 COMMISSIONER YAO: The next question has to do
20 with the assistance center. You're going to have a
21 computer, you're going to have a Mapper there, two
22 Mappers -

23 MS. MACDONALD: Three computers.

24 COMMISSIONER YAO: -- three computers. Is
25 there a decision that we need to make in terms of which

1 software to use, or there is only one? So that we don't
2 need to worry about it? Or, if that decision needs to be
3 made and we are demonstrating it on one software, that
4 kind of implying indirectly that we're going to be
5 leaning toward using that one, and I don't know whether
6 that's an issue or not.

7 MS. MACDONALD: Well, for redistricting
8 software, it's kind of slim pickings because it's Niche
9 ware, and if you only sell software every 10 years, then
10 you as a company really have to make a decision of
11 whether that's where you want to put your development
12 money, right? So, consequently, there is not a whole lot
13 of competition out there. The software for the centers
14 has already been purchased, and I should say that the
15 Caliper Corporation were really - they gave us a really
16 great deal on the software because they really wanted to
17 work with us, and they really cut the price for us, and
18 thank you very much, and so that was already purchased by
19 the James Irvine Foundation, that was part of it. So,
20 what we have in the site is three computers, one laptop
21 because the person that is staffing the site is also
22 supposed to give public presentations, so he can just
23 take the laptop and give a little presentation someplace
24 if it's the City Council, or whatever, of that particular
25 area, just to get people into the Centers, and then just

1 two regular computers, and they have redistricting
2 software on them, and they're going to be on the Web so
3 that they can pull down information from here, and they
4 also have statistical analysis software on them so that
5 some number crunching can be done, so people can bring in
6 their own datasets, they can develop datasets, and
7 somebody will be helping them do all of that. So, we
8 bought two redistricting - the other big competitor
9 actually is ESRI and Maptitude also did their
10 redistricting plug-in, but there are a few online
11 versions that various manufacturers and various groups
12 are selling. And there's District Builder, for example,
13 we just had a Web meeting with ESRI on their
14 redistricting online product. Maptitude also has a
15 redistricting online product. There are multiple ones
16 out there, so there is some competition on that, but
17 that's not what we have been dealing with. You may look
18 at that and say, "We want this in addition so that people
19 that see it at home can draw lines." But with respect to
20 Centers, that's not an issue and that's not something
21 that you need to make decisions on. If you wanted to,
22 you know, help us fund the centers a little bit more, if
23 you wanted to throw some more money into staffing of the
24 centers so we can keep them open a little bit more, that
25 might be a good thing to do because I've been running

1 around asking everybody for money, and nobody has any, so
2 you know, that would be a pretty easy way to kind of
3 increase the amount of time by which people can get some
4 help.

5 CHAIRMAN DAI: We're also looking for money
6 ourselves, so -

7 MS. MACDONALD: Yeah, I know. No, I know, I
8 didn't mean personally, and I don't know how you're going
9 to develop your funding requests or if anybody knows any
10 funder who perhaps wants to give us some more money just
11 for the staffing. I mean, it's really not a big amount
12 of money, but it would just help.

13 CHAIRMAN DAI: Commissioner Ward and then
14 Commissioner Ontai.

15 VICE CHAIR WARD: Thank you. Your presentation
16 has been very informative and very helpful, thank you for
17 taking the time. I'd just like to quickly, since this is
18 the first time I'm giving this presentation, recap to
19 make sure I have a good handle of what your
20 recommendations are for us today. Basically, as I
21 understand it, your off-the-cuff recommendation would be,
22 in this beginning stage, a 10-15 approximately regional
23 approach to going out and gathering public input, and
24 then an intermediate stage whereby, as we're drawing
25 maps, and we see potential conflicts, or areas of concern

1 and splitting, that we go and make targeted visits to
2 those areas to determine the effect of our proposed
3 lines. And then, in the later stage, we have a map
4 presentation stage where we would go and, again, I would
5 presume, from what I understood, target areas most
6 affected by our recommended lines. Is that -

7 MS. MACDONALD: I think in the later stage, you
8 probably will want to go pretty much everywhere because
9 everybody is affected by the lines because you have a
10 complete map, right? But we can talk about that once we
11 get there. I would just say that you probably will
12 collect public input at every single stage and it's just
13 going to be slightly different, depending on where you
14 are in the process. But, aside from that, yeah, that's
15 pretty much -

16 VICE CHAIR WARD: Okay. In the intermediate
17 stage, then, is there - as we're doing our initial public
18 outreach and we're providing the education piece, and
19 we're informing those communities of all the resources
20 available to them, to provide input and, again, to become
21 educated, if we provide them with the website information
22 and the tools to understand and follow it themselves on
23 what's happening with the redistricting process as it
24 happens, would that eliminate some of the burden of that
25 intermediate stage of going out and visiting these areas?

1 MS. MACDONALD: I think it's all going to aid.
2 I think you just have to be kind of flexible and see what
3 happens because, honestly, at this point, your guess is
4 as good as mine on really what's going to happen, and
5 until we have data and see how it all works out, we just
6 really don't know, we just don't know.

7 VICE CHAIR WARD: Thank you.

8 CHAIRMAN DAI: Okay, we only have about three
9 more minutes, so Commissioner Ontai and then Commissioner
10 Filkins Webber.

11 COMMISSIONER ONTAI: Karin, you said you had
12 eight sites right now - six?

13 MS. MACDONALD: We have six. We started with
14 eight.

15 COMMISSIONER ONTAI: Now, how do you promote
16 those six sites? How does the community know where they
17 are? How do you let them know it's there?

18 MS. MACDONALD: Well, basically, well, I've
19 been doing outreach with all these groups that have been
20 listening, and everybody knows about them, so we're
21 trying to get the word out via the press, we've been
22 talking about it for a year now, but we haven't had the
23 location, so that's made it a little bit more difficult,
24 but we've had the basic structure, of course, and we knew
25 which city they were going to go in, we just don't have

1 the precise location, right? So that made it a little
2 bit more difficult. But essentially we're working
3 through most of the groups and the media, and you know, I
4 give a lot of talks right now and every time I give a
5 talk, I talk about those. I even actually interrupted
6 the keynote at the Tuesday conference to make sure people
7 knew about these centers.

8 COMMISSIONER ONTAI: Thank you.

9 VICE CHAIR WARD: Can I ask where the centers
10 are?

11 MS. MACDONALD: Yes, they are in San Diego, Los
12 Angeles, San Bernardino Riverside area, Fresno,
13 Sacramento, and Berkeley.

14 CHAIRMAN DAI: Commissioner Filkins Webber.

15 COMMISSIONER FILKINS WEBBER: Thank you, Karin,
16 I certainly appreciate it. I wanted to address the
17 comment that was made by Commissioner Yao and I was
18 correct, I did read this someplace, and I'll just read it
19 and, again, I just want the public and obviously the
20 Commission members to know, I don't serve as counsel for
21 this Commission and I certainly look forward to Mr.
22 Miller's interpretation. But the Voters First Act has
23 not been interpreted by any judicial authority and
24 certainly is subject to any interpretation, but
25 8253(A)(3) specifically states: "Commission members and

1 staff may not communicate with or receive communications
2 about redistricting matters from anyone outside of a
3 public hearing." So I did read it someplace, and it
4 certainly could be interpreted as to what receiving
5 communications means, but we've certainly set up our
6 experts to come in and provide us this detailed
7 information in open public hearings. So I certainly
8 appreciate Commissioner Ontai's public statement that he
9 will be conscientious of receiving information and limit
10 his welcoming comments on his meeting on Saturday, but
11 this is what I'm looking at and certainly we can ask our
12 counsel to give us more detailed legal opinion concerning
13 that, but maybe we should err on the side of caution at
14 this point until we obtain a full opinion regarding that.

15 CHAIRMAN DAI: Commissioner Di Giulio.

16 COMMISSIONER DI GIULIO: Could I just ask you,
17 the beginning part of that, did you say that it says
18 "communicate with" and "receive?"

19 COMMISSIONER FILKINS WEBBER: It says both -
20 "or." So, in other words, --

21 COMMISSIONER DI GIULIO: Maybe it's not for
22 now, but I'm just concerned, it brings to mind what is
23 "communicate with" because does that mean - are we - what
24 level of communication? Is giving a talk a form of
25 communication?

1 COMMISSIONER FILKINS WEBBER: Well, again, I
2 looked up the word "Communication" here and it's not
3 defined under the Code, and maybe we can ask for further
4 detailed legal opinion from our new Chief Counsel, but it
5 does say, "Commission members and staff make not
6 communicate with," and there is no punctuation, but then
7 it says, "...or receive communications about redistricting
8 matters." So, the way that I interpret it just briefly
9 off the cuff is that we can't provide or communicate with
10 members of the public regarding redistricting matters
11 outside of a public hearing. So, for instance, if we are
12 in the public, or if I were to attend a welcoming meeting
13 at one of the Redistricting Centers, I cannot communicate
14 with somebody regarding redistricting matters outside of
15 a public hearing, so I could certainly thank the members
16 of the public regarding their interest, but I certainly
17 cannot communicate with them regarding redistricting
18 matters, and that's what it says. So communicate with,
19 or receive communications about redistricting. So, I see
20 it as a two-way street - receiving information from the
21 public outside of a public hearing, appears to be
22 prohibited, as well as our communication with the public
23 outside of a public hearing appears to be restricted.
24 But, again, I certainly will ask our Chief Counsel to
25 comment further for assistance.

1 CHAIRMAN DAI: Well, we have a Chief Counsel
2 here and he would like to comment.

3 MR. RICKARDS: Let me just reinforce that.
4 When you - Commissioner Filkins Webber, when you raised
5 your hand earlier, before - as I indicated, I had my mind
6 in Bagley-Keene, but we tried to give people this advice
7 early on when you were getting contacted by the Press,
8 and what we have sort of advised - and you're correct,
9 this has not been interpreted and, to some degree, you
10 and your counsel will have to figure out how you
11 interpret some of these broad-stroke provisions. We have
12 sort of said, so far, and it's up to you whether you want
13 to continue that, that if you went to one of these
14 events, you could make brief comments encouraging people,
15 and talking about your service on the Commission, and
16 that sort of thing. But you couldn't talk about
17 redistricting needs, or what you were going to do, or
18 what communities you were going to look out for, or any
19 of those kinds of things, and you were supposed to, when
20 you encounter people, in some way politely indicate, "You
21 know, part of the law is that I can't communicate with
22 you privately, and you may have something very valuable
23 to say, and here is how I encourage you to do it," and
24 then encourage them to do it in a public fashion. So,
25 that's what we've done in terms of information coming in.

1 Again, you know, you may want to explore this further
2 with counsel, but that's where we've drawn the line so
3 far, it's not an absolute black and white line, but it's
4 a matter of common sense so that you can accomplish your
5 mission of reaching out to the public and not being rude,
6 and also keeping in compliance with the law.

7 VICE CHAIR WARD: Madam Chair, as your Vice
8 Chair tasked with keeping the agenda in line and I
9 suggest that further discussion be held for Governance
10 matters at a later time to respect Karin's time.

11 CHAIRMAN DAI: Thank you very much. And,
12 actually, Ms. MacDonald is actually finished because we
13 have another speaker coming up. Are there any final
14 comments you want to make? Or are you -

15 MS. MACDONALD: No, I think you should probably
16 just let me know when you want the plan - Tuesday or -
17 tomorrow? Oh, tomorrow morning at 6:00!

18 CHAIRMAN DAI: You can take the weekend.

19 MS. MACDONALD: Okay, since I haven't checked
20 with Nicole, we will probably be working on this, could I
21 just say Tuesday at the latest?

22 CHAIRMAN DAI: Actually, practically speaking,
23 the Commission will not be meeting again until February
24 10th, so you can probably take some time.

25 MS. MACDONALD: Well, okay.

1 COMMISSIONER ONTAI: But the sooner the better
2 and copies of your presentation.

3 MS. MACDONALD: Okay.

4 CHAIRMAN DAI: Yeah, we can get staff to make a
5 copy for you.

6 MS. MACDONALD: Well, thank you very much.

7 COMMISSIONER BLANCO: Just on the record, I
8 think we should - I don't think we need to vote, but I
9 think we need to ask officially that -- make this request
10 for the information for these preliminary suggestions and
11 they will be coming in for the record, who will they be
12 coming from, what's the actual name of the entity that
13 will be providing them for us?

14 MS. MACDONALD: Also, may I ask something else
15 really quickly? If you are looking at - what is that -
16 two weeks from now, that is your next hearing, and you
17 started at 50 before the data come out, okay? So that
18 between February 10 and mid-March, that's four weeks,
19 okay, so I said probably 10 meetings, hearings,
20 convening's, whatever you want to call them, is
21 realistic. So, if you cannot look at this plan until
22 February 10, then your outreach people cannot start
23 setting up meetings, 10 days of noticing, from February
24 10, let's just say it's February 11 because you need to
25 tweak it a little -

1 CHAIRMAN DAI: And to be clear, we're not sure
2 if it's 10 or 14 days for some of these, so...

3 MS. MACDONALD: Okay, so 10 or 14 days, we're
4 already at the end of February, so all of a sudden, 10 of
5 these hearings, meetings, is not looking realistic
6 anymore either, unless you want to do two a day.

7 CHAIRMAN DAI: No, we understand we need a dose
8 of reality on this.

9 COMMISSIONER BLANCO: That's right, but I just
10 want to make sure -

11 MS. MACDONALD: Yes, your question about who is
12 going to be making the maps?

13 COMMISSIONER BLANCO: No, for us, this
14 suggestion, yeah.

15 MS. MACDONALD: You mean, will we be doing it
16 through Berkeley or through our private consulting?

17 COMMISSIONER BLANCO: Yeah.

18 MS. MACDONALD: Yes, private consulting
19 because, under Berkeley, that is not what we can provide
20 because it's not what our job description or anything
21 else provides. So, we will be doing this as private
22 consultants.

23 COMMISSIONER BLANCO: And so, if you did that
24 for us, say, by next Tuesday, we would be contracting
25 with you to do this?

1 MS. MACDONALD: Yes. And there has been a
2 previous contract for a couple of the trainings with the
3 BSA, so we're already on -

4 COMMISSIONER BLANCO: There's a contract on
5 file that could be extended in terms of scope of work, or
6 time -

7 MS. MACDONALD: I don't know if we can extend
8 it because it was with the BSA, but we're approved -

9 CHAIRMAN DAI: Commissioner Blanco, this is
10 something staff needs to deal with -

11 COMMISSIONER BLANCO: I just needed to make
12 sure that I knew where we were with this.

13 CHAIRMAN DAI: Yeah, so -

14 MS. MACDONALD: They tell me where to sign, and
15 that's what I do.

16 CHAIRMAN DAI: So we'll let our Executive
17 Director deal with these details and I would like to
18 welcome our second speaker and thank Ms. MacDonald for
19 her time, we really appreciate the short notice.

20 [Applause]

21 So our second speaker is Ms. Ditas Katague, who
22 was the former Director of Census 2010 and did an amazing
23 job with Census outreach for a very small budget and
24 we're very interested in hearing her suggestions for us.

25 MS. KATAGUE: Great, well, I don't have - I

1 didn't have anything prepared because I was kind of asked
2 on short notice, but good afternoon, Chairman Dai and
3 Commissioners. I'm Ditas Katague and I'm pleased to have
4 the opportunity to share my experiences in implementing a
5 statewide civic engagement program. Not only did I do
6 this in 2010 for the 2010 Census on behalf of the State,
7 but I also did it in 2000, and so I wanted to share some
8 of the experiences, I have lots of ideas as I was sitting
9 out there listening to Karin about different things that
10 you could consider. I'll kind of do a short thing and,
11 then, if we could have a conversation and pick my brain
12 about staffing, about timing, about how you get it all
13 done in a very short time period, and I wanted to do a
14 shout out to Commissioner Barraba, I know he was the
15 former U.S. Director of the Census Bureau, and I have a
16 real soft spot there for the U.S. Census Bureau, they
17 were very helpful. As I had mentioned, I want to applaud
18 Karin also, she is doing a lot of great work and she is
19 right on target with all the things that you need.

20 In 1999, I faced a similar challenge that you
21 face today, which was I was asked to implement something
22 that had never been done before. Although the state had
23 certainly had experience doing outreach here and there
24 for smaller and specific audiences, never had they
25 embarked on a multi-lingual, multimedia, statewide civic

1 engagement and outreach effort in support of the 2000
2 Census. And, of course, it was a Federal effort, so you
3 think, well, why would the State be involved in doing
4 anything like that? And as you guys know, we stood to
5 lose \$5 million, redistricting reapportionment, all that.
6 And in terms of the fact that the U.S. Census Bureau told
7 us in 1999 that California would have a 58 percent mail
8 response rate, which is pretty abysmal in terms of
9 response rate, and then you add that up with how many
10 dollars we'd actually lose. And so it grabbed the
11 attention of the Legislature and the Governor, and they
12 said, "We cannot let that happen, we cannot let the fate
13 of our dollars and our apportionment, and our
14 redistricting, and all the data, be left to a Federal
15 agency," no offense meaning, but we're Californians and
16 we know how diverse and how large our state is. We know
17 better than the folks in D.C., or Suitland, or whoever,
18 how to get Californians to act and engage at the civic
19 level. So, they put aside \$24.7 million. So, again, the
20 challenge, to implement something that had never been
21 done before, with huge consequences should we fail. I
22 came aboard in November 1999 and was told, it was the
23 good news, "Hey, you have \$24.7 million. The bad news
24 is, you have 18 weeks to do it." You see, as you're
25 familiar with, April 1st is Census day, and it always has

1 been, so we had to set up, hire, design, administrate, we
2 had to get over 90 contracts and interagency agreements
3 executed and in place in less than three weeks. So, I
4 know your new Executive Director is very familiar with
5 the speed at which the state contracts move, and so this
6 was a huge effort. We were able to get those done very
7 quickly. And I will go into how we did it and hopefully
8 give Dan some angles on how you guys can get this moving.

9 We, to use the training analogy, we were laying
10 track as the train was rolling over it. We pulled
11 together a team of diverse backgrounds, mixed borrowed
12 state employees with special consultants, which is a DPA
13 classification that I suggested that they could use to
14 bring people aboard. We contracted with vendors,
15 municipalities, and all importantly, we worked with
16 community-based organizations and contracted with them.
17 Many of those organizations that Karin had up there were
18 just ones we used in 2000, as well as who we leveraged in
19 2010. I had 55 staff primarily in Sacramento and Los
20 Angeles, with strategic outreach folks in San Diego,
21 Fresno, and San Francisco. So, the composition of your
22 team is key, you guys cannot do it all alone and, I hate
23 to say it, but Dan and his six staff, or as many as you
24 can have, cannot do it all alone. So, let me just jump
25 back to results because I'm sure Commissioner Barraba is

1 saying, "hmmm, I remember the 2000 Census." Instead of a
2 58 percent mail response rate, California came back with
3 a 72 percent - it outpaced the entire national average.
4 We succeeded because we believe California knows how to
5 reach Californians and how to engage them.

6 So now, fast forward, for the 2010 Census, I
7 had moved on and went to the private sector, different
8 Administration, severe fiscal constraints, as you know,
9 but still the same need for a complete and accurate count
10 of all Californians. So, in 2008, they contacted me and
11 they said, "Hey, we need you to come back." However,
12 what I didn't know was that I would be the only one that
13 they hired. so, to go from 55 people to one, I had to
14 borrow four staff, which you can do, and essentially, at
15 55, we had about five people working on this. Instead of
16 \$24.7 million, we had \$2 million. The good news is that,
17 instead of 18 weeks to do it, I had 18 months to plan,
18 but they still wanted the same results and response that
19 we had in 2000, and of course the reports were saying
20 California is going to lose a Congressional seat, or, as
21 we found out, they didn't gain one for the first time in
22 the history of California becoming a state. So, we
23 quickly had to change our paradigm on, okay, we did
24 really well in 2000, we're going to have to change what
25 we do, we're going to have to leverage what's out there,

1 we're going to have to look at those community-based
2 groups that are already out there doing things. In 2000,
3 we actually contracted with administrative CBO's and they
4 actually helped do the stuff, so we had some control over
5 what we were doing. I heard you guys earlier talk about,
6 "Oh, well, there's a lot of stuff that's already going
7 out there, can't we just leverage them?" You still need
8 to coordinate, you still need to avoid duplication, and
9 that way, you know, a staff person can do that, or
10 consultants that you work with, or, if you have a central
11 repository, if you have a website that everybody can plug
12 into, put up their educational pieces, put up - we even
13 said, "Why don't you put up the maps?" I don't know what
14 your General Counsel is going to say, I mean, you've got
15 people who are technical, they want to do it, they want
16 to get it to you, it's open 24/7, the Internet is. Does
17 that comply with Voters First, does it comply with
18 Bagley-Keene? It's up there for everyone to see. If you
19 wanted to, and I'm not suggested you do it, you could add
20 Wiki, because people can have an open forum conversation
21 and that's truly open and transparent, again, I don't
22 know if you want to open up that can of worms, but we are
23 in the 21st Century, and certainly technology can be used
24 to really extend the transparency of the efforts that
25 you're doing, and thus hopefully build some advocacy or

1 at least know that you're allowing that open input to
2 come to you 24/7.

3 So, let me talk again just kind of going with
4 the \$24 to \$2. We were lucky because of the success we
5 had in 2000, the U.S. Census Bureau, they adopted many of
6 our costly best practices, and they got a bunch of ARRA
7 dollars, and so they were able to really help partner and
8 do what we did with us, but with a lack of staffing, it
9 was a major issue because, even if you plan to use
10 volunteers, you still need staff to organize and maximize
11 the output of these volunteers, and you also need to make
12 sure that they're not duplicating efforts. So, the
13 effort - I mean, we were called the California Complete
14 Cal Committee, CCCC. And really, it stood for convening,
15 because we convened all of those partners, like you
16 talked about, we collaborated with them, we coordinated,
17 and we capacity built, so it's many of the things like
18 Karin was talking about they're already doing, but we
19 were kind of the central point. I couldn't be everywhere
20 like we were in 2000, so we served as the central point,
21 so having people here in Sacramento, or people to play
22 that role is certainly key. So we identified and
23 assessed our key stakeholders, solidified our
24 partnerships, particularly with the Census Bureau, local
25 entities, and of course, community-based organizations,

1 and we set out across the state initially, this was in
2 2009, to do a series of 20 regional convening's. This is
3 something we didn't have time to do in 2000 because it
4 was implement and go, but we had this time and so we did
5 20 regional convening's in less than 10 weeks. And we
6 focused in on the hardest to count areas in California
7 because we were looking at the Census, partnered with the
8 Census folks, and used local partners. So, she mentioned
9 the Javits Center down in San Diego, gorgeous site,
10 that's where we had our San Diego convening, we leveraged
11 the partnership specials with the Census Bureau, we
12 leveraged all of the community-based groups that were
13 already down there, and we had about 350 people show up
14 to that one, that was one of our bigger ones. Orange
15 County, as well. Again, as you're planning to these
16 meetings, you're planning them in how many weeks out -
17 I'm having an Orange County conference call on Tuesday
18 because we're four weeks out, and then Wednesday I'm
19 having a call about San Diego because we're X out, so
20 it's really a moving target. And I know you guys are
21 concerned with the timeline and how to do that, and my
22 recommendation is, you need to hire somebody who is an
23 expert in that, that's the process. I see Karin, she's
24 done it before, she's the technical expert, she's asking
25 all the right questions, but I don't see an army of

1 people behind her to do all this, and that's why I'm
2 saying partner with someone, an entity, that can do that,
3 and I wanted to mention that the folks that we worked
4 with in 2010, because I had such a small staff, was
5 Sacramento State Center for Collaborative Policy, and
6 they were my arms, my legs, my ears, my worried ears,
7 they pulled it together. They are experts in
8 collaborative policy making. I think I brought some
9 packages if you want to see what they've done, they've
10 done water policy, this is what they do. And they
11 certainly could - they always partner with the technical
12 expert to make sure you're asking the right questions.

13 So, the difficulty with not coordinating all
14 the other efforts that are out there, that you saw, is
15 that they're all over the place and the energy is just
16 dispersed. You guys want to be able to get the data.
17 It's not that you want to control what's out there, but
18 you want it coordinated and you want folks to share.

19 That's just sort of a quick thumbnail of what I
20 did, and I'll answer more questions. But I wanted to
21 look - I've been looking at your challenges and your
22 tight timeline, and I wanted to let you know that, from
23 where I sit, it can be done, I don't want to discourage
24 you, it can. But if I can provide some advice from my
25 experience in implementing not one, but two statewide

1 outreach civic engagement projects, to be successful in
2 this short time period, you need a few things. You've
3 got to have a plan. Don't go out shooting from the hip
4 and setting up meetings, plopping down the microphone,
5 hoping that people come up with three minutes of
6 comments, or interested parties, you need to make the
7 most of your resources, time and input by having a good
8 plan in place, acting with intention, and asking the
9 right questions. And I'd also say, think about
10 technology, think about how we can use that, push the
11 attorney to say how do you really interpret that. So,
12 that's just an area that's so new that I think you should
13 look at it, as well. You can do it cheaply, but you'll
14 probably need an expert because I don't know in the State
15 - I work for the State now - if that expert is in-house.
16 You need to think about support from the top, those are
17 things that we have. Commissioners, I don't know if you
18 can, but you need to make the tough calls to ask that
19 things be expedited, help your Executive Director out and
20 if, bureaucratically, things are going slow, make the
21 call. I mean, I think about UC Berkeley, I used to work
22 there, and how slow that contracting process is, and I
23 know you have some esteemed Cal Alums on the Commission,
24 make the call to UCOP and say, "This is a priority for
25 the State. Can you help us?" And hopefully somehow that

1 paperwork rises to the top and is a priority. Try it,
2 make the call. We had the Governor, we have a
3 Legislature, that's how we got 90 contracts through in
4 three weeks through the Department of General Services.
5 You've got to ask the question, you've got to ask for it
6 to be a priority, or you won't get it done.

7 You can't do it with seven people - I mean, let
8 me restate - you can't do it well with seven people. I
9 think you need to hire ready-made experts and staff from
10 outside to get it done, it's just too hard to find people
11 who have done it before. After hearing Ms. MacDonald,
12 it's clear she has the technical expertise, and I think,
13 you know, I don't know if she's doing this for free, but
14 I sure hope that you're going to pay her to do it because
15 you need to do this quickly. You need to nail those
16 things down, you need them to partner up. And you can do
17 it again through interagency agreements, which, if you
18 plan on doing that, they can start work next week with a
19 letter from you guys saying you're planning to use them,
20 and then, as the paperwork goes. That's a way you can
21 start the work moving, once you make those decisions.

22 Multi-level access and input for comments.
23 Something we did differently in 2010 than we did in 2000
24 is we used collaborative technology and I understand you
25 have these kiosks, and it's great for people who are

1 really tech savvy, but for those people who want input,
2 who are kind of low tech, you also have to have those
3 multiple levels. So, you need to be thinking about how
4 to provide that. You know, the voters were clear, they
5 want a transparent and accessible process for which
6 everyone can participate. So, think about how you'll do
7 that, and I know that you hired a PIO, I have just some
8 comments on that; typical PIO, Public Information Officer
9 work, is different than Outreach work. So, I encourage
10 you to look at consultants, whether they be with the
11 University, or what, who actually understand the
12 collaborative policy-making process.

13 So, sort of my key things are, it can be done,
14 but you've got to move quickly, you've got to have a plan
15 and design for outreach, and a design for those meetings
16 and what kind of input you all want to get out of it, or
17 you're going to waste your time. I think you need to -
18 instead of kind of arguing over are we going to do 50,
19 are we going to do 10, or are we going to do 15, I think
20 bring the experts in who are going to look at the
21 timelines for you, who are going to know the goals, and
22 then have them say, "Look, realistically this is what you
23 could do with the timeline, here is choice 1 for 50, and
24 you guys are not going to sleep, here is choice 2 for 15,
25 here is choice 3." Let your experts work for you and

1 bring it to you in the open forum, discuss it, pull the
2 trigger and move forward because time is ticking and the
3 clock is going. So, again, hire the expertise for
4 technical subject matter, partner them, and hire
5 resources that have already a statewide presence, so they
6 don't have to set up in San Diego or LA. Make the calls
7 and move the bureaucracy. I think that's all I have
8 right now, but if you want, ask more specific questions.

9 CHAIRMAN DAI: Okay, Commissioner Filkins
10 Webber.

11 COMMISSIONER FILKINS WEBBER: I have one
12 specific question. You mentioned for 2010, due to your
13 fiscal limitations, you borrowed staff?

14 MS. KATAGUE: Yes.

15 COMMISSIONER FILKINS WEBBER: What does that -

16 MS. KATAGUE: Pardon?

17 COMMISSIONER FILKINS WEBBER: What does that
18 mean, "borrowed staff?"

19 MS. KATAGUE: We - I borrowed somebody from DMV
20 who actually had great expertise with social media and
21 redesigned our entire website, so you can reassign people
22 to work on it from other agencies.

23 COMMISSIONER FILKINS WEBBER: Was that within
24 your budget? Or were they still under -

25 MS. KATAGUE: No, they still paid it. State

1 agencies can loan people, so they continued to pay that,
2 continued to pay his travel when we traveled, also
3 borrowed half time somebody from Department of State
4 Board of Education because we were doing educational
5 outreach K through 12, so she was an expert in that area,
6 and we borrowed somebody from the EDD.

7 CHAIRMAN DAI: Commissioner Ontai.

8 COMMISSIONER ONTAI: You had mentioned that
9 there is a difference between outreach coordinator and a
10 public relations or communications director. Could you
11 explain that?

12 MS. KATAGUE: So, public information work, at
13 least at the State level, if you're going to hire
14 somebody who has had PIO work, what I have seen in my
15 career around the state is PIOs can be typically
16 reactive, so, "Oh, there's a crisis, so I'm going to have
17 all this press," or, "Oh, we did something good, we filed
18 a case against somebody, we're going to put a press
19 release out there," sort of already existing. For
20 outreach, you need to have networks throughout the
21 community, you also could be generating what we call
22 "Earned Media," so you should have connections with - and
23 I'm just using what we used in Census in 2000, the Tongan
24 community here in Sacramento - they have a Public Affairs
25 show in Tongan that they do every third Sunday night on X

1 station, and they know, and they all tune in. You need
2 somebody who knows those and who can do interviews there,
3 or who can place a speaker like you to talk about it.
4 That's all free, but you've got to know that, you're not
5 sending it out to the *Bee* or to the *LA Times*. Is that
6 helpful.

7 COMMISSIONER ONTAI: Yes, I agree. I agree
8 with you.

9 MS. KATAGUE: I could talk more about Ethnic
10 Media, but...

11 CHAIRMAN DAI: Other questions? Would you talk
12 a little more about Ethnic Media?

13 MS. KATAGUE: Well, Ethnic Media, you know,
14 they are not typically the ones that always have Nielsen
15 ratings. A good sort of central source to go to is New
16 America Media, and we partnered both Census times with
17 them. And she's wonderful and their whole group is
18 wonderful. But the reason why Ethnic Media is so key is
19 because they are the trusted messengers in those
20 localities. And also, in terms of outreach, Faith-based.
21 Faith-based is key, but they can be dispersed, but if you
22 look at something what we found with Census, the CSU - I
23 think it is Office of the Chancellor of the CSU, he had a
24 person there who was working on the committee, well,
25 guess what that Chancellor had an already set statewide

1 committee of religious leaders that he worked on all
2 kinds of issues with. You know, they have a call, they
3 all - it's already existing. So, when you have such
4 little staff, always look for already existing networks
5 that are already set up, that you wouldn't even think of
6 using.

7 CHAIRMAN DAI: Other questions? Commissioner
8 Ward. Did you have a question?

9 VICE CHAIR WARD: I'm trailing in thought, but
10 to go back to the borrowed staff, I'm just wondering, how
11 were those people identified? Did you ask for them, were
12 they offered to you? And then, how did you go about
13 cementing that relationship?

14 MS. KATAGUE: So, some of them were different.
15 One of them, I knew and I was all by myself, so I was
16 sitting in the basement, desperate to have staff, but I
17 also knew her boss, and I asked her boss, "Would you loan
18 her for a year? I need somebody who can do this, this
19 and this." As for the other ones, I was under the
20 Governor's Office of Planning and Research this time
21 around, and I said to them, "Look, I need a
22 Communications person. I need someone that knows how to
23 do Web and Media." And so they looked around and they
24 identified them. But you do have to have - on the
25 Executive Branch, not the Legislative, but on the

1 Executive Branch, that's support in those relationships,
2 built. And then you can always do loaned executives,
3 they are there, I know they loaned them to do United Way
4 and the like. The California Volunteers also has great
5 ideas about how to get loaned executives to come over, or
6 loaned staff. It's all in the asking.

7 CHAIRMAN DAI: And for the Commission's
8 information, actually, Ms. Osborne was loaned to us. She
9 was loaned to us from BSA. Any other questions?

10 COMMISSIONER ONTAI: I'm still a little baffled
11 or in a quandary in how you actually reached out to the
12 grassroots communities. Could you explain it a little
13 bit more on how you did that?

14 MS. KATAGUE: So, in 2000 or in 2010, it was
15 different.

16 COMMISSIONER ONTAI: In 2010.

17 MS. KATAGUE: Okay, so in 2010 - well, in 2000,
18 we actually contracted with folks like the APLC, which
19 was the Asian Pacific Legal Center, so we gave them
20 dollars and they contracted out to set up a Questionnaire
21 Assistance Center, so we passed through about \$3.5
22 million across the state just with community-based
23 organizations, \$5 million to the counties for them to do
24 outreach. I mean, we had a lot of dollars back then.
25 For 2010, because we didn't have those dollars to engage,

1 well, I told the nonprofits right off, the ones I had
2 worked with, that we did, and we were very lucky that
3 people like the California Endowment, Irvine Foundation,
4 all of them stepped forward and they put about between -
5 I thought it was around \$14 million, but definitely \$9
6 million of their own dollars, because they knew how
7 important it was, and they ended up funding many of the
8 people we funded in 2000. So, in 2010, we took more of a
9 grass tops where we went to the trusted messengers
10 because you just can't have that reach if you don't have
11 those dollars, and so we engaged and coordinated at that
12 grass tops level, which are these organizations, and you
13 coordinate with them and you meet with them to make sure
14 that you're on message, to make sure that you're moving
15 where you need to go, that they're getting out the
16 information for you. But we, again, had technology as
17 the helper, but you have to connect all those pieces of
18 technology. If you have a Listserv here, well, I'm on
19 your Listserv, I'm not really the one you want to be
20 reaching out to, you need to be able to say, "Hey, a) can
21 we use one of your Grantee?" Let's take the Sierra
22 Health Foundation here in the sort of San Joaquin
23 Sacramento Area, they have community-based organizations
24 and Grantees that they use, and if they have sort of a
25 civic engagement commitment, sometimes they will allow

1 you, or they will tell them, "Hey, we're committed to
2 doing something, what can we do?" And you say, "Hey, we
3 want to be able to make sure we're communicating with you
4 when we're coming in your area." That's something that
5 your outreach consultant would do, is, say, you come up
6 with a plan of what you're going to do, you know, we're
7 going to do one in Sacramento, San Joaquin, Fresno, they
8 already have a host, a local host, whether it's the City,
9 or the County, you know, we had complete count committees
10 and those were our hosts, and we partnered with the local
11 Federal partnership specialists, but you have - I see all
12 those names that Karin put up there, they are around
13 there, it's a matter of having an Outreach consultant
14 actually map out who those people are, so that she can
15 plug them in place, they can plug them in place as you
16 move forward with your calendar. But, again, if you're
17 going to have 10, 15 in those next weeks, you've got to
18 come up with your design of what you want out of those,
19 and then you start - you have your checklist of got to
20 have my host, got to have my place, got to have this, and
21 it goes, and that's what those guys do, amazing things,
22 if you wanted them to come up and talk about what they
23 did with water policy, and the other items that they put
24 in place, it's - it's phenomenal because I could have
25 never got that done. I'm a multi-tasker, but not at that

1 level. Does that help in terms of grass tops?

2 COMMISSIONER ONTAI: Yes, yes, very much.

3 CHAIRMAN DAI: Commissioner Galambos Malloy?

4 COMMISSIONER GALAMBOS MALLOY: We've heard so
5 much about technology, technology, technology, so I
6 appreciate that you reminded us to take a step back and
7 that some people will need low tech options. Can you
8 talk more about that, how that is actually
9 operationalized [sic]?

10 MS. KATAGUE: Well, low tech is going to be in-
11 person, it's going to be in-person and with some of your
12 kiosks and, I mean, grandma will come in and she'll say,
13 "I want to draw you a map," and I'm going to show you on
14 my AAA map where my community of interest is." And
15 they're going to hand that to you. Now, if you can scan
16 it, then you can digitize it and get it, or, as Karin had
17 said, yeah, you can have a Mapper there because, yes,
18 it's good to be able to almost draw it, take a snapshot
19 of it, for you. But we, at our Census convening's, we
20 actually had huge maps up in those areas, depending on
21 how you define those things. People and questions that
22 people came in with, they could put stickies up on it.
23 You could put up - we had these huge maps that said, you
24 know, Communities of Interest - ours were particular, we
25 were interested in getting from them feedback on who are

1 your media, who are your micro-targeted media, and they
2 had definite ethnicities up there, and if their interest
3 area wasn't up there, they would put up their own, and so
4 you do collect that and then the consultants would
5 synthesize it down by meeting. So, low tech, paper,
6 maps, stickies, in-person.

7 CHAIRMAN DAI: Commissioner Yao.

8 COMMISSIONER YAO: I appreciate your input and
9 your experience in the Census work. Before us is really
10 a topic that is very foreign to a lot of people,
11 redistricting. Before us is a very limited budget. If I
12 suggest that we can spend half a million dollars on the
13 outreach program, and I'm not sure I can get concurrence
14 from my Commission on that, so that probably is on a very
15 high end of our budget, we have a very tough public
16 relations problem, I think everybody expects us to go to
17 every corner of the state and receive input, as much as
18 some of the suggestions that were made only going to the
19 areas where it actually makes a difference in the
20 redistricting maps. We may end up doing that, but we're
21 going to have to find a way to address the expectation
22 issue. What would you do if you were in our shoes, given
23 a half a million? As was suggested, if you look at when
24 the data is available, it's maybe mid-March, and we have
25 at most a month to do it, and originally we were looking

1 at 50 meetings, and now 10 is the upper limit, and so put
2 yourself in our shoes, what would you recommend us to do
3 at this point?

4 MS. KATAGUE: Well, I think you could do a
5 hybrid of things. Your comment with the PR is that, I'm
6 not going to come to a meeting if nothing is really at
7 stake, I mean, so I'm up in - we had our most northern
8 meeting in, I think, Ukiah, and we did Ukiah and Chico
9 and tried to cover - and of course people from Humboldt
10 were saying, "Oh, that's too far," but the reality is
11 when you look at the hardest to count areas, you know, or
12 the areas that are going to be most impacted, if we're
13 looking at 710,000 for a Congressional district, 430,000
14 for an Assembly, and - you know, I'm just giving general
15 numbers - way up there, you have to draw a huge circle to
16 even - so are they going to have, you know, like you're
17 saying, are they going to be most impacted? That being
18 said, you need to allow them to give impact. Whether you
19 do a full blown going out there, or you divide and
20 conquer and you take a cohort of one D, one R, one DTS,
21 and you go up and you meet with concerned groups, and I
22 think that's something that you outreach consultant can
23 do is, "Hey, who is moving and shaking up in that area?"
24 You know, because at the end of the day, the people that
25 are going to - I'm not going to use the litigation word -

1 but the people who are going to be the most upset, you
2 definitely want to be engaging in the process. And the
3 importance of outreach, it isn't handing out little
4 squishy balls and all that thing is, if you design your
5 outreach appropriately and get the right input, you're
6 engaging and you're building advocacy for you end plans,
7 upfront. So it's dollars well spent upfront. And I hear
8 you saying, "Wow, is \$500,000 really enough?" The people
9 who are going to approve your budget or your budget
10 augmentation, I believe, are the Legislature. Am I
11 right, Dan?

12 MR. CLAYPOOL: Yes.

13 MS. KATAGUE: Yes, and so, you know what they
14 want? They want to make sure you're allowing people to
15 have their input. So, if you have a strong plan, you can
16 go forward with, "Hey, look, I am in your area, and I am
17 going to hear from your communities of interest." So,
18 dealing with budgets, as much as it's a very tough - to
19 have fiscal all the time, going in with a plan and a
20 reason for why you need it.

21 COMMISSIONER YAO: Well, I can appreciate - you
22 also mentioned the difference between your 1999 effort
23 and your 2008 effort, in 2008 you had a chance to plan.

24 MS. KATAGUE: Yes.

25 COMMISSIONER YAO: But, today, I'm given a

1 month to do the work, including getting additional money
2 if I need it, it's going to be a challenge.

3 MS. KATAGUE: Well, and that's why my
4 suggestion for you guys is pick the experts that have
5 done it before. You know, Karin has the technical
6 expertise, she's asking all the right questions, she's
7 like, "Hey, I need these answers from you before I can
8 move forward." The Center for Collaborative Policy,
9 they've done water policy forums, so they don't have the
10 technical expertise, but their expertise is in process,
11 it's in how you put those in order and also taking the
12 bigger picture of, you know, what's my PR nightmare about
13 if I don't go up there, and what are my hybrid
14 alternatives of going up there and allowing people to be
15 heard? But then, if you add technology to it, if you
16 engage the community colleges or the universities that
17 are there, which is - that's another animal in itself,
18 you definitely need somebody to manage that, that
19 understands that, you can get that coverage that you
20 need. But it doesn't mean you have to do the same thing
21 up in the rural areas, so if you're really looking at
22 high density, low density you want to make sure you're
23 getting the same feedback and questions answered, but it
24 doesn't necessarily need to be the same design, if that
25 makes sense.

1 COMMISSIONER YAO: Thank you.

2 CHAIRMAN DAI: Okay, Commissioner Aguirre.

3 COMMISSIONER AGUIRRE: Yes, as a partner of
4 Census 2010 in my local area, I certainly appreciate the
5 work that was done by your organization. And one of the
6 things that impressed me was that you took a topic that
7 only comes around every 10 years, Census, and really kind
8 of developed the movement behind it, and I think part of
9 the way that you did that was that you generally posed a
10 question, what if we don't do anything, and then put a
11 lot of data behind it, registration, mail, response
12 rates, and all of this, and then you took that message
13 out into the community, worked with community-based
14 organizations who were in touch with the grassroots, and
15 really went to those grassroots and said, you know,
16 "Here's an opportunity to really tap billions of Federal
17 dollars," because - and there was an educational
18 component of, you know, what each individual count in
19 each community, how that translated into thousands of
20 dollars for local communities. So, anyway, so you
21 created a movement and you stimulated a public that
22 heretofore had not participated actively in lots of ways
23 and brought a level of excitement into it. And as has
24 just been pointed out in lots of ways, that's the
25 challenge that we have with our own community right now

1 in terms of redistricting, that it is kind of an esoteric
2 kind of topic, doesn't really - the layperson - it's
3 difficult for them to relate to the importance of what it
4 is. I would say that the work that we're doing right
5 now, we're crafting the future of California for the next
6 decade, if not beyond, and the importance of the work
7 that we do is that it's - do we want business as usual?
8 Or do we want change, as Bob Dylan said, you know, the
9 change is a coming. So, how could you craft a message
10 around redistricting that would insight the communities'
11 participation?

12 MS. KATAGUE: Well, I appreciate your comments
13 about the Census, it was like, yeah, how do you make the
14 Census sexy? Okay?

15 COMMISSIONER AGUIRRE: Right.

16 MS. KATAGUE: And we came up with that and, you
17 know, I would say that it is a little bit esoteric,
18 redistricting, what does that really mean, that your
19 challenge, all of you as well as your consultants, and
20 particularly your PIO, whoever you hire, I hope is very
21 creative, you need to build a story and connect the dots.
22 Now, Karin has been doing media training, but I'm not
23 sure, does it connect the dots for them? You need to
24 build a case for change, and build a case for action. So
25 we communicate, but in the end of it, you communicate

1 because you want somebody to take action, right? You
2 communicate because you want somebody to vote for you.
3 And so, all of you are up on this Commission and you went
4 through this grueling process, can you put it in all your
5 different voices, because you're so diverse, to your
6 different communities, about why it's important? Why
7 the U.S. Census Bureau in 2010, they piled bunches,
8 millions of dollars, into their ad campaign, and we in
9 California said, "That's fine and it's great that you're
10 doing all these languages, but when you create an ad for
11 African Americans and it's shot in downtown Detroit, what
12 does that say to my folks in South LA? It doesn't really
13 resonate with me." If you shoot something in Miami, does
14 that resonate, you know, in the Mission District? And it
15 doesn't. So we continually advocate, and I will continue
16 to advocate in 2018 and 2020, that you've got to bring
17 the message local, and you've got to know who you're
18 reaching out to. And although it's esoteric, you already
19 know that these people are interested, it's like you've
20 got to be cheerleaders for it. It's the very basis for
21 our Democracy and so is Census. I mean, I always said,
22 April 15th, every year, everyone knows when that is, you
23 send that money to Washington, D.C., don't you? And you
24 know what? That's every year. April 15th - April 1st,
25 once a decade, is your opportunity to demand that money

1 back, fill out your form! So, what is that rallying call
2 that all of you need to adopt in your own way because you
3 represent this diverse State, and how can you in your
4 role do that rallying call? I hear you, "Oh, can I go to
5 this redistricting thing? And what can I talk about?"
6 Well, you know what? I challenge you to say it's your
7 job to get people interested, to have them understand why
8 redistricting is important, to understand why Prop. 11
9 was passed. I mean, everyone will read, "State
10 Government, what a mess!" Right? But you guys are
11 making history here, you have the chance, and why
12 wouldn't anybody else that you're talking to embrace that
13 passion and be involved? But, I hope that helps.

14 COMMISSIONER AGUIRRE: Thank you.

15 CHAIRMAN DAI: Thanks. Dan has a question.

16 MR. CLAYPOOL: Thank you, and I really
17 appreciate you being here. Could you give us some idea
18 of the range of the Center Collaborative -

19 MS. KATAGUE: Policy.

20 MR. CLAYPOOL: -- Policy, thank you, just how -
21 what is the range of possible services that might be
22 provided through an agreement with an organization like
23 that?

24 MS. KATAGUE: Well, the great thing is they can
25 do a lot, and the other great thing is, if they don't use

1 up the whole budget and the scope of work, they can give
2 the money back, which I always thought was a bonus. They
3 can, gosh, facilitate, they design - Sarah, do you want
4 to come up and at least - I mean, they did everything for
5 me, from - I needed another body because I just didn't
6 have it and they could hire the special consultant to
7 fill that gap, they can subcontract up to, I think, DGS,
8 you know, 30 percent or whatever it is, to another
9 subcontractor. So, if you're having difficulty getting
10 through this contracting, maybe they can help with that.
11 This is Sarah Rubin and she is from the Center and can
12 answer some questions.

13 MS. RUBIN: Hi, good afternoon. Yeah, I can
14 tell you a little bit more about the Center, or we could
15 just take questions. It's late in the afternoon, I know.

16 CHAIRMAN DAI: Why don't you give us a two-
17 minute or five-minute summary of the Center?

18 MS. RUBIN: Okay. Well, we're part of
19 California State University, Sacramento. And we are a
20 mission-driven organization, and we're very focused on
21 capacity building. We do public participation, as Ditas
22 has been talking to you about. What we're kind of known
23 for is big multi-party consensus building projects, and
24 then also visioning, strategic planning. Charlotte, we
25 might want to ask you to come up here, too. Charlotte

1 worked on the Census project with Ditas. We've done tons
2 of outreach with the water plan. We could kind of give
3 you endless examples, but I almost think, you know,
4 what's going on in your head right now and then we could
5 just feedback with you.

6 MS. KATAGUE: And they have some pamphlets,
7 too.

8 MS. RUBIN: If it would be helpful.

9 MS. KATAGUE: For you guys to look at.

10 CHAIRMAN DAI: I actually think it might be
11 helpful, Dan, if you explain - I know you and I have had
12 a couple of conversations, but if you talk to the full
13 commission a little bit about the interagency agreements
14 and contrast that with the normal RFP process.

15 MR. CLAYPOOL: Well, I'll give you what I know,
16 but typically interagency agreements are between
17 government organizations, of which both California State
18 Universities and the UCs are organizations as such. I
19 can - we can contract up to \$250,000 without DGS
20 approval, and I'm assuming we could go as high as we
21 needed to with DGS approval. But, it just gives us a
22 faster route to getting to the experts that you need than
23 having to go through the normal contracting process with
24 the request for proposal. Typically, the person at the
25 Secretary of State's Office says that we would be in six

1 to eight weeks to do a request for proposal to get
2 services, yet, as Ditas has just explained, with a letter
3 from us with the intent to work with Karin, or to work
4 with the Center, or any of these organizations that are
5 within State Government, we can do that and get started
6 literally next week.

7 MS. RUBIN: Tomorrow.

8 MR. CLAYPOOL: Yeah, or tomorrow, so it really
9 gives us - it puts us on a fast track and it just makes
10 up time in a very time driven process. So, that's
11 interagency agreement in a thumbnail, and that was just,
12 by the way, handed to me by Cy. So, if I sound like an
13 expert, that's why. So, I'll turn it back over to Ditas.

14 MS. CHORNEAU: I'll just continue where Sarah
15 left off. My name is Charlotte Chorneau and I'm an
16 Associate with the Center. Another thing that we really
17 bring to the table is we're a neutral organization, so we
18 can help you to implement a process as a neutral, and
19 that's really important for our clients, especially State
20 agencies, to have someone that they can just be at the
21 front of the room mediating and facilitating, and also
22 behind the scenes, giving the process input at a neutral
23 level. We came in with Ditas and that's one of the
24 examples we shared with you, but we have many projects
25 over the State, we've been around for 20 years. And

1 we're a self-sustaining part of Sacramento State, so it's
2 all based on our contracts, and most of our clients are
3 State agencies, we're pretty well known around the
4 Sacramento area.

5 MS. KATAGUE: You were formerly known as the
6 Center for -

7 MS. CHORNEAU: Dispute Resolution.

8 MS. KATAGUE: -- Dispute Resolution.

9 MS. CHORNEAU: So, yeah, we have our background
10 in dispute resolution and mediation, but it's really
11 branched out into a number of things, and process design
12 is one of our many strengths, so it's really about asking
13 you what you want out of the process and what you need,
14 so rather than throwing up a number like 50 meetings,
15 what you need to start with is what do you need, how much
16 time do you have, what are your resources at hand, and we
17 tailor the process to those needs, and we get you a
18 meeting designed in a way that you can get information
19 rolled right back up to meet what you want out there in
20 the communities to do. And you are building trust as you
21 do that, you're going out to the community and, rather
22 than putting a microphone in the middle of the room, you
23 have an interactive process design that people really
24 feel like they've been heard, that their input is going
25 somewhere, they feel more comfortable, and that their

1 input could be considered. And so, when Ditas was
2 talking about sticking notes on the maps and things like
3 that, that was a way to get everyone in the room, the 300
4 people that might have come, felt like they had given
5 something, they had participated, they had been listened
6 to, rather than one minute of a comment, or if they
7 weren't comfortable making a comment, they just wasted
8 their day, or however you feel. And so that might not
9 work for you, and that's just one example, but every
10 process that we design is tailored to the needs of our
11 clients.

12 CHAIRMAN DAI: Thank you, that was very
13 helpful. Commissioner Di Guilio, do you still have
14 questions?

15 COMMISSIONER DI GUILIO: No, I was just curious
16 to see how that would actually be implemented for what we
17 need right now. I know it's kind of hard to throw it out
18 at you right now, but I was just curious as to how you
19 see what you would do for - you've heard a little bit of
20 kind of the bind, and the time that we're in, so I was
21 just curious to see what you would do specifically, if
22 you had any other suggestions, maybe you could throw them
23 out, but that sounded like just a little better
24 understanding about the process of how you'd help us.

25 MS. KATAGUE: And, in hearing what Karin had

1 said, I mean, I think we originally looked at like 50
2 and, you know, and again, I'm not working with them, I
3 have a State job and we're totally unaffiliated now, but
4 as you can tell, I'm very passionate about the Census and
5 I'm very passionate about sort of the engagement. Fifty,
6 I'm like, "Oh, come on, that's crazy," and then it's -
7 are you just going to stick a microphone out there? And
8 is that insulting to really be public engagement? And,
9 again, what do you want to end up with? We go back
10 instantly to quantity vs. quantity, I mean, it's the
11 quality input that you want and to build the good will,
12 and to show that the voters and the citizens that you're
13 trying to meet their expectations of why they voted for
14 it.

15 MS. RUBIN: So, if I could add, so I would say
16 the very first thing we need to do is meet with Karin
17 because she's your technical expert, and so I would say,
18 in a large majority of these kinds of processes that we
19 do, there's always some kind of technical expert, or you
20 have your technical experts as part of your client staff,
21 so that's the first thing. And really, Charlotte said
22 it, hammering down, what are we looking for? What
23 outcomes are we looking for? And then you build
24 backwards. How do you get those outcomes? And she said
25 how much time do you have, are these four-hour meetings,

1 are they kind of like half-day workshops with interactive
2 stations? How much time do people have? What different
3 languages are you trying to accommodate, and what's the
4 cultural overlay? And how do we accommodate that so
5 everyone feels comfortable? And Ditas mentioned it
6 earlier, what you would do in a rural area is different
7 than highly urban, or maybe a suburban area, and if
8 you're trying to do something where you're grouping, then
9 you want to - you know, you're just thinking to every
10 single aspect and how do we get the highest quality
11 outcomes in that location, so that it can roll up and
12 really help you.

13 MS. KATAGUE: So you can have a template for
14 kind of what you want, so you can Bagley-Keene it. But,
15 you know, you might end up going to an area that's
16 suburban that has many languages spoken, or ethnicities,
17 or what have you, and so you might want to take this
18 center section if you decide to do break-outs and focus
19 in on what's the best way to get that feedback there.
20 And then, with this, also, you invite people before and,
21 even though it's an open meeting and they're not mandated
22 to sign in, if you know who is coming, then you certainly
23 could have a more robust conversation about who is going
24 to be there vs. kind of "Hey, did anybody show up?" So,
25 it's both, it's having an open meeting, but it's also

1 making sure people know you're there, engaging them,
2 letting them know it's really important for you to show
3 up and engage.

4 MS. CHORNEAU: And I'll just mention, just a
5 couple other things, is to always act with intention, so,
6 when you're going out and if you have a plan or something
7 in place, you're acting with intention and you have done
8 your homework. The other thing is that, if you design a
9 process that is iterative, you could maybe do 50 meetings
10 over the next few months, it doesn't need to be right
11 away, and as you go out and you're making good
12 impressions in the communities, that's going to help you
13 right along the way, they're going to tell their friend
14 down in San Diego, "Wow, we went and had a positive
15 experience," and then that person will go, as you go
16 along and as you're coming out with more content. So, as
17 you move along and you bring maps out to give them
18 something more to react to, you might change your
19 process, you know, you might change your design, but
20 you've already built that advocacy and that group
21 standing behind you.

22 MS. KATAGUE: And they would be working closely
23 with your PIO.

24 MS. CHORNEAU: Everyone needs to be coordinated
25 on the decision, on the same page.

1 CHAIRMAN DAI: I'm kind of curious to what
2 degree are students involved with the Center?

3 MS. CHORNEAU: None?

4 MS. RUBIN: We have a researcher who teaches at
5 the university, so classes are being held, and there's a
6 certificate program, but -

7 MS. CHORNEAU: We're partnered with the Masters
8 in Public Administration at Sacramento State, so our
9 founder and our Executive Director came from Academics,
10 and that's at the Center for California Studies, and then
11 a group from up there.

12 MS. RUBIN: So we are very closely tied to the
13 University, but we don't have the students on the staff.
14 So we're not working with the students on a day to day
15 basis.

16 CHAIRMAN DAI: Got it. Commissioner Ontai had
17 a question.

18 COMMISSIONER ONTAI: Yes, so I have two
19 questions. Again, could you explain how you two work
20 together, two organizations?

21 MS. CHORNEAU: How we did?

22 COMMISSIONER ONTAI: Yeah, or did you?

23 MS. KATAGUE: Oh, yes, the Census, they were my
24 arms and legs for the 2010 Census.

25 MS. CHORNEAU: So when she spoke about -

1 CHAIRMAN DAI: She contracted with them.

2 MS. CHORNEAU: -- the 20 meetings in 10 weeks,
3 she had come to the Center, and I was like the main staff
4 and this is why I'm here today, to support her and share
5 some of our lessons learned, but she came and said, "We
6 want to do 20 meetings and these are the places that I
7 want to go to, and these are some of the questions I want
8 answered. But how do I do this?" And so we worked with
9 her to design meeting, rather than just getting up in
10 front at the podium, it was interactive. She wanted
11 information on ethnic media, so we put up big maps on the
12 wall so that people could go and share, "Oh, I know - I
13 have a radio station, or a newspaper here." She wanted
14 to know what types of ethnic communities, or where people
15 were on the map, so we just designed a meeting, or we had
16 break-out sessions where they filled in worksheets so
17 they could pass them at the end, so all of that
18 information, rather than just people at rounds talking,
19 it was all being fed back to her so that she could turn
20 that into something, into a report.

21 MS. KATAGUE: And they were hosted, again, by a
22 local host. I'll just - we did Sacramento here, that was
23 our first one out of the block, and so we ended up
24 changing things because we were like, "Oh, wow, we've got
25 three weeks to get this first one out." You know, Mayor

1 Johnson came out and did sort of a little welcome
2 keynote, but we took people from the local community who
3 were experts in the community, and had like a little mini
4 panel for them to talk about the community, and how
5 different it is, and how diverse it is, and how it's
6 changed. But then we went to San Joaquin and it was a
7 little different, but we always had the community
8 involvement and always worked very closely with the U.S.
9 Census Bureau, their Partnership Specialist.

10 COMMISSIONER ONTAI: Well, I know I can tell
11 you from San Diego, your work was well received, and I
12 know a lot of the people that you talked to, and it was
13 amazing, really amazing what you guys did.

14 MS. CHORNEAU: Well, a little comment on San
15 Diego, at the county level, they didn't want the money we
16 had for them, and they didn't want it in 2000, either,
17 but the community stepped up, they stepped up because
18 they believed in, whether the organized government wanted
19 to be involved in Census outreach, the community took
20 over.

21 COMMISSIONER ONTAI: Well, you just filled in
22 the big gray area that I couldn't figure out how they did
23 it, now I see.

24 MS. KATAGUE: It wasn't all me, it was a huge
25 team, it's about leveraging and it's about instilling

1 passion in the people that are out there, this is true
2 civic engagement. People don't get engaged unless the
3 message resonates with them. And you're not going to
4 reach everyone, but Commissioner Aguirre, is it, or -

5 CHAIRMAN DAI: Aguirre.

6 COMMISSIONER AGUIRRE: Actually, it's Aguirre.

7 MS. KATAGUE: Aguirre. You had mentioned the
8 business case that we had. I mean, we used negative
9 marketing, which is, "If you don't do it, this is what's
10 going to happen." So you guys need to figure out who are
11 the people that you're the trust messenger for, go back
12 to your communities, and engage them. That's why you
13 guys are from like all over the State and you guys are
14 the best messengers to have out there, and then your
15 friends, too.

16 COMMISSIONER ONTAI: So this is very important,
17 Chair Dai, so where do we stand? Where do we go from
18 here? Is this something we carry over to the Claremont
19 meeting? Where do we stand with this?

20 CHAIRMAN DAI: So, the reason I wanted Dan to
21 talk to you about interagency agreements is that this is
22 potentially an opportunity for us to move much much
23 faster than I thought we were going to be able to because
24 it - as you know, the State contracting process is
25 designed to be fair, it's not designed to be efficient,

1 so given the limited time frame that we have, you know,
2 we have the option of moving forward essentially with two
3 State agencies, which I also believe obviates the need
4 for us to put it out for competitive bid, and get
5 multiple bids, is that correct?

6 MR. RICKARDS: Not if you're going to do an
7 interagency agreement. I mean, that's the notion.

8 CHAIRMAN DAI: Right, that's the idea.

9 MR. RICKARDS: Right, now you may be looking at
10 contracts too large to deal with two that way, and then
11 there's another avenue which is not simple, but there are
12 ways to get non-competitive bids. But an interagency
13 agreement is not involved with any process, and given
14 your timeframe, you don't want to get into any process
15 unless you absolutely have to because it just does take a
16 long time and you're absolutely right, it's designed for
17 fairness, and it isn't designed for speed.

18 CHAIRMAN DAI: So, Chairman Yao -

19 COMMISSIONER YAO: You're the Chairperson.

20 CHAIRMAN DAI: Sorry, I forgot, myself.

21 COMMISSIONER YAO: Let me ask you a capacity
22 question and, then, after that, I would like to ask the
23 Commission a similar question. Let me just throw out a
24 scenario. If we have two Commissioners working with you
25 in terms of defining or explaining to you to the best of

1 their ability as to what we expect, what we want, and
2 provide you the details, would you be able - do you have
3 capacity to, between whenever the contract is written,
4 and hopefully it indeed is a fast process the way it was
5 promised, and come back in about two weeks, by the 10th of
6 February, so these two individuals would then be able to
7 share this plan, whatever the definition of this plan is,
8 with the subcommittee so that they, in turn, will meet
9 and make a decision to recommend to the rest of the body
10 for implementation; and, if the approval takes place, we
11 would want to do a first trial meeting, or the first
12 meeting a couple days later. It's a very aggressive
13 schedule. Do you have the capacity to handle that?

14 CHAIRMAN DAI: Commissioner Yao, before they
15 answer, I think Dan needs to explain some things.

16 MR. CLAYPOOL: Okay, I just want to make one
17 clarification. An interagency agreement is a faster
18 process, it's not -

19 CHAIRMAN DAI: An instantaneous one.

20 MR. CLAYPOOL: -- instantaneous. And -

21 COMMISSIONER YAO: I understand, this is
22 really a capacity issue, I wanted to ask, as to whether
23 they have the capacity to include us as part of their
24 workload.

25 MS. CHORNEAU: Yes.

1 CHAIRMAN DAI: Yeah, I'm not sure the
2 Commission is ready to designate two people.

3 COMMISSIONER YAO: I understand. So, again,
4 this strictly was a capacity question, I'm not attempting
5 to subcontract this work in this forum. Thank you.

6 MS. KATAGUE: If I could make a comment on just
7 the way - because I've done several interagency
8 agreements. Scope of work is kind of a - you do it
9 together, and when you say, "Oh, can you do it for X
10 amount," I mean, again, it depends on what you want. I
11 mean, I think when I started the Census, I wanted to do
12 40 meetings and, you know, the reality of it is, I didn't
13 have the budget and I would have been dead, it was hard
14 enough doing 20 and I had to be at all of them. And so,
15 it's that interactive process, that they do have the
16 capacity, but maybe they can come back with the two
17 people and have three different options of like maybe you
18 do this, this is the reality of this, this is how much it
19 costs, so that you guys have a menu of possibilities to
20 choose from.

21 CHAIRMAN DAI: Right. Commissioner Aguirre.

22 COMMISSIONER AGUIRRE: Yeah, that just - both
23 presentations have been excellent, both of them. And
24 metaphorically speaking, you know, I feel like we got
25 together, baked this cake, but now we can't get into it

1 until two weeks from now. So, my question is, is there -
2 and this is probably a question for our staff, too, is
3 how can we sneak a piece like soon, sooner than -

4 CHAIRMAN DAI: Do you want to answer that, Dan?

5 MR. CLAYPOOL: Metaphorically speaking.

6 MR. RICKARDS: Well, I mean, I think Chair Dai
7 was talking about that, that it may be premature. There
8 are ways we can do that, but whether you're ready to go
9 this afternoon or not, I'm not certain.

10 CHAIRMAN DAI: I think, what I was hoping to do
11 with bringing in our experts, it's to just, you know, let
12 the Commission know there are people who know how to do
13 this stuff, and we don't have to figure this stuff out,
14 we don't have to reinvent the wheel, and it looks like
15 there is a mechanism that would actually allow us to move
16 relatively quickly. I think, if we kind of get the ball
17 rolling on this, then we would be ready in our Outreach
18 Committee, which we have newly formed, would be able to
19 have a very rich discussion with some consultants, and
20 then be able to present those options back to the full
21 Commission and we could potentially take action at our
22 February meeting, which would be pretty aggressive, by
23 State standards, and really move us along.

24 COMMISSIONER DI GIULIO: Kind of along those
25 lines, to try and save some of our time because, as I

1 understand it, our February meeting is the first thing
2 we'll be doing, was meeting as subcommittees. Could I
3 suggest that maybe in our subcommittee meetings we
4 specifically discuss the issue of contracts, not
5 necessarily individual contracts as to what we are
6 looking for in a subcontractor, vs. what our staff could
7 do, the responsibilities, and kind of just delineate some
8 of those and, also, specifically outline as much as we
9 can what we need because I think it's a chicken or an
10 egg, we're looking at them saying, "What can you do for
11 us?" And you're saying, "You need some input." I think
12 it really is necessary for us to at least have a
13 framework so that any contractor, whether - whatever the
14 topic, whatever our subcommittee is, needs some guidance
15 for us, and the subcommittee could really utilize their
16 time. And I'd also like to suggest, again, we're all on
17 different subcommittees, but to prioritize our consultant
18 needs in terms of reflection of the timeline because
19 there are things, of course, we could argue we need each
20 consultant throughout the process, but there are some
21 things that are definitely more of a priority. So, I
22 would like to suggest that the subcommittees
23 specifically, since we won't see each other again, to
24 look at subcontractors, outline what we need from the
25 subcontractors, and prioritize it in terms of our

1 timeline.

2 CHAIRMAN DAI: I think that's a good
3 suggestion. Commissioner Blanco.

4 COMMISSIONER BLANCO: Yeah, I think - oh, we
5 should let them - I'm sorry, are you done with the
6 presentation?

7 CHAIRMAN DAI: Well, it's 4:35, I do think we
8 need to actually make some decisions before the end of
9 the day today, so were there still questions for our
10 speakers? Commissioner Ward?

11 VICE CHAIR WARD: I just had, I guess, a joint
12 question. Not understanding the intricacies of an
13 interagency agreement, but on the private side, if you're
14 looking at contractors to perform a service, again, in my
15 experience you let those contractors know what you're
16 looking to hire, and they come in and give you, again,
17 kind of like what Michelle was talking about, a framework
18 of what they would envision, and kind of a more detailed
19 idea of what the service is that they can do for you.
20 And I'm wondering if that's something that we could
21 consider having ready or request for our next meeting, so
22 then, at that point, we might be able to take some action
23 steps.

24 CHAIRMAN DAI: Okay, if I understand you, it is
25 pretty typical that someone would come with a proposal,

1 but I think what they're saying is, for them to be able
2 to do that, they need more information from us to be able
3 to ground that in anything, otherwise, they'll be able to
4 say, "We can provide facilitation for you," "We can rent
5 your venues for you," I mean, "We'll be too high level to
6 be useful" to us.

7 COMMISSIONER BLANCO: Yeah, I suggest that we
8 have questions about the presentation and then maybe we
9 go back to the details of this conversation.

10 CHAIRMAN DAI: Yes. So, were there further
11 questions for our speakers? Commissioner Ontai?

12 COMMISSIONER ONTAI: Actually, it's not a
13 question, I just wanted to thank Ditas and Sarah and
14 Charlotte, just to let us know that you guys have a
15 larger rolodex than we do! Mahalo.

16 MS. KATAGUE: Thank you for the opportunity
17 and, as I said, I'm doing this as a citizen who is very
18 passionate about it. Please feel free to reach out to
19 me, and Dan knows how to get a hold of me if you just
20 want to bounce an idea or something.

21 COMMISSIONER YAO: Thank you.

22 CHAIRMAN DAI: Thank you so much for coming in.
23 So, I'm assuming, being a Friday, that we will try to end
24 by 5:00 today, but I do want to see if we can make some
25 decisions about this so that we can get everything ready

1 in time for February and then be able to take action.
2 So, I wonder if it would make sense to do a very small
3 contract that would allow certain consultants to attend
4 subcommittee meetings and maybe a full Commission meeting
5 to sort some of this out?

6 MR. CLAYPOOL: I think that's an excellent idea
7 and what I'd like to propose is that I meet with these
8 individuals who have spoken with us today, see what type
9 of hours they need. Now, it will entail some
10 transportation costs, as well, so we will be picking up
11 the transportation to get them to Claremont, but I'd like
12 to meet with them and, also, at the same time, ask them
13 to pull together some figures for what it might cost to
14 provide some of the services that you're needing so that
15 they're prepared with them. So, if that is suitable,
16 then that's what we'll be working on.

17 CHAIRMAN DAI: Yes, Commissioner Blanco.

18 COMMISSIONER BLANCO: So we have the
19 subcommittee meetings, it seems like this latter
20 presentation is obviously an outreach, and probably the
21 first one, as well, but there are financial implications
22 to both of them.

23 CHAIRMAN DAI: Right.

24 COMMISSIONER BLANCO: And to the technical
25 advisory committee who is doing recruiting and hiring of

1 consultants.

2 CHAIRMAN DAI: Exactly.

3 COMMISSIONER BLANCO: So, I think we need to -
4 I don't know that we need to do it right here, or whether
5 it's staff, but we need to figure out how to bring the
6 people together from the different subcommittees because
7 I think, except for Legal, and I would say even
8 potentially Legal subcommittee, we would need to - I
9 don't want to turn it into a full Commission meeting
10 again because why have the subcommittees, but at least
11 some key people, there be some overlap, I don't know, we
12 can think about it, but obviously with the urgency that
13 it takes, but let's make sure that people from the
14 different committees can think about it together because
15 it does have implications for different subcommittees.

16 CHAIRMAN DAI: Yeah, I agree, obviously that
17 there is going to be some overlap. Commissioner Yao.

18 COMMISSIONER YAO: Let me see if I can push my
19 proposal that I outlined for you earlier in attempting to
20 save approximately two weeks' worth of schedule. If we
21 appoint two of the three members from a subcommittee to
22 work on this, they can work on it legally during the next
23 period of time, and yes, they will be doing a lot of
24 things that we have never been briefed and given time to
25 plan. If we have time to plan, I may not want to do it

1 this way, but the fact is, I'm not sure we're going to
2 forge two weeks' worth of schedule. So I'd like to get
3 this group's concurrence to have two individuals out of
4 the Outreach Subcommittee to work with staff, and to work
5 with this particular group, in particular, and try to let
6 out a very small contract so that they can proceed to
7 develop [quote unquote] "the best plan that they can put
8 together," so that when it comes next Thursday, this plan
9 can be discussed at the subcommittee level where we have
10 authorized and agenda'd, and then there will be the
11 material that we can approve, meet on Thursday, Friday,
12 or Saturday, and if we do have that approval, then we can
13 proceed and try it out on Sunday if that is the schedule
14 that we decide to go with. Otherwise, if they go forth
15 and come back and negotiate a contract, and define a
16 statement of work, we won't get started until two weeks
17 from now in terms of getting anything going, so it will
18 probably be another two weeks because we have to agenda'd
19 the outreach meeting before we even get the first
20 whatever it is that we try to do. So, that's really what
21 I'm pushing, I know it's a lot of uncertainty associated
22 with it, but I don't believe this contract is going to be
23 a very significant amount of money and, if it doesn't
24 work, then we're back to where we are by not making any
25 attempt to do so.

1 CHAIRMAN DAI: Commissioner Ward.

2 VICE CHAIR WARD: My comment was actually back
3 at discussing subcommittee issues and in just thinking
4 about Maria's point, the subcommittees are going to meet,
5 and then they're going to brief the entire Commission on
6 the minutes or happenings of that subcommittee meeting.
7 Is that not the time when the overlap happens because,
8 obviously, finance committee and its subtotal and all
9 that stuff is going to be there, would that not be the
10 point where Finance would check in and chime in with
11 their thoughts on that process and things like that?

12 CHAIRMAN DAI: Yeah.

13 COMMISSIONER BLANCO: No, I think that's right.

14 VICE CHAIR WARD: Planning the next meeting,
15 that was my intention, was to -

16 COMMISSIONER BLANCO: No, I think you're right,
17 yeah.

18 VICE CHAIR WARD: Well, then that will help
19 with that.

20 COMMISSIONER BLANCO: I think that makes sense.

21 VICE CHAIR WARD: And then, I would just throw
22 out there, again, with the lessons that I've kind of
23 learned from today's meetings, and kind of I guess what I
24 was feeling last meeting is acting with intention is very
25 important with our very limited resources, our limited

1 budget, and as much as I know I said before I really want
2 to get out there and outreach just like everyone else, I
3 don't like sending it from the hip because - so I think
4 there is a lot we can get done without investing
5 resources into things too too quickly.

6 CHAIRMAN DAI: Commissioner Filkins Webber.

7 COMMISSIONER FILKINS WEBBER: I concur with
8 everything Commissioner Yao has actually suggested. I
9 question whether we would want to incur the cost to have
10 a group, and the cost being the additional travel when
11 they are already located in Sacramento. And, again, this
12 is this balance between this expediency and this urgency
13 that we're trying to move so quickly, when there might be
14 practical ways to still bring this information to the
15 Commission appropriately, so I really would suggest we
16 give consideration to Commissioner Yao's suggestion that
17 two people from Outreach sit down, and it could even be,
18 given that I'm looking at the Outreach Committee, and at
19 least four out of the five are Southern California, for
20 the most part, maybe a telephone conference, at least
21 between two of them, they have an idea based on all of
22 the discussion that took place last week and all of the
23 discussions that we've had regarding our concerns to put
24 together - and everything we've heard today has just been
25 incredible from Karin and really giving us some ideas of

1 what we need to be looking for, and how we can use all of
2 these other groups for leverage. I would seriously
3 recommend that we, you know, two people come up and start
4 to work possibly with the Center for Collaborative
5 Policy, under this limited contract you're suggesting,
6 but that we hold off on whether or not we would be
7 transporting our consultants for February, just yet, and
8 again, out of fiscal responsibility and recognition.

9 CHAIRMAN DAI: Yeah, I mean, there's certainly
10 no need to physically transport them, the phone works
11 pretty well. Okay, Commissioner Forbes.

12 COMMISSIONER FORBES: No, I was just going to
13 say I concur with what Commissioner Yao has suggested. I
14 think the opportunity of gaining two weeks in exchange
15 for what are probably a few thousand dollars is a wise
16 expenditure of money.

17 CHAIRMAN DAI: Commissioner Aguirre.

18 COMMISSIONER AGUIRRE: I think that's the slice
19 that I was looking for. So, yeah, as a member of the
20 Outreach Committee, I certainly would make myself
21 available to give service to the Commission in that
22 regard.

23 COMMISSIONER BLANCO: Now, is this also - it's
24 both teams that presented today we're talking about, is
25 that correct? In your proposal, Commissioner Yao? Can

1 you clarify, are we talking about going back and doing
2 this with both the last outreach team and the one that's
3 more about the getting the input for the drawing?

4 COMMISSIONER YAO: I think we need both of
5 their input in order to have a credible plan, so when I
6 say "working together," it could easily be a phone
7 conference and not necessarily having the two individuals
8 traveling up there, or they traveling down there, and the
9 if travel is necessary for them to be down in Claremont,
10 that is only if - and we decide that perhaps an outreach
11 program is being implemented on a Saturday or a Sunday,
12 okay, so I don't see any real travel requirement, as long
13 as we think we can handle all the communication, for
14 example, through a phone conference. If not, then
15 obviously travel should be included.

16 COMMISSIONER BLANCO: I just needed the
17 clarification about whether it was both sets of folks.

18 COMMISSIONER YAO: Yes.

19 CHAIRMAN DAI: So, I would suggest, since only
20 two out of our four Outreach Committee members are here
21 and actually heard the presentations, if I could perhaps
22 - actually, according to my list, the final list that we
23 approved, we only have Commissioners Aguirre and Ontai.

24 COMMISSIONER ONTAI: I would be happy to
25 participate.

1 CHAIRMAN DAI: Excellent.

2 VICE CHAIR WARD: May I suggest the two members
3 of the Technical Committee also -

4 CHAIRMAN DAI: Yes, and I was going to suggest
5 - we will not make Commissioner Aguirre do double duty,
6 I'm thinking we should make Vince do it and Michelle.

7 COMMISSIONER FILKINS WEBBER: I'm sorry, if
8 you're just talking about the fact that they're going to
9 be communicating with the Center for Collaborative
10 Policy, under a limited contract, and that they're going
11 to be doing it in the next two weeks, I would recommend,
12 in order to avoid any appearance of impropriety and
13 potentially violating Bagley-Keene, that Mr. Aguirre
14 would be the prime candidate, actually, given that he
15 serves on both committees, and so that we can limit the
16 number of people to two, so that we could allow them to
17 speak with these experts, and also not violate Bagley-
18 Keene.

19 CHAIRMAN DAI: Well, it would only be two
20 Commissioners, it doesn't matter which two, they're only
21 meeting with each other and with a consultant.

22 COMMISSIONER FILKINS WEBBER: Well, I
23 understand, so that would be Commissioner Aguirre and
24 Commissioner Ontai.

25 CHAIRMAN DAI: That's what I suggested for

1 Outreach.

2 COMMISSIONER FILKINS WEBBER: Oh, but I
3 understand for Outreach but now you're trying to add
4 another commissioner from Technical, I'm sorry.

5 CHAIRMAN DAI: No, I explicitly wanted to
6 exclude Commissioner Aguirre so we wouldn't be accused of
7 serial meeting.

8 COMMISSIONER FILKINS WEBBER: Again -

9 VICE CHAIR WARD: There's two contracts -

10 CHAIRMAN DAI: Two different contracts.

11 VICE CHAIR WARD: One for Karin and one with
12 the Center for Outreach, so we're talking about doing two
13 for Karin's technical expertise, and then two
14 Commissioners to consult with the Center for
15 Collaborative Policy, so we're talking about two
16 different.

17 COMMISSIONER FILKINS WEBBER: Wow, how did that
18 pass me? Public Policy was all I was thinking about.
19 Okay.

20 CHAIRMAN DAI: Yeah, we had two separate
21 presentations from two separate -

22 COMMISSIONER FILKINS WEBBER: No, I'm sorry,
23 that's true, so you were talking about contracts for each
24 of them, okay, thank you.

25 CHAIRMAN DAI: Yes, and as -

1 COMMISSIONER FILKINS WEBBER: It's 4:50 --

2 CHAIRMAN DAI: I know.

3 COMMISSIONER DI GIULIO: On a logistical note,
4 because Mr. Claypool had mentioned that it's fast, but
5 not that fast, are we actually, even if they're willing
6 to do this, and we can all agree on this, are they going
7 to be available next week? And if not, do we think they
8 have an interest in talking to us on their own without an
9 agreement?

10 CHAIRMAN DAI: It seems to me that we're in a
11 pre-contract phase now where -

12 COMMISSIONER DI GIULIO: Okay, just as long as
13 we know they're okay with -

14 CHAIRMAN DAI: I mean, they're trying to at
15 least define a scope of work so that we can have a
16 contract. Is that everyone's understanding?

17 MR. CLAYPOOL: And I was only saying that
18 because, as they had stated up at the podium, that it
19 could start tomorrow with a letter saying that we have
20 this intent, but you may be very surprised at how long it
21 takes everything else to fall into place while it works,
22 that's all.

23 COMMISSIONER BLANCO: I would follow the
24 recommendation, I think she's gone, that if it looks like
25 it's dragging, that we make it not drag. You know, but

1 if it looks like it's taking a long time, let us know.

2 And we'll do what we need to do.

3 CHAIRMAN DAI: We'll make the call, as she
4 said. Yes, Commissioner Aguirre.

5 COMMISSIONER AGUIRRE: Just one last comment
6 and that is that Commissioner Barraba and myself had
7 talked about getting together as the subcommittee so we
8 don't get into noticing issues, to look at the technical
9 aspect of map drawing, itself, so if there is an interest
10 and a possibility or legally acceptable way for me to be
11 part of that technical committee, I can make myself
12 available, as well.

13 CHAIRMAN DAI: I think that's sketchy. I think
14 it would be better if you stick with outreach until we
15 have our Chief Counsel on board. I think that would be
16 safer for now. I mean, obviously all of these committees
17 are going to have to work with each other, and that's why
18 we have a full Commission. So... Commissioner Ontai, do
19 you have a question?

20 COMMISSIONER ONTAI: So, explain the process.
21 Are you going to give Gabino and myself an opportunity to
22 talk directly to these two groups?

23 CHAIRMAN DAI: To talk to one.

24 COMMISSIONER ONTAI: One.

25 CHAIRMAN DAI: Talk to the Center for

1 Collaborative Policy.

2 COMMISSIONER ONTAI: Okay. I just wanted to
3 make sure.

4 CHAIRMAN DAI: And Dan can arrange that, and
5 Dan should be on the meeting.

6 COMMISSIONER ONTAI: I just wanted to make
7 sure.

8 CHAIRMAN DAI: It would be Barraba and with Di
9 Guilio.

10 COMMISSIONER ONTAI: We would be happy to do so
11 promptly.

12 CHAIRMAN DAI: Okay, excellent. And I believe
13 that any contracting amount should be hopefully within
14 our contracting authority, so you can echo that -

15 MR. CLAYPOOL: Yes.

16 CHAIRMAN DAI: Okay.

17 COMMISSIONER YAO: Can we make that into two
18 separate motions to vote on it? One for the Outsource
19 activity and the other one for -

20 CHAIRMAN DAI: Well, to be clear, I mean, I
21 don't know when you say "outsource activity," you mean -

22 COMMISSIONER YAO: What I had previously
23 proposed.

24 CHAIRMAN DAI: Okay, could you restate your
25 motion? Just right now, you feel this needs to be a

1 motion?

2 COMMISSIONER YAO: Why don't I try to
3 understand exactly what's on the table at this point
4 before I try to change it. It seems like everybody else
5 had a different impression of what's -

6 CHAIRMAN DAI: Commissioner Ward, would you do
7 me the favor of trying to capture what just happened?

8 VICE CHAIR WARD: Sure, my understanding is
9 we're proposing to put out, at the minimum, a letter of
10 intent to the Center for Collaborative Policy, and then
11 also to Karin's group, who provides the technical
12 expertise, so two different Letters of Intent, with which
13 we're going to task two members from the Outreach
14 Committee to collaborate with the Center for
15 Collaborative Policy on Outreach matters, and we're going
16 to task two members from the Technical Committee to
17 collaborate with Karin's group on the technical side of
18 dividing the state and how to approach redistricting.
19 And at our next meeting the expectation is that the
20 subcommittees will then be able to come together and have
21 some actual data to discuss and present to the Board on
22 the 10th.

23 CHAIRMAN DAI: So, I would say it might lead to
24 a Letter of Intent, but, Cy, why don't you -

25 MR. RICKARDS: Yeah, I think, let me just

1 suggest it's premature to vote on that you're going to do
2 a Letter of Intent. Perhaps what I heard was there were
3 two separate two-person committees, one of which would
4 talk to the Center, one of which would talk to Ms.
5 MacDonald, and then report back to their respective -
6 that's what just was discussed. Now, that may not be
7 Commissioner Yao's motion, but let me get it back to the
8 Chair, I would just say I would suggest not doing a
9 Letter of Intent until it's come back.

10 CHAIRMAN DAI: Yeah, remember, nobody is
11 empowered to act without the full Commission, so this is
12 really about ironing out a scope of work and having a set
13 of options so that the full Commission can make a
14 decision.

15 COMMISSIONER BLANCO: So then, I guess I have a
16 question about the little piece of the cake we were going
17 to get, which is, in the conversations that the
18 subcommittee members will have with these different two
19 entities, will the entities produce some data for us if -
20 is that the understanding, that it's not just a
21 conversation, that there's going to be some actual data
22 or work plan from the staff people that will then be part
23 of the subcommittee meeting, and then presented to the
24 Commission?

25 MR. CLAYPOOL: So what I would think might

1 satisfy all of us is if we did a very limited policy, or
2 a very limited contract with them, say 25 hours of their
3 time, so we will buy a certain amount of their time to
4 give you some ideas and options, and then, we can expand
5 that if we need to, into a larger contract, and that is
6 what we will intend, a very limited amount of hours to
7 give you some products, so that you can move forward.

8 VICE CHAIR WARD: Does that require a vote, or
9 can we just direct that to be done?

10 CHAIRMAN DAI: It's with the contracting
11 authority, I don't know that we need to vote on it.

12 MR. RICKARDS: You are essentially hiring them
13 as a consultant.

14 CHAIRMAN DAI: Right, with a very small amount.
15 So do we have to vote on it?

16 MR. RICKARDS: Yeah, I think you do have to
17 vote on it. I don't think the amount makes any
18 difference. It certainly can be -

19 CHAIRMAN DAI: Hire those consultants under the
20 terms that Mr. Claypool indicated.

21 VICE CHAIR WARD: Then I'd like to make a
22 motion that we place a small contract with the Center for
23 Collaborative Policy for 25 hours of their time -

24 CHAIRMAN DAI: Up to.

25 VICE CHAIR WARD: -- up to 25 hours of their

1 time.

2 CHAIRMAN DAI: Let's make it up to 50, just in
3 case.

4 VICE CHAIR WARD: So I'll amend my motion that
5 we put out a short contract with the Center for
6 Collaborative Policy for up to 50 hours of their time,
7 and then that we put out a second contract with Karin's
8 group for up to 50 hours of their time.

9 CHAIRMAN DAI: Do I hear a second?

10 COMMISSIONER FILKINS WEBBER: Second.

11 CHAIRMAN DAI: Okay, it's been moved and
12 seconded that we approve two short-term limited hour
13 contracts with the Center for Collaborative Policy and
14 with the Statewide - would it be with the Statewide Data
15 Base - with Karin MacDonald. Okay? So that we can have
16 some product, so to speak, by the time the subcommittees
17 meet. Commissioner Ontai.

18 COMMISSIONER ONTAI: And just to give a sense
19 of direction, my take on what Gabino and I will be doing
20 is to propose to them for up to 50 hours of their time,
21 to give some idea of the scope of work they will propose
22 this Commission would have to do in order to conduct some
23 major benchmark activities.

24 CHAIRMAN DAI: Well, I would actually hope
25 that, if you're going to actually pay them, that you

1 would actually get some alternatives that can be
2 presented to the Commission. If you're solely talking
3 about the scoping, then I wouldn't pay them. To me, I'm
4 a consultant, I mean, I don't get paid to come up with a
5 proposal. So, if you were actually going to pay them, so
6 I would imagine there would be some unpaid hours where
7 you'll need to have an initial conversation, and then
8 you'll want them to work on some scenario, for example,
9 what if we did 10 meetings and we had eight weeks to do
10 it, what would that look like? You know.

11 VICE CHAIR WARD: Mr. Claypool.

12 MR. CLAYPOOL: If you could also amend this to
13 allow me to either contract with Karin or with the UC,
14 whichever is appropriate.

15 COMMISSIONER BLANCO: I guess, clarification.
16 So, with the Sacramento State folks, are we just asking
17 them to put together a road map, or are we asking -- I
18 mean, part of - what was powerful about the presentation
19 was that they said that they went out and did the work,
20 so we had in a sense three presentations, right? And one
21 of them was this is what we did, and then this is who we
22 used to do it, and so we're not contracting with the
23 person who said, "Oh, this is a great way to do it, it's
24 the people who actually went out and did it."

25 CHAIRMAN DAI: Correct.

1 COMMISSIONER BLANCO: So, I want more than a
2 plan, I guess, from them. I'd like to get their sense of
3 what it would take for them to actually do the work and
4 if they're able to do it. And a timeframe not just in
5 general, but for them.

6 COMMISSIONER FILKINS WEBBER: Well, that's what
7 one of my questions was, when you look at contractors and
8 consultants that are vying for business, and we're
9 considering paying them, I've never paid for a proposal
10 that they would be providing to me regarding their scope
11 of work, I mean, that's why I was wondering a little bit
12 that we are limited because we're trying to use the
13 interagency contract option to avoid the competitive -
14 not avoid it, but I mean to move expeditiously, so I'm a
15 little - I think I see two different things. On the one
16 hand, maybe we could suggest that the outreach and tech
17 get a proposal from them, and then, in that timeframe,
18 the two Commissioners could also put together everything
19 that we've talked about. For instance, on Outreach and
20 what our primary concerns are, then, when they take a
21 look at the proposal that they're getting for free, not
22 part of those hours, and not prior to contracting, then
23 they can go back to them and say, "Okay, you've been
24 given a contract for a limited number of hours, and we'd
25 like for you to put together what it would be for

1 Claremont."

2 CHAIRMAN DAI: I think that -

3 COMMISSIONER FILKINS WEBBER: That's kind of
4 how I envisioned it.

5 CHAIRMAN DAI: Yeah, being an experienced
6 consultant myself, I will tell you that, you know, there
7 could be a lot of work that goes into scoping a potential
8 project, and they're going to need information in order
9 to do that, and that probably should be pre-contract, and
10 then, for us to make decisions on key items that we may
11 need to scope, we may actually need them to crunch some
12 numbers for us, and say, for example, to Karin, "Would
13 you crunch the numbers for 50 locations of equal
14 population, this is what we talked about before." So
15 then there's actual work that you would actually need to
16 do for us to consider, "No, that's not what we really
17 want," or, "Yes, that's what we really want." So what I
18 think we're trying to do is give Dan some freedom to move
19 here in case our two subcommittees actually get far
20 enough that they can actually produce some product. They
21 may or may not, I mean, it might just be a discussion
22 and, as Commissioner Blanco pointed out, I mean, they may
23 get a lot further with Ms. MacDonald than we get with the
24 Center for Collaborative Policy just because they're more
25 on the implementation side. I don't think we can predict

1 this. I mean, I would say that we try to provide as much
2 flexibility as possible because we're not going to meet
3 for another couple of weeks.

4 VICE CHAIR WARD: I agree with what you're
5 expressing, Chair. I think we need to give Dan the
6 flexibility to do that, but I also appreciate
7 Commissioner Filkins Webber echoing my exact comment
8 after they spoke, is that my experience has been with
9 contractors that I expect a presentation of exactly, you
10 know, a detailed presentation with their vision, and any
11 expectations, so a lot of what we're talking about, I
12 would expect to be done. And if it looks like we can
13 move forward with that in a reasonable way, or there's
14 work that can be done to assist us and be able to take
15 action steps, meaningful action steps on February 10th,
16 then I think we need to give Dan the flexibility to do
17 that.

18 CHAIRMAN DAI: Yes, Commissioner Aguirre.

19 COMMISSIONER AGUIRRE: But, typically when you
20 go out for a proposal, you put a document forth,
21 specifying what you are looking for, and what kind of
22 products or outcomes you're looking for, in essence what
23 the project that you have in mind, and some details on
24 perhaps some limitations and some opportunities that
25 might be available with that. So, my understanding of

1 our role, Gil and I, in meeting with the Center, is that
2 we would provide them information that they may not have
3 at this point regarding the ideas that we've kicked
4 around as a Commission, so that they have something to
5 work with. And then, once they have that, then we kind
6 of step back and let them go to work and we'll probably
7 have a pretty good idea of where that's going to go, and
8 that becomes part of the subcommittee discussion, and if
9 they're available, or if they have a proposal, certainly,
10 we'll put it on the table.

11 CHAIRMAN DAI: Right. I think that sounds
12 right.

13 COMMISSIONER DI GIULIO: And I would argue, for
14 the technical committee, I think I could be wrong, but it
15 seems like we all know what Karin can provide, I think
16 there's already an outline there of what she brings to
17 the table and what is being offered, it's just up to us
18 to give her some ideas, if 50 drops her jaw, then maybe
19 we need to work with her about doing this more realistic,
20 again, different options. If we really are adamant about
21 that, what that means for us. So, I think, again, I feel
22 like we know what she provides, it's not up to her to
23 give us that anymore, it's up to us to give her some
24 parameters.

25 CHAIRMAN DAI: Exactly. And so, what we're

1 really looking for from the subcommittees is to provide
2 the parameters, so that they can actually provide some
3 options for us, here is Plan A, it's going to cost this
4 much, here's Plan B, it includes these services, it's
5 going to cost this much, here is Plan C. You know, and
6 then we can choose and then do a full blown contract if
7 it needs our needs. Commissioner Yao.

8 COMMISSIONER YAO: I wanted to discuss the
9 deliverable of this activity, that we've been discussing
10 because my concept was going a little beyond just having,
11 let's say, one or more options for us to decide at the
12 subcommittee level, then at the overall committee level.
13 What I'm looking for, besides what was proposed, is
14 really for the two individuals that are assigned to the
15 Outreach Committee to work with Center for Collaborative
16 Policy, and Karin, to come up with the questions to ask
17 if we were to have an outreach meeting, because I think
18 those are probably going to be the same regardless of
19 which option that we pick. And if the subcommittee
20 approves that, if the entire commission approves it, then
21 we can basically do a - pardon me for using the same term
22 again - pilot run on the Saturday or Sunday of that
23 weekend, okay? And except the fact that it may not be
24 100 percent of what we want, we may change things along
25 the way, we may not even approve having an outreach trial

1 run, but if things line up, at least where at least a
2 week or more in advance otherwise, because if we just
3 come back with discussing options, you know, that will be
4 the middle of February by the time we come back with the
5 implementation, and we're looking at the end of February,
6 and the data is going to be available mid-March, I mean,
7 we may have a very excellent plan and everything, and I'm
8 sure we will before we're finished, but getting started
9 at that stage of the game, I think we lost the battle.

10 CHAIRMAN DAI: So, Commissioner Yao, I just
11 want to make it clear to the Commission that no
12 subcommittee of the Commission can act on behalf of the
13 Commission, so that's the challenge that we face.

14 COMMISSIONER YAO: I'm not suggesting that two
15 people or the subcommittee act on behalf of the
16 Commission, I'm suggesting that they bring back enough
17 information, if it's approved by subcommittee, if it's
18 approved by the Commission, we can try it out, that's the
19 difference, I'm not suggesting that we do anymore than
20 that.

21 COMMISSIONER DI GIULIO: Just out of curiosity
22 - I mean, I think it would be wonderful, I really do, I
23 would hope that if we had the opportunity we could do
24 some outreach when we're in Claremont, I think we have to
25 be realistic that just hearing from the Center in terms

1 of what's logistically required, again, since the
2 subcommittee can't make any decisions whether it be
3 Outreach or Technical, we can give them a pretty good
4 idea, they could come with the proposal, but they won't
5 know if we choose proposal A, B, or C, and whichever
6 proposal, I'm sure, comes with a lot of technical needs,
7 it comes with a lot of infrastructure, and I would be
8 very surprised if we made a decision, even on Thursday,
9 that they could set up by Sunday. That's just my caution
10 that our goal is to probably make some decisions and not
11 to -- as much as it would be wonderful to do some
12 outreach, it may take a different form. So, that's just
13 kind of a side note to that, in terms of deliverables.

14 CHAIRMAN DAI: Okay, is there more discussion,
15 or are we ready to move on the motion, although you
16 wanted it to be amended? Or are we good?

17 MR. CLAYPOOL: The only amendment I wanted was
18 the flexibility with either Karin or the UC, depending on
19 which one we have to do, that's all.

20 CHAIRMAN DAI: Could - Commissioner Ward, are
21 you willing to amend your -

22 VICE CHAIR WARD: I am. Are we all on a good
23 page, do you think? I mean, the Center for Collaborative
24 Policy is right here. If we have questions about what
25 they can deliver, we expect them to look and let's ask

1 them, and get it clear, and then move forward.

2 CHAIRMAN DAI: I just want to be clear on the
3 amendment. Did everyone understand that?

4 VICE CHAIR WARD: I'm happily willing to amend
5 my motion, to ask for a short-term contract of up to 50
6 hours to UCS or Karin MacDonald, and then also a second
7 contract for the Center for Collaborative Policy for up
8 to 50 hours of their time.

9 MR. RICKARDS: Okay, I'm sorry, and maybe we've
10 confused the matter more than it needs to be. All we
11 wanted was the - I think what Dan wanted is the
12 flexibility to talk to and consider contractor
13 interagency agreement with the Center/CSU, and
14 Corinne/UC. We could enter into an interagency agreement
15 with a Government entity, not with a private entity, and
16 not with a local government entity, but only a State
17 entity or CSU, or UC. In other words, if it's either -
18 if he has that flexibility, it gives you what you want
19 and gives him the most flexibility to move as quickly as
20 possible.

21 CHAIRMAN DAI: Commissioner Blanco.

22 COMMISSIONER BLANCO: I hate to do this, but
23 this is why I was asking Karin in what capacity she would
24 do the work, Karin, because she said she wouldn't be
25 doing it on behalf of UC, she said she would be doing it

1 with her consulting hat on.

2 COMMISSIONER FILKINS WEBBER: But, as I recall,
3 it was in response to the question that we had asked her
4 as far as providing a brief amount of information by
5 Tuesday, and I don't recall exactly what that was.

6 CHAIRMAN DAI: Right. So, I think we can let
7 Dan work out the details.

8 COMMISSIONER BLANCO: Okay, great.

9 CHAIRMAN DAI: We just need to approve it, so
10 if we're okay with that, you know, Commissioner Yao, I
11 don't really know how to address your questions, I mean,
12 I think it's going to depend on what Commissioners
13 Aguirre and Ontai come up with, and I think we need to
14 trust them if we're going to delegate this to them. If
15 we're okay with that, can we move forward with the vote?
16 Okay, I'm going to try this with a voice vote. All those
17 in favor, please signify by raising your hand and saying
18 "Aye."

19 (Ayes.) Opposed? Any abstentions? Okay, it
20 passes unanimously with the Commissioners present, which
21 is sufficient. Okay, so I think that was the key thing
22 we needed to get done. There are two other items that I
23 would like to get done, I'm sorry, it's late on a Friday,
24 but as everyone has pointed out, we're not going to meet
25 for another 10 days. So, Dan has pointed out that our

1 temporary approval of the salary schedule is probably not
2 going to meet muster for the State Controller's Office
3 meeting, we can't pay our employees, so I would like to
4 request that the Commission go ahead and approve it, we
5 can change it at any time and amend it, and the Finance
6 and Administration Committee can look at it and look at
7 alternatives, and can we just go ahead and approve the
8 salary schedule as is, with, again, putting a little
9 trust in our fellow Commissioners that they will look at
10 this in the subcommittee and make any recommendations to
11 change that, if necessary.

12 VICE CHAIR WARD: I move to adopt the fee
13 schedule as listed.

14 CHAIR DAI: Okay.

15 COMMISSIONER YAO: Second.

16 CHAIR DAI: All right, it has been moved and
17 seconded to approve the salary staff schedules as
18 recommended by the Secretary of State. And we'll go
19 ahead and review that as needed at another point.

20 All right, so we don't need a roll call for
21 this, do we? Okay, so let's try a voice vote again. All
22 those in favor, please signify by raising your hand and
23 saying "Aye."

24 (Ayes.) Opposed? Abstentions? Okay, it
25 passes unanimously with the Commissioners present, which

1 is sufficient.

2 And then, the last thing, which we promised to
3 do was to summarize our key actions for our - I'm sorry,
4 you have one more item? Okay, I'm sorry.

5 MR. RICKARDS: Well, go ahead, why don't you do
6 what you were going to do.

7 CHAIRMAN DAI: Oh, no, you go first.

8 MR. RICKARDS: Okay, two things I have to do
9 here, we've got some information provided to us by
10 Professor McKaskle, there was some question about how to
11 deal with it, and can we accept it. My suggestion is you
12 treat it like any other public information, which means
13 we can put it on the Web and, if you want, make hard
14 copies for you. What I know here is that there's a
15 couple of documents that we want to put on the Web, in
16 total, there are also one - one of the things is a copy
17 of a Cal Supreme Court case, we can certainly reference
18 that, the other is the Law Review Article, actually
19 Volume, he wrote, and we can reference that, we don't
20 have to re-copy that all. If that is acceptable, then I
21 would ask that we do that.

22 COMMISSIONER FILKINS WEBBER: I believe that is
23 acceptable, that is what I was thinking. But I would
24 like that disseminated today, given that this is our last
25 working day.

1 MR. RICKARDS: And the last thing I wanted to
2 say is, I know everybody is really tired, and I really
3 need a break, but I was gone while I am told some nice
4 things were said about me, and I'm taking that at face
5 value, assuming that I wasn't sandbagged in my absence, I
6 was doing other duties as required, running upstairs and
7 rewriting the agenda, but I wanted to thank you all for
8 the opportunity and privilege, really, of working with
9 you. I have been in state service a long time, over 30
10 years, as a lawyer, and I work with a lot of commissions.
11 This is by far the most fun, and also the most impressive
12 commission because there's no lack of strong
13 personalities on this commission, there's no lack of
14 brights, intelligence, hardworking people, and as we saw
15 today, even when you have really strong disagreements,
16 you're able to work together. I mean, that really bodes
17 well. So, what I intend to do is to let the new Chief
18 Counsel know that I'm around and obviously we have to
19 talk about some transition, and at least through
20 February, I can be called upon to do chores. As a
21 retired Annuitant, I'm used to doing chores. You don't
22 get to pick all those great cases anymore, they're done.
23 But, thank you very much.

24 CHAIRMAN DAI: Thank you. [Applause]

25 COMMISSIONER FILKINS WEBBER: I certainly

1 appreciated our legal banter and I certainly appreciated
2 your professionalism in assisting us, and with the myriad
3 of questions we've had and dealing with a law that just
4 has not been interpreted yet. Thank you very much, we
5 really appreciate the work you've done.

6 MR. RICKARDS: Well, you know how I ask the
7 questions, I have to say that, they've been great, I
8 mean, they are absolutely essential, but there's been
9 more Bagley-Keene questions of different types in the
10 short tenure I've had, so I will tell you that your new
11 Chief Counsel is going to earn his pay.

12 CHAIRMAN DAI: Commissioner Ontai.

13 COMMISSIONER ONTAI: I know we're all tired,
14 but are the Minutes off the table? We had talked about -

15 CHAIRMAN DAI: Yeah, I'm wondering if --
16 Commissioner Filkins Webber had suggested that we just
17 take that up at the next meeting, and I'm wondering if
18 we're okay with that. It is agendized for the next
19 meeting, so we can take it up then.

20 COMMISSIONER FILKINS WEBBER: I would ask that
21 it would be because we did receive public comments
22 regarding the Minutes and I -

23 CHAIRMAN DAI: Let's wait until we've had a
24 chance to read them. Okay, so the final item that I had,
25 and - oh, wait, one more, Commissioner Ontai.

1 COMMISSIONER ONTAI: I know we're all tired,
2 but I do have to say this, and it's on behalf of the
3 Irvine Foundation, there have been several times
4 throughout these last few days that Irvine Foundation has
5 come up in our conversations, and I just want to say
6 publicly that I really would commend the Foundation for
7 its civic engagement and its commitment to the Democratic
8 process, an enormous amount of funding that they have
9 given to us, so many nonprofits to carry this out.

10 CHAIRMAN DAI: Okay, so I think the final final
11 thing that I was hoping to do today, because we promised
12 the public that we would do this, is to provide a summary
13 of our key actions since we were unable to do this at the
14 end of every day, because we really didn't have staff
15 until recently, and they've been overwhelmed with trying
16 to hire other staff. I thought that we, as a Commission,
17 might try to summarize January. So I made a first
18 attempt and maybe you folks can fill in, and I don't know
19 that we'll capture every nitty gritty decision, but I
20 think if we look back at what we've done for the last
21 three weeks, it's actually quite significant. First of
22 all, we completed the Commission twice, we swore in six
23 new Commissioners, and then we today made our selection
24 of replacement, the unfortunate resignation of former
25 Commissioner Elaine Kuo, and we selected Angelo Ancheta

1 to be our new 14th Commissioner. I think I know which
2 committee he's going to be on. And we also did a lot of
3 work around organizing ourselves as a Commission,
4 deciding on five subcommittees, coming up with how we're
5 going to divide that up, coming up with scheduling for
6 upcoming meetings, some - well, a fair amount of work on
7 initial planning for major phases, deciding to meet
8 outside of Sacramento for February, and then to come
9 back. We also, I think, made a huge amount of progress
10 toward finishing all the housekeeping start-up tasks that
11 we've talked about, we hired an Executive Director, and
12 also an Office Manager, and today also Chief Counsel and
13 a Communications Director, and two Assistants, and we
14 approved salary schedules and kind of saw our new office,
15 all that kind of has happened this month. And I think
16 that we also, today, got our first expert presentations
17 in, which I think are going to be really critical
18 because, to me, it's the single link in the transition
19 that we'll actually start working on the substance of
20 what we've put here to do. And over the course of the
21 last three weeks, we've had a lot of discussions about
22 philosophy on how we want to do outreach and I think that
23 will come to some more clear form, definitely influenced
24 by some of these expert presentations, and I think that
25 will continue in February, so that we will be ready to

1 act with intention, as was suggested. Does any other
2 Commissioner want to share thoughts on key actions that
3 we've taken for the month of January? Or do we all want
4 to go home since it's past 5:00 on a Friday?

5 COMMISSIONER BLANCO: I just want to thank both
6 Chairs for the last few meetings, it's been difficult,
7 this is an amazing amount of work, and to keep track of
8 all this and keep us in mind, and Robert's Rules, but
9 seriously, I'm watching carefully for when the rotation
10 comes around, but, really, thank you.

11 CHAIRMAN DAI: It's been an honor to serve, and
12 I know Peter feels the same way. Okay, unless there are
13 any other business, we are going to adjourn until
14 February. Commissioner Yao?

15 COMMISSIONER YAO: I want to announce formally
16 that Michael Ward is going to be the new Chair effective
17 on the Commission meeting of February the 10th.

18 CHAIRMAN DAI: That's right, along with
19 Commissioner Galambos Malloy as Vice Chair.

20 COMMISSIONER YAO: Thank you.

21 CHAIRMAN DAI: All right, the meeting is
22 adjourned, we'll see you all February 10th at 9:00.

23 (Recess at 5:22 p.m.)

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