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CITIZENS REDISTRICTING COMMISSION

In the matter of:
Citizens Redistricting Commission (CRC)

California State University, Northridge
Kurland Lecture Hall, Performing Arts Center
1811 Nordhoff Street
Northridge, CA 91330

FRIDAY, MAY 27, 2011

Reported by:
Debra M. Lindsey

1 APPEARANCES:

2

3 Members Present:

4 Commissioner Aguirre

5 Commissioner Ancheta

6 Commissioner Barabba

7 Commissioner Blanco

8 Commissioner Dai

9 Commissioner DiGuilio

10 Commissioner Filkins Webber

11 Commissioner Forbes

12 Commissioner Galambos Malloy

13 Commissioner Ontai

14 Commissioner Parvenu

15 Commissioner Raya

16 Commissioner Ward

17 Commissioner Yao

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1 APPEARANCES (Continued):

2

3 COMMISSION STAFF:

4 George Brown, Esq.

5 Janeece Sargis

6 Karin MacDonald

7 Jamie Clark

8 Tamina Alon

9 Bonnie Glaser

10 Marian Johnston

11

12 (Unidentified members in audience)

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CITIZENS REDISTRICTING COMMISSION
P R O C E E D I N G S
MAY 27, 2011

MS. SARGIS: Commissioner Aguirre?

COMMISSIONER AGUIRRE: Here.

MS. SARGIS: Commissioner Ancheta?

COMMISSIONER ANCHETA: Here.

MS. SARGIS: Barabba?

COMMISSIONER BARABBA: Here.

MS. SARGIS: Blanco?

COMMISSIONER BLANCO: Here.

MS. SARGIS: Dai?

COMMISSIONER DAI: Here.

MS. SARGIS: DiGuilio?

COMMISSIONER DIGUILIO: Here.

MS. SARGIS: Filkins-Webber.

COMMISSIONER FILKINS-WEBBER:

Here.

MS. SARGIS: Forbes?

Galambos-Malloy?

COMMISSIONER GALAMBOS-MALLOY:

Here.

MS. SARGIS: Ontai?

COMMISSIONER ONTAI: Here.

1 MS. SARGIS: Parvenu?

2 Raya?

3 Ward?

4 Yao?

5 COMMISSIONER YAO: Here.

6 MS. SARGIS: We have a quorum.

7 COMMISSIONER BARABBA: I'm going to
8 ask Connie Galambos-Malloy, our vice chair, to
9 kind of give you a quick overview of how -- what
10 we think the schedule is for today. And then
11 we'll get started with Mr. Brown.

12 COMMISSIONER GALAMBOS-MALLOY: So
13 this morning we are joined by Mr. George Brown of
14 Gibson, Dunn & Crutcher.

15 As you remember and as our audience
16 at home remembers, we're working with Gibson,
17 Dunn & Crutcher to provide us with V.R.A.
18 counsel. We have him until about noon, so we
19 want to use the time wisely.

20 Our thought is that he will first
21 provide us with their firm's Section 5 analysis.
22 And we will do that for about 15 minutes. But he
23 will provide some broad thoughts and framing
24 identifying certain issues for us before we
25 actually put the visualizations, the maps up.

1 Then we can spend about an hour
2 actually resolving some of the issues that the
3 immediate decisions that stand before us on the
4 Section 5 issues.

5 Then we'll follow the same
6 procedure for Section 2, some about 15 minutes'
7 worth of framing, and then we'll go into the
8 maps. So that will take us very close to the
9 lunch hour.

10 We'll break around noon, have a
11 lunch hour. Depending on our options here on the
12 grounds, we can decide how much time we'll need
13 for the lunch break to make sure we actually find
14 food during that time.

15 And in the afternoon we'll come
16 back and do the regional wrap-up for the Bay
17 Area, provide some direction to Q2.

18 Then we would like to move into a
19 discussion of items that have been brought to our
20 attention that would help provide clearer
21 guidance for Q2 as they are moving through their
22 maps.

23 For example, some of these issues
24 are around how do we deal with unincorporated
25 areas of counties where we have not heard

1 communities of interest testimony or how would we
2 want to consider different geographical features
3 or man-made features, such as freeways.

4 So there may be areas amongst this,
5 we have a list of about ten different things that
6 have come up, there may be areas where we want to
7 provide very clear and firm guidelines, maybe
8 others where we would want to just give some
9 suggestions on how to prioritize and come back to
10 us as a commission with different options for the
11 final decisions.

12 But we wanted to have that
13 discussion, which we hope then will resolve some
14 of the outstanding issues that Q2 encountered in
15 trying to implement our direction from the last
16 phase of Insight maps.

17 But we anticipate there will also
18 be some additional issues, so then we would pass
19 the mike over to Q2 for the remainder of the
20 afternoon to look at where there's still
21 outstanding questions that they need our guidance
22 on.

23 We will probably be adjourning
24 around between 6:00 and 7:00 this evening is my
25 guess. And then when we come back tomorrow

1 morning, Mr. Brown will be joining us again for
2 the entire day.

3 So again, this is a rough agenda.
4 We have a sense of what we need to accomplish and
5 not the clearest sense on how long it will take.
6 But we do hope to end by early evening today.

7 Commissioner Ancheta.

8 COMMISSIONER ANCHETA: So question:
9 Since we're doing the wrap-up for the final
10 region this afternoon, and just given the
11 limitations of time, will Q2 -- this is directed
12 to Q2 -- will you be able to actually give us
13 some visualizations so when we come back tomorrow
14 we can do that, or is it better to simply just
15 sort of launch into actually giving you firm
16 directions and sort of skip the normal concept
17 visualization maps?

18 MS. CLARK: For section -- or for
19 the Monterey area?

20 COMMISSIONER ANCHETA: Well, yeah.
21 I forget the numbers, but.

22 MS. CLARK: Yeah. I believe that
23 there will be visualizations prepared.

24 COMMISSIONER ANCHETA: Okay.
25 That's fine. If you can do that overnight,

1 that's great.

2 MS. CLARK: Okay.

3 COMMISSIONER BARABBA: We should be
4 taking full use of Mr. Brown's time. So.

5 COMMISSIONER ANCHETA: Sure.

6 COMMISSIONER BARABBA: (Inaudible).

7 COMMISSIONER GALAMBOS-MALLOY: We
8 can discuss some of this right when we come back
9 after lunch. I just wanted to give you a rough
10 sense of how the day will play out.

11 So with that, Mr. Brown?

12 MR. BROWN: Thank you.

13 And good morning, everyone. It's
14 good to be with you all again.

15 I'm going to suggest, since we
16 started a little bit late, I'm going to suggest
17 that we stop talking about Section 5 issues at
18 10:30 and switch into Section 2 issues.

19 I think that the Section 5 issues
20 aren't conceptually difficult. And what I'd like
21 to do is just quickly set the stage for you so
22 that we're -- we all understand what needs to be
23 done.

24 First of all, as you know, Section
25 5 essentially changed the burden of proof in

1 voting changes to the state. And you know that
2 already.

3 So it's the State that has to
4 establish that, whatever change it makes to a
5 Section 5 area isn't retrogressive. And you've
6 heard that term.

7 Essentially, the statute prohibits
8 any change that would result in denying or
9 abridging the effective participation in the
10 political process.

11 Now, what does that mean? Well,
12 there's -- in simple terms, it means you can't go
13 backwards. So we understand that. You're trying
14 to protect the existing interests.

15 Now, there's been some back and
16 forth over the years between the Supreme Court
17 and Congress. And I just want to explain that to
18 you briefly so that you can explain our view on
19 how this should be done.

20 In 2003 the Supreme Court decided a
21 case where the state of Georgia ultimately, I
22 believe, under the pressure of the Department of
23 Justice, took a position that tended to increase
24 the number of majority/minority districts.

25 And the Supreme Court essentially

1 rejected that approach in a Section 5 case and
2 said that it's really a totality of the
3 circumstances test.

4 There was an argument that another
5 approach would have been more effective by using
6 things like influence districts and cross-over
7 districts and the like. And the Supreme Court
8 said, you've got to take all of that into account
9 when considering whether a change is
10 retrogressive.

11 So essentially the standard as
12 articulated by the U.S. Supreme Court is a
13 totality of the circumstances standard. You
14 might think of it as a holistic approach.

15 Now, Congress was unhappy about
16 that decision in some respects, and they amended
17 Section 5 in 2006. And what Congress did in
18 their amendment was to make clear that a change
19 in the ability to elect members of the preferred
20 group's -- the ability -- the group's ability to
21 elect candidates of their choice constitutes
22 essentially a violation of Section 5.

23 Now, you need to know that the
24 phrase "ability to elect" is a term of art. And
25 it essentially refers to the condition where you

1 have a majority, so 50 plus percent that can
2 elect. Because if you do, then at least
3 theoretically you can elect candidates of your
4 choice.

5 So that's the stage. And the 2006
6 amendment hasn't been tested or interpreted by
7 the Supreme Court yet. And our view of what it
8 all means is that -- I think two things again.

9 One is you need to take a holistic
10 approach. And what that means, I think, is look
11 at all the data that's available about the
12 benchmark district and the new district, which
13 includes both voting age population and citizen
14 voting age population, and looking at every
15 minority group or language minority group that's
16 protected under the statute regardless of their
17 percentage, and evaluate how in total the new
18 district impacts the benchmark. So that's what I
19 think we need to do.

20 And then in particular, if there's
21 a situation where the C.V.A.P., the citizen
22 voting age population, exceeds 50 percent or
23 might exceed 50 percent, then I think we need to
24 take extra care to make sure that whatever the
25 new district is meets that same level, the -- of

1 the ability to elect.

2 So that's in a nutshell our view of
3 what needs to be done in Section 5, conceptually
4 not hard, get all the data, compare, ask
5 questions about why there's a difference.

6 So now, we've had a chance to meet
7 with Q2 mappers a few times, and we've received
8 in the last day or so some maps showing their
9 current views of possible alternatives in Yuba,
10 Merced and Kings.

11 I've reviewed the data and I have
12 comments on those. What I want to do is I'll
13 quickly run through my comments on those. If
14 Jamie wants to display the districts while I'm
15 commenting, it'll take me about 30 seconds per
16 area, she can do that. And then I think -- and
17 then I'm done with the initial discussion.

18 And then I think it would be good
19 for Q2 to then walk through each of the choices
20 and discuss, and you can consider my comments.
21 So I'm going to do assembly for three counties,
22 senate for three counties, congressional for
23 three counties.

24 Okay. Let's start assembly
25 districts, Yuba County. Bottom line, Q2 has

1 shown us two alternatives. I think they're both
2 non-retrogressive. And so from the point of view
3 of Section 5, I don't see a big issue. I think
4 it's just a matter of what does the Commission
5 want to do if those are the right choices.

6 Okay. Merced County area, they've
7 provided us with two options. Here I think
8 there's an interesting issue when you look at the
9 C.V.A.P. and the voting age population for the
10 black and Asian group along with the Latino
11 group.

12 And combined, my understanding of
13 the Latino C.V.A.P. for the benchmark district is
14 that it's about 35 percent, and the black
15 C.V.A.P. is about seven and a half percent, and
16 the Asian C.V.A.P. is 9.7 percent.

17 For me it creates a question mark,
18 because those three added together gets you, not
19 quite to 50 percent. I'm not going to try adding
20 it in my head.

21 But just a slight digression. One
22 thing you need to know is, usually when we're
23 throwing out numbers like C.V.A.P., usually it's
24 the minimum estimate based on a data set that the
25 census tells us is unreliable and shouldn't be

1 used. And so it's useful for a minimum estimate.
2 So we just need to be careful when we're
3 referring to that term.

4 So under the benchmark, if you look
5 at three groups together, the minimum C.V.A.P.
6 looks like it's close to 50 percent, I think it
7 creates a question about whether there's the
8 ability to elect among the three groups that we
9 have to explore further. And we can come back to
10 that later.

11 So Merced option one, I think that
12 just comparing the voting age populations, option
13 one has a Latino voting age population that is
14 higher than the benchmark and, therefore,
15 standing alone would not be retrogressive.

16 And then when you look at the Asian
17 and the black, it's slightly lower than the
18 prior. And I think that's something that needs
19 to be taken into consideration when evaluating
20 that, the districts.

21 On Merced option two -- and I'm not
22 going to get into the geography choices, because
23 I think that's more an issue of what does the
24 Commission want to do. I'm trying to provide the
25 legal input on what's required.

1 Merced option two --

2 MS. MACDONALD: Excuse me, but
3 George, can you speak to one option at a time?
4 Because --

5 MR. BROWN: No.

6 MS. MACDONALD: -- we have to
7 (inaudible) --

8 MR. BROWN: Oh, I'm sorry. I'm
9 just going to run through --

10 UNKNOWN FEMALE SPEAKER: But which
11 one --

12 MR. BROWN: I'm going to run
13 through a summary. I think if you want to, take
14 notes. And then what I hope is that --

15 UNKNOWN FEMALE SPEAKER: Is this
16 two?

17 MR. BROWN: -- Q2 will come back
18 and --

19 UNKNOWN FEMALE SPEAKER: Is this
20 two?

21 MR. BROWN: -- run through them all
22 again.

23 UNKNOWN FEMALE SPEAKER: Yes, this
24 is two.

25 COMMISSIONER GALAMBOS-MALLOY:

1 We're running through the summary first just so
2 he can provide -- so commissioners can have a
3 broad context. And then we'll zoom in on each of
4 them and spend much more time so you can do your
5 presentation.

6 MS. MACDONALD: Okay.

7 MR. BROWN: Right. Exactly.

8 MS. MACDONALD: I understand.

9 UNKNOWN FEMALE SPEAKER: I just
10 want to make sure which one we were looking at.

11 MS. MACDONALD: (Inaudible).

12 MR. BROWN: If you wanted to
13 display. I'm going to spend about 30 seconds on
14 each. Okay? So if that's not enough time to
15 throw it up, then --

16 MS. MACDONALD: So we're not going
17 to show them, then. Because she's been trying to
18 show them --

19 COMMISSIONER GALAMBOS-MALLOY:
20 Yeah.

21 MS. MACDONALD: -- every time he
22 says option one, option two, and she has to close
23 and reopen. That's what I'm trying to say.

24 COMMISSIONER GALAMBOS-MALLOY:
25 Let's wait till he's done with his overview.

1 MS. MACDONALD: Okay.

2 COMMISSIONER GALAMBOS-MALLOY: And
3 then we'll come back and do each one at a time.

4 MS. MACDONALD: Sounds good.

5 MR. BROWN: With respect to Merced
6 option two, I think looking at the voting age
7 population for Latino, black and Asian, it is
8 very slightly -- it's very close on the black and
9 the Asian, and I think it's worth a closer look,
10 but it's very close.

11 On -- and I'm happy to answer
12 questions later about this.

13 Kings County area assembly
14 district, I think what's interesting about the
15 benchmark is that there is a significant Latino
16 voting age population. It's about 63.4 percent.
17 And the Latino C.V.A.P., so the minimum estimate,
18 is 46.8.

19 Then if you look at the black
20 C.V.A.P., it's 9.6 percent and the Asian
21 3.9 percent. And so again, it creates a question
22 about -- it's probably worth evaluating C.V.A.P.
23 a little more closely to see if there's more than
24 50 percent in that district.

25 Because if so, you want to space --

1 pay special attention to that to make sure that,
2 in whatever district's adopted, you're
3 maintaining that ability to elect. So it's going
4 to require closer examination.

5 With respect to Kings County option
6 one, with respect to the Latino population, it
7 is -- it's higher than the benchmark. And the
8 other two populations are very close, the black
9 voting age and Asian voting age populations.

10 With respect to Kings option --
11 Kings County option two, the -- I think all three
12 groups are above the benchmark for option two.

13 So that is -- we don't have maps
14 yet for Monterey, but that's my sort of high
15 level comments on the proposed maps for assembly
16 districts for Section 5.

17 COMMISSIONER BARABBA: (Inaudible).

18 COMMISSIONER GALAMBOS-MALLOY: Use
19 your mike.

20 COMMISSIONER BARABBA: Before you
21 get into conversation, this is being transcribed.
22 So if anybody wants to speak, you get the
23 attention of the chair and then I'll mention your
24 name so they know who they should identify
25 relative to the transcription.

1 George, are you ready for any quick
2 questions here or you want to wait?

3 MR. BROWN: It won't take me long
4 to do the senate districts and the congressional
5 districts for these three counties if you want
6 to --

7 COMMISSIONER BARABBA: Why don't we
8 finish those, and then we'll get into the
9 questions.

10 MR. BROWN: And then after -- okay.

11 COMMISSIONER GALAMBOS-MALLOY: May
12 I clarify a term that you're using --

13 MR. BROWN: Yes.

14 COMMISSIONER GALAMBOS-MALLOY:
15 -- to make sure?

16 You have used the term "very
17 close." Am I to interpret that as it's close
18 enough that you cannot definitively say with the
19 information you have whether or not it is
20 retrogressive?

21 MR. BROWN: Yes.

22 COMMISSIONER GALAMBOS-MALLOY:
23 Okay. Thank you.

24 MR. BROWN: And slightly under the
25 benchmark.

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COMMISSIONER GALAMBOS-MALLOY:

Okay.

MR. BROWN: Senate districts.

There is one option covering each of the counties, three counties we just discussed. And based on my review of the data, it appears that each is higher than the benchmark for each of the groups.

Of course, if any of the assembly districts change, that could change the senate districts depending on how they're combined.

Congressional, on the northern California area that includes Yuba County, the proposed district is very close to being non-retrogressive. And maybe with a tweak it would be more perfect, but it's very close.

In the Merced County area, it looks like there are two options. With respect to option one, I didn't get data from Q2, so I haven't been able to evaluate that. Option two for Merced for congressional districts, my view is that it, based on the data, it is non-retrogressive.

Kings County area congressional district, looks like we have two options. And

1 with respect to option one, it's very close on
2 all three, but not quite there. And with respect
3 to option two, same thing, very close, but not
4 quite there.

5 So that's it for a summary of what
6 we need to do with Section 5 and my initial take
7 on the initial maps and data that Q2 has
8 provided.

9 Again, I don't think that this is
10 conceptually difficult. There's some choices
11 that have to be made and some refinement that
12 needs to be done by the mappers, but it shouldn't
13 take an undue amount of time to deal with.

14 COMMISSIONER BARABBA: Okay. Any
15 general questions? And we need to be -- keep
16 things sharp and crisp. We do have to move along
17 and take full advantage of -- yes. Commissioner
18 Dai.

19 COMMISSIONER DAI: Yes. I noticed
20 actually yesterday that, when Melda presented
21 some of their proposed maps, that it seemed that
22 some of the percentages were below what the
23 benchmark was, and they said this is okay, it's
24 within some margin.

25 Do you know, can you tell us what

1 that margin is when you say --

2 MR. BROWN: So --

3 COMMISSIONER DAI: -- "very close"?

4 MR. BROWN: -- what you're trying
5 to do, again, from my point of view, what you're
6 trying to do is assess litigation risk, you know,
7 is the Department of Justice going to object to
8 what you propose.

9 And I think, my view of the way to
10 deal with it is to try to do a thorough review,
11 to try to get to a point where you can say we
12 tried to make it non-retrogressive.

13 And then if you come -- if you've
14 done the best you can and you come up short on
15 some of the groups that have very small
16 populations --

17 COMMISSIONER DAI: Uh-huh.

18 MR. BROWN: -- I think you could
19 probably justify it.

20 COMMISSIONER DAI: Okay.

21 MR. BROWN: I think you've got to
22 try -- I think the record you want to make is
23 that you've tried to consider it from every
24 angle.

25 COMMISSIONER DAI: Okay. Got it.

1 Thanks.

2 COMMISSIONER BARABBA: Commissioner
3 Gambino --

4 COMMISSIONER AGUIRRE: Yes.

5 COMMISSIONER BARABBA: -- Aguirre.

6 COMMISSIONER AGUIRRE: Yes. Thank
7 you.

8 The question -- a follow-up
9 question to Commissioner Galambos's question,
10 which is, when you say that we're close, what
11 tools are available or what data sets are
12 available that we can use to modify those numbers
13 either up or down?

14 MR. BROWN: So I'm assuming that
15 the mappers can answer that question when they go
16 through it, but I'm assuming they can move small
17 pieces around to change the districts, as they
18 can with all of the draft districts.

19 So it's just a matter of every time
20 you move one thing, you affect something else.

21 COMMISSIONER BARABBA: Commissioner
22 Ancheta.

23 COMMISSIONER ANCHETA: So just a
24 general question in terms of the benchmark for
25 areas. Are you also looking at Latino

1 registration rates? Or, well, minority
2 registration rates. I shouldn't just say Latino,
3 but.

4 MR. BROWN: I haven't had an
5 ability to do that so far.

6 COMMISSIONER ANCHETA: Okay.

7 COMMISSIONER BARABBA:
8 Commissioner Ontai.

9 MS. MACDONALD: It's no problem to
10 do that.

11 COMMISSIONER ANCHETA: Okay.

12 MS. MACDONALD: We just haven't
13 been asked to provide that data.

14 COMMISSIONER ANCHETA: Okay.

15 MS. MACDONALD: That's usually,
16 when we get requests from the D.O.J., they always
17 ask for registration rates.

18 COMMISSIONER ANCHETA: Right.
19 Right. Okay.

20 COMMISSIONER BARABBA: Commissioner
21 Ontai.

22 COMMISSIONER ONTAI: So George,
23 reviewing the data right now, in your opinion,
24 are we in the green light? Are we in the red
25 light? Are we in -- tell us where we are.

1 MR. BROWN: I think you're very
2 close in all areas. So I think for a first draft
3 it's in reasonably good shape.

4 COMMISSIONER ONTAI: Good.

5 MR. BROWN: But to the extent that
6 we're close and under, you should ask the mappers
7 whether they can do anything further to improve
8 it.

9 COMMISSIONER ONTAI: So in a safe
10 ground in terms of litigation, but we look like
11 we can do some refinement?

12 MR. BROWN: Yeah. I'm not prepared
13 to say in the safe ground yet, but it looks like
14 we're -- they're pretty reasonably close so that
15 directionally you could give direction, but ask
16 them to try to improve it, unless they tell you
17 it's impossible to do any more.

18 COMMISSIONER ONTAI: Thank you.

19 COMMISSIONER BARABBA: Okay.

20 Let's -- Commissioner DiGuilio.

21 COMMISSIONER DIGUILIO: I just had
22 a question. It looks like in Merced there's a
23 couple options, Kings there's a couple other -- a
24 couple options. Well, there's multiple options
25 in these.

1 Do they affect each other so, if
2 you choose option one in one, do you have to
3 choose option one in the other? I don't know.

4 MR. BROWN: Sometimes.

5 COMMISSIONER DIGUILIO: So one and
6 one are linked and two and two are linked? Okay.

7 MR. BROWN: And other decisions
8 outside of the Section 5 areas also might.

9 COMMISSIONER BARABBA: All right.
10 Let's then move into the next phase of your
11 presentation.

12 MR. BROWN: So now it's really over
13 to Q2 to show the options and discuss them,
14 and --

15 COMMISSIONER BARABBA: And we'll --

16 MR. BROWN: -- I'll sit by and
17 answer your questions.

18 COMMISSIONER BARABBA: And we'll
19 use the maps in this case as well.

20 MS. MACDONALD: Okay. I'm going
21 to --

22 COMMISSIONER BARABBA: Is this
23 global warming or what?

24 MS. MACDONALD: This is the first
25 option. So while Jamie pulls this up, so we're

1 going to go through these one at a time, and we
2 basically have two options.

3 And the first one is always the
4 benchmark option that you're going to show;
5 right?

6 And then I'll let Jamie explain it,
7 because Jamie's been working on these maps, so
8 she can answer your questions and give you
9 feedback on whether there's improvement possible
10 and, you know, what went into drawing those. So
11 I think that's probably the best way.

12 Yeah.

13 MS. CLARK: Yeah.

14 MS. MACDONALD: We'll start with
15 Merced, if that works for you.

16 MS. CLARK: As you can see, I also
17 have the current assembly district lines up. And
18 also for all of these labels as I'm going through
19 this, this first number is the percent deviation.
20 The second number is Latino V.A.P., the second
21 (sic) number is black V.A.P., and the third (sic)
22 number is Asian V.A.P.

23 So I guess I'll just describe the
24 boundaries of this district and we can go from
25 there. This is -- yeah, or this is very similar

1 to the benchmark. Obviously the lines are going
2 to be overpopulated or underpopulated depending
3 on movement in the last ten years. So.

4 Is that -- or depending on
5 population movements.

6 UNKNOWN FEMALE SPEAKER: This
7 purple one is not the -- this purple one is your
8 current --

9 MS. CLARK: This is --

10 UNKNOWN FEMALE SPEAKER: Is it your
11 proposed or is it the current existing?

12 MS. CLARK: This is a new
13 district -- or it's not the current district, but
14 it is similar to the benchmark. It's drawn
15 similar to the benchmark. And -- does that make
16 sense?

17 UNKNOWN FEMALE SPEAKER: Yeah. So
18 this is not -- so what happens is this is your,
19 one of your two options, but it's the one that's
20 closest to the current district?

21 MS. CLARK: Yes.

22 UNKNOWN FEMALE SPEAKER: So it
23 looks like what the current district -- and the
24 second option is something that looks very
25 different than the current one?

1 MS. CLARK: Right. So this is
2 similar to the benchmark but is not the benchmark
3 district.

4 UNKNOWN FEMALE SPEAKER: And is the
5 reason that it's not the benchmark because you
6 just adjusted for population considerations?

7 MS. CLARK: Yes.

8 UNKNOWN FEMALE SPEAKER: Okay.

9 UNKNOWN FEMALE SPEAKER: I have
10 another question. On the benchmark, is the
11 percentage the same than the existing district?
12 Is that what you mean by benchmark? I mean, not
13 just the size of the district or its
14 configuration, you're talking about the actual
15 numbers?

16 MS. CLARK: The configuration is
17 similar as what I'm referring to, and the numbers
18 also don't retrogress for Latino V.A.P. But I
19 can read off the benchmark percentages, and that
20 is beneficial for everybody.

21 COMMISSIONER BARABBA: I think if
22 we refer to getting -- raising your hand and I'll
23 mention your name and we can move on pretty fast.

24 Commissioner Ontai?

25 COMMISSIONER ONTAI: Yeah. This is

1 Commissioner Ontai. Actually, could you read off
2 the benchmark figures, please?

3 MS. CLARK: I'm sorry. I didn't
4 hear the question.

5 COMMISSIONER ONTAI: Could you read
6 off the benchmark figures, please?

7 MS. CLARK: Yes. For Latino
8 V.A.P., the benchmark percentage is 47.03, for
9 black V.A.P. 6.21 and for Asian V.A.P. 11.49.

10 COMMISSIONER ONTAI: Thank you.

11 MS. CLARK: And so in this district
12 the entire county of Merced is intact, and then
13 it comes up through western Stanislaus County and
14 then into San Joaquin County, and from the
15 southwest it grabs all of Tracy and all of
16 Lathrop, and then -- or I'm not sure I pronounced
17 that --

18 UNKNOWN FEMALE SPEAKER: Lathrop.

19 MS. CLARK: Lathrop?

20 UNKNOWN FEMALE SPEAKER: Lathrop.

21 MS. CLARK: Lathrop. And then
22 splits San -- or Stockton. And in this
23 configuration, Stockton is the only city that is
24 split.

25 MS. MACDONALD: Would you like to

1 see the other option on this particular district
2 now?

3 MULTIPLE UNKNOWN SPEAKERS: Yes.

4 MS. MACDONALD: Okay.

5 (Whereupon, there was an
6 inaudible discussion.)

7 MS. MACDONALD: Okay. Mr. Brown
8 just alerted me to the fact that, yeah, we are
9 showing -- what we're showing is option two,
10 actually. Option two is always the benchmark,
11 the closest benchmark.

12 I'm not entirely sure what --
13 whether you have handouts or what's in your
14 handouts, but.

15 UNKNOWN FEMALE SPEAKER: We don't.
16 We don't have handouts.

17 MS. MACDONALD: Oh, okay. Then it
18 doesn't matter. Never mind. Okay. So this is
19 the benchmark, basically the closest to the
20 benchmark. And now we're going to show another
21 option that is basically a different one for that
22 particular district.

23 MS. CLARK: Okay. So in this
24 configuration of the Merced assembly district,
25 the deviation is point 26 percent. The Latino

1 V.A.P. is 55.51 percent. The black V.A.P. is
2 4.04 percent. And the Asian V.A.P. is 5.29
3 percent.

4 The lines here, Merced is
5 completely intact. It comes and grabs southwest
6 Madera County. This is the flatlands area of
7 Madera County, and then comes down along I-5,
8 grabs all of west Fresno County and some tracts
9 also here in Fresno County closer to the 99
10 corridor. And there are no city splits in this.

11 COMMISSIONER BARABBA: I have a
12 question of Mr. Brown.

13 It seems to me in these two
14 examples we have one that this looks closer to
15 what we've been asked to do relative to the
16 compactness and all the other criteria, but it is
17 less on the scores.

18 So that would be the judgment we
19 would have to make is that we think -- we could
20 take the position that, although this is not as
21 good as the first one we saw, we think this is
22 closer to what the State asked us to do?

23 MR. BROWN: So in our view, it
24 would be great if you could move towards a
25 district that is consistent with other decisions

1 you want to make and the public input. But when
2 you do it, you need to also try to not be
3 retrogressive.

4 So if it's close, then, you know,
5 it's -- but I would ask the mappers whether it
6 can be tweaked.

7 COMMISSIONER BARABBA: Okay.

8 Any other questions?

9 Commissioner Yao?

10 COMMISSIONER YAO: Question for
11 George also.

12 How would you interpret these three
13 numbers, the Latino, the black and the Asian?
14 Should I sort of add up all three of them and
15 saying that the sum is okay or shall I look at
16 the biggest one and saying the Latino is the one
17 that really is the key and the other two doesn't
18 matter?

19 MR. BROWN: So I think there are
20 two questions to look at. One is easier to
21 answer than the other. First, looking at voting
22 age population, if you just compare to the
23 benchmark, the benchmark I think, just over six
24 for black, and we're showing four there, so
25 there's a slight difference, and it was over 11

1 for Asian, so a slight difference.

2 So that's one issue and with the
3 question of whether if they tweak this a little
4 bit would that change, could they improve it
5 without, you know, doing something else that
6 would be a problem for mapping.

7 Then the other issue that I tried
8 to explain at the outset was whether the three
9 groups together might in combination or as a
10 coalition have more than 50 percent of the total
11 district in the benchmark when you look at
12 C.V.A.P., and if so, you'd want to look at
13 C.V.A.P. in the new district to see whether that
14 condition held.

15 That is a hard question to answer
16 for two reasons. One is you need the mappers to
17 give a more refined estimate of C.V.A.P. to see
18 what the numbers look like. And the other is we
19 don't have any polarized voting data on these
20 groups in this area.

21 So it would be something we'd have
22 to look at going forward after we get an
23 analysis.

24 COMMISSIONER YAO: Without touching
25 on the issue of the C.V.A.P., just looking at the

1 voting age population, as a rule of thumb should
2 I pay more attention to the sum of the three
3 percentages or should I pay attention to the
4 higher percentage one?

5 MR. BROWN: Each should be looked
6 at separately.

7 COMMISSIONER YAO: So in the case
8 where you have one that went from 47 to
9 55 percent, that's a very positive indication,
10 but the other one went from 6 percent to
11 4 percent, that's like a 50 percent drop, in the
12 case of Asian it went from 11.5 percent to five
13 point some percent, that's a larger than a
14 50 percent drop --

15 MR. BROWN: Percentage-wise.

16 COMMISSIONER YAO: -- so as a
17 figures merit us, the first order, is that good
18 or bad?

19 MR. BROWN: I think if it could be
20 avoided, it would be better to do that. I think
21 that before you finalize a decision that looked
22 like this, you'd want to investigate what the
23 alternatives are and address why you couldn't get
24 to a point where you didn't go backwards for
25 these other groups and then make a judgment call

1 about the strength of those justifications.

2 COMMISSIONER YAO: Okay. Now --

3 COMMISSIONER BARABBA: All right,
4 Peter.

5 COMMISSIONER YAO: Just one more.

6 COMMISSIONER BARABBA: Let's wrap
7 it up. Okay?

8 COMMISSIONER YAO: Option two went
9 from 47 to 55 with the Latino. Option one went
10 from 47.03 to 47.07. Okay? So that's almost the
11 same and a slight improvement. Whereas, the
12 black and the Asian both are, using your term,
13 "very close."

14 So when I look at the two options
15 without looking at anything else, which one of
16 the options would fit the definition of "better"?

17 MR. BROWN: Let me first clarify.
18 I was trying to get them to clarify it first.
19 The first thing she showed you was option two in
20 what they provided to me. And this one they've
21 labeled option one in what they've provided to
22 me. Okay? So.

23 COMMISSIONER BARABBA: Okay.

24 Here's the question queue --

25 MR. BROWN: Now, with respect to

1 option two, you're right that the numbers line up
2 better for a retrogression analysis.

3 COMMISSIONER YAO: Okay.

4 MR. BROWN: I try not to speak in
5 absolutes, because if you ask me to defend any of
6 them, I --

7 COMMISSIONER YAO: I understand.

8 MR. BROWN: -- there are things to
9 be said.

10 COMMISSIONER BARABBA: Okay. The
11 question queue is Commissioner Ancheta,
12 Commission Ward, Commissioner Filkins-Webber and
13 Commissioner DiGuilio.

14 COMMISSIONER ANCHETA: All right.
15 Thank you. This is a more general question. And
16 I appreciate the options are being presented, but
17 I'm curious just because of the non-retro -- the
18 retrogression standard being basically the -- not
19 making it any worse, so it's basically the same
20 or higher? How many options actually could one
21 adopt?

22 Because the question here --
23 because obviously we have narrowed them, or
24 you've narrowed them. But if you're just looking
25 at making it better, there may be a lot of

1 options that could be done.

2 But I mean, obviously we've imposed
3 constraints already in terms of other guidelines
4 we've provided, so maybe this has narrowed it
5 sufficiently. But it seems to me there's quite a
6 lot, and not that we have to go through all of
7 them, but it'd be good to know how far we can go.

8 Because obviously we have to look
9 at the other surrounding areas as well, and I'm
10 not entirely clear how broad of a range of
11 options might be available, if you can -- and
12 again, it's fine to look at this one, too, but
13 it's -- yeah.

14 MS. CLARK: I believe that, as far
15 as districts that are dissimilar to the benchmark
16 in configuration, I believe that this is the best
17 option because there are no city splits in it. I
18 think the other options would require splitting
19 cities or further splitting counties or having
20 more little fingers running all around.

21 COMMISSIONER ANCHETA: So just as a
22 follow-up, you have mapped some of those out, or
23 have you saved those or --

24 MS. CLARK: They're --

25 COMMISSIONER ANCHETA: -- kept

1 track of those?

2 MS. CLARK: I believe that they're
3 not with me --

4 COMMISSIONER ANCHETA: Okay.

5 MS. CLARK: -- that they sort of
6 got weeded out.

7 MS. MACDONALD: Discarded because
8 they were really non-compact, basically.

9 COMMISSIONER ANCHETA: Oh, okay.
10 Okay.

11 MS. MACDONALD: Because you just
12 have to reach out and --

13 COMMISSIONER ANCHETA: Yeah.

14 MS. MACDONALD: -- you know, do
15 things that you really just wouldn't do.

16 COMMISSIONER ANCHETA: Oh, and
17 that's fine. And again, that's been a guideline
18 in terms of maintaining city integrity. I'm just
19 wondering in terms of if there were other options
20 if they were saved someplace or if there were
21 some that we might consider.

22 MS. MACDONALD: So I mean, we also
23 look at the, you know, commission direction, you
24 know, C.O.I. testimony and, you know, whatever
25 else we have available when we're looking at

1 these districts.

2 So you know, taking all of that
3 into consideration, there's basically these two
4 viable options. The benchmark ones, the one that
5 goes into Stockton, that has the Stockton finger
6 as we've been --

7 COMMISSIONER ANCHETA: Okay.

8 MS. MACDONALD: -- referring to,
9 and that's been something that's inferred a lot
10 about. So this one basically tries not to do
11 that, and therefore it goes in a different way
12 and avoids, you know, a city split.

13 COMMISSIONER ANCHETA: Okay. Yeah.
14 And again, this is a fine option. I've looked at
15 some of the other maps that were presented
16 yesterday, and they're similar but different. So
17 anyway, those are other things to look at, too.

18 COMMISSIONER BARABBA: Commissioner
19 Ward.

20 COMMISSIONER WARD: Yeah. I was
21 just wondering, I want to make sure I understood
22 that whatever option we come up with, whatever
23 the new percentages are, those will be what sets
24 the standard for retrogression next time around;
25 correct?

1 So if we were to select an option
2 like this at 55.5 percent, they would have to
3 meet or exceed that in ten years to be in
4 compliance with Section 5; is that correct?

5 MR. BROWN: Not exactly. So the
6 benchmark will be the 2020 populations in
7 whatever district is drawn. And given, you know,
8 the population trends, it's likely to be, you
9 know, throughout California, I suspect, more
10 Latino and more Asian than it is today, as I
11 understand the trends.

12 COMMISSIONER BARABBA: Commissioner
13 Filkins-Webber.

14 COMMISSIONER FILKINS-WEBBER: I
15 just want to make sure I understand this
16 correctly. Because you had -- I guess one thing
17 that's striking to me is the difference, for
18 instance, on the A.P.I. between the benchmark at
19 11.5, this is what Commissioner Yao was talking
20 about, and the A.P.I. in this option one.

21 Couldn't -- and I -- so I guess my
22 first question, A, is would that be considered a
23 retrogression for the Asian population?

24 MR. BROWN: I think what it is it's
25 a piece of information we'd want to investigate

1 further and ask what's going on there and how
2 might affect their ability to participate.

3 COMMISSIONER FILKINS-WEBBER: Okay.
4 And so that leads me to my question B. You said
5 that you could investigate other alternatives
6 that may be able to adjust these numbers closer
7 to the benchmark.

8 And are you suggesting that this is
9 a key area where, if we wanted to consider option
10 one because it's consistent with the C.O.I.
11 testimony, that we would need to probably
12 consider this as a target area for R.P.V.
13 analysis in order to determine if this group
14 together as presented on the board would be able
15 to elect a candidate of their choice? Is that
16 how that works as far as the alternative?

17 MR. BROWN: Sort of, yeah. I think
18 that --

19 COMMISSIONER FILKINS-WEBBER: Sort
20 of.

21 MR. BROWN: -- to say it
22 differently, to say it differently, if the
23 percentages exceed the benchmark, then you can
24 relax, right, and stop investigating. If you're
25 going to do something where the percentage is

1 lower than the benchmark, then we've got to
2 figure out what are we going to do about that.
3 We want to investigate, you know, find out a
4 little bit more, look into these other questions.

5 So --

6 COMMISSIONER FILKINS-WEBBER:

7 That's what I'm trying to figure out. What is it
8 that we're looking more into? Are we looking at
9 that target population where we are distinctly
10 less than the benchmark, or are you looking at
11 something broader, whether or not they joined --

12 MR. BROWN: Well --

13 COMMISSIONER FILKINS-WEBBER:

14 -- with another group, whether we're getting into
15 a coalition district?

16 MR. BROWN: I think I -- yeah. I
17 think what -- you know, time and scope
18 permitting, I guess I'd want to know a little bit
19 more about the -- that Asian population's
20 participation in the electoral process.

21 And then the other issue being, you
22 know, is there a coalition going on in that area.
23 And you won't know that without doing some R.P.V.
24 analysis.

25 COMMISSIONER BARABBA: Commissioner

1 DiGuilio.

2 COMMISSIONER DIGUILIO: And this is
3 to follow up exactly on this. I was going to
4 discuss this in terms of the Asian community.

5 I'm going to guess if you look at
6 the option number two, you have Merced, you skirt
7 Modesto and Stanislaus and you go into Stockton.
8 And I'm going to guess that that's all -- most of
9 that Asian loss is in the city of Stockton.
10 Filipino, Chinese, Japanese, all is in that south
11 Stockton area.

12 So I'm guessing if we were to look
13 at this as why there's a significant drop in the
14 Asian V.A.P., it's because you've taken out the
15 city of Stockton. And I would guess the people
16 in the -- the Asian population in the city of
17 Stockton would prefer to vote with Stockton and
18 San Joaquin County rather than those in Merced.

19 I'm assuming maybe some of the
20 Asian population in Merced is maybe Muongs, some
21 maybe more farming, rural, things along those
22 lines, with some urban.

23 But again, I think if we were to do
24 the retrogression of the Asian population and we
25 look into it, I'm curious in a legal standpoint

1 how that fits in with community testimony of
2 individuals in that area that would prefer to
3 have a lower population that, you know, have that
4 retrogression if it meets their preference to
5 vote with their city and their county.

6 MR. BROWN: Yeah. And I don't have
7 a legal answer today, but I certainly think
8 that's an interesting thing to look into.

9 COMMISSIONER DIGUILIO: Yeah.
10 Because I know the Asian population you're
11 picking up there I'm going to guess is mostly in
12 Stockton. And so -- and Tracy to some extent.

13 COMMISSIONER BARABBA: Commissioner
14 Blanco.

15 COMMISSIONER BLANCO: All right.
16 Okay. So on the one that looks similar to the
17 benchmark, which is some -- either one or two,
18 whatever we want to call it, the one that looks
19 like the benchmark, just the -- walk me through
20 your process.

21 You basically just -- the stats,
22 the 47 percent, 6.21 and the 11.49, those, you
23 basically drew a district that kept the same
24 percentages as in the old district? That's what
25 I'm -- that's why -- what I'm trying to figure

1 out, and I think some of us -- because we didn't
2 say get new percentages for the option.

3 So basically what you're saying is
4 you kept the percentages intact, and then it
5 looked pretty much similar geo -- in terms of
6 its, you know, how it looks. Is that what you
7 did for that option, the one that doesn't
8 increase the numbers? Right? Is that -- was
9 that the process that you used there?

10 MS. CLARK: My process was to draw
11 a configuration that visually is similar to the
12 benchmark and also, you know, doesn't retrogress
13 as far as Latino V.A.P.

14 COMMISSIONER BLANCO: So you
15 basically keep the same V.A.P. for everybody in
16 that first -- or second, whatever you want to
17 call it?

18 MS. CLARK: Right. The black and
19 Asian V.A.P. for this configuration is closer to
20 the benchmark than in the other configuration.

21 COMMISSIONER BLANCO: Can you give
22 us those? Because for some reason I --

23 MS. CLARK: Sure. Yeah. I can run
24 through this again.

25 COMMISSIONER BLANCO: Yeah.

1 MS. CLARK: So for the Merced
2 assembly district, the percent Latino V.A.P. is
3 four -- 47.03. Black V.A.P. is 6.21.

4 COMMISSIONER BLANCO: That's the
5 benchmark or the new one?

6 MS. CLARK: Oh, yeah. That's the
7 benchmark.

8 COMMISSIONER BLANCO: No. I want
9 the new one.

10 MS. CLARK: Oh. Excuse me. Okay.

11 COMMISSIONER BLANCO: Sorry.

12 COMMISSIONER BARABBA: It's already
13 up there.

14 MS. CLARK: So the new one is up
15 here.

16 COMMISSIONER BLANCO: Okay. All
17 right.

18 MS. CLARK: And I'll just --

19 COMMISSIONER BLANCO: Okay.

20 MS. CLARK: -- re-explain the
21 percentages again.

22 COMMISSIONER BLANCO: Okay.

23 MS. CLARK: So this first one is
24 the percent deviation.

25 COMMISSIONER BLANCO: Right.

1 MS. CLARK: The second is Latino
2 V.A.P., which is 47.07. The third one is black
3 V.A.P., which is 5.79. And the last one is Asian
4 V.A.P., which is 10.35.

5 COMMISSIONER BLANCO: Okay. So in
6 this one your thought was -- what of the other
7 criteria for redistricting were you using when
8 you looked at this versus the other one?

9 In other words, when we look at
10 these two options, other than looking at
11 retrogression issues, what are we looking at in
12 terms of other redistricting criteria in our
13 mandate that led you to draw different districts
14 there?

15 Like in terms of compactness and
16 contiguity and communities of interest, I think
17 we need to for both of them know a little bit
18 about that.

19 MS. MACDONALD: Basically we looked
20 at all of the criteria essentially and also at
21 some previous guidance that we've received and
22 public testimony, C.O.I. testimony and so forth.

23 I should say with respect to
24 Commissioner DiGuilio's comment earlier about the
25 similarity or dissimilarity of the various Asian

1 populations, there is a potential to look at
2 surname match voter registration data. That
3 would give us a bit of a breakdown on some of the
4 various Asian groups.

5 And that doesn't have to -- just to
6 be clear, that is not partisan data. Okay? It
7 just is the registered voters that have been
8 surname matched through an Asian surname
9 dictionary. So that would be something we could
10 most certainly look at.

11 So can you talk a little bit
12 about -- (Inaudible).

13 Just one second.

14 (Whereupon, there was an
15 inaudible discussion.)

16 MS. CLARK: Okay. So right. So
17 this one was drawn similar to the benchmark
18 district. And in this I also tried to avoid
19 splitting cities. Stockton is the only city
20 split.

21 And also in the benchmark there is
22 more of like a horseshoe sort of around here, and
23 so I tried to avoid that also by grabbing Tracy
24 so that this most southern area of San Joaquin
25 County wouldn't be as isolated.

1 For the other configuration, I'll
2 pull it up so that --

3 MS. MACDONALD: And by the way,
4 Commissioner DiGuilio, you were right about
5 the -- that the Asians are actually concentrated
6 in that area of Stockton. And she's going to get
7 into this when she talks about this next option,
8 because it actually also has something to do with
9 the Section 2 districting in Fresno.

10 MS. CLARK: So in this
11 configuration I was avoiding city splits, there
12 are no city splits in this configuration, and
13 also avoiding the finger in Stockton. We heard a
14 lot of C.O.I. testimony advocating to get rid of
15 that.

16 And as far as the Asian percentage
17 here, we also heard C.O.I. testimony that there
18 is a large Asian population in the southern areas
19 of the city of Fresno.

20 And I didn't include that in this
21 configuration because there is a potential
22 Section 2 district that could be built around
23 that. So that's the reason for the drop in the
24 Asian population number in this district --

25 COMMISSIONER BARABBA: Commissioner

1 Dai.

2 MS. CLARK: -- or visualization.

3 COMMISSIONER DAI: Could you go
4 back to the other option? I'm also, like
5 Commissioner Filkins-Webber, concerned about the
6 drop in the Asian V.A.P., which it seems, you
7 know, significant.

8 I was just looking at what
9 C.A.P.A.F.R. submitted for this district, which
10 it looks very similar except they get rid of the
11 whole San Joaquin area and they move the line in
12 Stanislaus past the 99.

13 Now, they have two city splits in
14 that configuration. And they didn't give the
15 Asian V.A.P. They only provided the Latino
16 V.A.P. But the Latino V.A.P. is improved. It
17 goes to 50 -- 50.5 percent, which is 3 percentage
18 points. But my assumption is that the Asian
19 V.A.P. would not be -- would be more similar as
20 well. So that's another option.

21 It also looks more compact and all
22 that other good stuff as well.

23 COMMISSIONER BARABBA: Commissioner
24 Yao.

25 COMMISSIONER YAO: Listening to the

1 court presentation yesterday the -- some groups
2 interpret that, because the Section 2/Section 5
3 is the second highest criteria, they can take
4 liberty with that and trump everything else below
5 it, in other words, they don't have -- they can
6 split cities, they can split counties and so on.

7 And in this morning's discussion,
8 we seem to saying that, okay, if it's close
9 enough or the other thing's important and we can
10 sort of adjust these numbers by not splitting
11 cities and counties and so on, from a legal
12 standpoint -- maybe Mr. Miller can chime in on
13 this, too, because this is really a Prop 11 thing
14 in addition to being a Section 2/Section 5 thing,
15 how should we interpret it in terms of the
16 priority.

17 MR. BROWN: So I think the priority
18 is, as you know, to comply with the Voting Rights
19 Act. And so if you have to do a certain thing,
20 draw a certain district because you must do it to
21 comply, then that criteria is higher than most of
22 the other criteria, as you know.

23 I think what the discussion has
24 been is -- here is what variations of things can
25 you do to still comply. And if you can do -- if

1 you can make a choice that's consistent with
2 other choices you want to make, then that may be
3 preferable for the Commission, may be preferable
4 as far as the overall process in trying to be
5 consistent and the like.

6 And so you must comply with Section
7 5, and that takes priority. But as you can see,
8 there's more than one way to get there, more than
9 two ways to get there.

10 COMMISSIONER YAO: So compliance
11 does not mean maximizing; is that the way you --

12 MR. BROWN: Absolutely. Right.
13 That's exactly right. There's no -- there's
14 certainly no obligation to maximize, that's
15 correct.

16 COMMISSIONER YAO: So you come
17 close to, equal to or slightly better than,
18 that's compliance?

19 MR. BROWN: Let's be careful,
20 because we're doing a different exercise when
21 we're doing Section 5 than when we're evaluating
22 Section 2.

23 Okay. When we're evaluating
24 Section 5, the burden is on the State to not
25 reduce the voting strength of the protected

1 groups. Okay. So we have to try hard not to do
2 that.

3 The question when you get close and
4 the percentages are small, I think it's -- it may
5 allow for some more nuanced evaluation, but you
6 have to do some more digging and thinking and
7 trying before you can conclude that you're going
8 to be okay.

9 COMMISSIONER BARABBA: Commissioner
10 DiGuilio and then Commissioner Ancheta.

11 COMMISSIONER ANCHETA: Thank you.

12 COMMISSIONER DIGUILIO: Again,
13 going back, I just have this question in terms
14 of, when a population is lower, you know, and
15 we're having retrogression in a population like
16 the Asian if we take option number two, when it
17 goes from 11 to let's say five, what is the --
18 what are we required to in -- under Section 5
19 when it's not a population that has the ability
20 to be close to 50 percent in the sense that, like
21 in the other example that was given yesterday by
22 C.A.P.A.F.R. where it splits the 99, it goes
23 right through Modesto again, and it's going to
24 really disenfranchise some of those people in
25 that city where, if you were to take option --

1 I've got to make sure I get this right -- option
2 two, right -- this is option -- this is -- I'm
3 sorry, option one, where you then also may be
4 able to take additional C.O.I. testimony that
5 says we can have an Asian -- a higher Asian
6 population in the Fresno area keeping that
7 community intact, like where do we have to
8 balance that as a commission again where what are
9 our legal obligations if you have a group like
10 the Asian group where you'd have a lower
11 population but it's not enough to trigger a
12 Section 5 issue, it seems like, but yet you're
13 trying to have the integrity of a community of
14 what they've asked for in terms of keeping
15 themselves whole in other ways?

16 MR. BROWN: So --

17 COMMISSIONER DIGUILIO: Is that
18 just something we as a commission have to decide?

19 MR. BROWN: We'll continue to think
20 about it. It's an important issue. The statute
21 doesn't limit the obligation to protect a
22 particular group from retrogression.

23 COMMISSIONER DIGUILIO: Okay.

24 MR. BROWN: Nevertheless, I think
25 it's more difficult for a litigant to be

1 successful when the percentages are small for the
2 group. And so at the end of the day, you may end
3 up in the configuration where the Asian
4 population has dropped a few percentage points.

5 I think before you make a final
6 conclusion that you're absolutely going to do
7 that, more work should be done to see what the
8 alternatives are, see whether it's possible to do
9 it -- to see the reason why you might leave it
10 out and then make a judgment call at the end of
11 the day that what you've done is the best
12 solution.

13 COMMISSIONER DIGUILIO: So just out
14 of curiosity --

15 MR. BROWN: And then defend it.

16 COMMISSIONER DIGUILIO: -- if let's
17 say the bulk of the population of the Asian drop
18 is from Stockton and then we get testimony from
19 those people saying that's what we prefer to do
20 is to be -- you know, we'd like option number one
21 better even though it's dropped, I mean, if the
22 people it affects, do they have -- if they say
23 something, does that bear any weight for us?

24 MR. BROWN: I think that's an
25 important thing to consider. I don't believe I'm

1 in a position to answer that question today --

2 COMMISSIONER DIGUILIO: Okay.

3 MR. BROWN: -- but I think it's
4 certainly a very interesting point.

5 COMMISSIONER DIGUILIO: And the
6 residents of that area versus a group that speaks
7 to their demography, I mean, their --

8 MR. BROWN: You have to take into
9 account, yeah, everything you're hearing.

10 COMMISSIONER BARABBA: Commissioner
11 Ancheta.

12 COMMISSIONER ANCHETA: Thank you.

13 I think Commissioner DiGuilio
14 covered the point I wanted to cover, which is
15 about the ability to elect, which I take it is
16 why the coalitional elements may be important,
17 too, because that actually could get you closer
18 to an ability to elect --

19 MR. BROWN: Right.

20 COMMISSIONER ANCHETA: -- I figure.

21 I just wanted to reinforce the
22 point that Commissioner Dai was raising, because
23 C.A.P.A.F.R. 26 is all -- I think it's the same,
24 I don't think it's a mere coincidence, as
25 M.A.L.D.E.F. 17.

1 And the -- for -- M.A.L.D.E.F.
2 stats show about a little bit over 48 percent
3 Latino V.A.P., so it's a little bit, well, higher
4 than the other option we were looking at
5 previously. That was it.

6 COMMISSIONER BARABBA: That was a
7 statement, not a question?

8 COMMISSIONER ANCHETA: Yes. But I
9 did ask George a question.

10 COMMISSIONER BARABBA: Okay.

11 MR. BROWN: Do you all want to
12 spend some time on Kings or --

13 COMMISSIONER BARABBA: Well, let's
14 get one more question, then we'll move to Kings.

15 COMMISSIONER DAI: Yeah. It was
16 actually more of a comment. I was looking at the
17 C.O.I. testimony from the Merced meeting, and the
18 number of them said they wanted to go north
19 because of the high speed rail.

20 COMMISSIONER BARABBA: Commissioner
21 Dai.

22 COMMISSIONER DAI: So anyway, a
23 number of them said they wanted to go north
24 because of the high speed rail. They -- although
25 they definitely wanted to be divorced from

1 Stockton. So that seems like that might be a
2 balanced choice.

3 COMMISSIONER BARABBA: All right.
4 I think we've -- the reason this was good is I
5 think it applies to every Section 5, but you
6 might want to make sure. Kings's got some
7 additional aspects to it that might be
8 interesting.

9 MS. CLARK: For this there are also
10 two configurations. Would you like to see the
11 configuration that is more similar to the
12 benchmark or that is dissimilar to the benchmark?

13 COMMISSIONER BARABBA: Start more,
14 and then we'll move to dissimilar.

15 MS. MACDONALD: And I would just
16 suggest we call that the benchmark or the close
17 to the benchmark rather than option. So the
18 first one is always going to be the configuration
19 that's closest to the benchmark.

20 So we'll read off the benchmark
21 numbers first.

22 MS. CLARK: Okay. For assembly
23 district, the benchmark for Kings County, the
24 percent Latino V.A.P. is 63.39. The black V.A.P.
25 is 6.77. And the Asian V.A.P. is 3.85.

1 So in this option, all of Kings
2 County is intact. Then it comes down and grabs
3 this north Kern area, including the cities of
4 Delano, McFarland, Wasco and Shafter. And then
5 it comes around the Kern curl, as I've been
6 referring to it, comes around north of
7 Bakersfield and then wraps in here to get
8 southeast Bakersfield and Arvin, Lamont and
9 Weedpatch.

10 This area, the southeast
11 Bakersfield, Arvin, Lamont, Weedpatch is a C.O.I.
12 that we heard a lot of testimony about in
13 Bakersfield and as well as this Wasco/Shafter
14 area.

15 And I'll read off the percentages
16 for this configuration. The deviation is
17 1.38 percent. The Latino V.A.P. is 63.46
18 percent. The black V.A.P. is 7.25 percent. And
19 the Asian V.A.P. is 3.82 percent.

20 COMMISSIONER BARABBA: And --

21 MS. CLARK: Can I show you the
22 dissimilar to the benchmark option?

23 COMMISSIONER BARABBA: Yeah.

24 MS. CLARK: Okay. So this
25 configuration, all of Kings County is intact for

1 population and for Latino V.A.P. It grabs some
2 of these areas in southwest and northwest Tulare
3 County and then also grabs all of Shafter and
4 Wasco, this north Kern area again. And then the
5 Kern curl follows I-5 and comes southwest of
6 Bakersfield and then still grabs the southeast
7 Bakersfield, Arvin, Lamont, Weedpatch area.

8 We did hear some C.O.I. testimony
9 in Bakersfield about this area of the 99 corridor
10 of south Tulare County and north Kern County
11 having -- sharing common interests.

12 And the percentages for this
13 configuration, the population is a 0.8 percent
14 deviation. Latino V.A.P. is 65.78 percent.
15 Black V.A.P. is 6.15 percent. And Asian V.A.P.
16 is 3.86 percent.

17 COMMISSIONER BARABBA: Commissioner
18 DiGuilio.

19 COMMISSIONER DIGUILIO: I just have
20 a question around the area. So if these are some
21 of the options, are you making the assumption
22 that, like, is Fresno up there another assembly?
23 I'm just curious as to what happens to the rest
24 of the area around that based on these options.

25 MS. CLARK: Right. So for this

1 option, this is one thing that I was -- I'd
2 mentioned for the Merced district is one reason
3 in this Merced district that the Asian population
4 is dropped is because we heard this C.O.I.
5 testimony about south Fresno being a community of
6 interest.

7 And so there could be potential for
8 a Section 2 district to be right in there.

9 COMMISSIONER DIGUILIO: But your
10 numbers so far the way you've run them, have you
11 run them with the assumption that that Fresno
12 area is an intact assembly and then what happens
13 then is that Tulare and Bakersfield kind of wrap
14 around as another assembly?

15 I'm just assuming. I'm assuming
16 you've run these numbers based on the fact that
17 we have other numbers that would match up, or is
18 that not quite the assumption?

19 MS. CLARK: Other numbers that
20 would match up?

21 COMMISSIONER DIGUILIO: I mean,
22 when -- if these are your -- some of our proposed
23 assemblies, then I'm assuming there's enough
24 numbers left in, like, in Fresno where you'd have
25 another assembly or two assemblies or --

1 MS. CLARK: For the city of Fresno?

2 COMMISSIONER DIGUILIO: Yeah. Like
3 what do the districts look like outside the ones
4 you've proposed?

5 MS. CLARK: I have looked at these
6 districts in context of the bigger picture. I
7 haven't done extensive drawing necessarily
8 because there isn't direction on how to draw the
9 lines.

10 COMMISSIONER DIGUILIO: But we're
11 not just leaving, like, a random population base;
12 somehow it fits in?

13 MS. CLARK: Yes.

14 COMMISSIONER DIGUILIO: Okay.

15 MS. CLARK: Yeah.

16 COMMISSIONER BARABBA: Commissioner
17 Ancheta.

18 COMMISSIONER ANCHETA: So is the
19 only city split you have Bakersfield?

20 MS. CLARK: Yes.

21 COMMISSIONER ANCHETA: Okay. So
22 regarding Bakersfield, then, what assumptions
23 were you making? Because there's quite a number
24 of things you could do with Bakersfield, because
25 you're picking up all but 30,000 or something in

1 there, I'm guessing.

2 So generally what were you thinking
3 based in terms of testimony or other assumptions?

4 MS. CLARK: Concerning the city of
5 Bakersfield, there is conflicting C.O.I.
6 testimony whether to keep it intact or whether to
7 split it. Because the benchmark percentage of
8 Latino V.A.P. is so high for this district, there
9 really isn't an option to keep it intact.

10 COMMISSIONER ANCHETA: So once
11 you're down there, then -- I understand that. So
12 but once you're down in Bakersfield, because you
13 have to split it to at some point to pick up
14 probably like 30, 35 thousand, why did you decide
15 to go in one direction versus another?

16 MS. CLARK: The area here that is
17 included in this district has a very high Latino
18 population concentration. The areas up here and
19 out here do not. So that was for Latino V.A.P.
20 I can show --

21 COMMISSIONER BARABBA: Commissioner
22 Aguirre.

23 COMMISSIONER AGUIRRE: Yeah, the --
24 am I on?

25 The Lamont area is primarily

1 agricultural area, whereas the Green
2 Acres/Rosedale area is where the more recent
3 high-end growth in Bakersfield has occurred. So.

4 But I wanted to go back to the
5 intrusion into Tulare County --

6 COMMISSIONER BARABBA: I didn't
7 know you had a military background.

8 COMMISSIONER AGUIRRE: I have
9 family in Tulare.

10 No. Yeah, my question is about,
11 you know, whether that finger, that northeast
12 finger has -- splits Visalia in any way. I
13 presume -- there's Visalia, there's Tulare. So I
14 would think that you're trying to capture the
15 farm worker areas of Orosi, Cutler, Orange Cove,
16 Seville, that area, to include in as a similar
17 C.O.I. to the whole Kings County farm worker
18 agricultural kind of area; correct?

19 MS. CLARK: Yeah. That's correct.
20 And the cities of Visalia and Tulare are both
21 intact.

22 COMMISSIONER AGUIRRE: Yeah. Does
23 that in -- does that capture Woodlake, which is
24 up by Lemon Cove?

25 MS. CLARK: Yes.

1 COMMISSIONER AGUIRRE: Yeah. All
2 right. Okay. I'll call.

3 COMMISSIONER BARABBA: Commissioner
4 Blanco.

5 Oh, did you finish?

6 COMMISSIONER AGUIRRE: I'll call.

7 COMMISSIONER BARABBA: Commissioner
8 Blanco.

9 COMMISSIONER BLANCO: So just to --
10 in terms of trying to sort of have a sense of
11 narrative, the first -- the closest to the
12 benchmark follows a lot of C.O.I. testimony about
13 southeast Bakersfield that keeps the county
14 intact. It is close to the benchmark.

15 So why go even to look at another
16 option? What was -- what were -- on what did you
17 base going into another option? On what did you
18 hear or think about that takes us to an option
19 two even?

20 MS. CLARK: Well, one -- okay. I
21 can switch back here. One thing about this
22 option, which is dissimilar in some ways to the
23 benchmark, is that the curl here mirrors the
24 current assembly is one dissimilarity. And then
25 also this community of interest is intact, the 99

1 corridor.

2 And I just wanted to present a few
3 different options to the Commission.

4 COMMISSIONER BARABBA: Commissioner
5 Aguirre.

6 COMMISSIONER AGUIRRE: Just one
7 quick question. You gave us a preferred option
8 on -- in Merced. Is there a preferred option
9 here?

10 MS. CLARK: I don't necessarily
11 have a preferred option here. The Latino V.A.P.
12 numbers are higher, and which means also that the
13 C.V.A.P. numbers are higher. However, it does
14 split Tulare County, so I think there's pros and
15 cons.

16 COMMISSIONER BARABBA: I have a
17 suggestion for the Commission. We -- the other
18 area is in the yellow, and that looked like there
19 was no problems. So if you want to take a
20 five-minute break, we can do that and then start
21 back at 10:30. Is that okay with the Commission?

22 Okay. We'll start at 10:30 and
23 we'll allow Mr. Brown then to be able to get out
24 of here on time.

25 (Whereupon, there was an

1 inaudible discussion.)

2 (Whereupon, a recess was held.)

3 COMMISSIONER BARABBA: We're going
4 to get started.

5 MR. BROWN: Are we ready?

6 COMMISSIONER BARABBA: Yes.

7 MR. BROWN: Okay. All right.

8 Section 2. What I want to do is give you some
9 high level thoughts about Section 2 and then
10 point to some particular areas that we've seen of
11 the proposed visualization of districts that I
12 want to call to your attention just so you can
13 start to discuss them.

14 So you all know that you've got to
15 comply -- that the, I think the Commission has to
16 affirmatively take steps to make sure that it's
17 complied with Section 2 of the Voting Rights Act
18 as part of its work.

19 And so to do that, you instructed
20 Q2 and counsel to look around the state and
21 identify areas that had significant
22 concentrations of a single minority group. And
23 Q2 has done that, and we've been over and met
24 with them, and we've gone through the entire
25 state and we've seen lots of examples.

1 What I want to point out is how to
2 think about assessing litigation risk when we're
3 evaluating a Section 2 district. You have three
4 potential claims that different groups might
5 bring, at least three, but three apparent ones
6 that different groups might bring depending on
7 what you do in a particular area.

8 If a Section 2 district -- if a
9 majority/minority district is required to be
10 drawn and you don't draw it, a group will sue
11 under Section 2.

12 If a Section 2 district,
13 majority/minority district is not required to be
14 drawn and you've drawn a district now using race
15 and put a majority in there, then you'll perhaps
16 get a lawsuit saying you violated the Fourteenth
17 Amendment because you've improperly used race to
18 draw the district.

19 If you are not required to draw a
20 majority/minority district and you draw a
21 district that violates one of the other criteria
22 because you've split a city or a county, then you
23 draw a claim that you haven't complied with the
24 California constitutional requirements.

25 And so what you're trying to do

1 when you're looking at your decisions in this
2 area is to assess the litigation risk on all
3 three fronts. And I think that you'll want to
4 take some care to, one, conclude in a particular
5 area whether you would have high litigation risks
6 for not drawing the district.

7 And in order to do that under
8 Section 2, ultimately you want to have evidence
9 about -- and input from counsel, but evidence
10 about the three Gingles pre-conditions that
11 you've heard about.

12 And the first one which will either
13 push a lot of issues one way or the other is
14 whether there's a geographically compact group
15 that would constitute a majority in a district as
16 measured by citizen voting age population. So
17 that's the first threshold question.

18 Yes?

19 COMMISSIONER FORBES: This is Stan
20 Forbes.

21 Is there any standard for
22 determining geographically compact?

23 MR. BROWN: That's a great
24 question. Been thinking about that. My answer
25 as a litigator is to first apply the common sense

1 test that we'll look at it and think about how
2 would you defend the shape of that district under
3 the notion of compactness.

4 I understand that political
5 scientists have some mathematical measures as
6 well. But I think a first cut should be a common
7 sense test and what do you think about it and
8 what kind of risk does it create.

9 Beyond that first factor, you've
10 heard about the need to understand voting
11 tendencies, does the minority tend to vote as a
12 block and does the majority tend to vote
13 differently and as a block. And that's through
14 regression analyses. And we've got an effort
15 under way to identify someone to assist in that
16 effort.

17 What I would expect as counsel to
18 do for you is to take the input about that first
19 factor, geographic compactness and whether
20 there's a majority, and input and evidence from
21 any and all sources about the existence of
22 racially polarized voting, and then offer a point
23 of view about the level of litigation risk for
24 taking one step or another.

25 One might tell you you have high

1 litigation risk if you don't draw a district in
2 this area. And I would suggest that, if you have
3 high litigation risk, you probably should draw a
4 district under the idea of you're complying with
5 Section 2 of the Voting Rights Act.

6 And I'll also tell you what I think
7 about litigation risk for those other two, the
8 Fourteenth Amendment or the other criteria.

9 Now, what's going to happen as you
10 go through these evaluations is there's going to
11 be some districts that are on either side of the
12 line and some in the middle.

13 For the ones that are not required
14 under Section 2, pretty clearly not required
15 under Section 2, I think you'll want to be very
16 careful about what criteria you use and what
17 evidence you have for the districts you draw and
18 that, when you are saying that, for example,
19 there's a community of interest, I think you want
20 to make sure you have robust support for those
21 decisions where you know what is the basis for
22 saying there's a community of interest and where
23 is it and does it meet the criteria, is it local,
24 is it contiguous.

25 And then you should be fine. You

1 can make choices based on the other criteria.

2 When you're in the middle, we're
3 going to have to do more work. And when I say
4 "in the middle," what I mean is, if you have a
5 C.V.A.P. of 49 percent based on first pass using
6 the data that's just -- well, as the census says
7 is unreliable, then I think that you need to
8 drill down some more and ask the mappers to give
9 you more information as best they can to estimate
10 what C.V.A.P. actually is.

11 And then you're going to get more
12 information. You understand how it is they came
13 up with that estimate. And it may push you a
14 little bit higher.

15 All right. One other con -- two --
16 a few other considerations. One is you're not
17 going to be done making a determination about
18 Section 2 until the very end, because there's a
19 totality of the circumstances requirement.

20 So you're going to have to consider
21 everything you've done state-wide and the reasons
22 you've done it. You'll want to consider the
23 proportionality of the groups, how many districts
24 you've created and what their relative strength
25 is total (sic) to the total population and make

1 some judgments about whether you're satisfied
2 with what you've done by the end.

3 Another issue is -- to be careful
4 of is there's going to be some challenges in the
5 L.A. County area for a number of reasons, as
6 you've already started to see. And one challenge
7 I think is trying to determine for Latinos
8 specifically how to draw the districts.

9 It's clear, absolutely clear that
10 you must draw several majority/minority
11 districts. The challenge and question is going
12 to be figuring out how to draw them, where to
13 start, how many you'll want to draw to lower your
14 litigation risk. So that's going to be a
15 question.

16 So those are my sort of high level
17 comments on Section 2. I'm happy to answer
18 questions. Now, what I wanted to do to
19 illustrate some issues is, based on some
20 hypothetical districts that we've been shown, I
21 have some things that I want to point out, and
22 then perhaps they can, after I'm done pointing
23 them out, they can show some of them. I don't
24 think they have the ability to show all of the
25 ones I'll mention today.

1 So in the Fresno area, there's a --
2 there is the potential of a Section 2 district.
3 And they, the mappers have shown us two examples.
4 And one example, our reaction applying the common
5 sense test is that it may not be compact. And
6 the other example, if you adopted the other
7 example, it may impact the Section 5 districts.
8 And so an example of the kind of thing that
9 you'll have to grapple with when we get there.

10 In some of the preliminary drawings
11 I saw moving down to the L.A. area, some of the
12 preliminary drawings I saw of hypothetical
13 districts had very high Latino C.V.A.P., like
14 70 percent or 83 percent. There I think you'd
15 want to worry about whether you've got
16 overconcentration of a group in one district. So
17 that's something to pay attention to.

18 Another observation I had at --
19 with some of the hypothetical districts in L.A.
20 is occasionally they were able to have nothing --
21 whole cities make up an entire district and be
22 within, you know, the population deviation that's
23 either close or right on target.

24 And in that instance, you can worry
25 less about those districts because you use other

1 criteria to completely draw a district. So it
2 will be -- when you're in an area -- another
3 point about districts that are not required to be
4 drawn because you're not required to draw a
5 majority/minority district, when you're looking
6 at other criteria, the criteria of city and
7 county and geographic boundaries and known
8 neighborhoods are easier to follow because
9 there's evidence about what those are.

10 And when you're using criteria like
11 communities of interest, I again would urge you
12 to just make sure you have a robust record to
13 support whatever the choices are so that you know
14 what it is and what the boundaries are and what
15 the bases are.

16 An example of a district that I've
17 seen, hypothetical district that's in the middle
18 is Pomona Valley. And in the example I saw, the
19 Latino V.A.P. was just over 50 percent. And it's
20 an example where you'd want to be careful and
21 maybe drill down some more on C.V.A.P., because
22 it also involves a splitting of two counties.

23 And so you're in a situation where,
24 if you had to draw the district to require what
25 the -- to comply with Section 2 of the Voting

1 Rights Act, then that trumps a county. But if
2 you didn't need to draw it, then you've got an
3 issue of splitting the county, which might trump
4 other choices.

5 One other observation. We think
6 there's an issue in Orange County in the area
7 that was hypothetically drawn that included
8 Santa Ana and Anaheim, because they don't appear
9 to be geographically the same. And the
10 hypothetical area we saw sort of runs through
11 another city, the City of Orange.

12 And so there's some question marks
13 we have about whether, as drawn as we've seen it,
14 whether that would be a required -- whether it
15 would meet the first Gingles pre-condition, that
16 is, a geographically compact group that's over
17 50 percent.

18 Okay. So those are general
19 comments. I'm happy to take questions and
20 then --

21 COMMISSIONER BARABBA: Okay.
22 Commissioner Forbes, Commissioner Malloy,
23 Commissioner Ancheta and then Commissioner
24 Blanco.

25 COMMISSIONER FORBES: I have two

1 questions. Where we're dealing with a single
2 majority/minority group, I understand what you're
3 saying, in Los Angeles we're confronted with a
4 number of situations in which we have two not
5 quite majority/minority districts.

6 How does the interplay between
7 having -- or is there an interplay between having
8 two minority groups in the same district? What
9 things should we consider there?

10 MR. BROWN: Yeah. You're going to
11 need to be careful --

12 COMMISSIONER FORBES: Thank you.

13 MR. BROWN: -- about evaluating the
14 evidence here. Because there's plenty he have
15 litigation risk here. So question one: Will the
16 Supreme Court accept a coalition district as a
17 potential Section 2 violation? Indicators are
18 probably yes. Okay? So it's not a certain
19 answer, but probably yes.

20 Question two: Does the combined
21 group have more than 50 percent of the citizen
22 voting age population in the area?

23 Question three: Does the combined
24 group vote as -- cohesively, and what is the
25 evidence of that and where are you going to get

1 the evidence of that?

2 Question four: Does the majority
3 group or the white group tend to vote as a block
4 and differently from both of the other groups?

5 So you need evidence on all those
6 things. It's harder than when you're dealing
7 with a single minority group in -- especially a
8 single minority group in an isolated area of the
9 state, it's easier to get your head around that.
10 It's harder when you're in the middle of L.A.
11 County, you've got two groups. And so we need
12 that R.P.V. analysis, and we'll need to get
13 started looking at some of those areas.

14 Now, if you don't have evidence
15 that says that you -- that you've got a potential
16 Section 2 claim for this coalition that someone
17 is urging, then you've got high litigation risk.
18 Because you have to -- you might have high
19 litigation risk. Because you have to decide what
20 you're going to do in that area, and you have to
21 decide it based on the -- consistent with the
22 other criteria in the California constitution,
23 that is, it's fine to use communities of
24 interest, cities, counties, neighborhoods, and
25 group them together as you deem appropriate in

1 light of the public testimony; but you've got to
2 make sure you're complying with the criteria and
3 that you have support for it.

4 If there's a neighborhood, is there
5 evidence about where the neighborhood is and what
6 the boundaries are? There's -- I assume there
7 is, but you want to make sure there is. And
8 again, if there's a community of interest, same
9 thing.

10 COMMISSIONER FORBES: The second
11 question, which is a less complex one, now, I
12 understand you to say that an area that has a
13 high C.V.A.P. rating is less of a litigation risk
14 if there is a complete city, you don't have to
15 cut a city to get there.

16 MR. BROWN: I think when -- once
17 you've concluded that you should draw the
18 majority/minority district, it would be
19 preferable if when drawing it you can also follow
20 other criteria to the extent possible.

21 COMMISSIONER BARABBA: Commissioner
22 Malloy.

23 COMMISSIONER GALAMBOS-MALLOY:
24 Mr. Brown, I'd like to go back to your thoughts
25 regarding a robust record regarding communities

1 of interest. I think this is something that we
2 as a commission will probably come back to in the
3 near future.

4 But I think, on my opinion, I think
5 we are looking at some places in the state where
6 we have had large numbers of individuals submit
7 C.O.I. testimony and not always make compelling
8 arguments or give us much detailed data to
9 support that. And at the same time, we've had
10 smaller numbers of individuals who have given us
11 potentially more compelling data-driven arguments
12 for a competing community of interest that
13 overlaps with that first community of interest.

14 And so I'd be interested in your
15 thoughts on how we think about ensuring a robust
16 record regarding to any C.O.I.s that we decide to
17 value in our process.

18 MR. BROWN: I have some thoughts on
19 that. I remember Commissioner Yao at a meeting I
20 was watching suggest that you keep a record, make
21 a record of what communities of interest have
22 been recognized by the Commission.

23 And it seems to me that it would be
24 a good exercise to generate, and I understand
25 that this might be under way by Q2 already, but

1 to generate some sort of document, table, chart,
2 whatever, that lists all of the communities of
3 interest that the Commission believes they are
4 including in their work and where exactly it is
5 and what the basis is for drawing that
6 conclusion.

7 That's going to be especially
8 important when you're dealing with districts that
9 involve a potential Section 2 area where the
10 Section 2 -- where the majority/minority district
11 is not required. You're going to want to make
12 sure you understand what your evidence is.

13 And then I believe that courts will
14 give great deference to the conclusions drawn by
15 the commissioners based on their -- the process,
16 going out, getting input, evaluating it, weighing
17 what you think is the pluses and minuses of the
18 evidence you have, and then making a decision.

19 COMMISSIONER BARABBA: Commissioner
20 Ancheta.

21 COMMISSIONER ANCHETA: I think
22 Commissioner Galambos-Malloy asked my second
23 question. And I did ask Q2 yesterday if we had
24 a, sort of a master list. I don't think it's a,
25 quite a full master list, but it's in there, but

1 it's not in one list. So

2 So my first question would have
3 been, or is, we had some testimony yesterday from
4 the M.A.L.D.E.F. presenter that 50.0 percent
5 would be sufficient to hit the first Gingles
6 requirement. And he referred to some 9th Circuit
7 case law.

8 I did a little bit of looking
9 around. I looked at the Gibson Dunn manual. I
10 haven't seen anything to that effect. And I
11 think everybody's been operating under the
12 assumption that it's above 50 percent, however
13 small it may be, it's above 50 percent.

14 And I don't know if you have
15 anything to say to that. But I guess the
16 question would be could you follow up on that and
17 just confirm that it is --

18 MR. BROWN: I will. But I'm not
19 bothered by whether it's 50.0 --

20 COMMISSIONER ANCHETA: I mean, it's
21 pretty small, obviously, but.

22 MR. BROWN: -- or 50.01.

23 COMMISSIONER ANCHETA: Right.
24 Right.

25 MR. BROWN: Because that's --

1 COMMISSIONER ANCHETA: It may make
2 a difference on some of --

3 MR. BROWN: It may be --

4 COMMISSIONER ANCHETA: -- lines
5 we're looking at, though, because they're very
6 finally drawn.

7 MR. BROWN: I think if you were
8 that close, I don't think you want to make a
9 decision based on a 50.0 or even a 50.05. I
10 think what you want to do is ask the mappers to
11 get more information about C.V.A.P. and see how
12 confident you are about that number.

13 COMMISSIONER BARABBA: Commissioner
14 Blanco. Why don't you get a microphone in front
15 of you.

16 COMMISSIONER BLANCO: Thanks, Mom.

17 COMMISSIONER BARABBA: Dad.

18 COMMISSIONER BLANCO: We had
19 testimony yesterday from several of the
20 African-American organizations where there are
21 parts of south L.A. where there are three
22 congressional seats sort of stacked up on top of
23 each other that now are, each one of those is
24 under even I think -- well, one may be in the
25 40s, but they're all well under 50 percent in

1 terms of African-American C.V.A.P.

2 If you had two instead of three,
3 you would have -- they would both have over
4 50 percent black C.V.A.P. But the testimony we
5 heard yesterday was don't apply Section 2 to draw
6 an over 50 percent C.V.A.P. district, because
7 Section 2 doesn't apply here.

8 Because we have a history of
9 ability to elect. And there's no polarized
10 voting because these are -- whatever, that was
11 just a statement, and I don't remember what the
12 basis for that.

13 But it may well be true that, with
14 very little white participation and that they've
15 gotten Latinos in those neighborhoods do vote for
16 them, so they were saying don't -- you don't need
17 to draw an over 50 percent under Section 2.

18 And in fact, if you -- if we go
19 from three African-American representatives to
20 two because you do that, we will have a Section 2
21 claim that you've reduced the number of
22 African-American representatives.

23 And so I'd really appreciate your
24 thoughts on that.

25 MR. BROWN: Okay. Well, first let

1 me say that what we will do is take the input
2 that came into those hearings and consider it
3 carefully and give you more specific responses,
4 especially if we're -- particularly anything that
5 has to do with the Voting Rights Act.

6 There are a lot of interesting
7 anomalies, issues, policy issues and unintended
8 consequences of the Voting Rights Act as
9 currently interpreted. And I think the
10 commission's job is to try to follow the law as
11 we understand it and, you know, as it's
12 interpreted by the courts and as constrained by
13 the California constitution.

14 So let's try to deal with this
15 question. The first challenge for the Commission
16 is that we're not -- the Commission is not
17 supposed to take into account existing political
18 boundaries, incumbents and the like; right? So
19 that has to be left aside.

20 The next challenge is that, if you
21 don't have the first Gingles pre-condition, and
22 there might be two ways to get there, but if you
23 don't have the first Gingles pre-condition, then
24 you are not required to draw a majority/minority
25 district. Okay? So -- and I don't know what

1 that means fully for L.A., because they're still
2 trying to do the analysis.

3 My understanding is that there, at
4 least on the assembly district side, that there
5 are more than one that are -- that possibly can
6 be drawn. And as I said, there might be evidence
7 to support a claim based on a coalition district
8 that has to be considered.

9 Now, if you get to a point where,
10 under the case law and under the facts and under
11 the analysis, that you are not required to draw a
12 certain number of districts, then you're
13 constrained by the other criteria in the
14 California constitution.

15 And so my first take is that what
16 you've described doesn't change the approach that
17 the Commission has to take. I think it's
18 interesting, and I'll give some thought to it,
19 but there's not a basis in the law or in the
20 California constitution for an argument that
21 says, I've been electing these candidates for a
22 period of time and, therefore, you should not
23 change that.

24 I think that at least that first
25 pass doesn't work for me. I want to think about

1 it some more and think about whether there's
2 something I'm not thinking of. But I do think
3 that, at the end of the day, we've got to follow
4 criteria that we've been laying out for you.

5 COMMISSIONER BARABBA:

6 Commissioner --

7 MR. BROWN: You should understand
8 also that there's some phenomenon -- yeah?

9 COMMISSIONER BLANCO: (Inaudible).

10 I'm more concerned about the first
11 part of the argument, because I think it can
12 apply to a lot of different districts, which is
13 if you -- do you have to draw a Section 2
14 district when you're over 50 percent if you -- or
15 say, let's even be more -- let's take a
16 hypothetical that's very extreme.

17 You have 65 percent C.V.A.P., but
18 you don't have racially polarized voting. What
19 do you have to do in that situation?

20 MR. BROWN: I think based on the
21 Supreme Court case law that you're not required
22 to draw the district.

23 COMMISSIONER BARABBA: Okay.

24 Commissioner --

25 MR. BROWN: Another, just another

1 point about the African-American voting age
2 population percentages. In discussing this with
3 the mappers, there's a phenomenon that happens
4 when African-American populations are adjacent to
5 immigrant populations. Sometimes their actual
6 percentage of voting power goes up from the
7 voting age population.

8 COMMISSIONER BARABBA: Commissioner
9 DiGuilio.

10 COMMISSIONER DIGUILIO: Okay. I
11 just -- for a point of clarification, I don't
12 know if Commissioner Parvenu was next after me.
13 If so, was it related to this? Otherwise, I
14 would defer -- I would switch with him if that's
15 okay, keep the conversation --

16 COMMISSIONER BARABBA: Commissioner
17 Parvenu.

18 COMMISSIONER PARVENU: (Inaudible).

19 (Whereupon, there was an
20 inaudible discussion.)

21 COMMISSIONER PARVENU: Thank you
22 for bringing this up, because that's my -- that's
23 the question of the day for me, you know. And I
24 want a clarification on that.

25 So I want you to elaborate, please,

1 Mr. Brown, on the whole notion of coalition
2 districts. Because in Los Angeles, as you know,
3 we have a unique history.

4 And I think performance is
5 something that I would like to have a better
6 understanding of in terms of what the C.V.A.P.
7 actually is and how low it could possibly be
8 without being considered a litigation risk if the
9 adjacent or neighboring ethnic groups agree that
10 it doesn't present a problem.

11 Because there's been a performance,
12 a history of performance in the past where, as
13 you know, it comes from the Bradley tradition,
14 not Julian. And I'm not mentioning any
15 individuals because I'm neither Democrat nor
16 Republican.

17 And I know that we aren't really
18 required to -- well, we can't racially
19 gerrymander, of course. But in terms of what has
20 worked in the past in Los Angeles, and in terms
21 of the feedback I get as being a community
22 outreach person in Los Angeles, I know as a fact
23 there's going to be some very serious issues if
24 individuals feel that they are disenfranchised as
25 a result of this process.

1 You know, we have three or four,
2 let's just use congressional representatives for
3 the entire state for the black population. To
4 have that reduced further would present a real
5 serious problem.

6 So I would like you to address that
7 and how we can move forward --

8 MR. BROWN: Right.

9 COMMISSIONER PARVENU: -- in a --

10 MR. BROWN: So --

11 COMMISSIONER PARVENU: Go ahead.

12 MR. BROWN: -- there's several
13 points to be made. And as I said, you know,
14 we'll take this input and we'll give some careful
15 thought to it so we can, you know, continue to
16 respond to this question. So I'm giving you my
17 initial reactions.

18 And that is that there's several
19 ways to approach this question. One is -- and
20 they're all, they all involve litigation risk.
21 One is the issue of coalitions. And I talked
22 about that.

23 In order to be required under the
24 law, we still have to meet the three
25 pre-conditions set out by the U.S. Supreme Court,

1 that is, that there's evidence that the group
2 combined, two, you know, two or more groups
3 combined would equal more than 50 percent in a
4 geographically compact area, and evidence that
5 they vote more similarly -- that they vote in a
6 politically cohesive manner, and that their
7 voting differs from the majority, who also votes
8 as a block.

9 Okay. So if we can't meet that,
10 then the Supreme Court in recent cases has
11 rejected the defense of a district like that on
12 grounds that you are complying with Section 2.
13 If that district gets rejected, then other people
14 may challenge a district saying that you've not
15 complied with other criteria.

16 Now, let's talk about the other
17 criteria for a while. It's perfectly fine for
18 groups to come in and explain that we are an
19 existing community, you all know this, that we
20 are an existing community and here's where we
21 live and here's why we have shared social and
22 economic interests, and we want you to respect
23 that.

24 And I -- what I'm saying is that
25 you should encourage those groups to come in if

1 they haven't already and lay it out. But the
2 laying it out is under the criteria in the
3 statute: We have shared social and economic
4 interests, we use the same transportation
5 corridors, we have similar socioeconomic status,
6 we have shared geography.

7 Race can be considered when they --
8 when the Commission is making its decisions, but
9 it has to have a record and a decision process
10 that is consistent with the criteria that's laid
11 out.

12 Now, I want to think about the
13 other argument, the other argument, the one that
14 Commissioner Blanco summarized that was made
15 yesterday. And I want to think some more about
16 that and whether there's some implications that
17 we're not thinking about.

18 But so for me it doesn't really
19 change the analysis. And it doesn't mean that
20 you couldn't end up with the same number of
21 districts with the same phenomena. But if you
22 do, it has to be in accordance with the criteria
23 that you're constrained by.

24 Does that help?

25 (Whereupon, there was an

1 inaudible discussion.)

2 MR. BROWN: There's a few different
3 things to think about. Let's talk about voting
4 age population. It's possible that a 35 percent
5 African-American voting age population, depending
6 on what it's adjacent to, could equal a majority
7 of the citizen voting age population. So that's
8 one phenomenon that has to be considered.

9 But to ask the question is
10 35 percent C.V.A.P. enough, the answer is no,
11 depending on what you mean. If what you mean is
12 is it enough to satisfy the first Gingles
13 pre-condition, the answer is no. That's pretty
14 clear.

15 COMMISSIONER BARABBA: Commissioner
16 DiGuilio.

17 COMMISSIONER DIGUILIO: Okay. I
18 just have a kind of a -- trying to get my head
19 around Section 2 a little bit. What I'm
20 interested in is the interplay between the first
21 and second Gingles criteria.

22 So that we've had some proposals of
23 potential Section 2 districts. But in order to
24 meet the 50 percent population, I'd say the
25 geography has some questionable compactness to

1 it.

2 Or even let's say if you're trying
3 to do 50 percent population, you're violating
4 let's say geograph -- like going over mountains
5 or taking coastal and really far inland or some
6 things or just maybe some violations of the
7 community of interest testimony that we've had in
8 order to meet that first criteria.

9 So how are we as a commission going
10 to kind of interpret some of those potential
11 Section 2? Because it -- you know, in order
12 to -- you could get 50 percent but, you know.

13 I think you're right. I think
14 there's extremes. Like if we see a real stretch,
15 it's going to be easy to say that's probably not
16 compact. It's that middle of the road or you
17 could reach 50 percent, but you have to go over a
18 mountain, or you could reach 50 percent if you
19 have to violate another community of interest
20 testimony.

21 So where does that put us as a
22 commission?

23 MR. BROWN: With respect to a lot
24 of these questions, I'm going to do further
25 analysis. But I'm going to give you my initial

1 reaction.

2 And it's what I said earlier about,
3 from my point of view, the first test is a common
4 sense test in that we're going to look at the
5 district and we're going to think about
6 litigation risk from just looking at it. Does it
7 make sense that, in thinking about the term
8 compact, does it make sense to go over the
9 mountain to the other side?

10 If it is compact geographically and
11 there's more than 50 percent, then that trumps
12 the other considerations if you get to a place
13 where the majority/minority district is required
14 to be drawn.

15 COMMISSIONER DIGUILIO: Yeah. And
16 I think that's understandable very easily --

17 MR. BROWN: Now --

18 COMMISSIONER DIGUILIO: -- because
19 compact of 50 where it's --

20 MR. BROWN: In close calls --

21 COMMISSIONER DIGUILIO: -- not
22 so --

23 MR. BROWN: In close calls where
24 we're not sure whether it fully meets the common
25 sense review, then I think we should ask for more

1 information about, you know, how would, you know,
2 someone who studies compactness or has a
3 mathematical formula for it, how would they
4 evaluate this.

5 COMMISSIONER DIGUILIO: And one
6 last question with that. So as we're going
7 through this, we're going to look at, you
8 mentioned the totality.

9 So is it better for us just to kind
10 of go, in dealing with Section 2, is it better
11 for us to kind of draw the maps and then go back
12 and look or should -- as opposed to trying to
13 draw Section 2 as we go along, or is it a
14 combination of both of those?

15 MR. BROWN: I think both. And I --
16 my view would be that you want to try to get it
17 reasonably right on the first draft.

18 COMMISSIONER DIGUILIO: Okay.
19 Thank you.

20 COMMISSIONER BARABBA: Commissioner
21 Aguirre, and then Filkins-Webber, Ancheta and
22 Ontai.

23 COMMISSIONER AGUIRRE: Just a
24 couple of questions. One is, where you have
25 similar social and economic characteristics

1 within minority communities and the percentage is
2 over 50 percent, then does it make sense to --
3 are you required to draw Section 2 counties, and
4 within a larger context that trying to empower
5 the largest number of minority communities as
6 possible? So.

7 MR. BROWN: If I understood you
8 correctly, I think part of the answer to your
9 question is that, where you have community of
10 interest testimony that you believe is reliable,
11 then you can choose to draw districts based on
12 the community of interest.

13 I urge you to make sure that your
14 evidence is robust. Because if it's not, you may
15 be challenged for drawing a district based on
16 race.

17 COMMISSIONER AGUIRRE: My second
18 question relates to the level of organization of
19 particular community groups where they have put
20 forth support for a particular C.O.I. and when
21 there's campaigns to get as many letters and --
22 or individuals to send E-mails to the Commission.

23 So my question is, within
24 developing a robust record of testimony, how do
25 you evaluate or how do you assess the support

1 given just a simple tally of individuals for a
2 particular position?

3 MR. BROWN: My suggestion as a
4 litigate -- I think at the end of the day it's
5 your judgment in evaluating the information
6 that's come in front of you, and it's not about
7 the number of submissions. It's really about
8 what you believe the support is.

9 And from the point of view of a
10 litigator, I'd be looking for what the real
11 evidence is. So if someone says we have a shared
12 culture and we -- and then they describe it, then
13 it doesn't matter if a hundred people say it, if
14 it's credible, it's consistent with other things
15 that you know.

16 If someone says there's a
17 transportation corridor here, there's a major
18 employer over there, there's a farm worker
19 community, those are things that you can assess
20 against reality to see how it stands up.

21 Now, trying to figure out the
22 borders I think is also a question. And trying
23 to figure out what the word "local" means,
24 because the California constitution uses the term
25 "local communities of interest," and they have to

1 be contiguous.

2 I think thinking about all those
3 things will help you figure out whether you've
4 got sufficient information. But it's not just
5 because a hundred people came in and said the
6 same thing.

7 COMMISSIONER AGUIRRE: Yeah. It's
8 not the quantity, but the substance.

9 MR. BROWN: Yes.

10 COMMISSIONER BARABBA: Commissioner
11 Filkins-Webber.

12 COMMISSIONER FILKINS-WEBBER: I was
13 wondering if you could share your opinion about
14 packing and cracking. And I'd like to give this
15 example as what I've been thinking and just an
16 area that I happen to know.

17 For instance, based on the
18 documentation that we've received with all the
19 population numbers, I know that there might be an
20 issue with C.V.A.P., but I don't -- I think these
21 are just V.A.P. numbers.

22 But as an example, Santa Ana has a
23 78.25 percent Latino population. And so I'm
24 thinking, if we -- we've heard the C.O.I.
25 testimony, you know, keeping Santa (sic) intact,

1 and I don't have the population numbers off the
2 top of my head, looks like they're 30 -- or
3 324,000.

4 So if you're respecting the C.O.I.,
5 you're respecting, you know, population, you're
6 respecting the city boundaries and you see an
7 area that has compact majority/minority
8 population -- and just because I'm familiar with
9 the area, they have -- at least that minority has
10 consistently voted, you know, a candidate of
11 their choice, as far as I understand the area.

12 So if we maintain the integrity of
13 the city boundaries and we, you know, look for --
14 to me that looks like it is a potential Section 2
15 because of the numbers that exist. And so I'm a
16 little confused.

17 Because I did hear this earlier in
18 our conference call about maybe combining with
19 Anaheim. And we did hear I think one or two
20 people that had mentioned that. But my point is
21 I can see one argument maybe made to split
22 Santa Ana because of the high population, which
23 in my -- as I understand it, would be cracking.

24 And they'd be cracking in order to
25 create two districts with high minority

1 populations versus if we were to keep the
2 integrity of the city boundary based on the
3 population numbers we see. Would there be an
4 argument that that's packing?

5 So if you can just, I guess, help
6 us a little bit understand that. Because I'm
7 thinking of it just in the priority of the
8 categories. If we're talking about population,
9 equal population, then we get to section -- do we
10 get to, you know, our second criteria?

11 I see a city that's intact, it's,
12 you know, compact, it's contiguous and it falls
13 into a Section 2 with a majority --
14 minority/majority district. See, to me it just
15 falls by itself.

16 So I'd like your thoughts on how
17 you could direct us on when we see cities --
18 because there are quite a number of cities that
19 have majority/minority, and I don't want to crack
20 and I don't want to pack.

21 MR. BROWN: Right. And so I'll
22 tell you that the test is totality of the
23 circumstances.

24 COMMISSIONER FILKINS-WEBBER: All
25 that just for that.

1 MR. BROWN: No, so I don't think
2 there's any bright line rules. I think when
3 we -- I looked at some preliminary drawings of
4 some areas in L.A. County, and they seem to have
5 very high percentages of Latino in some of the
6 districts.

7 And so I think if you see that, you
8 start to ask why is this so? But there's no
9 obvious answer. And in some cases it may be the
10 case that, because of housing patterns and
11 because of just using the process of including
12 whole cities all together, you may end up with
13 some districts that have a high concentration.

14 But I think you want to give some
15 careful thought to that. And you know, and I'm
16 sorry I can't give you a bright line rule. But
17 the opposite is true, too. You don't want to
18 draw a line right down the middle of, you know, a
19 community.

20 But if some portion ends up in
21 another area because of legitimate criteria, that
22 might happen. I could imagine that happening. I
23 think everything depends on specific facts and
24 circumstances.

25 In Orange County, I think our

1 initial question based on a hypothetical district
2 we saw is whether central Anaheim and Santa Ana
3 are two separate areas for evaluating Section 2
4 issues or whether as drawn they were drawn into
5 one area.

6 So I don't think we saw a
7 hypothetical that split Santa Ana, for example.
8 There may be one out there, but I haven't seen
9 it.

10 COMMISSIONER FILKINS-WEBBER: So
11 just in follow-up, if we were to maintain the
12 integrity of the city of Santa Ana as an example,
13 because it is a potential Section 2 area, and
14 given the numbers, you know, let's say the
15 C.V.A.P. is, you know, over 60 percent, there
16 couldn't be an argument that we're packing,
17 because we're also respecting the other
18 California constitutional requirements and
19 listening to the C.O.I.?

20 MR. BROWN: I don't know the
21 numbers of Santa Ana standing alone, but I tend
22 to agree with you.

23 COMMISSIONER FILKINS-WEBBER: Okay.
24 Hypothetically?

25 MR. BROWN: Yeah.

1 COMMISSIONER FILKINS-WEBBER: Okay.

2 COMMISSIONER BARABBA: Commissioner
3 Ancheta.

4 MR. BROWN: I always try to reserve
5 my ability to come back and give you a different
6 answer at another time.

7 COMMISSIONER BARABBA: Commissioner
8 Ancheta.

9 COMMISSIONER ANCHETA: Thank you.

10 I just wanted to clarify a point
11 that was brought up earlier by Commissioner
12 DiGuilio, which is that regarding the Gingles
13 compactness test.

14 And that test, which is reliant on
15 federal case law, it's not clear, obviously, but
16 the sources of law are in the federal case law,
17 is distinct from the compactness definition which
18 is in the state constitution, which is a lower
19 criteria.

20 MR. BROWN: I agree with that.

21 COMMISSIONER ANCHETA: Right.

22 Okay. Thank you.

23 COMMISSIONER BARABBA: Commissioner
24 DiGuilio.

25 MR. BROWN: And unfortunately --

1 COMMISSIONER DIGUILIO: Could --

2 MR. BROWN: -- as you know, some of
3 the case law involves extreme cases.

4 COMMISSIONER ANCHETA: Okay. Well,
5 if you could elaborate.

6 COMMISSIONER DIGUILIO: How does --
7 how do those differ? I'm just curious --

8 COMMISSIONER ANCHETA: Yeah.

9 COMMISSIONER DIGUILIO: -- because
10 since you asked him that. How -- what are the
11 significant differences between the two?

12 COMMISSIONER ANCHETA: Well, let me
13 just -- because this is the thing. The
14 compactness definition in the constitution I
15 don't think has ever -- I've never seen that
16 before. That's a brand new definition and it
17 hasn't been interpret -- we're interpreting it,
18 probably for the first time.

19 So -- and I think regardless of
20 what it actually said, I think it would be
21 distinct from what the federal courts have said,
22 at least in actual trial court cases, around what
23 compactness means for Section 2 definitions.

24 Now, the bottom line is it's very
25 case specific. And as no -- as I think Q2 will

1 tell you and others will tell you, there's no
2 single test of compactness that is universally
3 adopted. There's a whole bunch of different
4 mathematical tests.

5 But certainly no federal court has
6 interpreted our state constitution yet. They may
7 have to at some point, but.

8 MR. BROWN: I have not tried to
9 evaluate how the criteria in the California
10 constitution is different from or the same as
11 Supreme Court requirement. I just know that,
12 when we're evaluating the Section 2 criteria,
13 we're basing it off of federal case law.

14 COMMISSIONER BARABBA: Okay.
15 Commissioner Ontai.

16 COMMISSIONER ONTAI: Mr. Brown, you
17 used the word totality and all proportionality.
18 Could you kind of explain what proportionality
19 means and maybe give an example of that?

20 MR. BROWN: Sure. In Johnson
21 versus De Grandy, which is a Supreme Court case
22 involving the county area around Miami, there was
23 a dispute because the people drawing the
24 districts didn't maximize Hispanic voting
25 strength, and there was a claim brought.

1 And the court rejected that claim
2 by explaining that, in addition to the three
3 Gingles pre-conditions, they explained that those
4 are pre-conditions and that the standard for
5 whether there's a Section 2 violation is totality
6 of the circumstances.

7 As part of considering the totality
8 of the circumstances, there's a wide variety of
9 things that you may take into account, but one of
10 them that they highlighted was proportionality.

11 And what they did was they compared
12 the proportion of majority/minority districts for
13 the Hispanics in the Miami area to their
14 proportion in the entire state and concluded that
15 they were not out of proportion and that,
16 therefore, there wasn't a Section 2 violation for
17 failure to draw more districts.

18 COMMISSIONER ONTAI: So --

19 MR. BROWN: So it creates an
20 interesting question. It is something that
21 you'll want to evaluate as part of the process to
22 sort of compare how you're ending up with what
23 the proportions are.

24 And there's no -- they, the Supreme
25 Court I think went out of its way to say that

1 there's no bright line test. There's no rule.

2 COMMISSIONER ONTAI: So --

3 MR. BROWN: There's not a fourth
4 requirement for consideration.

5 COMMISSIONER ONTAI: I see. So
6 this would be something we would probably take a
7 second and hard look toward the end --

8 MR. BROWN: Right.

9 COMMISSIONER ONTAI: -- toward the
10 end of our process?

11 MR. BROWN: Yes.

12 COMMISSIONER ONTAI: Okay. Thank
13 you.

14 COMMISSIONER BARABBA: Commissioner
15 Webber has a follow-up question.

16 COMMISSIONER FILKINS-WEBBER: Well,
17 just on that point, I was a little concerned by
18 some of the language in Bartlett, which was the
19 2009 decision, which does site De Grandy, and
20 says that, when we address the mandate of Section
21 2, we must note that it is not concerned with
22 maximizing minority voting strength --

23 MR. BROWN: Right.

24 COMMISSIONER FILKINS-WEBBER: --
25 and that the holding should not be interpreted to

1 entrench a majority/minority district by a
2 statutory command that could pose constitutional
3 concerns.

4 The court also goes on that,
5 basically that minority voters are not immune
6 from the obligation to pull, haul and trade to
7 find political common ground and that it's not
8 about maximizing or empowering them to have a
9 greater voter strength, which I think is a
10 little -- which is a -- some of that language
11 concerns me a little bit when you start talking
12 about proportionality and when you were saying,
13 you know, looking at proportionality throughout
14 the state.

15 And I'm -- I get a little concerned
16 based on this language in Bartlett when you start
17 talking about proportionality, because I don't
18 want anybody to get into a circumstance where
19 we're -- we do have to look at probably the
20 number of districts across the state. So it --

21 MR. BROWN: I don't want to be
22 misread. I think Bartlett's an important case to
23 consider. There's no maximum. There's no
24 minimum. One of the considerations in
25 considering the totality of the circumstances is

1 proportionality.

2 But they don't, the Supreme Court
3 doesn't tell you what to do with the -- you're
4 not guaranteed a number of districts
5 proportionate to your relative voting strength.

6 COMMISSIONER BARABBA: Commissioner
7 Dai.

8 COMMISSIONER DAI: Yeah. Actually,
9 that was my question. And is it based on voting
10 age population, on citizen voting age population
11 or overall percentage of --

12 MR. BROWN: I need to double-check
13 that. That -- I keep asking myself that same
14 question and I keep forgetting.

15 COMMISSIONER DAI: Yeah. Because
16 it seems like that's something that we could
17 understand immediately, because we know what the
18 stats are for California as a whole. And that
19 would at least be some idea.

20 MR. BROWN: Right.

21 COMMISSIONER DAI: Understanding
22 there's not a bright line, but at least we have a
23 range.

24 MR. BROWN: Yeah. I was just
25 asking Q2 about that the other day. And they

1 have the information so should give you a table
2 at some point.

3 COMMISSIONER DAI: That'd be great.

4 COMMISSIONER BARABBA: Commissioner
5 Raya.

6 COMMISSIONER RAYA: Okay. Excuse
7 me. Some of my questions have been asked about
8 evaluating testimony, quantity versus quality.
9 But you've now said a number of times about us
10 exercising our judgment, having a robust record,
11 but in the end we have to exercise our judgment,
12 which is how I've always looked at this.

13 So now I'm wondering, because we've
14 had some discussion in previous meetings, about
15 what other evidence, to use that term, we might
16 be looking for or further testimony that might
17 give us a little more fact and substance than a
18 lot of what we hear, which seems to be opinions
19 and emotions but not necessarily something we can
20 really hang our hat on from the public.

21 So I'm still kind of wondering how
22 much we can rely on our own experience. I mean,
23 you know, we say, well, we know an area, because
24 we're all from different places and we do have
25 familiarity with different communities of

1 interest or different geographic regions.

2 How much can we rely on things that
3 are not formally part of a record? That's one
4 question. Second question is, how much can we
5 reach out maybe to specific entities or local
6 government agencies that might provide us with
7 more background?

8 MR. BROWN: Yeah. So I'm hearing
9 three questions. They're all great questions.
10 And we've talked about this -- these things.

11 We think that commissioners can
12 bring their own knowledge and experience to the
13 job. We think it would be a good thing, not
14 necessarily required, a good thing if you make a
15 record of it.

16 So if you have experience in a
17 particular area and you know something about it
18 and the session's being recorded, or you might
19 set aside specific time to do it to just say what
20 you know about the particular area, community,
21 issue, so it's in the record so that everyone has
22 the benefit of your experience and knowledge.

23 Reaching out, let me take the
24 different question first, and that is how to
25 build a robust record. I think at the end of the

1 day we're always looking for a variety of
2 settings, objective support for a particular
3 thing.

4 And so the question -- so you
5 really have to, depending on the area, what is it
6 that people are saying and how can I evaluate it?
7 Are they saying that a lot of people in this area
8 are employed by this industry or this employer?
9 That's something that can be checked a little
10 bit.

11 Are they saying that -- well, just
12 you guys have heard it more than I. You've been
13 out and about. Many things that people say can
14 be tested against subjective evidence.

15 And so that leads me to your third
16 point. I think it would be appropriate to do
17 targeted outreach on particular questions. And
18 local cities and other governing bodies, you
19 know, know their communities and might be able to
20 provide additional input on particular issues.

21 And there are a lot of sources that
22 could provide particular input. And I think then
23 it is well within the commissioners' discretion
24 to evaluate the quality of different input you're
25 receiving.

1 COMMISSIONER RAYA: Thank you.

2 COMMISSIONER BARABBA: Commissioner
3 Yao.

4 COMMISSIONER YAO: I'm still trying
5 to seek a "yes," "no" answer as compared to
6 totality.

7 MR. BROWN: No. The answer is no.

8 COMMISSIONER YAO: Thank you.

9 Following up on Commissioner
10 Webber's question in terms of a fairly highly
11 concentrated city, Section 2 does not -- in
12 compliance with Section 2 we're not required to
13 create as many Section 2 districts as possible.

14 MR. BROWN: That's exactly right.

15 COMMISSIONER YAO: Thank you.

16 That's the point I want to clarify.

17 COMMISSIONER BARABBA: That was a
18 definite yes. Okay.

19 And Commissioner Blanco.

20 COMMISSIONER BLANCO: I have a
21 question about the C.V.A.P. issue of the
22 unreliability of that data.

23 Is it -- would it be helpful or
24 could we -- could we decide that we do a -- that
25 we're going to do an analysis of, say, what that

1 unreliability is and then apply it consistently?

2 In other words, could we say, well,
3 we believe that this average that, you know, is
4 between the year 2005 and 2008 and has X margin
5 of error, you know, we -- and therefore we are
6 going to say that this margin of error allows us
7 to do whatever, where it says 40, you know, we
8 can always add a margin of X to C.V.A.P.

9 If we did that consistently, is
10 that something we could do to deal with the
11 unreliability or what are the problems with that?

12 MR. BROWN: I have some thoughts on
13 this. And I don't think it'd be a good idea for
14 the Commission to try to do that. I think what
15 you --

16 COMMISSIONER BARABBA: And by the
17 way, the United States Census Bureau has
18 calculated it for us.

19 MR. BROWN: I think -- well, let me
20 say a few words about this. So I think what I
21 would urge is that you look to counsel to help
22 you decide whether the first Gingles
23 pre-condition has been met. Okay? That's one
24 thing we're trying to do.

25 And you should ask a lot of

1 questions about how that conclusion is reached.
2 But really you're looking for, at the end of the
3 day you're looking for legal advice about
4 litigation risk; right?

5 Now, the courts have strongly
6 suggested that C.V.A.P. is the appropriate
7 measure for evaluating whether there's a majority
8 in a geographically compact area. But I don't
9 believe what's been resolved is what is C.V.A.P.

10 And what is widely available in the
11 census is described by the census as being a
12 rolling estimate using certain proceed -- a
13 rolling five-year estimate using certain criteria
14 based off 2000 census blocks, the year 2000
15 census blocks.

16 And the Census Bureau says, do not
17 use this data as a point estimate, because it's
18 unreliable for that purpose. So for me it raises
19 the question of what is C.V.A.P.?

20 Now, in talking to Q2, and they
21 know a lot more about this, so you should ask
22 them to talk about it at some point, there are
23 other indicia of the level of citizens in
24 particular census blocks.

25 For example, state voter

1 registration compared to the surname for that
2 population, the accepted surname list, if that
3 number's higher, then that suggests that the
4 citizen voting age population is at least that
5 number. So that's one consideration.

6 And there's some other
7 considerations. I guess the 2009 American
8 Community Survey data is regarded by Q2 as better
9 than the rolling estimates.

10 And so what we've talked to them
11 about doing is, as a first pass, use the data in
12 the A.C.S. database, which has been adjusted
13 somewhat by Q2 to apply it to 2010 census blocks,
14 as I understand it.

15 Yes. Go ahead.

16 MS. MACDONALD: Sorry. I just want
17 to clarify really quickly that we didn't do any
18 adjustment of the data. So that's part of the
19 statewide database. So the C.V.A.P. data, this
20 rolling estimate that George was just referring
21 to, was released on the 2000 census geography.

22 So in order to bring it to the 2010
23 census geography so that we could look at it with
24 the other data that we're using that is already
25 on the 2010 geography, there had to be some

1 statistical adjustment done. And the legislature
2 contracted with someone to do that. So that's
3 basically the change.

4 When he was talking about the 2009
5 one-year estimate, A.C.S. estimate, that is only
6 good for populations of 65,000 and above, because
7 it's not released on a smaller unit of analysis.

8 So but for those populations that
9 are larger, it is probably a better estimate than
10 that five-year estimate, because the five-year
11 estimate, obviously it's a rolling estimate and
12 it has significant error.

13 MR. BROWN: So here's a suggested
14 approach. In talking to Karin, the data she's
15 using as I understand it from the statewide
16 database that's been adjusted would be a minimum
17 estimate of C.V.A.P. in a particular area.

18 And if based on those minimum
19 estimates you're at thresholds that cause you to
20 be over 50 percent, then fine, why do more work?
21 So that -- but if the numbers are close,
22 48 percent, 49 percent, because we know the data
23 is inherently somewhat uncertain, it's worth
24 going back and asking for that particular area,
25 can we do a better job? Can we find more

1 information about this? And we can talk about
2 what it is. And then at the end I think what you
3 want is, again, for your counsel to come in and
4 say what the information is, along with the
5 mappers, and why we concluded that either it is
6 above 50 percent or not.

7 COMMISSIONER BARABBA: Yeah. And
8 just by way of background, what the error factor
9 is, the statistical error factor, there's a
10 considerable response error factor considered in
11 this one as well, because you're asking someone
12 to identify whether they're a citizen or not.
13 And under certain circumstances, some people may
14 choose not to identify.

15 I want to probably make a -- we
16 have this map of Fresno up as a possible Section
17 2. Could you -- have you had a chance to look at
18 that?

19 MR. BROWN: Yes.

20 COMMISSIONER BARABBA: Can you give
21 us some of your feelings about that one? Because
22 we're going to get into direction with Q2 this
23 afternoon.

24 MR. BROWN: Yeah. If it's the one
25 we looked at. Is this option two?

1 MS. CLARK: Yeah. This -- yes.

2 MR. BROWN: Okay. This one I think
3 appears to be reasonably compact and has a high
4 C.V.A.P.

5 Is that right, that's 60 --

6 MS. CLARK: Right. I can describe
7 this a little bit.

8 MS. MACDONALD: And also --

9 MR. BROWN: Do you have C.V.A.P.?
10 Why don't you go ahead and do it.

11 MS. MACDONALD: Could I also just
12 say, we just put another number into that box, so
13 it looks a little bit different. So the first
14 number in there, the 0.14 percent is the
15 deviation just like we saw earlier.

16 The 63.87 percent is actually
17 Latino voting age population. And we just put
18 this in there so that you can compare it with the
19 Latino citizen voting age population, because
20 that's kind of the percent difference in there.

21 And I think that's a really
22 interesting one to see, especially since we've
23 just started to talk about the various data
24 sources that you can look at.

25 Okay. So then the 63.87 is Latino

1 voting age population. 50.72 percent is Latino
2 citizen voting age population. And as George
3 just mentioned, that is basically what we believe
4 to be a very conservative estimate. So it is
5 likely an overestimate, okay, for Latinos, for
6 Latinos.

7 MR. BROWN: So --

8 MS. MACDONALD: Then the next one
9 is 7.22 percent is --

10 MS. CLARK: Is black.

11 MS. MACDONALD: -- is black voting
12 age population. And then 6.62 is Asian voting
13 age population.

14 MR. BROWN: Okay. Thank you. So
15 this is an example of one that I think is a
16 relatively straightforward example of the
17 analysis. You see a C.V.A.P. that's over
18 50 percent. The district appears to be compact.
19 And therefore, if we were going to ask whether a
20 Section 2 district is required here, we'd want to
21 continue doing analysis and collect R.P.V. data
22 in this area, and I would head in that direction.

23 And then, in addition, for every
24 area I would ask whether there is another way to
25 draw the district consistent with all the

1 criteria, do you have, you know, sufficient
2 reliable community of interest testimony such
3 that you would be comfortable drawing the
4 district without waiting for your R.P.V.
5 analysis.

6 And I don't know the answer to that
7 in this area, but that's how I would go about
8 looking at it.

9 We think the other alternative
10 they've drawn in this area might have a
11 compactness issue. So can you show the other
12 example? And then apparently there's an impact
13 on the Section 5 choices depending on which of
14 these you choose.

15 COMMISSIONER BARABBA: Commissioner
16 Dai.

17 COMMISSIONER DAI: Just for
18 clarification, Karin, the C.V.A.P. numbers that
19 we're being shown is based on the five-year
20 A.C.S.?

21 MS. MACDONALD: Correct.

22 COMMISSIONER DAI: Okay.

23 MS. MACDONALD: Correct. Those are
24 the C.V.A.P. data that are part of the statewide
25 database.

1 (Whereupon, there was an
2 inaudible discussion.)

3 MR. BROWN: So our initial reaction
4 to this --

5 COMMISSIONER BARABBA: I can't
6 imagine.

7 MR. BROWN: -- is that it, yeah, is
8 that it seems to have a compactness issue.

9 MS. MACDONALD: So but there's a
10 catch to it, so Jamie will explain.

11 MS. CLARK: So as you can see, this
12 district is grabbing this community of interest
13 in the southern regions of the city of Fresno,
14 also picking up the rest of the 99 corridor in
15 Fresno County, which we also heard was a
16 community of interest, and then coming and sort
17 of dipping down into northwestern Tulare County.

18 There was C.O.I. testimony
19 advocating that southern Fresno, city of southern
20 Fresno be split from the rest of the city of
21 Fresno. And there was also C.O.I. testimony
22 about also, you know, keeping these areas
23 separate from the foothills region of Fresno
24 County.

25 MR. BROWN: And so --

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MS. CLARK: And --

(Whereupon, there was an
inaudible discussion.)

MS. CLARK: Okay. And these, I mean, these are the Section 5 county lines for -- that were dissimilar to the benchmark. And so any -- that first option that we saw, the big block of western Fresno County, that would not be possible with the -- with any iteration of the Merced district that came into Fresno County.

COMMISSIONER BARABBA: Okay.

MR. BROWN: Okay. Do you want to look at another district or do you want to talk about this one?

COMMISSIONER BARABBA: Well, I -- your question from --

COMMISSIONER ANCHETA: I'm just curious because I spent summers in Orange Cove, California, which gets really hot, but I'm wondering, that's not very popular, that sort of area that kind of arches up. There's not too many people in the green area, is -- and that's not a county boundary, is it?

MS. CLARK: In this area?

COMMISSIONER ANCHETA: Yeah.

1 UNKNOWN FEMALE SPEAKER: In green.
2 MS. CLARK: This?
3 COMMISSIONER ANCHETA: The green.
4 MS. CLARK: Oh. In --
5 COMMISSIONER ANCHETA: Yeah.
6 MS. CLARK: Oh. This is --
7 MULTIPLE UNKNOWN SPEAKERS: No.
8 UNKNOWN FEMALE SPEAKER: The green
9 part that's embedded --
10 MS. CLARK: Oh. Green.
11 UNKNOWN FEMALE SPEAKER: -- in the
12 orange.
13 COMMISSIONER ANCHETA: Just on
14 the --
15 MS. CLARK: Is this what you mean?
16 UNKNOWN FEMALE SPEAKER: Yeah.
17 MS. CLARK: This is the rest of the
18 tract for this East Oro area.
19 COMMISSIONER ANCHETA: Okay. But
20 is that --
21 MS. CLARK: It could likely be
22 removed and put into the --
23 COMMISSIONER ANCHETA: Is that
24 Kings?
25 MS. MACDONALD: That could be --

1 MS. CLARK: That could be switched.

2 MS. MACDONALD: It could be cleaned
3 up --

4 MS. CLARK: Which can --

5 COMMISSIONER ANCHETA: Okay.

6 That's what I -- thank you.

7 MS. MACDONALD: -- once we go to,
8 you know --

9 MS. CLARK: Fine-tuning --

10 COMMISSIONER ANCHETA: Yeah.

11 MS. MACDONALD: Yes.

12 MS. CLARK: -- things.

13 COMMISSIONER ANCHETA: Okay. I
14 was --

15 MS. MACDONALD: Once we go to
16 Phelps (Phonetically).

17 COMMISSIONER ANCHETA: Right.

18 MS. MACDONALD: Absolutely.

19 (Whereupon, there was an
20 inaudible discussion.)

21 COMMISSIONER BARABBA: Okay. Have
22 we, Karin do you think we've covered this
23 sufficiently for further discussions later?

24 MS. MACDONALD: Yeah. Would you
25 just like to look at the other option really

1 quickly so she can just tell you what she did
2 there, and then we'll just hear George's opinion
3 on that one?

4 Of course he's already said that,
5 and it's pretty obvious, that this one is a -- is
6 ugly and the other one is not so ugly. And but
7 the other one's also, you know, Jamie said it's a
8 really nice district, and here's why.

9 MS. CLARK: So this district is
10 again only viable if the Merced assembly district
11 doesn't dip down into Fresno County. So this has
12 the Fresno County I-5 corridor intact.

13 We also heard C.O.I. testimony that
14 west Fresno County, everything west of the 99,
15 which is this line that runs through the city of
16 Fresno, that this was a C.O.I., and the only --
17 there are no county splits in this configuration.
18 And the only city split is the city of Fresno,
19 and it's split along the south Fresno community
20 of interest.

21 COMMISSIONER BARABBA: Okay. Yes,
22 Commissioner DiGuilio.

23 COMMISSIONER DIGUILIO: So when
24 we're looking at options at Section 2 versus
25 Section 5, kind of competing interests, which

1 takes priority?

2 MR. BROWN: I think you probably
3 have to comply with both. So you have to draw a
4 Section 5 district that's not retrogressive.
5 Okay. You have to do that.

6 Now, if the Section 2 district is
7 required, and it might be, then you will have
8 higher litigation risk if you don't draw it. So
9 questions to the mappers who know what to do is
10 really...

11 MS. MACDONALD: And could I add
12 just a tiny little bit more about this?

13 COMMISSIONER DIGUILIO: Please.

14 MS. MACDONALD: Is that this
15 particular option, so if you like the now yellow
16 Section 2 district, if you like the way that is
17 shaped, then you basically have the Stockton
18 finger because of the Section 5.

19 However, Jamie just said that
20 there's a, that there is a trade-off there. You
21 could choose to split --

22 MS. CLARK: The city of Modesto.

23 MS. MACDONALD: -- the city of
24 Modesto rather than Stockton, and that way you
25 could get rid of the finger. So this is the

1 problem with, you know, this is where you have
2 to -- where you have some options.

3 COMMISSIONER DIGUILIO: So with all
4 this, so all this, if you choose this option, you
5 split Stockton or you split Modesto. If you
6 choose the other, if you choose option one for
7 the Merced Section 5, then you have to choose
8 Section (sic) 1 of the other one. But that was
9 ugly. There's issues of compactness.

10 So I mean all this is a trade-off.
11 There's trade-offs everywhere.

12 COMMISSIONER BARABBA: I'm going to
13 suggest we not get too much into detail on
14 options here, because we want to make sure we --

15 COMMISSIONER DIGUILIO: I'm just
16 saying there's a --

17 COMMISSIONER BARABBA: -- cover
18 full use of George's time while he's here.

19 MR. BROWN: Yeah. We probably have
20 time to just eyeball one other.

21 COMMISSIONER BARABBA: Okay.

22 MR. BROWN: And --

23 COMMISSIONER BARABBA: Which one
24 would that be?

25 MR. BROWN: Oh, I don't know. Do

1 you want to look at the -- do you have L.A.? Or
2 do you have Pomona? We don't have to switch. Do
3 you have Pomona?

4 MS. MACDONALD: No.

5 (Whereupon, there was an
6 inaudible discussion.)

7 MR. BROWN: Can you show Pomona
8 Valley? You don't have L.A. up, I mean,
9 without -- no. But that's okay. We don't need
10 to switch, because we're running out of time.

11 (Whereupon, there was an
12 inaudible discussion.)

13 MR. BROWN: Okay. If you have
14 L.A., I would put up Compton/Carson and
15 Inglewood/Crenshaw, just for illustrative
16 purposes.

17 (Whereupon, there was an
18 inaudible discussion.)

19 MR. BROWN: We're almost there.
20 Well if, you know, if this is going to take a
21 while, we can skip that.

22 So do you want to -- I could just
23 answer a few more questions and then come back
24 tomorrow.

25 COMMISSIONER BARABBA: Does the

1 Commission have any additional questions?

2 UNKNOWN FEMALE SPEAKER:

3 (Inaudible).

4 COMMISSIONER BARABBA: Well,
5 they're going to try to get it up.

6 Have you got an estimate of when it
7 might be up? Minutes? Hours?

8 MS. MACDONALD: Well, we don't know
9 which -- sorry. We're trying to figure out why
10 the display isn't working. That's why we usually
11 get here an hour early. So.

12 COMMISSIONER GALAMBOS-MALLOY: I
13 have a question for Mr. Brown.

14 COMMISSIONER BARABBA: All right.
15 Commissioner Malloy and then Filkins-Webber.

16 COMMISSIONER GALAMBOS-MALLOY: I
17 feel like we've approached this question from
18 different angles, and so it may be a bit
19 repetitive, but I do want to make sure that I'm
20 clear on your advice regarding south L.A.

21 So if we could create districts
22 that had over 50 percent black C.V.A.P. but we
23 could also create several districts that had,
24 say, you know, 30 percent, 40 percent black
25 C.V.A.P., where would we stand in relation to our

1 risk of litigation if we chose to take the latter
2 course based on C.O.I. testimony?

3 MR. BROWN: Oh, I -- so I think
4 that's a new question, either that or I -- I'm
5 sure I haven't answered that question.

6 COMMISSIONER GALAMBOS-MALLOY:
7 Okay. Well, great, then.

8 MR. BROWN: Yeah. But just repeat
9 the very last part about C.O.I. testimony.

10 COMMISSIONER GALAMBOS-MALLOY: If
11 we as a commission decided or explored the idea
12 of creating several districts where there was
13 significant black C.V.A.P., but it was not above
14 the 50 percent mark --

15 MR. BROWN: Uh-huh.

16 COMMISSIONER GALAMBOS-MALLOY: --
17 but we did so because of C.O.I. testimony that we
18 had received supporting that type of strategy.

19 MR. BROWN: So I think, and I'll
20 give more thought to this, I think that, if you
21 have, you know, robust community of interest
22 testimony and neighborhood boundaries and the
23 like, then you can support district choices.

24 At the same time, if you can draw a
25 majority/minority district and you don't draw it,

1 you will have some litigation risk. It's not
2 necessarily the case that everyone who advocated
3 for a particular set of districts is everybody
4 who has something to say about it.

5 So at the end of the day you'll
6 have to make a decision about which litigation
7 risk you want to -- about which -- I mean, it's
8 not just about litigation risk, it's about all of
9 the public testimony that you're hearing and what
10 choices you want to make in light of the
11 litigation risks that are presented.

12 COMMISSIONER GALAMBOS-MALLOY:

13 Thank you.

14 COMMISSIONER BARABBA: Commissioner
15 Filkins-Webber.

16 COMMISSIONER FILKINS-WEBBER: Just
17 to quickly summarize because -- and maybe just to
18 speed along the process, given that I'm the lead
19 on the legal advisory committee, it sounds as if
20 the Commission would like for you to take a look
21 at this last issue of the south L.A. that was
22 raised by Commissioner Parvenu and Commissioner
23 Galambos-Malloy based on the diminished, what I
24 believe I understand, a shrinking
25 African-American population in that area.

1 And then the other issue was raised
2 by Commissioner Dai to look at proportionality
3 and whether we're, when we look at
4 proportionality, whether we're looking at
5 C.V.A.P. numbers, you know, as required or
6 whether they would be V.A.P. numbers.

7 And I think you said you would
8 follow up on that as well. So. And or overall
9 population for proportionality purposes.

10 MR. BROWN: And I probably, I'll
11 look and see what the courts said in that
12 particular case, but I probably would look at all
13 three just -- I think it's going to be either
14 V.A.P. or C.V.A.P. what the court said, but I
15 would look at all three just to get a sense of --

16 COMMISSIONER FILKINS-WEBBER: Okay.

17 MR. BROWN: -- what things look
18 like.

19 COMMISSIONER FILKINS-WEBBER: So I
20 just wanted to summarize at least those issues,
21 if there were any more that you've noticed that
22 based on the questions that the commissioners --
23 you know, maybe you and I can talk about it, but
24 those were two highlights that I think the
25 commissioners would like additional information

1 on.

2 And then you and I can talk or we
3 can update --

4 MR. BROWN: Sure.

5 COMMISSIONER FILKINS-WEBBER: -- in
6 a conference call.

7 MR. BROWN: Okay. Great.

8 COMMISSIONER BARABBA: Commissioner
9 Ontai.

10 COMMISSIONER ONTAI: I'm sorry.
11 I'm assuming this is about the end of it; right?

12 COMMISSIONER BARABBA: Yes, it is.

13 COMMISSIONER ONTAI: All right. I
14 got a sense here that, and this is very helpful,
15 that the Commission has been asked to define a
16 thousand shades of grey and be very clear about
17 it.

18 MR. BROWN: Yes. That's exactly
19 right. That's right.

20 COMMISSIONER BARABBA: That's an
21 architect's statement?

22 MR. BROWN: Well, and that's why I
23 think it's important to start to build the record
24 so you can support the decisions you're going to
25 make.

1 COMMISSIONER BARABBA: Okay.

2 Mr. Brown, thank you very, very much for coming
3 down. And we'll see you tomorrow.

4 MR. BROWN: I'll be back tomorrow
5 morning.

6 COMMISSIONER BARABBA: Yes.

7 (Whereupon, there was an
8 inaudible discussion.)

9 COMMISSIONER BARABBA: All right.
10 We're about ready for lunch?

11 COMMISSIONER GALAMBOS-MALLOY:
12 Yeah. I think we're about ready for lunch. In
13 regards to the robust public record, I think the
14 Commission should be aware that we currently have
15 about 1,500 public comments that have come in
16 over the course of recent days, and we are
17 working with staff to design a more efficient
18 system by which you can access those comments.

19 Vince and I are going to work with
20 Christine on this. Our idea is that they would
21 be grouped by region and by date so that you
22 would be able to review comments in relation to
23 what was most needed for that particular point in
24 the deliberation, but you would have access to
25 all of them.

1 So we're going to work on this, and
2 I think by tomorrow we will have a recommendation
3 on how to move forward, just so you know that
4 they will be coming, but you will not get 1,500
5 separate E-mails as has been the case to date.

6 COMMISSIONER BARABBA: Commissioner
7 DiGuilio, then Commissioner Yao.

8 COMMISSIONER DIGUILIO: I just have
9 a question about this recommendation that
10 Mr. Brown gave also. As I understood it, kind of
11 like a robust documentation was something that we
12 as a commission need to do as we're doing these
13 deliberations. I know we've had a little
14 discussion.

15 Other than the fact that we're
16 doing transcripts or we have video, is that going
17 to be enough for us or do we need to actually
18 have some more concrete records that we're
19 keeping track of that we as a commission can
20 review?

21 COMMISSIONER GALAMBOS-MALLOY: I
22 think that's something that we will actually be
23 getting to this afternoon.

24 COMMISSIONER DIGUILIO: Okay.

25 COMMISSIONER GALAMBOS-MALLOY:

1 There are a number of different issues related to
2 how we provide direction to Q2, and that's
3 certainly related to some of them. So when we
4 come back from lunch, we will go into our
5 current -- Ms. MacDonald, we will go into the
6 regional wrap-up when we come back from lunch for
7 the Bay Area?

8 MS. MACDONALD: Yes, we could do
9 that.

10 COMMISSIONER GALAMBOS-MALLOY:
11 Okay.

12 MS. MACDONALD: And then we can
13 come back to the rest of the line drawn
14 directions for Jamie. Because there's a little
15 wrap-up there as well. Because remember we had
16 the Auburn --

17 COMMISSIONER GALAMBOS-MALLOY: Yes.

18 MS. MACDONALD: -- meeting. So
19 that was kind of out of order.

20 COMMISSIONER GALAMBOS-MALLOY:
21 Uh-huh.

22 MS. MACDONALD: So we have some
23 notes on that as well, some (Inaudible).

24 COMMISSIONER BARABBA: And then
25 when it comes to this record, we can discuss it

1 tomorrow when Mr. Brown is here to make sure our
2 counsel is comfortable with our direction.

3 And Commissioner Yao.

4 COMMISSIONER YAO: This is just a
5 question, not a request at this point. Do we
6 have any search capability in terms of, for
7 example, searching for the city of Hanford and
8 getting all the E-mails associated with that?

9 I know it's in the Q2 database, but
10 does the Commission have any kind of search
11 capability with regard to the public input is the
12 question?

13 COMMISSIONER GALAMBOS-MALLOY: Why
14 don't you allow Commissioner Barabba and myself a
15 bit of time to talk that through with Ms. Shoop,
16 who's handling all of the E-mails that we have
17 gotten. So we'll add that to our list of things
18 to discuss with her.

19 And if not later today, I would say
20 by tomorrow morning we should have an answer for
21 you.

22 COMMISSIONER BARABBA: All right.
23 Any further questions? And I don't want to in
24 any way negate your interest in questions, but
25 you're in front of lunch.

1 UNKNOWN MALE SPEAKER: Where do we
2 go for lunch?

3 COMMISSIONER BARABBA: Yeah.
4 That's a question. Did we figure out why I --
5 one other question, where do we go for lunch?

6 COMMISSIONER GALAMBOS-MALLOY:
7 Okay. I did a little bit of investigation. It
8 seems that there are several food options located
9 at 18110 Nordhoff Street. So if you --

10 COMMISSIONER BARABBA: That's right
11 across the street.

12 COMMISSIONER GALAMBOS-MALLOY: So
13 just right across the street there's Thai, pizza
14 and a third option that slipped my mind right
15 now.

16 COMMISSIONER BARABBA: Okay. All
17 right. So let's call this portion of the meeting
18 to an end, and we will adjourn at 1:00 o'clock.

19 Is that correct?

20 COMMISSIONER GALAMBOS-MALLOY:
21 Return at 1:00 o'clock.

22 COMMISSIONER BARABBA: Reconvene.

23 COMMISSIONER GALAMBOS-MALLOY:
24 Reconvene.

25 COMMISSIONER BARABBA: Reconvene at

1 1:00 o'clock.

2 (Whereupon, a luncheon recess
3 was held.)

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NORTHRIDGE, CALIFORNIA, SATURDAY
MAY 27, 2011
AFTERNOON SESSION

COMMISSIONER BARABBA: While the line drawers are getting their information ready to go here, I would -- just a couple comments. In deference to the needs of the transcriber, be really careful about talking while somebody else is talking, because it's hard for her to distinguish.

And as our infamous lawyer would tell us, one speaker at a time; right? We could make that a law or a rule. A rule probably; right?

(Whereupon, there was an inaudible discussion.)

COMMISSIONER GALAMBOS-MALLOY: So I just wanted to update everybody on where we're at in terms of the agenda. Clearly we have many different issues and maps to pick up when Mr. Brown rejoins us again tomorrow morning.

In the meantime, we are going to turn our attention to our regional wrap-up for the Bay Area, which Q2 is here to lead us

1 through.

2 We have a series of outstanding
3 questions and issues to resolve based on the
4 direction we had previously given Q2 on other
5 parts of the state, and we would like to get back
6 to these discussion items that we had referenced
7 earlier in the morning regarding direction for
8 Q2.

9 Some of these areas include how do
10 we look at city-designated neighborhoods;
11 unincorporated areas of counties; newly
12 incorporated cities; senate district numbering
13 for the various iterations of maps; considering
14 natural and manmade topology; city, county and
15 community of interest splits, prioritizing
16 amongst those; and dealing with issues that we
17 may need to look at on one geographic scale, but
18 not on all geographic scales, so federal
19 congressional map issues versus state assembly
20 and senate issues.

21 We will also need to reach a
22 resolution regarding our standard of deviation.
23 And we will have a motion on that that the legal
24 committee is prepared to share with us.

25 So first up is our regional wrap-up

1 for the Bay Area.

2 COMMISSIONER BARABBA: Do we have
3 that ready?

4 MS. MACDONALD: We're having some
5 technical problems trying to get the PowerPoint
6 onto the screen. So I could just start reading
7 it off while Ms. Alon tries to figure it out.

8 COMMISSIONER GALAMBOS-MALLOY: Or
9 you know, I mean, we could -- I feel like the
10 deviation conversation and motion is something
11 that's --

12 MS. MACDONALD: Okay.

13 COMMISSIONER GALAMBOS-MALLOY: --
14 kind of ready to go. We could move on that, and
15 hopefully then you're ready.

16 MS. MACDONALD: Sounds good.

17 COMMISSIONER GALAMBOS-MALLOY:
18 Okay. Commissioner Blanco, would you be the one
19 presenting if we moved on the deviation
20 conversation?

21 COMMISSIONER BLANCO: Yes, I will
22 be.

23 COMMISSIONER GALAMBOS-MALLOY: Go
24 for it.

25 COMMISSIONER BLANCO: You want to

1 start now? Okay.

2 I have it all typed out. So as you
3 know, we have a weekly call with our voting
4 rights attorneys, and we met this past Wednesday.
5 And as instructed by the Commission at our
6 meeting in I believe it was Santa Rosa, we
7 discussed the issue of directions to the line
8 drawers in terms of deviation for our legislative
9 districts, i.e. our assembly and state senate
10 districts. We already know that for Congress the
11 standard is a one-person deviation.

12 So I'll tell you what happened and
13 I'll put it in the form of a motion. So after
14 discussing the legality but also then discussing
15 what we need to do in terms of drafts, et cetera,
16 what we decided to -- and there was -- this was
17 not at all controversial on the call. We all
18 felt this was -- made sense.

19 And we did also have Q2 on the
20 phone so that we could hear from them about the
21 whole issue of whether it's easier to start with
22 a low deviation and then amend or do it the other
23 way around. And so they were there.

24 So what we decided is that our
25 direction for our final maps will be to strive

1 for a deviation of no more than 1 percent. And
2 just for clarity, when we -- the way that we're
3 defining our percentages is one means plus or
4 minus point five on each side. So it's a total
5 deviation of one.

6 And so that's what we will be in --
7 what we would be voting on today is to give that
8 as an instruction for our final maps for the
9 state senate and state assembly.

10 And that for the draft maps, that
11 the ones that will be released on June 10th, that
12 we also strive for an ideal deviation of
13 1 percent. But where we cannot do that in these
14 draft maps because of constitutional criteria
15 contained in Prop 11 and Prop 20, that the draft
16 maps have no more than a 5 percent deviation,
17 that is to say, plus or minus 2.5 percent under
18 or above the ideal.

19 And this I -- like I said, was
20 based on the idea that it was easier to go in
21 that direction to have -- and that doesn't mean
22 that they will do that. They will still be
23 trying to get ideal population of either perfect
24 or one. But where they can't, they can only go
25 either 2.5 above or 2.5 below. And this would be

1 for the draft map. So that's the -- just to give
2 you a sense of the discussion.

3 Any other person that was on the
4 call want to say something about that?

5 COMMISSIONER FILKINS-WEBBER: If I
6 may, Filkins-Webber here, I would like to just
7 bring to the Commission's attention just further
8 details as this was explained by our counsel,
9 George Brown.

10 And basically, they are of the
11 opinion that, you know, there is a difference
12 between the 10 percent identified by the United
13 States Supreme Court when you're talking about
14 evaluation of the equal protection clause under
15 the Fourteenth Amendment of the United States
16 Constitution, which is a separate standard for
17 evaluation of state districts.

18 There is a separate standard, which
19 is what has brought some controversy, which is
20 the interpretation of the California
21 constitution. So that's where, for members of
22 the public and for the rest of the Commission
23 members, that's where the difference has come up.

24 I would like to further clarify
25 that Mr. Brown specifically did state that we

1 should strive for no deviation. So it is
2 slightly different than what Commissioner Blanco
3 had said about maybe a 1 percent. But his
4 opinion is to strive for no deviation and then to
5 find problems and practical solutions for any
6 deviation that we might have and that the
7 practical solution for those deviations be
8 consistently applied.

9 Now, one thing that should be
10 pointed out is that Mr. Copley was also on the
11 call. And he made it very clear that we should
12 be conscientious of the deviation, because back
13 in the '70s and '90s they were able to get
14 congressional districts, for instance, within a
15 point 25 deviation. That was without
16 sophisticated software that we presently have.

17 So given the sophistication of our
18 software that we do have, we should be striving
19 for less than 1 percent. I mean, obviously we
20 want no deviation. But because if we do go over
21 that 1 percent on the state level, we could be at
22 a real high risk of some potential challenge
23 because of the technical sophistication that we
24 have at this time with software. So I do want
25 the Commission to be aware of that.

1 If there is any allowable
2 deviation, again, it's our attorney's
3 recommendation that we must identify those --
4 that deviation and consistently apply a neutral
5 criteria in order to deviate from the absolute.
6 So we need to keep that in mind.

7 So if you don't think that you can
8 justify something over 1 percent -- and again, it
9 must be a neutrally, you know, applied criteria.
10 We can't look at one district and say, okay, the
11 population deviation is okay here because of race
12 or, you know, something else that's not neutrally
13 applied throughout.

14 So in essence, the attorneys
15 basically have said that we should be striving
16 for zero percent and working on reasonable
17 consistent standards for any deviations above
18 that.

19 And Commissioner Blanco is correct
20 that I asked the question specifically of
21 Ms. MacDonald, because I didn't know what would
22 be easier from a technical standpoint, would it
23 be easier to strive for zero, and then if we
24 needed to allow for deviation to then work up?

25 Or is it easier to start with the

1 standard that we're looking at now, which is
2 5 percent, which in essence was misunderstood by
3 the Commission and members of the public before,
4 which is 2.5, you know, plus or minus is what
5 that full 5 percent means?

6 And as I understand Ms. MacDonald's
7 answer to my response in that question in the
8 phone calls, that it would be easier to work with
9 the standard we have presently set and then work
10 it down to absolute zero if that's possible.

11 So with that in mind, given that
12 Ms. Henderson had also had an understanding of
13 the prior motion and felt that that was to be
14 applied to the draft maps, and so apparently they
15 have been working under that instruction
16 believing that we were doing that for the draft
17 maps even though we've gotten into this
18 technical, you know, issue for the Commission
19 itself, so they have been working with this
20 standard and, therefore, it might be difficult to
21 mandate the absolute recommended by our counsel
22 for the draft maps, and that's why we're
23 considering the motion that's being presented by
24 Commissioner Blanco.

25 And just on that point, it still --

1 I do recognize the -- Ms. MacDonald's addition,
2 or at least statement that there may be some
3 difficulty in going backwards. I still
4 personally as a member of this commission feel
5 that it's necessary to follow our advice of
6 counsel, which is to strive for zero and with no
7 deviation and then look at where those problems
8 could be.

9 So I still am of the opinion that
10 we should even strive for that in the draft maps
11 even though it may not be practical. But that I
12 believe in substance fully captures the
13 conversation that we had based -- or the
14 conference call that we had and our advice of
15 counsel.

16 COMMISSIONER BARABBA: Commissioner
17 Ancheta.

18 COMMISSIONER ANCHETA: Well,
19 I'll -- I can maybe comment as if there's a
20 motion, but just for clar --

21 UNKNOWN SPEAKER: (Inaudible.)

22 COMMISSIONER ANCHETA: Yeah. I can
23 wait.

24 COMMISSIONER BLANCO: Why don't we
25 just capture the conversation, see if the --

1 every -- and then we can have the discussion as
2 part of the motion.

3 COMMISSIONER ANCHETA: Okay.

4 COMMISSIONER BLANCO: Okay?

5 So yes, I think I --

6 COMMISSIONER BARABBA: Janeece, are
7 you ready? Okay.

8 COMMISSIONER BLANCO: So wait. So
9 I think, just to say Commissioner Filkins-Webber
10 is correct that we will strive for zero and then
11 no -- but we will allow no more than 1 percent.

12 So it is -- so you're right, what
13 we had agreed on is that we'll, for the final
14 map, we'll try and have zero deviation. But in
15 any event we won't have a map that has more than
16 a 1 percent deviation.

17 So it's not that we've striving for
18 1 percent. We're striving for zero. But the
19 instruction is that, if it can't be accomplished,
20 we go -- do not go over 1 percent.

21 So I can --

22 COMMISSIONER ONTAI: And that's a
23 plus or minus one; right?

24 COMMISSIONER BLANCO: That's -- no.

25 COMMISSIONER ONTAI: No.

1 COMMISSIONER BLANCO: It's a plus
2 or minus point five. It's 1 percent total,
3 right. So it's actually -- and --

4 COMMISSIONER BARABBA: That was
5 Commissioner Ontai who blurted in there.

6 COMMISSIONER BLANCO: So that --
7 and so now when we're doing the draft maps,
8 it's -- the 5 percent is plus 2.5 percent or
9 under by 2.5, and that's what's considered -- and
10 on the call, I didn't understand that people
11 didn't understand what I had requested when I --
12 because in the field that's how it's usually
13 handled.

14 When I said five, I meant five
15 total, which is the way it works, which is over
16 and under adds up to five. So I think there
17 were -- might have been the feeling that we were
18 going 5 percent in either direction, which
19 under -- that would be 10 percent --

20 COMMISSIONER BARABBA: Okay.

21 COMMISSIONER BLANCO: -- deviation.

22 COMMISSIONER BARABBA: So why don't
23 we get the motion.

24 COMMISSIONER BLANCO: Okay.

25 COMMISSIONER BARABBA: And then we

1 can introduce it.

2 COMMISSIONER BLANCO: So the motion
3 would be that, for the final maps that this
4 commission draws, that we will instruct Q2 to
5 strive for an ideal population that is zero
6 deviation, and when that ideal cannot be achieved
7 that they do not go beyond a 1 percent deviation,
8 total deviation, which means plus or minus point
9 five in either direction.

10 I'm thinking these are really two
11 motions. I think it's better to have two
12 different motions that, so that -- so just to
13 restate, the first motion is for our final maps,
14 the Citizens Redistricting Commission will
15 strive -- will direct Q2 to draw maps with an
16 ideal population of zero deviation and not to
17 exceed 1 percent total.

18 That's -- so that's my motion.

19 COMMISSIONER BARABBA: Commissioner
20 Ancheta and then Commissioner Yao.

21 COMMISSIONER ANCHETA: Also --

22 COMMISSIONER BLANCO: Is there a
23 second?

24 COMMISSIONER BARABBA: Excuse me.
25 Is there a second for that motion?

1 COMMISSIONER ANCHETA: Sorry.

2 COMMISSIONER BARABBA: Commissioner
3 Raya. Okay.

4 COMMISSIONER ANCHETA: Could
5 Janeece read back the motion? Because there was
6 some qualifying language that I would disagree
7 with. But if it's left off, that's fine.

8 Did --

9 UNKNOWN SPEAKER: (Inaudible).

10 COMMISSIONER ANCHETA: Oh, sure.
11 I'm sorry.

12 MS. SARGIS: So the motion is that
13 the Commission will instruct Q2 to strive -- this
14 is for the state and -- state assembly and senate
15 final maps -- that the Commission will instruct
16 Q2 to strive for an ideal population of zero
17 percent deviation, and when that's not possible
18 that the deviation be no more than 1 percent,
19 which would be plus or minus point five on each
20 side for a total of 1 percent.

21 COMMISSIONER ANCHETA: I'm going to
22 suggest an amendment -- whoops, I'm going to
23 suggest, well, you can if you want to, an
24 amendment which would drop that last language
25 regarding plus or minus and leave it at 1 percent

1 total deviation, period.

2 Because my understanding is that
3 total deviation reflects a range between the
4 lowest and the highest. So it could be, you
5 know, minus point one up to plus point whatever,
6 point nine or something, whatever. So the range,
7 you know, can go variable a little bit.

8 So --

9 COMMISSIONER BARABBA: Do you
10 accept that amendment?

11 COMMISSIONER BLANCO: Absolutely.

12 COMMISSIONER ANCHETA: -- I
13 would --

14 COMMISSIONER BARABBA: Okay. Make
15 sure Janeece gets it.

16 UNKNOWN FEMALE SPEAKER: Is there a
17 second on the motion, please?

18 COMMISSIONER BARABBA: No, there
19 was.

20 COMMISSIONER GALAMBOS-MALLOY: Yes.

21 COMMISSIONER BARABBA: Commissioner
22 Raya.

23 COMMISSIONER GALAMBOS-MALLOY:
24 Commissioner Raya.

25 COMMISSIONER BLANCO: Yes.

1 COMMISSIONER ANCHETA: So it's --

2 COMMISSIONER BLANCO: No. You're
3 right.

4 COMMISSIONER ANCHETA: I thought --

5 COMMISSIONER BLANCO: You're right.
6 And it could be point two and point eight, yeah.

7 COMMISSIONER ANCHETA: Right.

8 COMMISSIONER BLANCO: Correct.

9 COMMISSIONER ANCHETA: And I think
10 we're -- we've all been sort of going loosely
11 plus or minus, but I think just for
12 precision that --

13 COMMISSIONER BLANCO: Absolutely.

14 COMMISSIONER ANCHETA: -- it should
15 reflect just a certain percentage of total
16 deviation, which I think we'll clarify it
17 publicly as well that there's a range we're
18 looking at that's reflected in the number.

19 COMMISSIONER BARABBA: Commissioner
20 Yao and then Commissioner DiGuilio.

21 COMMISSIONER YAO: I was going to
22 make the same point. It's not the same. Thank
23 you.

24 COMMISSIONER BARABBA: Commissioner
25 DiGuilio.

1 COMMISSIONER DIGUILIO: I just have
2 two clarifying questions. It sounded like was
3 this direction for all maps, for draft maps
4 and -- because I thought she said --

5 MULTIPLE UNKNOWN SPEAKERS:
6 (Inaudible).

7 COMMISSIONER DIGUILIO: Oh, you're
8 breaking up. Okay.

9 MULTIPLE UNKNOWN SPEAKERS:
10 (Inaudible).

11 COMMISSIONER DIGUILIO: So final
12 maps being -- that's why I'm clarifying is what's
13 final maps? Is final maps --

14 COMMISSIONER BLANCO: The ones that
15 we send for certification should have no more
16 than a 1 percent deviation.

17 COMMISSIONER DIGUILIO: Okay. And
18 that includes even those that are related to
19 Voting Rights Act?

20 COMMISSIONER BLANCO: Abso -- yes.

21 COMMISSIONER DIGUILIO: Okay.

22 COMMISSIONER BARABBA: All right.
23 Commissioner Aguirre.

24 COMMISSIONER AGUIRRE: Just a point
25 of clarification, then. If there's not an

1 absolute point five up or down, is there an
2 absolute range? Is it 1.1 percent?

3 UNKNOWN SPEAKER: (Inaudible).

4 COMMISSIONER AGUIRRE: There's no
5 range. Okay. All right. Thanks.

6 COMMISSIONER BARABBA: Okay. Any
7 other questions?

8 Okay. We'll call and do a roll
9 call? Okay. Let's do a roll call.

10 Well, anyone from the public wanted
11 to comment?

12 UNKNOWN SPEAKER: (Inaudible).

13 COMMISSIONER BARABBA: Okay. All
14 right. We've got it. Thank you.

15 Okay. Go ahead.

16 MS. SARGIS: Commissioner Aguirre?

17 COMMISSIONER AGUIRRE: Yes.

18 MS. SARGIS: Ancheta?

19 COMMISSIONER ANCHETA: Yes.

20 MS. SARGIS: Barabba?

21 COMMISSIONER BARABBA: Yes.

22 MS. SARGIS: Blanco?

23 COMMISSIONER BLANCO: Yes.

24 MS. SARGIS: Dai?

25 COMMISSIONER DAI: Yes.

1 MS. SARGIS: DiGuilio?
2 COMMISSIONER DIGUILIO: Yes.
3 MS. SARGIS: Filkins-Webber?
4 COMMISSIONER FILKINS-WEBBER: Yes.
5 MS. SARGIS: Forbes?
6 COMMISSIONER FORBES: Yes.
7 MS. SARGIS: Galambos-Malloy?
8 COMMISSIONER GALAMBOS-MALLOY: Yes.
9 MS. SARGIS: Ontai?
10 COMMISSIONER ONTAI: Yes.
11 MS. SARGIS: Parvenu?
12 COMMISSIONER PARVENU: Yes.
13 MS. SARGIS: Raya?
14 COMMISSIONER RAYA: Yes.
15 MS. SARGIS: Ward?
16 COMMISSIONER WARD: Yes.
17 MS. SARGIS: Yao?
18 COMMISSIONER YAO: Yes.
19 MS. SARGIS: The motion passes.
20 COMMISSIONER BARABBA: Now, you
21 want to offer your second motion, Commissioner
22 Blanco?
23 COMMISSIONER BLANCO: The second
24 motion concerns the draft maps that will be
25 released on June 10th. It does not necessarily

1 address the maps that we would release after we
2 get input -- no. That will be the last -- I
3 mean, no. The second -- we'll have another one.
4 Yeah.

5 So it's just for this June 10th.
6 It only addresses this June 10th set of maps.
7 And I think one discussion we might want to have
8 now or in Sacramento is for the next round.
9 Because right now we'll have --

10 COMMISSIONER BARABBA: Yes.

11 COMMISSIONER BLANCO: -- after this
12 motion we'll have for the final and we'll have
13 for the draft, but we won't have an instruction
14 for the next set.

15 So for this first draft, the motion
16 is that we instruct Q2 to try and meet the ideal
17 of zero percent deviation, but where they cannot
18 do so because of constitutional criteria
19 contained in Proposition 11 and 20, the maps
20 shall have no more than a total 5 percent
21 deviation.

22 COMMISSIONER BARABBA: Any
23 questions?

24 Commissioner Yao.

25 COMMISSIONER GALAMBOS-MALLOY:

1 (Inaudible).

2 COMMISSIONER BARABBA: Oh, excuse
3 me. You need a second.

4 Commissioner Raya.

5 COMMISSIONER YAO: The 5 percent
6 apply to all the maps?

7 COMMISSIONER BARABBA: Not
8 congressional. This is only legislative.

9 UNKNOWN SPEAKER: Could we have the
10 motion read back?

11 MS. SARGIS: The motion is that the
12 Commission will instruct Q2 to -- this is, excuse
13 me, this is for the draft maps, that the
14 Commission will instruct Q2 to strive for the
15 ideal population of zero percent deviation, and
16 when that is not possible because of the
17 constitutional criteria contained in Prop 11 and
18 20, that the deviation will be no more than
19 5 percent.

20 COMMISSIONER BLANCO: And I guess I
21 should clarify as the way that I did the first
22 motion that this is only for the legislative
23 districts, that is, state assembly and state
24 senate for the constitution we by law are
25 mandated to have a 1 percent, no more than a

1 1 percent deviation. So this only applies to the
2 legislative maps, draft maps.

3 COMMISSIONER BARABBA: Commissioner
4 Raya, will you accept that adjustment to the --

5 COMMISSIONER RAYA: Yes.

6 COMMISSIONER BARABBA: Okay.
7 Commissioner Ancheta -- oh, Commissioner Ontai.

8 COMMISSIONER ONTAI: Should that
9 include the board of equalization for the --

10 COMMISSIONER BARABBA: That is a
11 legislative district.

12 MS. SARGIS: I'm sorry. Was there
13 an amendment that was accepted?

14 COMMISSIONER BARABBA: The
15 amendment is about putting California legislative
16 districts.

17 MS. SARGIS: Oh, okay.

18 COMMISSIONER BARABBA: Commissioner
19 Ancheta.

20 COMMISSIONER ANCHETA: Yeah.
21 That -- I was going to suggest this, and I would
22 add, again, as a friendly amendment, just add the
23 word "total" in there somewhere so it's clear
24 that it's a total deviation, if you'd accept that
25 as a friendly amendment, too.

1 COMMISSIONER BLANCO: That's fine.

2 COMMISSIONER BARABBA: Okay. So
3 the same language that we had in the previous
4 memo.

5 And you're okay with that,
6 Commissioner Raya?

7 COMMISSIONER RAYA: Yes.

8 COMMISSIONER BARABBA: All right.
9 Let's see if we can get a re-reading of that.

10 MS. SARGIS: These are for the
11 state assembly, senate and board of equalization
12 districts and for draft maps, the Commission will
13 instruct Q2 to strive for the ideal population of
14 a zero percent deviation.

15 When that is not possible due to
16 the constitutional criteria contained in
17 Propositions 11 and 20, that there shall be no
18 more than a total of a 5 percent deviation.

19 COMMISSIONER BARABBA: I think it
20 was not -- it was the first draft maps, not
21 just --

22 MS. SARGIS: First draft maps.
23 Thank you.

24 COMMISSIONER BARABBA: Commissioner
25 Filkins-Webber, do you have a --

1 COMMISSIONER FILKINS-WEBBER: Just
2 to comment on the motion, just so the people
3 understand my position. I feel based on the
4 advice of counsel that even for the draft maps we
5 need to strive and instruct Q2 for zero percent
6 deviation and not up to 1 percent. I feel that
7 we are under such a time crunch to get this done
8 that allowing for the greater deviation just for
9 the first draft maps may make it difficult for us
10 to pull back. And so I may not be able to
11 support this motion just for the draft maps,
12 because I think we need to follow advice of
13 counsel and stay within what is perceived as to
14 be the constitutional standard even at this draft
15 map stage simply because I don't think we have
16 time to move around when we have to consider
17 other important circumstances and when we're
18 drawing the lines.

19 COMMISSIONER BARABBA: Any other
20 comments?

21 Commissioner Ancheta.

22 COMMISSIONER ANCHETA: Just what
23 was the advice of counsel on the draft maps?

24 COMMISSIONER BLANCO: So well, they
25 did not say that this -- if we adopted this, that

1 we would be violating the law for the draft maps.

2 COMMISSIONER FILKINS-WEBBER: They
3 did not say that, correct.

4 COMMISSIONER BLANCO: So the advice
5 of counsel is if you can, if you can, you should
6 try and draw the draft maps with, you know, ideal
7 population zero. The situation we faced was --
8 and they were on the phone and this was
9 described, that because we'd already started with
10 the plus or mine -- you know, with the total
11 5 percent and there was a difference of opinion
12 among our line drawers as to whether it was
13 easier to go up or easier to go down, okay, and
14 the person on the phone during the call actually
15 expressed that it was easier to have the 2.5, the
16 total five, and then get closer and closer, and
17 that since that's what they were doing, we would
18 actually lose time and not be able to make the
19 June 10th deadline, that if we now switched today
20 and said we're going to go for zero deviation,
21 that we could not get the maps done by June 10th.

22 The attorneys on the phone did not
23 say that that presented a legal problem. And in
24 fact, I understood that the tenor of the call was
25 that what was most important was to be able to

1 deliver the maps as guaranteed and promised to
2 the public on June 10th. And they did not think
3 we faced any risk, legal risk by these draft maps
4 having a total deviation of 5 percent. Their
5 concern was the final maps.

6 And in fact, there was, like I
7 said, a difference of opinion about what was
8 easier. And what was not disputed is that, if we
9 did it the other way, zero -- reversed our -- and
10 we had to go back, that we would probably not --
11 they said that it was very, very probable that we
12 could not meet the June 10th deadline.

13 COMMISSIONER BARABBA: Any other
14 questions, comments?

15 Commissioner DiGuilio.

16 COMMISSIONER DIGUILIO: And I think
17 just being a part of that call, too, I was under
18 the impression that our legal advice is to -- of
19 course, they're coming at it from being, trying
20 to be the most risk adverse.

21 And we're trying, as a commission
22 what we're trying to balance is doing -- trying
23 to stay within legal guidelines and what's
24 practical for our map drawers and what we need to
25 do in order to follow our timelines.

1 So I think this was the balance
2 between that, to try and strive in the end for
3 the lowest population deviation, but knowing that
4 initially, in order to get something out there,
5 this is the area that we had to shoot for and it
6 would still allow the mappers to do what they
7 need to do.

8 COMMISSIONER BARABBA: Okay. Any
9 other comments?

10 We'll call for the vote.

11 MS. SARGIS: Commissioner Aguirre?

12 COMMISSIONER BARABBA: Oh, excuse
13 me. Any public comment? Yes?

14 UNKNOWN SPEAKER: (Inaudible).

15 COMMISSIONER BARABBA: No. You
16 have to --

17 MULTIPLE UNKNOWN SPEAKERS:
18 (Inaudible).

19 UNKNOWN SPEAKER: Here or here?

20 COMMISSIONER BARABBA: Yeah.
21 That's fine.

22 UNKNOWN SPEAKER: Just another
23 perspective, the public view of changing the goal
24 line from this version to a later version may be
25 not as easily accepted. So you may present a

1 better picture if you say this is the goal and
2 you stick all the way through.

3 I understand that the ease of
4 drawing looser districts now and getting it
5 sharper, but what you tell the public might be
6 easier if it's all the same number.

7 COMMISSIONER BARABBA: Thank you.

8 Okay. Any other comments?

9 Okay. Let's call for the vote.

10 MS. SARGIS: Commissioner Aguirre?

11 COMMISSIONER AGUIRRE: Yes.

12 MS. SARGIS: Ancheta?

13 COMMISSIONER ANCHETA: Yes.

14 MS. SARGIS: Barabba?

15 COMMISSIONER BARABBA: Yes.

16 MS. SARGIS: Blanco?

17 COMMISSIONER BLANCO: Yes.

18 MS. SARGIS: Dai?

19 COMMISSIONER DAI: Yes.

20 MS. SARGIS: DiGuilio?

21 COMMISSIONER DIGUILIO: Yes.

22 MS. SARGIS: Filkins-Webber?

23 COMMISSIONER FILKINS-WEBBER: No.

24 MS. SARGIS: Forbes?

25 COMMISSIONER FORBES: Yes.

1 MS. SARGIS: Galambos-Malloy?
2 COMMISSIONER GALAMBOS-MALLOY: Yes.
3 MS. SARGIS: Ontai?
4 COMMISSIONER ONTAI: Yes.
5 MS. SARGIS: Parvenu?
6 COMMISSIONER PARVENU: Yes.
7 MS. SARGIS: Raya?
8 COMMISSIONER RAYA: Yes.
9 MS. SARGIS: Ward?
10 COMMISSIONER WARD: No.
11 MS. SARGIS: Yao?
12 COMMISSIONER YAO: Yes.
13 MS. SARGIS: The motion passes.
14 COMMISSIONER BARABBA: Thank you.
15 All right. Are we ready?
16 UNKNOWN SPEAKER: (Inaudible).
17 COMMISSIONER BARABBA: Oh, good for
18 us.
19 (Whereupon, there was an
20 inaudible discussion.)
21 MS. MACDONALD: Okay. Good
22 afternoon, commissioners. We have arrived at the
23 last wrap-up. Well, actually, we have a small
24 wrap-up later today, but this is the last big
25 wrap-up. And this is for regions seven and

1 eight.

2 And I will just go through the
3 stats very quickly. You have the --

4 UNKNOWN MALE SPEAKER: You need to
5 be closer to the Mike.

6 MS. MACDONALD: Okay. Sorry about
7 that.

8 So I will go through the stats very
9 quickly. And you have a hand-out that summarizes
10 the entire wrap-up document. Just like in the
11 last wrap-ups, you have the major points in
12 there. And I will go through this as well.

13 So let's start with the Santa Rosa
14 hearing that was on May 20th. We had 69 public
15 input hearing speakers. In Oakland on May 21st
16 we had 81 speakers. And for region eight there
17 were 121 written comments submitted as of May
18 22nd.

19 Here are the major points for
20 region eight. So these are the publicly
21 submitted proposals, of course. And we have a
22 lot of screen shots that Ms. Alon, who is the
23 mapper for today, and for this region actually,
24 can walk you through in a little bit. And also,
25 as you saw, there are a lot of stats included

1 with your wrap-up document.

2 So let's go through these. The
3 first one was that Marin County should not be
4 with San Francisco or the East Bay, but rather
5 with Sonoma County. Second, keep Sonoma County
6 whole.

7 Third, Napa County wanted to be
8 with other premium wine growing counties.
9 Fourth, keep San Francisco whole. Fifth, keep
10 Oakland whole and with Alameda and Berkeley.
11 Sixth, use the Berkeley/Oakland Hills and the
12 county line as a natural boundary.

13 Seventh, Lamorinda cities, which of
14 course as we all found out are Lafayette, Moraga
15 and Orinda, do not want to be with the area in
16 Alameda County that's on the other side of the
17 Hills. Eighth, Hayward, Union City, Fremont,
18 Newark should be together and should not be with
19 the more affluent cities of Livermore, Dublin and
20 Pleasanton.

21 Nine, keep the A.P.I. communities
22 together in region eight. The general areas that
23 were discussed were the Union City and Hayward
24 areas, Fremont, Newark, Milpitas and Berryessa,
25 just discussed more in the next section,

1 San Francisco, the Sunset, Richmond and Chinatown
2 areas.

3 Tenth, keep the Tri-Valley area
4 together. 11th, keep the San Ramon Valley area
5 together.

6 Now we move on to the region seven
7 wrap-up. In Salinas, which is of course in the
8 Section 5 county, we had 54 public input
9 speakers. In San Jose on May 23rd we had 74
10 public input speakers. The number of written
11 submitted comments concerning region seven, not
12 region three, are 61 as of May 22nd, 2011.

13 The major points that came out of
14 the submitted proposals were, one, some Monterey
15 residents want to be in a district with San Luis
16 Obispo County and part of Santa Barbara County,
17 and not, definitely not with Santa Cruz County.

18 Two, combine Monterey, Santa Cruz
19 and San Benito Counties, which is also the
20 Association of Monterey Bay Area Governments, or
21 A.M.B.A.G. area. And this was stated by some
22 residents from all three counties.

23 Three, the south Santa Clara County
24 residents request that Morgan Hill, Gilroy and
25 San Martin -- not San Martin? -- San Martin be

1 together. Fourth, Silicon Valley is a community
2 of interest.

3 Five, recognize the Asian Pacific
4 Islander community of interest that extends from
5 Fremont in Alameda County to the Berryessa
6 neighborhood of San Jose.

7 Six, keep the A.P.I. community in
8 Berryessa together. And seven, the general
9 statement that we heard was draw fair districts
10 based on geographic barriers and not based on
11 race, ethnicity and income.

12 And that is the wrap-up summary.
13 And I'm going to switch computers over so that
14 you can look at some visualizations.

15 COMMISSIONER GALAMBOS-MALLOY: Is
16 this an appropriate time if we have any
17 clarifications regarding the main points in the
18 wrap-up?

19 MS. MACDONALD: Sure.

20 COMMISSIONER GALAMBOS-MALLOY:
21 Well, I had remembered and I had some notes to
22 this effect, I see that you put keep Sonoma
23 County whole, that resonates with my notes, but I
24 also remember hearing quite a bit of feedback
25 about if we had to split Sonoma -- or that there

1 were logical places to split Sonoma. And I don't
2 see it reflected here.

3 And I think that we heard those
4 themes enough that we may want to add it in. I
5 just wanted to check how that would corroborate
6 with the information in your database.

7 MS. MACDONALD: We have
8 visualizations on it, and it's actually in the
9 wrap-up document. We just didn't put it into the
10 PowerPoint.

11 COMMISSIONER GALAMBOS-MALLOY:
12 Okay.

13 MS. MACDONALD: Because there's
14 just so many points we just kind of had to choose
15 some of the major ones.

16 COMMISSIONER GALAMBOS-MALLOY:
17 Okay. Thank you.

18 MS. MACDONALD: It's number one in
19 the -- on Page 2, number one.

20 So should we go, would you like to
21 go just step by step through this document and
22 see some of the --

23 COMMISSIONER GALAMBOS-MALLOY: Yes.

24 MS. MACDONALD: -- visualizations
25 that we developed for you?

1 COMMISSIONER GALAMBOS-MALLOY: Yes.

2 MS. MACDONALD: Would that make
3 sense? Okay.

4 So let's start with the one you
5 just --

6 COMMISSIONER GALAMBOS-MALLOY:
7 Sure.

8 MS. MACDONALD: -- talked about,
9 actually. So Marin County should not be with
10 San Francisco or the East Bay, but rather with
11 Sonoma County. One second. Just one second.
12 We're arranging the screen.

13 Okay. So here it is. So this is
14 under option one. And what you see here is
15 basically Marin and Sonoma County. The total
16 population of this area together is 736,287 total
17 population.

18 So the first one is a deviation
19 from an assembly district. And then this is --
20 and then the next one is Latino C.V.A.P., so
21 citizen voting age population. Then we have
22 percent C.V.A.P. and then Asian C.V.A.P.

23 So Latino C.V.A.P. is 9.01 percent.
24 Black C.V.A.P. is 2.24 percent. And Asian
25 C.V.A.P. is 4.34 percent for this particular

1 area. Would anybody like to comment on this or
2 should we go to the next screen shot?

3 COMMISSIONER BARABBA: Go to the
4 next, I think.

5 COMMISSIONER GALAMBOS-MALLOY:
6 Yeah.

7 MS. ALON: So this is taking out
8 the coastal area that some speakers had spoken
9 about in their C.O.I. testimony. So you have
10 Marin County whole and you have Sonoma County
11 minus these coastal areas over here.

12 And if you look at your stats sheet
13 under Section 8, then they'll tell you exactly
14 the different cities which are -- have been kept
15 in there as part of Sonoma County. I believe
16 it's number two of the second row underneath the
17 region eight technical notes.

18 UNKNOWN SPEAKER: Mr. Chair?

19 COMMISSIONER ANCHETA: Do you want
20 to recognize us? I can identify myself for the
21 transcript.

22 So Commissioner Ancheta speaking.
23 I know this is a different region, but did you
24 coordinate any visualizations with the region
25 nine maps that included a coastal district and

1 how far south it went to -- I think it would have
2 gone into Sonoma County; is that correct?

3 UNKNOWN FEMALE SPEAKER:

4 (Inaudible).

5 COMMISSIONER ANCHETA: Well, I
6 think one of the, at least one of the
7 visualizations we had suggested for region nine,
8 northern California, had a coastal district of
9 some kind, an assembly district.

10 MS. CLARK: I believe that for
11 congressionals --

12 COMMISSIONER ANCHETA: Yeah.

13 MS. CLARK: -- for assembly.

14 COMMISSIONER ANCHETA: Okay. But
15 it didn't go -- so the assembly one didn't go
16 this far south; is that correct?

17 MS. MACDONALD: We have the
18 visualizations, and we're going to go through
19 that later in --

20 COMMISSIONER ANCHETA: Okay.

21 MS. MACDONALD: -- in our whole
22 wrap-up.

23 COMMISSIONER ANCHETA: Okay. Oh,
24 that's fine. I was just wondering if it was --
25 this is obviously an assembly. So I wasn't -- I

1 couldn't remember if it went this far south.
2 Congressional I suspect does.

3 But I was just trying to get a
4 suggestion that if there were some other
5 principles we were -- could help us with any
6 divisions here, they would -- might be reflected
7 in a region nine district coming from north to
8 south which might get into Sonoma, but.

9 MS. ALON: Right.

10 COMMISSIONER ANCHETA: That might
11 have been the case with the assembly, but.

12 MS. ALON: And to answer your
13 question, this is not coordinated with the region
14 nine. This is purely based on the C.O.I.
15 testimony that we had in saying which cities were
16 to be included. So you may want to take this
17 into consideration when you're looking at that
18 later on.

19 COMMISSIONER BARABBA: Commissioner
20 Aguirre and then Commissioner DiGuilio.

21 COMMISSIONER AGUIRRE: Just a quick
22 question about those areas on the coast, are they
23 included, not included?

24 MS. ALON: The areas on the
25 coastline are not included, because they

1 requested that we not include the coastal areas
2 with this Sonoma/Marin district. And so all the
3 orange part, the shade -- is the shaded part,
4 which is included in the statistics that you're
5 seeing in green.

6 COMMISSIONER AGUIRRE: So those
7 areas would go where?

8 MS. ALON: There was no C.O.I.
9 testimony about that. I just made this
10 particular district. That would be up to
11 wherever you decide for region nine.

12 COMMISSIONER AGUIRRE: All right.

13 COMMISSIONER BARABBA: Commissioner
14 DiGuilio. No?

15 Okay. Commissioner Parvenu and
16 then Commissioner Dai.

17 COMMISSIONER PARVENU: I'm just
18 thinking in terms of all practicality, why not
19 include it? I mean, what -- it's just that
20 because of C.O.I. testimony? Is that why?

21 UNKNOWN SPEAKER: (Inaudible).

22 COMMISSIONER PARVENU: That's only
23 why. So it's our decision whether or not it's
24 going to be included.

25 COMMISSIONER BARABBA: Commissioner

1 Dai.

2 COMMISSIONER DAI: I seem to recall
3 testimony that cut Sonoma and Santa Rosa? Do you
4 have visualizations for that, too?

5 MS. MACDONALD: Yeah. That's
6 coming up.

7 COMMISSIONER DAI: Okay.

8 COMMISSIONER BARABBA: Now, my
9 suggestion, we ought to look at two or three
10 visualizations of what we heard, and then that
11 way it'll give us a better chance of responding.

12 MS. MACDONALD: Okay. So she's
13 pulling that one up, which is -- just one second.

14 MS. ALON: Okay. So here we're
15 looking at only -- there was C.O.I. testimony, I
16 did not make this up, there is C.O.I. testimony
17 which says that they wanted to keep Marin whole
18 but then only go up through the highway till you
19 got to Santa Rosa.

20 And so this is looking at, you
21 know, this is, again, reflected on your sheet
22 here, and this is the testimony that said they
23 just wanted to go north along the freeway up into
24 Santa Rosa.

25 This is similar except it's C.O.I.

1 testimony which suggested that we cut off below
2 Santa Rosa.

3 MS. MACDONALD: Okay. So this,
4 these are the visualizations that we have for
5 that particular area. So if you'd like to
6 discuss it. Would you like me to read off the
7 numbers or can you see them?

8 COMMISSIONER BARABBA: Yeah, we can
9 see them.

10 COMMISSIONER GALAMBOS-MALLOY:
11 Could I ask a clarification? So if we're
12 interpreting this as a north-south split, was the
13 decision not to include, for example, Sonoma or
14 Agua Caliente because they were not specifically
15 mentioned in the C.O.I. testimony?

16 MS. MACDONALD: Correct.

17 COMMISSIONER GALAMBOS-MALLOY:
18 Okay.

19 MS. MACDONALD: So that doesn't
20 mean you couldn't, you know --

21 COMMISSIONER GALAMBOS-MALLOY:
22 Yeah.

23 MS. MACDONALD: -- decide you want
24 to go that way since you have 364,000 people
25 roughly in this particular area.

1 COMMISSIONER BARABBA: Commissioner
2 Blanco.

3 COMMISSIONER BLANCO: So we did
4 hear, though, even though it's kind of not about
5 Marin and not part of the keep Marin and Sonoma
6 together, we did hear from Sonoma residents, as
7 you indicate here in the wrap-up, that wanted to
8 be -- they didn't see -- they seemed to say my
9 community of interest is not so much Sonoma, but
10 the wine region.

11 And then other people that weren't
12 from Sonoma but were from other parts of the wine
13 region also said that there was -- there were, I
14 can't remember the number of speakers, but
15 several who talked about sort of a Napa/Sonoma --
16 there was a lot of testimony about the
17 wine-producing and also from the point of view of
18 the employees that worked for all those
19 vineyards, that maybe that was more of a
20 community of interest than trying to do something
21 with counties.

22 I recall that. I don't know if
23 others recall that as well.

24 MS. MACDONALD: I think that's
25 the -- this is the one that you're referring to.

1 Because these counties were mentioned as
2 wine-growing regions.

3 COMMISSIONER BLANCO: No. I wasn't
4 referring to when you pick up the other -- there
5 was -- it was sort of a very local thing. It was
6 about the -- yeah. We had a lot -- I don't --
7 I'm trying to look at it here and I'm not seeing
8 it.

9 It was Valley of the Moon, which --
10 well, Valley of the Moon is in Sonoma. But so it
11 was Valley of the -- there was a -- there were
12 two or three people that talked about the Valley
13 of the Moon.

14 But then we had speakers from Napa
15 come and talk about the fact that they would not
16 mind -- that rather -- that they wouldn't mind
17 being with parts of Sonoma that were wine
18 regions.

19 And so I -- they -- I do have -- I
20 re -- so that's separate -- I know that there
21 were people who talked about this all as a --

22 COMMISSIONER BARABBA:
23 Commissioner --

24 COMMISSIONER BLANCO: -- vin -- but
25 that's not --

1 COMMISSIONER BARABBA: Okay.

2 Commissioner Yao and --

3 COMMISSIONER BLANCO: -- what I was
4 talking about.

5 COMMISSIONER BARABBA:

6 -- Commissioner Filkins-Webber.

7 COMMISSIONER YAO: Just following
8 up on the conversation, I think that including
9 all the wine growers, I don't think that was
10 referenced specifically to an assembly district,
11 including Marin County. I think that was
12 discussed in a much broader region.

13 COMMISSIONER BARABBA: Commissioner
14 Filkins-Webber.

15 COMMISSIONER FILKINS-WEBBER: Well,
16 just on the point I -- Commissioner Blanco, and
17 maybe Bonnie could look it up, I had it noted as
18 speaker 18 in Santa Rosa that was a Napa resident
19 who owned Merlot Grapes and talked about being
20 united with the wine industry and saying that, if
21 we needed to pick up population it could go to
22 Yolo, because he wants to be with rural farming
23 communities.

24 Does that sound familiar?

25 MS. MACDONALD: Yeah. Bonnie

1 actually just looked this up and said that we had
2 testimony about various sections of the counties,
3 but they were really not defined very well. So
4 we would basically have to make some decisions of
5 where that is or, you know, hopefully more
6 specific testimony that helps us, you know,
7 basically split the counties according to the
8 wine-growing areas.

9 COMMISSIONER BARABBA: Commissioner
10 Dai.

11 COMMISSIONER DAI: Could we do a
12 close-up on Sonoma again?

13 They specifically talked about
14 premium wine-growing regions, and there was that
15 area north of Santa Rosa that they talked about
16 as well as it going along the eastern edge there,
17 Kenwood, Glen Ellen, that area. So it was kind
18 of skipping around Santa Rosa, as I recall, and
19 going north.

20 MS. MACDONALD: I think this may be
21 one of those situations where you have a small,
22 local community of interest that you may be able
23 to keep together when you're also taking into
24 consideration the, you know, macro scale.

25 COMMISSIONER DAI: But you need

1 some direction --

2 MS. MACDONALD: (Inaudible).

3 COMMISSIONER DAI: -- to get us
4 down to 465 --

5 MS. MACDONALD: Yeah.

6 COMMISSIONER DAI: -- right now.

7 MS. MACDONALD: No. Absolutely.

8 COMMISSIONER DAI: So we're at --
9 when you just did -- Santa Rosa was too many.
10 When you included Santa Rosa, there were too many
11 people, right, and we were at 555 or something?

12 When you took Santa Rosa out, there
13 weren't enough. So I guess the question is, if
14 you were to fill in the area underneath, would
15 you get anywhere close? Can we see population
16 numbers for these other communities? Because I
17 think they're relatively small.

18 COMMISSIONER FILKINS-WEBBER: Yeah,
19 that's what I was wondering -- Filkins-Webber
20 here -- is if you filled that in -- now you lost
21 your little box with the numbers, but.

22 MS. ALON: I'll put it back.

23 COMMISSIONER FILKINS-WEBBER: And
24 then if you did go to Napa, then you maintain
25 that integrity of the C.O.I. testimony. I'm, of

1 course, granted, I'm not familiar, because we
2 didn't receive anything from Glen Ellen or those
3 areas.

4 But if that is as I -- you know,
5 wine area that goes over to Napa, if we filled in
6 a little bit of that population or even
7 considered adding Napa, I don't know where the
8 population goes.

9 COMMISSIONER BLANCO: And Glen
10 Ellen -- this is Commissioner Blanco -- is also
11 wine. So.

12 COMMISSIONER FILKINS-WEBBER:
13 (Inaudible).

14 COMMISSIONER BARABBA: Sounds like
15 we need a wine tasting to make this decision.

16 MULTIPLE UNKNOWN SPEAKERS:
17 (Inaudible).

18 COMMISSIONER DAI: Kenwood, Glen
19 Ellen, those are wine. And then north of Santa
20 Rosa as well.

21 MS. ALON: So we're missing
22 101,000. How would you like to -- do you want me
23 to zoom back out?

24 COMMISSIONER DAI: Well, how many
25 are we missing?

1 UNKNOWN FEMALE SPEAKER: 101,000.

2 MS. ALON: You can see up here it's
3 101,000.

4 COMMISSIONER DAI: So the challenge
5 is the only city with that kind of population is
6 Santa Rosa.

7 COMMISSIONER FILKINS-WEBBER:
8 Within the county.

9 COMMISSIONER DAI: Within the
10 county, correct.

11 MS. CLARK: If you cross over into
12 Napa we're looking at, I mean, Napa is almost
13 80,000. And then if we pick up these small
14 areas --

15 COMMISSIONER DAI: So now almost
16 ten.

17 MS. CLARK: -- it's close.

18 COMMISSIONER DAI: Yeah.

19 COMMISSIONER FORBES: This is
20 Commissioner Forbes.

21 Napa itself, though, the city of
22 Napa is not a wine-growing region. So if you
23 want to get -- you want to see if we can gather
24 up a hundred thousand population, go to the
25 northeast.

1 Go north of Napa. Go up to
2 Calistoga and then come back down to Angwin and
3 Deer Park and Oakville and Yountville and
4 Kenwood. That's where you're going to find your
5 wine-growing stuff.

6 COMMISSIONER DAI: And then you can
7 go north around Santa Rosa, too.

8 COMMISSIONER FORBES: If you needed
9 to.

10 COMMISSIONER DAI: If you needed
11 to. Healdsburg, all of the areas north of --
12 that's just a little bitty population.

13 COMMISSIONER DIGUILIO: So you pick
14 up the Sonoma wine region and the Napa wine
15 region, basically.

16 COMMISSIONER BARABBA: Commissioner
17 Yao.

18 COMMISSIONER YAO: Could I make a
19 motion to just give general direction, either
20 break up Sonoma County either by the coastal
21 region or by the wine-growing region to make up
22 the difference in the assembly population?

23 COMMISSIONER BARABBA: And let us
24 see the results of that; is that what you're
25 saying, Commissioner Yao?

1 COMMISSIONER YAO: Well, at this
2 point I don't think we're trying to get
3 exactly --

4 COMMISSIONER BARABBA: Yeah.

5 COMMISSIONER YAO: -- to the
6 number. I think we just need to give some
7 guideline to Q2 to form the assembly district;
8 right?

9 COMMISSIONER BARABBA: Okay.
10 Commissioner DiGuilio.

11 COMMISSIONER DIGUILIO: Based on
12 that, what are we -- are we saying that we're
13 trying to get a wine region in the Napa to go
14 with Marin? Because as I understood it, if --
15 I'm just trying to think of what we're basing our
16 direction on for Q2.

17 If it's based on wine or -- because
18 if we grab Napa and go up and around Santa Rosa,
19 then we're saying we're -- that's why we're
20 grabbing that. But then we're putting it with
21 Marin, which I didn't see as the wine area.

22 So I'm just trying to clarify the
23 direction that we're going to give the basis. Or
24 are we saying we need to split Santa Rosa or --
25 you know, again, we have to make some decisions

1 as to why we're doing that.

2 COMMISSIONER BARABBA: Commissioner
3 Forbes.

4 COMMISSIONER FORBES: Yeah. My
5 thinking is that we're trying to not split Santa
6 Rosa and we're going to gather in the various
7 agricultural areas, which actually are dairy to
8 the west of Santa Rosa and wine as well. They're
9 just subgroups of interest.

10 COMMISSIONER DIGUILIO: And then we
11 have to decide how it ties in with Marin I guess
12 is my --

13 COMMISSIONER FORBES: Well, I mean,
14 and that's because Marin has a substantial amount
15 of rural area as well. I think the question is
16 going to come as we go to look north in the state
17 and just see where Santa Rosa's going to go, I
18 mean, you know, coming down the coast. But
19 that's a different issue.

20 So I mean, I just think this is a,
21 I would call this the Marin/Sonoma agricultural
22 or wine, you know, option.

23 COMMISSIONER BARABBA: Commissioner
24 Blanco.

25 COMMISSIONER BLANCO: I think this

1 is driven a lot -- I understand your question,
2 Commissioner. I think frankly we're being driven
3 a lot by Marin not wanting to be with
4 San Francisco. And once you make that decision
5 as the key decision, then I think that's what
6 we're really dealing with here.

7 So sort of the bottom -- you know,
8 the thing that's driving this is not trying to
9 create an agricultural, it's, okay, trying to not
10 cross the Golden Gate Bridge and then how do you
11 draw a large enough district and contain
12 communities of interest that make sense. I think
13 that's really what --

14 COMMISSIONER BARABBA: Commissioner
15 DiGuilio.

16 COMMISSIONER BLANCO: -- our driver
17 is.

18 COMMISSIONER DIGUILIO: I think we
19 could base this on both those in Sonoma and Marin
20 Counties both. Well, most of the testimony we
21 received in Santa Rosa was to keep that as the
22 hard cut-off. And as I'd asked some of the
23 speakers at that time was, well, who's going to
24 bear the brunt? Some -- based on population,
25 something has to give. So I think that's what

1 we're trying to do.

2 If we respect everyone's base line
3 as that -- as the Golden Gate is the basis, then
4 we're going to have to try and base it on
5 population and other communities of interest
6 testimony and put them together. So you're
7 right.

8 COMMISSIONER BARABBA: Commissioner
9 Filkins-Webber.

10 COMMISSIONER FILKINS-WEBBER: Do we
11 know what the district looks like, where Sonoma
12 County is split presently? The reason I ask is
13 because the chair of the Sonoma County board of
14 supervisors had put the wine industry and had
15 mentioned, I think, a study that shared
16 transportation with Humboldt and Del Norte going
17 up the coast.

18 So if we could figure out where --
19 and this board of supervisor recognized that
20 Sonoma was split now, and they did like the split
21 because it seemed to find a division, where those
22 count -- yeah, those cities right now go north up
23 through Humboldt and Del Norte. You know, there
24 were some members that talked about Santa Rosa.

25 Now, Santa Rosa as you have it

1 right now is with Napa, is that correct, under
2 the current scheme? I can't tell with the way
3 that those -- I'm just saying the pink lines that
4 are up there.

5 MS. MACDONALD: It looks like it,
6 yeah.

7 COMMISSIONER FILKINS-WEBBER: Oh, I
8 see. Okay. So they went around and put Santa
9 Rosa into Napa. So I guess the issue becomes
10 whether we split Santa Rosa. But the -- I
11 remember the board of supervisors had mentioned
12 going north, and that seemed to be closer with
13 the coastal region.

14 So if we had to consider where
15 there might be a split in Sonoma County, might
16 take a look at that line.

17 COMMISSIONER DIGUILIO: Where's the
18 southern split on that district? That's --
19 because it went across the Golden Gate, though;
20 right?

21 COMMISSIONER BARABBA: Yeah. It
22 went across the Golden Gate.

23 COMMISSIONER DIGUILIO: Yes. So
24 that's probably why they didn't --

25 UNKNOWN FEMALE SPEAKER:

1 (Inaudible).

2 COMMISSIONER DIGUILIO: -- they
3 didn't split Santa Rosa, because they went down
4 across the Golden Gate --

5 COMMISSIONER BARABBA: Yeah.

6 COMMISSIONER DIGUILIO: -- though,
7 right, to pick up --

8 COMMISSIONER FILKINS-WEBBER: I
9 guess -- yeah, I'm just looking at the line, at
10 least just the line that went above Santa Rosa.
11 I think they referenced at least those
12 communities in the northern part of Sonoma County
13 that we didn't receive a lot of input about, at
14 least from -- other than from the board of
15 supervisors, which I think was speaker number
16 three in Santa Rosa.

17 So at least conceptually, if we
18 split the county, because it has a lot of people
19 there, when you combine it with Marin, this might
20 be some concept that we might want to consider
21 for Q2 to look at.

22 COMMISSIONER BARABBA: Commissioner
23 Dai.

24 COMMISSIONER DAI: I seem to recall
25 some testimony about American Canyon, too. Is

1 that something you can look up and see? Because
2 I think, wasn't the testimony about American
3 Canyon being put with --

4 COMMISSIONER FILKINS-WEBBER:
5 Sonoma, but not Vallejo.

6 COMMISSIONER DAI: Right. Exactly.
7 So if we -- they have, there are 20,000 people in
8 American Canyon.

9 COMMISSIONER BLANCO: Yeah. And
10 having driven that road a lot of times, it's true
11 that when you come out of Sonoma, you -- that's
12 all like one -- that's whatever that is, I can't
13 remember.

14 UNKNOWN SPEAKER: (Inaudible).

15 COMMISSIONER BLANCO: 12. And it
16 ends in American Canyon before you get to 80. So
17 it is kind of -- and there's very little in
18 between. It's kind -- you know, it's not very
19 populated. So it looks like a long stretch, but
20 it's not like you're picking up stringing along a
21 lot of people. It's really, those are those --
22 actually, it's like Delta almost there. It's not
23 Delta but, you know, it's a lot of lagoons and --
24 yeah.

25 MS. MACDONALD: We found the

1 testimony about American Canyon, which is
2 actually referred to the senate district, to
3 include American Canyon with Napa, all of Marin
4 and Sonoma and the city of Napa.

5 COMMISSIONER DAI: Well, you could
6 argue that, if we came over and got Napa as well,
7 I mean, that would be close to a hundred thousand
8 people right there. Because it is, you know,
9 more of a suburb.

10 MS. MACDONALD: Do you want us to
11 add those --

12 COMMISSIONER BARABBA: Yeah.

13 MS. MACDONALD: -- those cities
14 just to --

15 COMMISSIONER DAI: Yeah.

16 COMMISSIONER BARABBA: Let's see
17 what you --

18 COMMISSIONER DAI: That was the
19 suggestion.

20 COMMISSIONER BARABBA: -- can put
21 together there.

22 MS. MACDONALD: Okay.

23 COMMISSIONER DAI: I don't know
24 what other folks think but, you know, Napa and
25 American Canyon are kind of more suburban

1 compared to the kind of rural wine-growing areas.

2 COMMISSIONER FORBES: This is
3 Commissioner Forbes.

4 I do think that's fairly far away
5 from Marin. I also think it would be useful for
6 us to come down from the Oregon border and see
7 where we are. Because we're -- I don't want to
8 end up with, you know, Santa Rosa ending up in no
9 man's land, so to speak.

10 COMMISSIONER DIGUILIO: Can we --

11 COMMISSIONER BARABBA: The question
12 I would ask is, how far north would you have to
13 go from the Marin border excluding Santa Rosa to
14 get close to where we're looking for?

15 And as I recall, there was a
16 community below Santa Rosa.

17 MS. CLARK: Rohnert Park?

18 COMMISSIONER BARABBA: Rohnert
19 Park. It's --

20 MS. CLARK: Uh-huh.

21 COMMISSIONER BARABBA: Roseland, I
22 guess it's called. Is that a different city?

23 UNKNOWN FEMALE SPEAKER: Roseland.

24 MS. CLARK: Roseland, uh-huh. It's
25 6,000.

1 COMMISSIONER BARABBA: Yeah.

2 MS. MACDONALD: Okay. So we'll --
3 what we're going to do is we're just going to
4 start with this map and then just start adding
5 within the county, yes, and just see how far we
6 go until we get roughly to the ideal pop?

7 COMMISSIONER BARABBA: Yes.

8 MS. MACDONALD: Okay.

9 COMMISSIONER BARABBA: Commissioner
10 Yao, while they're working on it.

11 COMMISSIONER YAO: While we're
12 doing the Sonoma County, would it be an objective
13 to try to shrink Sonoma County so that they can
14 have their own assembly district minus the
15 population that has to go with Marin and then
16 allow it to flow on over to Napa as necessary?

17 In other words, I don't want to
18 take too little from Sonoma and end up having to
19 subdivide it again, or take it excessively from
20 Sonoma so that they also have to go invade the
21 next county in order to come up with a district.

22 Because while we decided to include
23 Marin as a -- in a, totally within a single
24 assembly district, we indirectly have made a
25 decision to make Sonoma a donor county by

1 separating it.

2 COMMISSIONER BARABBA: I'm going to
3 guess that the problem you'd run into is where do
4 you put that remaining part of Marin. You have
5 to go -- start to get across the bay.

6 MS. MACDONALD: So if I may, we're
7 currently 2,500 people over roughly, so with that
8 configuration.

9 COMMISSIONER BARABBA: And this
10 would appear to be a lot more compact and
11 contiguous and no cities divided, or a minimal
12 amount of cities divided, I would think.

13 MS. MACDONALD: And of course, we
14 could clean that up some.

15 MULTIPLE UNKNOWN SPEAKERS: Yes.

16 COMMISSIONER BARABBA: Yeah.

17 Does the Commission feel that would
18 be worth pursuing that one and see how it adds
19 up?

20 Commissioner Yao.

21 COMMISSIONER YAO: Now, the
22 remaining part of Sonoma County has to again
23 couple with another county --

24 COMMISSIONER BARABBA: Yes.

25 COMMISSIONER YAO: -- in order to

1 make a district. So if the interest of Sonoma
2 County is to have as much of Sonoma County in a
3 single district, we're not fulfilling that kind
4 of interest.

5 In other words, instead of having a
6 county all within one district, now that Sonoma
7 County is divided into perhaps three districts.

8 COMMISSIONER BLANCO: Which is
9 where it is now. And there was a lot of talk --
10 you know, there was a lot of concern about it
11 currently being in three districts.

12 COMMISSIONER BARABBA: If we went
13 up the route, we would end up with two districts
14 rather than three and Santa Rosa would be in one
15 district all by itself.

16 So what remains out of Santa -- of
17 Sonoma County when you do this?

18 And Commissioner Forbes, is there
19 still wine country off to the east part of Sonoma
20 County there?

21 COMMISSIONER FORBES: No. You've
22 pretty much gotten it.

23 COMMISSIONER BARABBA: And the
24 other one.

25 COMMISSIONER FORBES: Most of the

1 coast reigns there to the north, or northwest.

2 MS. MACDONALD: It's crunching.

3 Okay. Well, we have on this --
4 what's unassigned right now, so those are people
5 that have not been assigned to the district, is
6 200 -- let me just click it -- 268,103.

7 COMMISSIONER BARABBA: About half a
8 district.

9 COMMISSIONER FORBES: Why don't you
10 go north like it is now. I mean, try out and see
11 what -- add Mendocino and Humboldt and see what
12 you end up with.

13 MS. MACDONALD: So you want us to
14 start a new district, basically, at that --

15 COMMISSIONER FORBES: Yeah.
16 Just --

17 MS. MACDONALD: -- that includes
18 the red area right now and then add Mendocino?

19 COMMISSIONER FORBES: Yeah.

20 MS. MACDONALD: Okay.

21 (Whereupon, there was an
22 inaudible discussion.)

23 COMMISSIONER BLANCO: And while
24 we're waiting, just for the future, I wouldn't
25 split Cazadero down there. It -- that's all the

1 Russian River, and it doesn't make sense to split
2 Cazadero from Guerneville and Monte Rio and all
3 that.

4 COMMISSIONER BARABBA: Commissioner
5 Yao.

6 COMMISSIONER YAO: Yeah. My
7 thought is to try to keep Sonoma County in one
8 district and then allow the Marin County to take
9 the excess from Sonoma County and perhaps go into
10 the Napa Valley to pick up the population.
11 That'll be somewhat fair to Sonoma County.
12 Otherwise, we're basically splitting them up
13 in -- just because of the fact that they're next
14 to Marin County.

15 COMMISSIONER BARABBA: Well, but
16 we're also lessening them from three districts to
17 two. And their communities are all in one place
18 as well.

19 COMMISSIONER FORBES: Yeah.
20 Exactly. I mean -- this is Commissioner
21 Forbes -- we are keeping Santa Rosa whole, which
22 is the main population center.

23 MS. MACDONALD: If I may give you
24 the totals. If you put Mendocino in with the
25 rest of Sonoma, you get to a total population of

1 355,944.

2 UNKNOWN MALE SPEAKER: Put Humboldt
3 in.

4 MS. MACDONALD: If you put Humboldt
5 in, then you go over, actually.

6 MULTIPLE UNKNOWN SPEAKERS:
7 (Inaudible).

8 MS. MACDONALD: Because Humboldt
9 has a --

10 COMMISSIONER DIGUILIO: Did we --

11 MS. MACDONALD: -- total population
12 of 134. So should we just take half of that
13 or --

14 UNKNOWN MALE SPEAKER: No.

15 COMMISSIONER DIGUILIO: Did --

16 MS. MACDONALD: Take all of it?
17 Okay.

18 MULTIPLE UNKNOWN SPEAKERS:
19 (Inaudible).

20 COMMISSIONER DIGUILIO: What
21 about --

22 COMMISSIONER BARABBA: Commissioner
23 DiGuilio.

24 COMMISSIONER DIGUILIO: What about
25 Lake? Did we have some testimony about Lake and

1 Mendocino and --

2 COMMISSIONER BARABBA: We've got to
3 keep the comments down to one at a time, please.

4 MS. MACDONALD: Okay. We now --

5 COMMISSIONER DIGUILIO: I'm just --

6 MS. MACDONALD: Oh, I'm sorry.

7 COMMISSIONER DIGUILIO: Sorry. I'm
8 just wondering, did we have some comments? I
9 thought we did, but I'm not sure if there's
10 legitimacy --

11 MS. MACDONALD: Yes.

12 COMMISSIONER DIGUILIO: -- in terms
13 of Lake, Mendocino --

14 MS. MACDONALD: Yes.

15 COMMISSIONER DIGUILIO: -- Sonoma,
16 Napa, almost kind of the -- and I think that was
17 maybe based on wine or some other things. So
18 instead of going -- going north is an option,
19 too, but I'm wondering if Lake and maybe part of
20 Napa or something is tied in there with Sonoma.

21 COMMISSIONER BARABBA: It seems the
22 further north we go, then we're going to run into
23 a problem of bringing the coast over to
24 mountains.

25 COMMISSIONER DIGUILIO: I'm

1 wondering if the numbers -- because what was --
2 Lake was like 64,000, I think, or something. And
3 then to add the other -- I'm not sure of what was
4 left over in Napa.

5 MS. MACDONALD: So just to give you
6 the total for that configuration at this point,
7 it's 490,567. So it's 2,000 -- 24,893 over at
8 this point. So now we'll take Humboldt out; yes?

9 MULTIPLE UNKNOWN SPEAKERS: Yes.

10 MS. MACDONALD: And we'll put Lake
11 in?

12 MULTIPLE UNKNOWN SPEAKERS: Yes.

13 MS. MACDONALD: This configuration
14 gets us to a total population of 420,609. So
15 that's about 45,000 below where we should be.

16 UNKNOWN SPEAKER: Did you get
17 Glenn?

18 COMMISSIONER BARABBA: Glenn and
19 Colusa as well.

20 COMMISSIONER RAYA: This is
21 Commissioner Raya.

22 I show a number of speakers that
23 also threw in Glenn and Colusa, a number of
24 references to people throwing in parts of those
25 two counties as well.

1 MS. MACDONALD: Okay. Shall we put
2 them in?

3 COMMISSIONER BARABBA: Commissioner
4 DiGuilio.

5 COMMISSIONER DIGUILIO: I'm just
6 curious what happens with --

7 COMMISSIONER BARABBA: Add those
8 two counties.

9 COMMISSIONER DIGUILIO: Oh, sorry.
10 Oh, yeah.

11 I'm curious what, based on what
12 we've done with the other assumption, was what
13 happens to Napa, then?

14 Napa, so Napa hasn't been included.
15 We didn't take anything from -- so with this plan
16 Napa hasn't been touched, so then we're assuming
17 Napa's going to go east --

18 COMMISSIONER BARABBA: Yes.

19 COMMISSIONER DIGUILIO: -- as
20 opposed to Napa, Sonoma, Lake kind of.

21 UNKNOWN SPEAKER: (Inaudible).

22 COMMISSIONER FORBES: This --

23 COMMISSIONER DIGUILIO: Napa was
24 identified -- as I thought, Napa identified going
25 more west except for maybe a little bit of rural

1 Yolo.

2 COMMISSIONER FORBES: This is --

3 COMMISSIONER DIGUILIO: Yeah, we
4 have several testimony to that effect.

5 COMMISSIONER FORBES: This is
6 Commissioner Forbes.

7 First of all, Glenn and Colusa
8 really don't belong in this. That's completely
9 Central Valley. Also, I mean, how many comments
10 and E-mails have we gotten regarding a coastal
11 district?

12 UNKNOWN FEMALE SPEAKER: Uh-huh.

13 COMMISSIONER FORBES: And so I just
14 don't think you can --

15 UNKNOWN FEMALE SPEAKER: Yeah.

16 COMMISSIONER FORBES: You can --
17 you know, I think you have to assume a coastal
18 district.

19 COMMISSIONER BARABBA: Yeah.

20 COMMISSIONER FORBES: And this just
21 doesn't allow for it.

22 COMMISSIONER BARABBA: You've got
23 to come down to find out --

24 COMMISSIONER FORBES: So I think
25 Lake has to come out.

1 UNKNOWN FEMALE SPEAKER: Uh-huh.

2 COMMISSIONER BARABBA: I can't see.
3 Where are you pointing?

4 COMMISSIONER FILKINS-WEBBER:
5 Pointing to him.

6 MS. MACDONALD: I just wanted to
7 read you the stats, because they're just
8 interesting. Because the stats with this
9 configuration is actually 470,150. And that is a
10 deviation of zero point 96 percent.

11 And so just I couldn't let that one
12 go before we took them off.

13 COMMISSIONER DAI: Yeah. But
14 that's for numerical convenience. Because I know
15 that Glenn and Colusa have often been included in
16 the inland agricultural district; whereas, we
17 heard lots of testimony about the four counties,
18 Napa, Sonoma, Lake and Mendocino, and the folks
19 from Napa were very clear that they look west
20 into -- yeah. Or north.

21 COMMISSIONER BARABBA: What happens
22 if we went just straight north all the way to the
23 end?

24 COMMISSIONER DAI: Too many people.

25 COMMISSIONER BARABBA: Humboldt

1 kills it.

2 I guess the other question is how
3 far from the north could we go south; right?

4 UNKNOWN SPEAKER: (Inaudible).

5 COMMISSIONER BARABBA: We're not
6 doing it until we make a decision.

7 Commissioner DiGuilio.

8 COMMISSIONER DIGUILIO: I'm just
9 wondering if the option -- if we take the
10 remainder of Sonoma, we take Napa, because that
11 was two something you said was in --

12 MS. MACDONALD: Yes.

13 COMMISSIONER DIGUILIO: -- in
14 Sonoma, and then you take Napa and then maybe
15 Lake, because we've had a lot of testimony about
16 Mendocino being north, and if we had to maybe
17 part of the southern part if you need the
18 numbers, but it might be -- keep the integrity of
19 the coastal district as Commissioner Forbes
20 mentioned as well.

21 So again, that would be the
22 remainder of Sonoma, Napa, Lake, and if you
23 needed some numbers, maybe the southern part of
24 Mendocino, or possibly co --

25 COMMISSIONER BLANCO: So this is

1 Commissioner Blanco.

2 So your -- as we -- your suggestion
3 is we go up Mendocino, like Commissioner Forbes
4 said, then? In a sense Mendocino's split, but
5 along the lines of what we've heard, which is
6 that there's a coastal Mendocino and a more
7 inland Mendocino potentially?

8 Is that what you're saying? Or
9 that all of Mendocino's considered coastal?

10 COMMISSIONER FORBES: Where are we
11 right now in total?

12 COMMISSIONER BARABBA: Why don't --

13 COMMISSIONER FORBES: This is
14 Commissioner Forbes.

15 MS. MACDONALD: Can I just read you
16 off the stats for this? This is a tot. pop. of
17 469,233.

18 UNKNOWN MALE SPEAKER: Perfect.

19 MS. MACDONALD: And actually, the
20 deviation is zero point 76 percent.

21 UNKNOWN FEMALE SPEAKER: Yes.

22 COMMISSIONER FORBES: Okay. Now --
23 this is Commissioner Forbes -- one other thought.
24 It actually would make the numbers better, not
25 worse, although it does require -- we've heard a

1 lot about a coastal district.

2 The -- given the fact that there's
3 the Russian River and the coast in a generous
4 section along the Sonoma coast as to whether
5 those coastal towns should be included in the
6 coastal district to the north.

7 It does, you know, cut up Sonoma
8 into a third part, but it has such the same as
9 the rest of the state. And there's such a
10 small -- you know, there's not much population
11 there.

12 COMMISSIONER BARABBA: (Inaudible).

13 COMMISSIONER FORBES: (Inaudible).

14 (Speaking simultaneously.)

15 COMMISSIONER GALAMBOS-MALLOY:

16 DiGuilio, Ancheta and Dai.

17 COMMISSIONER BARABBA: Okay.

18 Commissioner Ancheta.

19 MULTIPLE UNKNOWN SPEAKERS:

20 (Inaudible).

21 COMMISSIONER BARABBA: Whoa. Whoa.

22 Whoa. Commissioner Ancheta.

23 COMMISSIONER ANCHETA: Yeah. I

24 can't support this unless I know what's going

25 from Del Norte south.

1 COMMISSIONER BARABBA: Yeah.

2 COMMISSIONER ANCHETA: Because I
3 think we've just left too much of a -- too little
4 population from the north.

5 UNKNOWN MALE SPEAKER: Yeah.

6 COMMISSIONER BARABBA: Anybody else
7 want to add anything besides that?

8 COMMISSIONER DIGUILIO: I do.

9 COMMISSIONER GALAMBOS-MALLOY:
10 DiGuilio.

11 COMMISSIONER BARABBA: DiGuilio.

12 MS. CLARK: Okay. Excuse me. So
13 if the intact counties for a coastal assembly
14 district of Del Norte, Humboldt and Mendocino,
15 then you're negative 46.08 percent deviation away
16 from one assembly district.

17 COMMISSIONER ANCHETA: Give me a
18 total number, then, on the -- what is that?

19 MS. CLARK: One second, please.

20 COMMISSIONER ANCHETA: Start in
21 Del Norte and if you're going south, what's the
22 number? What's the total pop?

23 MS. CLARK: Right. I got it. I'm
24 just pulling it up. The total population is
25 251,074.

1 COMMISSIONER ANCHETA: So anyway,
2 we have to make this decision, obviously, whether
3 we go further eastward or go southward. If one
4 configuration is a more coastal set of counties,
5 then we've got to go Mendocino, I think, and into
6 Lake and Sonoma just to get those numbers.

7 MS. CLARK: And, yes, you would
8 have to go into Lake or into Sonoma. And
9 obviously Sonoma has too great of a population to
10 add intact.

11 COMMISSIONER BARABBA: Even the
12 half of Sonoma that would be left?

13 MS. CLARK: I don't know what the
14 population on that --

15 MS. MACDONALD: Just a second,
16 please.

17 MS. ALON: Yeah. We just tried
18 that. We just went from this half up, and we
19 figured that we'd have to split Humboldt County.

20 COMMISSIONER DAI: So then
21 another -- this is Commissioner Dai -- another
22 possibility is to take -- remember last time when
23 we did region nine we included Trinity in that.
24 We had Del Norte, Humboldt, Trinity, Mendocino.

25 And the question would be, do we

1 include part of Siskiyou because of the common
2 watershed that was pointed out to us yesterday by
3 the League of Conservation Voters that there's a
4 watershed up there that extends I think slightly
5 to the east of five?

6 COMMISSIONER BARABBA: But there's
7 very little population.

8 MS. MACDONALD: I'm going to let
9 Jamie sit here, because I think we're getting a
10 lot of work done. So.

11 COMMISSIONER DAI: Great.

12 MS. MACDONALD: You can talk to
13 both of the mappers at the same time.

14 COMMISSIONER DAI: Yes. So maybe
15 Jamie can tell us what the population
16 distribution is in Siskiyou. Is it most of it,
17 is it about half and half, evenly distributed on
18 either side of five or...

19 MS. CLARK: One second, please.
20 Let me pull up a dot density theme.

21 COMMISSIONER FORBES: That's okay.
22 Commissioner Filkins-Webber has handed me a
23 document. I don't know. Do you remember who did
24 this?

25 COMMISSIONER FILKINS-WEBBER:

1 C.A.P.A.F.R.

2 COMMISSIONER FORBES: Okay.

3 C.A.P.A.F.R.? Okay. This is Commissioner
4 Forbes.

5 Their first district, which
6 included roughly half of Siskiyou --

7 UNKNOWN FEMALE SPEAKER: Route 5.

8 COMMISSIONER FORBES: -- right,
9 Route 5, west of Route 5, Del Norte, Humboldt,
10 Trinity, a little bit of the Shasta County, a
11 little bit of -- to the west of five and
12 Mendocino County, and that comes up with 462,000
13 and some change --

14 COMMISSIONER DAI: And I --

15 COMMISSIONER FORBES: -- and leaves
16 that Sonoma district that we've already created
17 intact.

18 COMMISSIONER BLANCO: I've got a
19 question.

20 COMMISSIONER FORBES: So now I'm
21 going to hand this map to the mappers.

22 COMMISSIONER BARABBA: Okay.

23 COMMISSIONER FORBES: It is
24 Commissioner Filkins-Webber.

25 COMMISSIONER GALAMBOS-MALLOY:

1 Commissioner Dai.

2 COMMISSIONER DAI: Yeah. The nice
3 thing about that is that I think it keeps that
4 watershed intact. And we've talked before about
5 trying to respect watersheds. So there was a
6 watershed I recall. I don't think we got a hard
7 copy of the presentation.

8 The guy from the League of
9 Conservation Voters, you know, he kept saying
10 that they were doing it on the cheap. But he had
11 a watershed up there in Siskiyou County, and so I
12 think that keeps the watershed intact as well.
13 So that's a nice -- would be a nice thing to do.

14 COMMISSIONER BLANCO: The other
15 thing is that the traffic road issues we heard
16 about consistently said it was five, that that's
17 the thing you could not go over, you know, when
18 we had --

19 UNKNOWN FEMALE SPEAKER: Yeah.

20 COMMISSIONER BLANCO: So if we went
21 down the five, we do have a lot of consistent
22 testimony about that.

23 MS. MACDONALD: Okay. What would
24 you like us to do? I think part of this would
25 have come up in the line drawing today, which is

1 why I thought this was interesting that it came
2 up now, of whether or not you want to actually
3 look at a north-south option along the coast and
4 to see where that would hit. So basically it's
5 good we're ahead now.

6 UNKNOWN SPEAKER: Yeah.

7 MS. CLARK: Can I ask a question?

8 MS. MACDONALD: Yeah.

9 MS. CLARK: Okay. I believe that
10 I'll have time before the direction -- or you
11 know, the line-draw direction to replicate
12 something similar to this, and also, bearing in
13 mind that it is right next to Yuba, which is a
14 Section 5 district. So I can try and balance
15 that and have something similar to this --

16 COMMISSIONER FORBES: This is --

17 MS. CLARK: -- created for you.

18 COMMISSIONER FORBES: This is
19 Commissioner Forbes speaking.

20 I don't think you have to do
21 anything other than district one there. I think
22 the other inland districts you don't have to
23 worry about right now.

24 COMMISSIONER FILKINS-WEBBER: Yeah.
25 Just the white.

1 COMMISSIONER FORBES: Just the
2 white. Just the one.

3 MS. CLARK: Great. Okay. And then
4 also bearing in mind that it's next to Yuba.

5 COMMISSIONER FORBES: The district
6 wasn't next to Yuba, is it?

7 COMMISSIONER FILKINS-WEBBER: No.

8 UNKNOWN FEMALE SPEAKER: It's the
9 region.

10 MS. CLARK: It -- I -- it could
11 potentially --

12 COMMISSIONER FORBES: As it stands
13 there, just not next to Yuba.

14 MS. CLARK: Right. As it stands
15 there, it's not next to Yuba.

16 COMMISSIONER FORBES: So that's --

17 MS. CLARK: But it could
18 potentially be.

19 COMMISSIONER FORBES: Yes. I'd --
20 I wouldn't worry about Yuba right now.

21 MS. CLARK: Okay.

22 COMMISSIONER FORBES: I would just
23 do district one.

24 COMMISSIONER BARABBA: Okay.
25 The -- so that's something you're going to be

1 working on, we can discuss other things?

2 UNKNOWN FEMALE SPEAKER:

3 (Inaudible).

4 COMMISSIONER BARABBA: The rest of
5 the review while we're working on that map?

6 COMMISSIONER DIGUILIO: Could I see
7 that map real fast, Jodie?

8 COMMISSIONER FILKINS-WEBBER: Which
9 one?

10 COMMISSIONER DIGUILIO: The one
11 that they're looking at.

12 COMMISSIONER FILKINS-WEBBER: I
13 gave it away.

14 (Whereupon, there was an
15 inaudible discussion.)

16 MS. MACDONALD: So we're now, if
17 she's going to look at that possibility, then if
18 you want to look at the county boundary for
19 Sonoma and then work our way south --

20 UNKNOWN MALE SPEAKER: Yes.

21 MS. MACDONALD: -- and look at the
22 options or how would you like to proceed?

23 COMMISSIONER DIGUILIO: Can --

24 COMMISSIONER BARABBA: Well, we --
25 I think we need to see the results of what she's

1 working on before we start messing around with
2 what we've done.

3 MS. MACDONALD: What Jamie's
4 working on?

5 COMMISSIONER BARABBA: Yeah. So
6 could we look at the rest of the --

7 MS. MACDONALD: That's going to
8 take a little bit longer.

9 COMMISSIONER BARABBA: That's what
10 I meant is --

11 MS. MACDONALD: Yeah.

12 COMMISSIONER BARABBA: So could we
13 go to the region review --

14 MS. MACDONALD: Okay.

15 COMMISSIONER BARABBA: -- of the
16 other areas --

17 MS. MACDONALD: Yes.

18 COMMISSIONER BARABBA: -- while
19 that's being worked on?

20 Commissioner DiGuilio.

21 COMMISSIONER DIGUILIO: I just had
22 a question that, if people remember, with that
23 one option from C.A.P.A.F.R., in order to get the
24 population in Shasta, I'm assuming that that --
25 they're, it looks like they're including Redding.

1 Is that Redding? So.

2 COMMISSIONER BARABBA: Why don't we
3 let them work --

4 COMMISSIONER DIGUILIO: I --

5 COMMISSIONER BARABBA: -- on that
6 part, and then we'll get the specifics of it.

7 COMMISSIONER DIGUILIO: I was going
8 to ask -- okay.

9 COMMISSIONER BARABBA: Because I
10 don't think she can answer your questions yet.

11 COMMISSIONER DIGUILIO: Okay.

12 MS. MACDONALD: It looks -- I mean,
13 five goes right through Redding. And I'm not
14 looking at the map.

15 COMMISSIONER DIGUILIO: It looks
16 like it takes Redding in that. And I just say
17 that for something for us to think about later,
18 because it's really the valley floor. But again,
19 we have to make decisions.

20 But that's just something to keep
21 in mind that -- but probably to get the
22 population out of Shasta they're taking the city
23 of Redding --

24 UNKNOWN FEMALE SPEAKER: They are.

25 COMMISSIONER DIGUILIO: -- and

1 putting it on a coastal district. I mean, I
2 think it's what -- that's kind of wrapping all
3 the way around the mountains to come down some.

4 COMMISSIONER DAI: Yeah. They are
5 taking Redding. And I actually just downloaded
6 the conservation -- the League of Conservation
7 Voters mountain watershed map, and it actually
8 shows it going the other direction. So that
9 maybe doesn't work.

10 They took -- it's actually slightly
11 to the west of five going east is the mountain
12 watershed that they indicated. So it doesn't
13 work out the way I'd hoped.

14 COMMISSIONER DIGUILIO: I would
15 just say that it -- well, we can -- maybe you
16 should map it first. I just wonder if there's
17 another option you could be keeping in mind. If
18 Redding is not included, we'll be below the
19 numbers, I'm assuming, so maybe some other
20 options we should look at, too, if we choose
21 Redding shouldn't be on a coastal district.

22 MS. MACDONALD: Yeah. And again,
23 you can give this to us in the line-drawing
24 directions, and then we can --

25 COMMISSIONER BARABBA: Yeah.

1 MS. MACDONALD: -- work out some
2 options.

3 COMMISSIONER BARABBA: We've moved
4 into line-drawing direction rather than a
5 regional review. And so we ought to get back to
6 the regional review.

7 COMMISSIONER FILKINS-WEBBER:
8 People got excited.

9 MS. MACDONALD: So let's go --

10 COMMISSIONER BARABBA: I understand
11 your anxiety to get into the drawing, but we do
12 have to get through the review.

13 MS. MACDONALD: So let's go to
14 San Francisco, then, which is on Page 2, Item 4.
15 There was some testimony about keeping
16 San Francisco whole. There were some speakers in
17 Oakland that talked specifically about the
18 Chinese-American community and the Chinese
19 community.

20 So if you keep all of San Francisco
21 whole, and this includes some of the -- this
22 looks so funny because the water blocks are
23 included, that's why that hat is up there -- but
24 if you keep all of San Francisco whole, you're at
25 805,235 total population.

1 Okay. Next.

2 (Whereupon, there was an
3 inaudible discussion.)

4 MS. MACDONALD: Okay.

5 Unfortunately we do not have the boundaries for
6 the neighborhoods mapped.

7 So can you just zoom in on
8 San Francisco, then, so we can point out where
9 those neighborhoods are?

10 (Whereupon, there was an
11 inaudible discussion.)

12 MS. MACDONALD: So this is where
13 we're -- I actually looked up some of the
14 neighborhoods, and we're probably going to need
15 some clarification if there is going to be a
16 split in San Francisco.

17 Because just even by starting to
18 think about the Sunset -- let me just wave the
19 mouse here. Okay. So this is basically the
20 Sunset neighborhood, and then I think this is
21 probably 7th.

22 Okay. Just put some labels on it.
23 No. I think that's 19th. Just one second.

24 Okay. Here we go. So this is
25 Sunset, and this is 19th Avenue, this area right

1 here. And so essentially the Sunset could be
2 defined all the way up to, like, 9th, because
3 this is usually referred to as, like, the upper
4 Sunset, and then there's the inner Sunset. And
5 then it usually goes down to Sloat, which is
6 right here.

7 But when people were talking about
8 the Sunset being united with Chinatown -- so
9 Chinatown is basically over here. So Chinatown
10 is like roughly, I'm sorry, up in this area. And
11 then we're also talking about neighborhoods
12 around here and around there.

13 So essentially we're talking about
14 pretty much all of San Francisco. Because these
15 neighborhoods are just not, they're not very
16 close together is what I'm trying to say. So we
17 will probably have to make some decisions on
18 where we're going to draw the lines within
19 San Francisco.

20 And so I think --

21 COMMISSIONER ANCHETA: No. I -- if
22 there's a -- and a lot of this comes from the
23 Asian-American groups. I mean, there are a
24 number of different Chinese-American
25 concentrations, a number of Filipino

1 concentrations.

2 And they do vary in terms of
3 probably the percentage of non-citizens,
4 immigrants, income status, home ownership. But I
5 don't -- this is a hard one in terms of how you
6 wanted -- there are multiple ways to divide it.

7 And that's only because we've heard
8 testimony regarding Asian populations. There are
9 a whole bunch of other varying interests that
10 could be defined here, and varying neighborhoods,
11 too.

12 But we haven't gotten a lot of
13 testimony, so it's a little bit difficult to try
14 to articulate clear divisions based on what we
15 have so far.

16 COMMISSIONER GALAMBOS-MALLOY:
17 Ms. MacDonald, can I ask to what extent do you
18 feel like you have a sense even when we talk
19 about a neighborhood like the outer Sunset where
20 the boundaries are for that, or would you need us
21 to give you the actual streets?

22 MS. MACDONALD: Okay. I think I
23 have a pretty decent idea of where it is. But
24 the speakers referred to the Sunset, so I would
25 like to know whether it's the inner and the outer

1 Sunset, it's the entire.

2 Because the upper area of the
3 Sunset's really changed like around 7th and 9th
4 Avenues, as you know. But it would be pretty
5 easy to just map the various populations and then
6 figure out where the concentrations are and then
7 go by that.

8 I think I know the neighborhoods
9 pretty well.

10 COMMISSIONER GALAMBOS-MALLOY:

11 Okay. Commissioner Yao.

12 COMMISSIONER YAO: Do we have a
13 potential Section 2 district in San Francisco?

14 MS. MACDONALD: Not from our
15 analysis.

16 COMMISSIONER YAO: Okay. Sounds
17 like we can't go north and we can't go east, so
18 starting with those two boundaries, start working
19 inland until you get to 460,000 dollars --
20 460,000 population and try not to split any
21 neighborhoods.

22 Is there any other better option
23 than that?

24 COMMISSIONER GALAMBOS-MALLOY: Did
25 I see a hand from Commissioner Ontai or were you

1 just stretching?

2 COMMISSIONER ONTAI: No.

3 COMMISSIONER GALAMBOS-MALLOY:

4 Okay. Commissioner Dai.

5 COMMISSIONER DAI: Yeah. Actually,
6 I thought C.A.P.A.F.R. did a really good job of
7 splitting San Francisco. And it also keeps the
8 eastern -- the western half of San Francisco,
9 which includes the Sunset, with the A.P.I.
10 population that is actually mostly Filipino in
11 Daly City and Broadmoor and Colma.

12 So there is going to be a split,
13 but it's kind of a logical split. And you know,
14 people in San Francisco pretty much acknowledge
15 that east is different from the west, so it's
16 just exactly where that line goes. I thought
17 they did a reasonable split.

18 MS. MACDONALD: Well, if you would
19 like to give us direction to take a look at how
20 that split worked and replicate it so you can
21 take a look at it tomorrow, that's...

22 COMMISSIONER FILKINS-WEBBER: Do
23 you, Karin --

24 MS. MACDONALD: Yeah.

25 COMMISSIONER FILKINS-WEBBER: I

1 know we talked about getting the materials to you
2 that -- the group presentation. Do you have the
3 binders from C.A.P.A.F.R. and M.A.L.D.E.F. and
4 all the other groups?

5 MS. MACDONALD: Yeah. We're six
6 mappers and there's -- we're only so many --

7 COMMISSIONER FILKINS-WEBBER: No.
8 I just wanted to make sure you actually --

9 MS. MACDONALD: Yeah. I think --

10 COMMISSIONER FILKINS-WEBBER:
11 -- have them.

12 MS. MACDONALD: I think we even
13 have the equivalency files, so we should be able
14 to just import them tonight.

15 COMMISSIONER FILKINS-WEBBER: Oh,
16 great.

17 MS. MACDONALD: Yeah.

18 COMMISSIONER BLANCO: So I think
19 the direction in the San Francisco would be to
20 look to -- but I mean, even more generally would
21 be to go east-west and not north-south in
22 San Francisco and to try and keep -- we know
23 there are a lot of different sub-Asian groups.

24 But I would say that we would want
25 to keep the Filipino-American community together

1 as much as possible when going -- no? -- when
2 going south, in these north-south districts or
3 no?

4 COMMISSIONER BARABBA: Commissioner
5 Ancheta.

6 COMMISSIONER ANCHETA: The problem
7 is these populations are all over the city --

8 UNKNOWN FEMALE SPEAKER: Yeah.
9 That's true.

10 COMMISSIONER ANCHETA: -- and all
11 over the -- all through Daly City and South
12 San Francisco. So you -- again, there -- if you
13 look at the C.A.P.A.F.R. testimony and their
14 presentation, there are, I think, some other
15 indicators, including home ownership and
16 economic --

17 COMMISSIONER DAI: Socioeconomic
18 status.

19 COMMISSIONER ANCHETA: -- and
20 income level that -- which I think are important,
21 because we are looking at communities of interest
22 here. So we should for purposes of our record
23 make sure we're not just calling them Filipino,
24 because there's, you know, upper higher income,
25 lower income.

1 COMMISSIONER DAI: It is
2 socioeconomic status.

3 COMMISSIONER ANCHETA: Yeah.

4 COMMISSIONER DAI: It's quite
5 different. So I think that that's -- makes it
6 even stronger, because it's really socioeconomic
7 status that's really drawing that area together.

8 MS. MACDONALD: Do you think --

9 COMMISSIONER BARABBA: We've got
10 to --

11 MS. MACDONALD: -- (Inaudible)
12 divide is good or no?

13 COMMISSIONER BARABBA: Yep. Yep.
14 No. We've got to --

15 COMMISSIONER ANCHETA: That's a
16 good -- the C.A.P.A.F.R. line is a pretty good
17 way to go. You could. I mean, there -- in terms
18 of income levels between -- and renters versus
19 homeowners I think is another way to look
20 at looking at sort of a north-south dividing
21 line.

22 I don't agree with C.A.P.A.F.R.'s
23 senate division. I mean, we can --

24 COMMISSIONER DAI: No. I said
25 assembly.

1 COMMISSIONER ANCHETA: Yeah. But
2 if you could combine San Francisco in a single
3 senate, that's --

4 COMMISSIONER DAI: Right.

5 COMMISSIONER ANCHETA: -- a
6 preferable way to go. But for assembly
7 purposes that's something --

8 COMMISSIONER DAI: Like 12 and 13.

9 COMMISSIONER ANCHETA: -- that's
10 something -- you could do that. There are other,
11 again, there are other ways to divide it. You
12 can -- you could go with an east-west divider
13 that sort of looks at more of a, you know, sort
14 of the Sunset and to some extent the southern
15 part of San Francisco that goes into Daly City
16 and other parts of San Mateo County. It's
17 another way to go. It's -- you know, there's a
18 lot of ways you could do it.

19 COMMISSIONER BARABBA: Commissioner
20 Yao.

21 COMMISSIONER YAO: Yeah. I agree
22 with that, tie the Richmond district with the
23 Sunset district going south into the Daly City to
24 make up the population for the second assembly
25 district.

1 COMMISSIONER DAI: So if you look
2 at the equivalency files for assembly districts
3 12 and 13, I think they did a reasonable job.
4 And then, of course, nesting them further would
5 keep them whole in the senate.

6 COMMISSIONER ANCHETA: Yeah. My
7 sense is that the -- keeping San Francisco
8 together is a probably stronger principle than
9 trying to leave certain communities via San Mateo
10 County and then going up to Marin County.

11 I would consider that a -- the
12 unification of San Francisco would be a stronger
13 principle than what, say, C.A.P.A.F.R., as an
14 example, had presented.

15 UNKNOWN FEMALE SPEAKER:
16 (Inaudible).

17 COMMISSIONER ANCHETA: Presented
18 for percentage purposes.

19 COMMISSIONER BARABBA: Okay. Any
20 other comments?

21 MS. MACDONALD: Next? Okay. We're
22 moving on to --

23 COMMISSIONER BARABBA: Go south.

24 MS. MACDONALD: We're going --
25 actually, can we go over the bridge, please --

1 COMMISSIONER BARABBA: Yes, you
2 can.

3 MS. MACDONALD: -- to Oakland?
4 Would that be okay?

5 COMMISSIONER BARABBA: If you pay
6 the toll.

7 MS. MACDONALD: Okay. That's
8 right.

9 COMMISSIONER GALAMBOS-MALLOY: No,
10 you don't pay a toll going east. It's going
11 west.

12 MS. MACDONALD: That's right.

13 (Whereupon, there was an
14 inaudible discussion.)

15 MS. MACDONALD: And it's 3:00
16 o'clock on a Friday and you're not going fast.

17 Okay. So number five, keep Oakland
18 whole with Alameda and Berkeley. So --

19 (Inaudible). Okay. So we also have a smaller
20 one. So this is Berkeley, Emeryville, Piedmont,
21 because of course Piedmont is within Oakland, so
22 when you keep Oakland whole you're picking up
23 Piedmont as well, and Alameda, which is that
24 little island right there -- wave -- right there.
25 And there's Oakland airport right down there,

1 right there.

2 So that is a total population of
3 597,863. The deviation is 28.39 percent. That
4 is 10.06 Latino C.V.A.P. and 25.47 black
5 C.V.A.P., and Asian C.V.A.P. is 17.5 percent.

6 We have another visualization as
7 well, so this one is pretty over. Just one
8 second.

9 (Whereupon, there was an
10 inaudible discussion.)

11 MS. MACDONALD: Okay. Then we have
12 this one, drum roll, here we go. This is
13 Oakland, Piedmont and Alameda together. And this
14 is an interesting one, because we just had the
15 deviation conversation.

16 So this, if you keep those three
17 cities whole, you're at 475,203. And the
18 deviation is 2.05 percent. All right? So Latino
19 C.V.A.P. is 10.59 percent. Black C.V.A.P.,
20 29.5 percent. And Asian C.V.A.P., 17.46 percent.

21 So you know, we're, if we're going
22 to go down, let's just say you adopt this as a
23 district you would like to draw, then we're going
24 to need, for a second draw we're going to need
25 some guidance on where to split Oakland,

1 basically. Because you're going to have to split
2 Oakland to get down to a smaller population. So.

3 COMMISSIONER BARABBA: Miss -- oh,
4 I'm sorry.

5 COMMISSIONER FORBES: Okay.

6 COMMISSIONER GALAMBOS-MALLOY: I
7 interrupted the queue.

8 COMMISSIONER FORBES: No.

9 COMMISSIONER GALAMBOS-MALLOY:
10 Commissioner Forbes and then myself.

11 COMMISSIONER FORBES: Right. No.
12 My question as far as that, we have to shave off
13 about 10,000 people, and I think that would be
14 driven by what happens either north or south of
15 Oakland.

16 I couldn't make a judgment as to
17 which -- where to take it until I see what
18 happens around it, because it's not that big a --

19 MS. MACDONALD: Correct.

20 COMMISSIONER FORBES:
21 -- population.

22 MS. MACDONALD: And I think that's
23 why we partially asked for the deviation for the
24 draft maps to be a little higher so that you can
25 make these decisions once you see everything put

1 together. Because there's a lot of detail that's
2 going to go into that.

3 COMMISSIONER GALAMBOS-MALLOY: I
4 just had a question. Can you give me a rough
5 count on what the population of Alameda is?

6 MS. MACDONALD: Just one second.

7 COMMISSIONER GALAMBOS-MALLOY:
8 Alameda city, not Alameda County.

9 MS. MACDONALD: Yeah.

10 (Whereupon, there was an
11 inaudible discussion.)

12 MS. MACDONALD: 73,812.

13 So would you like to see more about
14 Oakland?

15 COMMISSIONER BARABBA: You bet.

16 COMMISSIONER GALAMBOS-MALLOY: Yes.

17 MS. MACDONALD: Okay. We have an
18 Oakland/Chinatown visualization, because we heard
19 something about keeping that particular
20 neighborhood together. So just in case we're
21 talking about splitting, we have some
22 neighborhood testimony. Just one second.

23 Yeah, just a second. Now we just
24 moved to Berryessa accidentally.

25 Okay. And here we -- this is

1 roughly Oakland/Chinatown. And that's a
2 population of 2,024 people and, of course, a
3 rather large deviation. But this is neighborhood
4 testimony.

5 Want to zoom out a little?

6 Just so you see where this is. We
7 also had some testimony about keeping west
8 Oakland together. And I don't know that we have
9 a visualization of that, but that is roughly the
10 area -- this is roughly this area that we're
11 talking about right here, the west Oakland area.
12 And there was some testimony about that that
13 would be oriented better going north if there had
14 to be a split.

15 Okay. That's -- do you want to
16 talk about Oakland?

17 COMMISSIONER BLANCO: Just one
18 thing. What would happen if you put the
19 Rockridge neighborhood in with Berkeley to get to
20 the -- to bring down the deviation?

21 MS. MACDONALD: Just the Rockridge?

22 COMMISSIONER BLANCO: Well, that
23 sort of north -- you know, that piece of Oakland.
24 There's a whole area -- if we have to do anything
25 in Oakland, if we can't keep it whole, I know

1 that there are neighborhoods -- you know, the
2 whole sort of -- the hills area basically of
3 Oakland is a different demographic in many ways
4 socioeconomically than sort of the flats.

5 And I'm just wondering if there
6 would be some way -- I mean, it's probably -- the
7 thing is, you also have hill districts in
8 Berkeley. But you know, I wonder if there's a
9 way to look at Oakland that way. I think the
10 testimony we got about not splitting up Oakland
11 really was from communities that have been
12 historically always split by freeways and, you
13 know, et cetera, like west Oakland and that --
14 you know, more in the flats where they've always
15 been sometimes split more than once.

16 COMMISSIONER GALAMBOS-MALLOY:
17 Yeah.

18 COMMISSIONER BLANCO: So I would
19 just be curious, we don't have to do it here, but
20 to look at something that looks at sort of the --

21 COMMISSIONER GALAMBOS-MALLOY: The
22 flats.

23 COMMISSIONER BLANCO: -- the flats
24 versus the east in Oakland and tries to figure
25 out --

1 COMMISSIONER GALAMBOS-MALLOY:

2 Yeah.

3 COMMISSIONER BLANCO: -- if there's
4 a way to make sense of that before shedding
5 population.

6 COMMISSIONER GALAMBOS-MALLOY: I
7 would agree with that. And I think if we're
8 going to carry that further, there are really
9 some commonalities going -- if you follow the
10 flatlands, not just Oakland, but going north
11 towards Emeryville and going kind of north into
12 Berkeley, so kind of the west side of Berkeley,
13 and if you look at, you know, the
14 African-American population, which has not
15 necessarily been growing, but where that area
16 actually still has common interests.

17 Now, we haven't gotten a lot of
18 C.O.I. testimony to that effect yet, but it would
19 be interesting to see an alternative that
20 actually looked at a, maybe a flatlands district
21 along Berkeley, Emeryville, Oakland.

22 MS. MACDONALD: So would you like
23 us to develop that as one of the options?

24 COMMISSIONER GALAMBOS-MALLOY: Yes.

25 MS. MACDONALD: And what we just

1 pulled up is roughly the area where Berkeley goes
2 into Oakland.

3 Do you want to wave over College
4 Avenue?

5 So College basically kind of goes
6 right into the Rockridge neighborhood, and then
7 Rockridge is basically to the left and to the
8 right. And then we can talk about what's lower
9 Rockridge and what's upper Rockridge and all
10 those good things perhaps when we know whether
11 there has to be a split, and then if there has to
12 be a split how you would like to proceed on that.

13 Does that make sense?

14 COMMISSIONER GALAMBOS-MALLOY:

15 Uh-huh.

16 COMMISSIONER BARABBA: Commissioner
17 Dai.

18 COMMISSIONER DAI: Yeah. There was
19 also, as Commissioner Blanco pointed out, there
20 are hill parts of Berkeley, too, that are
21 probably more similar to the hill parts of
22 Oakland.

23 COMMISSIONER GALAMBOS-MALLOY:

24 Uh-huh.

25 COMMISSIONER DAI: And Piedmont's

1 also a higher income, you know, higher --
2 different socioeconomic status as well. So that
3 might be a natural line. It would kind of key
4 the bayside together and the hills together. So.

5 MS. MACDONALD: And then would you
6 have a preference for where you want to put Cal?
7 Just checking.

8 COMMISSIONER DAI: There are four
9 Cal grads on this commission, so we might all
10 have an opinion.

11 COMMISSIONER BLANCO: I think we
12 can't say anything.

13 COMMISSIONER DAI: Yeah. We have
14 to recuse ourselves.

15 COMMISSIONER GALAMBOS-MALLOY: We
16 have to recuse ourselves.

17 Commissioner Forbes.

18 COMMISSIONER FORBES: Yes. This is
19 Commissioner Forbes.

20 One thing that I am concerned, that
21 the population density of the hills won't get
22 anywhere near a district. So I -- but I would
23 say that we should not go over the hills in order
24 to create a hill district in Oakland.

25 COMMISSIONER GALAMBOS-MALLOY:

1 Uh-huh.

2 COMMISSIONER FORBES: I mean, if
3 you can't do it on the west side of the --

4 COMMISSIONER GALAMBOS-MALLOY:
5 Yeah.

6 COMMISSIONER FORBES: -- mountains,
7 then I wouldn't trouble myself.

8 COMMISSIONER GALAMBOS-MALLOY:
9 Agreed. Uh-huh.

10 MS. MACDONALD: Yeah. We had a lot
11 of testimony about using the hills as a boundary,
12 and there's a visualization for that. Would you
13 like us to go to that --

14 UNKNOWN FEMALE SPEAKER: Yes.

15 COMMISSIONER GALAMBOS-MALLOY: Yes.

16 MS. MACDONALD: -- so you can take
17 a look?

18 (Whereupon, there was an
19 inaudible discussion.)

20 COMMISSIONER BARABBA: Keep the
21 conversation where it's recorded.

22 MS. MACDONALD: Okay. Well, this
23 is actually roughly the hills. This is kind of
24 going into -- over to the Lamorinda area that we
25 heard so much about, and Orinda, Moraga and

1 Lafayette.

2 Do you want to do a topography
3 overlay? Can you do that?

4 We'll put a topography overlay
5 here. So basically you go up into the hills of
6 the East Bay, and then you can actually go over
7 the hills into Orinda. You can also go through
8 the tunnel and go to these cities.

9 So this is basically roughly, the
10 area that she has selected, the area from there
11 to the east is essentially the East Bay hills
12 area. There -- so there's a big park area, a lot
13 of open space that divides a very densely
14 populated area. And then once you go over the
15 hill, it's not as densely populated initially,
16 and then there are just some fairly densely
17 populated population centers as well.

18 COMMISSIONER RAYA: I have a
19 question, just out of curiosity. Oh.
20 Commissioner Raya.

21 Can you just tell me where that
22 Caldecott Tunnel is?

23 MS. MACDONALD: Yeah.

24 MS. CLARK: It's right in between
25 where -- you see Berkeley and then you see up, it

1 says Orinda over -- it's kind of in that line
2 right where the hand is.

3 COMMISSIONER RAYA: And that's what
4 cuts through the hills?

5 MS. CLARK: Uh-huh.

6 COMMISSIONER RAYA: Okay. Thank
7 you.

8 UNKNOWN FEMALE SPEAKER:
9 (Inaudible).

10 MS. MACDONALD: Yeah. There's a
11 freeway. Except we're in Google Earth right now,
12 so I guess we need to go to a different program.
13 But basically it's the 20 -- 24 freeway that goes
14 right through it. And that's roughly where the
15 hand was waving is roughly where the Caldecott
16 Tunnel is.

17 So it's right there. See where the
18 24 area is? So that basically goes right through
19 the hills.

20 Okay. Can you see that pretty
21 much? It's very faint, but it does have the
22 topography on there.

23 COMMISSIONER DAI: So I think --

24 MS. MACDONALD: We're going to put
25 the county boundary on here really quickly.

1 COMMISSIONER DAI: Okay. Great.
2 Yeah, I think we -- we're all pretty agreed that
3 we should not -- I mean, the Caldecott's a pretty
4 hard deadline -- I mean, a hard barrier there.

5 MS. MACDONALD: Okay. So this, the
6 black line is actually the Alameda County
7 boundary. So it follows basically just right
8 along the hills and divides that part of Contra
9 Costa County from Alameda County.

10 So is that something you'd like to
11 look at?

12 COMMISSIONER GALAMBOS-MALLOY: Yes.

13 MS. MACDONALD: Okay.

14 (Whereupon, there was an
15 inaudible discussion.)

16 MS. MACDONALD: Okay. So let's
17 move down further into Contra Costa County. Does
18 that work for you?

19 Okay. So what's the next
20 visualization?

21 Okay. We have Lamorinda,
22 Lafayette/Orinda, Moraga/Lafayette,
23 Moraga/Orinda.

24 COMMISSIONER BARABBA: What --

25 MS. MACDONALD: To the San Ramon

1 Valley. So we heard a fair amount of testimony.
2 We got a list from a couple of the speakers that
3 included all of these cities. And that is a --
4 that particular area has a total population of
5 262,689.

6 Tamina is going to put the freeways
7 on there, because as you may recall there was a
8 lot of testimony about the 680 corridor. So you
9 see the 680 going, you know, roughly north,
10 south, east, and then that's the 24 that's going
11 through the tunnel, of course.

12 COMMISSIONER FILKINS-WEBBER: Can I
13 ask you to go southeast a little bit? Let's just
14 show the kind of tri-county area.

15 MS. MACDONALD: Yeah.

16 COMMISSIONER DIGUILIO: And I was
17 going to ask, do you have a visualization later
18 that has that area plus the tri-valley area?

19 MS. MACDONALD: Yes.

20 COMMISSIONER DIGUILIO: Okay.

21 MS. MACDONALD: We have that.

22 COMMISSIONER DIGUILIO: All right.
23 Then I'll wait till that comes up.

24 UNKNOWN FEMALE SPEAKER:

25 (Inaudible).

1 COMMISSIONER DIGUILIO: Tri-valley
2 being Dublin, Pleasanton, Livermore, San Ra --
3 and -- or San Ramon.

4 COMMISSIONER FILKINS-WEBBER:
5 (Inaudible).

6 COMMISSIONER BARABBA: Could you
7 repeat that, please, and who it was?

8 COMMISSIONER DIGUILIO:
9 Commissioner Filkins-Webber was just asking
10 clarification for tri-valley, and it was the
11 Dublin, Pleasanton, Livermore and San -- there
12 was an official -- it was Pleasanton, Livermore,
13 Dublin and San Ramon and Danville.

14 I believe that was the Web site
15 based on the tri-valley Web site was, again,
16 Pleasanton, Livermore, Dublin, San Ramon and
17 Danville.

18 MS. MACDONALD: We'll pull that up
19 right now.

20 COMMISSIONER BARABBA: I don't
21 think San Ramon's in there.

22 COMMISSIONER DIGUILIO: According
23 to --

24 COMMISSIONER FILKINS-WEBBER: I
25 recall that.

1 COMMISSIONER BARABBA: Oh, okay.

2 COMMISSIONER FILKINS-WEBBER:

3 That's why I wanted to see the southeast as well.

4 COMMISSIONER BARABBA: Yeah.

5 COMMISSIONER DIGUILIO: I'm sorry.

6 According to the tri-valley Web site that they

7 referenced in term -- it's an official

8 organization that has that, includes San Ramon.

9 MS. MACDONALD: So this is one that

10 has Dublin and Pleasanton and San Ramon together

11 with the other areas that we just had. And that

12 would get you to a total population of 379,102.

13 (Whereupon, there was an

14 inaudible discussion.)

15 COMMISSIONER DIGUILIO: Is there a

16 way to see the numbers of those other areas that

17 are -- Blackhawk, Norris Canyon, some of those

18 other -- oh, I guess and Livermore? Is Livermore

19 not included in that? Because Livermore's not --

20 MS. MACDONALD: Not in this

21 particular visualization.

22 COMMISSIONER DIGUILIO: Okay.

23 MS. MACDONALD: No.

24 COMMISSIONER DIGUILIO: All right.

25 COMMISSIONER BARABBA: That'd be

1 (Inaudible).

2 COMMISSIONER DIGUILIO: Do you know
3 one that does include Livermore?

4 MS. MACDONALD: You want Blackhawk,
5 too?

6 COMMISSIONER DIGUILIO: Yes. I
7 don't want any islands. Norris Canyon, too.

8 (Whereupon, there was an
9 inaudible discussion.)

10 MS. MACDONALD: Okay. So now you
11 have the population totals for those small little
12 communities, and we can add them one by one, if
13 you'd like. So Diablo adds about 1,100 people,
14 Blackhawk about 10,000 people, 9,000 and
15 something. And then Livermore has a population
16 of about 81,000, which then gets us to a total of
17 472,000, and that's a deviation of 1.53 percent.

18 COMMISSIONER DIGUILIO: And could I
19 look at the top north part just a little bit?
20 Once you're done with that, go back to the north.
21 Oh, I'm -- yeah.

22 MS. MACDONALD: Sorry.

23 COMMISSIONER DIGUILIO: And I
24 believe we also had asked, I think it's Norris
25 Canyon on the western edge I think is part of the

1 county as well right to the west of San Ramon,
2 and once that's included what the numbers are.

3 COMMISSIONER GALAMBOS-MALLOY:
4 Excuse me. I see a frown on the transcriber's
5 forehead, and I think she's having trouble
6 hearing.

7 COMMISSIONER DIGUILIO: Now loud?
8 Okay. Before it was too fast, now it's too --
9 okay. Sorry. I will --

10 COMMISSIONER BARABBA: If you get
11 closer to the microphone, you don't have to
12 shout.

13 COMMISSIONER DIGUILIO: -- speak
14 slower and louder. Sorry.

15 MS. MACDONALD: That added 957
16 people, and we're now at 473,736. And that's a
17 deviation of 1.73 percent.

18 COMMISSIONER GALAMBOS-MALLOY: Is
19 anyone in the stack right now? No.

20 Ms. MacDonald, could we request to
21 have added on the Diablo, Blackhawk, Tassajara,
22 Norris Canyon, kind of fill in what's missing --

23 UNKNOWN FEMALE SPEAKER: She did.

24 COMMISSIONER GALAMBOS-MALLOY:
25 -- north to south.

1 UNKNOWN FEMALE SPEAKER: She did.
2 That's what all the red is.

3 COMMISSIONER GALAMBOS-MALLOY: Are
4 they added into your total?

5 MS. MACDONALD: They are already
6 added, yeah.

7 COMMISSIONER GALAMBOS-MALLOY:
8 They're already there? Okay.

9 MULTIPLE UNKNOWN SPEAKERS:
10 (Inaudible).

11 COMMISSIONER FORBES: This is --

12 COMMISSIONER BARABBA: Commissioner
13 Forbes.

14 COMMISSIONER FORBES:
15 -- Commissioner Forbes.

16 This is strictly a numbers game now
17 going up the top of the map.

18 COMMISSIONER GALAMBOS-MALLOY:
19 Uh-huh.

20 UNKNOWN FEMALE SPEAKER: Shaving
21 off.

22 MS. MACDONALD: There's actually a
23 couple of non-contiguous areas in there that we
24 need to add.

25 COMMISSIONER GALAMBOS-MALLOY: Are

1 there populations in those non-contiguous areas?

2 COMMISSIONER DAI: This is
3 Commissioner Dai.

4 There was also some conflicting
5 testimony that actually went north instead. Do
6 you have visualizations for that as well?

7 MS. MACDONALD: Yeah. We have
8 that. So she needs to look through her
9 snapshots. She has a lot of snapshots, actually,
10 so it's just a matter of finding the proper one.

11 So adding these small little areas
12 would get you to 474,000, so that's now a
13 deviation of 1.81 percent.

14 UNKNOWN FEMALE SPEAKER: 10,000?

15 COMMISSIONER FORBES: Again, this
16 is Commissioner Forbes.

17 I did notice the top of the map
18 last time we were up there, there was a community
19 of something like 5,000 or 5,500 that we
20 could perhap -- what's it called? Contra Costa
21 Central, is that -- or Centre.

22 COMMISSIONER BARABBA: That's not
23 in there.

24 COMMISSIONER FORBES: Oh, that's
25 not in it. I'm sorry. I realize -- I see that's

1 not in it. So.

2 UNKNOWN SPEAKER: (Inaudible).

3 MS. MACDONALD: Would you like us
4 to work on this district?

5 COMMISSIONER BARABBA: Yes.

6 MS. MACDONALD: Let me see. Okay.
7 We'll just save this really quickly.

8 Okay. And then where would you
9 like to move from here? You want to go down to
10 Hayward or -- somebody just asked for a specific
11 visualization.

12 COMMISSIONER DAI: Yeah. I just
13 wanted to see the alternative that was proposed
14 by some members of the public, which was to go
15 north instead of going south.

16 MS. MACDONALD: From?

17 COMMISSIONER DAI: From Lamorinda.

18 MS. MACDONALD: Oh, from Lamorinda.
19 Okay.

20 COMMISSIONER DAI: There were, as I
21 recall, several people who testified that
22 Lamorinda should actually go with, let's see --

23 COMMISSIONER GALAMBOS-MALLOY: She
24 does not have that one pre-made, but she can just
25 make it really quickly.

1 COMMISSIONER DAI: Yeah. Do other
2 people remember that testimony?

3 UNKNOWN FEMALE SPEAKER: Yeah.

4 COMMISSIONER DIGUILIO: I believe,
5 I think the testimony was that, from a woman in
6 Clayton, who had said that they go down into
7 Walnut, but -- Walnut Creek area, but that's kind
8 of a skirting through, what's the saying
9 that's --

10 COMMISSIONER DAI: Where is Walnut
11 Creek?

12 COMMISSIONER DIGUILIO: It --

13 UNKNOWN FEMALE SPEAKER: Right
14 across (Inaudible).

15 COMMISSIONER DIGUILIO: The problem
16 is you have to go through Concord. So she, as I
17 recall --

18 COMMISSIONER DAI: Right. I mean
19 on the map.

20 COMMISSIONER DIGUILIO: -- she
21 didn't see Concord --

22 COMMISSIONER DAI: Okay. I see it.

23 COMMISSIONER DIGUILIO: -- as part
24 of her community of interest, but it was that the
25 shopping and everything went south. So you kind

1 of have to jut out and grab Clayton to come down.

2 COMMISSIONER DAI: No. Do you
3 recall this testimony? There were, I think,
4 several speakers who talked about Lamorinda going
5 with Walnut Creek and going that way.

6 COMMISSIONER BLANCO: But the other
7 one didn't go to Walnut Creek.

8 There were. And in fact, having
9 lived in this area for many years, this is
10 really, I don't even know what you would call it,
11 but this is one sort of -- you have the Sun
12 Valley Mall over there in Concord, and this is
13 like one big --

14 UNKNOWN FEMALE SPEAKER: Mass.

15 COMMISSIONER BLANCO: -- mass of
16 people here.

17 But that's very connected in a lot
18 of -- that's where the B.A.R.T. line is that then
19 takes you into San Francisco. All of that's
20 concentrated in that swath right there.

21 COMMISSIONER DIGUILIO: Wasn't this
22 included in that visualization? I thought it
23 ended --

24 UNKNOWN FEMALE SPEAKER: Yeah.

25 COMMISSIONER DIGUILIO: Where was

1 the northern boundary of the other one?

2 MS. MACDONALD: So would you like
3 to go -- so from here we have Lamorinda basically
4 went into -- you know, picked up Walnut Creek.
5 And there are a lot of small little communities
6 that we have to pick up within, so Shell Ridge
7 and, is there a map, San Miguel.

8 And then do you want to go north
9 now, pick up Pleasant Hill? Is that what you'd
10 like to see or --

11 COMMISSIONER BARABBA: What's the
12 population now?

13 UNKNOWN FEMALE SPEAKER:
14 (Inaudible).

15 COMMISSIONER DAI: I guess to get
16 Clayton you'd have to have Concord; right?

17 MS. MACDONALD: Yeah.

18 COMMISSIONER DAI: So how much --
19 what does that get you to? If you had Concord,
20 Clayton, I guess you'd have to include that
21 little community of Northgate.

22 MS. MACDONALD: Pick up Concord and
23 Clayton.

24 COMMISSIONER DIGUILIO: Could I ask
25 a clarifying question for the prior

1 visualization? What was the northern boundary of
2 that prior one? The one that had Lamorinda and
3 went south, what was the northern boundary?

4 MS. MACDONALD: The northern one
5 had basically Orinda, Lafayette and Moraga in it.
6 And --

7 COMMISSIONER DIGUILIO: But what
8 was the northern boundary of it?

9 UNKNOWN FEMALE SPEAKER: I think it
10 was the county line.

11 MS. MACDONALD: Yeah. It was
12 probably the county line.

13 COMMISSIONER DIGUILIO: I don't
14 think so. So it did --

15 MS. MACDONALD: So it just went
16 along -- well, she's waving, basically.

17 COMMISSIONER DIGUILIO: Yeah. So
18 it included all this except for Contra Costa. So
19 before it did -- I mean, this is the same
20 thing --

21 MS. MACDONALD: Yeah.

22 COMMISSIONER DIGUILIO: -- we had
23 before.

24 MS. MACDONALD: Yeah.

25 COMMISSIONER BARABBA: But we --

1 not the south part.

2 COMMISSIONER DIGUILIO: But not the
3 south part. So you just have to go, you have to
4 include -- so you're going to have to go Pleasant
5 Hill, Martinez, all of that to include the
6 northern part.

7 COMMISSIONER BARABBA: Maybe not.

8 MS. MACDONALD: So with Concord and
9 Clayton we have 265,000 people. So you want us
10 to just start picking up Pleasant Hill --

11 COMMISSIONER BARABBA: Yeah.

12 MS. MACDONALD: -- and those
13 smaller communities?

14 COMMISSIONER DIGUILIO: Just to
15 throw something out while they're doing this,
16 this -- the northern boundary there, the four,
17 which is what we can't see, Bay Point going east,
18 which is kind of the whole, starting Martinez,
19 Bay Point, then Pittsburg, Antioch and all that,
20 there's something -- if that first visualization
21 that had Lamorinda wrapping around and then going
22 south, you're at -- what you're left with then is
23 kind of Contra Cost -- is Concord from Alhambra,
24 it's kind of a northern four corridor up there,
25 kind of stopping at the county line on the east

1 side and going, wrapping straight through,
2 through Concord and Pleasant Hill and that.

3 I think that's probably pretty
4 close to another assembly. So you'd have a
5 northern Contra Costa and then the Lamorinda
6 south crossing the boundary down there.

7 COMMISSIONER FORBES: This is
8 Commissioner Forbes.

9 The -- if the first visualization
10 that we did works, we may have one here also that
11 would run all the way along the bay and
12 completely wrap around Richmond and just be
13 all -- another little coastal district all the
14 way down to Berkeley conceivably --

15 COMMISSIONER DIGUILIO: Yeah.
16 You --

17 COMMISSIONER FORBES: -- just wrap
18 all the way around.

19 COMMISSIONER DIGUILIO: Your choice
20 is then to take the northern part and go west or
21 your --

22 COMMISSIONER FORBES: Well --

23 COMMISSIONER DIGUILIO: -- northern
24 part and go east.

25 COMMISSIONER FORBES: -- I think

1 you're going to need to go both east and west,
2 the four corridor, and then just continue on
3 around.

4 COMMISSIONER DIGUILIO: Well, the
5 population base from Pittsburg -- what's that
6 next, Antioch or something there?

7 COMMISSIONER FORBES: Right.

8 COMMISSIONER DIGUILIO: You get
9 some higher numbers, though.

10 COMMISSIONER FORBES: Those are
11 higher numbers. But the ones to the west are not
12 big numbers.

13 MS. MACDONALD: I wanted to point
14 out one thing about the other visualization. You
15 were asking about Contra Costa Centre earlier.
16 And actually, the Pleasant Hill B.A.R.T. station
17 is actually there, in there, so even though it's
18 not in Pleasant Hill, for what that's worth.

19 (Whereupon, there was an
20 inaudible discussion.)

21 MS. ALON: So the population here
22 is 355,967. You still need to pick up 109,707.
23 Would you like to go east, west or both?

24 UNKNOWN FEMALE SPEAKER: East.

25 MS. ALON: East? Okay.

1 COMMISSIONER DIGUILIO: But yes.
2 See, again, to get that extra hundred thousand,
3 you're going to have to split up Antioch. So if
4 you take kind of the eastern boundary, go north
5 and stop at, like, Concord, there is that -- that
6 would be your southern boundary, then that would
7 mean Lamorinda and all that would have to go with
8 the southern --

9 COMMISSIONER FILKINS-WEBBER:
10 That's what I was saying.

11 COMMISSIONER DIGUILIO: --
12 Danville -- yeah. You'd pick Lamorinda, that
13 whole community, and go south.

14 MS. MACDONALD: I have to --

15 COMMISSIONER BARABBA: Commissioner
16 Parvenu.

17 COMMISSIONER PARVENU: Is there any
18 reason we're leaving out Northgate, that little
19 section there? I mean, we left it out before.

20 MS. MACDONALD: No. We just
21 haven't clicked on it.

22 COMMISSIONER PARVENU: Oh, okay.

23 COMMISSIONER BARABBA: Commissioner
24 Blanco.

25 MS. MACDONALD: Northgate.

1 COMMISSIONER BLANCO: I think, I
2 was just going to say, I think this is a really
3 tough one. Because although we heard testimony
4 about Lamorinda being with the tri-valley, I have
5 to say that, in terms of where people live, work,
6 drive, everything, Lamorinda is really not very
7 connected to the tri-valley, people really don't
8 go down there for anything.

9 To me that's not a natural, obvious
10 combination, to put Lamorinda with the tri-valley
11 down in San Ramon. I don't know how other people
12 from the Bay Area -- I mean, we did get the
13 testimony, but I think, again, it's that question
14 of quantity versus quality.

15 I -- the B.A.R.T. -- there's so
16 many connectors when you look at that area, by
17 planners, by transportation, housing, everything
18 sort of flows that way, not down and east.

19 COMMISSIONER DAI: Well, I think if
20 you use the boundary of the -- going -- the
21 mountains on the west, you're going to have to
22 make some decisions.

23 And so then it all ripples out in
24 terms of -- I guess if that's the, if that's one
25 of the things we say -- it's kind of like the

1 Golden Gate Bridge, if you do that, then
2 someone's going to be split north of that.

3 So if you use it that way,
4 someone's going to -- we have to make a decision
5 whether we split a city or if we combine areas
6 that aren't as like. So again, that's just
7 something for the Commission to decide.

8 COMMISSIONER BARABBA: What's the
9 count now?

10 MS. MACDONALD: I just wanted to
11 explain what's on there, because now it just
12 started to get messy. So the total population of
13 the red shaded area right now is 442,000. So
14 that means we're 4.94 -- 5 percent under.

15 And or because there's no cities
16 there to the east -- oh, gosh, I can't even -- I
17 don't know even know what north and east is
18 anymore -- okay, to the east, we pulled up the
19 census tracts to see if there's some population
20 in there.

21 And this, by the way, is also how,
22 when we're drawing the congressional districts,
23 we're going to try to find the proper blocks, you
24 know. And this is tracked, so we'll be finding
25 blocks that have exactly the perfect population.

1 And then it's kind of the needle in a haystack
2 game, you know, to get it to zero pop.

3 But this is kind of how you do it.
4 So we're now looking for population, if this is a
5 visualization you'd like to, you know, look at,
6 to get it to, you know, to basically find 23,000
7 people.

8 COMMISSIONER FORBES: Where's
9 Antioch in that map?

10 COMMISSIONER GALAMBOS-MALLOY: It's
11 excluded.

12 COMMISSIONER FORBES: Oh, it's
13 completely excluded still?

14 COMMISSIONER GALAMBOS-MALLOY:
15 Yeah.

16 COMMISSIONER FORBES: Okay.

17 COMMISSIONER BARABBA: The big
18 number.

19 COMMISSIONER GALAMBOS-MALLOY: That
20 was kind of my concern, actually, knowing this
21 area fairly well. I think the idea of separating
22 Pittsburg from Bay Point, sort of this northeast
23 cluster shares a lot of different types of ties,
24 and particularly in the Bay Area. As we've seen
25 African-American population leave the Bay Area,

1 this area is very important in terms of a
2 community of interest.

3 And so no matter what district
4 they're in, Pittsburg, the -- there's a
5 connection between Bay Point, Pittsburg, Antioch,
6 Brentwood, Oakley that I think we should be
7 careful to avoid carving up. Even if we have not
8 seen a lot of public testimony to that effect
9 yet, my anticipation is that we certainly would
10 at some point.

11 COMMISSIONER DIGUILIO: Again, I
12 think that's the issue of you kind of -- if you
13 want to keep the integrity of these communities
14 together, that's going to make some decisions in
15 the -- that southern Contra Costa/La Morinda.

16 COMMISSIONER GALAMBOS-MALLOY:
17 Uh-huh.

18 COMMISSIONER DIGUILIO: So again,
19 we just as a commission have to make some
20 decisions as to which communities need to be kept
21 together. And if that four corridor does --

22 COMMISSIONER FORBES: This is --

23 COMMISSIONER BLANCO: -- start east
24 going west, then that's going to make it -- it
25 impacts down in that northern tri-valley area.

1 COMMISSIONER FORBES: This is
2 Commissioner Forbes.

3 Based on what was suggested is that
4 perhaps we should take out Pittsburg and Bay
5 Point --

6 MULTIPLE UNKNOWN SPEAKERS: Uh-huh.

7 COMMISSIONER FORBES: -- and work
8 and go east around the coast to Port Costa,
9 Rodeo, Hercules, Pinole and that direction, go
10 west and see what happens. Because we need to
11 gain about a hundred thousand population.

12 UNKNOWN FEMALE SPEAKER: Uh-huh.

13 COMMISSIONER FORBES: And we may be
14 able to go a fair distance in that direction.

15 COMMISSIONER BLANCO: I would not
16 go there. I think you run into almost a similar
17 problem that Commissioner Galambos-Malloy
18 mentioned when you go Hercules and down to
19 Vallejo. I mean, that's a -- and Richmond.

20 That's kind of a whole other area
21 that has -- is like a community of interest, a
22 large African-American community. And it has a
23 lot of back and forth. People move from Vallejo
24 to Hercules to Richmond. I think if we cut out
25 those areas, you -- that's where we could go

1 down.

2 And I think if our -- you know, we
3 may face this concern about the tri-valley area
4 being split, but that's not a city. It's really
5 a valley -- it's a concept that people talk
6 about, the tri-valley, but it's not a geographic
7 designation like some of these other cities are
8 in terms of dividing -- I mean, you can say
9 Alamo's a city, Diablo's a city.

10 And you know, in other words, just
11 a thought, but I --

12 COMMISSIONER FORBES: I'm going to
13 argue the other direction, though, and let me
14 tell you why. If you look at the cities still
15 around the bay, they don't total more than a
16 hundred thousand people. We're going to have
17 this island of a hundred thousand people out
18 there that has no place to go.

19 I mean, if you look at Rodeo,
20 Pinole, Tara Hills, El Sobrante, that whole
21 series of cities down to Oakland doesn't total
22 much more than a hundred thousand people.

23 COMMISSIONER GALAMBOS-MALLOY: I
24 actually think -- we're not seeing the
25 Richmond -- Richmond's I'm guessing about a

1 hundred thousand. I don't see the exact --

2 COMMISSIONER FORBES: Oh, is it
3 that we're not seeing that? Okay.

4 COMMISSIONER GALAMBOS-MALLOY:
5 Exactly.

6 COMMISSIONER FORBES: Okay. I was
7 just looking at what was up there.

8 MS. MACDONALD: Yeah. And also for
9 clarification, these are census places. So some
10 of these are cities that you've seen up, but
11 others are basically not.

12 COMMISSIONER DAI: I would say, you
13 know, if we have to, I mean, I agree with
14 Commissioner Galambos-Malloy that, you know,
15 Pittsburg and Antioch, that area east has a lot
16 in common, but we have seen testimony tying
17 Antioch and -- if we could pull the map over a
18 little bit, Antioch, Oakley, Brentwood down to
19 Discovery Bay, that that area should be kept
20 together.

21 So while there are pretty good ties
22 between Pittsburg and Antioch, if we had to split
23 them, I think Bay Point and Pittsburg go
24 together --

25 COMMISSIONER GALAMBOS-MALLOY: Yes.

1 COMMISSIONER DAI: -- more.

2 COMMISSIONER GALAMBOS-MALLOY: Yes.

3 COMMISSIONER DAI: So --

4 COMMISSIONER GALAMBOS-MALLOY: I
5 agree.

6 COMMISSIONER DAI: -- I think
7 that's an option we can retain if we need
8 population. And so if we had to move them, we
9 move Bay Point and Pittsburg together.

10 COMMISSIONER GALAMBOS-MALLOY:
11 Uh-huh.

12 COMMISSIONER DAI: But --

13 COMMISSIONER GALAMBOS-MALLOY: Move
14 them west.

15 COMMISSIONER DAI: -- I also agree
16 if we could keep them with Antioch, that would be
17 even better. But I think that's -- I think if we
18 can keep those two as a unit.

19 So my question is, if we had to
20 pick a population and instead go down to Alamo
21 and Diablo and pick a Blackhawk and Camino,
22 Tassajara, and then we would still be able to
23 keep the tri-valley together, because those are
24 those five cities --

25 COMMISSIONER FORBES: Again,

1 Commissioner Dai, I'm looking at the numbers you
2 have left up there along the four. It still only
3 looks like about 250,000 people, which is a bad
4 number.

5 COMMISSIONER DAI: Right.

6 COMMISSIONER DIGUILIO: And also --

7 COMMISSIONER DAI: But there's some
8 evidence that we might have to go into San
9 Joaquin that way.

10 COMMISSIONER DIGUILIO: Well, if
11 you look down south, then you have to decide what
12 to do with Livermore, Pleasanton, Dublin.
13 Because there's been testimony that they don't go
14 up over into the Bay Area, and you've got another
15 isolated population down there.

16 So you know, again, I'm -- I do
17 think -- I mean, I'm just saying, I still think
18 there's an option if you go Livermore,
19 Pleasanton, Dublin, San Ramon up until -- you
20 keep the integrity of Lamorinda with Alamo,
21 Walnut Creek, San Miguel, all of that, that would
22 be your kind of northern boundary, I think
23 there's some more common -- even though Lamorinda
24 probably has more commonality if they go a little
25 northeast, but they still have some if they go

1 southeast.

2 So if you kept that, I think
3 there's more similarities between Lamorinda going
4 down, and then you could still have the top
5 integrity. And I think you'd have pretty close
6 numbers if you took Concord and took -- then you
7 keep Bay Point, Pittsburg, Antioch, you keep all
8 those together.

9 I think the numbers are there for
10 pretty close to 465 for two assembly districts,
11 and we don't have to cross big geographic
12 boundaries. And so that --

13 COMMISSIONER DAI: That seems
14 reasonable.

15 COMMISSIONER DIGUILIO: I think
16 that's --

17 UNKNOWN FEMALE SPEAKER: Uh-huh.

18 COMMISSIONER DIGUILIO: Yeah. If
19 the mappers wanted to play with that with kind of
20 a Discovery Bay and go west and see what numbers
21 you pick up, and then you go from -- keep
22 Lamorinda and all the San Miguel, Alamo,
23 Danville, and go down into the tri-valley and see
24 what you have with those numbers. I think you
25 get two assemblies.

1 COMMISSIONER BARABBA: Yeah. I'll
2 check with the Commission. Do you want to take a
3 break or do you want to on your own? Or would
4 you just like to take a break, if we need a bio
5 break?

6 Do you want to take a bio break
7 now?

8 UNKNOWN FEMALE SPEAKER: Uh-huh.

9 UNKNOWN FEMALE SPEAKER: Yes.

10 COMMISSIONER BARABBA: Okay. Why
11 don't we take five and then we'll give the -- you
12 can get a bio break, too, but then get back to
13 work while we're not here.

14 UNKNOWN SPEAKER: (Inaudible).

15 COMMISSIONER BARABBA: What?

16 UNKNOWN SPEAKER: (Inaudible).

17 COMMISSIONER BARABBA: Oh, okay.
18 You can eat while we're breaking.

19 (Whereupon, there was an
20 inaudible discussion.)

21 (Whereupon, there was a brief
22 recess.)

23 COMMISSIONER BARABBA: We'll
24 reconvene. I've been instructed by the line
25 drawer that we've got to pick up the pace. And

1 because what she would like to do, just a second,
2 is to make sure we get through the second region
3 as far as the report is concerned -- not the
4 second region, but whatever the region nine.

5 MS. MACDONALD: Correct.

6 COMMISSIONER BARABBA: Yeah.

7 MS. MACDONALD: So in a perfect
8 world we would like to get through this wrap-up
9 quickly and then go back to Jamie, basically.
10 There's a little wrap-up for Jamie, and then
11 there's some more line-drawing instructions for
12 Jamie.

13 Because really all we've looked at
14 in her region so far --

15 COMMISSIONER BARABBA: So what I've
16 asked Commissioner Galambos-Malloy to consider
17 is, like, about a ten minute when we're on a
18 subject. And after ten minutes we're going to
19 cut it off. Because this is more of a, it's a
20 guidance to us, not necessarily we're giving
21 directions on the final maps, because we've got
22 tomorrow.

23 Commissioner Forbes.

24 COMMISSIONER FORBES: Thank you. I
25 have enjoyed this conversation, as I know we all

1 have. And then let me make a suggestion that
2 might allow us to wrap this up for the moment and
3 go on to the next topic.

4 I mean, my concern has been as
5 we've talked about these cities here, yeah, I
6 guess is what, eastern Contra Costa, that we
7 would end up with a problem in San Joaquin
8 County. Because I, you know, personally, and I
9 think all of us want to avoid the hash that's
10 been made of San Joaquin County in the past.

11 So let me just suggest that we
12 ask -- we give direction for them to, for the
13 line drawers to come up with at least one and a
14 half districts out of San Joaquin County, take as
15 much of this, of Con -- this western Contra Costa
16 County here, and then prepare some other maps
17 consistent with our previous conversations.

18 COMMISSIONER BARABBA: Okay. Is
19 there any concern over that direction?

20 COMMISSIONER DIGUILIO: So you're
21 saying do the one -- full assembly for
22 San Joaquin, do the rest of the remainder of
23 San Joaquin, and to pick up the population do
24 this eastern Contra Costa and then the remainder
25 of whatever's in Contra Costa move west --

1 COMMISSIONER BARABBA: And south.

2 COMMISSIONER DIGUILIO: -- and
3 south based on population.

4 COMMISSIONER BARABBA: Yeah.

5 COMMISSIONER DIGUILIO: Okay. So
6 okay, let's then move on to the -- that's
7 something to consider?

8 COMMISSIONER FORBES: Yes.

9 COMMISSIONER FILKINS-WEBBER: What
10 is the population of what you have highlighted?
11 Because we didn't see that before we left, I
12 don't recall.

13 MS. MACDONALD: That population is
14 294,000. So that's a deviation of 36.71 percent,
15 170,000 under.

16 COMMISSIONER BARABBA: Okay. So
17 Ms. MacDonald, you've got the --

18 UNKNOWN FEMALE SPEAKER: Can you
19 repeat that number?

20 MS. MACDONALD: Yes. 295,000 --
21 94,000.

22 COMMISSIONER BARABBA: You've got
23 the direction to create a district in
24 San Joaquin, and whatever's left connect it to
25 the Contra Costa.

1 MS. MACDONALD: Okay.

2 COMMISSIONER BARABBA: Okay. Thank
3 you.

4 MS. MACDONALD: Okay.

5 COMMISSIONER BARABBA: Next area.

6 MS. MACDONALD: Okay. We're moving
7 into Hayward. So let's move south. So there's
8 the Hayward, Union City, Fremont and Newark
9 should be together option.

10 COMMISSIONER ANCHETA: Actually,
11 can I raise a question? Because we got on this
12 earlier, but it's sort of the Richmond cluster,
13 which I think has been orphaned if we don't do
14 something about it.

15 MS. MACDONALD: We haven't had any
16 testimony about it.

17 COMMISSIONER ANCHETA: Right.

18 MS. MACDONALD: So that's why --

19 COMMISSIONER ANCHETA: We'll just
20 leave it?

21 MS. MACDONALD: -- we haven't
22 brought it up.

23 COMMISSIONER ANCHETA: Okay.

24 MS. MACDONALD: But yeah, that's
25 a -- it's a very good point. And if you want to

1 talk about it and give us some direction, that
2 would be great.

3 COMMISSIONER BARABBA: You want
4 to -- you want that --

5 COMMISSIONER ANCHETA: Either way.

6 COMMISSIONER BARABBA: -- now or at
7 later tomorrow?

8 COMMISSIONER ANCHETA: I just
9 brought it up.

10 UNKNOWN FEMALE SPEAKER: Well, do
11 you want it --

12 MS. MACDONALD: Tell me now.

13 UNKNOWN FEMALE SPEAKER: Do it now,
14 sure. That'd be great.

15 COMMISSIONER BARABBA: Okay. I'm
16 just -- we're just trying to meet your
17 requirements in moving on here. So you let us
18 know how you want to use your time.

19 MS. MACDONALD: Okay.

20 MS. CLARK: Okay. Yeah.

21 MS. MACDONALD: She'll take it now.

22 MS. CLARK: I'll take it now.

23 COMMISSIONER BARABBA: Okay.

24 MS. MACDONALD: Just one second.

25 She's going to just save this screen shot really

1 quickly.

2 Okay. So there's that whole area
3 up there from basically the Carquinez straight
4 right there down to Rodeo, Hercules, Pinole,
5 Bayview, that entire area down to basically
6 El Cerrito, Albany we have had very little
7 testimony on, one.

8 COMMISSIONER ANCHETA: Well, I'll
9 just -- again, we haven't had testimony, but
10 there's sort of two ways you can go. One is you
11 just sort of start at the top of the Carquinez
12 ridge and just go south and you get into Oakland
13 at some point and have to make some decisions
14 about Oakland. So that's one direction we can
15 look at.

16 The second one is if you, you know,
17 you can go across the Carquinez Straits and look
18 at Vallejo and Benicia, that's a -- there's some
19 commonalities, but that's another way to go. It
20 may not be preferable to people, but that is
21 another way to go.

22 I just wanted to identify those as
23 two ways to go, not feeling strongly either way.
24 But I tend to go, want to start and go south.
25 That's my own personal preference. But I've seen

1 some maps that do the other way, too.

2 COMMISSIONER BARABBA: And relative
3 to -- is that something we would just ask them to
4 start working on, then we could see it later?

5 UNKNOWN FEMALE SPEAKER: Yeah.

6 COMMISSIONER ANCHETA: Yeah. Just
7 general directions.

8 COMMISSIONER BARABBA: So
9 Ms. MacDonald --

10 COMMISSIONER GALAMBOS-MALLOY:
11 Yeah.

12 COMMISSIONER BARABBA: -- we would
13 see how we could cross the bridge to --

14 COMMISSIONER GALAMBOS-MALLOY: We
15 want to see --

16 COMMISSIONER BARABBA: -- bring the
17 two districts --

18 COMMISSIONER GALAMBOS-MALLOY:
19 -- two options, basically.

20 COMMISSIONER BARABBA: --
21 versus them going --

22 MS. MACDONALD: Yes.

23 COMMISSIONER BARABBA: (Inaudible).

24 MS. MACDONALD: We can do that.

25 And I was actually looking over to Jamie, because

1 that's Solano County.

2 And I was just wondering if you
3 have anything that goes into Solano County right
4 now?

5 MS. CLARK: I don't have anything
6 drawn that goes into Solano.

7 MS. MACDONALD: Okay. Good.
8 So yes, we'll work that out.

9 COMMISSIONER ANCHETA: Yeah. And
10 again, I would only note that, if you do, just
11 the one that starts with Port Costa going south,
12 it affects previous things we looked at in terms
13 of Oakland and that area.

14 So you -- Oakland would be split
15 differently --

16 MS. MACDONALD: Okay.

17 COMMISSIONER ANCHETA: -- going
18 that way.

19 MS. MACDONALD: So basically you
20 would create one district that starts up at the
21 bridge and goes south, and then we'll do another
22 option that starts wherever you stopped with
23 Oakland or where we had testimony --

24 COMMISSIONER GALAMBOS-MALLOY:
25 Uh-huh.

1 MS. MACDONALD: -- and then just
2 goes north so you have something to look at.

3 COMMISSIONER GALAMBOS-MALLOY: Yes.

4 UNKNOWN FEMALE SPEAKER: Yes.

5 MS. CLARK: Okay.

6 COMMISSIONER ANCHETA: Okay.

7 COMMISSIONER BARABBA: The next
8 area that you want to discuss.

9 MS. MACDONALD: Okay. So now we're
10 going to Hayward. So this visualization has
11 Hayward, Union City, Newark and Fremont together
12 for a total of --

13 MS. CLARK: It's here.

14 MS. MACDONALD: Oh, it's right
15 there. 470,555. So that is a deviation of
16 1.05 percent. 34.13 percent Asian C.V.A.P.

17 MULTIPLE UNKNOWN SPEAKERS:

18 (Inaudible).

19 MS. CLARK: Really? Okay.

20 COMMISSIONER ANCHETA: Well, this
21 is the --

22 MS. MACDONALD: So this is --

23 COMMISSIONER ANCHETA: -- issue of
24 the San Leandro/Castro Valley orphanage.

25 MS. MACDONALD: Well, the other

1 issue is going to be also --

2 UNKNOWN FEMALE SPEAKER: Berryessa
3 and (Inaudible).

4 MS. MACDONALD: The other thing is
5 also that it's over, you know, 1 percent. So
6 it's not an issue immediately, but it will be an
7 issue later, because you will have to make some
8 decisions.

9 UNKNOWN FEMALE SPEAKER: Okay.

10 MS. MACDONALD: So should we just
11 save that as a preferred option?

12 COMMISSIONER DAI: Also I think we
13 should note that Sunol was orphaned by our
14 previous visualization.

15 UNKNOWN FEMALE SPEAKER: Oh, yeah.
16 (Inaudible).

17 COMMISSIONER DAI: Right. But it
18 should be in one or the other. That's -- I'm as
19 concerned about Commissioner Ancheta about
20 orphanage.

21 COMMISSIONER BARABBA: I -- the 913
22 people will get put pretty much in different
23 places, so let's not worry about that decision
24 right now.

25 MS. MACDONALD: Okay. So that gets

1 us to the -- to number nine on your wrap-up
2 document, which is the A.P.I. communities in this
3 particular region. And so we have -- do you have
4 the Union City?

5 So we have Union City with Hayward,
6 San Leandro, San Lorenzo. That's for the
7 Filipino-American community.

8 (Whereupon, there was an
9 inaudible discussion.)

10 MS. MACDONALD: Okay. So that's
11 what that would look like. So this is
12 San Leandro, San Lorenzo, Hayward, Union City.
13 And that's 326,106 people. It's a deviation of
14 negative 29.97 percent. 29.47 percent Asian
15 C.V.A.P., 20.8 percent Latino C.V.A.P.,
16 12.2 percent black C.V.A.P.

17 COMMISSIONER DAI: So I think we
18 orphaned Ashland, Cherryland, Fairview and Castro
19 Valley.

20 MS. MACDONALD: That can be
21 remedied very quickly.

22 COMMISSIONER DAI: Yes.

23 MS. MACDONALD: Yeah. We actually
24 had a different visualization for that one. So
25 it's on, Bonnie just pointed out that it was on

1 the technical documentation as well.

2 So that's -- that gets us to
3 424,000. That's about 9 percent under the ideal
4 pop.

5 COMMISSIONER DAI: Fairview, then?

6 MS. MACDONALD: Can we add
7 Fairview?

8 UNKNOWN FEMALE SPEAKER: Sure.
9 That is 10,000 people.

10 MS. MACDONALD: That was 10,000
11 people.

12 UNKNOWN FEMALE SPEAKER: Oops.
13 Sorry.

14 COMMISSIONER ANCHETA: I think if
15 you pull in Newark, you'll hit about 466 if you
16 did that.

17 MS. MACDONALD: I'm sorry. You
18 want to put Newark in there? It's not --

19 UNKNOWN SPEAKER: (Inaudible).

20 MS. MACDONALD: -- contiguous.

21 COMMISSIONER ANCHETA: Strike that.

22 UNKNOWN FEMALE SPEAKER: We could
23 put Sunol, though.

24 COMMISSIONER BARABBA: We could put
25 Sunol there in the white area as well.

1 MS. MACDONALD: Now it's
2 contiguous. It actually is contiguous at the --
3 that upper area there.

4 COMMISSIONER DAI: Are there people
5 there? I mean, we do need some more people, so,
6 in the white area between Union City and Sunol?

7 MS. MACDONALD: Not many. It was
8 164 people we just added. But it makes the
9 district look considerably better.

10 UNKNOWN MALE SPEAKER: Yeah.

11 COMMISSIONER DAI: So I would say
12 that there is an option, depending on what your
13 experiments up further north are, that we will
14 have some part of Oakland that we may be able to
15 put into the district as well, and that would
16 balance it out.

17 I would say the test -- there was a
18 lot of testimony about the tri -- the three
19 cities of Union City, Newark and Fremont.
20 However, if I had to split off one city, I would
21 split off Union City. Because I think Fremont
22 and Newark have always gone together. People
23 usually say that interchangeably.

24 And I think there was separate
25 testimony about going south into Milpitas and

1 into San Jose for those guys. But we're, it
2 looks like we're pretty close here.

3 COMMISSIONER DIGUILIO: I have a
4 question just in terms of for 30,000 people,
5 those who are familiar. Is -- are there smaller
6 communities here on the top of Fremont?

7 I mean, I'm just wondering if
8 people have a comment to make in terms of going
9 down south or to get a little bit of population
10 we're better to go north, without splitting
11 communities of interest.

12 COMMISSIONER ANCHETA: I think you
13 could go into Fremont. I think you can go into
14 the northern part of Fremont without too much --
15 the borders are porous, I think, at the Union
16 City/Fremont border.

17 COMMISSIONER FORBES: This is
18 Commissioner Forbes.

19 Can you drop the map a little bit
20 further south? I'm trying to think, what is the
21 population of Milpitas?

22 MS. MACDONALD: Okay. We just
23 picked up 1,500 people with that red area, but
24 then Norris Canyon went in. And we're just going
25 to deselect that and we added 526 people.

1 COMMISSIONER FORBES: Yeah. Can
2 you drop the map down south of it? Further.

3 Yeah, that doesn't work. Forget
4 it.

5 COMMISSIONER DAI: The main
6 justification, Fremont and Newark, it's a big
7 high tech area, along with Milpitas. But the
8 northern areas, I mean, I think you could -- we
9 could pick up neighborhoods there if we needed to
10 to add.

11 MS. MACDONALD: From Fremont, you
12 mean?

13 COMMISSIONER DAI: I think either
14 some Fremont or some Oakland depending on what
15 happens in the further north part of the map.

16 MS. MACDONALD: Okay.

17 COMMISSIONER DAI: I think we're
18 reasonably close at this point.

19 MS. MACDONALD: Okay. So should we
20 save that and then work on that particular area?

21 MULTIPLE UNKNOWN SPEAKERS: Yeah.

22 UNKNOWN FEMALE SPEAKER: Okay.

23 MS. MACDONALD: So here's a
24 different option for this area. And this was
25 part of the A.P.I. community testimony. And

1 that's talking about Union City with Hayward and
2 Castro Valley. And that would get you to 275,000
3 people. Deviation is it's 47 percent under for
4 the A.D.

5 COMMISSIONER DAI: But that's
6 included in the previous ones, so I think we're
7 good.

8 MS. MACDONALD: Let's go across the
9 bay for a second to Daly City. There was some
10 Daly City, but I think we covered that earlier as
11 well. The Daly City was San Francisco area. So
12 if we're supposed to look at the C.A.P.A.F.R.
13 maps, then this is pretty much the same thing.

14 Okay. And then we had the Fremont,
15 Newark, Milpitas and Berryessa option.

16 (Whereupon, there was an
17 inaudible discussion.)

18 COMMISSIONER ANCHETA: So as you're
19 waiting for those to come up, what are the
20 Berryessa boundaries that you used? Because it's
21 not a San Jose designated neighborhood, but it's
22 commonly known as Berryessa.

23 UNKNOWN FEMALE SPEAKER: I'll tell
24 you in a minute.

25 MS. MACDONALD: We -- I can read

1 off the boundaries to you, but I basically went
2 on the Web and looked for Berryessa neighborhood
3 boundaries. And we used Coyote Creek, the
4 foothills, Landon Avenue and Marbury Road --
5 Mabury.

6 COMMISSIONER ANCHETA: Mabury.

7 MS. MACDONALD: Mabury.

8 COMMISSIONER DAI: Yeah. I believe
9 we had public testimony that it coincides with
10 the boundaries of Berryessa Unified Elementary
11 School District, I think. So you might have the
12 school district in your -- in the census
13 information already.

14 MS. MACDONALD: We have not looked
15 at that. And that was probably miscommunication
16 between Tamina and me. That was my fault. So --

17 COMMISSIONER DAI: You remember
18 that testimony, though?

19 MS. MACDONALD: Yeah, I do. And I
20 remember the E-mail exchange where we went awry,
21 too. She just told me you told me not to look at
22 it, and I was talking about something else. So.

23 So we will look at that.

24 COMMISSIONER DAI: Okay.

25 MS. MACDONALD: Okay. But are you

1 under the impression that this is not the proper
2 boundary for Berryessa?

3 COMMISSIONER ANCHETA: Oh, no. I
4 just wanted to -- was wondering what it was. I
5 think that's a good visualization to save, which
6 is the -- well, some variation, whether it's
7 Fremont, Union City, Newark, Milpitas, Berryessa
8 or -- you can cut it -- you can cut off Union
9 City as well to go south. But keep Milpitas and
10 Berryessa together is a good way to look at it.

11 MS. MACDONALD: Okay.

12 COMMISSIONER ANCHETA: I was just
13 kind of curious what the numbers were.

14 MS. MACDONALD: This one has Newark
15 and Milpitas and Fremont.

16 COMMISSIONER ANCHETA: So if you --

17 MS. MACDONALD: So that's with
18 Berryessa.

19 COMMISSIONER ANCHETA: So if you do
20 include Union City, it does go over a bit, then?

21 MS. MACDONALD: Pardon me?

22 COMMISSIONER ANCHETA: If you
23 included Union City, what would the deviation be?

24 MS. MACDONALD: That deviation is,
25 that would be 2.23 percent over. So we could do

1 it for the draft maps, but then you -- again, you
2 have to figure out...

3 COMMISSIONER DAI: I think we're
4 going to get compressed from the top.

5 UNKNOWN MALE SPEAKER: Yeah.

6 COMMISSIONER DAI: So I would say
7 Union City is optional. If we put Union City in
8 this grouping, we'll orphan it from San Leandro,
9 which was the other A.P.I. testimony.

10 So the other thing about this
11 particular visualization, while it happens to be
12 a large Asian population, it's also a high tech
13 corridor. So that may not be just coincidental.

14 MS. MACDONALD: We could use some
15 feedback on something. We had some testimony
16 about the Silicon Valley, since you just said
17 high tech, and we weren't entirely sure exactly
18 which cities we should include and we should not
19 include.

20 So would you mind going over that?
21 Is that something you would like to explore?

22 COMMISSIONER DAI: Yeah. I think
23 it is a community of interest certainly for
24 Congress. So the challenge with them, Silicon
25 Valley, is actually quite large. And there're

1 generally known cities that are part of that.

2 So certainly, like I said, you
3 could -- some people don't go into Fremont, but
4 there are definitely a lot of high tech companies
5 in that area, a lot of manufacturing. San Jose,
6 Santa Clara, Cupertino, Los Altos, Mountain View.

7 COMMISSIONER BARABBA: Go slower
8 for the line drawer, please.

9 COMMISSIONER DAI: Just going up
10 the peninsula basically. You know, going
11 through, you know, Stanford area, so that's
12 Palo Alto, Menlo Park, East Palo Alto. Yeah, so
13 Sunnyvale, Mountain View, all of the ones in
14 between.

15 COMMISSIONER FORBES: Commissioner
16 Dai, would it make sense to give direction that,
17 we've talked about San Francisco, and they're
18 going to use C.A.P.A.F.R. maps from up there,
19 just instruct them to come down the peninsula in
20 units of 465,000 and, you know, and --

21 COMMISSIONER DAI: And see where --

22 COMMISSIONER FORBES: -- and see
23 where you end up just going --

24 COMMISSIONER DAI: Yeah. I do
25 agree that the coastal communities are different.

1 Like you would probably --

2 COMMISSIONER FORBES: Right.

3 Right.

4 COMMISSIONER DAI: -- break off
5 from Pacifica. Those are, you know, sparsely
6 populated. So I think that peninsula and the
7 hills --

8 COMMISSIONER FORBES: Right.

9 COMMISSIONER DAI: -- hills on the
10 bay side.

11 COMMISSIONER FORBES: And just put
12 them together in units of 465 and see what we end
13 up with.

14 MS. MACDONALD: I'm sorry. Would
15 you clarify that, please? You want us to do what
16 with the coast?

17 COMMISSIONER DAI: And Commissioner
18 Ancheta may have some thoughts on this, too, but
19 I think, you know, from Pacifica going the
20 mountains to the coast are different kinds of
21 communities than the ones on the bay side.

22 COMMISSIONER ANCHETA: I'd agree
23 with that. The hard thing is that if you
24 separated it out from the bay side com -- you
25 know, the, basically the 280 west -- or 280 east

1 is that they're sort of alone. And I think you
2 can't pick a population until you get to
3 Santa Cruz, and unless you're explicitly doing a
4 coastal kind of community.

5 COMMISSIONER DAI: Yeah. It's --

6 COMMISSIONER ANCHETA: Which you
7 could.

8 COMMISSIONER DAI: -- pretty sparse
9 population.

10 COMMISSIONER ANCHETA: Which you
11 could. That's one way you could go, but. So
12 there's two ways. You could just sort of keep
13 them in San Mateo County, put them all together,
14 or you can try to do some sort of coastal
15 community. But it is not very compact.

16 COMMISSIONER BARABBA: What we
17 could do is find out what the population of those
18 three counties in San Jose -- Santa Cruz,
19 Monterey and San Benito --

20 COMMISSIONER DAI: And see what
21 happens.

22 COMMISSIONER BARABBA: -- and see
23 what you go up with.

24 MS. MACDONALD: Uh-huh.

25 COMMISSIONER DAI: Yeah.

1 COMMISSIONER ANCHETA: That's a
2 possibility.

3 COMMISSIONER DAI: I think those
4 are -- I don't have a strong preference. They
5 are different. But I think keeping them together
6 in the same county is a perfectly reasonable way
7 to go as well.

8 COMMISSIONER BARABBA: Commissioner
9 Yao.

10 COMMISSIONER YAO: I don't really
11 think we have a choice if you start coming down
12 from Daly City, or what's left of the Daly City
13 after we take care of San Francisco, you're going
14 to have to break up the high tech cities. Okay?

15 So we simply address the high tech
16 cities. And again, we're going to end up having
17 an orphan in the South San Francisco area.

18 COMMISSIONER DAI: And mind you,
19 the peninsula all the way down to San Jose, I
20 mean, you just drive through these cities one
21 after the other. So you know, basically, the
22 Silicon Valley is too big to be in one assembly.
23 It's going to be a couple. So that's fine.

24 COMMISSIONER YAO: Right. I guess
25 maybe what I'm suggesting is that we make sure we

1 don't create an orphan and then see how else we
2 can satisfy the Silicon Valley.

3 I believe you're right. I don't
4 think we can do anything about an assembly.
5 They're just simply too big. So we perhaps need
6 to address it as a, at the minimum a
7 congressional seat and perhaps as a state senate
8 seat and then get that out the way and then try
9 to divide up a senate seat into two assembly
10 seats, in other words, do it backwards with the
11 Silicon Valley.

12 COMMISSIONER FORBES: This is
13 Commissioner Forbes.

14 But I do think if we just simply
15 start at San Francisco --

16 UNKNOWN FEMALE SPEAKER: Yes.

17 COMMISSIONER FORBES: -- and come
18 south and create assembly districts, just come on
19 right down the peninsula --

20 COMMISSIONER YAO: Right.

21 COMMISSIONER FORBES: I mean --

22 COMMISSIONER DAI: Yeah. There are
23 some refinements --

24 COMMISSIONER FORBES: -- that way,
25 there's no orphan.

1 COMMISSIONER DAI: There are some
2 minor refinements. I mean, certainly there's a
3 grouping around Stanford. So that's, you know,
4 Palo Alto, East Palo Alto, Menlo Park, Woodside.
5 That's kind of a grouping. And that has a
6 different slight -- it's a higher socioeconomic
7 profile than further south, you know, Mountain
8 View, Sunnyvale, et cetera.

9 I can tell you because, after
10 leaving the country for ten years and coming
11 back, we used to live in Palo Alto, and we came
12 back and we couldn't afford it, we moved to
13 Sunnyvale. So I can tell you there's a very
14 distinct difference there for the kind of west
15 valley cities.

16 So those groupings might be things
17 that we kind of keep in mind as we're moving
18 things around. But in general, the peninsula,
19 it's pretty, I mean, it's completely contiguous.
20 You go from one city to the next as you go down.
21 So.

22 COMMISSIONER ANCHETA: Can I raise
23 one thing we should just take care of, which is
24 I -- there's a rather broad definition of Silicon
25 Valley as this sort of outlier community of

1 Scotts Valley, which is non-contiguous,
2 obviously. It's in Santa Cruz County. But it is
3 a high tech concentration, and it's often
4 considered part of Silicon Valley.

5 COMMISSIONER BARABBA: It's a
6 little less high tech --

7 COMMISSIONER ANCHETA: But it's
8 far. So.

9 COMMISSIONER BARABBA: It's a
10 little less high tech than it used to be?

11 COMMISSIONER ANCHETA: Yeah.

12 COMMISSIONER BARABBA: Seagate just
13 moved out.

14 COMMISSIONER ANCHETA: Ah. Okay.
15 Anyway --

16 COMMISSIONER DAI: It has a lot of
17 software companies, too.

18 COMMISSIONER ANCHETA: Yeah. So I
19 don't know. That -- it's often considered part
20 of the Silicon Valley, but obviously it's quite
21 distant from the other parts of Santa Clara --
22 well, it's distant from the Santa Clara County
23 core of the Silicon Valley.

24 COMMISSIONER DAI: You have enough
25 direction?

1 MS. MACDONALD: Yeah. So let's go
2 over to the tri-valley area, because we actually
3 just kind of jumped over the bay for a second
4 just because the high tech came up.

5 (Whereupon, there was an
6 inaudible discussion.)

7 MS. MACDONALD: Okay. So we have
8 some testimony, and this is Item 10 on Page 3 the
9 tri-valley area is the cities of Livermore,
10 Dublin, Pleasanton in Alameda County and San
11 Ramon and Danville in Contra Costa County. So we
12 have a community that goes across the county
13 boundary.

14 Okay. So the total here is
15 311,995, and the -- it's 14.6 percent Asian
16 C.V.A.P.

17 UNKNOWN FEMALE SPEAKER: No.
18 It's -- that doesn't look right.

19 MS. MACDONALD: That's not right.
20 The deviation is not right. So sorry about that.
21 33 percent under.

22 UNKNOWN FEMALE SPEAKER: Oh, it is
23 right.

24 COMMISSIONER DIGUILIO: Since we
25 had talked about this area already, could you

1 kind of run some of those visualizations we had
2 asked for before in the northern part and then
3 down and kind of loop back around and see what it
4 has in conjunction with some of those that we've
5 just looked at in Hayward and Castro Valley and
6 see where they all fit together, the loop kind
7 of?

8 UNKNOWN FEMALE SPEAKER: I can
9 definitely do that tonight.

10 MS. MACDONALD: Do you -- it might
11 take a little bit to do that right now.

12 COMMISSIONER DIGUILIO: I'm just
13 saying as general direction.

14 MS. MACDONALD: Okay.

15 COMMISSIONER DIGUILIO: Because --

16 MS. MACDONALD: Yeah. Absolutely.

17 COMMISSIONER DIGUILIO: -- this is
18 kind of -- we kind of talked about this in
19 connection with --

20 MS. MACDONALD: Right.

21 COMMISSIONER DIGUILIO: -- those
22 other areas. But to --

23 MS. MACDONALD: Right. Absolutely.

24 COMMISSIONER DIGUILIO: -- to keep
25 from --

1 MS. MACDONALD: Yeah. We --

2 COMMISSIONER DIGUILIO:

3 -- duplicating.

4 MS. MACDONALD: Yeah. We can do
5 it.

6 COMMISSIONER DIGUILIO: You have
7 some ideas for the western part. You have some
8 ideas for the northern part. And we'll see where
9 this all fits --

10 MS. MACDONALD: Okay.

11 COMMISSIONER DIGUILIO:

12 -- together.

13 MS. MACDONALD: Yeah. Absolutely.

14 COMMISSIONER DIGUILIO: Is that
15 okay, chair?

16 MS. MACDONALD: And then we had
17 some testimony about keeping the San Ramon Valley
18 area together. And there was a bit of a
19 difference in what the San Ramon Valley actually
20 consisted of.

21 So generally it included San Ramon,
22 and then -- but there was some overlap with the
23 tri-valley area as well. So should we put that
24 into the same category of visualizations, just
25 see how it works out and -- okay.

1 So then I would say we go to Page
2 6, which is region seven, and start talking about
3 Monterey. So we had conflicting testimony on
4 this --

5 (Whereupon, there was an
6 inaudible discussion.)

7 MS. MACDONALD: Okay. Just a
8 second.

9 So we had, as you recall, there
10 were some Monterey residents that wanted to be in
11 a district with San Luis Obispo County and part
12 of Santa Barbara County, but definitely not with
13 Santa Cruz County.

14 And but then we also had testimony
15 about combining Monterey, Santa Cruz and San
16 Benito Counties, which make up the A.M.B.A.G.
17 area. And there was also some specific testimony
18 by residents of Monterey that asked not to be
19 with San Luis Obispo County.

20 So this is the first option, so
21 this is the Monterey with San Luis Obispo option.
22 And that is a total of 784,391 in terms of the
23 population.

24 UNKNOWN FEMALE SPEAKER: It
25 includes Santa Maria.

1 MS. MACDONALD: Oh, it includes the
2 Santa Maria area. So it goes into San Luis
3 Obispo.

4 UNKNOWN FEMALE SPEAKER:
5 (Inaudible).

6 MS. MACDONALD: I'm sorry. Santa
7 Barbara.

8 So and then here comes the next
9 visualization, which basically goes from --

10 UNKNOWN FEMALE SPEAKER: It goes
11 further south.

12 MS. MACDONALD: Oh, this one goes
13 further south. Okay. So this goes and includes
14 Vandenberg Air Force Base. And that gets you to
15 837,555.

16 COMMISSIONER FORBES: And how much
17 of that is in -- Commissioner Forbes.

18 How much of that is in Santa
19 Barbara County?

20 MS. MACDONALD: Just one second.

21 (Whereupon, there was an
22 inaudible discussion.)

23 MS. MACDONALD: We, I mean, we
24 could eyeball it or she can select them all. So
25 it's Santa Maria has 99,000, and then there's

1 some -- there is Orcutt, which has 28,000, and
2 then there's some smaller communities.

3 COMMISSIONER FORBES: Right. And
4 then -- I mean, just so people know where I'm
5 thinking, is that how much of this plus San Luis
6 Obispo County, how close is that?

7 MS. MACDONALD: Just one second.
8 So that particular section of
9 the -- of Santa Barbara is 151,910.

10 COMMISSIONER DIGUILIO: I have a
11 question about similar to when we were working in
12 region eight and we were looking at region nine,
13 do we have region five to look at? Because
14 that's where the Santa Barbara/San Luis Obispo
15 overlap is with this?

16 UNKNOWN FEMALE SPEAKER: I'm sorry?

17 COMMISSIONER DIGUILIO: I'm just
18 asking that, similarly when we were looking at
19 region eight, we looked at region nine and how it
20 interplayed, is there any way to look at these
21 options in the context of what was happening in
22 region five?

23 Because we'd already -- we've
24 already come up with some visualizations in
25 region five, not that -- just so we're not in --

1 overlapping each other.

2 COMMISSIONER DAI: I think the
3 challenge with this visualization is that there
4 was very strong testimony when we were in
5 San Luis Obispo that San Luis Obispo and Santa
6 Barbara should go together and those should be
7 whole. So I believe our previous visualizations
8 were all around that.

9 COMMISSIONER DIGUILIO: Yeah. And
10 that's just what I was trying to -- I didn't want
11 to make the assumption. I didn't know if we had
12 the ability to bring that up just to confirm.

13 UNKNOWN FEMALE SPEAKER:
14 (Inaudible).

15 MS. MACDONALD: Okay. I'm sorry.
16 I'm not entirely sure what you're asking.

17 UNKNOWN FEMALE SPEAKER: These were
18 basically coming from the, excuse me, the
19 testimony that came out of region eight and nine.
20 So no, it's not with five right now.

21 UNKNOWN FEMALE SPEAKER: We can
22 definitely develop that as soon as we get back
23 with the mapper from five and create those for
24 you.

25 MS. MACDONALD: Well, that's Jamie.

1 So this is part of the line-drawing instruction.
2 And you'll be talking about basically San Luis
3 Obispo County quite a lot probably, because it's
4 one of those pivot points for the state.

5 COMMISSIONER BARABBA: Commissioner
6 Filkins-Webber, then Commissioner Forbes.

7 COMMISSIONER FILKINS-WEBBER:
8 That's why it kind of goes back to getting us
9 those visualizations like you provided to us for
10 regions one, two and three. So then if we had
11 the visualizations that we've created for the
12 other wrap-ups, you know, handy like in a
13 notebook, we can kind of see what we did, what we
14 instructed you to do previously. So like we
15 talked about, if we had those handy for next week
16 when we really start getting into it, that'd be
17 helpful.

18 COMMISSIONER FORBES: That's
19 helpful. Because we can now calculate that the
20 Santa Barbara portion and San Luis Obispo
21 combination are about 420,000 in round numbers.
22 You take 837 minus and the 415, you get about
23 420.

24 MS. MACDONALD: Okay. So this is
25 the alternative visualization with respect to

1 Monterey County, so this one includes Santa Cruz
2 County and then San Benito County. And then
3 including those three counties whole would get
4 you to 732,708.

5 COMMISSIONER BARABBA: As I recall,
6 the Sierra Club made sure that you had the entire
7 bay as part of a community of interest as well.

8 UNKNOWN FEMALE SPEAKER:
9 (Inaudible).

10 MS. MACDONALD: Okay. So this one,
11 it keeps Gilroy, San Martin and -- San Martin and
12 Morgan Hill together with Santa Cruz. And that
13 is 832,000.

14 COMMISSIONER FORBES: This is
15 Commissioner Forbes.

16 Can you show that map with the
17 cities in it and their population?

18 MS. MACDONALD: Yeah.

19 Can you do that?

20 (Whereupon, there was an
21 inaudible discussion.)

22 COMMISSIONER DAI: I seem to recall
23 there was some discussion about southern
24 Santa Cruz County so that there was a natural
25 split kind of in the more agricultural areas

1 versus the city of Santa Cruz and going north.

2 And I would also -- although we
3 heard a lot of testimony linking that corridor
4 between Morgan Hill and Gilroy together, that
5 again, if we were forced to break one off, I
6 would say Morgan Hill, even though it has a lot
7 of rural characteristics, is also a bedroom
8 community for, you know, commuting into Silicon
9 Valley. So if we had to break one off, I think
10 Morgan Hill would be the one to separate.

11 MS. MACDONALD: Okay. So this map
12 now has the cities, or the places basically and
13 the population for the places.

14 COMMISSIONER FILKINS-WEBBER: I
15 concur with Commissioner Dai that, as I recall, I
16 think I had asked the question, because we heard
17 so much about the southern Santa Cruz County
18 area, less so about keeping Santa Cruz whole,
19 because we are going to run into this population
20 issue as we come down from Daly City, so I guess
21 as far as the -- you have a significant
22 population right now at 832.

23 So if we were going to look at some
24 assembly districts, if we pulled out Santa Cruz
25 and then kind of built up from there with the

1 communities at the southern border to see how
2 close we can get for an assembly district, that
3 might be better. Because right now we're a
4 little too high.

5 COMMISSIONER RAYA: I would agree
6 with that -- oh, sorry. Raya. I was kind of
7 hoping she knows us by now.

8 I was just looking, too, at some of
9 my notes and thinking of some of our discussion
10 today that the southern part of Santa Cruz County
11 fits with, you know, it's that -- the
12 agricultural and those interests going south.

13 And we were just talking about
14 Scott -- whether Scotts Valley fits within the
15 Silicon so you could take -- could you take that
16 out and go north?

17 And then I see that little Cambrian
18 Park up there. I know that was somewhere in the
19 mix in the San Jose discussion, too.

20 COMMISSIONER BARABBA: There is a
21 wee bit of agriculture north of the city of
22 Santa Cruz as well.

23 COMMISSIONER FILKINS-WEBBER: But
24 and we talked about that.

25 COMMISSIONER BARABBA: Yeah. And I

1 don't know if you've ever driven over Highway 17,
2 but --

3 UNKNOWN FEMALE SPEAKER: Yes.

4 COMMISSIONER BARABBA: -- that's
5 not what you'd call a community of interest other
6 than fear.

7 MS. MACDONALD: I need to point
8 something out. So -- and we didn't really
9 want -- usually we don't, we just give the
10 warning during the wrap-up that there's
11 section -- that there's a Voting Rights Act
12 issue. And because Mr. Brown is not here, I kind
13 of don't really want to talk about it. But he
14 has already looked at the Section 5 areas for
15 Monterey, which may constrain your choices here.

16 So let's keep the discussion
17 perhaps a little bit more basic and not get too
18 detailed on that area so that he can present his
19 opinion on that tomorrow. Would that be okay?

20 COMMISSIONER BARABBA: Are we in
21 agreement with that, Commission?

22 Yes.

23 COMMISSIONER FORBES: At the very
24 basic level, I would think it would be useful to
25 have -- because I mean, we're way over. So we

1 have lots of ability to cut and paste, or a
2 proposed cut and paste.

3 If there was a part of the line or
4 it was drawn to encompass the bay separate from
5 the rural area -- not rural, because none of it's
6 very rural -- make a coastal distinction versus
7 an inland agricultural distinction.

8 MS. MACDONALD: Not previewing
9 really what may be said tomorrow, but that might
10 be a good choice.

11 UNKNOWN FEMALE SPEAKER: Not a
12 preview?

13 UNKNOWN SPEAKER: (Inaudible).

14 MS. MACDONALD: A hunch.

15 COMMISSIONER BARABBA: We probably
16 should move on to another area now.

17 MS. MACDONALD: Yes. That would be
18 good.

19 UNKNOWN FEMALE SPEAKER: I think
20 that's the end of this.

21 MS. MACDONALD: I think we're
22 pretty much done with region seven, and so I
23 think we're pretty much done with this wrap-up;
24 right? Do you need anything else?

25 So Tamina's going to work around

1 the clock and then come back, again, come back
2 to --

3 COMMISSIONER GALAMBOS-MALLOY:
4 Instruct her -- a commission instruction to sleep
5 a little bit.

6 MS. ALON: Appreciate it.
7 Appreciate.

8 MS. MACDONALD: But that may cut
9 down on the screen shots. That's the problem,
10 you know.

11 COMMISSIONER BARABBA: We'd rather
12 have fewer screen shots and Tamina around.

13 MS. MACDONALD: Okay. Well, great,
14 then. I would suggest we now move back over. I
15 don't know if you want to do a little commission
16 business now or -- because it'll take us a few
17 minutes for Jamie to come back up and get hooked
18 up.

19 (Whereupon, there was an
20 inaudible discussion.)

21 COMMISSIONER BARABBA: I missed it.
22 Well, I -- you, yeah, you want to
23 do that before we get into the San Joaquin Valley
24 or you feel we've conquered that?

25 MS. MACDONALD: Pardon me?

1 COMMISSIONER GALAMBOS-MALLOY:
2 Would you like some time before -- we do have
3 some commission business we could conduct to fill
4 some time. But if you wanted to do San Joaquin
5 right now, we could also do that.

6 MS. MACDONALD: San Joaquin.

7 COMMISSIONER BARABBA: Well, what
8 area --

9 COMMISSIONER GALAMBOS-MALLOY: We
10 had thought there was another area. I had
11 thought it was San Joaquin, but maybe there was
12 another area.

13 MS. MACDONALD: That's part of it,
14 but.

15 MS. CLARK: San Joaquin County got
16 moved from --

17 COMMISSIONER BARABBA: Okay.

18 MS. CLARK: -- that region today.

19 COMMISSIONER GALAMBOS-MALLOY: Got
20 you.

21 COMMISSIONER BARABBA: (Inaudible).

22 MS. MACDONALD: So it's --

23 COMMISSIONER BARABBA: And you need
24 some time to get ready for that?

25 MS. MACDONALD: Yeah. We're ready.

1 But we just need to hook up the cables. So it'll
2 take --

3 COMMISSIONER BARABBA: We'll start
4 on one item of business --

5 MS. MACDONALD: -- maybe ten
6 minutes.

7 COMMISSIONER BARABBA: -- if we
8 can --

9 COMMISSIONER GALAMBOS-MALLOY:
10 Okay.

11 MS. MACDONALD: So if you'd --

12 COMMISSIONER BARABBA: -- quickly.

13 COMMISSIONER FORBES: I just wanted
14 to thank you two for the presentation. It was
15 really I think quite a useful discussion we had.

16 COMMISSIONER GALAMBOS-MALLOY:
17 Okay. So transitioning out to a broader level
18 and thinking about the purpose of -- we wanted to
19 have some time for a discussion, because there's
20 a number of issues that have come up on the part
21 of various commissioners that would actually have
22 an impact on the entire statewide maps, not
23 necessarily at each geographic scale, but just
24 broadly.

25 So I think some of them, after my

1 review, are more urgent in terms of our draft
2 maps that we're trying to get out on June 10th.
3 I think others are important but might be able to
4 wait until we get closer to the second draft
5 maps.

6 But what I would like to do, I
7 think there's several commissioners who have
8 posed issues that they would like the Commission
9 to consider.

10 And Commissioners Ancheta, Dai and
11 Filkins-Webber I believe are the ones who had
12 some issues they would like to throw out for
13 discussion and who also have a sense of what
14 their own personal recommendation might be.

15 So with that, Commissioner Ancheta,
16 would you like to --

17 COMMISSIONER ANCHETA: Okay.

18 COMMISSIONER GALAMBOS-MALLOY: --
19 to launch in?

20 COMMISSIONER ANCHETA: Was there
21 any particular order you wanted to go in? I
22 can always --

23 COMMISSIONER GALAMBOS-MALLOY: I
24 would say --

25 COMMISSIONER ANCHETA: For example,

1 the --

2 COMMISSIONER GALAMBOS-MALLOY:

3 -- start with the ones, for example, I would
4 think the district numbering is --

5 COMMISSIONER ANCHETA: Right.

6 COMMISSIONER GALAMBOS-MALLOY: --

7 something we're --

8 COMMISSIONER ANCHETA: It's a quick
9 one, yeah.

10 COMMISSIONER GALAMBOS-MALLOY: It's
11 a quick one. So we could pick that off and just
12 keep moving.

13 COMMISSIONER ANCHETA: Okay. So I
14 would propose, I'm not going to form a motion
15 quite yet, but I would propose that we not number
16 at this stage. We might want to use some sort of
17 random lettering system where -- so we can
18 identify districts but not link them to any
19 numbers at that point, period, I guess.

20 Do we need -- I don't know if you
21 need a motion on that, but that's essentially
22 what I would suggest. Again, this is an area
23 that needs some study. There may be some
24 additional direction we want to give the staff
25 regarding more information regarding the

1 implications.

2 And we might want to ask Q2 to help
3 us with some issues around deferrals. But I
4 think the core issue, I think, with this would be
5 not to number at this stage would be the core
6 direction.

7 COMMISSIONER BARABBA: Yeah.

8 COMMISSIONER GALAMBOS-MALLOY:

9 Uh-huh. Uh-huh.

10 COMMISSIONER ANCHETA: But again, I
11 don't know if you need a motion or not, but.

12 COMMISSIONER GALAMBOS-MALLOY: I
13 think -- are you putting it on the table as a --

14 COMMISSIONER ANCHETA: It's a --

15 COMMISSIONER GALAMBOS-MALLOY:

16 -- formal motion at this point?

17 COMMISSIONER ANCHETA: Well, it's a
18 discussion at this point. If there's no
19 disagreement and you need a motion, I'll put
20 forth a motion. But if --

21 COMMISSIONER GALAMBOS-MALLOY:

22 Okay.

23 COMMISSIONER ANCHETA: -- some
24 folks want to discuss the issue first.

25 COMMISSIONER BARABBA: Commissioner

1 Filkins-Webber.

2 COMMISSIONER GALAMBOS-MALLOY:

3 Okay.

4 COMMISSIONER ANCHETA: But that
5 would be where I would --

6 COMMISSIONER GALAMBOS-MALLOY:

7 (Inaudible).

8 COMMISSIONER ANCHETA: -- want to
9 go if a motion's required.

10 COMMISSIONER FILKINS-WEBBER: I
11 just had a question since we're on this issue
12 whether this would be a good time for legal to go
13 back to request Gibson, Dunn & Crutcher to really
14 look at this issue. Because I'm really concerned
15 about the disenfranchisement of the vote.

16 And so if you'd like to task me
17 with that, I'll ask Gibson, Dunn & Crutcher to
18 move forward on providing us an opinion, because
19 I'd really like to see where this
20 disenfranchisement's going to be. So I just
21 wanted to get that out of the way so we can move
22 forward on getting that opinion rolling.

23 And I do agree -- and I think you
24 were just talking about a random alphabet, if I
25 heard some of the discussion. Because we don't

1 want to start with A at the top and B, which they
2 know -- think that, you know, the public might
3 want to correlate with one, two, three. So I
4 agree.

5 COMMISSIONER BARABBA: Okay.
6 Commissioner Ward.

7 COMMISSIONER WARD: I think
8 Commissioner Webber has addressed my issue. I
9 think Commissioner Ancheta's point is great. I
10 was just wondering how we were documenting these,
11 or how we were going to propose to document them
12 so that staff and the record can reflect what
13 area we're talking about.

14 COMMISSIONER ANCHETA: That's --
15 and that's a procedural question. Because if --
16 and I can simply refer the motion, which I think
17 would be fine. It's just it asks you for a
18 number of these other topics, and they seem to
19 want to proceed on the motions.

20 COMMISSIONER GALAMBOS-MALLOY:
21 Uh-huh.

22 COMMISSIONER BARABBA: Commissioner
23 Yao, did you want to say something?

24 No. Okay. Commissioner Malloy.

25 COMMISSIONER GALAMBOS-MALLOY: My

1 question would be whether we would want to either
2 add into the motion or for keeping it clean maybe
3 make a separate motion that expresses our intent
4 at which point we will be releasing a map that
5 has district numbers to it.

6 My personal feeling on that is that
7 I think we should strive to do that for the
8 second draft maps, because we want the public to
9 be able to weigh in with enough time that we
10 could potentially make adjustments should
11 adjustments be warranted.

12 And if we waited until the final
13 maps, obviously there we are.

14 COMMISSIONER ANCHETA: Right. You
15 can propose the motion; I can propose a motion,
16 either way.

17 COMMISSIONER BARABBA: Okay. Why
18 don't you --

19 COMMISSIONER GALAMBOS-MALLOY: Go
20 for it.

21 COMMISSIONER BARABBA: -- propose a
22 motion along those lines, then.

23 COMMISSIONER ANCHETA: Okay. I
24 would move that the Commission direct Q2 to not
25 number senate district maps for the first draft

1 maps, but instead employ some designation system
2 such as a random letter system to label the
3 districts.

4 COMMISSIONER BLANCO: I'll second
5 that.

6 COMMISSIONER BARABBA: Seconded by
7 Commissioner Blanco.

8 (Whereupon, there was an
9 inaudible discussion.)

10 COMMISSIONER ANCHETA: Yeah. I
11 think the numbering is not an issue for the other
12 districts, as I recall.

13 COMMISSIONER BARABBA: Yeah.

14 COMMISSIONER ANCHETA: It's only
15 for the senate districts.

16 COMMISSIONER BARABBA: Commissioner
17 Ward.

18 COMMISSIONER WARD: I'm just
19 wondering if the random assignment is a good idea
20 just from the standpoint of obviously labeling
21 them so that we can easily all -- all easily
22 locate them and things like that. It seems like
23 if we start anywhere --

24 COMMISSIONER ANCHETA: Right.

25 COMMISSIONER WARD: -- and seek to

1 a logical pattern, we can all easily identify a
2 given area instead of having to hunt the whole
3 map over to find that letter.

4 COMMISSIONER ANCHETA: Yeah. I
5 mean, that's got -- and let me ask Q2, because I
6 just thought of the random lettering. I don't
7 even know if that's possible.

8 Obviously you can do it if there's
9 only 40 things. But is that easy to do? Is
10 it --

11 MS. MACDONALD: Honestly, I haven't
12 thought it through --

13 COMMISSIONER ANCHETA: Okay.

14 MS. MACDONALD: -- to tell you the
15 truth. And I don't know that you want me to
16 think it through right now.

17 COMMISSIONER ANCHETA: Well, and
18 that's why I said such -- I said "such as."

19 MS. MACDONALD: Yeah.

20 COMMISSIONER ANCHETA: In other
21 words, there's got to be some sort of a system
22 that allows me to reference districts that
23 doesn't necessarily make us look like we're
24 numbering them is the point.

25 COMMISSIONER BARABBA: Commissioner

1 Dai and then Commissioner Aguirre.

2 COMMISSIONER DAI: I mean, the
3 other option I think is to just use a short
4 descriptor. Like we were starting to say, you
5 know, metro San Bernardino. We could use a short
6 descriptor if that's easy -- just as easy for Q2.

7 MS. MACDONALD: I'm sure we can
8 figure something out, and perhaps with one of the
9 subcommittees, work with one of the subcommittees
10 perhaps.

11 COMMISSIONER ANCHETA: Yeah. And
12 again, that's why I gave an example, but I
13 thought I left it open. As I recall, the
14 language is general enough to give Q2 some --

15 COMMISSIONER BARABBA: And I think
16 Commissioner --

17 COMMISSIONER ANCHETA: -- freedom
18 to just --

19 COMMISSIONER BARABBA: -- Ward's
20 point was, is that when you heard the name, you
21 didn't want to go looking all over the state.

22 COMMISSIONER ANCHETA: Right. No,
23 that -- and I agree. That's the whole point, to
24 try to label them appropriately. But I don't
25 want to suggest it in a motion right now since

1 it's...

2 COMMISSIONER BARABBA: Okay.
3 Commissioner Aguirre and then Commissioner Raya.

4 COMMISSIONER AGUIRRE: Yeah. The
5 motion of a ready description that would -- just
6 focuses on coastal, inland valley, mountains --

7 COMMISSIONER BARABBA: Yeah.

8 COMMISSIONER AGUIRRE: -- northern
9 area, San Francisco area, Bay Area, Los Angeles
10 area --

11 COMMISSIONER BARABBA: Ventura
12 County.

13 COMMISSIONER AGUIRRE: -- something
14 like that; right?

15 So but anyway, for me, we don't
16 want to be confusing ourselves; right? Right?
17 So --

18 COMMISSIONER BARABBA: Are you
19 saying --

20 COMMISSIONER AGUIRRE: So at
21 least --

22 COMMISSIONER BARABBA: Are you
23 speaking from experience, sir?

24 COMMISSIONER AGUIRRE: So but I
25 think the descriptor would be great.

1 COMMISSIONER BARABBA: Yeah.

2 COMMISSIONER AGUIRRE: Random
3 numbering I think would be --

4 COMMISSIONER BARABBA: Yeah.

5 COMMISSIONER AGUIRRE: -- quite
6 confusing.

7 COMMISSIONER BARABBA: Okay.
8 Commissioner Raya.

9 COMMISSIONER RAYA: Okay.
10 (Inaudible).

11 It's on. Okay. I'm going -- no.
12 I don't think it's on, is it?

13 Okay. I'm going the other way
14 entirely. I'm going back for -- I think aveno
15 (Phonetically) is going in my direction.

16 I go for simplicity. Like I liked
17 the random letter or, you know, just whether
18 they're random or not. But if you start A-B-C
19 wherever you start it and you just attach, you
20 know, a notice to the public, this doesn't mean
21 anything other than, you know, a preliminary
22 identification, everything else is sounding like,
23 oh, my God, am I going to be able to track this
24 and remember what's what and look everywhere and
25 what's metro San Bernardino and...

1 COMMISSIONER BARABBA: Commissioner
2 Malloy.

3 COMMISSIONER GALAMBOS-MALLOY: I
4 think the challenge that we have faced is, even
5 where we have felt that our intentions have been
6 clear by certain decisions we have been made
7 (sic), that percep -- public perception has not
8 necessarily followed along those lines, and that
9 my own thinking on the matter is that, if we were
10 to use a simple lettering system but to start,
11 say, from the top of the state and work down, to
12 someone who maybe did not read the accompanying
13 narrative, it could actually be interpreted that
14 at some point those letters would turn into a
15 sequence of numbers that would follow A-B-C,
16 1-2-3. So I think we have to keep that in mind.

17 COMMISSIONER BARABBA: Commissioner
18 DiGuilio.

19 COMMISSIONER DIGUILIO: I would
20 only -- and I would echo that only into the fact
21 that I'd also like to -- if we had a short
22 descriptor, it would help me in narrowing it down
23 to some degree, even if we had a random A-B-C,
24 something like that, we may have an A in the
25 north and a D down south, and I'd feel like I'd

1 be going all over the state to incorporate a
2 randomness, so I don't know, I guess a little --

3 COMMISSIONER DAI: I have a
4 suggestion.

5 COMMISSIONER BARABBA: Commissioner
6 Dai cannot wait to make her suggestion.

7 COMMISSIONER DAI: I have a
8 suggestion. Why don't we use the region number
9 that we've been using and then do A-B-C-D.
10 Because then there's no relationship; right?

11 UNKNOWN FEMALE SPEAKER: Yes.

12 UNKNOWN FEMALE SPEAKER:

13 (Inaudible).

14 COMMISSIONER DIGUILIO: But you
15 know what, but the problem with -- let me just
16 play the devil's advocate --

17 COMMISSIONER BARABBA: Hold it.
18 One time (sic) at a time here.

19 COMMISSIONER DIGUILIO: -- the
20 devil's advocate. Because there's going to be
21 places where we overlap in regions, many places.
22 So I think we don't need to -- it seems like it
23 doesn't need to be that complicated.

24 COMMISSIONER BARABBA: Commissioner
25 Yao.

1 COMMISSIONER YAO: Might as well
2 throw my two cents in this. Just pick a number
3 between one and 40 and use that as a starting
4 number. I think we can figure that out, and the
5 number will be shifted enough so that somebody
6 would have to second-guess as to what it is.

7 COMMISSIONER ANCHETA: Again, the
8 problem is, if you use a number, statistically
9 there is a possibility that they will sort of
10 align. There is a -- you know, it's unlikely,
11 but there's a certain percentage probability that
12 they actually could line up one to 40.

13 As unlikely as that may seem, that
14 can happen. Or some ordering occurs that the
15 public picks up on. In any event -- that can
16 happen with letters, too, actually, but I'm happy
17 to -- well, I don't know.

18 You could say -- again, I left it
19 open such as. I could amend it to say such as
20 random number-letters -- random letter generation
21 and short descriptors. And I'd rather we just
22 leave it open, not --

23 COMMISSIONER BARABBA: And let
24 the -- if you did it that way, it would seem to
25 me that we'd be able to turn some of the

1 creativity of Q2 to come up with one that would
2 work.

3 MULTIPLE UNKNOWN SPEAKERS:
4 (Inaudible).

5 MS. MACDONALD: Thank you.

6 COMMISSIONER GALAMBOS-MALLOY: So
7 Commissioner Ancheta, are you amending your
8 motion? And if so, do you mind restating it?

9 COMMISSIONER ANCHETA: Well, I'll
10 amend the language following "random letter" to
11 include "or short descriptor."

12 COMMISSIONER BARABBA: Would you go
13 along with that?

14 COMMISSIONER BLANCO: (Inaudible).

15 COMMISSIONER ANCHETA: And then you
16 could -- or --

17 COMMISSIONER BARABBA: Commissioner
18 Blanco agrees with that --

19 COMMISSIONER ANCHETA: -- or both.

20 COMMISSIONER BARABBA:
21 -- amendment.

22 COMMISSIONER ANCHETA: Or both.
23 No.

24 UNKNOWN FEMALE SPEAKER: And/or.

25 COMMISSIONER ANCHETA: Just or.

1 It's an example, so it doesn't -- you're not
2 locked into anything.

3 No. Just put or, because we're not
4 going to -- they're both examples, so we're not
5 locked into either one.

6 COMMISSIONER BARABBA: Okay.
7 Commission -- Janeece, would you mind reading the
8 motion that was placed?

9 MS. SARGIS: The motion is for the
10 Commission to direct Q2 to not number the senate
11 district maps for the first draft maps, but
12 instead use another system such as a random
13 letter generation or short description system to
14 identify the senate district maps.

15 COMMISSIONER BARABBA: Okay. Any
16 further discussion?

17 (No audible response.)

18 COMMISSIONER BARABBA: Any comments
19 from the public?

20 (No audible response.)

21 COMMISSIONER BARABBA: There being
22 none, let's vote and...

23 MS. SARGIS: Commissioner Aguirre?

24 COMMISSIONER AGUIRRE: Yes.

25 MS. SARGIS: Ancheta?

1 COMMISSIONER ANCHETA: Yes.
2 MS. SARGIS: Barabba?
3 COMMISSIONER BARABBA: Yes.
4 MS. SARGIS: Blanco?
5 COMMISSIONER BLANCO: Yes.
6 MS. SARGIS: Dai?
7 COMMISSIONER DAI: Yes.
8 MS. SARGIS: DiGuilio?
9 COMMISSIONER DIGUILIO: Yes.
10 MS. SARGIS: Filkins-Webber.
11 COMMISSIONER FILKINS-WEBBER: Yes.
12 MS. SARGIS: Forbes?
13 COMMISSIONER FORBES: Yes.
14 MS. SARGIS: Galambos-Malloy?
15 COMMISSIONER GALAMBOS-MALLOY: Yes.
16 MS. SARGIS: Ontai?
17 COMMISSIONER ONTAI: Yes.
18 MS. SARGIS: Parvenu?
19 COMMISSIONER PARVENU: Yes.
20 MS. SARGIS: Raya?
21 COMMISSIONER RAYA: Yes.
22 MS. SARGIS: Ward?
23 COMMISSIONER WARD: Yes.
24 MS. SARGIS: Yao?
25 COMMISSIONER YAO: Yes.

1 MS. SARGIS: The motion passes.

2 COMMISSIONER GALAMBOS-MALLOY: So
3 the second piece of that is I would actually like
4 to make a motion to direct Q2 to number our
5 senate district maps for the second draft maps
6 pending further direction from the Commission
7 that will be guided by our legal opinion from
8 Gibson, Dunn & Crutcher.

9 COMMISSIONER BARABBA: Is there a
10 second?

11 COMMISSIONER FILKINS-WEBBER:
12 Second.

13 COMMISSIONER BARABBA: Seconded by
14 Commissioner Filkins-Webber.

15 Discussion?

16 MS. MACDONALD: May --

17 COMMISSIONER BARABBA: Public?
18 (No audible response.)

19 COMMISSIONER BARABBA: Okay. Do
20 we -- do you need -- does the Commission need
21 that read again or would you repeat that?

22 Oh, Commissioner Aguirre. Excuse
23 me.

24 COMMISSIONER AGUIRRE: (Inaudible).

25 COMMISSIONER GALAMBOS-MALLOY:

1 Could you read the motion back to us?

2 MS. SARGIS: Yes. I was still
3 writing when you were -- when you started, so I
4 want to make sure I got it. The Commission will
5 direct Q2 to number the senate district maps for
6 the second draft maps pending direction, further
7 direction from Gibson, Dunn & Crutcher.

8 COMMISSIONER BARABBA: No. From
9 the Commission.

10 COMMISSIONER GALAMBOS-MALLOY: From
11 the Commission based on legal opinion from
12 Gibson, Dunn & Crutcher.

13 COMMISSIONER BARABBA: And
14 Ms. MacDonald has a comment.

15 MS. MACDONALD: Would it be
16 appropriate to ask a question?

17 COMMISSIONER BARABBA: Sure.

18 MS. MACDONALD: Because I think the
19 way we also need to think about this is whether
20 if you want to minimize deferral how that's going
21 to interact with your other criteria, and if you
22 would like to pass a motion to minimize deferral
23 just in general, and then also whether you want
24 to adopt that basically as another redistricting
25 criterion. Because minimizing deferral may have

1 impacts on, say, compactness or other criteria.

2 So --

3 COMMISSIONER GALAMBOS-MALLOY:

4 Ms. MacDonald, I think that there's probably
5 interest across the Commission, but that if we
6 were able to get an opinion from Gibson, Dunn --

7 MS. MACDONALD: Right.

8 COMMISSIONER GALAMBOS-MALLOY: --

9 & Crutcher, folks would kind of be on the same --

10 MS. MACDONALD: Right.

11 COMMISSIONER GALAMBOS-MALLOY:

12 -- page in order to make a motion to that regard.

13 This is just kind of a --

14 MS. MACDONALD: Right.

15 COMMISSIONER GALAMBOS-MALLOY:

16 -- step in that direction, I guess.

17 MS. MACDONALD: Right. I just

18 wanted to point that out so if you're, you

19 know -- maybe you can ask for --

20 COMMISSIONER BARABBA: Sounds like

21 a motion we could have tomorrow, then.

22 MS. MACDONALD: -- that

23 specifically.

24 COMMISSIONER GALAMBOS-MALLOY:

25 Well, I don't actually think that Gibson, Dunn &

1 Crutcher will -- I mean, we could put them on
2 notice to discuss this tomorrow. My intent was
3 that we will be -- you know, the public is
4 tracking our motions.

5 The motion we just made that we are
6 not numbering the first set of maps is going to
7 go out, and I would like that to also go out with
8 a motion that expresses our intent that, by the
9 second draft maps, we will, in fact, have a
10 numbering system in place.

11 So that really is my intention,
12 that they go out as a pair even knowing we'll
13 have to add on to that second motion to further
14 define it.

15 COMMISSIONER BARABBA: Okay. Any
16 further questions?

17 If not -- oh, Commissioner Blanco.

18 COMMISSIONER BLANCO: It's more a
19 process -- this is Commissioner Blanco -- more a
20 process issue for the Commission.

21 Do we think this is a Gibson
22 Dunn -- they're our Voting Rights Act attorneys.
23 Do we think this is -- I mean, I'm, you know,
24 neutral on this, but is it a Gibson Dunn issue or
25 can our --

1 COMMISSIONER GALAMBOS-MALLOY:

2 Chief counsel.

3 COMMISSIONER BLANCO: -- chief
4 counsel do it?

5 COMMISSIONER GALAMBOS-MALLOY:
6 That's true.

7 COMMISSIONER BLANCO: And I'm just
8 thinking, they're very busy with --

9 COMMISSIONER GALAMBOS-MALLOY: Our
10 chief counsel could.

11 COMMISSIONER BLANCO: -- the voting
12 rights stuff, and they're also --

13 COMMISSIONER GALAMBOS-MALLOY:
14 Yeah.

15 COMMISSIONER BLANCO: -- very
16 expensive. And --

17 COMMISSIONER GALAMBOS-MALLOY:
18 That's a good point.

19 COMMISSIONER BLANCO: And maybe
20 this is -- our chief counsel can look into this.

21 COMMISSIONER GALAMBOS-MALLOY: I'm
22 happy to amend the motion.

23 Ms. Sargis, could you amend the
24 motion, swap out "a legal opinion," and we can
25 figure out if that sits best with our chief

1 counsel or with Gibson, Dunn & Crutcher.

2 COMMISSIONER BARABBA: Or someone
3 else even, yeah.

4 COMMISSIONER GALAMBOS-MALLOY:
5 Uh-huh.

6 MS. SARGIS: May I restate it,
7 please?

8 COMMISSIONER BARABBA: You bet.

9 MS. SARGIS: The Commission will
10 direct Q2 to number the senate district maps for
11 the second draft maps pending further direction
12 from the Commission based on a legal opinion.

13 COMMISSIONER GALAMBOS-MALLOY:
14 Uh-huh.

15 COMMISSIONER BARABBA: Okay. Are
16 we ready to vote? Yes. Okay. Janeece?

17 Oh, public. Any comment from the
18 public?

19 (No audible response.)

20 COMMISSIONER BARABBA: Okay.
21 Janeece?

22 MS. SARGIS: Commissioner Aguirre?

23 COMMISSIONER AGUIRRE: Yes.

24 MS. SARGIS: Ancheta?

25 COMMISSIONER ANCHETA: Yes.

1 MS. SARGIS: Barabba?
2 COMMISSIONER BARABBA: Yes.
3 MS. SARGIS: Blanco?
4 COMMISSIONER BLANCO: Yes.
5 MS. SARGIS: Dai?
6 COMMISSIONER DAI: Yes.
7 MS. SARGIS: DiGuilio?
8 COMMISSIONER DIGUILIO: Yes.
9 MS. SARGIS: Filkins-Webber.
10 COMMISSIONER FILKINS-WEBBER: Yes.
11 MS. SARGIS: Forbes?
12 COMMISSIONER FORBES: Yes.
13 MS. SARGIS: Galambos-Malloy?
14 COMMISSIONER GALAMBOS-MALLOY: Yes.
15 MS. SARGIS: Ontai?
16 COMMISSIONER ONTAI: Yes.
17 MS. SARGIS: Parvenu?
18 COMMISSIONER PARVENU: Yes.
19 MS. SARGIS: Raya?
20 COMMISSIONER RAYA: Yes.
21 MS. SARGIS: Ward?
22 COMMISSIONER WARD: Yes.
23 MS. SARGIS: Yao?
24 COMMISSIONER YAO: Yes.
25 MS. SARGIS: The motion passes.

1 COMMISSIONER BARABBA: All right.
2 Are we ready for the next step on reviews?

3 MS. MACDONALD: We are. We are
4 ready for the next mini wrap-up. Oh, this is a
5 mini wrap-up. And we --

6 COMMISSIONER BARABBA: That was
7 cute.

8 MS. MACDONALD: We actually do not
9 have visualizations for this because basically we
10 just couldn't get to it. We were working on the
11 V.R.A. stuff. But there's not a whole lot on
12 here, so we can develop the visualizations as
13 we're going.

14 So let me just go through the
15 details. This basically refers to the Auburn
16 hearing that we had. And we had 46 input hearing
17 speakers at that hearing.

18 There were at least nine speakers
19 that came from region nine in Santa Rosa, at the
20 Santa Rosa hearing. So you recall that there was
21 some testimony that people were saying that they
22 did not realize that they should be attending the
23 meeting in Auburn, because that was in their
24 region, so they came to Santa Rosa.

25 So basically we had some testimony

1 at Santa Rosa about the other region. So we
2 included that in this particular wrap-up. In
3 Santa Rosa there were 69 input hearing speakers.

4 In terms of publicly submitted
5 written comments on this region, there were 185
6 written comments that were submitted through May
7 22nd, and we're still entering and analyzing
8 them. We've done probably at this point more,
9 but as of this morning at 7:00 we had -- no, as
10 of last night at 1:00 we had 89 of the comments
11 included for this wrap-up.

12 And here are the major themes that
13 were raised or re-raised. So some of these
14 themes we heard before. So you should really use
15 this particular document with the former document
16 that we had on those regions as a supplement.

17 So we had Mendocino, Humboldt and
18 Del Norte County should be together. There were
19 nine speakers in Santa Rosa that commented on
20 this topic and two speakers in Redding and then
21 in Marysville as well.

22 This is primarily concerned with
23 respect to the current senate district, which
24 does not include Del Norte County. These three
25 counties are together in the current assembly and

1 congressional district. So we heard a lot of
2 testimony about that.

3 Keep the north-south orientation of
4 the district rather than changing to an east-west
5 orientation. There were nine speakers in Auburn
6 and six speakers in Redding and Marysville. Two
7 speakers in Auburn and six speakers in Redding
8 and Marysville supported the east-west district.
9 So we basically had both.

10 Quite a few northern California
11 residents sent in written comments in favor of
12 keeping the I-5 and 101 corridor districts and
13 not going to an east-west orientation. They
14 were -- it was a lot of written testimony on
15 this, actually.

16 Mendocino County residents wanted
17 to be in a district with Lake or with Humboldt
18 and Del Norte Counties. There were seven
19 speakers in Santa Rosa about this.

20 Lake County resident, there's a
21 Lake County resident who wants Lake County to be
22 a district with Napa, Mendocino, Sonoma and/or
23 Yolo Counties.

24 The fifth issue here is respect and
25 keep together the areas where the A.P.I.

1 communities, Asian Pacific Islander communities
2 live in Sacramento and surrounding towns,
3 particularly south Sacramento and the nearby city
4 of Elk Grove and also the city of West
5 Sacramento, so keep those together.

6 Then we had testimony about
7 creating a mountains/foothill district in the
8 Sierras. There were five speakers in Auburn,
9 three in Redding and Auburn, one speaker in
10 Merced and one speaker in San Diego.

11 So some residents of Placer,
12 El Dorado and Nevada Counties stated at the
13 Auburn meeting that it's okay to cross county
14 lines for this purpose, for example, a district
15 with eastern Placer and El Dorado Counties, which
16 would take in the Lake Tahoe basin.

17 And that is basically the summary
18 for this particular area. So let me switch over
19 to the mapping computer.

20 And now I would say there's really,
21 there's a couple of ways we can go from here. We
22 can talk about these specific additions or we can
23 go back to where we started this morning, which
24 is pretty much line-drawing mode for this
25 particular area.

1 And we've heard about the Section 5
2 areas, and we heard some about the Section 2
3 areas. We can revisit those areas. Actually, I
4 think Jamie actually developed another option for
5 the Stockton finger that removes the Stockton
6 finger, actually, and would actually also take in
7 the preferred option on the Section 2 district.

8 You will recall that there was a --
9 basically this might be the alternative.

10 Do you want to --

11 MS. CLARK: Okay. I've got to
12 switch plans.

13 MS. MACDONALD: Okay. She's going
14 to switch plans because I just pulled a fast one
15 on her. So if that's all right with you. I
16 mean, I'm not entirely sure which way. I saw
17 some nodding here, but --

18 COMMISSIONER BARABBA: From the
19 point of view of helping you, what's your
20 preference?

21 (Whereupon, there was an
22 inaudible discussion.)

23 MS. CLARK: I would prefer to just
24 jump into the line-drawing mode.

25 COMMISSIONER BARABBA: Okay.

1 COMMISSIONER DIGUILIO: I think we
2 find the Stockton finger offensive in many ways.

3 (Whereupon, there was an
4 inaudible discussion.)

5 MS. CLARK: I'm sorry?

6 MS. MACDONALD: I'm sorry. We just
7 missed it.

8 COMMISSIONER DIGUILIO: Oh. I just
9 said I think we find the Stockton finger
10 offensive in many ways. That's all.

11 MS. MACDONALD: Oh.

12 MULTIPLE UNKNOWN SPEAKERS:
13 (Inaudible).

14 MS. MACDONALD: So we're going to
15 show you how to get rid of it. So we'll start
16 with this -- with the Section 5 alternative. And
17 then the way I thought this might work is, once
18 we've looked at the V.R.A. districts,
19 essentially, and you've told us what your
20 preferences are, we'll go up north and work our
21 way down south.

22 And I think if we can get through
23 this particular region and perhaps, you know,
24 talk about which populations of this area may
25 have to cross down to southern California, then

1 we're going to be in really great shape for
2 tomorrow.

3 Because part of the line-drawing
4 discussions is really also about where we're
5 exchanging populations between the mapper
6 regions. And we've actually done some of that
7 today already, which was really great, in the
8 wrap-up with Tamina when we were starting to talk
9 about some of the counties that are actually in
10 Jamie's area. So I think this was already a
11 really good start.

12 (Whereupon, there was an
13 inaudible discussion.)

14 MS. CLARK: I'm looking for my
15 toolbox.

16 MS. MACDONALD: We're looking for
17 the toolbox, and then we're going to be ready to
18 go. But essentially, if I'm not mistaken, you're
19 looking at two Section 5 districts, one in blue
20 and one in green. And what's in between is
21 actually a Section 2 district.

22 Is that correct, Jamie?

23 MS. CLARK: Yes. Oh, there it is.

24 MS. MACDONALD: Okay. So Jamie's
25 going to explain this.

1 MS. CLARK: Okay. So this
2 configuration of the assembly district for the
3 Section 5 Merced County includes the entire
4 county of Merced intact, comes up here and grabs
5 these tracts for population in west Stanislaus
6 County along I-5.

7 And then I'll zoom in right here,
8 but it comes up and grabs these southern tracts
9 in the southern area of modest -- the city of
10 Modesto. I'll put this layer on.

11 Okay. The only other official city
12 in this area is Ceres, or Ceres.

13 UNKNOWN FEMALE SPEAKER: Ceres.

14 COMMISSIONER BARABBA: Ceres.

15 MS. CLARK: And that is intact in
16 this plan. So the only city split is Modesto,
17 and the only county split is Stanislaus County --
18 Stanislaus County.

19 The percent deviation is negative
20 point 59 percent. The Latino V.A.P. is 49.25
21 percent. Black V.A.P. is 3.62 percent. And
22 Asian V.A.P. is 6.57 percent.

23 COMMISSIONER DIGUILIO: I have a
24 question. Is there any way since -- could you
25 instead include Turlock and Denair maybe and

1 Hughson and kind of pull it down so you're not
2 splitting Modesto as much?

3 I mean, I think there may be some
4 issues with our Latino population. But I just
5 want to -- I want to throw that out there to see
6 if that's an option.

7 MS. CLARK: The issue there is the
8 Latino V.A.P. population. Pretty much all of the
9 high concentration area of Latinos is, in Turlock
10 is right here just west of the 99. And then
11 adding the rest of that city would just dilute
12 that number so much.

13 But we can look at it right now if
14 you want to.

15 COMMISSIONER DIGUILIO: I'm just
16 curious, so could you split some of -- you have
17 to split it some way. Could you split some of
18 Tur -- to keep -- make it look a little more
19 consistent, could you split part of Turlock and
20 still drop it down a little bit so you -- it just
21 looks like there's kind of a big gap there.

22 MS. MACDONALD: What we could do --
23 go ahead.

24 COMMISSIONER DAI: Yeah. I was
25 going to say, the C.A.P.A.F.R. one basically went

1 along the 99 corridor, so it ended up splitting
2 both Turlock and Modesto. But it looked very
3 compact, though, because it was a straight line,
4 basically. So I don't know.

5 They gave you equivalency files;
6 right? So that might be easier.

7 MS. MACDONALD: Yeah. We do have
8 equivalency files. And I think if you'd like to
9 give us some direction on whether you want us to
10 look at it, we would want to run this option by
11 Mr. Brown --

12 COMMISSIONER DAI: Yes.

13 MS. MACDONALD: -- because this is
14 a voting rights issue.

15 COMMISSIONER DAI: Yes.

16 COMMISSIONER BARABBA: Yes.

17 MS. MACDONALD: So I'm somewhat
18 hesitant to say yes or no. But if you'd like to
19 give this as a general line-drawing direction,
20 then we will figure this out.

21 COMMISSIONER BARABBA: And I would
22 think you might want to consider not cutting the
23 city of Turlock. Because if the population of
24 Hispanic is outside of the city, that would
25 increase the V.A.P. without doing anything else.

1 MS. CLARK: But the Latino
2 population there actually is in the city lines.

3 COMMISSIONER BARABBA: Oh, okay.

4 MS. CLARK: But it's just right
5 here --

6 COMMISSIONER BARABBA: Okay.

7 MS. CLARK: -- part of the city
8 just west of the 99.

9 COMMISSIONER FORBES: Commissioner
10 Forbes.

11 I do think, though, that we should
12 have something with all of Turlock included and
13 just, you know, drop the whole thing down, see
14 what the number looks like.

15 COMMISSIONER DIGUILIO: Yeah. Try.
16 Can you run that?

17 COMMISSIONER BARABBA: Commissioner
18 Yao.

19 COMMISSIONER YAO: I think
20 deviating from our very broad general guideline
21 of not splitting a city is problematic if we try
22 to split -- saying splitting two cities is okay
23 or -- as compared to splitting one. So we need
24 to think through that before we explore too many
25 options.

1 COMMISSIONER DIGUILIO: Could I ask
2 the mappers to draw just a couple incar -- maybe
3 not necessarily now, but to say, okay, here's
4 one, another option is to follow the 99 corridor
5 so you're splitting Turlock and Modesto, and
6 another one is to drop -- or yeah, the other one
7 is to drop down and engulf completely Turlock.
8 It might not have the numbers we want, but it'd
9 be nice to see that so we know.

10 So drop down and not split Modesto
11 and grab the entire Turlock as well and keep
12 those both intact. It may not give us those
13 numbers, but again, we'll know that if you run
14 it.

15 So there's, let's see, this option
16 is one. The other is the 99 corridor which
17 splits two cities. And then the third one would
18 be don't split Modesto, incorporate Turlock and
19 see what the numbers are.

20 MS. MACDONALD: Yeah. We can
21 absolutely do that.

22 COMMISSIONER DIGUILIO: Thank you.
23 (Whereupon, there was an
24 inaudible discussion.)

25 MS. CLARK: So in context with the

1 other two districts, this was the potential
2 Section 2 district here in west Fresno County.
3 The numbers on that look a little bit funky
4 because I just imported exclusively that district
5 so that we didn't have to watch the blue circle
6 spin all together.

7 And as well with this district,
8 this was the version of the Kings County district
9 that is more similar to the benchmark as this
10 curl goes north.

11 MS. MACDONALD: So that the
12 potential Section 2 district was the more compact
13 option, you recall that the other option was, I
14 think maybe I said ugly. Yeah.

15 So is this something -- so this is
16 something that the V.R.A. counsel have seen. And
17 they actually saw the blue option as well. But
18 we want to run it by them, especially if we're
19 going to make any modifications to that.

20 COMMISSIONER BARABBA: Commissioner
21 Yao.

22 COMMISSIONER YAO: We discussed the
23 Merced earlier. We had option one and option
24 two. In fact, option one the -- all the minority
25 numbers were very close to the base line model.

1 And what you're presenting to us I
2 believe is -- the option two was very close to
3 the base line model. And we played around with
4 this option one. And for example, the 3.62 black
5 number is not quite half, but dropped
6 significantly from the base line.

7 For what reason did we drop -- did
8 we get away from option one altogether?
9 Because --

10 COMMISSIONER BARABBA: We got rid
11 of the San Joaquin finger, as I recall.

12 COMMISSIONER DIGUILIO: So you have
13 option three now.

14 COMMISSIONER YAO: The option, I'm
15 sorry, option two, was option two the one that
16 had the San Joaquin --

17 COMMISSIONER BARABBA: Yes.

18 MS. MACDONALD: Yes.

19 COMMISSIONER YAO: -- finger?

20 MS. MACDONALD: That had the finger
21 in it. And that was the one that was closest to
22 the benchmark, which is why it had --
23 (Inaudible).

24 COMMISSIONER YAO: So this replaced
25 option two that we had previously?

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COMMISSIONER BARABBA: Yes.

COMMISSIONER DIGUILIO: Yes.

MS. MACDONALD: Correct.

COMMISSIONER YAO: Thank you for the clarification.

MS. MACDONALD: Because previously the Section 2 district didn't fit in with the preferred option.

COMMISSIONER YAO: Okay. I understand.

COMMISSIONER BARABBA: Commissioner Blanco.

COMMISSIONER BLANCO: I have a question about -- is that Fresno? Well, the new section --

MS. MACDONALD: Yes.

COMMISSIONER BLANCO: -- the Section 2 district, is that a new one or is that --

MS. CLARK: No. This is the same Section 2 district that was presented earlier.

COMMISSIONER BLANCO: No. My question is --

MS. CLARK: Oh. I'm sorry.

COMMISSIONER BLANCO: -- was there

1 a district two -- a Section 2 district there
2 before the old maps? Is this -- are we
3 creating -- I'm just curious, is this a new
4 Section 2 for this area of California?

5 COMMISSIONER BARABBA: I believe
6 this is new.

7 MS. CLARK: I don't know.

8 MS. MACDONALD: I'd have to -- we'd
9 have to research that.

10 COMMISSIONER BLANCO: Okay.

11 MS. MACDONALD: I don't know it off
12 the top of my head.

13 COMMISSIONER BLANCO: Okay.

14 COMMISSIONER BARABBA: All right?

15 COMMISSIONER FORBES: Can I ask a
16 quick clarification also? So as I understand it,
17 we have one, forget the finger, we have one
18 option for the Section 5 district, which is in
19 blue.

20 We have another option that is --
21 that actually goes south, and this other Section
22 2 doesn't -- isn't there anymore because it goes
23 south all the way down to the Kings County line;
24 is that correct?

25 So those are our two options for

1 these?

2 COMMISSIONER BARABBA: No.

3 UNKNOWN FEMALE SPEAKER: No.

4 MS. CLARK: This Section 2
5 district --

6 COMMISSIONER FORBES: Uh-huh.

7 MS. CLARK: -- is not possible with
8 the other option.

9 COMMISSIONER FORBES: No. I
10 understand that. I fully understand that. So we
11 don't have to create that Section 2 district if
12 we do the other option of the Section 5 you
13 showed us earlier this morning; is that correct?

14 MS. MACDONALD: Well, you'd have to
15 create a different looking --

16 COMMISSIONER FORBES: Well --

17 UNKNOWN MALE SPEAKER: (Inaudible).

18 MS. MACDONALD: -- Section 2
19 district.

20 COMMISSIONER FORBES: Right. Then
21 that's fine. Okay. I'm just trying -- I mean,
22 we had this option that stopped at the Merced
23 County and went south we saw this morning, and
24 that's just disappeared, it seems like. And I
25 just want to be sure it hasn't disappeared.

1 MS. CLARK: I was just presenting
2 this other --

3 COMMISSIONER FORBES: That's --

4 MS. CLARK: -- option.

5 COMMISSIONER FORBES: Right. This
6 is just another option?

7 MS. CLARK: Right. Yeah.

8 COMMISSIONER FORBES: Okay.

9 MS. CLARK: But it -- the other
10 option hasn't disappeared.

11 COMMISSIONER FORBES: Thank you.

12 MS. CLARK: It's still here.

13 MS. MACDONALD: It's there. And
14 they just -- it's just that the various options
15 have to fit together in some fashion. So
16 basically, whatever you did with Merced
17 influenced what you did with Fresno, influenced
18 what you did with Kings.

19 COMMISSIONER BARABBA: Commissioner
20 DiGuilio and then Commissioner Filkins-Webber.

21 COMMISSIONER DIGUILIO: So I'm
22 wondering again, and maybe for our discussion, I
23 don't know if it's tomorrow, but it seems like we
24 have to link these.

25 We have to link this -- one of the

1 Section 5s in Merced with the potential Section 2
2 and then Section 5. I mean, they're all
3 sandwiched here. It's not like we can pick one
4 option and then the other option. They're --
5 it's not like a big unit?

6 So I'm not sure if we could get a
7 map or some -- have something that shows, okay,
8 our option one is the Merced Section 5, then
9 the -- sandwiched with the Section 2 and then the
10 Section 5 in Kings, and then option number two.

11 It's like they're all a big unit;
12 right? It's not like we -- it's not a buffet.
13 We can't choose this Section 1 -- the Section 5
14 up here and this. So like they're all linked.
15 It's a giant sequence, yeah, that's linked.

16 MS. MACDONALD: Correct. And the
17 buffet option kind of went away when we realized
18 that the deadline was -- for the final maps was
19 August 15, too, you know. That's...

20 COMMISSIONER DIGUILIO: Yeah.
21 Okay. So it'd just be helpful to kind of in the
22 future we almost talk as one unit with these,
23 it's not a pick or choose.

24 COMMISSIONER FILKINS-WEBBER: My
25 question is, I'm looking at the foothill district

1 and kind of thinking ahead maybe for tomorrow.
2 So the -- at the Section 2 area that you're in,
3 the gold just to the south -- or maybe just -- I
4 mean, the northeast, is that Fresno, the main
5 city? And so you've split that city?

6 MS. MACDONALD: Correct.

7 COMMISSIONER FILKINS-WEBBER: Okay.

8 MS. MACDONALD: The city is split.

9 COMMISSIONER FILKINS-WEBBER: So my
10 question is, if you took in the full city, do you
11 dilute the Latino C.V.A.P. or V.A.P.?

12 MS. MACDONALD: Yes.

13 COMMISSIONER FILKINS-WEBBER: Okay.

14 So even if you -- is there any population in that
15 white area between Merced and the city of Fresno
16 that would balance it out a little more?

17 In other words, if we made it look
18 a little better and if that was the splitting
19 line, I can see that from the testimony that we
20 had about the foothill community, if we split the
21 county for the consideration of the Section 2, do
22 we -- can we make that compact and together and
23 then we're still paying attention to the C.O.I.
24 testimony that we had for the foothill district
25 and would we still be able to have a viable

1 Section 2?

2 MS. MACDONALD: We could certainly
3 explore that option. If you'd like to give us
4 general direction, then we could work with that
5 and also have the V.R.A. attorneys look at it.

6 I think we -- we're going to
7 probably talk about the foothill districts,
8 actually, today already, because we have to talk
9 about all the other sections tomorrow.

10 COMMISSIONER FILKINS-WEBBER: I'm
11 just wondering, and again, you know this better
12 than I do, when you're looking at the city of
13 Fresno, and just as you have just confirmed, that
14 if we encapsulated the entire city of Fresno into
15 the Section 2 district, then you do dilute the
16 Latino V.A.P. rate.

17 But what I'm looking at -- and
18 that's the bigger picture. But then when you
19 include maybe in Chowchilla and those other
20 smaller areas, if we tried to respect the city of
21 Fresno and keep it together, if you put all the
22 other areas together, aside from population
23 issue, which that -- probably over my population
24 deviation recommendation, but if you did, do you
25 then balance it back out?

1 And you see you actually have the
2 same V.A.P. that we were looking at now when
3 you're in -- when you include some of these
4 outlying communities. Again, I don't know, but
5 Chowchilla is, I thought --

6 MS. CLARK: I can put a color theme
7 on this so that we can all look at the Latino
8 C.V.A.P. together.

9 COMMISSIONER FILKINS-WEBBER: Oh,
10 okay. I forgot about that, you had that option.

11 COMMISSIONER BARABBA: Do we want
12 to do this at a line-drawing event and so we can
13 wrap up here?

14 MS. MACDONALD: Yeah. I think we
15 have to wrap up the section.

16 COMMISSIONER BARABBA: Yeah. So
17 why don't we put that on your list of things that
18 we would be looking at tomorrow.

19 MS. MACDONALD: Okay.

20 MS. CLARK: One moment.

21 Okay. So I think that for this to
22 be possible, we would have to have another finger
23 that goes from Fresno County, grabs the city of
24 Madera exclusively, and that maybe is a way that
25 we could balance the Latino C.V.A.P. population

1 for this Section 2.

2 MULTIPLE UNKNOWN SPEAKERS:

3 (Inaudible).

4 COMMISSIONER BARABBA: Okay. We're
5 going to have to move on here.

6 COMMISSIONER FORBES: Okay. I'll
7 make one more sentence and I'll be quiet, as to
8 whether we could pick up Madera, the Madera,
9 Madera Acres and Chowchilla and pull back from
10 Fresno and whether that would give you a district
11 that would meet your needs.

12 COMMISSIONER BARABBA: We don't
13 need to do that right now. That's something that
14 we can give direction to.

15 MS. MACDONALD: Yeah. So if we
16 could work that out, you know, between now and,
17 what is it, Wednesday --

18 COMMISSIONER BARABBA: Yep.

19 MS. MACDONALD: -- that would be
20 good.

21 (Whereupon, there was an
22 inaudible discussion.)

23 MS. MACDONALD: Okay. So then, so
24 can we just assume that you're okay with, aside
25 from the comments that you've made, generally

1 with this configuration? Can we work with this?

2 COMMISSIONER BARABBA: I -- the
3 only question --

4 MS. MACDONALD: Yeah.

5 COMMISSIONER BARABBA: -- if you'd
6 get down at the Bakersfield.

7 MS. MACDONALD: Okay. Get down to
8 Bakersfield.

9 Never touch a mapper's map.

10 COMMISSIONER BARABBA: I was just
11 wondering, you have that little wide spot there
12 that's the -- would be a -- could be perceived as
13 a finger into the remaining district there, I
14 guess, but is, yeah, is that a -- is that no
15 pop -- is that a lot of population or --

16 MS. CLARK: In this area?

17 COMMISSIONER BARABBA: Yeah.

18 MS. CLARK: Or do you mean in this
19 whole larger area?

20 COMMISSIONER BARABBA: Yeah, yeah,
21 yeah. Yeah.

22 MS. CLARK: This is part of the
23 city of Bakersfield. And I can put the
24 population.

25 COMMISSIONER BARABBA: Don't do it

1 now. But I'm just saying, if it doesn't affect
2 things from an appearance point of view, it'd be
3 good if you could have that in the --

4 MS. CLARK: Oh, to -- let me make
5 sure that I understand you. To add this into the
6 district?

7 COMMISSIONER BARABBA: Yeah.

8 MS. CLARK: It would dilute the
9 Latino V.A.P. too greatly, too much.

10 COMMISSIONER BARABBA: Okay. Thank
11 you.

12 MS. MACDONALD: But we will look at
13 any fingers and other appendages.

14 COMMISSIONER DIGUILIO: If you
15 could provide some options. Whenever we see a
16 finger like that, it'd be nice to see, I
17 understand you're trying to do some numbers, but
18 if there's another opt -- if you could take off
19 the finger and what that would do for the other
20 option, if there's any option taking the finger
21 off.

22 MS. MACDONALD: Okay.

23 COMMISSIONER BARABBA: Okay.
24 Commissioner Dai.

25 COMMISSIONER DAI: I just wanted to

1 point out that this is one of the areas where
2 M.A.L.D.E.F. found another potential Section 2,
3 which was combining, instead of doing the Kern
4 curl down this way, which is a little bit ugly,
5 they actually took Kern County and went up into
6 Tulare instead.

7 MS. MACDONALD: Uh-huh.

8 COMMISSIONER DAI: And they found
9 another district there that was 52.7 percent
10 Latino C.V.A.P. So I think that's something we'd
11 have to get Gibson Dunn to look at I guess as our
12 contiguous areas.

13 MS. MACDONALD: Okay.

14 COMMISSIONER DIGUILIO: But we'd
15 have to keep in mind that Tulare County is very
16 different geographically in some places as Kern.
17 So it'd be nice to -- if we ran that, to see what
18 the implications are. Because again, just
19 because it can happen doesn't mean it always
20 drops over communities of interest. So.

21 COMMISSIONER DAI: Can we look at,
22 Jamie --

23 COMMISSIONER BARABBA: Can we do
24 that tomorrow?

25 COMMISSIONER DAI: We can.

1 COMMISSIONER BARABBA: Yes.

2 COMMISSIONER DAI: But I don't know
3 if it's quick for you to show the Latino C.V.A.P.
4 I guess you were going to show that before.

5 MS. CLARK: Yeah. Certainly. For
6 Tulare?

7 COMMISSIONER DAI: And then we
8 should look at topo.

9 MS. CLARK: So the areas of Tulare
10 County that have the highest density Latino
11 population are right here in the very
12 southeast -- or southwest, excuse me, and also up
13 here in the very northwest.

14 The two main -- or the two largest
15 population cities in Tulare County are the city
16 of Tulare and the city of Visalia. Neither of
17 them have that great of a Latino population
18 percentage when you're looking at the bigger
19 picture of what you need for a section -- this
20 Section 5 district.

21 COMMISSIONER DAI: Yeah. I think
22 they cut below for that reason. But can you
23 also -- this might be hard to do. Can you also
24 superimpose a topography on this, or is that too
25 hard?

1 COMMISSIONER DIGUILIO: It's
2 basically over to the -- the 99 is still on the
3 valley floor.

4 MS. CLARK: I think --

5 COMMISSIONER BARABBA: We really
6 got to move on, gang.

7 COMMISSIONER GALAMBOS-MALLOY: We
8 will be covering this area extensively tomorrow.
9 And we anticipate we've probably got another hour
10 of line drawing left, and then we have a list of
11 general line-drawing direction issues that we
12 were hoping to get through tonight so that we
13 don't have to add that into our day with
14 Mr. Brown tomorrow. So that's why we're kind of
15 trying to move a little more quickly.

16 COMMISSIONER BARABBA: Okay. So
17 let's move on to --

18 MS. CLARK: Do you want the
19 topography still?

20 COMMISSIONER BARABBA: -- the next
21 subject.

22 MS. MACDONALD: Do you want the
23 topography?

24 COMMISSIONER DAI: Only if you can
25 do it in a few seconds. Otherwise --

1 MS. MACDONALD: Okay.

2 COMMISSIONER DAI: -- I'm happy to
3 wait till tomorrow.

4 MS. MACDONALD: I'm not sure that
5 we were actually planning on going into tomorrow
6 with this area, to tell you the truth. Because
7 we have the rest of the state to go through
8 tomorrow.

9 COMMISSIONER BARABBA: Okay.

10 MS. MACDONALD: And we have L.A.
11 tomorrow.

12 COMMISSIONER BARABBA: Yeah. So
13 let's move on to the next section and forget the
14 topography for now.

15 MS. MACDONALD: Okay. We have the
16 topography. So.

17 Do you want to do that?

18 COMMISSIONER BARABBA: Unless you
19 can get it up in a second.

20 MS. MACDONALD: We have to get it
21 up.

22 (Whereupon, there was an
23 inaudible discussion.)

24 MS. MACDONALD: Okay. We've got to
25 get rid of the color theme really quickly and

1 move the topography over, so just one second.

2 (Whereupon, there was an
3 inaudible discussion.)

4 MS. CLARK: I don't know how easy
5 it is to see. So this is sort of a more hilly
6 foothills area going into the foothills, and then
7 this is a more flat, agricultural area.

8 UNKNOWN FEMALE SPEAKER:
9 (Inaudible).

10 MS. MACDONALD: Is that enough?

11 MS. CLARK: Do you need to...

12 (Whereupon, there was an
13 inaudible discussion.)

14 COMMISSIONER BARABBA: Can we
15 have -- if we're going to have a conversation, it
16 has to be on the microphone. Otherwise we're
17 going to move to the next section.

18 MS. MACDONALD: Okay. So are you
19 okay with this particular section for now --

20 COMMISSIONER BARABBA: Now.

21 MS. MACDONALD: -- with --

22 MULTIPLE UNKNOWN SPEAKERS: For
23 now.

24 MS. MACDONALD: -- the addition
25 of -- yeah. And you want us to look at the

1 M.A.L.D.E.F. option?

2 COMMISSIONER DAI: Yeah.

3 MS. MACDONALD: Okay.

4 COMMISSIONER DAI: I want you to
5 look at the M.A.L.D.E.F., then. Because that's,
6 it looks like it's not a topographical problem.
7 That's an agricultural area that's --

8 MS. MACDONALD: Okay.

9 COMMISSIONER DAI: -- probably
10 pretty --

11 MS. MACDONALD: Okay. We're --

12 COMMISSIONER FILKINS-WEBBER: Well,
13 but also keep in mind that we are expecting to
14 hear from our V.R.A. counsel, and they have
15 identified certain areas. So despite the fact
16 that M.A.L.D.E.F., which we have seen in their
17 presentation, has created quite a number of
18 districts, they may not be consistent with our
19 legal opinion. So I'd like to hear from
20 Mr. Brown tomorrow.

21 MS. MACDONALD: Yeah. That's --

22 COMMISSIONER BARABBA: Yeah.

23 UNKNOWN FEMALE SPEAKER: So we
24 will go --

25 MS. MACDONALD: Yeah. Absolutely.

1 UNKNOWN FEMALE SPEAKER: We will go
2 back to this?

3 MS. MACDONALD: I think we will
4 probably work with Mr. Brown and then present
5 that to you next week.

6 COMMISSIONER BARABBA: Right.
7 It'll be next week --

8 MS. MACDONALD: Because this is not
9 something --

10 COMMISSIONER BARABBA: -- not
11 necessarily tomorrow.

12 MS. MACDONALD: -- we can do
13 overnight --

14 COMMISSIONER BARABBA: Yeah.

15 MS. MACDONALD: -- to evaluate
16 that.

17 COMMISSIONER BARABBA: Okay.

18 UNKNOWN FEMALE SPEAKER:
19 (Inaudible).

20 COMMISSIONER BARABBA: Okay.

21 MS. MACDONALD: And I'm sure
22 there's reasons for why they drew it, and I'm
23 sure there's reasons for why we haven't at this
24 point. So.

25 COMMISSIONER BARABBA: Okay. What

1 do you have next?

2 MS. MACDONALD: We're going to go
3 to Yuba.

4 MS. CLARK: Okay.

5 MS. MACDONALD: Yeah.

6 MS. CLARK: I think that a way to
7 approach this that makes sense is to look at
8 region nine, maybe starting from the proposed
9 coastal district. I drew up two -- or I grabbed
10 an equivalency file from the public and also I
11 drew up that one district that's similar to
12 C.A.P.A.F.R. Maybe we can look at this.

13 MS. MACDONALD: Okay. So we're
14 going to the coastal. So we'll go way up north
15 and then work our way south.

16 MS. CLARK: I think this is with
17 a -- right. Okay. So for Yuba there are many,
18 many different options, because the benchmark is
19 pretty low. The Latino populations, pretty much
20 all of the populations for the protected groups
21 tend to be east of Yuba County a bit.

22 But this is similar to the
23 C.A.P.A.F.R. coastal region. And I can pull up
24 maybe a version of the Yuba district that could
25 fit with this.

1 COMMISSIONER BARABBA: Commissioner
2 Dai.

3 COMMISSIONER DAI: So I think the
4 challenge with this is that I did verify that, in
5 fact, the way they were able to get to the
6 population was by including Redding, which is a
7 little problematic, I think.

8 Also, looking at the presentation
9 from the League of Conservation Voters, the
10 watershed actually starts west of five and goes
11 this way, and it's a mountain watershed. So I
12 think sticking to this is actually -- might be
13 problematic.

14 MS. CLARK: Okay. Should we --

15 UNKNOWN FEMALE SPEAKER: I think --

16 MS. CLARK: -- move on from this or
17 look --

18 MS. MACDONALD: Look at a different
19 visualization?

20 MS. CLARK: -- look at a different
21 visualization? Okay.

22 COMMISSIONER FILKINS-WEBBER:
23 That's what my concern was as well. We've
24 received quite a number of public comments from
25 the northern part of California, and I was a

1 little bit more concerned with the way that we
2 split Siskiyou and down into that Redding area.

3 And given the amount of population
4 that's there, I'm wondering if we could just go
5 back to adding that northern portion of Sonoma
6 County and if -- oh, okay. That's that
7 visualization.

8 MS. MACDONALD: And this was a
9 public submission, actually.

10 UNKNOWN MALE SPEAKER: (Inaudible).

11 COMMISSIONER FILKINS-WEBBER: And
12 are we picking up Santa Rosa in Sonoma?

13 MS. CLARK: Let me look in here.

14 UNKNOWN FEMALE SPEAKER: No, it's
15 not.

16 MS. MACDONALD: No, I don't think
17 it is.

18 No, it excludes Santa Rosa.

19 COMMISSIONER FILKINS-WEBBER: Okay.
20 Because then we could look at that Lake, Napa and
21 Santa Rosa for the wine industry.

22 MS. CLARK: Okay.

23 COMMISSIONER FILKINS-WEBBER: But
24 then what do we do with Marin?

25 (Whereupon, there was an

1 inaudible discussion.)

2 COMMISSIONER BARABBA: Microphone,
3 Peter.

4 UNKNOWN MALE SPEAKER: Oh, sorry.

5 COMMISSIONER GALAMBOS-MALLOY: We
6 have several conversations going on, none of
7 which are happening with the microphones.

8 COMMISSIONER BARABBA: We really
9 have to be careful.

10 MS. MACDONALD: Would you feel
11 comfortable just giving us general direction to
12 look at the wine region that we spoke about
13 earlier and figure out how that can fit in with
14 this particular configuration --

15 UNKNOWN FEMALE SPEAKER: Yes.

16 MS. MACDONALD: -- and then bring
17 that back to you?

18 MULTIPLE UNKNOWN SPEAKERS: Yes.

19 COMMISSIONER DIGUILIO: So would
20 that be like going from Marin, over Sonoma, Lake,
21 Napa, and then see where we are, may have to get
22 some of the agri --

23 MS. MACDONALD: Yes.

24 COMMISSIONER DIGUILIO: Yeah.

25 MS. MACDONALD: Would that be okay?

1 COMMISSIONER DIGUILIO: That would
2 be good.

3 MS. MACDONALD: All right.

4 COMMISSIONER BARABBA: Yeah. You
5 can assume that was a suggestion on our part.

6 MS. MACDONALD: Thank you very much
7 for the suggestion.

8 So the next issue would be, we
9 heard a lot of east-west testimony aside from the
10 coastal north-south testimony. So the question
11 is -- and we also heard testimony about, you
12 know, sticking to the I-5 corridor.

13 So the question for you is whether
14 you want to look at east-west districts at
15 this -- in this particular section or whether
16 you -- or what you would like to do.

17 COMMISSIONER BARABBA: My feeling
18 is we should see both. Because there was
19 reasonable arguments presented on both sides of
20 that issue. And I'd like to see what the
21 consequences of both of those strategies are.

22 COMMISSIONER DIGUILIO: Could I
23 also ask that, if there's any recommendations by
24 our mappers in terms of Sutter/Yuba. Because it
25 seems like that's an anchor point for us as well,

1 too.

2 I don't know if, in your
3 visualizations, if you've seen any implications
4 with north-south, east-west based on our -- how
5 constrained are we by Sutter/Yuba? Let me just
6 put it that way. How constrained are we with
7 those?

8 MS. CLARK: In visualizations that
9 I've created, you can maintain the Yuba/Sutter
10 connection and move north, south, east or west,
11 including entire counties.

12 COMMISSIONER DIGUILIO: And we're
13 okay with the Section 5? That was my question.

14 MS. CLARK: Yes.

15 COMMISSIONER DIGUILIO: Okay.

16 MS. CLARK: Also a note, you can
17 still maintain sort of a north-south direction
18 and not go into Sacramento County at all.

19 COMMISSIONER FORBES: That's what I
20 was -- this is Commissioner Forbes.

21 That's what I was going to say. I
22 think we should start by putting Yuba and Sutter
23 together and then go up the Central Valley up the
24 five and then -- and see where we are by
25 population.

1 Because we may end up creating,
2 that's what we've had discussion about, this
3 mountain district, this Lassen/Plumas, the
4 mountain parts of Sierra, Nevada, Placer,
5 El Dorado. And so we have -- we'd end with a
6 whole mountain/foothill district that ran
7 north-south along the 395.

8 UNKNOWN FEMALE SPEAKER:
9 (Inaudible).

10 COMMISSIONER FORBES: Modoc, it
11 would include Modoc at the very top. It's like
12 10,000 people.

13 MS. CLARK: I have one
14 visualization that is similar to description.
15 It's the counties of Yuba, Sutter, Colusa, Glenn,
16 Trinity, Tehama and Shasta with no splits. Would
17 you like to see that?

18 UNKNOWN MALE SPEAKER: Yeah,
19 please.

20 COMMISSIONER FORBES: If I might
21 ask you to just take out Trinity. Because most
22 of our configurations with the coast have
23 included Trinity with the coast. At least so
24 that'll let us know what the deviation is.

25 MS. CLARK: Okay. I have to just

1 build it, then.

2 MS. MACDONALD: Okay. She's going
3 to build that district really quickly.

4 COMMISSIONER FORBES: And a thought
5 if you wanted to, pick up the population you lost
6 out of Trinity, if you took the rural part of
7 Yolo County north of -- north and west of
8 Woodland, there's -- nobody lives there, I mean,
9 it's all ag land, you could pick up -- I mean,
10 and you would make it even a more complete ag
11 district.

12 MS. CLARK: Okay. That blue
13 circle's always spinning.

14 MS. MACDONALD: We'll work on
15 getting you something different, and not a
16 circle. Maybe we can move to a different symbol
17 at some point.

18 MS. CLARK: Happy days.

19 MS. MACDONALD: To make it more
20 exciting.

21 UNKNOWN FEMALE SPEAKER:

22 (Inaudible).

23 MS. MACDONALD: Oh, I know.

24 MS. CLARK: Tell me about it.

25 UNKNOWN FEMALE SPEAKER:

1 (Inaudible).

2 MS. MACDONALD: You should see us
3 at --

4 MS. CLARK: We're doing it --

5 MS. MACDONALD: -- 3:00 in the
6 morning.

7 MS. CLARK: -- all the time.

8 UNKNOWN MALE SPEAKER: (Inaudible).

9 MS. CLARK: Okay.

10 COMMISSIONER DIGUILIO: So just for
11 clarification, this district you're building
12 excludes Butte County?

13 UNKNOWN FEMALE SPEAKER: Butte?

14 COMMISSIONER DIGUILIO: It excludes
15 Butte County?

16 MS. CLARK: It excludes Butte
17 County for population.

18 Okay. Getting closer.

19 MS. MACDONALD: Yeah. We're almost
20 there.

21 (Whereupon, there was an
22 inaudible discussion.)

23 MS. CLARK: Okay. Getting closer.
24 And I'll show you guys this also.

25 UNKNOWN FEMALE SPEAKER: Oh, don't

1 do that.

2 MS. CLARK: Stuff I look at all
3 day.

4 COMMISSIONER DAI: So maybe while
5 we're waiting for that to build --

6 MS. CLARK: Okay.

7 COMMISSIONER DAI: -- I would still
8 be interested in seeing something similar to what
9 we had specified in our region nine wrap-up
10 before when -- I don't know if you've already
11 built that one already, which was the idea of
12 having a mountain cap kind of district that goes
13 up and over and down and retains an inland
14 agricultural region. I don't know if you had a
15 chance to --

16 COMMISSIONER FORBES: Siskiyou,
17 Modoc, Lassen.

18 COMMISSIONER DAI: Right. So
19 Siskiyou, Modoc, Lassen, Plumas, Butte, maybe
20 going down. Because that then puts all of the, I
21 think it puts the watershed, the mountain
22 watershed in a single district.

23 COMMISSIONER DIGUILIO: And right
24 now are we just waiting for these numbers to -- I
25 mean, couldn't we do it the old-fashioned way and

1 count by county?

2 I mean, I know there's other data
3 she's working on, but if someone has a calculator
4 we could just punch in some numbers and then we
5 could run it very quickly to say it's whatever it
6 is and have the number and do another one real
7 fast. We can do the details later instead of
8 waiting so much time.

9 COMMISSIONER GALAMBOS-MALLOY:

10 Yeah.

11 (Whereupon, there was an
12 inaudible discussion.)

13 COMMISSIONER DIGUILIO: Get our
14 number crunchers going here and we can throw out
15 some options and let the computer do its work.

16 (Whereupon, there was an
17 inaudible discussion.)

18 COMMISSIONER GALAMBOS-MALLOY: So
19 Vince and I have a question to throw out to you,
20 given how the turn-around time just for getting
21 the numbers up.

22 Would it be possible for us to
23 provide our consultants with general groupings
24 that we would like them to go back and explore
25 for us that they can bring back to us, say, next

1 week so that we're kind of speeding up the
2 process this evening?

3 COMMISSIONER DIGUILIO: Well, maybe
4 with the exception if we could do a, maybe a few
5 of these bigger counties, because they're just
6 county numbers. Let's just look at one or two
7 numbers and then throw them back. Because --

8 COMMISSIONER BARABBA: The price we
9 have is what we're going to do with our time.
10 Because we've got other things to cover.

11 Peter, have you got a number?

12 COMMISSIONER YAO: If my finger's
13 correct, 457,129.

14 COMMISSIONER DIGUILIO: And that's
15 for Yuba, Sutter, Colusa, Glenn, Tehama and
16 Shasta? Is that what it is?

17 COMMISSIONER YAO: Six numbers.

18 COMMISSIONER DIGUILIO: Two, three,
19 four, five -- yes.

20 MS. CLARK: And then the direction
21 would be to grab northern areas of Yolo County to
22 add to that.

23 COMMISSIONER FORBES: (Inaudible).

24 COMMISSIONER DAI: And the other
25 option would be to do Siskiyou, Modoc, Lassen,

1 Plumas, Sierra, Nevada and probably the eastern
2 part of Placer.

3 COMMISSIONER FORBES: And Butte.

4 MS. MACDONALD: And who gets Butte?

5 COMMISSIONER DAI: Don't you think
6 Butte is an inland agriculture?

7 COMMISSIONER FORBES: Otherwise
8 northern (Inaudible).

9 COMMISSIONER DAI: No, no, no. I
10 was saying as an alternative to this --

11 COMMISSIONER FORBES: Oh.

12 COMMISSIONER DAI: -- that you
13 would keep the inland agricultural region that we
14 had defined before, which the public testimony
15 defined as -- I think Shasta actually would go
16 with the top part, too, that's why I was asking
17 you, or at least above Redding, that the inland
18 agricultural region that we -- we had a
19 visualization on this before. We had Tehama,
20 Glenn, Colusa, Butte, Yuba and Sutter as an
21 inland agricultural area, and then we went down
22 into Yolo, I believe.

23 COMMISSIONER FORBES: If you put
24 Butte in -- Commissioner Forbes.

25 If you put Butte in, you have to

1 take -- you'd have to take Shasta out, because
2 your population would be way over.

3 COMMISSIONER DAI: Right. So you
4 could either keep that as part of the mountain
5 cap district there or you could split it above
6 Redding.

7 COMMISSIONER FORBES: Yeah. That's
8 true. That's true. That'd be -- because you
9 could trade --

10 COMMISSIONER BARABBA: We should be
11 directing these comments to the line drawers, not
12 to each other. Because they're going to have to
13 record it if they're going to --

14 COMMISSIONER DAI: Did you get
15 that?

16 COMMISSIONER BARABBA: -- listen to
17 our directions.

18 COMMISSIONER DIGUILIO: So
19 Commissioner Barabba, can we -- maybe we could
20 ask a commissioner to --

21 COMMISSIONER FORBES: I'll write it
22 out.

23 COMMISSIONER DIGUILIO: -- to write
24 the counties that they would like to have it
25 visualized and we can -- or somehow --

1 COMMISSIONER BARABBA: Just submit
2 those, yes.

3 COMMISSIONER DIGUILIO: -- submit
4 those --

5 MS. MACDONALD: Okay.

6 COMMISSIONER DIGUILIO: -- so we
7 can have this.

8 MS. MACDONALD: Yeah. It's
9 actually, Marian Johnston is actually taking
10 notes for us.

11 COMMISSIONER BARABBA: Okay.

12 MS. MACDONALD: So I -- this is
13 where we've got to ask whether she got it.

14 COMMISSIONER BARABBA: Commissioner
15 Yao.

16 COMMISSIONER YAO: The number
17 wrapping around the north, northern state border
18 all the way including Butte, including Sierra,
19 including Nevada, but not including Placer, is
20 431,492.

21 COMMISSIONER BARABBA: Thank you.

22 COMMISSIONER YAO: So if you go
23 into Placer, then you can make up the 460,000.

24 MS. MACDONALD: Okay.

25 COMMISSIONER BARABBA:

1 Ms. MacDonald, what other areas do you need
2 covered tonight?

3 MS. MACDONALD: Go ahead.

4 MS. CLARK: I think that other
5 important areas are Sacramento County --

6 MS. MACDONALD: Correct.

7 MS. CLARK: -- San Joaquin County,
8 San Luis Obispo and the remainder of Kern County.

9 COMMISSIONER BARABBA: Okay. Can
10 we move on to that.

11 COMMISSIONER FILKINS-WEBBER: To
12 name a few.

13 MS. CLARK: To name just a few,
14 yeah.

15 MS. MACDONALD: Yeah. Exactly.
16 And so maybe --

17 COMMISSIONER BARABBA: Until we get
18 to the hard ones.

19 MS. MACDONALD: Maybe since we're
20 up north, maybe we can talk about Sacramento --

21 COMMISSIONER BARABBA: Yeah.

22 MS. MACDONALD: -- really quickly.

23 MS. CLARK: Okay.

24 MS. MACDONALD: So basically, I can
25 just --

1 COMMISSIONER BARABBA: By the way,
2 we're going to limit the discussion on each of
3 these areas to ten minutes.

4 MS. MACDONALD: Okay. So I'm going
5 to read off some notes that I jotted down for
6 myself about Sacramento. Maybe that'll be
7 helpful.

8 So did we make a decision on the
9 mountain commune -- on the mountain counties to
10 prevent any portion from being connected to the
11 more suburban counties? Is that --

12 (No audible response.)

13 MS. MACDONALD: So we have that
14 covered. Okay. So it's done.

15 If anything needs to include any
16 portions of Sacramento, do you have a preference
17 on which portions of the Sacramento area to
18 include?

19 COMMISSIONER BARABBA: Commissioner
20 Forbes.

21 COMMISSIONER FORBES: Well, my
22 suggestion would be that, I mean, they're talking
23 about connect -- I don't think you can connect
24 any part of it to the mountains.

25 I think Sacramento would be --

1 greater Sacramento would be everything from
2 Roseville to include West Sacramento, north to
3 south of Sutter and Yuba, and on the southern end
4 would be Elk Grove --

5 MS. MACDONALD: Okay.

6 COMMISSIONER FORBES: -- that area.

7 MS. MACDONALD: Okay.

8 COMMISSIONER FORBES: However you
9 cut -- slice and dice it, it wouldn't matter.

10 MS. MACDONALD: Okay.

11 UNKNOWN FEMALE SPEAKER:

12 (Inaudible).

13 COMMISSIONER DIGUILIO: And
14 Commissioner Forbes, what would be your eastern
15 boundary for Sacramento --

16 COMMISSIONER FORBES: It would
17 be --

18 COMMISSIONER DIGUILIO: --
19 metropolitan versus (inaudible)?

20 COMMISSIONER FORBES: It would be
21 Folsom and Roseville.

22 MS. CLARK: Okay. I have maybe two
23 visualizations for Sacramento to show you that
24 could be of interest. This is just the city of
25 Sacramento itself for an assembly district. And

1 the deviation is 814 people. And the percent
2 deviation is point 17 percent.

3 COMMISSIONER FORBES: Now, the one
4 thing I would consider, though, on a variant of
5 that one is to move it to include West Sacramento
6 in that district and take out whatever you need
7 to take out to make West Sacramento part of it.

8 MS. CLARK: What areas of the city
9 of Sacramento would be taken out if West
10 Sacramento was to be included?

11 COMMISSIONER FORBES: It doesn't
12 matter. They're all be -- those are, what you
13 have -- see on the green up there are fungible.

14 MS. CLARK: Okay. Actually, I --

15 COMMISSIONER FILKINS-WEBBER:
16 (Inaudible).

17 COMMISSIONER DAI: I think we had
18 some testimony about Elk Grove going --

19 MS. CLARK: Yes.

20 COMMISSIONER FORBES: Yeah.

21 COMMISSIONER DAI: -- with southern
22 Sacramento.

23 MS. CLARK: That's my --

24 COMMISSIONER DAI: So that's what I
25 would cut.

1 COMMISSIONER FORBES: Right.

2 MS. CLARK: That's my second
3 visualization. And -- okay.

4 COMMISSIONER FORBES: And I should
5 offer a little rationale of why West Sacramento
6 is going into Sacramento just so -- as you'll
7 notice, the -- between Davis and West Sacramento
8 is the flood plain for the Sacramento River.

9 And it just overflows. And there's
10 wildlife habitat in there and so forth and so on,
11 so there's no people there at all. And West
12 Sacramento has a number of bridges and other
13 connections with Sacramento proper.

14 That's the rationale.

15 MS. CLARK: Okay. So this is the
16 visualization for southern Sacramento, city of,
17 including the city of Elk Grove, West Sacramento.
18 There is two grey -- total population to include
19 the entire city of West Sacramento. But this was
20 just another visualization of a potential
21 assembly district for Sacramento.

22 But these numbers are C.V.A.P. The
23 C.V.A.P. for Latino population is 16.79. The
24 C.V.A.P. for black population is 16.13. And the
25 C.V.A.P. for Asian population is 22.68.

1 COMMISSIONER FORBES: The -- just
2 as a comment among the C.V.A.P. population for
3 Asian, that's actually a good district, because
4 there's a large -- a pretty significant Muong
5 community in south Sacramento, and that would
6 pick that up.

7 MS. CLARK: Do you prefer this
8 visualization to the first one?

9 COMMISSIONER FORBES: Yes.

10 COMMISSIONER DIGUILIO: What's the
11 total population with this? I see the deviation,
12 but not the total population.

13 MS. CLARK: The total pop -- the
14 percent deviation on this is also point 17. It's
15 803 people over the ideal population.

16 COMMISSIONER GALAMBOS-MALLOY: May
17 I ask a question, Ms. MacDonald? Do we have a
18 written wrap-up for this region or --

19 MS. MACDONALD: This -- no. This
20 is really line drawing now; right? So the only
21 wrap-up that we've had, we've had -- when was the
22 wrap-up for this?

23 COMMISSIONER DIGUILIO: This is
24 part of region nine; right?

25 MS. MACDONALD: Yeah.

1 COMMISSIONER DIGUILIO: So this is
2 kind of a leftover.

3 COMMISSIONER GALAMBOS-MALLOY: Got
4 you.

5 MS. MACDONALD: April 29 we had a
6 wrap-up, and then we just did the supplement from
7 the Auburn hearing.

8 COMMISSIONER GALAMBOS-MALLOY: Got
9 you. Okay.

10 MS. MACDONALD: Okay?

11 COMMISSIONER GALAMBOS-MALLOY:
12 Thank you.

13 MS. MACDONALD: So this is now not
14 wrapping up anymore, this is now line drawing to
15 try to get some of the architecture together for
16 all of you to take a look next week, and which is
17 why we've been working with the V.R.A. attorneys
18 so hard to make sure we --

19 COMMISSIONER GALAMBOS-MALLOY: Got
20 you.

21 MS. MACDONALD: -- we had the
22 Section 2 and Section 5 districts covered.

23 MS. CLARK: Okay. Can we move on
24 to San Joaquin --

25 COMMISSIONER BARABBA: Yes.

1 MS. CLARK: -- County?

2 COMMISSIONER GALAMBOS-MALLOY: Yes.
3 That one only took five minutes. Good work.

4 MS. CLARK: Okay. I also have two
5 visualizations prepared for this. The first one
6 I created when I was looking for a potential
7 Section 2 assembly seat here.

8 This is west San Joaquin County.
9 It includes the intact city of Stockton as well
10 as Tracy and then grabs these western tracts for
11 population.

12 The percent deviation is point 13.
13 The Latino C.V.A.P. is 27.14. The black C.V.A.P.
14 is 11.39. And the Asian C.V.A.P. is 15.91.

15 COMMISSIONER GALAMBOS-MALLOY: Is
16 it possible to have the total population numbers
17 show on -- before they were showing on --

18 MS. CLARK: Yes.

19 COMMISSIONER GALAMBOS-MALLOY: --
20 every map.

21 MS. CLARK: Yes. One moment,
22 please.

23 COMMISSIONER DIGUILIO: And before
24 I make a comment, are you going to have another
25 option?

1 MS. CLARK: Yes.

2 COMMISSIONER DIGUILIO: Okay.

3 MS. CLARK: The other option is
4 based on Commissioner Forbes's suggestion of
5 building an assembly district in San Joaquin
6 County starting east and then moving the
7 remainder of San Joaquin County to the west.

8 Would you like to see that now?

9 MULTIPLE UNKNOWN SPEAKERS: Uh-huh.

10 COMMISSIONER DIGUILIO: Yes.

11 MS. CLARK: This visualization also
12 does not split the city of Stockton. It includes
13 low -- the city of Lodi is split. This is the
14 other part of the city of Lodi. I believe it's a
15 water treatment facility.

16 And yeah, as you can see, it just
17 follows Stockton on the five and the 99
18 corridors. The city of Lodi is non-contiguous.

19 MS. MACDONALD: So it's a zero
20 population city split.

21 MS. CLARK: I think it's actually
22 one.

23 MS. MACDONALD: Oh.

24 MS. CLARK: Whoever lives at the
25 water treatment facility.

1 UNKNOWN FEMALE SPEAKER: Yeah.

2 MS. MACDONALD: I apologize.

3 COMMISSIONER DIGUILIO: I think
4 there's some elements this might -- my -- I might
5 suggest, just if it's possible, to do a little
6 tweaking in the sense that I think the bottom
7 part, Escalon might identify -- kind of there's a
8 natural divide with Manteca, Lathrop, Tracy and
9 even Escalon to some extent as a southern part.

10 And instead if you cut -- if you
11 kept the southern part, Escalon in the southern
12 part, if you went up to the north, I think
13 there's some more --

14 UNKNOWN FEMALE SPEAKER:
15 (Inaudible).

16 COMMISSIONER DIGUILIO: -- yeah,
17 logical connections with wood -- I mean,
18 Woodbridge and Lodi are sister cities. They're
19 all about wine. I think it would be better to
20 keep those together and to cut off the bottom --
21 in terms of the natural division in terms of
22 San Joaquin County, and even into thorn -- and
23 they're -- and again, I think Galt, if we were to
24 cross the line.

25 Because you probably heard in

1 Auburn, Sacramento doesn't really claim Galt.
2 And Galt's school districts actually are in
3 San Joaquin. It's just there's a big barren
4 land. So if you even went over, I think it would
5 be justification to cross the county boundary for
6 Galt.

7 COMMISSIONER BARABBA: But if you
8 drop those southern ones, they go into a
9 different county?

10 COMMISSIONER DIGUILIO: I'm sorry.
11 One more time.

12 COMMISSIONER BARABBA: If you drop
13 those southern cities, they go into a different
14 county?

15 COMMISSIONER DIGUILIO: No. They
16 go into -- they go with the eastern part of
17 San Joaquin County into Tracy, Manteca, Lathrop.
18 There's much more connection with that southern
19 part of the county being with the -- Farmington
20 is -- Farmington and French Camp would kind of be
21 your natural boundary on the south. And then
22 Escalon would go with Manteca and Tracy.

23 COMMISSIONER BARABBA: Why don't I
24 suggest that perhaps Commissioner DiGuilio would
25 just spend a minute or two with the line drawer

1 and give her their specifics of the community
2 which she knows best, and we can deal then with
3 that specific later.

4 COMMISSIONER DIGUILIO:
5 (Inaudible).

6 COMMISSIONER BARABBA: Okay?

7 COMMISSIONER DAI: And as I recall,
8 this leaves, what, about half of a district?

9 COMMISSIONER BARABBA: Wait a
10 minute. We have to wait till we get their
11 attention.

12 (Whereupon, there was an
13 inaudible discussion.)

14 MS. MACDONALD: I'm sorry.

15 MS. CLARK: What's that?

16 MS. MACDONALD: We were conferring
17 on the Section 2 district.

18 COMMISSIONER DAI: So the question
19 I have is what's left over after you draw a full
20 district? I think it's, what, about half or --
21 half of a district or --

22 MS. CLARK: I'm going to get out my
23 calculator.

24 COMMISSIONER FORBES: What's in the
25 county total?

1 COMMISSIONER DAI: Yeah. Just
2 approximately.

3 COMMISSIONER FORBES: (Inaudible).

4 MS. CLARK: That's the big --
5 the -- so the county is 685,000.

6 COMMISSIONER DAI: Okay.

7 MS. CLARK: And this is 460,000.

8 COMMISSIONER FORBES: (Inaudible).

9 MS. MACDONALD: Thank you,
10 Commissioner Forbes.

11 MS. CLARK: Thank you.

12 COMMISSIONER DAI: So I recall from
13 the testimony that we had for the statewide
14 groups up in Oakland that they had -- the
15 San Joaquin County group had suggested that
16 finger into Antioch through Discovery Bay to fill
17 out the district.

18 MS. CLARK: Right.

19 COMMISSIONER DAI: If --

20 MS. CLARK: Right. There was one
21 that had with the western --

22 COMMISSIONER DAI: Yeah.

23 MS. CLARK: -- area of San Joaquin
24 County, it had Galt, this area of Sacramento
25 County --

1 COMMISSIONER DAI: Right.

2 MS. CLARK: -- and then Oakley and
3 some of the --

4 COMMISSIONER DAI: Right.

5 MS. CLARK: -- further east areas
6 of Contra Costa County.

7 COMMISSIONER DAI: Yep. So I think
8 that's an option. And I think the other one I
9 wanted to point out, the conservative --

10 MS. CLARK: Action group?

11 COMMISSIONER DAI: -- action group
12 had suggested the possibility of extending into
13 San Joaquin to wrap Tracy in that area, which if
14 we had to intrude into San Joaquin, I think that
15 would be very logical, because that is very much
16 a transportation corridor.

17 MS. CLARK: From Alameda County?

18 COMMISSIONER DAI: Right. If we
19 needed to do something funky and move some of the
20 other districts around, that would be I think a
21 logical place to grab population, because that's
22 a bedroom community for getting into Alameda
23 County.

24 COMMISSIONER DIGUILIO: I will
25 argue against that for two reasons. Because one

1 is that's a huge Altamont divide -- Altamont Pass
2 is a huge geographic. And Tracy, although it has
3 become a commuter, to some extent it's still
4 agricultural based. And that's part of the
5 valley floor.

6 So anyways, we can have the
7 discussion later, but I think there's some --

8 MULTIPLE UNKNOWN SPEAKERS:
9 (Inaudible).

10 COMMISSIONER DAI: I think it's a
11 less preferred option, but I think it's not out
12 of the question.

13 COMMISSIONER BARABBA: I think
14 we --

15 MS. CLARK: I --

16 COMMISSIONER BARABBA: -- kind of
17 agreed that we would get Commissioner DiGuilio to
18 work with the drawers to give her their (sic)
19 understanding of the differences with how we
20 might divide up the county so that we come up
21 with equal districts and we could move on.

22 MS. CLARK: So which visualization
23 is preferable, the western assembly or the
24 eastern for an assembly?

25 COMMISSIONER BARABBA: We're

1 suggesting that Commissioner DiGuilio will spend
2 a few minutes with you making some suggestions.

3 MS. CLARK: Oh, okay.

4 MS. MACDONALD: Okay.

5 MS. CLARK: Great.

6 MS. MACDONALD: And --

7 UNKNOWN SPEAKER: (Inaudible).

8 MS. MACDONALD: Yeah, and we also
9 have some C.O.I. testimony actually, or some
10 speaker testimony about the Tracy hills. So
11 perhaps you could make some sense of that for us
12 as well.

13 COMMISSIONER BARABBA: Okay. We
14 could do that with a discussion later with
15 Commissioner DiGuilio.

16 MS. MACDONALD: Okay.

17 MS. CLARK: All right.

18 UNKNOWN FEMALE SPEAKER: Is that
19 okay with everybody else?

20 (No audible response.)

21 (Whereupon, there was an
22 inaudible discussion.)

23 MS. CLARK: -- (Inaudible)
24 testimony about was the foothills district, which
25 my gut reaction is that it could only be possible

1 potentially for congressional districts for, one,
2 because just of the population requirements.

3 Also here there is this high concentration --

4 MS. MACDONALD: (Inaudible).

5 MS. CLARK: -- or just population
6 concentration here in Fresno.

7 And then also there's the remainder
8 of Modesto. And especially if we don't split
9 Modesto, then all of Modesto will have to go
10 somewhere. That would also be potentially for
11 the proposed Section 2 district, that would add
12 Madera in here. It would add Madera to this
13 district, excuse me, where potentially otherwise
14 Fresno would be with this western Madera area.

15 I don't know if this is making
16 sense.

17 MS. MACDONALD: It's hard to
18 explain. I think what she's saying is we need to
19 work out some of those, you know, potentials,
20 especially in light of this other Section 2
21 district that you'd like --

22 COMMISSIONER FORBES: Let --

23 MS. MACDONALD: -- us with Gibson
24 Dunn to work on.

25 COMMISSIONER FORBES: This is

1 Commissioner Forbes.

2 Let me just offer one sentence,
3 then, as you're doing this. If you'd slide the
4 map to the north, I think you can start as far
5 north as the Placer County at least, or perhaps
6 even Nevada, and just come as further -- all the
7 way down to, you know, to Madera and south of
8 Madera even.

9 MS. CLARK: Okay.

10 COMMISSIONER FORBES: And you know,
11 just you can go that far north if you need to get
12 population. It may not, still may not work, but
13 you can go that far north and are consistent.

14 MS. CLARK: Would -- should it --
15 that include the city of Truckee in Nevada
16 County?

17 COMMISSIONER FORBES: Oh,
18 absolutely. Absolutely.

19 MS. CLARK: Yes.

20 COMMISSIONER FORBES: Yes.

21 MS. CLARK: And --

22 COMMISSIONER FORBES: Just
23 basically come down Highway 49.

24 MS. CLARK: Okay. And also
25 these --

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COMMISSIONER FORBES: No.

MS. CLARK: -- two counties of
Mono --

COMMISSIONER FORBES: No.

MS. CLARK: -- Mono and Inyo?

COMMISSIONER FORBES: No.

MS. CLARK: Where should they go?

COMMISSIONER FORBES: They should
go to San Bernardino.

COMMISSIONER DAI: South.

MS. CLARK: Okay.

COMMISSIONER FORBES: South.

MS. CLARK: Great.

COMMISSIONER DAI: They're desert.

So following on what Commissioner
Forbes said about Truckee, I would say as a
priority, unless the other -- any other
commissioners have an objection, I think the
testimony is very strong about keeping the Lake
Tahoe basin together?

MS. CLARK: Yes.

UNKNOWN MALE SPEAKER: Yes.

MS. CLARK: Okay. Can we move on
to the San -- tri-county area?

(No audible response.)

1 MS. CLARK: I have a visualization
2 of the tri-county area with the east Ventura/west
3 Ventura split. At the wrap-up it seemed like the
4 Commission was very interested in maintaining
5 that, those separate groups.

6 Okay. This with --

7 MS. MACDONALD: (Inaudible).

8 MS. CLARK: Okay. So in this
9 configuration, then, this is the east Ventura
10 County. Obviously that would need to pull
11 population from somewhere here in L.A. County.
12 This is west Ventura with this northern region of
13 Santa Barbara County. I believe that these are
14 the percent C.V.A.P. popu -- or C --
15 unbelievable.

16 MS. MACDONALD: That's
17 unbelievable.

18 MS. CLARK: Yeah. So this is the
19 C.V.A.P. number right -- for this district, the
20 light greenish one, the percent C.V.A.P. for
21 Latino is 35.56. For black it's 2.9. And for
22 Asian it's 5.93.

23 And then for population with the
24 remainder of Santa Barbara County, we come north
25 into San Luis Obispo County. The city of

1 San Luis Obispo can't fit, and we have -- do,
2 though, have the tri-count -- or the five cities
3 area that we heard some C.O.I. about intact.

4 MS. MACDONALD: Now, of course, we
5 also heard some testimony coming from the north
6 on down; right? So this is what we talked about
7 earlier.

8 Now, I need to point out that,
9 again, Monterey, because it's a Section 5 county,
10 I actually just -- we really need to talk to
11 Mr. Brown about this tomorrow, because what you
12 do with Monterey will actually affect San Luis
13 Obispo, because San Luis Obispo is one of those
14 pivot points. And I did ask Tamina just for, you
15 know, an idea of what might be happening.

16 And do you want to say something
17 really quickly about it?

18 I think your -- I think the general
19 feeling is that San Luis Obispo, it will be hard
20 to have it go north in the assembly district.

21 Is that correct?

22 MS. ALON: It can, but it's
23 (Inaudible).

24 MS. MACDONALD: It could if you
25 absolutely want to, but it would make it a lot

1 more difficult with the Section 5 district.

2 COMMISSIONER DIGUILIO: The city of
3 San Luis Obispo.

4 MS. MACDONALD: So I --

5 MS. ALON: The county.

6 MS. MACDONALD: The county. The
7 county.

8 COMMISSIONER DIGUILIO: Oh, the
9 whole county?

10 MS. MACDONALD: So we're looking at
11 the county like which way the county is going to
12 pivot. So -- but we need to really have
13 Mr. Brown here for this particular section unless
14 you have a preference that helps us out.

15 COMMISSIONER DAI: Actually, I
16 think most of the testimony we had in San Luis
17 Obispo was to go south and to stay with Santa
18 Barbara County.

19 MS. MACDONALD: Correct.

20 COMMISSIONER DAI: So I think the
21 C.O.I. testimony was clearly going south.

22 MS. MACDONALD: Correct. Then pull
23 this down.

24 COMMISSIONER BARABBA: Commissioner
25 Filkins-Webber.

1 COMMISSIONER FILKINS-WEBBER: Yes.
2 If you could pull back a little bit, that's what
3 I was thinking as well. Because what I'm looking
4 at now -- I'm sorry. If you could go a little
5 north.

6 MS. MACDONALD: Show us
7 (Inaudible).

8 COMMISSIONER FILKINS-WEBBER:
9 Because what's left, and I understand that
10 Monterey will decide, but you've got San Luis
11 Obispo going over to Kern, and that was
12 definitely a big barrier there based on the
13 C.O.I.

14 And I really don't want -- but and
15 I'll defer to counsel and what we're going to do
16 with Monterey. But if there could be a balance
17 for the Section 5 that we could still maintain in
18 Monterey and steer clear of going over into Kern
19 County, that I think is consistent with the
20 C.O.I. and hopefully --

21 MS. MACDONALD: Right.

22 COMMISSIONER FILKINS-WEBBER: --
23 consistent with Section 5.

24 MS. MACDONALD: And really these
25 are just kind of visualizations of some districts

1 that you -- down here -- these two, these are
2 just a couple of visualizations of districts that
3 we talked about before. It doesn't mean that
4 it's going to work, you know.

5 So basically, I mean, you can look
6 at this and you can say, well, you know, this is
7 not going to work, let's orient San Luis Obispo
8 in a different way, have it go south, you know,
9 and have it not go into Kern and see what that
10 does.

11 And I should defer to the mapper
12 here. But you know, just --

13 COMMISSIONER BARABBA:

14 Commissioner --

15 MS. MACDONALD: -- because we have
16 it up here right now doesn't mean that that's
17 what you have to do.

18 COMMISSIONER BARABBA: Commissioner
19 DiGuilio.

20 COMMISSIONER DIGUILIO: What's the
21 remainder of the population in San Luis Obispo
22 County above that visualization, do you know
23 roughly? Do you have any idea? If you don't --

24 MS. CLARK: I can -- oh, it may be
25 in my notes.

1 UNKNOWN SPEAKER: (Inaudible).

2 COMMISSIONER DIGUILIO: So it's an
3 odd -- it's just like right in the middle? Okay.

4 And then just to -- clarification
5 on this visualization, the one in eastern
6 Ventura, did that include, did it include or not
7 include Camarillo? I know we were throwing that
8 out.

9 MS. CLARK: It -- the east Ventura
10 visualization did include Camarillo.

11 COMMISSIONER DIGUILIO: Okay.

12 MS. CLARK: And there are -- this,
13 this area of San Luis Obispo to make a complete
14 assembly district needs about 275,000 people.

15 COMMISSIONER DIGUILIO: And so --
16 and just one other thing, I think, in the future,
17 because that all, you can't really see it, but
18 that -- that's all just, as Commissioner Aguirre
19 said, that's all the mountains there, so maybe we
20 could just split them evenly on the county line,
21 because there's really no population, just to
22 make it look like it doesn't look like a finger
23 as that's all mountain. That's all San --
24 Los Padres; right?

25 MS. CLARK: Could you give me a

1 county context?

2 COMMISSIONER DIGUILIO: So like see
3 on that Ventura and Santa Barbara County, you
4 have kind of the finger that goes up, it makes it
5 look like it's west Ventura, but really it's --

6 MS. CLARK: Right.

7 COMMISSIONER DIGUILIO: -- there's
8 no population?

9 MS. CLARK: Right.

10 COMMISSIONER DIGUILIO: If you
11 could just make it at the -- make the Santa
12 Barbara County line the line match up with so it
13 doesn't look like it's a finger.

14 MS. CLARK: So to move this out
15 here?

16 COMMISSIONER DIGUILIO: Yeah. Just
17 put -- include, well, include the red highlighted
18 part to go all the way over to include the
19 mountain area so it doesn't look like it's kind
20 of geographically funky.

21 MS. CLARK: This area?

22 COMMISSIONER DIGUILIO: And all the
23 way through the mountains; right? Because all
24 that's no population, that's all just mountains;
25 right?

1 MS. MACDONALD: Yeah.

2 MS. CLARK: Yes. What does the
3 Commission think about moving Camarillo into west
4 Ventura if we're moving San Luis Obispo south?

5 UNKNOWN FEMALE SPEAKER: East
6 Ventura.

7 MS. CLARK: Keep Camarillo with
8 east Ventura, okay.

9 COMMISSIONER FORBES: Well, I --
10 Commissioner Forbes.

11 I think that we have to be
12 flexible, because I mean, we're ending up with
13 this rump in San Luis Obispo. And if we're going
14 to come south to pick up that, we're still going
15 to have to pick up some population in Ventura.

16 I don't -- you know, it's just not
17 the right number. So I wouldn't rule out -- I
18 mean, my preference is not to have Camarillo
19 there, but I think that we can't rule it out.

20 COMMISSIONER DIGUILIO: Could -- we
21 have to get the legal opinion from our counsel,
22 but it'd be nice to know. I've seen a lot of
23 visualizations that just have the Monterey/
24 San Luis Obispo as a hard line, and I'm not sure
25 if that's absolute or if there's, like, you could

1 take some of northern San Luis Obispo. Like how
2 far down into San Luis Obispo can you come and
3 still be respectful of Section 5?

4 Because then that would obviously
5 trickle down into what we can or can't do in that
6 east-west Ventura County. So I'd just like to
7 have that as a -- when we look at this again, I'd
8 like to have that discussed into how far south we
9 can go into San Luis Obispo, like the Cuesta
10 grade or something like that.

11 MS. CLARK: Right. I also think
12 that that could depend on whether or not Monterey
13 County is split.

14 MULTIPLE UNKNOWN SPEAKERS: Right.

15 COMMISSIONER DAI: I think there
16 are a couple of different splits we've seen, too.
17 We've seen a, kind of a north-south split,
18 coastal and agriculture.

19 And we've also -- and we had
20 testimony in San Luis Obispo that, if they went
21 north, that they could go into the southern part
22 of Monterey County. So there's two options that
23 we've been presented.

24 MS. MACDONALD: Right.

25 MS. CLARK: Great.

1 MS. MACDONALD: Well, yeah, and
2 Tamina will be working on some of that tonight.

3 COMMISSIONER BARABBA: Okay. What
4 else do you need to cover?

5 MS. CLARK: My last question is
6 whether or not Kern can go into Antelope Valley
7 or whether Kern can pick up Antelope Valley.

8 The -- if this version of the Kings
9 district is maintained, then without San Luis
10 Obispo/Kern, the remainder of the county of Kern
11 is 55,000 overpopulated.

12 There was C.O.I. testimony about
13 splitting off this east Kern section and then
14 picking up areas of Antelope Valley.

15 UNKNOWN SPEAKER: (Inaudible).

16 COMMISSIONER DAI: Except
17 Ridgecrest. We're going to leave Ridgecrest
18 intact.

19 MS. CLARK: Except -- okay.

20 COMMISSIONER BARABBA: Don't touch
21 Ridgecrest.

22 MS. CLARK: Except Ridgecrest.

23 COMMISSIONER BARABBA: Please.

24 UNKNOWN FEMALE SPEAKER: Just right
25 there.

1 COMMISSIONER FILKINS-WEBBER: Not
2 necessarily. And because we received public
3 testimony, what you're talking about is Edwards
4 Air Force Base.

5 COMMISSIONER BARABBA: Yeah.

6 COMMISSIONER FILKINS-WEBBER: And
7 with the China Lake, I don't see them being
8 separated. Because -- and if I'm not mistaken,
9 that came out of the Ridgecrest public comments
10 that talk about keeping that area together.

11 So I'm a little concerned if you're
12 talking about cut -- shaving population to be
13 conscientious of where we're shaving --

14 COMMISSIONER BARABBA: Yeah.

15 COMMISSIONER FILKINS-WEBBER: -- in
16 comparison to our public comments that we
17 received. This is an area where we have received
18 quite a number of public comments.

19 COMMISSIONER BLANCO: I would agree
20 with that.

21 This is Commissioner Blanco.

22 There was a lot of conversation
23 about sort of the military defense nature of this
24 region and the economies that link them, plus all
25 the federal issues, et cetera.

1 So I don't know, maybe that matters
2 more in a congressional than in an assembly,
3 which are things we should -- I think we need to
4 think about. But it's true that there seemed to
5 be east part of Kern that was -- had a very
6 strong military voice.

7 COMMISSIONER DIGUILIO: And was
8 there a difference be -- I thought I'd heard some
9 testimony that Edwards Air Force Base often
10 identifies more like going into L.A. County,
11 whereas China Lake is definitely more the --

12 COMMISSIONER BARABBA: Commissioner
13 Raya.

14 COMMISSIONER RAYA: There's, you
15 can't forget the issue in Ridgecrest, the
16 connection to educational issues in the county of
17 Kern. Because all of their funding and
18 resources, a lot of the service comes from Kern
19 County.

20 That would also hold true for
21 healthcare funding as well.

22 COMMISSIONER BARABBA: Thank you.
23 Commissioner Dai.

24 COMMISSIONER DAI: I think there
25 was some testimony just about the two communities

1 on the bottom here, Rosamond and Mojave for sure,
2 that they often, you know, affiliate with the
3 Lancaster areas more. I remember that testimony
4 specifically.

5 And then there was the general
6 testimony about a high desert district. So that,
7 of course, conflicted with the testimony about
8 Ridgecrest. But I think there's a couple of
9 options there if we need to split Kern.

10 COMMISSIONER BARABBA: Commissioner
11 Filkins-Webber.

12 COMMISSIONER FILKINS-WEBBER: Well,
13 just on the -- because I'm familiar with the term
14 and it -- I don't recall if we actually asked for
15 a definition. But the high desert community,
16 essentially what they're talking about is the
17 Lancaster, Palmdale, going all the way over to
18 Victor Valley. That's kind of what's considered
19 the high desert area.

20 And from my understanding of the
21 definition, it doesn't necessarily include the
22 Kern County line.

23 COMMISSIONER DAI: So I believe
24 this mostly came from the Lancaster/Palmdale
25 area. And they showed us the satellite image of

1 the mountain range there to define it. So of
2 course they were trying to adopt Ridgecrest as
3 well, but their point was that those are actually
4 desert areas as well.

5 COMMISSIONER FILKINS-WEBBER:
6 Wasn't there a gentleman from Boron that wanted
7 to stay in Kern County as well?

8 COMMISSIONER DAI: Possibly.

9 (Whereupon, there was an
10 inaudible discussion.)

11 COMMISSIONER BARABBA: Are there
12 any other areas that are going to need to be
13 covered?

14 MS. MACDONALD: We're -- not on the
15 assembly. We were actually just conferring.
16 Because the assembly is definitely the most
17 difficult, you know, piece.

18 But it would have been great to be
19 able to get a little direction at least on senate
20 and congress as well, even though, you know,
21 you've given a lot of direction.

22 And I think if you -- I'm just not
23 entirely sure how you want to handle it. I think
24 everybody's pretty tired and you have more to do.
25 But I also -- we also have an extreme, you know,

1 timeline.

2 So we could do one of two things.
3 We could -- or I guess there's multiple options.
4 I mean, we could just tell you what the decisions
5 for the senate would be, show you the Section 5
6 districts. There's no Section 2 for the senate
7 in this particular area.

8 Maybe you could start there, and
9 perhaps you'd feel comfortable giving some
10 general direction if you have that with respect
11 to whether you want us to, you know, in some of
12 the areas where you've given us previous
13 direction when, for example, you couldn't keep a
14 community or cities together in the assembly,
15 whether you'd like us to kind of work that out
16 and see if we can do it for the senate or just
17 something along those lines.

18 Or we can go through it in more
19 detail.

20 COMMISSIONER BARABBA: Commissioner
21 Yao.

22 COMMISSIONER YAO: Can you give us
23 an idea how many senate districts cannot be
24 nested?

25 MS. MACDONALD: In this particular

1 area?

2 COMMISSIONER YAO: No. In the
3 entire 40 senate district. Is there any way that
4 you can --

5 MS. MACDONALD: No, I can't.
6 Because we haven't drawn anything really. I
7 mean, all we've drawn is really some, you know,
8 visualizations for you and then also some Section
9 2 and Section 5 districts. So.

10 COMMISSIONER YAO: Now, you did
11 indicate just now that there are no Section 2
12 senate districts; right?

13 MS. MACDONALD: In her area.

14 COMMISSIONER YAO: Oh, in this
15 area.

16 MS. MACDONALD: In this particular
17 area that --

18 COMMISSIONER YAO: I see.

19 MS. MACDONALD: -- we've been
20 talking about. So because I was just asking
21 Jamie, you know, what we would have to discuss
22 with respect to Section 2 and Section 5 and how
23 long it might take.

24 COMMISSIONER YAO: Does it make
25 sense to address the Section 2 senates first

1 before we look at the overall senate map?

2 MS. MACDONALD: Yeah. I think we
3 always want to look at Section 5 first.

4 COMMISSIONER YAO: When will we
5 have that data for --

6 MS. MACDONALD: She has it. And
7 we --

8 COMMISSIONER YAO: Oh, she has?

9 MS. MACDONALD: -- worked those
10 options out with Gibson Dunn.

11 COMMISSIONER YAO: Do we have time
12 today to do that?

13 COMMISSIONER BARABBA: Well, we
14 have a choice. It's 6:00 o'clock, and we could
15 go for some more if you feel up to it or we can
16 go to dinner and come back.

17 COMMISSIONER YAO: Go to dinner and
18 come back.

19 COMMISSIONER BARABBA: Wait, now.
20 What does that do to our line-drawer group here?

21 COMMISSIONER YAO: What's your
22 preference?

23 MS. CLARK: My personal preference?
24 Karin's personal preference?

25 MS. MACDONALD: I think they may be

1 different.

2 MS. CLARK: Yeah. I -- well, my
3 personal preference would be to just plow through
4 it and --

5 MS. MACDONALD: Yeah.

6 MS. CLARK: -- get it done and --

7 MS. MACDONALD: She has a --

8 MS. CLARK: -- sleep.

9 MS. MACDONALD: She has a little
10 more energy right now than I do. So I'll just
11 eat a little more pineapple and -- it would be, I
12 think it would be wise to keep going. Because
13 otherwise we might be here very, very late.

14 COMMISSIONER BARABBA: All right.
15 So what that means is that we've got to be really
16 crisp and not a lot of conversation on the side.

17 MS. CLARK: I also think that, if
18 the Commission feels comfortable giving general
19 direction, then some of the direction that
20 applies to assembly would also apply to senate
21 and congress.

22 COMMISSIONER BARABBA: Okay.

23 MS. CLARK: Okay. So this is
24 senate. I only drew one version of the potential
25 senate districts for the Central Valley, because

1 they're actually both very tight. I know that
2 M.A.L.D.E.F. drew a different version than I did.

3 So if we start with Merced, this
4 also covers the Section 5 requirements for
5 Monterey County. This visualization includes
6 Merced County completely intact, comes into San
7 Benito County, grabs Monter -- agricultural areas
8 of Monterey County along the 101, comes up into
9 Stanislaus County and splits the city of Modesto,
10 and then includes the intact counties of Mariposa
11 and Madera County, and then for population, and
12 also this is a high Latino concentration area,
13 grabs these tracts in west Fresno.

14 (Whereupon, there was an
15 inaudible discussion.)

16 COMMISSIONER FILKINS-WEBBER: I
17 just had a question, because now you're bumping
18 up against Monterey, which we haven't had a
19 chance to look at yet. And now I'm wondering if
20 you're taking San Benito and putting it with the
21 foothill communities technically.

22 UNKNOWN FEMALE SPEAKER: Uh-huh.

23 COMMISSIONER FILKINS-WEBBER: But
24 I'm wondering if you're pulling away from the
25 possibility of a, you know, Section 5 issue by

1 taking San Benito away from Monterey. Is that --
2 could that likely happen at this level?

3 Because you're saying that this is
4 necessary for Section 5 at the senate level;
5 correct?

6 MS. CLARK: M.A.L.D.E.F. drew a
7 different configuration.

8 COMMISSIONER FILKINS-WEBBER: I'm
9 not talking about M.A.L.D.E.F.; I'm talking about
10 what you have up here right now and the conflict
11 that could be -- exist between two Section 5
12 counties, Merced and Monterey.

13 So I'm just looking to see how this
14 configuration could potentially conflict with
15 Monterey on a -- at a senate level.

16 UNKNOWN FEMALE SPEAKER: I can
17 answer that. The senate level districts
18 currently for Monterey, the two benchmarks, split
19 Monterey down the middle.

20 And so what this actually does is
21 it would kill two birds with one stone, is that
22 this would allow that section of Monterey to meet
23 its benchmark at the same time that it allows the
24 Merced part to meet its benchmark.

25 MS. CLARK: Thank you.

1 UNKNOWN FEMALE SPEAKER: No
2 problem.

3 COMMISSIONER DIGUILIO: So out of
4 curiosity, is this the only model you have? Just
5 again I see that, you know, you're going from the
6 coast into the Central Valley and vice verse -- I
7 don't know how either one of those areas would
8 probably really feel. So I just didn't know if
9 you had any other model.

10 MS. CLARK: This is the only model
11 that I have.

12 COMMISSIONER BARABBA: And I would
13 say that that part of Monterey is not considered
14 coast.

15 UNKNOWN FEMALE SPEAKER: Right.

16 COMMISSIONER BARABBA: Okay.

17 MS. CLARK: This is also the only
18 model that I've discussed with Gibson Dunn.

19 COMMISSIONER BARABBA: Okay.

20 MS. CLARK: Or and that I've
21 discussed it with Gibson Dunn, I should say.

22 COMMISSIONER DIGUILIO: And I'd
23 just like to make one other comment. You know,
24 kind of looking at this in the totality, there's
25 going to be communities, whether it be cities or

1 counties, that are just going to have to be split
2 at different times. I understand that.

3 But it'd be nice if we don't do it
4 multiple times. I'm just again looking at, like,
5 Modesto where, if they have to be split in an
6 assembly, that we could do an effort not to split
7 them in the senate as well.

8 Or as a general rule, I'd like to
9 see that the burden be spread around so that, if
10 we have to do something particularly to meet a
11 Section 5 or Section 2, that if they bear a
12 burden in an assembly, they don't in the senate,
13 and vice versa.

14 MS. CLARK: I believe that to meet
15 the benchmark requirements, then that could mean
16 that, instead of in this visualization, instead
17 of splitting Modesto County, then the Stockton
18 finger would maybe be a different option.

19 COMMISSIONER DIGUILIO: I'd just
20 like to see if you could run some options, if
21 that's possible, to see. And if you say that it
22 just has to be that way in assembly and it has to
23 be that way in the senate, then we know that.
24 But in all due fairness to some of these
25 communities that are going to bear the brunt of a

1 location between --

2 MS. CLARK: Okay.

3 COMMISSIONER DIGUILIO: -- Section
4 5 counties.

5 MS. CLARK: Right. And I
6 understand that. It's also important to remember
7 that it's right here next to Kings County, which
8 has a really high benchmark. So the other option
9 would have been for Merced to include the
10 southern Fresno area, but Kings needed it.

11 But I can further investigate if
12 there are any possible very creative ways to --

13 COMMISSIONER DIGUILIO: Well, and
14 that was --

15 MS. CLARK: -- take --

16 COMMISSIONER DIGUILIO: -- I think
17 in the option I'd asked --

18 MS. CLARK: Yes.

19 COMMISSIONER DIGUILIO: -- earlier
20 was for the assembly, was to look at some options
21 in terms --

22 MS. CLARK: Yes.

23 COMMISSIONER DIGUILIO: -- of --

24 MS. CLARK: Right.

25 COMMISSIONER DIGUILIO: -- maybe

1 trying to preserve Modesto --

2 MS. CLARK: Okay.

3 COMMISSIONER DIGUILIO: -- in
4 assembly.

5 MS. CLARK: I see.

6 COMMISSIONER DIGUILIO: So if --

7 MS. CLARK: I see.

8 COMMISSIONER DIGUILIO: -- you have
9 to do it, you have to do it in the senate, okay.
10 But then maybe assembly you could see if you
11 could be --

12 MS. CLARK: Absolutely.

13 COMMISSIONER DIGUILIO: -- show
14 some kindness.

15 MS. CLARK: Yes.

16 COMMISSIONER BARABBA: Commissioner
17 Dai.

18 COMMISSIONER DAI: Is it fair to
19 say that, because of the Section 5 requirements,
20 that we're going to have to span into Central
21 Valley no matter what?

22 MS. CLARK: Yeah.

23 COMMISSIONER DAI: Okay. I just
24 wanted to establish that, that's something we're
25 being forced to do because of that requirement.

1 COMMISSIONER BARABBA: Commissioner
2 Filkins-Webber.

3 COMMISSIONER FILKINS-WEBBER: I
4 also note that the benchmark for Kings, though,
5 was 63.39, and you're at 67. So there may be
6 some consideration where you could consider some
7 of those areas that you put into Kings for the
8 sacrifice to try and keep up on the benchmark and
9 get back away from Commissioner DiGuilio's
10 concern up in Stanislaus.

11 So because the numbers are not
12 identical to the benchmark numbers that we were
13 given earlier, there still might be some
14 fine-tuning here where we can give some
15 consideration to the communities and still
16 achieve Section 5 because the percentages are
17 smaller.

18 MS. CLARK: Right. I think that
19 the option for that would be, again, moving into
20 the city of Fresno or Fresno County, which
21 would -- or I'm sorry, yeah, city of Fresno or
22 Fresno County, and that would put the city of
23 Fresno in three different senate districts as
24 opposed to two.

25 It's just a matter of how many

1 times the Commission wants to split these
2 different areas.

3 UNKNOWN FEMALE SPEAKER:
4 (Inaudible).

5 MS. MACDONALD: But we can
6 certainly look at fine-tuning. I mean, we will
7 look hard.

8 MS. CLARK: Yes.

9 MS. MACDONALD: And we can
10 absolutely take that as one of the principles
11 that, you know, the pain should be spread a
12 little.

13 COMMISSIONER BARABBA: Okay. So
14 "spread the pain" is a principle.

15 UNKNOWN FEMALE SPEAKER: Did you
16 get that?

17 COMMISSIONER BARABBA: We don't
18 have to vote on it, do we? Okay.

19 MS. MACDONALD: Try not to split
20 the same place in the --

21 UNKNOWN FEMALE SPEAKER:
22 (Inaudible).

23 MS. MACDONALD: Yeah.

24 COMMISSIONER BARABBA: Okay.

25 MS. MACDONALD: I had to translate

1 "spread the pain."

2 UNKNOWN FEMALE SPEAKER:

3 (Inaudible).

4 MS. MACDONALD: Yeah. Okay.

5 COMMISSIONER DIGUILIO: Could I ask
6 just one question? On the remainder of Fresno,
7 Bakers -- is that all one other senate, then? Is
8 that enough population? You're not having to
9 have to cross over into Inyo or L.A. to make up
10 the -- or whatever is left kind of on the outside
11 skirts, Fresno or Bakersfield?

12 MS. CLARK: One moment, please.

13 MS. MACDONALD: Just a second.

14 COMMISSIONER DIGUILIO: If you
15 don't know, I just was curious as to what it was,
16 if you don't, let -- just we'll move on.

17 MS. CLARK: Right. I just want to
18 see if I have it in my notes.

19 I do not have that in my notes.

20 COMMISSIONER BARABBA: Okay. Next
21 area.

22 MS. MACDONALD: Okay. What else do
23 you want to (Inaudible)?

24 MS. CLARK: Then should we look at
25 Kings quickly?

1 Okay. So the percent deviation for
2 this is 1.78 percent. The Latino V.A.P. is 67.01
3 percent. Black V.A.P. is 6.02. And Asian V.A.P.
4 is 4.71.

5 In this configuration, Kings County
6 is fully intact. It comes up here along the I-5
7 corridor of Fresno County, also comes into Tulare
8 County and southwest and northwest Tulare County,
9 follows pretty closely the 99 corridor in Fresno
10 to grab this C.O.I. the south Fresno.

11 And then similar to the benchmark,
12 the curl here is going south of Bakersfield. It
13 also, in the benchmark the city of Shafter is
14 split. And in this configuration the city of
15 Shafter is intact.

16 COMMISSIONER BARABBA: I have a
17 question. In this case you used the southern
18 curl, but in the assembly district you used the
19 northern curl. Is it possible that you can use
20 the same curl for assembly and senate?

21 MS. CLARK: Right. That was one of
22 the differences in the two versions of the
23 assembly district I made. And that -- yeah, one
24 of the things --

25 COMMISSIONER BARABBA: It would

1 seem to me that would make it easier then --

2 MS. CLARK: Right. We can --

3 COMMISSIONER BARABBA: -- for the
4 nesting concept so that --

5 MS. CLARK: We can track -- yes.

6 COMMISSIONER BARABBA: Okay.

7 Commissioner Blanco.

8 COMMISSIONER BLANCO: So I have a
9 similar question to Commissioner Filkins-Webber.
10 So it's really two things. And I know you've
11 really worked on this with counsel, so bear with
12 me.

13 I know that you started out with a
14 really oddly shaped district here from the old
15 lines and that we have to deal with benchmarks.
16 So just indulge me, did you even try doing a
17 different shape than the old district, you know,
18 in trying to come up with the benchmark but
19 configured differently?

20 Because it is a very -- Kings, this
21 district does grab a lot of different things, and
22 the old one did as well, but is that, first
23 question is, is that really necessary?

24 MS. CLARK: Consider --

25 COMMISSIONER BLANCO: The second

1 question is why is it higher, so high, the
2 C.V.A.P., which was Commissioner Filkins-Webber?
3 They're related questions.

4 MS. CLARK: The first question of
5 why it is shaped the way it is is that other
6 configurations are possible, and bearing in mind
7 that it is up against Merced County there's the
8 balance there, the give and take of population
9 and of the benchmark percentages.

10 So that's -- and that's also why it
11 goes so high up into here is for population and
12 for the percentages. All of the other high
13 concentration of population areas that you could
14 grab from where it would make things more compact
15 would just dilute the benchmark numbers if we
16 were going to keep cities intact.

17 COMMISSIONER BLANCO: And the
18 second part, why it's so high, is that a function
19 of the other surrounding counties?

20 MS. CLARK: Right. That's a
21 function of the surrounding counties. And also,
22 this is an area of high Latino V.A.P.
23 concentration with the population requirements.

24 COMMISSIONER BARABBA: Okay. Next
25 area.

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Oh.

COMMISSIONER GALAMBOS-MALLOY: I'm going to intervene --

COMMISSIONER BARABBA: Oh, excuse me.

COMMISSIONER GALAMBOS-MALLOY: -- on our court reporter's behalf and suggest that we take a five-minute bio break. And Vince and I will talk with Q2 to see what it will take to wrap things up today.

UNKNOWN FEMALE SPEAKER: Okay.

COMMISSIONER BARABBA: Five minutes.

(Whereupon, a recess was held.)

(Whereupon, there was an inaudible discussion.)

COMMISSIONER BARABBA: And the goal is to see if we could stay very general in our directions. And with a little bit of luck, we might be able to get out of here by 7:00. And if anybody starts getting in specifics, they're going to stay later.

COMMISSIONER GALAMBOS-MALLOY: In case you haven't already picked up on it, our thought is that we're actually going to delay or

1 defer our line drawing, our broad discussion of
2 various issues so that we can go ahead and get
3 through the regions that Jamie's covering. That
4 way she doesn't have to join us tomorrow and we
5 can revisit this other discussion tomorrow.

6 (Whereupon, there was an
7 inaudible discussion.)

8 MS. CLARK: Okay. So I have one
9 visualization for Yuba. This includes Modoc,
10 Siskiyou, Lassen, Shasta, Trinity, Tehama,
11 Plumas, Butte, Glenn, Lake Colusa, Sutter and
12 northern portions of Yolo County. I had to split
13 Yolo County for population. I can zoom into that
14 and show you where the split is.

15 In this visualization Davis and
16 West Sacramento and then this region, the most
17 southern region of Yolo County, are split from
18 the rest of Yolo County.

19 Is that --

20 COMMISSIONER DIGUILIO: Just a
21 question. Didn't we have Trinity and the coast
22 for the assembly? Would we want to keep the
23 integrity of that for the senate as well or -- I
24 thought we --

25 MS. CLARK: The --

1 COMMISSIONER DIGUILIO: -- were
2 talking about --

3 MS. CLARK: The coastal assembly
4 districts, one of them somebody from the public
5 drew and the other one I was directed to draw
6 from C.A.P.A.F.R. I have no problem moving --

7 COMMISSIONER DIGUILIO: Okay.

8 MS. CLARK: -- Trinity in, but it's
9 your decision.

10 COMMISSIONER DIGUILIO: Okay. I
11 just thought we had made -- I thought we had
12 talked about having Trinity for the assembly. So
13 I just wanted to as a point of clarification to
14 match those up when you do the maps.

15 UNKNOWN FEMALE SPEAKER: It was
16 with the --

17 COMMISSIONER BARABBA: Yes.
18 Commissioner Filkins-Webber.

19 COMMISSIONER FILKINS-WEBBER:
20 Earlier today when we heard from Mr. Brown, he
21 did not get to Yuba and the benchmarks for
22 Section 5, so I'm wondering what effect Section 5
23 has on this area that you just are showing us.

24 COMMISSIONER BARABBA: I believe
25 the comment that he -- he thought he was very

1 comfortable with what he had seen so far.

2 MS. CLARK: I have the benchmark
3 percentages if you would like to hear them now.

4 COMMISSIONER FILKINS-WEBBER: We
5 did not get to that earlier. So.

6 MS. CLARK: For senate districts
7 the benchmark percentages for Yuba County, for
8 Latino V.A.P., six -- 13.41. For black V.A.P.,
9 1.48. And for Asian V.A.P., 4.75.

10 COMMISSIONER FILKINS-WEBBER: Thank
11 you.

12 COMMISSIONER BARABBA: Commissioner
13 Forbes.

14 COMMISSIONER FORBES: Thank you for
15 this map. If you lose Trinity, you could gain
16 Sierra and you could also gain the Yolo County of
17 Winters, but I don't think you have it in yet.

18 MS. CLARK: I believe that --

19 COMMISSIONER FORBES: Did you pick
20 up Winters?

21 MS. CLARK: -- Winters was in
22 there.

23 COMMISSIONER FORBES: Was in? Oh,
24 okay.

25 MS. CLARK: But let's --

1 COMMISSIONER FORBES: I'm sorry,
2 then. I just didn't see it right then.

3 Oh, I see. I see. You have it
4 still on the county line. Okay.

5 MS. CLARK: And if we remove
6 Trinity and grabbed Sierra, then for population
7 we would I believe need to grab some of Nevada
8 County.

9 Is there any input on where the
10 split should be?

11 COMMISSIONER FORBES: Truckee. You
12 could take Truckee.

13 MS. CLARK: Take Truckee?

14 COMMISSIONER FORBES: I mean, you
15 know. I mean, no, that's not a --

16 MS. CLARK: Right.

17 COMMISSIONER FORBES: That's not
18 a -- you could, but that wouldn't do it.

19 UNKNOWN FEMALE SPEAKER:
20 (Inaudible).

21 MS. CLARK: Right.

22 COMMISSIONER FORBES: I mean, but
23 that just was a suggestion, to add Sierra in and
24 take Trinity out.

25 COMMISSIONER BARABBA: Commissioner

1 Filkins-Webber.

2 COMMISSIONER FILKINS-WEBBER: Was
3 there some, as I recall, some discussion and
4 questions when we were talking about these two
5 counties? Let me make sure I have it straight.

6 Nevada, I guess -- or not -- okay.
7 Sierra, Nevada -- so Nevada, that there would be,
8 there could be a split if we kept Truckee with
9 Placer and Tahoe.

10 Was there an ability to pull some
11 additional population from Nevada City where the
12 hand was at? Was there some dividing line either
13 based on geography and communities of interest
14 right in that area that she's at, if we needed to
15 pull Sierra in, take Trinity out and pull
16 additional population from Nevada City?

17 COMMISSIONER FORBES: I'm sorry. I
18 did the math wrong. We're 1 percent over, which
19 means we're roughly 10,000 too much. So if you
20 take 13,000 out, now you're short 3,000. And you
21 put 3,000 back in with Sierra County, you'll be
22 just about home free.

23 COMMISSIONER BARABBA: Sounds like
24 good general direction. Okay?

25 MS. CLARK: Okay. There was also

1 some community of interest testimony about this
2 coastal -- about a coastal district. I'll show
3 you what I have. It doesn't include Trinity, but
4 we can look at the deviations there and see if we
5 need to split Sonoma.

6 COMMISSIONER BARABBA: Do you want
7 to -- is this related to this coastal or do you
8 want to wait till you see it?

9 COMMISSIONER PARVENU: It was the
10 last visualization. I didn't know --

11 COMMISSIONER BARABBA: Oh.

12 COMMISSIONER PARVENU: -- we were
13 moving right away from it. I think there was
14 some earlier discussion about having, like, a
15 mountain northern cap including Shasta. I don't
16 know if we wanted to revisit that or if we
17 decided not to include that.

18 COMMISSIONER BARABBA: We're in
19 senate districts now, so it's going to --

20 COMMISSIONER PARVENU: I'm aware.
21 But I'm referring to the assembly. So in order
22 to keep it parallel, if we do add Shasta, I would
23 think that we would also want to have a parallel
24 senate model as well.

25 Do you recall that we discussed

1 having --

2 (No audible response.)

3 COMMISSIONER PARVENU: Okay. Good.

4 COMMISSIONER BARABBA: Okay.

5 COMMISSIONER PARVENU: Just

6 wondering.

7 MS. CLARK: Should I restore the
8 previous visualization?

9 COMMISSIONER BARABBA: I would just
10 go to the coastal region.

11 COMMISSIONER PARVENU: No, I don't
12 think we have to. I just wanted to make mental
13 note of that --

14 COMMISSIONER BARABBA: Yeah.

15 COMMISSIONER PARVENU: -- so if we
16 go through the exercise, that we also parallel
17 that exercise.

18 MS. CLARK: Okay. So in this
19 visualization, no counties are split. It's
20 Del Norte, Humboldt, Mendocino and Sonoma. It's
21 negative 2.1 percent -- sorry. Let me
22 double-check this.

23 Okay. So I believe this is
24 negative 21.09 percent deviation. So we do need
25 to pick up population.

1 COMMISSIONER DIGUILIO: So how much
2 is that in popu -- in total numbers, just if you
3 could help me with math at this hour.

4 UNKNOWN MALE SPEAKER: (Inaudible).

5 MS. CLARK: The total population of
6 this visualization is 734,952.

7 COMMISSIONER DIGUILIO: So 200.

8 COMMISSIONER BARABBA: You could
9 pick up a big chunk of Marin.

10 COMMISSIONER DIGUILIO: So if you
11 add Trinity, if we keep the integrity of what we
12 did for the assembly --

13 COMMISSIONER YAO: You have to do
14 something --

15 COMMISSIONER DIGUILIO: -- and then
16 you could go into Marin?

17 COMMISSIONER BARABBA: Commissioner
18 Yao.

19 COMMISSIONER YAO: You have to do
20 something with Marin. So you -- why don't we put
21 Marin there. Otherwise Marin is going to be
22 lumped in with San Francisco as far as senate
23 district is concerned.

24 COMMISSIONER BARABBA: Well, we
25 could pick up the coastal part of Marin and then

1 move the rest of Marin over towards the east.

2 MS. CLARK: And add Trinity as
3 well?

4 COMMISSIONER BARABBA: Yeah.

5 MS. CLARK: Okay. I can't do that
6 unless we want to watch the circle spinning.
7 Okay.

8 COMMISSIONER BARABBA: No.
9 Consider that as a general direction.

10 MS. CLARK: Okay. Can we move on
11 to Sacramento and San Joaquin Counties?

12 COMMISSIONER BARABBA: Please.

13 MS. CLARK: Okay. I don't have any
14 visualizations prepared for these areas because
15 they're --

16 COMMISSIONER FORBES: Let me make a
17 suggestion, then. What a surprise. If you add
18 West Sacramento in to Sacramento and you put
19 San Joaquin County together, you pretty much come
20 pretty close to two districts. So.

21 COMMISSIONER DIGUILIO: And I also
22 think because we're bordered on the south by the
23 Section 5 that you showed us earlier, the
24 visualization, you have the eastern part of
25 Stanislaus County, whatever that is, whether it's

1 Modesto in its whole or not, to keep it from
2 being orphaned or stuck with the mountains,
3 you'll probably have to incorporate it into
4 San Joaquin County, I'm thinking. I'm -- just
5 one of the options.

6 Our other option would be to --
7 eastern Stanislaus either is going to have to go
8 with the mountain regions or stay in the flatland
9 with the valley in San Joaquin. So if you kind
10 of look at that.

11 If your Section 5 is your base line
12 down there, there's not too many options. You
13 have to kind of work from the south up and then
14 grab what you need to.

15 COMMISSIONER BARABBA: Commissioner
16 Yao.

17 COMMISSIONER YAO: Question, on the
18 northern California that we just left, is there
19 any reason why we couldn't cascade the two -- or
20 nest the two assembly districts up instead of
21 drawing a new one?

22 MS. CLARK: If the -- one of the
23 assembly districts included Lake, I believe that
24 Lake was in that last visualization, so if one of
25 the assembly districts included Lake County, then

1 there would be a potential to nest.

2 COMMISSIONER BARABBA: Well, you
3 should consider that.

4 MS. MACDONALD: Okay.

5 MS. CLARK: Okay.

6 MS. MACDONALD: We'll take a look
7 at it.

8 MS. CLARK: Great.

9 Okay. Moving on into the rest of
10 the valley, or is it safe to assume that in the
11 senate districts as well, Mono and Inyo should go
12 with San Bernardino County and that these
13 foothill districts should remain together as much
14 as possible?

15 COMMISSIONER BARABBA: Yes.

16 MS. CLARK: Okay. I do have
17 visualizations for kind of what happens with the
18 rest of Fresno, Tulare and Kern Counties. Would
19 you like to see that?

20 COMMISSIONER BARABBA: Please.

21 (Whereupon, there was an
22 inaudible discussion.)

23 MS. CLARK: Oh, this, in this
24 visualization Kern grabs up Antelope Valley, a
25 warning.

1 UNKNOWN FEMALE SPEAKER: As long as
2 it's Kern grabbing Antelope Valley and not the
3 other way around.

4 MS. CLARK: Right on.

5 UNKNOWN MALE SPEAKER: (Inaudible).

6 MS. CLARK: Okay. So these are the
7 two, they both need population from somewhere,
8 but they're the two -- and Fresno and Tulare
9 could move here into Kern. But this district is
10 underpopulated by 10.57 percent and --

11 UNKNOWN MALE SPEAKER: (Inaudible).

12 MS. CLARK: -- and this district is
13 underpopulated by 5.67 percent.

14 UNKNOWN FEMALE SPEAKER:
15 (Inaudible).

16 COMMISSIONER FORBES: Well --

17 MS. CLARK: Bleak.

18 COMMISSIONER FORBES: This is
19 Commissioner Forbes again.

20 I mean, SD-5 can only go south to
21 get population because of the mountain ridge. I
22 mean, there's -- it can only go there.

23 COMMISSIONER YAO: It's easier.

24 COMMISSIONER FORBES: And then
25 perhaps SD-4 or SD-5 could wrap around and pick

1 up Inyo, and so that would not be connected with
2 San Bernardino. I mean, it's less than desirable
3 but, you know, in fishing for bodies.

4 UNKNOWN FEMALE SPEAKER:
5 (Inaudible).

6 COMMISSIONER DIGUILIO: I have --

7 COMMISSIONER FORBES: Yes. Right.

8 COMMISSIONER DIGUILIO: I have a
9 question. Can you pull the map down just a
10 little bit? Based on Commissioner Forbes with SD
11 red five, okay.

12 I'm assuming that northern -- or
13 that Madera and Mariposa, can you swing that
14 loop -- I'm assuming there's not a lot of
15 populations that's going to affect the V.A.P.s up
16 there, so can you swing that border, squish it
17 down and capture more Stanislaus, and then you'll
18 allow SD-5 to move up to get some population?

19 COMMISSIONER FILKINS-WEBBER: You
20 might dilute.

21 MS. CLARK: I --

22 COMMISSIONER DIGUILIO: Or are you
23 diluting the --

24 MS. CLARK: I believe that I chose
25 to include those counties intact to avoid

1 city/county splits. But I think that there could
2 be the population either in the city of Modesto
3 or in Turlock to compensate.

4 COMMISSIONER DIGUILIO: So because
5 I'm just saying if we're -- otherwise, our other
6 options, I'm assuming, are to start crossing
7 mountain ranges if we have to push south.

8 MS. CLARK: Yes.

9 COMMISSIONER DIGUILIO: So if
10 that -- again, we're trying -- it's the least
11 offensive of options is what we're trying to --
12 it's not like there's a really great one here.
13 But I'm just wondering if you scoot that down if
14 it lets SD-5 go up to grab the necessary
15 population without interfering with anybody's
16 Section 5 issues.

17 MS. CLARK: Is the direction as
18 well in that to split Madera County --

19 COMMISSIONER DIGUILIO: No.

20 MS. CLARK: -- the flatlands versus
21 the foothills?

22 COMMISSIONER DIGUILIO: I think you
23 should put --

24 COMMISSIONER DAI: (Inaudible).

25 COMMISSIONER DIGUILIO: Yeah. I

1 think you could split it because I think there
2 was sufficient testimony to say -- again, I think
3 there was testimony both ways. I think it was
4 Madera that said they worked hard to make it a
5 county as a whole, but to some degree there's a
6 community of interest with the foothill versus
7 the flatland.

8 So you could push those, Madera and
9 Mariposa down, down to the valley floor, and then
10 run the other district that's already in the
11 mountain range, continue it along the foothill
12 range there.

13 COMMISSIONER BARABBA: Commissioner
14 Yao.

15 COMMISSIONER YAO: On the senate
16 district 05, 10 percent is roughly 70,000 people,
17 so the closest neighbor would be Mono, Inyo and
18 San Bernardino.

19 MULTIPLE UNKNOWN SPEAKERS:
20 (Inaudible).

21 COMMISSIONER DIGUILIO: You can't.
22 You can't go in the mountains.

23 UNKNOWN FEMALE SPEAKER: You can't
24 do it.

25 COMMISSIONER DIGUILIO: That's

1 the -- it's the Sierras that are there, the
2 tallest mountain in the Continental U.S.A.

3 COMMISSIONER DAI: No. I think
4 Commissioner DiGuilio suggested the best option,
5 which is to split Madera County. I don't know, I
6 think the mountain part is less populated, that
7 part, but there were more than one person who
8 testified that, if you just continue the line
9 down from Mariposa, that that's the -- represents
10 the difference between the foothills and the
11 flatlands.

12 COMMISSIONER BARABBA: Okay. Is
13 that something you think you could work on?

14 MS. CLARK: Yes.

15 COMMISSIONER BARABBA: Okay. Thank
16 you.

17 MS. CLARK: And the last region for
18 senate districts that I have -- could use
19 direction on is this tri-counties area again.

20 COMMISSIONER DIGUILIO: Did we
21 answer your question for SD-4, because it's still
22 underpopulated?

23 UNKNOWN FEMALE SPEAKER:
24 (Inaudible).

25 COMMISSIONER DIGUILIO: So it can

1 move up, too. So we need to move everything,
2 adjust everything. Okay. So.

3 MS. CLARK: Okay. Adjust
4 everything up. Okay.

5 And then this visualization that I
6 have of the tri-county area also has the
7 east-west Ventura split.

8 Oh, this is -- doesn't have
9 San Luis Obispo in it. This is what happens with
10 the west Ventura/Santa Barbara area. West
11 Ventura -- this is the same split as in the
12 assembly district. Camarillo is included in the
13 east Ventura area.

14 So west Ventura, all of Santa
15 Barbara County, and then again San Luis Obispo
16 has too -- the city of San Luis Obispo has too
17 much population to be included in this
18 visualization, but the five cities region is
19 still intact.

20 COMMISSIONER DIGUILIO: Instead of
21 splitting San Luis Obispo a little bit and
22 splitting Ventura a little bit, can you just do
23 Ventura/Santa Barbara and keep those counties
24 more intact? I'm trying to remember what the
25 numbers are.

1 MS. CLARK: I think that could be
2 possible if Camarillo or other cities in east
3 Ventura could come into this. But this area of
4 east Ventura is much more densely populated than
5 southern San Luis Obispo County.

6 COMMISSIONER DIGUILIO: So you
7 could drop down, if you kept the integrity of
8 Ventura County line to some extent -- and I think
9 this is probably going to be factored in with
10 what happens with Monterey; right? Of course.

11 But if you kept Ventura County
12 whole and said, okay, you have to play nice for
13 the senate, you guys are all going to be together
14 for the senate, and then you could go up into
15 Santa Barbara, I think there's a natural divide
16 above, like, Goleta where things, you know, the
17 economy, the population shifts a little bit.

18 So maybe you could have a -- cut
19 Santa Barbara in half a little bit if they
20 were -- yeah. Because Santa Barbara was kept
21 whole or some of the other ones, and now they
22 maybe take the burden and they cut -- they get
23 cut in half for senate and then Ventura County
24 stays whole for the senate where they were cut in
25 half for assembly.

1 COMMISSIONER BARABBA: Commissioner
2 Blanco.

3 COMMISSIONER BLANCO: I had a
4 question similar to Commissioner DiGuilio's
5 earlier. How does this look in terms of nesting?
6 I know we gave you two -- we looked at two
7 options earlier, but is -- is there any way to
8 nest?

9 And sort of going to the compromise
10 notion of you don't get it here but you get it
11 there, when we do that, if we were to follow
12 that, we kind of work against nesting, I think.
13 So I'm just pointing that out that that kind of
14 works against the nesting notion.

15 COMMISSIONER DIGUILIO: And I think
16 in some of these areas where you abut Los Angeles
17 County and you have Section 5s, I think there
18 will be probably some massaging on the edges that
19 will -- that our line drawers can take into
20 consideration.

21 MS. MACDONALD: Yeah. I should
22 also point out there are some areas in the state
23 where it's much easier and much more natural to
24 nest --

25 UNKNOWN FEMALE SPEAKER: Yeah.

1 MS. MACDONALD: -- than in this
2 particular area. But that actually is one of the
3 problems with nesting is that, you know, if you
4 just nest, then you don't spread the pain. You
5 basically double the pain for some, you know, for
6 some of the jurisdictions.

7 COMMISSIONER BARABBA: So the
8 general direction was to see the extent to which
9 you could move further into all of Ventura and
10 see if you could then end the district up at the
11 end of the San Luis Obispo line.

12 MS. CLARK: Okay. Great.

13 (Whereupon, there was an
14 inaudible discussion.)

15 MS. MACDONALD: Well, then we're
16 done with the senate and we can just look at
17 congress.

18 COMMISSIONER BARABBA: Let's do it.

19 (Whereupon, there was an
20 inaudible discussion.)

21 MS. MACDONALD: I don't know where
22 she gets it.

23 MS. CLARK: So for the Section 5
24 districts, I have two versions of each. This
25 first version, these are similar to the

1 benchmark. And then I have a version that is
2 dissimilar to the benchmark.

3 Starting with Merced, I'll put the
4 benchmark district lines up. So starting with
5 Merced, Merced County is fully intact. And then
6 it comes up here into Stanislaus County, west
7 Stanislaus County, and grabs southern Modesto,
8 splitting the city of Modesto, and then again
9 comes up through San Joaquin, and the San Joaquin
10 finger is back.

11 The benchmark numbers for this
12 district, do you have the benchmark numbers for
13 this?

14 COMMISSIONER BARABBA: No.

15 MS. CLARK: Okay. So the benchmark
16 percentages for congress, congressional district
17 Merced, okay, for Latino V.A.P. it's 47.23
18 percent. Black V.A.P. is 5.92 percent. Asian
19 V.A.P. is 9.54 percent.

20 This district -- what's that?

21 COMMISSIONER YAO: Don't touch it.

22 COMMISSIONER BARABBA: Right.

23 MS. CLARK: This district has a
24 zero percent deviation of zero people. The
25 Latino V.A.P. is 47.42 percent. Asian V.A.P. --

1 or black V.A.P. is 6.61 percent. And Asian
2 V.A.P. is 10.19 percent.

3 COMMISSIONER BARABBA: Okay.

4 MS. CLARK: For Kings, again, the
5 benchmark district -- benchmark percentages for
6 the Kings congressional district, the Latino
7 V.A.P. is 65.72. The black V.A.P. is 6.95. And
8 the Asian V.A.P. is 5.41.

9 And here in this district, which is
10 also a zero percent deviation, although there is
11 a deviation of 23 individuals, the Latino V.A.P.
12 is 67.79 percent. The black V.A.P. is 5.02
13 percent. And the Asian V.A.P. is 3.57 percent.

14 This visualization shows that Kings
15 is intact. Again, these tracts in west Fresno
16 County along the I-5 corridor picks those up,
17 picks up these regions in northwest and southwest
18 Tulare County and a few communities here on
19 the -- along the 99 corridor in Fresno County.

20 Again, Shafter and Wasco are both
21 intact, and the curl comes to the south to grab
22 Arvin, Lamont, Weedpatch and southeast
23 Bakersfield.

24 Would you like to see the second
25 version?

1 COMMISSIONER BARABBA: You bet.

2 MS. CLARK: All right.

3 COMMISSIONER DIGUILIO: I wonder
4 while they're doing that if maybe at some point
5 we could be provided with the benchmarks for all
6 the Section 5s for all the counties?

7 COMMISSIONER BARABBA: Okay.

8 COMMISSIONER DIGUILIO: And that
9 way we could just make sure we -- our notes are
10 correct with what we have. That'd be helpful.
11 Thank you.

12 COMMISSIONER ANCHETA: And I think
13 that might entail us up -- Gibson Dunn updating
14 the table -- I think their tables need some
15 updating, but their -- the maps are in that guide
16 book, are they not?

17 At least the maps, the original
18 map -- the original district maps are correct;
19 right?

20 MS. CLARK: Yes.

21 COMMISSIONER ANCHETA: But the
22 tables I think are off.

23 MS. MACDONALD: Well, they didn't
24 do -- we didn't do their tables. That's why.

25 COMMISSIONER ANCHETA: All right.

1 Oh. Right. So if you want to look at them, look
2 at the maps, but we needed some updated tables.

3 MS. MACDONALD: No. They used
4 different data.

5 COMMISSIONER ANCHETA: Right.

6 MS. MACDONALD: That's possibly
7 what happened.

8 COMMISSIONER ANCHETA: Right. But
9 the maps are --

10 MS. MACDONALD: No, but we can send
11 you -- sorry. It's late.

12 COMMISSIONER ANCHETA: You want to
13 look at something.

14 MS. MACDONALD: But we can send you
15 the benchmarks --

16 COMMISSIONER BARABBA: Okay.

17 MS. MACDONALD: -- the benchmark
18 percentages.

19 COMMISSIONER BARABBA: All right.

20 MS. MACDONALD: Okay.

21 COMMISSIONER BARABBA: So let's
22 look at the new ones here.

23 MS. CLARK: So for this
24 visualization for the Merced district, Merced is
25 intact. This portion of eastern Madera County,

1 including the city of Madera, is also intact.
2 This was -- there was testimony saying that this
3 was the place that, what, to the west of this
4 line is the flatlands and to the east is the
5 foothills.

6 Then along the 99 corridor it comes
7 into Fresno County to grab this southern area of
8 the city of Fresno and continues along the 99
9 corridor to grab a few communities here along the
10 99 corridor as well.

11 This has a deviation of zero
12 individuals. The Latino V.A.P. is 53.1 percent.
13 Black V.A.P. is 6.08 percent. And Asian V.A.P.
14 is 8.68 percent.

15 If we look at this Kings district,
16 this is also pretty similar to the benchmark.
17 Kings is intact. Again, this west Fresno area is
18 also included. This includes more of west
19 Fresno, which there was community of interest
20 testimony saying that all of west Fresno was a
21 community of interest.

22 And then again, northwest and
23 southwest Tulare County, this Wasco/Shafter area
24 and the 99 corridor is intact. And then again,
25 the curl comes down to pick up Arvin, Lamont,

1 Weedpatch and southeast Bakersfield.

2 There's a deviation of one person
3 on this. The Latino V.A.P. is 65.77 percent.
4 Black V.A.P. is 5.71 percent. Asian V.A.P. is
5 3.83 percent.

6 COMMISSIONER BARABBA: Commissioner
7 Filkins-Webber.

8 COMMISSIONER FILKINS-WEBBER: In
9 line with what Commissioner Barabba had asked
10 earlier about our Kern curl, you had it going one
11 direction for the assembly, and if we were to
12 consider some nesting and we went that direction
13 again, would that be consistent with this
14 congressional district?

15 If we make a decision which way the
16 curl's going to go, I guess all three of the maps
17 will follow, or do you think that there's going
18 to be some significant difference?

19 MS. CLARK: There is in general --

20 COMMISSIONER FILKINS-WEBBER: The
21 reason I ask is because we did receive some
22 specific C.O.I. testimony regarding southern
23 Bakersfield and how that particular area in --
24 and specifically new homes, new construction, if
25 I'm not mistaken it was, I thought it was an

1 African-American gentleman who worked for the big
2 company that's up there.

3 And he made the -- and he described
4 that particularly. So when the curl went to the
5 south -- I mean, excuse me, went to the east and
6 came south, that seemed to protect that community
7 of interest and still didn't affect the Section
8 5.

9 And now that you've come around the
10 other way, that might be infringing on that
11 C.O.I. testimony. And if it doesn't make an
12 impact for Section 5, we could respect both, just
13 depending on which way the curl goes if we accept
14 the curl.

15 MS. CLARK: I have, I've drawn all
16 of the curls to -- as close as I can to the
17 C.O.I. testimony, keeping southeast Bakersfield
18 intact, which was a C.O.I. with this Lamont,
19 Weedpatch, Arvin. And it has always excluded
20 this south Bakersfield area west of the 99.
21 So -- which I believe is the community of
22 interest that that person was describing.

23 MULTIPLE UNKNOWN SPEAKERS: Yes.

24 MS. CLARK: So --

25 MS. MACDONALD: Bonnie just looked

1 it up, too.

2 MS. CLARK: So that C.O.I. is
3 intact in all --

4 COMMISSIONER FILKINS-WEBBER: Yeah.

5 MS. CLARK: -- visualizations.

6 COMMISSIONER FILKINS-WEBBER: I
7 guess I didn't recall if it went further west to
8 the five. That's all.

9 MS. CLARK: Oh.

10 COMMISSIONER FILKINS-WEBBER: So if
11 it did go further west to the five and beyond the
12 five, because I thought maybe the businesses --
13 but I'm not certain. But if it did, then maybe
14 if we curled to the south -- or to the east
15 south, then we would be protecting that C.O.I.

16 But again, that goes more to
17 detailed C.O.I. testimony if it actually went to
18 the five.

19 MS. MACDONALD: The C.O.I.
20 testimony that we're having, you said it's west
21 of 99 and south of the Truxtun extension.

22 MS. CLARK: That's right here.

23 COMMISSIONER FILKINS-WEBBER: Okay.

24 COMMISSIONER BARABBA: So the
25 direction would be is if we could, on the

1 assembly, the senate and the congressional, have
2 the similar-shaped curl, that would be --

3 MS. CLARK: Similar curl.

4 COMMISSIONER BARABBA: -- helpful.

5 UNKNOWN MALE SPEAKER: Yeah.

6 MS. CLARK: Okay. Is there an
7 option, of the two sets of congressional
8 districts, is there an option that you prefer and
9 that I should build around?

10 COMMISSIONER BARABBA: This one.

11 MS. CLARK: Okay.

12 COMMISSIONER BARABBA: Otherwise
13 Commissioner DiGuilio will be really upset.

14 COMMISSIONER DIGUILIO:
15 (Inaudible).

16 MS. CLARK: Okay. I also have
17 prepared visualizations of this foothills
18 district. Would you like to see it?

19 UNKNOWN FEMALE SPEAKER: Yeah.

20 UNKNOWN MALE SPEAKER: Yes.

21 MS. CLARK: Okay. There's another
22 district around the city of Fresno, I believe,
23 that I also had to create for population -- oh,
24 the city of Fresno, that's right, is included in
25 this is one difference between the C.O.I.

1 testimony that we got about the foothills
2 district and this visualization.

3 Also this district would be 23,000
4 people short of the ideal value, ideal
5 population.

6 COMMISSIONER DIGUILIO: So it's
7 kind of like a foothill district and Fresno?

8 MS. CLARK: Right. So -- yes. So
9 I guess I have questions on where to go next with
10 this, if it's to grab population from southern
11 El Dorado County, if it's to try and exclude the
12 city of Fresno in some way, perhaps by coming
13 into Tulare County.

14 COMMISSIONER DIGUILIO: What is the
15 congressional -- where would Tulare -- where was
16 the leftover down there going? Is that a
17 congressional --

18 MS. CLARK: Let me --

19 COMMISSIONER DIGUILIO:
20 Tulare/Kern, is that enough to be a congressional
21 down there? Because that would let us know
22 whether -- what we do with the one above.

23 MS. CLARK: The remainder of Kern
24 County is 512,000, and the remainder of Tulare
25 County is -- oh, wrong in my notes. Okay. The

1 remainder -- Tulare County would need 260,000
2 people, and Kern County would need 190,000
3 people.

4 COMMISSIONER BARABBA: So it sounds
5 like you can come down from Fresno into Tulare
6 and then see -- figure out a deal with Tulare and
7 Kern?

8 COMMISSIONER DIGUILIO: Well,
9 wouldn't it be almost you kind of, because of the
10 boundary of the Central Valley, if you start from
11 the bottom and take Kern and whatever else you
12 need, you take that into Tulare and then you
13 bring down the rest.

14 COMMISSIONER BARABBA: Yeah.

15 COMMISSIONER DIGUILIO: I mean, you
16 just, you massage it so that it's both of those
17 on the far eastern side fit.

18 COMMISSIONER BARABBA: Commissioner
19 Yao, you had a --

20 COMMISSIONER YAO: What are you
21 going to do with Fresno if you take it out? You
22 have no options, because those other districts
23 sets the boundaries. So I don't think you have
24 a -- you really have any choices.

25 COMMISSIONER BARABBA: Commissioner

1 Blanco.

2 COMMISSIONER BLANCO: I think it's
3 problematic.

4 COMMISSIONER YAO: Yeah.

5 COMMISSIONER BLANCO: I don't have
6 the answer, but I think it's problematic to have
7 Fresno in with the foothill --

8 UNKNOWN FEMALE SPEAKER: Yeah.

9 COMMISSIONER BLANCO: -- districts.
10 I mean, those are such different -- I mean, it's
11 such an agricultural area. It's so tied to the
12 99 corridor. I just, I think that's problematic.
13 I don't know how -- what to tell you to do about
14 it, but I think it's a problem.

15 COMMISSIONER BARABBA: Commissioner
16 Forbes.

17 COMMISSIONER FORBES: Just a
18 thought was that you could go north into the
19 foothill -- into the lower part of El Dorado
20 County or the upper part depending how you want
21 to characterize it, I mean, to go up to South
22 Lake Tahoe.

23 You could add probably the --
24 probably about as much population as you need if
25 you -- I don't know. How much population is left

1 in the -- how much is in Fresno right now that
2 you're adding to this district?

3 MS. CLARK: Let me see if I have it
4 in my notes.

5 COMMISSIONER FORBES: Because you
6 may be able to add Fresno and then just sort
7 of -- it's a big fish hook that then comes -- it
8 comes south. You grab Fresno, which is at the
9 southern end of this district and stay south.

10 (Whereupon, there was an
11 inaudible discussion.)

12 MS. CLARK: I don't -- I am not
13 sure what the population of --

14 COMMISSIONER FORBES: But anyway,
15 my point --

16 MS. CLARK: -- this Fresno area.

17 COMMISSIONER FORBES: -- you could
18 go up into El Dorado County.

19 COMMISSIONER BARABBA:
20 Commissioner --

21 COMMISSIONER FORBES: And if you
22 need a little bit of population, you go to South
23 Lake Tahoe. If you need a lot of population, you
24 go down to -- on the west end.

25 COMMISSIONER BARABBA: Commissioner

1 DiGuilio.

2 COMMISSIONER DIGUILIO: If I could
3 see the lower part of this again very quickly.
4 Keep going. I want -- I'd like to see the
5 bottom.

6 Okay. So if you take what's left
7 of Bakersfield and come up into Tulare to grab
8 the rest and then you take what's left in Tulare
9 and go into Fresno, does -- are we talking the
10 population numbers to be able to do that, so you
11 separate Fresno from the mountain?

12 MS. CLARK: Would we be separating
13 Kern -- Bakersfield from the rest of Kern County?

14 COMMISSIONER DIGUILIO: Well,
15 you -- if -- well, based on the curl, it has to
16 go somewhere else; right? I mean, you, so you
17 keep Kern and then go into Tulare for what you
18 need?

19 COMMISSIONER FORBES: All of Kern,
20 all of -- all the remainder of Tulare and then --

21 COMMISSIONER DIGUILIO: And then --

22 COMMISSIONER FORBES: -- add Fresno
23 and you see what you have.

24 COMMISSIONER DIGUILIO: Yeah. So
25 if you see the rest of Kern --

1 COMMISSIONER BARABBA: (Inaudible).

2 MS. CLARK: Yeah.

3 COMMISSIONER DIGUILIO: -- see if
4 you could --

5 MS. CLARK: Yes.

6 COMMISSIONER BARABBA: Okay.

7 COMMISSIONER DIGUILIO: See if you
8 could divide it, too. And if not, then you could
9 go a little further north.

10 MS. MACDONALD: Right.

11 MS. CLARK: Yes. Would you also
12 like to see an option with Antelope Valley in
13 case that -- if that helps to balance out these
14 populations --

15 COMMISSIONER BARABBA: Yes.

16 MS. CLARK: -- if I need more --

17 COMMISSIONER BARABBA: Yes.

18 MS. CLARK: Okay.

19 (Whereupon, there was an
20 inaudible discussion.)

21 MS. CLARK: Okay.

22 MS. MACDONALD: She didn't mean to
23 say that she already has this prepared. So she
24 wanted --

25 MS. CLARK: Right.

1 MS. MACDONALD: Basically she will
2 work one out. Okay?
3 COMMISSIONER BARABBA: Yeah.
4 MS. CLARK: Yeah.
5 COMMISSIONER BARABBA: I understood
6 that.
7 MS. MACDONALD: All right.
8 MS. CLARK: I have one
9 visualization for Yuba. Would you like to see
10 it?
11 COMMISSIONER BARABBA: You bet.
12 UNKNOWN FEMALE SPEAKER: Sure.
13 MS. CLARK: Okay.
14 UNKNOWN FEMALE SPEAKER: Show us
15 what you've got.
16 MS. CLARK: All right. Oh.
17 UNKNOWN MALE SPEAKER: Nevada.
18 MS. CLARK: Yeah. High five. Just
19 go into Nevada.
20 MULTIPLE UNKNOWN SPEAKERS:
21 (Inaudible).
22 UNKNOWN MALE SPEAKER: Just take
23 over Nevada.
24 MULTIPLE UNKNOWN SPEAKERS:
25 (Inaudible).

1 MS. CLARK: So --

2 COMMISSIONER BARABBA: Let's keep
3 it down.

4 MULTIPLE UNKNOWN SPEAKERS:
5 (Inaudible).

6 MS. CLARK: -- this visualization
7 has a zero percent deviation. The -- oh, let me
8 give you the benchmark percentages. For Yuba
9 County congressional districts, the Latino V.A.P.
10 is 15.48 percent. The black V.A.P. is 1.41. And
11 the Asian V.A.P. is 4.57.

12 So --

13 COMMISSIONER BARABBA: Couldn't get
14 any closer, huh?

15 MS. CLARK: So this is very close.

16 COMMISSIONER BARABBA: We couldn't
17 get any closer?

18 MS. CLARK: This is a pretty close
19 one.

20 COMMISSIONER BARABBA: This is
21 pretty close.

22 MS. CLARK: Yeah. I think that
23 potentially -- and as you can see, Yolo is split.
24 I think by potentially adding more of Yolo, we
25 could boost the numbers a little bit.

1 COMMISSIONER DIGUILIO: Could I
2 suggest again, if we're taking -- again, that if
3 Trinity comes out, you could add more of Yolo?

4 MS. CLARK: Yes.

5 COMMISSIONER FORBES: And I do
6 notice in this district Winters is not included.

7 MS. CLARK: Right. So include
8 Winters and take out Trinity. And this is the --
9 can I get general direction for the rest of
10 region nine?

11 COMMISSIONER BARABBA: I think what
12 we heard was take Trinity out and leave it to the
13 coast, and then pick up Winters down in Yolo?

14 MS. CLARK: Okay. Great.

15 COMMISSIONER FILKINS-WEBBER: I do
16 have one question. And maybe this was addressed
17 when I took a personal break. But I'd like --
18 and this again, a lot of these public comments
19 came in after our first wrap-up session in region
20 nine.

21 And I'm a little concerned with I
22 think for the assembly, in the senate, and now
23 we're looking at congress at Siskiyou, Modoc and
24 Lassen coming around that way, and I do
25 appreciate Commissioner Dai's recollection of

1 there being this mountain watershed, but is that
2 consistent with the public comments to have
3 Siskiyou and Modoc in the same district, whatever
4 district it might be? Because now we're
5 consistently putting Siskiyou with what looks
6 like would be a congressional district all the
7 way down to, you know, Sierra County and Nevada.

8 I just want to make sure we're
9 being consistent or whether we need to look at
10 some other options here. Because I want to make
11 sure we're consistent with the substantial amount
12 of public comment that we have received from
13 northern California.

14 COMMISSIONER BLANCO: I --

15 COMMISSIONER BARABBA: Commissioner
16 Blanco.

17 COMMISSIONER BLANCO: I think it's
18 tough, because the one -- the consistent comment
19 we heard was don't put us with the coast. But
20 we -- so we heard don't put us with the coast,
21 Highway 5 is the divide -- is the corridor, but
22 we didn't hear a lot about I'm okay going east,
23 unless somebody can recall that. It was more the
24 don't do this, yeah.

25 COMMISSIONER FILKINS-WEBBER: But

1 consistently what we've also heard is to maintain
2 what we have. And that puts Siskiyou down
3 through the central portion of California.

4 COMMISSIONER BARABBA: Commissioner
5 DiGuilio.

6 COMMISSIONER DIGUILIO: I'd like to
7 see if we could ask for direction. Maybe Bonnie
8 could check some of the things we received and
9 see what Siskiyou would like.

10 Because again, this may be one of
11 those things where, if for an assembly they're in
12 one location, maybe for congressional they're
13 included, and that would mean maybe we don't do
14 Yolo or we make the -- whatever necessary
15 adjustments.

16 Because again, I think we need to
17 spread the pain and then also give people some
18 options at times. So I'd like to look at
19 Siskiyou particularly and what their preferences
20 would be and then incorporate that into one of
21 the maps.

22 UNKNOWN FEMALE SPEAKER: I have one
23 speaker who talked about -- or no. I'm sorry. I
24 have one written comment talked about Siskiyou
25 County not only not being with the coast, but to

1 include it with Modoc, Shasta, Lassen, Tehama and
2 Plumas, and not to use the I-5 to separate it
3 from -- or not to use the I-5, yeah, to separate
4 it from -- or I'm sorry, to use the I-5 to
5 separate it from Trinity, Humboldt and Del Norte.

6 COMMISSIONER DIGUILIO: And have
7 you been going through the -- a lot of the
8 comments that we've been receiving are via
9 E-mail. I mean, that's the majority of where
10 we've been getting those comments.

11 So have you incorporated that
12 into -- because that one comment is just a small
13 fraction of everything we've got, so I'd like
14 to -- and those have been received before the May
15 23rd cut-off. So I want to make sure those are
16 incorporated.

17 UNKNOWN FEMALE SPEAKER: As
18 Commissioner Blanco said, most of the E-mails
19 were just simply do not put Siskiyou with the
20 coast. There -- very few of them actually gave
21 the other counties that they wanted to be with.

22 COMMISSIONER FILKINS-WEBBER: But
23 since we're on that issue, can you -- do you
24 happen to know how many said they'd like to
25 maintain the district?

1 And I don't know, maybe I need to
2 look at the map and whether or not -- as I
3 recall, I thought the present district included,
4 it went down straight. In other words, Siskiyou
5 and Modoc weren't together at some level in it.

6 (Whereupon, there was an
7 inaudible discussion.)

8 MS. MACDONALD: I'm not -- would
9 you repeat the question?

10 COMMISSIONER FILKINS-WEBBER: Sure.
11 Well, I'm looking at assembly district two as it
12 exists presently, and it does have Siskiyou and
13 Modoc, Shasta, Tehama, Glenn, Colusa. It goes
14 down that central portion.

15 And so I was wondering if we had
16 how many E-mails or if you had separated them on
17 we'd like it to remain the -- in the present
18 district that we have.

19 In other words, instead of saying
20 we don't want to be with Modoc, it's been
21 consistent that they wanted to be with -- or in
22 other words, they want to maintain their
23 district, then that would support, I guess, the
24 inference that it's okay for Siskiyou to be with
25 Modoc.

1 UNKNOWN FEMALE SPEAKER:

2 (Inaudible).

3 COMMISSIONER FILKINS-WEBBER:

4 That's the assembly.

5 UNKNOWN FEMALE SPEAKER:

6 (Inaudible).

7 COMMISSIONER FILKINS-WEBBER: Are
8 they together in the congressional?

9 COMMISSIONER BARABBA: Might I
10 suggest, if we're going to do that kind of an
11 analysis, we could do that off-line and then do
12 the --

13 MS. MACDONALD: Yeah. We can
14 figure out whether there's a search term for that
15 if we have it in there, like by Kern assembly
16 district or just by the separated counties. But
17 we can get that to you.

18 COMMISSIONER BARABBA: Commissioner
19 Yao.

20 COMMISSIONER YAO: I guess if we
21 put Siskiyou along with the five going south, we
22 would have all our bases covered. I guess maybe
23 that's the best solution. In other words, all
24 the people that commented we like the way it is,
25 we in essence give them what they want.

1 COMMISSIONER BARABBA: Well, why
2 don't we think of that as an option --

3 COMMISSIONER YAO: Yeah.

4 COMMISSIONER BARABBA: -- another
5 option, and then see what you have to do on the
6 east side --

7 COMMISSIONER YAO: Because I --

8 COMMISSIONER BARABBA: -- to make
9 up for it.

10 COMMISSIONER YAO: I don't think it
11 would be much trouble to pick up 40,000 people,
12 40 plus.

13 COMMISSIONER BARABBA: Okay.

14 COMMISSIONER FILKINS-WEBBER: So
15 just real -- one quick note. Congressional
16 district two does have Siskiyou not with Modoc,
17 but with Shasta. But I do recognize that Trinity
18 was in there, and so that may not be consistent
19 with the C.O.I.

20 But just when you're looking at
21 that issue as to what to do with Siskiyou in
22 comparison to all the public comments that said
23 we wanted to remain where we're at now.

24 COMMISSIONER BARABBA: Okay.

25 UNKNOWN FEMALE SPEAKER: Thank you.

1 MS. CLARK: I -- is it safe to
2 assume that the general direction for the
3 foothills would be to keep them intact as much as
4 possible --

5 COMMISSIONER BARABBA: Yes.

6 MS. CLARK: -- keep them together?

7 UNKNOWN FEMALE SPEAKER: Yes.

8 MS. CLARK: Can we talk about
9 Sacramento and San Joaquin, please?

10 COMMISSIONER BARABBA: (Inaudible).

11 Yes, please.

12 MS. CLARK: I don't have any
13 visualizations for this area prepared, I don't
14 believe. Oh, let me switch to --

15 COMMISSIONER BARABBA: Oh, there it
16 is, the famous finger.

17 UNKNOWN MALE SPEAKER: (Inaudible).

18 MS. CLARK: What do you guys think?

19 UNKNOWN FEMALE SPEAKER:

20 (Inaudible).

21 COMMISSIONER BARABBA: I can see
22 it's going to be a new logo for Q2.

23 MS. MACDONALD: We'll consider
24 that.

25 MS. CLARK: Yeah.

1 UNKNOWN FEMALE SPEAKER:

2 (Inaudible).

3 MS. CLARK: Does anyone have any
4 thoughts?

5 COMMISSIONER BARABBA: Well,
6 would -- in essence if we had the senate map up,
7 we could see what we would have to take out.

8 UNKNOWN FEMALE SPEAKER: Yeah.

9 MS. CLARK: Could you repeat that?

10 COMMISSIONER BARABBA: If you had
11 the senate map up for those two counties, we
12 could then decide what -- how much we could take
13 out of it. Because we kind of agreed on a --

14 COMMISSIONER FORBES: Well, one
15 thing I was thinking looking at it, I mean,
16 San Joaquin and Sacramento and West Sacramento
17 collectively have enough for about three
18 congressional seats.

19 COMMISSIONER BARABBA: Yeah.

20 COMMISSIONER FORBES: Now, I don't
21 know how that works with the other counties
22 around San Joaquin.

23 COMMISSIONER BARABBA: But just
24 think, if we looked at the senate district, which
25 is --

1 COMMISSIONER FORBES: 900,000.

2 COMMISSIONER BARABBA: Yeah. But
3 then we could decide what --

4 COMMISSIONER DIGUILIO: But --

5 COMMISSIONER BARABBA: -- to take
6 out of that to get to a congressional district.

7 COMMISSIONER DIGUILIO: Can I make
8 a suggestion that we have to stay with what we
9 have here, because the base line is this
10 Stanislaus/Merced.

11 COMMISSIONER FORBES: (Inaudible).
12 That's right.

13 COMMISSIONER DIGUILIO: You have
14 to. So if you're -- it's going to have to be
15 Stanislaus into San Joaquin, which means in this
16 case Stanislaus will be kept whole, but
17 San Joaquin would have to be split for
18 congressional.

19 You know, I mean, if -- you know,
20 there -- here is where you have to -- I got --

21 COMMISSIONER FORBES: And
22 Sacramento pretty much has two seats. It's got a
23 million 4, what, 18. It's just about two seats.

24 UNKNOWN FEMALE SPEAKER: Right.

25 COMMISSIONER FORBES: So I think

1 for starters I'd start on the north county line
2 and come south.

3 COMMISSIONER BARABBA: Yeah.

4 COMMISSIONER DIGUILIO: The --

5 COMMISSIONER FORBES: But I also
6 would include West Sacramento in that -- in those
7 two districts.

8 COMMISSIONER DIGUILIO: But the
9 problem is you're -- if you -- you have to go up.
10 And then if you split San Joaquin, you're going
11 to have to split Sacramento to some degree,
12 because --

13 COMMISSIONER BARABBA: Well, you
14 have to do it.

15 COMMISSIONER FORBES: Right. But
16 West Sacramento is going to give you an extra,
17 oh, 50,000 people. I mean, that may not be
18 enough, but it will give you that.

19 And again, also in the
20 conversation, when you discuss the issues of the
21 foothill district that we talked about,
22 El Dorado's got a lot of people close to
23 Sacramento. So you know, you can, you know, peel
24 some out of that, too, if you needed to.

25 MS. CLARK: What about this area in

1 Placer County, could that also be included --

2 COMMISSIONER FORBES: Same thing.

3 MS. CLARK: -- as (inaudible)?

4 COMMISSIONER FORBES: It's all part
5 of greater Sacramento.

6 MS. CLARK: Okay. I think, then,
7 the last area, again, is San Luis Obispo and
8 Santa Barbara and Ventura. I again have a
9 visualization with the east-west Ventura split.
10 Would you like to see it?

11 MULTIPLE UNKNOWN SPEAKERS:
12 (Inaudible).

13 MS. CLARK: So this is what happens
14 with west Ventura and Santa Barbara Counties.
15 This has a deviation of 1 percent under the
16 ideal. The Latino V.A.P. is 43.06 percent.
17 Black V.A.P. is 2.19 percent. And Asian V.A.P.
18 is 5.86 percent.

19 And then up here with San Luis
20 Obispo, it still needs almost half of its
21 population -- or it needs 40 percent population.
22 And again here in Ventura County, it needs to
23 pick up population from L.A.

24 COMMISSIONER FILKINS-WEBBER: Well,
25 is it possible to just follow the similar

1 instructions that we provided for the senate?
2 Because we're so close. We talked about
3 considering including east Ventura County into
4 senate district. And since you need population
5 there as well, would we consider that similar
6 route?

7 Would that be a decent instruction
8 to parallel the instructions for our senate
9 districts, give or take where that population,
10 you know, would go, because we have a -- you
11 know, we're -- there's a difference.

12 COMMISSIONER BARABBA: Commissioner
13 DiGuilio.

14 COMMISSIONER DIGUILIO: Isn't
15 San Luis Obispo, Santa Barbara, Ventura County,
16 combine those populations, it's almost two
17 congressional? So you could just split; right?

18 MS. CLARK: I can investigate both
19 options.

20 COMMISSIONER DIGUILIO: I think
21 it's right about 14 -- or one million for --

22 MS. CLARK: Let's see.

23 COMMISSIONER DIGUILIO: That way
24 you would keep, again, San Luis Obispo, Ventura,
25 then split...

1 MS. CLARK: I'll get out a
2 calculator and double-check. Okay.

3 (Whereupon, there was an
4 inaudible discussion.)

5 COMMISSIONER BARABBA: But that
6 would be a direction as an option for you to work
7 on.

8 And as I recall the testimony,
9 there were some people from Monterey who were
10 just right on the border who said they have a
11 lot -- they're a little closer to San Luis Obispo
12 if you needed a little town to make it work.

13 COMMISSIONER FILKINS-WEBBER: Well,
14 on that last point, Commissioner Barabba,
15 isn't -- how far down is Vandenberg? So if we
16 considered if you wanted to create the military,
17 you know, in its sea -- and combining all the
18 military into one congressional district if
19 that's where we need to maybe shave some
20 population at the northern part of San Luis
21 Obispo, I wonder how much that would be for
22 Vandenberg.

23 COMMISSIONER BARABBA: Vandenberg's
24 quite a ways down.

25 COMMISSIONER FILKINS-WEBBER: Is

1 it?

2 COMMISSIONER BARABBA: Yeah.

3 UNKNOWN FEMALE SPEAKER:

4 (Inaudible).

5 COMMISSIONER BARABBA: And by the
6 way, that military conversation, I mean, those
7 two Army bases up in Monterey, they're pretty
8 much National Guard at this point.

9 UNKNOWN FEMALE SPEAKER:

10 (Inaudible).

11 COMMISSIONER BARABBA: Let's hope
12 not.

13 COMMISSIONER DIGUILIO: Just a
14 quick estimation, those three counties are over
15 by about a hundred and ten thousand.

16 COMMISSIONER BARABBA: So --

17 COMMISSIONER DIGUILIO: So you'd
18 shave a little on the north or a little on the
19 south. Probably maybe on the north would make
20 more sense, maybe at the Cuesta grade or
21 something like that. I don't know.

22 COMMISSIONER BARABBA: Or you could
23 handle that eastern part with the --

24 COMMISSIONER DIGUILIO: Or the
25 eastern part, exactly. So.

1 COMMISSIONER BARABBA: So I think
2 the general direction might be to add up -- it's
3 like a hundred thousand more for those three
4 counties than two districts.

5 So figure either by cutting off a
6 little bit of the east going into L.A. County or
7 a little bit of, say, San Luis going into
8 Monterey County and then create two districts
9 there.

10 MS. CLARK: Okay.

11 COMMISSIONER BARABBA: Okay?

12 MS. CLARK: Yes.

13 COMMISSIONER BARABBA: And I think
14 that traditionally it would be better if you
15 added those areas to L.A. Then you keep a
16 straight line to San Luis.

17 UNKNOWN FEMALE SPEAKER: What was
18 that last part?

19 COMMISSIONER BARABBA: Move -- give
20 a part of the three counties to L.A. for a
21 district, and then keep San Luis as a straight
22 line.

23 COMMISSIONER DAI: So I was just
24 going to say that that was the hundred, you know,
25 and ten thousand people that several people

1 pointed out to us was the leftover and that it
2 will not fit that east county area.

3 COMMISSIONER BARABBA: Yeah.

4 COMMISSIONER DAI: It will split
5 that area.

6 COMMISSIONER BARABBA: Okay.

7 COMMISSIONER DIGUILIO: It'll split
8 the east county?

9 COMMISSIONER DAI: Yes.

10 COMMISSIONER DIGUILIO: Yeah.

11 Again, I think we just keep in mind when you --
12 with everything you do, it's kind of a matter of,
13 again, sharing the pain and where it all goes so
14 it, instead of continually always splitting
15 places to balance out between the senate,
16 congressional and assembly, just --

17 COMMISSIONER DAI: Yeah. I mean, I
18 think depending on what happens with the Section
19 5 up in Monterey, there might be an opportunity
20 to go up the coast a little bit and grab some
21 southern Monterey County. Although, I think
22 that's sparsely populated. So.

23 MS. CLARK: Right. And what also
24 happens with the greater Bay Area and with the
25 peninsula moving down.

1 MS. MACDONALD: Yeah. And that's
2 really true for all the sets of maps, you know.
3 We have to just see how that all works out.
4 Because I was actually just saying, you know, we
5 have the San Luis Obispo, that really great
6 straight county upper border.

7 UNKNOWN FEMALE SPEAKER: Yeah.

8 MS. MACDONALD: It's just fabulous;
9 right? Let's just -- I'd just, I'd like to, you
10 know, keep that as a district line whenever I
11 can.

12 But you know, we'll just have to
13 figure out what happens there. And then, you
14 know, once we've worked this all out, then next
15 week we'll really see how this comes together --

16 COMMISSIONER BARABBA: Okay.

17 MS. MACDONALD: -- a little bit
18 better.

19 COMMISSIONER BARABBA: Does that
20 cover your request --

21 MS. CLARK: Yes.

22 COMMISSIONER BARABBA: -- for
23 general direction?

24 MS. CLARK: Thank you.

25 MS. MACDONALD: Thank you very

1 much. We have 12 minutes to spare.

2 COMMISSIONER FILKINS-WEBBER: You
3 have nothing else to show us?

4 MS. CLARK: Well, let's see.

5 COMMISSIONER BARABBA: And I want
6 to recognize --

7 MS. CLARK: Blue circles.

8 COMMISSIONER BARABBA: -- that it
9 was obvious that you guys have been working very,
10 very hard and --

11 UNKNOWN FEMALE SPEAKER: Yes.

12 COMMISSIONER BARABBA: -- that it
13 showed. And we're very, very appreciative.
14 Thank you.

15 MS. CLARK: Thanks.

16 UNKNOWN FEMALE SPEAKER: Thank you.

17 COMMISSIONER BARABBA: No, no, no,
18 no, no. You've got to wave. You've got to wave.

19 COMMISSIONER ANCHETA: I started
20 something.

21 COMMISSIONER BARABBA: I think
22 we'll bring --

23 (Whereupon, there was an
24 inaudible discussion.)

25 COMMISSIONER BARABBA: Yeah. Now,

1 remember, tomorrow we've got to be here at 9:00
2 o'clock to get going, because George is going to
3 be here and he's ready to go and we've got a lot
4 to cover. So let's go eat.

5 MULTIPLE UNKNOWN SPEAKERS: Thank
6 you.

7

8 (Whereupon, the proceedings
9 were adjourned.)

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I, DEBRA LINDSEY, Certified Shorthand Reporter, Certificate Number 12798, for the State of California, hereby certify:

The foregoing proceedings were taken before me at the time and place therein set forth;

The proceedings were recorded stenographically by me and were thereafter transcribed;

The foregoing transcript is a true and correct transcript of my shorthand notes so taken;

I further certify that I am neither counsel for nor related to any party to said action, nor in any way interested in the outcome thereof.

IN WITNESS WHEREOF, I have hereunto subscribed my name this 13th day of July, 2011.


